

Labour Laws and Platform Work: Worker Protection in On-Demand Food Delivery and Transportation Platforms

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Abstract

Digital platform expansion in India has rapidly transformed the labour landscape, especially in the food delivery and transportation sectors, such as Uber, Ola, Swiggy, and Zomato. The Code on Social Security, 2020, formally classified the status of a 'platform worker' as an independent contractor, while simultaneously enabling digital platforms to control the conditions of workers' employment through algorithmic control, deploying tools of task allocation and performance monitoring. The legal classification excludes platform workers from the basic labour legislations, such as the Minimum Wages Act, 1948; Payment of Wages Act, 1936; Payment of Bonus Act, 1965; Workmen's Compensation Act, 1923; and Industrial Disputes Act, 1947. The main aim of the research is to examine the existing provisions and gaps between the legal classification of platform workers and their real working conditions. This study draws upon a doctrinal study of prevailing labour laws alongside primary data procured from in-depth interviews with 50 platform workers in Delhi. The findings indicate that most platform workers in the survey relied on platform work for income, worked long hours, and lacked employment security and meaningful channels to address disputes or grievances. This finding highlights the need for new legislation that moves beyond the outdated employer-employee classification model and can provide digital platform workers with the fundamental rights of a minimum wage, algorithmic transparency, and social security and welfare legislation. It seeks to contribute towards realising the aim of 'inclusive growth' by 2047 by aspiring to ensure that platform workers across India enjoy dignified work with fair working conditions and job security.

Keywords: Gig Economy, Platform Workers, Labour Laws, Social Security.

Introduction

India is witnessing a shift in the way employment, as economic growth and rapid digitisation are generating new opportunities for the growth of the gig or platform economy. Task-based economies increasingly depend on digital platforms to connect service providers with customers who require specific services. The rapid growth of the platform economy is creating new markets for opportunities and restructuring the way work is conducted, particularly in urban cities.

The Evolution of Platform Labour within the Economic Landscape

The service sector contributes nearly 55% of the Gross Value Added (GVA) of India, and the service sector is the cornerstone of the growth of the economy. By 2030, the number of app-based workforce in India will likely reach 23.5 million.

Year	Estimated Workers (Millions)	% of total Livelihood
2020-21	7.7	1.3%
2024-25	10.0	1.8%
2029-30	23.5	4.1%
2047	62.0	8.5%

(Using data from NITI Aayog and Ministry of Labour & Employment)

Much has been made in the platform economy of treating independent contractors on digital platforms. In reality, because many of these workers are formally “unemployed,” they are denied from critical labour protections and are often intensely managed by the platforms through specialized systems of algorithmic management, including extensive performance monitoring and rating systems that do little to further the interests of workers. The level of control is exercised at platform in India has increase the seriousness of this issue for two reasons. First, the vast majority of the country’s working population is in the informal sector, devoid of any social security net afforded to those in the formal sector. Second, the rights to freedom of association, organization, and collective bargaining are either denied or only partially conceded to working people, in accordance with the needs of capital.

Review of Literature

Labour laws are considered a central theme in recent economic policy debates on the gig economy. Recent reports have focused on how digital platforms shape labour, working conditions, and labour rights. The *International Labour Organization* describes how platform work provides flexibility to workers; however, it also raises relevant challenges regarding income and working conditions. In India, platform work has grown at an incredible speed in the last few years, and reports from *NITI Aayog* have emphasized the need for adequate legal and institutional support to extend welfare benefits and social security to these workers. Platform work is growing, and policymakers must grapple with the need to regulate these new modes of work, as well as the extent to which traditional labour laws remain fit for purpose in the pursuit of social justice, protecting the labour rights of workers, and supporting sustainable growth. Specific studies have looked at workers in the food delivery and transportation-for-hire (ride-hailing) sectors, describing long working hours and precarious income for workers. The gap between the theoretical flexibility of such work and the reality of gig work lies at the core of these findings. While there is an abundance of research on the gig economy in India, most studies focus either on a policy-oriented or purely economic perspective. Very few research currently exists that combines both legal analysis of the gig economy in India and empirical research on the working conditions and consciousness of the law among platform workers in India. This study adopts a socio-legal approach and conducts both a doctrinal analysis of relevant labour laws and an empirical study of workers in Delhi’s gig economy.

