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THE MULTI-DIMENSIONAL STATUS OF GIG WORKERS AND ITS IMPACT ON THE FOOD DELIVERY LABOUR MARKET IN CHENNAI

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ABSTRACT

In India, the rapid expansion of platform-based food delivery gigs has revolutionised urban labour markets, particularly in cities like Chennai, where this kind of work has provided much-needed employment to semi-skilled youth. This paper explores the multi-dimensionality of gig workers who work in this sector, legal sidedness, economic dependence, algorithmic management, industry disruptions, and gendered challenges in the organisation of their work. With the use of doctrinal legal analysis and city-based case study methodology, the study critically analyses the limitations of the current labour law regime, namely, the Code on Social Security, 2020, in addressing the distinct requirements of platform workers. The paper also examines technology impact on employment autonomy, wage stability, and risks at work. This includes an emphasis on their exclusion from vital social protections and the benefits of formal employment for gig workers. Finally, the study offers policy suggestions on how legal recognition in terms of inclusivity in social security design, algorithmic accountability, and gender-responsive labour protection would lead to fairer reform of India's emerging gig economy.

KEYWORDS: gig workers, food delivery platforms, labour law gaps, algorithmic control, social security, urban informal work.

I. INTRODUCTION

The emergence of digital platforms and the proliferation of mobile technologies have

transformed the nature of work in the 21 st Century. Prime among these effects has been the rise of the gig economy – a labour landscape of short-term, task-oriented work, brokered by digital platforms.

Unlike formal work arrangements, gig workers are often informal workers without formal employers, and instead rely on app-based aggregators for income generating opportunities. The gig economy has evolved enormously in India, with NITI Aayog (2022) expecting over 23.5 million gig workers by 2029–30. Against this backdrop, the food delivery industry—ruled by platforms such as Swiggy and Zomato—has come to symbolize the structural changes underway in urban informal labour markets (Das, 2023; Aggarwal, 2023).

In spite of some autonomy afforded by gig work, several researchers have pointed out the lack of legal protection, precarious income, exploitative algorithmic governance, and unsatisfactory OHS practices (Gounder, 2024; Chattopadhyay, 2024; HB et al., 2023). A complex web of challenges, including unclear contractual terms and exclusion of FWs from social welfare schemes, confronts FWP in Chennai (Kumar, 2024). This reclassification has further clouded gig workers' legal rights under traditional labour law mechanisms, such as the Code on Social Security, 2020 (Vidhi Centre for Legal Policy, 2024).

The paper takes up a multi-dimensional perspective and considers the legal, economic, algorithmic and gendered status of food delivery gig workers in Chennai. By reflecting through statutes, judicial stances and global comparative practices, this examines the implications (practical and legal) of gig work in India's urban labour economy. The study also brings to the fore the ways in which

technological governance, managed and orchestrated through platform algorithms, impacts upon precarious working and the autonomy of workers (Pawar & Srivastava, 2022; Sultana, 2022).

By locating this investigation within Chennai's localized political economy as a key metropolitan centre hosting a burgeoning platform labour market, the research contributes a grounded case study with implications for wider national trials.

II. THE RISE OF GIG WORK IN INDIA: A STRUCTURAL OVERVIEW

The rise of gig work in India is connected to technological advances, digital penetration and the overall trend of moving toward flexible and informal work modes. App-based platforms have transformed how services are both accessed and delivered over the past decade, creating an entirely new category of worker: the gig worker. Unlike its traditional employment based counterpart, gig workers enforce task-specific on-demand contractual relations and usually without the formal mask of employment contracts (Sultana, 2022).

Perhaps it's not entirely surprising that the gig economy in India has been booming ever since 2015, when rates of smartphone penetration started surging, digital payments networks began sprouting, and the demand in urban areas for on-demand services began mushrooming. Gig workers in India numbered around 7.7 million in 2020–21 and are estimated to reach 23.5 million by 2029–30, making up 4.1% of the total workforce, according to the NITI Aayog report 2022.

Year	Estimated Number of Gig Workers	Percentage of Total Workforce
2020–2021	7.7 million	~1.5%
2023 (est.)	~10–12 million (interpolated)	~2.5%
2029–2030*	23.5 million	4.10%

This expansion is highly concentrated in urban service industries like ride-hailing, logistics and food delivery, where platform-based work has become an integral part – for some the primary, for others a secondary – of millions of informal workers' livelihoods. Gig work as a food courier, with startups such as Swiggy, Zomato forming the most important employers, deploy algorithmic scheduling and performance metrics to exercise control over extensive distribution networks. Das (2023) observes that these platforms have not only opened up new avenues of employment, especially for male young workers, they have also introduced

layers of precarisation, including fluctuations in earnings, safety and absence of social security benefits. The involvement is typically through performance-based payment schemes, moving targets and contingencies modifying deep, (Arulrajah, Ansell & Soh 2012).

