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## CHAPTER - 8

# PLATFORM ECONOMIES AND FOOD DELIVERY GOVERNANCE: LABOUR RIGHTS, CONSUMER PROTECTION, AND DIGITAL FOOD SYSTEMS

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### Abstract

The growth of the platform economy model has brought about changes in the food delivery industry through its use of technology, algorithmic governance, and application-based labor models in conducting business transactions. Delivery applications like Swiggy, Zomato, Uber Eats, Deliveroo, and Door Dash have changed consumer behavior, the urban economy, and labor conditions. Though platforms create ease of service, employment, and markets, their operations create significant legal issues related to labor laws, consumer laws, data privacy, algorithms, and food safety.

The issues of governance that come along with the introduction of platform-based food delivery services have been considered in this chapter, specifically in relation to the latest trends in India and the world. The chapter considers the issue of insecurity of work among gig workers due to problems like unstable wages, inadequate social protection, occupational hazards, algorithmic control, and non-recognition of their work by law. It also considers consumer issues related to the use of these platforms.

The chapter uses a socio-legal research methodological approach where statutes, judicial precedents, policy documents, academic sources, and new trends in labor related to the gig economy have been analyzed. According to the chapter, there are existing gaps in the current legal regime, which does not sufficiently govern the ever-evolving digital food ecosystem. The chapter calls for a governance approach that seeks to find a balance between innovation and social justice, labor welfare, and consumers' welfare through the promotion of the rule of law.

**Keywords:** Platform Economy, Gig Workers, Food Delivery Governance, Labour Rights, Consumer Protection, Digital Food Systems, Algorithmic Management

### Introduction

The digitization of the food system has brought about fundamental changes in how consumers, employees, firms, and regulation authorities relate to each other. The advent of food delivery firms using a digital platform has come to define a new age of the gig economy. Platforms like Swiggy, Zomato, UberEats, and Deliveroo have brought about a revolution in how urban residents consume food using app-mediated logistics and algorithmic labor management systems. Modern consumers depend heavily on digital apps to connect with restaurants, grocery stores, and e-

commerce outlets.

The coronavirus disease-2019 (COVID-19) pandemic sped up the expansion of food delivery platforms worldwide. Social distancing rules, as well as lockdowns, have contributed to the rise in the need for delivery apps, and gig workers have become vital players in providing food security in cities. Yet the exponential expansion of the platform economy has also brought to light the structural weaknesses that exist within the world of digital work. Food delivery riders often have to endure low salaries, long hours of labour, no social security benefits, surveillance through algorithms, and non-payment of insurance.

The governance of digital food systems has therefore emerged as a major legal and policy challenge. Traditional labour laws were designed around formal employment relationships and are often inadequate for regulating platform-based work arrangements. Food delivery companies generally classify workers as “independent contractors” rather than employees, thereby avoiding obligations relating to minimum wages, insurance, social security, and collective bargaining rights. This has generated significant debates regarding employment classification and labour justice in the digital economy.

In addition to issues regarding workers’ rights, issues related to consumer protection and data regulation are also relevant to food delivery platforms. The platforms collect large amounts of data from consumers, ranging from their personal details, shopping habits, financial transactions, and geographic location. Data privacy, transparency of algorithms, discriminatory pricing, and responsibility for food safety incidents are becoming increasingly pertinent matters in digital governance today.

In this chapter, an assessment of the governance issues involved in platform economies and food delivery systems will be conducted. Issues such as labour laws, consumer protection laws, food safety governance, and new regulatory approaches in India and other countries will be discussed. This chapter contends that there should be a proper balance and emphasis on human rights in the regulatory regime.

