



KOCHHAR & CO.  
ADVOCATES & LEGAL CONSULTANTS



## COVID 19 – India Legal Resource Update

### **COVID-19: AN UPDATE FOR INDIA (MARCH 24, 2020)\*\***

In an attempt to ensure that the spread of COVID-19 is contained effectively, the Indian Government has mandated **a complete nationwide lockdown for 21 days beginning from March 25, 2020, 00:00 hrs.**

#### **Mandatory Closure of Commercial Establishments**

All shops, commercial establishments, factories, workshops and offices, excluding establishments engaged in providing essential are required to be shut down.

Establishment engaged in the following have been specified as essential services:

- (i) Providing food, groceries, fruits & vegetables, meat & fish, animal fodder;
- (ii) Providing banking or insurance services and ATMs;
- (iii) Providing telecommunications, internet services, broadcasting and cable services, IT and IT enabled services only (for essential services);
- (iv) Providing delivery of essential goods, including food, pharmaceuticals, medical equipment;
- (v) Hospitals, medical centres, medical stores;
- (vi) Electricity, petroleum, oil, energy;
- (vii) Print and electronic media;
- (viii) Providing cold storage and warehousing services;
- (ix) Capital and debt market services as notified by the Securities and Exchange Board of India; and
- (x) Private security services.

All other establishments are required to have their employees work from home.

While the order does not specify anything related to salary payments to employees during this period, we believe that the State Governments are likely to issue orders stating that employers would be required to pay full salary to employees during this period.

#### **Industrial Establishments**

All industrial establishments are required to be closed, except for units manufacturing essential commodities or those production units which require

continuous process, after obtaining the requisite permission from the state government

### **Consequences of Contravention**

Any violation would be deemed to be an offence under Sections 51 to 60 of the Disaster Management Act, 2005 which, depending on the gravity of the offence committed, would be punishable with imprisonment for a period up to two years or a fine or both. Additionally, legal action under Section 188 of the Indian Penal Code, 1860, which is punishable with imprisonment for a period up to six months or fine or both could also be instituted by the concerned authorities.

Additionally, all inter-state travel by any mode (air, roadways and railways) has been suspended till such time. In major cities, the subway/metro/local train services have also been suspended till such date.

<sup>1</sup> This is a wide-ranging update. For any information regarding a specific State/district, please feel free to reach out to us at [vijay.ravi@kochhar.com](mailto:vijay.ravi@kochhar.com).

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Best regards,  
Corporate Relations Desk

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