

# Health above faith

SC lays down salutary principle that right to life must override religious sentiments

It does not require any higher wisdom to know that there is considerable risk to public health during massive religious gatherings in the midst of a pandemic. Yet, it took some prodding by the Supreme Court for Uttar Pradesh to cancel the annual Kanwar Yatra. The yatra, in which Kanwaris, devotees of Shiva, make a pilgrimage to collect water from the Ganga, was not held last year due to COVID-19. This year, it was scheduled to start on July 25. Uttar Pradesh Chief Minister Yogi Adityanath appeared keen that the pilgrimage be held this year, and had convened a meeting on July 9 to discuss preparations and security arrangements, along with putting measures in place to avoid the spread of COVID-19 infection. However, the Court was perturbed by reports of the plan to conduct the yatra, resulting in the initiation of *suo motu* proceedings. Disagreeing with even the idea of a 'symbolic yatra' in deference to religious sentiment, the Court had reiterated a principle that is being observed in most places: the idea that the health of the public and their right to life are paramount. "All other sentiments, albeit religious, are subservient to this most basic fundamental right," the Court had observed on July 16, while giving the State government time till July 19 to call off the gatherings on its own. The Uttarakhand government had earlier cancelled the yatra in its territory, rightly heeding warnings by experts that such large gatherings posed a major risk, amidst fears and expectations of a third wave. Uttar Pradesh was helped by the various Kanwar Sanghs that offered to avoid taking out the yatra this year too.

Despite the fact that the organisation of the Kumbh Mela earlier this year was seen as responsible for a surge in infections in the run-up to the disastrous second wave that overpowered the country's health system for weeks, there are sections that believe that rituals and gatherings associated with religious faith must be allowed with some restrictions. There may be a case for relaxations aimed at economic revival and restoration of normality in most parts of the country, but there really is none when it comes to choosing between religious rights and the right to life and safety. The easing of lockdown restrictions for three days in Kerala to help people celebrate Bakrid is a case in point. It has attracted justified criticism, as any relaxation after a long spell of severe curbs will have to be based on a scientific assessment of the number of daily infections, the rate of positivity and signs of abatement. Kerala is one of the States whose daily numbers are causing concern, and the easing of restrictions defies logic and flies in the face of science. The State government will be hard pressed to explain its decision to the top court, which will quite rightly demand much more than a routine clarification that the relaxations were accompanied by instructions for maintaining the COVID-19 protocol.