



An outlook on gig labour: An essential cynosure in India's retail trade sector

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Abstract

Technology is also raising the bar set on the workforce demanding more advanced cognitive abilities, social and behavioral skills with more adaptability. The growing ideas of AI and machine learning is creating a fear among the workforce, who are now ready and eager to do any job, irrespective of the other economic factors. The technological revolution in terms of social media is also changing the perspectives of the people, demanding better quality of life, is also a factor causing the rising platform companies. People now want immediate returns, a status, a recognition, they live in a race to reach heights, without having a clear comprehension of the surrounding world, who are the people running along with, and reluctantly get stuck in a web of this vicious cycle. Though the gig economy is more lucrative for those with more specialized and personalized skills, earning a huge income, the other side of the coin is still unseen and unheard^[1]. This study is significant in this span of increasing population of the unorganised sector, with exploitation of low cost labourers, suffering from low or no minimum income, shortfall of basic workplace necessities, unorganised migrant workers, coupled with lack of job security^[2]. There is a need to bring these vulnerable sections into the ambit of labour laws, hence they are endowed with equal opportunities and conditions of employment. This study expands across the gig economy present in the retail trade sector, the vulnerabilities faced by these workers, the labour laws which try to cover the unorganised workers, including the gig workers and platform workers, and what are the impacts of such laws on the stakeholders in the economy.

Keywords: Gig workers, labour law, code on social security

Introduction

Oxford defines 'gig' as 'a job, especially a temporary one'. This noun is now capable of captivating the global attention, if not at least the regional attention in India. According to Section 2(35) Code on Social Security, 2020 a gig worker is "a person who performs a work or participates in a work arrangement and earns from such activities outside of traditional employer - employee relationship". This code as specified above might provide for a recognition of the gig workers into the ambit of the work arrangements in India^[3]. However, the gig workers are still devoid of the basic minimum remunerations, organizational permanency, workplace safety and job security. The expansion of gig economy is wide spread across the world, with the surging population, growing needs and desires, willingness to work, coupled with real limits of opportunities and resources. With a more appreciable fraction employed in the service sector, the gig economy is now becoming a compelling factor which the countries should nurse, to have a more inclusive and balanced growth in the economy, which apparently lasts in the long run.

According to the report, released during the emergence of 2024, 'Future of workforce - Decoding the Gig Economy 2.0', by Nasscom, the apex body that leads the \$245 billion technology industry in India, the global gig economy is expected to rise at a compounded annual growth rate of 14 percent, to reach \$ 455 billion by 2024. With evidence indicating the growing gig economy across the world, it has now become the great concern for the countries to bring this workforce into the recognizable and secure platform. These gig workers are also called the platform workers, who constitute a greater fraction of jobs and works which contribute a sizable part to the gross domestic product in a country.

According to the World Development Report, 2019 entitled "The Changing Nature of the Work", explained the various

reasons that cause this rise of platform business Companies, of which the major cause is technology^[4]. Technology is altering the peripheral ends of the firm, enabling them to create platform companies, enabling the products to reach the consumers right from the producer.

Objective of This Research

In this research, an analytical and a descriptive research methodology are employed to study the gig economy in the service sector in India, to identify the various laws, rules and codes that play a vital role in the gig economy, with a special focus on 2020 Code, and its effectiveness and suggests the viable options to overcome the identified challenges. In order to study how gig economy has expanded over a period of time, the quantitative analysis is used by the researcher to demonstrate data from 2011 to 2024, using graphs and other representations based on the secondary data from National Institution for Transforming India (NITI) Aayog report titled 'India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work' released in 2022, World Bank's Development Report of 2019, International Labour Organisation report titled "World Employment and Social Outlook 2021: The Role of Digital Labour Platforms in Transforming the World of Work", Federation of Indian Chambers of Commerce and Industry (FICCI) and data from other sources^[5].

