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# Navigating the Challenges of the Gig Economy: A Legal Analysis of Protection to Gig Workers in India and Overseas

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## ABSTRACT

*The focus of this research paper is the legal position of gig workers in India. As the gig economy continues to grow in the country, gig workers have emerged as a significant segment of the Indian workforce. However, they often face legal and regulatory challenges related to taxation, insurance, and labor laws, which can affect their earnings, job security, and social protection.*

*The research analyzes the existing legal framework for gig workers in India and identifies the gaps and challenges that need to be addressed. It highlights that the current labor laws in India do not adequately address the needs and rights of gig workers, who are classified as independent contractors rather than employees. This classification denies them access to benefits and protections that are available to traditional employees, such as minimum wages, social security, and health insurance.*

*The research also notes that gig workers in India operate in a largely unregulated environment, which leaves them vulnerable to exploitation and abuse by clients and platform operators. There is a need for a comprehensive legal framework that recognizes the unique characteristics and needs of gig work and ensures that gig workers are protected under the law.*

*The research highlights some of the recent legal developments in India, such as the proposed social security code and the recognition of gig workers under the new labor codes. These developments aim to provide better social protection and labor rights for gig workers, but the implementation and effectiveness of these measures remain to be seen.*

*The research concludes by emphasizing the importance of establishing a legal framework that addresses the specific needs and challenges of gig workers in India, to ensure that they can work in a safe, fair, and sustainable environment.*

**Keywords:** Labour laws, Gig workers, New labour codes in India.

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## I. INTRODUCTION

Gig workers in India are individuals who work on a freelance basis, providing short-term or project-based services to clients on a contractual basis. These workers are typically not employed by a single company or organization but work independently, using online platforms to connect with potential clients. Gig workers in India can provide a wide range of services, including web development, graphic design, content creation, social media management, digital marketing, and more. They are often skilled professionals who have chosen to work as independent contractors rather than seeking traditional employment.

The size of the gig economy in India is estimated to be around \$20 billion, and it is expected to continue to grow in the coming years. According to a report by Nasscom, there are currently around 16 million gig workers in India,<sup>3</sup> and this number is expected to reach 24 million by 2025. Gig workers in India come from a wide range of backgrounds and demographic groups. Many are young professionals who have chosen to work as freelancers to gain more flexibility and control over their work. However, there are also many older workers and women who have entered the gig economy as a way to supplement their income or to balance work with other responsibilities. The types of gig work available in India are diverse and varied. Some of the most common types of gig work in India include software development, content creation, graphic design, digital marketing, and data entry. However, there are also many other types of gig work available, depending on a worker's skills and expertise.

Despite the many benefits of gig work, there are also a number of challenges that gig workers in India may face. These include issues related to income stability, lack of benefits, and difficulties in finding new clients and projects. Additionally, gig workers may also face legal and regulatory challenges related to taxation, insurance, and labor laws, which can add to their workload and reduce their earnings.

## II. A LACK OF EVERYTHING: THE CHALLENGES FACED BY GIG WORKERS IN INDIA

Gig workers in India often face several legal challenges that can impact their work and livelihood. Some of the main legal problems for gig workers in India include:

**Lack of legal recognition:** Gig workers are not recognized as a formal category of workers under Indian labor laws. This means they do not receive the same protections and benefits as regular employees.<sup>4</sup>

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<sup>3</sup> Neha Jain, *The Rise of Gig Economy In India*, Community by NASSCOM Insights, December 9, 2022.

<sup>4</sup> Manjit Singh, *Gig, a New-Age Economy*, Akgec International Journal Of Technology, Vol. 13, No. 1, (2010).

