

INDIAN ADMINISTRATIVE RESPONSE TO THE COVID-19

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ABSTRACT

COVID-19 has had been adversely affecting our day to day life, businesses, disturbed the world trade and movements of individuals. At an early stage, the identification of the disease was crucial to control the spread of the virus as it is rapidly spreading from one person to the other in the community.

This paper contains the administrative actions taken due to the sudden and unprecedented circumstances. The COVID-19 has impacted the entire world and the countries are facing difficulties to meet up with the spread of the disease. The pandemic has had not only impacted the citizens but also had a great impact on the economy of the countries. There were nationwide lockdowns to forestall the spread of the virus. Before Covid, there was no specific existing legislation enacted to deal with public health emergencies. Therefore the authorities looked into the Disaster Management Act and the Epidemic Disease Act to lay down rules to protect public health. As per the Indian, Constitution health is not one of the grounds to declare state emergencies. This paper sets out a clear idea of how the administrative authorities work during the current circumstances and the effective measures taken to protect the people from this deadly disease.

Keywords: Administrative responsibility, Guidelines, COVID-19, Disaster Management Act, Epidemic Disease Act, Administrative Policy.

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INTRODUCTION

COVID-19 crisis adversely impacted the entire world and all the countries struggled to meet with mitigation strategies to arrest the spread of deadly disease. The Government's response to this was unpredictable and unprecedented. COVID-19 has had been impacting the lives of the citizens. There have been many strict measures taken nation-wide, to protect its citizens such as lockdown, travel boycott, closing down enterprises, schools, and colleges, required isolation, etc. This lockdown had effects various rights such as freedom to travel and assemble. For those who will violate the administrative directions during the COVID-19, criminal proceedings will be initiated against them. This has been done because there has been an urgent and immediate need to protect public health.

In India, as said by Shailaja Chandra, "India's savior may not be a vaccine, but the efficiency of its administration & public health responses to a crisis." The Government reaction to Pandemic has altogether by the Executive with least obstruction by the Legislative. This pandemic disease has not only affected the citizens but also affected the economy and political system of the Country. In India 'Health' is a State matter and hence the State Governments play a very crucial role in the formulation of the policies regarding the COVID-19 pandemic.

In March, PM Modi addressed the nation that there will be 21 days lockdown for the entire country. There has been a complete ban on people from stepping out of their houses. The executive has had been laying down the rules concerning the health and protection of its citizens in this pandemic situation.

In this article, we analyze the administrative response towards the COVID-19; the impacts on the economy, citizens due to COVID-19; the policies formed by the administrative authorities; the formulation of the policies in compliance with WHO. We further discuss the principle of check and balance of the administrative actions taken to meet the urgent or immediate situation.

ECONOMICAL IMPACT

Due to COVID-19, the Indian economy had been badly affected. The GDP (Gross Domestic Product) falls sharply due to the unpredictable and unprecedented lockdowns all over the country to control the spread of COVID-19. There was complete lockdown across the country

including travelling restrictions, educational institutions, gyms, museums, theatres, etc. The Chief Economic Adviser of India said that this drop in the economy is due to the COVID-19 pandemic effect on the Indian economy.

Guidelines to measure were:

- Banks don't need to set aside cash reserves for loans given to small businesses between Jan. 31 to July 31, or for credit to help consumers buy a car or home.
- Cash Reserve Ratio reduced to 3% from 4%.
- Liquidity Coverage Ratio lowered to 80% from 100%.
- Allows companies additional 45 days for declaring their quarterly and annual results; extends the date for submission of corporate governance report by a month; company boards exempted from the provision of maximum time gap between two meetings.
- Lenders are allowed to suspend interest payments on working capital facilities for three months; accumulated interest can be paid later and the loans won't be in default.
- Two variable rates Repo operations of 500 billion rupees to fine-tune liquidity at the financial year-end.
- Enhanced a temporary liquidity tap for primary bond underwriters to Rs. 10,000 crore from Rs. 2,800 crore.”

To regularize the economic statistics Government has announced several relaxation measures in some non-hot spot areas. The Government permitted interstate movement of the people including migrant workers which was managed by the nodal authorities of the state. Unlock 3.0 further re-opened the activities across the country and lockdowns were limited to only the containment zones. Unlock 4.0 further re-opened the restrictions on the metro rails and social, sports, entertainment up to 100 peoples.

