



# LAWFOYER INTERNATIONAL JOURNAL OF DOCTRINAL LEGAL RESEARCH

[ISSN: 2583-7753]

Volume 3 | Issue 2

2025

DOI: <https://doi.org/10.70183/lijdlr.2025.v03.60>

© 2025 LawFoyer International Journal of Doctrinal Legal Research

Follow this and additional research works at: [www.lijdlr.com](http://www.lijdlr.com)

Under the Platform of LawFoyer – [www.lawfoyer.in](http://www.lawfoyer.in)

---

*After careful consideration, the editorial board of LawFoyer International Journal of Doctrinal Legal Research has decided to publish this submission as part of the publication.*

---

*In case of any suggestions or complaints, kindly contact ([info.lijdlr@gmail.com](mailto:info.lijdlr@gmail.com))*

*To submit your Manuscript for Publication in the LawFoyer International Journal of Doctrinal Legal Research, To submit your Manuscript [Click here](#)*

---

## RIGHTS OF GIG - PLATFORM WORKERS AND SUSTAINABLE DEVELOPMENT GOALS

---

Dr. S. Vijayalakshmi<sup>1</sup> & Sai Prarthana M<sup>2</sup>

### I. ABSTRACT

With the global growth of gig platforms, a non-standard form of employment has now emerged. The traditional employer-employee relationship and its permanence are absent. This economy has created a new form of workers. They are considered freelance workers who work as and when the demand arises from the consumers. The essential aspect of this economy is the work on digital platforms. In gig work, the consumers would demand labour digitally through apps.

These digital platforms would create millions of jobs around the world. Recently, in June 2022, the NITI AYOOG released its latest report, 'India's Booming Gig and Platform Economy - Perspectives and Recommendations of the Future of Work' - which exhibited a detailed analysis of the economy's growing significance in India. Further, the report has outlined the road map to achieve especially 8th Goal of SDG for Decent work and Employment Growth to all. Though India has interfaced with gig-platform work to boost the economy with greater fervour during the Corona period, yet, the policy and legislations are at an infant stage and yet to be formulated and finalized.

Meanwhile, the age-old labour legislations are undergoing a sea change in the name of simplifying them. The new codes on Wages, Industrial Relations, Social Security, and Occupational Safety and Health have yet to be appropriately enacted, and rules need to be established by the Central and State governments for the protection of the rights of employees.

---

<sup>1</sup> HOD, Bharat Institute of Law, Chennai

<sup>2</sup> 4<sup>th</sup> Year Student, School of Excellence in Law, The Tamil Nadu Dr. Ambedkar Law University, Chennai.

Ultimately, the goal is to achieve the Sustainable Development Goals, by the UN and the ILO for better and sustainable legislations pertaining to labour law. India has already outlined the road map to the 8<sup>th</sup> Goal of SDG. The SDGs do matter in developing sustainable communities when focused on their achievement in India. We are at the earliest stage towards making in policy for gig/platform workers as they are going to occupy the Indian economy at a greater level.

## II. KEYWORDS

Human rights, labour rights, labour codes, SDG 8<sup>th</sup> goal, decent work, status of employment, UN, ILO

## III. INTRODUCTION

“It is safe to assume that gig work is here for the long run”<sup>3</sup> With the emergence of gig economy, a new set of workers have been introduced. They belong to a non-standard form of work which does not fall within traditional employments. They work as and when the consumer demands through online. An aggregator or intermediary equates and matches the demand and supply of the labour market. They are termed as gig platform workers or digital platform workers. The new category of workers associates themselves with the digital platform work as it is easily accessible, flexible and provides extra income, but their everyday experience in this work set-up presents numerous challenges.

Their effort, extra earnings, combined with time flexibility in platform work have not yielded any employment status and related social protection or welfare. The International Labour Organization (ILO) and other international institutions have initiated the significance of asserting their employment status. ILO in its recent report<sup>4</sup> depicted the current status of gig-platform workers’ earnings, working hours and other benefits as follows,

---

<sup>3</sup> Caro, L. P., O’Higgins, N., & Berg, J. (2021). Young people and the gig economy. Is the future ready for youth, 38-52.

<sup>4</sup>[https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@ddg\\_p/documents/presentation/wcms\\_819793.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@ddg_p/documents/presentation/wcms_819793.pdf) ((last visited on June 20, 2025).

Commission fees
<b>Taxi:</b> 15% - 44%
<b>Freelance:</b> 15% - 40%
Bonus & Incentives
<b>Taxi:</b> 74% (India)
<b>Delivery:</b> 89% (India); 31%(China)
Working hours are quite high (59- 80 hours)
Workers on micro-task platforms earn 64% less compared to their counterparts performing similar work in the traditional sector
Social protection benefits are quite low

From the above data, we can find that the workers in the digital platform work are without an employment status and other benefits which are available to the traditional/standard/organized or even unorganized workers. This economy, though it is at an infant stage, it is giving an alternate income to workers with flexible timing and an alternate economy, profit to big/medium/small entrepreneurs and the best part, an alternate comfort or convenience at the fingertips of the consumers.

