

FUNDAMENTAL RIGHTS IN TIME OF COVID-19 CRISIS

The COVID-19 pandemic had affected wide range of fundamental rights, a key pillar of the rule of law. Who would have ever thought that a virus from Wuhan would be a killer of fundamental right of people in India and across the globe? People say that COVID-19 has symptoms of cough, fever, cold, sour throat. However, it comes with symptoms like unemployment, restriction on freedom, depression, recession and many more. We came across such symptoms as soon as nationwide lock-down had been implemented in India. The main reason for the majority of these problems is that neither current government nor any previous government took the matter of health seriously. Lack of infrastructure caused lives of thousands of people. Further, present government tried their best to tackle the socio, political and economical impact of COVID-19, but it was on majority of extend was failure. This is because government could have took such preventive steps a bit earlier which could have had given more fruitful results of suffering the people of this nation had gone through this time. In India we had seen in past few months intense which shows that fundamental rights which are assured to us by very

constitution of India was the victim of this. During COVID-19, hospitals especially private had hiked their medical charges like COVID-19

poverty or only earn to subsist their daily life through unorganized sector. They don't have saving to survive for 4-5 months without any employment.



treatment is only meant for the rich people of this country. Because I am very much sure that I person earning 150 rupee a day won't be able pay 4000 rupee for COVID-19 testing, more to speak about lakhs of medical bill. Majority of India population fall under

People say that they can earn their livelihood via new home based working environment. But, there are instances of people selling their buffalos to buy a mobile so that their children can attend online classes. Thus, in equality and lack of livelihood or life killed by

COVID-19 for sure.

There was seen significant hike in cases of domestic violence and suicide during this period. Study shows that if people were not let out then health of women in family would be worst hit by lockdown than COVID-19. Furthermore, the event which every news channel covered until shushant singh rajput died was issue of migrant workers. As I have already mentioned that in india majority of people are under poverty. Thus, they migrate in big industrial cities for employment. This workers had been affected severely due to COVID-19. Their freedom of movement, incapacity to help their dependents and lack of shelter left them under the hands of government who were themselves struggling.

Therefore, it is well said precaution is better than cure. So, what can our government and judiciary achieved. If they do it to improve future it would be wonders to fundamental rights.



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ANALYSIS OF CIRCUMSTANCES PREVAILING IN INDIA DURING OUTBREAK OF COVID-19 WITH RESPECT TO ABROGATION OF FUNDAMENTAL RIGHTS

There are six fundamental rights provided by the Constitution of India which are mentioned from article 12 to article 35 but during the Covid-19 Pandemic some of these rights were abrogated and the Judiciary took some steps to save those rights of the people. Fundamental rights are also known as Magna Carta of the constitution because these are the basic legal services which are provided to every citizen and they are entitled to enjoy them to the best of their capabilities each day. The rights are given to each and every person equally by the constitution of India. The Supreme Court plays a vital role in saving the fundamental rights of the people.

During covid-19 pandemic people were beaten by many police officers which is illegal, although the police officers were beating them for others and also their welfare but it's wrong they should have been prohibited or stopped from doing anything that is wrong. People also faced so many financial issues because of which they had to travel from one state to another where they came across difficulties like, they were quarantined as lack of medical facilities or they were prohibited from entering into their area by officers or people of that area. There are some benefits also the people got due to the abrogation that was the disease didn't spread much. The health facilities by the government weren't provided properly but because of the awareness that is provided by government the people saved themselves.

The media played a very vital role in saving the rights of the people by showing some of the brutal beating's which had done by the police officers, also the media informed about the health facilities for which the government was lacking and due to which many times the government took action against them and in this way media helped in

saving some of the right's of the people. The right's of the people are also saved by supreme court of India by giving guidelines and giving free test service to all but afterwards those free services were provided to the needy people or the poor people which again was the very important step taken by the judiciary. Also judiciary gave it's decision's during this pandemic situation and also gave relief to the people whose cases are pending and who are not declared guilty.

The conclusion of the whole article is that, that the right's were abrogated for the safety of the people but sometimes the police behaved brutally which was stopped by judiciary by their guidelines and



also media played a vital role in showing those brutal beating's by the officer's thus every person wasn't treated equally during lockdown because of the lack of information or order's which are not given to the saviours also the people didn't had food to eat but later it was provided by government thus for sometimes the right's from people were taken and for sometimes the people are given their right's by the observation from the governmental institutions.