ACTING LEGISLATIONS FOR THE CURRENT SCENARIO

Before this pandemic, there was no specific existing legislation enacted to deal with public health emergencies. Therefore the authorities looked into the Disaster Management Act, 2005 and the Epidemic Disease Act, 1897 to lay down rules to protect public health. Both the laws allowed the central government and the state government to take measures to meet up with the pandemic situation. These demonstrations showed up as empowering laws permitting governments' far-reaching, practically unchecked, powers without requiring the politically

full assignment of announcing a crisis and suspending common freedoms. States such as Karnataka had enacted their policies and plans for enforcing quarantine measures.

- i. DISASTER MANAGEMENT ACT, 2005: It was enacted with the objective of preparedness, prevention, and early planning of the disaster. This act provides for the effective management of disasters and matters related to or incidental thereto. Under this act, the National Disaster Management Authority (NDMA) acts as a central body for coordinating disaster management, with the Prime Minister as the chairman. State, District, and Local level disaster management were also established to meet up the current situations. The Union and State Government referred to the 2019 National Disaster Management Plan formulated by NDMA which exclusively deals with the Biological Disaster and Health Emergency.

“Under Section 35 of the Disaster Management Act, the Central Government engages to give any headings to any position to any place in India to encourage or aid the catastrophe the board. According to Section 18 of the Disaster Management Act, the State Government has the power to make policies and plans for the disaster within the respective states to meet up with the current scenario.” The Prime Minister acting as the chairman of the management authority has all the power to exercise to achieve this pandemic as mentioned in Section 6(3) of the Disaster Management Act.

- ii. EPIDEMIC DISEASES ACT, 1897: The Central and the State Government also looked into the Epidemic Diseases Act to deal with the crises. In this act nowhere it was described that as to when this act can be invoked or what makes it ‘dangerous’ as per the act. This Act especially doesn’t affect the way to handle a scenario like such but is merely empowering legislation that empowers the governments to pass any such regulation which it believes to be necessary subject to the condition that this law doesn’t have sufficient means to stop such disease.

According to Section 4 of the Epidemic Diseases Act, secures the individual who is acting in compliance with common decency from any lawful continuing emerging out of it.

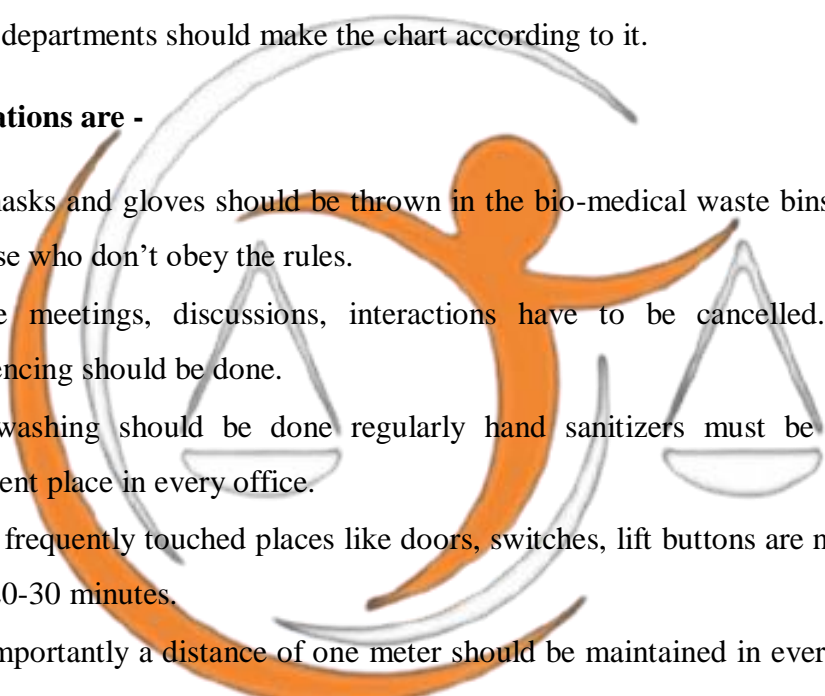
- iii. Section 144 of Cr.P.C. Orders: It empowers the Magistrates and the Commissioners at the lower level to issue orders within their jurisdictions to “direct any person to abstain from a certain act or to take certain orders to certain property in his possession” where there is an anticipated risk to the human “life, health, or safety”.

ADMINISTRATIVE POLICY IN INDIA

The country has been on lockdown mode from March 24, administered centrally by the Home Affairs ministry with using powers conferred. Subject to this very overriding and breaking pandemic, administrative relaxations have been ahead to implement and to secure agriculture and to restart all the manufacturing activities. The central government had issued new and fresh guidelines for all the officials and staff working in the Administration and all the public bodies after rapidly increasing numbers of Covid-19 cases.

