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With this thought, we hereby present to you

***LawPublicus*** The Legal Portal

# **Cremation and Its** **Adverse Scenario** **in the Current** **Pandemic**

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# **Cremation and Its Adverse Scenario in the Current Pandemic**

*By: Anamika and Anjali*

## **ABSTRACT**

*Worldwide spread of COVID-19 in a quite short time has brought a tremendous devastating impact to the environment and sentiments of people. The corpses drifting down the Ganges River, which Hindus consider sacred, have shocked a nation reeling under the world's worst surge in infections. One can see the dumped dead bodies of COVID-19 patient in some rivers of India. A state government made the first official acknowledgement of an alarming practice it said may form from poverty and fear of the disease in villages.*

*This study focuses on the bodies of those who have succumbed to Covid-19 or any other diseases are being thrown into rivers instead of being disposed off as per proper which may result in the harmful effect on the health of locals. To aid the cremation of the body, the crematorium was running out of wood used to lay out a funeral pyre. It takes at least 400-500 kg of wood to cremate one body. And "There are more bodies than wood," If we will keep cutting trees but at this rate we will not have any left, Shortage of space is also a increasing problem where sections of land were cordoned off last year to bury the bodies of Covid-19 victims. Spaces in burial sites and crematoriums are restricted and cannot keep up with the rising number of COVID-19 deaths.*

*The methodology opted is analytical and focuses to draw readers attention towards an ongoing pandemic and its deterioration to our environment. And encourage choosing remedies and opt for methods and ways which are environment friendly and are best for the people of a nation.*

## **INTRODUCTION**

There are many religions in this world. But in contrast to various other religion for example Christianity , Buddhism or Islam ,Hindus follow the “Sanatana Dharma” which is also called as “ Universal law”.

Sanatan Dharma<sup>1</sup> actually denotes that how one can get salvation from the continuous cycle of death and re-birth. In Hinduism soul is the strongest and sacred thing. A soul is away from all the materialistic pleasures of the world. In Sanatani Dharma people born, live and they die numerous times. This process continues till the soul unites with the ultimate power.

According to Sanatani belief soul takes the shelter in human body and it is represented as a temporary place for soul. According to Hindu belief after death the soul is freed from worldly troubles. In India according to various Sages, Soul is a pure thing but it loses its ultimate purpose by falling in to material longing.

## **HINDUISM AND CREMATION**

It is a firm belief that, in Hinduism the cremation near river Ganga will lead the soul towards mukti, that is known as salvation. The principle of salvation is the utmost important thing in the “Santani Dharm”. Freedom of soul from the process of re-birth is the desire of many saints and human beings. The [cremation](#) break free the shackles of life. And hence the cremation generally took place near holy Ganga.

## **THE DETERIORATING EFFECT OF CREMATION IN THE CURRENT PANDEMIC**

Due to the novel coronavirus the death rate has accelerated so as the cremation, which is generally taking place near the River Ganga. The workers those who are indulge in the work of burning dead bodies are not properly doing the cremation process. Dead bodies are burnt half, which may increase the risk of a virus spreading. An animal are coming in contact to those bodies which are not treated properly and after that they stroll in the society which can also cause spreading of the virus. The water of the river is affected due to the increased rate of dead

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<sup>1</sup> Binod Ghimire; Hindu death Rites: Antyeshti Samskar.



bodies in the river. Due to the recent burdening situation, bodies are directly thrown in the river and that is what severely affecting our environment. This situation is violating our fundamental rights as well as our laws relating to environment protection. This is one the hazardous activity going on that can even lead to increase the rate of more patient in the upcoming days of the pandemic. This has been noticed that no authority is paying attention to what should be done to protect the environment from this happening. In this situation huge masses came for the cremation process and number of irregularities can be seen from the side of government as well as the working authorities. From March to May 2021, many metropolitan cities have faced huge problems regarding the cremation procedure many reporters have claimed that “if the cremation will increase there is more chances that virus can spread with faster pace.” And if not done with proper care and caution.

There are several [ways](#) through which we can put pressure upon the authorities by reminding them about the laws and the violations that is taking place due negligence of the workers and inspecting authorities those who are assigned by the government body.