**Lack of job security:** Gig workers are not entitled to job security, which means they can be terminated without notice or reason.<sup>5</sup>

**Low pay and exploitation:** Many gig workers in India are paid low wages and do not receive benefits such as health insurance or pension.<sup>6</sup>

**Uncertain working conditions:** Gig workers often have to work long hours with uncertain working conditions, which can impact their physical and mental health.<sup>7</sup>

**No social security:** Gig workers do not have access to social security benefits such as provident fund, gratuity, or paid leave. In India, the Employees' Provident Fund Organization (EPFO) manages the country's largest social security scheme, the Employees' Provident Fund (EPF), which provides retirement benefits to eligible employees. However, gig workers are not considered eligible for EPF as they are not classified as formal employees. As a result, gig workers in India are often not entitled to social security benefits such as provident fund, gratuity, or paid leave. This lack of social security benefits can leave gig workers vulnerable to financial hardships in case of unexpected contingencies such as illness or injury that prevent them from working.<sup>8</sup>

**Legal and regulatory issues:** Gig work in India is still a relatively new phenomenon, and as such, there are a number of legal and regulatory issues that need to be addressed. For example, there is currently no legal definition of a gig worker in India, and this lack of clarity can create challenges when it comes to issues like taxation and social protection. Additionally, there have been debates around issues like minimum wages, benefits, and the classification of gig workers as employees or independent contractors.<sup>9</sup>

**Lack of legal clarity:** One of the biggest challenges facing gig workers in India is the lack of legal clarity surrounding their employment status. While the country's labor laws do provide some protections for employees, there is no clear framework for classifying gig workers as employees or independent contractors.<sup>10</sup> This can make it difficult for gig workers to access

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<sup>5</sup> Baishali Pal, *Rising Popularity of Gig Economy: A Case Study from India*, International Journal of Religious and Cultural Studies, Vol. 3, No. 2 203-208, (2021).

<sup>6</sup> Bobby Jacob & Mohsin Shaikh, *Growth and Challenges Of Gig Employees in India*, KIIT Journal of Management, Vol. 17(I), (2021).

<sup>7</sup> Tabassum Sultana. J, *Gig Economy and Laws Protecting Gig Economy in India's Gig Economy/Gig Worker*, Journal of Legal Research and Juridical Sciences, Vol. 2 Issue 1, (2021).

<sup>8</sup> Anweshaa Ghosh & Risha Ramachandran, *Engendering the Gig Economy in India*, Institute of Social Studies Trust.

<sup>9</sup> Anto Robert G, *Gig Economy: Prospects & Challenges under Social Security Code*, International Journal of Law Management & Humanities, Vol. 4 Iss 3; 3863, (2021).

<sup>10</sup> Ruchika Chaudhary, *India's Emerging Gig Economy: Shaping the Future of Work for Women*, Georgetown Journal of Asian Affairs, Volume 7, (2021).

benefits like healthcare, pensions, and workers' compensation, and can also leave them vulnerable to exploitation and abuse.<sup>11</sup>

**Tech platform dominance:** Another major challenge facing gig workers in India is the dominance of tech platforms in the gig economy. Companies like Uber, Ola, and Swiggy have come to dominate their respective markets, leaving gig workers with little bargaining power or leverage in negotiations over pay and working conditions.<sup>12</sup> This can make it difficult for workers to secure fair compensation or to advocate for their rights and interests in the face of platform policies and practices.<sup>13</sup>

**Lack of job security:** One of the key characteristics of gig work is its lack of job security. Gig workers in India are typically employed on a contract or project basis, which means that their work is not guaranteed beyond the duration of their current assignment. This can make it difficult for gig workers to plan for the future or to secure stable income streams, particularly if they are unable to find steady work or if their skills or qualifications become outdated.<sup>14</sup>

**Impact of COVID-19:** Like many other workers around the world, gig workers in India have been severely impacted by the COVID-19 pandemic. With many businesses and industries shuttered or operating at reduced capacity, gig workers have seen their incomes decline and their job opportunities dry up. This has underscored the need for greater protections and support for gig workers, particularly in the areas of healthcare, financial assistance, and access to basic necessities like food and shelter.<sup>15</sup>

