
THE ROLE OF CAUSAL CONNECTION IN DETERMINING EMPLOYMENT INJURY

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ABSTRACT

The concept of “employment injury” under labour welfare law is essentially anchored on the requirement that the injury should have arisen “out of” and “in the course of employment” as per the provisions of the Employee’s Compensation Act, 1923. Within this statutory scheme it is the idea of cause which is instrumental in determining employer liability, though predominate amongst interpretation in judicial practice has been one of confusion and inconsistency. This research paper critiques the significance of causal connection in defining employment injury by employing a doctrinal method of research, on the basis of the statutory provisions, judicial precedents and the existing body of literature. This study reveals the transition in judicial reasoning, from a rigid proximate cause perspective to a helping hand, welfare-oriented and risk-analysis perspective (see among others Mackinnon Mackenzie & Co. v. Ibrahim Mahmmud Issak and B.E.S.T. Undertaking v. Mrs. Agnes). It also analyzes the doctrine of notional extension, which extends the concept of employment beyond the confines of the physical work site and bolsters the causal nexus in certain matters. The paper concludes with several emerging areas of conceptual difficulty in the application of causal connection, including journeys, occupational diseases, and new modes of employment such as tele-work and gig work where traditional conceptions of workplace and control are significantly challenged. The issue of the burden of proof upon employees in showing causation is discussed as a formidable evidentiary hurdle in compensation claims.

It is submitted that causation is not to be considered as a technical or inflexible requirement, but rather as a continually evolving standard of evaluation influenced by risk considerations that is in keeping with the welfare policy objectives of labour law. It finds that a more formalized, coherent, and systematic interpretive approach is needed to serve the interest of fairness, consistency, and effective protection of the workforce in increasingly fluid labor markets.

Keywords: Causal Connection, Occupational Disease, Welfare of Laborers, Notional Extension, Work-Related Causation, Employment Nexus, Material Contribution Test, Labour Law Jurisprudence.

INTRODUCTION

Understanding when an injury counts as an "employment injury" in labour law largely depends on proving a clear link between the job and the injury itself. Laws like the Employees' Compensation Act, 1923¹, require two main things: the injury has to happen because of the job ("out of" employment) and while the person is actually working ("in the course of" employment). The second part is usually straightforward—was the person at work and on the clock? But the first part, figuring out whether the job truly caused the injury, is often much trickier. Even though this question is central to many cases, it's still one of the most argued and unclear issues in employment injury law.

A review of existing scholarly literature reveals that the concept of causation has evolved beyond a simple cause-and-effect relationship. Legal scholars and courts have increasingly recognized that employment injuries frequently result from a confluence of factors, including workplace risks, employee conduct, and external circumstances. Consequently, judicial approaches have developed various tests—such as the "proximate cause" and "increased risk" doctrines—to determine whether a sufficient nexus exists between employment and injury. However, academic analyses highlight that the application of these tests remains inconsistent, often leading to divergent outcomes in similar factual scenarios. This inconsistency is particularly evident in cases involving indirect injuries, occupational diseases, and accidents occurring outside the traditional workplace.

Moreover, contemporary scholarship critiques the tendency of courts to adopt a rigid and linear understanding of causation, which may undermine the remedial and welfare-oriented objectives of labour legislation. In an era characterized by evolving work arrangements—including remote employment, flexible schedules, and platform-based labour—the traditional boundaries of employment have become increasingly blurred. Existing literature, however, has not adequately addressed how these transformations impact the determination of causal connection. In particular, the relationship between causation and doctrines such as notional extension remains underexplored, despite their shared objective of expanding the scope of employment protection.

Against this backdrop, the present study adopts a **doctrinal research methodology**, relying on statutory interpretation, judicial precedents, and critical analysis of existing academic discourse.

¹ Employees' Compensation Act, 1923, § 3.