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FUNDAMENTAL RIGHTS AND COVID-19 CRISIS

Many instances in recent months raised the question that the fundamental rights which are given to us are in doubt and whether Supreme Court can actually protect our rights or not? Many organizations like the EIU's democracy index shows fall of Indian democracy to the 51st position in the world. The primary cause of democratic regression is erosion of civil liberties in the country, the main reason for this is the Citizenship Amendment Act which in view of some politicians was necessary for the nation but the question is whether what they are saying is true and to what extent? Another question that comes to one's mind is that is it even relevant to talk about it? Well the answer is "yes" because these are the basic rights of us and they should be protected.

Due to the Covid-19 Pandemic, the migrants were the most affected class of people than anyone else in the country. There is a provision in our constitution that the fundamental rights can't be repealed except in cases of emergencies so what I think is that abrogation of fundamental rights took place for the migrants who faced all the problems during the outbreak of covid-19. Their right to speech, right to live, right to profession were affected.

But we cannot say that the government and Supreme Court didn't take any actions for the same. Two Public Interest Litigations were filed and heard by the Supreme Court in March 2020 seeking basic amenities for the migrant workers. The CJI and Justice Nageshwara Rao on the other hand gave a judgement in which they said that people who come under the AAYUSH scheme can avail the free test for it.



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Industrial Marketing & Management during the Covid Crisis

The financial effect of the lock down and social removing strategy of the legislature has been destroying businesses. Organizations put resources into and uphold the neighborhood networks, and the nearby networks secured organizations furthermore, dedicated public assets. The administrative suggestion is particularly basic in worldwide emergencies, for example, the Corona virus pandemic. The key ramifications are that business to business connection between the organization and the entirety of its partners brings about cost end or cost decrease for the organization. This is particularly the situation when the organization is an enormous multidivisional aggregate with huge overheads. It likewise implies that a success win between the organization and each of its partners must exist for the relationship to proceed.

During the Covid emergency we have seen the utilization of innovation, for example, using online apps for consultation between the specialist and

the patient. The specialist or the medical services supplier can see a lot more patients by telehealth and the patients don't have the expense of voyaging and



holding up at the facility. Covid is an incredible reminder. It has plainly exhibited how delicate business is. It has made disturbance a fortunate chain between local and global clients, particularly regarding food and vitality. It is difficult to envision how business could run today without advanced tools like Online business, and Zoom

gatherings.

Corona virus has additionally called attention to the reliance between the government, the business, and the

nearby network. The latest models in mechanical business sectors are General Electric, Bright, along with few steel goliaths, for example, Bethlehem Steel. Ongoing megamergers of DuPont and Dow Synthetic concoctions or Monsanto and Bayer are acceptable markers of the battle organizations are encountering to convey investor esteem

because of globalization of rivalry particularly from the developing business sectors like China and India.

Worldwide pandemic like the Corona virus drive great organizations into the discard on the grounds that they are reluctant to change and adjust. The monetary emergency produced by the lockdown and social separating commands to battle the Covid has been a decent reminder for organizations when all is said and done in modern organizations specifically. The most ideal approach to endure is to gain from an earlier time where business was more across manufacturing plant towns in the U.S. and in other industrialized countries. The multigenerational relationship with the network, providers, and representatives regularly spared the organization.



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“ANALYSING DATA PROTECTION BILL, 2019 FROM THE MIRROR OF PRIVACY”

The danger to privacy in an age of information originates not only from the State but from non-State actors as well. The Data Protection Bill is a revolutionary legislation that promises to return power and control to people in our digital society. Pending deliberation before a Joint Parliamentary Committee, it is intimately connected to the very same constitutional principles that are being defended today on the streets. It is a legislation meant to safeguard the constitutional guarantees of privacy for Indian citizens and provide a just and equitable vision for the future of India's digital economy.

The Bill is designed to fall between the laissez faire approach of US and the much stricter regimen of GDPR in of the EU, striking a balance between the imperatives of privacy and security. It includes provisions for novel concept such as, the right to be forgotten.