Analysis of Research Works

To study the effectiveness of Code on Social Security 2020, graphs are computed by the researcher based on the secondary data from NITI Aayog Annual Report regarding the number of unorganised workers registered under e-shram portal. To suggest policy recommendations to include the informal workers in to the formal sector through analysis of various institutional reports, various articles, journals,

newspaper editorials, and data from the companies especially working on the study of gig economy in India.

The CHIPS framework (Connect, Harness, Innovate, Protect and Sustain) was introduced under the Centre for Internet and Digital Economy (ICRIER PROSUS), released the State of India's Digital Economy, 2024 to measure digitalisation in the economy, a factor influencing the retail trade sector^[6]. This framework has three tiers: pillars, sub-pillars and indicators. This study has also found that India is the third largest digitized nation in the world after the US and China. NITI Aayog (2022) in its report on "India's Booming Gig and Platform Economy", provided for various perspectives and recommendations on how the future of work in India will be, with a primary focus on the gig economy in the nation^[7]. This report divided the Indian economy into Platform based workers whose work is based on online apps and non-platform based workers are casual workers or contract labourers. This report has predicted that the gig workers in the economy might increase to 23.5 million in 2029-30, with the current population being 7.7 million in 2021, out of which 22 percent are high skilled workers, 47 percent are middle skilled workers and the rest are low skilled workers. The proportion of high and low skilled workers is considered to be declining. This report also provided few recommendations to the stakeholders like catalysing platforms like Platform India Initiative, increasing the financial services to platform workers. Skill development and training for the platform workers, enhancing social inclusion in the new age digital economy, expanding the scope of social security for the gig workers and thus providing the RAISE Framework for Operationalizing the Code on Social Security, 2020.

Rajah et al., (2021), released a report under the Boston consultative Group, "Unlocking the Potential of the Gig Economy in India", which focuses on the temporary on-demand labour employed in the economy in a task based or time based manner. This report states that gig work is not new but has seen its prevalence in both rural and urban sectors, and there is a change in the technology which has replaced the offline networks and personal references, to match and deliver on-demand services at scale^[8]. Gig economy can potentially contribute to 90 million jobs and add 1.25percent to the nation's GDP. It also identified that skilled and semi-skilled jobs were created in the industrial sectors, shared services roles, etc.

Online Labour Index (OLI) was first developed in 2016, this study develops the new OLI for 2020, using high volume of data of half decade, which is now a more prominent indicator to identify the freelancers in the market, which was more prominent in the English language markets^[9], now this paper focuses on the Spanish and Russian language platforms and also identified that the OLI index of India has grown to 33 percent from 25 percent from 2017 to 2021.

"What do Platforms do? Understanding the Gig Economy", is a review literature, identifying the four metaphors that can be better used to attribute the gig economy in the world: incubators of entrepreneurialism, digital cages, accelerants of precarity, and institutional chameleons with greater adaptability^[10]. This study criticizes these metaphors and identifies their unique characteristics, which reside in the selection, control, and evaluation of the labour that service providers perform. This study also introduced another metaphor: permissive potentates, each having its own

weaknesses and strengths, the fifth metaphor considers platform economies to be a new economic form distinct from the existing markets and networks.

World Bank (2019) in its World Development Report, "The Changing Nature of Work" identifies that there are three types of skills increasing in the labour market such as socio behavioral skills, cognitive skills like problem solving skills and adaptability^[11]. The reach of technology to people has been fastened by the rise in technology, and this enabled the economic opportunities to reach every corner of the world, industrialized to non- industrialized nations.

"Analysis of Social Security Code, 2020" examines the Social Security Code (SSC) 2020, focusing on its integration and amendment of existing labour laws in India to extend social security benefits to all workers, including those in organized, unorganised, and gig sectors^[12]. Using a qualitative and analytical approach, the study highlights key changes such as expanded definitions, new welfare schemes, and regulatory bodies, along with provisions for maternity benefits and gratuity for fixed-term workers. However, it identifies gaps, including ambiguous definitions, potential legal issues with mandatory Aadhaar linking, and a need for clearer implementation guidelines, particularly for the informal sector. The paper suggests refining these aspects to enhance the Code's effectiveness.

