

Rajasthan Gig Workers Act

Issues and Prospects

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Introduction

By virtue of being the world's most populous nation, India relies heavily on its diverse labour force, a vast majority of whom are engaged in the informal sector, to drive economic growth and development. In recent years, there has been a notable increase in the number of gig workers, adding to the complexity and dynamism of the informal sector in India.

Gig workers are defined as individuals engaged in short-term, flexible work arrangements, providing services on a project basis rather than holding conventional full-time jobs. Employment of gig workers has existed in various forms, though it recently received a boost, especially for unskilled and semi-skilled categories, with the rise of digital platform-based business models, also known as the 'gig economy'. The gig economy in India has now expanded to multiple sectors, including taxi, food, medicine and grocery delivery, logistics and online marketplaces.

As per NITI Aayog, there were around 7.7 million gig workers in 2020-21, which are likely to increase to 23.5 million by 2029-30. It is expected that the gig workforce will grow from 2.6 per cent of the non-agricultural workforce or 1.5 per cent of the total workforce in 2020-21 to 6.7 per cent of the non-agricultural workforce or 4.1 per cent of the total workforce in India by 2029-30. (NITI Aayog, 2022)

The growing gig economy has both positive and negative aspects: on the one hand, it provides enhanced income opportunities and new earning sources, and facilitates the integration of certain previously excluded segments into the workforce. On the other hand, gig workers typically lack job security, employee benefits, and legal protections that formal employees enjoy.

Nevertheless, the central and state governments consider the gig economy and the gig workers in India as a crucial factor for creating large-scale employment. There is also a realisation that issues faced by gig workers must be dealt with to ensure workers' welfare issues are well-taken care of.

A step was taken in this direction recently by Rajasthan, which became the first state in India to propose a legislative framework for gig workers, titled Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023. The Act aims to provide social security to gig workers by establishing a welfare fee deduction mechanism to be integrated with the aggregator app. The gig

economy is important for Rajasthan as it is a significant contributor to the state's economy, with 3,000-4,000 engaged as gig workers. (HT Correspondent, 2023)

Against this background, the current paper will analyse the status and issues of gig workers, and the implications of the Act. The objectives of the current paper are to: 1) assess the status and issues faced by gig workers and digital platform-based companies' potential impact of the Act on gig workers' welfare, 2) contribute to enhanced understanding and awareness generation among the relevant stakeholders of the importance of the Act, and 3) provide recommendations for better implementation of the Act and learnings for other states/central government of India.

The rest of the paper is organised in the following manner: sections on overall trends of gig workers in India, a legal analysis of the Act and similar legislations in other countries are followed by a review of literature. Later sections include a comprehensive analysis of data obtained through a survey and interviews of gig workers and platform-based companies, and the conclusions and recommendations.

Gig Workers in India: Trends

This section sets the context by describing the trends and break-ups of their numbers in India. Using different standards of measurement, it can be concluded that the number of gig workers in India has gone up, as Table 1 shows.

Table 1: Estimated Number of Gig Workers in Lakhs

Year	No. of Gig Workers (UPS)	No. of Gig Workers (USS)	No. of Gig Workers (UPSS)
2011-12	24.5	0.7	25.2
2017-18	52.1	0.5	52.6
2018-19	53.4	0.5	53.9
2019-20	67.0	1.1	68.0

**Note: Here, aggregate employment analysis is based on the Usual Principal Status (UPS), USS (Usual Subsidiary Status) and Usual Principal Status and Subsidiary Status (UPSS) employment criteria as used in the Employment-Unemployment Survey (EUS) and Periodic Labour Force Survey (PLFS) data of the Government of India.*

Source: Niti Aayog, 2022

Table 2 shows the share of gig workers in the total workforce of India has gone up even though the numbers (using the different standards of measurement) are relatively minuscule. However, this is still impressive, as, for example, using any of the measurements, it can be seen that the percentage shares have more than doubled between 2011-12 to 2019-2020.

Table 2: Gig Workers as a Share of Total Workforce (2011-12 to 2019-20)

Year	Share of Gig Workers (UPS)	Share of Gig Workers (USS)	Share of Gig Workers (UPSS)
2011-12	0.57	0.18	0.54
2017-18	1.18	0.40	1.16

2018-19	1.18	0.28	1.15
2019-20	1.37	0.49	1.33

Source: Niti Aayog, 2022

While the number and shares of gig workers have grown, Table 3 shows that most gig workers have been engaged in the informal sector. The percentage of informalisation though, has slightly decreased from 83.7 percent in 2011-12 to 82.5 percent in 2019-20.

Table 3: Gig Workers - Formal and Informal Workers Share

Year	Formal (%)	Informal (%)	Total (%)
2011-12	16.3	83.7	100
2017-18	18.2	81.8	100
2018-19	18.6	81.4	100
2019-20	17.5	82.5	100

Source: Niti Aayog, 2022

The growth of the gig workforce in India has really been remarkable. It is apparent that going forward this sector is going to play an even more important role as a source of preferred employment for millions of youth entering the labour force. Some points of concern emerge from this, most notably the level of informalisation of gig workers. The following sections further dwell on such issues.

Legal Analysis

Legal Analysis of the Act

In July 2023, the Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023 was passed by the state government of Rajasthan (the 'Act'). With this endeavour, Rajasthan has made history by becoming the first Indian state to enact legislation governing the engagement of gig workers, which aims to offer social security and other benefits to gig workers. It is worth noting here that the Code on Social Security, 2022 ('SS Code'), at the Central Government level, recognises gig and platform workers as individuals who operate on online aggregator platforms as a distinct class of workers and aims to provide them with a range of benefits. (Jeswant & Saggi, 2023)

The Act covers 'primary employers' (individuals or businesses hiring platform-based gig workers) as well as 'aggregators', who are online middlemen that link buyers and sellers. The Act's definition of a 'gig worker' encompasses those who engage in work or perform services and get compensation outside the conventional employer-employee relationship. This term is broadly in line with the SS Code. Any individual who works on a contract that results in a specific rate of payment, based on the terms and conditions written down in such a contract, encompasses all piece-rate labour within the Act's purview (of gig workers). (Jeswant& Saggi, 2023)

The Rajasthan government has allotted an initial amount of Rs 200 crore to the Rajasthan Platform-Based Gig Workers Social Security and Welfare Fund and levied a 'welfare cess' (that shall not exceed two per cent but shall not be less than one per cent of the value of each transaction related to platform-based gig worker) from an aggregator or primary employer to ensure better rights and facilities for gig workers. Further, the Act establishes a welfare board which will help to formulate schemes for the benefit of the gig workers, provide them immediate financial assistance in case of accidents and medical emergencies, and offer them health insurance coverage under state government schemes.

Legislation for Gig Workers in Other Countries

The gig economy has been reshaping traditional employer-employee dynamics globally, prompting countries such as the United States (US) and a few from Europe to address welfare issues of gig workers (Forbes India, 2022). In the US, the Biden administration introduced a draft rule in October 2022 that could result in more gig workers being considered full-time employees (Wiessner et al, 2022). The proposed Rules under the Fair Labour Standards Act direct the agency to consider six factors when determining if a worker is an employee and therefore entitled to minimum wage, overtime payment and the right to unionise or an independent contractor, which is essentially a self-employed individual in business for themselves (Krishna, 2023). The Netherlands and France, through recent court decisions, recognise gig workers as employees (Cater, 2021). In Spain, legislation known as Rider's Law mandates that food delivery platforms must categorise couriers as salaried staff with entitlements, including collective bargaining rights. (Politico EU, 2021)

Meanwhile, the European Commission has announced draft rules for drivers working with taxi aggregators such as Uber and Deliveroo to receive employee benefits -- a move labour unions say is overdue but some companies argue will lead to job losses (Chee & Sterling, 2021). The proposal, a global first that needs to be thrashed out with the European Union (EU) countries and lawmakers before it can become law, marks the latest attempt by the EU to regulate tech companies and ensure a level playing field between online and traditional firms. (Gill, 2023)

The UK Government Employment Tribunal introduced several regulatory changes to protect gig workers in 2017. These include clarifying employment status, ensuring access to minimum wage and benefits, implementing health and safety measures, and enforcing transparency and accountability among gig employers. These new regulations bring much-needed improvements to the rights and protections of gig workers. (Cunningtons LLP, 2017)

Seen against the development in other countries, the passing of the Act by Rajasthan compares well, but there are certain aspects of the Act that will need to be re-examined to improve its coverage and implementation. This is further elaborated in the Literature Review section below.

Literature Review

Setting the Theoretical Context

The theoretical context can be traced to labour theory of value and recent additions to it, and newer theories to explain the existing employment-growth paradigm. The labour market in India suffers from duality caused by the movement of large-scale labour from agriculture to working in urban areas in informal jobs, rather than large-scale manufacturing. There is a significant level of informalisation of the formal sector through casual and contractual labour. As a result, even though the Indian economy is growing at a high rate (projected growth rate of real Gross Domestic Product in 2023 is 6.3 per cent as per IMF(2023)), it faces pressing challenges similar to those described by Lewis (1954). (Cazes & Verick, 2013)

Many of those who are employed in India are in low-paid jobs, in the predominantly informal sector with little social security and stability (Aggarwal, 2022). In this regard, Basu & Maertens (2009) have raised the issue of the creation of insufficient 'good jobs' that would help to reduce poverty. Rodrik (2023)'s approach on 'productivism' that prioritises production and investment over finance to create, good and productive jobs is relevant in this context as it tackles the supply side issues instead of relying on a welfare state to engage in redistribution and social transfers. Aggarwal (2022) has discussed the importance of education in assuring the quality of employment and quality of labour. In the same vein greater awareness and enhanced skills of workers employed in poor quality jobs should help improve their situation by helping them to move to better jobs.