Thus, it has developed as a longstanding new ecosystem which provides continuous and alternate employment and services which are readily available to workers and consumers. The thin rope that they are surviving on has to be protected. Many countries are continuously debating whether they are independent contractors/self-employed or a worker on the basis of the nature of work performed. ILO's research highlighted that

they are “dependent contractors and the debate misses the reality that gig workers do not neatly fit into either box.”<sup>5</sup>

The problem starts here as without any legal and regulatory system to bring them in, a quite number of workers do get exploited without any rights to claim for a decent and unexploited work. There is no clear mechanism to place their grievances or to report accidents. When the workers are protected with rights and safety, the SDG 8<sup>th</sup> goal will be achieved. If it is left for the exploitation by “aggregators” <sup>6</sup>(the intermediaries or a market place which connects consumer and service providers) for service and profits, it would lead to a working condition without providing fundamental rights at work<sup>7</sup> such as freedom of association, social protection, etc.

The safeguarding mechanisms of gig-platform workers have to be formulated especially to achieve SDG -8<sup>th</sup> Goal. Goal 8 aims to “promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”<sup>8</sup> for future generation and to save the Earth.”<sup>9</sup>

#### IV. RESEARCH METHODOLOGY

Doctrinal research has been undertaken for this article. Various theoretical resources have been analyzed and interpreted. The sources are Constitution of India, labour legislations

---

<sup>5</sup> S. Brown, M. Francis, N. Hnida, W. Peracchio, V. Rosales, K. Simons & A. Trujillo, Protecting Workers' Rights in the Gig Economy: AI and Digital Labour Platforms (Int'l Lab. Org. 2021), [https://global.lehigh.edu/sites/global.lehigh.edu/files/2\\_ILO\\_UN\\_Ex\\_Machina\\_Final\\_Draft.pdf](https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf) (last visited May 30, 2025).

<sup>6</sup> The Code on Social Security, 2020, No. 36 of 2020, Gazette of India, Sept. 29, 2020, [https://labour.gov.in/sites/default/files/SS\\_Code\\_Gazette.pdf](https://labour.gov.in/sites/default/files/SS_Code_Gazette.pdf) (last visited May 30, 2025).

<sup>7</sup> Int'l Lab. Org., Disguised Employment / Dependent Self-Employment (Nov. 11, 2016), [https://www.ilo.org/global/topics/non-standard-employment/WCMS\\_534833/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534833/lang--en/index.htm) (last visited May 30, 2025).

<sup>8</sup> United Nations, Employment, Decent Work for All and Social Protection, <https://sustainabledevelopment.un.org/topics/employment> (last visited May 30, 2025).

<sup>9</sup> United Nations, Goal 8: Decent Work and Economic Growth, <https://www.globalgoals.org/goals/8-decent-work-and-economic-growth> (last visited May 30, 2025).

and labour codes, Policy and recommendations for the platform workers in India by NITI Aayog <sup>10</sup> and in other countries.

## V. EMERGENCE OF GIG -PLATFORM ECONOMY IN INDIA

In June 2022, NITI Aayog, in the latest report 'India's Booming Gig and Platform Economy',<sup>11</sup> along with the policy brief it admitted that the gig work and workers are booming in the mainstream economy. It would be significant in India's future of work and economy. The rapid growth of this work and the increase in the number of workers during the corona period have left no time for the Indian government to formulate a policy or legislation. It has been so steep that India just now took initiative in policy making for those workers and extended its support for their social protection. The estimation of digital or gig platform work and its future given by the NITI Aayog report is as follows,

### A. Estimates and Projections for the Gig & Platform Sector

- "The study estimates that in 2020-21, 7.7 million workers were engaged in the gig economy.
- The gig workforce is expected to expand to 2.35 crore (23.5 million) workers by 2029-30.
- At present about 47% of the gig work is in medium skilled jobs, about 22% in high skilled, and about 31% in low skilled jobs.
- Trend shows the concentration of workers in medium skills is gradually declining and that of the low skilled and high skilled is increasing. It may be

---

<sup>10</sup> NITI Aayog. (2022). India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work. June, 2022

<sup>11</sup> NITI Aayog, India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work (June 2022), [https://www.niti.gov.in/sites/default/files/2022-06/Policy\\_Brief\\_India%27s\\_Booming\\_Gig\\_and\\_Platform\\_Economy\\_27062022.pdf](https://www.niti.gov.in/sites/default/files/2022-06/Policy_Brief_India%27s_Booming_Gig_and_Platform_Economy_27062022.pdf) (last visited on May 30, 2025).

expected that while the domination of medium skills would continue till 2030, gig work with other skills will emerge.”<sup>12</sup>

The current statistics on the increase of workers pertaining to this platform are the continuance of the past necessity has arisen during Covid -19 in India. Wage-Indicator Foundation<sup>13</sup> has stated in its research report “Gig Economy in India-2020-21”<sup>14</sup> that the lock-down during Covid -19 witnessed the emergence of the gig -platform and its workers. These blue-collared driver, delivery boys, cleaners, bloggers sprouted with great enthusiasm which includes work from home.

This increased a lot of Start-ups, Professional services, large entities of big Corporations and MNCs to engage in platform businesses. The growth has become huge and challenging too, as it has involved millions of people whose survival and livelihood are also integrated into the platform work. Due to its social acceptability, and, a consumer-oriented India, embraced the Gig-platform economy. When the gig domain has gained momentum, then automatically rights, working conditions, social protection, and pay become the central focus. As India is a signatory of the Sustainable Development Goals spontaneously a moral and legal obligation has spontaneously developed to regularize the gig work and workers.

