I firmly believe that it is through research that the world can solve complex problems of societies. Research aids in developing sound public policy that plays a decisive role in influencing and shaping the future of individuals and society.

At JGU, research is recognized as a core value of institutional excellence. As a research-driven University, JGU actively promotes socially beneficial and globally relevant inter-disciplinary research. JGU's commitment to develop a research-intensive environment is strengthened by the presence of more than 55 faculty-led research centres that are deeply engaged in carrying out research on local, national and global issues. This Research Magazine intends to celebrate some of our outstanding faculty members whose research aims to not only reshape the social fabric of our country but also to create far-reaching effects. Each of them is on a path to create a large impact in their respective fields, ranging from climate change issues to universal social protection to concerns faced by the LGBTQ community. In fact, some of their work was even cited in the Supreme Court judgement repealing a part of the 158-year-old law under Section 377 of the Indian Penal Code. It is this type of work that JGU promotes and thrives on. We hope this edition of the magazine will give you a glimpse into the world of research within our university.

I sincerely hope that the passionate work of these illustrious faculty members will encourage more and more academicians, especially young researchers, to recognize the importance of high impact research. I am confident that the groundbreaking work of our faculty members will inspire the young academicians to view and pursue research as an effective instrument for social change.
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Jain’s research is at the intersection of Law and Marginalization. She writes on Gender and Sexuality, Postcolonial Feminism, Public Health Law, Transgender Law, Minor Jurisprudence, Critical Legal Theory, Constitution and Social Movements, Reproductive Justice, Legal Education and Pedagogies and Empirical Legal Studies. Her research was recently cited by the Supreme Court in the landmark decision of Navtej Johar v. Union of India (2018). In 2018, she was designated as the first Research Professor at JGLS.

Jain has collaborated with local, national and international organizations and individuals to conduct socio-legal research on sexual minority rights, transgender and gender diverse people’s rights and reproductive justice in India.

Through one of her research studies, Jain shows that commercial sex work in India is placed under intense surveillance by the legal system. The voices of sex workers are lost amidst academic and political debate, largely polarised along the abolition-decriminalisation fault line. She argues for a bottom’s up approach to law reforms. In a co-authored article titled, Sex Worker’s Rights in India: Perspective, Voices and Narratives from the Margins, she argues that no significant sex work related legal reforms and legislative change can take place without meaningful participation of the most important stakeholders of the debate—the sex workers themselves. It is time that lawmakers allowed lived experiences from the margins to inform the law-making process rather than relying on ‘expertise’.

Publications:

Sreejith S.G.’s research focuses on the possibilities of time. He argues that we live in troubled but transformative times, a time in which time itself is going through a test of relevance. Everything that has hitherto been held dear and held in hate has collapsed, making us victims of a timelessness. But we have also been presented with opportunities for reinvention and rediscovery of our own reality. Based on these observations, Sreejith S.G. is attempting to reimagine law for constituting a social order based on human ontological possibilities. Crossing disciplinary boundaries, he researches on seemingly disparate themes such as organic farming revolution, gender considerations in human space exploration, alternative ethics to law and society, Arctic governance, alternative manifesto to Third Worldism etc. He is also an academic administrator, project coordinator, and consultant.

Publications:

- Sreejith, S. G. (2018), ‘Gandhi and International Law: Satyagraha as Universal Justice’ in Rajesh Babu and Burra Srinivas (Eds.), Locating India in the Contemporary International Legal Order, 9-29
Gitanjali Surendran is an Associate Professor and the Executive Director of the Centre for Law and Humanities at Jindal Global Law School. She pursued her BA in history at Lady Shri Ram College for Women and an MA in modern Indian history at Jawaharlal Nehru University. Thereafter, she went on to read modern history at the University of Oxford on a Commonwealth scholarship for a second MA, before starting her PhD in History at Harvard University.