The food delivery is a significant fraction of India's platform-based gig workforce (see Figure 1). (2023) and NITI Aayog (2022), gig work is concentrated in a handful of high-demand sectors.

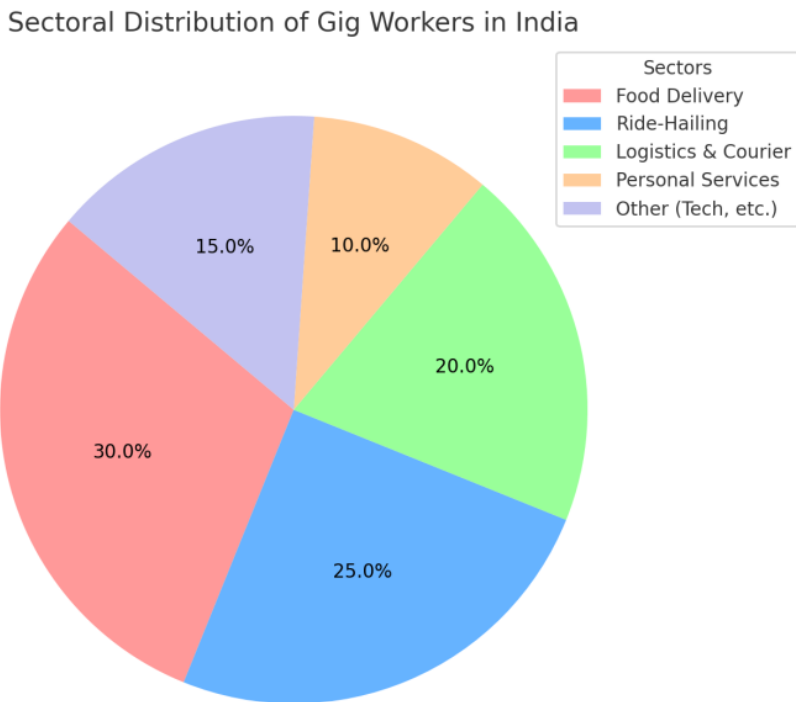


Figure 1: Sectoral distribution of gig workers in India. (Source: Das, 2023; Aggarwal, 2023; NITI Aayog, 2022)

Aggarwal (2023) describes an important aspect of India’s gig economy – that an overwhelming mass of platform workers are essentially unqualified and low-qualified, and the demotic workers (migrants or rural-urban migrants) who have not toiled with traditional factories, and have become part of platform work for livelihood. This work transition is especially pronounced in cities like Chennai, where rapid urbanisation, high cost of living and few

formal employment options have driven a large number of people into gig economy work. The typical gig worker in the food-delivery space in Chennai is a male migrant, 18-35 years of age, with relatively lower educational qualifications and hardly any job security. Such workers are often from periurban and rural communities who are not career-informed but respond due to economic need.

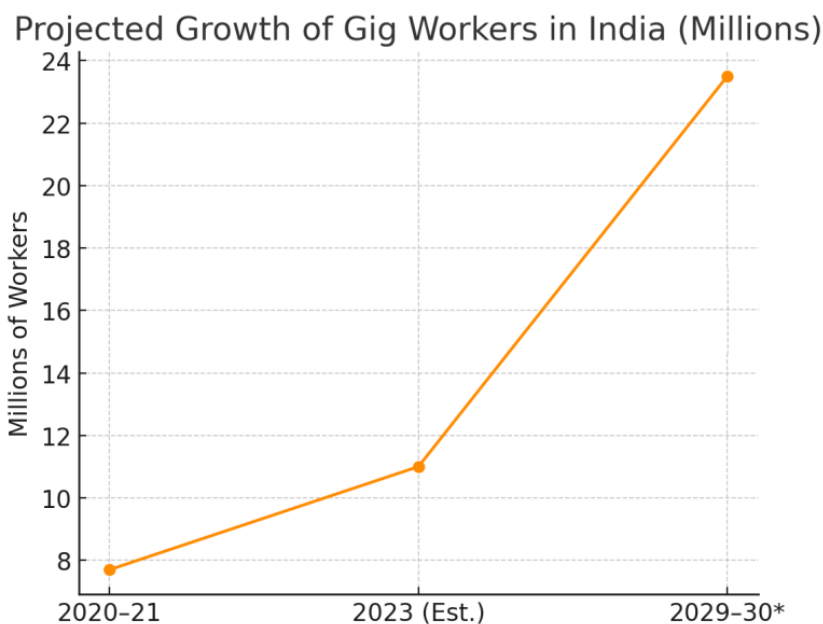


Figure 2: Projected growth of gig workers in India (2020–2030). (Source: NITI Aayog, 2022)

The gig economy in Chennai is no longer an emergent phenomenon but is taking deep roots within the city's urban informal economy. They're literally everywhere at residential and commercial sites but are institutionally missing when policy is the subject. Yet, despite their importance to the efficiency of urban consumer services, they remain strangers to the reach of labour protection, of union representation, and of minimum wage regulation (Sultana, 2022, Das, 2023).

