



Amitabh Sharma

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Practice Areas

Corporate

Sectors

Banking and Financial Services

Construction and Engineering

Defence and Internal Security

Education

Energy: Power and Hydrocarbons

Hospitality, Tourism and Retail

Life Sciences, Healthcare and Pharma

Manufacturing

Mines and Minerals

Real Estate

Services

Technology, Media and Sports

Telecommunications and Broadcasting

Transportation and Logistics

Urban Infrastructure, Smart Cities and Public Procurement

About

Amitabh has more than 25 years of experience in a wide variety of general corporate, mergers & acquisition, private equity and financing matter across diverse set of clients. Amitabh's clients cover a wide spectrum across multinational clients, multi/bilateral agencies, financial institutions/banks & NBFCs, private equity firms, funds, domestic conglomerates, Union, State and Local Governments, public and private sector entities. His practice focus is on the investments, acquisitions, divestments and structuring of infrastructure projects.

Amitabh was **Managing Partner** of **HSA Advocates** till March 31, 2019. Prior to joining HSA in May 2016, **Amitabh was a Partner at Khaitan & Co, Mumbai** from April 2010. Before that **Amitabh** was a **Partner** at **JSA, Mumbai**.

For several years, Amitabh has been recognized as a leading corporate and projects lawyer within Infrastructure, Energy and PPPs space by world's leading legal journals, Chambers & Partners, Legal 500 and International Financial Law Review.

Amitabh in the past has acted on cross-border transactions including acquisitions in USA, Australia, Brazil, South Africa, Mexico, Canada, Mozambique and Indonesia. He has also advised clients on environmental, health and safety related matters including land acquisition and rehabilitation issues involved in large infrastructure projects.

Experience

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

Mergers and Acquisitions, Joint Ventures, Private Equity

- Advising **JERA Energy India Pvt. Ltd. / JERA Asia Pte. Ltd** on its India entry; provided ongoing regulatory and corporate advisory
- Advising **Avetta India Private Limited** on its India entry and provided ongoing corporate advisory services. Advised on corporate compliance, commercial agreements, and regulatory matters
- Advised **Antariksh Hotels and Resorts Private Limited** - drafted and reviewed Non-Disclosure Agreements and Non-Solicitation Agreements for employees and business partners; assisted in reviewing and negotiating Hotel Management Agreements with international hospitality operators
- Advised **Sterling and Wilson Group on acquisitions in India, UAE, Chile, Egypt, Australia, Mexico** on the cross-border infrastructure and renewable energy projects. Drafted and reviewed transaction documents, legal opinions, and commercial agreements
- Advised **Paygate India Private Limited / Safexpay Technologies Private Limited** on corporate structuring and compliance requirements. Also assisted in acquisition of technology companies and cross-border transactions
- Advised **Comaea Consulting Pte. Ltd.** On drafting and review of consultancy agreements, NDAs, recruitment agreements, and commercial contracts. Provided advisory on restructuring, employment, and commercial matters. Assisted with software development agreements and corporate advisory services

- Advised **Indorama Investments Limited** on its investments in India; drafted Share Subscription Agreements, Shareholders' Agreements, and joint venture documentation. Advised on cross-border investment structuring and mining acquisition transactions. Assisted in corporate structuring and regulatory compliance advisory
- Advised **Bethel Consultancy Private Limited** on providing ongoing legal advisory services on investments in Mozambique, South Africa and Dubai. Assisted in structuring commercial transactions and preparing legal documentation for business operations. Provided general corporate advisory, including drafting agreements and legal correspondence
- Advised **ARCV Holding Private Limited** on formation of joint ventures with foreign entities, including structuring, capitalisation, and regulatory compliance
- Advised **TechConnect GmbH (Germany)** on conducting legal due diligence and document inspection on behalf of the client on its Indian subsidiary
- Advised **Manikaran Power Limited** in relation to cross-border commercial disputes involving Australian counterparties
- Advised **Scorpius Trackers Private Limited** on supply chain agreements. Provided legal advisory support relating to commercial contracts and operational matters
- Advised **Solon India Private Limited** on corporate compliance issues
- Advised **GBTL Limited** on provided legal advisory services in relation to power purchase agreements and corporate transactions
- Advised **Black Rose Industries Limited** on drafting term sheets and investment documentation. Provided advisory on investment structuring and transaction documentation
- Advised **Uflex Limited** on assistance in reviewing and finalising share purchase agreements. Provided advisory on corporate transactions and compliance
- Advised **Ivora International LLP** on drafting and advising on Term Sheet in relation to corporate structuring and investment transaction
- Advised a **confidential client of BDO India LLP** in relation to international mining development project in Guinea. Assisted with corporate, regulatory, and transaction-related legal matters.
- Advised **Ratnamani Metals & Tubes Ltd** on drafting of term sheets and investment documentation
- Advised **VPS Healthcare LLC** in relation to Legal Due Diligence & Transaction Advisory for acquiring a leading hospital chain in India
- Advised **Sterling & Wilson** on its proposed acquisition of technology company in Canada
- Advised **Sterling & Wilson** on its proposed investment in battery technology company in Vancouver, Canada
- Advised **Donear Industries Limited** in relation to acquisition of majority stake in OCM Private Limited
- Advised **Donear Industries Limited** in relation to acquisition Grasim Suiting from Aditya Birla Group

