

## Drivers of the 'New Age Service Economy': Gig Workers in India


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This study examines the emergence and growth of the gig economy in India, focusing on platform-based work and women's participation. Drawing on interviews with gig workers and an analysis of recent trends, this paper traces the trajectory of gig work as an extension of informal labour in the neoliberal economy. While initially promising flexibility and autonomy, the gig economy has led to precarious working conditions through algorithmic management practices. Women have entered gig work in significant numbers, attracted by the promise of flexibility, but they face gendered challenges. This paper analyses attempts at worker collectivisation and regulation of the sector, including landmark legal cases on the status of gig workers. Despite some policy initiatives, gig workers remain largely unprotected by the labour laws. The study finds that while the gig economy has created new work opportunities, especially for women, it has also reproduced existing labour market inequality. Algorithmic control undermines worker autonomy, and the misclassification of workers as independent contractors excludes them from social protections. This study argues for stronger regulation of aggregator platforms and recognition of gig workers' rights. The study concludes that as the gig economy continues to expand rapidly in India, ensuring fair working conditions and social security for this growing workforce is an urgent policy imperative.

**Keywords:** gig economy, platform workers, informal labor, algorithmic management, women giggers, labor regulations, worker collectivization

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## 1. Introduction

'Gig workers of online platforms provide great dynamism to the new-age services economy,' Nirmala Sitharaman, the Finance Minister of India, hailed gig workers in the Parliament while announcing budgetary provisions for them. The budget proposed to register them on an e-shram portal, provide identity cards, and facilitate their access to health and other social security. This announcement, slated to benefit 1 crore gig workers, focused an unprecedented spotlight on them; it was seen as a 'landmark initiative' extending 'formal recognition' to this informal sector. This study seeks to trace the broad trends and trajectory of the gig economy in India, with a focus on women giggers.

While there is a bulk of academic work on informal labour and its precarity in the neoliberal Indian economy, platform-based 'gig' work has not been studied extensively. Its recent origin as a process, definitional blurriness, and enthusiasm due to the unprecedented profits of early arrivers making precarity invisible all contributed to this neglect. Gig platforms were seen as no more than a particle in the experimental 'start-up' journey of a confident nation. Thousands of start-ups perished unnoticed under the pressures of their own 'adventurous' plans; hence, academic engagement in the social sciences with this sector may have been postponed in the hope of its stabilisation.

The American economy, post-Great Recession, threw up new trends; hence, there has been a flurry of studies on the gig economy by social scientists in the second decade of the 2000s. The gig economy in the West has been subjected to investigations using three broad approaches. There is the efficiency and opportunity approach of economists, who see it as a harbinger of the 'end of employment' as a concept. Participants were seen as self-employed agents effectively using technology to earn a livelihood and freedom which in turn enabled efficiency. (Sundararajan, 2016; Edelman and Geradin 2016). Sociologists have focused on the precarity of platform labour as a signifying marker. 'Gig economy' being seen as 'the millennial's version of minimum-wage precarious work'; 'a movement forward to the past' (Ravenelle 2019, p.5; Vallas and Kalleberg 2018; Scholz 2016).

Some scholars have focused on the algorithmic governance of the sector as a crucial factor shaping workers' platform experiences, the term 'algocracy' hinting at the transformed control and command structure (Aneesh, 2009; Rosenblat and Stark 2016; Wood et al. 2019; Cameron 2020).

Schor *et al* argue that all these studies assume the platform economy as a homogenous monolith with them proposing to look at it as a vertical hierarchy whereby some platforms are better to work on. However, a notable point in their study is the variety of workers' experiences in the platform economy contingent upon their own conditions of dependency on it. With complete economic dependency, precarity increases. Some participants enjoy the greater benefits of the promises of the platform economy, whereas others are doomed to precarity. They argue for understanding the platform economy in relation to the general labour market (Schor et al., 2020). The trends in the availability and quality of jobs influencing the experiences of platform workers can be an entry point for studying the gig economy in India. The precarity associated with gig work in the Indian economy, which has high rates of unemployment, particularly in the post-covid years-makes this study significant.

