

THE STUDENT

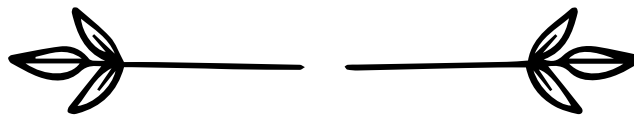
Lawyers' Musings



Vol. XII, Issue II, April 2023
An ICFAI Law School Publication

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FOREWORD

Dear Reader,

We hope you are safe and doing well.

I welcome you to another edition of our magazine. Over the years, this magazine has matured due to the efforts of our students at ICFAI Law School, Hyderabad. It is the brilliance behind each individual's effort who intends to bring to you the best of their abilities. In this edition, like always, they have showcased their uniqueness by relaying their thoughts on various issues in an exemplary manner.

The current edition is a proper culmination of talent and displays the efforts of all those who have taken it upon themselves to showcase their thoughts and ideologies.

As we progress further, it is a promise from my side to bring to you an evolved edition in the coming future. We wish to have the same kind of support from students in the near future.

For feedback or suggestions, kindly reach out to us at ergaliterarium@ifheindia.org.

Laxmi Neeharika Neela
Editor-In-Charge

OUR CONTRIBUTORS



Interview - Advocate A. J. Jawad

Ebad Ur Rahman

Ebad is a V-year student of BBA-LL.B (Hons.). He has an interest in IP, Corporate and allied Laws. His hobbies include swimming, playing cricket and badminton, reading and writing.



Chat GPT - Smarter than a **Lawyer**?

Faraaz Uddin

Faraaz is a IV-year student of BBA-LL.B (Hons.). He is a writer and aspires to become a successful lawyer.



Soul

Dwaipayan Chatterjee

Dwaipayan Chatterjee is a III-year student of BA-LL.B (Hons.). He loves to read & write books and non-fiction statements and expresses through words the unpredictability of life.

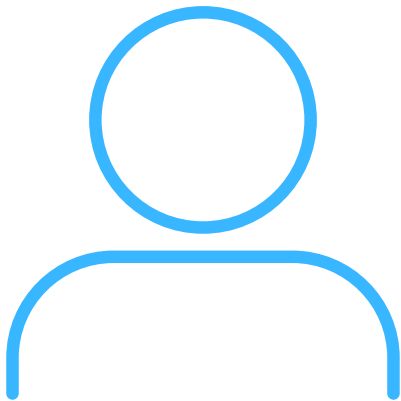
OUR CONTRIBUTORS



Self Love

Sanskriti Nahar

Sanskriti is a III-year student of BA-LL.B (Hons.) with a passion for reading poetry, novels and articles. **In this complicated yet beautiful world 'I will be a dreamer till the day I die'.**



Photography

Ketan Goud

Ketan is a III-year student of BBA-LL.B (Hons.). He is enthusiastic about photography and intends to speak to the masses through this skill.



Memories

H. Niharika Ravi

Niharika is a II-year student of BA-LL.B (Hons.). She writes poems and essays. Her aim is to empower women belonging to the LGBTQIA+ and promoting body positivity.

OUR CONTRIBUTORS



माफ़ कर देना माँ

Vishnu Sisir Duggirala

Vishnu is a II-year student of BBA-LL.B (Hons.). He reads and writes stories of all genres during his leisure time, and is trying his hand at poetry as well.



Painting

M. Sushma Swaraj

Sushma is a II-year student of BBA-LL.B (Hons.). She is enthusiastic about painting pictures with an aim to reflect societal relations.

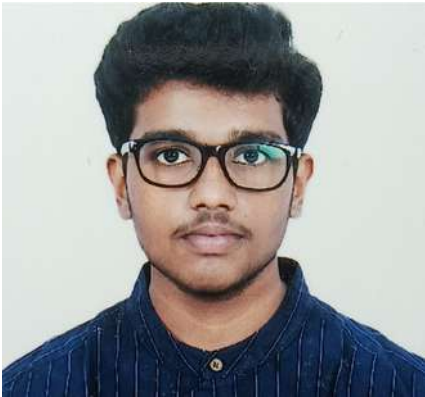


Unusual Festivals Around the World

Soujanya V. Kulkarni

Soujanya is a II-year student of BBA-LL.B (Hons.). She is very passionate about books, music and playing the Violin.

OUR CONTRIBUTORS



International Women's Day

Sai Pranav S.

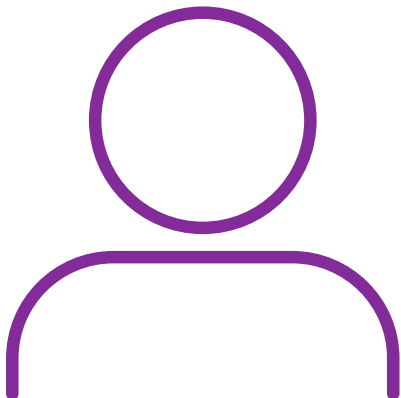
Pranav is a II-year student of BBA-LL.B (Hons.). He loves to write and kill spare time by reading books—not the smart ones, usually fantasy novels where school kids learn spells.



Why can anti-precedents, blunt both negative and positive emotions?

Akshatha Joshi

Akshatha is a II-year student of BBA-LL.B (Hons.). She is an enthusiastic writer and hopes to become a successful lawyer.



Painting

Sri Bhuvana

Bhuvana is a II-year student of BBA-LL.B (Hons.). She is enthusiastic about painting and sketching.

EVENTS

NATIONAL YOUTH DAY

One of the very first events of the new year, ICFAI Law School, in the presence of Dr. S. Vijya Lakshmi, Registrar, IFHE Hyderabad, as the Chief Guest, and Prof. A. V. Narshima Rao, Director, ICFAI Law School, Hyderabad, celebrated the birth anniversary of Swami Vivekananda on the 12 January, 2023. On this National Youth Day, students put in a lot of effort to showcase the role of youth in society and its upbringing in the form of a skit followed by lively and energetic dance and music performances and a very informative speech.

In the same regard, poster making and slogan making competitions were also held on 11 January, 2023, with cash prizes of 2000 INR for first place in poster making and 1500 INR for second place, and 1000 INR for first place in slogan making and 500 INR for second place. Like every other event, students of ICFAI Law School gathered around to support and cheer their fellow classmates, making Practitioner the performers' day and the event a success. Faculty Coordinator for the event was Dr. Iti Vyas, Assistant Professor, ICFAI Law School, Hyderabad.

REPUBLIC DAY

Commemorating the day the Indian Constitution came into force as ICFAI Law School, Hyderabad, celebrated the 74th Republic Day in the IFHE Auditorium on 25 January, 2023. The conviviality and liveliness of the performers, along with the auditorium filled with zealous students, there is nothing more beautiful than that. The event started with the lighting of the candle by our chief guests Hon'ble Justice G. V. Seethapathy, Former Judge, High Court of Telangana; Prof. Srikrishna Deva Rao, Vice Chancellor NALSAR, Hyderabad; Prof. L. S. Ganesh, Vice Chancellor, IFHE, and Dr. S. Vijya Lakshmi, Registrar IFHE, with Dr. A. V. Narshima Rao, Director, ICFAI Law School, Hyderabad, presiding over the event.

