

SHINING INDIA SHOULDERS ON PAINING INDIA: A CRITICAL ANALYSIS OF SOCIAL SECURITY OF GIG WORKERS

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Abstract:

The proportion of the gig economy in traditional economy has been increasing rapidly. Being leveraged on demographic dividends, India has been using that space for rapid economic growth. India stands at the forefront in the development of the gig economy. The magnitude and gravity of informal sector of gig economy have been increasing tremendously. Millions of gig workers are working for their livelihood by putting their lives at risk. Gig workers are working different shifts, where they face long waiting times for orders, eccentric customers, meagre wages, a strong surveillance machine-based algorithm, frustrated traffic, problems of stray dogs, intoxicated men and lack of social security. They grapple with the physical and psychological problems. It is a need of the hour to devise tangible and constructive legislations to provide social security for this sector. Sustainable growth of Shining India should not be shouldered on the painful India. For the larger and overall comprehensive growth of India, there should be positive efforts to legalize social security for millions of gig workers.

Key Words -Social security of gig workers, social code on social security, Niti Aayog and gig workers

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Aims and Objectives:

- To study the nature and scope of gig economy.
- To discuss social security code for gig workers
- To study establish legislations to tackle issues of gig workers
- To understand the need of new legislations for gig workers

Methodology:

The present paper is descriptive in nature based on Secondary data, the information has been collected from various reference books and articles.

Introduction:

The gig workforce has been growing rapidly around the world. India stands out as one of the emerging economies that play a significant role in this global trend. With a demographic advantage of half a billion workers and the world's youngest population, along with rapid urbanization and widespread smartphone

adoption, India represents a new frontier in the gig economy. This sector has shown resilience and potential, even in the wake of the COVID-19 pandemic, by continuing to create millions of jobs and keeping communities connected. The gig economy is transforming how we move, work, and live. Gig workers those engaged in jobs outside of traditional employer-employee relationships can be broadly categorized into two groups: platform workers and non-platform workers. Platform workers perform their tasks through online software applications or digital platforms, while non-platform gig workers typically include casual wage workers and self-employed individuals in conventional sectors who work either part-time or full-time.

The social security of gig workers has become complicated over the period of time. The gravity and magnitude of the gig economy have become

challenging to address the issues borne by this informal sector of economy. Social Security Code - 2020 defined various supportive things in favour of social security for gig workers, but still a long way to go for legislations so that constructive policies can be framed out to address the problems of the Gig workers. Millions of gig workers are out of the social security ambit. The business of respective companies is exponentially increasing, but still, they are not intending to incorporate gig-friendly policies on their own. Even the Union Government of India and State governments are not keen to enact legislation to regulate the unorganised workforce in the Indian economy.

Gravity of the problems:

The curious young mind is trapped inside, working in an informal grey zone and trapped between convenience and flexibility. They are facing long hours to get the order, unsafe conditions, lack of legal security. Social security mandates the scope and magnitude of the GIG workers so that effective, sustainable policies can be framed to address the problems of this sector.

As per the Niti Aayog “It is estimated that there were 68 lakh (6.8 million) gig workers in 2019-20, using both principal and subsidiary status, forming 2.4% of the non-farm workforce or 1.3% of the total workers in India. It is estimated that in 2020-21, 77 lakh (7.7 million) workers were engaged in the gig economy. They constituted 2.6% of the non-agricultural workforce or 1.5% of the total workforce in India. The gig workforce is expected to expand to 2.35 crore (23.5 million) workers by 2029-30. The gig workers are expected to form 6.7% of the non-agricultural workforce or 4.1% of the total livelihood in India by 2029-30” (Niti Aayog, 2022). Understanding exponential trend of this sector, it is required to prepare larger framework for regulation of this sector.

The definition of the gig worker defined by the Social Security code-2020, “gig worker” means a person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer-employee relationship”.