The department had ordered to stay at home for the people who are having even mild cold, cough, and fever. The staff members who are staying in containment areas should work from home. On June 5th the circular said not more than 20 staff should attend office. The administrative departments should make the chart according to it.

Others circulations are -

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- Face masks and gloves should be thrown in the bio-medical waste bins, strict actions for those who don't obey the rules.
 - All the meetings, discussions, interactions have to be cancelled. Only video-conferencing should be done.
 - Hand washing should be done regularly hand sanitizers must be installed at a prominent place in every office.
 - All the frequently touched places like doors, switches, lift buttons are needed to clean every 20-30 minutes.
 - Very importantly a distance of one meter should be maintained in every place. Every staff is also required to place keeping norms of social distancing.

STRATEGY IN INDIA

1. Lockdown 1.0 - The entire nation was on a 21-day lockdown from 25th March 2020 to fourteenth April 2020. It was a Compulsory guideline for each and every Indian resident. All the homegrown and worldwide voyages had been suspended till the following declaration notice. Consequently, travel into or out of India was confined. The Ministry of External Affairs gave a Circular which contains that all far off nationals who were abandoned in India during the Covid-19 emergency and whose Visa lapsed between first February 2020 and 30th April 2020 will be conceded an

augmentation of their Visa simply in the wake of making an online application for the equivalent. The exit of such outside nationals was likewise allowed without exceeding punishment.

2. Lockdown 2.0 – All progressions will reach out till 3 May 2020. Further, far off public can surrender India to 14 days from 3 May 2020 that is after 17 May 2020 without taking care of punishment for exceeding.

3. Lockdown 3.0 – All progressions will be additionally stretched out to 17 May 2020. Outside nationals whose visa have terminated or would lapse during the time frame from first February 2020 till the date on which, global air travel of travellers from India is lifted by the Government of India, would be stretched out on 'Complimentary' premise on accommodation of their online application by the outsiders. Such augmentations would be conceded for a period as long as 30 days from the date of lifting on a global flight of travellers from India without taking care of any exceed punishment.

4. Lockdown 4.0 – All the progressions will be additionally reached out till 31 May 2020. This was the fourth lockdown and the Visa-free travel office for OCI cardholders who are not in India as of now has been kept suspended till the date of the lifting of the worldwide air travel of travellers. Any outside nationals including OCI cardholder, those that mean to visit India for all the convincing reasons may contact the nearest Indian Mission for a new visa.

5. Lockdown 5.0 – Lockdown is stretched out to all the Containment endless supply of June for control of Covid.

REVIEW OF LITERATURE

National Lock Down:

Lockdown or complete ban on every movement of the individuals has had not been mentioned in the guidelines issued. In simple language, it is a restriction on mass gathering. Its main objective is to maintain social distancing which is very much necessary in the current scenario.

Be that as it may, presently every one of the State had various principles and guidelines for what establishes a lockdown. With the declaration of a public lockdown, uniform rules will be given for the entire country. As per Prime Minister, Narendra Modi; the public lockdown will be likened to the time limit which means venturing out of one house until and except if for a fundamental reason or need for criticalness, it will be a culpable offence.

The Supreme Court in a new case engaged which was requesting the public authority to pay the wages to jobless traveller labourers. The cross country lockdown has had unfavorably influenced India's enormous traveller work labour force. During this pandemic the transient workers were kept from working because of industry conclusion, line conclusion kept the labourers from getting back to their homes. Issues were raised at the Supreme Court to command the installment of traveller labourers because the deficiency of vocation is the consequence of the public authority's forced lockdowns. In these issues, the Court requested the public authority to accept such measures as it discovers fit to determine the issues raised by the specialists.

WHAT WILL REMAIN OPEN

1. Shops that were dealing with food, fruits, groceries and vegetables, and milk booths, meat, and fish, animal fodder.
2. Banks, offices, and ATMs.
3. Electronic media and Print and Telecommunication.
4. Supply of essential products and e-commerce
5. Fuel Stations
6. Units including electricity generation and distribution.
7. Cold storage and all the warehousing services.
8. Private security services

WHAT WILL REMAIN CLOSED

1. All the commercial and private establishments will be closed.
2. All the establishments, except those exempted, will work from home.
3. All the Industrial establishments will remain closed.
4. All the transport services will remain closed.