But it also comes as a disappointment if read after the Supreme Court judgment on the Right to Privacy. It serves a political economy, which at first blush appears attractive in its promise of taking us away from the dull maxims of constitutionalism and delivering us a digital utopia. That idea of privacy is certainly not reflected in the Bill in its current form. The bill requires the forced transfer of non-personal data to the government, which is a serious threat to privacy.

What we witness is a lack of convergence between the position of personal data being considered a matter of right under the draft law 2018 and the Puttaswamy judgment on right to privacy in 2017, and that of data as an economic asset to be exploited for national gains. A middle way of these two contrasting positions is essential for a regulation of personal data processing. Section 35 allows the government to exempt any agency from

the applicability of the act in the name of national security. That primarily allows blanket surveillance opportunity to any agency as may be prescribed by the government. It effectively enhances existing surveillance powers of the government and gives the State over arching power to access personal data. Even the Srikrishna Committee Report recognised that unfettered access to the State of personal data, without adherence to established safeguards is potentially unconstitutional. The penalties under law should be revisited as the draft Bill provides for fines of up to 4 per cent of global revenues of a business, which will affect newer businesses disproportionately.

As there is no comprehensive legislation on privacy in India; it has been left to the



judiciary to interpret privacy. A fair law guaranteeing privacy is therefore a need of the hour. Data of Information Privacy is a serious issue in the present social scenario. The drafted Personal Data Protection Bill, 2019, is indeed a contemporary legislative initiative, but it should be passed as an Act in order to control unending privacy threats as happened in recent Whatsapp update and data sharing with Facebook case.



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MANAGING BUSINESSES IN NEW NORMAL

As the world adjusts to its new normal, business leaders need to rethink strategies to drive pliability and emerge from this pandemic stronger. Companies and governments across the world are in lockdown to help prevent the spread of the Covid-19 pandemic. India's economy was already in the move of a slowdown when the virus hit. The disruption to normal business activities and supply lines is likely to have long-lasting



repercussions, and the situation might get worse as India tussles with low demand, shortages of raw material and drying up capital. In this scenario, companies will need to operate differently to effectively manage the unprecedented crisis.

1. Manage what you can control – Given the uncertainty, the sole logical course of action is to focus attention on what's in our control. Firms will answer the crisis in the following ways:

- Resetting business plans, as well as growth, earnings and pay assumptions
- Deep specialise in client holding, as well as quality of product or services, and ethics
- Preserving capital, ensuring spend is only on necessary things
- Ensuring positive cash flows, which could involve trading off margin for credit

2. Altering to a new way of working – Where all business activities that need physical interaction have suffered, the pandemic has given opportunities for the contactless world of digital business. Many workplaces are transferring to remote technologies amid pandemic. However, these technologies are around for a while, and therefore the key challenge remains to form this kind of operating more practical and sustainable so we don't need to tend towards 'old way' once we emerge from this debacle. This cultural modification would be driven by respecting every other's time, being terribly clear in communication.

3. Looking for new business opportunities – In periods of moderate and high growth, companies don't typically focus on areas where the 'effort to growth' is not attractive. In the current economic scenario, firms are more open to exploring these net new revenue opportunities. To drive growth, firms would possibly have to be compelled to develop alternate channels to faucet marginal opportunities amid the uncertainty the pandemic has caused. Firms should use market skimming technique and grab the opportunities.

What is clear is that the pandemic is transforming our social and economic lives, paving the way for a new normal. Pandemic has demonstrated the importance of digital collaboration in a period of global self-isolation.



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International Law Fest – LEX Bonanza 2K20 Chapter IX December 18 – 20, 2020

Indore Institute of Law organized its flagship event International Law Fest “LEX Bonanza 2K20, Chapter IX from December 18 to 20, 2020. The law fest was conducted online via Microsoft Teams Application due to the prevailing pandemic. The event saw a total of 165 teams comprising of 450 participants competing in the nine events for the honors. The event witnessed 7 international teams participating from Australia, Britain, Canada, Nigeria, Pakistan, Italy and Uganda along with 17 Nationals and various prestigious law colleges across the country.

Day 1 witnessed International Paper Presentation Competition where participants presented papers prepared by them followed by a question answer round. Depending upon the judges evaluation winners were identified.

