

Policy

WATCH

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June 2020, New Delhi

SPECIAL ISSUE (COVERING ALL THEMES)

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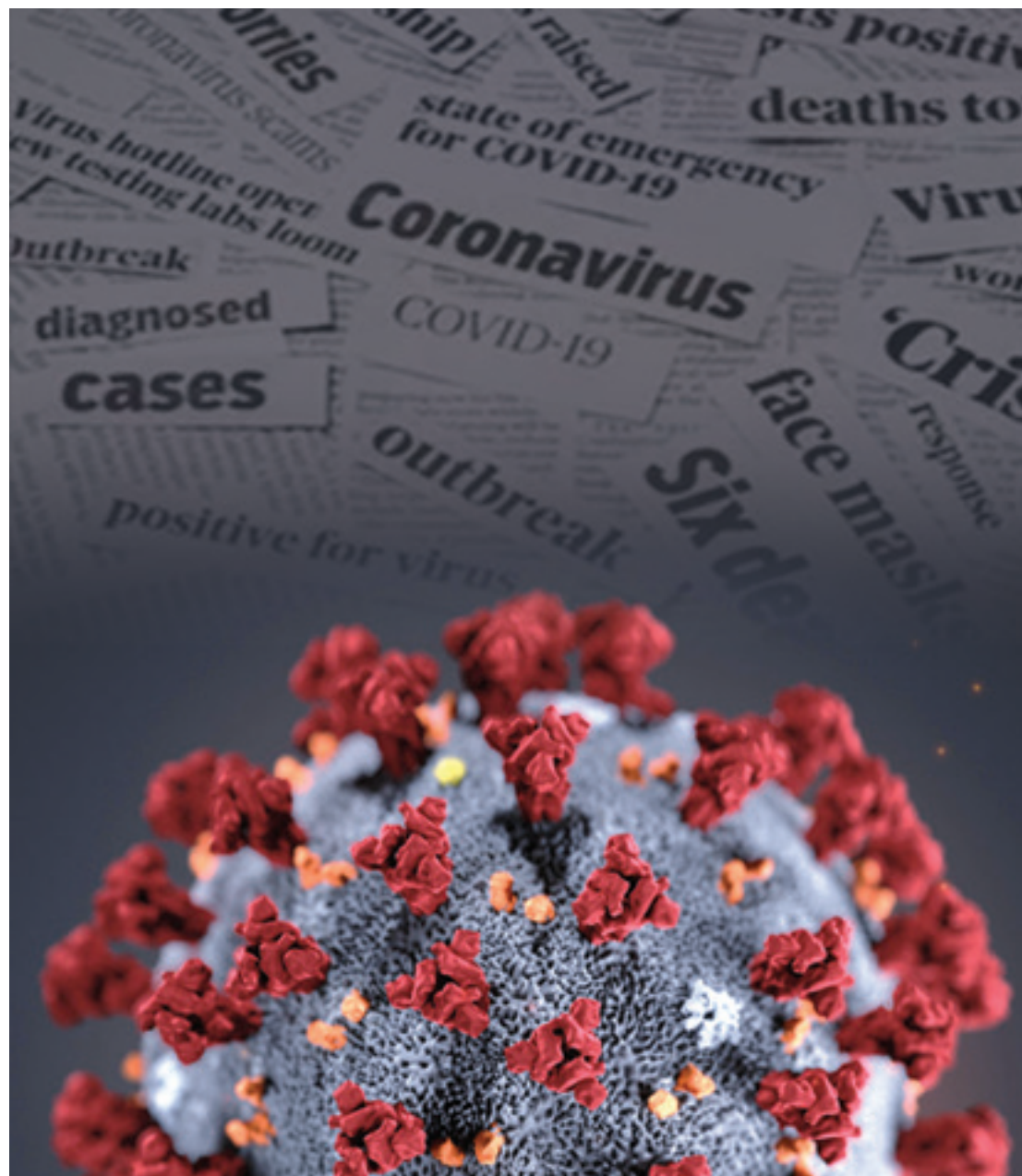
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Editorial

The Rajiv Gandhi Institute for Contemporary Studies (RGICS) works on five themes:

1. Constitutional Values and Democratic Institutions
2. Governance and Development
3. Growth with Employment
4. Environment, Natural Resources and Sustainability
5. India's Place in the World.

We bring out the monthly Policy Watch on each of these themes sequentially and every sixth issue is a Special Issue, where we carry articles from each theme. Not surprisingly the overarching topic for this Special Issue is Impact of Covid and Revival Strategies.

Under the theme, Constitutional Values and Democratic Institutions, the first article by Arun Maira, former Member of the Planning Commission argues for a new political economy. The second article is by Kabir Dev, a young research intern on the constitutional issues arising out of the notifications made by Central and State Governments under certain laws. Kabir describes the scope and intent of these laws and shows how in the process of application they rode roughshod on citizens' rights & entitlements. Some remedies are recommended.

Under the theme, Governance and Development, we carry two pieces of field reportage, on the lockdown and its effects, particularly on migrant workers. The first is by RGICS Fellow, Yuvraj Kalia, who worked throughout last three months with the District Administration in Jalandhar, first helping in the relief effort and later in migrant workers' transportation. The second is an eye-witness account of the plight of migrant workers as they walked from Bangalore to their home states – contributed by Ram Esteves of ADATS, Bagepalli, located right on the Bangalore-Hyderabad highway.

Under the theme, Growth with Employment, we offer the highlights of survey on over 400 MSMEs that was carried by an RGICS team led by Sr Visiting Fellow of RGICS, Dr Rakesh Malhotra. (See <https://www.rgics.org/wp-content/uploads/Impact-of-COVID-19-on-MSMEs.pdf>). We carry report of a second survey that was done of 100 MSME entrepreneurs belonging to the scheduled castes and scheduled tribes. The second article is by Coordinator of the RGICS Tamil Nadu Policy Observatory, Dr S. Nirmala, who interviewed a number of workers in the informal sector, those self-employed as well as migrant workers, in the Madurai district.

Under the theme Environment, Natural Resources and Sustainability, RGICS Fellow Jeet Singh recalls the link between environmental degradation, destruction of wild-life habitat and the rise of zoonotic diseases. He goes on to show that even as the world is reeling under Covid and learning the lesson about conserving the environment, jal, jangal, jameen, our Government is wantonly permitting all kinds of projects to proceed which will destroy more of our water, forests and land resources.

Under the theme, India's Place in the World, we carry an infographic collage compiled from various sources by RGICS Research Associate Sahibpreet Kaur.

We hope the readers find the articles interesting and Policy Makers use some of the lessons to design better policies and programs with people's participation.

**Vijay Mahajan, Director,
Rajiv Gandhi Institute for Contemporary Studies**

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A new political economy for India, to enable all Indians to live in dignity, and with adequate economic security

Arun Maira

Covid19 has revealed a dangerous disease the Indian economy is suffering from---“The twin evils of unemployment and mass migration”. Sixty years ago, a thought-leader in the UK had predicted that this disease would break out in developing countries unless the paradigm of ‘economic development’ was changed.

This economist was E.F. Schumacher, author of *Small is Beautiful, Good Work*, and *A Guide for the Perplexed*. Schumacher asked economists and government leaders to rethink the fundamentals of economics. He wrote, in his essay on “The New Economics”, in 1968:

“In the poor countries in particular there is no hope for the poor unless there is successful regional development, a development effort outside the capital city covering all the rural areas wherever people happen to be.

If this effort is not brought forth, their only choice is either to remain in their miserable condition where they are, or to migrate into the big city where their condition will be even more miserable. It is a strange phenomenon indeed that the conventional wisdom of present-day economics can do nothing to help the poor.

The economic calculus, as applied by present-day economics, forces the industrialist to eliminate the human factor because machines do not make mistakes while people do. Hence the enormous efforts at automation and the drive for ever-larger units. This means that those who have nothing to sell but their labour remain in the weakest possible bargaining position. The conventional wisdom of what is now taught as economics bypasses the poor, the very people for whom development is really needed.”

Schumacher’s warned of the deleterious consequences of industrialisation driven with a concept of ‘productivity’, fuelled with technology that eliminates human beings from the production process. These effects are being felt today even in the West. He wrote, in his essay on ‘Industrialisation through Intermediate Technology’:

“If we define the level of technology in terms of ‘equipment cost per work-place’, we can call the indigenous technology of a typical ‘developing’ country (symbolically speaking) a \$1-technology, while that of the modern West could be called a \$1000-technology. The current attempt of the modern West, supported by foreign aid

(and investment), to infiltrate the \$1000-technology into their economies inevitably kills off the \$1-technology at an alarming rate, destroying traditional workplaces much faster than modern workplaces can be created and producing the 'dual economy' with its attendant evils of mass unemployment and mass migration".

India's policy-makers and their economics' advisers moan about the very large 'informal' sector of India's economy—over 95%. Which they want to formalise—into their version of formalisation—which is the '\$1000' paradigm. The informal sector has persisted, and grown, through sixty-five years of Planning Commissions, and seven years of a National Institution for Transforming India (NITI Aayog). Because the underlying model of an economy, driving the thinking of both, was the same—the '\$1000-technology model'.

Albert Einstein had cautioned planners and policy-makers: "If you are trying to solve the problem with the ideas that caused the problem, you must be mad".

Schumacher was an independent thinker. His insights into the fundamentals of economics, echoed those of Mahatma Gandhi and J.C. Kumurappa (Gandhi's 'planning commission'). Gandhiji and Kumurappa were applying these ideas in practice to create new institutions—run by, and also owned by, people in Indian villages—to create wealth for themselves rather than for remote capitalists in big cities and in other countries. These ideas are 'Indian' ideas, rooted in the realities of India. Unfortunately, such ideas were set aside by main-stream economists as backward looking and quaint.

India needs a new blue-print of economic development. Without which the 'twin evils of unemployment and mass migration' cannot be eliminated. The Prime Minister has introduced the concept of 'atmanirbhar' into the economic policy discourse; and the slogan, 'vocal for local', too.

Perhaps the ideas of Gandhiji and his advisers, which were set aside all through the Nehruvian, socialist, and liberal eras, should stimulate new thinking: not to take India back, but as an impetus for new thinking for India to go forward. The principles apply very well even in the 21st century. New technologies make it even easier now to create enterprises of the people, by the people, for the people than it was in Gandhiji's times.

Whether migrants or not, all Indian citizens are entitled to what India's Constitution promises—'equality of status and opportunity'; 'fraternity assuring the dignity of the individual'; and 'justice—political, social, and economic too'. The migrant crisis has revealed that the old economics—whether the pre-1991 socialist economics, or the post-1991 liberal economics, could not deliver what the Indian Constitution had promised all India's citizens.

It is imperative that Indian leaders and economists, who are concerned about India's future, set aside their ideological squabbles, and outline a 'new political economy' for India, to enable all Indians to live in dignity, and with adequate economic security, wherever they choose to live; and whether they are migrants from one state to another, migrants from villages to cities, or from cities to villages as millions are now.

Arun Maira worked with the Tata Administrative Service for 25 years, and later was with the global management consulting firm, Arthur D Little. In 2008, he became the Chairman of the Boston Consulting Group (India). Between 2009 and 2014, he was a Member of the Planning Commission. He is a systems thinker and spends most of his time on encouraging positive initiatives for social development.





The Legal Framework to deal with COVID

Kabir Dev, Policy Research Intern, guided by Yuvraj Kalia, Fellow, RGICS

I. Introduction

A nation is considered civilized and evolved if, among other things, the rule of law prevails at all times, particularly when there is a crisis. Has the rule of law prevailed in India in the ongoing crisis caused by the Covid pandemic? This is a question we examine in this article.

There are essentially two Acts that applied to the Covid crisis. The first is the Epidemic Diseases Act (EDA), 1897 and the second is the Disaster Management Act (DMA), 2005. Of course, some of the provisions of the Criminal Penal Code, such as Section 144, were also applied. During the crisis, some new Ordinances were promulgated. In addition, there were rulings by various High Courts and the Supreme Court on cases brought in front of them, which had a bearing on the legal framework.

In this paper we analyse the response of the Indian central and state governments in tackling the COVID crisis in terms of the provisions of the legal framework. We also examine the provisions for sharing of authority and responsibilities between the Centre, the States and Local levels of government (the Municipal Bodies in urban areas and the Gram Panchayats in rural areas).

2. Epidemic Diseases Act, 1897

Colonial powers realised that in order to govern efficiently, it was crucial to keep both the subjects and the colonisers in good health. There were several reports of plague outbreaks in the 19th century, the most significant of those was when an epidemic of the bubonic plague broke out in Bombay. The plague spread across almost the length and breadth of the country with the final toll in 1903 totalling about two million people according to state records, though the actual toll is purported to be much more.

Due to immense pressure on the British imperial government of India to control this emergency, a Plague Commission was set up in 1896. The report from the commission surmised that essential preventive measures were required to disinfect and evacuate infected places, to control mass transit altogether as well as improve sanitary conditions. The broader suggestion was to strengthen public health services and develop laboratories (Mushtaq, M., 2009). Eventually, the Epidemic Diseases Act was passed in 1897, wherein the Governor-General of India conferred special powers to local authorities to implement the necessary measures for control of epidemics. Colonial Might was employed to forcefully segregate infected people, disinfections, evacuation and in some cases, even demolitions of infected places was undertaken while dealing with the outbreak of the Bubonic Plague until it eventually ended in 1903.

The succinct bare Act altogether comprised merely four sections wherein the first section primarily dealt with the extent and applicability of the Act. The second section entailed that the state governments could formulate guidelines and regulations if the existing legislative framework was deemed insufficient to deal with an epidemic. Another section was added later, regarding the powers the central government yielded to inspect ships and vessels. The third section included the penalising provisions which entailed the penalty for disobeying regulations or orders made under the Act in cognizance of section 188 of the Indian Penal Code. Section 4 essentially states that no suit or legal proceedings would be undertaken against a person who undertakes or intends to undertake, in good faith under the provisions of the EDA, 1897.

What became increasingly evident in specific instances of anti-plague measures undertaken by the colonial regime towards the end of the nineteenth century, was that the colonial health policy was aimed at colonising so to say the 'Indian body' thoroughly (Rai, S, 2020). The EDA, 1897 essentially enabled the colonial authorities and gave them legal sanction to detain plague suspects, destroy or demolish infected property and dwellings and examine people at will. This resulted in numerous unfair and dubious steps which were ultra vires or in contravention to the actual intent of the Act. Wherein innocent and unsuspecting citizens were picked up at will, property was destroyed among other things. These pervading and far-reaching powers emanated from Section 2 of the Act which handed over immense albeit temporary powers primarily to frame regulations and guidelines by the state during times of an epidemic, which would have to be abided by the public. The draconian treatment meted out to Indians led to several riots against the archaic Act's provisions which enabled such behaviour by colonial authorities (Rai, S, 2020).

The EDA, 1897 has been applied on several occasions in the past, for instance to deal with the plague in Surat (1994), Swine Flu in Pune (2009), dengue and malaria in Chandigarh(2015) and Cholera in Gujarat(2018), among others. However, unlike the current scenario with regards to dealing with COVID, the act has been applied to deal with primarily local domestic areas and didn't have to withstand the complexities of international transmission. Along with the fact that the scale of social distancing employed during COVID is completely unprecedented, in addition to the prolonged and indefinite national lockdown.

In the present scenario of dealing with COVID-19, the central government issued advisories to several states and union territory to invoke the Epidemic Act. In response to these advisories, several state and district authorities exercised their powers under the Act to frame state-specific COVID-19 regulations. The regulations that were promulgated by various states such as Maharashtra, Delhi, West Bengal among others were to do with medical screening of individuals, isolation and quarantine measures, compulsory disclosures of travel history, restrictions on print and electronic media regarding avoiding the spread of any rumour or unverified information regarding COVID-19, along with restrictions on private laboratories from conducting tests, etc. (Menon CS, 2020).

Furthermore, if a case of COVID-19 has been reported in a particular geographical area, the regulations have also awarded special powers to authorised persons to undertake certain measures, which include the sealing of the area in question, completely banning any kind of movement of the population from the containment area, closure of schools, offices and banning public gatherings, and curbing vehicular movement in the area (Menon CS, 2020).

While being altogether silent on the rights of citizens, the Epidemic Diseases Act, 1897 also does not clearly specify the situations and procedure during the course of which the respective authorities can curtail the autonomy, privacy, liberty and the rights of Individuals. The provisions underlining the punishment to be meted out to those who go against the provisions of the Act are incredibly outdated owing to the context of the time. A thousand rupees or six months imprisonment would seem like an extremely mild punishment during times of a pandemic like COVID-19. Due to the limited scope of the de jure provisions of the original Act, it has come upon various state governments and subsidiary players to adopt de facto principles.

The de facto principles essentially imply steps such as the mandatory screening of individuals, isolation, quarantine measures and so on. For Instance, the State of Maharashtra on the 14th of March issued guidelines regarding the prevention of mass social gatherings, isolating those showing symptoms of the virus, etc. State governments have also come under the scanner for issuing controversial diktats such as banning the dissemination of information relating to COVID-19 on social media without cross checking the legitimacy of the information in question from the State government along with getting the prior clearance from the Commissioner of Health services.

Critics have deemed this particular step to be a violation of the Right to Free Speech and Expression that is guaranteed under Article 19(1)(a) of the Indian Constitution. However, during such times this step can pass off as a reasonable restriction owing to the fact that potentially unverified and unsubstantiated news even intended without any malice can cause widespread pandemonium in times of a crisis such as COVID-19.

2. Disaster Management Act (DMA), 2005

Due to the unprecedented disastrous consequences of the Tsunami of 2004, the question of disaster management again arose in public discourse. It was argued that the country required a preventive and long-term approach to disaster risk management since the focus till then was primarily on post-disaster relief and rehabilitation. The need of the hour was to focus on mitigation and reducing risks along with a delicate balance between mitigation and managing a disaster. Thus the Disaster Management Act, 2005 was enacted by Parliament.

The Act entailed a detailed action plan right from the central government to the district and local levels to draw, implement and execute a containment and management plan. The national authority headed by the Prime Minister would primarily be the nodal body which would necessarily underline all the plans and policies in assistance with secretaries, etc. The state disaster management, in turn, headed by the Chief Minister and the district management authorities under the district magistrates would be given their individual autonomy. The Act contains provisions on minimum relief which has to be provided in terms of medicines, shelter, water, food and so on. It underlines a need for a holistic effort through various wings of the government to ensure a prompt response to disasters. A chain of responsibilities and duties all the way to the local authorities has been clearly established as well. The Act finally recommends the setting up of a national disaster response force for a specific and novel response to a threatening disaster situation.

Section 22(2)(h) of the Act permits state authorities and executive committees to give directions to government departments on steps to be undertaken as a response to a threatening disaster.

Under Section 25 of the Act it is mandated that every state government establish a District Disaster Management Authority. The Authority will include either the Collector of the district who will act in his capacity subsequently as the Chairperson of the District Authority. Under Section 30 this District Authority will act in accordance with the guidelines laid down by the National and State Authorities in dealing with district planning, coordinating and implementing disaster management.

Sections 24 and 34 give state committees and district authorities the power to control and restrict the movement of vehicular traffic or people from or within a vulnerable or affected area. The District Authorities can henceforth undertake several such steps which are deemed necessary for mitigating the extent of the disaster and bringing it under control. Essentially, the onus for monitoring and prevention measures at the ground level falls on the district authorities in terms of enforcing central and state diktat.

The Act also entails establishing various authorities and committees such as the national disaster management authority, state disaster authority, district authorities, advisory committees and subcommittees which on the whole, fails to serve any legitimate and practical purpose (Sarma, A. and Sarkar, S., 2006). On the contrary, the very process of setting up such committees is cumbersome, since so many committees defeat the whole purpose of a proactive and adequate response to disasters. The limit for number of members for the disaster management authorities is fixed at 10. However, no qualification is deemed necessary by the Act. The eligibility of members should be of significant importance at the national level; however owing to the provisions of the Act, there is scope for the politically motivated appointments of unqualified persons to such committees.

Arguably the most striking aspect of this particular legislation is the provision that the actions of national, state and district authorities cannot be challenged except in the Supreme Court or the High court of the respective jurisdictions. This essentially offers a considerable degree of immunity for officials and can result in several aberrations with vested interests which are in contravention to the actual tenets of the Act.

Another provision imposes punishments for false claims against the state and officials. Misplacing or even losing documents in disasters and pandemics is a common and recurring phenomenon which would result in claims for compensation being rejected and in turn being punished for the same.

Owing to the tenets of the Act, the Central government irrespective of any particular law in force can issue any sort of directives to any authority anywhere in India to facilitate and even assist in disaster. Such directives have to be followed by Union Ministries, State governments and State Disaster Management Authorities. The national lockdown was imposed under the DMA, 2005 as per order dated 24-03-2020 of the NDMA, which stated 'to take measures for ensuring social distancing to prevent the spread of COVID-19'. In accordance with Section 6(2)(i) and Section 10(2)(l) of the DMA, 2005.

