
REDRESS AND RIGHTS: EVOLUTION OF EMPLOYMENT INJURY COMPENSATION UNDER INDIAN LABOUR LAW

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ABSTRACT

Employment injury compensation law is a constitutive element of Indian labour law as an accident at work may cause an immediate strain on the employee's or dependant's finances. The Employees' Compensation Act, 1923 created a statutory regime where compensation could be granted on a fairly automatic basis subject to the qualifying conditions in relation to employment injury. Doctrinal elaborations of the expression 'arising out of and in the course of employment' have clarified the ambit of compensation liability including in respect of an accident occurring outside the workplace.

This paper discusses the evolution of the law from the Employees' Compensation Act, 1923 to the Code on Social Security, 2020 with a focus on the doctrine of notional extension as illustrated by *Saurashtra Salt Manufacturing Co. v. Bai Valu Raja and General Manager, B.E.S.T. Undertaking, Bombay v. Mrs. Agnes and Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmmed Issak*. Judicial decisions on physiological injury and the issue of causal connection in the context of the Employees' Compensation Act are illustrated by *Param Pal Singh v. National Insurance Co. Ltd.*

The paper further examines the Code on Social Security, 2020 which came into force from 21 November 2025 as the fourth Labour Code. Chapter VII of the Code contains the provisions relating to employee compensation including Sections 74 on employer's liability, 74(4) on commuting accidents, 76 on amount of compensation, 77 on payment and default, 78 on calculation of monthly wages and 99 on appeals. The Code separately recognises unorganised workers, gig and platform workers in Chapter IX and contemplates appropriate social-security schemes.

The paper argues that while the new Code marks a transition from fragmentation to consolidation, the issues of statutory redress for employment injury are far from complete resolution. The problems of proof of employment, procedural delays, adequacy of compensation and implementation of schemes continue to affect the rights of workers particularly in the informal and unorganised sectors. The paper concludes with suggestions for expedited adjudication, digital claims, periodic revision

of compensation and enhanced social-security protection for platform workers.

Keywords: Employees' Compensation; Code on Social Security, 2020; employment injury; notional extension; commuting accidents; gig workers; platform workers; social security; labour law.

1. INTRODUCTION

1.1 Socio-Legal Context and Constitutional Framework

Statutory employment injury compensation provisions are part of India's wider social-security legislation and are framed in a constitutional context. The Constitution Act, 1949 enshrined social-security principles in the Directive Principles of State Policy. Article 39(a) provides that the State shall secure an adequate livelihood for citizens; Article 41 envisages rights to work and state assistance including in the case of disablement; Article 42 mandates justice and humanity in work and maternity benefits; and Article 43 contemplates living wages and decent working conditions.¹ These constitutional directions inform social-security laws but must be distinguished from individual compensation claims which are subject to specific legislation.

Employment injury compensation is thus a statutory social-welfare measure designed to apportion the risk of employment-related disablement or death between the employee and employer. It is particularly relevant when the injury or occupational disease renders the employee unable to resume work and/or causes financial losses to the employee or dependants.

1.2 From the 1923 Act to the Social Security Code 2020

The Workmen's Compensation Act, 1923 was an important step towards social-security legislation for employment injury. The Act was re-christened the Employees' Compensation Act, 1923 and its Section 3 made it mandatory for the employer to compensate the employee for an accident in employment subject to statutory conditions and exceptions.² The Employees' State Insurance Act, 1948, on the other hand, provided for a social-insurance scheme administered by the Employees' State Insurance Corporation.

Thus, Indian labour law has witnessed a series of standalone statutes governing different

¹ Constitution of India, Arts. 39(a), 41, 42 and 43

² Employees' Compensation Act, 1923, Section 3

segments of workers and various forms of employment injury. The Code on Social Security, 2020 consolidates various laws relating to social security with distinct chapters for organised and unorganised workers and social security for gig and platform workers. Employees' Compensation is covered under Chapter VII while Employees' State Insurance is placed in Chapter IV of the Code.

1.3 Current Legal Status

This paper makes a distinction between historical statutes and the current Code. The four Labour Codes – Code on Wages, 2019; Industrial Relations Code, 2020; Code on Social Security, 2020; and Occupational Safety, Health and Working Conditions Code, 2020 – became effective from 21 November 2025. The Code on Social Security, 2020 along with rules and frequently asked questions (FAQs) has since been notified by the Ministry of Labour and Employment.

