

IMPACT OF COVID-19 ON INDIAN POLITY

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Introduction

The pandemic² is spreading like a wildfire. To curb the spread the Government of India with the support of state governments is working on war footing. Lockdown at various stages, restriction on economic, political, social, cultural and religious activities are some of the steps taken. Multiple levels of government and actors are very essential in a federal form of polity like India. Indian constitution is written, as we all know, with a federal polity. The constitution has provided provision for emergency in part XVIII. But the government has imposed emergency in the form of lockdown, wherein all the freedoms are restricted for the health of the society. It is one of the legal ways followed to control the spread of COVID 19. In the present scenario the Legislature and Judiciary are almost silent or doing nothing, the executive running the show. Both at the federal and state level the issue is primarily addressed through executive order. The central government has invoked the *Disaster Management Act, 2005*³ and many State governments the *Epidemic Diseases Act, 1897*⁴. Both laws allow the Central and State governments to take suitable action they feel necessary to address the issue. Guided by these laws both the Central and State governments have bypassed their Legislature.

There is no coordination among the States as regards to lockdown, question of migrant labours, interstate transport of essential goods etc. States like West Bengal are neither ready to work in cooperation with Centre nor State like coordinating with Central agencies in effectively facing and handling the issue. According to a report published in Times of India June 4⁵, the West Bengal government has issued exit pass to the Bangla Tablighis despite MHA notice. Bihar are not ready to accept the migrant Bihari workers back⁶, fearing that they are the transformers of the pandemic, but the labours were eager to return to their home state. Karnataka in the present scenario is not in a position the Kannadigas stranded in Maharashtra, as the cases are on the rise, at the same time Maharashtra is pushing for the

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² The Novel Coronavirus (COVID-19) cases have been confirmed in large number of countries due to which the World Health Organisation (WHO) on 11.03.2020 has characterized COVID-19 as pandemic. Pandemic means, a disease prevailing all over a country or the world.

³ No. 53 of 2005, it received the assent of The President of India on 23 December, 2005.

⁴ ACT NO. 3 OF 1897. This Act has been amended in its application to (1) the Punjab by the Epidemic Diseases (Punjab Amendment) Act, 1944 (Punjab Act 3 of 1944); in East Punjab by East Punjab Act 1 of 1947; (2) the C. P. and Berar by the C. P. and Berar *Epidemic Diseases (Amendment) Act, 1945* (C. P. and Berar Act 4 of 1945). The Act has been extended to (1) the whole of Madhya Pradesh by M.P. Act 23 of 1958 (when notified). (2) the transferred territories of Punjab by Punjab Act 8 of 1961. (3) in Dadra and Nagar Haveli (w.e.f. 1-7-1965) by Reg. 6 of 1963, s. 2 and Sch. (4) to Lakshadweep (w.e.f. 1-10-1967) : vide Reg. 8 of 1965, s. 3 and Sch. (5) Union territory of Pondicherry by Act 26 of 1968, s. 3 and Sch. The Act has been repealed in its application to Bellary District by Mysore Act 14 of 1955.

⁵ "Despite MHA notice, Mamata govt issued exit pass to Bangladeshi Tablighi Jamaat attendees; state denies charge", Times Now Bureau, Updated Jun 04, 2020, 22:31 IST. Available at <https://www.timesnownews.com/india/article/despite-mha-notice-west-bengal-govt-didnt-stop-bangladeshi-tablighi-jamaat-attendees-from-leaving-india/601657>. Accessed on 07 June 2020.

⁶ "Coronavirus lockdown, Migrant workers not welcome back home in Bihar", The Hindu. Available at <https://www.thehindu.com/news/national/coronavirus-lockdown-migrant-workers-not-welcome-back-home-in-bihar/article31200962.ece>. Accessed on 04 April 2020.

movement of these people to their home state to have a control on the spread of the disease. In this context the article is an effort to study the impact of Covid 19 on Indian federal structure.

Review of Literature on Indian Polity

UN⁷ and WHO have praised India's response to the pandemic as 'comprehensive and robust'⁸ terming the lockdown restrictions as aggressive but vital for containing the spread and building necessary health care infrastructure.