Furthermore, Section 10(2)(l) of the DM Act which in itself empowers the National Executive Committee ("NEC") to act in pursuit of providing guidelines for or even give directions to various ministries and the central and state levels with regards to measures to be taken by them in retaliation to any incoming disaster scenario or an actual disaster.

The nationwide lockdown and other various steps that are undertaken to tackle COVID-19' can withstand judicial scrutiny owing to the fact that the lockdown among other rules have been advised by health experts. Even the National Disaster Management Guidelines in 2008 issued by the NDMA which stated various steps along the lines of social distancing

“Spread of communicable diseases in many conditions could be controlled or prevented by reducing direct contact with patients. Social distancing measures, if required to be implemented in the context of an epidemic, maybe voluntary or legally mandated. Quarantine refers to not only restricting the movements of exposed persons but also the healthy population beyond a defined geographical area or unit/institution (airport and maritime quarantine) for a period in excess of the incubation period of the disease” (National Disaster Management Guidelines-Management of Biological Disasters, 2008).

On March 29, 2020, in consonance of the powers accorded from Section 10(2)(l) of the DMA, 2005, the Home Secretary issued an order inter alia/or among other things which directed all employers to make payments of wages to their employees without any sort of deduction. Along with directing landlords not to demand rent for one month from workers. The violation of such directives would invite penal provisions under the DMA, 2005 since the directives were mandatory and not advisory. On March 27, 2020 the MHA directed all states and union territories to provide support to migrant labourers and other workers in the form of food, shelter and amenities. On March 28 and 29, the MHA issued advisories emphasising the need for adequate arrangement of shelters and food for the poor. Such advisories and steps to states and employers were sourced from Section 10(2) of the DMA, 2005.

Under Section 10(2) of the Act, the National Executive Committee headed by the Secretary, MHA is required to assist the NDMA in the efficient conduct of its responsibilities. The NEC is supposed to prepare a plan under section 10(2)(b) of the Act and get it approved from the NDMA along with guidelines for preparing disaster management plans by different ministries. The NEC was also supposed to review the implementation of plans prepared by the respective ministries in question. However, the NEC did not prepare a plan to be submitted to the NDMA for approval nor did the NEC ensure several ministries prepared disaster management plans. The NDMA, chaired by the Prime Minister in a sense ended up delegating its responsibilities to the MHA to issue directives at free will, which is in gross violation of the provisions of the Act.

Under Section 12 of the DMA, the NDMA is mandated to “recommend guidelines for the minimum standards of relief to be provided to persons affected by the disaster, which shall include minimum requirements to be provided in the relief camps in relation to shelter, food, drinking water, medical cover and sanitation. The section also mandates the ex gratia assistance due the loss of lives and restoration of means of livelihood. Section 46 mentions a National Disaster Response Fund (NDRF). Although this fund was established in 2010, the details of the fund in terms of quantum of money available in terms of coping with disaster need to be made public. This response fund was to be made available to the NEC towards meeting expenses for rapid response relief and rehabilitation in cognizance with the guidelines of the Union in consultation with the NDMA.

However instead of using the provisions of the Act for granting relief, the Central government set up the PM-CARES fund. The need to set up this has been questioned owing to the fact that instead of being governed by the DMA, 2005 it is set up as a trust with little public oversight.

With innumerable instances of Police brutality vis a vis enforcing the lockdown, stranded migrant labourers, etc coming up it is imperative to comprehend the legality of such actions. While Chapter 10 Section 55(1) of the Disaster Management Act provides for recourse against offences committed by any Department of the Government, the head of the department shall be deemed guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he is able to prove that the offence was committed without his knowledge. While Section 55(2) states that any other officer apart from the Head of the Department and the officer in question who aided or abetted the particular offence will be liable to be proceeded against and punished accordingly. Section 59 entails that no prosecution will be possible for offences under Section 55 until and unless there is a sanction from the Central government or the State government. Section 60 categorically states that no court will be in place to take cognizance of an offence under this particular act except when a complaint is registered by the National or State Authority, the Central or State government.

3. Other Laws Used to Deal with the COVID-19 Crisis

3.1 Ordinance to Protect Health Workers

On the 22nd of April, the President of India, in accordance with the power bestowed upon him under Article 123 of the Indian Constitution promulgated an Ordinance to amend the Epidemic Diseases Act, 1897. The amendment was in response to several cases of violence against healthcare workers during the course of the handling of the COVID-19 pandemic, which resulted in doctors vociferously seeking more protection under the ambit of the law (Srivatsa, R., 2020).

Although several legal safeguards existed before hand in the form of the Indian Penal Code, 1860 and similar provisions in Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Acts in several states, an Ordinance was promulgated.

The offences committed against healthcare workers come under Chapter XVI of the Indian Penal Code. Wherein Section 323 entails punishment for hurt which can lead to imprisonment of upto one year and a fine of up to Rs. 1000. The act is wholly non cognizable and bailable which implies that the police need to get an order from the court in order to start an investigation against the culprits who have a right to be released on bail (Srivatsa, R., 2020). These definitions on the ground do not always match, which results in several offences not meeting the threshold of either mild or grievous offences. While more serious offences on the lines of grievous life threatening assaults are cognizable and non bailable. Apart from the punishment enshrined in the IPC there are multiple states that have the MSPMSI acts already in place. Although a bill to safeguard the rights of healthcare workers was drafted in 2019 it is still pending in Parliament.

Section 1-A of the amended Epidemic Diseases Act, 1897 includes the definition of an “act of violence” which includes harassment, harm, injury, intimidation, danger, obstruction to healthcare personnel in performing their duties and loss or damage caused to the property or any documents as such in the custody of or in relation to the healthcare professionals. The charging section for any offence for an act of violence is Section 3(2). The offence

entails a minimum jail time of 3 years to a maximum of 5 years. Along with a minimum fine ranging from Rs. 50,000/- upto Rs. 2 lakhs. While Section 3(3) entails punishment in accordance with the definition of grievous hurt as has been defined in Section 320 of the IPC. The punishment is set between 6 months jail time upto a maximum of seven years. The fine also ranges from Rs. 1 lakh to a maximum of Rs. 5 lakhs. Section 3E also states that convictions under 3(2) and 3(3) will result in a civil liability wherein the onus will be on the perpetrator to pay compensation to the victim, in addition of the fine to the state (Srivatsa, R, 2020).

The ordinance has been castigated for being excessive and even draconian to some extent owing to the extremely stringent measures which it entails. Section 3C for instance claims that the accused who is being prosecuted will be presumed to be guilty of the offence until proven otherwise by the accused. Section 3D goes a step further and states that the culpable mental state of the prisoners will be presumed to already exist regarding prosecutions under Section 3(3) and in order to rebut these very presumptions it would have to be proven beyond reasonable doubt that as per Sub-clause 2 of section 3D. These two questionable sections go against the very principles of criminal law wherein the burden of proof is shifted onto the accused along with the accused being presumed to be of a guilty mind or *mens rea* (Srivatsa, R, 2020).

Use and 'Misuse' of Section 144

Section 144 of the Code of Criminal Procedure primarily states that there is a restriction on the gathering of individuals. However, the same code also grants wide reaching powers to magistrates in cases requiring urgent measures. Although on several occasions police in Delhi for instance have used it without any sanction of the law. Over the past few months Section 144 was imposed on a wide scale to tackle the backlash against the Citizenship Amendment Act and the prospective National Register of Citizens. States like Uttar Pradesh, Maharashtra, Telangana, and Karnataka among various others used it on various occasions. While in Delhi it was applied as well during communal unrest in the month of February to get the situation under control.

Most of the orders regarding Section 144 are issued by the Assistant Commissioners of Police or the Deputy Commissioners of Police, and the orders issued for the lockdown recently were announced on the same lines. However under the Delhi Police Act and the CtPC, the ACP and DCP do not yield any such powers to issue orders under Section 144 which in turn have to be issued either by magistrates or by the commissioner himself/herself. In accordance with Section 70(1) of the Delhi Police Act the powers of a district magistrate can be granted upon the Commissioner of Police but cannot be given over to the DCPs or ACPs. Several orders in the past and also over the course of the COVID-19 lockdown pertaining to imposition of Section 144, quarantine and isolation measures, restrictions on vehicular movement and other such measures, have been applied not with legislative backing but rather by orders passed beyond the jurisdiction of the Commissioner of Police in the form of ACPs and DCPs (Rai, N. , 2020). Even under the ambit of Section 144 the police isn't explicitly allowed to resort to violence in order to maintain law and order. As

the 2011 Ramlila Maidan incident showcased wherein the Supreme court were faced with the issue of police excesses regarding enforcing an order under Section 144. The court held that Section 144 was correctly applied, compensation was ordered for the injured and stated that several individual police officials had violated constitutional rights. “The executive power, to cause a restriction on a constitutional right within the scope of Section 144 Cr.P.C., has to be used sparingly and very cautiously” (Naved, 2019).

Court Rulings

Despite both Houses of Parliament functioning till March 23, 2020, when they were eventually adjourned sine die, several exhortations were made by opposition members regarding drafting or enacting a COVID-19 specific legislation which could address all issues preemptively, yet the appeals were not acted upon (Shunmugasundram, M. 2020).

With the invocation of the DMA 2005 and Epidemic Diseases Act 1897, the review mechanisms in the form of questions in Parliament, debates along with further accountability to Parliamentary Committees have been bypassed. In the overall absence of a legislative check of sorts upon executive power, the courts have to serve as a checking function.

The Supreme Court ruled that the government should provide COVID-19 testing free of cost, taking into account the infectious demeanour of the virus and the rampant poverty prevalent in India. Although initially the Supreme Court also mandated free testing by private labs which would although still be subject to government restrictions on whom to get tested. A few days later, the Supreme court volte faced or completely retracted its initial stand by limiting the use to individuals already covered by an in place government insurance scheme. The Supreme court did not provide any sort of reasoning for its stands on both occasions (Bhatia, 2020).

Similarly in a reaction which was seen by many as insensitive to the pitiable plight of migrant labourers walking back to their native homes on foot, the presiding judge at the time stated that “Migrants are free to walk wherever they want” in response to petitions asking for proper transport be arranged for migrants to go back home. The Supreme Court also dismissed the petition which sought to make the payment of wages to migrant labourers mandatory. These orders come as a surprise mostly because the Supreme Court historically has been known to be interventionist (Bhatia, 2020).

Aarogya Setu App

Aarogya Setu which implies a “bridge to health” in Sanskrit was launched by the government seven weeks ago. The government made it mandatory for government and private sector employees to download it. Although not mandatory for the general public at the moment it has recorded an unprecedented number of downloads across the country. However critics have pointed out several loopholes and possible privacy problems related to the app (Clarence, A., 2020).

The primary issue with the app as several critics have pointed out is that it tracks your location. The App also allowed the authorities to upload the collected information to a

government-owned and operated server which will essentially provide data to persons carrying out medical and administrative interventions necessary linked to COVID-19. The Software Freedom Law Centre stated that this provision is highly problematic since the government can then in turn share the data with “practically anyone it wants”. Anonymous albeit famous ethical hackers like Elliot Anderson have claimed that there are major flaws in the app through which it is possible to know who is sick anywhere in India. Along with security concerns there is also the issue of transparency which implies that the app is not an open source which implies that it cannot be audited for security flaws by independent coders and researchers (Clarance, A., 2020).

To mandate the use of for the general populace the government will require a specific legislation since neither the DMA, 2005 nor the EDA, 1897 have the required provisions to enable such an imposition of an app. If the state is to mandate a data collecting app upon its citizens then owing to the separation of powers set up of the Indian state it will be imperative to be authorised firstly by the legislature and secondly the legislation will need to demonstrate constitutional compliance with respect to data protection rules and principles.

4. Recommendations

Task force Suggestions

A task force was set up under the Home ministry, chaired by the former Agriculture Secretary Dr PK Mishra in 2013 to review the DMA, 2005. The six-member task force broadly suggested that the existing structure of several authorities carrying out the tasks that it has been mandated to perform is untenable and needs to be revamped (Dholabhai, 2013). The report suggested that the effective implementation of the national and state decisions under the ambit of the Act depends on its overall ground-level implementation through which district administration and local self-government institutions can act as catalysts in enhancing and increasing the gains of policies (Report of the Task Force: A Review of the Disaster Management Act, 2005, 2013).

In order to deal with COVID-19 adequately it is imperative that the flaws in the original Act are fixed. From amending the very definition of disasters to include epidemics in order to broaden the scope of the Act, the qualifications of members to various authorities and committees should be set at an optimum mark in order to maintain efficiency of the authority in question. Other measures include precise elaboration of the powers and authorities of various functionaries so that there’s no overlap or confusion. Along with the fact that the various measures taken by functionaries in dealing with COVID-19, can be challenged in Lower Courts as well and not just the respective High Courts and the Supreme Court.

Centre-State Sharing of Powers and Responsibilities

The DMA, 2005 mandates the creation of a ‘National Plan’ under Section 11 along with issuing binding directives from the Centre to States under section 6(2) with respect to the National Plan. Under section 11(2) state consultation and engagement are necessary while promulgating and formulating a National Plan which would imply that the directives issued to States represent the views of the

States. However, the Centre has not formulated a National Plan per se and has chosen to arbitrarily respond to COVID-19 with reactive and ad hoc guidelines issued to states, in turn, circumventing the legislative mandate regarding state engagement and cooperation. For instance under List 3 of the seventh schedule of the Constitution it is stated that subjects such as public order and health come under the exclusive domain of the states. Hence, a quarantine in terms of encouraging people to stay home as a means of social distancing under the lockdown should have on paper been advisory instead of mandatory from the MHA.

As per Articles 73 and 162, the executive power of the Centre and the states is coextensive with their respective legislative powers which in itself implies that the central and state governments can only undertake executive actions in matters wherein Parliament and state legislatures on their own have the authority to legislate. Since Public Health and Sanitation come under Entry 6 of the state list, States should ideally have exclusive rights to legislate and act on matters concerning public health.

On the contrary States have merely been acting on the directives issued by the Centre. The DMA should not be applied to pandemics on the same grounds since matters of Public Health and sanitation come under the State's legislative ambit. Although there is a crucial caveat as well, which is, that under Entry 29 of the concurrent list, both Parliament and state legislatures are competent enough to decide on matters regarding the interstate Spread of contagious or infectious diseases. In this scenario, the Parliament should pass a law that allows the Central government to issue directives and guidelines to States to deal with COVID-19. This law is not the DMA since it primarily concerns itself with Disasters and not Pandemics specifically.

Need for Devolution

Opposition leaders have been stressing on the importance of devolution to the lowest rung in the chain with regards to governance. Suggestions along the lines of advocating a bottom-up approach wherein keeping with the constitutional obligations under the 73rd and 74th amendments mentioned in Parts 9 and 9 A of the Constitution. Suggestions such as regarding Entry 23 of the Eleventh Schedule wherein Health, sanitation, hospitals, among others, should be devolved to the panchayat (Aiyar, M. , 2020).

Under Article 243G which entails that state legislatures must enable Panchayats to function as institutions of self-governance. A crucial factor in Kerala's stupendous success in flattening the curve has been to do with their capable system of adequate devolution which has enabled the Kudumbashree programme to work in association with the Panchayats effectively. With regards to successfully facilitating the passage of migrants, it would be futile to effectively ensure their passage without extending the notion of cooperative federalism to the third tier of government.

Arguably the most crucial requirement is altogether planning to receive the migrant labour influx, which would also imply testing, quarantine, isolation, social distancing to every extent possible and adequate nourishment and healthcare. This can only be comprehensively ensured by empowered panchayats resorting to their respective gram sabhas and ward sabhas that they have been mandated to under Articles 243A and 243S (Aiyar, M. , 2020).

Role of Civil Society in Tackling COVID-19

Apart from a line in the Disaster Management Act which advises state and district authorities to encourage NGO's and other CSO's to actively participate and help out state and district authorities to tackle the crisis, there's no mention regarding the technicalities and implications of engaging with CSO's,etc.

On March 30, Prime Minister Narendra Modi called upon the NGOs to help the government during the lockdown by providing basic necessities to the underprivileged, supplying medical and protective gear, and assist with awareness outreaches and programmes on the need for social distancing. A week later on April 6, NITI Aayog, wrote to over 90,000 NGOs, industry associations and international organisations seeking their assistance in delivering services to the poor and health and community workers to, in a sense tackle the pandemic collectively.

According to a report by India Today it was revealed that in about 13 states and union territories NGOs have been outperforming State Governments in the course of feeding people. The findings revealed that states like Kerala which has been upheld for its exemplary response in tackling the outbreak of COVID as well as Telangana, all the meals were exclusively provided by NGOS during the lockdown, while in states such as Gujarat, Andhra Pradesh and Mizoram, NGOs provided 92.8%, 91.7% and 88.5% of all the meals, respectively (Ramachandran, B., 2020).

Thousands of NGO workers as well as volunteers are feeding migrant labourers and are maintaining community kitchens along with distributing soaps and masks and protective equipment for frontline health workers. In accordance with Section 30 (27) of the DMA, 2005, the respective district authority should encourage the involvement and participation of NGOs and voluntary social welfare institutions working at the grassroots level in disaster management. Although Civil Society organisations are trying their level best in several states there have been reports of friction with state governments in terms of giving more autonomy to the organisations, and resources among other things (Ramachandran, B., 2020).

The Empowered Group 6(EG 6) constituted by the Government of India and chaired by CEO, NITI Aayog has played a role in engaging with Civil Society Organisations, NGOs and development partners, etc. to create a mutually beneficial relationship with the Government of India.



Note: A detailed version of this article is available on the RGICS website www.rgics.org where the details of all the parenthetical references are given.



Working with a District Administration during the Lockdown – Some Reflections

Yuvraj Kalia, Fellow, RGICS

The author conducted a research study in Jalandhar district in early 2019 as part of the Samarth Zilla framework study. Taking the learnings from the Samarth Zilla to the ground, from January 2020, RGICS initiated and has been engaged in action research in Jalandhar, guiding and supporting a local citizen group in the process to groom young people in Jalandhar city to engage in urban governance. The initiative, called Jimmedar Jalandhri, has been supported by Municipal Corporation Jalandhar. Local educational institutions, NGOs, and a social enterprise are a part of the collaborative initiative.

The author has been based in Jalandhar due to the national lockdown from March 21 and has engaged in different local efforts at different levels. This report aims to outline the nature and scale of the said engagement that begun from end of March and continued till end of May. During this period, the author facilitated material support to the administration, streamlined relief efforts and led and delivered carried out pro bono data management, communication and advisory for migrant evacuation from the district. The engagement and the report is divided based on the three different (in nature and scale) crises that were required to be addressed. The nature of the engagement consistently varied, both in nature and scale, going from tactical short term to dense and strategic full term.

From earlier work in the district, the business-as-usual in the district administration in Jalandhar, which is perhaps more or less similar to other districts in the country is highly process oriented, output focused, implementation of state and centrally sponsored schemes, apart from other day to day functions. The business-as-usual has very little planning component. The competencies among the human resources within a district administration are commensurate with the business as usual.

The Pandemic

In response to the COVID situation, Punjab government imposed a state wide lockdown on March 22, and also became first state in the country to impose full curfew without relaxation the next day. The situation which mandated this was a huge influx of NRIs from all over the world, especially from hard hit Europe, especially Italy, where Punjabi diaspora is in considerable number. As per a report, around 1 lakh NRIs returned to the state in month of March till 24th (The Tribune 2020).

The first and the biggest crisis is the breakout of the novel coronavirus in Wuhan, China which became the global pandemic. Even as the world saw it unfold in China from early January this year, apparently

none of the countries were prepared to handle what was coming. As the coronavirus scare arrived at the same time as the NRIs, the people in Punjab flouted the guidelines and many who were quarantined were found missing. With grave shortage of personal protective equipment kits and also the testing kits, the state government and subsequently the national government went with lockdown and curfew along with quarantining suspected cases. The constraints in dealing with the first crisis at that time appear to be institutional capacity and financial feasibility of the solutions required.

A small but significant response from RGICS came late March, when one of the Jimmedar Jalandhri students prepared a face mask at home and created an instructional video as well. As I shared the same with the Municipal Commissioner, his ask was clear, “can they make it for us?”. Thanks to the professors engaged with JJ, within a week, the students associated with Jimmedar Jalandhri prepared 5000 masks at home and uploaded details on a Google sheet. The teams of the Corporation collected them and distributed across the city as required. This was noticed by the District Administration, and at the request of Deputy Commissioner, by the end of April more than 1500 students, largely under the social outreach program of the KMV College Jalandhar, had prepared more than 30000 masks for district administration. In this effort, the students not only contributed their time and effort, but also used the material available at home.