Existing literature documents the importance of the informal sector in India as a source of employment for a large section of the population even though employment in this sector is characterised by insecurity and a lack of safety (Oxfam 2022, Agarwala 2020). In spite of this, there has been a rapid expansion of the digital platform-based gig work in India within a few years (NITI Aayog, 2022). A key enabler has been the Indian government's endorsement for the narratives of progress and job creation presented by digital platforms, aligning its development agenda with 'disruptive' changes anticipated from digital technology. There were other factors such as extensive internet penetration, widespread mobile phone usage, and a robust connectivity infrastructure. (Graham & Lehdonvirta, 2017)

The gig economy has long existed in India in sectors such as agriculture, household assistance, and daily wage construction labour within the informal sector, prevalent in both rural and urban areas (BCG & Michael & Susan Dell Foundation, 2021). The transformative aspect in the current trend emanates from the application of technology to efficiently connect and provide on-demand services at a considerable scale.

Due to its roots in the informal economy, the precarious nature of gig work presents a formidable challenge. Gig workers, predominantly classified as 'contractors' rather than 'employees,' are notably deprived of the social security privileges given to regular employees (Nayyar, 2012). Digital-platform-based companies that employ gig workers are typically reluctant to provide such benefits, citing concerns about increased costs and the potential impact on their competitiveness. Consequently, gig

workers find themselves inadequately remunerated as well as unable to improve their societal standing, reinforcing social disparities. (Parwez, 2016)

Thus, while the gig economy has been playing a remarkable role in the Indian economy's growth story, there are outstanding issues, notably the challenge to provide secured and stable employment with reasonable benefits and welfare measures, and skills training to a large section of labour without hurting the growth of digital-platform based companies that hire scores of gig workers.

Review of Literature on Gig Economy

The section details a diverse range of issues encountered by gig workers, including myriad challenges, experiences, and barriers. The section also dwells on recommendations and loopholes present in the Act. Table 4 includes a breakdown of the number of pertinent articles and papers identified at each stage of the literature review, and Table 5 has a theme-wise categorisation of issues and factors involving gig workers' welfare.

Table 4: Number of relevant articles sorted at each stage of review

Stage	Included ¹	Excluded ²
Initial search*	80	-
Title Analysis	60	20
Policy analysis	30	10
Paper reading	25	10

**Note: Data search included an extensive search of gig workers' issues, and limitations by individually accessing academic journals, and papers like Elsevier Science and Sage journals. Additionally, information was gathered from highly visited websites such as The Print, The Hindu, and Economic Times.*

¹ Inclusion criteria involved looking at all those policies and papers which directly examine gig workers, their experiences, and ways in which their participation in the gig economy affects their social, economic well-being and health were included.

² Exclusion criteria involved removing all those papers, and reports which do not directly look into gig economy/gig workers in informal sector.

Table 5: Theme-Wise Categorisation of Issues and Factors Involving Gig Workers' Welfare

Themes	Issues	Drivers
Dialogue and Stakeholder Engagement	The proliferation of platforms poses a significant problem, potentially leading to confusion and difficulties for gig workers in navigating and managing their engagements across multiple platforms. (De Neve et al., 2023)	- The absence of efficient registration systems and transparent communication among unions, aggregators, and gig workers currently hampers effective stakeholder engagement. - The Act, however, lacks explicit provisions detailing the integration mechanisms with existing social security schemes. (Chatterjee, 2023)
Addressing Cross-Jurisdictional Issues	- Gig workers frequently engage in activities across multiple jurisdictions (Faheem, 2023). - Jurisdictional challenges in holding foreign aggregators accountable in the gig ecosystem (Dewan, 2024).	Complexities in coordination among different states or countries in terms of accountability and policy implementation. (Butani, 2023)
Dissemination of Information	The literature around gig workers suggests that they are unaware of their rights or the existence of social security programs available to them. (Pillai et al, 2022)	Language barriers, digital literacy issues, and the dispersed nature of gig workers can further complicate outreach efforts. (De & Sharma, 2022)
Regulations and Grievances Redressal	The literature review underscores a critical issue within the gig economy the inadequacy of regulations governing grievance redressal.	When problems arise with customers or deliveries, workers often lack a human manager to turn to or a physical site to register a complaint or raise a question. As such, platform work drastically challenges labour agency. (Mendonça & Kougiannou, 2022)
Wellbeing Issues Faced by Gig Workers	- Physical strain and health implications of intense gig work schedules. (Ramakritinan & Arunachalam, 2022) - Inadequate provision of health insurance,	Lack of breaks and recovery time affecting gig workers' physical health intensifies the issue of work

	leaving gig workers vulnerable to health risks.(ILO, 2023)	intensity on physical wellbeing. (Salman, 2020) Challenges in securing affordable and comprehensive healthcare coverage contribute to the health well-being issue. (Saleh et al, 2023)
Inability to Facilitate Women's Inclusion	- Persistent structural barriers hindering women's entry into the gig economy. (Kasliwal, 2020) - Increased risk of harassment, including verbal abuse, stalking, or bullying, for women service providers. (Ghosh et al, 2023) - Unequal access to digital technologies poses a significant hurdle to women's participation in gig work. (Kasliwal, 2020)	- Systemic challenges such as gender bias, limited opportunities, and unequal access to resources create barriers for women, impeding their entry into the gig workforce.³ - Limited access to technology disproportionately affects women, limiting their ability to engage in digital-centric gig opportunities.
Algorithmic Management	- Platform-based service providers extract value from the undervalued labour expended by workers as well as from the 'data assets' that workers continually produce. (De Neve et al., 2023) - Despite claims that partners (workers) maintain control over their work schedules, the reality is that algorithmic systems heavily curtail this autonomy. (McDaid et al., 2023)	The implementation of digital tools and algorithms enhances the platforms' ability to monitor, regulate, and exert control over the actions and performance of gig workers. (De Neve et al., 2023)

It is apparent there are several outstanding issues related to gig workers, and these have been discussed for a while now. Thus there are **concerns about the manner in which gig workers are treated, including threats that women gig workers face, the kind of (or the absence of) regulations and welfare measures for gig workers including those that could ensure stability and security of jobs, a lack of information among gig workers in terms of applicable laws, and welfare and benefit packages available for them, and the manner in which platform-based companies manage their algorithms that is detrimental to interests of gig workers.**

³ *Ibid*

Review of Literature on the Act

This section summarises a few shortcomings of the Rajasthan Gig Workers (Registration and Welfare) Act after reviewing the relevant literature:

1) *Employee Classification Oversight:*

The primary shortfall of the Act lies in its definitions of gig workers and aggregators. (Jose et al., 2023) points out that the Act refrains from categorising gig workers as employees, contrary to the global best practices recognising their eligibility for standard employee protections. By maintaining the term "aggregators" for gig companies, the Act risks undermining the legal accountability of these platforms. The failure to officially recognise gig workers as employees raises questions about the extent to which aggregators can be held responsible for essential entitlements such as occupational safety and workplace protections. (Butani, 2023)

This oversight perpetuates non-compliance with labour regulations, allowing platforms to evade responsibilities for workplace entitlements (Rathi, 2023). **The Act could benefit from aligning with international trends that emphasise the duty of businesses to ensure worker health and safety, regardless of employment status.**

2) *Fragmented Social Security Implementation:*

The literature discourse around the Act emphasises that, although the Act aims to provide social security benefits to gig workers, it lacks clarity on how it complements existing schemes and interacts with the SS Code. The absence of a specific definition of 'social security' raises concerns about the scope and extent of benefits. The Act's silence on awareness generation aggravates the potential for inefficiencies and complications in the system, hindering gig workers from accessing their rightful benefits. (Chatterjee, 2023)

Chatterjee (2023) further argues that the Act should define social security benefits explicitly and ensure seamless integration with existing schemes and that mandating awareness campaigns is essential to empower gig workers with knowledge about the reform, preventing their exploitation and vulnerability.

3) *Ambiguity on Welfare Cess and Transaction Value:*

The literature repeatedly highlights the ambiguity surrounding the welfare cess component of the Act, as it lacks clarity regarding the determination of the 'value of each transaction'. This ambiguity raises questions about the application of the cess to gig workers' earnings, including incentives and additional payments (Faheem, 2023). The absence of a clear definition for 'value of each transaction' leaves room for misinterpretation and could result in increased costs for businesses and potential impacts on gig workers' take-home income. (Chatterjee, 2023)

The issue lies not in the inherent component itself but rather in the clarity of the Act. This schema is not unfamiliar - platform workers in the transportation sector in Thailand and Malaysia currently enjoy health and accident insurance, along with social security, funded through a 2% deduction for each ride (The Hindu, 2023). **The Act should specify the components included in the calculation of the "value of each transaction" to avoid**

ambiguity and ensure a fair representation of gig workers' actual income. This clarity is crucial for both gig workers and businesses to prevent unintended consequences.

