



## Nand Gopal Anand

 Partner |  +91 124 439 0600 |  [nandgopal.anand@jsalaw.com](mailto:nandgopal.anand@jsalaw.com) |  Gurugram

### Practice Areas

Finance

### Sectors

Banking & Financial Services

Energy – Power & Hydrocarbon

Manufacturing

Real Estate

Mines & Minerals

Construction and Engineering

Hospitality, Tourism & Retail

Life Sciences, Healthcare and Pharma

### About

Nand is a Partner in the Gurugram office of the firm. He specialises in Banking & Finance, with specific focus on general lending, external commercial borrowings, overseas direct investments, project finance, trade finance, shipping finance and real estate finance related transactions. He also advises banks, financial institutions and corporates on debt restructuring.

He has gained extensive experience in handling financing transactions involving financial institutions, multi-lateral agencies, governmental agencies, public sector enterprises and companies – both Indian and foreign. He has provided tailored solutions across national borders and is uniquely positioned to support the banking and cross-border financing requirements of clients across the full spectrum of financing transactions. He regularly advises banks, financial institutions, sponsors and corporates in structuring, negotiation and documentation of various financing transactions, including advising on

credit facility agreements, security documentation, inter-creditor arrangements, escrow / TRA arrangements, cross border acquisitions and

advisory related work. He has also advised banks and other financial institutions in relation to their compliances under various directions issued by the regulator.

He works closely with corporates and banks in their project finance transactions across various sectors such as power (wind, solar, hydro and thermal), transmission, automobile, natural resources (oil & gas), metro rail, road, etc. He also advises clients on their project's legal due diligence, including reviewing of power purchase agreements, concession agreements, operation and maintenance agreements.

In addition, he also has a significant experience in financial regulatory matters and has played a pivotal role in advising banks, financial institutions and corporates in structuring and strategizing on various foreign exchange regulations and other banking related issues.

Nand has been practicing law since 2006. Before joining JSA, has worked with Juris Corp and Khaitan & Co.

Nand has been recognised in banking & finance and project finance by various national as well as international publications, including as Highly Regarded in Banking by IFLR1000.

*"Good relationship management, a nice presentation of legal points and prompt feedback"* – IFLR1000 Rankings.

## Experience

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

- Advised **State Bank of India, Gift City Branch** in relation to a sovereign loan extended to the Government of Sri Lanka. The facility is a part of economic package undertaken by the Government of India for helping the island nation in stabilizing its economy. The facility has been utilized by the Government of Sri Lanka for procurement of essential commodities, viz. food items, medicines, fuel, and industrial raw materials.
- Advised **Abu Dhabi Commercial Bank PJSC** in winding down their Indian operations and provided end to end advise in their exit strategy from India. The work entailed rendering legal advice on matters pertaining to banking laws, labour laws, property laws, general contract laws and assisting them in their dealings with RBI and other statutory authorities.
- Advised **State Bank of India** along with **Agence Francaise de Development** in relation to construction finance loan to Radial IT Park Private Limited (a CapitaLand group company), for the first business park in India to be certified by the Indian Green Building Council as net zero for energy efficiency. This is the largest sustainability-focused commercial real estate project to be funded by State Bank of India.
- Advised **a consortium of Indian banks** in relation to a term loan facility extended to J. Kumar Infraprojects Limited, for construction underground sections including four underground stations at Dharavi, BKC, Vidhyanagari and Santacruz in Mumbai, for the Mumbai Metro Project - Phase 3.

- Advised **ODDO BHF SE Germany** in relation to a ECA backed loan availed by Warje DBFOT Hospital Private Limited, a special purpose vehicle owned by Pune Municipal Corporation. The facility is backed by the guarantees of Pune Municipal Corporation and Rural Enhancers LLP (an entity owned by Atal Projects BV), and credit enhanced by Atradius, the Dutch export credit agency.
- Advised **Bank of Maharashtra** in relation to a term loan facility availed by Nizam's Institute of Medical Sciences, to be utilised towards expansion and retrofitting of NIMS Hospital, located at Punjagatta, Hyderabad. The Facility is backed by the guarantee of the Government of Telangana, represented by their Finance Department and Health, Medical and Family Department. Further as part of the transaction security package, NIMS has also created charge over all its movable fixed assets, current assets, bank accounts and project contracts in relation to the expansion project.
- Advised a **consortium of banks consisting of Axis Bank Limited, Canara Bank, Kotak Mahindra Bank Limited and ICICI Bank Limited** in connection with a secured term loan facility extended to STT Global Data Centres India Private Limited, to be utilised towards meeting expenses relating to setting up data centres across India.
- Advised a **consortium of 9 lenders being led by the State Bank of India** in relation to a term loan facility extended to JSW Energy (Barmer) Limited, for the purposes of 1,080MW (8 X 135MW) power plant in the Barmer district of Rajasthan.
- Advised a **consortium of Indian banks** led by Bank of Baroda in relation to a term loan facility extended to RCCPL Private Limited, for setting up a greenfield 2.68 MTPA Clinker Plant, 3.88 MTPA Cement Manufacturing Plant and a 51 MW Waste Heat Recovery System and Power Plant at Mukutban, Maharashtra.
- Advised **Indian Oil LNG Private Limited** in relation to a term loan facility, extended by a consortium of six banks lead by State Bank of India. The said loan had been availed for the purpose of financing the costs of setting up of a new liquefied natural gas (LNG) receiving terminal located at Kamarajar port, Ennore, Tamil Nadu. The terminal is the first of its kind in the east coast.
- Advised a **consortium of banks** in connection with a sustainability linked ECB term loan facility extended to Ultratech Cement Limited.
- Advised **DBS Bank Ltd.** in relation to their investment in relation to unsecured, listed, redeemable and rated non-convertible debentures, issued by Bangalore Tower Private Limited on a private placement basis.
- Advised **Sun Mobility Private Limited** on their multiple debt-raising rounds, by way of term loans raised from several banks and financial institutions and issuance of unlisted, secured, fully paid-up redeemable non-convertible debentures to multiple investors, on a private placement basis.
- Advised **DBS Bank India Limited**, in relation to credit facilities extended to Fortis Hospital group entities for ramping up and renovation of their hospitals and existing medical facilities.
- Advised **Kotak Mahindra Bank Limited** in relation to their investment in relation to secured, listed, redeemable and rated non-convertible debentures, issued by JSW Energy Limited on a private placement basis.