This paper is the result of hundreds of unstructured conversations undertaken by a curious consumer of services since 2018. In the last seven years, free-flowing interviews conducted with Uber/Ola drivers and service providers of Urban Company form the base of this study. Cab drivers and beauticians were my primary interlocutors, as I spent long hours with them travelling and getting services. Their experiences helped map the contours of this economy in these two important sectors.

The paper is organised into three sections dealing with important aspects of the gig economy. The first section seeks to contextualise gig work in the Indian economy and its growth in the last decade, identifying reasons for the boom. It situates informal work in history by tracing its roots through the post-colonial industrial boom to the neoliberal order and its most recent *avatar* in gig work. The next section focuses on women giggers, marking out the enablers and challenges to their participation. The third section of the paper lists the struggles of gig workers organised around issues of their recognition as workers and for ensuring social security and wages in India. This section also examines the attempts made by governments and courts to regulate the gig economy.

## 2. GIG Isn't New: Its Big and Rising

The gig economy signifies a labour market organised around short-term contracts and freelance work. The work/service is not a job but a 'gig'—a slang term used for engagement that gained currency with the 1920s jazz performers. In its 21st century version, gigs are seen to have reorganised the traditional models of employment. It is a digital upgrade of the post-Fordist neoliberal labour market. The flexibility of contracts and consumer sovereignty, which emerged as pertinent features of the neoliberal organisation of production and services, meet the Internet revolution here. This meeting transforms work and employer-employee relations beyond easy recognition. However, before we discuss the details of this economy, its phenomenal growth in India, and much of the Global South, it is important to understand the core issue of informality or informalisation of work.

Informality as a concept gained currency in academic discourse in the 1970s with Keith Hart's study of the labour market in Ghana. Hart uses the term 'informal' to describe the economic activities of the urban subproletariat 'outside the framework of official institutions. Informality came to define the proliferation of self-employment and casual labour in Third World cities and towns (Hart, 1973). Jan Breman extended the understanding of '(in)formal labour' to include informality of labour process alongside the contract. Breman also extended the spatial boundaries of informality beyond cities, situating it in agrarian and semi-urban areas (Breman 1976). Joshi's historical account of factory workers in Kanpur notes the growing number of *badli* workers as a management strategy to control labour and their strikes (Joshi, 2003). These studies of post-colonial developing economies attempt to capture the visible ruptures in the imagination of a bright and modern future. The modern future was made up of a capitalist or socialist industrial economy with a secure working population. In these discourses, informal labour was merely a remnant of pre-modern times, with the teleological ideal being a secure worker.

Neoliberal economic governmentality upturned this imaginary with 'efficiency' replacing security as the operative term. Informal labour is a prerequisite for efficient operations.

A secure workforce is seen as lazy, unproductive, and inefficient, without any need for initiative. This workforce, supported by state largesse, had to be made 'enterprising', competitive, and efficient by introducing informality through flexibility. In much of the global south, flexibility came with loan conditionalities and structural adjustments to the economy.

The gig economy is the 'internet' enabled 'software' version of neoliberal flexibility. It has been classified broadly into two categories: crowd work and on-demand application-based work (Cardon and Casilli 2015 as cited in Women Workers, ISST, 2020). Crowd work involves the mobilisation of online labour to perform tasks which can be geographically unlimited. These types of 'gigs' include skilled freelancers such as lawyers, designers, and architects. On-demand application-based work, on the other hand, involves low-skilled labourers of the informal sector, such as delivery agents, domestic helpers, ride-hailing drivers, beauticians, plumbers, and other repairmen. These on-demand workers meet consumers through online aggregator platforms. These partners are 'free' to take up work at will and collect payments for the job done. This kind of on-demand work has been touted as the flexible work of independent autonomous entrepreneurs. The aggregator portrays itself as a marketplace where buyers and sellers of services meet. The aggregator or platform charges a commission to facilitate the meeting.

