

A DIGITISED RESPONSE TO THE PANDEMIC

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You may not always have a comfortable life. And you will not always be able to solve all the world's problems all at once. But don't ever underestimate the impact you can have, because history has shown us that courage can be contagious, and hope can take on a life of its own.

-MICHELLE OBAMA

Humans are repulsive to alterations, their stature is put together in such a way that any alien activity which advances in their pavement, they show some sort of resistance to that. Let's take the very "Novel Corona-virus" as a paradigm, The WHO deemed pandemic has come into our very sphere like a friend, shattering lives, shattering economies, and what not, creating a total desolation world-wide.

However, mankind has found its own way to deal these atrocities, as a preventive measure a nationwide lockdown was announced by the central Government in India to curb the unfurling of the Covid-19, firms, companies, learning institution were asked to work from home. This change can be considered impulsive for some but as crucial as it seems, it should be kept in conviction that the nation has to be working.

Despite that, certain innuendos are to be adhered to, The technological ball game in India, is abysmal if you compare it to the likes of nations we have in the west, conceptualizing a picture of flawless "work from home" scenario is onerous, it is a task for online providers that they should limit their Data consumption, as the society is evolving a campaign should ensure bare minimum technological literacy, such technological know-how will increase fecundity at the comfort of your sofa. Technological frailty should not be considered as a fly in the ointment, it's the resistance we show against a new order, it has never been easy to orient oneself to new state of affairs but when the ambience is not convivial it is pivotal to be in working order.



SHASHANK GUPTA
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DIGITALIZATION OF THE COURTS IN INDIA: E- FRAMEWORK IN JUDICATURE

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With Digital Courts soon to become a reality, we might achieve our Paperless dreams.

-CJI JAGDISH SINGH KHEHAR



What one had not conceived in mind earlier is now feasible. The brick and mortar, bodily existence and confabulations over table are moderately giving thanks to new things in vision of technological development. Video conferencing amenity and teleshopping at this time are playing an eminent role within the world. Judiciary cannot keep itself far from these changing phenomena.

Amid the lockdown induced by the COVID-19 pandemic, courts in India are concluding videoconferencing to speed up emergency matters. Though measures are taken to preserve status quo like the limitation period and interim order extensions, moratorium on debt payments, a range of legal issues remain in need of adjudication.

An unpredictable lockdown has crippled the system and rendered it incapable of ensuring its constitutional mandate -- that of providing access to justice in the least times.

In India, as early as in 2005, the E-committee of the Supreme Court came out with the National policy and action plan for implementation of ICT within the Indian Judiciary. Although the ideas contemplated were commendable, it lacked a radical implementation process. Applications like E-Courts services, E-pay and NSTEP have shown tremendous potential to enhance the speed of the judicial process and accessibility for litigants.

These limited achievements clarify the requirement for better accountability and expertise in implementation to

extend the probability of achieving significant social objectives. The present crisis by nudging things towards embracing technology provides a chance to scale this project and proceed with greater ambition and urgency. India's high courts and district courts can even begin hearing small cases through video-conferencing. They're going to appreciate that not only is that this method time-efficient, it could also result in saving precious resources.

E-court and Paperless Administration National informatics centre has projected a Project Charter for e-courts. The e-court concept is further developed to bring on a paperless court and during this context, first paperless court of India is established at New Delhi. This has caused an incredible savings not just for the State exchequer with relevancy under trials but also to litigating public who otherwise couldn't afford loss of their time, work and money. What was once considered as a foreign dream in India, that's the establishment of e-courts, indeed has now become a reality to some extent, it's no more a mere dream but an indication of progress and prosperity.

This doesn't imply that there is not any impediment involve, the socio-economically weaker sections won't find digital systems elementary to handle. The education system for lawyers and also the intake process for judges will consider these developments. The skill set that clerks, registry officials et. al. require will also change. Digital security across all activities must be fortified. High initial investments could be a disincentive.



