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## HUMAN RIGHTS AMID COVID-19 AND ITS EFFECT ON THE INDIAN ECONOMY

Vaijayanti Banerjee \* and Nimisha Sharma \*\*

### ABSTRACT

*Human Rights is a concept derived out of law initially to protect people with their property but eventually protecting all men and women. With the help of such rights, one can be ensured that under no circumstances a human being expected will be treated without dignity or unprotected from their natural rights. Any situation where a person's dignity is questioned is a violation of their Human Rights. Any such violation is the beginning of the struggle for justice. Under no circumstances it is justified to deprive a person of their Human Rights in the ordinary course of events of life. The point where normalcy reaches a point beyond restraint is when it becomes a crisis. Any kind of crisis that harms the basic rights of a human becomes a human crisis which directly questions the state of affairs causing the harm.*

*Through this paper, the authors shall examine what exactly is meant by Human Rights, Human Crisis and whether or not it is realistic to hold a single country responsible for such a crisis or are all to be blamed equally.*

*The purpose of this paper is to bridge the gap of clarity and awareness regarding Human Crisis and the way Human Rights are dealt with during a time of crisis keeping in mind the economic conditions of the country and the policies to protect the interests of the citizens. Along with this, the political scheme that takes place parallel to such a crisis.*

**Keywords:** *China, covid19, comparative analysis of superpowers, Universal Declaration of Human Rights, education, Right To Education, Right to Food, Financial schemes, USA, Skilled and Unskilled labour.*

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## INTRODUCTION

Human Rights are the rights created by humans for humans in fairly recent past and not a concept attached to humans since time immemorial. Under no circumstances is a human being expected to be treated without dignity or unprotected from their natural rights. Any situation where a person's dignity is questioned is a violation of their Human Rights. Any such violation is the beginning against the fight of injustice. Under no circumstances is it justified to deprive a person from their Rights as a human being in the ordinary course of events of life. The point where normalcy reaches its extent is where it is beyond restraint and becomes a crisis. Any kind of crisis that harms the Human Rights becomes a human crisis which directly questions the state of affairs causing the harm.

If we talk about Human Crisis in the Indian context then we have multiple examples that have taken place. For instance, the Kashmiri Pandits, being denied their Human Rights through lack of justice for the past abuses. "The Office of the United Nations High Commissioner for Human Rights (OHCHR) noted that India's Armed Forces (Jammu and Kashmir) Special Powers Act (AFSPA) "remains a key obstacle to accountability", The Rohingya refugees faced Human a crisis due to the absence of any legal provision on refugees in India. And in Assam, the NRC controversy has been extremely traumatic and chaotic causing massive Human Rights violation.

However, these incidents do not affect the entire country directly but only a part of it, making it a delayed process to resolve issues have arisen due to Human Rights violations. Alternatively, what if Human Crisis hits not just a country but the entire world?

Three major aspects are discussed in the paper; the first being, Human Rights, and how we are supposed to protect them; second, aspect of the paper helps in painting a picture on how important it is to remember our Human Rights during Human Crisis, especially a crisis having a global effect and in the third and final aspect we will discuss how and to what extent China is involved in the spread of the current pandemic, i.e., Covid-19 and where it stands concerning Human Rights and the Economic Policies.

The crisis at hand is not just going to affect one sector of a country, instead will become a reason for the revolution in every sector; from legal to travel. Everyone around the globe will find an alternative way to survive. This will make everyone more cautious and thoughtful towards others as well. And with the help of this paper, we will be able to infer, the gravity of Human Crisis and that the Human Rights must be given utmost importance in understanding

that there is no relevance of anything else if there's no humanity left. When we talk about Human Rights, we mean a life of dignity. The term Human Rights means a right that is attained by every individual for as long as they are alive. From birth to death there should be no scope for any individual's human rights being violated. However, there are Human Rights violations taking place almost every day in every part of the world. And to understand the causes of the violations let us first look at the origin of the word.

Originating as a result of the Second World War it led to the evolution of the term, from municipal to international level with education playing a major role and institutions being established and guaranteeing equality along with peace and prosperity. The basic concept of human rights includes the concept of being free. Free from all the things that define you. One's gender, caste, religion, background or race should not act as a factor for facing any kind of human rights violation. The basic link of Human Rights is to live a life with dignity. And to understand what life with dignity is, we need to ensure that every human being is protected from any kind of physical and mental abuse.

Human rights are directly linked with education as every educated person is bound to be aware of their surroundings. To ensure the same every major human right treaty including the Universal Declaration of Human Rights since 1948 has adopted a politically and morally binding aspect of Right to Education in Article 26. Despite this, now, more than 100 million children are not attending school and the world continues to face the greatest challenge.