Kar *et al.*, examines the challenges of providing social security to self- employed unorganised workers in India under the Social Security Code (SSC) 2020. Using a qualitative approach, the study highlights that while the Code aims to extend social security, it lacks clear legal entitlements, minimum standards, and statutory timelines. Significant challenges include inadequate coverage, administrative barriers, non-mandatory funding provisions, and low awareness among workers^[13]. The research identifies gaps in aligning with international standards, addressing the specific needs of self-employed workers, and ensuring a robust and effective social security framework.

"**Social Security Code 2020: An Analysis**" critically examines the Social Security Code (SSC) 2020 in India, focusing on its features, implementation, and impact on organized, unorganised, gig, and platform workers^[14]. The study uses a qualitative and analytical approach, highlighting the Code's consolidation of nine central labour laws, the introduction of new worker categories, and enhanced maternity and gratuity benefits. However, it identifies gaps, including unclear execution of social security measures for informal workers, ambiguous definitions, insufficient inter-state coordination for migrant workers, and the need for a stronger framework to transition from informal to formal employment. The paper calls for clearer guidelines and robust mechanisms to effectively extend social security to all workers.

"**Code on Social Security, 2020: Challenges of the Code**" analyses the challenges of India's Social Security Code (SSC) 2020, focusing on its provisions, implementation issues, and alignment with International Labour Organization (ILO) standards. Using a qualitative approach, the study highlights key changes like the inclusion of gig and platform workers and the consolidation of 29 labour laws. However, it identifies significant challenges, including limited applicability to smaller establishments, inadequate coverage for self-employed workers, ambiguous worker classifications, and potential legal issues with mandatory Aadhaar registration^[15]. The research calls for clearer

guidelines, a unified administrative authority, and enhanced compliance with ILO standards to ensure broader and more effective social security coverage.

International Labour Organisation aimed to bring in stakeholders' and experts' cooperation with Employers and Business Member Organizations for formulation of policies and actions to create a more resilient market for labourers in India, with primary focus on workers' well-being and their workplace conditions [16]. This study employs a mixed research approach to enquire into the changes in the gig economy after the pandemic period and to study the trajectories in the gig economy. The findings show that there are various types of working arrangements in the gig economy, which need a clear and deep understanding of each element in the gig economy. This report calls for the significant role of Employers and Business Member Organizations (EBMOs) in regulating these markets in India. It also concentrates on SCOPE (Standing Conference of Public Enterprises) an employers' organisation to represent the interests of PSEs in India.

India's Retail Trade Sector

Retail trade is the final step enabling the goods and services to reach the final consumers either from the producer or in a few cases from the producer. The retailers play a crucial role in trading the final goods to the hands of the consumers, or for non-business consumption. With an increasing trend of conspicuous consumption, people expect their needs and wants to be delivered at the doorstep, with meagre stress, little or no sweat. This self-indulgent behaviour of the population is enabling more companies to emerge, especially online mediators, which is a greater employer of the gig workers in the country. These online mediators transport the goods from the retail shops to the hands of the consumer, even though in a traditional society it started from just the posts and telegraphs reaching the doorstep, now everything under the sky, be it food, groceries, electronic gadgets, napkins, anytime, any day is delivered to the final consumers.

According to the Federation of Indian Chambers of Commerce and Industry (FICCI), the retail trade in the nation is expected to grow at a compounded annual growth rate (CAGR) of 10 percent from \$ 641 billion in 2016 to \$ 1.6 trillion in 2026, with an annual growth rate of 12 percent [17]. The Indian retail industry is divided into Organised Retail Market which constitutes only 9 percent of the total sector with \$60 billion, however the Unorganised Retail Market constitutes nearly 91 percent which validates the fact that the retail trade sector employs the greater share of gig economy.

