Shardul Amarchand Mangaldas

FICCI

India-Japan

A Snapshot of Economic and Investment Relations

India-Japan

A Snapshot of Economic and Investment Relations

DISCLAIMER

All information provided in this publication has been compiled by Shardul Amarchand Mangaldas & Co. (**"SAM & Co."**) and Federation of Indian Chambers of Commerce and Industry (**"FICCI"**) from publicly available documents and information which are credible and reliable. Although reasonable care has been taken to ensure that the information in this publication is true, accurate and updated, such information is provided on 'as is' basis, without any warranty, express or implied, as to the accuracy or completeness of any such information. FICCI and SAM & Co. shall not be liable for any losses incurred by any person from any use of this publication or its contents. This publication has been prepared for information purposes only and nothing contained in this publication constitutes legal or any other form of advice from SAM & Co. Readers should consult their legal, tax and other advisors before making any investment or other decision with regard to any business in India. Readers may also refer to the websites of the relevant government authorities / ministries in for any further information.



Foreword

India and Japan, the two largest democratic powers in Asia, share cordial relations based on decades of partnership in development, which has further strengthened under the leadership of Prime Minister Shinzo Abe and Prime Minister Narendra Modi.

FICCI was the first industry association from India to set up a bilateral mechanism - India Japan Business Cooperation Committee (IJBCC) in 1966 to stimulate bilateral trade, investments and technology transfers. It is one of the most active bilateral institutional arrangements and 40 meetings have been held so far.

We are indeed delighted to collaborate with Shardul Amarchand Mangaldas & Co. in bringing out the report on "India-Japan: A Snapshot of Economic and Investment Relations" for the 41st Joint Meeting of the India Japan Business Cooperation Committee. This report could not have come at a more opportune time as Hon'ble Prime Minister of India is expected to visit Japan later this year.

I wish the IJBCC and deliberations at the 41st Joint Meeting all the success.

Onkar S Kanwar
Chairman, India Japan Business Cooperation Committee (IJBCC) &
Chairman & Managing Director, Apollo Tyres Limited



Shardul Amarchand Mangaldas

Foreword

It gives us a great pleasure in bringing out this publication 'India-Japan: A Snapshot of Economic and Investment Relations' for the 41st Joint Meeting of the India-Japan Business Cooperation Committee. This publication is aimed at providing a broad overview of the economic relations between India and Japan, economic and commercial cooperation between the two countries, trade between the two countries and the initiatives taken by the governments of both the countries to enhance trade and investments opportunities between them.

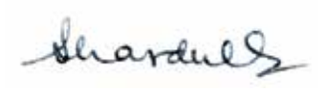
While Asian countries take steps to synergize regional strengths and formulate a new development framework which is sustainable, efficient and responsible, the role of the two fastest growing economies in the region, India and Japan, in addressing global investor concerns cannot be stressed enough. Our nations have much in common in the way we have built growth around technology, developed domestic and explored international markets, and evolved in areas of public policy and governance. We also maintain a shared ideal in the way we persevere for a developmental framework which is sustainable and a growth model which is inclusive.

Indian government's flagship program 'Make in India', which was launched in September 2014, has drawn the attention of foreign investors, including Japanese companies, towards India. This program is encouraging multinational companies and domestic companies to manufacture their products in India. Also, the Japanese government has expressed its intention to support India's efforts in 'Make in India', 'Digital India', 'Skill India', 'Clean India' and 'Smart City' campaigns through active mobilization of Japanese public and private sector involvement, including official development assistance (ODA).

In the current financial climate which is witnessing global investments move increasingly to emerging economies, the role of India and Japan in shaping the Asian success story is predominant.

I thank the Federation of Indian Chambers of Commerce and Industry (FICCI), one of India's apex business associations, for giving us the opportunity to collaborate with them for this publication. With our unified efforts, we have endeavoured to put together this publication which we hope will be useful for Japanese companies which are looking to invest in India or in Indian companies.

Yours sincerely,



Shardul S. Shroff
Executive Chairman,
Shardul Amarchand Mangaldas & Co.