The last decade has witnessed massive growth in the number of gig workers in India and worldwide. It is difficult to estimate the exact number of gig workers, as they are invisible to census instruments but highly visible on the streets. The platform model of engagement renders the individual practically invisible, with the brand or platform gaining visual primacy. Cities are dotted with delivery agents dressed in easily recognisable colours associated with one platform or another: vehicles screaming the identity of the platform.

The World Bank noted that the 'gig economy' accounts for up to 12 percent of the global labour market, and demand for online gig workers is growing rapidly, with the fastest growth registered by developing economies (Datta et al., 2023). The overall labour participation in the gig economy is higher in emerging economies, pegged at 5 to 12 percent, in comparison to 1 to 4 percent in the developed economies (Ahmad and Shawl, 2021).

India has registered the highest growth in the gig economy, particularly among platform workers, with 20 percent of them coming from India (ILO, 2021). This phenomenal growth can only be explained in terms of a continued trend.

The ILO (2018) reported that a whopping sixty percent of the global workforce is employed in the informal sector and 93 percent of the world's informal employment is in emerging and developing countries (ILO, 2018). India and its rapidly growing economy have approximately 92 percent of its workforce in the informal sector; that is, they have no written contract, paid leave, or other benefits. Even within the organised sector, roughly ten percent workers are engaged informally, performing outsourced work on a contractual basis (Murthy, 2019).

Since a large contingent of the workforce in the Indian economy has been involved in informal work or is a part of the unorganised sector, being part of the 'gig economy' is a continuation of informality and is not seen as a downgrade in the working conditions.

India, with its demographic dividend of youth, access to smartphones, and reliable internet coupled with growing unemployment, has emerged as a gig destination. A recent study by NITI Aayog estimates that in 2021, there were approximately 7.7 million workers engaged in the gig economy which is likely to increase to 23.5 million by 2029-30 (NITI Aayog, 2022).

Currently, gig economy workers are primarily platform workers concentrated in sectors such as transport (Uber/Ola/Rapido etc.), delivery (Amazon/Flipkart/Zomato/Swiggy/Blinkit etc.), and home services (Urban Company/Porter/Housejoy etc.). In the next few years, 'gigable' jobs have the potential to expand into large sectors such as construction and manufacturing. According to the Boston Consulting Group report, retail, transportation, and logistics could account for over 70 million potential 'gigable' jobs (BCG Report, 2021). Several estimates indicate that the 'gig economy' will explode further in the coming years.

Hart argues for Frafra migrants in Ghana, where petty capitalism offered hopes of salvation from poverty (Hart, 1973). Thus, the platform worked for the subproletariat of Indian cities. It promised them a better life, free from the vicious cycle of high living costs and poor wages.

They were ready to seize opportunities through entrepreneurial foresight. The gig economy signalled growth and prosperity for the early arrivals. To establish a monopoly or duopoly, platforms incentivise workers with higher returns on the services provided. If one goes by the anecdotal evidence collected from Uber and Ola drivers over the years, it appears to have provided workers in the informal sector, like taxi drivers and drivers working in homes, an opportunity to make it big on their own terms. Many Uber drivers reported earning more than one lakh in profit per month. They took great pride in the fact that they could decide when to work. Their hard work was rewarded like never before. Working on a fixed salary for a household or taxi stand and putting in hours of hard work did not guarantee them an escape from poverty. Ram Kishan told me 'there was no 'izzat' or dignity as a driver, but on ola/uber I am free to work as much as I want. Customers are also well educated and treat us better when they know I am driving my own car'.