It was followed by a series of skits, dance performances, and music performances that made everyone's day. Celebrated with pride, ICFAI Law School's Republic Day celebration is a representation of true art.

Students came together to put on an astounding show, with the main theme of the event being **Our Nation, Our Pride**. Nobody ever leaves any chance of showing off their talents here at ICFAI Law School, Hyderabad. Faculty Coordinator for the event was Dr. Iti Vyas, Assistant Professor, ICFAI Law School, Hyderabad.

EVENTS

A TRIBUTE TO WOMEN IN THE LEGAL SPHERE

From women arguing that they be considered **persons** under the Legal Practitioners Act, 1879, to a whole new generation of women running a major chunk of the legal sphere, we have come a long way. While acknowledging the role of women in society as a whole, ICFAI Law School, Hyderabad, under the guidance of Dr. A. V. Narshima Rao, Director, ICFAI Law School, Hyderabad, in the presence of Justice B. Prakash Rao, Former Judge, Andhra Pradesh High Court, and Ms. S. Vijaya Lakshmi, Registrar, IFHE Hyderabad. Erga Literarium celebrated women across the nation and their role in the legal sphere on 18 January, 2023, through the performance of a skit.

Furthermore, **The Student**, Erga Literarium's bi-monthly magazine, curated by the students of the Literary Club themselves, while the contributors include students ranging from the first to the final year was released. This was the launch of the Vol. XII, Issue I of the student run magazine.



EVENTS

WEBINAR: ARTIFICIAL INTELLIGENCE & METAVERSE

With the current trend where there is an increasing craze about AI and Metaverse, ICFAI Law School conducted a webinar about AI and metaverse on 23 February, 2023 in IFHE Auditorium by Dr. Karnika Seth, Founder, Seth Law Firm.

The speaker threw some light on the recent technological inventions and explained as to how AI has made people's lives easier and tougher as well. How AI can be applied and used in the legal field was an important point of discussion.

The event was initiated by the introductory remarks of Dr. A. V. Narsimha Rao. The Faculty Coordinators for this webinar were Dr. Akbar Khan, Associate Professor, ICFAI Law School and Dr. Ritu Chhabra, Assistant Professor, ICFAI Law School, Hyderabad, along with the Centre for Excellence in Cyber and Data Protection Law.

CLUES TEAM WORKSHOP

ICFAI Law School, Hyderabad, conducted a workshop with the CLUES Team of Hyderabad City Police on 10 February, 2023. The CLUES Team of the Hyderabad City Police, headed by the CLUES Team Officer Dr. N. Venkanna were physically present at the Faculty of Law, IFHE, to educate the students on Crime Scene Investigation.

This workshop was an attempt to provide a platform for meaningful interactions in the domain of crime investigation and forensics, more so with regard to victim rights and victim justice in the administration of the criminal justice system.

This workshop aims to bring together discussions on various aspects of the subject of forensics and the finding of clues. It was presided by Dr. A. V. Narasimha Rao, Director, ICFAI Law School, Hyderabad, and Faculty Coordinators Dr. K. S. Rekh Raj Jain, Assistant Professor, ICFAI Law School and Prof. Anwasha Panigrahi, Assistant Professor, ICFAI Law School, along with the Centre for Excellence in Criminal Law and other professors and student coordinators.

EVENTS



EVENTS

GUEST LECTURE ON MERGERS & ACQUISITION

On 17 February, 2023, ICFAI Law School, Hyderabad, organized a lecture on **Experiential Perspective to Mergers and Acquisitions in India** in the IFHE Auditorium. The event was addressed by Mr. P. Basava Rao, who is a lawyer at Nishit Desai Associates. The event commenced with introductory remarks, which were delivered by Dr. A. V. Narsimha Rao, Director, ICFAI Law School, Hyderabad. The event was conducted for students of Semester IV of the Law Program.

Mr. Basava Rao gave an overview of how M&A can change the economy of a country and how it carves the shape of any country. This was followed by a Q&A session which helped the students gain a deeper understanding about the subject. The lecture also highlighted recent market trends and threw light on M&A activity that took place in the last few years. Faculty Coordinator of the event was Prof. Shruti Kandoi, Assistant Professor, ICFAI Law School, Hyderabad.



EVENTS

TRAFFIC POLICE AWARENESS PROGRAM

On 17 February, 2023, ICAI Foundation for Higher Education, Hyderabad, held a one-day workshop about recent developments in traffic rules and the increasing number of traffic accidents. The speakers for the lecture were Shri. K. Narayana Naik, Joint Commissioner of Police - Cyberabad, Shri. Harshvardhan, Deputy Commissioner - Cyberabad and Shri. P. Srinivas Naidu, Assistant Commissioner of Police - Shamshabad Division.

They spoke about the increasing number of road accidents and tried to enhance the sense of awareness among the students regarding the important traffic rules to follow to ensure safety while driving.

CCTV recordings of accidents were shown, which educated the students about what should be done and what should not be done in case of an accident. The event was initiated by the introductory remarks of Dr. A. V. Narsimha Rao, Director, ICAI Law School, Hyderabad.



EVENTS

INTERNATIONAL WOMEN'S DAY

Starting off as a strike for equal pay, 08 March has gone down in history as International Women's Day. On this day, ICFAI Law School, Hyderabad, also commemorated the rise of women in the legal industry and their struggle for being heard and seen.

On 08 March, 2023, the celebration started with the lighting of the candle by the Chief Guest, Ambassador Sangeeta Bahadur, IFS(R), and was presided by Dr. A. V. Narshima Rao, Director, ICFAI Law School, Hyderabad.

The celebrations, which included dance and music performances, were coupled with a bunch of contests for the Professors, ranging from singing and dancing competitions to Rangoli-making and Badminton. While this day is also marked as **Civil Awareness Day, Women and Girls Day, Anti-Sexism Day, or Anti-Discrimination Day**, ICFAI Law School took great pride in celebrating the women who are a part of the ICFAI family.

ETHNIC DAY

ICFAI Law School, Hyderabad's Cultural Club organized an **Ethnic Day** on 17 March, 2023, to celebrate and rejoice the culture and values of our great nation.

Students represented the diaspora and diversity of our Indian culture and values. The day was celebrated most beautifully, and the whole campus was lit with enthusiasm. Students from various semesters showcased their dance performances and hyped up the crowd. The members of the cultural club made this event a success.

The highlight of the event was the ramp walk, which started with enthusiastic participants from various semesters giving it their all.

The event ended with the DJ, which was the main part of the event and brought all the students together. and was an amazing experience for all the students post-lockdown. Faculty Coordinator of the event was Dr. Iti Vyas, Assistant Professor, ICFAI Law School.