It departs from conventional approaches by reconceptualizing causal connection as a **dynamic and context-sensitive construct**, rather than a rigid legal threshold. By integrating insights from prior scholarship with an analysis of judicial trends, this paper seeks to develop a more nuanced framework that accommodates the complexities of modern employment relationships. In doing so, it aims to bridge the gap between established legal doctrine and emerging workplace realities, thereby contributing to a more coherent and equitable understanding of employment injury within labour law.

LITERATURE REVIEW

1. Foundational Theories of Causation in Employment Injury

The notion of causal nexus in the context of work injury has generated considerable discussion in the legal literature. U's "Theories and Definition of Proximate Cause" in the Tort and Injury Law lecture series Early doctrinal work by Wex S. Malone in the Louisiana Law Review restated that the law of compensation that proximate causation is not as rigid a concept within compensation law but instead employs a more expansive causal concept grounded in the theory of risk. Malone contended that employment need not be the cause of risk, thus loosening the traditional tort-based standard of causation². In like manner, Arthur Larson in his classic treatise Larson's Workers' Compensation Law, defined employment injury with the "heightened-risk rule", providing that an injury arises out of employment when the place of employment produces an exposure for the employee to risks that are greater than that to which the general public is subjected³.

2. Doctrinal Developments and Judicial Interpretation

Later treatment in the literature has covered the treatment of causation by the courts under statutory provisions such as the Employees' Compensation Act, 1923. Commenting on the volatile nature of causation, Mark A. Rothstein noted in the American Journal of Law & Medicine that the courts historically have vacillated between narrowly and broadly defining causation, influenced by policy considerations⁴. This lack of consistency, asserts Rothstein, destroys any sense of what is predictable in employment injury cases. Indian jurists like S. C.

² Wex S. Malone, Theories and Definitions of Proximate Cause, 9 La. L. Rev. 60 (1949).

³ Arthur Larson, *Larson's Workers' Compensation Law* (LexisNexis).

⁴ Mark A. Rothstein, Workers' Compensation and Causation, 14 Am. J.L. & Med. 123 (1988).

Srivastava have also observed that adjudication often broadens ambit of employment by various doctrines such as notional extension, but does not possess an integrated approach of ascertaining causation⁵.

3. Multidisciplinary Perspectives: The Law and OH practice

There is an increasing number of studies that combine occupational health research with law analysis. Leslie I. Boden⁶, in American Journal of Industrial Medicine, states that many occupational injuries are the result of many interacting risk factors which may include the physical hazards present in the work environment as well as the organizational factors. This conforms with the research in journals like Occupational and Environmental Medicine, which state that causation in occupational injuries is probabilistic and not deterministic. Together, these investigations challenge the law's presumption of a clean and total causal connection, implying a need for a more elastic causation standard.

4. Causal criteria and epidemiologic models

Epidemiologic approaches have also been employed by scholars to elaborate on the concept of causation. Austin Bradford Hill in the Proceedings of the Royal Society of Medicine and Consistency, Strength and Plausibility. Although they are frequently cited, legal scholars question whether these criteria make sense in the context of assessing claims for compensation at the individual level⁷. This limitation is discussed in journals such as the Journal of Law and Policy that critiques the over application of scientific paradigms in legal adjudication.

5. Burden of Proof and Evidentiary Challenges

The question of who bears the burden of proof has captured the interest of many scholars. In Emily A. Spieler, Causation Burden of Proof in Workers' Compensation Law, 15 Yale J. Health Pol'y L. & Ethics 273 (2015), the author contends that imposing on employees the burden to prove causation is often an insurmountable evidentiary hurdle, particularly in occupational disease cases. Similarly, John F. Burton Jr., considers the harsh causation requirements to compensation law welfare goals in Industrial and Labor Relations Review, with a plea for

⁵ S.C. Srivastava, *Industrial Relations and Labour Laws* (Vikas Publishing).