4) *Takeaways*

In essence, as a few authors have argued, the Act is not merely a legal document but a social contract that reflects the intricate linkage between economic progress and worker welfare. Its success lies not only in the text of the legislation but in the state's commitment to refining and adapting its provisions based on feedback and experiences (Rathi, 2023). Rajasthan's legislative experiment provides a valuable case study for other jurisdictions grappling with similar challenges, offering lessons that extend beyond the boundaries of the state. (Agarwal, 2023)

While the Act marks a pioneering effort in providing statutory recognition to gig workers, its success hinges on addressing the identified shortcomings. Balancing the needs of various actors: gig workers and companies, refining definitions, and ensuring seamless integration with existing welfare schemes is imperative for the effective implementation of the Act.

Data Analysis: Survey and KIIs

The description of trends, legal analysis and literature review are complemented by an analysis of the qualitative data obtained through a survey and key informant interviews (KIIs). **The data analysis aims to assess the status of gig workers, the level of awareness of gig workers of the Act and welfare measures, and perspectives of digital platform-based companies (or aggregators) on the Act. It dives deeper into the points on the importance of greater awareness generation, information dissemination and skills development as important driving factors in improving the condition of gig workers. Further, the data analysis part delineates the role of government and aggregators in enhancing the status and working conditions of gig workers.**

Methodology

For the survey of gig workers, a semi-structured questionnaire was employed, incorporating a mix of Likert scale questions and open-ended questions. KII interviews were conducted using a semi-structured questionnaire that included Likert scale and open-ended questions to capture nuanced insights from aggregators.

A purposive sampling approach was adopted for an in-person survey. The survey was conducted in the city of Jaipur, focusing on specific hotspots, including Vaishali Nagar, Jhotwara Industrial Area, and Mirza Ismail Rd, where gig workers tend to congregate during tea breaks. We proceed with a caveat that there may be selection bias or availability bias in the sampling approach. The survey was conducted during the first two weeks of November. The average survey duration per respondent was between 12 to 15 minutes.

The data thus collected underwent thorough cleaning and coding in preparation for the analysis. Qualitative data analysis employed a thematic approach, wherein recurring themes were identified, analysed, and responses categorised accordingly.

KIIs of selected representatives of digital platform-based companies were conducted to garner an in-depth understanding of the perspective of aggregators and to obtain a balanced representation of viewpoints on the subject matter. However, it is noteworthy that a significant number of aggregators declined participation, citing a lack of awareness of the Act.

Profile of Respondents: Survey and KIIs

This section analyses the data from the survey and KIIs to describe the profile of the respondents. Eighty-five respondents from eight companies belonging to transport, food delivery, logistics, marketplace, grocery delivery and medicine delivery segments were interviewed in the survey and the KIIs. Table 6 and Table 7 include information on the profiles of the respondents/ interviewees, including their job titles and the companies and sectors they work for. The KIIs were conducted on five respondents representing the management of the companies. The survey on gig workers included 10 respondents from each company. While there was one female respondent in the KIIs, the authors were unable to interview any female gig workers for this report because **the percentage of female gig workers in Rajasthan is negligible, especially in the selected sectors.**

Table 6: Profile of Respondents – Type and Number

Type		Number of Respondents
Gig Workers (all Male)		80
Companies (4 Male, 1 Female)	Executive	2
	Supervisor	2
	Team Leader	1
Total (84 male 1 female)		85

Table 7: Profile of Respondents - Sectors and Companies

Sectors	Company Name	Number of Participants	Percentage of Breakup
Taxi	Ola	10	11.8
Taxi	Uber	10	11.8
Taxi		20	23.5
Food Delivery	Swiggy	11	12.9
Food Delivery	Zomato	10	11.8
Food Delivery		21	24.7
Logistics	Delivery	11	12.9
Logistics	Porter	1	1.2
Logistics		12	14.18
Market Place	Amazon	11	12.9
Medicine Delivery	Tata 1 mg	10	11.8
Grocery Delivery	Swiggy Instamart	11	12.9
Total		85	100

A majority of the respondents were from the age bracket 25-34 years, followed by respondents who were in the 18-24 years and then 35-44 years age brackets as Table 8 shows.

Table 8: Profile of Respondents - Age

Age Bracket	Number of respondents	Percentage Break-up
18-24	22	25.9
25-34	43	50.6
35-44	16	18.8
45-54	4	4.7
Total	85	100

Survey Findings

This section presents results of the survey on gig workers in the form of frequency distributions. Table 9 shows the educational attainment of respondents (gig workers): most studied till high school (52 respondents, 65 percent), followed by those who obtained bachelor's degrees (24 respondents, 30 percent). There were two who underwent some vocational training and two who completed master's degrees (2.5 percent of respondents each). **The gig economy has become an important avenue for work for people who have studied only till high school and otherwise would have had difficulties in finding jobs in traditional organised employment sources.**

Table 9: Profile of Respondents: Educational Attainment

Levels of education	Number of respondents	Percentage Break-up
High School or equivalent	52	65
Some college or vocational training	2	2.5
Bachelor's degree	24	30
Master's degree or higher studies degree	2	2.5
Total	80	100

Figure 1 shows most respondents (56 respondents, 70 percent) said they are involved in two platforms, followed by those who said they are involved in one platform (21 respondents, 26.25 percent). Only three respondents (or 3.75 percent of respondents) said they were involved in three platforms. **Possibly, gig workers get involved in two or more platforms to diversify their earning sources and to minimise risks of losing their sources of earnings should there be any issue in one of the companies.**

Figure 1: Involvement of Gig Workers in (Number of) Platforms

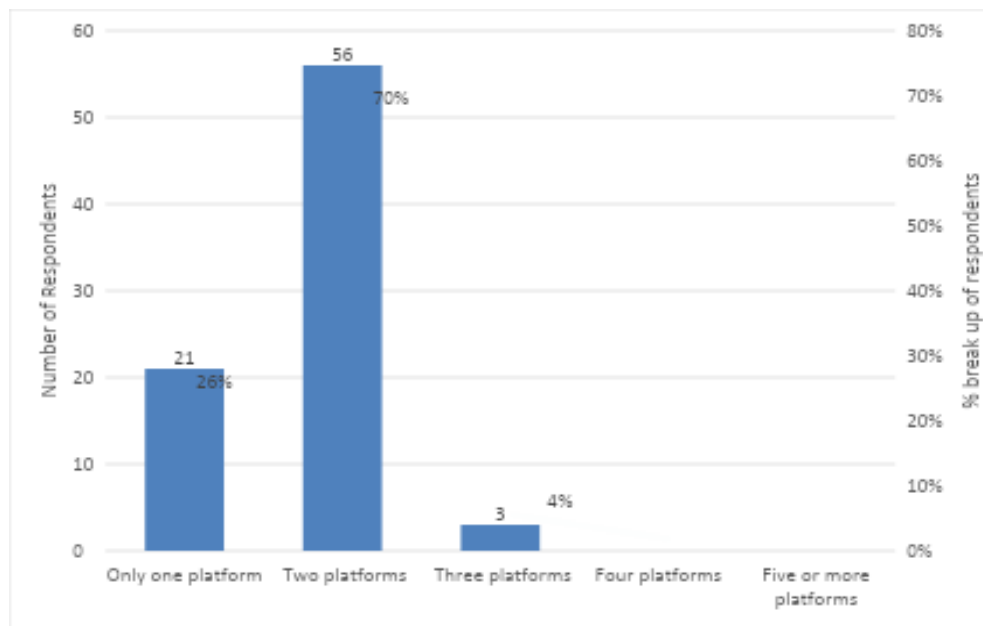


Figure 2 shows that most gig workers (48 respondents, 60 percent) dedicate 31-40 hours per week to gig work, 28 of them (35 percent) dedicate more than 40 hours, and only four of them (5 percent) dedicate 21-30 hours of work per week to gig work. **Therefore, gig work is the primary source of earning for the cohort under consideration, as they spend an average of 6 and a half hours or more per day on gig work.**