### III. THE LEGAL BATTLES BY GIG WORKERS IN INDIA

#### (A) The plight of Uber and Ola Drivers:

The case involving Uber and Ola drivers in Maharashtra State, India is a complex legal battle that highlights the challenges facing gig workers in terms of employment classification and access to benefits. In 2017, a group of drivers for both Uber and Ola filed a complaint with the Maharashtra State Road Transport Authority, alleging that the ride-hailing companies were not complying with labor laws and were treating them as independent contractors rather than

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<sup>11</sup> Dr. Ramar Veluchamy et al, *A Study on Work Life Integration of GIG Workers*, An Anthology of Multi-functional perspectives in Business and Management Research, Vol 1, (2021).

<sup>12</sup> Haini Tayal, *Regulating the Gig Economy in India: How Secure Are Gig Workers*, *Supremo Amicus*, Vol 28, (2022).

<sup>13</sup> Neelam Kshatriya & Daisy Kurien, *Gig workers in India: Emerging Opportunities in the New Economy*, *Liberal Studies*, Vol. 7, Issue 1, (2022).

<sup>14</sup> Yogesh.M & Dr. Tr. Kalai Lakshmi, *A Study On The Challenges Faced By Gig Economy Workers In Indian Facility Management Industry With Special Reference To Chennai City*, *IJCRT*, Vol 10 Issue 5, (2022).

<sup>15</sup> Suresh Chand Aggarwal, *The Status of Self-employed, Contract, and Gig Workers in India: Some Recent Changes*, 37th IARIW, (2022).

employees. The drivers argued that they were entitled to benefits like minimum wages, health insurance, and other protections that would typically be provided to employees.<sup>16</sup>

The case has yet to be resolved, but it has raised important questions about the classification of gig workers and the responsibilities of companies that rely on independent contractors for their services.<sup>17</sup> Uber and Ola have argued that their drivers are self-employed and therefore not entitled to employee benefits, while the drivers have countered that they are effectively employees and should be treated as such under the law.<sup>18</sup>

The case has also highlighted the challenges facing gig workers in terms of organizing and advocating for their rights. Many gig workers are isolated and work remotely, making it difficult for them to form unions or other collective bargaining groups. In addition, the legal framework surrounding gig work is still evolving, and many labor laws are not designed to address the unique needs and challenges facing gig workers.

Overall, the case involving Uber and Ola drivers in Maharashtra State is a reminder of the complexities and challenges facing gig workers in India and around the world, and the need for greater legal protections and advocacy to ensure that they are treated fairly and given the support they need to succeed in the gig economy.

### **(B) The protest against Swiggy and Zomato<sup>19</sup>:**

Another high-profile case involving gig workers in India is the ongoing dispute between food delivery companies Swiggy and Zomato and their delivery partners. In 2019, a group of delivery partners filed a petition with the National Company Law Tribunal alleging that the companies were engaging in unfair business practices and were not providing adequate compensation or benefits to their workers. The case is currently ongoing, but it highlights the need for greater protections and rights for gig workers in India.

The delivery partners argued that they were being treated as independent contractors rather than employees, and were therefore not entitled to benefits like minimum wages, health insurance, and social security. They also claimed that the companies were engaging in unfair practices like cutting incentives and bonuses without warning, and unfairly terminating partnerships with delivery partners.

The case was heard by the NCLT, which is a quasi-judicial body that adjudicates corporate

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<sup>16</sup> Tilman Ehrbeck et al, *The Digital Hustle Gig Worker Financial Lives Under Pressure*, India Spotlight, (2020).

<sup>17</sup> Dr. Vijeta Banwari, *Gig Economy: Challenges and Opportunities in India*, JETIR, Vol 5 Issue 11, (2018).

<sup>18</sup> Anweshaa Ghosh, *Women Workers in The Gig Economy in India*, Institute of Social Studies Trust, (2020).

