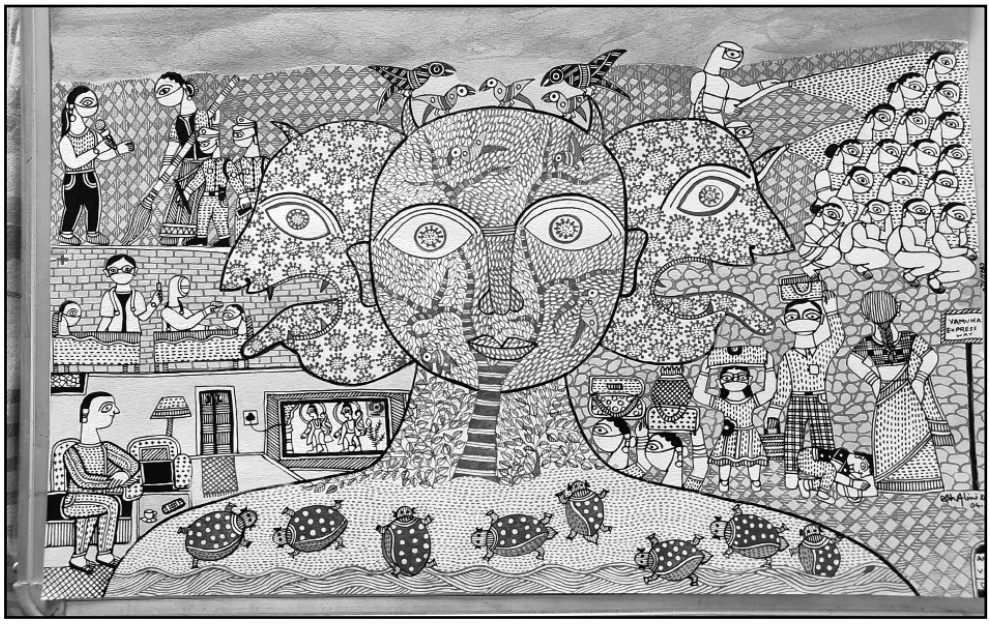
WHEN THE WORLD IS SICK

How the Coronavirus Outbreak is Impacting Our Lives



PAINTING CREDIT: Shalini Karn

We are living in times of a global pause. COVID-19, the disease caused by a member of the coronavirus family, is the world's biggest news story right now and will remain so, in times to come. The swelling numbers of people infected and even dying while doctors and health systems get overwhelmed across the world do not feel like scenes from a dystopian movie anymore. In such a time of information deluge and paralysing anxiety, here is curated list of articles, already published in both national and international media, that we hope will cut the clutter around the COVID-19 crisis. Our list features excerpts of TED Talks by thought leaders as well as ideas distilled from experts on how the pandemic will pan out in the days ahead and the arsenal of therapeutics, containment measures and testing that countries need to be equipped with in order to battle the deadly pathogen. We have listed news stories and features (often offering contrasting perspectives) on its impact on the economy, population movements and livelihoods. Some of the featured news articles also aim to facilitate our readers navigate the constitutional frameworks around various laws invoked during this unimaginable national crisis. Although the government and World Health Organization (WHO) have put out exhaustive guidelines, tips and advisories to create awareness about the outbreak, our curated list can be seen as additional reading material that seeks to demystify the pandemic's impact on our lives.

Medical

'How We Must Respond to the Coronavirus Pandemic'

In a conversation recorded on March 24, 2020, which was part of the *TED Connects* series, hosted by head of TED Chris Anderson and current affairs curator Whitney Pennington Rodgers, philanthropist and Microsoft cofounder Bill Gates tried to sum up the preparedness of governments.

- Gates stated unequivocally that it was January when everybody should have been on notice and armed with a multi-pronged strategy of

testing, therapeutics and vaccines. He believed that everyone should have been more organised at that point as the infectiousness and fatality of this novel respiratory virus put it in a 'superscary range.'

- According to him, testing for the virus at this stage needs to be organised as well as prioritised. It is the need of the moment. The second important thing, he says, is the need for isolation of the population. Although it is a difficult thing to accomplish and tough on the economy, it has to be done. The sooner these goals are achieved, the faster one can return to a normal situation. He feels that testing is everything, as it helps you understand whether you need to do more shutdown or if you are reaching a point when you can relieve it.
- Gates says that if the rich countries do what is expected of them really well, then they could contain the virus by summer. However, in the developing countries, particularly in the Southern Hemisphere, the ability to isolate citizens is tough as they go out to earn their wage, get their food daily and live either in slums or in close proximity to one another. Therefore rich countries need to provide cheap testing and therapeutics to the developing countries, so that five per cent of their people do not need to be put on respirators. Not only do developing countries lack such medical equipment but also the personnel to handle it. Other forms of health capacity such as hospital beds are also absent.
- The Gates Foundation and Wellcome Trust, with support from Mastercard and now others, have created a 'therapeutics accelerator' which looks at lab assays, animal models, in order to understand the therapeutics that need to be prioritised. The process requires complex global coordination. He estimates that out of the top 20 or so candidates, probably three or four will work out as treatment at different stages of the disease, and subsequently alleviate respiratory distress.