## **CREMATION: “A HUMONGOUS SCENE OF THE DAY”**

### **IMPACT OF CREMATION ON ANIMALS AND PEOPLE**

Though it is one of the most important process but the government is not understanding the depth of this cremation process it is badly effecting the animals and people those who are living near the cremation area. The bodies are burning improperly and due to these animals started eating them bird were sitting on the affected person’s flesh and this can cause increase in the spreading of corona virus. Eventually, animals are also affected by this and even this can cause harm to them. Reportedly “it is seen that many animals especially dogs are extremely affected due to this”. In [Varansi](#) near “Harishchandra” ghat<sup>2</sup> it is observed that due to large rate of burning bodies they are not properly cremated their bodies are left half burnt and hence it would become great opportunity for animals to reach there and feed themselves. People those who are living near the river Ganga has faced dreadful situation due improper burning of bodies. They are more likely to suffer from the impact of virus and hence it is disturbing the human peace at larger level.

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<sup>2</sup> <https://www.indiatoday.in/india/story/exorbitant-rates-at-up-cremation-grounds-worsen-covid-horror-for-families-1792586-2021-04-19>

- **INCREASE IN CREMATION EXPENSES DUE TO SCARCITY OF WOODS**

Before pandemic the rate of funeral pyres is very less in the number but after the second wave of the pandemic the rates go leaps and bounds last April and May. Handling a pile of a corpse was a difficult task in this uneven situation. It is noticed that in the big cities the wood holder has increased the rates of wood and this has become a stark situation in the fulfilment of the cremation. The people who are appointed to complete the work of a funeral are taking the advantage of the current thing. In such a horrifying situation, it has become very hard to get the place for a cremation and persuade the worker who is indulged in this activity of burning the bodies.

- **EFFECT ON AQUATIC LIFE DUE TO DISPOSAL OF DEAD BODIES**

Due to untreated dead bodies the marine life is getting affected, that is the fish inside the [water](#) is also affected from the virus. The river Ganga has been the hotspot for catching the fishes and does trade with them due to emergence of such a toxic situation it is now a big challenge for people to make a fishing as their bread and butter. As due to the advent of virus people are dying constantly and it was reported that in a single day 100 to 500 bodies are coming for the cremation.

- **DEFORESTATION CAUSED DUE TO SACRED CREMATION BELIEFS**

According to Hindus cremation belief, in which Agni takes the offering of body. Once the cremation is done, the left over part that is the ashes of the dead bodies are dispersed in the river Ganga.

Due to the immense cutting of trees and large accumulation of woods for performing last rites, has led us to deforestation. It is visible that every year 3 lakhs tone of dry wood of rupees 300 crores which is used in the cremation process that lastly leads human soul to Moksha. Cremation is done with the help of large amount of fuel, and this has also increased the emission of carbon monoxide in the atmosphere. For saving the environment the government provide us with some remedies available in the form of acts and statutes. Government also generates obligation through Directive principles of state policy through [Article 51A \(g\)](#) orders the citizen of our country to protect the environment, natural resources and that will include rivers, lakes, forest and wildlife and to show care for them. There are two acts which deal with

protecting the forest and it is known as [Indian forest Act, 1927](#)<sup>3</sup> and [The Forest Conservation Act, 1980](#)<sup>4</sup>.

### **INCREASE IN THE PRICE OF VARIOUS SIGNIFICANT MATERIAL USED FOR CREMATION**

Space was not the just problem increasing cost of burial and cremation has saddened and created difficulties for the people too. There was the bribe at every walk right from calling an ambulance to priest doing the last rites. The white shroud (kafan) which earlier one could get for Rs. 1100 now traders are not selling for less Rs. 2000, wooden planks are also high in demand as they are used in cremation<sup>5</sup> also so the increase in price is considerable also labours are making high demand of money.

### **BURIAL: “THE COMMON PRACTICE OF RELIGION”**

It is clear that India is a country with different religion residing inside it. The process which takes place after death is different in accordance with the religion. In India, the religions that perform the last rites through burying are Christianity and Islam. The [burial](#) practices found its root in the Mesopotamian civilization in 5000 BCE. The burial of the dead is known back since 1,00,000 years ago before the civilization. There were many beliefs attached to the burying of the dead bodies. In Jewish tradition they used to bury the dead. In the Catholic tradition, the deceased is buried as soon as arrangement can be made.

#### **• LOSS OF LAND DUE TO OVERBURDENING OF DEATHS**

Workers are unceasingly digging in the scorching sun. Every space has been dug up, even the walking areas. Facing a similar shortage of space, the Catholic community announced in the month of April that if the family of COVID-19 victims would like to cremate their dead, it would not be a violation of the Catholic Canon Law. In the last three months, the community has created ‘niches’ in a piece of land of the graveyard – a concrete box in a wall – where ashes of COVID-19 victims are preserved by the family.