A ‘Platform India Initiative’ has been formulated by India to recognize the new category of platform workers. The initiative will simplify and regularize the platform work and the workers. They are included in social and financial inclusion schemes like skill development, start-up programmers. Platform-led skilling is being considered by the

---

<sup>12</sup> NITI Aayog, India’s Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work (June 2022), [https://www.niti.gov.in/sites/default/files/2022-06/Policy\\_Brief\\_India%27s\\_Booming\\_Gig\\_and\\_Platform\\_Economy\\_27062022.pdf](https://www.niti.gov.in/sites/default/files/2022-06/Policy_Brief_India%27s_Booming_Gig_and_Platform_Economy_27062022.pdf) (last visited on May 30, 2025).

<sup>13</sup> Wage Indicator Foundation, Platform Workers: Decent Rights & Pay, <https://wageindicator.org/Wageindicatorfoundation/projects/platform-workers-decent-rights-pay> (last visited May 30, 2025).

<sup>14</sup> R. Korde, P. Agarwal, D. Adimulam & M. Gandhi, Gig Economy India: 2020-2021 (Wage Indicator Foundation 2021), <https://wageindicator.org/about/publications/2021/korde-r-agarwal-p-adimulam-d-gandhi-m-2021-gig-economy-india-2020-2021-amsterdam-wageindicator-foundation-india-flame-university> (last visited on May 30, 2025).

Ministry of Skill Development and Entrepreneurship and the National Skill Development Corporation. Under the new labour code for social security 2020, a “RAISE” approach has been initiated for the sake of platform workers' social protection as below,

- “Recognize 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 programs through widespread awareness campaigns.
- Ensure benefits are readily accessible to Workers”<sup>15</sup>

The above is one among all the measures which are taken by the Indian government towards achieving Sustainable Development Goals. The progress is aiming for a holistic approach in achieving them.

Two important reports which emphasize the platform's expansion and its workers in India are,

#### **BCG Report - “Unlocking the Potential of the Gig Economy in India”<sup>16</sup>**

On the basis of extensive primary interviews, expert inputs and combined with field research, the report summarized that the gig economy can serve up to 90 million jobs, which forms roughly 30% of the nation's non-farm workforce, contribute to 1.25% to the GDP and create employment in the millions in all sectors of the nation. Further, eight distinct segments of workers were identified, each of which has different job drivers and

---

<sup>15</sup>NITI Aayog, India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work (June 2022), [https://www.niti.gov.in/sites/default/files/2022-06/Policy\\_Brief\\_India%27s\\_Booming\\_Gig\\_and\\_Platform\\_Economy\\_27062022.pdf](https://www.niti.gov.in/sites/default/files/2022-06/Policy_Brief_India%27s_Booming_Gig_and_Platform_Economy_27062022.pdf) (last visited May 30, 2025).

<sup>16</sup> R. Augustinraj & S. Bajaj, Unlocking the Potential of the Gig Economy in India (Boston Consulting Group & Michael & Susan Dell Foundation 2021), <https://www.bcg.com/unlocking-gig-economy-in-india> (last visited May 30, 2025).



priorities which must be catered to for platforms, including businesses. This to facilitate the best use of the economy's potential.

**TISS Report - "A Case study on Ola and Uber from the driver partners' perspective. TISS, 2019"<sup>17</sup>**

The Driver-Partner (DP) is the wheel of the platform economy. Without the DP the platform would not exist. The report analyses the opportunities and challenges of being a partner but not the worker. The report also stated that the partner view in depriving the employment status and decent work

## **VI. RIGHTS AND SOCIAL PROTECTION OF THE GIG-PLATFORM WORKERS**

"On the one hand, the lack of protection leaves workers vulnerable to the vagaries of the labour market, undermines their rights and dignity, exacerbates poverty and inequality, and jeopardizes the implicit social contract of modern societies. On the other hand, gaps in social protection coverage for workers in certain contractual arrangements can distort employment and hiring decisions, weaken investments in education and skills, and undermine fair competition for enterprises."<sup>18</sup>

The above is the current situation for claiming rights and social protection benefits for the platform workers. Some of the platform workers who are new to the non-standard form of employment are called delivery providers, Ola, Uber drivers, crowd-workers, Amazon Mechanical Turk workers, click workers, etc. They all connect digitally through the app. There is no permanent employer-employee relationship, and the nature of the job is casual. The unclear status of their employment leaves them with no social security. Some

---

<sup>17</sup> Tata Institute of Social Sciences, Cab Aggregator Services: A Case Study on Ola and Uber from the Driver Partners' Perspective (2021), [https://tiss.ac.in/uploads/files/Cab\\_Aggregator\\_Services.pdf](https://tiss.ac.in/uploads/files/Cab_Aggregator_Services.pdf) (last visited May 31, 2025).

<sup>18</sup> C. Behrendt, Q.A. Nguyen & U. Rani, Social Protection Systems and the Future of Work: Ensuring Social Security for Digital Platform Workers, 72 INT'L SOC. SEC. REV. 17, 17-41 (2019).

of the important benefits needed for them are employment-injury benefits, social insurance, etc.

The rise in the number of workers in the above new form of employment requires every government to bring them within the ambit of the social security coverage. It has been clearly stated in an article as follows, “They are not employed through regular contracts, basic social security, as well as health and safety controls are lacking. Gig-workers are denied pensions, parental benefits, health and work-related accident insurance, meaning workers are either obliged to work when sick, or must receive no income during the illness. Many platforms and other gig-worker hirers are also unwilling to provide training as they are afraid that granting this will lead to gig-workers being recognized as employees<sup>19</sup>.

