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The New Normal: Analysis of Covid-19 Impact on Different Segments in India

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ABSTRACT

World health organization (WHO) was first informed of a cluster of cases in pneumonia caused by COVID-19 in Wuhan City, China, during December 2019; which has now caused an outbreak of respiratory illness across 213 countries. The first case of COVID-19 was reported on 30th January 2020 in India. The sharp spike in covid-19 cases and deaths has become the new reality for the people around the globe. The measures needed to control the spread of the virus have become the topic of debate as it is not only affecting the health of the people but it has brought the global economy to a standstill and also transverse or curtailed the basic rights of the individuals. Not only the developing countries like India are suffering but developed countries like USA are not able to combat the spread of virus. Where rapid increase in COVID-19 cases is not expected to die any time soon, generating resources including finance and employment shall be the next big challenge in the near future. Absence of vaccine and other medical facilities are adding to the overall delay and further choking our disreputable condition. In order to overcome these situations and circumstances there is an instant requirement of legislative leadership, to assist and empower so that economy, education and public health sectors are revived.

I. INTRODUCTION

The COVID-19 pandemic (as declared by WHO)² is the first and foremost disaster in 2020. Approximately, more than 200 countries have reported confirmed medical cases, caused by corona virus. As per the reports published³ recent growth rate case globally has accelerated to more than 15, 681,017 COVID-19 cases and more than deaths 637,197 till July 24, 2020. The nation-wide lockdown has been the dominant or crucial element to the Indian government's strategy to combat the COVID-19 pandemic. The orders were issued⁴ in terms of the provisions

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² Timeline of WHO'S response to COVID-19, available at: <https://www.who.int/news-room/detail/29-06-2020-covidtimeline> (last modified June 30, 2020).

³ COVID-19 CORONAVIRUS PANDEMIC, available at: https://www.worldometers.info/coronavirus/?utm_campaign=homeAdvegas1?%22%20%5C1%22countries (last modified July 29, 2020).

⁴ Annexure to Ministry of Home Affairs Order No. 40-3/2020-D dated () 24.03.2020, available at: https://www.mohfw.gov.in/pdf/Annexure_MHA.pdf (visited on 26 July 2020)

under section 6⁵ of the Disaster Management Act. The guidelines given by the Home ministry laid down that all types of transport services including air, road, and train travel will not be operational during this period; all commercial and private shall remain closed, except for ration shops, banks, ATM's, media services and telecommunication services. On one hand where the lockdown helped in controlling the spread of virus but this exercise has resulted in unprecedented economic losses, violation of basic and fundamental rights, affected the education sector. In both organized and unorganized sector, there has been complete breakdown with businesses closed, supply chains disrupted, timelines extended, contracts terminated and there is no legal recourse available for those who are affected. As we are already aware about the fact that India is a developing country whose economy is going through demand- depression and high unemployment, the outbreak of the virus has accelerated the economic problems for the nation. It is pessimistic to know that, a consolidated and pro-active policy approach to combat the outbreak of the deadly virus is absent in India. In fact there has been ad- hoc and reactive rule-making, as it was evident from the policies regarding migrant workers where the orders regarding the inter-state movement has left the fate of thousands of migrant workers to be handled by district administration with inadequate resources. As we are now at the very crucial stage, it is imperative that we assess underlying legislative soundness and all the challenges that are being faced by the nation.

II. IMPACT ON RIGHTS

With over population of over 1.3 billion people locked inside their homes, India had faced largest lockdown⁶ in the world. In a bid to control the spread of virus, the Indian government seems to have disregarded the basic human rights as an opportunity cost of saving the population from the widespread virus. Though the restrictions imposed were necessary, provided by law, and consistent with other obligations but imposition of such harsh restrictions has become an excuse for police brutality; citizens have been assaulted by police officers for their lawful activities.⁷ The government did little to provide protection to the health workers, Indian doctors have been relying on homemade hazmat suits, and masks. On the other hand, before imposing such restrictions the government should have made arrangements for shelters, food and other items for the people especially migrant workers⁸ who were affected by the order

⁵ The Disaster Management Act, 2005 (No. 53 of 2005).

⁶ India, Day 1: World's Largest Corona virus Lockdown Begins, available at: <https://www.nytimes.com/2020/03/25/world/asia/india-lockdown-coronavirus.html> (visited on: 24 July 2020).

⁷ India: Police under fire for using violence to enforce corona virus lockdown available at: <https://www.dw.com/en/india-police-under-fire-for-using-violence-to-enforce-coronavirus-lockdown/a-52946717> (visited on 26 July 2020).

⁸ India: Migrant workers' plight prompts UN call for 'domestic solidarity' in corona virus battle, available at:

of lockdown. Various fundamental rights enshrined in the Constitution of India, which no one can encroach upon or infringe the right of the citizen have been affected due to the lockdown. The right to livelihood and personal liberty covered under Article 21 of the Constitution provides that no person shall be deprived of his life except according to the procedure laid down by law. The expression life as under Article 21 considers in its ambit not only mere physical existence but also includes right to work and right to livelihood. Likewise, the right to movement is guaranteed by Article 19. All these rights have been violated by the orders of the government. It was important for the government to take all the necessary actions to protect spread of virus but consideration of basic rights could have ensured better implementation and enforcement because when people trust the government, they are more likely to cooperate.