⁶ Leslie I. Boden, Occupational Injury Causation and Risk Analysis, *Am. J. Indus. Med.*

⁷ Austin Bradford Hill, The Environment and Disease: Association or Causation, 58 *Proc. R. Soc'y Med.* 295 (1965).

moving towards presumptive or risk-based strategies.

6. Current Issues and the Future of Work in Workplaces

Recent studies have also started to consider the effects of altered working conditions on the issue of causal connection. Articles published in journals such as the *International Journal of Comparative Labor Law and Industrial Relations* detail how remote working, gig economy models, and flexible employment contracts have challenged the immutable concept of an employee. This development makes it difficult to apply causation tests, especially where injuries happen outside the traditional place of work. Yet the relevant scholarship frequently mentions such developments as if in isolation, without linking them into a broad doctrinal narrative.

RESEARCH OBJECTIVE

This study is an attempt to analyze the significance of causal connection as a determinant of the employment injury under the employees' compensation act, 1923⁸, in the light of the doctrinal interpretation and the accepted practice. The inquiry is to transcend classic linear causation by investigating a multi-dimensional approach comprised of risk theory, probabilistic reasoning, and emerging workplace realities. It is intended to close the divide between legal doctrine and interdisciplinary knowledge, as well as considering the relationship between causal connection and the doctrine of notional extension, thus formulating a more coherent, and worker-oriented framework for interpreting claims of employment injury.

METHODOLOGY

It was based on a doctrinal and qualitative research approach to analyze the legal and practical difficulties surrounded by the recognition and protection of olfactory trademarks. This research is primarily based on the secondary sources including the statutory provisions, judicial decisions and case laws also by perceiving through the scholarly articles, and authoritative commentaries on labor law.

Conceptual Foundation of Causal Connection in Employment Injury

The doctrine of causation stands at the center of the analysis of liability in employer's liability

⁸ Employees' Compensation Act, 1923.

claims under the labor welfare jurisprudence. The An overview of the statutory basis of the employee's compensation the statutory basis is the Employees' Compensation Act, 1923⁹, which extends its cover to personal injury resulting from an employee being the victim of an accident "arising out of and in the course of his employment. "The phraseology, although simple on its face, has given rise to considerable judicial and academic debate because of the two-fold requirement of a temporal nexus and a causal nexus.

A Time Place and Manner Expression in the Course of Employment The phrase "in the course of employment" is intended to describe the time, place and manner of performing the work. However, the challenge seems to be greater in the aspect of "arising out of employment" meaning that the cause and injury should be related. Unlike tort law where proximate cause is rigidly analyzed, labor law allows for even indirect or contributory causes to be considered sufficient in its more welfare-conscious considerations. The Supreme Court has made clear time and time again that work does not have to be the only cause of harm; it is enough that work plays a significant role in leading to the hazard from which the injury arises. It is therefore a doctrinal shift away from strict causation to risk-based attribution to that harmonizes with the social welfare end of compensation laws. Hence, establishing a causal link is more than a technical hurdle in this area; it is a jurisprudential gateway to deciding whether the risk confronting the worker is job-related enough to warrant imposing responsibility on the employer.

Judicial Evolution of Causal Connection in Indian Law

The Indian judiciary has been instrumental in broadening and nailing down the idea of causal connection. The development of can be seen in three stages, strict interpretation, wide interpretation, and risk-causation.

1) Early Strict Approach

According to the rigid interpretation, the causal link had to be direct and immediate in the early stages. Getting compensation was a challenge if the injuries could not be plainly linked to the execution of work duties. This tort-based approach required proximity and exclusivity for causation. However, such a rigid line did not work in the case of industrial labor where dangers were indirect or accumulated.

⁹ Employees' Compensation Act, 1923, § 3(1).