Research Problem

The legal status of platform workers has become a crucial regulatory challenge. This study aims to address the problem of the structural imbalance of labour rights in the platform economy. Digital platform operators have complete control workers through job allocation and rating systems. Platform companies operate as they please while keeping their workers in the status of independent contractors under Section 2(35) of the Code on Social Security, 2020. Although platform workers suffer from serious job insecurity, income unpredictability, and other related problems, this study investigates whether platform workers enjoy any meaningful legal protections and safeguards under existing laws and regulations.

Objectives

- This study identifies the differences between current labour laws and the reality of platform workers’ working conditions.
- To suggest some relevant policy measures that could help strengthen labour laws and ensure the Social Security of platform workers in India.

Research Question

To address these objectives, this study formulates the following research questions:

- What are the working conditions of platform workers in terms of working hours, income stability and job security?
- To what extent are platform workers aware of their legal classification and the protections available to them under existing labour laws.
- What gaps exist between the policy recognition of gig workers and the actual enforcement of their labour rights?

Research Methodology

Research Design

This study adopts a socio-legal research design that combines a doctrinal-legal approach with empirical field research. This is particularly suitable for mapping the evolution of labour relations. Through the doctrinal research method, this study analyses the laws and provisions that apply to platform workers, and through empirical research, it highlights the experiences of actual workers in the platform economy. This study employs a thematic and comparative research methodology. The thematic aspects of the study aim to acquire a deeper understanding of platform work, recognized workplace standards, and awareness of labour rights. The comparative aspect of the analysis identifies the disparity between legislation and the implementation of labour rights in the food delivery and ride-hailing sectors.

Data Collection

This study is based on both primary and secondary data sources. Primary data were gathered through structured questionnaire interviews with approximately 50 platform workers from food delivery and ride-hailing platforms. Due to the difficulty in accessing workers, given that they are informally employed, the study relied on convenience sampling. The questionnaire included both qualitative and closed-ended questions. The qualitative questions solicited the workers' experiences and views on how to amend the current laws and regulations. The secondary data consisted of government reports, policy papers, labour laws, and articles and reports by international organizations on issues related to labour rights and platform work. This helped contextualize the empirical data within the framework of existing laws and policies.

Sample Description

This study is based on qualitative interviews with 50 platform workers in the food delivery and ride-hailing sectors in Delhi. Because of the informal and flexible nature of platform work, convenience sampling was used to select participants. Most participants belonged to the 20–35 age group, and their primary source of income came from this flexible platform work. On average, they worked between 8 and 12 hours a day. The data reveal that the sample consisted of 'workers' who were allocated tasks and income by algorithms, denied access to social security benefits, and without employment contracts formalized under labour law. The research also highlighted that the workers were not aware of their legal rights concerning the labour and conditions of platform work.

Method of Analysis

Qualitative data were analyzed using thematic and comparative approaches. Thematic and comparative analyses of qualitative data are common practices for analyzing open-ended survey responses. Thematic analysis is particularly useful for socio-legal research, as it enables researchers to understand the practical implications of labour and employment laws in emerging labour markets and the working conditions of platform workers in relation to legal protection. This analysis followed the standard procedure of thematic analysis, starting with familiarizing with the data used. This helped to identify some of the ongoing issues faced by platform workers and their lack of legal and safe working conditions. In addition, a comparative analysis technique was applied to compare the statements of the workers to identify patterns and trends regarding income dependence, working hours, familiarity with relevant labour and employment rights, and social security benefits provided by the platforms. This comparative analysis also enabled me to identify similarities and differences regarding working conditions and structural gaps between the legal framework and actual practices in the two platforms under study (food delivery and ride-hailing).

First, codes were created to organize the interview data, turning unorganized qualitative data into organized, structured data. Second, when examining the answers to the interviews, several significant issues arose and those interviews were given further coding and comparison manually under similar themes, such as unstable income, long work hours, lack of social benefits, or job insecurity. Third, the organized primary codes were analyzed for broader trends and connections to be identified.