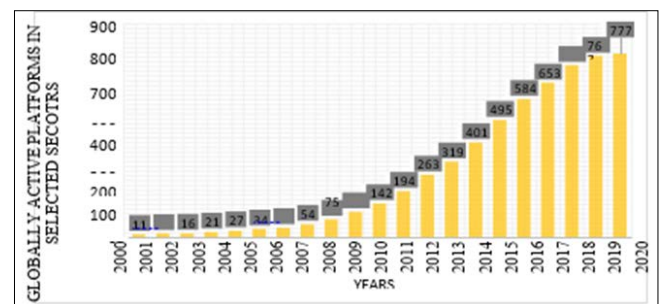
India being the one of the fastest growing economies, is known for its attractiveness luring multinational companies, and investments, giving rise to more new firms in the nation. This sector has attracted \$ 4.63 billion dollars of Foreign Direct Investments (FDIs) from April 2000 to March 2024. The Government of India has allowed for 100percent flow of FDIs in online retail of goods and services, which still boasts the economy to further expand this arena. According to the World Bank's Doing Business 2023, India ranks 63rd and is the fifth largest retail destination in the world. It contributes over 10 percent to the Gross Domestic Product (GDP) of the nation, and employs more than 8 percent of the total workforce.

Digitalisation and the Gig Economy

India was graded as the third largest digitalized country in the world, behind the US and China, and ahead of the UK, Germany and Japan in digitalization. Richer states are more digitized than the poorer ones, but the dispersion within India is lower than between G20 countries" [18]. Though India is showing its expanding digitalization era still the global index rankings are not fortunate enough to see this sight of digital progress.

According to the report, "Expansion of the Gig and Platform Economy in India" released by International Labour Organisation (ILO), it divides the digital market labour into "platforms where work is subcontracted through an open demand to a geographically disseminated mass ("crowd-work"), and location-based applications (apps) which allocate work to individuals in a specific geographical area, typically to perform local, service-oriented tasks such as driving, running errands or cleaning houses." (ILO) [19]. It also states that these digital platforms act as a link between the service provider and the service requestors, by meeting the demand for labour through the supply of labour.

While the recently revamped International Telecommunication Union's (ITU) ICT Development Index (IDI) 2023 does not include India; its 2017 ranking had placed India at number 134, well behind Fiji (107) and Syria (126). The global rankings are, it seems, failing to adequately capture India's digital progress." (Deepak *et al.*) (SIDE report, 2024) There were 7.8 billion e-commerce transactions on a daily basis as of December 2022 (IBEF). The total online shoppers in India was 150 million in 2020, which is now expected to reach 500 million by 2030. (FICCI). India is also having a rapidly growing digital footprint with 5G deployment, which has increased the Indian users of 5G from 0.1 percent in 2022 to 5.5 percent in 2023. (World Bank)



Source: Computed by Researcher based on data from International Labour Organisation

Fig 1: Global Active Platforms, Selected Sectors 1999-2020

According to the data published by the International Labour Organisation (ILO) in 2021, estimated that as of January 2021, 777 platforms were active globally, which was more concentrated in the delivery sector with 383 platforms, followed by e-lancing sector (freelancers working in the e-commerce industry) with 283 platforms, and ride hailing sector (is the transportation industry that connects the passenger with personal driver through smartphone apps) with 106 platforms globally (ILO, 2021). A study conducted by BRICS (Brazil, Russia, India, China and South Africa) in 2021, found that the total number of platform workers has grown significantly in the past decade, with highest concentration of platform workers in India, especially concentrated in the retail trade sector. A report released by

Boston Consulting Groups (BCG) [20] in 2021, states that India's gig economy has a great potential to expand over various sectors of the economy, especially four largest industrial sectors - construction, manufacturing, retail and transportations and logistics sector has a great potential of gigable jobs, of over 70 million. India's share of the global online worker population in 2020 monitored by the Online Labour Index, released by Oxford University, and has grown from 25 percent in 2017 to 33 percent. (ILO)



Source: Computed by Researcher based on data from NITI Aayog

Fig 2: Estimates of Gig Workers in India

Regulatory Framework in India

For the first time, the definition of gig workers is given in the Code on Social Security, 2020, in Section 2 (35) - "a person who performs a work or participates in a work arrangement and earns from such activities outside of traditional employer - employee relationship", this definition states a more pervasive perspective, as it only states "outside of", which is, as mentioned earlier, this definition provides for the various loopholes in the gig economy and the organisation of the gig workers [21]. To include these workers into the mainstream economy, to provide them benefits and secure workplace, job security, enabling the gig workers' willingness to work, save and invest in such platforms, thus the gig economy proves to be more efficient and harness the specialized skills, which can be spread to the low and middle skilled workers as well.