The Lockdown

The lockdown and curfew caused a great disruption all over the country, also seen in Jalandhar. Along with putting daily wage earners and migrant workers out of work, it also impacted small business owners severely. The usual practice wherein migrant workers and daily wage earners take ration on credit from a nearby shop, given the uncertainty, was suspended by most shops and replaced by cash only system. This was the beginning of the second crisis.

The second crisis emerged rather immediately after the lockdown was announced in the state. Many socially active citizens received calls for help, which reached the district administration as well. Citizens with philanthropic instincts stepped in to provide ration immediately as multiple chat groups started on WhatsApp to address the situation. At the time, the Police department took the responsibility to deliver ration to the needy. However, by the end of March, not only the demand increased overwhelmingly, perhaps as ration stocks at homes were exhausted, it also became clear that there were multiple channels recording the demand as well as multiple channels of supply including ration kits from State Disaster Relief Fund, food supply department, etc.

The outcome was that police department was stretched thin and was overworked, not all needy persons were getting the ration, and there were incidents of people hoarding the ration aid and requesting more. Soon, by second week of April, the state government responded with putting major supply under the charge of the elected representatives, i.e. the MLAs.

The second crisis was a man made one, and perhaps avoidable. But instead, not only the beginning of it as a ration distribution challenge blew out of proportion, it morphed into a larger and more severe humanitarian crisis. As migrant workers started undertaking the most defining ‘pad-yatras’ of this century, perhaps of all times to come, the Union government allowed Railways to run Shramik Special trains from beginning of May. With huge mismatch between demand and supply, it added to the plight of the migrants.

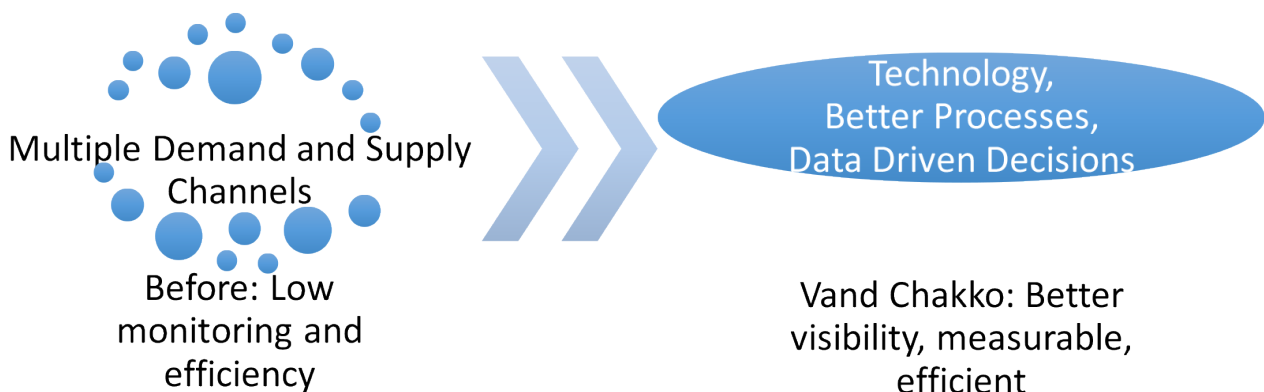
Ration Distribution (Vand Chakko)



On request of the Municipal Commissioner, Mr Ankit Chhabra from a local NGO Sanjhi Sikhya, who is also associated with Jimmedar Jalandhri Initiative, and I were roped in on April 4 to aid the ration distribution effort. The challenge was to address the governance crisis. At the time, ration relief effort was being run by the police department. There were multiple channels through which demand was coming in, chief among them being, 112 state helpline, DC Office Helpline, WA group Vand Chhako, WA group Bhai Kanhaiya among others. The demand was also unverified. Also there were multiple supply channels, philanthropists or 'Daani Sajjans' being major initially, Food Supply Department and later MLAs too. In addition, there were multiple institutions

distributing cooked food at various locations. The ration delivering mechanism was however largely from 14 police stations in the city. The demand had ballooned, the supply was less, and there was no record of supplies made for verification.

With our intervention, a simple system of demand aggregation was put in place using open source software like Google Forms and Google Sheets. An aggregated demand would give direct the supply in more efficient manner. First couple of days, all the demand was from WA groups, subsequently, 112 state helpline and DC helpline were also brought on board. The system was christened as Vand Chhako based on one of three principal teachings of Guru Nanak Dev, which means 'share and eat' (the other two being 'Kirt Karo' and 'Naam Japo'). A rudimentary call centre was setup using volunteers to create a feedback loop, which enhanced accuracy of information on the system. There were multiple in person training sessions conducted with different agencies to enable them to use Vand Chakko platform. It was now possible to see all incoming (although imperfect) demand and monitor supply. The system, however, was not owned by any of the government agencies, and none of the officers rose up to lead it.



Soon after, the delivery mechanism was taken away from the police department. Thanks to some police officials, the police stations, however, continued to provide support to distribute ration provided by philanthropic individuals. Soon, the MLAs emerged as the biggest supply channel with close to 90% of the daily supply. To cater to the changed scenario, the system underwent multiple technical iterations, integrating locality data, ward data, etc., as the distribution of the supply with the MLAs was being done through Ward Councillors. The Vand Chakko platform now provided locality level demand data and also allocated a supply owner based on size criteria for better coordination. This enabled data driven decisions and better monitoring at micro level.

Vand Chhako was joined by capable local youth such as Liakatbir Singh and Parabal Pratap Singh from Pahal and Edumust, both local NGOs, respectively, who helped in making the system more robust. A social media team helped put together campaign videos and other creative to spread the work about Vand Chakko. The supply channels of DC office (using Municipal Corporation staff as delivery mechanism)



and philanthropic individuals used the system effectively. However, only two of four city MLAs agreed to use the system, and update their supply data. The other two had the highest demand from their constituencies that comprise of industrial areas of the city, used the demand data but did not update the supply data on the system. As a result, the pendency on the platform increased, touching as high as 60% of the total demand at one point. However, feedback loop of call centre restored the accuracy to around 15% pendency.

The Vand Chakko came to be known as the 'Jalandhar model' at the State COVID Control Room by mid April when it had enabled ration distribution to more than 65000 persons in Jalandhar city. Vand Chakko team also facilitated distribution of more than 10000 sanitary napkins to needy women using same delivery channels. By April 27, the Vand Chakko had enabled ration distribution to more than 115,000 persons. After that, the District Administration took over the complete supply and distribution, for which data management support was provided, and a team of 15 on-ground volunteers was mobilised in high demand areas.

Exodus of Migrants

On May 1, on the suggestion of the Municipal Commissioner, I was invited by the Nodal Officer for Shramik Special Trains to be a part of the first official meeting on the migrant evacuation from the district. The first challenge was to collect information of migrants who wished to go to their home states through an online registration form that the state government had released. The meeting had officers from labour commissioner's office, District Industries Centre, Police dept., one of the SDMs, ADC (General) and also saw participation from leaders of migrant labourers in the city. The onus of collecting the requisite information was put on the leaders.

On May 2, we set up an IVRS helpline number for migrants who wish to leave, to call and select the state they wished to go to and number of persons with them. The Helpline number was publicised in print media, on radio and through WhatsApp. A call centre was set up under Liakatbir Singh with 25 volunteers to call these numbers and fill their form online. The Helpline received more than 25000 calls in first two days. The next day, I was called again by the Nodal Officer to help them arrive at movement plans for the operation. In attendance were, Asst. Labour Commissioner, GM DIC, Police dept., Health Dept. and some officials from Dept. of Governance Reforms. After long deliberations, I was made to draft the Standard Operating Procedure for migrant evacuation for Jalandhar District on the spot, which was then shared with state authorities by the Nodal Officer the same day.

On May 4, I was provided with district wise segregated data for Jharkhand to recommend a suitable destination. Using simple Google Map features, I suggested the destination for the first train from Jalandhar. The request for access to complete data was denied. I was again contacted by the Nodal Officer late night with a request to communicate the details of the train leaving the next morning, May 5, with a sheet containing list of passengers identified. The volunteer group was again mobilised to call all the passengers and inform them. The data in the list, however, had multiple duplicate entries, meaning that turnout was going to be less than the expected. The nodal officer was notified about a sure shortfall of 500 passengers in a train of 1188 at 1 am, which in the morning led to calling more people (again by volunteers) and the first Shramik Train to leave from Punjab was delayed by around three hours.

This opportunity was utilised to improve the data management. For second train onwards, data was managed by Parabal Pratap Singh on Google Sheets. We created lists of passengers, allocated screening centres to them based on proximity and executed all communication through bulk text messages and calling. Advisory on destinations, location of screening centres, and on ground operations continued throughout. The same was also done for a few buses for Western UP. The lists prepared by the team reached highest hit rate of 85%, which decreased as the lockdown relaxed in Punjab around May 18, and willingness to travel to home states decreased among migrant labour.

Till May 27, the process worked smoothly for all but the first train that left from Jalandhar. Jalandhar became first to begin Shramik Train Ops and first to end it as well. At one-sixth registered migrants as compared to Ludhiana district, Jalandhar district ran 80% as much trains as Ludhiana. In total, the support was provided by a 5-member team for 75 trains over 21 days ferrying more than 80000 migrants. It included, identification of destinations, location of screening centres, preparation of the lists, allocation of screening centres, and communication. To achieve this, multiple internal processes were developed to remove any room for error, and to ensure complete synchronisation with the administration's on-ground operations. Inputs were also made on improving process at the screening centres.

Learnings

Little Power for Elected Representatives of Local Bodies: India is governed in the districts and the district administration led by a civil servant is accountable to the state government and not to the elected representatives of the district – the Zilla Parishad for the rural areas, and the Municipal Councillors for the urban areas. The devolution mandated by the 73rd and 74th Constitutional Amendment Act seems to be incomplete in so far as role of district is concerned. Apart from the provisions u/A243 ZD that a District Planning Committee (DPC) must be formed in each district, to coordinate between the rural urban parts of a district, the amendments are silent on this crucial level of government in India.

While working with the DA, following observations were made regarding the functioning of the governance system at the district level. These observations reflect on a certain value system/ institutional norms intertwined with the highly formal/legal system giving rise to a characteristic underperformance which pervades the districts all over the country. With this established way of working, the system seems to inhibit innovation and not seldom offsets huge costs on officers with approaches different than the system.

Entrenched hierarchy: Apart from formal/ legal authority and hierarchy, the verbal orders of the superiors carry no less weight. Coupled with informal power influence of officials and personal interests, how it transpires in action is that nothing moves unless it comes from a superior. At the same time, everything moves even if the command is not in everyone's best interest. The bureaucracy at the lower level is rarely consulted about the challenges that mar the expected outcomes, and formal/ legal authority is used widely to pressure lower bureaucracy into overtime, more so in times of a crisis, apart from unofficial work. Such system without feedback loops and end to end integration is bound to underperform.

Inadequate capability: For reasons not explicitly determined, there seems to be an extensive under capability among the individuals that populate the system. In absence of any continuous or significant exposure/ and or upgradation of skills, the agreeable solutions are below average. This gets further watered down in implementation when capability of street level bureaucracy is taken into consideration. Therefore, the system becomes a closed system of mediocrity and ignorance.

Reluctance to adopt new methods: The administration seems to have set in an inertia of parochial mediocrity with very little scope of bringing in new technology or process reengineering. Unless, of course, it is mandated from the top and there is a consultant hired to bring in new methods of working. In that case, the new methods rarely get internalised.

Such minor changes have a potential to release higher productivity and reducing stress on the lower levels of bureaucracy. During both ration distribution and migrant evacuation, the common challenge was aggregating demand. While there was multiplicity of channels in former, there was absence of a reliable and quick way to collect data of migrants who wished to go back to their states. While it led to operational issues in the former, the latter attracted solutions from officials such as collecting a fee for filling the online form of the migrants. Both times, a simple tech based solution was put in place

Apathy: With an apparent solidified way of functioning, where lower level bureaucracy is overworked, and the lack of capability is not eased by either continuous training or business process reengineering; the underperformance seems to become an accepted benchmark. At the time of crises, the cost of underperformance or of mistakes gets magnified and is often consciously or unconsciously offset on the people being governed. Within that, the set of people, which are the weakest in terms of political economic influence get the worst of it. Seemingly, over time the system gets hardened and the ensuing apathy neither provides a motivation to ease the challenges stated above nor

No framework for collaboration: The need of a framework to bring in expertise and leverage local human resources gets amplified during times of crises. Unfortunately, there are no set procedures, protocols or framework in place to achieve this at the district level. In the experience shared above, the role of enabler is played the Municipal Commissioner based on the experience of Jimmedar Jalandhri. As of today, both the Municipal Commissioner and the Deputy Commissioner have been transferred to other locations, effectively taking away any possibility of institutionalising such collaborations. Recognition of civil society in addressing the gaps in administration is required. Perhaps a model framework for collaborations at district level, such as the Samarth Zilla, can be formalised.



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“We just want to go Home!”

Ram Esteves, ADATS

Sunday, 10 May 2020

Dear Everyone:

Sunday morning, we saw a video clip that showed a large group of migrant workers at the Karnataka-AP border, a stone's throw away from ADATS. While we have all seen their pathetic plight many a time on many media platforms, this was too close to home.

<https://www.thequint.com/videos/news-videos/no-money-or-food-but-migrants-from-karnataka-walk-back-home>

On 5 May the Government took a decision not to send migrants back to their home states. Two days later, succumbing to public outrage, that decision was reversed. But the damage was done. Desperate migrant workers were already on the move. They had started their long trek home.

We forwarded the video to colleagues at ADATS and Bagepalli staff quickly met. Everyone's reaction to something terrible happening at our doorsteps was the same. We immediately contacted our regular supermarket to put together 10 packets of dry rations for a group of 8-10 people to cook 4-5 times.



To reconfirm what we had seen in the video, one of us rode to the Highway and border check post. By the time he got back, the dry ration packets were ready. ADATS Field staff loaded 2 packets each on our motorcycles and went to the Andhra Pradesh border. The first group of 12 young migrants we found were resting behind a roadside *Dhaba*. With tears of fatigue and hunger, they told us that they had started from Bangalore and were walking to Kolkata. In the next few hours, we

met 6 more groups. Most of them were walking. Some were on bicycles.

One group of painters and polishers had walked 300 kms from Salem in Tamil Nadu the past 4 days and were going to walk another 1,930 kms to

Uttar Pradesh. We were shocked and asked if they couldn't get lifts on trucks and lorries. "Who will stop for us?" they asked, "We have tried and tried...".

Another group wanted to reach Hyderabad, 470 kms away. After taking our ration packet, they asked if we could show them cut roads, village paths and routes to avoid the Highway and check-points. "We only pray that the police won't send us back. We don't want to go back to Bangalore. We will not. We want to go home!"



A teenager broke down and cried, "I haven't eaten, Sir. I don't have ₹ 5 in my pocket."

"When we are stopped and questioned, we are treated like criminals. They search us like we are Highway bandits. All we want is to go back to our Mothers. Is reaching our loved ones a crime?"

Another young person said, "A good Samaritan gave us cooked food packets when we were walking from Bangalore to here. Afterwards, he took out ₹ 1,000 from his wallet and gave me. When I asked, he said that he had also lost his job and wouldn't get this month salary. I thanked him for the food but gave back the money and refused to take it. I couldn't. He will soon be in my state, except that he will be at home".

Another group brought tears of humility and shame to our eyes when they asked, "Our feet are killing us more than hunger. Is it okay if we sell this wheat and oil to a lorry driver so that he may take us a while?" With wet eyes, we replied, "You are the brave ones who have undertaken this long journey. We are nobody and have given you nothing at all. Please do as you see best. Godspeed."

After handing out 7 of the 10 packets we came back late evening to put together another 20 packets Monday morning, we went out again and met with 15 more groups. By 10 am it was blazing hot and there

were no more migrants to be seen. We came back to rest and went again in the afternoon. We found 2 more groups and all of us came back without chappals; we gave them to those whose footwear had worn thin and still had to tread many thousand more steps...

This morning, Tuesday, we went out again at 5 am, but found only 2 groups. One of them didn't want dry rations because they couldn't carry even 1 more kilogram. We managed to buy some bread and biscuits locally and told them to eat.

We will keep this going for as long as we can. A dry ration packet with 5 kg wheat flour, 1 kg sunflower oil, a bottle of pickle and some salt, along with a *tava* (frying pan) and *bandli* (deep pan) for mixing the dough and cook some dhal costs just ₹ 766. Surely, we can pitch in that much to help a group of 8-10 determined youth who have been betrayed by their employers, the State and everyone else.

Tuesday, 12 May 2020



Yesterday, we distributed dry rations to 20 groups of 6-8 Migrants. At the end of the day we decided that, starting tomorrow, we would empty our coffers and instead give out cash for them to travel home any which way they could.

Accordingly, we went to the border check-post this evening and convinced the Karnataka police to please let the waiting youth through. We walked with them into Andhra Pradesh with a wad of money and gave 130 migrants ₹ 500 each. The AP police stood by for a few stunned minutes and then decided to join us. They made everyone stand in a line, maintaining physical distance, while Mario, Waheed and Sujaid counted out the money one by one.



The AP police then stopped a few empty eighteen-wheelers going North to pick up cement bags and helped the migrants to climb into them. The lorry drivers have been asked to take them the next 262 kms to Kurnool, half way to Hyderabad. After that, we are sure that another miracle will occur to help them on their onward journey.

Monday, 25 May 2020

We did not go to the border yesterday since Sunday was a total Lockdown in Karnataka and no North bound lorries would have come. Today, when we reached at 5 pm, 19 young Migrants from Nagpur, Chhattisgarh and Odisha were already waiting at the designated spot. Soon after we finished distributing bread, jam, water packets and ₹ 500 each, 10 more arrived.

AP police were not present today. ADATS Staff stopped an Anantapur bound mini truck and loaded all 29.



Half an hour later, a group of 12 Assamese came. They had left Hosur in Tamil Nadu yesterday morning and walked for 2 days to reach the Karnataka-AP border. This morning, after breakfast, they had eaten nothing at all. We distributed ₹ 500 each after they wolfed down the bread and water. Then we stopped a Hyderabad bound lorry and had a most unique experience.

The driver, the third generation in his profession, told us that earlier this week he had ferried a group of Migrants on top of his lorry. The police stopped him and everyone ran off into the fields. He, naturally, couldn't abandon his lorry and was severely beaten. When he adamantly refused to admit to any wrongdoing, the situation took a weird turn. The police actually apologised, fed him a hot meal and let him off.

"Let all 12 climb in. I will tie a tarpaulin since it is thundery and may rain on the way. If they just wrap it around themselves they may suffocate." We offered some money to pay toll fees *en route*, but he took serious offence.

"If you give me any money, I will offload everyone from my lorry. I am doing this because I have to help as many of these young kids as I can reach their homes. My father and grandfather were also drivers. That must be the reason why their grandson is on the road in these troubled times."

After we were properly censured and humbled, we forcefully put a



few loaves of bread and some jam in the cabin for him and his cleaner to eat on the way. By then our friend from Haryana had cooled down. When we asked him to join us for a cup of tea he replied with a smile, "Of course I will have a chai with you. I was wondering when you would ask!"



A total of 41 youngsters were assisted today, taking the total assisted these past 15 days to 1,749 Migrants. Hundreds of them have been helped in their onward journey from Hyderabad to the northern States, by a selfless and dedicated network of Jesuit priests, lawyers, social workers and activists. Sujaid is in constant 24x7 contact with all of them.