### **Research Objectives:**

The primary objectives of this research are:

1. To examine the growth of platform economies and their impact on digital food delivery systems.
2. To analyse the labour rights and working conditions of gig workers in food delivery platforms.
3. To study the role of algorithmic management and digital surveillance in platform-based work.
4. To evaluate consumer protection issues such as food safety, data privacy, and unfair trade practices in digital food platforms.
5. To assess the adequacy of existing legal and regulatory frameworks governing platform economies in India and other jurisdictions.
6. To suggest a rights-based regulatory framework ensuring labour welfare, consumer protection, and accountable digital governance.

### **Research Methodology:**

In this chapter, a doctrinal approach along with socio-legal research methodology is used for a critical study of the challenges faced by governance within platform-mediated food delivery systems. The doctrinal approach has been used for an examination of the law and regulation concerning labor rights, consumer rights, food safety, and digital governance in the case of platform economy. The research has focused on constitutional provisions, labor laws, food safety laws, consumer laws, and data governance policies that may impact food delivery platforms and gig workers. Key pieces of legislation like the Code on Social Security, 2020, the Food Safety and Standards Act, 2006, the Consumer Protection Act, 2019, and the emerging digital privacy laws have been studied to identify the degree of legal protection afforded to workers and consumers in digital food systems.

The chapter also applies a socio-legal framework to grasp the reality and socioeconomic dimensions of platform-based food delivery. The socio-legal framework analyses the way platforms function in real social and economic environments and how law relates to the lives of the workers involved in delivering orders and consumers using their services. The socio-legal approach in particular concentrates on problems like wage precarity, absence of social security provisions, occupational dangers, surveillance, threats to consumer privacy, and food safety liability risks.

The primary sources of information in the research have been secondary sources. Extensive use has been made of academic texts, peer-reviewed journal articles, research articles, government documents, committee reports,

international organization documents, newspaper articles, and online policies. Policy reports and documents produced by international organizations like the International Labour Organization (ILO) and the World Economic Forum (WEF) have been used to gain a global perspective on the regulation of the gig economy. Furthermore, modern developments such as labor strikes conducted by delivery workers, court cases involving gig workers, and discussions on platform regulation have been considered.

## **Understanding Platform Economies and Digital Food Systems**

The emergence of platform economies has greatly affected modern economies through their use of digital technologies to link various entities involved in economic activities through online platforms. Platform economies differ from other traditional economic models since they rely on digitalized relationships between the various parties and their operations are aided by artificial intelligence and data analysis techniques, amongst other advanced technological processes. Examples of these platforms in the food delivery market include companies such as Swiggy, Zomato, Uber Eats, Deliveroo, and DoorDash, which serve as mediators between food joints, delivery agents, and customers.

Food delivery services that use the Internet depend on technology to enhance their efficiency, speed, and convenience. Technology-driven components include the ability to track using the Global Positioning System (GPS), automated billing, customers' reviews, and logistics management systems. Customers will find all these features integrated into one mobile application for easy ordering and delivery tracking. It provides greater market reach for restaurants as well as convenient transportation and logistics for delivery workers. The combination of all these aspects has resulted in a new digital culture of food.

One distinguishing aspect of the platform economy is the decentralization of labor in conjunction with the centralization of algorithmic management. Food delivery drivers are typically employed under the status of independent contractors, not regular employees. While the platforms emphasize flexibility in terms of work schedules, there are still a lot of controls implemented by the algorithms in regard to order dispatching, time for delivery, incentives, and penalties. The use of “algorithmic management” is inherently inequitable since workers do not understand how algorithms affect their payments and reviews.

The growth of quick-commerce and fast-delivery systems has increased apprehensions about exploitation of workers and safety issues for consumers. Workers are often exposed to impossible deadlines, excessive work, job insecurity, and risks such as accidents on the roads and fatigue. On the other hand, globalization and consolidation have given way to multinational companies dominating online food markets through the control of consumer data, logistics chains, and price setting. This is because platform economies have brought not just changes in food delivery mechanisms, but in labour practices, market regulation, and the wider political economy of food.