Gitanjali Surendran’s current book project is on modern Indian Buddhist revival from around 1850, when the British began to engage with Buddhism, till 1956, when Dr. B.R. Ambedkar famously converted to Buddhism. She has written articles on various aspects of this project, including on the Buddhologist B. M. Barua and the study of Buddhism in colonial Calcutta; Burmese Buddhist and Hindi writer U Paragu who travelled to India in the 1950s; Sri Lankan Buddhist reformer Anagarika Dharmapala’s work in India; and Ambedkar’s conversion to Buddhism. This book project focuses on Buddhism, political thought, and ‘secret histories’ of nationalism, universalism, modernity, and caste radicalism in colonial India and beyond. Surendran’s first book, a narrative history of Anand Bhawan, the Nehru family home in Allahabad, was released in November 2018. It locates Anand Bhawan as both, a nerve centre of the anti-colonial movement and headquarters of the Indian National Congress, and a family home replete with personal stories of a family going about its business in tumultuous times.

“Above all else, the study of history helps us gain a deeper understanding of ourselves as a society and a polity. It is more important today—in the age of ‘alternative facts’—than it has ever been.”

Publications:
Gautam’s research on constitutional law combines structural, historical, doctrinal, and comparative approaches. In one of his articles published in the prestigious Columbia Journal of Asian Law, he has questioned the traditional understanding that the Indian President is nothing more than a ceremonial head of state. Relying on Constituent Assembly debates, Supreme Court jurisprudence, and structural analysis of the Constitution, he argues that the President is not bound by the ‘aid and advice’ of the Union Cabinet if the former is of the opinion that such advice is violative of the Presidential oath of office, which is to ‘protect, preserve, and defend’ the Constitution. The President, however, has no constitutional authority to govern the nation as that responsibility is vested solely in the cabinet. This has important implications for interpretation of the Constitution as it intersects with many key provisions such as appointment of judges, promulgation of ordinances, grant of pardons, declarations of emergencies etc. In his recent work in Stanford Journal of International Law, he has theorized the question of using international law in constitutional interpretation of the Supreme Court.

Publications:

Khagesh Gautam
Khagesh Gautam is an Associate Professor and an Assistant Dean (Research and Publications) at Jindal Global Law School, and an Assistant Director of both the Centre on Public Law and Jurisprudence, and the Mooting and Advocacy Programme. After obtaining his B.Com from Kurukshetra University and LLB from Delhi University, he graduated with an LLM from Columbia Law School as a Stone Scholar in 2013. Before joining Jindal Global University, he has worked in a law firm and practiced before High Courts and tax tribunals across Haryana, Punjab, and Himachal Pradesh. In addition to his teaching commitments at JGU, he has also taught at China University of Political Science and Law in Beijing and William S. Richardson School of Law at University of Hawaii, USA.

“The President of India is not entirely bound by the ‘aid and advice’ of the Union Cabinet…”
Climate change is the biggest threat to life in the history of the planet. The Paris Agreement on Climate Change was adopted in 2015, but governments have done very little since then to adopt ambitious national commitments and develop robust implementation mechanisms. Through his scholarship, Popovski argues that it is still not too late to undertake global collaborative efforts, comprehensive policies, and urgent action plans to mitigate greenhouse gas emissions, and to adapt to dramatic challenges resulting from rising temperatures. Popovski discusses these pressing issues in his book ‘The Implementation of the Paris Agreement on Climate Change’ (Routledge 2018) and develops further research agendas by looking at the Paris Agreement and the Sustainable Development Goals (SDGs) as a major shift in global governance. These agreements are based on bottom-up voluntary commitments. They are transparent, reviewed over time in terms of ambition and feasibility, and are facilitated by global mechanisms and funding. Although, some may regard such agreements as legally non-binding ‘soft law’, Popovski argues that these may have the potential to yield better results than classical ‘hard’ international law based on sanctions. New powerful players in global governance – China, India, Brazil, South Africa, and others – show preference for less formal and more flexible international agreements.

Popovski argues that we may well see how ‘sanctions committees’ are replaced by ‘facilitation committees’; transparency and accountability may replace practices of monitoring and verification. Another novelty about these new types of international law is that non-state actors – businesses, municipal authorities, philanthropists, civil society members, and academics – play as important a part as do state actors.