Figure 2: Hours of Work for Gig Work Per Week

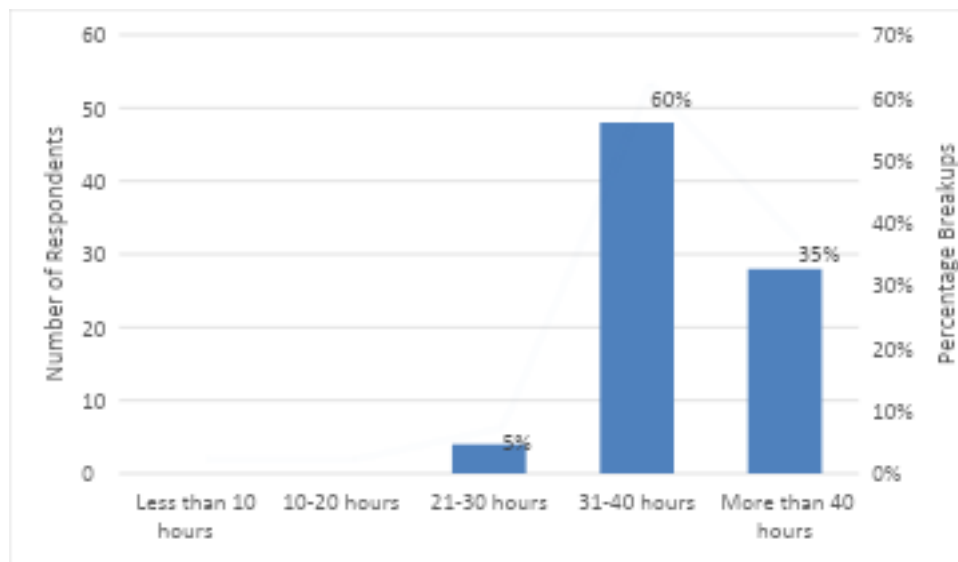
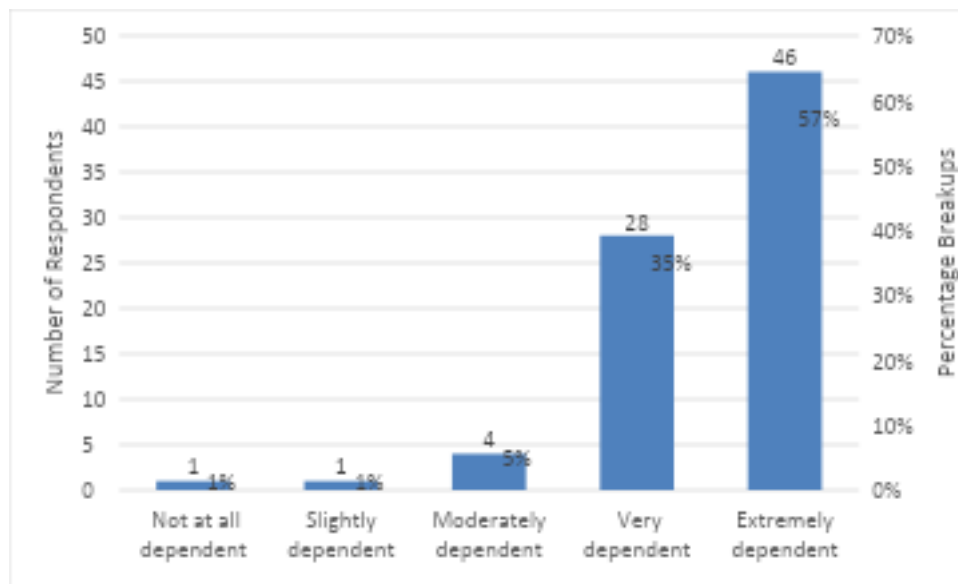


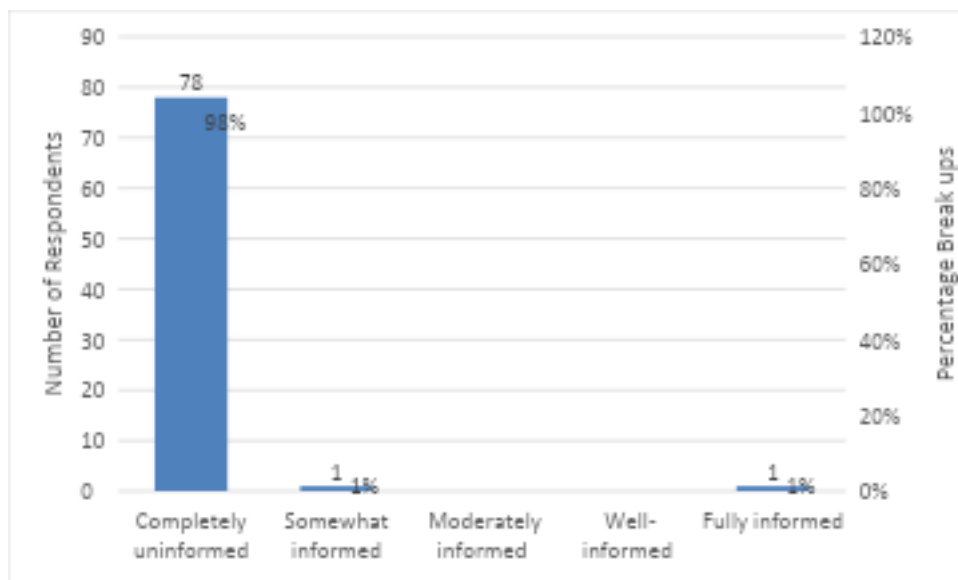
Figure 3 explains whether gig work has been the primary source of income for gig workers. Most gig workers (48 out of 80, i.e. 57.5 percent of respondents) stated they have been extremely dependent on gig work, followed by 28 respondents (or 35 percent) who stated they are very dependent on gig work. A much smaller number of workers stated they are moderately, slightly or not at all dependent on gig work as a primary source of income. **This confirms the earlier postulate that gig workers depend on gig work for their earnings.**

Figure 3: Gig Work as a Source of Income



In terms of awareness of social security schemes that can be availed by gig workers, such as through the e-Shram portal, an overwhelming 78 respondents or 97.5 percent said they are completely uninformed about the social security schemes that are available for them (Figure 4). Only one said they are somewhat informed and one person said they are fully informed of the schemes. **This stark finding demonstrates the urgent need to spread awareness among gig workers on the schemes available for them.**

Figure 4: Respondents' Awareness of Social Security Schemes



When asked whether respondents have read or received information about the functions of the Board as outlined in the Act, including the formulation of specific schemes and the registration process, all the respondents replied in the negative; that is, they have not (Table 10). **This compounds the earlier finding that not enough awareness generation exercises are being held for gig workers on the benefits of the Act and welfare schemes available for them.**

Table 10: Respondents' Awareness of the Board Set Up by the Act

Type of Response	Number of Respondents
Yes	0
No	80

Most respondents (47 people, 58.75 percent of the respondents) are of the view that the proposed welfare board under the Act will be somewhat effective, followed by 22 respondents (27.5 percent) who believe it will be effective (Figure 5). A small percentage (one person, 1.25 per cent of respondents) believed it will not be effective at all. **This is an interesting finding, as the earlier responses indicated they are not aware of the details of the Act – possibly it is the case that the respondents believe the proposed board will be effective, hoping for the best and that their current situation will improve due to government actions.**

Figure 5: Effectiveness of the Proposed Welfare Board

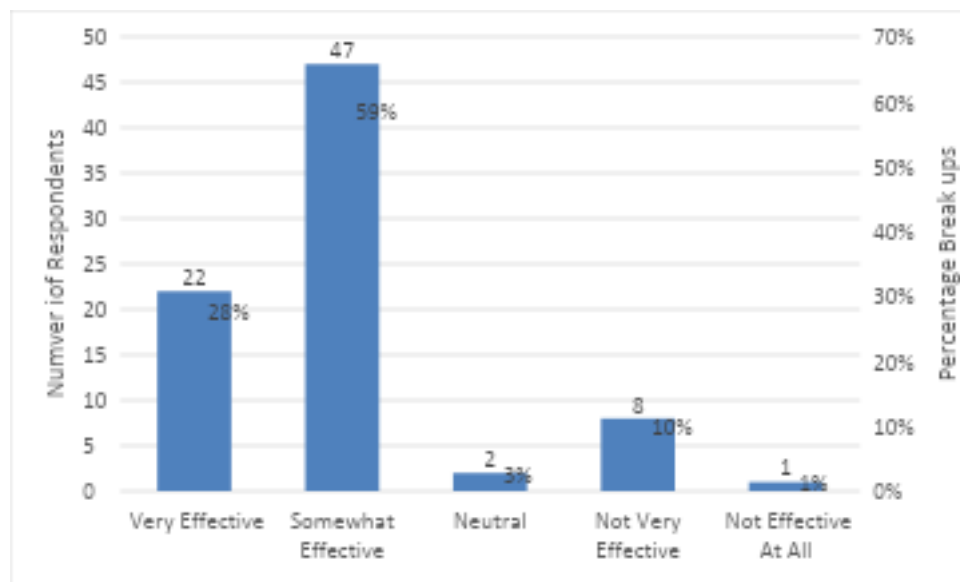


Table 11 includes suggestions by the respondents on the specific aspects of the Act that require further consideration, ranked in order of frequency: more gig workers have said there should be awareness generation and capacity building sessions by the government on the Act than other aspects. **This reflects the earlier points that most workers were not aware of the existence of the Act or its features.**

Table 11: Responses on Aspects of the Act Requiring further Consideration or Improvement

Awareness and capacity building sessions on the Act for gig workers
Clear guidelines on availing welfare measures
Registration cards to gig workers to avail the benefits provided to them
A pension system to help accumulating savings now to use in the post-employment phase
Recurring meetings with the welfare board, which gig workers participate in as well
Strict measures for companies who do not abide by the provisions laid by the board

Table 12 includes responses to a question on the ways the government could help gig workers ranked in order of frequency. At the top of the list is the demand for accidental insurance, which also reflects that a number of the respondents were drivers who work with taxi aggregators. There were also responses that reflect the respondents' wish to have greater job security and stability (for example, in asking for treatments similar to regular employees, steady remuneration, safeguards for drivers/ other employees, increasing remuneration) as well as demand for more information and awareness generation activities from the government.