This has been reflected well in the Centenary Declaration of ILO, “ILO Centenary Declaration for the Future of Work, 2019 roadmap for a human-centered future”,<sup>20</sup> made it clear that all countries around the world should have a human-centered approach while dealing with the digital era. The human approach in the Digital era and sustainable development goals really insists that all countries bring digital workers within the ambit of the social security net. Thus, the rights and the social protection of gig-platform workers are getting recognized in almost all countries, including some the USA, Canada, UK, New Zealand<sup>21</sup>

## VII. INDIAN CONSTITUTION AND LABOUR RIGHTS

India has been a founder member of the International Labour Organization (ILO) since 1919. The Social Justice principles, which are depicted in the preamble of the ILO

---

<sup>19</sup> European Green Party, Power to the Gig-Workers: Guarantee the Socio-Economic Protections of Gig-Workers (July 9, 2020), <https://europeangreens.eu/resolutions/powergig-workers-guarantee-socio-economic-protections-gig-workers> (last visited May 31, 2025).

<sup>20</sup> International Labour Organization, ILO Centenary Declaration for the Future of Work (2019), <https://www.ilo.org/global/about-the-ilo/mission-and-objectives/centenary-declaration/lang-en/index.htm> (last visited May 31, 2025).

<sup>21</sup> Associated Chambers of Commerce and Industry of India (ASSOCHAM), Gig Economy: Aligning Consumer Preferences—The Way Forward 24 (Jan. 24, 2020), <https://www.assochem.org/uploads/files/1628143386.pdf> (last visited May 31, 2025).

Constitution, are as follows, “Whereas universal and lasting peace can be established only if it is based upon social justice.”<sup>22</sup>

The beginning words of the ILO Preamble emphasized the value of social justice, which is the base for the rights, security and welfare of the workers’ community. Dr. B.R. Ambedkar has incorporated the essence of socio-economic justice and labour rights in Part III & IV (Fundamental Rights and Directive Principles of State Policy) of the Indian Constitution. Even before the drafting work of the Constitution was assigned to him, he was very particular and concerned about labour rights in India. In his speech at the Joint Labour Conference in New Delhi on Friday, August 7, 1942, he wished to include ‘Labour Welfare and the maintenance of Labour morale’<sup>23</sup> in labour legislations. The labour rights in our constitution are as follows,

Article	19(1)(c)	To forms associations or unions
Article	23 and 24	Right against exploitation, including child workers
Article	39 (a)(d)(e)(f),41,42,43,43A,45 and 47	Directive Principles of State policy states that the needs of the labour rights to be institutionalized and the same has been established in hundreds of labour legislations since

<sup>22</sup> International Labour Organization, Constitution of the International Labour Organization (1919), [https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62\\_LIST\\_ENTRIE\\_ID:2453907:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO) (last visited May 30, 2025).

<sup>23</sup> Dr. B.R. Ambedkar, Dr. Babasaheb Ambedkar: Writings and Speeches, vol. 10 (Vasant Moon ed., 1st ed. 1991, reprinted by Dr. Ambedkar Foundation 2014), [https://www.marxists.org/archive/ambedkar/writings-and-speeches/Volume\\_10.pdf](https://www.marxists.org/archive/ambedkar/writings-and-speeches/Volume_10.pdf) (last visited May 31, 2025).

		1923, the Workmen Compensation Act the first to get enacted and still exists in the new name Employee's Compensation (Amendment) Act, 2017. <sup>24</sup>
--	--	---

A few landmark judgements are, Indian Federation for App-based Transport Workers union of India,<sup>25</sup> 2021- Case is Pending, its last hearing was February 2025. It is expected in India to clarify the employment status of the platform workers for their social protection and decent work.

**The following are the issues to be clarified by the Apex court.**

- Do gig platform workers fall under the ambit of 'unorganized workers' under the Act 'Unorganized Workers' Social Security Act, 2008?
- If not, will it be a violation of their right to equality?
- Whether the lack of social security to gig platform- workers a violation of the right to life under Article 21 and exploitation under Article 23?

Sushilaben Indravadan Gandhi vs The New India Assurance Company Limited<sup>26</sup>, Even though the appellant came under the term contract for service, the quantum of control and supervision proved high, and the compensation awarded. It was held that he was the employee, not an independent contractor. "While considering an insurance claim, the Supreme Court has elaborated on the distinction between a 'contract of service' and a "contract for service"<sup>27</sup>

<sup>24</sup> Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, No. 31, Acts of Parliament, 1959 (India), <https://labour.gov.in/sites/default/files/EC%20Act.pdf> (last visited May 31, 2025).

<sup>25</sup> W.P.(C) 1068/2021.

<sup>26</sup> Sushilaben Indravadan Gandhi v. New India Assurance Co., AIR 2020 SC 1977.

<sup>27</sup> Record of Law, Sushilaben Indravadan Gandhi & Another v. The New India Assurance Company Limited and Others, <https://recordoflaw.in/sushilaben-indravadan-gandhi-another-vs-the-new-india-assurance-company-limited-and-others/> (last visited May 31, 2025).

Amazon Seller Services Private Limited vs Vishwajit Tapia on 3 December 2019, No 544/2019. The judgment held that Amazon is not a mere intermediary but more than that, and proved to be an employer.