2) Liberal Interpretation and Risk Expansion

There was a decisive change in the case of Saurashtra Salt Mfg.¹⁰ It elucidated that a liberal construction consistent with the welfare purposes of the Act is to be given rather than strict interpretation in regard to cause. This principle was further reiterated in Mackinnon Mackenzie & Co. V 19-23-38: the origin of the Libertarian crisis of ideas impact on humanity From SCIENCEGEEKS is a series focusing on malfeasance in California public education. Ibrahim Mahmmod Issak (1969) 2 SCR 90, where it was observed that the injury must be employment related in a real sense and not remotely, even if not directly. The Court also held that the causal element is satisfied if the employment contributes to the probability of injury. This case established a landmark judgment in Indian labor law, as it held that “employment contribution to risk” can be considered for causality.

3) A Modern Welfare Perspective on Interpretation

Subsequent rulings courts have consistently leaned towards a welfare-centered approach. The focus has moved from “the manner of the occurrence of the injury” to “the employment made the occasion for the injury.” This change in approach is reflective of a wider constitutional understanding under articles 21 and 42 of the Indian constitution which focus on social security and human working conditions. Consequently, the causation term within the test is being read more and more in a pro-worker protection fashion, unless those causal connections are expressly excluded.

Doctrine of Notional Extension and Its Link with Causation

The doctrine of notional extension is also employed to expand the term ‘employment’ in defining the existence of a causal relationship. It accepts that work does not start and finish at the time clock but work activities can be undertaken offsite. At the same time, with certain restrictions, insured risk coverage can extend beyond the workplace. The Supreme Court in B.E.S.T. Undertaking v. Mrs. Agnes (AIR 1964 SC 193)¹¹, has held that work may extend beyond the four corners of the workplace if the employee is subject to work hazards on the route to and from work. The Court noted that nature of duty, manner of ingress and egress and employer’s control

¹⁰ Saurashtra Salt Mfg. Co. v. Bai Valu Raja, AIR 1958 SC 881.

¹¹ B.E.S.T. Undertaking v. Mrs. Agnes, AIR 1964 SC 193.

over the premises determine the scope of the employment.

It has a direct implication in the analysis of causation as it enlarges the space and time dimensions in which it can be proved. So, when an injury happens in the field of employment, the courts have a stronger basis to presume causal relation. But application of the doctrine remains uneven in practice Courts will frequently have difficulty in determining how far the notional distance reaches, especially where journey, break or voluntary abandonment of duty is involved. This inconsistency illustrates a lack of a unifying doctrinal principle. Therefore, notional extension works as a reinforcing principle to causation, that is, it broadens the applicability of causation, but at the same time adds more uncertainty about how to establish it.

Causal Connection in Commuting and Off-Duty Cases

Commuting accidents are one of the most difficult areas in causation. The question of law is whether the travel between a place of work and home can be said to be work. In *Saurashtra Salt Manufacturing Co. v. Bai Valu Raja*, the Court observed that normal commuting is in general not in the course of employment except in cases where the employer has participated in or dictated the mode of travel.

On the same day, the apex court in *Regional Director, ESI Corporation v. Francis De Costa* (1996) 6 SCC 1¹² also held that commuting mishaps are not ipso facto covered by the ESI Act in case of employees whose employer has not provided transportation or such kind of duty. The Court held that 'only travel to the place of employment is covered travel-related incidents in any risk of journey consideration while the employment does not significantly alter the risk of travel. But courts have been gracious where the employer controls the means of transportation or the travel is at least part of the job duties. And in such cases, there is a more ready inference of causation. This area represents the strain between strict territorial limitations and functional employment test.

Causal Connection and Occupational Diseases

Occupational diseases are a different doctrinal animal as they are caused over time from long-term exposure, not a single traumatic event. In ¹³*Mackinnon Mackenzie & Co. v. Ibrahim*

¹² *Regional Dir., ESI Corp. v. Francis De Costa*, (1996) 6 SCC 1.

¹³ *Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmod Issak*, AIR 1970 SC 1906.

Mahmmod Issak, the Court recognized that employment-related diseases may meet the causal requirement even if the moment of injury is indeterminate. This principle has also been accepted in a wide round of cases: the causal link is established if the work has aggravated, accelerated or materially contributed to the disease.