The following are certain legislations enacted and certain provisions which have given a boost to the gig economy, providing them with recognition, better workplace and a more secure job:

(a) The Contract Labour (Regulation and Abolition) Act, 1970 - A regulatory framework enacted for the purpose of the engagement of contract labour, which also works done through third party contractors, this law mandates the employer to provide for a better workplace and ensure job security [22], with welfare perspective and other health benefits. (b) The Employees' Compensation Act, 1923 - A law that mandates that the employer should pay a compensation if there's any accident to the employee working under him in the workplace or during the employment. (c) The Indian Federation of App Based Transport Workers (IFAT), filed a Public Interest Litigation (PIL) in 2021, to include the gig workers in the category of 'Unorganised Sector', and provide them social security benefits under the Unorganised Workers' Social Security Act, 2008, arguing that the then conditions of the gig workers, with extreme exploitation, lack of social security and inadequate earnings, all these violate the fundamental rights according to Articles 14 (Equality before Law), 21 (Right to life and personal liberty) and 23 (Protection against forced labour, Begar), which resulted in the Apex

court criticizing the Government for still not taking necessary actions to internalise these gig workers. (d) The Rajasthan Platform Based Gig workers (Registration and Welfare) Act, 2023 - mandates the registration of gig workers, aggregators, and other primary employers under the Rajasthan Platform Based Gig Workers Board, a monthly based "Platform Based Gig Workers Welfare Cess" is to be deposited by the employers and aggregators. Rajasthan Platform Based Gig Workers Social Security schemes and Welfare Funds are set up for gig workers' welfare, and these transactions are regulated [23] through Central Transaction Information and Management System (CTIMS) (ICRIER).

(e) Karnataka Gig Workers (Conditions of Service and Welfare) Bill, 2024 - bill passed in the objective to protect the interests of platform based gig workers, in terms of social security, occupational health security, transparency in decision making systems, devise the dispute redressal mechanisms aimed at creating a Welfare Board, and Welfare Fund, thus an extension of Rajasthan Act. It consisted of definitions of different terms, and the formation of the Welfare Board and its members are specified.

The Code on Social Security 2020

The Code on Social Security was introduced in December 2019, the Parliamentary Standing Committee prepared the report on 31st July 2020, after which a bill was introduced, which has now become the Code on Social Security, which replaces the 2019 code. The main aim of this act is to reduce the multiplicity of definitions available in the economy and legislations, provide for a more structured framework and to ensure the basic welfare to the workers [24]. This code encompasses the provisions given in the following nine acts : The Employees' Compensation Act, 1923, The Employees' Provident Funds and Miscellaneous Provisions Act, 1952, The Employees' State Insurance Act, 1948, 17 The Maternity Benefit Act, 1961, The Employment Exchange (Compulsory Notification of Vacancies) Act, 1959, The Payment of Gratuity Act, 1972, Cine Workers Welfare Fund Act, 1961, The Unorganised Workers' Social Security Act, 2008 [25], The Building and Other Construction Workers Welfare Cess Act, 1996 (NITI Aayog).

The salient features of the Social Security Code includes definitions inserted for various employment related terms like career centre, aggregator (mediator or connector between the gig employer and gig employee), and especially gig worker as given above. The concept of gig workers has been newly introduced in official terms, under the ambit of labour laws. This code also defines platform worker as "a person engaged in or undertaking platform work". In the rising concerns of no or low minimum wages, hours of work, overtime work, workplace security, this code ensures that the unorganised workers, which also includes gig workers, will be able to avail the opportunities and benefits just like any other organized or registered workers. The Union and the State Governments are empowered to make social security schemes and policies, under Employees State Insurance Corporation, in the areas of accident insurance, cover for disabilities, maternity and old age benefits etc., with funding from both tiers of the government. Social Security Schemes can also be formulated under the ambit of corporate social responsibility (CSR), enabling the companies or employers to take up their responsibilities by funding on CSR.