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A THRUST TO DIGITALISATION OF INDIAN JUDICIARY AMID COVID-19

The push for digitalization of Indian judiciary during the outbreak of COVID-19 appears to be significant with more than 200 countries grappled with the NovelCorona virus so as India but the crisis has the potential to reorient the judiciary system during this pandemic. Although digitalization gives an opportunity to renovate the way, still it has many discrepancies. Virtual courts give an impetus to 'principle of open justice', it encourages the efficacy and sanctity of the court proceedings to be open and transparent to public.

Recently, Justice DY Chandrachud stated that, video conferencing in the Supreme Court was functioning smoothly and e-filing software was being developed and was in the advanced stages of trial. The major obstacle in shifting the working of the courts to an online platform is time management and related logistical

issues that would be ameliorate to ensure proper functioning of court in an efficient manner and most importantly, to ensure quick and effective justice.

Supreme court in the case of "Swapnil Tripathi v. Supreme court of India" on 26 September 2018 stated that in the interest of the general public, live streaming of court proceedings in matters of public interest and Constitutional matters must be facilitated. It also added the practices of several jurisdiction and the advantages of transcription and broadcasting.

The concept of digital courts is quite enticing amid outbreak of COVID-19 but still it has many discrepancies and technological challenges as well. The bulkdata which is being collected, collated and stored needs to be protected through proper enciphered techniques, mainly for the disposal of confidential cases. Absence of e-

signatures, e-attestations, and e-vakaltnama are technological null and major hurdle for the complete digitalization of courts. Dearth of technological literacy makes the judges, lawyers and clients more prone to cyber crimes.

The digitalization courts should deal with the loopholes of e-court rooms, making it more vibrant, efficient and equipped to the people. Once we are able to solve these discrepancies it will foster the new judicial culture to the public at large and will extend up to the efficient services. It can play an incontestable role in facilitating the court functions and mitigating the shortcomings during this pandemic.



SANSKRITI JAIN
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DIGITIZATION DURING THE COVID ERA

Since January 2020, the world has been witnessing the spread of coronavirus disease and it has been declared as a pandemic by the world health organization in March 2020. Before the outbreak of pandemic everything around the world was different but the outburst of pandemic resulted in the various changes to mankind's life and lifestyle. The work and social life of mankind has been affected a lot by the outbreak of pandemic.

The day to day work life of a person is also influenced by the pandemic to a large extent. Working pattern and working lifestyle has been affected a lot with the tremendous growth in the digital divide, and all of sudden all the physical activities around the world stopped. No one ever imagined the world in such a phase where everything would be closed and an emergence of lockdown would be executed and work from home would be a new lifestyle. But above all the factors and changes after the pandemic, one thing emerged as a soul to the deadly working lifestyle around the world is digitization.



During the Covid era, digitization brought life to the working bodies in different areas through different functions and features included in it. Most of us have faced the disruption caused by the pandemic and also experienced the transformation in the digital world. This transformation and rapid growth in the digital world

shown in the era of Covid 19 has never been witnessed earlier in the history and also it won't even stop after the pandemic era.

Due to digitization we can see that a new world is forming which is all surrounded by the virtual and digital works. Works of different fields are done through digital media, including

education, business, administration, judicial works etc. Different modes are used for the works like video conferences, webinars, online business, marketing, and even online petitions in the court. The digitization has actually boosted the not so common virtual reality and digital transformation. The work and social lives are so affected by the digitization that it has benefited to the mankind on the one hand and also created problems on the other hand like data security, network issues, technical errors etc.

But despite of all the changes brought in the lives during the Covid era, the digitization is the one which is adopted with ease and also opened ways for new approaches like cyber security and laws, IT sector, etc. thus digitization during the Covid era prevailed in such a manner that it brought changes in the mindset and behavior of the mankind.



