

Policing the Propinquity of Environment to the Labour Market

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Abstract

Labourers, Capitalists, Environmentalists, socialists, and trade unions have all been disguised as having divergent and irredeemable contrary outlooks on the construction of the liaison between labour and environment. Often, it's understood that their agendas are incompatible and uncongenial towards each other. However, the ontological materialism by various philosophers has rendered a causal relationship between the two. Labour and the environment are intertwined in such a way that their alienation is similar to the estrangement of the soul from the body. Labour is not only the marginalized class but also the most vulnerable in the annihilating circumstances. This article will reconstruct the relationship between labour and environment and will exhibit the corresponding effect on each other. This article unfolds as follows: The first section delves into the jurisprudential development of the relationship between environment and labour. Subsequently, the second section analyzes in detail the constitutional implications of common ground between them. The third section analyzes in detail various studies, articles, and news reports on the impact of environment and environmental policies on the labour market. This article draws upon

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Doctrinal research as the legal methodology in a verbatim manner and narrative analysis to get a deeper understanding of the topic.

Jurisprudential Development of Common Grounds between Environment and Labour

The relationship between nature and labour can be understood through the conception of “Practical Materialism” as propounded by Karl Marx. This theory was embraced under ontological materialism, which refers to the unilateral need of the society on the biological, rather specifically physical being for its sustenance. It can be construed as the relationship of man with nature and focuses on epistemological materialism.¹ Historically, it was understood that Marx’s theory had alienated human labour from the environment. He was highly condemned for his little contribution towards this, even though, he highly criticized German socialist Ferdinand Lasalle for ignoring the contribution of nature in the discourse of labour. Caudwell, in *Illusion and Reality* (1937) stated his views on ‘mastery of nature’, that man is in a continuous duel with nature and to win over it, it forms a relationship with others, thus, creating the ‘society’. To change nature, man has to change himself and this ongoing reflexive movement of development is mediated by society; thus, supporting Sir Bacon’s concept of sustainability. Eventually, Italian geographer Massimo Quaini appreciated Marx’s theory for not losing sight of the impact of ecology on materialism.

Rachel Carson’s silent spring was a breakthrough in environmentalism in 1962.² She believed in the notion of extraordinary coordination between organisms and the environment and their effect on the environment. Consequentially, the concept of labour environmentalism came into context around the 1970s to 1980s, and with

¹ JOHN BELLAMY FOSTER, MARX’S ECOLOGY: MATERIALISM AND NATURE 2- 10 (MARCH 2000).

² Lorenzo Marsili & Stefania Barca, *United We Stand: Labor Environmentalism and the Climate Movement*, GREEN EUROPEAN JOURNAL (March 11, 2020), <https://www.greeneuropeanjournal.eu/united-we-stand-labour-environmentalism-and-the-climate-movement/>.

it raised the complex concern of threats posed by environmental protections on the jobs, particularly named by media as *blue versus green*. The relation between labour and environment can be construed through the two facets, i.e., analysis of the impact of the environment on different classes as well as on the economy, and the other facet is the contrasting interests of different organizations of labour and environment movement. The first facet describes how the cost-benefit analysis of environmental protection policies affects different classes. Environmental externalities by producers are usually borne by low-income groups.³ The burden of these externalities on working classes is three-fold. Firstly, the effect of environmental degradation on their health. Secondly, the economic burden of austere environmental policies. Thirdly, externalities in the working premises. A parallel can be drawn between the environmental externalities and the concept of the “treadmill” which has been reintroduced by capitalism. Historically, this term was used in the context of barbaric treatment of slaves in Rome which has been equated with the treatment of workers in the factories at present. This “treadmill of production” has also been analysed by Allan Schnaiberg (1980) where he traced it back to Galbraith’s concept of squirrel in a cage. Based on Schnaiberg’s analysis competition and haste to gain profit fuels the “treadmill of production”, the quest to gain profitability makes private firms utilize natural resources more and replace the organic ways to that of unnatural and chemically intense products affecting the environment and labour multifaceted. The treadmill can be seen in the socialist as well as capitalist society and is usually driven by the ‘nature of competition’, accumulation of capital, and state. The state acts as a mediator in the tussle between labour and capital. Government facilitates the investment, advances the policies for the better production and availability of the market but it also has obligations towards public health. Though the government is the most important and powerful actor in the treadmill system. Capitalists can also impart in reforming state impositions and pressure of labour organizations, consequently focusing on ecological principles but inherent competition lets capitalists adopt the most