III. LEGAL STATUS AND CLASSIFICATION DILEMMA

The status of gig workers is ambiguous in India as there is no clear structure that places them in the traditional definitions of "employee" or "worker". This is deliberate: most app-based companies, like Swiggy itself or Zomato for example, classify their delivery workers as independent contractors, side-stepping much of what an employer owes under the law. The strategic classification is a way to effectively strip the gig workers of statutory entitlements including minimum wages, provident fund contributions, gratuity, insurance and grievance redressal (Vidhi Centre for Legal Policy, 2024; Kumar, 2024).

The significant legislation in this regard is the Code on Social Security, 2020 which for the first time, defines the terms "gig workers" and "platform workers". A gig worker is defined under Section 2(35) of the Code as a, "person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer-employee relationship." Although this definition is a step towards acceptance in the law, the code itself has never been operationalised, and its provisions are predominantly aspirational ones. Chattopadhyay (2024) has pointed out that the Code is silent regarding the eligibility conditions, funding, and administrative arrangements for providing social security. As a result, the vast majority of gig workers in Chennai and elsewhere in India are still legally unprotected.

Complicating the matter is the absence of statutory definition or judicial criteria in determining who is an employee under Indian laws. Like it or not, the reality is that traditional Indian labour laws (like the Industrial Disputes Act, 1947, Factories Act, 1948, Minimum Wages Act, 1948) are tailored to a stable workplace where one has a full-time engagement. Those laws generally cover only where there is a "contract of service." By contrast, gig work often comes under a "contract for service," as stipulated by the Indian Contract Act, 1872. This distinction is

significant because it limits the (legal) powers of labour courts, inspectorates and even welfare boards to grant protection for gig workers.

In addition, a constitutional analysis provided substantial issues with gig workers' treatment. The right to life envisaged under Article 21 of the Constitution of India has been himself interpreted broadly by the Supreme Court to include the right to live with human dignity which includes the right to livelihood, better standard of life, hygienic conditions in service and leisure, most notably in *Olga Tellis v. Bombay Municipal Corporation* (1985). If platform workers are deprived of basic labour entitlements, put to work in situations of long hours and low safety nets and subjected to algorithmic surveillance, it could well amount to an infringement of their Article 21 rights.

And Article 23, which forbids forced labour, is then triggered when workers are coerced, under 'freedom to choose work' rhetoric, into taking up exploitative work.' The Supreme Court, in *People's Union for Democratic Rights v. Union of India* (1982), ruled that even work that appears to be voluntary can constitute forced labour if it is done under economic duress and without adequate remuneration.

Further, the Directive Principles of State Policy, though non-justiciable, are used as a tool of interpretation of labor rights in India. The State to make provision for ensuring that citizens are not forced by economic necessity to enter occupations unsuited to their age or strength and to protect children and youth against exploitation and against moral and material abandonment." 66 Article 39(e) provides: "That the State shall direct its policy towards securing ... that workers are not... compelled by economic necessity to work in an unhealthy atmosphere.". Article 41 requires the state to guarantee the right to work and public assistance in the event of unemployment, and Article 43 encourages the provision of fair wages, standards of work ensuring a 'decent standard of life', and social and cultural opportunities.

A current absence of legislation indicates that labour law has failed to keep pace with the changing face of digital labour. Gounder (2024) posits that rigidist legal categories of 'formal' and 'informal' work should be transcended by a functional approach that examines the extent of control, dependency, and vulnerability of the worker – and not the contractual terminology they are labelled with.

In the food delivery economy in Chennai, gig workers are an essential site of urban service logistics bound for the city; yet, they are institutionally excluded from the welfare architecture in India. The categorization of labourers as 'independent contractors' ensures that not only are they denied legal protection, but that the constitutional pledge to justice, equality and dignity of labour is eroded.

Altogether, India's legislative and constitutional response to gig work in its present form is insufficient to address the hybrid model of platform work. We need this sort of legal reform that reclassifies platform workers into a new right-bearing employment status, and is scaffolded upon platforms and their enforceable obligations.

IV. AUTONOMY MANAGEMENT AND ALGORITHMIC WORK

The gig economy's central paradox is its promise of freedom to workers. Gig work is also promoted on food delivery platforms, such as Swiggy and Zomato, as flexible and empowering, where workers can decide on their working hours, location and frequency of work. But this freedom has become more and more false. In practice, platform workers in Chennai are subject to a complex system of algorithms that govern almost all aspects of their work - from job allocation and delivery directions to performance rating and earnings (HB et al, 2023).

