



# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary  
Peer Reviewed Edition :

[www.ijlra.com](http://www.ijlra.com)

## **DISCLAIMER**

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

## **EDITORIAL TEAM**

### **EDITORS**



### **Megha Middha**

*Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar*

*Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society*

### **Dr. Samrat Datta**

*Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board*



## **Dr. Namita Jain**



*Head & Associate Professor*

*School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.*

*Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019*

## **Mrs.S.Kalpana**

*Assistant professor of Law*

*Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr. Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.*



## **Avinash Kumar**



*Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and*

*learning.*

## **ABOUT US**

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS

ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

# **“RISE IN DEMAND FOR GIG WORKERS IN INDIA: AN ANALYSIS OF CHALLENGES AND OPPORTUNITIES”**

AUTHORED BY - KHUSHBOO SINGH

## **INTRODUCTION**

The gig economy is a rapidly growing sector in India, with an estimated 27 million gig workers by 2023.<sup>1</sup> This growth is being driven by a number of factors, including the increasing adoption of technology, the rising demand for flexible work arrangements, and the growing number of young and educated Indians entering the workforce.<sup>2</sup> So, what exactly is the gig economy? It is a term used to describe individuals who work on short-term, contract-based projects for multiple clients. You may have heard them called freelancers, independent contractors, or temporary workers. Their work spans various industries, including transportation, logistics, delivery, food service, retail, and professional services. But this is not just a passing trend; the gig economy presents many exciting opportunities for both workers and businesses. For workers, it offers the chance to be their boss and have a flexible work schedule.

Although the gig economy offers various opportunities, it also poses numerous challenges. Gig workers often struggle with job insecurity, a lack of social security benefits, and limited access to healthcare. In addition, they may face exploitative working conditions and unfair labour practices. This project aims to deeply examine the challenges and possibilities within the gig economy in India. Through this investigation, it will also propose policy recommendations and effective measures to support gig workers and foster a more fair and inclusive gig economy.

## **SPECIFIC OBJECTIVES**

The specific objectives of this project are as follows:

1. To comprehend the magnitude, composition, and trends of the gig economy in India.
2. To identify the main forces and hurdles driving the gig economy in India.

---

1 Indian Institute of Management Calcutta (2021). Study on the Impact of the Gig Economy on Women Workers in India.

2 NITI Aayog (2022). India's Booming Gig and Platform Economy.

3. To analyse the effects of the gig economy on workers, businesses, and the overall economy.
4. To explore policy recommendations that can address the challenges faced by gig workers and promote a more equitable and inclusive gig economy.

## APPROACH

We will utilize a comprehensive method for collecting and analysing data in this project that incorporates both quantitative and qualitative methods. The numerical data will be used as a reference from reliable secondary sources such as government reports, industry surveys, and academic research. On the other hand, the qualitative data will be acquired through primary methods like in-depth interviews with gig workers, platform representatives, and policymakers.

## EXPECTED OUTCOMES

Through this project, we aim to achieve the following outcomes:

1. Provide a thorough understanding of the gig economy in India, including its scale, composition, growth patterns, major drivers, and challenges.
2. Examine the effect of the gig economy on workers, businesses, and the overall economy.
3. Offer policy recommendations and identify best practices for supporting gig workers and promoting the adoption of gig work among businesses in India.

## CHALLENGES FACED BY GIG WORKERS

One of the fastest-growing industries in India is the gig economy, which is expected to have 27 million workers by 2023. However, this sector presents a host of challenges for its workers, including:

**Uncertainty of employment:** The nature of gig work means that these workers are often hired on a contract basis with no guaranteed job security. That can lead to financial instability and hinder long-term planning.

**Instability of income:** The unpredictable and irregular nature of gig work can result in fluctuations in income, making it difficult for workers to budget and save for the future.

**Lack of legal protection and social security:** Gig workers are not covered under India's labour laws and do not have legal protection in cases of workplace harassment, discrimination, or unfair termination. Gig workers are not eligible for social security benefits such as health insurance, retirement benefits, or paid time off.