View the discussion at: https://bit.ly/2VJKdbn

'What India Needs to Fight the Virus'

Ramanan Laxminarayan, director of the Center for Disease Dynamics, Economics & Policy in Washington and a senior research scholar at Princeton University has been developing a large-scale computer model of the Indian population over many years. After studying how the coronavirus has brought a host of countries on their knees, his team has predicted the potential impact of the disease on India.

- Dr Laxminarayan has listed several crucial factors going against India during the current pandemic. The most worrisome among those is the country's long history of respiratory diseases. Poor air quality will also contribute towards making a respiratory disease worse.
- As per the latest available data, global mortality rate from confirmed COVID-19 cases has averaged between two and three per cent. However, most of the countries affected by the disease are developed and have better health infrastructure in place. That's not the case with India. It doesn't have China's ability to control population flows using strict measures. Apart from this, limited economic resources are another deterrent in tackling the epidemic.
- According to Dr Laxminarayan's estimate, the pandemic will reach its peak by early May this year. However, the national lockdown could reduce the number of infections by 70-80 per cent before it reaches the peak.
- Considering the global trend, the COVID-19 outbreak in India is still at an early stage, he says. Dr Laxminarayan stresses on utilising this time to create an enormous, affordable and easily available testing infrastructure. He also suggests that we intensify efforts in identifying the sick, their contact tracing and their isolation. The government has to move swiftly, and must set up treatment as well as quarantine facilities. Considering the global demand, it must procure necessary equipment,

including test kits, personal protective equipment, ventilators etc. in time. Simultaneously, it has to train health workers.

Read more at: https://nyti.ms/34U1Vxk

'Did India Overreact? Covid-19 Outbreak isn't Following the Trajectory of Europe and China – So Far'

Dr N Devadasan is a public health professional with more than 30 years of experience. He has also worked with the WHO as its national programme officer for communicable diseases in India. In this article he has answered some critical questions regarding the devastating virus using available official data.

- Many experts have criticised the government for not testing enough people for COVID-19. Dr Devadasan defends the government position in limiting testing only to those who may be at risk. He is of the opinion that since textbooks of applied epidemiology advocate the futility of testing new symptomatic patients once the agent of an epidemic is established, it would be a waste of resources to do so. He reinforces his argument saying that the treatment provided to a probable COVID-19 case and a confirmed one is the same. However, he suggests strict self-quarantine measures. The patient and their contacts should be monitored closely and if their health condition deteriorates, then and only then should they be shifted to a hospital where they may be tested for COVID-19.
- To counter the fear of 'spread to millions,' Dr Devadasan gives trajectories of confirmed COVID-19 cases from different countries. He says that most of the European countries have an exponential trajectory of infection. In contrast, countries in North Africa and the Middle East, as well as India, have a linear trajectory.
- Indians have gone into panic mode because of the deaths reported in Italy and Wuhan but Dr Devadasan argues that our genetics, environment and people are different from those populations. The weather in India is not conducive for the virus to spread as rapidly as it did in Wuhan and Europe.

Read more at: https://bit.ly/34P93ed

Economy

Agriculture and Food

- In a blog for the Foundation for Agrarian Studies, R. Ramakumar, NABARD Chair Professor, Tata Institute of Social Sciences, Mumbai, writes that as India goes into a state of total lockdown, the impact of the COVID-19 pandemic on its economy is becoming more acute than ever. *In The Covid-19 Pandemic and Indian Agriculture: A Note,* he says that the country's economy, already seeing a sharp downturn by the end of 2019, will inevitably have an extraordinarily poor growth rate for the months of March, April, and May 2020 (though they technically fall into different quarters of the financial year). He also sounded a warning bell that if we continue the lockdown for more than a month, the severity of impact on the country's working people as well as the economy will be even more.
- Ramakumar also explains how the COVID-19 lockdown stands apart from other crises in the global real economy by giving rise to a situation where both demand and supply have fallen.
- The author's sense of foreboding about how the COVID-19 pandemic has crashed into an already fragile financial world rings true. In India, the banking sector was under duress owing to high levels of Non-Performing Assets and little demand for fresh credit even before the virus started sickening the world. Also, lower economic activity in times of a lockdown will naturally imply that most debt repayments stop. He also opines that a prolonged lockdown would certainly lead to a banking crisis as well. Export-led economic sectors, including spice and plantation sectors in India, will register drops in both export demand and prices. Import-driven economic sectors, dependent on intermediary goods or raw

material imports, will witness those imports frozen and therefore production stopped. More importantly, in such a scenario, remittances will plummet, adversely affecting the nation's foreign exchange reserves. The author also says that the fall in oil prices is a saving grace, but it is negated by the fall in domestic oil demand.