(Ministry of Law and Justice, 2020)

Gig drivers have to face various problems, i.e. poor roads, eccentric customers, frustrating traffic, relentless heat or rain. After the pandemic, the structure of the gig economy has become gigantic due to a high degree of unemployment, and many educated and young minds have been forced towards gig work for their livelihoods. It resulted in a large number of competitions, but income of respective work dries up. Geetha Srimathi in her article narrates pain of gig workers due to meagre income and shrinking job opportunities. She reports about worker’s anguish “Six years ago, I earned ₹600 for 10 orders; now, it’s just ₹250,” says S. Muthukumaran, a full-time worker for food delivery apps in Tiruchi for seven years. Riding 200 km daily, he makes ₹20,000-₹23,000 a month. But he spends ₹300 daily on fuel and ₹2,500 monthly on maintenance.” (Srimathi, 2025)

"social security" means the measures of protection afforded to employees, unorganised workers, gig workers and platform workers. The social security should be covered sickness, work injury and on duty accidental death. The ambit of social security should cover basic requirements that normal employee requires. To address this unorganised sector, the frame of National law is essential to regulate unregulated labour pool.

Safety of women gig workers :

Gig worker has to face a lot of difficulties. Being a woman in strong patriarchal social structure, women workers have to face more problems from the people specially from men dominated society. Sometimes drunkard customers abuse them, returning from late

night delivery very horrible, threats from straying dogs and intoxicated men. As per the projection of NITI Aayog, the proportion of gig workers going to be increased 24 million by 2030. Therefore, government should have a proper roadmap to protect workers especially women gig workers. The policy should prioritize corrective mechanisms to tackle women related issues. It is need of hour to address the challenges posed by unfavourable conditions for the gig workers.

Geetha Srimathi reports in her article “Priyalatha, a 35-year-old single mother from Lalgudi in Tiruchi, food delivery is a lifeline as well as a risk. She works at an Anganwadi from 9 a.m. to 4 p.m. and gets busy delivering orders with her two-wheeler from 6 p.m. to 11 p.m. She works 13-hour shifts on Sundays to support her family. Safety is a major concern. “Drunk customers abuse us, and returning late can be terrifying,” she says, citing threats from stray dogs and intoxicated men” (Srimathi, 2025)

Further Geetha Srimathi cites the experience of lady driver who has weird experience from male customers. Being a lady biker in gig work, she narrates; “D. Chithra, of Tambaram, a driver of an online ride-hailing service, says men book the bikes meant only for women to travel with female two-wheeler drivers. “Many travel properly, but some indulge in indecent behaviour. I’m not scared of them, and I ask them not to sit too close. But having to do that every day is uncomfortable. I now call up the customer to check whether it is a woman before accepting the ride,” Srimathi, 2025)

Impact on physical health:

Due to the uncertain nature of the business, uncontrolled and unchallenged interference of the algorithm, gig workers have to remain on alert. To deliver the orders as much as they can, they imperil their life. Sometimes they meet an accident. They grapple with problems of backache,

spondylosis, psychological disturbances and other physical diseases. After completing the prime time of their life, at their self-declared superannuation, they would not be able to work in their remaining life. There should have some policy for retirement benefits to gig workers. It is required to implement some sort of social security so that gig workers can get the comforts in their rest of life

T.K. Rajalakshmi writes in her article “We use our bikes, our petrol. People have accidents while on delivery duties. The company would pay for the immediate injury but not for the damage to the vehicle. Earlier we used to get delivery charge per delivery. If there are two deliveries at a distance of three kilometres, we get compensated for one order only, even though each customer has paid full delivery charges for each individual order. The company motto, he said was: The order is more important than you, your bike or your smartphone” (Rajalakshmi, 2022).

Lack of collective Bargaining:

The gig workers lack of unity, as they spread across different sections. The pattern of workers is different. Due to contract and rigid timings, they do not get united for their reasonable basic demands. Even entrepreneurs do not pay attention to meet the gig workers' demands.

Arbitrary Dismissal:

There is no fair system to address the complaint raised by customers. Company penalises the gig worker if he/she mixes foods while delivering the food. If such complaint are received more than 10 times the company blocks the account and workers have to give penalty for the reopening of the account. Going to the bathroom could cost their job, this is more pathetic and inhumane.

The algorithms that manage gig work are often unclear, unforgiving, and punitive. Workers are rated, penalized, and even terminated based on decisions

made by systems they cannot question. A single negative review can outweigh the positive impact of 20 five-star ratings.

