



Kanchan Sinha

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Practice Areas

Corporate

Sectors

Manufacturing

Services

Technology, Media and Sports

Hospitality, Tourism and Retail

Life Sciences, Healthcare and Pharma

Transportation and Logistics

Real Estate

Telecommunications and Broadcasting

Renewable Energy

Power

Decarbonization

Green Hydrogen/ its Derivatives

Mines and Minerals

Urban Infrastructure

About

With nearly 22 years of experience, Kanchan has extensively worked on various matters pertaining to General Corporate, M&A, Joint Ventures, Private Equity Investments, Seed Investments, Angel Investments, Foreign Investments, Corporate Restructuring, Business Transfers, Spin Offs and Cross

Border Transactions in various sectors including, Manufacturing, Healthcare, Single Brand Retail Trading, Wholesale Trading, Artificial Intelligence, Information Technology, Back Office Services, Content Creation, Software and Other Services, Real Estate Projects, Telecom, Media, Internet Services, Passive Telecom Infrastructure, Roads/ Highway, Pharmaceutical, Construction/ Development Of Township, Mining, Automotive Business, Sports Leagues, Start-ups, Renewable Energy Projects, and Green Hydrogen/ Green Ammonia Projects. She has also been involved in legal advisory/ negotiations on extensive range of commercial contracts (including infrastructure contracts).

She has advised on setting up of Global Capability Centres in India for international clients which, *inter alia*, included advisory on modes of funding and advising on inter-company agreements (based on cost-plus model).

Apart from having worked in premier law firms (namely, Shardul Amarchand Mangaldas, and as a Partner in Luthra and Luthra Law Offices) for 18+ years, she has also served as Vice President-Legal in Renewable Energy companies for 3 years (approx.), and has advised on/ overseen setting up of Renewable Energy Projects/ Green Hydrogen/ Ammonia Projects in India and in offshore jurisdictions (such as, Oman, Egypt, Japan, Korea, Western Australia, US and UK).

Experience

M&A and PE Transactions

Some of the key assignments handled in area of M&A and PE Transactions in her previous roles include:

- **Azure Power**, in its joint venture with a domestic manufacturer of solar modules, with respect to a **4 GWs solar power project** of Solar Energy Corporation of India.
- **LNJ Bhilwara Group** (which is, *inter alia*, engaged in the business of Wind & Captive Power Generation) in relation to the investment by Hero Group (by way of acquisition of equity and equity-linked instruments) in various Bhilwara group companies.
- **Tridevi Capital**, a Private Equity Fund, for **USD 20 Mil investment** in Prabha Energy Private Limited (subsidiary of Deep Industries Limited), engaged in the coal bed methane project at North Karanpura Coalfield Block in Jharkhand.
- Advised **PLUS Expressways Berhad** with respect to its additional investment in **joint venture** company (namely, Indu Navayuga Infra Projects Private Limited) which was awarded **highway project** on NH-45 in the state of Tamil Nadu.
- Advised **PLUS Expressways Berhad** with respect to its **joint venture** with IDFC Projects Limited for execution of four laning of Jetpur- Somnath section of NH8D in the state of Gujarat.
- **Midland Microfin**, an NBFC-MFI, in relation to equity investment of INR 74.4 crores from ICICI Bank and Kitara Capital.
- **WhiteBalance**, a sole proprietorship, engaged in content creation and production, for the slump sale of its business to M-Monk Digital Media Private Limited, the Indian subsidiary of S4 Capital Plc.
- **Eli India** in **acquisition of Lekhisoft**, engaged in the hospital management software business.
- **GMS Inc.**, in relation to the **acquisition of majority stake (55%)** from Den Networks for an amount of INR 43.32 Crores (approx.) in Delhi Dynamos Football Club (a team in Indian Super League).