The recognition of Right to Education under "Articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights, has been classified as an economic right, a social right and a cultural right. It is, in many ways, a civil right and a political right, since it realizes all these rights fully and effectively resulting in interdependence and indivisibility of Human Rights on Right to Education."<sup>1</sup>

This shows that Human Rights are finally in our control. We need to ensure that these rights are not violated at the initial stage by ensuring education to all and making the children aware of the surroundings by providing them with education which will promote a sense of generosity, empathy and confidence.

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<sup>1</sup> INTERNATIONAL COVENANT ON ECONOMIC SOCIAL AND CULTURAL RIGHTS, ohchr.org, <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>, (last visited Sept 15, 2020).

## PROTECTION OF HUMAN RIGHTS DURING A HUMAN CRISIS

### 1.1 United Nation's take on the Human Crisis

As the United Nation (U.N) Secretary-General, on 23rd April 2020, in a video message made it clear when he stated that Human Rights during a Human Crisis is of the utmost importance by quoting, "The message is clear: People — and their rights — must be front and center," which makes it evident that all that matters is fighting and coming above this crisis and pointing fingers to blame a specific sect on any basis. No kind of discrimination should be subjected against any person or country while working against the virus as mentioned by Antonio Guterres.

"Against the background of rising ethno nationalism populism, authoritarianism and pushback against human rights in some countries, the crisis can provide a pretext to adopt repressive measures for purposes unrelated to the pandemic," which meant that even though the origin country for the virus can be China but that doesn't give anyone a right to act in a discriminative manner against a person of a specific race or ethnicity.

Guterres addressed the following points in the video where he spoke about the pandemic being a Human Crisis:

1. Tackling the health emergency.

Even countries with the best medical facilities are left helpless even with the best equipment due to the large number of patients increasing almost every hour which majorly consists of the people above 60.

2. Focus on social impact and economic response and recovery.

Various social and economic aspects have to be looked into by a country and the states of that country to protect the people from starvation. Especially those below the poverty line is looking for help directly from the government and the people above the poverty line can also step up to help one another.

Countries have already committed to reducing remittance fees to 3 per cent, much below the current average levels. The crisis requires us to go further, getting as close to zero as possible. The various international institutions shall have to come up with new strategies to ensure the normalcy around the globe. It is important to be supportive of each other during this time with the help of the UN and the various response plans in protecting Human Rights.

### 3. Responsibility to "recover better"

With this crisis upon us, it comes as a watershed moment not just for the health department but the entire world's economic situation to be working in support of those in need by investing in public services.

"More than ever before, we need solidarity, hope and the political will to see this crisis through together." Said by Antonio Guterres <sup>2</sup>

#### **1.2 Coronavirus: more of a Human Crisis than a disease**

Human Crisis is an unavoidable situation in which humans tend to be stuck by their actions or by natural disasters and sometimes there comes a crisis which is a mix of both. Moreover, any of these crises can have an impact in a particular area or all over the world. The impact of such crises harms the normal working of the affected area as it becomes difficult to cope with it. Everything comes to a standstill and precautions are taken to ensure the control of the crisis. Such a situation can shutdown schools, colleges, offices, market, etc., in the past we have had such situations but there was lack of awareness back then which also meant no misinformation being spread which is needed at times.

There are certain ways to stop such a crisis. The instant way of acting on it is to aid the cause by reducing human suffering. And eventually, for long term basis, there is a need for systematic changes in the entire state to prevent the same crisis in the future.

Even though such a crisis affects everyone equally, it does have an ill effect on the marginalized much more than what it has on the rich. With the economy at a halt, the poor do not have such savings to protect themselves and their families as well as the rich can.

Especially the poor in urban areas are left homeless and helpless without any work and money to help them sustain such a situation. With overly populated areas and lack of sanitation, they are open to widespread problems and fewer ways to curb such a spread during a crisis.

Every kind of crisis brings something unique to it. One can never be completely prepared to deal with a crisis at hand even though there are various agencies along with UN to help in

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<sup>2</sup> Page-4 para-2, Secretary-General Remarks On Covid-19: A Call For Solidarity, 19 March 2020, [https://www.un.org/sites/un2.un.org/files/sg\\_remarks\\_on\\_covid-19\\_english\\_19\\_march\\_2020.pdf](https://www.un.org/sites/un2.un.org/files/sg_remarks_on_covid-19_english_19_march_2020.pdf) (last visited Oct 26, 2020).

aiding at the time of a crisis; from WHO to IMF and various institutions and companies of a country.

Multiple humanitarian crises are going on in various parts of the world and being dealt with slowly in that area without having an impact in any other part of the world. From climate change to economic instability, from freedom of expression being misused to digital media misuse for hate speech every kind of crisis is being dealt with in every part of the world but quite rarely does it happen that the entire world is shaken without any single ammunition being lifted by one country on another.