EVENTS

BHASHA MATRIX

Bhasha Matrix, an event was organized by Erga Literarium to celebrate the International Mother Tongue Day. The event was held on 22 February, 2023, during the activity hour. It was conducted in at the Faculty of Law. Student Coordinators for the event were Vishnu Sisir Duggirala and Soujanya V. Kulkarni.

An introductory speech and the rules of the event were delivered by Ambadipudi Mahathi. S. Pranav, Sarvana Shriya and Ebad Ur Rahman were involved in asking questions in Hindi, Telugu, and Urdu respectively.

The event was graced by the presence of Dr. Hemalatha Devi, Associate Professor. The competition had more than 20 participants, out of whom 3 winners were chosen. The event had the following rounds:

1. **Pictionary - Chitra Varnan:** This round was open to all participants. Participants were required to name the pictures shown on the screen, in their mother tongues.
2. **Quiz - Rasaprasne**
3. **General Round:** This round was open to all participants. The questions were generic and open to all language participants.
4. **Language-Specific Quiz:** A question was asked to each participant, the questions were about their mother tongues.
5. **Spelling Bee - Askharvan'yāsaḥ:** Five words were dictated to the participants in their mother tongues and they had to write the correct spellings.

The winners of the competition were:

1. **First - Sushma Swaraj Mamillapalli**
2. **Second - Srinidhi Mantripragada**
3. **Third - Rayavarapu Navya Tanuja**
4. **Third - M. Vijaya Ram Raj**

EVENTS



EVENTS

TWO DAY NATIONAL CONFERENCE ON WOMEN INCLUSIVENESS: CONFLICTS AND COMPLEXITIES

ICFAI Law School, Hyderabad, organized a two day national conference on **Women Inclusiveness: Conflicts and Complexities** in collaboration with the National Commission for Women, Government of India, through 25 and 26 March, 2023. The conference was organized by the Center for Excellence in Criminal Law.

For the purpose of this conference, we had the honor of hosting the Hon'ble Madam Governor of Telangana, Mrs. Tamilisai Soundararajan along with the chairperson of the National Commission for Women, Ms. Delina Khongdup. Panelists during the course of the conference included Advocate Mayuri Raghuvanshi and Justice G. V. Seethapathy with chief guest of the valedictory ceremony being Senior Counsel Surepalli Nanda.

The conference was a success considering the range of topics that were covered and the amazing discussions that happened during the panel discussion which was brilliantly handled by Dr. Navpreet Kaur, Co-Founder, Laxmi Foundation, an NGO for acid attack survivors and Mrs. K. Madhavi Latha, Chairperson, Virinchi Group of Hospitals. Faculty Coordinator for the event was Dr. K. S. Rekh Raj Jain and other members of the Center for Excellence in Criminal Law.



EVENTS

ICFAI Foundation for Higher Education
(Chartered & Accredited Institution for the UGC Act, 1956)

ICFAI
LAW SCHOOL
HYDERABAD

Centre for Excellence in Criminal Law, ICFAI Law School,
ICFAI Foundation for Higher Education, Hyderabad

Organises

in collaboration with
National Commission for Women,
Government Of India,
New Delhi

Two Day National Conference
on
Women Inclusiveness :Conflicts and
Complexities

Venue
ICFAI Law School,
IFHE, Hyderabad

Date: 25th-26th March 2023



EVENTS

THREE-DAY INTERNATIONAL CONFERENCE ON IPR & EMERGING TRENDS IN THE HEALTHCARE SECTOR

ICFAI Law School, Hyderabad, organized a three day international conference on **Emerging Trends in the Healthcare Sector** on the occasion of World Health Day, in a hybrid mode, through 06 to 08 April, 2023. The conference was beautifully organized by the Center for Excellence in Intellectual Property Rights headed by Dr. S. V. Damodar Reddy.

On 06 April, along with the inaugural at 02 PM at the IFHE Auditorium, in the presence of Prof. L. S. Ganesh, Vice Chancellor, IFHE, Hyderabad, and Dr. A. V. Narshima Rao, Director, ICFAI Law School, Hyderabad, along with the Chief Guests. There was a release and one technical session with Senior Counsel Ashok Ram Kumar, WordictIP, as the Chair.

On 07 April, there were three technical sessions with one technical session being held online. Papers on traditional knowledge in the healthcare industry, health care during Covid-19 and traditional knowledge along with multiple intriguing concepts were presented and discussed in the presence of Dr. G. B. Reddy, Professor, College of Law, Osmania University, Ms. Isha Sinha, Chief Compliance Officer, Medicovert Hospitals, Mr. Ramachandra Damodaran from Malaysia and Miss. Anna Pentido from Australia. The second day ended with a panel discussion.

On 08 April, one technical session was scheduled, chaired by Mr. Subhash Bhutoria, Partner, DSK Legal, in which conventional and non conventional trademark was discussed along with concepts like compulsory licensing and patent pooling, keeping the audience engaged through to the valedictory session. Faculty Coordinator for this international conference was Prof. Kiran Sharma.

EVENTS



WHY CAN ANTI-PRECEDENTS, BLUNT BOTH NEGATIVE AND POSITIVE EMOTIONS?

BY AKSHATHA JOSHI

Precedents are previously decided judgments of higher courts, which the judges of lower courts are bound to follow. This binding character of a previously decided judgment is called a precedent.

Precedents are one of the sources of law because common law is derived from them. Many countries that follow the common law consider precedents to be the foundation of their legal systems. Precedents are judgments given when the case is brought before the court, in which the court sets guidelines or rules for the lower courts to follow in similar cases. Due to this, the lower courts must use the same or similar reasoning and decisions, which influences the judgment being given.

The Latin word **stare decisis** means to stand by things decided, and the complete phrase **stare decisis et non quieta movere** means to [stand by the things decided and not disturb the calm](#). This principle provides stability and predictability in the legal system. Precedents also play an important role in the development of the law and society.

As society is changing, the courts can adapt and change the laws by making

new precedents. Precedents play a significant role in the speed with which our society is evolving, as there are pre-decided cases that will minimize the time of court proceedings and unresolved matters can be taken up.

The positive effects of using precedents for resolving major cases will be that they provide a framework for understanding how to approach a case and what outcome to expect. By reviewing previous cases with similar facts and legal concerns, judges and attorneys can better understand how to apply the law to specific circumstances of a case. This can save time and resources while ensuring that the legal principles and rights involved are upheld consistently. Additionally, precedents can be used to establish legal principles, protect individual rights, and shape the development of the law over time, making the legal system more flexible and responsive to the changing needs of society.

Precedents also have negative effects on society. They could create confusion and uncertainty in the legal system by undermining the principle of stare decisis, which is the idea that once a legal principle has been established, it should be followed in similar cases.