- **American Tower Corporation** for **acquisition of 51% shareholding** in Viom Networks Limited for INR 7,600 crores.
- **Mandala Capital** (Manager of Private Equity Fund named Agro Fund), for **fund's investment of INR 112 Crores** in Sustainable Agro-Commercial Finance Limited, a Non-banking Finance Company (non-deposit taking) engaged in rural credit.
- **Mandala Capital** for **fund's investment of INR 90 Crores** in Godavari Biorefineries Ltd. (Sugar Manufacturing Company).
- Existing shareholders of **Mashal Sports Private Limited** (having exclusive right to organize & stage the hugely successful 'Pro-Kabaddi League' telecasted by Star TV) for **divestment of their stake** and transfer of controlling stake to Star; post this transaction between the existing shareholders and Star, the latter owns 74% of the shareholding of Mashal Sports.
- **MAHLE, Germany** for the **purchase of the entire shareholding** of India Pistons Limited of the Amalgamations Group in MAHLE IPL Limited, making their joint venture company a wholly owned subsidiary of MAHLE, Germany.
- **Bharti Airtel Limited** on **acquisition of 49% stake** in Qualcomm Inc's Indian subsidiary, having BWA spectrum, for a value of **USD 165 Million** (approx.) in May 2012.
- **Unitech Limited** on **strategic investment by Telenor** in **telecom licensee companies** of Unitech Limited.
- **American Tower Corporation** on passive infrastructure business in India and on the **acquisition of tower companies** (Xcel Telecom Private Limited and Transcend Infrastructure Limited).
- **Asian Hotels Limited** with respect to **demerger** of its Kolkata and Mumbai Hotels.
- Advised **Real Estate Funds** (such as, IREO, Xander, Ascendas) with respect to their investment in real estate projects/ joint ventures across various states in India.

Cross-border Transactions

Provided **legal advise** to key clients on **Cross-border Transactions**, including:

- **Boku Inc**, on Indian leg of its acquisition of Fortumo Inc, a company engaged in direct carrier billing, for **USD 45 Mil**.
- **United Online, Inc., and FTD Companies, Inc.**, on Indian leg of their corporate spin off entailing **separation of the business** relating to FTD Companies from United Online Group
- **Semtech Corporation** for **sale of its Snowbush IP business** located in its Indian subsidiary for **USD 32 Mil** to Rambus Inc.
- **United Online Inc.**, on Indian law aspects relating to **sale of all of its common stock** to B. Riley Financial Inc.
- **Eicher Motors Limited** in the **offshore acquisition** of the companies engaged in the business of providing design and engineering services in automotive space (namely, Hoff & Associates Inc., Hoff Auto Design (Beijing) Company Ltd., and Hoff Auto Design (Shanghai) Company Ltd.)

General Corporate/ Commercial Advisory Matters

Provided **legal advise** to key clients on **General Corporate/ Commercial Matters**, including:

- **Paralympic Committee of India** with respect to the agency/ celebrity management agreements for its sportsmen.
- **Avionics Global Courier Private Limited** with respect to its commercial and services contracts for courier services with Honex Global Limited (including drafting of contracts and advising on Indian law aspect for courier services).
- **Semtech Corporation** with respect to legal regime relating to usage of certain unlicensed frequency bands in India.
- **Serendipity Arts Trust** on various contracts (such as, for Volunteers, Sponsors, Artists, Performers, Theatre Groups, Photographers, Vendors, and so on) for Serendipity Arts Festival held in Goa in December 2016.
- **Mashal Sports Private Limited in launching Pro Kabaddi League**, a unique initiative for the sport of kabaddi in India; drafted & negotiated various agreements, including the sanction agreement, broadcasting & media rights agreement, franchise agreements, production agreement, event management agreement and player agreements.
- **American Superconductor Corporation** (NASDAQ: AMSC) for **starting service centre** in India; advised on lease agreement, various start up operational licenses, labour related legal compliances/ employment contracts and foreign investment requirements.
- **KarlStorz Endoscopy India Pvt. Ltd.** (Indian subsidiary of KARL STORZ GmbH & Co. KG, Germany) with respect to **distribution agreement** for the distribution of products in India, employee contracts and employee termination related matters.
- **Aircel Group** on **submission of bid** for participating in the auction of 3G and BWA spectrum.
- **Aircel Group** on **submission of bid** for Intra Circle Roaming Arrangements (for 3G) pursuant to an expression of interest issued by MTNL.
- **Datacom Solutions Private Limited** on **agreements for supply of equipment & procurement** of services for roll-out of GSM network under Unified Access Service Licenses.
- **Vodafone** in **re-negotiation of the master services agreement** for outsourced IT services with IBM.
- **AT&T Communications Services India Private Limited** on various aspects of regulations governing telecom sector, vendor contracts and agreements.
- **Termination of employees** to various clients.
- **GMV, Spain** in their collaboration with Vayam Technologies with respect to Bus Rapid Transport System project in Surat; assisted in finalization of the consortium agreement, escrow agreement and approval from Reserve Bank of India with respect to the escrow account.
- **An Indian TV Channel**, in connection with its proposal to telecast certain specific programmes. For the purpose, undertook an extensive examination of the Uplinking/ Downlinking Guidelines and

advisories issued by the Ministry of Information & Broadcasting, Government of India in respect of such programmes.

Renewable Energy/ Green Hydrogen

Has also served as Vice President-Legal/ Head - Legal in Renewable Energy companies for 3 years (approx.), and has advised on/ overseen setting up of Renewable Energy Projects/ Green Hydrogen/ Ammonia Projects in India and in offshore jurisdictions (such as, Oman, Egypt, Japan, Korea, Western Australia, US and UK):

- Worked as Vice-President (Legal), as part of Global legal team headquartered in Singapore for Sembcorp Green Infra Private Limited:
 - Focused on M&A transactions for expansion of company’s renewable energy portfolio, which included risk assessment for potential acquisition of renewable energy projects in the Indian market (including those being offered by private equity funds).
 - Focused on set up of Green Hydrogen/ Green Ammonia Projects in India (such as, Kandla Port, Gujarat) and in Offshore jurisdictions (e.g., Korea and Japan), and review of all related contracts (such as lease agreements, the joint development agreement, offtake termsheets/ agreements, and other related contracts).
 - Executed role of ‘Functional Assurance/Review’ for renewable energy transactions/ matters in India and in Offshore jurisdictions, since Sembcorp is a Temasek backed company.
- Worked as Vice-President (Legal) for Acme Solar Holdings Private Limited
 - Focused on Solar Power Projects (including sale of solar projects)/ setting up of Wind Power Projects/ Captive Power Generation/ other renewable energy projects.
 - Focused on set up of Green Hydrogen/ Green Ammonia Projects in India (such as, Gopalpur, Orissa) and in Offshore jurisdictions (such as, Oman, Western Australia, US and Egypt).
 - Has been instrumental in finalising the world’s first usufruct agreement for the Green Ammonia Project in SEZ/ Free Zone in Duqm, Oman for 300 MTPD Green Ammonia Project.
 - Has been instrumental in finalising the option to lease at Port of Victoria, Texas and in Tata SEZ, Gopalpur, Orissa for Green Ammonia Production,
 - Drafting/ negotiation/ finalisation of Infrastructure Contracts, EPC Agreements, O&M Agreements, Offtake Agreements and other sub-contracts/ related documents.
 - Worked on formation of ACME’s joint venture with Scatec ASA and later on its termination/ settlement.

Awards and Recognition

Recognized by IFLR1000 as '**Notable Practitioner**' for 2018-19, 2019-20, 2020-21 & 2021-22.

Memberships

Bar Council of Delhi

Education

B.A. LL.B. (Hons.) Five Year Integrated Course from National Law Institute University, Bhopal

Languages Spoken

English

Hindi