Researchers test for Moot Court competition was conducted online along with exchange of memorials. Adjudicators test for was also conducted to select adjudicators to the judge teams in International Parliamentary Debate Competition. Screening round of International Law Quiz Competition also took place which witnessed the successful teams moving to final round.

International Judgment Writing Competition conducted and concluded on first day had 14 participants showcasing their judgment writing skills.

International Street Play Competition

based on the theme “Social Media Influencer” & “Media Trials” was the major attraction of the first day. SRM Chennai emerged as the winners of the event.

Day 2 witnessed the grand Inaugural Ceremony bestowed by **Senior Advocate Salman Khurshid, Advocate, Supreme Court of India and former cabinet minister, External Affairs.** The event also had gracious presence of Mr. Kanti Lal Bam, Chairman, ICON Education Society, Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law, Mr. Gaurav Basant Jain, Executive Director, Indore Institute of Law, Dr. Manpreet Kaur Rajpal, Director & Dean, Academics, Dr. Vinod Patidar, Principal, Indore Institute of Law along with dignitaries from Idyllic Institute of Management and Indore Nursing College. Adv. Salman Khurshid appreciated the organizing committee for online conduction of the event and conveyed his best wishes to all the participating teams.

First & Second preliminary round of International Moot Court Competition were conducted and which saw four top teams moving to the semi finals which was held on the same day. Similarly, the first and second preliminary round of International Debate Competition witnessed a very high level of intellect qualifying for the semi finals which were held in the later part of the day. The day also hosted the prelims first and

second for International Client Counseling Competition where the participants showcased a wonderful display of their counseling skills. Semifinals for the top 4 teams were held on the same day.

Day 3 of the mega event began with International Debate and Extempore Competition in which a total of 50 (25 teams For & and Against) & 21 participants participated respectively. In Debate Competition Indore Institute of Law & NMIMS, Indore were winner and runner up For the Motion respectively while HPNLU and SOEL, TNDALU were winner and runner up Against the Motion. The Extempore competition witnessed Bennet University and Punjab University sharing the first prize while runner up was Saveetha, School of Law, Chennai.

The International Law Quiz was won by School of Law, Christ University, Bangalore while NLSIU Bangalore was runner up. The Final round of the International Moot Court Competition was fought intensely and was won by HPNLU, Shimla while Alliance University Bangalore and School of Excellence in Law, Chennai were first and second runner up respectively. HPNLU, Shimla was awarded as Best Speaker and NLU, Nagpur received the Best Memorial award.

The International Parliamentary Debate Competition was won by RMNLU,

Lucknow while CNLU, Patna came a close Runner Up. The award for best speaker was secured by Indore Institute of Law. The International Client Counseling Competition was won by NMIMS Mumbai while MNLU, Mumbai was runner up. The Best Advocate Award was won by UILS, Punjab.

The three day long mega event **The International Law Fest “LEX Bonanza 2K20”** concluded with a magnificent Valedictory Ceremony which witnessed **Hon'able Justice Ashutosh J. Shastri**, as the Chief Guest. The Ceremony was also graced by Mr. Kantilal Bam, Chairman Icon Education Society, Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law, Mr. Gaurav Basant Jain, Executive Director, Indore Institute of Law, Dr. Geetanjali Chandra, Director Global Relations, Dr. Manpreet Kaur Rajpal, Director & Dean, Academics, Dr. Vinod Patidar, Principal, Indore Institute of Law along with Dignitaries from Idyllic Institute of Management and Indore Nursing College.

The Chief Guest Hon'ble Justice Ashutosh J. Shastri praised the institute and the organizing committee for their efforts in organizing the event online during the days of the pandemic He also praised the all the participants for their zeal and spirit of competition. The winners were given e-Certificates along with cash prizes.