By algorithmic management, we mean the new use of data-driven systems and automatic decision-making tools to guide, control and fine-tune labor processes. Unlike the old-fashioned supervisory touch-points, these systems function by stealth, via app interfaces, push notifications, and gamified performance metrics. Gig workers are rated, rewarded and punished alongside opaque measures including customer ratings, speed of delivery, geographic coverage and acceptance rates. These digital controllers cultivate a "softer" form of "coercion" - the threat of trimmed task allocation or suspension that forces the workers to meet "stressfully high performance standard without any formal vigil" (Pawar & Srivastava, 2022).

In Chennai, this has created a race among workers for good zones, speedy orders, and more visibility in the platform. Numerous workers complain of punishment for turning down too many delivery jobs, or simply for not being available during peak demand hours. However, the contracts do not legally consider these rules as obligations. This paradox—the absence of a formal employment

relationship paired with the exertion of heavy operational control—illustrates how algorithmic governance resembles traditional employer conduct but without the legal obligations this entails. As Pawar and Srivastava (2022) argue, in practice these digital control systems have established a "silent boss" whose power goes largely unrecognized in law.

To boot, the notion of flexibility - a big draw of gig work - is extremely contingent. Although gig workers are theoretically able to log in and out of the app as they choose, those who do face algorithmic ramifications. Eg, failing to prevent abnormal login or random quit in peak period will result in decrease of account level or even priority level, and won't be able to receive future revenue. As a result, it helps to perpetuate a system of self-surveillance in which workers internalize platforms' rules to remain competitive, often sacrificing rest, safety and personal time.

In this context, the imbalance between control and accountability issues is aggravated by the absence of algorithmic transparency. Platforms rarely explicitly say how ratings are averaged, delivery zones allotted, workers deactivated. "...[and] it is unreasonable and unfair to make decisions affecting an employee's job without consultation and discussion" Specifically, the following practices or standards are contravened: A lack of fair/reasonable treatment of a worker by an employer is an "unfair labour practice" (HB et al., 2023) An employer may not: Unilaterally decide to change working conditions, especially if such a decision would have direct results on the workers' livelihood; May not change the working conditions of the worker - [It] has a by-product on the employer - [It] imprisons the employer - [It] Shorelines the workers that will always fall into the lower levels" (HB et al., 2023) These practices and standards conflict with the following: One of the pillars of a good working relationship and a healthy industrial relations is that the employer does consult and even give reasons for the decision it made" (HB et al., 2023) Not compensating an employee for work done constitutes exploitation of the employee (HB et al., 2023) These practices/standards also are the backdrop to critical legal points... (HB et al., 2023) of 2023.

Overseas, regulators and courts are starting to grapple with the consequences of algorithmic management. In the UK, *Uber BV v Aslam*, a 2021 Supreme Court decision, identified Uber drivers as "workers" in relation to UK labour law. The Court

decided that Uber had “control over the driver’s service”, which extended to pricing, setting service levels, and imposing performance conditions – all factors inconsistent with independent contracting. The Court ruling made it clear that algorithmic management can amount to evidence of workers’ employment status, guaranteeing the legal minimum wage, paid holidays and breaks.

Likewise, the European Union’s Platform Work Directive, adopted in 2021, offers a presumption of employment when a platform controls essential aspects of the work, including the pay rate, performance, and working conditions. The new rule requires them to reveal algorithmic criteria and provide human oversight when decisions are automated. These legal developments are indicative of an emerging international consensus that digital labour platforms cannot evade accountability simply by designating workers as “partners” or “freelancers.”

In India, however, there is no such regulatory clarity. The Code on Social Security, 2020, and other Indian laws don’t, do not require transparency in algorithmic decisions, nor give platform workers powers to challenge automated suspensions. The law is never clearly going to understand rule by algorithm as a form of employment, despite its effective sameness to traditional managerial authority.

These limitations have a significant bearing on the food delivery industry in Chennai. Workers are then subjected to algorithmic governing without any transparency or recourse, constructing a regime in which technology interposes accountability while denying protection. This makes them very fragile to any economic instability and mental pressure, including long working hours and gamification incentives to “keep active.” So that if algorithmic control is identified as a material aspect of employment, labour law can be reconciled with the digital economy.

V. ECONOMIC INSECURITY AND PRECARIETY

Notwithstanding the rhetoric on flexibility and entrepreneurial freedom marketed by app-based food delivery companies, gig workers in India, particularly in urban labour markets such as Chennai, continue to grapple with economic insecurity and labour precarity. Workers are not protected by wage sets or income shocks, and benefits are directly tied to the workers’ employment. As noted by Aggarwal (2022), gig worker income is highly volatile, and is shaped by

platform-operating algorithms, consumer demand fluctuations, and incentive-based pay structures.