5. All the Educational Institutions including Schools, Colleges, and University should remain closed.

6. All religious places are closed for worship.

MANDATORY QUARANTINE

The global pandemic has drastically and thrillingly changed the way we see the world. Nowadays it had been established like social distancing, Quarantine and Isolation have become a part of regular human life. 14 days quarantine is compulsory for every person having a travel history or also having any symptoms of Covid-19. Self-quarantine means staying at your own home or in any hotel room, and not leaving the place for 14 days. Only people that usually stay in a household should be within the home. Those who are under self-quarantine should self-monitor their temperature two times every day. Isolation separates people with a contagious disease from people who are not affected by the disease. It further separates those people who have exposed to the diseases or being suffered from the disease but they do not have any kind of symptoms; asymptomatic.

Consent is required for observation, is itself carefully restricted in concession to all key rights under our Constitution. Truth be told, the right to security has been probably the greatest setback in the present Covid-19 setting.

The Karnataka Government distributed top-notch individuals to be put under isolation in the state. The Local Administration of different pieces of the nation likewise began to follow the equivalent. Anyway, this measures to infringement of the right to security of the people.

The judgment in Puttaswamy Case has explicitly referenced the proportionality and need prerequisites when holding the 'Right to Privacy' to be a piece of Article 21.

QUARANTINE IN INDIA

The Indian government had have been designed quarantine centers to avoid the spread of the coronavirus for people having travel history and infected foreign returnees. Apart from the government facilities, several hotels have been approved in the airport cities to home quarantine passengers. While the Indian ministry has laid out their rules for international arrivals, and the person having symptoms of Covid-19, clauses may vary from state to state, depending on their own set of rules and regulations.

Telangana, for this situation, has had made provisions for institutional quarantine for seven days at government facilities for the freed from cost.

Jammu and Kashmir have obligatory 14-day institutional quarantine and COVID-19 test upon every arrival. Only the defence personnel may be released. If there result is negative, they can go ahead with home the quarantine.

Andhra Pradesh requires all arriving foreigners and therefore the expatriates to enroll on its online portal at Spandana app. They need to undergo the COVID test between the fifth and seventh day of their institutional quarantine period and take effective ways for precautions.

At the Bangalore airport in Karnataka, asymptomatic international passengers only need to home quarantine for 14 days. A swab test is mandatory for short-term travellers too and stays up to seven days and for all other symptomatic passengers. There are no requirements for home quarantine for inter-state travellers.

In West Bengal, quarantine for symptomatic passengers is set on a case to case basis. All other passengers are advised to stay in the isolation for 14 days with careful self-monitoring. Before arrival, travellers need to submit the declaration form on Sadhane App.

In Kerala no longer requires its ex-pat returnees to undergo institutional quarantine. 14-day home isolation is a must however they need to register all details at covid19jagratha.Kerala.nic.in. Once they booked their flight tickets.

All privileges of poor people and the defenseless have been disregarded in a very way when the lockdown was first had declared with four hours' notification and it reached out with no notification and in the wretched disregard with which they were treated by all the state in the initial not many days of the public lockdown.

There are a few reports on the cataclysmic impacts of this sudden declaration. We have hot subtleties from the State of Delhi after the principal lockdown, where the networks have had influenced by the new viciousness in Northeast Delhi and by the movement of every single traveller specialist and from Mumbai after the expansion on 14 April 2020.

CONCLUSION

The current COVID-19 pandemic has shown the world how resilient and innovative the Indian bureaucracy is and how it works at the forefront to tackle with one of its kind issues.

The current pandemic scenario though has been tough to tackle for the entire world but it has also shown how every challenge is a new opportunity.

The Indian government's reaction to the general wellbeing emergency depends on a dubious legal legitimization, depending on expansive umbrella statements in enigmatically phrased enactment. Particularly without parliamentary oversight, leader activities require thorough legal audit under unmistakably settled managerial and established principles to forestall chief overextend. The public authority's reaction was uncommon with the defence of the need of direness to get together with the general wellbeing crisis. Without an away from of how chief estimates will be surveyed, state and focal leader specialists have been proceeding to run India's COVID-19 reaction.

Each State Government is guided by a group of specialists that comprises of general wellbeing experts across the orders, disease transmission experts, and policymakers and the State Government receives proof-based estimates that are adjusted to the particular real factors. Resident freedoms, opportunities should be inside the centre, and straightforwardness and State responsibility should structure all the techniques.

Since the worry is with the spread of this Covid-19, following cases, contact following, and recognizing areas of interest has come about within an expansion of unregulated reconnaissance activities, of which the Arogya Setu is only a one. If the privilege to protection is a key right under our Constitution, independence from observation is a central security assurance, and state activity on this front should be adjusted to worldwide and the sacred principles.

The lessons that COVID-19 has taught us will hopefully go a long way in strengthening governance to be more effective, efficient, and economical and people concentric.