This is a rare sight in the history of human existence. Something on these lines has happened in the past but something so impactful and fast-spreading has not been witnessed. Even though every crisis has a unique aspect attached to it they have one common factor to always be kept in mind and i.e., Human Rights. And if we were to talk about the protection of Human Rights during the current crisis in the Indian context, then it is a journey with various obstacles one of such obstacle being lack of food.

### **1.3 Provisions to aid the people of India during a Crisis**

The Indian legal system has taken necessary measures to protect the right to food as a fundamental right regardless of any crisis being the need of the hour, which includes rights to be free from hunger and starvation<sup>3</sup> aligned with India's international obligations. According to the Supreme Court, the right to life (Article 21) is to also include the right to food while interpreting the provision.

In addition, directive principles of state policy indicate under Article 39 that State shall direct its policies by ensuring an adequate means of livelihood to men and women equally and children to be given opportunities and facilities healthily to develop in life with freedom and dignity. While the states' duty in raising the level of nutrition and standard of living of its people under Article 47.<sup>4</sup>

This proves that the Government must put the needs of the disadvantaged section at a priority and provide them with the buffer stock to ensure that they are not left to starve. Not prioritizing

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<sup>3</sup> People's Union for Civil Liberties v. Union of India & Others, 2001, Supreme Court, Writ Petition (civil) 196/2001.

<sup>4</sup> Supreme Court of India, Shantistar Builders v. Narayan Khimalal Totame, (1990) 1 SCC.

the disadvantaged section is a structural flaw of the Government at Central and State level; both.<sup>5</sup> Though, the Constitution of India gives importance to equality in society.

The number of articles in the Constitution promotes the welfare of the poor and those in need of justice and care as mentioned above there is another provision that helps the needy not just at a time of Human Crisis but also during a personal crisis. Article 39A of the Constitution provides free legal aid to the poor and weaker sections of the society to ensure justice for all. The article mandates that there should be no hindrance for anyone to access the justice system for legal remedies irrespective of their economic disability or any other disability.

With various other countries facing Human Rights in their area as well. With Human Crises we cannot even imagine, here we are in a crisis, which has spun the entire world around. That loosely translated means that all the things wrong with the world has been put together in a platter and served as 2020 to us. From knowing what it is like to live a life of refugees, to the shortage of food, to being stuck in one place for the past few months without knowing when all this will come to an end. This is going to be used as an anecdote to the future generations to take things slow and not get caught up with the increasing greed for everything in the world with fast-growing technology all people want to do nowadays is get ahead of one another and outsmart them at the same time. The concept of humanity has lost its meaning on the way to growth for various reasons. But with this pandemic hit upon us, the concept of humanity seems to shine again.

This is not to harp on the fact that humanity was dead, however, it certainly seemed to belong dormant as people have majorly been focused on achieving more and more by leaving behind others. As the pandemic brings the world to a standstill with all crowded places shut people have gotten the opportunity to look above themselves and act in kindness towards others. By adopting a stray, helping neighbours or something as fundamental and global as Unicef's initiative to work against the pandemic and protect the children of the world.

“As the climate crisis, the coronavirus pandemic is a child-rights crisis and it will affect all children, now and in the long-term, but vulnerable groups will be impacted the most. I'm asking

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<sup>5</sup> India on the Brink of Hunger Crisis during COVID-19 Pandemic, Briefing Paper on India's Legal Obligations to Guarantee the Right to Food particularly to People Living in Poverty During COVID-19, ICJ, (28 April 2020), <https://www.icj.org/india-on-the-brink-of-hunger-crisis-during-covid-19-pandemic-warns-icj-briefing-paper/>.

everyone to step up and join me in support of UNICEF's vital work to save children's lives, to protect health and continue education." mentioned by environmental activist, Greta Thunberg<sup>6</sup>

Social security of a country holds utmost importance as it provides with the concept of how the government will protect the society economically through the dynamic financial system of the world. The dynamics of this aspect makes it a risky business and to imagine the kind of plight that it will put everyone belonging to the system is horrifying which directly means the inefficiency on the part of the government on which the people of the society put forward their faith to represent and work for them. This means that the government needs to gear up and stand with its people especially during the time of such a crisis.

According to the reports, there have been several measures taken to maintain the economic system by providing the following measures by the government of India in March 2020:

1. Employment-related measures-

**Food-related-** Pradhan Mantri Garib Kalyan Anna Yojana

- Public healthcare providers including community health workers, who may have to be in direct contact and care of COVID-19 patients and who may be at risk of being impacted by this.
- Various institutions and organisations, private or public have outsourced staff and drafted ways to share responsibilities under the supervision of Central Government to help during the COVID 19.<sup>7</sup>
- 800 million poor people in the country (covering about two-thirds of the population under this scheme) to get 5 kg of rice/wheat per month free of cost, in addition to the 5 kg they already get.