³ W. BAUMOL ET AL., THE THEORY OF ENVIRONMENTAL POLICY 7-14 (2nd ed. 1998).

profitable mechanism without reviewing its implications on the environment.⁴ If both influential actors would not be able to foster the needs of society, environmental activists are the next potent actors who can influence the environmental protection legislation. Yet, the effective resistance should come from one of the actors to succour the environmentalists.

Development of Relation between Environment and Labour under Constitution of India.

The Constitution of India has extended the protection to economically weaker sections under Part III. Directive principles of state policy under Part IV of the Indian Constitution also embrace the welfare conjointly for the environment and labour.

Article 14 guarantees equality before the law. It states that the State must treat all persons equal and provide equal protection to everyone before the law. If the labourers are compelled to work in a hazardous environment for breadwinning, then it is the duty of the state to ensure that they should be provided with the kind of occupational environment which, otherwise would have been given to them if they were not in such economical echelons.

Article 19(1)(c) guarantees the citizens, a fundamental right, to form associations and unions. But it is within the parameters of the state's power to impose reasonable restrictions to maintain public order, the sovereignty of the state, and morality. The apex court has held that the right to form an association or the union, impliedly include to form, not form, to continue or not continue with the association formed. Any law obstructing such continuation with such an association or union would be violative of Article 19(1)(c).⁵ To uphold the rights of the labourers, they form associations such as labour unions or trade unions that can be understood as an influential actors in the “treadmill of production”. They

⁴ Obach & Brian K., *New Labor: Slowing the Treadmill of Production?* 17 ORG. & ENV'T 337-54 (2004).

⁵ Damayanti v. UOI, AIR (1971) SC 966 (India).

can be very persuasive in the collective bargaining between capitalists and labourers. These unions impart a significant role in creating the nexus between industries and the environment, as they can persuade the capitalists to provide a better occupational environment to labour, thus in return benefitting the environment as well public health.

Article 21 talks about the Right to life which has a very wide ambit. It encompasses various human rights such as the right to a clean and healthy environment, the right to have proper means for enjoyment of life conferring the concept of *economic welfare*. The Supreme Court obligated the State to provide and secure the livelihood of the citizens with requisite means of right to work promising them economic stability.⁶ The court also held that a balance must be maintained between the developmental process and the environment, pivoting on the natural resources as ‘limited and exhaustible’.⁷ The Supreme Court in another ratio decidendi penned,

“[R]ight to health and medical care to protect one's health and vigour, while in service or post-retirement, is a fundamental right of a worker under Article 21 read with Articles 39(e), 41, 43, 48A and all related Articles and fundamental human rights to make the life of the workman meaningful and purposeful with dignity of a person.”⁸

Thus, the persistence to work in a hazardous industry for sustenance should not cost the health of the worker and his family. This case did not only put an obligation on the state to ensure the applicability of all these articles but also gave an insight on how labour and environment has a corresponding effect on each other.

Article 39 of the Constitution of India directs the state to make policies pertaining to equal rights for all genders, to have adequate means

⁶ Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 180 (India).

⁷ Rural Litigation and Entitlement Kendra v. State of U.P., AIR 1987 SC 2187 (India).

⁸ Consumer Education and Research Centre and Ors. v. Union of India and Ors., (1995) 3 SCC 42 (India).

to lead a fulfilling life; and the resources which must be distributed in such a way that it subserves the common good to all. Along with Article 14; Article 39 also guarantees equal pay for equal work and no human being shall be forced to work beyond his will under any circumstance.