Impact of COVID-19 on MSMEs

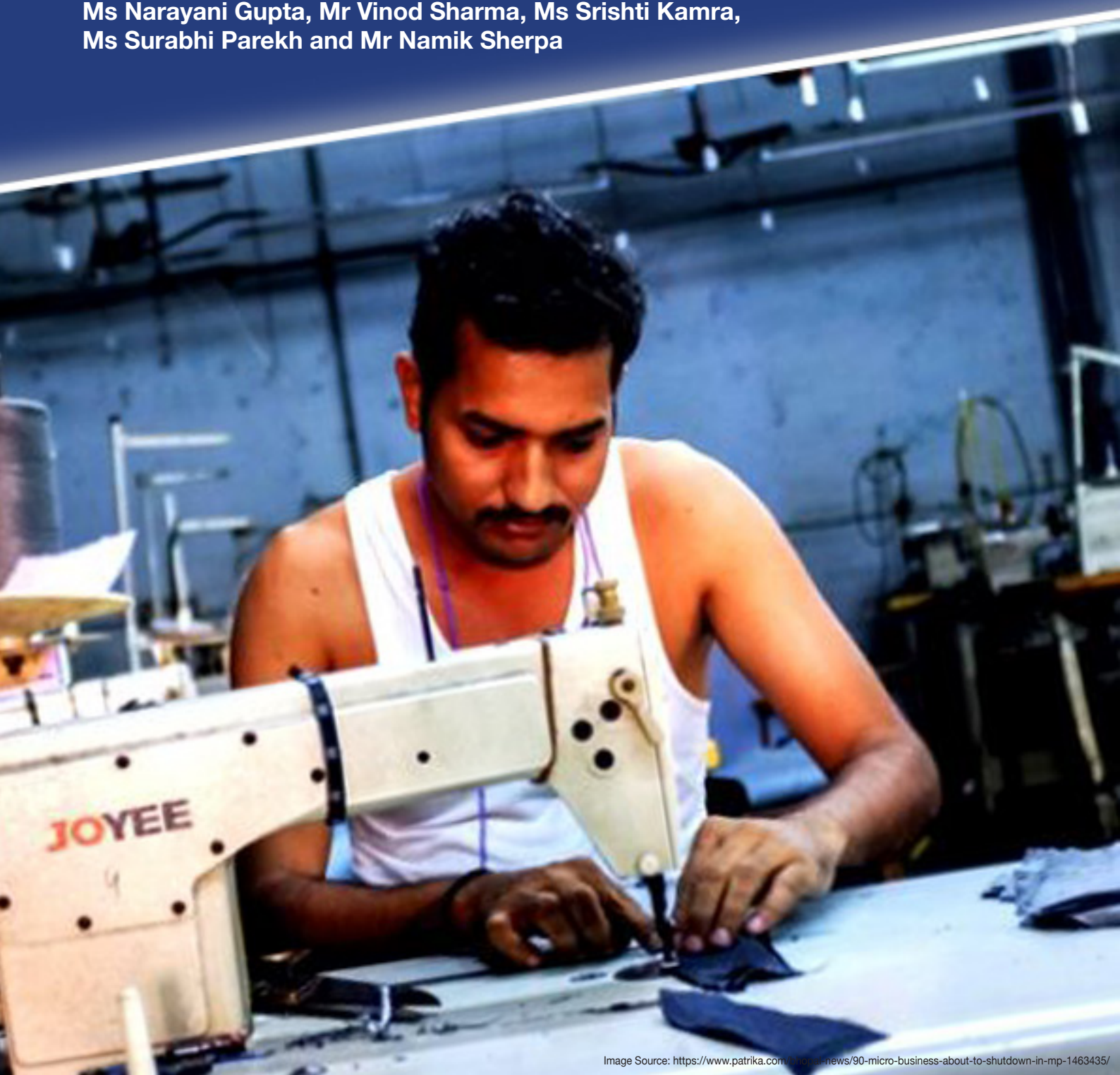
Results of a Survey Conducted in May 2020

Team Leader: **Dr Rakesh Malhotra**,
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Telephonic Survey Team Members:

**Ms Narayani Gupta, Mr Vinod Sharma, Ms Srishti Kamra,
Ms Surabhi Parekh and Mr Namik Sherpa**



One of the sectors badly impacted by the COVID-19 Pandemic and the resulting lockdown was the Micro, Small and Medium Enterprises sector. There were 6.34 crore unincorporated non-agricultural enterprises in India in 2016, as estimated by the National Sample Survey 73rd Round in the Jul 2015-Jun 2016 period. A vast majority, 84.2% were “own account enterprises” (OAEs), that is, units run entirely by the proprietor and his/her family members, with no hired worker. Still, the employment in the sector, including the owner-workers was 11.13 crore workers, which was only second to employment in the agricultural sector. The upper end of the MSMEs, though only 11.4% in number, accounted for about 40% of the employment.

To understand the issues being faced by MSMEs, a telephonic survey was undertaken by the RGICS. The sample was selected from the upper end of the MSMEs, who had received loans from the banks under an MP Government scheme. Of the total 421 respondents (75% male), about 36% were from manufacturing and the rest were service enterprises. About 43 % were below Rs 15 lakh per annum turnover, and 58% had less than ten workers. Only 27% had a UAM number, and only 50% were members of an MSME association.

About 71 % of the respondents felt that their business has been/would be adversely impacted by COVID-19 related lockdown to the extent of 90% of the earlier prevailing levels. Only 4% of the respondents also stated that their business has improved during the lockdown. Yet, there seems to be an optimism for the future with 80% of the respondents expecting their business to swing back to the original level within a year. As many as 56% of the respondents did not expect to retrench any workers while a little less than a quarter of the respondents felt that they would have to retrench more than half of their existing workers.

The major constraint in re-starting their business was lack of demand or opportunity, as cited by 28 % of the respondents. Lack of adequate capital was cited by 22 % of the respondents. This was more pronounced in the Manufacturing as compared to the Services sector.

In light of the moratorium given by RBI, more than half of the respondents had sought a re-scheduling of their loans. The most critical support expected by the respondents from the banks was to get the waiver in the payment of interest on their outstanding loan installments. Interestingly only 6 % expressed the need for a loan waiver, even partially. The main demand was to waive/defer their electricity bills and lease rent charges. This demand was relatively more in the case of the Manufacturing sector. The respondents also wanted cash or kind support to be given to their workers to meet various contingency requirements.

The Gol’s package giving a Rs 3 lakh crore guarantee for additional working capital loans to existing borrower MSMEs had not reached many, with 27% of the respondents not being even aware of the package at all. Over half i.e., 53% of the respondents felt that the package announced by the Gol will not benefit their enterprises. This was despite the fact that 90 % of the respondents had loans (because we chose the sample from the MYUY scheme) and were eligible for the additional working capital loan.

It is remarkable that while 70% of the entrepreneurs said their business is down by 90%, about 80% felt they will revive within a year, 56% planned no retrenchment of workers, and only 6% wanted a loan waiver. This shows the indomitable spirit of the Indian MSME entrepreneur.

See <https://www.rgics.org/wp-content/uploads/Impact-of-COVID-19-on-MSMEs.pdf>





Impact of Pandemic on SC and ST Micro-Entrepreneurs: A Granular Study

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Abstract

The Micro, Small and Medium Enterprise (MSME) sector contributes significantly to the economic and social development of the country by fostering entrepreneurship and generating the largest employment opportunities after the agricultural sector. The participation of all categories of society (General, OBC, SC, and ST) is seen in this sector. This study is an attempt to elicit the major issues and challenges which had an impact on the SC-ST entrepreneurs due to the pandemic COVID-19. The data was collected from the 15 districts from 100 entrepreneurs. The study was confined to the social group of SC and ST.

About thirty percent of the respondents felt that their business would be adversely impacted to the extent of ninety percent or more. None of the respondents felt that their business had been stable or improved. Sixty percent of the entrepreneurs who had established their units more than ten years ago felt that their business was adversely affected to the extent of ninety percent or more. The younger enterprises which had been established less than two years ago, were less pessimistic and assessed the damage to their business in lesser quantum.

Fifty-four percent of the respondents felt that it would take at least six months for them to re-establish. While forty-one percent of the respondents estimated that more than a year would be required to re-establish their business. The enterprises in the age group of less than two years seemed to be more confident to bear not only the blunt of Corona, but also their ability to re-establish themselves in a lesser time than estimated by the older enterprises.

About twenty nine percent of the respondents who had not taken any loan desired for the new loans from the banks. The demand for new loans was more from the SC aspirants than ST entrepreneurs. Twenty-four percent of the respondents who had already availed the loans had expressed their desire for additional /enhancement in credit limits. The prime demand (27 percent) of the respondents from the government was for getting relaxations in their electricity bills and lease rent charges. This demand was more pronounced in the ST category. It was seen that the lack of adequate capital and lack of raw material, were the predominant concerns of the SC-ST entrepreneurs.

The SC and ST enterprises have relatively less proportion of membership of any trade associations and had less knowledge about re-scheduling of their loans as announced by banks. Hence, the approach of

'one size fits all' becomes detrimental factor for the growth of MSME in the nation. There is an urgent need for concerted efforts on this part because the entrepreneurs from SC and ST categories not only contribute towards the economy and employment of the nation, but they also play a pivotal role in the reinforcement of the Indian social fabric.

I Introduction

The Micro, Small and Medium Enterprises (MSME) sector has emerged as a highly vibrant and dynamic sector of the Indian economy over the last five decades. It contributes significantly to the economic and social development of the country by fostering entrepreneurship and generating the largest employment opportunities at comparatively lower capital cost, next only to agriculture. MSMEs are complementary to large industries as ancillary units and this sector contributes significantly to the inclusive industrial development of the country. The MSMEs are widening their domain across sectors of the economy, producing a diverse range of products and services to meet demands of domestic as well as global markets.

The MSMEs face acute challenges, such as: the dominance of dwarf enterprises lack of flexible labor policies, loads of infrastructure bottlenecks and market competitiveness, lack of proper training and skill development, access to technology, institutional credit, etc. The COVID-19 pandemic has further aggregated the fragile health of MSMEs in India. The participation of all categories of society (General, OBC, SC, and ST) is seen in this sector.

As per the Ministry of MSME, Gol Report 2018-19,¹ the socially backward groups owned almost 66.27 percent of MSMEs, though the bulk of that can be attributed to OBCs owning in 49.72 percent. The representation of SC and ST owners in the MSME sector was low at 12.45 percent and 4.10 percent, respectively. In rural areas, almost 73.67 percent of MSMEs were owned by socially backward groups, of which 51.59 percent belonged to the OBCs. In urban areas, nearly 58.68 percent belonged to the socially backward groups, of which 47.80 percent belonged to the OBCs.

The analysis of enterprises owned by socially backward groups in each of the three segments of the MSME sector reveals that the Micro sector had 66.42 percent of enterprises owned by socially backward group, whereas Small and Medium sectors had 36.80 percent and 24.94 percent of enterprises owned by socially backward groups respectively.

Table I: Category wise MSME distribution (in %)²

S. No.		Gen	SC	ST	OBC	Total
1	Manufacturing Enterprises	61.1	7.9	2.6	28.4	100
2	Service Enterprises	57.4	9.6	3.2	29.8	100
3	Total Enterprises	58.9	9.0	2.9	29.2	100

The data from the UAM site reveals that more than one crore units have so far been registered under UAM till 19th June, 2020. The ownership of the MSME does not seem to be in proportion to the prevailing caste wise population in the nation. There could be due to a plethora of reasons. Nonetheless, the low proportion of ST and SC in the MSME business calls for a paradigm shift in the

¹ Annual Report 2017-18, Government of India, Ministry of Micro, Small and Medium Enterprises

² https://udyogadhaar.gov.in/UA/Reports/StateBasedReport_Categorywise.aspx?st=2

related policies and initiatives to encourage the excluded strata of the society to be active partners in the 'Make in India' campaign. Amongst Manufacturing and Services segments, the General category ownership was seen more in the Manufacturing segment, while that for SC, ST, and OBC, it was the Services segment.

2 Survey Method and Sample

A survey was conducted (May 2020) to know the major issues and challenges which had an impact on the SC-ST MSMEs due to the pandemic COVID-19. The data, in a pre-drawn questionnaire, was collected from the 15 districts from 100 entrepreneurs. The study was confined to the entrepreneurs from the group of SC and ST.

3 Business Details

The proportion of female and male entrepreneurs was 15 and 85, respectively. Respondents engaged in the Manufacturing sector constituted of 25 percent, while those in the Service sector comprised 75 percent of total samples. Amongst the two categories (SC/ST) of the respondents, the proportion of SC and ST was 73 percent and 27 percent, respectively.

The majority (88 percent) of the respondents were not affiliated to any kind of trade association. This was more pronounced in the Manufacturing sector when compared to the membership in Services sector. In contrast to this, only 50 percent of the General and OBC entrepreneurs were not affiliated to any trade association³.

3.1 Staff strength before lockdown

Table 2: Staff Strength before lockdown (In %)

S. No.	Staff /Sector	SC	ST	Total
1	None	30	33	31
2	Less than 10	47	44	46
3	Between 11-50	21	22	21
4	More than 50	3	0	2
	Total	100	100	100

- About 31 percent of the respondents did not have any employees associated with them. This was more pronounced in the case of ST entrepreneurs. In contrast to this, only 8 percent of the General and OBC entrepreneurs did not have any employees⁴.
- It could be inferred that in SC and ST owned enterprises, 77 (31+46) percent of the units had less than 10 employees.
- It was seen that only in SC category 3 per cent of the entrepreneurs had the staff of more than 50. Whereas in case of General and OBC entrepreneurs this proportion was 7 percent.⁵

³ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

⁴ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

⁵ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

4 Impact of COVID-19 on Business

4.1 Impact of COVID-19 on Business

Table 3: Impact of COVID-19 on Business (In %)

S. No.	Impact / Est. year of Enterprise	>20 years	10 to 19 years	3 to 9 years	<2 years	Total
1	Down by more than 50%	0	0	30	43	30
2	Down by more than 75%	40	40	33	39	35
3	Down by more than 90%	60	60	36	13	33
4	Business has been stable and improved	0	0	0	0	0
5	Difficult to estimate now	0	0	1	4	2
	Total	100	100	100	100	100

- a) The respondents were quite apprehensive about the impact of COVID-19 on their businesses. About 33 percent of the SC and ST respondents and 71 percent of General and OBC respondents felt that their business would be adversely impacted to the extent of 90 percent or more⁶.
- b) None of the respondents felt that their business had been stable or improved. Whereas in case of General and OBC category of entrepreneur, 4 percent of the respondents reported stable or growth in their business⁷.
- c) On closer examination, it was seen that 60 percent of the entrepreneurs who had established their units more than 10 years ago felt that their business was adversely affected to the extent of 90 percent or more.
- d) While the relatively young enterprises which had been established less than 2 years ago, were less pessimistic and assessed the damage to their business in lesser quantum of - down by more than 50 percent.

4.2 How long would it take to re-establish the business?

Table 4: How long would it take to re-establish the business? (In %)

S. No.	Time required / Est. year of Enterprise	>20 years	10 to 19 years	3 to 9 years	<2 years	Total
1	More than 6 months	40	20	54	65	54
2	More than 1 year	60	60	42	26	40

⁶ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

⁷ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

3	More than 3 years	0	0	1	0	1
4	Difficult to estimate now	0	20	3	9	5
Total		100	100	100	100	100

- a) 54 percent of the respondents felt that it would take at least 6 months for them to re-establish. While 41 percent of the respondents estimated that a year or more would be required to enable them to come back into the business. These estimation of time periods to bounce back were better than as expressed by the General and OBC entrepreneurs⁸.
- b) On closer examination, it was seen that 60 percent of the entrepreneurs who had established their units more than 10 years ago; felt that it would take at least 1 year for them to able to re-establish.
- c) It was again interesting to note that the relatively young enterprises, which had been established less than 2 years ago, they were more optimistic and estimated the recovery of their business in 6 months.
- d) In other words, it is important to conclude that the enterprises in age group of less than 2 years seemed to be more confident to bear not only the blunt of Corona, but also their ability to re-establish themselves.

4.3 Staff expected to be retrenched

Table 5: Staff expected to be retrenched (In%)

S. No.	Staff /Sector	SC	ST	Total
1	No change	49	52	50
2	Less than 30 %	8	19	11
3	About 50%	7	0	5
4	About 75%	4	0	3
5	Not Applicable	32	30	31
Total		100	100	100

- a) 50 percent of the total respondents were of the opinion that they would not like to curtail their employees after resumption of the business. The humanitarian consideration was paramount in this decision of theirs.
- b) It was also amazing to see that proprietors were eager to support many of their laid-out employees by providing basic food requirements for them and their families.

⁸ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

- c) Only 3 percent of the respondents said that they would have to curtail about 75 percent of their existing employees. The curtailment of the staff was only seen in the SC category. The corresponding figure for General and OBC entrepreneurs was 7 percent⁹.

I had got some work orders from the Gram Panchayat to construct Toilets. These were to be constructed from April 2020 onwards. I had procured the raw material for the same. In anticipation of this work, I paid advance wages to 70 of my employees to enable them to tide over the impending crisis. However, with imposition of Lockdown I was unable to execute the order, which subsequently got cancelled. I had to bear the losses but did not recall the money from employees.

- Lokesh Rathore, Construction (Service Sector), Ujjain

5 Constraints on revival and Support expected from the government

5.1 What are the major constraints to commence the business?

For this question, 197 responses were received. The responses were categorized into 4 different Sectors of the enterprises and mapping was done accordingly in percentages (Table 6).

Sector / Constraints	Lack of Raw Material	Lack of Staff	Lack of Opportunity like marriage, seasons	Lack of adequate Capital	Lack of Government permission	Lack of transport facilities	Lack of Buyers	Total
Construction	25	18	14	21	9	11	4	100
Manufacturing	21	4	15	21	6	21	11	100
Servicing	12	5	17	24	12	15	15	100
Trading	25	4	8	27	6	8	23	100
Total	21	8	13	23	8	13	13	100

- a) The major constraint visualized by the entrepreneurs in the Construction sector was the lack of raw material.
- b) In the Manufacturing sector, the lack of raw material, adequate capital, and lack of transport facilities were indicated to be equally essential constraints.
- c) In Servicing sector, the lack of adequate capital was the prime constraint.
- d) Those entrepreneurs who were engaged in the Trading sector felt that the lack of raw material and adequate capital would be a major issue of concern for them.
- e) Overall, it was seen that the lack of adequate capital and lack of raw material, were the predominant concerns of the SC-ST entrepreneurs.

5.2 Support expected from the government

There were 147 responses received from the 100 respondents on this account. The responses were converted into percentages (Table 7).

Table 7: Support expected from the government (In%)

S. No.	Expectations / Category	SC	ST	Total
Central government				
1	Health coverage as available under Ayushman Bharat to all my employees	1	0	1
2	Support for basic needs	15	17	16
3	Enhanced period for payment of GST	8	15	10
4	Government to contribute to PPF of MSMEs having 50 or more staff	12	2	10
State Government				
5	Incentives for lease rent, electricity bill,	26	29	27
6	Provide more cost effective and competitive technology	1	0	1
7	Incentives in form for marketing and transportation	22	32	24
8	Can't answer	15	5	12
Total		100	100	100

- The 27 per cent of the responses desired that the government should give them relaxations in their electricity bills and lease rent charges. This demand was more pronounced in the ST category. The responses from General and OBC category of entrepreneurs also prioritized the same issue¹⁰.
- The next most important expectation from the government was to help the entrepreneurs in the marketing of their products and ensuring the availability of the convenient transport arrangements. The demand of ST entrepreneurs on this account was more in comparison with the demand of SC respondents.
- About 16 percent of the total responses desired that grant be made available for the staff of the struggling entrepreneurs so that the various basic consumption needs of workers/labors could be met to a certain extent.

¹⁰ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

Entrepreneurs do not need any major assistance from the government. It is their labors/ workers which are in dire need of support from the government. Hence, government needs to address their problems on priority.

- Swapnil Charjkani, Pharma (Service sector), Agar Malwa

6 Financing

6.1 Have you applied for the rescheduling of the loan?

Table 8: Have you applied for Rescheduling of Loan? (In%)

S. No.	Rescheduling of Loan /Sector	SC	ST	Total
1	No	7	15	9
2	Yes	30	37	32
3	Bank did not cooperate	7	0	5
4	Not aware of such facility	3	4	3
5	Not availed such loan	53	44	51
	Total	100	100	100

- a) 51 percent of the respondents had not availed any loan from the banks. Some of the respondents were categorically apprehensive about the banks giving them loans while others reported that they prefer not to take any loan.
- b) Amongst the respondents who had taken loan (i.e., 49 percent of total) it was seen that the majority (32 percent) had sought rescheduling of their credit.
- c) About 3 percent of the SC and ST respondents were not at all aware of the new arrangements put into place by RBI for MSMEs. While in case of General and OBC entrepreneurs lack of awareness was confined to 1 percent only¹¹.

6.1 Support expected from the Banks

Table 9: Support expected from the Banks (In%)

S. No.	Expectations / Category	SC	ST	Total
1	Waiver of at least 50% of credit on lines of Farm waivers	14	9	13
2	Waiver of Interest payable for 1 year	14	18	15
3	Re-scheduling of credit for at least 1 year	10	12	11
4	Additional / Enhancement in credit limits (WC)	18	39	24
5	New loan	35	15	29
6	Can't answer	9	6	8
	Total	100	100	100

¹¹ Impact of COVID-19 on MSMEs (Results of a survey conducted in May 2020) by RGICS, New Delhi

- a) 29 percent of the respondents who had not taken any loan expected the new loans from the banks. The demand for new loans was more from the SC entrepreneurs than ST entrepreneurs.
- b) 24 percent of the respondents who had already availed the loans had expressed their desire for additional / enhancement in credit limits. The demand was more pronounced in ST category
- c) Waiver of Interest payable for 1 year was also the other primary expectation from the banks. This demand was more pronounced in SC category entrepreneurs.
- d) The study revealed that the utmost requirement of SC and ST entrepreneurs was 'sanction of new loan'. In case of General and OBC category of entrepreneurs the prime requirement was the 'waiver of interest on loan'¹².
- e) While conducting telephonic interviews, the prospective loan applicants strongly voiced their concern in getting timely credit from the banks.

7 Conclusion

Even before the pandemic, SC and ST entrepreneurs have had their problems in terms of getting access to institutional sources of credit. It was seen that the SC and ST enterprises, when compared with status of enterprises belonging to General and OBC categories, have relatively less membership with any trade associations, and have lesser knowledge about re-scheduling of their loans as announced by banks.