Thus, the Code on Social Security, 2020 has moved from being a future law to the present reality. However, the working of specific provisions may depend on rules, notifications, schemes and transitional provisions. This is particularly relevant in the context of social security for gig and platform workers.

2. RESEARCH QUESTIONS AND METHODOLOGY

This paper addresses the following research questions:

- i. How did the Employees' Compensation framework evolve and what were the limitations in terms of redress?
- ii. How did Indian courts interpret the concept of employment including through the doctrine of notional extension and causal connection?
- iii. Does the Code on Social Security, 2020 provide a more effective compensation regime while also addressing newer forms of employment?

The paper adopts a doctrinal methodology and relies on statutes, case-law, government reports and secondary literature. Particular attention is paid to the evolution of relevant case-law. Empirical assertions are temperately worded in view of the limited availability of reliable

current data.

3. EVOLUTION OF EMPLOYMENT INJURY COMPENSATION

3.1 The Employees' Compensation Act, 1923

The Employees' Compensation Act embodies a statutory obligation to compensate an employee for an employment injury subject to the conditions and exceptions specified in Section 3 and the Third Schedule. The Act, therefore, is not one of absolute or unconditional liability. An employee who succeeds in proving that the injury arose out of and in the course of employment is entitled to compensation under the Act.

The expression 'in the course of employment' relates to the time, place and circumstances in which the injury occurs. The phrase 'arising out of employment' indicates a causal connection between employment and the injury.³ The two phrases are thus different but related tests. The differentiation between the two formulations has been crucial in employment injury jurisprudence.

3.2 The ESI Model and Legislative Multiplicity

The Employees' State Insurance Act, 1948 was another important legislation which provided for social insurance for occupational injuries and diseases and other needs like medical care. The ESI Act created a statutory framework where the Employees' State Insurance Corporation was mandated to provide benefits to insured employees. The ESI Act, therefore, operates as a statutory bar to other claims in respect of employment injury, occupational disease or related matters.

Thus, the problem was not that Indian labour law did not have social-security legislation but that there was a multiplicity of laws governing different segments of workers with differing rights and obligations. The Code on Social Security, 2020 seeks to address the issue of legislative multiplicity while retaining distinct provisions for different categories of workers.

3.3 Compensation, Wage Calculation and Analytical Precision

The Employees' Compensation Act, 1923, with its limited coverage and fixed wage

³ Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmmed Issak, AIR 1970 SC 1906

percentages, provided only a skeletal framework for compensation. There were detailed provisions in the Employees' Compensation Act for determining the amount of compensation payable to the employee or dependants. A combination of formula-based and discretionary elements entered into the calculation of compensation.

The current Code provides a more comprehensive framework. Section 78 makes specific provision for calculation of monthly wages for the purposes of compensation. In so doing, it recognises that the monthly wages should be based on the wages actually paid to the employee in the preceding twelve months if the service has been rendered for at least twelve months. Proportionate rules and peer-based benchmarks apply to cases involving shorter service periods or where standard data is unavailable.⁴

3.4 The 50-Per-Cent Wage Rule: A Separate Issue

The Code contains a uniform definition of "Wages" for the purposes of the four Labour Codes. Where the excluded components of wages exceed fifty per cent of the total wages, they are included in the wage calculation to arrive at the amount of wages for the purposes of the Labour Codes. Thus, it is an add-back rule which applies when the excluded items of wages exceed fifty per cent.⁵ This formulation must be carefully distinguished from a norm that provides that the allowances cannot exceed fifty per cent of wages. The Code retains separate provisions for calculation of wages for the purposes of the Employees' Compensation Act.

4. JUDICIAL DEVELOPMENT OF THE EMPLOYMENT NEXUS

4.1 Section 3 and the Problem of the Workplace Boundary

Section 3(1) of the Employees' Compensation Act, 1923 made the employment nexus the touchstone of liability for employer in respect of an employee injury. However, it was soon recognised that the phrase 'in the course of employment' is not limited to the workplace. The doctrine of notional extension was, therefore, developed wherein the employee's workplace was notionally extended to premises closely connected with employment.⁶ The doctrine of notional extension does not apply automatically to any journey made by the employee

⁴ The Code on Social Security, 2020, Chapter VII, Section 78

⁵ The Code on Social Security, 2020, Chapter I, Section 2(88)

⁶ Saurashtra Salt Manufacturing Co. v. Bai Valu Raja AIR 1958 SC 881

commuting to and from the workplace.