Publication:
While India and China share similar baseline conditions and challenges for their modernization initiatives, the two countries have tried different models of constitutional governance that make comparative studies of law and governance between India and China meaningful and, indeed, necessary. Such comparative studies are scarce, a significant lacuna that Wenjuan Zhang has addressed through her scholarship. Zhang’s early research has focused on Chinese law, society, and governance; her publications in China on such themes, in research journals and social media platforms, drew widespread public attention. She has also published articles in Indian media outlets and journals that have provided Indian academics with up-to-date analyses of developments in Chinese law and governance. Some of her studies are very pioneering in the field. Her article titled ‘Chinese NGOs Internationalization and Their Engagement with the United Nations’ is a pioneering study that analysed the discourse of internationalization in the context of the changing roles of Chinese NGOs in domestic governance and public diplomacy, and shifts in UN strategies of engagement with NGOs. Zhang’s recent research has taken new directions, deeply influenced by her experience of living in India. Her forthcoming publications have engaged with direct comparative studies of law and governance between India and China.

Wenjuan Zhang

Wenjuan Zhang is an Associate Professor and an Assistant Dean for International Collaborations at Jindal Global Law School. She is also leading the Center for India–China Studies at the O.P. Jindal Global University. She received her LLM degree from Columbia Law School and Juris Master Degree from Peking University Law School. She has been a visiting scholar at Yale Law School and Columbia Law School. Before joining JGLS, she has served as Vice Director of Zhicheng Public Interest Lawyers, the biggest public interest law organization in China.

Publications:
Shivprasad Swaminathan’s work is primarily in the areas of legal philosophy and contract law. His work in legal philosophy explores the extent to which rationalist accounts—which view a sphere of human activity as being normatively governed by some objective blueprint—can work in morality and in law (adjudication in particular). His ongoing work in legal philosophy examines why common law resists systematisation in the form of ‘Euclidian’ models—whether in the form of ‘theories’ or ‘codes’—which seek to arrange an entire area of law as if they can be logically deduced from a small number of axioms or first principles. He argues that Euclidian theories fail in such cases because common law adjudication involves a great deal of ‘tacit knowledge’. This refers to knowledge that is picked up by osmosis and employed extensively in practice—and even used to effectively anticipate how others will act—without the agent being able to conceptualize or state it in the form of propositions and rules of behaviour. This also explains, according to Swaminathan’s hypothesis, the ubiquity in common law of concepts such as ‘reasonableness’, ‘proximate cause’ etc., of which, seasoned lawyers converge on picking out extensions, with a degree of facility. In the article ‘Eclipsed by Orthodoxy: The Vanishing Point of Consideration and the Forgotten Ingenuity of the Indian Contract Act’, Swaminathan challenges the received wisdom that the Indian Contract Act (1872) was meant to be nothing more than a faithful codification of the English common law of contract. He focuses on a central doctrine of contract law: ‘consideration’. The article argues that the provision related to consideration (s.2(d)) was ingeniously designed by the drafters of the Act to make the ‘consideration’ requirement completely redundant without having to formally abolish it. In this, argues Swaminathan, it anticipated far-reaching reforms to English law proposed much later in the 20th century. This ingenious design, however, went awry as courts and scholars in India projected the orthodox English doctrine of consideration upon this provision. In his other work, Swaminathan has traced a similar trajectory in other important areas of contract law.

Shivprasad Swaminathan

Shivprasad Swaminathan is a Professor at Jindal Global Law School, where he has been an award winning teacher. He took his undergraduate law degree from Indian Law Society, Pune, before going on to read for a BCL at St Catherine’s College, Oxford, and a D Phil in Law (Jurisprudence), at Balliol College, Oxford. He has been the recipient of Clarendon and Balliol Eddie Dinshaw Scholarships at Oxford, and the scholarship for international visiting researchers at the Max Planck Institute for Comparative and International Private Law, Hamburg.

Publications:

Nakray is interested in a wide range of issues, arising from her interdisciplinary training in the social sciences. She has recently co-edited a volume that examines ethical dilemmas in studying sensitive topics such as gender-based violence, child abuse, issues concerning combatants, and climate change. She had previously edited another volume that encapsulated some of the latest debates in the understanding of gender-based violence as a public health issue in developing economies. She has published in leading journals on gender budgets, child-sensitive budgets, and comparative social policy. She is deeply interested in questions of research ethics and in linking academic research with policy.