At the heart of this precarity is the piecemeal, uncertain payment system used by Swiggy and Zomato and others. The gamer’s pay is usually per drop, with slight differences that may arise from the distance, location, weather condition or surge price, etc. However, these base rates are changed arbitrarily by the platforms with no official announcement or transparency to the users. According to Kashyap (2023) many of the workers experienced fluctuating per-order rates, and levels of incentives slabs, and they would frequently make less deliveries in a given week even when they make the same number of deliveries. In addition, bonuses and peak-hour incentives (which are an important part of a worker’s monthly compensation) are based on meeting narrow and constantly changing targets that the platform proposes and changes unilaterally.

To add insult to injury of their economic peril, there is no wage protection in place. Gig workers do not benefit from a statutory minimum wage or receive pay for overtime, rest days and delays that are outside their control (like waiting time in a restaurant or on traffic). There is no grievance redressal or appeal mechanism either; workers are thus left utterly voiceless against arbitrary deductions, blocked accounts, or non-payment of wages. As Chattopadhyay (2024) points out, this absence of a formal wage floor relegates gig workers to the arbitrary rations of algorithmic cost optimization, which place very little value or worth on fairness.

They are also not covered by occupational insurance plans and primary healthcare coverage. Physical risk: Delivery people are at high physical risk including from accidents, heat stroke, and prolonged exposure to environments. But neither are they eligible for the Employees’ State Insurance Act, 1948, nor do they come under the purview of any of the occupational health schemes which factory or office workers are entitled to. Aggarwal (2022) notes that although some platforms have offered tokenistic accident coverage policies, they are largely non-regulation, for a limited time, and not easy to claim. If they are injured, workers have to cover their own medical costs, along with the expense of vehicle repair and lost wages, leaving many in debt.

The most glaring omission may be paid leave or sick leave. Gig workers work under the economic

pressure of staying “active” on the platform, whether they’re sick, have a family emergency or are just too exhausted to drive. This can lead to “presenteeism” – working when sick – not only placing the workers at risk, but also public health, particularly during periods like the COVID-19 pandemic. Gig workers were identified as “essential service providers” by platform companies during the 2020 lockdown, but there was no income support, hazard pay, or emergent assistance forthcoming (Kashyap, 2023). Thus, it has been reported that many workers in Chennai were being forced to still work even though it posed a risk to their health because they needed to make enough money to have a meal on the table the next day.

The pandemic also exposed how gig workers were invisible in India’s welfare infrastructure. Government welfare programs like the Pradhan Mantri Garib Kalyan Yojana or Emergency Credit Line Guarantee Scheme addressed themselves to formal workers and registered MSMEs, excluding most platform workers who are undocumented or not legally employees. This institutional neglect deepened the economic precarity of gig workers during the country’s deadliest public health crisis, India’s first wave of Covid-19, Chattopadhyay (2024) has observed.

What’s more, gig work is structurally de-coupled from long-term economic security. There are no retirement benefits, pensions, or savings plans, making it an impossible employment situation for the future. It’s precarity, and not just material precarity but psychological, the way many workers exist in a state of chronic anxiety over deactivation, disappearing incentives, an inability to plan for future needs.

The cumulating impact of all these factors locates platform-based gig work within Chennai as an urban employment of high risk yet low security. It might bring in income, but it doesn't provide the long-term security, or the protection of the rule of law, or the safety nets that come with decent work. This economic precarity, combined with algorithmic surveillance and legal indeterminacy, makes plain that the time has come for an equitable framework of work that recognises gig workers not as disposable service providers but as rights-bearing urban workers.

VI. GENDERED DIMENSIONS OF GIG WORK

The gig economy – widely celebrated for offering flexibility and freedom – has proven incapable of addressing the realities and structures of

vulnerability faced by women workers in India. Although platform work is booming in the cities, such as Chennai, the presence and participation of women in gig work is still incredibly limited. Food delivery applications in particular embody a strongly gendered pattern of work, with young male riders overwhelmingly outnumbering women, who are marginal or relegated to behind-the-scenes support roles (Kumar, 2024).

This gendered low participation of women in food delivery work is not merely a matter of choice, rather a reflection of more deeply rooted structural, social and spatial barriers. Gig work – especially gig work that requires public mobility, such as delivering food – means traversing the streets of your city until the hours of the morning when nobody is out, interacting with strangers all day, and dealing with the stress of having to consistently perform and rack up positive reviews. These are the conditions that worsen the insecurities that are inherent in the life of women in the already conservative society with the added burden of domestic commitments. Saranya (2024) contends that the current design of gig platforms discriminates against women from the start, because they do not take into consideration the risks and needs that are unique to women, such as safety and sanitation, childcare obligations and the like.

