

An Interview with Advocate and Management Consultant, CCI Legal, Bengaluru

Volume III, Issue 4, March 2022

You are here to achieve something special and incredible, to realize your potential, to think big, to take risks, to explore the milestones of success, and to inspire the future. Get ready...!



Shri. Prashanth B.K. is a young, dynamic, and charismatic practicing Advocate in the High Court, Labour Courts, Industrial Tribunals, Commercial Courts, City Civil/Sessions Courts, and NCLT. He is heading the law firm CCI in Bengaluru.

Advocate Prashanth holds a Postgraduate Diploma in Personnel Management and IR from Bharatiya Vidya Bhavan, MSW from School of Social Work, Roshni Nilaya, Mangalore, and LLB from SDM Law College, Mangalore.

Prashanth started his career as an HR Professional at Bharath Electronics, Bengaluru, and later worked at various prestigious MNC and Indian companies for over 8 years. During this period of his HR career, his contributions in establishing HR practices, labour law compliances, working with unions, and culture-building were significant and remarkable. His value addition to companies made him to reach the top position in HR at a young age itself.

A few years ago, Prashanth's inclination, in-depth knowledge of labour laws, presentation skills, systematic approach, and aptitude for taking risks made him to move from his comfort zone and take up the profession of advocacy. This decision and alleyway were not easy for him. He spent many sleepless nights with a hunger to prove his stamina and today, Mr. Prashanth is a successful advocate and management consultant. He is an inspiration to HR professionals, those interested in building a career as advocates.



Interviewed by Shekhar Ganagaluru, HR Professional and Author

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1 How do you describe yourself?

I have spent my early years in hostels and that life has made a deep impact on my thinking process and lifestyle. Early years of hostel and sports, experience has taught me to acquire strengths from failures and criticisms. I always believe that one has to go through struggle (of any kind) and that struggle can be the biggest strength in one's life. Professionally, I always enjoyed facing challenges and it has helped me to achieve whatever I have achieved today.

2 What you think are the biggest challenges ahead for the next generation of IR Leaders?

Compare to yesterday's workmen, the workmen of this generation lack loyalty, attitude of gratitude, sense of job security, etc. With increased opportunities, it may diminish further and the IR leaders may face serious challenges in keeping the workforce disciplined and committed to the Company. Social Media may pose/already posing new challenges and IR leaders should be prepared to handle these challenges swiftly and diligently.

3 Do you advise HR Professionals to aspire to the legal profession? If yes, any tips in this regard.

I certainly advise HR Professionals (particularly those who have the inclination to IR/Administration) to aspire into the legal profession.

The experience that HR professionals acquire in handling day-to-day IR/Administration would be very handy in developing the right approach to address a legal challenge whether it is pertaining to industrial law or otherwise. However, I see many of our HR friends suffer from fear of failure and hence, they restrain themselves from venturing into the legal profession. My tips to them are to have self-confidence, think big, and realize their potentiality!

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4 There is a strong criticism that 'many HR & IR professionals are Google-made'. Do you agree with this?

No. I do not agree with this. Google can't teach emotions!

5 What are some strategies that can help young IR professionals achieve the success they want in their career?

Young IR professionals should acquire good knowledge on HR, IR, Business, and Industry as a whole, should attend various seminars/workshops, and interact with various business leaders/experts. Personality Development and maturity are very important to achieving success. In short, one should develop leadership skills to deal with diversified challenges.

6 Union leaders are stronger than current many IR Professionals. Your comments...

In my experience, I have come across 2 sets of IR Professionals – 1st category of professionals is well-read and educated, who attend seminars, workshops, courts and interacts with fellow professionals and advocates. I see these professionals handle external leaders with ease, confidence, and command. 2nd category of professionals is, who are opposed to the above traits and I often see them as inferior to the Union leaders.

7 Indian Labour Laws have been considered archaic, bureaucratic and an impediment to industrial growth in India. How do you interpret this statement?

Yes, some of the provisions/laws need to be changed. For example, fundamental rights under the Constitution of India empower a citizen to set up his/her own business. If so, he/she also should have the right to close his/her business if he/she wishes to do so. However, Chapter V of the ID Act requires prior permission of the Government to closure despite continued losses. Therefore, it may be prudent to enhance the compensation payable to the workmen in case of closure and empower the employer to close the industry without waiting for permission. Many such provisions require suitable amendments. However, these changes are required to be made keeping the interest of workers as well.