Nakray’s research focuses on various aspects of human capital formation and the role of universal social protection. The Sustainable Development Goals (2015) have set major milestones for human capital formation along with a reduction in inequalities of outcomes and equality of opportunities, legal identity, and universal social protection. At the heart of human capital formation, she argues, are education and health policies. Her ongoing project examines the comparative dimensions of demographic transitions and the role of education and health policies in China and India.

Publications:

how contradictory inheritances of knowledge and politics limit the frames of legal interpretation.

Over the last decade, Sircar has researched on the relationship between law and violence. That law and violence share an antithetical relationship in modernity is a virtuous cliche. Violence—both exceptional and ordinary—is commonly considered the ‘other’ of law. It is axiomatic to value lawfulness as progressive and lawlessness as primitive. A condition of lawlessness is understood to produce violence, and a fetishized desire for the rule of law and human rights is pursued to resist and repair the violence of lawlessness. Sircar’s research locates law and violence in a negative space where they are not adversaries but allies. His writings have drawn on insights from postmodern jurisprudence, feminist legal theory, cultural studies, memory studies, queer theory, and postcolonial theory. He argues that legal imagination does not only emanate from courtrooms, legislations, and judgments, but is lived in the practices of ordinary disobediences and everyday failures, in the cultural chronicles of life in literature, cinema, art, and practices of pedagogy. It is only when law can be reimagined as such that the violence at the foundations of modern state law can be unsettled, even if momentarily. To engage in this project of reimagining, thus, becomes the responsibility of those who wish to think with, and about, the law with criticality and care.

Sircar’s recent work focuses on what may be called the jurisprudence of failure and finitude. He has engaged with the failures of the queer rights movement’s relationship with the law in ‘New India’—one marked by the symbiotic rise of neoliberalism and Hindu nationalism—and with his own intellectual limitations as a male feminist legal academic. His aim has been to account for a range of difficult inheritances that have a bearing on the political life of a movement, and the entanglements of these inheritances with his own pedagogical and personal lives. The line of inquiry has been anti-technocratic. He moved away from the legal discipline’s overreliance on efficient problem-solving as a worthy skill for lawyers, to consider

Sircar’s recent work focuses on what may be called the jurisprudence of failure and finitude. He has engaged with the failures of the queer rights movement’s relationship with the law in ‘New India’—one marked by the symbiotic rise of neoliberalism and Hindu nationalism—and with his own intellectual limitations as a male feminist legal academic. His aim has been to account for a range of difficult inheritances that have a bearing on the political life of a movement, and the entanglements of these inheritances with his own pedagogical and personal lives. The line of inquiry has been anti-technocratic. He moved away from the legal discipline’s overreliance on efficient problem-solving as a worthy skill for lawyers, to consider

**Oishik Sircar**

Oishik Sircar is an Associate Professor at Jindal Global Law School. He holds a PhD from the Institute for International Law and the Humanities, Melbourne Law School. He completed his LLB from the ILS Law College, Savitribai Phule Pune University, and an LLM from the Faculty of Law, University of Toronto. Apart from earlier stints as an Assistant Professor at JGLS, Sircar has worked as a Teaching Fellow at Melbourne Law School and a Research Fellow at the Centre for Human Rights and Citizenship Studies, National University of Juridical Sciences, Kolkata.

“Legal imagination does not only emanate from courtrooms, legislations, and judgments, but is lived in the practices of ordinary disobediences and everyday failures, in the cultural chronicles of life in literature, cinema, art, and practices of pedagogy.”

**Publications:**

Danish Sheikh

Danish Sheikh is an Assistant Professor and an Associate Director of the Centre for Health Law, Ethics, and Technology at Jindal Global Law School. He has law degrees from NALSAR University of Law, Hyderabad and the University of Michigan, Ann Arbor, which he attended on a Grotius Fellowship. He has previously worked with the Alternative Law Forum (ALF), a collective of human rights lawyers based in Bangalore, where he was involved in research and advocacy on gender and sexuality, free speech and access to knowledge.

