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COVID 19 Web Series

Lecture 1

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(4.30 PM to 6.00 PM)

India's Governance over Covid 19 with special focus on Migrant Workers

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I. BACKGROUND

The outbreak of Covid 19 has caused unparalleled misery in the history of the globe affecting more than 188 countries and territories with more than 4.71 million cases and more than 315,000 deaths.¹ It was initially identified from Wuhan, China in December 2019 and spread so massively and widely that the WHO declared it as Public health emergency of International Concern by 30th January and a pandemic by 11th March 2020. As on 15th May, 2020, the worst sufferers in terms of cases are US, Russia, UK, Spain and Italy. In terms of deaths, it is US, UK, Italy, France and Spain which are suffering the most at present. However, the point is that the Covid 19 is spreading so rapidly and unpredictably that no country can afford to be complacent just by looking at statistics at any given point in time. The WHO has recommended several objectives as part of the strategic preparedness and response plan.² Various governments have adopted different approaches from time to time. For example, many countries in Europe (in Schengen area) have restricted free movement and set up border controls. Many national governments have responded with National Lockdowns, Sub National

¹ Source: Covid 19 Dashboard by the Center for Systems Science and Engineering (CSSE) at John Hopkins University available at: <https://gisanddata.maps.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6> (Last visited on Mar 17, 2020).

² The objectives included 1) limiting human-to-human transmission, 2) Identification, isolation, and care for infected and suspected patients, 3) Communicating critical risk and event information to all communities, and countering misinformation, 4) Minimizing social and economic impact through multisectoral partnerships etc. Source: WHO, "2019 Novel Coronavirus (2019-nCoV): Strategic Preparedness And Response Plan" available at: <https://www.who.int/docs/default-source/coronaviruse/srp-04022020.pdf>

Lockdowns (for states/cities/counties) etc. It started with the city of Wuhan being under lockdown by Chinese government in late January and over next three months i.e. by April 2020, around 3.9 billion people i.e. more than half of the world's population has been under lockdown.

II. OUTBREAK OF COVID-19 IN INDIA AND GOVERNMENTAL RESPONSE: AN OVERVIEW

The first case of the COVID-19 pandemic in India was reported on 30 January 2020, originating from China.³ As on 18th May, 2020, the total number of cases has risen to 96000+ and deaths to 3029. In response, the Government of India has time to time taken several strong measures including the national lockdown to contain the spread of Covid-19.⁴ Several far reaching methods⁵ were used during the national lockdown. The WHO⁶ and the Oxford Covid-19 Government Response Tracker (OxCGRT)⁷ has appreciated Indian Government's response towards Covid 19.

However, the critics worry that economic devastation has been caused by the lockdown, which has huge effects on informal workers, micro and small enterprises, farmers and the self-employed, who are left with no livelihood in the absence of transportation and access to

³ India saw its 100 confirmed cases by 15th March 2020, 1000 by 28th March, 5000 by 7th April, 10,000 on 14th April, 20,000 on 22nd April and 30,000 on 29th April. The death toll crossed 50 on 1st April, 100 on 5th April, 500 on 19th April and 1,000 on 29th April.

⁴ The Phase 1 was from 25 March 2020 to 14 April 2020 (21 days), followed by Phase 2 i.e. from 15 April 2020 to 3 May 2020 (19 days), Phase 3 i.e. from 4th May 2020 to 17th May 2020 (14 days) and 4th phase has started from 18th May 2020 till 31st May 2020. A conditional relaxation after 20th April for the regions where the spread had been contained. On 1st May, the Government of India extended the nationwide lockdown further by two weeks until 17 May. Under Phase 3, the Government has divided the entire nation into three zones—green, red and orange—with relaxations applied accordingly. Under Phase 4, The Centre has stated that the delineation of Red, Orange and Green zones will be decided by respective states and UTs in line with the parameters by Ministry of Health and Family Welfare.

⁵ Methods included 1) Ban on people from stepping out of their homes; 2) Closure of All services and shops except pharmacies, hospitals, banks, grocery shops and other essential services; 3) Closure of commercial and private establishments (only work-from-home allowed); 4) Suspension of all educational, training, research institutions; 5) Closure of all places of worship; 6) Suspension of all non-essential public and private transport; 7) Prohibition of all social, political, sports, entertainment, academic, cultural, religious activities etc.

⁶ Michael Ryan, chief executive director of the World Health Organisation's health emergencies programme, said that India had "tremendous capacity" to deal with the coronavirus outbreak and, as the second most populous country, will have enormous impact on the world's ability to deal with it. "India has tremendous capacity in eradicating coronavirus pandemic: WHO" available at: <https://economictimes.indiatimes.com/news/politics-and-nation/india-has-tremendous-capacity-in-eradicating-coronavirus-pandemic-who/articleshow/74788341.cms> The Economic Times. (Last visited on May 15, 2020).

⁷ The Oxford COVID-19 Government Response Tracker (OxCGRT), in its report based on data from 73 countries, reports that the Indian Government has responded more stringently than other countries in tackling the pandemic. It noted the government's swift action, emergency policy making emergency investment in healthcare, fiscal measures, investment in vaccine research and active response to the situation, and scored India with a "100" for its strictness. "India scores high on Covid-19 response tracker made by Oxford University" available at: <https://www.indiatoday.in/india/story/india-scores-high-on-covid-19-response-tracker-made-by-oxford-university-1665573-2020-04-10> (Last visited on May 15, 2020).

markets.⁸ Thousands of people moved out of major Indian cities, as they became jobless after the lockdown. While government schemes ensured that the poor would get additional rations due to the lockdown, the distribution system failed to be effective as the ration cards are area-specific and fair price shops were largely inaccessible. With no work and no money, thousands of migrant workers (with families) were seen walking or bicycling hundreds of kilometres to go back to their native villages. Many are facing extreme almost unthinkable amount of hardship like death, delivery on the roads, physical and mental exhaustion etc.

To address the gravity of the situation, the Government in March 2020 had ordered a relief package to assist the poor population of the India. In May 2020, under the Antmanirbhar Bharat Abhiyan, the second set of economic measures has been announced for migrant workers, street vendors, small traders, farmers and self-employed people. Its effectiveness is yet to be tested.

III. AREAS OF DISCUSSION

1. Migrant Workers and Duties of Lawyers during Covid
2. Performance of India vis-à-vis Developed Countries during Covid
3. Migrant Labour Crisis: Statutory Protection, Governmental response and Long term plan

⁸ Roshan Kishore, 'Unprecedented crisis; do whatever it takes: Jayati Ghosh says' *available at:* <https://www.hindustantimes.com/india-news/unprecedented-crisis-do-whatever-it-takes-jayati-ghosh-on-covid-19/story-i9tPVvFhAs1d1Ud6uEYN4L.html> (Last visited on May 15, 2020).