



## Ashwin Nayar

 Senior Associate | 
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  Gurugram

### Practice Areas

Corporate

Disputes

### Sectors

Energy – Power & Hydrocarbon

Manufacturing

Construction and Engineering

Urban Infrastructure, Smart Cities and

Public Procurement

### About

Ashwin practices in the areas of Projects with a focus on Oil & Gas, Roads & Highways, Renewable Energy and other Infrastructure Sectors.

Ashwin, amongst other things, advises on Energy projects, such as Oil and Gas Projects (including LNG sale and purchase agreements, regasification agreements), upstream developments (including on Production sharing Contracts and Joint Operating Agreements), as well as downstream arrangements. In relation to infrastructure sector, Ashwin advises on road and highway projects including on matters related to concession agreements.

Ashwin also has experience in transactions relating to renewable and non-renewable energy and has experience in Corporate & Commercial Litigation and Dispute Resolution.

## Experience

Some of the key assignments in these areas handled and being handled by Ashwin amongst others, cover the following:-

- Advised Indian Joint Venture Company in relation to long term international LNG sale and purchase agreements and gas sale and purchase agreements, including drafting, negotiating and finalising of such agreements, along with other key transactional agreements.
- Advised and assisted an India Government entity in drafting of tender documents including gas infrastructure agreement as well as gas supply agreement in relation to set up of gas infrastructure facilities for supply of gas to a 50 MW power plant being set up at Andaman & Nicobar.
- Assisted and conducted legal due diligence for a 'Maharatna' public sector enterprise, for the purpose of acquisition of an offshore gas field. As a part of the transaction, also drafted a farm-in/farm-out agreement for the purpose of acquisition of the gas field, along with drafting of ancillary documents.
- Advised a private oil and gas entity, amongst other things, with respect to:
  - representation before the Directorate General of Hydrocarbons in relation to wrongful invocation of bank guarantee issued by the Operator under the Production Sharing Contract.
  - representation before the Directorate General of Hydrocarbons in relation to exit of consortium members from the Production Sharing Contract in accordance with the MoPNG's exit policy.
- Represented a Turkish bank, in a high-stake matter involving the issue of invocation of bank guarantees. The counter party in the matter was an Indian public sector undertaking, and successfully argued for the Turkish bank. Also represented the Turkish bank in the appeals filed by the India public sector unit before a division bench of the High Court of Delhi and the Supreme Court of India.
- Assisted in conducting of a due diligence on a joint venture entity engaged in roads and highways construction works, in connection with the proposed sale of entire shareholding of the parties to the joint venture by way of an international competitive bidding under single stage two steps bidding process to interested bidders and further assisted in drafting of RFP documents for the bid process.
- Advised, an Indian private company with respect to:
  - divestment of 100% of its equity in various SPVs set up for development of road projects, wherein, the road projects had achieved COD under their respective concession agreements.
  - transfer of a national highway from the authority of MoRTH to NHAI as per the National Highways Authority of India Act, 1988, also with respect to a tripartite agreement proposed to be entered into between the private company, MoRTH and NHAI, in this regard.
  - divestment of equity in various SPVs set up for development of road projects to a company incorporated under the laws of Singapore, along with drafting of ancillary documents.
  - issues pertaining to unilateral amendment of contract documents relating to drilling, excavation, loading, transportation, dumping, spreading & levelling etc., of overburden including coal.
  - representations before the Punjab State Power Corporation Limited with respect to impact on fulfilment of obligations enumerated in Coal Mining Agreement (CMA) due to certain orders issued by the Hon'ble Punjab and Haryana High Court.

- acquiring 100% of the issued and paid equity share capital of an Indian private limited company engaged in the business of Design, Manufacturing, Testing and Supply of POT- PTFE Bridge Bearings, Elastomeric Bearings and Strip Seal / Modular Expansion Joints.

## Memberships

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Bar Council of Delhi

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Bar Council of India

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## Publications

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“New Technology: Old Laws” published in EPC World Magazine - January 2020 Issue.

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“Environmental Level Reforms - Oil and Gas Perspective” published in Oil Asia Journal

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## Education

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B.A. (Hons) Economics, Delhi University (2012)

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LL. B, Delhi University (2015)

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## Languages Spoken

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English

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Hindi

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Malayalam

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