All drivers reported ease of entry onto the platform. In the initial years, these platforms supported their driver partners by financing the purchase of vehicles. This encouraged drivers to expand their business by buying more cars on loan, hiring other drivers on wages, or engaging family members. This idyll lasted for a few years. Covid years meant losses for drivers and the company. Gradually, the company reduced incentives, increased commissions, and introduced stricter performance metrics, all of which devastated vulnerable, unprotected driver-partners. By 2021, complaints about reduced incentives, losses in the business, and vehicles being surrendered started dominating the conversations. Drivers had to sell their cars and homes to repay their loans. Most old Uber drivers who have been with the platform for over a decade narrate similar stories. Most drivers I interviewed in the last year and a half initially missed the bus. They have only heard stories of prosperity and have not witnessed it firsthand. The tone of conversations has now gone beyond complaints signalling despair and hopelessness. Barring one driver, Shahabuddin, who I spoke to in August 2024. Shabuddin is 27 years old and had worked and earned in middle east. Now that he was married and had a child, he did not want to go back. He found it difficult to find 'decent' work in his hometown Bareilly which clearly was too 'dirty' and disorganised for his urban taste.

Shahabuddin flaunted his wealth by telling me how he owned two cellphones costing 75000/- each; his car was a shiny, brand-new sedan which he had recently bought. He was not too concerned about incentives or commissions. He saw his Uber gig as a transitory phase of employment until he made it 'big' elsewhere. A typical Uber driver today is a figure of misery.

During my daily taxi rides to work, I have met drivers who drive cabs for a few hours in the mornings and evenings while maintaining full-time jobs as drivers in *kothis* to ensure a stable source of income. Plumbers, electricians, AC mechanics, TV mechanics, etc., see aggregators as useful for getting customers. Nevertheless, given the high commissions, they want to side-line the aggregator by passing on alternate numbers to hire them directly.

The next section examines women's participation in the gig economy as workers and consumers. The interface between gender and informal work has been widely researched, and the gig economy provides another transformation to be investigated. Gender profiling of consumers of the gig economy has shown that women occupy a larger share of the market. This paper dwells on this emerging trend in the market and its ensuing impact on gender relations.

### **3. Women Giggers: Consuming and Working the Economy**

Women have entered the gig economy as both consumers and workers. The gig economy has transformed how people access goods and services, and women are key participants in this shift. Gig platforms offer services that align with the needs and preferences of women which in turn has an empowering impact. Women juggling work and household responsibilities find gig platforms convenient. As consumers, the ease of ordering and getting service from the comfort of home or instant delivery of forgotten essential items or 'safe' travel with 'ridesharing' options, etc., make middle-class women a big part of the customer base.

Beauty and wellness are big businesses projected to grow rapidly. KPMG projected a doubling of business potential and employment opportunities in this sector in five years between 2012/13 and 2017/18.

The high average ticket size of beauty services and the growing disposable income of middle-class women have attracted a wide variety of aggregators, ranging from large companies with deep pockets and spatial spread, such as Urban Company, Salon at Home, and Yes Madam, to smaller companies with limited investment portfolios and operations in one or two cities, such as Stay Glad, Vanity Cube, Timesaver, and Myglam. Prateek Jain, one of the founders of Stayglad puts this deluge of service providers in perspective, when he notes that "average order value is high, stickiness is strong and spends are going to increase as disposable incomes with women increase" (Sachitanand, 2016)

In busy metropolises, the ease of getting a beautician at home, scheduling service at a convenient time and location, all at cheaper rates than any neighbourhood parlour, is the biggest draw for women consumers. Companies like Vanity Cube offer beauty services on demand, not just at home but also at offices. These companies primarily design their service products with urban middle-class female customers in mind. However, changing norms of beauty and presentability among men have seen them diversify their portfolios with salon services for men. Companies like Urban Clap even have family offers, such as father-son haircuts. All these aspects of the gig economy, while working around customers' needs, throw up transformative trends in the consumer market.

Beauty and wellness are not the only offerings that women have lapped as consumers from the gig economy. The CEO of Urban Company, Abhiraj Singh Bhal, noted that women made 80 percent of consumer decisions regarding home services. He used this data to argue for greater inclusion and participation of women on urban company platforms (Bhan, Future female, *CNBC TV18*, 3 August 2024).

