

IMPACT OF COVID 19 FROM LEGAL PERSPECTIVE

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Abstract:

The human race is facing a serious problem of fighting with an invisible enemy that is COVID 19 or corona virus. The virus has been originated from Wuhan, a city in China and spread in many countries throughout the world. The impact of corona virus is huge on domestic as well as international markets. The situation created by COVID 19 is often compared to the impact of 'World War III'. The researcher is not going into intricacies of the causes, symptoms, vaccines, cures and medical terminology of corona virus. In this paper, the researcher will cover the precautions to be taken before, during and after the person is infected with virus. The impact of the COVID 19 can be analyzed by many different perspectives such as social, economic, legal and business. Due to the vastness of the Indian legal system, it is difficult to cover all the laws. So researcher has covered the implications of COVID 19 on Contract Act, Companies Law, Labor Laws and human rights in general. The suggestions are in the form of amendments and passing of new laws. The measures taken by the Government to reduce the effects of COVID 19 for the betterment of the society are also covered at length. The lacunas in the existing laws are also pointed out with the hope for better future of our country.

Keywords:

Covid 19, Contract, Labor, Companies, Act, Human Rights, Law, Legal System, Corona, Force majeure, Merger

Introduction:

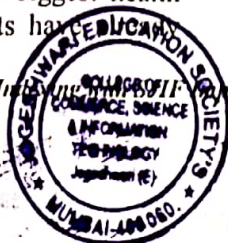
The world has witnessed several epidemics such as the Spanish Flu of 1918, outbreak of HIV/AIDS, SARS (Severe Acute Respiratory Syndrome), MERS (Middle East Respiratory Syndrome) and Ebola. In the past, India has dealt with diseases such as the small pox, plague and polio. All of these individually have been pretty severe episodes. However the Covid-19 which originated in China in December 2019 and over the next few months rapidly spread to almost all countries of the world can potentially turn out to be the biggest health crisis in our history. Many experts have

called this a Black Swan event for the global economy. The COVID 19 is an infectious disease caused by a newly discovered corona virus. The COVID 19 virus spreads through droplets of saliva or discharge from the nose of an infected person. Most of the infected people experience the mild to moderate respiratory illness and they recover without requiring special treatment. But older people or people with low immunity system or underlying cardiovascular and respiratory diseases require special treatment for the same. India recorded the first case of the disease on January 30, 2020. Since then the cases have increased steadily and significantly. At the time of writing of this paper (May 15th, 2020) India has recorded the confirmed cases of 94,897 with 34,109 recovered and 2975 deaths United States (3,95,030), Spain (1,46,690), Italy (1,39,422), Germany (1,08,202), France (81,095), Iran (66,220) and the United Kingdom (60,737) among others. Globally there have been 1.5 million confirmed cases and close to 90,000 deaths (World Health Organization).

So it is necessary to take precautions as any time 'Precaution is better than cure'. There are certain measures suggested are social distancing, to cover our face with mask, to cover our face with elbow while sneezing, use sanitizers or soaps regularly, sanitize the premises and follow the hygiene conditions. The most important measure taken by the Government is lock-down which has been imposed in three phases since 24th March and extended till 31st May in certain States marked in Red Zone like Maharashtra, Gujarat and Tamil Nadu. While taking the precautionary measures there are serious implications on the basic human rights such as freedom of movement, right to life, right to livelihood, right to equality and many other restrictions. In this paper the researcher will elaborate the effects of the lock-down on commercial contracts, labor laws and company laws.

Objectives:

1. To evaluate the measures undertaken by the Government from the perspective of established laws.



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