Development is very significant for any country to boost the welfare activities, allowing the setup of industries. Article 38 of the Constitution of India incorporates that the protection of the environment must never be overlooked. Any act which hampers the quality of the environment must be restricted, and further steps should be taken to ameliorate the condition of the environment.

Under Articles 42 and 43, the state is mandated to make laws for the welfare of the workers. Article 42 states there is a need to enact such provisions that secure the humane conditions of the workers as well as offer maternity relief to the women irrespective of their work.

Article 43 focuses on the living wage, work enduring a decent standard of life, employment ensuring the social and cultural opportunities to the workers. Article 43A talks about the state enacting laws ensuring the participation of workers in the management of industries, and other organizations that they are part of.

Hence, to collectively sum up the idea stating the interconnection between environment and labour under the Constitution of India, an inference can be drawn that the State is obligated to scrutinize all the legal and economic activities for the establishment and management of the occupational health and safety laws. So, the labourers at the workplace can enjoy a humane and dignified working environment.

Environment Affecting Labour Directly and Indirectly.

The crucial factors which bridge the gap between the industries and the environment are economic pressures, technological advancements, and international influences. Various international conventions focus on environmental concerns such as Principle 15 of the Rio declaration which has enshrined the 'precautionary principle' within it. The Brundtland Report (1987) discusses the development that deals with the need of the present generation without compromising with the

needs of future generations and it converges on the facet of responsibilities of developed and developing countries. United Nations General Assembly Resolution 1831, Stockholm Conference (1972), World Conservation Strategy (1980) are other such International sources of law that deal with the integration and coordination of nations as the best recourse for environmental upliftment and national development. In the case of *In Gabcikovo Nagymaros Project*,⁹ the International Court of Justice held that even if both countries had a treaty, but the development of peremptory norms related to environmental law is necessary to be followed. It stated that to carry out the development, both nations cannot oust their responsibility to ensure the quality of water and protection of nature.

Development can only take place through the policies envisioning social, economic, and political justice, which impliedly inflicts the urgency for the protection of the environment. Section 2 of the Environment (Protection) Act, 1986 defines 'environment' and 'occupier'. The said act empowers the government to take steps towards improving the environmental quality, reduce the level of pollution from various sources, and put restrictions on the establishment of such industries that could damage the environment. It says that sustainable development must be the goal for any act or code enacted for environmental protection. Sustainable development is the imperative need for tackling all the environmental issues.

It is necessary that the state government and other statutory authorities take proper environmental measures and must anticipate, prevent, and attack the causes of environmental degradation. The onus is on the industrialists and workers to show if any action is environmentally benison.¹⁰ Environmental regulations including improving the water and air quality standards will not only improve the environment but at the same time, will improve the working environment of the labourer.

⁹ The Gabcikovo-Nagymaros Project (Hungary v. Slovak), Judgment, I.C.J. (Sept. 25, 1997), <https://www.icj-cij.org/files/case-related/92/092-19970925-JUD-01-00-EN.pdf>.

¹⁰ Vellore Citizen welfare Forum v. UOI, AIR 1996 SC 2715 (India).

In the namesake of making development in the world, the environmental measures have been neglected to its most, which has resulted in an extremely poor condition of the environment. After the Bhopal Gas tragedy in 1984, the Indian Government acknowledged that the current environmental laws are insufficient to protect the environment. Hence, to protect the environment, the Environment (Protection) Act, 1986 was enacted, which had introduced a new process of Environment Impact Assessment (hereinafter referred to as EIA). It has been enacted to inculcate the socio-cultural and medico-economic impacts of the projects for the global development process on the environment. And environmental clearance for a project will be granted on the criteria based on EIA. The process, though, seems to be very effective but, it has its lacuna.

For example, In Chhattisgarh, a steel and power limited plant was constructed, without conducting a public hearing properly. Similarly, in the case of the *Vishakhapatnam gas tragedy*, the plant had not been granted an environmental clearance certificate, and it started operating without such a certificate.