Furthermore, each household to get 1 kg of preferred *dal* for free for the next three months. This distribution will be done through the Public Distribution Scheme (PDS) and can be availed in instalments.

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<sup>6</sup> Greta Thunberg and Human Act join forces with UNICEF to kick-start a campaign to save and protect the most vulnerable children affected by the coronavirus, 29 April 2020.

<sup>7</sup> Pradhan Mantri Garib Kalyan Package: Insurance Scheme for Health Workers Fighting COVID-19 FAQs, 6 June 2020, <https://www.mohfw.gov.in/pdf/FAQPradhanMantriGaribKalyanPackageInsuranceSchemeForHealthWorkersFightingCOVID19.pdf>, (last visited Sept 20, 2020).

**Various schemes-** PM Kisan scheme, MNREGA, Jan Dhan Yojana, Ujwala Scheme, SGHs

- Farmers receive INR 6,000/- every year through the PM-KISAN scheme (minimum income support scheme) in three equal instalments. The government decided to give 2,000 rupees as the first part upfront for the financial year starting from April 2020. Almost ninety million farmers expected to benefit with this scheme.
- With an increase in income of about 2,000/- rupees per worker, MNREGA helped benefit about fifty million families. Where about thirty million senior citizens, widows, disabled to be given 1,000 rupees in two instalments over the 3 months.
- 200 million women were made the Jan Dhan account holder and were given an amount of 500 rupees p/m for the 3 months, to help them run their household.
- Women in families below poverty line were covered under the Ujwala scheme were provided with free LPG cylinders for 3 months.
- The government doubled the collateral free loans for almost 6.5 lacs Self-help Groups (SHGs), which help households.
- Welfare funds were directed to be funded for building and construction workers and those facing economic loss were provided with basic medical health care. This was done under the orders of State governments and the District Mineral Fund.
- Additionally, The Finance Minister announced medical insurance of 50 lacs for healthcare per worker. Through the measure of an insurance scheme benefitting almost two million health services and ancillary workers.

**Organized sector-related – Social security**

- The Employees Provident Fund Organization (EPFO) stated that employees contributing can withdraw some percentage of the amount in the account balance or 3 months' basic salary and certain allowances, whichever is lower.
- Establishments with up to 100 employees with most of them earning fifteen thousand rupees p/m were paid by the government from March 2020 to May 2020. This support was extended for another 3 months from June to August 2020.

- A circular had been issued to levy penal damages on any kind of delay in payment due to the lockdown.
- The Pension Fund Regulatory and Development Authority (PFRDA) allowed partial withdrawals from the National Pension System to ensure financial aid the treatment of the COVID-19 illness of a member of their family. This could be done by providing certain documents as follows:
  - Medical certificate
  - A formal request for restricted withdrawal

### **Immigration**

- Lockdown 1.0 - The entire country was on a lockdown for 21 days, from 25<sup>th</sup> March 2020 to 14<sup>th</sup> April 2020. Where all domestic and international flights had been suspended till further notice to restrict the entry and exit from India limited to prevent the spread of the virus. The Ministry of External Affairs extended the visa of foreign nationals stranded in India during the lockdown without imposing any penalties for overstay.
  - Lockdown 2.0 – The foreign nations could leave India where the country was still under the extended lockdown.
  - Lockdown 3.0 – The lockdown was extended with a few modifications with removal of ban on international air travel of travellers from India by the Indian Government, such modifications were comprehensive on the basis of submission through online application by the non-nationals. The extension was for a month from the date of the lifting of the prohibition on international air travel of passengers from India without imposing any kind of fine.
  - Lockdown 4.0 – The extension was made till the end of May.
  - Lockdown 5.0 – in this phase only the containment zones were held up and prohibited to open for any kind of activities which was allowed in the less containment areas.
  - The process of unlock began.
2. Economic incentive methods-

### **Liquidity**

RBI had declared multiple relief methods during the lockdown. Such measures are as follows:

- Repo rate was reduced by reduction of policy repo rate by certain basic points.
- Auctions for Long Term repo rate were conducted by RBI of up to the three-year tenor of appropriate sizes for an aggregate amount of twenty billion.
- CRR of all banks was reduced across various banking system with the SLR raised.
- LCR for banks reduced in order to safeguard the liquidity to be released.

