

Situating Health & Economy as Complementary: Case Study of Need for Re-Adjustments in Laws Amidst Pandemic

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Abstract

here are several policies belonging to different sectors which were fully active until before the outbreak of the Coronavirus pandemic situation. These policies got redundant because of the pandemic situation, and new changes were brought to meet up the challenges of the situation. Few of the old policies of the government which got redundant in different sectors are listed in the paper. The paper is divided into three parts- framework of laws, changes & ways for future ahead- and it argues that to deal with changing context due co-ordination of reforms in laws is needed. Health, economy, livelihoods and the framework of laws need to be seen in complementary ways.

Introduction

'Is it the end of the world?' A friend exclaimed when the global corona virus positive cases touched a million mark. In no time it had touched 2 million mark and our globetrotter friend was convinced that it was indeed the end. By the time global lockdown was announced and everyone started getting used to quarantined life mastering their cleaning, cooking and home workout skills while streaming some hobby or the other live on social media, we didn't even realise the number of positive cases had crossed three million mark. As we got on with life, there is an eerie realisation that the world won't end anytime soon but the world as we knew it has ended for sure. People had already started classifying their experiences as BC (Before Covid19), DC (During Covid19) and were gearing up for AC (After Covid19) with no clarity but mere 'educated guesses' on how the world will be once we are, that is if we ever are, totally corona virus free.

There have been ample posts on various platforms that many have realized during lockdown that their lives aren't expensive but lifestyles were. But it was also well and truly evident that these 'lifestyles' supported economies around the world. Tourism, fashion, food delivery, neighborhood café, alcohol industry, which

were scoffed at as 'non-essential' services in the first few weeks of lockdown were soon realized as pillars of driving country's economic growth and generating employment. There were news stories how our cities were registering lowest pollution levels, rivers were showing signs of recovery that billions spent over years could not achieve and animals were found wandering in spaces that were forever jammed with vehicles. But all this was leading to joblessness, pay cuts and heart wrenching visuals of migrant workers marching thousands of miles to their hometowns. This phase times to come after it, has thrown an important question for every concerned nation in particular and the world in general, that what matters most – lives or livelihood.

A virus that started in one corner of the world, spread so fast that in no time it shut the entire world. Social distancing emerged as not just a way to stay clear of your peers and neighbors but also an act between countries where they shut their borders and stopped airlines to restrict movement of people or rather allow entry of people in their territory. Yet this must not be a signal of end of globalization, as isolationism is not the answer to deal with the common challenge. At individual and collective level, one must avoid closing down on interactions, as it would do more harm to the ongoing pauperization of our jobs, economy

Old government policies (pre-COVID) getting redundant during the pandemic:-

Education Policy: Earlier the schools had a regular session where teachers and students practices are going to school and attending their classes. Similar activities were also done by all teaching and non-teaching staffs. The classes and other physical activities were conducted in the school premises only. The ISC and the ICSE schools had also introduced the mandatory classes of Yoga in the school premises and were a direct mandate by the Council for the Indian School Certificate Examinations (CISCE) (India Today, 2020).

Banking policy: The banking sector always had a strong policy. The official policy of lending loans was very rigid, and though the loan officers had some flexibility which is in their hand, still they ignored to use those flexibilities (Economics, 2020). Also, there were strict rules on loans and its interest.

Health and Environment policy: Regarding the Waste Management System, which is related to public health, there were no proper new policies framed before the COVID 19. This poor health management system created risks of infection and toxic effects which were harmful to the people. Whatever policies were there, they were decades old and were hardly effective. The waste management systems were also very poor, and the policies were lying unreviewed for years (EPW, 2020).

Finance and Taxation policy: The Finance and Taxation sector also had their traditional system of different kinds of taxes and customs duty on different products which are categorized separately. The taxes also included income taxes earned by individuals (Investindia, 2020). These taxes and customs duty were taken so that the government could collect revenue on their sale. However, there have been some changes in these old policies, and after the COVID 19 pandemic, all these rules and policies got redundant and are no longer in use.

Labour policy: It has been seen that the old labour laws were intrusive and overbearing, which were creating problems and hindrance towards the development of the entire manufacturing sectors as a whole (Nanda, 2020). The old and unstructured labour law was also contributing to the country's economic growth and also resulted in more unemployment.

How and why are they getting redundant?

The COVID 19 has drastically affected the entire nation, and there has been a great economic loss because of this to the country. This pandemic effect impacted all sectors of the country like the education, the banking, the finance and the labour industry with the existing policy and created an almost standstill position to all businesses and also to the education system in the country.

The rules and policies are already set up and were also already in place. The problem is that none of the government had put much effort and showed any interest in any of these policies or were very reluctant to look into them and give the effort to revise old policies. The main reason that these policies are now getting redundant is that in many of the sectors they are being forced because they need to maintain their plan of business continuity and because of the strict warnings for precautions from the World Health Organisations and the strict restrictions from the government of Indian, the departments were forced to look back at their respective laws and policies. The departments were compelled to do so because they had to keep their work to be continued.