This is a restatement of the material contribution test, which is a less onerous test than that of proximate cause and commensurate with the realities of industry. However, complications occur in situations in which pre-existing conditions are involved that have been exacerbated by the work. Tirado has quintessence that is consistent with welfare, and ambiguity such as this has been settled in favor of employees.

Interplay Between “Arising Out of” and “In the Course of Employment”

The binate that of “arising out of” and “in the course of employment” is still the determinant in the causal inquiry. The courts have consistently held that the two must be present, albeit for separate reasons. In Mackinnon Mackenzie the Supreme Court held “in the course of employment” defines the temporal sphere, “arising out of employment” defines the causation sphere. Arising out of, and in the course of, employment: in this context, the two words, when brought together, produce complexity in borderline cases, such as rest breaks, canteen injuries or incidental activity around the workplace. Courts have tended to take an overall view, considering whether the employee was engaged in conduct that was very closely related to his employment.

Modern Challenges: Remote Work and Fragmented Employment Structures

With the rise of "remote work" and gig-based employment, the traditional view of workplace injury has dramatically changed. The physical place of work is now only one among many factors that shape the risks of employment.¹⁴

In remote work situations, causal analysis must be on functional employment activity, not physical location. For example, the question as to whether injuries sustained while performing work at home are employment-directed or personal. At the same time, gig workers also inhabit a fragmented employment arena with little control and supervision, and thus, causality becomes even more difficult to determine. While Indian jurisprudence is still evolving in this regard,

¹⁴ International Journal of Comparative Labour Law & Industrial Relations (various issues).

comparative global jurisprudential trends indicate a move towards activity based and risk-based causation models, as opposed to location-based scrutiny.

Burden of Proof and Procedural Difficulties in Proving Medical Evidence

It always remains a real struggle for the employee to establish causal connection. The employee has the traditional burden, which is to prove that the injury is one "arising out of and in the course of employment." Yet it is difficult, if not impossible, to satisfy this burden, particularly in cases of occupational disease or consequent injuries. But in the welfare state spirit a liberal construction has at least sometimes been given to this burden." Nevertheless, there remains a lack of harmony which creates uncertainty in adjudication. In fact, three of the four Australian High Court decisions on causation reviewed above have suggested it should be approached as a matter of presumptive causation. source: Preferred Citation Sheldon, Sheldon & Lawrence, 'Presumed Causation: A Proposed Revision of the Standard of Proof in Labour Law' (2017) 30 Australian Journal of Labour Law 228-245.¹⁵

Analytical Synthesis: Causal Connection as Risk Attribution

A review of case law shows that causal connection is being increasingly conceived not as a tight logical link but as a risk attribution analysis. They consider whether the employment created, or materially increased, the risk of harm. This is a turn towards the protective aims of labor law and away from the accountability-based model of fault. Yet this very lack of structure makes the adjudication all the more unpredictable." "The incorporation of doctrines such as the notional extension or the material contribution test shows that causation is tending to become a more flexible evaluative concept rather than a hard-and-fast rule.

RECOMMENDATIONS

The doctrinal scrutiny of causal connection as a determinant of matter of question of fact in employment injury cases shows that although judicial interpretation has gradually become more favorable, inconsistencies remain and there is confusion at a conceptual level. In view of these observations a few suggestions are made, by virtue of which it is expected that the legal regimes for addressing compensation for employment injury under the Employees' Compensation Act, 1923, amongst others, would be fortified and better suited to deal with employment conditions

¹⁵ Sheldon, Sheldon & Lawrence, Presumed Causation: A Proposed Revision, 30 Austl. J. Lab. L. 228 (2017).

of the current era.