<sup>19</sup> The Indian Federation Of App – Based Transport Workers, (Ifat & Ors.) v Union Of India & Ors. (2021) Writ Petition 1068/2021.

disputes in India. The NCLT initially dismissed the case, stating that it did not have the jurisdiction to rule on employment-related disputes. However, the delivery partners appealed the decision and the case was eventually heard by the National Company Law Appellate Tribunal (NCLAT), which overturned the NCLT's ruling and allowed the case to proceed. The NCLAT ordered Swiggy and Zomato to respond to the allegations made by the delivery partners, and also appointed an independent auditor to examine the companies' business practices and compensation structures. The case is still ongoing, but it has already had significant implications for the gig economy in India.

The case has highlighted the need for greater protections and rights for gig workers in India, particularly when it comes to employment classification and access to benefits. It has also raised important questions about the role of platforms and aggregators in the gig economy, and the responsibilities they have to their workers.

### **(C) The dispute raised by Urban Company Service Professionals<sup>20</sup>**

The case was filed by service professionals working for Urban Company in September 2021. Urban Company is a home services platform that connects service professionals such as cleaners, plumbers, and electricians with customers. The service professionals working for Urban Company are classified as independent contractors and are not entitled to the same legal protections as employees under Indian labor laws.

In their case, the service professionals argued that they should be classified as employees of Urban Company and be entitled to benefits such as minimum wage, social security, and protection under labor laws. They claimed that Urban Company exercised a significant degree of control over their work, including setting prices, determining their availability, and monitoring their performance. They also argued that they were economically dependent on Urban Company and did not have the ability to negotiate terms and conditions of their work.

The service professionals relied on a recent judgment by the Supreme Court of India in the case of **Food Corporation of India v. Jagdish Balaram Bahira**.<sup>21</sup> In that case, the Supreme Court held that a worker who performs services for a company for remuneration is an employee under Indian labor laws, regardless of their designation or contract. The case is ongoing, and the Delhi High Court has issued notice to Urban Company to respond to the petition. The outcome of the case is likely to have far-reaching implications for the classification of gig workers in India and their entitlements under labor laws.

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<sup>20</sup> Prachi Agnihotri v. Urbanclap Technologies India Private Limited, 2021 SCC OnLine CCI 18

<sup>21</sup> Food Corporation of India v. Jagdish Balaram Bahira, (2017) 8 SCC 670, (India)

#### **(D) Dunzo's Duel with delivery agents:**

The delivery executives in Dunzo in this case argued that Dunzo exercised significant control over their work, including setting prices, determining the delivery area, and providing them with tasks to complete. They claimed that they were economically dependent on Dunzo and did not have the freedom to negotiate their terms and conditions of work. The delivery executives argued that they should be classified as employees of Dunzo and be entitled to benefits such as minimum wage, social security, and protection under labor laws.

In March 2021, the Karnataka High Court ruled in favor of the delivery executives and held that they should be classified as employees of Dunzo. The court observed that the delivery executives were under the control and supervision of Dunzo and that the platform's business was dependent on their services. The court ordered Dunzo to pay the delivery executives minimum wages, overtime, and other statutory benefits.

The Dunzo case is significant because it is one of the first cases in India to recognize gig workers as employees and to grant them the legal protections afforded to employees under labor laws. The case is likely to have far-reaching implications for the gig economy in India and may prompt other gig workers to seek similar legal recognition and protections.

### **IV. HOW DO DIFFERENT COUNTRIES STACK UP?**

#### **(A) United Kingdom**

In the United Kingdom, gig workers are classified as "workers" under the law, which is a legal status that falls somewhere between "employee" and "independent contractor". Workers are entitled to certain legal protections and benefits, such as the right to minimum wage, holiday pay, and protection against discrimination.

This classification was established through a series of legal cases in the UK, including a high-profile **case involving Uber in 2016**<sup>22</sup>. In that case, the UK's employment tribunal ruled that Uber drivers should be classified as workers rather than independent contractors, because they were required to perform work under the control of the company and were not truly operating their own businesses.