The draft of environmental impact assessment, 2020, instead of being the pillar to the previous environmental laws, has rather adulterated the protection of the environment, which has, in return, caused a huge socio-economic impact on the livelihood of every species. The problems with the new draft are:

1. Post-Facto Clearance means that all the industries which have already initiated the construction without environmental clearance, need not stop the project. They can take the clearance afterwards.
2. The time for the public hearing has been reduced to 20 days from 30 days.
3. If any project violates the environmental laws, then the public has no right to say. The violator and the government authority only can raise a question against it.

4. The government has defined several such industrial projects that would exempt from public consultations. For example, linear projects on border areas.

This draft not only puts the lives of labourers at stake but also risks the existence of every species. The lives of the labourers working with such projects are at stake. Let us construct an abyssal nexus between environment, environmental law, and labour.

a. Environment, Occupational Hazards, And Labour:

International Labour Organization (hereinafter referred to as ILO) Convention No. 148 on the Working Environment (Air Pollution, Noise and Vibration) (1977) has addressed the concerns related to human health due to environmental pollution. In 1996, the Supreme Court of India gave an order related to the relocation or closure of 168 industries in Delhi due to air pollution caused by them. When these industries either relocated or closed, it affected workers very adversely varying from their food habits to medical facilities. They were forced to take loans. As per the selected survey in 2000 about compensation to these workers, only around 50% of the workers having a mean age of 41 years were compensated.¹¹ Article 14 of the Chemicals Convention No. 170 (1990) discusses the disposal of hazardous chemicals in such a way that minimizes its effect on the environment. Other important conventions related to the protection of workers in the occupational environment and environment in general from industrial accidents are The Prevention of Major Industrial Accidents Convention No. 174 (1993) and its accompanying Recommendation No. 181 (1993). ILO 2008e and ILO 2008i also discuss the need for a proper mechanism to prevent any accident affecting workers as well as the environment. ILO 2008f specifically covers workers in the agricultural sector and explains the negative effects of

¹¹ Manoj Bhagat & Ranjana Dixit, *Impact on Workers of Closure/Relocation of Industrial Units in Delhi*, 36 INDIAN J. OF INDUS. REL. 125–140 (2000), <http://www.jstor.org/stable/27767709>.

pesticides as well as hazardous incidents in this sector increasing the risks for workers and their contribution to the emissions of Greenhouse gases.¹² Mining activities in prohibited areas affect labourers, residents as well as environment often when regulatory authorities fail to comply with the guidelines. In the *Lalmatia opencast coal mine incident* in 2016, in the Godda district of Jharkhand, 23 workers got trapped under debris. The workers found cracks in the slope of earth formed by excavation and complained about it, but their pleas were ignored. Around Eighteen bodies were pulled out from the debris.¹³ Another such example is silica mining. Exposure to fine silica dust in activities such as mining, construction, stone crushing, and gem cutting does not only affect the functioning of lungs but also leaves the workers vulnerable to various chronic lung diseases like tuberculosis (hereinafter referred to as TB). It was found that 238 Adivasis who were working in silica mining, died from silicosis and TB, and around 304 workers fell sick.¹⁴ Even though the Supreme Court ordered compensation and rehabilitation and condemned the ignorance of the authorities, the losses occurred by their families can never be restituted. An inference can be drawn that these activities do not only wreck local farmers but also elevates environmental degradation and threatens the community with economic and health ruin. In cases of unstable production and leakage of hazardous substances from industries, workers are forced to migrate. In the cases of shoreline erosion and coastal flooding especially, the analysts have contemplated that by 2050 there will be a huge rise in the number of climate migrants also known as climate refugees.¹⁵ Occupational hazards don't only affect the worker or his working condition but have a reciprocal relation, where

¹² Lene Olsen, *The Employment Effects Of Climate Change And Climate Change Responses: A Role For International Labor Standards?* GLOBAL UNION RES. NETWORK (2000), https://www.unclearn.org/wp-content/uploads/library/wcms_122181.pdf.