Building a more in-depth analysis of the survey results, similar codes were grouped together. For example, issues related to earnings and income insecurity were created to group together codes related to different incomes, the lack of minimum wage protection, and concerns with incentives. Accidents and lack of insurance were grouped under the theme of social security gaps. All themes were then reviewed and refined to ensure consistency between the themes and clear distinctions between them. The themes were then compared to the codes to ensure that the themes accurately represented the survey participants' concerns.

In the fifth stage, the material was reformulated so that the themes became more clearly defined and even named.

Main themes of this study are as follow:

- Income and earnings insecurity.
- Legal classification without official recognition.
- Lack of complete social security coverage.
- Stress at work and working conditions.
- Insufficient knowledge of labour rights.
- Grievance procedures and consumer protection regulations.

Based on the final analysis, we found that the gap between the actual protection of platform workers and their formal labour legislation recognition is a serious issue. Therefore, current labour legislation and policies regarding platform work must be applied appropriately.

The thematic analysis and comparative analysis software package was selected because of its flexibility for qualitative data analysis and its precision using an accurate coding methodology. The analysis of worker responses was transparent to guarantee credible findings.

Ethical Considerations

The ethical considerations set out above were followed in the conduct of this research. Participants in the study were made aware of the academic intention behind the survey and participants were under no obligation to take part. The data collected was used for research purposes only and no personal information was recorded. Participants can be assured of their confidentiality as any data recorded will be reported anonymously. The study also aims to deliver a sincere and true portrayal of the views of the workers within the industry, whilst maintaining an objective standpoint and preventing misinterpretation of the findings.

Limitation

Like other empirical studies, this work has some limitations. First, the sample selected for the study is not large and might not be generalizable across all platform workers operating in other parts of India. Second, the working environments of platform workers could differ significantly between different institutions and geographic locations. Thus, the study is more informative of working conditions of such workers in a particular location than others across all locations and contexts. Nevertheless, the study contributes to the emerging base of knowledge and discussion about labour protection in the gig economy by pointing to significant gaps between labour law and actual practice and by revealing the complex nature of work organization experienced by such platform workers.

Findings and Analysis of Gaps in Labour Law Protection

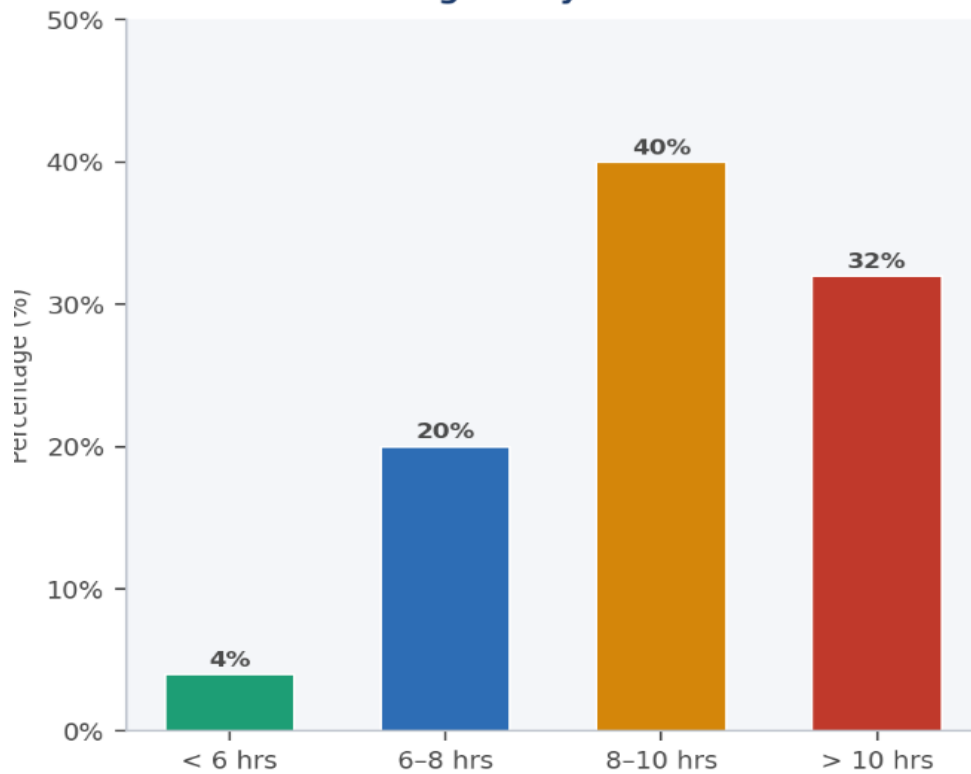
- **Income Security & Working Conditions (N=50)**