Mr. Kantilal Bam, Chairman, ICON Education Society, Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law & Mr. Gaurav Basant Jain, Executive Director, Indore Institute of Law @the Inaugural Ceremony of LEX Bonanza 2K20 Chapter IX



Chief Guest, Mr. Salman Khurshid, Former Minister of External Affairs & Sr. Advocate, Supreme Court of India, addressing the gathering @the Inaugural Ceremony of LEX Bonanza 2K20 Chapter IX



Chief Guest, Justice A. J. Shastri, Judge, Gujrat High Court, addressing the gathering @the Valedictory Ceremony of LEX Bonanza 2K20 Chapter IX

CURRENT AFFAIRS DECEMBER 2020

- The Union Minister of Agriculture and Farmers' Welfare, Narendra Singh Tomar virtually inaugurated Honey Farmer Producer Organisation (FPO) Programme in five states, for producing honey. The Honey FPO Programme aims to address the issues faced by the beekeeping industry and also promote honey production in the country. This will also help in achieving the goal of increasing farmer's income.
- The six-member Monetary Policy Committee of the Reserve Bank of India (RBI), headed by Governor Shaktikanta Das, has decided to maintain the status quo on policy rate amid sticky rate of inflation. At this point, the repo rate or the rate at which RBI lends to banks stands unchanged at 4 per cent. The reverse repo rate also stayed unchanged at 3.35 per cent. The MPC committee members voted unanimously in favour of the decision.
- NITI Aayog has released a white paper titled 'Vision 2035: Public Health Surveillance in India' on 14 December 2020. The 'Vision 2035: Public Health Surveillance in India' is a continuation of the work on Health Systems

Strengthening. The building blocks for this vision are an interdependent federated system of governance between the Centre and states.

- Bangladesh has signed its first Preferential Trade Agreement (PTA) with Bhutan, which will allow duty-free access to a range of goods between the two countries and hence boost bilateral trade between them. Under the PTA, 100 Bangladeshi products will get duty free access to Bhutan, while 34 items from Bhutan will get duty free access into Bangladesh. Further items can be added in the list later on the basis of discussion between the two countries.
- Prime Minister Narendra Modi has delivered the inaugural address at FICCI's 93rd Annual General Meeting (AGM) and Annual Convention via video conferencing. Federation of Indian Chambers of Commerce and Industry (FICCI) has organised the convention from December 11 to 14, 2020. The theme for the FICCI 93rd AGM is 'Inspired India'. The Prime Minister also inaugurated the virtual FICCI Annual Expo 2020



B'day Celebration of Mr. Akshay Kanti Bam

Chairman, Indore Institute of Law

Indore Institute of Law under the aegis of ICON Education Society organized a B'day Bash to celebrate B'day of Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law, Indore. The celebration was organized in the picturesque garden at Indore Institute of Law Campus.

The celebration began with grand welcome of Mr. Akshay Kanti Bam by a Band welcoming him. The flower petals were showered using a drone which added to the welcome. Mr. Akshay Bam then proceeded to the three colleges Indore Institute of Law, Idyllic Institute of Management & Indore Nursing College respectively where he unveiled picture walls to mark the occasion.

After unveiling of picture walls the dignitaries moved to the garden area where the party was hosted. A short video comprising of wishes bestowed upon by family members, friends and well wishers was displayed. The cake cutting ceremony was conducted which was followed by High Tea for all the dignitaries, guests and staff members.

All the Faculty members from Indore Institute of Law, Idyllic Institute of Management and Indore Nursing College enthusiastically celebrated the occasion.



Cake Cutting Ceremony



Mr. Akshay Kanti Bam unveiling the wall portrait at Indore Nursing College



Unveiling the picture gallery at Idyllic Institute of Management



Mr. Akshay Kanti Bam, Chairman, Indore Institute of Law's Welcome at the Venue.



Unveiling of Photo Gallery, Outside Faculty Staff Room, Indore Institute of Law Building - Remembrance of days gone by.



Mr. Kantilal Bam, Chairman, ICON Education Society with family and relatives at the B'day Bash.



Mr. Kantilal Bam, Chairman, ICON Education Society with family and relatives at the B'day Bash.

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Icon Education Society (I.E.S), as a first step to achieve its objectives, decided to set up an exclusive and independent college to provide specialized, high quality Law education for professionals, coupled with all basic infrastructure facilities. Indore Institute of Law is the first independent & exclusive College of Law in Indore, Affiliated to the Bar Council of India & Devi Ahilya Vishwavidyalaya (DAVV), Indore. The Study/ Course/ Admission/ Examination and Degree shall be strictly in terms of regulations of DAVV, Indore. Indore Institute of Law is only Private College in Madhya Pradesh where all the law courses are under one roof.