Every case differs from the other; in this case, precedents may not be effective, even though the facts and the issue might match the precedent, but the reason, manner, etc. of the act may differ. Sometimes precedents may be applicable, but the reasoning behind every case cannot be. In such a case, it would be unjust to the parties. In a country like India, where the culture and society are very diverse, pre-decided case judgments may not be very effective at times.

The way society views precedents varies. Precedents are viewed as a crucial instrument for ensuring consistency and fairness in the legal system, while others see them as a way for judges to impose their ideas and biases on the law. Furthermore, some may regard precedents as rigid and unresponsive to changing society's ideals and norms.

In general, there is no agreement among society's views on precedents.

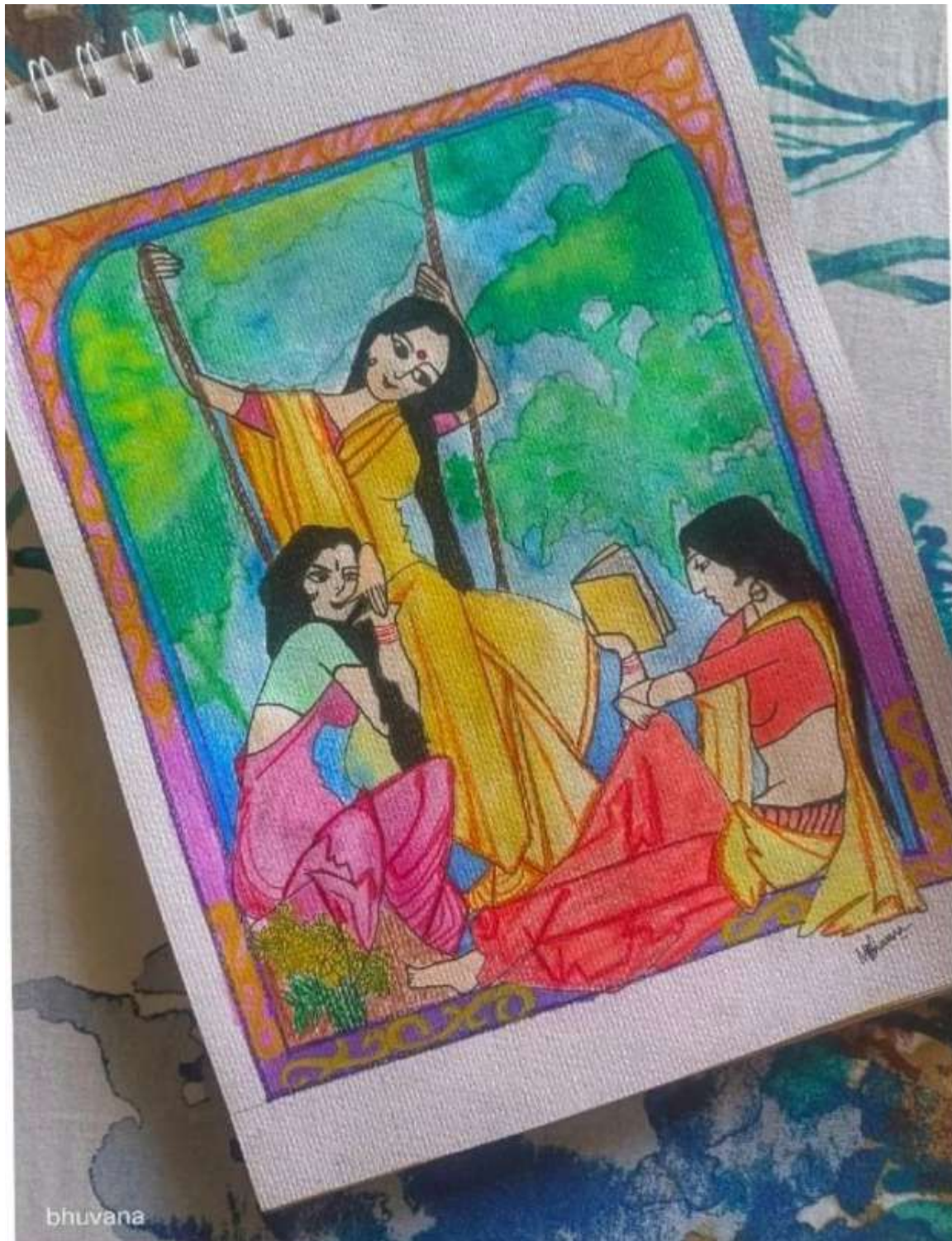
In conclusion, precedents are pre-decided judgments that are binding on the lower courts. Precedents can reduce the time taken by the court to process and help people understand their rights through pre-determined judgments.

Precedents have both positive and negative effects on society; they may help speed up the court process, but they may not be effective in every case. It may bring consistency and fairness to the legal system but also confuse it. Society has differing views on the subject; some believe it is an important tool for the legal system, while others believe it will make the legal system rigid and judgments will be based on precedents rather than the merits of the case.



PAINTING

BY SRI BHUVANA



bhuvana

CHATGPT SMARTER THAN A **LAWYER?**

BY FARAAZ UDDIN

As an Artificial Intelligence language model, ChatGPT has been designed to generate text based on a pre-existing dataset, which limits its ability to be creative in the same way that a human being can. While ChatGPT can generate new content, it is ultimately drawing data from a set of predetermined responses and lacks the ability to generate truly novel ideas or perspectives. This lack of creativity has significant repercussions for lawyers and the legal profession and poses a threat to the future of the industry.

The legal profession requires a significant amount of creativity, particularly in the areas of advocacy and problem-solving. Lawyers must be able to think outside the box, analyze complex situations and arguments, and craft persuasive legal arguments that address the unique needs and circumstances of their clients. However, if lawyers rely heavily on ChatGPT or other AI tools for these tasks, they risk losing their creativity and problem-solving skills.

Lawyers and ChatGPT have a complex relationship that is still evolving as AI technology becomes more prevalent in the legal profession. ChatGPT, as an AI language model, has the potential to significantly impact the legal industry by providing lawyers with new tools for generating legal arguments and solutions. However, it also poses several challenges and risks that lawyers must navigate in order to use it effectively.

One of the primary benefits of ChatGPT for lawyers is its ability to generate large volumes of text quickly and accurately. Lawyers can use ChatGPT to research legal cases, draft legal documents, and even develop legal arguments. This can save lawyers significant time and improve the efficiency of their legal services.

However, there are also a number of risks associated with using ChatGPT for legal work. One of the primary risks is the potential for biases in the AI's training data. If ChatGPT is trained on a dataset that is biased towards certain perspectives or outcomes, it could influence the legal arguments and solutions generated by the AI. This could result in lawyers unknowingly perpetuating biases or engaging in unethical practices.

One of the key repercussions of this loss of creativity is that it can undermine the quality of legal services provided. Lawyers who rely on ChatGPT to generate legal arguments or solutions may be limited to the same ideas and perspectives as their peers, rather than developing unique approaches. This can lead to a lack of diversity in legal arguments and solutions, which can negatively impact the outcomes of cases.