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8 “New Labour Codes – Ease of doing business.” Do you think this will come true in reality?

No. I wish the Government would not notify these Labour Codes in the current form. Though some of the provisions in these labour codes are well thought of, there are many provisions, which are vague and suffer from non-application of mind.

9 What are your tips for HR professionals to enhance their knowledge in labour laws?

Today, enough information is available in electronic form. HR professionals should ask themselves certain practical questions whenever they do certain HR/IR activities and find out the answer on their own. For example, regarding EPF – HR professionals should study themselves as to what is Basic Wages, who is an Employee, how EPF Authority functions, etc. I advise young aspiring HR professionals to spend half an hour per day for knowledge enhancement on a specific subject with continuity – it may be reading, participating in professional discussions within the teams, attending seminars, etc.

10 Why is the permanent employment of workers decreasing significantly from year to year?

Employers prefer to have flexibility in reducing the manpower in the event of business is not doing well and because of chapter V of the ID Act, employers fear to engage permanent workers in large numbers (Need permission of the Government in case of more than 100 workmen). In certain places like Bangalore, excessive unionism may be another additional factor.

11 Can you name one leader who has inspired you the most?

In my early days at BEL, Mr. Rajaram, General Manager who had mentored me with useful tips and suggestions, impressed me. In general, I have been highly inspired by the leadership of our Prime Minister, Mr. Narendra Modi. Persons coming from humble backgrounds always can look at him and get inspiration to grow to stellar heights.

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12 In the next few years, the industry will face a huge shortage of competent HR & IR Professionals. Who is responsible for this and how can we avoid this crisis?

Today's HR leaders are responsible for this problem!

As I understood, employees are highly motivated when Company is earning good profits and the Management can give handsome increments and other facilities generously. However, it is just the opposite when the Company is not doing well. Nowadays, we see many Software Engineers approaching the Labour Courts seeking their reinstatements. Hence, the demand and supply of labour and the prevailing economic/business conditions play a major role in defining Employee Relations and HR & IR Professionals should be well versed in handling human behaviour & interpersonal relationships. A good understanding of Industrial Psychology, IR techniques, and knowledge of labour laws will always help HR professionals in handling ER better. HR Professionals should focus on understanding the business and Operations as a Business Partners.

13 What are your tips for creating a strong professional rapport between HR and Union Leaders?

HR professionals should develop internal leaders by organising required leadership training and awareness workshops. If internal leaders develop their own thinking keeping their interest as well the Company, it becomes easy for HR professionals to develop a constructive and participative rapport. On the other hand, if the workmen solely depend upon their external leader, then it may not be conducive for HR to develop a meaningful rapport since it largely depends upon that external leader.

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14 You more successful as an Advocate than HR Professional, what factors contributed to this success?

When I was studying LLB (5 Years Course), I also did a Postgraduate Diploma in 'Personnel Management and IR' from Bharatiya Vidya Bhavan. It gave me the inclination to IR and Labour Laws and hence, I joined Roshni Nilaya to do MSW. However, while studying MSW, I was associated with a practicing Advocate and practically engaged in legal drafting, vetting, and client interactions. With this legal background, I joined Bharath Electronics, Bengaluru, and BEL being a great temple of learning, I got rich experience in handling day-to-day corporate IR/HR and Legal challenges. I also became 'Head – HR' of a prestigious MNC at the age of 27 and it gave me good exposure to the global work culture.

However, after working for about 8 years in a few reputed MNC and Indian Companies, I moved from HR to the Legal profession since I always considered myself best suited for the legal profession. I started independent legal practice straight from the industry and in the legal profession; it is like a child growing up without a mother. Hence, the initial days were very challenging, tense, and uncertain. I was always under scrutiny from Industry and other seniors from the profession.

Anyways, with the grace of God, hard work, and quest for knowledge, I could make my impression in the industry. I am always grateful to my team members who have supported me in acquiring a practical knowledge of the processes and procedures of various Courts. My industry experience and HR knowledge is my USPs and without which, I wouldn't have been grown successfully in the legal profession.