**Unequal bargaining power:** Gig workers in India may lack the bargaining power to negotiate fair compensation and working conditions, especially when they are competing against a large pool of other workers on digital platforms.

**Payment issues:** Delayed or non-payment of wages is a major issue for gig workers.<sup>3</sup>

## RECOMMENDATIONS

Here are some concrete initiatives that might be taken to solve the issues that gig workers face in India:

- 1. Expand social security coverage for gig workers:** To improve the financial stability and overall quality of life for gig workers, the government needs to provide them with access to social security benefits such as health insurance, retirement savings, and paid leave.
- 2. Enhance labour laws to safeguard gig workers:** The Indian government must strengthen labour laws to protect gig workers from being exploited by unscrupulous employers. That can include setting up minimum wage and working condition standards for gig workers and ensuring they have access to mechanisms for addressing workplace grievances. By implementing these recommendations, the Indian government can demonstrate a commitment to supporting gig workers and addressing their unique challenges. That will not only improve the lives of these workers but also contribute to the sustainable growth of the gig economy in India.
- 3. Encouraging Collective Bargaining for Gig Workers:** The Indian government can empower gig workers by promoting collective bargaining, giving them a powerful stance

---

<sup>3</sup> <https://www.isme.in/gig-economy-in-india-drivers-challenges-road-ahead-dr-pooja-nagpal/#:~:text=Lack%20of%20legal%20protection%20%26%20social,major%20issue%20for%20gig%20workers>

in negotiations with platform companies. That could include supporting the establishment of gig-worker unions and associations.

4. **Investing in Gig Worker Training and Development:** The Indian government should prioritize the growth and success of gig workers by investing in training programs. That could mean offering access to online courses, workshops, and other resources to help them develop the necessary skills and knowledge for the gig economy. Upholding Ethical and Fair
5. **Practices in Platform Companies:** The Indian government needs to encourage ethical and responsible practices among platform companies. This could involve implementing regulations and policies to promote fair treatment of gig workers.

## OPPORTUNITIES FOR GIG WORKERS

In India, the gig economy is a goldmine for workers as it offers a plethora of opportunities, including:

1. **Flexibility and autonomy:** Gig work can offer flexibility, independence, and the potential to earn a higher income than traditional employment.<sup>4</sup> With the freedom to choose when and where to work, gig workers can easily balance their personal and professional commitments. This is very useful for those with familial responsibilities or seeking a better work-life balance.
2. **Higher earning potential:** With the increasing demand for skilled workers, gig workers can often earn more than traditional employees. For instance, a proficient software developer can earn a substantial income by freelancing on diverse projects.
3. **Diverse job options:** Gig work in India encompasses a variety of jobs, ranging from ride-sharing and delivery services to creative and technical projects. This enables gig workers to explore and expand their skills, leading to a diverse and fulfilling career. For businesses, gig workers can provide a more flexible and cost-effective workforce.<sup>5</sup>

---

4 Sargeant, A. (2017). *Gig Economy: A Critical Introduction*. Policy Press.

5 Dokko, G., Goh, J., & Tan, C. (2015). *The Gig Economy: Opportunities and Challenges for the Future of Work*.

"Expanding your reach and income potential is made easier for gig workers through online platforms, which provide access to a wide pool of clients from across the globe. This opens up a world of opportunity for workers to showcase their skills and expertise to a diverse global audience. Moreover, gig workers in India have the added advantage of industry-specific opportunities. For instance, those in the IT sector can tap into cutting-edge projects with top global companies, while those in healthcare may have the chance to participate in remote patient care or medical research initiatives."

## GOVERNMENT POLICIES

The Indian government is currently in the early phases of developing measures to support gig workers and foster a more fair and inclusive gig economy. Despite this, several government policies hold the potential to tackle the challenges faced by gig workers and capitalize on the opportunities presented by the gig economy.