Danish Sheikh works at the intersection of two strands of scholarship: the regulation of sexuality and the interplay of law and literature. In terms of the former, he has been researching the ways in which law interacts with social change as far as LGBTQ rights in India are concerned. His attempt has been to understand how litigation can work in line with social movements, and explore various issues of access to justice for queer communities through ethnography. As far as law and literature is concerned, he has often struggled with the boundaries of the legal imagination. He finds literary imagination a useful counter-space to expand boundaries imposed by limitations of the law. He brings these ideas to his classrooms while teaching a course titled ‘Legal Theatre’ where students create short theatrical pieces based on legal texts. The goal has been to create and disseminate a set of theatrical texts that can be used as advocacy tools for communities marginalized on the basis of their gender and sexuality. Discussions revolve around how the law constructs identity, as well as, how legal processes might be made a more empathetic enterprise. In his work on privacy and LGBTQ rights, Sheikh attempts to think through ways in which the queer movement and, specifically, litigation has challenged (or been complicit in maintaining) the public-private divide. He argues that it is crucial to be able to protect forms of intimacy in public spaces, and that now there are adequate jurisprudential tools to do so with the Puttaswamy and Navtej Johar judgments of the Supreme Court. One of his articles on queer rights and their intersections with the privacy doctrine was cited by the Supreme Court in the Navtej Johar decision.

Publications:

“It is crucial to be able to protect forms of intimacy in public spaces, and we now have adequate jurisprudential tools to do so.”
Sabir's research interests include postcolonial feminism, multiculturalism, and law and literature. She has coordinated several research projects; the most recent one was funded by the Schulze Felitiz Stiftung, Germany. She has also conducted research in collaboration with different departments of the Government of India.

Sabir is deeply interested in the question of how discrimination is trivialized, normalized, and perpetuated within the hegemonic narrative of a secular-liberal state. At a systemic level, a liberal state is seen to have the primary responsibility of maintaining equality. However, as opposed to this dominant claim, incidents of violence and sufferings of minority groups suggest that such states have actively produced and promoted discrimination against minorities. The argument of political equality can be used to operationalize a substantive concept of democracy; but, Sabir asks, what about social equality? She argues that a study of Indian democracy can be revealing in this context. A sentiment commonly shared among India’s marginalized population is that the promise of national emancipation at the time of independence could not touch upon the lives of those who were supposed to be its real beneficiaries. The continued feeling of alienation is often demonstrated in the form of popular resistance against the Indian government. Notwithstanding such political odds, the liberal democratic base of India continues to be persistent. Sabir examines what has enabled this to happen. She argues for the need to engage deeply with these modes of governing, and with the response of the postcolonial juridical system to the exercise of their agency. Through the partnership conception of democracy, Ronald Dworkin has shown how democracy can uphold self-government. However, difficulties persist in stating in definitive terms what self-government means and how to achieve it. With respect to achieving it through equal socio-political partnership, Sabir argues, the theory remains wanting.

According to her, this particularly holds true in case of countries like India where deep and politicised diversities have proved to be democracy’s anathema. India has reached its 68th year of democratic rule. However, there are frequent criticisms by political and social activists that India’s democracy in its working has produced its own exclusions. Hence, Sabir argues, there is a need to analyse the paradoxical relationship between equal citizenship and majority rule in democracies such as India.

Publications:


“There is a need to analyse the paradoxical relationship between equal citizenship and majority rule in democracies such as India.”
Art offers unique challenges to law; yet it also offers new possibilities to law and justice in legally plural contexts. As a visual anthropologist who has worked extensively on Maithil art (India), Mani Shekhar Singh is currently researching the place of vernacular art in imaging law, violence, and justice.

Singh’s work on Maithil art is one of the most in-depth studies of this art form. His current work examines the ways in which the women artists of Mithila evoke images of justice in their artwork, posing disconcerting questions about violence and the promise of justice. Their artwork portrays a distinct visuality of justice that inhabits legally plural worlds. When art seeks to depict justice, images have the potential to disrupt dominant ‘official’ narratives by offering alternative ideas of what might be just and right.

“Existing literature on the complex and shifting relationship between law and art has seldom paused to contemplate on pictorial representations of justice emanating from the so-called vernacular artworlds.”

