

Projects, Energy & Infrastructure

Practice Profile





ABOUT HSA

The legal profession is changing rapidly in light of market disruption, changing client expectations and technological developments. Established in 2003, HSA's focus on continuing evolution has enabled us to constantly adapt to emerging market dynamics and deliver consistent value to clients.

We are a full-service law firm that prides itself on combining knowledge, experience and expertise to create outcome-oriented solutions and ensure our clients stay ahead of emerging opportunities and risks. Our areas of expertise include Projects; Energy & Infrastructure; Banking & Finance; Restructuring & Insolvency; Corporate & Commercial; Regulatory & Policy; Defence & Aerospace; Dispute Resolution; Environment, Health & Safety; Real Estate; Securities & Capital Markets; Technology, Media & Telecommunications; Taxation and Investigations.

We are a law firm built around people. We embrace collaboration while advising our clients and assemble teams of experts to bring the right talent to address every client issue. Our belief in delivering legal advice that recognizes each clients' strategic goals and business requirements allows us to offer pragmatic and implementable support across our platform of practices and sectors.

We measure our success by the service we provide to clients, irrespective of the size, scope and scale of the matter at hand. We are a team of 30+ partners and over 150 professionals based out of four offices across India's major cities – Delhi, Mumbai, Bengaluru and Kolkata.

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The key strength of the team is that there is partner involvement throughout the course of assignments which ensures quick turnaround of deliverables.

~ Chambers and Partners

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HSA Advocates is an excellent law firm with proactive approach and exceptional team which provides prompt service and very clear opinions.

~ Legal 500

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Praised for having 'great knowledge' of the practice area and for 'clear' communication of complicated legal matters to clients.

~ RSG India Report



PROJECTS, ENERGY & INFRASTRUCTURE IN INDIA

Infrastructure sector is a key driver for the Indian economy. The sector is highly responsible for propelling India's overall development and enjoys intense focus from the Government for initiating policies that would ensure time-bound creation of world class infrastructure in the country. Infrastructure sector includes power, bridges, dams, roads and urban infrastructure development.

Foreign Direct Investment received in Construction Development sector (townships, housing, built up infrastructure and construction development projects) from April 2000 to December 2019 stood at USD 25.37 billion. India has a requirement of investment of worth INR 50 trillion by 2022 to have a sustainable development in the country. India is also witnessing significant interest from international investors in the infrastructure space.

Nearly all infrastructure sectors present excellent opportunities with roads and highways, ports and airports, railways and power standing out as particular bright spots, with staggering sums of investment planned. Public Private Partnerships (PPP) are gaining in importance and are benefitting from government support – targeted PPP participation is USD 150 billion. Companies experienced in structuring these deals should be able to use their expertise to good effect in the Indian marketplace.

Operating in India requires a thorough understanding of the local market. Companies need to do their homework in order to understand a host of tax and regulatory issues before bidding on projects or setting up operations. Whether or not a permanent establishment is created, how onshore versus offshore services and supplies are managed in a particular contract and indirect tax implications can have a major impact on the bottom line.

Looking ahead, we believe that it is imperative that infrastructure development occurs in a sustainable manner, in India and around the globe. The Indian Government must maintain a commitment to ensuring that rapid growth does not happen at an untenably high environmental cost, and infrastructure projects will play a key role in ensuring the success of 'green growth'.

HSA Advantage

- Demonstrated history of delivering successful outcomes on complex, multi-party, long-term infrastructure projects across all critical segments
- Internationally recognized team that has been consistently ranked highest amongst peer firms on technical scores during various bid processes for selection of legal advisors
- End-to-end support to clients for development, financing, transactions, restructuring and dispute resolution aspects pertaining to projects

OUR

SERVICE OFFERINGS

Strategy and planning

- Due diligence reviews of transactional, financial, environmental, tax and compliance related issues
- Tax efficient frameworks to assess tax exposures and optimal tax structuring
- Risk strategy advisory, including all aspects of risk allocation and management
- Advise from pre-transition merger notices and filings with governmental authorities to all aspects of competition litigation issues

Procurement and bidding

- Drafting and review of invitations to tender and other bid documents including NIT, RFQ and RFP documents
- Assistance in bid submission and risk matrix preparation including structuring as per requirement of the tender documents

Contract drafting and negotiation

- Drafting, negotiation and review of documentation in respect of the equity investment in the project, including joint venture agreements, share sale/purchase agreements and shareholders agreements

Project financing

- Advise on all aspects related to new ways of project, acquisition, structured and trade finance, as well as on issues related to financial regulation, funds and securitization

Construction and O&M

- Drafting, negotiation and review of documentation including power purchase agreements, transmission agreements, fuel supply agreements, EPC contracts and O&M contracts
- Drafting, negotiation and review of documentation in respect of the services procured in relation to the project

Post close day to day matters

- Advice on compliance processes under all applicable laws, for example, electricity laws, corporate law, competition law, indirect tax laws and development and/or environmental regulations
- Advice on all aspects of employment law, compensation and benefits, equity compensation, global migration, health and safety, labor relations and trade unions
- Advice on issues faced in day-to-day operations of the project, on account of change in law or otherwise