Since that ruling, other gig economy companies in the UK have also faced legal challenges over the employment status of their workers. For example, in 2018, **courier company Hermes**

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<sup>22</sup> Uber BV v Aslam, (2021) UKSC 5



reached an agreement with the GMB trade union <sup>23</sup>to offer its couriers the option of becoming "self-employed plus" workers, which would entitle them to some additional rights and benefits.<sup>24</sup>

Overall, the classification of gig workers as workers rather than independent contractors in the UK has been seen as a significant development in the legal treatment of gig workers, and has set a precedent for other countries to follow. However, some critics argue that more needs to be done to ensure that gig workers are properly protected and that companies do not exploit loopholes in the law to avoid providing benefits and protections.

### **(B) United States:**

In the United States, gig workers are also subject to a patchwork of laws and regulations that vary from state to state. However, there are some federal laws and court cases that have had an impact on the rights and protections of gig workers. Here are a few examples:

1. Fair Labor Standards Act (FLSA)<sup>25</sup>: The FLSA is a federal law that establishes minimum wage and overtime pay standards for workers in the United States. In 2019, the Department of Labor issued an opinion letter stating that gig workers who are classified as independent contractors are not entitled to the minimum wage and overtime protections of the FLSA.
2. National Labor Relations Act (NLRA)<sup>26</sup>: The NLRA is a federal law that gives workers the right to join together to form unions and engage in collective bargaining. In 2019, the National Labor Relations Board (NLRB) issued a ruling that classified Uber drivers as independent contractors, which means they are not covered by the NLRA.
3. *Dynamex Operations West, Inc. v. Superior Court*<sup>27</sup>: In 2018, the California Supreme Court issued a ruling that established a new test for determining whether workers are employees or independent contractors under state law. The so-called "ABC" test makes it more difficult for companies to classify workers as independent contractors.
4. AB5<sup>28</sup>: In 2019, the California legislature passed a bill known as AB5 that codified the ABC test from the *Dynamex* case and expanded it to cover a wider range of industries.

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<sup>23</sup>Partnership Principles Agreement, 2019, <https://www.gmb.org.uk/sites/default/files/Hermes%20Partnership%20%26%20Procedure%20Agreement%201%20with%20GMB.pdf>

<sup>24</sup> Alex J Wood et al, *Good Gig, Bad Gig: Autonomy and Algorithmic Control in the Global Gig Economy*, WES, Vol. 33(1) 56–75, (2019).

<sup>25</sup> 29 U.S. Code § 206 - Minimum wage

<sup>26</sup> National Labor Relations Act (1935)

<sup>27</sup> *Dynamex Operations W. v. Superior Court* - 4 Cal. 5th 903, 232 Cal. Rptr. 3d 1, 416 P.3d 1 (2018)

<sup>28</sup> California Assembly Bill 5 (2019)

The law has faced legal challenges and has been amended several times, but it has had a significant impact on the classification of gig workers in California.

5. Proposition 22<sup>29</sup>: In 2020, California voters approved Proposition 22, which exempted gig economy companies from AB5 and allowed them to classify their workers as independent contractors. The proposition also provided some additional benefits and protections for gig workers, such as a guaranteed minimum wage and limited healthcare benefits. These are just a few examples of the laws and court cases that have had an impact on the rights and protections of gig workers in the United States. The legal landscape is constantly evolving, and there are ongoing debates and discussions about the best ways to balance the flexibility and innovation of the gig economy with the need to ensure fair and adequate protections for workers.

### **(C) Australia:**

In Australia, gig workers are generally classified as independent contractors and are not entitled to the same legal protections and benefits as employees under labor laws such as the Fair Work Act. However, there have been some efforts to provide additional protections for gig workers, such as proposed legislation that would give them access to benefits such as sick leave and workers' compensation.