Dharangadhara Chemical Works Ltd vs State of Saurashtra on 23 November.<sup>28</sup> A very old case made it clear that whenever a person who has control and supervision over a person for the completion of a task or work, then there exists an employment relationship.

Balwant Rai Saluja v Air India Ltd.,<sup>29</sup> a judgment delivered in 2014 by another three-judge bench, the Supreme Court took a different approach. Even though it favored the employers, it explained the meaning of the control test in clarifying employment status. The power to control and supervise, in other words, in a real sense, there exists absolute control and supervision.

- power to appoint;
- power to dismiss;
- power to determine wages;
- power to take disciplinary action;
- existence of continuous service;

Olga Tellis and Ors v. Bombay Municipal Corporation and Ors<sup>30</sup>, Right to life includes right to livelihood. When the concept of livelihood is involved, it touches the fundamental right. Gig work is also a source of livelihood for many who rely on online platforms.

Kavita V. Uber India <sup>31</sup>, It was held that Uber drivers are the employees of Uber, based on the UK judgement Uber BV v. Aslam. <sup>32</sup>

---

<sup>28</sup> Dharangadhara Chemical Works Ltd v. State of Saurashtra, 1956 LLJ 477 (SC).

<sup>29</sup> Balwant Rai Saluja & Anr. v. Air India Ltd. & Ors., AIR 2014 SCW 6387.

<sup>30</sup> Olga Tellis & Ors. v. Bombay Municipal Corporation & Ors., [1985] Supp. (2) S.C.R. 51.

<sup>31</sup> Kavita s. Sharma v Uber India, Consumer Complaint number:61/2021 filed before District consumer disputes redressal commission on September 15,2021.

<sup>32</sup> Uber BV and others (Appellants) v Aslam and others (Respondents), [2021] UKSC 5.

## B. Recognition of Gig-platform workers in 'Labour Codes'

The Code on Social Security 2020 almost recognized Gig -platform workers. Chapter IX says Social Security for Unorganized Workers, Gig Workers and Platform Workers. It defined certain terms related to gig platform work and workers, which makes it unclear to recognize them as workers to be included in labour codes. The phrase "outside the traditional employer-employee relationship" is blocking the inclusion of gig platform workers under labour legislations, which need to be amended in the definitions of all four labour codes. The following are the important definitions under "Code on Social Security 2020",

- **Section 2(35) - Gig Worker:** An individual who performs work or participates in a work arrangement outside the traditional employer-employee relationship, earning income from such activities.
- **Section 2(60) - Platform Work:** A work arrangement outside the traditional employer-employee model, where individuals or organizations use an online platform to connect with others to solve specific problems or provide services in exchange for payment. The Central Government may also notify additional activities under this category
- **Section 2(61) - Platform Worker:** A person engaged in or performing platform work.
- **Section 2(78) - "social security"** means the measures of protection afforded to employees, unorganized workers, gig workers and platform workers to ensure access to health care and to provide income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a

breadwinner by means of rights conferred on them and schemes framed, under this Code;<sup>33</sup>

The code has explained in detail the social security benefits u/s 109 to 114, 114 (1) to (7) and Schedule VII of the code clearly. The Security benefits include the following,

- Central government for welfare schemes from time to time, life and disability cover, health and maternity benefits, age-old protection etc.,
- States also frame rules for Provident Fund, employment injury, housing, education, skill development, old age homes etc.,
- Funds by Central and State government and Corporate Social Responsibility u/s 135 of the Companies Act, 2013
- Helpline for unorganized workers, gig and platform workers
- Registration of the unorganized, gig and platform workers
- Regulating aggregators, platform agencies and companies employing gig-platform workers
- Schemes for all forms of social security, including the Creche
- The National Social Security Board will also be established for the proper implementation of schemes for the workers' community.

The above is under the Social Security Code 2020, waiting for approval and rules by the Central and State governments.

---

<sup>33</sup> The Code on Social Security, 2020, No. 36, Acts of Parliament, 2020 (India), Gazette of India, Extraordinary, Ministry of Labour and Employment, Sept. 29, 2020, [https://labour.gov.in/sites/default/files/SS\\_Code\\_Gazette.pdf](https://labour.gov.in/sites/default/files/SS_Code_Gazette.pdf) (last visited May 31, 2025).

## VIII. IMPORTANCE OF SUSTAINABLE DEVELOPMENT GOALS(SDG)

The history of the 17 SDGs<sup>34</sup> is a unique one. The 17 Goals<sup>35</sup> have been formulated to transform the world. It has started its journey in 1992 with the “Earth summit”<sup>36</sup> which adopted “Agenda 21”<sup>37</sup> to protect people and the planet for the next generation. Its main objective is comprehensive Sustainability. The journey has continued, and in September 2000, all the world leaders came forward to adopt the ‘Millennium Development Goals’ (MDGs)<sup>38</sup> with 8 goals, the target time was 2015. The year 2015 has become a landmark year in the whole world. The world leaders have brought four important documents for International Policy modification and Multilateralism, which are as follows, transforming our world - Agenda 2030 in UN Sustainable Development Summit in New York, 2015, Sendai Framework for disaster risk reduction, Paris agreement on climate change and Addis Ababa Action Agenda for financing on development<sup>39</sup>. What we are discussing is about Agenda 2030 of 17 Sustainable Development Goals, which fairly includes all on things on earth.