This code also emphasizes that the Union Government should form a National Social Security Board for the unorganised sector, to improve their welfare conditions, which boost the youth in the economy to participate in these sectors with a secure workplace. The code states that the unorganised worker, gig worker or the platform worker should register themselves to avail the benefits of the code, which is conditioned by (a) Must have completed 16 years of age or any age prescribe by the Central Government, (b) must submit a self-declaration form giving the requisite information need by the Central Government and can register under the e-Shram portal [26]. The code consists of the Employee Provident Fund, which will be applied to any establishment with more than twenty workers. The Employee State Insurance scheme will be applied to any establishment with more than ten employees, also an establishment even with a single employee, which engages in hazardous or life threatening works. This is clearly applicable to the unorganised sector workers, gig workers and platform workers. The code also provides additional benefits like, illness benefits if caused due to unsanitary working conditions, maternity benefits, gratuity.

NITI Aayog in its study report “India’s Booming Gig and Platform Economy”, provided for RAISE Framework for Operationalizing the Code on Social Security, 2020 [27]. It includes “Recognizing the varied nature of platform work to design equitable schemes, Allow augmentation of social security through innovative financing mechanisms, Incorporate, while designing schemes, the specific interests of platforms factoring the impact on job creation platform businesses and workers, Support workers to subscribe to government schemes and welfare programmes through widespread awareness campaigns and at last Ensure benefits are readily accessible to workers.” (NITI Aayog)

Efficacy of the Code on Social Security 2020

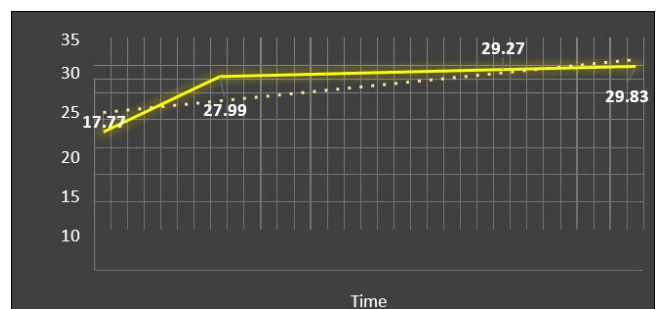
Though the Code on Social Security 2020 comes with various benefits and enhancements, yet as every coin has two sides, this code also has its shortcomings. The Centre for Monitoring Indian Economy, stated that the unemployment rate in India after the pandemic has increased to nearly 25 percent in May 2020, which is three times more than what was in 2018. According to the study conducted by ILO, in 2019 the share of informal workers remained stagnant at 90 percent for more than decade. With a burgeoning population, the dependency ratio in the economy has increased, which will lead to nearly 140 million people above the age of 50, a crash in the demographic dividend of India is foreseen. If there is a question whether the code effectively talks about these shortcomings, the answer would be a no, as its only concern is to reduce the multiplicity of the definitions, bring the gig into unorganised category and provide the same benefits given to the organised sector.

With the major population involved in the agrarian sector, domestic help, artisans and peasants, drivers, in the Economic Survey of 2018-19, nearly 93 percent of the population is dependent on the informal sector for its occupation. This Code, under the Employees Provident Fund Act, 1952 has added a new term called “deemed wages” which means that if an employee gets more than 50 percent of the total salary in the form of allowances and other benefits, which have not been mentioned in the definition of wages then the additional income will be

considered for the EPF provisions which is a bane to the employers as it increases the employers financial burden, which will deteriorate employees’ conditions, which will in turn force the employers to opt-out of the schemes.