¹³ Editorial, *Buried under Neglect*, EPW, (Jan. 07, 2017), <https://www.epw.in/journal/2017/1/editorials/buried-under-neglect.html>.

¹⁴ Editorial, *Killing Them Silently*, EPW (May 28, 2016), <https://www.epw.in/journal/2016/22/editorials/killing-them-silently.html>.

¹⁵ IOM UN MIGRATION, *WORLD MIGRATION REP.* (2008), <https://www.iom.int/world-migration-report-2008>.

such hazards affect workers in a working condition simultaneously affecting the environment which will then affect the worker in his living condition, making it difficult for him to escape it. World Summit on Sustainable Development in 2002 had also focused on the same issue where the World Health Organization (WHO) was asked to relate occupational health with the promotion of public health.¹⁶ *Asbestos mining* can be taken as such an issue where not only the health of workers deteriorates but also affects public health. Its particles are suspended in the atmosphere and affect the nearby vicinity. The research propounded that the particles of asbestos and cement were found in the atmosphere and water where Digvijay cement company which was indulged in the manufacturing of asbestos and other such products was situated.¹⁷ These all incidents exemplify the need for the inclusion of environmental regulations in-laws on occupational safety.

b. Carbon Tax, Trade, and Labour:

Kyoto protocol in 1997, discovered the concept of the carbon tax to reduce or curb the emissions of greenhouse gases.¹⁸ And Paragraph 31 of the Doha declaration explicitly talks about the trade and environment.¹⁹

The main notion behind the carbon tax is to internalize the externalities of carbon emissions which will make fossil fuels expensive and reduce their consumption. The carbon tax regime includes two

¹⁶ U.N. World Summit on Sustainable Development, *Johannesburg Declaration on Sustainable Development*, Division For Sustainable Development, U.N. Doc. A/CONF.199/20 (Sept. 4,2002).

¹⁷ LAURIE KAZAN-ALLEN, THE INTN'L BAN ASBESTOS SECRETARIAT, INDIA'S ASBESTOS TIME BOMB 9-46 (2008).

¹⁸ Damien Dussaux, *Carbon tax, emissions reduction and employment: Some evidence from France*, ENGLISH L. BLOG, (Feb. 4, 2020), <https://oecdecoscope.blog/2020/02/04/carbon-tax-emissions-reduction-and-employment-some-evidence-from-france/?print=pdf>.

¹⁹ World Trade Organization, Ministerial Declaration of 14 November 2001, WTO Doc. WT/MIN (01), 41 ILM 746 (2002).

parameters, i.e., regulating domestic carbon taxes as well as border adjustments. And in case of any incompliance, authorities under the Kyoto Protocol (UNFCCC) and World Trade organization will adjudicate it.²⁰ Border adjustments can lead to discriminatory trade practices as there is no uniform system of taxation and countries following carbon taxing would trade with compliant countries only. Such an impression can be perceived from the shrimp/turtle case, as it stimulated the restrictions on imports based on carbon-emitting PPMs.²¹ Such impositions can deleteriously affect trade with the developing nations. Carbon taxes imposed by developed countries on imported goods shrinks the opportunities of developing countries to export their goods. Workers in the fossil fuel industries and energy-intensive energy will face a sharp loss in income due to less demand for the products. Employment in oil and gas extraction and natural gas utilities, coal mining, and all other industries which use a high amount of energy, whether directly or indirectly, will also decrease.²² Though, such decline will fluctuate according to the geographical area. Another aspect if seen is the industrial relocations as the result of competitiveness. The higher carbon costs on the industries within the constrained region would render these industries either to source carbon-intensive inputs from the areas with less or no carbon tax and/or to relocate.²³ There is a causal nexus between carbon tax and manufacturing which compels the job reallocations. The research had found that when France doubled the carbon tax from 44.6 € to 86.2 € per ton of CO₂, it affected the job reallocations in various ways. Industries such as wood furniture and products, paper, and textiles

²⁰ Steven Specht, *Developing an International Carbon Tax Regime*, 16 SUSTAINABLE DEV. L. & POL'Y 28 (2016).