The labour rights are accommodated in the 8<sup>th</sup> goal of the SDG as “Employment, decent work for all and social protection”<sup>40</sup>. SDG 8th goal aims to “*promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all*”<sup>41</sup>. Agenda 2030’s ultimate aim is to achieve social protection, social dialogue, rights at work, full

---

<sup>34</sup> United Nations, 17 Goals to Transform Our World, <https://www.un.org/en/exhibits/page/sdgs-17-goals-transform-world> (last visited May 31, 2025).

<sup>35</sup> United Nations, 17 Goals to Transform Our World, <https://www.globalgoals.org/goals/> (last visited May 31, 2025).

<sup>36</sup> M. Grubb, M. Koch, K. Thomson, F. Sullivan & A. Munson, *The 'Earth Summit' Agreements: A Guide and Assessment: An Analysis of the Rio '92 UN Conference on Environment and Development* 9 (Routledge 2019).

<sup>37</sup> United Nations Conference on Environment & Development, Rio de Janeiro, Brazil, 3-14 June 1992, Agenda 21 (1992).

<sup>38</sup> MDG Monitor, Millennium Development Goals, <https://www.mdgmonitor.org/millennium-development-goals/> (last visited May 31, 2025). The following are the eight Millennium Development

<sup>39</sup> United Nations, the 17 Goals, <https://sdgs.un.org/goals> (last visited May 31, 2025).

<sup>40</sup> United Nations, Employment, Decent Work for All and Social Protection, <https://sustainabledevelopment.un.org/topics/employment> (last visited May 31, 2025).

<sup>41</sup> Id.



employment and decent work for all. The lofty ideals are given for the workers' community to go for the Sustainable development of the future. The developing countries are given proper guidance by the International Agencies and Institutions to implement the SDGs in their respective countries.

"India is one of the signatories of SDGs, and its effort is "LOCALISING SDGs EARLY LESSONS FROM INDIA,2019"<sup>42</sup> would be of great help to achieve the 8th SDG goal for labour rights, including gig-platform workers. Also, India's road map to realize SDG 8<sup>th</sup> goal has been made, and its initiatives are laid down. India's roadmap for SDG 8 – A Brief Introduction<sup>43</sup> mentions a lot of schemes under Make in India, Skill India and Digital India. These are all the efforts taken by the Indian government to achieve SDG employment. Out of this, it has been said that India will grow faster in achieving better employment in future.<sup>44</sup>

## IX. RECENT DEVELOPMENTS IN INDIA

After the initiation of labour reform through codes 2020, the steps have been taken to improve the gig platform lives through various arrangements they are as follows,

- The Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023<sup>45</sup>
- The Tamil Nadu Platform Based Gig Workers welfareBoard,2023<sup>46</sup>
- In Karnataka, "Karnataka State Gig Workers Insurance Scheme

---

<sup>42</sup> National Institution for Transforming India (NITI Aayog), Localizing SDGs – The Indian Model, [https://www.niti.gov.in/sites/default/files/2020-07/LSDGs\\_July\\_8\\_Web.pdf](https://www.niti.gov.in/sites/default/files/2020-07/LSDGs_July_8_Web.pdf) (last visited on May 31, 2025).

<sup>43</sup> National Institution for Transforming India (NITI Aayog), India's Roadmap for SDG 8 – A Brief Introduction, [https://www.niti.gov.in/sites/default/files/2019-01/Report\\_SDG-8.pdf](https://www.niti.gov.in/sites/default/files/2019-01/Report_SDG-8.pdf) (last visited on May 31, 2025).

<sup>44</sup> Id.

<sup>45</sup> The Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023, [https://prsindia.org/files/bills\\_acts/acts\\_states/rajasthan/2023/Act29of2023Rajasthan.pdf](https://prsindia.org/files/bills_acts/acts_states/rajasthan/2023/Act29of2023Rajasthan.pdf)(last visited on June 21, 2025)

<sup>46</sup> Tamil Nadu Platform based gig workers welfare board, [https://www.stationeryprinting.tn.gov.in/extraordinary/2023/417\\_Ex\\_II\\_2\\_2023.pdf](https://www.stationeryprinting.tn.gov.in/extraordinary/2023/417_Ex_II_2_2023.pdf)(last visited on June 21, 2025)

- **Sources:** Karnataka State Gig Workers Insurance Scheme; PRS. Type of cover Amount Accidental death Four lakh rupees (Accidental Insurance and Life Insurance of two lakh rupees each). Permanent disability due to accident Up to two lakh rupees Reimbursement of hospital expenses for accident cases Up to one lakh rupees Life insurance Two lakh rupees”<sup>47</sup>
- In Union Budget 2025-26<sup>48</sup>, it was announced that Government would provide for Gig workers’ need of identity cards.
- Registration on the e-Shram portal <sup>49</sup>
- Healthcare under PM Jan Arogya Yojana.<sup>50</sup>

## X. CONCLUSION

It was the first industrial revolution which talked about the worst form of labour exploitation during the 18<sup>th</sup> century. The exploitation and slavery to mechanize the manual labour resulted in the exploitation of the sweat and blood of the labourers. The capitalistic oppressions gave birth to Communism and other ‘isms’ which have guarded the workers from the grip of mass production and profit. The efforts of many humanitarians gave birth to the International Labour Organization, United Nations and other agencies, it also included the human rights document “Universal Declaration of Human Rights”.