Another repercussion of relying on ChatGPT for legal work is that it can lead to the deskilling of lawyers.

If lawyers are not actively developing their creativity and problem-solving skills, they risk becoming stagnant in their work and may struggle to keep up with the demands of the industry. This could ultimately lead to a reduction in the quality of legal services provided and could even impact the reputation of the legal profession as a whole.

Beyond these immediate repercussions, the threat of ChatGPT to the legal profession is even greater in the long term. If lawyers rely heavily on AI tools to generate legal arguments and solutions, they may eventually lose the ability to think creatively altogether. This could lead to a situation where lawyers are no longer able to provide the level of expertise and problem-solving that their clients require, which could ultimately result in the downfall of the legal profession.

ChatGPT and other AI tools pose a significant threat to the legal profession by limiting the creativity and problem-solving abilities of lawyers. This threat has immediate repercussions for the quality of legal services provided and could ultimately lead to the deskilling of lawyers and the downfall of the profession as a whole. For this reason, lawyers must be proactive in developing their own creativity and problem-solving skills, and should resist the urge to rely too heavily on AI tools for legal work.

Another risk of using ChatGPT for legal work is the potential for errors or inaccuracies in the generated text. While ChatGPT is capable of producing high-quality text, it is not infallible and can make mistakes or generate text that is irrelevant or inaccurate. This could lead to legal documents or arguments that contain errors or inaccuracies, which could negatively impact the outcomes of legal cases.

There are also concerns around the ethics of using AI tools like ChatGPT in the legal profession. Some argue that relying too heavily on AI for legal work could lead to the deskilling of lawyers and a loss of the human element in legal services. There are also concerns around the potential for AI to replace human lawyers altogether, which could have significant impacts on the legal industry as a whole.

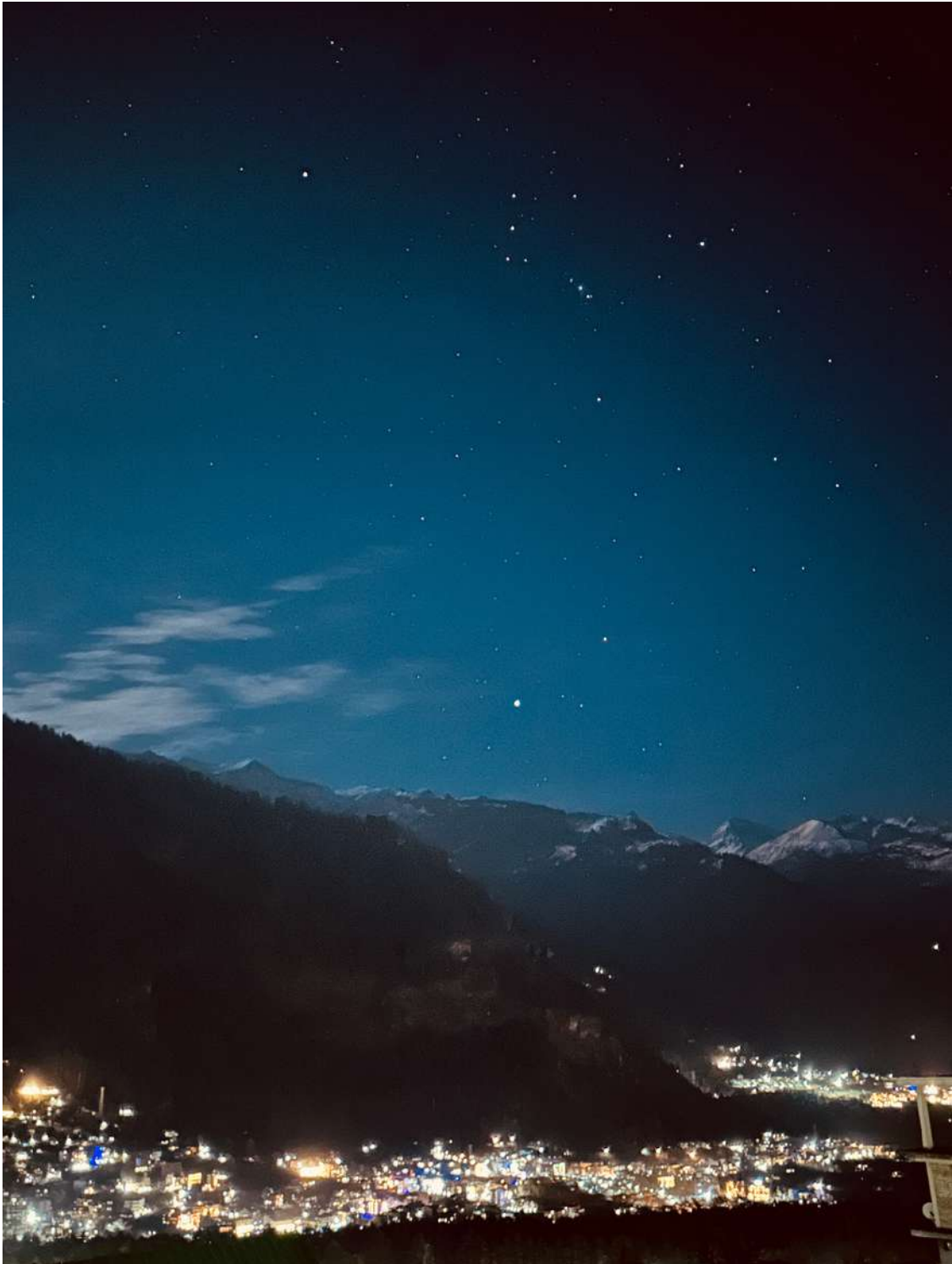
To address these risks and challenges, lawyers must take a proactive approach to using ChatGPT and other AI tools in their legal work. This may involve investing in training and education around AI ethics and bias, developing best practices for using AI tools in legal work, and remaining vigilant for potential errors or biases in the generated text. It is important for lawyers to be aware of the limitations of ChatGPT and other AI tools and to actively work to develop their own creativity and problem-solving skills. This may involve taking courses or workshops on creative thinking, seeking out new perspectives and ideas, and collaborating with other professionals to generate new solutions to legal problems.



In conclusion, ChatGPT has the potential to significantly impact the legal industry by providing lawyers with new tools for generating legal arguments and solutions. However, it also poses a number of risks and challenges that lawyers must navigate in order to use it effectively. By being proactive and mindful of these risks, lawyers can maximize the benefits of ChatGPT while minimizing its potential negative impacts.