Oil and Gas

- Advised **Sojitz Corporation (Tokyo)** in relation to the proposed transaction for supply of helium gas to Sesa Sterlite Limited
- Advised **Essar Projects (India) Limited** in relation to Sub-Contract Agreement and providing legal advice with regard to EPC projects in Venezuela for PDVSA, which is a state-owned oil company
- Advised **B.G Shirke Construction Technology Pvt. Ltd** in relation to assignment of interest in Manepalli Onshore Marginal Gas Field / Rajahmundry Asset
- Advised **Great Eastern Energy Corporation Ltd** in relation to issues being faced by the Client with the Ministry of Oil, Petroleum and Natural Gas in connection with sale of CBM gas by the client
- Advised **Neon Energy Limited** in relation to acquisition of an Oil & Gas block in India
- Advising **GAIL (India) Limited** on legal issues being faced by the client in relation to advance to be provided for O&M and construction of breakwater for LNG Terminal held by the client in joint ownership with other companies
- Advising **GAIL (India) Limited** on regasification pricing issues being faced under a Gas Sale and Purchase Agreement entered into by the client with PLL
- Advising **Hiranandani Group's** company H Gas on port related agreements for establishing and operating an **8MMTPA LNG re-gasification terminal on a minor sea port in India having project cost of USD 1 billion** approximately
- Advised **Hiranandani Group's** company H Gas on EPC contracts for setting-up LNG terminal on a minor sea port in India

Project Financing

- Advised **Sterlite Power Transmission Limited** Review and standardization of project documents
- Advised **AADYAH Aerospace Private Limited** and its current shareholders in relation to a seed fund raise by it
- Advised **GDF Suez Energy International (ENGIE)** in relation to in relation to the financing arrangements for Meenakshi Energy Private Limited
- Acted as **Lender's Legal Counsel to Axis Bank Limited** in relation to a loan by the client to a project company of a big conglomerate for development of a railway line for transportation of coal to a 3600 MW power project
- Advised **Indaqua (Portugal)** in relation to MoU and NDA to be entered into by INDAQUA with consortium partners, i.e., Tahal and Vishwaraj, for three projects in India
- Advised **Surya Vidyut Limited** in relation to financing of a wind power project in Rajasthan
- Advised **Turner Project Management India Private Limited** in relation to a bank guarantee to be obtained by the client
- Advised **Dhariwal Infrastructure Pvt. Ltd.** as regards Facility Agreement - Cost Over-run Finance Documents

- Advised **Essar Projects (India) Limited** in relation to a rupee term loan facility to be availed by the client
- Advised **CESC Limited** in relation to opinion on sponsor support agreement
- Advised **Reliance Industries Limited** on optionally convertible debenture investment and Shareholders' Agreement
- Advised **TAQA India Power Ventures Private Limited** in relation to the proposed additional financing for the project being undertaken by Client's 100% subsidiary (Himachal Sorang Private Limited)
- Advised **L N Bangur Group** in relation to loan to KMCCL - KMC Constructions Limited
- Advised **Mumbai Metropolitan Region Development Authority** on issuance and invocation of bank guarantees for land acquisition
- Acted as borrower's counsel for **Coastal Gujarat Power Ltd/ Tata Power Company Ltd** on the loan facility amounting to USD 4.25 billion, for setting up India's first 4000 MW Mundra Ultra Mega Power Project

Policy & Regulatory Reforms & Restructuring

- Advised **Vandhana International Pvt Ltd** on legal advisory on tender documentation and regulatory compliance. Assisted in drafting and reviewing transaction and commercial documentation.
- Advised **Nisus Finance Services Co Ltd** on litigation matters before Debt Recovery Tribunal. Provided legal advisory and litigation support.
- Advised **Thyssenkrupp Elevator (India) Private Limited** in relation to Civil Writ Petition to be filed before the Allahabad High Court, at Lucknow arising out of a blacklisting order dated December 15, 2016 by Public Works Department, Lucknow against Thyssenkrupp Elevator (India) Private Limited
- Advised **Thyssenkrupp Elevator (India) Private Limited** in relation to proposed course of action against termination of contract by PWD for construction and commissioning of Travellers at Calcutta High Court
- Advised **Senvion** Providing in relation to drafting, negotiation and execution of project agreements in connection with turbine supply and installation arrangement proposed to be entered into by the Client with one of the leading IPPs in India
- Advised **Atha Group** in relation to MoM on stamp duty and MVAT implications in case of a slump sale 2. Drafting a Business Transfer Agreement
- Advising as borrower's counsel to **Shapoorji Pallonji Group & Dilip Thacker Group** on a project development loan facility for the borrower's SRA and MHADA redevelopment project in Kandivali, Mumbai
- Advised **Atha Group** on customs valuation for levy of export duty on export of iron ore