#### **Regulatory measures**

- Lending institutions allowed to permit cessation of three months on repayment of instalments for term loans outstanding as on March 1, 2020
- Lending institutions allowed to postpone of payment of interest w.r.t all such working capital facilities as of March 1, 2020 for another month.

#### **Real estate sector and EPC/Contractors:**

- Central Agencies (like Railways, Ministry of Road, Transport & Highways, Central Public Works Dept, etc.) allowed to take extensions.
- Extension of partially completed contracts by the government agencies to partially release guarantees.
- Six months extension for all registered real estate plans for registration and completion.

#### **Insolvency and Bankruptcy Code (IBC):**

- The threshold of default under section 4 of the IBC has been increased from INR one lakh to INR one hundred lakhs to prevent triggering of insolvency proceedings against MSMEs.
- Fresh admission of Insolvency cases under IBC, 2016 suspended for 12 months to stop companies at large from being forced into insolvency proceedings in such force majeure causes of default.
- COVID loads not to be considered under default loans.

- New MSME guidelines proposed by the Government.<sup>8</sup>

#### **Export of medical equipment**

- Export of the following items to be prohibited:
  - Surgical masks/disposable masks, textile material for masks and coveralls. All ventilators including any artificial respiratory machine or oxygen therapy device or any breathing machine/device, Sanitizers.
- Restriction on export of Diagnostic gears for diagnosis to be permitted only under a license.

#### **Import of medical equipment**

- Release from custom duty and health cess, till September 2020 of the following items:
  - Artificial respiration or other healing respiration device (ventilators), Face masks and surgical masks, Personal protection equipment (PPE), COVID-19 testing kits
  - Manufacturing of the above mentioned items to be contributed with certain provisions and clauses<sup>9</sup>

#### **Corporate affairs:**

- Ministry of Corporate Affairs (MCA): From April 2020 for the next six months no late fee was charged for filing during cessation period in respect of any document, return, statements, etc.
- Certain defaults under the Companies Act were decriminalised to simplify the mechanism dealing with defaults.
- By lower the penalties for non-payment by small companies, One Person Company, producer companies and start-ups.
- Companies permitted to list securities directly in the foreign jurisdiction

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<sup>8</sup> ANNUAL REPORT, Reserve Bank of India, 25th Aug 2020, <https://www.rbi.org.in/Scripts/AnnualReportPublications.aspx?Id=1286> (last accessed Sept 25, 2020).

<sup>9</sup> Annex, COVID-19 Trade and trade-related measures, (As of 14 April 2020), [https://www.wto.org/english/tratop\\_e/covid19\\_e/covid\\_measures\\_e.pdf](https://www.wto.org/english/tratop_e/covid19_e/covid_measures_e.pdf) (last accessed Sept 25, 2020).

- Private companies who listed as debt securities on the stock exchange not to be regarded as listed companies

Along with social security, employment becomes a key factor to maintain social security.<sup>10</sup> And there has been a mention of was to deal with an organized sector and the necessary measures to be taken with it we have to also keep in mind the plight of the unorganized sector and how the government and the legal system can protect the labourers during a time of crisis. According to the International Labour Organisation; social security is adopted to cover the measures that provide benefit to the labourers in cash or kind to protect their interests. On these lines, India has been creating an environment to ensure the protection of the workers employed in the non-organised sector of the country.

Introduced in 1935 after the great depression, social security as a concept brought about a change in the society and helped in protecting those in need especially during a time of crisis. India being a welfare state has also managed to bring social security as a concept through various schemes which help in ensuring income security, medical security and most importantly; livable working conditions by encouraging the state to raise the nutrition level and standard of living. And even though it is still a struggle to ensure social security for labourers by ensuring various schemes and legislation having been established for the same but it imagines the plight during a pandemic where there is no livable environment for them to get quarantined rather they are left on the streets. And instead of implementing measures for their welfare and well-being most states have rather left the marginalized stranded on the roads. These workers are the ones generating wealth for the country and they have been left stranded which violates their fundamental and statutory rights as the citizens of the country.<sup>11</sup> Even after taking the required measures, India as an economy failed to uplift and help out its migrants set out to fend for themselves during the time of crisis. The government turned a blind eye to the needs of the ones at the lowest level of income strata. That calls out for a structural reform when it comes to the migrants and labourers as they have been left to fend for themselves and their needs have been neglected. The well-structured statutes and provisions are to be implemented and not moulded according to economic benefits by neglecting human rights because only when acted in accordance its relevance will hold any emphasis.

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<sup>10</sup> GOVT. OF INDIA, Ministry of corporate Affairs, General Circular no. 12/2020, [http://www.mca.gov.in/Ministry/pdf/Circular12\\_30032020.pdf](http://www.mca.gov.in/Ministry/pdf/Circular12_30032020.pdf), (last accessed Sept 25, 2020).