Further, they fail to offer infrastructural or support mechanisms which are sensitive to gender, including sanitation facilities only for women, choice of flexible work hours to adjust to childcare and helplines to report gender-based harassment. The lack of any organised employer-employee relationship also robs women gig workers of the protection under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act). This is a critical legal gap. Since the regulations do not consider them to be employees, the onus to form an Internal Complaints Committee (ICC) does not exist. This means that women who are sexually harassed or verbally abused – by customers, by vendors, by co-workers – can avail themselves of no institutional grievance procedures.

This disparity not only dissuades women from the sector, but also makes the invisible the women who work in it informally or part-time. Even of the handful of women who do take on delivery gigs in Chennai, experiences are tainted with the fear of surveillance, harassment, and being forsaken by the platform. Interviews and anecdotes suggest that women tend to get fewer delivery zones or “safer”

ones – ironically not only restricting their pay, but also promoting gender bias. The design of the platform algorithm code is neutral itself but reproduces social inequality and does not consider the gendered risks, causing the further exclusion of participation of females in the workforce (ILO, 2022).

The challenges are compounded significantly by the intersections of gender with class and caste. Most 'gig workers' – irrespective of gender – are from lower socio-economic strata, and members of the marginalised castes. For women in this profile, gig work is not an option taken for the perceived flexibility gig work offers, it is a choice driven by economic deprivation in the face of systemic exclusion from the mainstream labour force. Kumar (2024) argues that the invisibility of women in gig data sets and policy narratives results in gender-blind labour law reforms that fail to consider how precarity has differential impacts for women.

International labour organizations such as the International Labour Organization (ILO) have emphasized the requirement to incorporate gender as a key axis of inequality in the gig economy framework. ILO 2021 report "Digital Labour Platforms and the Future of Work" also calls upon the importance of considering women's unpaid care work, mobility limitations and safety requirements, in particular women in low-middle-income countries. But these recommendations haven't yet turned into concrete policy changes in India's gig economy.

The government of Tamil Nadu and administrative bodies in the city of Chennai have also failed to develop gender-specific gig worker policies, the report noted, leaving the regulation of platforms to corporate self-regulation. While there exist isolated cases of platform-led efforts (such as delivering on the integration of female delivery-partners in some companies), these are ad hoc efforts, poorly resourced and without structural continuity. They are more often than not public relations tactics, and not substantial measures to advance gender equality.

Consequently, solutions to the gendered aspects of gig work require significant transformations in areas that pertain to law and practice as well. This includes extending POSH Act protection to all gig workers irrespective of form of classification, requiring platforms to bear responsible for gender-based safety and collecting sex-disaggregated data

to shape policy and the introduction of targeted social protection for women in vulnerable labour structures. In the absence of such interventions, the gig economy in India – including at the level of the streets in Chennai's food delivery industry – will reproduce as well as exacerbate other forms of gender exclusion and inequality.

VII. THE CHENNAI CASE- THE FOOD DELIVERY LABOUR MARKET

Chennai, one of the largest urban cities in India, is therefore an important case to study the nascent dynamics of gig work, with its focus on food delivery. With over 10 million people, high digital usage, it has seen the economy trending towards platform-based work through app-based services like Swiggy, Zomato and Dunzo. The city's sprawl, mixed socio-economic composition, and transportation system combine to create a unique gig work operational environment dominated by extreme competition, precariousness, and widespread gaps in legal and institutional coverage.

Recent desk and field research indicate that the gig delivery workforce in Chennai is made up of largely men 18–35 years of age and drawn from lower-income or peri-urban backgrounds (Das, 2023). Many are first-generation urban migrants from rural Tamil Nadu or neighbouring districts. Workers do not have written evidence, have no permanent record of service and frequently come from other unorganised sectors, like construction, security or unskilled labour. Gaurav and Sharma (2023) point out that gig work is not a career option there for these people but a back-stop mechanism given the increasingly harsh nature of the formal labour market.

Platforms are marketed as providing flexible work terms but what you actually find in these different contexts is a far cry from what's been promised. The workers are called "delivery partners." The on boarding process, however, is a largely one-sided digital agreement through the mobile app interface. These agreements, which are in English, and nobody really reads them, no worker understands these agreements – they have attended college until 10th standard or less. This legal ignorance is a major weakness as it makes it impossible for workers to know what their rights are, what their responsibilities are, or what they can do about disputes. A typical entry pathway for food delivery gig workers in Chennai follows a linear trajectory, from rural migration to digital on boarding, as mapped in Figure 4.

