SC Order on Relief for COVID-19 Victims and Unorganised Workers

Why in news?

The judiciary made significant interventions to assert the rights of pandemic-hit workers and families.

What is the SC's order on COVID-19 Victims' families?

- The Supreme Court called out the government for its failure to provide relief to the next of kin of Covid victims.
- It pulled up the National Disaster Management Authority (NDMA) for "failing to perform its duty."
- The Court gave the NDMA 6 weeks to fix rules for compensation to COVID-19 victims' kin.
- The court, however, did not fix a compensation amount for each death and left it to the policy decision of the NDMA and the Centre.

What were the other observations made?

- Unlike more frequent disasters such as cyclones, earthquakes and floods, a pandemic is not a one-time calamity.
- It is an ongoing and prolonged phenomenon.
- However, the Court found that this was not reason enough for the Government to evade its duty.
- It could not excuse itself of its duty to pay ex gratia by saying that such payments would entail huge expenditure.
- The government had itself declared COVID-19 a national disaster.
- The court thus pointed to Section 12 of the Disaster Management Act of 2005.
- It said the term 'minimum standards of relief' mentioned there included payment of ex gratia.
- The Solicitor General argued that Section 12 was merely "recommendatory" and not mandatory.
- But the court pointed to the word "shall" used in Section 12.
- It thus said the provision made the payment of ex gratia to victims' families a "mandatory and statutory duty".

What is the Centre's response?

- The Centre initially took the stand that it lacked the financial resources to compensate for every COVID-19 death.
- However, later, the Centre clarified that it had money for ex gratia aid.
- But, it is prioritising the expenditure in response to the pandemic.
- It said the focus now was on utilising funds for food, medical care, oxygen, vaccination and to pump up the economy.

What are the directives on unorganised workers?

- In an earlier order, the Court dealt with the need for comprehensive registration of all inter-State and unorganised workers in the country.
- It made this while disposing suo motu proceedings on the miseries of migrant labourers.
- The Court has fixed a deadline of December 31, 2021 for all States and UTs to complete the process.
- The Centre has been given a deadline of July 31, 2021 to make available a portal for its National Database for Unorganised Workers (NDUW) project.
- This may be used for registering unorganised workers across the country.
- The verdict opens up the possibility that the inter-State and unorganised workers will be able to reap the benefits of welfare laws enacted for them.

Source: The Hindu

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