²¹ David P. Vincent, *Internalizing Externalities: An Economic and Legal Analysis of an International Carbon Tax Regime*, 92 OREGON L. REV. 164 (2013).

²² CONGRESSIONAL BUDGET OFFICE, EFFECTS OF A CARBON TAX ON THE ECONOMY AND THE ENVIRONMENT (May 22, 2013).

²³ Vincente Paolo B Yu III, *Developing Country Perspectives on Carbon- Based Competitiveness*, TRADE AND CLIMATE CHANGE LINKAGES, (Oct.,2009), https://www.chathamhouse.org/sites/default/files/public/Research/Energy,%20Environment%20and%20Development/1109pp_yu.pdf.

experienced fewer job reallocations when compared to motor vehicles, plastic, and metal industries. As per the study based on search-CGE and FE-CGE models, the rate of unemployment rises as the environmental policy becomes more stringent.²⁴ The rate of recruitment decreases, but usually through slow hiring and retirement rather than a layoff. Earnings in such sectors also fall immediately.²⁵ Even though such changes do not have an acute effect, nevertheless, labourers do not have enough resources for such hard-hitting times, and it's an obligation of the state, to consider such concerns before implementing carbon taxing or any other environmental policies.

c. Foreign Direct Investment, Environmental Policies, and Labour:

The 'pollution havens' theory states that the industries will invest and open their business according to the stringency of environmental laws of that country. There is a *push and pull* factor, where the *push* factor compels the industries to invest globally while keeping in mind the environmental regulations and their costs and the *pull* factor entices the industries to invest in the economy of unrestrained countries. There are undoubtedly various determinants of Foreign Direct Investment (hereinafter referred to as FDI) including property rights, natural resources, labour market, and just as importantly, environmental policies. According to the study on FDI flow in 25 European countries, even though other factors attract FDI, the stringent policies of the source country induce the likelihood of the investment in the destination country.²⁶ There are two possible consequences to it. Firstly, more

²⁴ Marc Hafstead et al., *Environmental Policy, Full-Employment Models and Employment: A Critical Analysis* (Nat'l Bureau of Econ. Research, Working Paper No. 24505, 2018), <https://www.rff.org/publications/working-papers/environmental-policy-full-employment-models-and-employment-a-critical-analysis/>.

²⁵ Marc A. C. Hafstead & Robertson C. Williams III, *Unemployment and Environmental Regulation in General Equilibrium*, 160 J. OF PUB. ECON., ELSEVIER 50-65 (2018).

²⁶ Mariana Spatareanu, *Searching for Pollution Havens: The Impact of Environmental Regulations on Foreign Direct Investment*, 16 THE J. OF ENV'T & DEV. 161- 182 (2007).

investment in the potential host country could impact the labour in the source country. Secondly, to attract the relocation of foreign firms, domestic environmental policies would be negated, therefore, escalating the local pollution.

d. Climate Change:

Climate change does not only alter the natural habitat and well-being of the species but also has economic impacts. Due to the melting of glaciers and rise in the sea level, there has been the apprehension of more floods and tsunamis which will, in the due course, impinge on every fraction of human life. It has been assessed by the United States Department of Labour, that around 40,000 jobs were lost due to Hurricanes Katrina and Rita.²⁷ The Japan Institute of Labour Policy and Training surveyed after the 2011 earthquake, it was found that the number of applicants for new openings in the affected areas raised because of lay off. The survey also included a questionnaire about the effects on production and redundancy of labour, to which, companies responded in a way that 25.6% did not get affected as a whole, 26.7% have suffered temporary production reduction and 35.9% had temporarily suspended. The redundancy of labour temporarily and permanently was around 44% and 3.01% respectively which gives a clear picture that how any such environmental issue affects the labour.²⁸ Workers in small businesses or factories get hugely affected as these industries become often incapable to restart the business in the way it used to be and lay off a huge number of employees. Severe Rainfall in Chennai in 2015 affected such types of businesses. Around 37% of businesses had

²⁷ United States Department of Labor, HURRICANE KATRINA AND THE EMPLOYMENT SITUATION REPORT (April 07, 2006), <https://www.bls.gov/katrina/empsitbrief.htm>.