The biggest constraint in re-booting MSMEs as identified by the respondents was 'lack of adequate capital', this was true for all categories of the entrepreneurs. The utmost expectation from the government for all the categories of entrepreneurs was similar, i.e., 'relaxations in their electricity bills and lease rent charges'.

While the Gol has announced a number of measures for MSME revival, there is an urgent need for concerted efforts to ensure that SC/ST entrepreneurs get their due share of both the concessions and revival incentives and funding.

We expect the government to support the weavers, on the lines it has been supporting the farmer community, for access to credit, access to modern technology and better marketing.
-Mr. Ranjeet Koli, Saree manufacturing (Manufacturing Sector), Ashoknagar



Broken by the Outbreak: The Unemployment Crisis in Tamil Nadu during Lockdown

Dr S. Nirmala, Policy Observatory, Tamil Nadu, RGICS

I Introduction

The unemployment rate in India has risen from under 7 per cent before the start of the pandemic in mid-March to 23.5 per cent in April, while it continued to remain high at around 24 per cent in May. During April, India's unemployment rate shot up 23.5 per cent amid coronavirus lockdown. State-wise unemployment rate differed widely. The highest unemployment rate of 75.8 per cent was recorded in Puducherry followed by 49.8 per cent in Tamil Nadu 47.1 per cent in Jharkhand 46.6 per cent in Bihar and 43.2 per cent in Haryana. The lowest unemployment rate of 2.2 per cent was recorded in Himachal Pradesh followed by Sikkim (2.3 per cent), Punjab (2.9 per cent), Chhattisgarh (3.4 per cent), Telangana (6.2 per cent) and Uttarakhand (6.5 per cent).¹

The urban areas across the country were dotted with red zones due to the escalation of COVID-19 positive cases and these areas have reported 29.22 per cent unemployment rate while the rural areas have been at 26.16 per cent. Urban areas had 23.5 per cent of unemployment on April 2020 which is higher than the unemployment in rural India.²

2 Objectives and Methodology of the study

- To understand the adverse impact of the lockdown
- To assess the reason for the unemployment issues rose during the lockdown period
- To suggest the remedial measures to the income losers to come out from their livelihood loss

The review of various documents such as Newspapers, articles, e-journals, interaction with experts, case studies, interviewed the affected persons were the different methodology adopted for this study (the names are not disclosed as per the wish of some case study respondents)

3 Unemployment in Urban India

The unemployment from February 2020 to April 2020 in all the states has proliferated due to lockdown. Currently, every fourth person in India is unemployed, revealed the Centre for Monitoring Indian Economy revealed in its unemployment data that every fourth person in India is unemployed³. Due to ongoing nationwide lockdown, the unemployment rate had been above 20 per cent for over

¹ Chitranjan Kumar, "India's weekly unemployment rate soars to 24.3% amid coronavirus lockdown: CMIE", Business Today, 26 May 2020

² <https://thefederal.com/covid-19/lockdown-impact-every-fourth-person-in-india-is-unemployed/>

³ <https://thefederal.com/covid-19/lockdown-impact-every-fourth-person-in-india-is-unemployed/>

two months now. Even as relaxations in lockdown were announced, restarting the rural economy did not seem to have made any dent in the unemployment in the country. However, the unemployment rate in Puducherry and Tamil Nadu is the highest among all the states. Tamil Nadu which is known for its decentralized development is severely affected without sparing any major cities.

Table 1: State-wise status of unemployment in Urban India for Feb – Apr'20

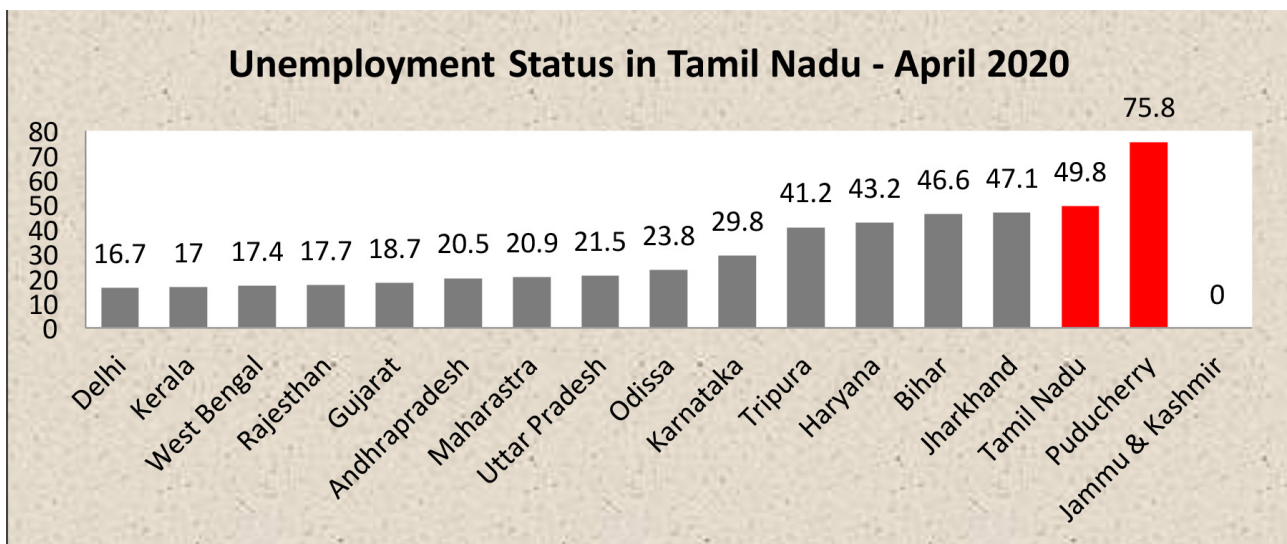
State/UT	Feb'20	Mar'20	Apr'20
Andhra Pradesh	5.8	5.7	20.5
Assam	4.4	4.8	11.1
Bihar	10.3	15.4	46.6
Chhattisgarh	8.4	7.7	3.4
Delhi	14.8	17	16.7
Goa	2.8	5.2	13.3
Gujarat	6.4	6.7	18.7
Haryana	25.8	25.1	43.2
Himachal Pradesh	16.8	18.8	2.2
Jammu & Kashmir	22.2	15.5	NA
Jharkhand	11.9	8.2	47.1
Karnataka	3.6	3.5	29.8
Kerala	7.6	9	17
Madhya Pradesh	4.6	2.2	12.4
Maharashtra	4.7	5.8	20.9
Meghalaya	3.6	1.6	10
Odisha	3.1	13.1	23.8
Puducherry	1.8	1.2	75.8
Punjab	10.9	10.3	2.9
Rajasthan	15.1	11.8	17.7
Sikkim	NA	23.6	2.3
Tamil Nadu	2.1	6.3	49.8
Telangana	8.3	5.8	6.2
Tripura	28.4	29.9	41.2
Uttar Pradesh	9	10.1	21.5
Uttarakhand	5.3	19.9	6.5
West Bengal	5	6.9	17.4
India	7.8	8.7	23.5

4 Unemployment in Tamil Nadu

Since Tamil Nadu is the fastest-growing urbanized state, the unemployment rate has been highest in all the districts of Tamil Nadu. According to the 2011 census data, Tamil Nadu tops the list of urbanized states with 48.45% of its population living in urban areas⁴. If more than 75% of the male population employed in non-agricultural occupation is classified as urban areas in the census 2011.

Closure of Tamil Nadu's vibrant labour-intensive micro, small and medium enterprises since March 25th left a majority of workers without any employment. Tamil Nadu is among the few states which has more number of non-agricultural workers in their economies. This could be the main reason for the unemployment rate increases in the past month in Tamil Nadu, said Professor Vijayabaskar of Madras Institute of Development Studies⁵. As most of the people were occupied in non-agricultural activity mainly MSMEs, hence Tamil Nadu has no way to escape from being the worst affected state in terms of unemployment. The states in which the unemployment rate is higher than 16 % are shown in the graph below.

Figure 1: Unemployment Status in Tamil Nadu – April 2020



Source: <https://thefederal.com>

4.1 Development paradigm of Tamil Nadu

Tamil Nadu is one of the most rapidly industrializing and urbanizing states and is the third most urbanized state in the country in India, with 48.45 per cent of its population living in urban areas. By 2030, Tamil Nadu will be the most urbanized state with 67 per cent of its population living in urban areas⁶. An even spread of small, medium and major towns, migration of people from rural areas in search of employment and the presence of industrial estates in all districts contributed to speedy urbanization of Tamil Nadu⁷.

Since historically large parts of the Tamil Nadu depended on rain-fed agriculture, the textile industry, particularly the handloom industry, was very much part of economic activities in rural areas to augment income. Former IAS officer and urban planner M.G. Devasahayam said even a small district like Kanyakumari with a strong rural background and agricultural lands has seen the

⁴ B. Sivakumar, "Census 2011: Tamil Nadu 3rd most urbanized state", The Times of India, July 20, 2011

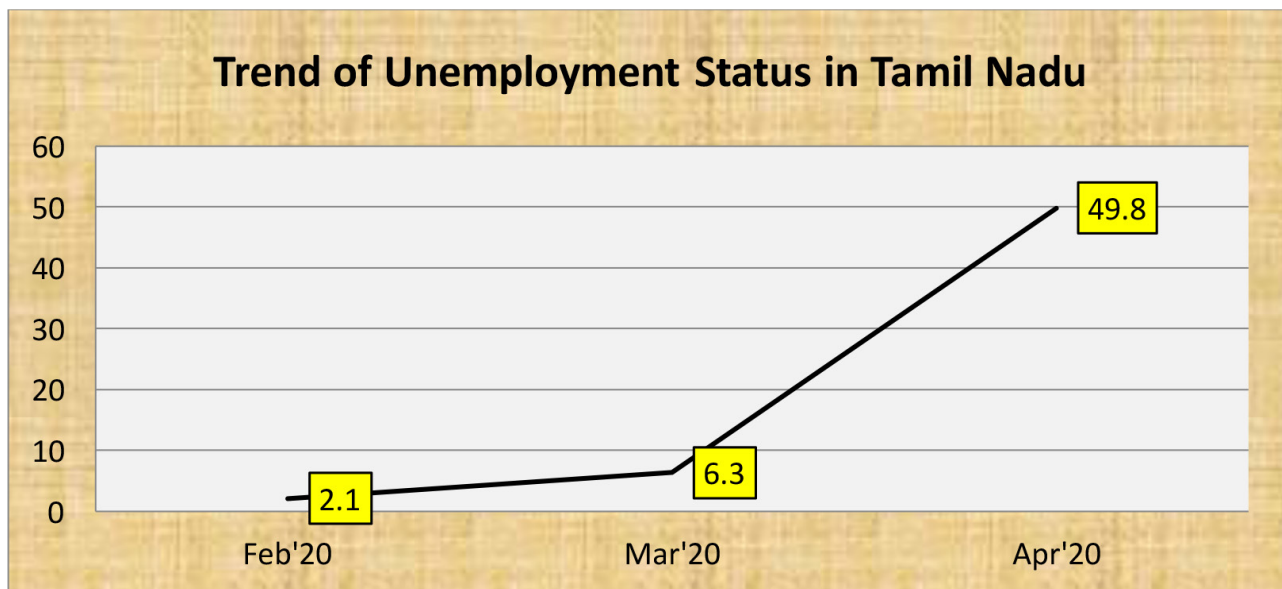
⁵ <https://timesofindia.indiatimes.com/city/chennai/lockdown-double-whammy-for-tamil-nadu/articleshow/75526070.cms>

⁶ Deccan Chronicle, 4 July 2017

⁷ The Hindu, 1 April 2016

emergence of small towns due to infrastructure facilities. “In Tamil Nadu, the Industrial Estates conceived during the Congress government headed by Kamaraj spurred economic activities in all districts that gradually paved way for creation of small towns,” he said⁸. It has resulted in a wider space creation for more employment in Non-farming sectors in Tamil Nadu which has been paralyzed during Covid-19 in the state.

Figure: 2: Trend of Unemployment Status in Tamil Nadu for Feb-Apr'20



Source: <https://thefederal.com>

From 2.1 % unemployment in Tamil Nadu in February 2020, there has been a spike to 49.8% within a couple of months due to pandemic. Every facet of both organized and unorganized sectors has come to a standstill due to the lockdown. This study analyses the adverse impact of the virus in the context of losing employment due to the sudden lockdown as the government gives more priority to life than the livelihood.

5 Sectors affected

As discussed earlier, both the organized and unorganized sectors are vehemently affected during the lockdown period. The government's abrupt decision of curfew followed by the lockdown is not only made many people strand but also compelled thousands to lose their income within a day of the announcement. As per this study, it is understood that many sectors are crippled. The MSME is the major organized sector contributing to the employment of lakh of poor in the state. It was the first sector drastically caused for unemployment of several thousand poor Tamilians. This study focused on the unemployment issues in following major organized, service and unorganized sectors:

Organized

- Fishing Industry, Poultry, Firecracker, Granite, Textile, Automobile, I.T,

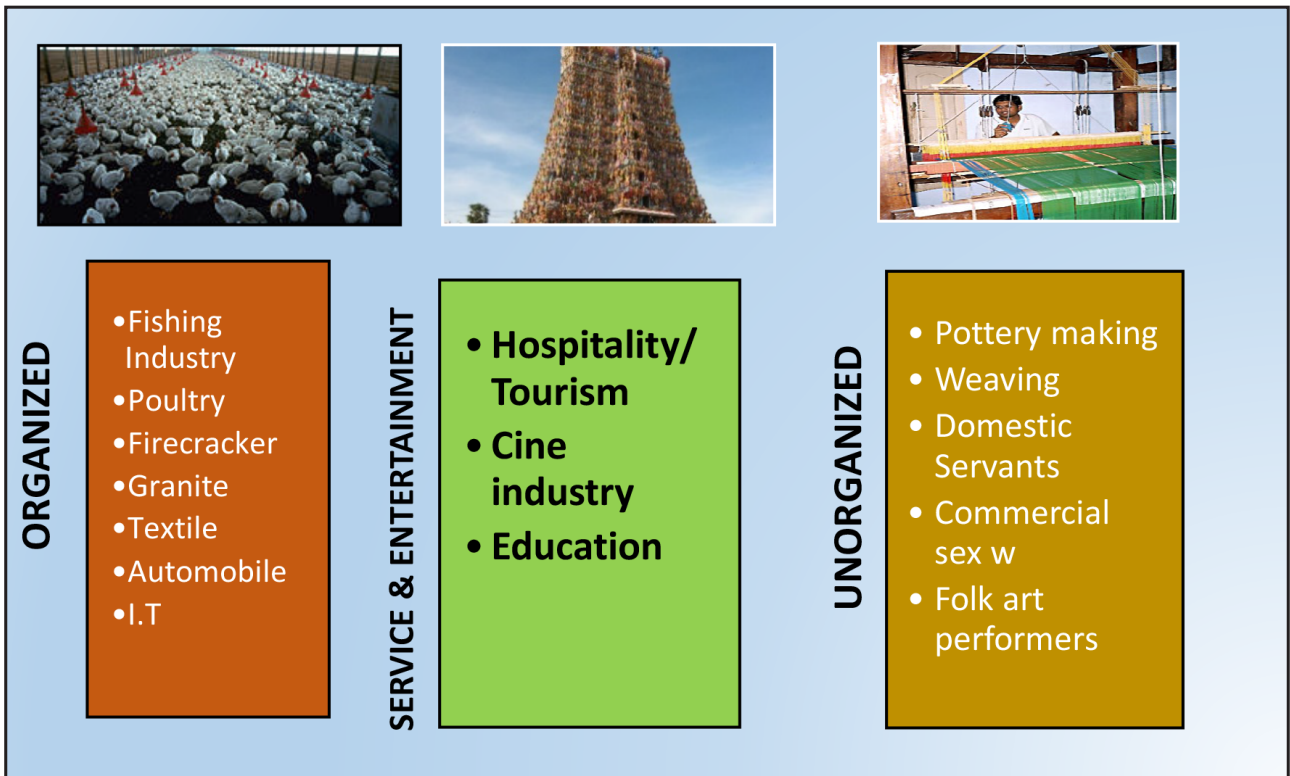
Service and entertainment sectors

- Hospitality/Tourism, Cine industry & Education,

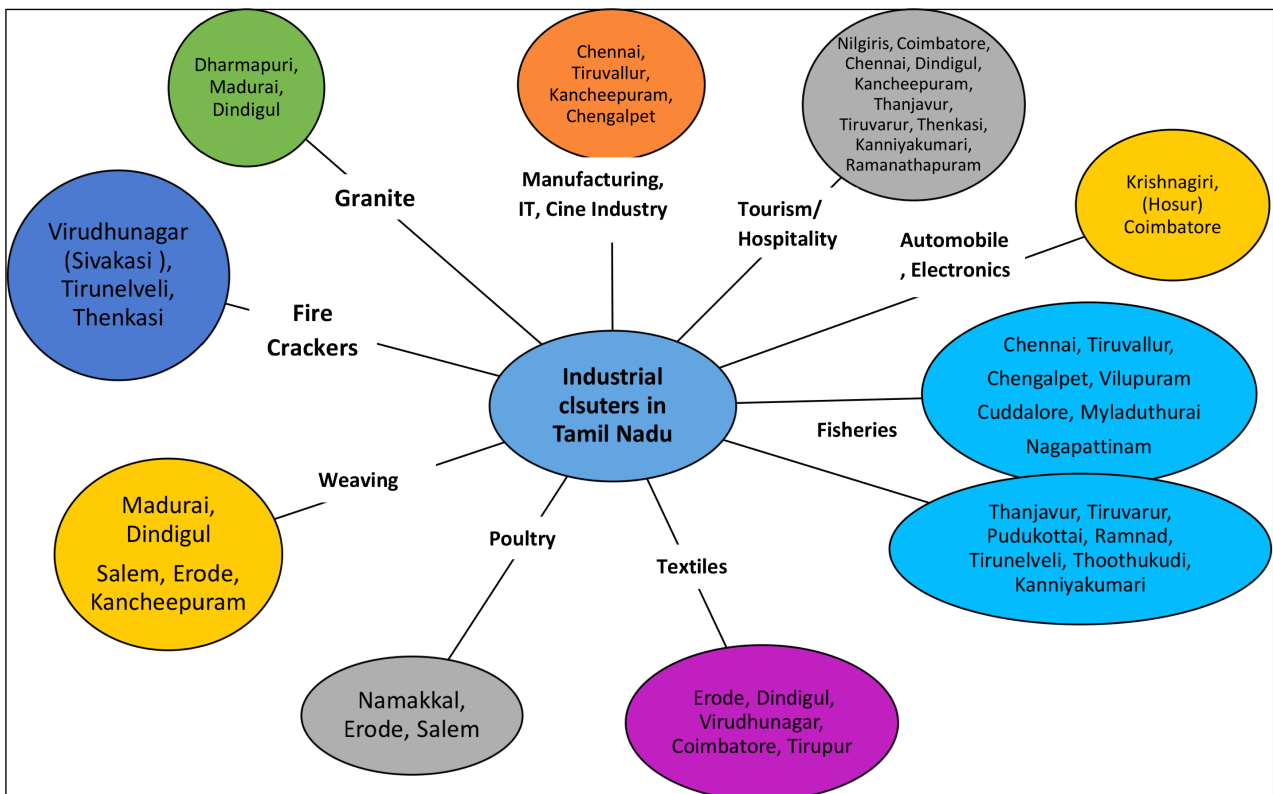
Unorganized sectors

- Pottery making, Weaving, Domestic Servants, Commercial sex workers, Folk art performers,

Figure 3: Sectors affected



Unlike other states, Tamil Nadu is a decentralized state, hence almost all the district capital cities are well developed with non-farming sectors. The decentralized development caused the unemployment issue in all the major districts of Tamil Nadu. The districts with the major industries impacted due to the lockdown are depicted here.



5.1 Fishing Industry

The total fish production in Tamil Nadu was estimated at 712,000 tons during 2017-18. Tamil Nadu was ranked fourth in the total fish production of the country. It exported 88,257 metric tons of marine products and earned foreign exchange of Rs 4,341.78⁹ crore. The closedown of the markets directly hit the fishing industry which is one the major livelihood of around 4.5 million people in 14 coastal districts (out of 37 districts) of Tamil Nadu.

Though fish was considered as one of the essentials in the Government list, fishermen were not able to market their catch as restaurants and the markets were not opened for days together. Chennai, Kanyakumari, Thoothukudi, Rameswaram and Pudukottai districts usually sell 100-200 tons of fish every day. Though South India Fishermen Welfare Association requested for permission to at least fibre boats to venture into the sea, citing Puducherry and Kerala as an example where fishing was allowed with reasonable restrictions, the permission was denied without considering the livelihood problem of the fishermen.