PHOTO

BY KETAN GOUD



THE BILLION STAR INN



THE
MONTH
OF
POETRY

माफ़ कर देना माँ

BY VISHNU SISIR DUGGIRALA

माफ़ कर देना माँ, आज थोड़ा थक गया हूँ,
और मैला भी हो गया हूँ ।
लेकिन तुम डरना मत,
तुम्हारी सुरक्षा अपने साथियों के हवाले करके आ रहा हूँ ।
आते आते तुम्हे सताने वाले उन दिमगों का सर भी ला रहा हूँ।

माफ़ कर देना माँ, आज थोड़ा थक गया हूँ,
हाथ मिला नहीं सकता क्योंकि ये हाथ उन दिमगों के खून में रंगे हुए हैं।

माफ़ कर देना माँ, आज थोड़ा थक गया हूँ,
मेरे रगों में दौड़ता खून मुझे ललकार रहा है, कि मैं उसे आज़ाद कर दूँ।
वोह मेरे रगों में भाग कर थक गया है,
आने से पहले उसे अपने देश के खेतों में दे दूंगा,
किसान भी मेरा भाई ही है।

माफ़ कर देना माँ, आज थोड़ा थक गया हूँ,
तेरी कोख में एक आखरी बार सोना चाहता हूँ,
क्या पता, अगले जन्म फिर तेरे नाम ही जियूँगा,
और तेरे नाम ही शहीद हो जाऊँगा।

SELF LOVE

BY SANSKRITI NAHAR

Dear A,

It was supposedly nice meeting you, it was even worth it to know that deep down in that all covered-existential dread, you are heart-worthy and that my stares were those of awe.

But something tells me you will never reciprocate these timeless feelings of mine, so my mental health tells me to take a break and take a forceful step back from all the jibes.

In this day and age of social media I can hardly not know about your life but I will make it my life's mission to stay away from something that's not mine.

Self care and love will be my only priority this new year, because waiting for you has only caused me pain.

All in all, the romance books are to be blamed and I need to take a breath.

This new year the actual saying of "new year, new me" will come to play, and we are going to grow up without any regrets.

All these new resolutions make me wish you all the very best, may you grow with enormous strengths, find endeavors, find love and happiness of your own.

This year I am letting this weird obsession with you go and hope this makes it your soul. I do wish for a future where all my inhibitions are ready to grow.

This little piece only has the truth and love and the act of finally letting you go.

Accepting myself this year is the goal.

MEMORIES

BY H. NIHARIKA RAVI

Memories follow me,
I feel them all around,
Taking up my mind,
Taking up all my time,
Left me reminiscent of the old times,
Times when I, was all that mattered to me,
Seeking tranquility in all that I do,
Diving into frivolity head first,
Valuing those who don't value me,
Running with those, who don't see me,
End up on the sidelines,
Talking to myself, wondering where it all went wrong.
Trying to find the person the child in me would feel safe
with,
Looking for ways to mend my vandalized sanity,
Always end up in the middle of nowhere,
Staring at my reflection
Being disconnected from my consciousness and my
physical being,
All I'm left with are the memories;
I feel them all around.

SOUL

BY DWAIPAYAN CHATTERJEE

I stand at my roof and see the city and the sky
The flickering lights engaged the whole city.
I call them "the soul of the damned."

They are like, the whole city is burning and crying in their own guilt
and over-expectations
and then I see the sky,
the small tiny flickering stars scattered throughout the sky,
peaceful yet so chaotic,

I call them the "soul of the hopeful,"
with light everywhere yet so calm and still creating out the symphony
of peace;

And then there are the white clouds floating around the sky,
marking a border between the "soul of the damned" and the "soul of
the hopes."

Can this end?

This extreme wanting of being number one,
always running and chasing around materialistic dreams,
I call them a "cluster of false hopes."

Can this rush throughout the city stop for at least one day?

The flickering lights burning around the whole city,
can it be shut down for one day?

Can the whole city sleep peacefully for at least one day?

Can the soul of the damned sleep and the soul of hope light the
whole way? Yeah, maybe this is what nirvana feels like!

Will this ever happen?

PAINTING

BY SRI BHUVANA



INTERVIEW

ADVOCATE A. J. JAWAD

BY EBAD UR RAHMAN



Advocate A. J. Jawad graduated from the Government Ambedkar Law College, Chennai in 1987 and was enrolled in 1988. He started practice under Mr. Karpagavinayagam, former Chief Justice of the Jharkand High Court, on the criminal side and switched to the civil side two years later. He started his own office in 1996. He underwent Mediation training with Geetha Ravindra of the Virginia Supreme Court and further advanced training with her followed by Trainers' Training in court-sponsored training programs. Also underwent basic, advanced and trainers' training with the ADR Group of UK. He is an empanelled Arbitrator and Mediator at various institutions offering ADR-ODR services across the globe.

The following communication was exchanged via transcript on 13 October, 2022.

ER: How can a student of Law understand the world of Alternative Dispute Resolution today?

AJ: ADR is the future. Litigation (I am using it to denote any adjudicatory process) has its drawbacks: it is time-consuming, expensive, and essentially a gamble. Most civil disputes arise out of a breach of an agreement or a legal relationship that may be contractual or otherwise. Since it involves human relationships, emotions play a very significant role in how the problem is perceived by the affected parties and their response to it.

Litigation is structured in such a way that it revolves around facts and law; there is no space for the acknowledgement or vindication of the feelings and emotions of the affected parties. Any adversarial process leaves its scars as the process is designed only for proving rights and wrongs, and this necessarily means going all out to attack and discredit each other. Yet another important aspect is that litigation is focused on the positions and demands made and not on the real underlying interests and needs.

On the contrary, collaborative dispute resolution processes like mediation focus on the real interests and needs of the parties. It is therefore important for the students to equip themselves with the essential skills and tools for collaborative dispute resolution.

ER: What prompted the shift from a criminal practice to that of Alternative Dispute Resolution? Could you share the challenges faced and how you managed to cope with them? Is making such a shift easier today than it was earlier?

AJ: I was, actually, a civil and commercial lawyer. I had practiced litigation for more than 25 years, and I was getting increasingly disenchanted with the process. I found that even successful clients were not really happy with the successful outcome of the litigation. There was not only disappointment with the outcome (because it fell short of expectations), but also collateral damage in the form of mental trauma, agony, and economic loss.

I was practicing litigation from the time I was called to the bar in 1988 and took up litigation as there were very few other options available, except perhaps to join as in-house counsel for companies. In 2006, I learned about the Mediation training program being offered in my High Court. I joined out of curiosity, and it turned out to be a life-changing experience. I realized that Mediation was the answer to my dissatisfaction with the courts and the futility of adversarial litigation. There was no turning back since then.

Gradually, I gave up my litigation practice and focused on doing Mediations and training lawyers in Mediation under the court-annexed Mediation program. This gave me a solid foundation, along with mediation training from global institutions that I was also undergoing.

ER: How has COVID-19 impacted the world of Alternative Dispute Resolution? How can fresh graduates use it to their advantage?

AJ: COVID-19 was a great tragedy, perhaps worse than the World Wars, in terms of the loss of life and economic devastation that it caused.