The results show that platform work offers flexible income opportunities, but does not ensure a stable income. Workers have to work more hours in order to have a steady level of income and payment schemes based on incentives create unpredictability in earnings. This implies that the work through platforms transfers income risk to the employee, making them economically unstable and subjecting them to unpredictable income trends

- **Perceived Job Security**

Category	Percentage
Very Insecure	32%
Somewhat Insecure	36%
Neutral	10%
Somewhat Secure	16%
Very Secure	6%

- **Average Daily Hours Worked**



- **Incentive Availability**

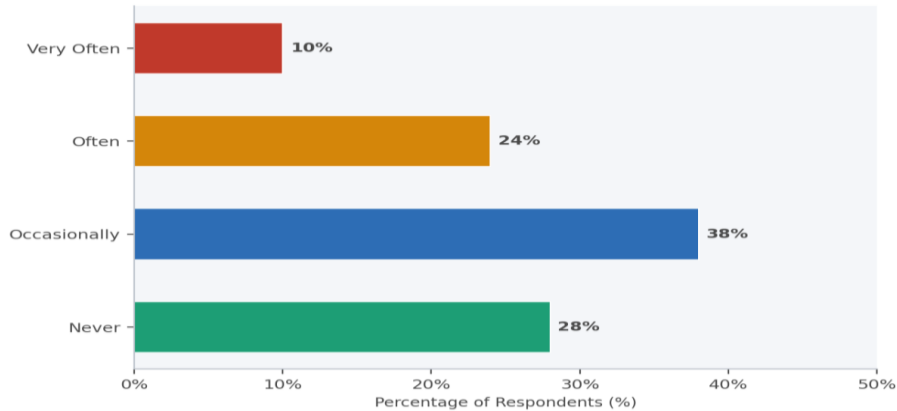
Response	Percentage
Yes	22%
No	55%
Sometimes	22%

Key Findings: Platform workers face a high degree of income insecurity and earnings volatility despite having to work long hours, which means that platform-based jobs are financially unstable.

- **Lack of Employment Protection**

The research indicates that platform workers work without any formal protection in their employment, which leads to excessive working time, stress, and insufficiency of rest. The lack of control over the working conditions and occupational safety measures means that platform work operates beyond the traditional systems of labour protection and results in the informalisation of the working conditions.

- **Physical / Mental Stress Experienced**



- **Access to Adequate Rest Breaks**

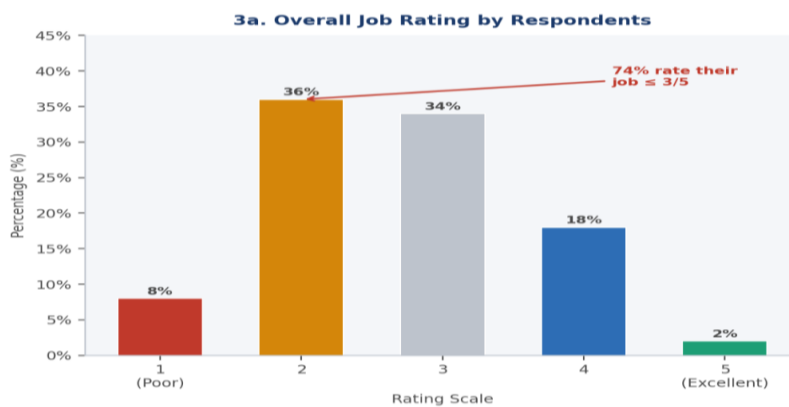
Response	Percentage
Yes	48%
No	50%
Maybe	2%

Key findings: Long working hours, high levels of stress, and lack of proper rest breaks are linked to the lack of formal employment protection among platform workers.

- **Limited Access to Social Security**

The results indicate that platform workers are not able to access the benefits of social security including health insurance, accident coverage and retirement benefits. Platform workers are adversely affected as employers do not offer them the protection of the social systems provided to them as employees, making them more economically and socially vulnerable due to their classification as independent contractors.