One vital policy area is social security. In many cases, gig workers in India do not fall under the protection of the country's social security laws, thus depriving them of vital benefits such as health insurance, retirement savings, and paid time off. The Indian government could extend social security benefits to gig workers by creating a new social security scheme for gig workers or by expanding the coverage of existing social security schemes to include gig workers.<sup>6</sup>

Labour protection is a crucial matter that deserves attention from the government. Due to the large number of gig workers on digital platforms, these workers often lack the negotiating leverage to secure decent wages and working conditions. The government of India should consider implementing stronger labour laws to safeguard gig workers from exploitative practices, including wage theft and discrimination. Setting minimum pay and working conditions guidelines for these workers, as well as allowing ways for them to resolve issues, might be part of this.

The Indian government could promote collective bargaining among gig workers to give them a greater voice in negotiations with platform companies.<sup>7</sup> This would give them a stronger voice in negotiations with platform companies and allow them to better advocate for their rights.

---

Journal of Economic Perspectives, 29(2), 141-161.

6 NITI Aayog (2022). India's Booming Gig and Platform Economy.

7 World Economic Forum (2021). The Future of Work 2021: A New Agenda for Building a Better Normal.

Not only should the Indian government adopt general policies, but it could also devise tailored measures to bolster gig workers across various industries and professions. For instance, financial aid could be extended to gig workers in the transportation and logistics field to purchase necessary safety gear or offset the costs of vehicle maintenance.

Similarly, the government could offer specialized training and development programs to empower gig workers in the healthcare sector, equipping them with the necessary skills and knowledge to excel in the increasingly prevalent field of telemedicine. Through the implementation of these supportive policies, the Indian government has the potential to promote a fair and inclusive gig economy, ensuring that all workers have equal opportunities to benefit from its potential.

In India, the government has a range of policies geared towards gig workers.

**Extend social security benefits to gig workers:** there is a proposal to offer social security benefits to gig workers, either through a brand new scheme or by widening the coverage of existing social security programs. As a result, it would alleviate financial strain and enhance the overall welfare of gig workers.

**Establish minimum wage and working condition standards for gig workers:** the Indian government could also implement minimum wage and working condition regulations for gig workers. That would safeguard them from being taken advantage of and guarantee fair treatment in the workplace.

**Provide gig workers with access to grievance redress mechanisms:** To empower gig workers and protect their rights, the Indian government can implement grievance redress mechanisms. These mechanisms would enable gig workers to settle any disputes they could have with platform companies or other involved parties, granting them a stronger voice in the process.

**Promote collective bargaining among gig workers:** The government could play a crucial role in promoting collective bargaining among gig workers. By supporting the formation of unions and associations, gig workers would have a platform to voice their concerns and negotiate with

platform companies for fair compensation and better working conditions. That would give them a true sense of autonomy and self-determination in their work.

**Provide gig workers with access to grievance redress mechanisms:** To ensure fair treatment for gig workers, the Indian government could establish grievance redress mechanisms that allow them to resolve conflicts with platform companies and other involved parties. That would not only empower gig workers but also safeguard their rights.

**Promote collective bargaining among gig workers:** The Indian government could proactively encourage the formation of gig worker unions and associations. By supporting collective bargaining, gig workers would have a stronger voice in negotiations with platform companies and a greater say in determining their own pay and working conditions. This would ultimately promote a more equitable and fair gig economy for all.

## CASE STUDIES

### Case Study 1: The Rise of the Gig Economy in India

India is one of the fastest-growing economies in the world, and the gig economy plays a major role in this growth.<sup>8</sup> The International Labour Organization (ILO) reports that India has over 27 million gig workers, a number that is projected to hit 50 million by 2030. The gig economy's success in India can be attributed to multiple factors, with digitalization being a crucial one. The rapid growth of the Indian economy in the digital landscape has opened up new opportunities for gig workers in various sectors like e-commerce, transportation, and food delivery. Moreover, the young and expanding population of India has also shown a preference for gig work due to its flexibility and autonomy.