Table 12: Ways in which the Government could Help Gig Workers

Accidental insurance
Employment stability similar to regular employees
Steady remuneration to drivers
Safeguards to ensure the well-being of drivers: e.g. delineating procedure of termination of drivers' engagement.
Compensation when petrol prices are hiked
Increase remuneration paid by the companies
Explicitly detail welfare schemes in e-Shram portal
Publicity on the Act, for example, through WhatsApp messages

Figure 6 includes the respondents' responses on any health challenges faced as part of gig work: an overwhelming number (75 people, 93.8 percent) said no and five (6.3 percent) replied in the affirmative. **This reflects the fact that gig workers who were interviewed were not engaged in hazardous jobs and they could choose their hours of work, the number of companies to engage in, which in turn helps them to manage their health situations better.** Table 13 details the health troubles for the five respondents: these include issues because of the nature of work (long hours, heavy items for carrying) and irregular times to have meals. **These responses emphasise the need to have a more stable and predictable working environment for gig workers, which would enable them to take breaks and have their meals in a regular manner.**

Figure 6: Health Challenges Faced as Part of the Gig Work

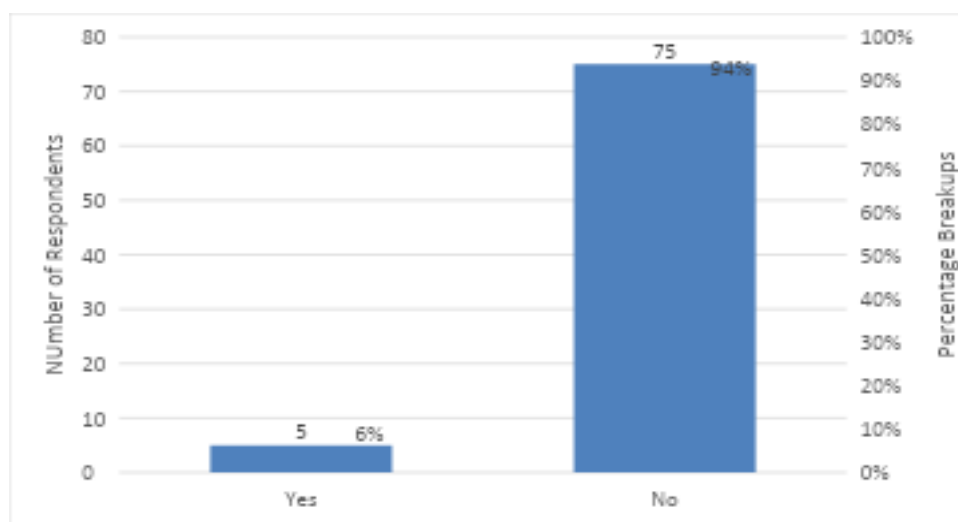


Table 13: Elaboration on Health Challenges Faced

Losing weight because of the nature of work/ work pressure/ timings
Gastric issues because irregular time for meals
Body ache because of long hours of work/ carriage of heavy items often over several flights of stairs

Figure 7 includes responses to a question on whether gig work meets the respondents' needs: a majority (49 respondents, 61.25 percent) said they are not satisfied, 20 persons (25 percent) said they are slightly satisfied, 10 people (12.5 percent) said they are moderately satisfied and one person said he is very satisfied with the manner in which gig work meets his needs. Thus, most gig workers were of the opinion that gig work does not satisfy their needs. Needs are defined here in terms of finances. **Thus, in spite of dedicating better parts of their working weeks to gig work and being dependent on gig work for their earnings, gig workers feel gig work does not satisfy their needs. This demonstrates the need for suitable interventions to review pay packages received by the workers.**

Figure 7: If Gig Work Meets the Respondents' Needs

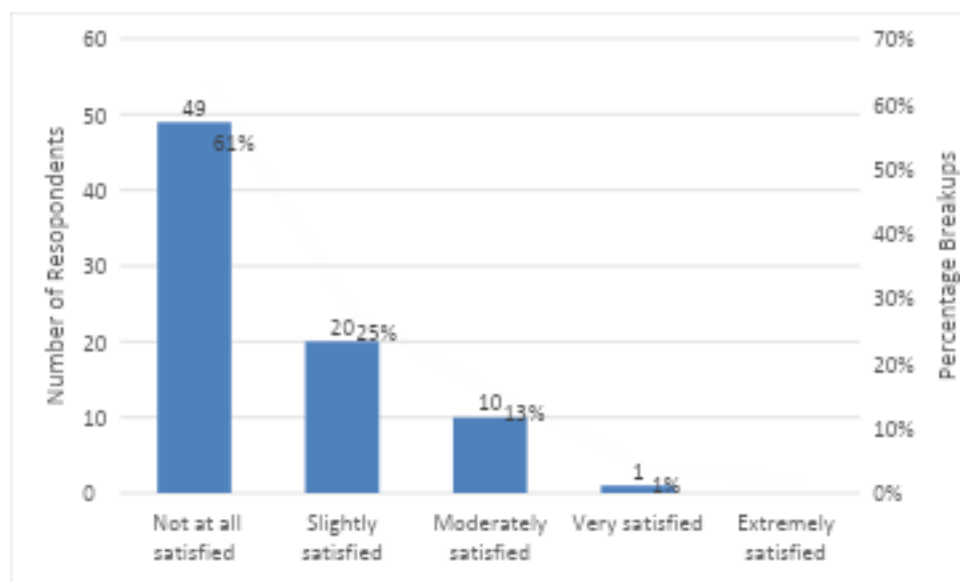
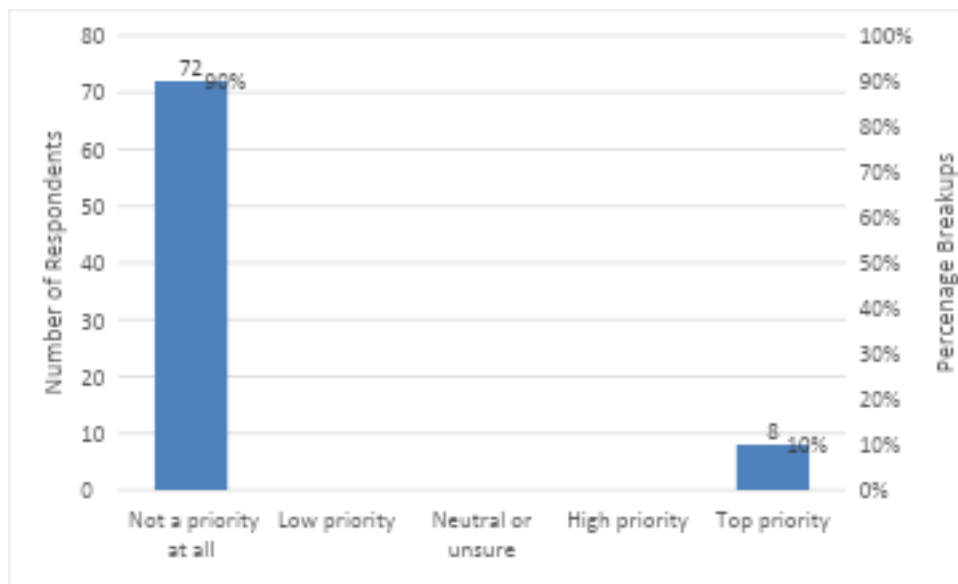


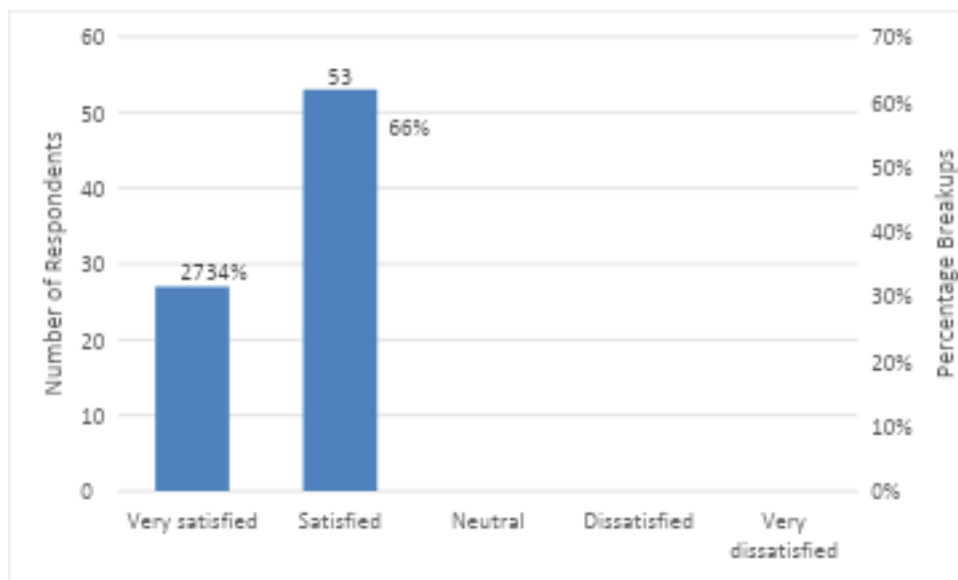
Figure 8 shows responses to a question on whether platform-based companies prioritise the welfare of gig workers: an overwhelming majority of respondents (72 respondents, 90 percent) said it is not a priority at all, whereas 8 respondents (10 percent) said it is a top priority for these companies. **This finding can be viewed in the context of the responses of gig workers on measures the government can take for them: most gig workers are not satisfied with the treatment they receive from their employers and would like the government to intervene.**

Figure 8: Whether Platforms Prioritise Welfare of Gig Workers



An interesting finding is that when the respondents were asked whether they are satisfied with the flexibility they get in their gig work, 53 respondents (66.25 percent) said they are satisfied and 27 persons (33.75 percent) said they are very satisfied (Figure 9). **Therefore, though gig workers are unhappy with the way they are being treated, they prefer the flexibility of gig work, which possibly explains their choice to be dependent on gig work for their livelihoods despite not being happy with the conditions of work.** More discussion on this is in the next section.