Various considerations including the nature of employment, opportunity for commuting, provision of transport by the employer, the extent of control exercised by the employer and the connection between the employment injury and the place of accident may be relevant in applying the doctrine of notional extension. The doctrine, therefore, is primarily one of fact-specific application.⁷

4.2 Saurashtra Salt Manufacturing Co. v. Bai Valu Raja

Saurashtra Salt Manufacturing Co. v. Bai Valu Raja AIR 1958 SC 881 is a leading case on the doctrine of notional extension. The accident in this case occurred while the employees were returning from work. The Supreme Court declined to extend the employee's workplace to cover the entire range of travel opportunities available to the employees after work. The Court reasoned that for the doctrine of notional extension to apply, a rational connection must be shown between the employment and the circumstances of the employee's accident.

The observations of the Supreme Court in this case are significant for two reasons. First, the Court did not adopt an expansive view of the employment nexus. Second, the Court highlighted the need for a rational connection test to determine whether the doctrine of notional extension would apply.⁸

4.3 General Manager, B.E.S.T. Undertaking, Bombay v. Mrs. Agnes AIR 1964 SC 193; [1964] 3 SCR 930

General Manager, B.E.S.T. Undertaking, Bombay v. Mrs. Agnes AIR 1964 SC 193 is a leading case on the doctrine of notional extension as applied to transport provided by the employer. The deceased was employed as a bus driver with Bombay Electric Supply and Transport undertaking and was returning home in a bus operated by the undertaking when the accident occurred. The Supreme Court rejected the submission of the respondent that the employment relationship ended as soon as the bus reached the end of his route, holding that the employment connection continued on account of the transportation facility provided by the employer.

The Supreme Court thus took a pragmatic view of the employment nexus. The Court held that

⁷ General Manager, B.E.S.T. Undertaking, Bombay v. Mrs. Agnes AIR 1964 SC 193; [1964] 3 SCR 930

⁸ Saurashtra Salt Manufacturing Co. v. Bai Valu Raja AIR 1958 SC 881

the place of employment of the bus driver was not a fixed location but rather extended throughout the route of the bus because of the nature of the undertaking. By virtue of this reasoning, the bus driver was entitled to the benefits of compensation under the Employees' Compensation Act.⁹

4.4 Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmmed Issak AIR 1970 SC 1906

Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmmed Issak AIR 1970 SC 1906 is a leading case on the principle that the mere fact that the employee was present at the place of a contemplated employment injury is not sufficient to establish liability of the employer under the Employees' Compensation Act.

The case concerned a seaman who went missing while on board a ship. The Supreme Court held that the expression 'in the course of employment' is concerned with the time, place and circumstances of the employment injury whereas the phrase 'arising out of employment' requires a causal link between the employment injury and the employment. Thus, the Court clarified that the mere fact that an employee is on board a ship being used for employment purposes is not sufficient to make the master liable under the Employees' Compensation Act.¹⁰

4.5 Param Pal Singh v. National Insurance Co. Ltd., (2013) 3 SCC 409; AIR 2013 SC 974

Param Pal Singh v. National Insurance Co. Ltd., (2013) 3 SCC 409; AIR 2013 SC 974 illustrates the approach of the Supreme Court in cases concerning internal physiological injuries. The case concerned a truck driver who suffered a cardiac arrest while driving. In determining whether the injury was connected with employment, the Supreme Court took note of the nature of the employment and the related stress and strain which the employee experienced before the incident. According to the Supreme Court, the internal physiological injury was an employment injury as it was causally connected with the work.