## **Labour Rights in Platform-Based Food Delivery Systems**

### **1 Gig Workers and Employment Classification**

Another one of the major legal issues in the realm of platform economics has to do with the status of gig workers employed via food delivery platforms like Swiggy, Zomato, Uber Eats, and Deliveroo. These platforms usually designate delivery drivers as independent contractors or partners rather than employees. The categorization of gig workers helps these platforms circumvent their legal obligations towards employees that arise under labour laws. Therefore, gig workers end up not having access to the basic labour guarantees, which include, but are not limited to, minimum wages, provident funds, pensions, healthcare, maternity leaves, holidays, overtime pay, and collective bargaining rights.

The Indian Code on Social Security, 2020 brought a breakthrough by making legal provisions for “gig workers” and “platform workers.” While the law sets the stage for a welfare scheme and social security for platform workers, gig workers are not considered employees under the law, and hence they lack labor protection that other workers enjoy in the formal sector. There are still loopholes concerning the enforcement, funding system, social insurance, safety at work, and grievances redressal for the gig workers. Thus, they are economically insecure despite their increasing significance in the digital economy.

On an international scale, the work arrangements of platform-based firms have attracted increased judicial and regulatory attention. For instance, in the recent judgment *Uber BV v Aslam* (2021), the UK Supreme Court found that Uber drivers were to be treated as “workers,” who should enjoy the benefits of a minimum wage, paid leave, among other statutory rights. Additionally, in a number of European countries, gig workers have faced questioning of

their classification as workers, alongside calls for enhanced protection from abusive platform labor arrangements. Such moves have highlighted the need for adequate legal protections for platform workers worldwide.

## **2 Algorithmic Management and Digital Surveillance**

Another aspect that plays an important role in platform economics is algorithmic management. Platforms dealing with food delivery services like Swiggy, Zomato, Uber Eats, and Deliveroo use artificial intelligence systems to manage their workforce. Delivery personnel can be constantly monitored via technological tools which will help assess customer reviews, time spent on deliveries, response rates, working hours, productivity, and even geographical location in real-time.

In terms of job processes, algorithms are involved in tasks such as order assignment, delivery objectives, incentive plans, and evaluations. But these operations lack transparency and oversight. Employers are usually not required to disclose how they compute workers' remuneration, how orders are assigned to them, and what measures they take when they fail to meet the objectives set for them. This phenomenon is known as "digital precarity."

The rise in the application of algorithmic control presents critical issues concerning fairness, transparency, and due process. Typically, employees do not have any chance to question the decisions made by the algorithms that impact their earnings and working status. Customers' reviews and performance data are key factors when assessing the chances of future assignments, but the criteria for evaluating employees are not known. There is a huge power imbalance between platforms and employees because the companies control the entire process digitally.

Continuous digital monitoring can also influence workers' autonomy and psychological well-being, as well as their work environment because they will have to ensure that they meet certain deadlines in terms of delivery and production. In this way, algorithmic control has changed labour relations within platform-based economies.

## **3 Occupational Safety and Health Concerns**

Food delivery riders working under the platform economy are exposed to various health hazards at the workplace. Among the major challenges they experience is the rising prevalence of accidents while riding on roads as a result of unreasonable time limits set by the platform companies. The delivery workers usually cover vast stretches of roads and are expected to complete their tasks within short periods so that they can be rated highly and receive incentives and future job opportunities. The situation exposes them to dangerous habits such as speeding and violating traffic laws, as well as working beyond reasonable hours without adequate breaks. Additionally, the riders are frequently exposed to extreme climatic conditions, fatigue, pollution, and emotional distress caused by the nature of their jobs.

The recent strike carried out by gig workers in India has brought attention to issues such as dangerous delivery locations, poor incentive schemes, and lack of proper employment laws protecting workers' rights. As food delivery workers are not considered to be employees but rather independent contractors, many employment laws related to the safety and well-being of workers do not apply to them. Thus, when workers get injured or suffer an accident, they lack institutional protection.