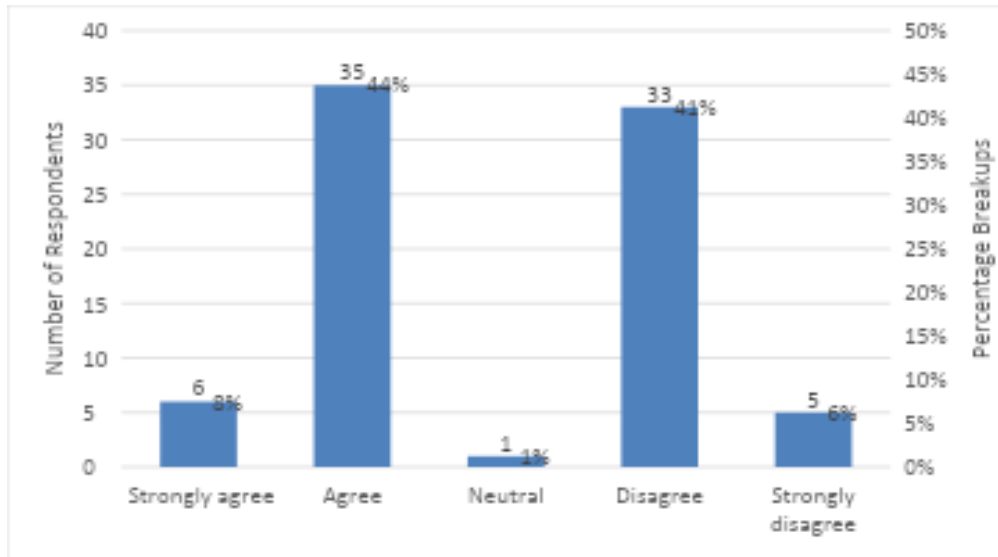
Figure 9: Whether the Respondents are Satisfied with the Flexibility of Gig Work



In Figure 10, gig workers' perspectives on whether gig work compensates workers commensurate with their skills and efforts are presented. 35 respondents (43.75 percent) said they agree, six respondents (7.5 percent) said they strongly agree, whereas 33 respondents (41.25 percent) said they disagree and five respondents (6.25 percent) said they strongly disagree that gig work compensates them for their skills and efforts. **Thus, the responses are more or less split between the respondents who agree**

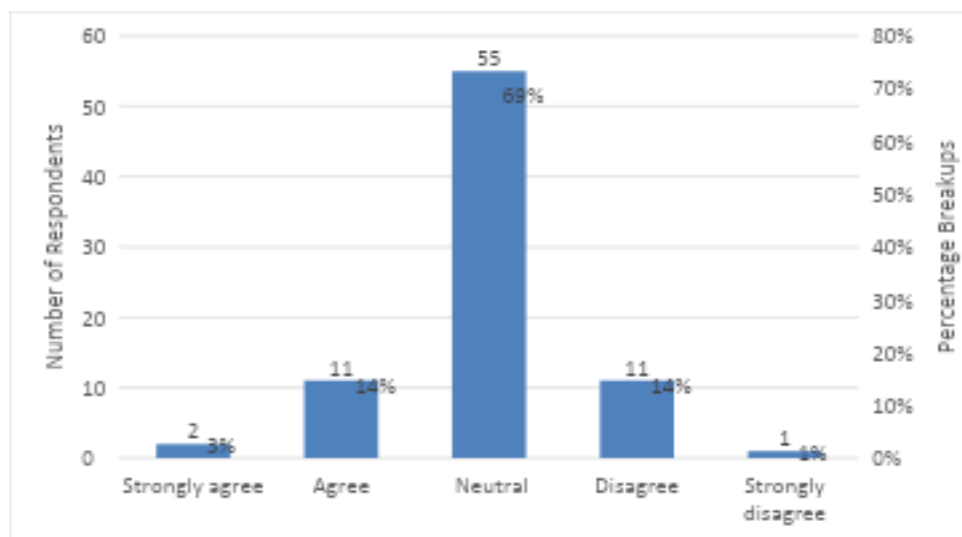
and disagree. This could partly explain the reason for gig workers' choice to work in the gig economy sector in spite of issues faced such as lack of stability in jobs: a group of gig workers feel that they are adequately compensated so continue to work in this sector.

Figure 10: Whether Gig Work Compensates Skills and Efforts



In Figure 11, responses to a question on if gig work provides more security as compared to traditional work are presented. 55 respondents (68.75 percent) said they are neutral to this question (that is, neither agree nor disagree), the numbers of respondents who strongly agree and agree, and strongly disagree and disagree, are more or less evenly split. **Most respondents seemingly could not make up their mind whether gig work provides them more security. This could be explained by the job flexibility versus job instability conundrum: concerns about job instability could be partly offset by satisfaction with job flexibility and make gig work at best seem to provide adequate job security and at worst make the respondents incapable of making up their mind on this question.**

Figure 11: Whether Gig Work Provides Job Security than Traditional Employment



When the respondents were asked if they received any benefits through gig work, an overwhelming number (77 respondents, 96.25 percent) replied that they do not, and only three (3.75 percent) replied that they do (Figure 12). **This finding is consistent with the earlier finding that gig workers are not aware of benefits and welfare measures available for them or do not receive any benefits from platform-based companies.** Out of the three respondents who said they receive benefits, two informed us they have health insurance packages from their companies, and one cited bonus payments (Table 14).

Figure 12: Whether any Benefits are Received through Gig Work

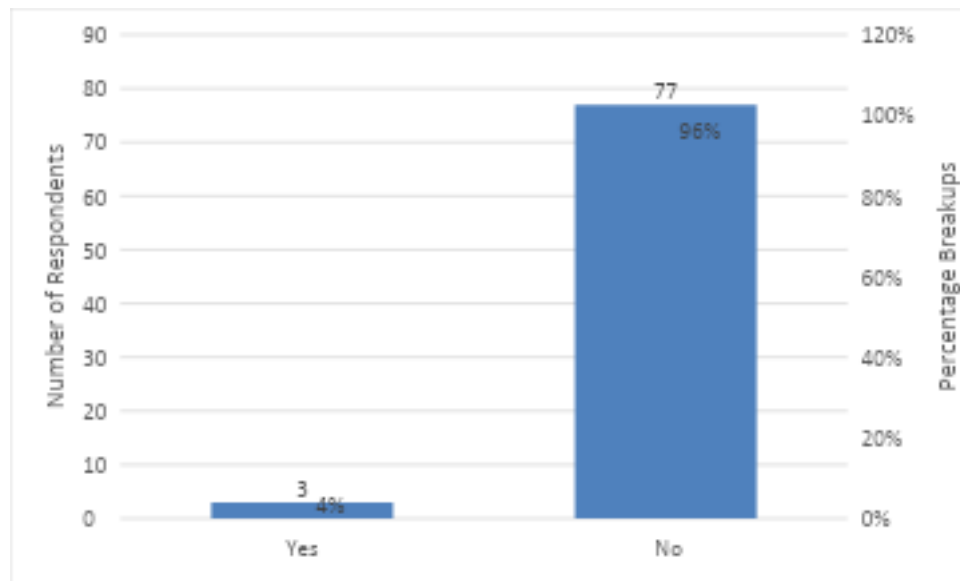
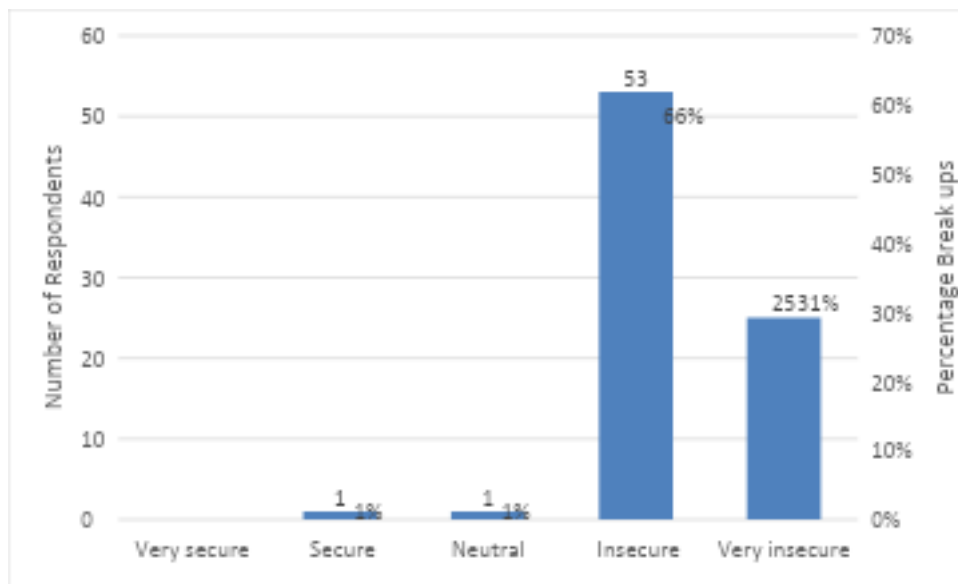


Table 14: The Kind of Benefits Received through Gig Work

Health insurance
Bonus (such as Diwali bonus)