- **Adoption of a Statutorily Recognized “Risk-Based Causation” Standard**

One of the key limitations of existing case law is that it relies on conventional concepts of proximate cause, which can be problematic in the context of employment. It is further recommended that a risk-based causation standard be explicitly adopted by the legislature or judiciary wherein liability is determined if an employment-related risk materially contributes to the risk of injury, even if it is not the only source of risk. This would provide a principled basis for the other decisions such as *Mackinnon Mackenzie & Co. v. Ibrahim Mahmmod Issak*¹⁶ which already in effect serve that function. When codified, a risk-based approach would give more consistency to the interpretation of the judiciary, so that a certain predictability is obtainable at the level of compensation claims.

- **Incorporating Doctrine of Notional Extension in Judicial Statutory Interpretation**

But while the doctrine (notional extension) is being applied in our decision in *B.E.S.T. Scheme - Undertaking v. Mrs. Agnes*¹⁷ etc., it is still at the level of almost patch work of case-specific dicta. It is further recommended such doctrine be specifically incorporated within the or judicial guidelines in employment injury cases. This would enable injuries sustained during ingress and egress or while performing other job functions to be evaluated consistently within a single framework. A clear statement of the “zone of employment” would greatly contribute to greater consistency in the adjudication of causation, especially in cases of commuting injuries and injuries sustained in the course of transition.

- **Shift Toward Presumptive Causation for Welfare-Oriented Claims**

In claims for occupational disease, long-term exposure injury, or cases in which evidence is hard to come by, proof of causation is often unfairly³ too demanding for workers. It is urged that the court follow a model of presumptive causation, with causation presumptive upon proof of employment-related exposure, subject to the employer rebutting same with powerful countervailing proof. This is in keeping with the social purpose of labor legislation and helps bridge the evidentiary gap between the employer and the employee. It also reflects a trend in

¹⁶ *Mackinnon Mackenzie & Co. (P) Ltd. v. Ibrahim Mahmmod Issak*, AIR 1970 SC 1906.

¹⁷ *B.E.S.T. Undertaking v. Mrs. Agnes*, AIR 1964 SC 193.

comparative jurisdictions where occupational safety laws are increasingly worker-favoring.

- **Development of Judicial Principles on Establishment of Causation**

Currently, there are no consistent principles governing the question of when causal linkages are strong enough. It is suggested that the apex court may evolve the uniform principles /tests for deciding the issue of causal nexus. These criteria might consider the following: type of work, the amount of control the employer has, contact with work-related hazards, how close the activity is related to work duties, and whether harm is predictable. Such a policy would promote greater uniformity in adjudication and minimize the discrepancies among various courts.

- **Harmonization with the Medical Evidence and the Legal Standard of Proof**

A big problem in proving causation is the conflict between legal logic and medical or scientific data. It would be appropriate for courts to take a more holistic view and to afford structured weight to occupational medicine opinion and expert testimony, as well as epidemiological evidence. Judicial reliance on legal intuition alone – in absence of science – often results in unpredictable results. Instituting unified evidentiary standards across disciplines would improve the accuracy of causation analysis, especially in occupational disease and cumulative trauma cases.

- **Broadening Employer Liability under the Remote and Gig Work Models**

With the proliferation of remote work, platform-based employment, and a host of other flexible work arrangements, traditional workplace demarcations have been rendered somewhat irrelevant. It is prayed that employment injury law be interpreted to cover functional employment spaces in addition to physical workstations. Causation should be based on whether the conduct was employment related and not on where it occurred. This would mitigate for workers in 21st-century employment arrangements being excluded from coverage solely based on a geographical glitch. It's crucial to ensure that “virtual workplace risk” is judicially recognized to effectively respond to modern labor law needs.

- **Strengthening Evidentiary Support Mechanisms for Employees**

Employees tend to have difficulty in establishing causation, as they do not have access to plant records, medical records or incident reports. It is suggested that legislative reforms require

employers to establish comprehensive occupational risk and incident reporting mechanisms that could be utilized in compensation procedures. Shifting some of the evidentiary burdens to the employers, in the cases where the employer controls the risk in the workplace, might assist in promoting justice and counterbalancing the current imbalance in litigation.