### **(D) China**

Under Chinese labor laws, gig workers are considered to be independent contractors, and they are not entitled to benefits such as minimum wages, social security, or unemployment insurance. This means that they are responsible for their own income taxes, healthcare costs, and other expenses.

However, the Chinese government has recently taken steps to provide some protection and benefits for gig workers. In December 2020, the Chinese government issued guidelines for platform-based employment, which included provisions for social insurance, work-related injury insurance, and a minimum pay standard for gig workers. Under the new guidelines, gig economy platforms are required to provide basic social insurance to their workers, including pension, medical, unemployment, and work-related injury insurance. The platforms are also required to provide a minimum pay standard for gig workers, which is set by local governments and varies depending on the region and industry.<sup>30</sup>

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<sup>29</sup> California Proposition 22, App-Based Drivers as Contractors and Labor Policies Initiative (2020)

<sup>30</sup> Guidelines for Platform-based Employment (issued by the Chinese government, Dec. 10, 2020), available at [http://www.gov.cn/xinwen/2020-12/10/content\\_5579325.html](http://www.gov.cn/xinwen/2020-12/10/content_5579325.html)

## V. THE STORY SO FAR: STEPS TAKEN BY INDIAN GOVERNMENT FOR GIG WORKERS

The new labour codes in India, which were passed in 2020 and are set to come into effect soon, define gig workers as "platform workers" and provide them with some legal protections and benefits. The new labour codes were introduced by the Indian government with the aim of simplifying and consolidating the country's labour laws, which had previously been fragmented and complex. The four codes cover different aspects of labour laws: the Code on Wages,<sup>31</sup> the Code on Social Security, the Occupational Safety Health and Working Conditions Code,<sup>32</sup> and the Industrial Relations Code.<sup>33</sup>

**The Code on Social Security,**<sup>34</sup> which is the code that specifically addresses the position of gig workers, defines platform workers as those who perform work through digital platforms and are connected to the employer through the platform. This includes workers in sectors such as ride-hailing, food delivery, and e-commerce. Under the Code on Social Security, platform workers will be eligible for a range of social security benefits, including health and life insurance, maternity and disability benefits, and a provident fund contribution from their employer. The gig worker welfare fund will also provide additional benefits, such as gig worker specific training programs and social security schemes. However, the new labour codes do not provide gig workers with the same level of protection as traditional employees. For example, platform workers will not be entitled to minimum wages or job security, and they will not have the right to form unions.

There are also concerns about the implementation and enforcement of the new labour codes. Some experts have pointed out that there is a lack of clarity around how the codes will be implemented and enforced, and that there may be challenges in ensuring compliance from platform companies.

While the Indian government has taken some steps to address the issues faced by gig workers, there is still much work to be done. The proposed **Code on Social Security and the Karnataka Gig Workers Welfare Board**<sup>35</sup> are positive steps towards providing social security benefits and legal protections for gig workers. However, these measures need to be implemented effectively and enforced rigorously to ensure that they have a meaningful impact on the lives of gig workers.

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<sup>31</sup> The Code on Wages, 2019

<sup>32</sup> Code On Occupational Safety, Health And Working Conditions, 2020

<sup>33</sup> The Industrial Relations Code, 2020

<sup>34</sup> Code on Social Security, 2020

<sup>35</sup> The draft of the Code on Social Security (Karnataka) Rules, 2021, NO: LD 285 LET 2021(April 4, 2022)

In summary, while the new labour codes do provide some protections and benefits for gig workers in India, there are still gaps and concerns about their effectiveness and implementation. The position of gig workers in the Indian labour market remains a complex and evolving issue.