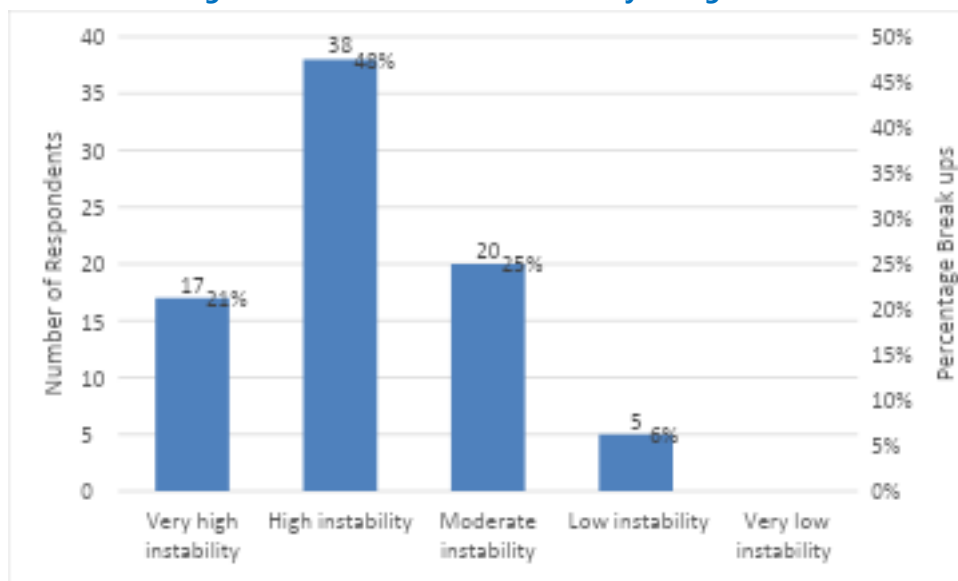
Most respondents indicated they are not comfortable with the level of job security, with 53 respondents (66.25 percent) stating they are insecure and 25 respondents (31.25 percent) stating they are very insecure about their jobs (Figure 11). **This was already implied by previous findings that gig workers would want the government to take measures to increase their job security. This finding demonstrates that almost all the respondents feel insecure about their jobs, so this is a crucial issue from their point of view.**

Figure 13: The Levels of Job Security in Gig Work



Likewise, most respondents were not satisfied with the level of income instability in gig work, with 38 respondents (47.5 percent) said there is high instability, 17 respondents (21.25 percent) said there is very high instability and 20 respondents (25 percent) said there is moderate instability. Only five respondents (6.25 percent) said there is low income instability in gig work (Figure 14). **Though proportionately more number of the respondents said there is moderate or low income instability in gig work than those who said there is job instability, the finding shows a majority is concerned about job stability and underscores the crucial nature of this aspect. Flexibility and the means to be involved in more than one platform-based company could explain the reason for proportionately more people feeling comfortable with the income stability of gig work: they can earn their target amount through different types of gig work and possibly traditional work.**

Figure 14: Extent of Income Stability in Gig Work



All respondents (that is, 100 percent) said they faced difficulties in accessing support or assistance from respective gig platforms when needed (Table 15). **This stark finding stresses the urgent nature of setting up an adequate level of welfare measures for gig workers.**

Table 15: Difficulties Experienced in Accessing Support or Assistance from Companies

Type of Response	Number of Respondents	Percentage Break-up
Yes	80	100
No	0	0
Total	80	100

Table 16 includes the respondents' comments on an open-ended question on changes or improvements they would like to see in the gig work environment in India ranked in order of frequency. The responses have been tagged in terms of topics. Payment and compensation issues and training and skill development issues rank towards the top followed by accident coverage schemes and the presence of physical offices for grievance redressal. **From the responses, it is apparent that payments and fees-related issues, benefits and matters related to dignity and stability of jobs rank quite high in gig workers' minds.**

Table 16: Changes or Improvements Requested in the Gig Work Environment in India

Tag	Responses	Count
Payment and Compensation Issues	Concerns about insufficient payments, lack of adjustment during fuel price increases, and a call for increased payments.	7
Training and Skill Development	Requests for in-person training on app usage, safety measures, and additional skill-based training, highlighting gaps in current knowledge and the need for continuous development.	6
Accident Coverage Schemes	Desire for companies to provide accident coverage schemes due to the inherently accident-prone nature of the job.	5
Physical Offices for Grievance Redressal	Requests for physical offices of gig platforms for direct communication, grievance redressal, and addressing issues.	3
Job Security and Dignity	Concerns about job security, arbitrary blocking of IDs, and the need for dignity and respect in the gig work environment.	3
Platform Fee and Deductions	Concerns related to high platform fees and deductions by companies, suggesting a desire for fair compensation and reduced platform cuts.	2
Order Distribution and Algorithm	Issues related to uneven order distribution, surge in orders during the first month, and concerns about the fairness of algorithms.	2
Health Insurance Coverage	Calls for comprehensive health insurance coverage, especially for accidents, to address current limitations in existing health coverage.	2

Tag	Responses	Count
Merchandise and Additional Benefits	Requests for free merchandise and refraining from charging for items, highlighting a desire for additional benefits beyond monetary compensation.	2
Complaints Redressal	Requests for an effective complaints redressal mechanism, especially for customer misbehaviour and general grievances.	2
Timely Payments and Fixed Schedule	Desire for fixed payment schedules and timely compensation, emphasising the need for financial stability.	2
Violence and Safety	Specific concerns about violence during night shifts and a call for companies to address safety issues.	1

Relation between Workers' Backgrounds and Perceptions

Most of the responses thus obtained through the survey on gig workers were through a Likert scale. To test whether different sets of variables obtained through the Likert questions are related, Spearman's Rank Correlation Coefficient was calculated for a few pairs of variables. The aim was to assess **if there is a correlation between gig workers' background and their perception of the implications of the Act**. The variables for which statistical significance was detected (that is, p value < 0.05) have been presented in Table 17. Detailed results are in Table 25 in annex.

Table 17: Correlation Between Workers' Background and Perceptions

Sets of Variables	Correlation
Gig workers dependence on gig work as primary source of income and Gig workers' views on the level of job security at work	Positive
Number of hours dedicated by gig workers to gig work and Gig workers' views on whether skills and efforts are adequately compensated in gig work	Positive
Number of platforms engaged in and Gig workers' satisfaction with the flexibility of gig work	Positive

These results could be interpreted in the following manner: the workers

- 1) depend on gig work when they feel they have job security, and conversely, they feel more secure at a job when they begin to depend on gig work for their earnings,
- 2) dedicate a greater number of hours to gig work when they feel they are adequately compensated, and conversely, they feel adequately compensated for their skills and efforts when they dedicate a greater number of hours to gig work, and
- 3) engage in several platforms when they have flexibility, and conversely, they feel they have more flexibility when they are engaged in several platforms.

From this, we can list the most important drivers of gig workers choosing gig work (not necessarily in any order) as 1) the level of job security, 2) compensation for their skills and efforts, and 3) the flexibility of work. When any of these are satisfied, gig workers begin to depend on or be involved in gig work more intensely.

KII Responses

This section includes analysis of results of KIIs of five respondents. From the highlights of the responses from KIIs presented in Table 18, it is clear that platform-based companies have certain concerns about the Act, in particular its financial implications and clarity of information. The companies are also worried about whether their viewpoints will be considered in the implementation of this Act.

Table 18: Key Insights from KIIs

Themes	Responses
Common Concerns	Participants express shared apprehensions about the financial implications of the welfare cess.
Representation Focus	There is a consistent call for fairness and balanced representation, especially from the aggregator's viewpoint.
Cost-Cutting Sensitivity	Sensitivity to ongoing cost-cutting efforts and potential business cost increases is a recurring theme.
Lack of Clarity	Respondents highlight the need for improved clarity and understanding, particularly concerning aggregators and third-party engagements in the act.

The company representatives remain divided on whether the proposed welfare board will be effective or not as Table 19 shows: while two respondents felt the proposed board will be effective, the other three felt it will not be effective.

Table 19: Effectiveness of the Welfare Board in Addressing Gig Workers' Concerns

Level of Effectiveness	Number of Respondents
Not Effective at All	1
Not Very Effective	2
Neutral	0
Somewhat Effective	2
Very Effective	0
Total	5

When the respondents were asked their level of concern about the potential increase in costs for businesses in the gig economy due to the Act's provisions, including the 'welfare cess', four of them replied it will have a very negative impact, while only one respondent said it will be somewhat positive (Table 20). **This underscores that the respondents are quite concerned about the implications of the Act on their businesses.**

Table 20: Concerns about the Potential Increase in Costs for Businesses

Type of Response	Number of Respondents
Very Negative	4
Somewhat Negative	0
Neutral	0
Somewhat Positive	1
Very Positive	0
Total	5

The respondents were asked whether specific aspects of the Act require further consideration or improvement. Table 21 includes their responses, which show the representatives' discomfort with the Act, **specifically the cost implications or the benefits companies provide their gig workers, which previous responses also show.**

Table 21: Whether any Specific Aspects of the Act require Further Consideration or Improvement

The board should recognise that companies like Swiggy already provide accidental insurance for their employees. Consequently, the proposed welfare cess will place an additional financial burden on our company.
It is unjust that the government is imposing the welfare cess on us, considering our ongoing efforts in cost-cutting initiatives. The government should be more sensitive to our current circumstances.
The Act has been drafted hastily, evident in the confusion apparent within its provisions. There is a considerable lack of clarity, particularly from the aggregators' perspective, regarding the welfare cess—specifically, its accounting procedures, the applicable transaction thresholds, and the responsibility for losses in cases of returned deliveries. This uncertainty poses a significant burden for us.
The Act ought to include a representative from the aggregators' side to ensure a balanced approach. The welfare cess should not be imposed to our detriment.