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Another significant issue is the lack of proper insurance policies and welfare provisions in occupational terms. The delivery personnel pay out of their own pockets for fuel, car maintenance, mobile internet access, and any medical expenses associated with an accident. The absence of employer-provided health insurance, paid sick leaves, and social security also poses a problem in platform economies.

## **4 Collective Bargaining and Labour Mobilization**

The swift growth of the gig economy has resulted in the increased mobilization of labour amongst workers using digital platforms in various countries. Delivery workers using digital platforms like Swiggy, Zomato, Uber Eats, Deliveroo, and DoorDash have been organizing protests and other forms of actions to advocate for themselves in terms of getting paid appropriately, having social security cover, proper wage payments, and better working environments. In India, there have been recent strikes organized by delivery workers to fight against the decline in

incentives, poor pay, unrealistic delivery goals, and lack of appropriate safety measures for the workers.

In contrast to traditional workers that belong to the formal sector of employment, gig workers may find it challenging to organise themselves due to their status as independent contractors, not employees. This means that gig workers do not legally have the right to form unions, engage in collective bargaining, or take advantage of other labour law protections. Moreover, platform work is decentralised, and it requires using technology for coordination purposes. However, despite such obstacles, gig workers use technology to organise labour movements and attract public attention towards the issues of exploitation in the workplace.

Trade unions, labour rights organizations, and worker associations across the world have begun advocating legal reforms to provide stronger labour protections for gig workers. Many organizations demand recognition of delivery workers either as employees or as “dependent contractors” entitled to minimum wages, insurance, paid leave, and collective bargaining rights. In several countries, labour unions have also initiated legal actions challenging the misclassification of platform workers and seeking accountability from digital companies.

## **Consumer Protection in Digital Food Platforms**

### **1 Food Safety and Liability**

The advent of online food delivery apps has generated some legal issues associated with the safety of foods and liability in the context of the digital food chain. The existing regulations pertaining to food safety were mainly formulated to govern restaurants, food producers, and suppliers. Yet, in the case of online food delivery, digital intermediaries play an important role in many aspects related to food management, including packaging, storing, and transportation.

The Food Safety and Standards Authority of India (FSSAI), governed by the Food Safety and Standards Act, 2006, regulates food establishments in India. Although it is the responsibility of restaurants and food vendors to ensure proper hygiene standards and food quality, there still remains ambiguity about the legal obligations of food delivery services that function as middlemen. Consumers find it hard to distinguish who bears the responsibility of any food safety violations.

Quick commerce and fast delivery have added fuel to worries about proper food storage conditions, packaging, and hygiene during transit. The employees who deliver the orders do so against the clock, possibly compromising safety in the process. In addition, poor packaging and delayed deliveries could spoil the food and lead to negative consequences for consumers.

This shows that better regulation of digital food systems will need clearer laws spelling out the roles and responsibilities of different stakeholders, including restaurants, couriers, and online platforms.

### **2 Data Privacy and Digital Surveillance**

Food delivery apps obtain a large amount of data from consumers, which forms part of their digital transactions. This kind of data comprises of payment information, geographic location, browser history, order preferences, contact details, and consumption habits. The use of such data by these companies for advertising, recommending, analyzing markets, and profiling is very common practice. However, while these practices make business more efficient and convenient to customers, they have posed many challenges for privacy and security.

Privacy has been a key concern for consumers within digital food ecosystems because of the increasing reliance on app-based services. Food delivery apps have access to personal details of users, such as their daily routines and activities, posing potential threats to privacy and abuse of personal data. Privacy and personal autonomy can be threatened through data breaches, inappropriate distribution of personal information, and surveillance practices that are meant to serve marketing purposes. Consumers have no idea how their information is processed and used by app developers.

Greater usage of artificial intelligence and algorithmic technologies raises additional issues about the problems surrounding digital surveillance and behavioral monitoring. Platforms may employ consumer data to control buying behaviors, prices, and targeted marketing activities without providing proper transparency.