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<sup>3</sup> S.29, Indian Forest Act, 1927.

<sup>4</sup> The Forest Conversation Act, 1908.

<sup>5</sup> <https://www.cremation.com/learn-about-cremation/religion>

- **OTHER PROBLEMS EVOLVING DUE TO LACK OF SPACE ON LAND**

Grieving the loss of a loved one had turned more inapt while dealing with the complexities of the cremation process. Delhi one of the worst hit cities by COVID-19 cases has been in jeopardy about falling short of spaces at Muslim crematories<sup>6</sup>. Many people were turned away from Qabristan after they have already run around to find hospital beds and oxygen due to severe space constrictions.

Nearly all the graveyard is in the similar situation, and Moreover, there aren't enough people to dig graves. Pre- COVID graves went in as deep as 10 feet. Even though a grave space cannot be recycled before 2.5 years, but in these times they have started the burying of fresh bodies on top of these graves at six feet. Multiple burials happening at the same time in one graveyard, one can see some odd open graves.

## **REMEDIES FOR PREVENTING WATER POLLUTION IN RIVERS AND OTHER WATER BODIES**

The authority should strictly follow the sustainable dumping of bodies in the water. They should use electric cremation. It is very harmful process as it is affecting the various lives that were inside the water as well as outside the water. The advent of the virus has extremely destructed our ecosystem. In the recent past U.S. has given report that 1.45 million cases came to India in this second wave of the pandemic. There is a lack of space in the crematoriums there many peoples who have kept the dead bodies in their houses. The workers working near crematoriums especially the places where any water body is present they should minister to the dumping of the dead bodies, they should not leave the body half burnt.

[National Green Tribunal](#)<sup>7</sup> has also questioned on this ancient practice. They are asking to change the mindset of the people that they should acquire themselves with the more suitable and environment friendly process of cremation. There are many different processes through which the bodies can be disposed off without hurting the sentiments of the family and people. Those processes are given below:-

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<sup>6</sup> <https://thewire.in/health/ahmedabad-space-becomes-an-issue-for-religions-that-bury-their-dead-as-covid-19-rages>

<sup>7</sup> <https://www.indiatvnews.com/news/india/national-green-tribunal-hindus-cremation-air-water-pollution-57385.html>

**1) COMPOSTING:**

In this process the body is covered with natural materials such as straw and wood chips. After this it is ready for the microbial activity to take place on it.

**2) ALKALINE HYDROLYSIS:**

The process is known as very gentle process for the disposal of dead bodies. Not only the process is gentle, but it does not hurt the sentiment which is attached with the dead person. This alternate remedy for cremation is more efficient and less wasteful than the original cremation process.

**3) ELECTRIC CREMATION:**

A cremation furnace is also known as “incinerator” and “cremation oven.” A human cremator is used for human cremation. The temperature at which a body is burnt ranges from 1000 degrees Celsius to 1300 degrees Celsius. The intensity of the heat helps in reducing the body into dried powder form. Before, sending the body inside the oven it is generally preheated at the rate of 800 degrees Celsius.

**4) RESOMATION:**

These are some of the processes that can be used in treating the dead bodies without hurting the sentiments. People need to realize that burying the bodies and burning them will lead to immense destruction as the number of deaths has increased as compared to previous years. The virus was so powerful that it had done a huge mass destruction and therefore, it can be seen that there is a constant rise in the death rate and this has burdened the work of crematoriums as well as it leads towards environmental pollution.

**CONCLUSION**

In the prevailing situation it has been noticed that the death rate has increased triple times than the previous rates. Whatever is, the need of the hour was done by the government and the working authorities still we cannot overlook the importance of an environment, as it is the basic

source of life. It is common knowledge that cremation and traditional burials are becoming progressively environmentally harmful. Emission of carbon monoxide, sulphur oxide, nitrogen oxide, etc. in the form of smoke and release of suspended particles of wood when the wood is burned is highly harmful and causes immense breathing problems. Toxic chemicals used in preserving, lacquered wooden caskets buried beneath the ground, polished stone, and marble tombstones permanently altering the landscape are all things that cause extended and lasting damage to circumferential ecosystems. But there are alternatives. Natural or green burial, which seeks to mitigate the environmental impact of death, has lately been growing in popularity. Therefore, it is requested that, the crematoriums and other substitutes should come in this current situation just for handling the exceeding death and dead bodies are constantly coming for last rites.

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*This case study is for information purpose only. Nothing contained herein shall be deemed or interpreted as providing legal or investment advice.*