<sup>11</sup> Kunal Chatterjee, Social Security during Covid-19, LiveLaw (27 May 2020), <https://www.livelaw.in/columns/social-security-in-india-during-covid-19-157373>.

This paper is not an attempt on pinpointing who failed or how we have failed as the human race. Rather is step ahead to look at the positive approach and find out ways to head to a better tomorrow.

With the kind of extensive labour provisions we, as a country need to be more empathetic when it comes to people of the lower strata and not just treat them as mere opportunity ensure when required and leave them fending for themselves when not required.

Now, let us look at the various ways in which the public policy can improve for the people working from home and the people who are being forced to resign from jobs causing stress to people and casing metal health problems.

A job is likely to be physically and mentally uplifting for one where the stress on the employees is appropriate in relation to their abilities and resources available to them, with regard to the amount of control they have over the work assigned to them, the support they receive from the people who matter to them in making a direct impact on the mental and physical well-being. As health is not simply the absence of a disease or infirmity but a happy state of complete physical, mental and social wellbeing.<sup>12</sup>

As defined by the World Health Organisation, we can say that even during normal routine when people go out for work there is the presence of some amount of stress and to imagine to be confined in one place and being stuck to their devices for all day long to get the work completed is far more challenging and stressful.

Pandemics lead to business disruption. The outbreak of a pandemic caused the closure of schools and workplaces, as well as the shortening of working hours as method of reducing spread of the disease and mitigating its impact. As businesses could not operate at their previous capacity, most of them closed down, which led to a widespread of staff lay-offs and redundancies that substantially decreased the level of employment. This situation has harmed not just the individuals but the country's economic state of affairs more than anything.

Likewise, a study showed, in the case of SARS infection, that income reduction predicted in high level of psychological disorder with odds of various kinds. Additionally, it has been concluded that risk factors of mental and physical health has been hampered due to in adequate insurance and compensation.

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<sup>12</sup> WHO, 1986.

Furthermore, the pandemic has impacted the businesses significantly as fear increased of the feeling of job insecurity in individuals, having a negative influence on the employees and their mental health who are equally impacted through such structural reforms of termination and decline of working hours during COVID-19. The impact of job uncertainty has extensively accepted and interpreted into the literature on mental health in the workplace.<sup>13</sup>

## CHINA AND ITS RELATIONS WITH INDIA: AN ANALYSIS

### 2.1 China and its involvement with the virus or an inevitable occurrence

China has always been in the news for various reasons. Be it for its political aspects or its export or its power and influence over the world. However, with the increasing tension between China and the USA since the outbreak of the pandemic and the involvement of the World Health Organisation to the declaration of the pandemic

China, as the State has weaponized confinement measures to hush and isolate any kind of rebellion in the country. Li Wenliang, the doctor who alerted his colleagues about Covid-19 – and eventually died from it – was censored and then detained for “spreading false rumours” and “severely disturbing the social order.”

And such abuse is not just from the governments either; there is a rise in cases of prejudice, xenophobia, discrimination, violence, and racism against people of East Asian and Southeast Asian descent, appearance and their ethnicity around the world. The massive lockdown around the globe to contain the spread of the disease has also caused people to rethink their marriage due to various reasons. Rise of domestic violence is one of those reasons as a result, causing major sociological changes in society.<sup>14</sup> All these and a lot more are speculations against China being brought by America to prove that China is liable for hitting the world with this impending doom it had prior knowledge of. And there are also other speculations that China did not want to warn people about the virus as there were upcoming elections within the country which could've been hampered had they given the information out as soon as they were informed about the seriousness of the virus.

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<sup>13</sup> COVID-19 and employees' mental health: stressors, moderators and agenda for organizational actions- Salima Hamouche Faculty of Management, Canadian University Dubai, Dubai, United Arab Emirate, Emerald Open Research., Published online 2020 Apr 20. doi: 10.35241/emeraldopenres.13550.1.

<sup>14</sup> ELIZABETH O'CASEY, *The Corona Crisis: Human rights, global solidarity, and critical thinking have never been needed more*, Humanists International, (30 April 2020), <https://humanists.international/blog/the-corona-crisis-human-rights/>.

Either way, they do hold some sort of liability in its spread and harm to humanity. Having said that, we really don't know anything for sure, whether China is to be held solely responsible or not but even so, I believe a global pandemic of this scale was inevitable. And it isn't as if we weren't aware of being warned about the crisis hitting us in the years, numerous health experts have written books, white papers, warnings of such a possibility. Rather, Bill Gates, being one of them to be announcing to anyone who would pay attention, including the 18 million viewers of his TED Talk. The Johns Hopkins Center for Health Security started planning what could be the consequences and results if a new pandemic got into across the globe. And then one did. Hypothetical scenarios became reality. "What if?" becomes "Now what?"<sup>15</sup> Which clearly means even with all kind of warnings being given to us, we, the Human race was on a different race amongst each other forgetting to stop and work together instead of against each other.