- Advised **Standard Chartered Investments and Loans (India) Limited** in relation to a term loan facility extended to Healthium Medtech Limited (promoted by the British equity firm Apax Partners), for acquisition of “AbGel”, the gelatin sponge business of Mumbai based SGK Private Limited.
- Advised **Axis Bank Limited, DIFC branch** in relation to credit facilities extended to Jindal (Steel & Power) Mauritius Limited, credit enhanced by a corporate guarantee issued by Jindal Steel & Power Limited.
- Advised **State Bank of India** in relation to an ECB term loan facility extended to HDB Financial Services Limited, for on-lending purposes.
- Advised **Standard Chartered Investments and Loans (India) Limited** in relation to a term loan facility extended for acquisition of a Delhi based publishing house.
- Advised **IndusInd Bank Limited, IBU, Gift City** in connection with foreign-currency credit facilities extended to InterGlobe Enterprise (UK) Limited, a company incorporated in England and Wales. The facility has been utilised towards repair / renovation / revamping of hotels owned by InterGlobe Enterprise (UK) Limited.
- Advised **various foreign banks** and other finance parties in relation to one of the first cross border financing availed by Kia Motors India Private Limited, for setting up its manufacturing plant in India.
- Advised **Ultratech Cement Limited** in relation to issuance of privately placed unsecured, listed, redeemable and rated non-convertible debentures and commercial papers.
- Advised **Axis Bank Limited** in relation to a term loan facility extended to Oasis Realty for construction of a luxury residential tower of 67 floors in Worli, Mumbai.
- Advised **Arab Banking Corporation B.S.C., Commercial Bank of Dubai PSC, Commercial Bank International PSC and Emirates NBD Bank PJSC** in relation to credit facilities extended to Jindal Saw Middle East FZC. The facilities were credit enhanced by way of a guarantee issued by Jindal Saw Limited.
- Advised **Axis Bank Limited, DIFC branch** in relation to their funding to Shapoorji Pallonji Forbes Shipping Limited, for acquisition of a 2006 Japanese built chemical container named “FSL Tokyo” from Singapore based FSL Trust.
- Advised **Citibank N.A.** in relation to a term loan facility extended to Trafigura Pte Ltd., for the purpose of making advance payments to Vedanta Limited under an advance payment and supply arrangement in relation to supply of aluminum under a commercial contract.
- Advised **Citibank N.A.** in relation to acquisition of receivables of an Indian IT giant, owed from its customers in multiple countries, including Australia, New Zealand, Canada, Sweden, United States of America, etc.
- Advised **ING-DiBa AG** in relation to a term loan facility extended to SREI Equipment Finance Limited and credit enhanced by SACE S.p.A.
- Advised **L&T Infrastructure Finance Company Limited** in relation to a term loan facility extended by Asian Infrastructure Investment Bank, to be utilised towards on-lending purposes.
- Assisted the **Bank of Bahrain and Kuwait B.S.C** in relation to standardization of its suite of financing and security documents, including term loan agreement, working capital loan agreement, deed of

hypothecation, mortgage deed, pledge agreement (for shares, warehouse receipts & mutual fund units), corporate guarantee and personal guarantee.

- Advised a **foreign bank** on their queries in relation to the RBI (Prudential Framework for Resolution of Stressed Assets) Regulations 2019, issued by RBI on 7<sup>th</sup> June 2019. The queries involved complex questions on the impact of the said regulations on foreign banks and the strategies that can be adopted by foreign banks for addressing stressed loan accounts.
- Advised **Standard Chartered Bank** in relation to trading activities, export-import, sale and storage of commodities, structured warehouse financing and foreign exchange restrictions.

## Memberships

Bar Council of Maharashtra & Goa

## Publications

Thomson Reuters Practical Law - Banking Regulation in India: Overview (Available [here](#))

Thomson Reuters - Securities and Banking Guide for India (Available [here](#))

NBFC loans: Balancing growth and risk in a changing landscape (Available [here](#))

Gift City IFSC – Onshoring the Offshore Business (Available [here](#))

Transitioning from LIBOR – the road ahead for the Indian banking sector (Available [here](#))

VCCircle - How investors, authorities can check greenwashing and boost green financing (Available [here](#))

International Bar Association - Regulating Cryptocurrency in India (Available [here](#))

Law Street India - Refinancing Amid COVID-19 Crisis – A Silver Lining! (Available [here](#))

BW Legal World - Social Loan Principles – An Innovation Under Sustainable Lending (Available [here](#))

## Education

B.S.L. LL.B., ILS Law College, Pune (2006)

Executive Diploma, Legal & Regulatory Issues in Infrastructure (IIM Ahmedabad, 2016)

## Languages Spoken

English

Hindi