- He notes that even before the onset of the COVID-19 pandemic, food price rise was a feature of the Indian economy. Data reveals that food inflation was on the upswing from the middle of 2019, reaching, by January 2020, levels previously attained in 2013-14. He forecasts that if inflation rises in March 2020 and later, it will add to the burden of an already swelling price curve.
- The author concedes that the overall supply situation of essential food items does not appear to be too worrisome in India at this point. But he cautions that things could be different if the lockdown proceeds beyond a month, when the supply chains will see disruptions. The situation may exacerbate with supply bottlenecks, which could lead to price rise.

Read more at: https://bit.ly/3apjJkK

Market Sentiment

'Job Seekers, Firms see 'Pessimism' in Market Sentiment: RBI Survey'

In an article in *Business Standard*, details of the results of a few of the Reserve Bank of India (RBI) surveys have been discussed by Anup Roy. A brief overview:

- The author says that the results of the surveys, conducted before the nation went on a lockdown to flatten the coronavirus curve, reflect a sense of gloom in certain quarters. The survey results show that the general population remains pessimistic about economic and job prospects in the immediate future, even as they expect some improvement in the next year, going by the consumer confidence survey.
- In order to capture the sense of a possible virus impact, a separate 'industrial outlook survey' was repeated a fortnight after the original survey was completed. The survey, repeated with 48 companies as against 860 in the original, showed "very sharp deterioration in sentiment across all sectors for Q4FY20 (fourth quarter of the Financial Year 2019-20), and stark pessimism for Q1FY21 (first quarter of the Financial Year 2020-21), compared to the assessment in the initial round of the survey," the RBI said.
- However, it is to be noted that apart from the industrial outlook survey, the economic bearing resulting from the pandemic scare was not possible to be captured by the other surveys, considering that the crucial surveys had ended by March 7.
- In the Inflation Expectations Survey of Households, which was conducted in 18 major cities across 5,912 urban households, the three-month and one-year median inflation expectations declined by 10 bps (basis points) and 20 bps, respectively. However, the share of households expecting general inflation to rise in the next three months and one year also declined noticeably, compared to the January 2020 round, the RBI said.
- In the Order Books, Inventories and Capacity Utilisation Survey (OBICUS) for the December quarter 2019 — covering 704 manufacturing companies — the RBI found that capacity utilisation declined to 68.6 per cent in the Q3FY20, from 69.1 per cent in the previous quarter.

Read more at: https://bit.ly/2VlacXR
Also read: https://bit.ly/3bogPhF

Legal

'Is the National Lockdown in India Constitutionally Valid?'

In an opinion piece published in *The Wire* on March 28, 2020, lawyer Sanjoy Ghose analyses the legal validity of the orders passed by the central government in the wake of the coronavirus pandemic. Here are the key points:

- In the preface, the author cites Mila Versteeg, Professor of Law at the University of

Virgina, to add a caveat. He states that even if the constitutional validity of lockdowns such as these may be doubtful, people may be voluntarily willing to sacrifice their rights in the face of a pandemic. However, the author clarifies, that shouldn't hinder us from examining the legal and constitutional validity of the orders passed.

- Ghose begins with the original emergency provisions as provided in the Constitution under Article 352, and traces the history of its misuse under the Indira Gandhi government which eventually led to the 44th constitutional amendment brought in by the Janata Party government in 1978. Through this amendment, the term "internal disturbance" was substituted with "armed rebellion." It also clarified in Article 359 that the right to life (Article 21) and the right against double jeopardy and self- incrimination (Article 20) could not be suspended even during an emergency.
- For the current pandemic, two laws provide the statutory basis for the centre and states to pass relevant orders: The Epidemic Diseases Act, 1897 (EDA) and the Disaster Management Act, 2005 (DMA). While the EDA does give the government wide powers to take necessary measures against the outbreak of a disease, it is subject to the provisions of the Constitution, being a colonial law. Till date, the validity of none of the provisions of the EDA has been examined vis-à-vis the Constitution. More importantly, the author notes, the central government's power under this law only seems to be restricted to controlling the movement and detention of vessels at ports.
- Ghose then goes on to explain the provisions of the DMA, which is a more contemporary statute. It mandates setting up a three-tier Disaster Management Authority at the national, state and district levels to formulate a disaster plan at these levels. Apart from provisions under the Act empowering the central government to constitute a national fund and issue binding directions to authorities and state governments, Section 72 gives this law an overriding effect.
- In the final section of the article, Ghose, particularly referring to the migrant exodus and the loss of economic assurance to daily wagers, questions the legality of the right to life, including the right to livelihood being snuffed out by falling back on Article 256 read with the DMA. He opines that if such drastic steps can be initiated (albeit with universal consent) without even invoking the emergency provisions, then the provisions of constitutional-legislative oversight over the suspension of fundamental rights during emergency have been rendered meaningless.

