

# "Push your limits, step out of your comfort zone & embrace the unfamiliar." Maimoona Badsha, Counsel, Apollo Hospitals

Maimoona talks about the different phases of her life leading to an illustrious journey in law. She also gives a peek into her day at work, her most memorable experience and much more in this exclusive interview with Ashima Ohri, Managing Editor, BW Legal World.



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**PUSH YOUR LIMITS, STEP OUT OF YOUR COMFORT ZONE & EMBRACE THE UNFAMILIAR.**

**MAIMOONA BADSHA, COUNSEL, APOLLO HOSPITALS**

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by Ashima Ohri

Many Congratulations on featuring in BW Legal World's General Counsel 100 list for the year 2020. We'd love to know about your journey so far, most memorable experiences, and your thoughts on receiving this Award.

## The Start

As a child, I grew up watching my father late Shri. Habibullah Badsha, a doyen at the Madras Bar, former Advocate General of TN, achieve the mile stones he did with unstinting dedication and undying passion for the profession of Law. This left a lasting impression on me.

In the year 1993, I secured my B.L Degree in Chennai and it was the natural assumption that after graduation and enrolling at the Bar I would slip into the comfortable role as a junior lawyer in his law practice. However, fate had different plans. I was married within a few months of my enrolment as a lawyer at the Madras Bar and immediately shifted from Chennai to Kerala.

## Marriage & Shifting to Kerala

After the privilege of being the daughter of a famous lawyer and taking for granted that I would have the easy transition into my father's practice, it all changed when I moved to Kerala. I woke up to the rude reality of being completely on my own, stripped of the title of someone's daughter and had to prove myself as just me. I lived in Trivandrum, which had no High court, I did not know the local language, did not have any inroads into the legal community and was starting not at ground zero but less than that. This was the hardest and best experience of my life because it helped me come into my own.

For the first time in my life, I had been thrown into the deep end with no lifeboat in sight. Everyone discouraged me from pursuing the dream of being a lawyer and advised me to start a family and settle down into a life of domesticity. The more they told me I couldn't do it, the more I was determined to prove them wrong.

I hired a tutor and learnt to speak and read the local language Malayalam. It was limited but I could at least communicate. I got a break to appear before the State and District Consumer Commissions and was given the responsibility to handle cases on my own. Luckily, the proceedings & arguments were in English, the Law was easy to grasp and I spent day after day strengthening my advocacy skills in this area of Law. Without me knowing I had gained a foothold and people started looking upon me with respect. I continued to yearn to practice civil law and would sit in the afternoons in courts to listen to arguments, take notes and hone my skills as a lawyer.

## Interim Move to Chennai -1997-99

Between the years 1997 and 1999 I moved back to Chennai to work with my father and was also appointed by the Governor of Tamil Nadu as Senate Member of the Madras University Senate

## Motherhood

In the year 2000, I was blessed with triplet daughters. It was then that it hit me that a woman has the onerous task of balancing her personal life with her professional and the latter, more often than not, takes a back seat. Once again I was discouraged from continuing in the practice of Law and seriously considered working with my husband. But the passion for Law never left me and in 2003 I moved to Cochin & started practicing in a boutique Law practice.

After 3 years I decided to break away and start my own practice. It was very brave because I had no client base and no prospects! I opened my office with great pride and joy and sat alone at my desk, in my office and my driver was my secretary, assistant and all in all.

## Legal Outsourcing

I also got the opportunity to head a legal outsourcing company in Cochin, which drafted pleadings to be filed before U.S courts and complex research memos. It was a very challenging yet exhilarating experience. It was a challenge to master U.S laws and help train close to 35 junior lawyers hired by the company. Not only were U.S laws unfamiliar to us, but also how to use online platforms like LexisNexis which was the cornerstone of any legal work to be executed.

## Return to Chennai

In the year 2008, I returned to Chennai to start my law practice all over again. It was then that I got the opportunity to work with Apollo hospitals and its Group Companies.

## Importance of this Award

Receiving an Award gives me an opportunity to tell my story and share my journey with the singular hope that it will inspire someone out there to follow his/her dreams.

## What do you attribute your success to? What would you say has helped you emerge as a top General Counsel in your industry?

I believe my passion for the subject, the fact that I enjoy what I do and integrity are the cornerstones of my success. I also believe that the fact that I started off my career with no mentor and was taken out of comfort zone to do it all on my own has brought me where I am today.