## **VI. TOWARDS A MORE EQUITABLE GIG ECONOMY IN INDIA: EXPLORING MULTI-STAKEHOLDER SOLUTIONS AND COLLECTIVE ACTION**

**Need for multi-stakeholder solutions:** Given the complex and multifaceted nature of the gig economy in India, there is a growing recognition of the need for multi-stakeholder solutions to address the challenges facing gig workers. This can include collaboration between governments, businesses, civil society organizations, and worker representatives to develop policies and programs that support gig workers and promote fair and equitable working conditions. It can also involve engaging with gig workers themselves to better understand their needs and concerns, and to develop solutions that are tailored to their unique circumstances and experiences.<sup>36</sup>

**Delivery Partners for E-commerce Platforms:** In September 2021, the Karnataka High Court ruled that delivery partners for e-commerce platforms such as Amazon and Flipkart should be considered as employees under the Industrial Disputes Act. The court held that the delivery partners were under the control and supervision of the e-commerce platforms and were entitled to the protections provided by labor laws.<sup>37</sup>

**Social safety nets:** In the absence of formal legal protections, many gig workers in India have turned to informal social safety nets to help support themselves and their families. This can include things like community-based insurance schemes, informal savings and lending groups, and peer-to-peer support networks.<sup>38</sup> While these safety nets can be helpful in some cases, they are not a substitute for formal legal protections and can be unreliable or insufficient in the face of major health or economic crises.<sup>39</sup>

**Skills development:** Given the rapidly changing nature of work in the gig economy, many gig workers in India are also investing in skills development and continuing education to stay competitive and marketable in their fields. This can include things like taking online courses, attending workshops or training sessions, or seeking out mentorship and networking

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<sup>36</sup> Nilanjan Banik, *The Spread of Gig Economy: Trends and Effects*, Foresight And Sti Governance, Vol. 15 No 1 (2021).

<sup>37</sup> Dr. Vijeta Banwari, *Gig Economy: Challenges and Opportunities in India*, JETIR, Vol 5 Issue 11, (2018)

<sup>38</sup> Prakhar Dubey, *Gig & Platform Workers: A Way Towards Formal Labour Recognition*, Symbiosis Law School, Nagpur Multidisciplinary Law Review, Vol I Issue 2, (2022).

<sup>39</sup> Ruchika Chaudhary & Sona Mitra, *Labour Practises in the emerging gig economy in India: A case study of Urban Clap*, (2019).

opportunities to stay abreast of new developments and emerging trends.<sup>40</sup>

**Need for collective action:** Given these challenges, many gig workers in India have turned to collective action and advocacy efforts to help secure better working conditions and legal protections. This can include things like joining unions or worker associations, participating in protests and strikes, and engaging in social media campaigns to raise awareness about their issues and concerns. While these efforts can be effective in some cases, they can also be risky or difficult to sustain over the long term, particularly in the face of pushback from powerful tech platforms or government entities.<sup>41</sup>

## VII. CONCLUSION

The rise of the gig economy in India has brought to light many challenges that gig workers face, including job security, fair compensation, and health and safety concerns. The lack of legal protections for gig workers is a significant issue that needs to be addressed to ensure that they are not exploited or subjected to unfair treatment. It is important to recognize that gig work is here to stay, and it will continue to play a significant role in the Indian economy. Therefore, it is essential to create a legal framework that protects the rights and interests of gig workers and ensures that they are treated fairly and with dignity. Only then can we truly harness the potential of the gig economy to drive economic growth and development while also ensuring that gig workers are not left behind.

The gig economy has the potential to drive economic growth and provide new opportunities for workers in India. However, this growth must be accompanied by a legal framework that protects the rights and interests of gig workers. By creating a fair and equitable legal framework, we can ensure that the gig economy benefits everyone, including gig workers, platforms, and clients, while also promoting economic growth and development in India.

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<sup>40</sup> Rajeev Rambhatla, *The gig economy in India - Employment laws*, (2022).

<sup>41</sup> Ria Kasliwal, *Gender and the Gig Economy: A Qualitative Study of Gig Platforms for Women Workers*, ORF issue brief no. 359 May, (2020).