Transportation within the city has seen an increase in women customers. All the driver respondents attested to the fact that women use cab-hailing services more than men. In single-car-owning families, men usually exercise the first right over the family car, with women left to fend for themselves. Many women either do not know how to drive or are reluctant to drive. With aggregators making city cabs affordable for upper middle-class women, there has been a surge in women cab-hailing.

Interestingly, despite women constituting a significant proportion of the customer base, gender stereotyping remains. The male drivers described their women passengers as quarrelsome, petty, and demanding. Respondent drivers view many of their passengers as morally dubious. Their interactions with women hailing cabs from bars and restaurants and smoking openly are an affront to their own notions of women's morality. Female consumers are invariably subjected to moral scrutiny because of their presence in public spaces.

Gig work has attracted a significant number of female workers, with a male-female ratio of 50:50 in the gig economy, as opposed to a 70:30 ratio in traditional work. (Noble House White Paper, 2019). The flexibility 'offered' by gig work has proven to be the biggest draw for women workers. (IWWAGE, 2020, pp. 4-5)

Women responsible for housework and serving as unpaid caregivers have found the platform economy particularly attractive as it does not impose limitations on work hours and space. Time and space are two crucial factors determining women's inability to join or continue to be a part of the workforce. Kabeer notes that 'women ...see their work in terms of a looser concept / that of family survival or livelihood' (Kabeer *et al.*, 2013). Technology-driven platforms have proven to be able facilitators for women seeking work while balancing their other commitments (Tandon and Rathi, 2018; Kasliwal, 2020; World Bank, 2019). Bessen (2014), in his study of licenced private nurses (LPNs) in ambulatory clinics in the US, notes that technology has created greater job opportunities for less educated workers, including women. Women's image as diligent workers with fewer customer complaints and demand for low wages have all contributed to women's enhanced participation in the gig economy (Kathuria *et al.*, 2017).

The Covid years have become a landmark in terms of female employment in the gig economy. Many families needed supplementary income or saw the loss of jobs for primary earners. Many women who ran their own small businesses, such as beauty parlours, incurred heavy losses and shut shops only to find alternative earning options on the platform economy. My interviews with beauticians on aggregator platforms returned these findings: every woman I interviewed post-COVID told me that she had a parlour which shut down or that she had done a beautician's course earlier which came in handy in

the crisis as husbands were out of jobs. Not just homes, companies were also rescued out of the pandemic slowdown by the women-dominated 'beauty and wellness vertical'. Urban Clap reported that 55 percent of its revenues came from this segment in the financial year 2020 (Livemint, 12 May 2020).

Aggregators have campaigned to make these platforms increasingly attractive to women. There is a stigma attached to women working outside the home in the homes of strangers. Companies like UC have launched advertisement campaigns to remove this stigma and establish the dignity of work. One such ad campaign video, '*chotti soch*' or 'small mindedness, launched by UC around a female masseuse, garnered over 2 million views. In fact, UC has tried to establish the dignity of all work, whether that of a bathroom cleaner or an electrician, through its advertisements. One of UC's ads raised issues of sexuality and sex change, linking it to freedom and choice.

The gig world, despite showing signs of contributing to women's participation and emancipation, has displayed familiar gendered trends in traditional job markets. Women continued to take up 'feminine' work such as cleaning, caregiving, beauty, and wellness, even on technology-driven platforms (Rawal and Pal, 2019; Chaudhary, 2020; Hunt and Samman 2019). The gendered nature of the job market and the double burden of fulfilling domestic responsibilities while supplementing family income do not disappear on platforms.

Pay parity, a basic demand of the feminist movement, is not fulfilled even in the gig world. The gender pay gap has been tested in a study conducted on Uber Workers in the United States (Cook *et al.*, 2018). India has returned similar findings in a study conducted by Team Lease which reported a roughly eight-ten percent gap in the monthly income of male and female gig workers (Kasliwal, 2020; Kar, 2019).

A comprehensive report on women gig workers produced by ISST 'dismantles the idea of flexibility' and points to the precarity of gig work, particularly for women. This highlights the need for mapping the gig economy with a gender lens, enhancing skill development measures, and the need for collectivisation and regulation (ISST Report, 2020).