- **Overall Job Rating**



▪ **Job Security by Platform Type**

Security Level	Food Delivery	Ride Hailing
Very Insecure	32%	32%
Somewhat Insecure	52%	20%
Neutral	8%	12%
Somewhat Secure	4%	28%
Very Secure	4%	8%

Key findings: *Low job satisfaction and high job insecurity are caused by the limited access to social security benefits, including health insurance, accident covers, and retirement benefits.*

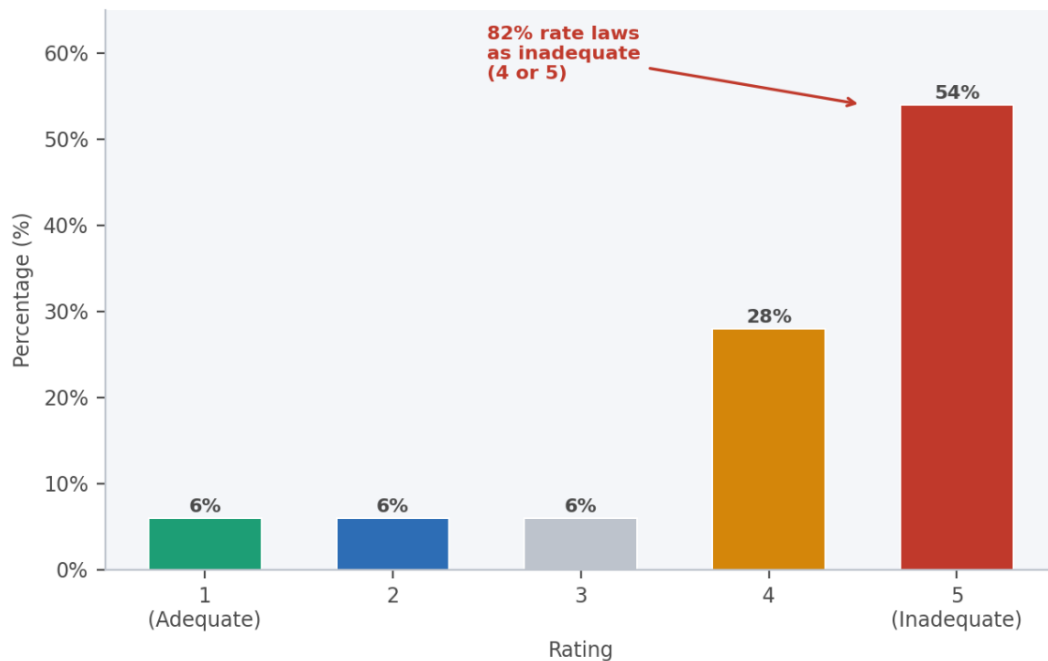
• **Lack of Awareness of Labour Rights**

The research shows that most platform workers do not know the labour laws and protection that they have. Also, workers find the current labour regulations insufficient to deal with the issues of platform-based employment, which shows that the current law does not reflect the realities of the digital labour market.