JYOTI SENCHA
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IMPACT OF FRONTLINE COVID-19 HEROES ON FUTURE



To the times where the world was fighting to survive in this competitive 21st century Corona virus has changed the dynamics of everything. It has just put the full stop to the busy lives of the people all over the globe. This pandemic knocks the door of India in January 2020, but has taken the disastrous turn in March 2020. Keeping in mind about the safety of the citizens and awarded about its life taking result the Prime Minister of India decided to put the lockdown all over the country. The most incredible thing of we Indians are that we stand up united in the time of such crisis apart from the few exceptions.

In this fight of surviving the pillars of our country are giving their selfless service. All over the globe this virus has made two spheres that is home and hospital. But between them, ambulances run, carrying patients and dispatches from the front. We often conjure the image of doctors in Hazmat suits and soldiers in uniform on listening to the word frontline workers. But during this outbreak workers across a vast array of industries have found themselves essential parts of the machine that keeps the world in motion, required to do their jobs despite great risk, whether farm labor or bus drivers, mental health counselor or vendors, government officials, shopkeepers, manufacturers, cops.

These brave heroes have given their all without even thinking for their own self for once. Not only they but also the scientists and physician are spending hours and hours in laboratory to decode the vaccine for this virus. How

privileged we are as we are surrounded by the shield of such heroes. If speaking statistically today in India there are approx. 6 lac positive corona patients and among them more than 50% are recovered, this is not a miracle but is the result of day and night hard work of our heroes.

This is an 'ideal' example to the youth of this country. The 'Youth' is the heartbeat if the country is heart. We are largely dependent on youth as they are only ones who in future would serve our motherland. Not only their parents but we all expect that the youth of the country would serve the motherland. If we talk about choosing a career youths are often suggested to make the career out which they can earn enough to live the sumptuous life rather than doing something that would be propitious to the country. Once a business could suffer loss, a profession could be outdated but the duty never fails it always have unbolting scope. These heroes have impelled the youth to serve the nation by being its servant.

Our life has changed overnight. Our work, our world have been paralyzed. This outbreak has made us realize that there is no safe place then our homes. Not only that the selflessness our front line workers made us realize that is the most important duty the duty towards our motherland.



RIDHI SINGHVI
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Resilience to Covid-19 through Digitalization: is the New Normal

It's been since January of 2020 the world has been witnessing the recitation of the pandemic. The infectious crisis has reached just about every community on the planet. It has subsequently given rise to a current state of health predicament and ambiguity in the economic scales. Every working persona have experienced a commotion in our daily work and social lives. The world is communally trying to simplify the answer to the question, "What happens next?" Due to the disruption which is triggered amidst Covid-19 has pushed us towards more digital transformation in the last 4 month than we have ever witnessed in the last 20 years. Placing it on the same sides of a coin, where many workers and businesses are suffering from closures and quarantines, other areas of our economy are actually innovating and growing. These areas include telecom, Internet, supply chains, pharmaceuticals, and healthcare. COVID-19 has drastically brought the changes in everything at every level. It has forced shift felt sudden and cataclysmic on the world. Where we are facing high unemployment rates, an economic slowdown, an impending recession/depression, and all that is likely to occur even before a vaccine hits the market. What takes me to think deep, now more than ever, businesses turning digital in droves. Microsoft has reported a tremendous increase of cloud services across the globe with enforced social distancing. Workforces around the world have been working tenuously and it has changed our perception towards technology. Every individual is instantaneously considered a digital native. It's been a big jump from sitting in the Conference Hall to deliberate to spending days collaborating online, from video-based conference calls, exchanging documents online, and driving projects via the cloud –to juggling family households.



BIPASHA BANDOPADHYAY
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INTERVIEW OF **MR. JONATHAN RODRIGUES**

**MEDIATOR
ODR & CORPORATE RELATIONS LEAD, CAMP
FACULTY, MNLU MUMBAI
COFOUNDER & ADVISOR, THE PACT**



INTERVIEWED BY SARTHAK KAUSHAL, BB.A.LL.B. VIII SEMESTER

Sir, what is the reason behind you choosing law as a career?