The Observer Research Foundation produced another report on women and the gig economy which hails the platform economy as a solution to women's unemployment, yet notes discriminatory practices such as filtering service professionals based on gender (Kalsiwal, 2020). All reports on the gig economy point to the need for regulation. The next section discusses the transformations in the economy, attempts at collectivisation, and stray attempts at regulation.

### 4. Reining the 'gigster'

During the lockdown, food delivery was classified as an essential service and agents hailed as 'corona warriors', 'delivery heroes', and hunger saviours. While the make-believe world of advertisements glorified agents and their contributions, the workers' lived reality was that of reduced earnings and incentives. In India, strikes by food delivery workers were reported in 11 cities between June 2020 and February 2021 (Hussain, 2023). The unprecedented swarming of platforms with unemployed individuals trying to mitigate the impact of job losses resulted in phenomenal growth of the platform economy in the post-pandemic years.

This influx strengthened aggregators, who continued to experiment with labour control mechanisms and reduce incentives. The Fairwork Report notes that 2023 was a landmark year in the gig economy as many companies reported profits or break-even (Fairwork 2023). This turnaround can be attributed to the paradigmatic shift in operating modules, resulting in the deterioration of working conditions over the years. Stricter algorithmic control is one such ongoing change, termed 'algocracy' (Aneesh, 2009). The 'algocracy' or labour control through algorithms whereby ratings determine workers existence on the platform has come under severe attack (Shapiro 2018; Chen 2018; Wood et al. 2019; Cameron 2018). Women are particularly vulnerable to algocracy, as they often cannot respond as swiftly to service requests or work long hours because of unpaid care responsibilities.

Workers reported 'wage depreciations', 'declining working conditions' as well as 'deep cuts' in their earnings. This, accompanied by rising costs of living, has resulted in unprecedented strike actions by platform workers across the globe.

Strikes by ride-hailing drivers of Uber, Bolt, and inDrive across Africa; Uber drivers in the UK, US, and Brazil demanding better terms of engagement; and strikes by food delivery workers of Uber Eats, Deliveroo, Wolt, and others in Serbia, the US, the UK, and India are cases in point. Hence, resistance by workers because of management and control by invisible, predetermined mathematical programmes has been a widespread global phenomenon (Abilio et al., 2021; Elbert & Negri, 2021).

In 2023, there were several strike actions by gig workers in India, including multi-city protests of Blinkit workers against cuts in delivery charges from Rs 25 to Rs 15 per delivery, Swiggy and Instamart workers of Pune striking against the new income policy structure, and Urban Company beauticians of Bangalore striking work against stricter performance metrics and other issues. All these strikes point to the desperation of gig workers who, despite the difficulties of organisation and precariousness of their engagements, turn to protests. In the last few years, trade unions have tried to organise platform workers across cities to bargain collectively.

While collectivisation in the informal sector has been a challenge in general, the case of gig workers has proven to be doubly difficult. Lack of sustained interaction among workers and enhanced competitiveness due to algorithmic control are factors that limit the scope for cooperation and collective mobilisation. Nevertheless, workers have successfully engaged in strike action. The strategies for mobilisation depend on the targeted platform sector. Hussain notes that food delivery workers engage with each other outside restaurants, even if for a very short duration. They are encouraged to form WhatsApp groups to cooperate with each other on the 'job' to ensure prompt delivery. These WhatsApp groups and other digital spaces, such as Facebook and Instagram, emerged as critical for solidarity formation (Tassinari & Maccarrone, 2020, p. 46). Solidarities in digital spaces often spill over into physical geographies.

The strike by Urban Company beauty and wellness sector women workers which attracted unprecedented attention, returned some of these concerns. Hundreds of beauticians from Delhi-NCR staged a sit-in outside the Urban Company headquarters in Gurugram in December 2021. These women sat under the open sky, braving the December chill for over two nights.