Chandan Kumar, Anousha Peters reports in his article about arbitrariness of dismissal “Platforms such as Urban Company enforce rigid, auto-assigned schedules and penalise workers for cancellations. If workers cancel more than three jobs in three months, Urban Company blocks their IDs. Similarly, refusing work outside their designated radius—often 20 km away—or taking a break can lead to ID blocks, leaving workers without income for months. Mary (whose name has been changed for safety reasons), who is originally from West Bengal and a GIPSWU member in Bengaluru, had her ID permanently blocked without explanation after nine years of dedicated service”. (Chandan Kumar, 2025)

Social security of gig workers is the need of hour:

As per the guidelines of the Social Security Code 2020, respective governments should come ahead to decide the social security of millions of workers who have been working to fulfil their unfulfilled dream in unusual time. It is required to understand

- a) Understand the nature of the work of gig workers
- b) The guaranty for minimum wages
- c) Collective bargaining rights
- d) Protection from arbitrary termination
- e) Safety environment at workplace
- f) Maternity benefit for women workers
- g) Job security
- h) Protection from harassment and sexual violence
- i) Reasonable working hours and conditions and robust social security
- j) To get coveted status of ‘employees’

The finance minister Ms Nirmal Sitaraman in her budget address mentioned the issues of platform and online gig workers. The government is planning to register all the workers E-Shram Portal to grant Public Health Insurance under PM

Jan Arogya Yojana, it is welcome step, still a long way to go to reach at desired result.

The Union Ministry of Labour and Employment is drafting national law to incorporate gig workers in to social security schemes to address the social security issues like health insurance, retirement savings and many other. They plan to devise new definition of gig and migrant workers

There should have transparency in automated systems and dispute redressal mechanisms for the larger protection of the workers. Gig workers should be included under the Industrial Relation Code-2020

When app-based gig work emerged a decade ago with ride-sharing and food delivery apps, the absence of "employee" status was viewed positively, offering autonomy and flexible earnings. However, that illusion faded as incomes plummeted and working hours increased, leaving workers vulnerable to powerful algorithms and lacking safety nets or governmental regulation.

Infringement of Privacy:

Many leading companies in this area used data to exploit workers. Sometimes it infringes the privacy. Private companies continue to encroach on gig workers' privacy and exploit them digitally. The vision of digital India should not be based on the cost of workers exploitations. A true and comprehensive progress of India would be based on fairness, data protection and dignity of workers.

In India, the growth of digital infrastructure has raised concerns over biometric data and facial recognition technologies. Through systems like Aadhaar, citizens face constant surveillance from both the state and private tech firms. Personal data is commodified by global tech giants to influence behaviour and control markets, raising significant issues for privacy and freedom, particularly when that data is misused or compromised.

There is widespread discussion over the employer and employee relations. In the gig economy, employer claims there are not formal employer therefore they are not liable to and responsible for the any loss incurred by gig workers. This is the bone of contentions, entrepreneurs enjoying the bonanza induced by their company but they are running away from their responsibility to give compensate or take responsibility of the gig workers. There is important judgment came in UK court, which fixed the responsibility and liability of gig company to look after its employees. Kingshuk Sarkar cites this case in his article “An important precedent here is the ruling by the U.K. Supreme Court on the Uber case in 2021 — Uber was deemed to be an employer, Uber drivers as “workers” and Uber asked to honour the prevailing labour laws of the land.”(Sarkar.2024). On the similar line, the Government of India should appoint a committee to find put the problems and fix the liability and responsibility of company to incorporate social security for the gig workers.

Conclusion:

India is a talent basket of the world. A large number of people in the workforce are involved in the informal and unregulated sector, to understand the larger interest of these poor people. There should be a policy decision to sort out the problems of gigantic workforce. India's economy is one of the fastest

economies in the world. Shining India is taking up front in the world order; in that situation, millions of gig workers can not be lurch behind. To accommodate all those helping hands of India's trajectory of economic growth should be considered in positive way so that we can dream of a very powerful, sustainable and inclusive country. By keeping aside all those workers, the dream of a stable and powerful India will remain a hallucination....

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