The conceptual distinction between a gig worker and a self-employed is still questionable, the definition of domestic workers, agricultural workers are not well defined and distinguished. For example, an App-based auto aggregator, employs a driver with no appointment letter, stipulated hours of work, which makes them a gig worker, apart from the traditional employer-employee relationship. Under the Unorganised Workers’ Social Security Act, 2008, there are Unorganised Sector Welfare Boards under the states, but the role of centre is limited with respect to registration, which also raises a question of how will the new perspectives merge or replace the existing ones under the states. The administrative bias of who will have the authority to implement the schemes of the already existing state or the central government, which will again give a dual authority for an individual informal worker. With the presence of migrant construction workers from one state to another will still make the situation imperative and what if the informal sectors are self -employed, they can never be brought under the ambit of the employer-employee relationship [28]. It is not always sure that all the existing employees will be registered and given the opportunity to work, there a certain number of the population still in the back not being able to avail these benefits under the social security schemes.

The Ministry of Labour and Employment launched e-Shram portal (e-Shram.gov.in) on 26th August 2021 for creation of a comprehensive National Database of Unorganised Workers verified and seeded with Aadhaar [29]. E-Shram portal is meant to register and support the unorganised workers by providing them a Universal Account Number (UAN) and e-Shram cards. As on 31st December 2023, more than 29.27 crore workers have been registered under e-Shram portal, under this Code. A total no. of 3,15,755 bonded labourers have been released and Rs. 10,469 lakhs have been released/reimbursed to the State / UT Governments under Scheme for rehabilitation of bonded labourers as on 31st December, 2023. (Ministry of Labour & Employment)



Source: Computed by Researcher based on data from Ministry of Labour & Employment

Fig 3: Number of Unorganised Workers Registered in e-Shram Portal 2021-2024

The total number of unorganised workers have increased significantly from 2020, as the new Code on Social Security was introduced, in December 2021, the total no. of unorganised workers registered in the e-Shram portal was 17.77 crore, which increased to 27.99 crore workers in July 2022, followed by an increase to reach 29.27 crore in December 2023.

According to the annual report released by the Ministry of Labour & Employment, the total number of unorganised workers registered in e-Shram Portal is 29.83 crore, in August 2024. However, after fitting a trend line for the data available, the expected number of unorganised workers registered under the e-shram portal is 31.83 crore workers, but only 29.83 crore workers are registered, and since it is below the expected trend, this advocates the need to take necessary actions to improve the registration of unorganised workers under the e-shram portal. When a trend analysis was fit for the next three years 2025, 2026, 2027 based on the secondary data using the tools in excel, in the year 2025 the total number of unorganised worker registered under the e-shram portal has been estimated at 35.58 crores followed by, in 2026, it is estimated at 39.33 crores showing a continuous increase to 43.07 crores of unorganised workers registered under e-shram portal in 2027.

India should take the necessary steps at a faster pace, with lessons learnt from the Covid - 19, and do not wait for any devastating event to teach us another lesson^[30]. Even the Code on Social Security provides for maternal benefits to only workers in the registered factories, mines, plantations but what about the unorganised, unnamed and unfound, is still a question. The Code recognises an establishment with at least 10 workers into consideration, but there are very small establishments in the rural areas with less workers, who are not covered under the ambit of this Code.

Conclusion

In the study report released by NITI Aayog, the gig economy in India is projected to increase three times in 2029-30. With nearly 40 percent of the workers employed in the retail trade sector, and the growing concerns of unstable income and lack of job and workplace security, validate the need to study of gig economy. It helps in achieving a better comprehension of the current dynamics of the economy with nearly 90 percent of the informal sector contributing to the country's GDP. Though various codes and legislations have been implemented, none of them have been tailor made for the benefit of this section in the economy and most of them are in their early stages and stagnant. Though they have got the definition, it is necessary to focus on how to provide recognition to these gig workers, given the resource constraints. The gig workers contribution to the economy is inevitable, and hence their work should be accounted and their existence should be formalised to achieve the vision of inclusive growth of the economy.

The Indian Budget 2026 recognises gig workers as an essential part of the digital economy, but provides limited structural or financial support, reflecting a cautious, pro-platform policy approach where labour protection is acknowledged but not yet implemented.

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