Refinancing, variations and dispute resolution

- Assistance in refinancing the project and further investments
- Advise on all aspects from strategic litigation analysis to litigation services, arbitration counsel and alternative dispute resolution

Secondary market acquisitions and disposals

- Structuring exit in the most tax efficient manner
- Advise on all aspects of financial restructuring, insolvency, bankruptcy, litigation, distressed M&A issues related to Projects, Energy & Infrastructure

OUR PRACTICE

HIGHLIGHTS

AB VOLVO GROUP, SWEDEN

On its + 800 kV, 6000 MW HVDC Multi Terminal System Package transmission project in India which is slated to be the largest transmission project anywhere in the world, with total investment to the tune of about USD 3 Billion

ARINSUN CLEAN ENERGY, BACKED BY ACTIS ENERGY FUND

On the development of the 250 MW Solar Power Project at Madhya Pradesh, India

ASIAN DEVELOPMENT BANK

On evolving suitable institutional structures for non-sovereign lending for BRTS project to be implemented by a special purpose vehicle of a municipality

A MAJOR FRENCH ENGINEERING AND SERVICES COMPANY

On structuring and negotiating contractual relationships with JV partners, other suppliers and NPCIL, advising on the civil nuclear liability regime relating to Operator's right of recourse, liabilities of suppliers and risk allocation related issues, all in relation to the proposed 9,900 MW Jaitapur nuclear power project

BOMBARDIER TRANSPORT INDIA

On bidding undertaken by the Ministry of Railways for electric locomotive factory project at Madhepur, Bihar

CHHATTISGARH INFOTECH PROMOTION SOCIETY (CHIPS)

On bid advisory services in relation to the tender to be floated for implementation of Sanchar Kranti Yojana project being executed by CHIPS, aiming to achieve telecom and digital connectivity in unconnected regions of Chhattisgarh by network augmentation and distribution of mobile phones (adding approx. 48 lakh new subscribers)

CENTRAL ELECTRICITY BOARD, MAURITIUS

On providing transaction advisory services for, design, construction, finance, operation and maintenance of several solar, wind and waste to energy projects

CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA (CIDCO)

On the development of the greenfield Navi Mumbai International Airport on PPP basis. This is currently the world's largest greenfield Airport project on PPP

DELHI MUMBAI INDUSTRIAL CORRIDOR DEVELOPMENT CORPORATION

On the regulatory and institutional framework for development of industrial townships - comprising the creation of six greenfield mega cities covering an overall length of 1483 kilometers between Delhi and Mumbai. This mega infrastructure project is one of the largest in the world

ENGIE

On a transaction with Powerica to jointly develop two wind power projects in India.

ELECTRO-MOTIVE DIESELS, USA

On its bid for the greenfield diesel locomotive manufacturing project of the Ministry of Railways, to be built on a PPP/BOT basis

GOVERNMENT OF GOA, INDIA

On the development of a greenfield international airport at Mopa in Goa on PPP basis

GUJARAT STATE DISASTER MANAGEMENT AUTHORITY (GSDMA)

On selection of an operator to implement Gujarat State Disaster Response – Information and Communication Technology System" (GSDR-ICTS) infrastructure for disaster management

I SQUARED ASIA

In relation to privatization of 6 Airports, namely Lucknow, Ahmedabad, Jaipur, Mangaluru, Thiruvananthapuram, and Guwahati, on the operation, management, and development through PPP model

INTERNATIONAL FINANCE CORPORATION (IFC)

On the development of diverse PPP projects in healthcare, medical colleges, transmission, rooftop solar, inland waterways and power projects In India and Bangladesh

IL&FS TAMIL NADU POWER COMPANY LIMITED (ITPCL)

In relation to the greenfield thermal power project (2520 MW being developed in two phases) in Tamil Nadu, India

INTERNATIONAL FINANCE CORPORATION

On various projects cutting across sectors such as energy, healthcare, waterways in different parts of India and Bangladesh

JSW INFRASTRUCTURE

To develop Berth No. 5 and No. 6 of the Port of Fujairah, so it can be utilized to its fullest extent. This Project is perhaps the first major offshore investment by an Indian private infrastructure company in the Port Sector on PPP - BOT basis

KALPATARU POWER TRANSMISSION

On the execution of Transmission System Strengthening in India System for Transfer of Power from New HEPs in Bhutan

KEOLIS GROUP, FRANCE

On a bid for the O&M contract in the Navi Mumbai metro project

HSA

AT A GLANCE

Full-service capabilities

	BANKING & FINANCE		PROJECTS, ENERGY & INFRASTRUCTURE
	COMPETITION & ANTITRUST		PROJECT FINANCE
	CORPORATE & COMMERCIAL		REAL ESTATE
	DEFENCE & AEROSPACE		REGULATORY & POLICY
	DISPUTE RESOLUTION		RESTRUCTURING & INSOLVENCY
	ENVIRONMENT, HEALTH & SAFETY		TAXATION
	INVESTIGATIONS		TECHNOLOGY, MEDIA & TELECOMMUNICATIONS

GLOBAL RECOGNITION



STAY CONNECTED



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