Rural/Peri-Urban Areas → Urban Migration → Informal Job Search → Platform Onboarding (Swiggy/Zomato) → Gig Work with No Legal Contract

Figure 3: Socio-economic pathway into platform-based food delivery work in Chennai002E

According to media reports and platform worker testimonies gathered from the city, workers must pay for a range of work-related costs including their own mobile data, fuel, vehicle maintenance, and even onboarding materials like delivery bags, and uniforms. There is no fixed minimum income guarantee, as opposed to the platform ads. Income is based on the number of deliveries you make, incentives and bonuses changed on an as-needed basis. Das (2023) reports an ordinary worker in Chennai makes between ₹350–₹550 per day after all expenses, with the numbers descending during lean months or in hyper-delivery areas.

There are several difficulties in the Chennai food delivery labour market, such as the one between a). For the food delivery labour market, one substantial problem is that algorithmic allocation is not transparent. Workers say they are often “zoned out” or get assignments slashed without reason. The direct impact is on their wages, which incentivises overworking and results in health impairment, fatigue, and more risk of accidents. Most of them travel nonstop 10–12 h per day with no facilities for rest, medical assistance or sanitary feed for animals. It's also worsened by the lack of platform infrastructure, such as rider hubs or even wellness centres in Uber's case.

The working class is still woefully uninformed about its legal rights. The majority of gig workers in Chennai have never heard of the Code on Social Security, 2020, or the prospect of being registered with state labour boards. Even though they are a legal category under the code, there have been no institutional efforts by urban local bodies or labour departments to inform or register gig workers or for their protection. As Gaurav and Sharma (2023) contend, this mismatch between formalisation in law and informalisation in practice is indicative of the broader default of labour governance in the platform economy.

Gig work is also relatively informal and decentralised in character, which also makes collective mobilisation difficult. There have been sporadic efforts to unionise, but they seem to draw quiet revenge – the switching off of the account, refusal to pay a bonus. In Chennai, workers have few organisational spaces to communicate among themselves; fragmented WhatsApp groups,

including popular Telegram channels, serve as an informal and ad hoc mode of communication but do not have institutional reach to make demands, or present a right to negotiate. Deprived of legal status as an employee, those who wash the toms lack the capacity to file collective bargaining agreements, or invoke the Industrial Disputes Act, 1947.

A second major concern is that there is no city-level regulatory measure for gig workers. Even as states like Rajasthan have introduced the Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023, Tamil Nadu is yet to evolve a comprehensive welfare structure for its expanding gig workforce. The Chennai Corporation has no records of platform workers nor any health, safety or insurance scheme rooted to their job-related hazards. This absence of institutional interface has left workers caught up in a legal no man's land, despite their central role in maintaining the city's digital consumer economy.

The Chennai story exposed the stark incommensurability of the lure of digital emancipation and the everyday life experiences of platform-based food delivery boys. Their work is central to the operation of urban enabling economies, but invisible, undervalued and unprotected by law. The economic and legal exclusion of gig workers in Chennai will only go farther without a concerted push from state and local governments to bring these workers under the ambit of formal labour governance arrangements.

VIII. INSTITUTIONAL AND POLICY GAPS

The legal and welfare landscape for gig and platform workers in India appears highly fractured and inadequate even as the gig economy is now increasingly recognised as a transformative presence in urban labour markets. While legislation, Code on Social Security, 2020 has established a definitional framework for gig and platform workers, the lack of implementation, on-the-ground action from states, need for coordinated policy solutions, reflect a system where gig workers are excluded, in-ambiguity, and suffer from systemic neglect.

At the level of the central government, the Code on Social Security, 2020 is the first statute to define “gig worker” and “platform worker” as distinct from regular employees and informal unorganised

workers. But it has failed at operationalising the benefits for gig workers. To administer these proposed schemes for life and disability cover, for health and maternity benefits, for old age protection and for other measures of social welfare, the Code envisages a National Social Security Board to recommend the schemes. However, in mid-2025, these programmes are either “not notified” or, if under the pilot stage, they lack enforceable timelines, clarity with respect to investments and the fund available, or a statutory framework for the registration of workers (Vidhi Centre for Legal Policy, 2024).

What’s more, the Code has delegated it to the discretion of state governments to create and execute these welfare schemes resulting in piecemeal action from place to place. For an illustrative example, very little headway has Table 1: Illustration of States making/not making progress in developing a dedicated platform worker welfare scheme. The road to a dedicated platform worker welfare scheme in India been made in Tamil Nadu to frame a dedicated platform worker welfare scheme, while on the other side Rajasthan has become the first mover by instituting the Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023. Under this Act, provision has been made for the Gig Workers Welfare Board, centralised database, and a welfare cess to be imposed on platform aggregators to provide for social security benefits. It also provides for redressal of grievances and registration, making it a template that could be reasonably followed by other states. However, the Rajasthan Act is in a very early stage of implementation and there has not been robust impact assessment (Vidhi Centre for Legal Policy, 2024).