They were protesting a myriad of issues, including arbitrary deactivations due to lower ratings or inability to put in the required number of hours, and reduced remuneration for services due to the extractive administrative policies of the aggregator. Their demands included the rollback of the subscription fee implemented in the garb of ensuring the Minimum Guarantee of Work; a ten percent customer discount to be footed by the partners; and the removal of the categorisation of workers into 'flexi', smart, and plus. The 'flexi' partners were at the greatest disadvantage as they were not assigned work over weekdays. The protest was led by the All-India Gig Workers Union (AIGWU Press release, 21 December 2021).

The beauticians' spirited protest defied conventional feminist understandings of informal women workers and their potential to organise and agitate. They are seen as unlikely 'boat rockers' of protest groups and organisations, instead resorting to hidden subversions classified as 'weapons of the weak' (Kabeer et al. 2013; Scott 1985). However, female beauty workers in Gurgaon engaged in militant protests. They reported challenges in organising isolated, spatially dispersed web entities that had no material grounds for fomenting a shared identity. Even communicating with each other was a challenge, according to their accounts. They used WhatsApp as a platform where hundreds of messages were exchanged, and secret meetings were organised for protests (Chandran, 2023). These challenges did not stop them from organising successful sit-ins and drawing attention to their plight. The CEO of the Urban Company had to approach the local court to pass an injunction against the sit-in at the head office. Despite the company's agreement not to penalise the protestors, the leaders were quietly shown the door later.

The logistical challenge of solidarity building and collectivisation due to dispersed and mere digital presence of workers is one aspect of the problem. The conceptual difficulty of state recognition as workers has emerged as a grave concern, leading to intense legal battles. The fact that 'giggers' are not workers/employees in the traditional sense of the term pushes them out of the ambit of labour laws. They are seen as microentrepreneurs, self-employed partners, and contractors.

The question of the status of platform workers was systematically pursued as a legal question for the first time in the Uber vs. Aslam case in the UK. The petition was filed as an employment tribunal claim in 2015, by twenty-five Uber drivers in London. These drivers claimed the national minimum wage and paid leave as Uber workers. The company argued that drivers were self-employed, had the freedom to choose their working hours, and could simultaneously work for any other platform. The tribunal upheld the drivers' claims, following which Uber appealed to the lower appeals court and subsequently to the Supreme Court. On 19 February 2021 the Supreme Court upheld the claims of drivers and ruled in their favour, classifying them as 'workers' entitled to minimum wages and other protections. The Supreme Court held that 'the service performed [by the drivers] ... is very tightly defined and controlled by Uber' (UKSC Judgement, p31). The court also agreed with the tribunal's conclusion that a driver's work time was not limited to the performance of the job but covered the entire time their app was switched on and there was a possibility of assignment of work (UKSC Judgement, pg 37-38). This landmark judgement instilled hope in trade unions and gig workers worldwide.

While the Aslam case was under review in UK courts, the California Assembly Bill 5 or AB5 was passed in the US, declaring that any 'person providing labour or services for remuneration shall be considered an employee rather than an independent contractor' provided he/she meets the ABC test (AB 5 Bill document). The passage of AB 5 once again shook the conceptual foundations of the gig economy and its precarity. This led to massive backlash from the platform economy. There was a sustained campaign against this classification by gig platforms, resulting in the modification of AB 5 and the passing of AB 2257 in September 2020. AB 2257 rewrote several prerequisites of AB5 classification, resulting in exemptions for several job categories, including app-based drivers. App-based drivers were once again deemed independent contractors and not workers. This was a victory for Uber, Lyft, and other platforms, while the drivers were pushed back into precarity. The reverse trend continued with the Supreme Court of the UK refusing to recognise Deliveroo drivers as workers for collective bargaining rights. It ruled that Deliveroo riders were independent self-employed contractors and hence had no right to bargain collectively for pay and security.