“The Government allowed the movement of vegetables, milk and even fish feed inland farms, but marine fishing was not allowed these double standards discriminate the fishing industry”, lamented Father Churchill, who was the president of Tamil Nadu fishermen welfare society, a registered NGO working for the welfare of fishermen.

5.2 Poultry

Poultry farming is one of the worse-hit sectors among the disrupted small and medium businesses suffered substantial economic loss. Total 12.08 crore of poultry population in 2019 keeps Tamil Nadu at the top in poultry population in the country.

Whenever there is an epidemic spread, the non-vegetarian food industry becomes immediately affected as rumours spread that epidemic would spike through the non-vegetarian food. Namakkal district is known for its poultry hub where thousands of chicken and lakhs of eggs are sent to the neighbouring states such as Karnataka and Kerala. Namakkal poultry industry is already incurred a heavy loss due to the outbreak of avian flu.

The COVID-19 also further intensified the irrational fear that chicken would spread the virus. Despite continuous announcements from the government and food scientists about the baseless rumour that eating chicken or egg can cause the virus to spread, the people abandoned poultry products. One kilo of broiler kitchen which was sold at Rs 180 during normal days has drastically scaled down to Rs 80 during the lockdown. There was no customer for eggs and an egg which was normally sold for Rs 4 did not find buyers to buy even for even Rs 2. The poultry farmers said that they have never seen such a business downturn in the past 15 years. More than Rs 100 crore business was lost in April 2020 and the loss keeps increasing.

Case Study: I - Transportation to the eggs

Mr Ponram runs an egg storage facility. He opined that this facility is conducive for the big farmers who produce lakhs of eggs and storing more than a month is not advisable. The small traders cannot afford this facility. However, many small farmers livelihood depend on the regular sales of their farm eggs to the school administration. The students in the schools are provided with eggs along with their mid-day meals. The fear of spreading the virus through this food and closing down of the schools crashed egg sales. The poultry farmer want transport of their poultry products to the nearby states and an interest-free loan from the bank to strengthen their broken business.

⁹ <https://timesofindia.indiatimes.com/city/chennai/lockdown-in-tamil-nadu-fishermen-seek-relaxation-of-stringent-norms/articleshow/75535529.cms>

6 Manufacturing Sectors

6.1 Firecracker Industry



Over 1000 fireworks industries in Sivakasi of Virudhunagar district provide direct and indirect employment to eight lakh people and account for the manufacture of 90 per cent of the firecrackers production in the country¹⁰.

Eight lakh people became jobless due to lockdown. The closing of those industries had a downward effect on the economy of Virudhunagar district. Thousands of people depend on the firecracker and allied industries such as logistics, packing and printing. Most of the workers are women whose income is a major source for their family's

livelihood. These women normally earn Rs 300 to Rs 500 per day. The lockdown forced these women to borrow money from the local money-lenders who charge high interest.

Now they lost their employment and many religious festivals would take place during the summer days in which huge amount of firecrackers would be used. However, the ban on religious congregations and festivals, these industries faced irreparable loss during the lockdown. Even after the lockdown, the chance for workers will not get employed due to the decline in demand. Fifty per cent of their orders come from foreign countries during May and June for the *Deepavali* celebration. The orders stand cancelled this year and their income can be generated only next May until there is no answer for their question about their livelihood.

6.2 Granite and Textile Yarn Industry

The granite and textile yarn industries were not spared by the coronavirus outbreak. More than half of their products would be exported to the eastern countries, which was vehemently struck by the lockdown. China is a big market for Tamil Nadu granite stones but now there is no demand as per Mr Veeramani, Chairman of Gem Granites. Most of the granites industries run with bank loans. This lockdown severely dropped the regular loan repayment. Since the moratorium on interest payment was requested and further expected that the RBI direct the Banks not to treat non-payment of interest as bad loans so that banks can continue to lend for working capital which is the crucial need of the hour¹¹.

Tamil Nadu chapter of the confederation of Indian Industry requested for lower electricity tariffs, reduction in import duty on key inputs such as chemical dyes, resins and non-woven fabric to resume the work of the yarn industry otherwise the lockdown would force for a permanent closure of the industry which gives employment to thousands of workers.

6.3 Textile industry

Tirupur is known for its organized and unorganized companies. It has 1500 exporting companies and thousands of smaller supply chain units. The payments got stuck during the lockdown period, and around Rs 5000 crore was to be realized from the buyers within a couple

¹⁰ <https://www.newsclick.in/silenced-lives-firecracker-workers-sivakasi>

¹¹ <https://www.thehindubusinessline.com/economy/granite-textile-yarn-industries-badly-hit-by-covid-19/article31083370.ece>

of months. Rs 2500 crore worth orders were not yet delivered. These vigorously resulted in the unemployment of more than six lakh employees. They are mostly daily wagers who earn Rs 450 per day but their income became a distant dream during the lockdown days. Paradoxically, the textile industry which is an organized sector has more number of unorganized migrant workers.

6.4 Migrant Workers -the Unorganized in the organized sector

A survey conducted in 2016 explained that Tamil Nadu had 10.67 lakhs of migrant workers¹². Among them, 27% work in manufacturing, 14% in cotton and textile industries and 11.41% work in construction industries and few percentage work in movie theatres, shopping malls, restaurants, Gyms, bars, spas and hotels. More than 51% of the migrants reside at Chennai, Kanchipuram and Tiruvallur districts where Coronavirus impact was heavy. Many migrant workers moved to Tirupur with a dream of having a decent life after some years of their savings.

These migrants already suffer from long working hours, forced employment, hazardous workplace, violence, exploitation and not linked with social security schemes. However, the lockdown made them forget their long term issues and replaced them with hunger, starvation, without cash, loan. Most of the migrants are illiterate and do not know the local language, hence they found difficult to assess government schemes like the free train service to their home town etc.

As per the government statistics 4 lakh migrant workers were stranded in Tamil Nadu¹³. Since their current employers do not want to lose their migrant workers, they confiscated their Aadhaar card and not sending them. They were not paid during the lockdown period. The death of the migrant workers due to hunger, excess heat during their train journey to their home town created a lot of mental agony among the stranded migrant workers. Some migrant workers who came to Tamil Nadu, believing the promises of contracts are abandoned by them. They belong to the shadow labour economy that gets paid in cash, without the safety net of Provident Fund and Employees State Insurance and no employment identity card¹⁴. The lack of documentation about the profile of the migrant workers is another issue and the government has not appointed any district-level staff to look after the nightmare of the migrant workers.

Case Study 2: Dream abandoned

Sheza (name changed) was a migrant worker from Arunachal Pradesh, who was working in the garment industry, Tirupur. She painfully explained that her dream was to own a house in her native village. But her husband is an alcoholic and abandoned her with her children by eloping with another woman. She realized that her dream could be materialized only through her hard work. She migrated to Tirupur with the dream and started saving money. Her dreams, however, ground to a halt when the central government announced a nationwide lockdown on 24 March, to contain the spread of the novel coronavirus.

The garment factory was closed and she got her payment only in April. She realized that she would die out starvation if she did not go back to her native village. She said that at least she can get vegetable from the forest nearby her village but everything is costlier in Tirupur and nothing can be done without money.

She was not able to get 5 kg of rice and 1 kg of Chana dal provided by the government as she did not have any identity card. At least other migrants had voter ID, but she could not because she hailed from Chakma community.

¹² <https://www.hindustamil.in/news/blogs/558029-migrant-workers-issues-and-solution.html>

¹³ The Hindu, 23th May 2020

¹⁴ <https://www.thehindu.com/news/national/tamil-nadu/the-precariat-in-the-time-of-the-pandemic/article31507857.ece>

Chakma is an ethnic group. These people scattered across Tripura, Arunachal Pradesh, Mizoram and Assam. There are around a thousand Chakmas worked in Tirupur. They are also not escaped from lockdown plight.

Case Study 3: Identity (Card) crisis

A Chakma migrant who worked at a Garment factory, in Tirupur mournfully depicted that several Chakmas including women worked in the factory. They decided not to continue their employment until a normal situation returned as 114 positive cases were reported. However, their owner insisted they resume work despite the factory being located in the containment zone. When they declined, he was furious and beat up them, also disconnected the electricity and water to their residence. Though they took up the issue to the local police station, no help arrived as the police deliberately supported the owner too. When they approached government officials for relief aid, they were informed that they could not get aid as they did not have any identity card, not even voter ID.

Chakmas migrated from the Chittagong Hill Tracts in erstwhile East Pakistan in the 1960s, but many remained unrecognized in Indian electoral rolls. Chakmas were given voting rights in Arunachal Pradesh only in 2014. According to the latest records for the Bordumsa-Diyun region and Miao district, there are only 4,293 registered¹⁵.

Case Study 4: Spending the money saved

Jay (name changed) is an Assamese, migrated from a village near to Guwahati to Chennai. He was working at a restaurant in Chennai. He was very thankful to his employer as he provided food and shelter besides monthly wage. He regularly sent his age parents the money he earned every month. He had three sisters and his parents saved money for his sisters' marriage. But things went upside down once lockdown was announced. Since he has no money to survive, now his parents send him money from the savings. When he asked his parent to stop sending him money, his mother told him in tears that his life is too precious to marry off his sisters. He could not go back to his home town as other migrant workers did. He was eagerly waiting for the opening of the restaurant though knowing very well that the restaurant is located in the containment area and positive cases spike in Chennai¹⁶.

7 Services Sectors

7.1 Hospitality/ Tourism industry

Tamil Nadu has hundreds of pilgrimage destinations. The tourist inflow to Tamil Nadu temples always fillips the income of the state. Pilgrimage devotees and tourists are banned as the transport service is stopped and the temples remained closed for Darshans. Thousands of small vendors around the Meenakshi Temple, Madurai, Pragatheeswarar Temple, Thanjavur, Kamatachi temple, Kanchipuram, etc. lose their income and not sure how many months they need to wait for their regular income. It is believed that the tourism industry would take at least a year for revival.¹⁷

Tourism industry engages people who either work on short term contracts such as guides, parking contractors, cleaners in shops, waiters, cook and the housekeeping employees in restaurants, vegetable supplies, meat, flower supplies. The different workers namely auto rickshaw drivers, bus operators, travel agents, hoteliers, tour guides and vendors around the tourist destinations are severely affected. More than half of the tourism and hospitality industry would be sick with a possible loss of million jobs if the recovery in the industry stretches beyond October 2020.

¹⁵ https://economictimes.indiatimes.com/news/politics-and-nation/for-chakma-hajong-refugees-citizenship-strugglecontinues/articleshow/74033643.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

¹⁶ The identified of the respondent is retained confidential as per the request of the respondent

¹⁷ The Hindu, 27th May 2020

In recent years, the hotel and food industry saw an exponential growth in Tamil Nadu. The delay in the revival of the industry would severely impact thousands of small eateries. Even in post-lockdown, a sudden development in the tourism industry could not be visualized as the travel fares will rise. Moreover the maintenance of the vehicles like personal distancing, frequent disinfection will also contribute to the fare increase. The pandemic has changed the visa norms also which forced the travel agency to focus only on domestic tourism.

Case Study 5: Forgotten desires

Sundaresan is a travel vehicle driver. He is about 31 years old and desired to marry only after the construction of his own house. He saves money and purchased 3 cents of land last year. He readily collected all the required documents to apply for a housing loan in HDFC bank. The sudden lockdown locked his hope of constructing a house which forces him not to think about his marriage shortly.

He told "After government lifts the lockdown, People should first visit the tourist destinations with the confidence of safety and hygiene and starting staying at hotels and eat at restaurants. Since people may not prefer a long tour journey, the nearby lesser-known, untapped destinations should be promoted. These places should be maintained with adequate sanitation, disinfection and police personnel to ensure the physical distance. It may take months together for people to think about tourism, until then, I cannot think about my dream to come true. The lockdown shut the door of my dream'.

Ooty and Kodaikanal are hill stations in Tamil Nadu. April and May are the peak season for tourism as people from all over the states and from other states too would visit these places to escape from the scorching sun during summer days. The flower show in Ooty and Kodaikanal attracts lakhs of tourists from all over the world during summer vacation. The hotels, restaurants, resorts and vendors would keep their earning of April and May for the entire year but now not only their two months earning is gone, but their life in the remaining months also is threatened by this lockdown.

Each hill station would be visited at least 10 to 12 lakh tourists during these months¹⁸ which sustain the livelihood of hundreds of poor people which was lost this time. Even after the partial unlock down, Tourists will not be permitted to visit hill stations like Ooty and Kodaikanal, while the existing cap on the number of people participating in marriages and death ceremonies will continue, besides the shutting down of resorts¹⁹. This is the common case of thousands of taxi and bus tour operators, 200 tourist guides, several small business owners and street vendors who are dependent on the tourism industry to sustain their livelihoods.

Case Study 6: A Prolonged Wait

Valarmathi, a Coimbatore based graduate migrated to Ooty after her marriage. Since her husband gave a green signal to her ambition to be an entrepreneur, she availed loan from her self-help group to run an eatery. The eatery is very famous among the tourists who became the ambassadors of her delicious food. She regularly repaid her loan with the profit she earned from the eatery. These are all stories before the lockdown. But her eatery has been closed down for days together and she felt like penniless in the first time in her life. She said "what my husband earns for one year, I would earn within two months of the summertime. But this time I am not able to earn even a single rupee. This is not my story alone, around one lakh people were linked to the hotels and restaurants in the district. The lockdown not only stripped off my income but also pushed me off to be a loan defaulter. Even after normalcy comes back, I need to wait for the next summer to earn money and I don't know what I can do with my loan repayment".

¹⁸ The Hindu, 28th May 2020

¹⁹ <https://www.deccanchronicle.com/nation/current-affairs/310520/no-unlockdown-for-tamil-nadu-until-june-30.html>

7.2 Tourism allied sectors

The temple cities in Tamil Nadu have thousands of small restaurants called “Mess”. These messes are very famous for their traditional, delicious food items. The food supply organizations such as Swiggy, Zomato etc. involved in delivering these small mess’s food items. However, the closure of the mess and the food supplying organizations stuck the restaurant business and many proprietors of deluxe hotels and lodges reluctant to pay their employees salary for the lockdown period. The shops around the temples protect the livelihood of thousand particularly women. Hundreds of women are involved in Pooja material production. The closure of the temples closed the doors of these women’s income also.

Case Study 7: Drifted Sumangalis

Radha is a Kungumam maker. She painfully uttered “when you enter any temple in the US, or Singapore you can see the red mark on the forehead of the devotees and suddenly you should remember us as our Kungumam are exported to those countries. The Thazhampoo Kungumam (Kungumam made by fragrant screw pine) is a famous Pooja item which was made by hundreds of women in Madurai. The visit to Meenakshi temple at Madurai would not be completed without buying the Kungumam. Lakhs of Kungumam packets would be sold on Goddess Meenakshi marriage in May.

The women devotees believe that if they buy Kungumam at the marriage, they live long as respectful sumangali (long life to their husbands). Work at home is a new phenomenon for those in the IT sector but our work is always at home only, hence our domestic work never gets affected and we earn an assured income, but now temple closure has resulted in almost no sale of Kungumam packets. Devotees visit God, but the devotees are our Gods, we are waiting for God to give darshan to the devotees so that our Gods resume their patronage”.

Though hundreds of women are involved in Kungumam making, they make it on a small scale and have not organized themselves. Non-government organizations can promote self-help groups or produces company so that they can benefit the government schemes.

7.3 Cine Industry



Cinema industry is one of the busiest industries as Tamil Nadu leads the race to have the largest number of cinema theatres in India with a total count of 745 cinema theatres²⁰. The employment in the cine industry is lucrative. If at all they are not able to succeed in cinema, the television media embraces thousands of media crew every year as the number of private television channels are proliferating day by day. Though their earning is attractive compared to other daily wagers, they are normally paid as per the man-days they work.

The pandemic has dealt a severe blow to the Tamil film industry. Film shoot cancellations and postponement of movie releases amid the lockdown has put thousands of business at stake and rendered lakhs of film industry workers, mostly daily wage earners, indefinitely jobless²¹.

²⁰ <https://www.quora.com/Which-state-has-a-large-number-of-cinema-theatres-in-India>

²¹ <https://www.thehindubusinessline.com/news/variety/tamil-film-industry-theatres-reeling-from-pandemic-blow/article31296196.ece>

²² The Hindu, 1st June 2020

The closure of shooting for days together made a thousand of support artists decided to relocate to their native place after the deduction of the advance money they paid while occupying the house of rent.

Many film shoots including the mega cine stars like Rajinikanth and Ajith Kumar have been suspended due to the lockdown, rendering thousands of daily wage-earning technicians jobless²².

Case Study 8: Lay-off on Labours' day

The President of Chennai City Film Exhibitors Association, opined, "Even after the whole atmosphere is cleared, it will take minimum six months for theatres to recover business because people will be initially hesitant to go theatres and will prefer to watch movies at home. Theatre revenues have come to zero after the shutdown but expenses like minimum electricity charges and other maintenance charges have to be paid," hence the theatre owners would finally put their hand on the employees' salary.

On 1st May, the International labours' day, we heard that some cinema theatre workers such as project operators, booking clerk, security guards and parking clerks etc. are laid off. Though the efforts are made to ensure their income, the panic among the workers put them under heavy mental agony and distress. The releasing of the movies in online platforms and websites fuels their anxiety".

7.4 Education

Though the government school teachers are paid during the lockdown, Tamil Nadu has more than an equal number of private educational institutions. Normally the teachers at the private institutes are not paid on May due to summer vacation, their salary for March and April is also not certain. Around 12,000 part-time teachers are employed for meagre salary by the Tamil Nadu government. These teachers do not know when they would be called as the schools remain closed for more than three months.

8 Unorganised workers

8.1 Pottery Makers

The pandemic has affected at least 13,000 people earthenware industry in Tirunelveli and Tenkasi districts of Tamil Nadu. They have buyers from both domestic and abroad as pottery is an aesthetical replacement for plastic cups. Their bowls, bottles, jugs, micro oven friendly utensils are very popular in foreign countries but there are no takers which accumulated their stocks and no fresh orders. This industry already faces a severe shortage of skilled manpower as many youngsters do not want to take this skill from their fathers.

Case Study 9: Unexpected dependency

Mr. Munisamy was a pottery maker since he dropped out of his school studies. He involved in this profession for more than a half-century, Munisamy told "I would be involving in pottery making until I die, though my age-related ailments slow down my performance and my son's reluctant to continue our family profession. I could manage it with a couple of employees I hired. This lockdown scaled down my hope of resuming my business. I am not able to give salary for those two employees who have not developed any other skills to shift their employment. Although the government announces Rs 2000 relief for unorganized employees, 85% of us are not given the amount. This lockdown strengthens my son's desire to locking my work down permanently". There is no word to console the senior citizen who never expected anything from his son, now became a dependent.

8.2 Weaving

The handlooms weaving is one of the largest economic activities in Tamil Nadu employing 1.89 lakh weavers' households and about 3.19 lakh weavers. Tamil Nadu has the price for its unique handloom woven products like Silk and Cotton Sarees, Furnishing materials, dhoties, lungies and Towels. In Vellore alone, there are about 11000 looms which 10000 looms are covered under the Cooperative fold and the coverage works out to 90%.

Kanchipuram is known for its silk sarees all over the world. The tourists who come to visit the temples in Kanchipuram would always prefer to have a look at silk sarees and the lady tourists never escape from the temptation of buying that saree. Marriages in Tamil Nadu is not fulfilled with the attractive silk sarees worn by the bride in the marriage. On average, at least one lakh silk sarees are produced by these weavers every year. Kanchipuram earns Rs 500 to 1000 crore every year which was hit by the lockdown. However, the closure of the temples and silk sarees showrooms and restriction of participants in marriage parties drastically dropped the sale of silk sarees and abandoned those weavers²³.



Many handloom weavers from Madurai do not know how to bounce back as there is a severe shortage of raw material. The raw material such as thread spools normally comes from Surat and Karnataka which could not reach due to the transport problem. Moreover, the finished products are also accumulated without sales. Some entrepreneurs have small power loom weaving unit where a handful of workers work for a daily wage. These power loom owners now are not able to give wage for the weavers and many owners scared that they would close their units and search for a job. However, the skill of weaving cannot be used in other fields hence unemployment cannot be sorted out among the weavers in the forthcoming months.

It is feared that some 30,000 skilled weavers in Kanchipuram become jobless. Each weaver normally earns a minimum of Rs 15,000 per month and this gets steadily increased based on the orders. The members of all 22 handloom cooperatives societies are forced to avail loan from the local money-lenders with exorbitant interest rates. The state government earlier initiated many welfare schemes to those weavers as suicide was a common phenomenon among the poor weavers due to their inability to repay the loan they borrowed from money-lenders with huge interest. That pathetic situation may come back due to lockdown, said a poor weaver whose entire family was engaged in weaving and now no income at all.