▪ **Awareness of Government Labour Laws**

Awareness	Percentage
Aware	22%
Not Aware	78%

▪ **Perceived Adequacy of Labour Laws**

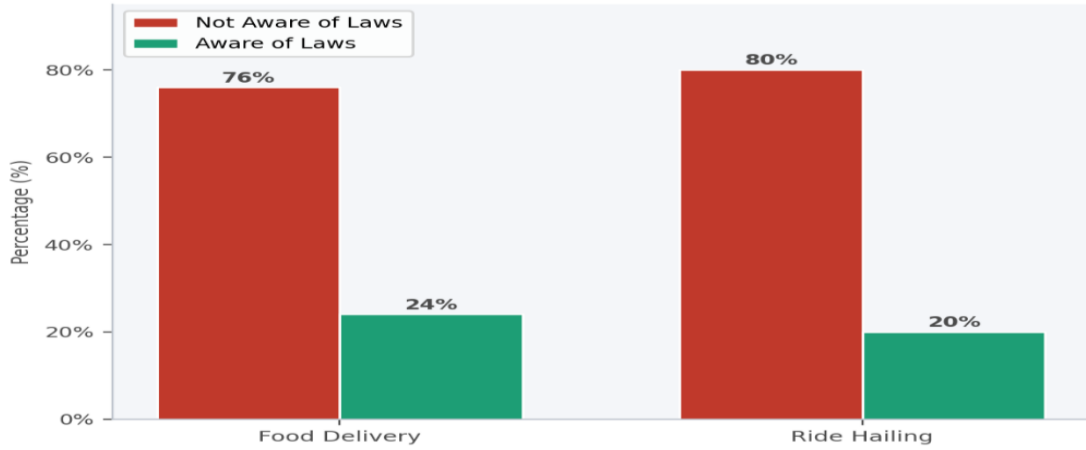


Key findings: *The lack of knowledge about labour laws and the perceived ineffectiveness of current laws make platform workers in the gig economy more vulnerable.*

• **Grievance Redressal & Legal Gap**

The results show that the redressal mechanisms that platform workers have access to be few and largely ineffective. Most workers are dependent on in-app support systems, which are not transparent and independent, and workers may have a hard time resolving the issues that involve wages, account suspension, or working conditions.

▪ **Labour Law Awareness by Platform Type**



▪ **Stress Levels by Platform Type**

Stress Level	Food Delivery	Ride Hailing
Never	40%	16%
Occasionally	40%	36%
Often	16%	32%
Very Often	4%	16%

Key findings: *Ineffective grievance redressal systems deny platform workers an opportunity to solve workplace problems, which lead to stress and job dissatisfaction.*

Policy Recommendation

• **Reassessing Worker Classification**

Recent research on platform workers has shown that it is essential to identify them properly in the rapidly developing platform economy. Currently, these workers are treated as independent contractor but are not managed in the same way as the traditional employees. Platform workers often perform work which bears similarities to the cases of dependent labour because digital platforms exert significant control on their work practices, work process, and remuneration through the use of algorithmic management, performance monitoring, and incentive schemes. As a result, the legal concept would consider creating a new category like platform-dependent worker or dependent contractor. This new classification would give the workers the benefit of remaining flexible with the ability to still enjoy the necessary labour rights, which would involve social insurance, minimum wages, and grievance resolution mechanisms. This recognition would assist in bridging the flexibility and protection of workers, given the current challenge of regulating platform employment.

• **Mandatory Minimum Earnings Protection of Platform Workers.**

The results of the research show that platform workers have unstable income, and this aspect is a serious concern to them. Workers are also often faced with unpredictable salaries because their payments are managed through algorithm configurations. To cope with this issue, a minimum earnings protection framework should be presented. This system may provide a guaranteed minimum wage depending on work done or minimum hourly wage assurance. This would help create some basic level of financial security and eliminate extreme changes in earnings.

• **Social Security Benefits**

There is the need for effective utilization of the social security benefits. Even though the latest changes in labour laws established a framework of how social security benefits can be offered to the platform workers, the framework has not yet been implemented. There is a need to make sure that the obligatory social security obligations are implemented appropriately. The digital platforms must be

required to contribute to worker welfare funds on a regular basis, which would also provide benefits like health insurance, disability cover, accident cover, and retirement benefits. Proper application of these legal provisions requires the cooperation of government agencies with the labour welfare organizations.

• **Independent and Accessible Grievance Resolution Systems.**

The importance of independent and readily accessible grievance resolution processes to platform workers is also highlighted in this study. A large number of workers can only depend on in-app support systems, which are not always able to provide full justice because they are not independent. In order to empower platform workers to resolve problems like payment errors, unfair rating, account rescission, etc., self-governing dispute resolution systems should be established, either by the labour unions or by the government. Building credible grievance mechanisms would also develop more confidence between the worker and platforms and increase stability in employment relationships.