Read more at: https://bit.ly/2XPmPMr

'Is the Central Government Coronavirus Lockdown Order Constitutionally Valid?'

In contrast to the above article, lawyers Bharat Vasani and Samiksha Pednekar in a *Bloomberg Quint* article dated March 31, 2020 provide an alternate view, opining that the orders passed by the central government are in fact consistent with the DMA. A brief summary:

- The authors discuss the division of power between the states and the central government, as provided under Articles 245 and 246 of the Indian Constitution. While Entry 29 of the Concurrent List empowers the central and state governments to legislate on matters pertaining to the prevention of an infectious or contagious disease spreading from one state to another, Article 245, which provides the 'Doctrine of Repugnancy' acknowledges the primacy of parliamentary law over state legislation in the concurrent list.
- The authors also weigh in on the debate around the government's choices regarding legal provisions to be invoked for the current pandemic. They say that the government could not have declared a national emergency, as Article 352 of the Constitution, post the

44th Amendment, permits the government to declare an emergency only on three grounds: war, external aggression or armed rebellion. Therefore, effectively, the government could only rely on Entry 20 of the Concurrent List and invoke the DMA, which it did.

- Vasani and Pednekar note that the DMA was passed to provide a legal framework for setting up a National Disaster Management Authority (NDMA) under the Chairmanship of the Prime Minister of India. Further, the powers of the NDMA under Section 6 of the Act can be broadly interpreted to give a unified command to the central government to effectively manage a disaster throughout India.
- Citing from Section 2(d) of the DMA, which defines "disaster," the authors hold that the COVID-19 outbreak is bound to fall under this definition, thus allowing the central government to lay down policies, plans and guidelines for disaster management. Section 38 of the Act, further, casts a duty on the states to follow the directions of the NDMA.
- Towards the end, the authors note that Section 72 of the DMA provides that the Act will have an overriding effect on all other laws, to the extent that they are inconsistent. Therefore, the orders passed by the Ministry of Home Affairs will override any state or municipal order, to the extent that they are inconsistent.

Read more at: https://bit.ly/2Vof8uQ

'COVID-19 in India: Mishandling Infected Dead Bodies Spell Anxiety'

In an article published on March 25, 2020 in the Ankara-headquartered *Anadolu Agency,* journalist and photographer Cheena Kapoor brings out the curious, if disturbing, repercussions of the pandemic.

- The author notes that amid the national lockdown to stem the spread of COVID-19, the management of infected dead bodies and their funeral remain a source of concern. The article claims that guidelines issued by the Health Ministry regarding the handling of infected dead bodies have huge gaps, as per experts. The guidelines call for cremating bodies at a high temperature in electric crematoria or plastering graves with cement.
- China's Infection Control Branch of the Department of Health issued a slew of guidelines on February 20, 2020, which have now been accepted globally. According to these guidelines, the body bag should not be less than 150 microns and should be accompanied with another layer of a mortuary sheet or opaque bag. In India, the Indian Council of Medical Research (ICMR), back in 1987, stipulated that dead bodies affected with diseases such as HIV should be wrapped in double plastic bags. However, the Indian Health Ministry guidelines issued in the wake of the COVID-19 pandemic do not specify the method of cremation or the plastering of graves.
- The article also states that the practice of cremating dead bodies in open spaces or along river banks poses a perpetual danger of infection transmission. Experts say that the preferred method of consuming the dead bodies was to use the electric or CNG-run crematoria. However, there is a shortage of such crematoria in the country.
- The Department of Forensic Medicine and Toxicology at AIIMS Delhi has released a protocol, which states that "for last rites, cremation should be preferred for the complete elimination of chances of infection in either electric or gas crematorium in a zipped body bag. However, keeping in mind the religious views of the family, if the burial of the body is requested, then it should be assured that the body is buried in a thick, airtight coffin." Further, the body needs to be buried at a depth of four-six feet and should be cemented immediately as an additional precautionary measure.

Read more at: https://bit.ly/3boOCay