

LEGALFOXES LAW TIMES

LOCKDOWN LAW & LOCALITY

SOCIO- LEGAL ISSUES AMIDST COVID-19'

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Abstract

By now the coronavirus pandemic has spread all over the world causing innumerable deaths every day. Making Europe and Italy its epic center. America is also not far from this dangerous pandemic and has the highest number of death rate in recent days. Coronavirus which spread from Wuhan a city in China is now rapidly spread across the globe making almost every country on this earth its victim and affecting the economies largely all around the world.

This article will mainly focus on the Indian Context of Corona Virus spread.

- Whether the present government is successful in tackling this pandemic?
- Current policies of the Government to curb this issue and various other facets of the same.
- The main focus lies on the sudden announcements of Lockdown its aftereffects and positive measures.
- The issues of migrant workers, laborers, people below poverty line and slum areas.
- Atrocities on women and how the lockdown may have been a horrific time for some households etc.
- I will also talk about the credibility of action of policemen in certain situations and problems arising out of strict patrolling and its positive aspects as well.

The first case of COVID-19 appeared in mid-November, in December the Chinese Government was still unsure about the attributable classification of the disease. Through January and February the outbreak began spreading worldwide. Meanwhile in India, Amidst all this chaos the Indian Government then passed an anti-Muslimism law which clearly discriminated against minorities and tried to tear the secular fabric of the nation. The Hindu-Nationalist Government was busy making arrangements for welcoming US President Donald Trump.

When India was clutched with violence and public protests around different states, Coronavirus crippled in the Country. The first case was reported in India on 30 January, but the authorities ignored the signs given by WHO, and within some weeks our Prime Minister Modi Ji announced a sudden lockdown for 21 days starting with one day Janta Curfew. This resulted in economy's loss worth 15 lakh crores. While Modi government announced ¹financial backup of 1.7 lakh crore rupees and additional 70,000/- rupees were added on later to whole amount.

The nation wasn't really prepared for this unannounced instruction of lockdown which indeed resulted into crores of people being pushed into the fire of unemployment. The unorganized sectors are the major sufferers of this lockdown. Especially the suspension of train service, flight operations, shutting down of big and small industries. ²The Centrum Institutional Research reported a loss of 35,000 crore every day during this coronavirus situation. Acute Rating and Research (calculated a similar loss.) The GPA which was increasing at a positive rate has been affected by Lockdown. The 3 week long lockdown cost the Indians 7.5 lakh crore and if the same estimate continues there will be loss of 15 lakh crore rupees.

Keeping in mind the losses the Government announced coronavirus stimulus package of Rs.1.7 lakh in March under the PM GAREEB KALYAN SCHEME which clearly isn't enough for a population with most of its people under BPL. As if the Farmer's Suicide issues wasn't enough alone to deal with, The Farmers are hit by sudden exodus of migrant laborer's loss of crops and vegetables has taken a toll on mental health of the farmer's and their source of income. Major loss of agricultural laborers including blue collar workers etc.

¹Special Correspondent, Coronavirus center rolls out 1.75 crore package, The Hindu (March 26,2020,16 :05 IST)<https://www.thehindu.com/business/Economy/17-lakh-cr-package-with-doubled-food-rations-cash-transfers>

² The Economic Times, E- Paper (April, 13 2020, 8:31PM IST)<https://economictimes.indiatimes.com/news/economy/finance/worlds-biggest-lockdown-may-have-cost-rs-7-8-lakh-crore-to-indian-economy/articleshow/75123004.cms>

The most disappointing series of incidents started with the “Thali Bajao”. Which was a kind of assignment given by the fascist government to its citizens. Although it didn't do much good in my opinion, soon the euphoria of clippings and thali banging's session was over but the ignorance to harsh realities still continued. There were instructions given by our Health Department to wash hands every 20 minutes to prevent the spread of this virus. But are we really looking at the citizens of this country as a whole or just a privileged part amongst the rest. Little did the government realize that millions in this country don't even get water fit for consumption is this method fair for all ?