The observations of the Supreme Court are particularly pertinent in view of the current debate on coverage of internal injury under the Employees' Compensation Act. The Court clarified that the phrase 'injury by accident' used in the Employees' Compensation Act encompasses

⁹ General Manager, B.E.S.T. Undertaking, Bombay v. Mrs. Agnes AIR 1964 SC 193

¹⁰ Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmmed Issak AIR 1970 SC 1906

physiological injury provided it is causally related to employment.¹¹

4.6 The Judicial Trajectory

Taken together, the observations of the Supreme Court in these cases illustrate the fact that the doctrine of notional extension is not absolute but is subject to certain limitations. While *Saurashtra Salt Manufacturing Co. v. Bai Valu Raja* illustrates the limitations of notional extension when applied to transport, *General Manager, B.E.S.T Undertaking, Bombay v. Mrs. Agnes* makes it clear that when an undertaking involves providing transport it should be viewed as a mobile workplace. On the other hand, *Mackinnon Mackenzie & Co. (P) Ltd v. Ibrahim Mahmmmed Issak* indicates that the employment nexus must be established on a case-to-case basis and is not automatically applicable to transport. Finally, *Param Pal Singh v. National Insurance Co Ltd* shows that the Supreme Court is willing to extend the concept of an accident in cases of physiological injuries provided it is causally connected with employment.

5. CODE ON SOCIAL SECURITY, 2020: THE CURRENT FRAMEWORK

5.1 Chapter VII: Employees' Compensation

The Code on Social Security, 2020 makes specific provision for employees' compensation under Chapter VII. Section 74 makes provision for employer's liability for personal injury to an employee by accident or occupational disease listed in the Third Schedule arising out of and in the course of employment subject to the exceptions and conditions specified therein. Section 73 provides for reporting of fatal accidents and serious injuries. Sections 76-78 provide for amount of compensation, payment and default and calculation of monthly wages for the purposes of compensation. Finally, Sections 90-99 provide the adjudicatory and appellate framework for employee compensation claims under Chapter VII.¹²

5.2 Statutory Recognition: Section 74(4)

The Code provisions for commuting accidents are contained in Section 74(4) of the Code. In other words, the Code now provides a statutory basis for commuting accidents which previously had to be determined on a case-to-case basis. It must also be noted that Section 74(4) applies to employees' compensation whereas similar provisions for employees' state

¹¹ *Param Pal Singh v. National Insurance Co. Ltd.*, (2013) 3 SCC 409; AIR 2013 SC 974

¹² The Code on Social Security, 2020, Chapter VII

insurance are contained in Section 34(3) of the Code.

Section 74(4) provides that an accident occurring while an employee is travelling between their residence and workplace for the purposes of duty shall be deemed to have arisen out of and in the course of employment provided the nexus between the circumstances, time and place of the accident and the employment is established.¹³

5.3 Section 76: Amount of Compensation

Section 76 makes provision for amount of compensation payable to the employee or dependants in the event of death, permanent total disablement, permanent partial disablement and temporary disablement. The amount of compensation is determined by the formula, wages and age specified in the Code.¹⁴

5.4 Section 77: Payment and Default

Section 77 provides for payment of compensation and defaults thereunder. It makes specific provision for recovery of compensation due from the employer, particularly in the event of default. It also provides for payment of interest on compensation due under the Code. This provision becomes particularly pertinent in view of the fact that the entire purpose of compensation legislation is defeated if the compensation due to the employee or dependants is not paid in a timely manner.¹⁵

5.5 Section 78: Monthly Wage Calculation

Section 78 provides for calculation of monthly wages for the purposes of determining the amount of compensation payable. In this regard, it makes three distinct provisions depending on the length of service of the employee and the availability of wage data.¹⁶

5.6 Section 99: Appeals

While the Employees' Compensation Act provided for appeals under Section 30, the Code provides for appeals under Section 99 ("Appeal against order of competent authority"). It must

¹³ The Code on Social Security, 2020, Section 74(4)

¹⁴ The Code on Social Security, 2020, Section 76

¹⁵ The Code on Social Security, 2020, Section 77

¹⁶ The Code on Social Security, 2020, Section 78

also be noted that while the Employees' Compensation Act used the term "Commissioner" under various sections, the Code uses the expression "competent authority".¹⁷

5.7 Fixed-Term Employees and Gratuity

The Code makes a number of changes in respect of gratuity including provisions for gratuity for fixed-term employees under Section 53. However, gratuity provisions are entirely separate from employees' compensation and fall under separate sections.