But then, as the saying goes, every dark cloud has a silver lining. Perhaps the most significant impact of the pandemic was that it opened our eyes to the enormous potential that technology offered. A significant part of the damage caused by the pandemic to social and commercial interactions could be ameliorated by going online.

Particularly in the field of dispute resolution, we found courts going online. And, most importantly, the advantages of collaborative dispute resolution processes like mediation because of their easy adaptability to the online environment. I could sit at home and conduct my mediations and even a couple of arbitration cases that I was handling at the time.

Now, people like me are what Mark Prensky calls **digital immigrants**; we are still learning the digital language and adapting ourselves to the digital ecosystem. We still have a pre-digital hangover and find it a struggle to use technology. On the other hand, today's youth are **Digital Natives**; they were born in the age of digital technology and speak the digital language fluently, just as natives of a particular region may do.

Given the rate at which technology is transforming our world and the ease with which young people are assimilating it, I would be foolish to advise them on how to take advantage of it. They are already there, and it is up to them to persuade, move, or force the digital immigrants (aka dinosaurs) into positions of power to see the writing on the wall and act on it.

ER: How critical is contract structuring from the viewpoint of Alternative Dispute Resolution?

Is statutory referral of disputes to Alternative Dispute Resolution methods a necessity of today's times?

AJ: We are today steeped in the culture of adversarial dispute resolution. Our contracts contain only arbitration clauses or no clause on dispute resolution; the contract simply says which courts will have jurisdiction, which, in other words, means that litigation is the only option. A few contracts may contain a clause that says that the parties would first negotiate in good faith to resolve any potential dispute, and if that fails, the arbitration clause, if it is there, would kick in. Therefore, the entire focus is on adjudicatory methods of dispute resolution.

As the Zen saying goes, "when the only tool you have is the hammer, every problem looks like a nail." Contracts are usually drafted by lawyers who are trained only in adversarial dispute resolution and can see the problem only from a positional, rights-based perspective. It is important to educate lawyers on the merits of collaborative problem-solving and to see the dispute from the perspective of the interests and needs of both their clients and the other party.

Businesses certainly don't like to waste time, money, and resources pursuing cases that may or may not yield the desired result and meet their real interests. It should be the duty of the lawyers to educate their clients on the need to move beyond positions and demands and do what is best for them in the long run. However, as we see it today, lawyers hesitate to do this out of fear that their advice may be construed as either incompetence or an admission of the weakness of the case. This fear has to go, and lawyers should understand that they

are not mere gladiators but a counsel who needs to guide their clients in the right direction. As Kahlil Gibran has said, **The greatest trust between man and man is the trust of giving counsel.**

On the second part of the question, yes, I am in favor of statutorily mandated mediation. It is common for parties to avoid mediation simply because they are unaware of the existence or benefits of such an option. I've had parties come to mediation because the court referred them, but they don't want to participate in the process.

But when I explain to them what the process is all about, particularly the power that it gives them to work out their own solutions in a risk-free environment, they invariably agree to continue with the mediation. We should at least have one session of mandatory mediation, as has been done successfully in Italy. It is simply a case of "taking the horse to water." Once they are at the mediation table, parties can either choose to continue or withdraw and pursue other remedies. There are of course challenges to this by way of the availability of sufficient numbers of trained mediators, adequate training facilities for mediators, and other logistical issues.

But a start must be made somewhere. There is a need for a law on mediation at the earliest and hopefully the Government of India would pass the Mediation Act at the earliest. This would provide for parties getting urgent interim orders, where the need exists, before going for mediation and also the limitation period would be frozen during the course of the mediation.

ER: In your experience, how different

have you found the domain of Alternative Dispute Resolution in India when compared to other leading countries?

AJ: This is a good question. The acceptability of mediation as a dispute resolution process depends a lot on the culture of the country. India is essentially a high context culture, which means that there is a lot of importance attached to hierarchy, emotions hold sway over decision-making, communication is not direct but contextual, couched in metaphors and not getting directly to the point. Indians are also fatalistic in their attitude toward life.

The desire to take revenge and punish the other person becomes a driving force, even if it means burning yourself in the process. There are some difficulties in conducting mediation in this cultural context: parties are unwilling to make decisions on their own, without involving either an elder or a superior, even if the dispute directly affects them or they have been authorized by their superior to make the decision; parties would rather have the court decide a dispute, even if it means ruinous costs, losing the case, mental anguish, loss of peace, and so on, simply because they are afraid. These are just a few of the challenges. Therefore, when mediating in India, you find it more of an uphill task to get parties to move beyond their positions and look at their interests and needs than you would if you were mediating in a low-context culture.

But after mediating disputes for the past 15 years, I am now able to see a transformation happening, particularly amongst the youth of today, who are more independent and pragmatic and are willing to embrace new ideas and take bold decisions

So, I see a lot of hope for mediation now and in the future. The younger generations, who are used to shopping, paying their bills, and communicating with their peers online with the click of a button, are no longer interested in the interminable, unpredictable, pedantic, and highfalutin nature of adjudicatory processes. The youth want to be in control today, and mediation suits them.

ER: Considering the development in today's legal world, if given a chance, how would you structure the education system for law graduates today?

AJ: Unfortunately, our legal education is designed to teach only the adversarial processes of dispute resolution. We are today churning out lawyers who are nothing but gladiators who are fighting for their clients in the arena called courts. Lawyers are trained to look at disputes only from the perspective of an adversarial process, right or wrong, win or lose; not to delve into, or understand, their clients' real interests and needs. It is important for a law student to understand that conflicts have different dimensions, including the way humans interact with each other and how they feel about it.

Human interactions cannot be fitted into silos of rights and wrongs, laws and facts, win or lose. A collaborative problem-solving process addresses the different dimensions of the conflict and has the potential to bring about a holistic resolution beneficial to both parties. Therefore, I am of the view that the legal education curriculum should include training in collaborative dispute resolution processes like mediation and mediation advocacy.

ER: How can senior or experienced lawyers' groom and mentor the upcoming crop of graduates or junior lawyers?

AJ: I think seniors should set an example by adopting a more humanistic approach to their clients' problems rather than taking hyper-technical positions. Lawyers should feel a sense of responsibility to society and support causes that promote freedom, equality, and peace. I was watching in dismay a very senior advocate, for whom I used to have very great admiration, arguing in favor of a religious head's right to excommunicate members of his flock for disobeying him. This sets a bad example.

Law is meant to serve the cause of humanity and cannot be treated like a mathematical equation. You cannot be too technical and exploit legal loopholes to argue cases where people's liberty, their justifiable needs, and society's well-being are jeopardized. Conflicts must be seen from the perspective of the human element and not as a problem to which the legal formula should be applied. Lawyers cannot be mercenaries. Senior lawyers should lead by example.

ER: How do you see the future of Alternative Dispute Resolution in India? Do you think sector or industry specific specialization will increase in the near future?

AJ: ADR has a great future in India. Mediation is being accepted globally as one of the most efficient ways of resolving cross-border disputes, particularly commercial ones, and the Singapore Convention has put mediation on the main stage. We are now not talking of the "near future," but the actual present.