## What advice would you have for others who want to set off in a similar direction?

Push your limits, step out of your comfort zone & embrace the unfamiliar, constantly learn something new, never lose sight of ethical principles, do not lose your voice, try to resolve conflict rather than create it. Do not think that any job is too small for you and that you need to start at the top! Work your way up to it.

## Would you please share with our readers the array of work you handle at your organization? What is your in-house team size, and would you please allow us a little peek into your routine at work?

**Healthcare:** Medical malpractice litigation; Advice on implementation of laws relating to data protection, patient privacy and confidentiality, transfer of anonymized data, genetic testing and personalized healthcare, statutory compliances for blood banks and organ transplantation centers.; Draft patient informed consent forms for medical treatment and use of biological samples for research; Conduct ongoing training programs for healthcare professionals on their legal rights, duties, liabilities, and how to minimize risk of malpractice litigation.

**Life Sciences:** Draft clinical trial agreements, material transfer agreements and research collaboration agreements for 10 AARRHAPP accredited Clinical trial sites in the Apollo hospitals Group, across India; Advice on regulatory compliances and applicable laws relating to the import of drugs, medical devices, and healthcare products;

I was an Honorary Legal Member on the Independent Ethics Committee that oversees ARI's (Apollo's Research Division) clinical drug trials. I was involved in ensuring legal compliance in several hundred phases II, III, and IV human clinical drug trials, of which 80% are global multi-centric trials.

## In what ways has your business sector/industry been impacted by the pandemic and the subsequent second wave? How long would it take for the industry to revive?

Through the pandemic, Apollo hospitals has been conducting several clinical trials of new drugs, treatment protocols, which require documentation/agreements to be completed on an urgent basis. The Informed consent process had to be overhauled and customised to include risks of covid exposure, declarations by patients & attenders that they have not been exposed to it and several other scenarios. Tele-Medicine/consultation has become the new norm for treating patients not just with covid but also patients consulting doctors for pre-existing illnesses, emergencies, online purchase of drugs etc. Technology & Data Privacy have become key in providing medical care.

The Apollo hospitals is spearheading the vaccination program in the private sector, and it is to be seen whether or not any legal ramifications arise. At this point in time the emphasis is on saving lives and ramping up facilities to meet the increasing need for critical care.

The emphasis is going to be on an increased availability of healthcare not just for handling the pandemic going forward but also for grappling with the new and alarming rise in long-term post-covid health complications. The vaccination regime is also going to see several changes based on current breakthroughs and innovation. Technology and data privacy are going to take centre stage. Also, the role of Artificial Intelligence in innovative new treatment protocols is going to require regulations & laws. The pandemic has once again reminded us that the Law has to keep abreast with the changing technology-driven healthcare sector.

## Any significant legislation or decision of the top court that has been a welcome change or has been rather mistimed in your opinion.

I believe that we urgently require robust data privacy laws.

The Personal Data Protection Bill, 2019 ("PDP Bill") has been tabled several times for parliamentary approval but has yet to receive assent and be notified.

## An experience, matter or person that left a lasting impression on you.

In the year 2016, the late CM of TN, J. Jayalalitha was hospitalized in Apollo hospitals, Chennai, and passed away after 75 days of medical care at the hospital. The government of TN decided to constitute a Commission of Inquiry to look into certain aspects that led to her hospitalization. There were no accusations/allegations of any kind against the hospitals. However, a few months into the Inquiry, the proceedings became increasingly accusatorial against the hospital and its doctors, procedural aspects in conducting the inquiring were breached, and the medical facts of the late CM were so complex that it required the aid of a Medical Board consisting of doctors of several specialties. In the light of these circumstances, Apollo hospitals challenged the Inquiry commission and the matter is presently stayed by the Supreme court.

## What keeps you busy when you're not working? Any favorite book or movie/series that you'd like to recommend to our readers.

**Travel, a Netflix addict-** recent favorite the movie "The Mauritanian" a legal drama film based on the true story of a Mauritanian man who was held for fourteen years without charge in the Guantanamo Bay detention camp United States military prison. I enjoy design and architecture, history, so find myself enjoying trips to antique stores and spending time on the aesthetics at home. Occasional artists, reading fiction, working out at the gym are definitely passions of mine too.

**Nominations for the second edition of BW Legal World's 40Under40 are now open.**

**Click here to nominate: [bit.ly/BWLegal40Under40](https://bit.ly/BWLegal40Under40).**

**For more details, please contact Gareema Ahuja, Business Lead: +91 7827590848, [gareema@businessworld.in](mailto:gareema@businessworld.in)**

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