Publications:

Mani Shekhar Singh

Mani Shekhar Singh is an Associate Professor and the Executive Director of the Centre for Law and Humanities at Jindal Global Law School. He has worked extensively on sociology of art and visual culture. He has held visiting fellowships at top universities and institutes in Germany, France, and the United States of America. In India, he has been the recipient of the New India Foundation Fellowship and the Indira Gandhi National Centre for the Arts research grant. He has taught at New School for Social Research, New York, and Department of Sociology, University of Delhi.
Arshita Prasad Kotha’s research has focused on the intersection between taxation law and constitutional law. She has undertaken a study on earmarked taxes, called cesses, levied since India’s independence. She has filed RTI applications with different government ministries and departments to fill the information gaps on the collection and usage of the cess proceeds. Her research has revealed irregularities in the administration and usage of proceeds, and the consequent legal and constitutional violations. In her pursuit for seeking accountability and transparency, she filed a public interest litigation, raising issues arising out of her study. Apart from writing academic papers, she has also written several editorials on such issues. Kotha was invited to be a part of the research team that briefed the Fifteenth Finance Commission (a body established under the Constitution to recommend vertical and horizontal distribution of revenues) on issues pertaining to cess.

Apart from writing academic papers, she has also written several editorials on such issues. Kotha was invited to be a part of the research team that briefed the Fifteenth Finance Commission (a body established under the Constitution to recommend vertical and horizontal distribution of revenues) on issues pertaining to cess.

Publications:
- Kotha, A. P. (2018), ‘The Distinction between Cess and Surcharge is Significant for a Taxpayer’, Economic and Political Weekly 53 (8)

“Administration and usage of cesses reveal irregularities involving legal and constitutional violations.”

Ashrita Prasad Kotha is an Assistant Professor and an Assistant Director of the Centre for Comparative and International Taxation at Jindal Global Law School. She has completed her BCL from University of Oxford as a KC Mahindra Scholar. She has been a non-resident expert with Vidhi Centre for Legal Policy. She has been awarded the Abe Greenbaum Fellowship for 2018 by the School of Taxation and Business Law, University of New South Wales, Sydney.
Singh’s work on semi-colonialism and international law marks a significant departure from the conventional scholarship on Asia and international law. His research has important implications for future studies on Asian history and international law, including research on Nepal and Bhutan by international lawyers, who will profit from his insights on Thailand and China. Existing scholarship on international law and Asia conflates colonial and semi-colonial experiences. Singh challenges this conventional wisdom. After all, Asia has suffered not just direct European colonialism but also Japanese, Soviet, and American semi-colonialism. Indeed, Japanese semi-colonialism was significantly different from European colonialism; while the European colonial project was based on local underdevelopment, the Japanese invested in cloning a nation-state close to itself. Singh argues that colonialisms in South Asia and semi-colonialisms in East Asia must yield different post-colonialisms that should organically reflect in scholarship. He has written on this subject in academic journals as well as in newspapers and magazines.

Singh’s research particularly focuses on semi-colonialism in Indochina and Japanese semi-colonialism. The study of semi-colonialism is significant because it could potentially help make conjectures about powerful states exhibiting tendencies of lapsing into imperialism. His work makes a significant contribution in understanding the present and future of international law in China and Siam, and Asia more generally.

Publications:


**Prabhakar Singh**

Prabhakar Singh is an Associate Professor, an Assistant Dean (Research) and the Executive Director of the Centre for International Legal Studies at Jindal Global Law School. He holds a PhD from the National University of Singapore, an LLM from the University of Barcelona, and a BA LLB from the National Law Institute University, Bhopal. He serves as an Assistant Editor of the Indian Journal of International Law.
The well-being of generations yet to come must necessarily be an important concern for the present. As an extension of Rawls’ “just savings” principle, one of the arguments for sustainable development is that of intergenerational equity—the idea that future generations must have the same access to natural resources as the present generation.

Through his research, Arjya attempts to reconcile the divergent positions of the shareholder and stakeholder primacy debate by proposing that directors—acting for the corporation—should preserve intergenerational equity. Three arguments are presented in course of this proposition. Firstly, corporations are perpetual in nature and their continuing existence is predicated upon the ability of individual owners to transfer their ownership. Secondly, directors have a higher fiduciary duty to the corporation and future shareholders, over that of present shareholders. Finally, in order to safeguard the interests of future shareholders, corporations must necessarily strive to preserve the natural and social environments upon which the future of the corporation and the wealth of future shareholders depend.