Now we are in the era of the fourth industrial revolution, which is even trying to reduce human beings to digital numbers. Globalization is gradually replacing nationalization. The complexity in the future of jobs and skills in the digital era poses the risk of taking away basic labour rights. Already, India has around 90% of work workforce in the

<sup>47</sup> Karnataka Gig Workers Bill, [https://prsindia.org/files/bills\\_acts/bills\\_states/karnataka/2024/Brief\\_Karnataka\\_Gig\\_Workers\\_Bill\\_2024.pdf](https://prsindia.org/files/bills_acts/bills_states/karnataka/2024/Brief_Karnataka_Gig_Workers_Bill_2024.pdf) (last visited on June 21, 2025)

<sup>48</sup> Union Budget 2025-26, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2098352#:~:text=Budget%20announced%20that%20Government%20will,of%20projects%20in%20PPP%20mode>. (last visited on June 21, 2025)

<sup>49</sup> E shram <https://eshram.gov.in/> (last visited on June 21, 2025)

<sup>50</sup> PM-JAY, <https://nha.gov.in/PM-JAY>, (last visited on June 21, 2025)

unorganized sector. The new form of workers would neither fit into an organized nor is an unorganized whole world, not only in India, in a situation to take care of the life and livelihood of the workers of the digital era with a welfare state attitude. The measures which have been taken to alleviate gig platform workers' employment conditions are at the policy level.

The precarious work in platforms needs to be transformed into decent work. Their needs include the following social securities like food, housing, old-age, nutrition, health, employment, income, life and accident. In the Liberalization, Privatization and Globalization process, it is well understood by world leaders of developed nations in making their countries prosperous respectively. Even though they intend to make the Earth as a whole comprehensive market, they want sustainability. The 17 sustainable development goals are the balancing factors to be considered to save the planet and people.

Meanwhile, the efforts of the ILO are in full swing to help the States to ratify and implement its conventions for gig platform workers for the achievement of SDG's. The ILO Recommendation No. 198 gives a clear mandate to consider the employment status and decent work in the national policy. The other Conventions, which are made to protect the unorganized workers, are being done by the ILO in regular periods based on surveys and evidence taken from the countries.

It's time to promote Agenda 2030, which includes labour rights and social security of gig platform workers. which would certainly result in the economic growth of an individual and the country as well... We hope the principle "dubio pro operario" (workers to be favored in the labour market) to be followed in making policies, legislations, and regulations for gig platform workers, and ILO recommendation No.198 to be followed by every nation, including for decent work for all.

## **XI. SUGGESTIONS**

- At the policy level, ILO Recommendation 198 must be established.

- Further, legislative and regulatory mechanisms must be developed.
- SDGs' achievement must be correlated.
- At judiciary level, 'dubio pro operario' principle and ILO Recommendation 198 must be incorporated and followed to eliminate precarious employments.
- At legislative level, we must aim to convert precarious employment to a decent one in order to achieve SDG 8th goal.
- Most importantly, misclassification of gig workers as independent contractors must be eliminated through amendments in definitions given in the four labour codes.
- Ultimately, we must also provide basic rights to gig workers.

## **XII. REFERENCES**

### **C. International Organizations and Reports**

- Int'l Lab. Org., Building Forward Better: Inclusion of Persons with Disabilities in Employment Policies in Response to the COVID-19 Crisis (2021), [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/documents/publication/wcms\\_790117.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_790117.pdf) (last visited May 30, 2025).
- S. Brown et al., Protecting Workers' Rights in the Gig Economy: AI and Digital Labour Platforms (Int'l Lab. Org. 2021), [https://global.lehigh.edu/sites/global.lehigh.edu/files/2\\_ILO\\_UN\\_Ex\\_Machina\\_Final\\_Draft.pdf](https://global.lehigh.edu/sites/global.lehigh.edu/files/2_ILO_UN_Ex_Machina_Final_Draft.pdf) (last visited May 30, 2025).
- Int'l Lab. Org., Disguised Employment / Dependent Self-Employment (Nov. 11, 2016), [https://www.ilo.org/global/topics/non-standard-employment/WCMS\\_534833/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534833/lang--en/index.htm) (last visited May 30, 2025).
- Int'l Lab. Org., ILO Centenary Declaration for the Future of Work (2019), <https://www.ilo.org/global/about-the-ilo/mission-and->

objectives/centenary-declaration/lang--en/index.htm (last visited May 31, 2025).

- Int'l Lab. Org., Constitution of the International Labour Organization (1919), [https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62\\_LIST\\_ENTRIE\\_ID:2453907:NO](https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO) (last visited May 30, 2025).
- United Nations, Employment, Decent Work for All and Social Protection, <https://sustainabledevelopment.un.org/topics/employment> (last visited May 30, 2025).
- United Nations, Goal 8: Decent Work and Economic Growth, <https://www.globalgoals.org/goals/8-decent-work-and-economic-growth> (last visited May 30, 2025).
- United Nations, 17 Goals to Transform Our World, <https://www.un.org/en/exhibits/page/sdgs-17-goals-transform-world> (last visited May 31, 2025).
- United Nations, the 17 Goals, <https://sdgs.un.org/goals> (last visited May 31, 2025).
- United Nations Conference on Environment & Development, Agenda 21 (1992).
- MDG Monitor, Millennium Development Goals, <https://www.mdgmonitor.org/millennium-development-goals/> (last visited May 31, 2025).