²⁸ Felix Friedt, *Natural Disasters, Trade, and Local Factor Prices: Labor Market Externalities Arising from the Disaster-Induced Diversion of Trade*, SSRN ELECTRONIC JOURNAL (May 26, 2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3214243.

insurance against natural calamities and only 50% of them received it.²⁹ The IPCC (Intergovernmental Panel on Climate Change) in 2014 already predicted that if the global mean temperature rises, we will be facing such events continuously.³⁰ As per the provisional data of 2018 to 25.03.2019, around 2045 humans had lost their lives due to natural extreme events in India.³¹

e. Environmental Degradation, Epidemic Or Pandemic:

Several studies had referred that with the upsurge in the population, technological advancements, and globalization, the deterioration of the environment has also increased. Subsequently, raised global warming and climate change has been linked to the expansion of various diseases such as cholera, malaria, diarrhoea, and plague. Climate change affects disease due to various intrinsic and extrinsic factors, for instance, changes in temperature, moisture. Dengue hemorrhagic fever epidemic in Southeast Asia in 1954 and flu pandemics from China such as the Asian flu (H2N2) in 1957, the Hongkong flu (H3N2) in 1968, and the Russian flu (H1N1) in 1977 are the unfavourable consequences of the environmental deterioration. Conspicuously, to understand the linkage between climate change and infectious diseases, an interdisciplinary approach must be observed. According to the United Nations Food and Agriculture Organization (FAO, 2005), climate change and globalization could be the instigating factors for the accelerating spread of avian influenza, making it a global pandemic.³² Another approach by which climate change can lead to the epidemic is through the exposure of

²⁹ Archana Patankar, *Impacts Of Natural Disasters On Households And Small Businesses In India 5-9* (ADB, Working Paper No. 603, 2019).

³⁰ THE IPCC, CLIMATE CHANGE SYNTHESIS REPORT (2015).

³¹ MINISTRY OF HOME AFFAIRS, DISASTER MANAGEMENT DIVISION, <https://www.ndmindia.nic.in/>.

³² I Dinçer, *Global Warming. Dordrecht*, SPRINGER (2010), <https://www.springer.com/gp/book/9781441910165>.

viruses and pathogens archived in the glaciers.³³ Traces of *Emiliana huxleyi* virus in 7,000-y-old sediments were detected underlying the Black Sea³⁴ as well as *tomato mosaic tobamovirus* in 140,000-y-old glacial ice in Greenland were detected in the earlier studies.³⁵ Since the pathogenic bacteria can survive at a very low temperature, it is likely to be exposed by the diminishing of the permafrost. There can be a large release of microorganisms from previously frozen soils, possibly an unknown fraction. Such traces of viral pathogens can be revived upon mining, thawing, or drilling. And an increase in industrial exploitation would accelerate it resulting in various endemics and pandemics.³⁶ Surprisingly, the Harvard Chan study, found out that air pollution could accelerate the mortality rate by coronavirus as well as exacerbate its severity. The results indicated that long term exposure to PM_{2.5} increases vulnerability to the severe symptoms and outcomes of COVID-19.³⁷ Thus, exposure to air pollution increases severe outcomes during infectious diseases that affect the lungs. The whole objective to describe the nexus between climate change, environmental pollution and infectious disease outbreaks were to expound its stimulus on the industries. Now, with the current outbreak of COVID-19, the reduction in the employment level is evident. The businessmen are facing huge losses in the market. The pandemic raises the level of concern towards the economic condition of the individuals as well as the country. The pandemic and the lockdown not only disturb the medical situation but

³³ John C. Prisco, Brent C. Christner et al., *Biological Material in Ice Cores*, ENCYCLOPEDIA OF QUATERNARY SCIENCES 6 (2005), <http://brent.xner.net/pdf/PriscuetalQS.pdf>.