The Oxford COVID-19 Government Response Tracker⁹ [OxCGRT] noted the governments' swift and stringent actions, emergency policy making, emergency investment in healthcare, fiscal stimulus, investment in vaccine and drug Research and Development.¹⁰

Michael ryan¹¹, chief executive director of the WHO's health emergencies programme noted that India had tremendous capacity to deal with the outbreak owing to its vast experience in eradicating smallpox and polio.¹²

Stages of Lockdown to Control the Spread of Covid-19

Under the leadership of Prime Minister Narendra Modi on 24-04 2020, Government of India ordered nationwide lockdown for 21 days. The five phases of lockdown are as follows:

Phase I- 25-3-2020 to 14-04-2020

Phase II- 15-4-2020 to 03-05-2020

Phase III- 04-05-2020 to 17-05-2020

Phase IV- 18-05-2020 to 31-05-2020

Phase V- 01-06-2020 to 30-06-2020

The basic purpose or goal of lockdown was to contain the spread of coronavirus outbreak in India.¹³ Methods followed to contain were ban on people from stepping out of their homes; all services and shops closed except pharmacies, hospitals, banks, grocery shops and other essential services; closure of commercial and private establishments; suspension of all educational, training and research institutions; closure of all places of worship; suspension of

⁷ "COVID-19: Lockdown across India, in line with WHO guidance". Available at <https://news.un.org/en/story/2020/03/1060132>. Accessed on 05 April 2020.

⁸ Dr. Henk Bekedam, WHO Representative to India, praised the country's response to the pandemic, describing it as "timely, comprehensive and robust", with the authorities taking the "whole-of-government" approach advocated by WHO, and Prime Minister Modi personally spearheading efforts.

⁹ "India implements strictest lockdown in the world, lags in testing: Expert", India Today, Available at <https://www.indiatoday.in/india/story/india-implements-strictest-lockdown-in-the-world-lags-in-testing-expert-1665604-2020-04-10>. Accessed on 02 May 2020.

¹⁰ "Study reveals India's response to coronavirus most stringent", CNBC TV 18, Health Care Coverage. Available at <https://www.cnbc18.com/healthcare/study-reveals-indias-response-to-coronavirus-most-stringent-5666531.htm>. Accessed on 04 May 2020.

¹¹ Michael Joseph Ryan, (born 1965) is an Irish former trauma surgeon and epidemiologist specialising in infectious disease and public health.

¹² Ankit Kumar, "Lockdowns alone won't eliminate coronavirus: WHO to India", India Today. Available at <https://www.indiatoday.in/india/story/coronavirus-pandemic-who-india-lockdown-1659803-2020-03-26>. Accessed on 15 April 2020.

¹³ Available at <https://www.mohfw.gov.in/>. Accessed on 07 June 2020.

all non-essential public and private transport; prohibition of all social, political, sports, entertainment, academic, cultural and religious activities.¹⁴

The country was divided in three zones as Red, Orange and Yellow zones depending upon the number of active cases.

Impact on Indian Polity

- It has created a sense of belongingness, that is, preferring local products, vendors
- Developed sense of brotherhood wherein everyone is praying for the good health of every other which is a must for National integration.
- Cooperation and co ordination among the different states has increased to a larger extent, which is the basic necessity in a federation.
- Created an atmosphere for the establishment of direct democratic institutions-gram sabha, mohalla sabha, area/ward committee, take care of adivaasi areas...
- Strengthen local self-reliant economies to control spread such diseases
- Shifted the focus from globalization to localization
- Created a situation to cater the local needs
- Shifted the focus from green agriculture to eco-friendly /organic farming
- Stress on community health
- To list few loophole-no coordination among the states, neglecting the central order by some states, failure to manage migrant workers, politicizing the issue of lockdown, looking at the central policies from political angle, running the administration through executive order.¹⁵

CONCLUSION:

The virus has created lots of positives on the Indian polity, environment, social relations, concern and support for each other. It has established the sense of oneness among the citizen. Lockdown and other measures taken by the central government have shown greater political unity among the federating units. The Indian Federal structure showed the world that during crisis, we are together beyond political powers. But better co-ordination, co-operation, understanding and trust is required in these situations.

¹⁴ As a matter of instance, Government of India Updates to SOP on preventive measures in Hotels and Other Hospitality Units. Available at <https://www.mohfw.gov.in/pdf/5SoPstobefollowedinHotelsandotherunits.pdf>. Accessed on 10 June 2020.

¹⁵ Shivkrit Rai and Nipun Arora, "How Covid-19 is questioning the Constitutional fabric of India, The Covid-19 outbreak is perhaps the first instance in Indian history where an infectious disease is testing itself in constitutional waters". Available at <https://www.dailyo.in/politics/covid-19-coronavirus-in-india-lockdown-fundamental-rights-constitution-of-india-right-to-health-right-to-education-midday-meal-privacy/story/1/32712.html>. Accessed on 27 May 2020.