Okay, so I did law as my second degree, I started out with psychology; I did my B.A. in psychology, I worked as a journalist for almost 5 years and then I suddenly decided I want to do Law. I was basically lost in my journey as a law student until I discovered mediation and then I realized I could combine both my passion for psychology and law together and pursue the career of mediation. So I believe there are a lot of law students out there like me who probably are lost in their first year, second year or third year and wondering why are we studying law and maybe it's because they don't like the adversarial way of the job, they don't like adversarial part of being a lawyer and maybe that's not their cup of tea, maybe they want to be a different kind of lawyer. I want to say that there are a lot of opportunities out there, you just don't have to be a litigation lawyer or a corporate lawyer and I discovered this through Mediation and I would say I became lawyer by accident but now I have found my way.

What inspired you to initiate PACT?

When I was in the final year of my law school I did a competition in Vienna and then in Paris and I won a couple of awards there, I came back and got myself certified as a mediator and I did not know what to do next, I did not know who to go to for advice, I did not know whom to get guidance from. There were a lot of people who could have helped, there were a lot of opportunities, but I was not aware of them, and then we realized that this generation is very much interested in ADR and we wanted to create a platform to simply help them find a way, we wanted them to create network with other people, we wanted to create opportunities so we created four different competitions across India, we created conferences, we created platforms, we created training sessions where they could come and improve their skills so the idea was that for those who are not aware of it, we wanted us to be their guiding light so if they want to do a certain thing you do not have to always do it twice, we could always guide it to someone else regarding something particular, so PACT was created like a lighthouse to those who wanted to pursue ADR in India.

What were the challenges you faced in the startup?

I think our biggest challenge was we don't know whom to trust, because as a young lawyer going out there and trying something completely different taking a road, it's not even the road less travelled, it's a road nonexistent, there was no road we are literally making the road. So we of course went and trusted whom we wanted right at the start but now we know whom to trust and whom not to trust, I think our biggest challenge was we were young, we are still young and of course our biggest challenge today is still that you know a lot of senior lawyers will come up to you and say you are too immature to start this, what gives you right to go enter it, how much experience do you have to go out there and start working on your creation and of course there are many senior lawyers who have helped us and who guided us and have been our mentors and we are very grateful to them but I think if we have learned something in this process it's to not give up and keep your faith in what you really believe in if you want to be a certain kind of lawyer you should pursue it, there will be challenges but whatever makes you happy at the end of the day, we should not follow anything which doesn't make us happy. Whatever challenges you, whatever thrills you, you should pursue it. So I think our biggest challenge is to overcome all the negative energy around us and keep moving towards our goal.

What skills are required in a person to be a successful mediator?

To be a successful mediator, if it's professionally I think you have to be trained in all aspects of being a professional mediator, I think at the end of the day if you want to be a good mediator you should be able to be calm, composed and have the right temperament in a situation getting really tensed, you should be able to kick back your opinion and allow the parties to put out their opinions and their suggestions and their ideas because at the end of the day, mediation is a party driven process, right they are the decision making authority, so you should have a good listening here, they keep saying you should be an empathic but you know sometimes you have to be a bit of a selective, where you choose to ignore the things you know are offensive and this focusses on the positives. I think another big skill for a mediator is ability to reframe when the tensions really arrive and emotions are all over the place and then people are getting really hyper at the mediation table, you should be able to reframe aggressive language and make it more positive and if you can do that, I think that's what you get paid for according to me because it's not easy to do that because the parties are very emotional about the case and they will not care

about what they say, but you are the outside party and you should be able to bring neutrality to it by reframing things, by bringing them closer to direction, I think that is the biggest skill you require.

