



Impact in Human Rights and Rule of Law

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Introduction

Covid-19 is a new experiment at a global level. It is originated by a virus called coronavirus. The first time was found at Wuhan which is located in China. Some are saying that it was created by scientific methods but some are saying that it is a natural virus. what is right or wrong, it will be cleared after research. covid-19 was declared as a Pandemic by the WHO. Now a days a number of E-conference have been conducted at a various level. so that some reasons may be concluded. This topic is one of them. in this paper we will discuss following points:-

- (i) Meaning of human rights in respect of covid-19,
- (ii) How human rights are Being affected by covid-19,
- (iii) the impact of the covid-19 Pandemic on human rights and the rule of law,
- (iv) Human Rights under quarantine.
- (v) Control covid-19 etc.

In this paper all efforts are made to clear all above mentioned heads. covid-19 is not a new concept for the whole country. Because it is said that this is a Natural activity. That always comes after hundred years. Nature always balances itself through. Such type of activity.

1.Torture Activities-

It was related to treatment of persons deprived of their liberty in various place of detention including quarantine zones, social care homes, hospitals etc in context of the covid-19 pandemic. In this matter we have seen that on name of covid-19 persons were tortured degrading conducted in human activities. That was not right according to Law it was against human Right. On name of Covid-19 or protective measures inhuman or degrading treatment of persons deprived of their one not allowed in Law of Human Rights.

2.Health Rights-

Covid-19 poses a specific risk to persons deprived of their liberty and to those deprived of their liberty and those who are in daily contact with them. The Covid-19 was a brutal reminder of the importance of ensuring lasting progress with respect to social rights enjoyment. The pandemic shows in practical terms the indivisibility of human

rights. During the Covid-19 on name of protective measures human dignity and human rights are upheld.

The During this period when all nation not only India facing the largest lockdown. The billion people were locked inside their homes. Some one is saying that lockdown decision of the Indian Government was hasty. There for Government is failure to protect Health Rights to Indian citizens. India is a state party to the International Convention on Economic, Social and Cultural Rights, which recognises the right of everyone to the enjoyment of highest attainable standard of physical and mental health. But Right to health is not absolute rights during this pandemic time. Government may make all efforts. Which may be done pandemic is on emergency time period. We can not say that Government is failure to provide us Human Right, Right to Health.

Human Rights are needed now

more during the Covid-19 pandemic than ever, Says united Nations. United Nations told that is not a time to neglect Human Rights, it is a time when, more than ever, if possible, human rights are needed to navigate this crisis in a way that will allow us. This more important for us. But our central or state Government were not aware about this. They were doing politics on Covid-19 and laborer were facing problems. While certain restrictions on movement are permitted under Indian and International Law for security and National Emergency. But should be based on reasonable and justified. They should be only for that purpose, Proportionate and non-discriminatory. But our state Government cannot maintain this standard.

3. Right to Education-

Right to education is also part of Human Rights. Apart from restrictions on movements the U.N. Document says, education has been affected with 191 countries closing schools, impacting about 1.6 billion students which are 91.3 of the world's total enrolled learners. It is also big challenges for Government of the various nations. One side our developed and developing countries are calming that they have got first place innovation arrears. But during covid-19 mostly countries were failing to protect Right to Education. They could not develop proper infrastructure for providing. Proper Education to our students. In mostly coaching institutions were also failing to protect. Students to save from pandemic. They could not continue study of the coaching students. Students have to go their state/home.

Instead of all problems some effective action to mitigate the worst impacts, on jobs, livelihoods, access to basic services and family life, protect people lives, enable people to comply with public health measures and ease recovery once these can be lifted. It observe, given examples of good practices water supply to slums suspending evictions for unpaid rent and protecting jobs and support for employers. All action to be taken to protect Human Right of person by the

central Government as well as the state Governments.

Role of WHO-

A pneumonia of unknown cause detected in wuhan, china was first reported to the WHO country office in china on 31 December 2019. Who is working from 24/7 to analyze data related to Covid-19, provide advice, coordinate with partners, help country prepare, increase supplies and manage expert networks. The outbreak was declared a public Health Emergency on International concern on 30 january 2020.