The gig economy is undoubtedly a boon for the Indian economy, bringing with it various advantages. It not only spurs job creation and accelerates economic growth, but also reduces poverty to a great extent. For businesses, it offers a pliable and economical workforce, catering to their fluctuating demands. However, amidst the numerous perks, it cannot be overlooked that gig workers face many hurdles. These include job insecurity, no access to social security benefits, and inadequate healthcare resources. Additionally, they are often subject to unjust labour

---

<sup>8</sup> NITI Aayog (2022). India's Booming Gig and Platform Economy.

practices and exploitation. In light of these challenges, the Indian government has taken noteworthy measures to address the concerns of gig workers. One such initiative was the launch of a social security scheme in 2020, exclusively for gig workers. This scheme provides them with a host of benefits such as pension, health insurance, and accident insurance. Furthermore, efforts are being made to strengthen labour laws to safeguard gig workers from unfair labour practices.

## **Case Study 2: The Future of the Gig Economy in India**

The gig economy is expected to continue to grow in India in the coming years.<sup>9</sup> Several factors, such as the rapid digitization of the Indian economy, a rising young population, and government support, are driving this growth. Undoubtedly, the gig economy will have a significant impact on India's economy, creating jobs, driving economic growth, and reducing poverty. However, it is crucial to address the challenges faced by gig workers to ensure that everyone reaps the benefits of this growth. To this end, both the government and platform companies have a role to play. The government can strengthen labour laws to safeguard gig workers against exploitation, while platforms can implement policies that prioritize the well-being and fair treatment of gig workers.

## **CONCLUSION**

The gig economy is a dynamic and ever-changing landscape that presents both promising possibilities and significant hurdles for workers, businesses, and the government. To cultivate a more just and inclusive gig economy, it is crucial to properly comprehend these possibilities and difficulties. In this pursuit, the Indian government has taken some measures to address the obstacles faced by gig workers. However, more efforts are necessary.

The government must continue to bolster labour laws and social security benefits for gig workers and actively foster inclusive practices within platform companies. Platform companies can also play a role in addressing the challenges faced by gig workers by developing policies and practices that promote fairness and inclusion.<sup>10</sup>

As we look towards the future of the gig economy, let us not forget the crucial role that gig workers play. Not only do they have a significant impact on the industry, but they also have the

---

9 International Labour Organization (ILO) (2022). World Employment and Social Outlook 2022: Trends and Issues in the Global Labour Market.

10 World Economic Forum (2021). The Future of Work 2021: A New Agenda for Building a Better Normal.

power to influence its direction. It is important for gig workers to actively advocate for their rights and band together to secure fair treatment.

This could include forming unions or associations and providing a stronger platform for negotiations with companies. By working together, the government, platform companies, and gig workers can create a more equitable and inclusive gig economy in India.<sup>11</sup>

## BIBLIOGRAPHY

1. Indian Institute of Management Calcutta (2021). Study on the Impact of the Gig Economy on Women Workers in India.
2. NITI Aayog (2022). India's Booming Gig and Platform Economy.
3. <https://www.isme.in/gig-economy-in-india-drivers-challenges-road-ahead-dr-pooja-nagpal/#:~:text=Lack%20of%20legal%20protection%20%26%20social,major%20issue%20for%20gig%20workers.>
4. Sargeant, A. (2017). Gig Economy: A Critical Introduction. Policy Press.
5. Dokko, G., Goh, J., & Tan, C. (2015). The Gig Economy: Opportunities and Challenges for the Future of Work. *Journal of Economic Perspectives*, 29(2), 141-161.
6. NITI Aayog (2022). India's Booming Gig and Platform Economy.
7. World Economic Forum (2021). The Future of Work 2021: A New Agenda for Building a Better Normal.
8. NITI Aayog (2022). India's Booming Gig and Platform Economy.
9. International Labour Organization (ILO) (2022). World Employment and Social Outlook 2022: Trends and Issues in the Global Labour Market.
10. World Economic Forum (2021). The Future of Work 2021: A New Agenda for Building a Better Normal.
11. NITI Aayog (2022). India's Booming Gig and Platform Economy.

---

<sup>11</sup> NITI Aayog (2022). India's Booming Gig and Platform Economy.