III. IMPACT ON THE INDIAN ECONOMY:

The outbreak of novel corona virus has affected the economic stability of more than 150 countries across the world with the commencement of financial year 2020-2021 impacting business and assumption of common well-being that we had taken for granted. The nationwide lockdown has slashed the GDP growth rate to 0.8 % as compared to an estimated 4.9%⁹ for the financial year 2020-2021, foreign exchanges are dying. At mist the social distancing norm due to threat of covid-19 the consumers tend to overstock on essential commodities which resulted in increase in sale of the FMCG companies but on the other hand there was a rapid decrease in the stock-in trade due to distorted supply chain. The e-commerce sector that plays an important role in today's economy saw a dip in growth with pressure on supply chains; lifestyle categories sales witnessed a drop ranging 15% to 30 %.¹⁰ Global business houses are implementing strategies to ensure they can continue to operate in dynamic and uncertain legal and regulatory landscape. A clear strategy will be essential for organizations not only to survive, but to thrive, in 2020 and beyond. While protecting public health still remains the priority, many organizations are facing challenges, including major disruption to their supply chains, meeting contractual obligations, bringing people back to the workplace and implications under funding arrangements. Many of these issues need to be navigated on a cross-border basis.

<https://news.un.org/en/story/2020/04/1060922> (visited on 26 July 2020).

⁹ Fitch Ratings sees India growth slipping to 0.8% in FY21, available at: <https://economictimes.indiatimes.com/news/economy/indicators/fitch-ratings-sees-india-growth-slipping-to-0-8-in-fy21/articleshow/75313106.cms> (visited on 26 July 2020).

¹⁰ OPINION: IMPACT OF COVID-19 ON THE INDIAN ECONOMY, AVAILABLE AT: [HTTPS://GOVERNMENT.ECONOMICTIMES.INDIATIMES.COM/](https://government.economictimes.indiatimes.com/) (VISITED ON 26 JULY 2020).

IV. IMPACT ON EDUCATION

With the imposition of lockdown all the educational institutions were directed to close as approximately there are 250 million school-going students in India, therefore it is of paramount importance that their health is protected as educational institutions may be fertile breeding ground for spreading the virus while also ensuring that their education is not interrupted because an effective educational practice is what is required for the capacity building of the young minds. It is essential because it will develop skills, drive their productivity and well-being in the decades to come, and ensure overall progress of India. Most of the schools started with online classes for the students which was beneficial for the students but was adding to the problem as India all families are not financially strong to avail the resources required for digital learning. and also online learning and teaching is a special kind of methodology and not all teachers are good at it at least all of them were not ready for this sudden transition. As per the reports of UNSECO about 32 crores students are affected in India¹¹, including those in schools and colleges. In India, we still have to go a long way to make digital learning as mainstream education, because students living in urban areas have the required facilities however students in rural areas do not have the required infrastructure. Another challenge is that students tends to get distracted and therefore digital learning is likely to witness a high drop-out rate due to lack of atmosphere for studying. The ongoing crisis has given an opportunity to rethink the deep-rooted classroom education and underscored the significance of online learning.

V. WAY FURTHER

All these situations above call out for a proper mechanism, framework and legislative assistance to empower and assist the frontline workers to overcome the situation and to revive economy, public health sectors, and education and sectors. In the recent case of *Paschim Banga Khet Mazdoor Samity V. State of West Bengal* ¹²the Supreme Court held that the government is obligated to provide adequate health facilities to the citizens of India. But the current status of medical facilities (including, but not limited to, testing kits, hospitals, and the number of people trained to combat something of this nature) suggests that India needs something more than a Disaster Management Act or an Epidemic Diseases Act that only grants powers to the government to take steps they deem necessary. India requires a methodological and comprehensive framework to combat a pandemic of this nature.

¹¹ Education: From disruption to recovery, available at: <https://en.unesco.org/covid19/educationresponse> (visited on 26 July 2020).

¹² *Paschim Banga Khet Mazdoor Samity v. State of West Bengal & Anor*; (1996) AIR SC 2426, (1996) 4SCC 37.

As rightly said by Marija Pejcinovic, Secretary General of the Council of Europe, while the virus is resulting in the tragic loss of life, we must prevent it from destroying our way of life-our understanding of who we are, what we value, and the rights to which every person is entitled. There is urgent need to co-ordinate, to exchange good practices, and to help each other in the quest for a quicker recovery.

VI. CONCLUSION

All the above mentioned points reflect negative impacts of the lockdown, but we would miss out something if we do not acknowledge the growth of digital infused technology gain. With the imposition of lockdown almost all the sectors shifted their functioning online including education sectors, MNC are utilizing work from home option to carry on work. While these trends were already in baby-steps, they were forced to click the fast-forward button. In particular, giving just a 4- hour notice before shutting down the entire country was incompatible with all the obligations. Even though providing safety to a country with such huge population is not an easy task but if the population was allowed to plan, prepare and take informed decisions lockdown would have been better implemented.