A considerable percentage of population is struggling to get basic needs such as food and shelter amongst this worse situation, with poorly implemented or no schemes to serve the needy our government is rather busy in celebrating ‘Corona Diwali’ which was seen as a ray of positivity amongst all this tough times and was religiously observed by Modi Bhakt's. In spite of bringing positivity this unthoughtful step from the Government could've cost a major load on the Electricity Department and the country could've faced a major set-back. The admirers of Modi went so blind in following the orders that they forgot that hospitals also run on electricity and this can cost the patients on ventilators their life's and thus the decision was cautiously altered. Cases and news of fire outbreak were also recorded in various parts of the country but media smitten by PM's orders was continuously flashing the blissful pictures of people lighting diyas, candles, and what not. The question is when millions of people are dying all around the world, in our own country the doctors and nurses are suffering because of improper and no medical kits or Personal Protection Equipment to save their own life³. While the working class is dying of hunger and lack of basic necessities. Are we celebrating ‘CORONA DIWALI’ while the nation is in between a Global Medical Emergency and is subject to casualties everyday amidst this deadly pandemic?

There is shortage of masks, testing kits, in this situation the government should've done more testing for free instead of suggesting its citizen's to take private tests which cost rupees 4000/- per person which a lower middle class person will not be able to afford. It appears from the above incident's that Modi- government is putting responsibility for containing the virus

³Navya Singh, Modi's 9 minutes at 9am becomes mini Diwali for covidiot's, (6 April 2020, 4:54 PM),TheLogicalIndian <https://thelogicalindian.com/news/covidiot's-celebrated-diwali-pm-modi-20470>

outbreak on citizen's rather than instituting a official robust system in terms of public health and system.

Even today in the present scenario there are not enough testing of people and hence the statistical data is very low while showing the increased number of corona patients in a country with second largest population in the world, The government has only tested few lakh people as of yet⁴. Which medical disaster is the government of India wait for after the rapid increase of the outbreak. Should the common man believe the official numbers released by Modi government blindly while the face of reality is something else.

With the increasing lockdown period after every 15 days is affecting the mental health of adults and kids almost each and every age group. With number of corona virus patients increasing and apprehensions of lockdown getting over at the end of every week with the speech of PM is sure to shoot up anxiety everywhere.

Cases of Police Brutality have been reported more in the times of lockdown. Our everyday life feels in control of the cops patrolling continuously. While some of them are really sacrificing their peace and life for the citizens of the country others are busy in violating the law and rights of individuals in such times of grave danger. There is a sense of deep fear of a police state upcoming in the minds of all.

⁵Mostly cases of police brutality are recorded from the State of UP and Bihar where police asked the poor boys who we're on foot to crawl do sit-ups. In some cases police even recorded the videos of such ill-treatment and put it up on social media.

It is understandable that in such hard times police are helpless and if the situation goes out of control they have the authority to charge the offenders with legal punishment or legal action. But such acts of brutality by police are unacceptable for the trust of citizens as well as democratic nature of this country.

⁴Himanshu, India's economic data reliable or curated artifacts, Livemint, 10:27 PM

⁵AnishaSircar, India's Coronavirus lockdown is bringing out the worst in its police force, Quartz India (March 28,2020) <https://qz.com/india/1826387/indias-coronavirus-lockdown-brings-police-brutality-to-the-fore/>

Due to recent acts in Delhi Riots brazenness of the police authority was on display, while university students and protesters were falsely accused and were beaten up by police as they allegedly sided with rioters.

Many police officers are doing good work in states like Maharashtra, Mumbai and pune district but right now country cannot witness and afford the police-citizen relationship unravel. Much planned reforms would've solved this distress if there was an alternate plan to balance this situation.

Plight of Labourers and Migrant Workers in times of Corona is the severe socio-legal issue which should be focused on primarily.

A ⁶report revealed by Maraa, a Bengaluru-based media and humanities collective that runs a newspaper known as Bevaru (which suggests that 'sweat' in Kannada) for employees within the town, has highlighted the issues of employees within the town since the nationwide internment on March 24. They embrace construction employees, laborers functioning on the Bengaluru railroad construction sites, sex employees, domestic employees, garment employees, and pourakarmikas (garbage handlers). The report states that whereas some sectors of the city's population will afford to figure from home, "a giant section of our population is caught within the crossfire between the threat of the virus, explicatory contractors, inadequate support from the govt. and public apathy and indifference" and recommends that immediate relief ought to be provided by the government.