6. GIG WORKERS

6.1 Recognition of New Forms of Work

Perhaps the most progressive feature of the Code is the statutory recognition of "gig" and "platform" workers under Chapter IX ("Social Security for Unorganised Workers, Gig Workers and Platform Workers"). Sections 109-114 provide a detailed framework for social security for unorganised, gig and platform workers wherein schemes and registration are discussed in Sections 111-113 with specific provisions for gig and platform workers in Section 114.¹⁸

Traditional employment injury models operate in the context of a clearly defined employment relationship. At the same time, in the evolving world of platform work, the worker may not be an employee of the platform but rather a contractor who has a direct customer relationship. The Code creates a separate category of social security without considering these workers to be employees for the purposes of other Labour Codes.

6.2 Accident and Social-Security Protection

Section 114(2) provides for schemes for life and disability cover, accident insurance, health and maternity benefits, old-age protection, and crèche facilities. It must be noted, however, that while Chapter IX provides for a scheme-based framework for social security, it does not contemplate direct employee compensation liabilities under Chapter VII for gig and platform workers. In other words, Chapter IX provides for an alternative framework for social security

¹⁷ The Code on Social Security, 2020, Section 99

¹⁸ The Code on Social Security, 2020 Chapter IX ("Social Security for Unorganised Workers, Gig Workers and Platform Workers")

separate from employees' compensation.

6.3 Aggregator Contribution

Section 114(4) provides a funding framework for aggregators wherein a contribution of one to two per cent of the annual turnover, with a cap of five per cent of the amount paid or payable to each gig and platform worker is contemplated. It must be noted that the exact rate and applicability of the provisions are subject to specific rules and notifications.¹⁹

6.4 The Continuing Legal Question

The most fundamental legal issue concerning gig workers is whether social-security benefits should be viewed as benefits available only to employees. While Chapter IX provides a comprehensive scheme-based framework for benefits, workers in high-risk occupations (e.g. road transport) continue to face difficulties in obtaining individualised worker compensation similar to that available under Chapter VII. The integration of the framework under Chapter VII and Chapter IX continues to be a matter of future consideration.

7. INFORMAL WORKERS AND ACCESS TO REDRESS

7.1 Informality and Proof of Employment

India has a large informal economy where a significant proportion of workers do not have access to employee compensation or protections. Depending on the method of measurement, informal employment may range from fifty to eighty per cent of total employment in India. The inability to prove employment is a major barrier for injured informal workers in obtaining compensation as they are unable to provide documentary evidence of employment including appointment letters, pay slips or wage records.

7.2 Subcontracting and Allocation of Responsibility

In complex industrial activities where employees are deployed on a subcontracting basis, the issue of responsibility in the event of an employment injury may become complicated. The apportionment of responsibility between the principal employer and the contractor depends on

¹⁹ The Code on Social Security, 2020, Section 114(4)

the terms and conditions of the contract as well as other relevant statutory provisions.

7.3 Administrative Delay

Administrative delays in adjudication are also a major impediment to the redress of employment injury claims. In complex cases where the employment relationship, nexus and quantum of injury are in dispute, these procedural and administrative delays can be particularly acute.

8. COMPARATIVE ANALYSIS: LEGACY ACT AND CURRENT CODE

Dimension	Employees' Compensation Act, 1923	Code on Social Security, 2020
Principal employment-injury provision	Section 3	Section 74
Commuting accidents	Historically developed through judicial doctrine and case-by-case assessment	Section 74(4) expressly recognises commuting accidents where the statutory nexus is established
Wage/compensation calculation	Statutory compensation formulas and notified wage parameters	Sections 76–78; Section 78 provides methods for calculating monthly wages
Adjudicating authority	Commissioner	Competent authority; Sections 90–99
Appeal	Section 30	Section 99
Gig/platform workers	No dedicated statutory category under the Act	Statutorily recognised under Chapter IX
Aggregator social-security contribution	No equivalent Chapter IX mechanism	Section 114(4): 1–2% turnover framework, subject to 5% cap on payments to gig/platform workers

9. CRITICAL EVALUATION

9.1 Consolidation: Strength and Limitation

The most significant single feature of the Code is consolidation. By bringing together diverse central statutes under a common framework, Chapter VII creates a repository for employment-injury law. However, consolidation alone cannot address procedural hurdles. Unless the rules are simple, registration easy, and adjudication machinery accessible, consolidation remains a

theoretical benefit.