In India, a Public Interest Litigation was initiated by the Indian Federation of App-based Transport Workers (IFAT) in September 2021. Tulasi Jagadish Babu and Kaushar Khan both app-based drivers are primary petitioners who have asked for: recognition of gig workers as 'workers' under social security laws; their registration on E-shram portal; mandatory deposit of a percentage of aggregators annual turnover as cess to fund social security schemes for workers. The petition also included certain CoVID specific reliefs. While the judgement is awaited, some developments give hope to gig workers.

The reform and reorganisation of labour laws between 2019-2020 is one such development. After the reorganisation of existing labour laws, four codes relating to wages, industrial relations, social security, and occupational safety, health, and working conditions were introduced. It is the Code on Social Security that accounts for gig workers, while the other three codes are silent on the issue. The Code on Social Security 'provides for framing suitable social security schemes for gig workers and platform workers on matters relating to life and disability cover, accident insurance, health and maternity benefits, old age protection, etc. The Code also provides for setting up a Social Security Fund, and one of the sources of the fund is a contribution from the aggregator between 1 and 2 percent of the annual turnover of an aggregator subject to the limit of 5 percent of the amount paid or payable by an aggregator to such workers' (Press Release, Union Ministry of Labour, 3 August 2023). The Code on Wages, despite its expansive definition of employees, misses the bus when it comes to ensuring minimum wages for gig workers (Prasanna, 2019; Jha, 2019). State Governments were asked to frame employment rules according to these labour codes. In 2023, the Rajasthan Legislature passed an Act specific to the registration and welfare of platform-based gig workers. Karnataka, Tamil Nadu and Telangana have also taken some measures for platform workers. However, all these efforts, particularly the imposition of a cess on aggregators for workers' social security, have been opposed by the aggregators. Therefore, the budget announcement acquires immense significance in terms of the politics of recognition, even if the actual outlays are negligible.

## 5. Conclusion

The gig economy, characterised by short-term contracts and freelance work, has emerged as a significant component of the modern labour market in recent years. The prevalence of gig work has made it an exigent issue for policy and academic engagement. The promise of prosperity through opportunity and autonomy by reimagining labour relations has turned out to be empty.

The central innovation of the platform economy -the workers right to choose work hours and schedules- has been reworked through algorithmic management. There is palpable tension between workers' autonomy and dependence on the platform. Algocracy has led to unprecedented precarity in the labour market, rendering women particularly vulnerable. The intersections between gender, informality and algocracy are a pertinent feature of the millennial, app-based version of the piecemeal work system. This study is a modest attempt to trace the trajectory of the gig economy in India and identify its broad contours.

The plight of workers in the gig economy has systematically deteriorated despite attempts to unionise them and regulate platform operations. The misclassification of workers as 'self-employed' partners has provided immunity to the aggregators from being accountable for social security. There have been attempts towards the collectivisation of gig workers; however, these have not produced significantly tangible outcomes. The steps taken towards the regulation of this sector have been few and far between. States have moved like a hydra, looping and somersaulting periodically, with grave consequences for vulnerable workers.

While the consumer is king in the neo-liberal economy, workers cannot be left to fend for themselves without the regulation of aggregator corporations. The average consumer has at least verbally shown concern for workers at the receiving end of the exploitative gig economy. The Fair Work Survey returns these trends, showing consumer preference for better working conditions (Fair Work India Ratings, 2023, p 27). The gig economy cannot be wished away given the gigantic proportions it has assumed. There is a need to regulate it effectively, with governments playing an active role in ensuring fairness.

The gig economy hence raises broader societal questions regarding the future of work and social safety nets. As more individuals engage in gig work, either by choice or necessity, there is growing concern about the long-term implications for retirement savings, healthcare provision and income inequality. Policymakers and labour advocates are grappling with how to adapt existing social protection systems to accommodate the gig economy's changing nature.

In conclusion, although the gig economy offers certain advantages in terms of flexibility and opportunity, it also presents significant challenges that need to be addressed. Balancing the benefits of innovation and flexibility with the need for worker protection and social stability remains a complex and ongoing challenge for society, policymakers, and businesses.

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