Table 22 includes responses on the kind of benefits the platform-based companies have for their gig workers. **This should be read with the responses by the workers in which they have either said they do not receive adequate benefits or would like certain other benefits from companies, as there is a divergence between the two sets of responses.**

Table 22: Benefits given to Gig Workers by Companies

• Accidental coverage • Medical insurance • Insurance coverage • Performance-based bonus • Bonus during Diwali, e.g. for deliveries

Yet another instance of a divergence in responses between gig workers and platform-based companies is on the question of redressal mechanisms in the companies. **While the companies say this is a priority for them (Table 23), earlier responses indicated gig workers do not feel satisfied with the kind of redressal mechanism that exists.** All the KII respondents have said the redressal mechanism is a high or top priority.

Table 23: Whether Redressal Mechanism is a Priority for Companies

Level of Priority	Number of Respondents
Not a priority at all	0
Low priority	0
Neutral or Unsure	0
High priority	4
Top priority	1
Total	5

Table 24 includes a few comments by the representatives of the platform-based companies, which reflect their concerns with the Act. **The respondents seem to be of the opinion that the push to ensure welfare of gig workers is coming at the cost of the interests of companies and the government has not considered the complete picture of the gig economy, including a lack of necessary skills among gig workers and companies' ongoing initiatives to train gig workers.** Only one respondent acknowledged the precariousness of the status of gig workers and the need for government intervention to improve their lot.

Table 24: Other Comments by the KII Respondents

Welfare of gig workers should not come at the expense of companies involved by overburdening them.
The government emphasises incentives and insurance coverage, but equal attention should be given to skills training. Many individuals that work with aggregators require substantial handholding due to a lack of essential skills.
Gig workers unquestionably encounter numerous challenges, with the most important issue being their low salaries. The government should address this concern and propose effective solutions.
The issue with the bill is its failure to take time to thoroughly study the entire gig ecosystem. For instance, it is essential to recognise that major players like Amazon have fewer than 5,000 gig workers directly employed by them across India; instead, the company often engages gig workers through third-party services. Addressing the intricacies of how the welfare board will determine responsibility for payments in such situations is crucial.

The data analysis part underscored the timeliness of the Act but also highlighted the need for greater socialisation of the purpose and details of the Act. There are certain divergences in responses between gig workers and aggregators, which require greater diving into as well as dialogues between the two parties to understand respective viewpoints. Generally, the analysis

of data shows that gig workers face a number of challenges but also are able to optimise the nature of gig work to earn their livelihoods.

Conclusion

The Rajasthan Gig Workers (Registration and Welfare) Act 2023 is a much-needed step in the right direction. It is a pioneering initiative, a social contract between the government, digital-platform-based companies and the government. However, there is a lack of clarity on some of the crucial matters, such as failure to classify gig workers as permanent employees, establish linkages with social security schemes, and the manner of implementation of the concept of welfare cess.

The survey conducted for this paper shows that gig workers who were interviewed were not aware that an Act such as this was passed or even that there are social security schemes they can take advantage of. In general, the survey results reveal gig workers would like clarity on availing welfare measures, insurance and other benefits, a greater dialogue with the government and aggregators, and higher predictability in their work environment. While gig workers appreciate the flexibility they get through gig work, they feel gig work does not meet their needs or compensate them for their skills and efforts adequately. Gig workers also feel platform-based companies do not prioritise workers' welfare and job stability and would like the government to intervene in these areas.

Platform-based companies or aggregators' concerns – as expressed in KILs -- are that their views and interests have not been taken into account while drafting the law, and the implementation of the Act, in particular welfare cess, will lead to an increase in costs for them.

The most important reasons for gig workers choosing to engage intensively in gig work seem to be job security (which increases their dependence on gig work for earning their incomes), compensation for their skills and efforts (which encourages them to put in extra hours in gig work), and job flexibility (which leads to getting involved in more than one platform). The converse of these are also true, that is, when workers begin to depend on gig work for their earnings, they feel more secure; when they put in extra hours, they are adequately compensated; and when they are involved in several platforms, they enjoy the benefits of flexibility afforded by gig work.

The paper concludes with the following suggestions:

- 1) Other states and the central government should consider the issue of workers' welfare by studying the provisions and assessing the experience of implementation of the Act, including its shortcomings and views of gig workers and platform-based companies. **Any legislation or policy must weigh all the issues under consideration such as classification and definition of gig workers, welfare measures, job conditions, implications of any cess for companies and so on, and include appropriate provisions to address these.**
- 2) Information dissemination and awareness generation initiatives should be organised for gig workers on welfare schemes available for them, purpose and details of the Act, and any other relevant rules and regulations. **Such initiatives can be in the form of training sessions, seminars, advertisements and public messaging in radio, television and other media channels, targeted messaging through social media, pamphlets, and bills and so on.**

While the Rajasthan state government should lead in such initiatives, companies and the central government should do their bit by keeping gig workers informed of relevant schemes and benefits that are available for gig workers.

- 3) Skills training sessions for gig workers should be organised after identifying the skills demands and gaps. Such training can be organised by the government and the private sector. Platform-based companies should be involved in providing training in a systematic manner. **Such training can take different forms: classroom-based, on-the-job or on-site, as well as residential, certification courses in vocational training institutes, both short and long courses, and so on. Companies should take the lead in working with state and central governments in arranging for such training.**
- 4) **A system of social dialogues must be planned with the participation of gig workers, platform-based companies, other companies, governments, trade unions and industry associations.** This would create a platform to hear and suitably address viewpoints of all parties, especially in drafting and implementation of legislation such as the Rajasthan Gig Workers (Registration and Welfare) Act 2023 and relevant policies. Smoother systems and implementation of laws and policies would in turn help in the objective of ensuring inclusive and sustainable economic growth in India.
- 5) **An appropriate incentives system can be developed for gig workers,** considering their priorities and motivations. This should help to increase workers' earnings and productivity, and companies' revenues. In addition, **aggregators should relook the benefits and grievance redressal systems** for workers to address their concerns and boost their motivation. **These steps will create a win-win situation for both workers and companies.**

Annex

Likert scales were developed by Likert (1932) to measure people's attitudes. It is the most common approach to scaling responses in survey research. Likert scales result when survey participants are asked to rank their agreement with a set of items on a scale that has a limited number of possible responses that are presented in a sequence. The number of responses is usually five, which can take the following form: 'strongly agree', 'agree', 'undecided', 'disagree', 'strongly disagree' (Claveria, 2018). There is no consensus on the kind of statistical analysis that should be conducted on these questions. Typically, ordinal data is obtained through a Likert scale, for which Spearman's rank correlation (ρ), measuring the strength and direction of association between two ranked variables, is a good fit. Ordinal data is a kind of qualitative data that groups variables into ordered categories, which have a natural order or rank based on some hierarchical scale, like from high to low. But there is a lack of distinctly defined intervals between the categories. In terms of levels of measurement, ordinal data ranks second in complexity after nominal data. (Simplilearn, 2023)

ρ was calculated for certain sets of variables using data obtained through the gig workers' survey. The results have been presented in Table 25.

Table 25: Spearman's Rank Correlation Coefficients and p-value
(Statistically Significant if $p < 0.05$)

	Information possessed by gig workers on social security schemes	Gig workers' views on the effectiveness of proposed welfare board	Gig workers' levels of satisfaction on gig work meeting their needs	Gig workers' views on whether gig work provides more security than traditional work	Gig workers' satisfaction with the flexibility of gig work	Gig workers' views on whether skills and efforts are adequately compensated in gig work	Gig workers' views on the level of job security at work
Level of education of gig workers	0.0518536 (0.64781422)	0.01401408 (0.90180695)	0.15296174 (0.17554969)	0.12716999 (0.26096532)	-0.0246558 (0.82813807)	-0.1052285 (0.35290898)	0.06672564 (0.55648169)
Gig workers dependence on gig work as primary source of income	0.01004486 (0.92953318)	-0.1340278 (0.23591038)	- 0.092001947 (0.41698513)	0.18835849 (0.09428247)	-0.16861838 (0.13487253)	0.19940341 (0.07617844)	0.32621531 (0.00314625)
Number of hours	-0.05829254	-0.01586188	-0.1115704 (0.32448117)	0.08765967 (0.4394027)	0.00531902	0.25685479	0.1581078480

	Information possessed by gig workers on social security schemes	Gig workers' views on the effectiveness of proposed welfare board	Gig workers' levels of satisfaction on gig work meeting their needs	Gig workers' views on whether gig work provides more security than traditional work	Gig workers' satisfaction with the flexibility of gig work	Gig workers' views on whether skills and efforts are adequately compensated in gig work	Gig workers' views on the level of jobsecurity at work
dedicated by gig workers to gig work	(0.60752074)	(0.88893737)			(0.96265164)	(0.02145081)	(0.16129467)
Number of platforms gig workers are engaged in	0.08682361 (0.44379552)	0.06249574 (0.58182549)	-0.05816124 (0.60833132)	0.18313614 (0.10394468)	0.26708963 (0.01662001)	-0.0371044 (0.74384852)	0.10437746 (0.35683779)

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