In 2015 there was study that focused on the study of genetic material similar to that of the present coronavirus. With studies identifying sequences closely related to the SARS that appeared in China in 2002.<sup>16</sup> Unfortunately, we are susceptible to new zoonotic viruses. "Nobody has seen this virus before. So everyone is susceptible." Dr De Gascun says "The one that spilt over to people did not need to change in any way to infect people," Dr Daszak adds.

The novel coronavirus virus first found in Wuhan with an 80 per cent RNA sequence match with the SARS virus, and a 96 per cent match with some viruses from wild bats. The higher the percentage, the more closely related they are. People do not necessarily have to eat the bats (though bats are eaten). The viruses are in the intestinal tracts of bats and are present in the faeces<sup>17</sup>.

Evidence and study show that with the pandemics in past we were supposed to be prepared for another one hitting us. And even though we are comparatively handling it better than it was handled in the past, then again it's too soon for us to be drawing any kind conclusion right now.

All we can say is that this will bring strain between countries, rather the most powerful countries; China and the USA and give a completely new structure to the whole world.

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<sup>15</sup> Ed Yong , How the Pandemic Will End-The U.S. may end up with the worst COVID-19 outbreak in the industrialized world. This is how it's going to play out, THE ATLANTIC, (MARCH 25, 2020) <https://www.theatlantic.com/health/archive/2020/03/how-will-coronavirus-end/608719/>.

<sup>16</sup> Jayashree Nandi, Scientists predicted bat-hosted coronavirus outbreak, more viral pandemics inevitable, HINDUSTAN TIMES, (March 18, 2020), <https://www.hindustantimes.com/india-news/scientists-predicted-bat-hosted-coronavirus-outbreak-more-viral-pandemics-inevitable/story-yMNwfXvie57pq7NEpTU6RM.html>.

<sup>17</sup> The new normal: 'Future coronavirus outbreaks are inevitable' The big change driving new outbreaks is humans disturbing bats' habitats, THE IRISH TIMES, (Thu, Feb 13, 2020) ,

## 2.1 India-China: Friends or Foes

To establish a relationship between two countries there are multiple factors to be considered which help in making a sound decision of the countries being friends or foes. When we specifically discuss India-China two aspects cross your mind; first being 1962 Indo-China war and “MADE IN CHINA”. Irrespective of the relations between the two countries India has not been able to discontinue the massive trade that takes place even after the 1962 war. Which makes it evident that no matter what treatment is given to India, it will not be able to discontinue the trade as the people of India are so comfortable with the easy access of cheap products while providing a feeling of living larger than life.

China and India fortunately or unfortunately, have always only shared borders but they never shared cultures and ideologies. They live in distinctly different cultures. China’s rural industry is capable of producing goods for all sorts of cultural and commercial markets. Where is the rural industry in India? While announcing his stimulus for post-corona economic activity, the Prime Minister of India talked about establishing cottage industries. But after the treatment that has been given to the unskilled labour as discussed above, how will such labour be given such a huge responsibility of becoming skilled labour and producing goods and commodities to match the level of the global markets. This is while keeping in mind that we drastically lack skilled labourers in numbers.

What our country is not realizing is that China’s school education from 1970 onwards taught theory and practice as a combined curriculum and to its contrary India’s new education policy has come up now with new reinforcements. Mythology being the primary for all these and even now while also focusing on more tedious aspects as modern science but taking students to the countryside to learn and apply their knowledge is not seen as part of the Indian education philosophy and even though we say “it is never too late” but really anticipating the saying now. The Chinese have no such hesitation whatsoever and have benefited as a result. Challenging China means unlearning many things and re-learning many new things which are not seen to be happening immediately.

Conducting a cold war with China with an ideology of ‘Namaste Trump’ might not be the aid India is looking for right now to develop its rural industry. Trump is a businessman with an election at hand. If he gets re-elected and ends up sharing a steak with Xi, not dal-roti with

Narendra Modi<sup>18</sup> that might just require a plan B for the Indian economy and that can only be done when the government takes into consideration the need to protect the people of the country and the economy might just get the help it always needed to get back on track. India needs another engine of growth in such a world. Large-scale manufacturing offers one such opportunity.

China beat India in this game in the pre-covid-19 world. But in a new world where China is distrusted, India can be part of more economic webs and build its strength.<sup>19</sup> And with the world at its turning point, it is to be kept in mind that India also needs to ensure that the policies domestically are strong enough to help the nation on the international level before aiming the global market.