²³ <https://timesofindia.indiatimes.com/city/chennai/lockdown-leaves-30000-silk-weavers-jobless-in-tamil-nadu/articleshowprint/75366495.cms>

8.3 Domestic Workers

The women work as domestic workers cannot enjoy their summer vacation as it is a forced leave for them. The number of domestic workers cannot be firmly calculated as many domestic workers still are not organized. The lockdown has forsaken their guaranteed income. The interview with the domestic workers revealed that only 10% of the workers are fully paid, whereas 10% got only half month wage. The remaining 80% of the workers are not paid. Most of the domestic servants' are abandoned by their husbands or they live with their drunkard husbands.

The announcement of partial unlock too did not make any change in their life as most of the domestic servants reside in low economic group settlements which are severely affected by COVID-19. Hence their employers are reluctant to engage them due to the pandemic threat. The domestic servants do not know when they will be called by their masters. Many domestic workers are not registered with the welfare board, hence they could not avail the relief aid provided by the government. The non-governmental organizations which involve in relief work during lockdown can help the domestic servants to get registered with the board.

Case Study 10: Dark kitchen of a cook who lit others' kitchen

Sumathi, a domestic servant said "I strictly informed my employers that I will do only cooking. I was working in five houses as a cook, hence I never bothered when my husband eloped with another woman. My main aim in my life to make my only daughter as a professional. I never regretted anything in my life as I want to show my daughter as a brave woman. My cooking skills always put me in high demand. These were all facts only before the lockdown. As the employers are afraid that the virus would spread through touching, they asked me not to come for cooking. Though I work in several kitchens every day, now my kitchen is not functional as none of my employers was ready to pay. I got the essentials distributed by the non-government organizations and my membership in the self-help group sighed a little relief. However, I do not know when I will be called and decided to send me daughter to government school this year. To turn to state board syllabus from CBSE is painful to my daughter but I need to make her understand that this year I cannot get advance from my wage as I normally pay her school fees through the advance amount I get from my employers"

8.4 Commercial Sex Workers

The Government has not recognized commercial sex work as an unorganized employment sector. Though civil societies like National Network of Sex Workers (NNSW), SIAAP and Vadamalar Federation continuously work for the rights of sex workers for years, so far no concrete efforts could be made to involve them as one among the disadvantaged group.

Like any other unorganized sector dependent on everyday work and transient income, sex workers too were caught off guard at the sudden implementation of the lockdown. They are like daily wage earners without having any savings to meet out their financial crisis during emergency time. The lockdown forced them to stay at home and stranded them without any income for days together. The only trivial relief is the provision of dry rations from the ration shops. However, the provision is supplied to only those who have ration cards.

As sex workers constantly face prejudice for the job they hold, they are forced to shift houses often to remain safe. That is why they do not have a permanent address and are forced to lose out on the benefits made available by the government. Hence this relief is also away from them. Though Non-government organizations struggle to get this relief work for commercial sex workers, the government was not ready to listen to their meek voices.

Case Study 11: Demeaned for their Work

A commercial sex worker lamented “As the lockdown was so sudden, my sons and I didn’t expect that there would be a loss of income. We were unprepared and hadn’t saved any money. I have been trying to ask for loans from the people in my neighbourhood. One woman I approached demeaned me for my profession. When her daughter continued to speak to me, she pulled her away and instructed her to not talk to me because I am a sex worker”. This is a common tale of almost all commercial sex workers.

In most of the households, the commercial sex workers are the sole breadwinners, they were not able to afford even the essentials without income. Some commercial sex workers have to take care of their dependents like their children, differently-abled family members as most of their husbands are either drunkard or without any income. They thought that they would get the aid of Rs 1000 from the government, but they could not avail the same as the aid is confined to the ration cardholders only..

Case Study 12: Helpless in lockdown extension

A commercial sex worker who is a member of Vadamalar federation expressed that she would be able to make some money after the lockdown was lifted and she would get their normal income. However, she lost her hope when the lockdown extension was announced and is scared of the future. She reiterated that she could manage until now with the ration packet provided by the Vadamalar Federation, but she did not know what to do when that runs out.

The gloomy story of another commercial sex worker is that like many other sex workers, she also has no family or friends to turn to in times of need.

Case Study 13: Unreached by Aid

She sobbed “Recently she had run out of rice and asked her sister who enjoyed ration card relief benefits for help. She was rude to me and said that I didn’t have a family to support as she did; hence she didn’t want to help me. That day I came back home and fainted out of hunger because I didn’t have anything left to eat. When my husband was alive, I was able to rely on him and his source of income. Since his death, it has been very difficult,” this is not a unique story but common to many commercial sex workers.

²⁴ The Hindu 4th June 2020

²⁵ The Hindu, 15th June 2020

8.5 Folk art performers

Hundreds of folk art performers' life became mute at the lockdown. The experts who make others dance to their tunes now stood without any income. Madurai is the major district where more than 5000 Thappattam (a percussion musical instrument performed in the festivals) performers²⁴.

Case Study 14: Unheard Music

Andipandi, a Thappattam performer from Madurai said, normally we earn our income mostly between April and June as there are lots of religious marriages ceremonies would take place. We are engaged in the whole month of May as Madurai Meenakshi celestial marriage festival prolongs for 30 days. We live the whole year off whatever we earn during this festive occasion. The three months pandemic fear makes our and our dependents' survival as a big challenge. We have given a petition to the District Collector requesting to allow us to perform in small functions. We further requested him to make use of our services to perform COVID-19 precautionary awareness camps. We heard that women self-help group members get loans at a low rate of interest, hence we approach non-government organizations to teach us the procedure to form self-help group among ourselves.

The orchestra troops are another sort of musicians who lost their means to livelihood this year and lockdown left them in penury²⁵. There are hundreds of orchestra troops which is the main income source for many talented artists. The incidents of some orchestra artists entering the television media brightened the hope of those artists for assured chances. However, their hopes are shaken due to the lockdown.

A long time before they tried to submit petitions to the government authorities to make use of their services for government propaganda. Now they can be used by the government in its public information activities.

Case Study 15: Triumph and Loss

Rajan, one of the orchestra singer said "Temples, weddings and other festivals in Tamil Nadu are not concluded with our program. We prefer buying new instruments in January as we would have continues programmes from March to May. When we bought new instruments we did not know that these instruments would be rusting for more than two months. If the instruments are not used until June, then they can be used only March of next year. What we afraid happened when the lockdown was announced. The days of the audience getting our autographs are gone and now we are waiting at money lenders' house to get money with exorbitant interest. Since there is neither welfare board nor are we registered with unorganized welfare board, we are not able to avail the aids given by the government. The audience appreciated me the 'the king of voices' but now the same voice is unheard like a king lost his dynasty in a battlefield. The triumph of lockdown defeated our battle for livelihood. We have to make the crowd cheer-up but no there is no crowd allowed hence no ears to hear our music.

9 Recommendations

An officer in each district should be appointed to look after the employment issues and create appropriate data.

²⁵ The Hindu, 15th June 2020

The government should confirm the formalization of employment between the employer and the employee to arrest the exploitation

The Government can provide the poor and their family Rs 6000 for three consecutive months to protect them from starving as recommended by many development economists

It should be ensured that the employers pay the balance payment of the workers and no coercion from the employer side to stop who want to go back to their native place.

Standard operating procedures should be created and properly executed to protect migrant workers. The welfare schemes for the migrant workers can be executed collaborating with civil societies, trade unions, industries.

Free or concessional transport services should be given for the unemployed in post lockdown employment.

The government is spending crores of money for organizing Information, education and communication campaigns. Performers can be utilized for those camps by which the thread on their livelihood would be removed.

The mental health counselling and adequate security arrangements should be arranged to the workers who do not want to go back and prefer to resume their work.

The civil society institutions can be involved in organizing the unorganized workers into the welfare boards and the accident benefits, death benefits, medical benefits should be expanded to all the unorganized workers.

10 Conclusion

'Life is more important than livelihood' seemed meaningful to the poor during the lockdown 1.0. However, the loss of income and uncertainty towards restoration of normalcy made them panic. Government aid was not adequate, timely and in many cases completely denied. Citizens groups and NGOs provided relief service sustain the life of many poor.

Now the poor have become very poor and life is there but no livelihood. The poor should be properly organized and adequately trained by NGOs and workers' unions to prepare for the long and difficult journey for reviving livelihoods.

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COVID-19 Crisis Calls for Green Recovery - But Are we Learning?

Jeet Singh, Fellow, RGICS

While various scientific studies are underway to know the origin of the SARS Cov-2 (COVID-19), the World Health Organization has recently admitted that the available evidence suggests that the SARS Cov-2 (COVID-19) has zoonotic sources¹ (diseases transmitted from animals). This zoonotic outbreak is exceptionally big in terms of its global spread, fatality and its social and economic impacts. The COVID-19 pandemic has devastated the world economy. The Global Economic Prospect of June 2020 released by the World Bank on June 08, 2020 noted that the pandemic and shutdown of economic activities all across the globe to contain the spread of SARS Cov-2 virus have plunged the global economy into a severe contraction. According to the estimate the global economy will shrink by 5.2% this year, which is the deepest recession since the Second World War. Further, it will push millions of people into extreme poverty².

Various experts believe that the current economic crisis is different from previous major crises. The origin of zoonotic outbreaks lies in the increasing anthropogenic activities and massive land use change across the globe. So the urgency of the sustainable economic growth in this crisis is much more than ever to prevent any such zoonotic outbreak in the future. The latest Petersberg Climate Dialogue held in April 2020 attended by environment ministers of 30 different countries including India advocated for green recovery from the current crisis³. Similarly, in a recent interview to the media by chief economist of IMF, Ms. Gita Gopinath has asked member nations of IMF to push environmental friendly economic activities for equitable and sustainable recovery⁴. History suggests that recovery from major economic crises including the oil crisis of 1973 and 1979, fall of USSR in 1991, Asian financial crisis of 1997 and global financial crisis of 2008 led to faster growth in the rate of environmental degradation due to aggressive industrialization and growth⁵. Such growth will only create space for more zoonotic outbreaks in the future. Therefore, it is important to deal with the current crisis differently.

Environmental Degradation and the Spread of Zoonotic Diseases:

In the last more than one century hundreds of zoonotic diseases have jumped from wildlife reservoirs to human settlements. Many of these diseases have posed a serious threat to the life and livelihood of common people. For many zoonoses, we don't have clear evidence how they spilled over from wildlife reservoirs. But scientists across the globe have investigated sources of some of the zoonoses and the way by which they transmitted to human settlement. Ostfeld (2009) in one of his studies about two zoonoses

¹ WHO COVID-19 Situation Report- 94, 23rd April 2020, Accessed from: https://www.who.int/docs/default-source/coronaviruse/situation-reports/20200423-sitrep-94-covid-19.pdf?sfvrsn=b8304bf0_4, Accessed on 15.6.2020

² The World Bank, Press release no. 2020/209/EFI, June 8, 2020, Accessed from: <https://www.worldbank.org/en/news/press-release/2020/06/08/covid-19-to-plunge-global-economy-into-worst-recession-since-world-war-ii>, Accessed on June 9, 2020.

³ IISD, announcements are not enough- concrete steps for post-pandemic green future, May 12, 2020, accessed from: <https://sdg.iisd.org/commentary/guest-articles/announcements-are-not-enough-concrete-steps-for-post-pandemic-green-future/>, Accessed on June 16, 2020.

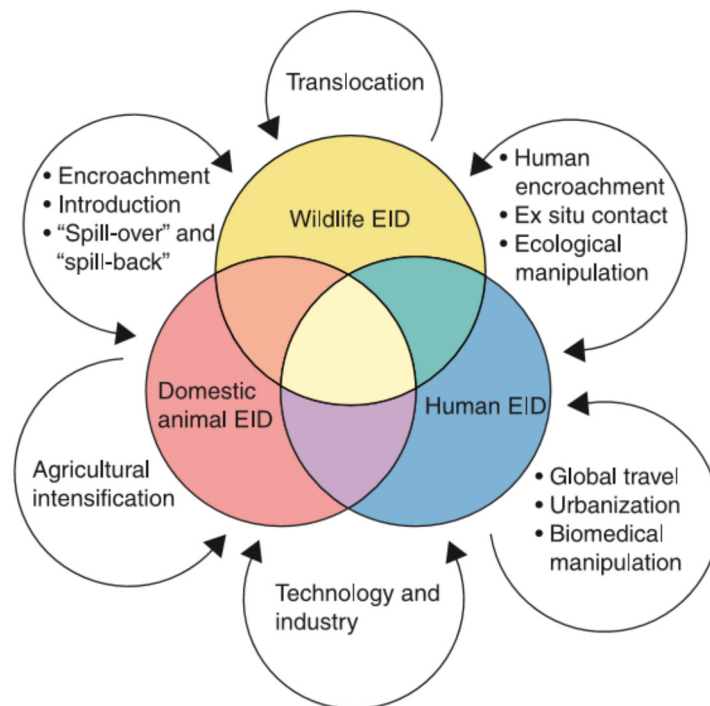
⁴ The Print, Targeted policies, managing debt, green economies, June 9, 2020, Accessed from: <https://theprint.in/economy/targeted-policies-managing-debt-green-economies-gita-gopinaths-covid-survival-guide/438472/>, Accessed on June 19, 2020.

⁵ EPW Engage, Economic Stipules packages and environmental sustainability, May 08, 2020, Accessed from: <https://www.epw.in/engage/article/covid-19-crisis-economic-stimulus-packages-and-environmental-sustainability>, Accessed on June 18, 2020.

namely West Nile Virus (WNV) and Lyme Disease (LD) found strong correlation with destruction of natural habitat of various wild species and the spill over of these two diseases. The study found that the biodiversity loss resulted in habitat destruction and fragmentation, pollution, invasion of exotic species and direct human exploitation.

A working group of experts on Land Use Change and Disease Emergence in its report in 2004 found that anthropogenic land use changes worldwide drive a range of zoonotic outbreaks (Jonathan A. Petz et al, 2004). Therefore, Ostfeld (2009) in his article based on study of MNV and LD diseases concluded that the richness of biodiversity works as a buffer against transmission of zoonotic diseases. There are a number of examples worldwide to show that anthropogenic activities have instigated outbreaks of zoonotic diseases. Nipah virus first crossed over from fruit bats to pigs and from pigs to humans. Similarly, relocation of fruit bats due to destruction of forest in Australia infected horses and then infected horses transmitted it to veterinarian examining a sick horse (Robin A Weiss et al, 2004).

Fig: Common Causes of Zoonotic Spillover and Spill-back



Source: Peter Daszak et al, 2000

A team of scientists led by Peter Daszak surveyed major zoonotic outbreaks in the world to understand their emergence. They also tried to gather information about factors associated with emergence of zoonotic outbreaks. The study found that human activities such as extension of farming, translocation of infected species, dispersal of infected host, spill-back from domestic animal and translocation of naïve animal are few documented factors behind emergence of diseases like Avian malaria, Ebola, Cryptosporidiosis in Europe and Canine distemper in Africa (Daszak, 2000). An expert group led by Dr. Jonathan A Patz listed major drivers of infectious diseases (zoonotic) outbreaks to suggest actionable policies. The group found that anthropogenic activities such as agriculture encroachment, deforestation, road construction, dam building, irrigation, wetland modification, mining, rapid urbanization and degradation of coastal zone causes a cascade of factors that exacerbate spillover and spill back of infectious diseases (Jonathan et al, 2000).

Unlike early researches on hotspots of emerging infectious diseases, the latest and updated research by experts associated with Eco Health Alliance have warned that no area in the world is safe from emergence of new zoonotic outbreaks (Allen et al 2017). The probability of emergence of new infectious diseases is also high in areas where anthropogenic activities are rampant. New zoonotic diseases in any area may occur “either from ‘spillover’ or cross species transmission or simply by extension of geographic range into new or changed habitat (Jonathan et al, 2000).”

Various studies have revealed that the land use change in many ways across the globe is the main factor associated with the emergence and re-emergence of zoonotic pathogens. The joint conference of WHO, FAO and OIE in 2003 on the challenges of zoonoses recognized numerous social, technological, ecological and microbial factors associated with the emergence and spread of zoonotic pathogens. The conference further divided these factors into primary risk factors and amplifying risk factors. The conference recognized that the ecological factors such as change to agricultural production, environment pollution, changing consumption patterns and increasing human-animal contact as primary risk factors (OIE, 2004). Woolhouse et al (2005) in their study categorized risk factors for zoonotic outbreaks into 10 categories and prioritized them based on their ability to instigate zoonotic outbreaks. They also found that the land use change is the most influential factor for emergence and re-emergence of zoonotic infections. Likewise a latest study by Eco Health Alliance also concluded that the “global disease emergence is linked directly to human-induced drivers like land-use change and interaction between humans and wildlife in highly bio diverse regions of the world⁶.”

Environmental Degradation during COVID Pandemic in India

Various media reports during the nationwide lockdown in April and May 2020 documented regeneration of nature and natural resources due to drastic decrease in the number of anthropogenic activities. Some reports suggest that quality of water in many rivers improved significantly, the sky witnessed significant improvement due to decrease in air pollution and movement of wildlife and birds observed all across the country. When experts and people in general were welcoming these changes in the environment, the government was busy in sanctioning forest and wildlife clearances to more anthropogenic activities in some of highly bio diverse forests in India.

In the month of April and May, 2020 various authorities responsible for the protection of the environment and forest have cleared some of very controversial projects in dense forests. While the nation was under lockdown to contain the spread of COVID-19, the Forest Advisory Committee and National Board for Wild Life (NBWL) cleared projects like coal mining in Dehing Patkai Elephant Reserve in Assam, Etalin Hydroelectric project in Dibang Valley of Arunachal Pradesh and widening of national highway and laying of power transmission line in the Bhagwan Mahavir Wildlife Sanctuary in Goa. These clearances were given in meetings organized through video conferencing. Such arrangements of the meetings undermined requirement of site visit by experts, involvement of local communities in the decision and open public hearing. These decisions also overlooked the main causes of zoonotic pandemic such as COVID-19. Many scientific studies across the globe have found that the increased anthropogenic activities have resulted in the loss of biodiversity. It further led to the destruction of natural habitat of wildlife. The struggle of wildlife to cope with destroyed habitat either created situations for increased in number of human-wildlife contact or resettlement of wildlife leading to inter-species transmission of pathogens (Daszak, 2000).

⁶ Eco health Alliance: <https://www.ecohealthalliance.org/2017/10/global-disease-hotspots-2-0>, Accessed on: 1.6.2020

The COVID-19 pandemic has brought the issues of sustainable growth in the centre stage of many national and international policy discussions. It has been argued that not only for the revival of the economy but to attain global climate change goals and prevention from other zoonotic diseases in the future, we must think of green recovery. However, in the contrast we have seen a number of hasty environmental clearances to many controversial and ecologically adverse developmental projects in the last two and half months in India. According to the data available on the website of MoEF&CC, from April 2020 to 15th June 2020, the government of India provided stage-I forest clearances to 249 projects. Similarly, the government has provided stage-II forest clearances to 232 projects in this period⁷. Few leading environmentalists and conservationists have criticised the government for its decision of forest and wildlife clearances to some highly controversial projects⁸. The Etalin hydropower project in Arunachal Pradesh, projects in the Bhagwan Mahavir Wildlife Sanctuary in Goa and coal mining in Dehing Pakai Elephant Reserve in Assam are few of them.



The Etalin hydro-power project seeks to divert 1150.08 hectares of land and the falling of more than 2.78 lakh trees in one of the most bio diverse zones of the Himalayan region in the Dibang Valley of Arunachal Pradesh. While the project will displace around 100 families, it will affect many others indirectly. Moreover, the biodiversity rich area will be threatened by this project. A study carried out by the Wildlife

Institute of India (WII) on the request of Forest Advisory Committee (FAC) found that the proposed project will adversely affect habitat of 159 species of butterflies, 113 species of spiders, 11 species of odorates, 31 species of reptiles, 230 bird species and 21 mammalian species. The project will also endanger 413 species of plants⁹. The proposed site is 10 to 14 km away from the Dibang Wildlife Sanctuary. The commencement of the Etalin project will also fragment habitat of tigers living in the Sanctuary. The FAC in its meeting on April 23, 2020 has approved the diversion of the forest land for the project; however it has asked the Union Ministry of power to consider the relevance of the project as it has been delayed by more than 6 years.

The North Eastern Coalfields (NEC) was in controversy for illegal extension of its coal mine in the Dehing Patkai Elephant Reserve in Assam. The extension of coal mining will fragment the habitat of elephants living in this rainforest of north-eastern India. Despite several controversies, the National Board of Wildlife in its meeting on April 24, 2020 approved extension of the open cast coal mining by the North Eastern Coalfields. This extension will change land use of 98.59 hectares of crucial elephant habitat¹⁰. Similarly the NBW has cleared three different developmental projects in the Bhagwan Mahvir Wildlife Sanctuary and Mollem National Park. These two reserve forests in Goa are integral part of biodiversity rich Western Ghat forest. These projects include widening of national highway, laying of

⁷ PARIVESH, MoEF&CC, Accessed from: <https://parivesh.nic.in/compareanalytics.aspx>, Accessed on June 17, 2020.

