

The background of the journal cover features a top-down view of a desk. On the left, a pair of black leather brogue shoes is partially visible. In the center, an open notebook with lined pages and a silver pen lies on a light-colored wooden surface. To the right, a black leather bag with a zipper is partially shown, and a black leather watch with a silver dial is resting on the desk. A large, semi-transparent white rectangular box is centered over the image, containing the journal's title and ISSN information.

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CRITICAL ANALYSIS OF LEGISLATIONS RELATED TO GIG WORKERS IN INDIA WITH INTERNATIONAL PERSPECTIVES

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Abstract

The rapid expansion of the gig economy has transformed traditional labour markets across the world. In India, digital platforms such as ride-hailing and food delivery services have created large-scale employment opportunities. However, this transformation has exposed significant gaps in labour law frameworks, as gig workers do not fit neatly into existing classifications. This paper critically examines the legislative framework governing gig workers in India and evaluates its effectiveness.

1. Introduction

The gig economy represents a fundamental shift in the structure of modern labour markets. Unlike traditional employment, gig work is characterized by short-term, task-based engagements mediated through digital platforms. Companies such as Uber, Ola, Swiggy, and Zomato have expanded gig employment opportunities. However, worker protections remain limited.

2. Evolution of the Gig Economy

The gig economy evolved from freelance work to digital platform-based labour. In India, it has grown rapidly due to smartphone penetration and digital platforms.

3. Importance of Gig Workers

Gig workers contribute to employment generation, economic growth, and digital economy expansion. However, they face income instability and lack of job security.

4. Indian Legislative Framework

Traditional labour laws exclude gig workers. The Code on Social Security, 2020 recognizes them but does not grant full employment rights.

5. Key Challenges

Major challenges include misclassification, lack of social security, algorithmic control, absence of collective bargaining, and limited access to justice.

6. International Perspectives

Countries like the UK and EU provide stronger protections, while the US has a fragmented approach.

7. Comparative Analysis

India lags behind in legal clarity, enforcement, and worker protection.

8. Policy Recommendations

Reforms should include clear classification, social security, minimum wages, algorithm transparency, and grievance mechanisms.

9. Conclusion

India must adopt a balanced approach to ensure both economic growth and worker protection in the gig economy.

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