- **Greater Judicial Consistency Through Precedent Consolidation**

A notorious problem in employment injury law is that legal concepts with similar fact patterns are unevenly applied. It is recommended that a doctrinal consolidation of precedents, especially with regard to causation and planning extension, be undertaken by courts. Occasional judicial summaries or rulings of authority could serve to unify the interpretative approach, and so to reduce the divergences found at the particular level of decisions (ordinary courts and tribunals).

- **Legislative Definition of “Arising Out of Employment”**

The term “arising out of employment” is still subjective and interpretational. It would be advisable that the definition to be introduced by way of legislative amendments define clearer the elements of risk contribution, employment nexus and contributory causation. Such elucidation would diminish confusion and mitigate overreliance on juristic discretion and consequently bolster legal certainty.

- **Consistency with Welfare-Based Constitutional Doctrines**

Now, “all” the definitions of causal link are to be explicitly interpreted through the lens of H the social justice aspirations and worker welfare objectives of the Indian constitutional schema. The law governing injury to employment is not simply remedial; it is protective as well. And so, courts and legislators should construe causation in light of dignity of labor and social insurance, not in a manner that allows technical ruses to defeat substantive justice.

CONCLUSION

The principle of causal nexus continues to be the keystone to determine employment injury in labor welfare jurisprudence, more so in the context of the Employees Compensation Act, 1923¹⁸. This study has shown that while the statutory language may seem simple, its application has

¹⁸ Employees’ Compensation Act, 1923.

become a highly technical and complex judicial exercise. The “arising out of” and “in the course of employment” requirement has always compelled the courts to strike a fine balance between a view of causation that is construed strictly in legal terms and that which is interpreted more generously in welfare terms.¹⁹

It is observed that there is a clear trend in the case law of the Indian courts which favoring a less rigid and more flexible notion of ‘causation’. Leading judgements such as *Mackinnon Mackenzie & Co. v. Ibrahim Mahmmud Issak* and *B.E.S.T. Undertaking v. Mrs. Agnes* signify this evolution, where the judiciary has held that it was not necessary for employment to be the only or immediate source of harm. Whether employment adds to the risk in a significant way, or whether it is sufficient for the employee to be placed at risk so long as the situation in which the injury occurs is employment induced. This mirrors a widening movement toward risk-based attribution that brings labour law principles more in line with its underpinning social welfare objectives. Nonetheless, the study reveals that, although the trend within the judiciary is manifestly progressive, there continue to be divergences in the application of causation principles. A lack of consistent guidance, especially when it comes to injuries on a commute, occupational diseases, and work performed at a distance, leads to confusion. Moreover, the disconnected way in which the doctrine of notional extension is applied adds to the complexity of assessing causal nexus, thus invoking a sense of unpredictability when deciding a like factual scenario²⁰.

The investigation also reveals that the contemporary labor market, with its flexible schedules, online workplaces and gig-based work models, has greatly obscured the definition of what constitutes employment. In these areas, the traditional idea of proximate causation is proving to be insufficient. This means that a more functional and risk-based definition of occupational injury has to be considered, focusing on the activity and employment-related risk rather than on spatial limitations.

To conclude, the causation of the employment injury need not be perceived as a harsh doctrinal touchstone but rather as an evolving evaluative instrument firmly rooted in risk attribution and employment nexus²¹. A more integrated and principle-based approach – combining judicial consistency, legislative clarity and welfare-based interpretation – is needed to uphold a regime

¹⁹ Factories Act, 1948, No. 63 of 1948, India Code.

²⁰ SCC Online Database.

²¹ Indian Kanoon Database.

that ensure justice, certainty and sufficiency at common law. In the end, to fortify the extent of causal connection in labor law will be to have contributed to the ideal of labor law – enabling workers to be effectively secure and meaningfully protected in an ever-changing world of work.

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