⁸ The Week, Environmentalists question clearances given during COVID-19 lockdown, Accessed from: <https://www.theweek.in/news/india/2020/05/13/environmentalists-question-clearances-given-during-covid-19-lockdown.html> Accessed on June 15, 2020.

⁹ PARIVESH, MoEF&CC, Minutes of the meeting of the forest advisory committee held on April 23, 2020, Accessed from: http://forestsclearance.nic.in/writereaddata/FAC_Minutes/5111121912211FACminutes23April20_compressed.pdf, Accessed on June 16, 2020.

¹⁰ The Wire, India's Environment Ministry Unlocked Many Protected Areas During the Lockdown, Accessed from: <https://science.thewire.in/uncategorised/indias-environment-ministry-unlocked-many-protected-areas-during-the-lockdown/>, Accessed on 15 June, 2020.

transmission line and doubling the existing railway line. These three projects will convert more than 134 hectare of forest land resulting in fragmentation and destruction of habitat of wildlife species such as tigers, dhole, mouse deer, pangolin and many other wildlife and plant species¹¹.

The government has announced various policy changes in the last three months. Approval for long pending projects in the forest area in the last few months is being justified as the government's effort to revive the economy. However, the question is, whether these measures will help to revive the economy in a more sustainable manner?

Future of the Trade-off between Environment and Growth in India

The Environment Impact Assessment (EIA) is a mandatory process under the Environment (Protection) Act, 1986 for all new developmental projects including extension and modernization of existing projects. The purpose of the EIA is to minimise the environmental cost by imposing restrictions and ensuring implementation of the environmental plan for compensating environmental loss. The latest EIA notification issued by the government of India in 2006 increased the scope of EIA and brought in many projects under the ambit of EIA notification. The notification was amended subsequently to fill policy gaps since then. Now to consolidate all those subsequent amendments to the EIA notification of 2006 and incorporation of few more amendments, the MoEF&CC has issued a new draft of EIA notification in March 2020. The draft is being put in public domain for comments and suggestions. However, various environmentalists have questioned the timing of issuance of the notification for public consultation. Experts have also criticised new amendments proposed in the draft to expedite the process of the environmental clearance for development projects.

Amendments to the EIA notification of 2006 to consolidate subsequent amendments and further strengthening of environment regulation are highly required. While the new draft notification is appreciated for its attempt to consolidate all changes promulgated after 2006, it is also criticised for several dilutions to undermine environmental cost of a development project. These dilutions will have a long lasting impact on our environment, sustainability and national commitments related to climate change negotiations. Experts have cautioned that the proposed amendments would accelerate anthropogenic activities resulting in faster destruction of forest and wildlife habitat.

The draft EIA notification provides various relaxations for project proponents from existing stringent provisions. Some of these new controversial provisions in favour of businesses are as follows.

- 1- **Increased the Validity of Environment Clearances:** The new draft EIA notification has increased the validity of environment clearance for few major activities. The validity of environmental clearance for mining projects is proposed to increase for 50 years against 30 years. The validity for river valley projects is proposed to increase to 15 years from the existing 10 years. The long duration validity of environment clearance to projects would nullify the possibility of strengthening environmental safeguard based on changing environmental conditions and requirements.
- 2- **Relaxation in Self Compliance Report:** The self compliance report submitted by project proponents in respect of conditions stipulated in environment clearances is a crucial tool of monitoring for concerned authorities. The current EIA notification provides for half-yearly submission of the self compliance reports. However, the draft notification proposes more

¹¹ The Wire, India's Environment Ministry Unlocked Many Protected Areas During the Lockdown, Accessed from: <https://science.thewire.in/uncategorised/indias-environment-ministry-unlocked-many-protected-areas-during-the-lockdown/>, Accessed on 15 June, 2020.

relaxation to project owners by making them submit their self-compliance report once a year.

- 3- **Restrictions on EAC and SEAC:** Appraisal is the detailed scrutiny of the application submitted by project proponents along with the final EIA report and outcome of public consultations to grant environment clearance. The Expert Appraisal Committee (EAC) at central and State Expert Appraisal Committee (SEAC) at the state level while scrutiny of application have the right to ask for independent studies to understand environmental issues of the proposed area in detail. The new draft of notification has restricted EAC and SEAC from recommending fresh study, unless new facts come to the notice of the committee.
- 4- **Compromising Process of Public Hearing:** Public hearing is one of the important tools to involve local people and stakeholders in the environmental planning of any project. The new notification has proposed a decreasing notice period for public hearing from 30 days to 20 days. Experts believe that 20 days is inadequate for the public to decipher highly technical and scientific EIA reports. At times these processes require legal advice to respond constructively. Therefore, reduction in notice period for public hearing would undermine the importance of free, fair and informed public hearing.
- 5- **Exemption from EIA Process:** Screening is the process under which the State Expert Appraisal Committee (SEAC) has power to assess the environmental impact of projects under category B2. It is the screening process by SEAC, which decides whether the proposed project under B2 category needs to go through the complete EIA process or not. The new EIA notification has proposed to exempt most category B2 projects from screening by SEAC. This is a pure mechanical approach to very complex environmental issues.

History tells us that after every major economic crisis, the world accelerated the destruction of nature and the environment to revive the economy. Perhaps, this is the easiest way to respond to any economic crisis. Today, when the entire world is looking for the revival of the economy, there is a high chance of more and faster environmental degradation. In the last few months various proposed projects in and around highly bio diverse areas have been granted environmental clearances signalling that India is heading towards the conventional method of economic revival. Proposed changes in the EIA rules by the MoEF&CC further indicate that more destruction of nature will be allowed in the name of economic growth.

Conclusion

The lockdown and slow down of industrial output across the globe adopted by governments to contain the spread of COVID-19 resulted in a wildlife boom and significant improvement in the environment. This also tells us that our daily production, consumption and habits have serious environmental consequences. If not anything else, to be free from the danger of any such zoonotic outbreak in future, we must change the way we live and behave.

The improvement in environmental conditions due to the global lockdown and industrial slowdown have an important life giving message to mankind. So it is up to us whether we want to learn from it or not. The pandemic and its consequences are enough to learn that the over exploitation of nature, destruction of forest and fragmentation of wildlife habitat for various purposes will lead to more zoonotic outbreaks in the future.

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Our Associate Himakiran writes from Tamil Nadu that he received the following mail from environmental activist Kokilashree Alangaram

We have listed 22 dilution points in EIA 2020 Draft and 30 points to strengthen EIA 2006. This is a clickable link with pre populated text for any individual to send their responses.

Online response (shortest version) : <https://bit.ly/3I3EoK8>

If NGOs wish to send their responses explicitly stating the 22 dilution points and 30 points to strengthen in their letterheads they could download the .doc version directly from this link.

<https://unitedconservationmovement.org/summary-of-citizens-response-on-eia-2020-draft/>

Here is an online blog on why EIA2006 needs to be strengthened and why EIA 2020 needs to be scrapped:

<https://unitedconservationmovement.org/why-we-must-strengthen-eia-2006-and-scrap-the-proposed-eia-2020/>

Quick reading for immediate impact to TN:

You might be aware of the EIA 2020 draft which the MoEF is planning to dilute many of the environment law in the pretext of easing the business. This could pose tremendous impact both to the Environment and humans. This draft eases the restrictions of opening toxic industries, by relaxing the restrictions around the eco-sensitive regions, sanctuaries and even human settlements.

Just during the lockdown time, we have seen the impacts of toxic industries in 1. LG Polymers 2. Assam oil field blasts 3. Neyveli boiler blast etc.,

Added to it, if this draft is accepted unopposed, these are the immediate impacts in TN:

1. Allows oil exploration without any prior approval. Presently there is a need for EIA. - Impact to Delta
2. The expansion of roads in mountains & eco-sensitive zones can happen with no public consultation - Salem Chennai 8 way
3. Expansion to existing toxic industries (Sterlite) & capacity increase (Neyveli) can happen with almost 0 approval - Multiple toxic
4. Opening of ocean/sea for oil exploration closer to the shores impacting the fishermen - Fishermen

We have an option to write to the MoEF before Jun 30th & this has to be in larger number as they expect 60% or more opposition to withdraw the draft. This is also strongly backed by many industrial forums so it needs to gather large momentum from the public to safeguard us for the disasters. Requesting your help to voice your opinion and also spread the message to larger crowd about the impacts.

Warmly

Kokila

kokiznowmom@gmail.com

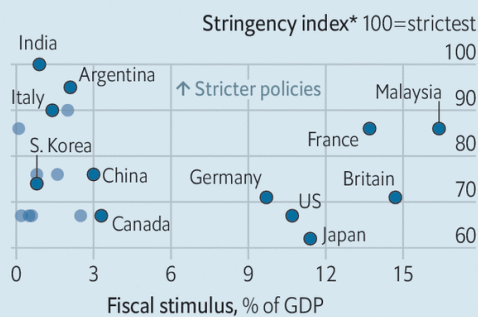


India's Place in the COVID-19 World - An Infographic Essay

Compiled by Sahibpreet Kaur, Research Associate, RGICS

Worlds apart

Government response to covid-19
Selected countries, at April 1st 2020



*Responses including school closures and restrictions on movement. Maximum score since outbreak began

Sources: Overseas Development Institute; Oxford COVID-19 Government Response Tracker

The Economist

Source: https://www.economist.com/sites/default/files/images/print-edition/20200404_FNC100.png

This was in April. In May, the GoI announced a much bigger stimulus package, stated to be of Rs 20 Trillion, but in practice including a lot of schemes which are not really part of stimulus.



A man dresses up as Yama, the Hindu God of Death, to urge people to stay indoors and create awareness about the Coronavirus pandemic.

#	Country, Other	Total Cases	New Cases	Total Deaths	New Deaths	Total Recovered	Active Cases	Serious, Critical	Tot Cases/ 1M pop	Deaths/ 1M pop	Total Tests	Tests/ 1M pop
	World	9,037,142	+128,587	469,595	+3,329	4,796,298	3,771,249	54,721	1,159	60.2		
1	USA	2,355,799	+25,221	122,246	+266	978,591	1,254,962	16,495	7,118	369	28,451,892	85,971
2	Brazil	1,086,990	+16,851	50,659	+601	543,186	493,145	8,318	5,115	238	2,409,830	11,339
3	Russia	584,680	+7,728	8,111	+109	339,711	236,858	2,300	4,006	56	16,998,453	116,481
4	India	426,910	+15,183	13,703	+426	237,252	175,955	8,944	309	10	6,807,226	4,934
5	UK	304,331	+1,221	42,632	+43	N/A	N/A	379	4,484	628	7,890,145	116,243
6	Spain	293,352	+334	28,323	+1	N/A	N/A	617	6,274	606	5,162,909	110,426
7	Peru	254,936	+3,598	8,045	+184	141,967	104,924	1,143	7,735	244	1,504,209	45,641
8	Chile	242,355	+5,607	4,479	+184	200,569	37,307	1,996	12,681	234	963,708	50,426
9	Italy	238,499	+224	34,634	+24	182,893	20,972	148	3,944	573	4,984,370	82,435

Source: <https://www.worldometers.info/coronavirus/>

COVID-19 profile of India as on 21st June, 2020. India became the fourth most affected country by COVID-19 as cases rose to 297,001 on June 11, 2020.

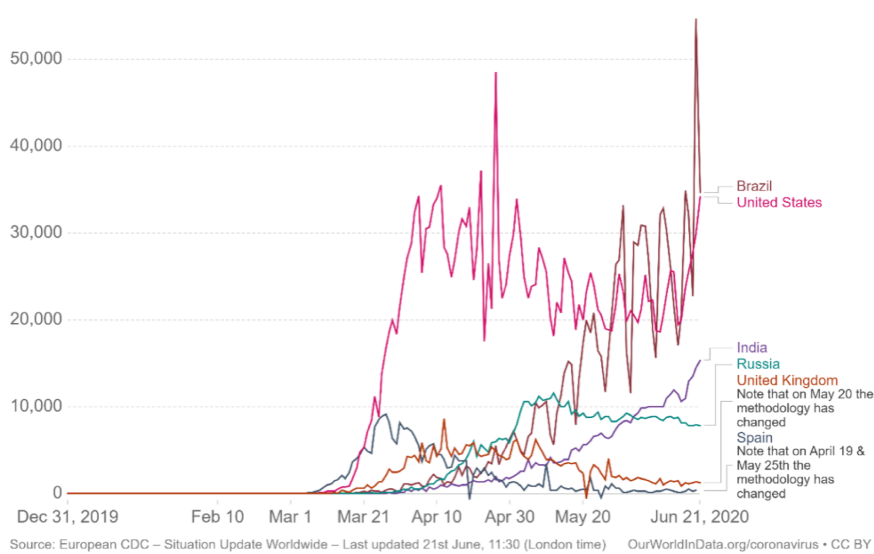


People maintain social distancing norms as they buy vegetables at a makeshift market in a stadium during a 21-day nationwide lockdown in Vijaywada, Andhra Pradesh.

Source: Reuters

Daily confirmed COVID-19 cases

The number of confirmed cases is lower than the number of total cases. The main reason for this is limited testing.



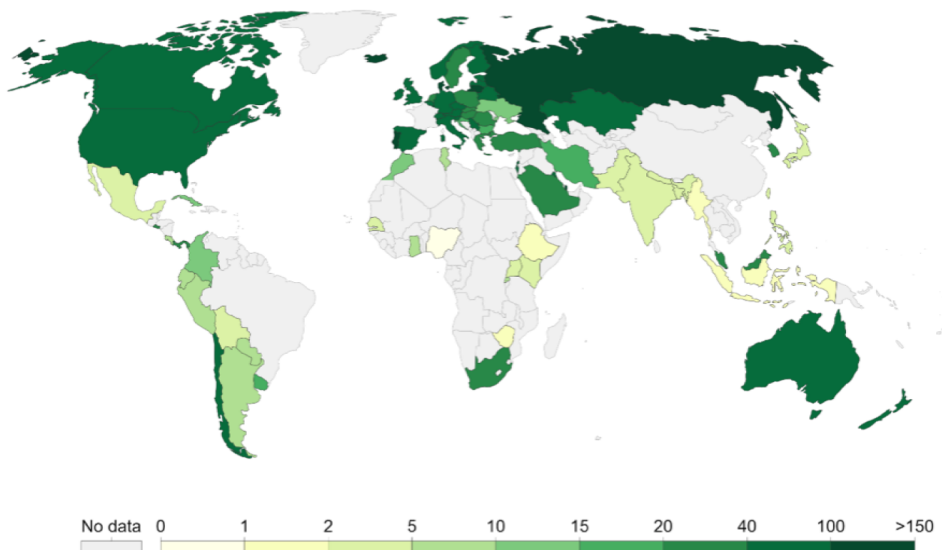
Source: European CDC – Situation Update Worldwide – Last updated 21st June, 11:30 (London time) OurWorldInData.org/coronavirus • CC BY

India had the third highest new confirmed cases as of 21st June, 2020.

Source: <https://www.worldometers.info/coronavirus/>

Total COVID-19 tests per 1,000 people, Jun 21, 2020

The figures shown relate to the closest date for which we have data, with a maximum of 10 days' difference.



Source: Official sources collated by Our World in Data
 Note: Comparisons of testing data across countries are affected by differences in the way the data are reported. Details can be found at our Testing Dataset page.

OurWorldInData.org/coronavirus • CC BY

Source: <https://www.worldometers.info/coronavirus/>

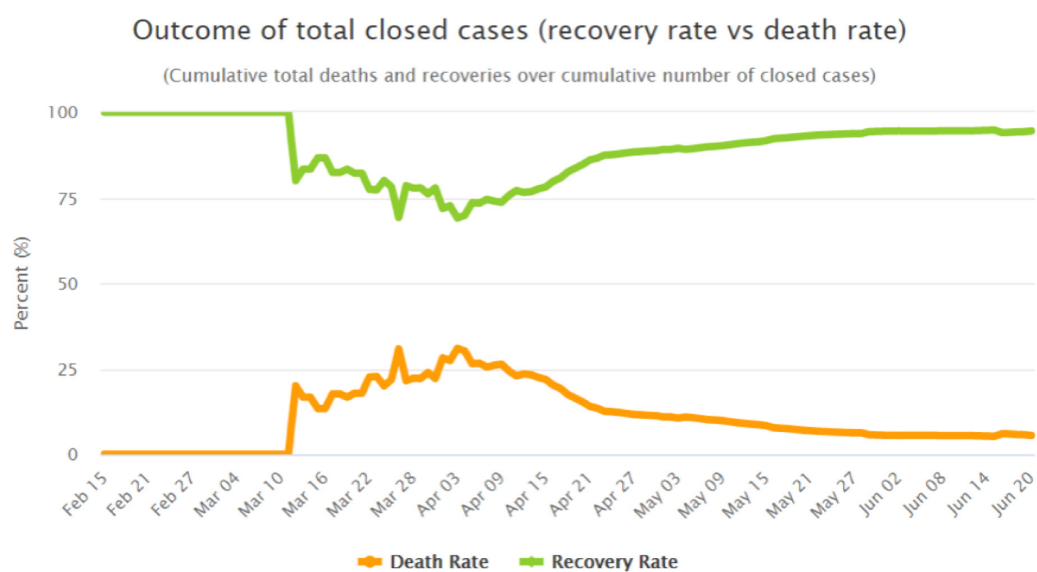
India had conducted 69,50,493 tests as on 21st June, 2020, the fourth highest number of tests in the world. But relative to its population, the testing rate stood at 4.93 tests per 1000 as per ICMR data, similar to other South Asian countries, but much less than several European and North American nations.



Source: PTI

Registration for COVID-19 test at DDR municipal Indoor Stadium, 5th phase in Vijaywada.

Outcome of Cases (Recovery or Death) in India

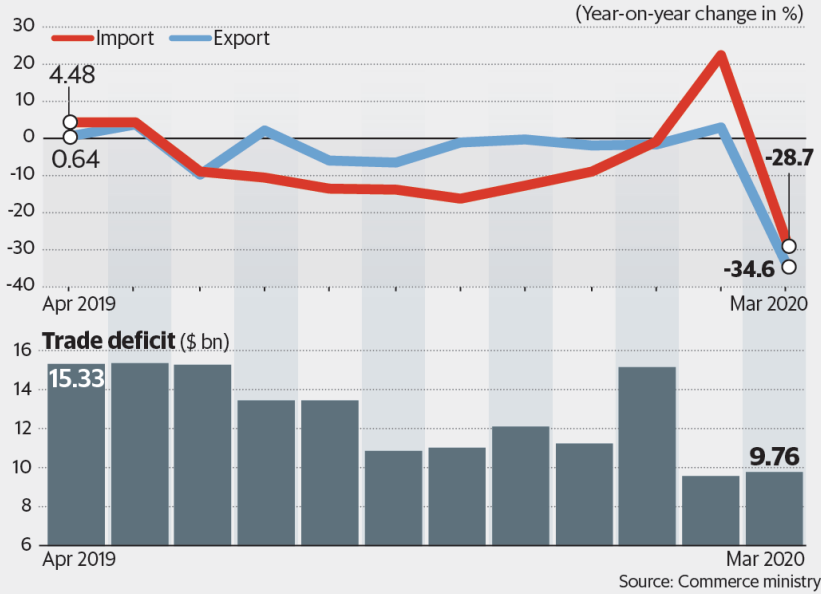
Source: <https://www.worldometers.info/coronavirus/>

The recovery rate of COVID-19 patients was 95% and the death rate 5% as on 21st June, 2020.

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Lockdown effect

During FY20, India's exports contracted 4.8% to \$314.3 billion and imports shrank 9.1% to \$467.2 billion, leaving a trade deficit of \$152.9 billion.



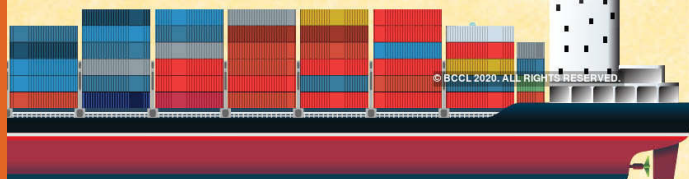
https://images.livemint.com/img/2020/04/15/original/ASM_1586972394376.png
 Courtesy: The Mint

Trade: Worst Is Here

APRIL 2020	Value (\$ bn)	Growth (%) on year
Export (\$ b)	10.36	-60.28
Import (\$ b)	17.12	-58.65
Trade deficit	6.76	

EXPORT BLOODBATH

Exports shrink in 28 of 30 sectors | **70% order** cancellation due to Covid-19 crisis | **Large scale** disruptions in supply chains



<https://img.etimg.com/photo/msid-75766692/3.jpg> Courtesy: The Economic Times





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