In light of these threats, many nations are establishing legislation to protect consumers' data and privacy rights. For example, the Digital Personal Data Protection Act is an upcoming piece of legislation in India that aims to regulate

the acquisition and handling of personal data. Another instance includes the General Data Protection Regulation (GDPR) in the EU which sets high standards for data consent, transparency, and accountability.

### **3 Algorithmic Pricing and Consumer Manipulation**

With the growth of food deliveries being provided by digital platforms, more companies adopt algorithmic systems for price determination. The algorithmic pricing approach allows prices to change based on such factors as demand levels, delivery area, distance, time, weather, and consumer behavior. As a result, the platform is able to earn maximum profits and regulate demand effectively. Unfortunately, there might be discrimination and illegal practices associated with this process. For example, consumers might be charged extra during peak hours and during emergencies without proper explanations.

Consumers often have inadequate knowledge about how such aspects as delivery fees, service fees, and algorithms used for promotion affect products available to the buyer at a certain price. Additionally, algorithmic systems can also influence consumers by creating specific advertisements and offers for the customer. Overall, there is information asymmetry between consumers and digital platforms. Therefore, regulatory agencies of several countries pay increasing attention to automatic pricing algorithms used by digital businesses.

### **4 Accessibility and Digital Inclusion**

Accessibility and inclusiveness have increasingly emerged as two of the key components of consumer protection in digital economies. Given that the food delivery industry relies on digital technologies, including apps, the same technology plays an instrumental role in enabling equal access to digital platforms by all parties involved. The problem is that several applications that allow the use of delivery services remain unavailable to people with visual impairments, older generations, people with disabilities, and those who are digitally disadvantaged. In particular, a number of platforms are unable to provide their services due to the lack of essential accessibility features, such as screen reader compatibility, voice assistance, simplified navigation, and increased font size options. In India, some legal complaints have been filed alleging that particular food delivery apps fail to comply with disability rights laws because of their inaccessible digital environment.

Limited internet access, poor digital literacy skills, language barriers, and unequal access to smartphones and online payments systems contribute to the emergence of digital exclusion, especially among people living in rural and poorer areas. In order to make food delivery services more inclusive, it is necessary for platforms to incorporate accessibility and universal design principles into their operation.

## **Emerging Issues in Digital Food Governance**

### **1 Artificial Intelligence and Automated Decision-Making**

The emergence of artificial intelligence (AI) and automated decision-making processes is influencing the workings of digital food delivery services. AI technologies are deployed to allocate workforce, target consumers, find optimal delivery routes, forecast consumer demand, schedule delivery activities, and evaluate employee performance. The benefits of using such technologies include increased operational efficiency, reduced delivery time, and enhanced consumer convenience. Nevertheless, increased reliance on algorithmic technologies also brings some ethical and legal challenges into the equation. In fact, algorithms lack transparency, which makes it challenging for employees and customers to grasp how particular pricing policies, rewards schemes, rating mechanisms, or order allocations are being determined. As a result, algorithmic technologies may lead to discrimination, exploitation, and unfair treatment of both employees and consumers.

### **2 Sustainability and Environmental Concerns**

The development of food delivery service platforms has also been accompanied by considerable environmental issues. Platforms for food delivery result in additional packaging waste, plastic pollution, carbon emissions, and traffic pollution in cities. The excessive use of disposable packing materials and plastic packaging as well as transport systems running on fossil fuels have adverse effects on environmental sustainability. The quick commerce concept of delivering food within minutes exacerbates environmental concerns because of an increased number of transports used to deliver orders. The governance of digital food systems in terms of their sustainability calls for effective environmental regulation measures, green logistics practices, and sustainable consumption of resources.