Publications:

“Directors have a higher fiduciary duty to the corporation and future shareholders.”
Khanderia's work focuses on investigating whether the practice of the judiciary is compatible with global trends on the subject. Her research links the disinclination of parties to resolve international civil and commercial disputes in India with the lack of coherent rules on the subject and the deep-seated dependence of the judiciary on the century-old principles of the English common law. These, she adds, are no longer suited to resolve modern-day challenges and mandate new mechanisms - preferably similar to those adopted by the civil law counterparts given the overwhelming number of disputes before the Indian courts which are commercial by nature.

In her publication, ‘Indian private international law vis-à-vis party autonomy in the choice of law’ in the Oxford University Commonwealth Law Journal, she compares the laws of Brazil, China, the European Union, Hong Kong, Japan, Mexico, South Korea, Russia, Turkey, the United States and Venezuela and claims that despite being in correspondence with international trends in some respects, there is an ample scope for developing the Indian law.

The chief setbacks, as she highlights in her paper, are two-fold. Firstly, it is the inability of India’s judiciary to unambiguously define the precise contours within which, the parties’ freedom to choose a foreign law may exist. This, as she demonstrates, has predominantly been due to the blind adoption of the corresponding English rules on the subject, which are equally convoluted. Secondly, and in a related vein, it has been the reluctance on the part of its lawmakers to make room for the acceptance of the parties’ choice of soft-laws to govern their international commercial agreements which, she asserts have become increasingly prevalent for the resolution of disputes. Her research demonstrates how the Indian legal system could become better suited to tackle such challenges if the judiciary began to refer to the provisions of the Hague Principles on the Choice of Law as a gap-filler.

Saloni Khanderia

Saloni Khanderia is an Associate Professor at Jindal Global Law School and Deputy Controller (Examinations). Her areas of interest and specialisation are the law of the World Trade Organization and Private International Commercial Law. Prior to joining JGLS in 2017, she worked with the National Law University, Delhi for four and a half years as a Research Associate, wherein she taught International Trade Law.

Publications:

With the onset of Industrial Revolution 4.0, countries, firms and innovators rush to take in the technological higher ground over one another. In the last decade, we witnessed fierce market competition, protracted legal battles and tremendous uptake of digital technologies. Based on cutting-edge research and scholarship, we have emphasised on the role of patents, competition and supporting laws and policies in incentivising and promoting research and technological innovation that is set to become the foundation for Revolution 4.0.

We founded the Jindal Initiative on Research in IP and Competition (JIRICO) to stir an academic dialogue, rooted in the scholarship and theoretical foundations of law, economics and business, on topical law and policy developments around intellectual property and competition. Our objective is to understand the nuances and enablers that ensure technology and innovation is for shared prosperity of society.

Our more than 40 published articles, books, policy papers and proceedings have been appreciated by the Government of India, including the Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry, Telecom Regulatory Authority of India (TRAI), Competition Commission of India (CCI), Department of Telecommunications, Invest India initiative of the Prime Minister among other. We have undertaken a cross-country analysis of evolving FRAND and SEP policies and scrutiny of the National IPR Policies. The first JIRICO India Innovation Survey was aimed at testing the affability of the Indian industry towards innovation in correspondence to the government initiatives of ‘Digital India’ and ‘Make in India’.

With our second edited volume, Multi-dimensional Approaches Towards New Technology: Insights on Innovation, Patents and Competition (Springer, 2018), JIRICO has furthered the debate on stringent and scattered patent policies and standard setting. The book discusses the innovators’ and implementers’ dilemmas in tackling issues involving royalties, procedural fairness and due process principles in an easily discernible language such that the book has been downloaded more than 51,000 times since its release in August 2018 and was a part of Springer’s list of top ten law books of 2018 internationally. This work has also been cited by an official document of the European Parliament’s Committee on Legal Affairs.

With over 2 million dollar research funding, JIRICO has established itself as the single largest academic research group that is working towards tech innovation as a means of achieving shared prosperity of societies.

Publications:

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