The pandemic situation led the Education system to look back at their old policy and change it by implementing the digital way of teaching so that social distancing can be maintained and at the same time the classes can be continued, the banking system had to change their policy and make the new policy of giving liberty to the business houses by giving liberty and facilitating loan process. The department of Health and the Environment sector had become more cautious and discouraged old policies in order to stop the contamination of the virus by controlling the process of waste management and its way of transportation for dumping them. The finance department and its system also discouraged their old policies and gave liberty to the people about different kinds of exemptions in terms of customs duty and taxes related to personal income. There had also been a major change in policy related to the labour industry that took place. The big and multinational companies and also the manufacturing sectors were told to discourage the old policies. The old labour law and policies for the manufacturing industries were also looked back and implement of new policies were framed and implemented where the working hours for the labours were strictly addressed, and proper overtime was also clearly mentioned. These are the factors that led to the review of the old policies and compelled the government to discourage them.

COVID-19 brings into focus that now with differences in labor costs shall become less relevant. As organizations embrace an unstructured path with digital transformations, focusing on supply chain locally, tapping on benefits of avoidance of overhead costs of infrastructure maintenance, and pumping it into the cyclic business process must be deliberated. To work on due safety against future global threats requires looking putting digital realms to work at other related segments of economic tasks- management of hazardous waste, creating green jobs, amongst others. With fall in global demand, instability of fossil fuels, looming structural

collapse problems for oil industry, governments must prepare a scheme for investment in renewable energy and using technology to hunt for new avenues for rebooting the economy.

Talks on reform of education and the need to connect it to skills become all the more essential now, as education models that are built on engaging and solution oriented practices can offer multidimensional advantages. Further, due investments by Governments for such undertakings would not only add to new paradigm of learning, but it will be in synchronization to other needs like- removing rural-urban digital divide, linking knowledge with entrepreneurship. Life after COVID-19 would demand detaching education from degrees, or placing creative tasks based on certified procedures as a substitute for many shortcomings of life & economy after lockdown is lifted.

Further, Supranational governance in order to correct past injustice can be an option here, to let every national government place - 'one world, safe health' - under their emergency powers. Situating pandemics under the purview of disaster management for any nation fails to achieve meaningful coordination amongst various stakeholders, tackling public misinformation, amongst others. Nations must think about mechanisms of amendments in their respective emergency provisions, disaster management, epidemics act and due harmonization of it in foreign affairs, legal, information technology discourse.

Changes/ Amendment needed or Introduction of New Policies

The drafting of legal readjustments was relating to different sectors which ranged from the banking sector and financial sector to education as well as the food department (Agrawal, 2020). There have been changes made by the government in different sectors as listed below:-

Education Sector: The CBSE board has told that the exams will not be conducted in external centres but will be done in students' respective enrolled centre. However, the board has provided options to change the districts and even states if the students are out of the station and unable to reach their home centre due to the COVID 19 effect. This is because of the fact that many students were stuck in different places and were not able to attend their related centre. The digital learning will help to maintain social distancing, and the government has taken the initiative for the same (Government, 2020).

Banking Sector: In the banking sector, the policy of lending rate was changed where there was a cut down of the repurchase rate by 75 basis point. However, there

was seen a slash down of the effective rate of deposit by 115 basis points. This step was taken by the government so that the lenders cannot play safe and only keep the money with RBI (Economicstimes, 2020). This decision was taken so that business people at this difficult time can avail easy cash and continue their business.

Health and Environment Sector: In the Environmental Health and Safety (EHS) the central and the Maharashtra government together had made two new changes, first one relates to the waste disposal process, guidelines on the collection methodology of wastes and also its transportation method. The other change was related to the validity period consent extension from the Maharashtra Pollution Control Board of all kinds of biomedical waste management. This was done in order to ensure that the spread of virus does not occur from these wastes and also through the transportation system.

Finance and Taxation Sector: In the sector of Finance and Taxation, the Central Board of Indirect Taxes and Customs had exempted all kinds of customs duty on the face and surgical masks, ventilators, equipment related to personal protection and any types of kits that were related to COVID 19 (Agrawal, 2020). This was done so that the burden of tax is not imposed on the people as the people were not able to go to work.

Labour Sector: There were also major changes related to labours where the Rajasthan government and the Boilers Inspection Department made amendments for the factories by extending the working hours from 8 to 12 for three months and the additional 4 hours will be calculated as overtime. The Madhya Pradesh Government also made changes which said, there will be no deduction of salaries while the factories are closed. This was done because of the lockdown the labourers will have no work and money, and they will face difficulty to buy their basic needs. There are different types of initiatives of legislative, administrative and e-governance taken by the government to reform the labour law (Labour, 2020).

Conclusion

After the announcement of the lockdown, the government of India had made different kinds of changes to the law, all the rules and regulations of carrying on businesses across the country. The modifications that were done had come through tools like 'notifications', 'ordinances' and also through guidelines. In order to cope up with the COVID 19 situations, the government of India had changed the old polities of any kind of physical classes and activities in school and had drafted different readjustments which are related to COVID 19 so that both business houses, as well as the common people, get benefited.

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