What is your biggest strength as a mediator?

I think it is my ability to reframe, it is not something like I have mastered, it's something I want to master, and it is something that gives me a lot of pleasure being a mediator. You don't have to be a professional at it; sometimes you get into heated arguments with people in daily life, in day to day course of living and in those situations you take a very heated moment and try to neutralize it to reframe it, I take a lot of pleasure in being silent, sometimes people think that you have to bark back when something is going on, and I have witnessed it and I have experienced it people are going all crazy even swearing at you on the other side, just stay silent, deep inside just keep calm and try and see how will you take it forward, because when someone is swearing and lost their mind, that becomes your chance to attack, but attack smartly without saying something angrily, because they have lost it they are not thinking the same, so now you should be calm and come out with an offer which they will say yes to because they have lost their mind but if you get angry and say something back then you will also be at a disadvantaged position, so that's an advantageous situation, you should use it well, so I would say just keep calm, it's easy to say but difficult to do, it goes like that.

ADR is an emerging field and many people want to make their career in ADR, what advice would you like to give them, for making a successful career ahead?

I say this to a lot of students and you should put this up as my main title of this interview, I think all law students across any discipline should know that your marks at the end of the day and your attendance at the end of the day is with your college and your teachers but your CV is in your hands and no one can rob you of your CV, so don't be worried about your attendance and your marks, be worried about your CV because that's in your hand, your marks and attendance is not in your hands but your CV is in your hands, so you should build your CV slowly and steadily. So I say go out there, go for conferences, go for competitions, now there are so many competitions in India and even with the PACT, so go out there, there are so many competitions, explore, go for internships, read, there is so much of literature out there the more you read the more it will be better for you to network and talk to people like when you meet a senior lawyer and he is talking to you about arbitration or mediation, if you have read something out there which that person has written, it's another article maybe or a case has come up and you can relate to that person, they will remember you, right, and don't be afraid to contradict a senior lawyer but of course rationally and with logic, so that's what they will remember you for, they'll be like that fellow had the courage to say that I was wrong, but it has to be logical, you cannot simply come with nonsensical arguments, you have to be right. So I would say if you want to pursue ADR, this is what you have to do, you have to build your CV, you have to create your own opportunities, it's tuff now but that's the way forward.

How was your experience in Indore Institute of Law, and what advice would you like to give students?

Well it's a young institute I have just landed this morning so I haven't really interacted with many people but those who I have interacted with, I think you guys are very hospitable very warm, I am not saying this because I am here to do PR for you but I believe what I have experienced here in the last 3-4 hours, I think everyone has really worked hard on this for the last 2 months and you guys have kept it very professionally and the person who is comparing, or the person comparing the room or the person clicking pictures, simple-simple things like giving memento, I am sure there were teachers who were giving you training to do what, taking away the memento, taking away the flowers, these simple things can be messed up and you guys did it perfectly, whatever you have done, you have done seriously, keep that up. You guys are in good place.

Thank you for your time sir, I hope that every student who will read this interview or watch this interview will surely be enlightened by your words.

And I hope to come back and do a lot more work at IIL, we are working together to build a collaboration with your institute, so if you do not see me back, in two months from now and if you are reading this article then you should knock on your chairperson's door and ask him to call us.

A SPECTRUM OF KNOWLEDGE- “A WEBINAR SERIES BY INDUSTRY EXPERTS”

E- Learning can cover up to 5X the material of instructor led training in the same amount of time. Time in Lockdown when the whole world was signed with Coronavirus, Indore Institute of law along with its management, staff and diligent group organized Online Lawyers Conclave Series and business case study workshops for the betterment and proliferation of the students.