On 11 February 2020, WHO announced a name for the new coronavirus disease Covid-19. World Health Organization is playing very important role in this matter. All countries are following instructions of the WHO issued new illustrated guide Lines. The Guide was developed by the inter-Agency standing committees mental Health and psychosocial Support Reference group. In this guidance it was told that countries can take at national Sub-regional and local levels to recognize and safely maintain access to high-quality, essential health services in the pandemic context. Lockdown is also part of this issued guidelines.

Present Position Of Human Rights-

After advice of WHO and to spread of Covid-19, the order prescribing lockdown has been issued by the Central Government on 24-03-2020. The orders were issued in terms of the provision of the National Disaster management Act, 2005 in tandem with the Epidemic Disaster Act of 1897. Therefore the issued orders were under section 6 (2) (i) of the Disaster Management Act. Under this orders the ministers, Departments of Government of India and effective measures for ensuring social distancing so as to prevent the spread of Covid-19 in the country. Definitely issued orders may be violates Rights of human beings. But steps which was taken by the Government are in internist of the human beings.

As per the said orders, offices of the Government of India, offices of the

state/union territory were to remain open. The Commercial and private establishments and industrial establishments were also closed down. But office and all essentials related shops, dairy and milk booths, banks, media, Telecommunications, Pharmaceuticals stores were exempted from lockdown. It is also function of the Government to protect Human Rights. We cannot say that our control or state/union territory Government were not aware about Human Right or Rule of Law. The Disaster management Act provides for the effective management. What is the meaning of Disaster ? Under section 2 (d) of Disaster Management Act, as a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or man-made causes. Therefore Covid-19 is also a Disaster. But it is debatable that coronavirus is a natural or man-made. It to be cleared after research or study on this matter. All members of international community are trying to find out reasons. But some time Disaster may be arisen due to accident or due to negligence of any which results in substantial loss of the life all human beings suffering or damage to property or environment of the affected area. In that situation NDMA/SDMA Authorities have been empowered to make plan, policies and guidelines for disaster management to prevent losses. But policies should be according to law.

Public health and sanitation, hospitals and dispensaries are part of the state. According to schedule seven to the constitution of India, Which empowers the state to enact law with the subjects as per their will. But in this area, if the disaster has spread or likely to spread than central Government resorted to complete lockdown, ignoring. The plight of common man Covid-19 is likely dangerous disease in the world. The DM Act provides power to central Government resorted to complete lockdown to Covid-19. Two acts to curtail the movement of the people according to the framework of the

DM Act and ED Acts, it is clear that there are no promises in the two Acts to clear that there are no provisions in the containment curtail the movement of the people, except in the containment and hotspot zones, and to issue directions to the companies with regard to payment of wages in both cases pandemic or during natural calamity if employees are lay-off. Their wages cannot be deducted. After observing all above facts related to Covid-19. We can say all provisions which been prescribed under the Act, are constitutional and not against Human Rights. It is not matter of politics, but it is matter of cooperation. Not only Government but also Human beings are liable to follow direction which issued under the various laws.

Suggestions-

After observing all above mentioned facts we can say that it was very typical to make balance between Rule of law and Human Rights. Because Covid-19 was a pandemic disease during this Authorities need to be open and transparent in their decision-making and willing to listen to and respond to criticism. It is important to Government, ensure that international human Rights, humanitarian and refugee law and standards are the center of all Covid-19.

If we want to face such a type of pandemic, we have to follow some conditions.

1. We (Our Governments) have to pay Attention on hospital infrastructures and education structures more than weapon deals and Tenders of other activities.
2. Coordination between states and central Government should be better. During Covid-19 we have seen. That Central Government and states are totally different on many issues. It is not good for our country.
3. We have to apply the Rule of Law to maintain Human Rights. We have to remove differences as of sex, religions, Region and caste etc.
4. Government should ensure accessible and quality healthcare to all without discrimination, make stimulus packages and other economic measures people centric, Ensure income security and

availability of food,water,sanitation and housing.

5.3.62 lakh migrant workers arrive in Rajasthan.If we want to solve such types of problems,the Central and states Government will have to increase employment and industries in its own arrears.

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