The report has been ready on the premise of conversations with employees and consists of the many poignant testimonies. A construction manual laborer is quoted as voice communication, "We haven't devoured since morning, since we have a tendency to square measure troubled however we'll manage for these twenty one days., however we wish to come back home."

The report has created several recommendations to alleviate the plight of staff within the town, as well as the availability of free ration and clean drink right away. Whereas the Central government has declared a special money package of Rs.1.7 00000 large integer for the poor, the

⁶ VIKHAR AHMED SAYED, Report highlights workers 'suffering during lockdown, Frontline Magazine (May 22,2020) <https://frontline.thehindu.com/dispatches/article31183768.ece>

report states that it doesn't take under consideration the plight of staff within the informal economy.

Especially in slum area like Dharavi which is one of the largest slum area in Asia. The guidelines issued by Modi Government in terms of social distancing are merely a fantasy for people staying in there. ⁷Nine in 10 workers have lost their job and this has made them very vulnerable, According to Indian Council on Research on International Economic Relations in Delhi.

100 million labor force has lost job or left the job according to an analysis by economist at Goldman Sachs and the unemployment rate has shot up to 27 percent.

Along with the NGO's and State and Central Government are addressing the immediate needs of Food and Shelter in Dharavi by providing cooked meals twice a day for 20,000 people at once. Civic groups are also working to help the needy and those who have lost their livelihood. More than 100,000 people have been screened and isolated at government run quarantine facilities, 450 public toilets are disinfected daily.

History has witnessed women as the subject of violation, sensitivity and suffering. This lockdown might be a paradise for some to spend time with their loved ones and family but for few it may be one of the horrific experiences ever. Home is considered as heaven, as the safest place on earth but in times of covid-19 lockdown it has turned hell for some section of the society. ⁸There has been a tremendous increase in the cases of lockdown amidst lockdown. NCW i.e. National Commission for Women has raised a red flag regarding the cases of domestic violence which include sexual, psychological, physical, financial, and emotional abuse.

The victim of domestic abuse not only is vulnerable but is also at the risk of facing sexual and mental health difficulties such as risk of chronic diseases like depression, post-traumatic stress disorder, and substance abuse. In such times where getting a hand for help is really difficulty the victim can use the SOS which NCW recently launched, a WhatsApp number which will send

⁷In one of the world's largest slum, the fight against coronavirus has turned into a struggle to survive.,The Washington Post (5/15/20 2:37 AM),https://www.washingtonpost.com/world/asia_pacific/dharavi-coronavirus-india-slums-mumbai/2020/05/11/beb2a4fe-8e1b-11ea-9322-a29e75effc93_story.html

⁸ Aviva ParezDamania, Lockdown and rise in domestic violence : The Indian Express (May 13,2020 3:50:31pm) <https://indianexpress.com/article/lifestyle/life-style/lockdown-rise-of-domestic-violence-how-to-tackle-situation-if-locked-with-abuser-national-commission-for-women-6406268/>

alerts to assist the women in a threatening situation. It is always suggested to keep a friend, or family member informed about the situation and risks at home.

Not only women but even children, are subject to abuse especially in times of lockdown, due to increased levels of stress, financial worry, job insecurity and other emotions such as anxiety parents too can be predictor of abuse.

I would like to conclude this article with one short poem of GulzarSahab which reminds me of not losing hope amidst this dark and depressing times, where people are suffering ,dying of hunger, some homeless heading towards home in hope of getting the warmth of their loved ones, family, children and few who didn't make their way back home. This is dedicated to all of us who are fighting these grave times with courage and kindness.

बहुतमीठीहै, खूबसूरतहै

ज़मीं, हमजानतेहैं

गुड़कीढेलीहै

बड़ीमोहलिकहवाउतरीहै

इसपर

इसेघुननालगे

हटकर, ज़रासीदेरठहरो

धूपआनेदो

उठेगाआफ़ताबऔरछानेगाकिरणोंसे

इसमोहलिकहवाको

मकोड़ोंकीतरहनाभीड़नाकरना



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⁹Gulzar, Gulzar's message in poetry, The Print, (22 April,2020 7:16 PM IST)

<https://theprint.in/features/dhoop-aane-do-dont-lose-hope-feed-the-strays-gulzars-lockdown-message-in-poetry-prose/406807/>

अलगहोकरखड़ेहोजाओ

औरधूपआनेदो



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