Very first of the webinars was marked with the prestigious presence of Mr. Jayant Bhatt, it was dated on 18th April 2020 at 4: 00 pm on the topic “Career avenues for law graduates”. Mr. Jayant Bhatt is a highly experienced law- expert, he holds dual LL.M. from the New York University, USA and NUS, Singapore. He is also a member of

International Bar Association and an Advocate in the Supreme Court of India & Delhi High Court as well as he is an Education Board Member, Global Legal Course at Indore Institute of Law.

The second webinar was conducted on 23rd April 2020 at 4: 00 pm, in the presence of tactical expert Ms. Ashima Mandla. She is an Independent Practitioner, primarily practicing at the Supreme Court of India and High Court of Delhi, she is a highly successful and passionate lawyer with tremendous experience in multiple legal areas.

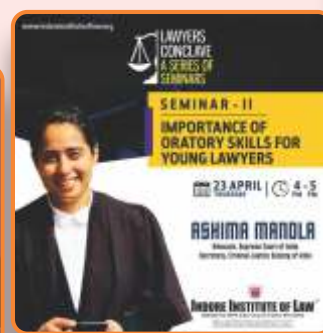
The third webinar of the lawyers conclave series was conducted on 25th April at 4:00 pm. by Mr. Malcolm Dowden, an Oxford University graduate and UK based commercial and regulatory lawyer with more than 25 years' experience

of advising in international business and governments took the session in which he guided about “How will technology affect the future of legal practice”. Mr. Malcom has also been a part of highly successful legal seminars and workshops internationally and is also an Education Board member, Global Legal course at Indore Institute of Law.

The fourth and last webinar in the month of April was marked with the presence of Mr. Sumeet Malik on the topic of “Legal Research and Publication; training session for Law students”. Mr. Malik has graduated from India's oldest National Law University, NLSIU Bangalore and then, he pursued his LL.M in Intellectual Property from Franklin Pierce, United States. He has established his own mark among

India's legal Fraternity. He holds credit as the author of four well-acclaimed books namely, “Law Lexicon with Legal Maxims”, “Intellectual Property Manual and “Environmental Law”, etc. He is also a member of the advisory board of B.B.A.LL.B. (Hons)- Global & Transnational studies of Indore Institute of Law.

Indore Institute of Law also organised various case study workshops and a digital marketing certification course for the students by prominent industry experts. The first in the series was addressed by Dr. Sonal Sisodiya, Principal, Daly College of Business Management, Indore and the next by Dr. Geetanjali Chandra, Dean, Amity Law School, Dubai.



CURRENT AFFAIRS APRIL 2020

- The Government of India has reviewed the extant Foreign Direct Investment (FDI) policy.
 - Reserve Bank of India has announced a set of measures to mitigate the effect of COVID-19. RBI has kept in view the following objectives in order to mitigate the impact of COVID-19 on Indian economy:
 - To maintain adequate liquidity in the system and its constituents in the face of Covid-19 related dislocations.
 - To facilitate & incentivize bank credit flows.
 - To ease the financial stress.
 - To enable the formal functioning of markets.
 - The Asian Development Bank has released its annual economic publication “Asian Development Outlook 2020”.
 - PM, President and MPs Salary Cut by 30%, MPLAD funds suspended for 2 years.
 - Jeff Bezos tops Forbes billionaires list “The Richest in 2020”.
 - Government of India (GoI) has announced to allocate Rs. 15000 crores for 'India COVID-19 Emergency Response and Health System Preparedness Package'.
 - Operation SHIELD' launched in Delhi
 - S stands for: Sealing of area
 - H stands for: Home quarantine
 - I stands for: Isolation of infected patients
 - E stands for: Essential services ensured
 - L stands for: Local sanitisation
 - D stands for: Door to door survey
- The Delhi government has made it mandatory for the people of Delhi to wear masks while stepping out of their houses.
- Cabinet Approves Ordinance To Amend Epidemic Diseases Act, 1897.
 - The Confederation of Indian Industry (CII) has recently released a paper titled “A plan for economic recovery”.
 - India Ranks 53rd in Open Budget Index 2019.

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