9.2 Notional Extension after Codification

Section 74(4) reduces the scope for judicial elaboration on commuting accidents. At the same time, by retaining the requirement of proving the nexus between travel and employment, the Code leaves room for judicial pronouncements on the factual matrix in which such a nexus exists. Hence, the principles enunciated in *Saurashtra Salt* and *B.E.S.T.* remain instructive.

9.3 Compensation Adequacy

Periodic revision of compensation rates to keep pace with inflation is a statutory requirement. When assessing adequacy, policymakers need to take an overall view of the Code. Reference to wage multiples, disablement percentages, and minimum benefits in Sections 78 and 85 is no less important than the specific mention of wage capping in Sections 76 and 78.

9.4 Gig Work: Recognition without Direct Employee Status

The Code, through Chapter IX, recognises the gig worker as an employee for social-security schemes. However, the nexus between such a worker and the adjudicating authority for employment injury continues to be indirect. There is a need to evaluate whether the protection under social-security schemes adequately addresses the risk in gig work.

10. POLICY AND LEGAL RECOMMENDATIONS

The following recommendations build on the above observations:

- i. **Time-bound adjudication:** Statutory timelines for adjudication of employment-injury claims, with expedited processing for uncontested or summary claims, can be set, with a target of 90–120 days from filing. Fatal accident claims could be prioritised.
- ii. **Digital claims and evidence:** A portal for digital submission of claims and evidence could be created, with physical presence counters for digital literacy and accessibility.
- iii. **Interim payments to dependents:** A statutory mechanism for interim compensation to dependents in case of fatality could be created, with adjudication on final liability determining the amount due.

- iv. **Periodic review of compensation parameters:** The compensation rates, including wage multiples, disablement percentages, and minimum benefits, could be reviewed periodically and adjusted to reflect inflation and wage trends.
- v. **Accident insurance for high-risk workers:** In addition to the existing mechanism under Section 88, a fast-track accident insurance premium could be introduced for high-risk workers, combining employer, commercial insurance, and state contributions.
- vi. **Preservation of digital evidence by aggregators:** Aggregator platforms could be directed to preserve digital information related to a worker's tasks, assignments, and routes for a specified period.
- vii. **Legal aid and facilitation:** Legal aid and worker facilitation could be expanded to cover vulnerable workers at all stages of dispute resolution.

11. CONCLUSION

The evolution of employment injury compensation in India reflects a shift from a narrow interpretation of the site-specific nature of a workplace accident to a more nuanced understanding of the nexus between employment and injury. The Employees' Compensation Act, 1923, provided the foundational framework within which the doctrine of notional extension – as well as its limitations – were interpreted and expanded upon by judicial pronouncements.

The decisions on *Saurashtra Salt*, *B.E.S.T.* and *Mackinnon Mackenzie* clarify that the notional extension of the workplace is not limitless in its application. Similarly, the decision in *Param Pal Singh* clarifies that employment injury compensation can extend to internal physiological processes so long as there exists a demonstrable nexus with employment.

The Code on Social Security, 2020, represents the next step in this evolutionary process. By virtue of its operative date (21 November 2025), the Code's consolidated scheme will have immediate effect in respect of claims made and pending on this date. At the same time, Chapter VII retains the core principles of employment-injury law while also providing specific guidance in relation to commuting accidents through Section 74(4). Sections 76–78 indicate the compensation and wage-modification framework, and Section 99 provides the appellate framework for dispute resolution. Finally, Chapter IX deals separately with gig and platform

workers while also providing the social-security scheme for such employees.

There is thus an opportunity to move beyond the formulation and towards substantive considerations. The focus must shift to ensuring that an employee who suffers an injury or death will be able to identify the appropriate adjudicating forum, demonstrate the required nexus to employment, and obtain timely and adequate compensation. In relation to gig and platform workers, the next logical step is to move from the principle of statutory recognition to the mechanism of insurance cover without creating anomalous differentiation between employment injury workers and social security workers.

A modern employment injury compensation law, therefore, must combine statutory clarity with adjudicative accessibility and procedural expediency. The goal of employment injury law, finally, must be seen as achieved not when a right is created but when it is accessed and utilised by the worker who needs it.