The Vidhi Model Law for Platform-Based Gig Workers (2024), a draft working paper issued by Vidhi Centre for Legal Policy, also highlights the institutional voids within India’s regulatory response. The Model Law suggests a rights-based solution that goes beyond social security including rights to fair contracts, algorithmic transparency, collective bargaining rights and grievance redressal. It criticises current central and state laws for not recognising the quasi-employment between platforms and workers, and argues for the establishment of a state-level Gig Worker Board with both worker and aggregator representation, with the power of the law to ensure standards.

One of the most important institutions is the lack of formal means of worker representation and

collective bargaining. Gig workers are not included as part of the formal workforce in the Industrial Relations Code, 2020 and the Trade Unions Act, 1926 and so they cannot go on strikes in the way that it is traditional for a trade union. Self-organised practices, from city WhatsApp groups to informal collective local protests, do not have their own legal status, and leave workers exposed to more or less sophisticated retaliation through algorithmic downgrading, blacklisting, app deactivation. In the absence of legal backing that grants organisational acceptability and credibility, this indicates that the voices and actions of gig workers will continue to be excluded from collective action and agency.

This fragmentation is compounded by digital governance, labour regulation, and urban welfare policy falling under the province of three separate departments, which do not have a mechanism for coordinating with one another. Gig workers as digitally employed and physically mobile also slip through jurisdictional cracks of multiple ministries and municipal bodies. Labour departments often have no knowledge of platform workforce numbers; municipal corporations do not consider gig workers to be a vulnerable urban working population; IT or digital economy ministries do not regulate algorithmic labour management. As a result, platform businesses currently benefit from regulatory arbitrage, picking and choosing the norms that they need and which do not limit their potential for growth and passing externalities off in the form of social risk onto the shoulders of the workers.

A third institutional failure is the lack of a national or state-level register of platform-based gig workers. And without trusty databases, state governments cannot offer the public welfare schemes on things such as health insurance, food security or emergency relief to gig workers during crises like the COVID-19 pandemic or periods of inflation and spikes in fuel prices. There is no visible effect of the gig workforce in Chennai by way of paper trails or record books and total administrative invisibility, yet it is the same delivery labour that becomes a regality whenever cities are put under lock down or natural disasters occur.

In order to bridge this institutional gap, there is an urgent requirement of an interface of labour law, urban welfare initiatives, and digital economy regulation. Gig workers need to be the new and expanding slice of the urban workforce that is acknowledged as needing concerted legal protections, public entitlements and digital rights.

As such, extant laws would need to be transformed to account for the hybrid character of gig work – a fusion of employment features and entrepreneurial risk, and, at the same time, predicated on algorithmic control and physical mobility.

Crucially, future policies also need to hold platforms to account with mandatory disclosure, audits of algorithmic decision-making systems, and financial contributions to social security funds. Though the Rajasthan Act and the Vidhi Model Law provide useful templates, they remain to be realised in their potential, through translation into other states undergirded by constitutional air-links of the right to livelihood (Article 21), the right against exploitation (Article 23) and the Directive Principles of State Policy (Articles 39, 41, 43).

In short, the current institutional response in India to the gig economy is one of legislative intent but administrative inaction. Without structural changes and legal coherence, gig workers, particularly in high volume urban markets like Chennai could be further exposed to systemic insecurities, labour dis-inclusion and digital exploitation. It is to those policy, legal and governance reforms that we finally turn in the next section in suggesting concrete recommendations that may create a just and inclusive regime for gig workers in India.

IX. CONCLUSION

Chennai's food delivery space The exponential insurgence of the gig economy in Chennai's food

delivery space indicates a structural transformation of the urban labour market in India - an economy of algorithmic control, contractual obscurity, economic precariousness, and legal invisibility. 'Notwithstanding the fact that the central legislations like Code on Social Security, 2020 have recognised the existence of gig and platform workers, the lack of enforceable mechanisms, algorithmic regulation and state level implementation are continuing to erode the constitutional principles of dignity, equality and the right to livelihood under Articles 14, 21 and 23. The Chennai case indicates that delivery workers work within a system that works to resemble regular employment but lacks all its protections, thereby potentially heightening occupational hazards, gendered exclusion and continued marginalisation. Additionally, the absence of coordination between institutions and any city-level welfare infrastructure serves to further widen the gap between policy ambition and the lived realities of workers. Closing this gap requires immediate legal reform through a social justice, algorithmic accountability and inclusive urban labour policy. In the end, the gig worker rights debate is about finding balance – one that seeks to preserve the flexibility characteristic of platform work while building in necessary protections so that economic innovation is not achieved at the expense of the dignity.

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