³⁴ COOLEN MJL, 7000 YEARS OF EMILIANA HUXLEYI VIRUSES IN THE BLACK SEA, SCIENCE 333, 451 (2011).

³⁵ CASTELLO JD ET AL., DETECTION OF TOMATO MOSAIC TOBAMOVIRUS RNA IN ANCIENT GLACIAL ICE, SPRINGER-VERLAG 207-212 (1999).

³⁶ Matthieu Legendre et al., *Thirty-thousand-year-old distant relative of giant icosahedral DNA viruses with a pandoravirus morphology*, 111 PNAS 4274 (2014).

³⁷ Xiao Wu et al., *Exposure to air pollution and COVID-19 mortality in the United States: A nationwide cross-sectional study*, 6 SCIENCE ADVANCES (2020).

also increases the rate of unemployment. The problem of employment has badly affected the labour market of every nation.

With the current situation where there is an absolute uncertainty with the duration and intensity of the continuation of the pandemic situation, it has become very difficult for the wage workers to work with unstable income facilities. According to a news article,

*“In Uttar Pradesh, at least 14 labour laws like the Minimum Wages Act and Industrial Disputes Act are being suspended for three years in an effort to attract capital. Similar is the case with MP and Gujarat. The plea is that this is needed to revive economic activity. The chief minister of MP has said that this would lead to new investment in the state.”*³⁸

The layoffs are not the only outcome of a pandemic but there are various other social, physical, and economic consequences on the labour. Domestic migrant workers are the most vulnerable since they lack social support. With the shutdown of industries, they did not have enough money to pay off their rents, buy essential commodities, thus forcing them to leave for their villages. But with the shutdown of transports, many migrants were forced to leave on foot. Travelling on foot for so long led to the deaths of various migrant workers as well as resulted in fatigue and dehydration. Some workers committed suicide, and few died because of road and train accidents. Exposure to silicosis or tuberculosis or any such illness during occupation makes the labour class more vulnerable to COVID-19. The horror of economic distress, loneliness, and inaccessible medical facilities cloud labourers psychologically as well. They are more prone to depression, hypertension, stress, and anxiety. Thus, affecting the overall quality of their lives.

³⁸ Arun Kumar, *The Pandemic is Changing the Face of Indian Labour*, THE WIRE, (May 9, 2020), <https://thewire.in/economy/covid-19-pandemic-indian-labour>.

Conclusion

Labour and environment standards had been the talk of international organizations and western countries since the Seattle protests of 1999. The common ground was constructed between them to promote the principle of sustainable development. The necessity to form such nexus was to promote the dignity and human rights of the workers. Since most of the countries started following the capitalist model of the economy, labourers became the most exploited and vulnerable class. To incur more profits, capitalists not only exploited the labour but also created havoc on the natural resources, and it would never be sufficient if the state made policies on any one of them. In their attempts to protect both, international organisations constructed a parallel path to suffice their individual needs. Climate change is a that phenomenon which will affect everyone, and labourers being an already deprived class will face more repercussions. This is especially true in the market economy of islands where coastal erosion and rise in the sea levels are prominent consequences - such as Fiji island or Papua New Guinea. Here, the majority of people don't have clean water to drink, or proper sanitary conditions and it would be preposterous to think that they could survive it without any governmental aids or intervention. It should be ensured that when the government intervenes, it must protect both; unlike in the case of the Draft Environment Impact assessment, 2020, which might attract industries, and superficially benefit the labour but eventually will exploit the environment and incidentally labourers' quality of life. Thus, it has become the need of the hour to follow an approach to protect both.