- Advised **Bombardier Transport India Private Limited** in relation to the bidding undertaken by Ministry of Railways for Electric Locomotive Factory Project at Madhepur, Bihar
- Advised **Bangalore International Airport Limited** for drafting relevant agreements and documents including the Request for Proposal, Earthworks Contract and General Conditions of Contract pertaining to New South Parallel Runway Project at the Bangalore International Airport
- Advised **Mumbai Metropolitan Region Development Authority “MMRDA”** on Framing of Unified Central Metro Railway Bill
- Advised **Mumbai Metropolitan Region Development Authority “MMRDA”** on amendment to Metro Act with retrospective effect and Denotifying Metro line-1 from Metro Act and bringing it back to Tramways Act as envisaged in Concession Agreement
- Advised **Mumbai Metropolitan Region Development Authority “MMRDA”** on proposed amendment to Metro (Operation & Maintenance) Act, 2002 and Metro Railway (Construction of Works Works) Act, 1978
- Advised **Leighton Holdings (Australia)** with regard to bidding for Jaipur Metro
- Advised **Aditya Birla Group** in relation to its bid for an ultra-mega power project (UMPP) in Chhattisgarh
- Advised **Larsen & Toubro Limited** on open access issues highlighted under a petition filed before GERC by state distribution licensees
- Advised **GE Power & Water** on regulatory issues(s) relating to certification and handling of GE Durathon battery
- Advised **ADB** for the Taj Mahal Environmental Improvements Project in conducting socio-legal analysis of various infrastructure projects in Agra, Mathura and Firozabad
- Advised **ADB** in evolving suitable institutional structures for non-sovereign lending for BRTS Project to be implemented by a SPV of a municipality
- Advised **ADB** in the legal/community appraisal of the Integrated Water Resource Management in Sindh basin situated in the State of Madhya Pradesh
- Advised the **World Bank** in developing policy guidelines and drafting the state PPP legislation to encourage PPPs in the State of Tamil Nadu
- Assisted **PPIAF, World Bank** in developing a framework to improve Regulatory Effectiveness in Infrastructure Sectors
- Assisted the **World Bank** in reviewing and analysing key legal and regulatory framework with regard to the 24x7 water supply project of the Delhi Jal Board
- Advised **CII/Planning Commission** on Infrastructure Regulation in India and suggesting legal and regulatory framework of the Infrastructure Regulatory Framework Act (‘IRFA’)
- Assisted the **World Bank** on the suitability and need of reforms in legal and regulatory framework relevant for the selected sectors of highways, power and industry
- Advised **USAID** in preparing training material in urban infrastructure development areas

Project Contracting/Project Documentation

- Advised **Sterling and Wilson Pvt. Ltd** wrt legal opinion in respect of the EPC Contract for a 100 MW solar project in the State of Karnataka
- Advised **Sterling and Wilson Pvt. Ltd** wrt legal opinion in respect of the conversion of land use of the agricultural land acquired in Maharashtra
- Advised **Sterling and Wilson Pvt. Ltd** wrt legal opinion in respect of the EPC Contract for a 50 MW solar project at Ananthapura Solar Park, Andhra Pradesh
- Advised **Sterling and Wilson Pvt. Ltd** wrt legal opinion in respect of the conversion of land use of the agricultural land acquired in Maharashtra
- Advised **Sterling and Wilson Pvt. Ltd.** legal Providing clarity on LC declaration issue and drafting standard PPA template for rooftop and ground-mount solar plants
- Advised **Sterling and Wilson Pvt. Ltd** wrt a legal opinion in respect of its project in Egypt in connection with the scheme of demerger of Sterling Wilson Solar
- Advised **Blue Dart Aviation Limited** in drafting Civil and Plumbing Works Agreement in relation a proposed warehouse building of the Client at Terminal -1, Mumbai Airport, Mumbai
- Advised **Vopak India Limited** in relation to (i) termination and settlement agreement and (ii) indemnity agreement, in relation to EPC contract between the parties for Vopak Kandla Terminal Expansion Project

Memberships

Bar Council of Delhi

Education

Delhi University, Bachelor of Sciences (1992)

Delhi University, LLB (1995)

Languages Spoken

English

Hindi