Lawyers and other stakeholders in the justice system must recognize that they must keep up with international developments or risk being left behind. A small country like Singapore has become a hub for arbitration and mediation, and India is nowhere near that. Our legal fraternity is hidebound, steeped in orthodoxy, and still suffering from the colonial hangover while the colonizers themselves have moved on.

Arbitration has become almost the exclusive preserve of retired judges, and mediation is also being made to go that route. It will be disastrous for the growth of mediation if retired judges are appointed as mediators without proper and effective training in the process. The Mediation Act must be passed immediately, and there should be clarity on the status of settlements reached through mediation. We have come a long way from the time of setting up the first court-annexed mediation center in Chennai, but we still have a long way to go. Lawyers are in a privileged position to take the movement forward, and they owe this to society.

ER: Apart from legal education, what other activities should law students be involved with in order to become successful lawyers?

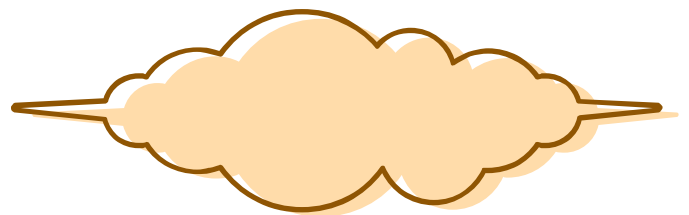
AJ: I believe that if lawyers truly must discharge their duties as the defenders of justice, the subjects that they study in law school are not enough. They should also study philosophy, logic, jurisprudence, the humanities, and behavioral sciences. They should read the works of great thinkers and philosophers to understand the larger concept of what justice means and its relevance to human existence.

Unfortunately, our law curriculum is not designed to take care of this. As a result, we have very few lawyers and judges who bring the social awareness and consciousness that are needed today. We have this strange system of appointing judges based on their income tax returns as one of the criteria! Does this mean that a lawyer who doesn't earn much, as she may have perhaps dedicated herself to social causes, is not fit to be a judge?

ER: What kind of legal literature would you suggest to students of Law? Is there anything specific for those who plan on venturing into Alternative Dispute Resolution?

AJ: There is a whole lot of literature out there. But for those who wish to venture into ADR, I would recommend the following:

1. **Mediation - Practice and Law**, by Sriram Panchu
2. **Getting to Yes** by Roger Fisher and William Ury
3. **Emotional Intelligence** by Daniel Goleman
4. **Good for you, Great for me** by Lawrence Susskind
5. **Tomorrow's Lawyers** by Richard Susskind
6. **The 3rd Alternative** by Stephen Covey
7. **Bargaining with the Devil** by Robert Mnookin.



UNUSUAL FESTIVALS AROUND THE WORLD

BY SOUJANYA V. KULKARNI

You all know about the **La Tomatina** festival that happens in Spain every year, right? (Knowing for a fact that everyone has of course seen ZNMD, obviously!)

But did you know there are other festivals too, that are equally unusual? Here are a few of them:

1. **The Underwater Music Festival**, which happens in Florida: The musicians and artists take the speakers underwater and stream songs and music. The intent behind such a funky festival is to create awareness for the preservation of the corals.

2. **Boryeong Mud Festival** in South Korea: This festival is a dream come true for all the kids as well as the inner child within all of us! As the name suggests, this is indeed a mud festival. It also has mud pools, mudslides, and mud skiing! The Boryeong village is known for its mud cosmetics. This festival started as a marketing strategy! (All the start-ups please take note!)

3. **World Bodypainting Festival** in Austria: People from more than 40 countries take part in it. Participants use special effects makeup and try to look as realistic as possible.

4. **International Hair Freezing Contest** in Canada: When people all around the world try to keep themselves warm in winter, Canada went in the opposite direction and started a festival! Participants are expected to dunk their heads in the ice-cold water and when they lift, the cold temperature will automatically start to sculpt.

5. **Naki Sumo** in Japan: This is a bizarre festival that tests the ability of grown men to make babies cry. The one who makes the baby cry first wins. It is believed that the cry of a baby will ward off evil spirits. (All the elder siblings would win, wouldn't ya?)



Source: Google Images.

INTERNATIONAL WOMEN'S DAY CELEBRATING WOMEN'S ACHIEVEMENTS & ADVOCATING FOR GENDER EQUALITY

BY SAI PRANAV S.

International Women's Day is celebrated annually on 08 March to recognize the social, economic, cultural, and political achievements of women and to raise awareness about the ongoing struggles for gender equality. This day has been observed for over a century, and it is a reminder of the progress that has been made as well as the work that still needs to be done to achieve gender parity.

Women's empowerment is a crucial component of achieving gender equality. Empowering women means ensuring that they have access to education, healthcare, employment, and political representation, among other things. When women are empowered, they are able to participate better in decision-making processes that affect their lives, as well as the lives of their families and communities. This, in turn, leads to more inclusive and equitable societies.

Gender-based discrimination is a pervasive issue that affects women and girls around the world. It takes many forms, from educational institutions to offices and even in several households. This type of discrimination is a violation of human rights and can have devastating consequences for victims and their families. It is important to address gender-based discrimination through policies and programs that promote prevention, protection, and support for victims.

International Women's Day is a time to celebrate the accomplishments of women in various fields, including politics, business, science, technology, the arts, and sports. It is an opportunity to recognize the contributions that women have made to society and to inspire future generations of female leaders. This day also serves as a reminder of the barriers that women continue to face in achieving their goals and the need for continued advocacy for gender equality.



On International Women's Day, it's important to recognize not only the achievements of women in the present day, but also the role that women have played throughout history. Women have made significant contributions to many fields, but their accomplishments have often been overlooked or undervalued. By highlighting the achievements of women from the past and present, we can inspire future generations of women to pursue their goals and make a difference in the world.

In addition to celebrating women's achievements, it's important to continue advocating for policies and programs that promote gender equality. This includes initiatives to address the gender pay gap, increase the representation of women in leadership positions, and provide access to education and healthcare for women and girls around the world. By working together, we can create a more inclusive and equitable society for everyone.

Finally, it's important to remember that the fight for gender equality is ongoing. While progress has been made, there is still a long way to go to achieve true gender parity.

By continuing to raise awareness about the issues facing women and advocating for change, we can make a difference in the lives of women and girls everywhere.

International Women's Day is a reminder of the progress that has been made towards achieving gender equality, as well as the work that still needs to be done. Women's empowerment, addressing gender-based violence, and celebrating women's achievements are crucial components of this ongoing struggle. By working together, we can build a more just and equitable world for women and girls everywhere. Happy International Women's Day!



PHOTO

BY KETAN GOUD



AMIDST JUPITER, VENUS AND THE INKY SKY FOR COMPANY,
ROLLING INTO THE BEST DAYS OF SUMMER.

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