### **3 Public Health and Food Security**

The role of platform economies is essential in urban food access and emergency food aid, especially during situations like the coronavirus outbreak. The online food delivery system was crucial in ensuring that food supply

chains remained intact even during lock-downs and emergencies. Nevertheless, over-reliance on technology in food delivery might also increase food inequality among people without online connections and cell phones or those who lack digital knowledge. Hence, public health management should strive for a balance between technology, nutrition, and social justice in developing digital food systems.

### **Recommendations for Legal and Policy Reform**

The burgeoning growth of platform economies and food delivery platforms calls for legal and policy interventions that will ensure justice, accountability, and social equity. The first and foremost reform that needs to be implemented is the establishment of stronger labor laws protecting gig workers. Delivery workers should be granted minimum wage rates, occupational health and safety, insurance benefits, access to health services, and social security regardless of whether they are employed or classified as independent contractors and platform workers. Another critical area of reform that needs attention is algorithmic transparency and accountability. Platform companies should legally provide information regarding the parameters of the algorithms utilized to calculate the wages, job assignment, rating, bonuses, and suspension of the accounts. Algorithmic governance ensures that such systems cannot be biased against workers or engage in discrimination, exploitation, and any form of arbitrary decision-making. Workers should also be able to contest such decisions concerning their employment.

Furthermore, governments should acknowledge the rights of collective bargaining among platform workers and protect trade unions or worker associations. Collective bargaining and negotiation processes will help improve labour rights within platform economies. Moreover, robust consumer data protection laws will help regulate businesses operating on surveillance capitalism, especially in regulating how food delivery apps collect personal data from consumers.

It is crucial that platform companies become accountable regarding food safety violations, exploitation of workers, and any other grievances by consumers. The food delivery firms should be legally bound to maintain hygiene standards while delivering food items along with practicing proper trading policies. Simultaneously, the digital governance of food delivery apps should ensure inclusion by offering accessible technologies and services to people with disabilities or senior citizens.

Sustainability must be another crucial element of platform regulation. The government should foster initiatives for environmental-friendly packages, green deliveries, and low carbon footprints. Lastly, due to the fact that most digital platforms operate on an international scale, international collaboration will be essential in regulating such platforms.

### **Conclusion:**

The emergence of platform economies has significantly impacted modern food systems by integrating digital technologies, artificial intelligence, algorithmic management, and gig economy. Modern digital systems have brought about a revolution in the way food is ordered, delivered, and consumed through food delivery platforms such as Swiggy, Zomato, Uber Eats, Deliveroo, and DoorDash. The use of digital technology has brought about convenience in consumer experiences, improved market access for restaurants, and created jobs for millions of gig workers. However, digital technology has also posed many social, legal, and economic issues, ranging from consumer safety to workers' rights, corporate responsibility, and regulation of digital technology.

The regulation of digital food delivery systems has highlighted the weaknesses of traditional legal frameworks developed for the conventional employment relationship and the physical market place. Gig workers have continued to face uncertain employment characterized by unpredictable income levels, no social security protection, occupational dangers, algorithmic management, and difficulty accessing collective bargaining. The practice of classifying delivery personnel as independent contractors means that delivery companies do not fulfill essential labor-related responsibilities.

At the same time, issues like data privacy, algorithmic pricing, food safety liabilities, digital surveillance, and inequitable access to digital technologies have become increasingly prominent among consumers. The ongoing consolidation of corporate power in digital economies exacerbates fears of market monopolies, unfair competition, and lack of accountability. Recent labour strikes, judicial orders, and legislative changes enacted in various nations highlight the increasing international awareness that regulatory frameworks for digital platform economies are required. Nevertheless, fragmented legislation continues to impede the effective protection of workers' and consumers' rights.

It is essential, therefore, that a well-coordinated approach be employed to achieve a balance between technological innovations and the needs of labour, consumers, and the environment while guaranteeing social justice and sustainability. Digital food systems will continue to grow across the globe, and their future development will be crucial for determining labour relations and public health outcomes in the coming decades.

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