#### **D. Indian Government Reports and Legislation**

- The Code on Social Security, 2020, No. 36 of 2020, Gazette of India, Sept. 29, 2020, [https://labour.gov.in/sites/default/files/SS\\_Code\\_Gazette.pdf](https://labour.gov.in/sites/default/files/SS_Code_Gazette.pdf) (last visited May 30, 2025).
- Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, No. 31, Acts of Parliament, 1959 (India),

<https://labour.gov.in/sites/default/files/EC%20Act.pdf> (last visited May 31, 2025).

- National Institution for Transforming India (NITI Aayog), India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work (June 2022), [https://www.niti.gov.in/sites/default/files/2022-06/Policy\\_Brief\\_India%27s\\_Booming\\_Gig\\_and\\_Platform\\_Economy\\_27062022.pdf](https://www.niti.gov.in/sites/default/files/2022-06/Policy_Brief_India%27s_Booming_Gig_and_Platform_Economy_27062022.pdf) (last visited May 30, 2025).
- National Institution for Transforming India (NITI Aayog), Localizing SDGs – The Indian Model, [https://www.niti.gov.in/sites/default/files/2020-07/LSDGs\\_July\\_8\\_Web.pdf](https://www.niti.gov.in/sites/default/files/2020-07/LSDGs_July_8_Web.pdf) (last visited May 31, 2025).
- National Institution for Transforming India (NITI Aayog), India's Roadmap for SDG 8 – A Brief Introduction, [https://www.niti.gov.in/sites/default/files/2019-01/Report\\_SDG-8.pdf](https://www.niti.gov.in/sites/default/files/2019-01/Report_SDG-8.pdf) (last visited May 31, 2025).

## **E. Academic and Institutional Publications**

- R. Korde et al., Gig Economy India: 2020-2021 (Wage Indicator Foundation 2021), <https://wageindicator.org/about/publications/2021/korde-r-agarwal-p-adimulam-d-gandhi-m-2021-gig-economy-india-2020-2021-amsterdam-wageindicator-foundation-india-flame-university> (last visited May 30, 2025).
- R. Augustinraj & S. Bajaj, Unlocking the Potential of the Gig Economy in India (Boston Consulting Group & Michael & Susan Dell Foundation 2021), <https://www.bcg.com/unlocking-gig-economy-in-india> (last visited May 30, 2025).
- Tata Institute of Social Sciences, Cab Aggregator Services: A Case Study on Ola and Uber from the Driver Partners' Perspective (2021), [https://tiss.ac.in/uploads/files/Cab\\_Aggregator\\_Services.pdf](https://tiss.ac.in/uploads/files/Cab_Aggregator_Services.pdf) (last visited May 31, 2025).

- Behrendt, Q.A. Nguyen & U. Rani, Social Protection Systems and the Future of Work: Ensuring Social Security for Digital Platform Workers, 72 Int'l Soc. Sec. Rev. 17, 17–41 (2019).
- European Green Party, Power to the Gig-Workers: Guarantee the Socio-Economic Protections of Gig-Workers (July 9, 2020), <https://europeangreens.eu/resolutions/powergig-workers-guarantee-socio-economic-protections-gig-workers> (last visited May 31, 2025).
- Associated Chambers of Commerce and Industry of India (ASSOCHAM), Gig Economy: Aligning Consumer Preferences—The Way Forward 24 (Jan. 24, 2020), <https://www.assochem.org/uploads/files/1628143386.pdf> (last visited May 31, 2025).
- M. Grubb et al., The 'Earth Summit' Agreements: A Guide and Assessment: An Analysis of the Rio '92 UN Conference on Environment and Development 9 (Routledge 2019).

## **F. Legal Cases and Judgments**

- Sushilaben Indravadan Gandhi v. New India Assurance Co., AIR 2020 SC 1977.
- Record of Law, Sushilaben Indravadan Gandhi & Another v. The New India Assurance Company Limited and Others, <https://recordoflaw.in/sushilaben-indravadan-gandhi-another-vs-the-new-india-assurance-company-limited-and-others/> (last visited May 31, 2025).
- Balwant Rai Saluja & Anr. v. Air India Ltd. & Ors., AIR 2014 SCW 6387.
- Olga Tellis & Ors. v. Bombay Municipal Corporation & Ors., [1985] Supp. (2) S.C.R. 51.
- Uber BV and others (Appellants) v. Aslam and others (Respondents), [2021] UKSC 5.
- W.P.(C) 1068/2021.

- Kavita S. Sharma v Uber India, Consumer Complaint number:61/2021 filed before District consumer disputes redressal commission on September 15,2021.
- Dharangadhara Chemical Works Ltd v. State of Saurashtra, 1956 LLJ 477 (SC).

### **G. Books and Speeches**

- Dr. B.R. Ambedkar, Dr. Babasaheb Ambedkar: Writings and Speeches, vol. 10 (Vasant Moon ed., 1st ed. 1991, reprinted by Dr. Ambedkar Foundation 2014), [https://www.marxists.org/archive/ambedkar/writings-and-speeches/Volume\\_10.pdf](https://www.marxists.org/archive/ambedkar/writings-and-speeches/Volume_10.pdf) (last visited May 31, 2025).

### **H. Additional Online Resources**

- Wage Indicator Foundation, Platform Workers: Decent Rights & Pay, <https://wageindicator.org/Wageindicatorfoundation/projects/platform-workers-decent-rights-pay> (last visited May 30, 2025).