Policy Pillar	Core Problem	Proposed Intervention	Key Benefit	Stage
Worker Classification	Misclassification denies labour rights	New legal category: Platform-Dependent Worker	Retains flexibility + guarantees labour rights	Legislative
Minimum Earnings Protection	Algorithm-driven income volatility	Guaranteed minimum per-task or hourly wage	Financial floor & earnings stability	Regulatory
Social Security Benefits	Legal provisions exist but unenforced	Mandate platform contributions to worker welfare funds	Health, disability, retirement cover	Enforcement
Grievance Resolution Systems	In-app systems lack independence	Independent dispute bodies (union/government)	Fair redress & trust building	Institutional

Conclusion

To conclude, the emergence of digital platforms has affected the working patterns of people, especially in urban areas, significantly. This transformation creates new income generation but also creates serious concerns as to how workers are safeguarded in this new form of economic activity. Independent contractors may appear to be people who work on a platform, but, in fact, the platform has a wide-ranging control over the manner in which work is allocated, how payments are determined and how workers are rated. The survey findings of Delhi show that unsafe working conditions, long working hours, inconsistent salary, job and work security, and little awareness of their rights as platform workers are rampant.

Thus, the urgent necessity is the introduction of legal protection of gig and platform workers. Although some recent labour law changes formally recognized gig and platform workers, enforcement is still inadequate. Thus, with the ever-expanding digital economy, we must come up with smarter rules that regulate the labour market; that develops meaningful access to social protection; and create fair and easily accessible grievance mechanisms within the labour market. It is only by doing these three things that we can be confident that the platform economy will evolve in a manner that acknowledges social justice, dignity and long-term sustainability of workers. The future of platform work in India depends not only on technological advancements but also on the ability of labor regulations to adapt to novel forms of employment. The growth of the platform economy will be in risk without adequate legal protection and social security; therefore it must be effectively regulated and monitored.

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RESEARCH QUESTIONARIE

Labour Laws and Platform Work : *Worker Protection in On-Demand Delivery and Transportation Platforms*

* Indicates required question

Section A – DEMOGRAPHIC

1. 1.NAME *

2. 2.AGE *

Tick all that apply.

- <18
- 20-30
- 30-40
- 40-50
- 50<

3. 3.Gender *

Mark only one oval.

- Male
- Female
- prefer not to say

4. 4. Highest Educational Qualification *

Mark only one oval.

- Less than high school
- High school / Secondary school
- Diploma or Certificate
- Bachelor's degree
- Master's degree or above

5. 5.Type of Platform Work You Engage In *

Mark only one oval.

- Ride-hailing(e.g., Uber, Ola)
- Food Delivery (e.g., Zomato, Swiggy)

Section B – Work Characteristics

6. 1.Is platform work your primary source of income? *

Mark only one oval.

- Yes
- No

7. 2.On average, how many hours do you work per day? *

Tick all that apply.

- Less than 6 hours
- 6–8 hours
- 8–10 hours
- More than 10 hours

8. 3. How you found your monthly earnings to be predictable :

Mark only one oval.

1 2 3 4 5

High Not predictable

9. 4. Do incentives or bonuses significantly contribute to your overall earnings?

Mark only one oval.

Yes

No

Sometimes

10. 5. Do work-related expenses (e.g., fuel, vehicle maintenance, mobile data) substantially reduce your net income?

Mark only one oval.

Yes

No

Sometimes

Section D – Work Security & Conditions

11. 1. How secure do you feel about continuing platform work in the foreseeable future?

Mark only one oval.

- Very secure
- Somewhat secure
- Neutral
- Somewhat insecure
- Very insecure

12. 2. Customer ratings and algorithmic management significantly influence my earnings and access to work.

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

13. 3. Does the fear of account deactivation influence the way you perform platform work?

Mark only one oval.

- Yes
- No
- Maybe

14. 4. How often do you experience physical or mental stress due to platform work?

Mark only one oval.

- Never
- Occasionally
- Often
- Very often

15. 5. Do you receive adequate rest breaks during your work hours?

Mark only one oval.

- Yes
- No
- Maybe

Section E – Benefits & Awareness

16. 1. Are you aware of government laws or welfare schemes applicable to platform workers:

Mark only one oval.

- Yes, aware
- No, not aware

17. 2. Do you think Existing labour laws adequately protect platform workers?

Mark only one oval.

1 2 3 4 5

stro: strongly disagree

18. 3. Platform workers should be legally entitled to minimum wages and social security benefits.

Mark only one oval.

1 2 3 4 5

stro: strongly disagree

Section F - Feedback

19. **Do you have any additional comments or suggestions regarding platform work conditions?**

20. **HOW MUCH WILL YOU RATE YOUR JOB**

1 2 3 4 5

☆ ☆ ☆ ☆ ☆