The new world of international economic order will hopefully witness a lesser role of China—both due to the possibility of a debt bubble and due to the unwillingness of other countries to trade. How will India manage to grasp in the global attention on a significant level? With Make in India now returning with Aatma Nirbhar Bharat needs to be implanted in a way that it brings the economy at the least to be stable enough in order to survive in the world. The historical low of the economy is another stepping stone of re-shaping the economic sector globally. To imagine the dynamics of oil in the country or worldwide having ramifications not just towards the oil producing nations like Russia, USA and OPEC but even for oil consuming nations like India and China. With the continued alterations in the prices, it seems to be a chance for revamping not just the crude oil economics but also re-establish positions in the financial market. Only time can tell Russia's gamble to drive down oil prices will hurt Moscow or will it be a death knell for American Energy companies.

As far as India is concerned, the acts like a unique opportunity to pocket billions of dollars into the Indian economy through creation of vast and diverse productive assets belonging to our culture due to savings on our oil bill. How that is done will not just decide our fate, as the citizens of India, but also restructure the world order.<sup>20</sup>

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<sup>18</sup> Shepherd Kancha Ilaiah, Why India Won't Be Able to Compete With China in the Post-COVID-19 World, THE WIRE, (18 May 2020), <https://thewire.in/political-economy/can-india-compete-with-china-in-the-post-covid-19-world>.

<sup>19</sup> Kotasthane Pranay, Kanisetti Anirudh, Manur Anupam And Alladi Akshay, *India's bargaining power with China and US will grow in post-Covid world*, THE PRINT, (14 May 2020), <https://theprint.in/opinion/indias-bargaining-power-with-china-and-us-will-grow-in-post-covid-world/420395/>.

<sup>20</sup> Dwivedi Gaurie, The new economic world order post Covid-19, TSG SUNDAY GURDIAN LIVE, (April 4 2020), <https://www.sundayguardianlive.com/business/new-economic-world-order-post-covid-19>.

## CONCLUSION

Being an optimist, I do believe that there's something good in everything. So what's so good about a viral disease infecting millions by each passing hour? To begin with, everything becoming homemade. As discussed earlier in the paper, the economy is dependent on the unskilled labour and having our imports and exports restricted and the faith reducing in the international organisations; "the near irrelevance of the World Health Organization, which should be central to meeting the threat at hand, speaks volumes to the poor state of global governance".<sup>21</sup> It becomes necessary to uplift the industry workers and recognise their needs to be able to achieve the needs of the country altogether.

It is to be kept in mind that while identifying strategies to prevent the spread of the Human Crisis in the form of the virus to be prepared to expect the unexpected and having measures to prevent the further spread of the same.<sup>22</sup>

Till then we are stuck in a state of apprehension with every step that is taken, and a need to start with a new set of rules layout for us. Which should not be as difficult, as all there needs to be done is to be selfish and stay at home. And for those in need let's step up and forget all the barriers created by us to just help one another with also maintaining the law and order.

As an effective measure against the crisis there is a need to impose certain restrictions on some basic rights. Such as right to move freely and assemble in a public place to name a few and such restrictions have been acknowledged by international human rights law as well because without the restrictions under reasonable measures in accordance to the legal provisions with backed up scientific evidence for the same without which the threat to human life only seems to increase.

Finally, the governments must keep the public informed about the actual scenario and ensure there are necessary steps taken to provide testing kit, treatment and care for all those hit by the pandemic.<sup>23</sup>

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<sup>21</sup> Richard Haass, The Pandemic Will Accelerate History Rather Than Reshape It, Not Every Crisis Is a Turning Point, FOREIGN AFFAIRS, (7 April 2020), <https://www.foreignaffairs.com/articles/united-states/2020-04-07/pandemic-will-accelerate-history-rather-reshape-it>.

<sup>22</sup> Taubenberger JK, Morens DM, Fauci AS. The Next Influenza Pandemic: Can It Be Predicted?, NCBI, JAMA. 2007, doi: 10.1001/jama.297.18.2025.

<sup>23</sup> COVID-19 Offers Chance to Address Human Rights Concerns, Human Rights Watch Organisation, (14 April 2020), <https://www.hrw.org/news/2020/04/14/covid-19-offers-chance-address-human-rights-concerns>.

And it should be kept in mind to not resort to any extreme measures, most importantly not to become the reason for any kind discrimination or hate speech. At this point, all we need to remember is to not turn against each other but to be transparent and prompt in our actions by empowering and protecting one another. No matter what the political outcome may be, what holds the utmost significance is people's health and dignity which can only be maintained when we remember to stand together by ensuring Human Rights are kept in mind before taking any action.