Contents

India-Japan Relations **1**

Economic and Commercial Cooperation **2**

Comprehensive Economic Partnership Agreement 2

Double Taxation Avoidance Agreement 3

Bilateral loan and assistance 3

Energy and Defense Cooperation 5

Trade between India and Japan **6**

Foreign Direct Investment **7**

Ongoing Japanese Projects in India **9**

Key Japanese Exits from India **16**

Daiichi Sankyo's exit from Ranbaxy Laboratories 16

NTT DOCOMO's exit from Tata Teleservices 16

Government initiatives **18**

Joint Statement on India and Japan Vision 2025 18

India-Japan Social Security Agreement 20

Way Forward **22**

Bibliography **24**

India-Japan Relations



India and Japan have a strong historical connection based on spiritual affinity and strong cultural and civilizational ties. In modern times, the two countries are united by their shared belief in the values of democracy and a strong electoral mandate in favour of driving economic performance (evidenced from the sweeping victories of Prime Minister Narendra Modi and his Japanese counterpart Shinzo Abe in their respective countries).

India, being the second-most-populous country in the world, and having one of the fastest-growing economies in Asia, offers attractive opportunities for investment and partnership, especially in the infrastructure sector, to Japan which has an abundance of capital and the presence of strong construction, transport and machinery companies. In the past, companies such as Suzuki and Honda, have partnered with Indian companies and have become household names in India. The lasting success of these companies is evidence that there is untapped potential in the India-Japan bilateral trade and investment relationship.

During Prime Minister Modi's first official visit to Japan in 2014, India and Japan elevated their bilateral relations to a 'Special Strategic and Global Partnership'. This was followed by the Joint Statement on India and Japan 2025 issued by the two prime ministers during Prime Minister Abe's official visit to India in 2015. The Joint Statement 2025 aims to expand bilateral cooperation in a wide range of issues ranging from investment and disaster risk management, to people-to-people exchange. In light of these two developments, the prime ministers of both the countries have undertaken a number of initiatives to affirm their commitment to accelerating India and Japan's economic and investment relationships. One such initiative was announced in September 2014 during Prime Minister Modi's visit to Japan whereby the prime ministers of both the countries established a goal of doubling Japanese foreign direct investment (**"FDI"**) inflows in India and the number of Japanese companies in India within the next five years (as part of the 'Japan-India Investment Promotion Partnership'). In the financial year 2015-2016, India has received FDI of USD 2613.68 from Japan million, and as of October 2015, there were 1229 Japanese companies registered in India. With the establishment of the new government under Prime Minister Modi in May 2014 the elevation of Japan to a strategic partner and the commitment of both countries to cooperate in the areas of economic development, investment, environmental protection, energy and defense, amongst other areas, the economic and investment relations between India and Japan are likely to accelerate upwards in the coming years.

Shardul Amarchand Mangaldas

Economic and Commercial Cooperation



Economic and commercial cooperation between India and Japan has immense untapped potential. India's latest census data indicates that around 41% of India's population is below the age of 20 years. This young demographic profile coupled with India's anticipated growth rate is expected to generate massive demand for infrastructure, consumer goods and financial services. Since Japan has an abundance of capital and Japanese companies have demonstrated their interest in construction and development in India (by playing a major role in some of India's largest infrastructure projects), it is expected that the cooperation between the two countries will reach new levels in the coming years.

Further, in line with the 'Make in India' initiative, Japanese companies have expressed their desire to use India as a global hub for 'productisation' from which they may develop products for their local market and for exports to the Middle East and Africa. At the same time, there remain challenges to India and Japan's economic and commercial relationship including the regulatory hindrances faced by foreign investors in India and the sentiments following the recent exit of two large Japanese players from the Indian market.

Comprehensive Economic Partnership Agreement

For the purpose of accelerating trade and the economic and commercial relations between India and Japan, the Bilateral Comprehensive Economic Partnership Agreement (CEPA) was inked between the two countries in the year 2011. CEPA has had an impact on trade between India and Japan, which has increased from USD 10.4 billion in 2010 (before the coming into effect of the CEPA) to USD 14.5 billion in 2016.

The India-Japan Joint Committee constituted under the CEPA has been reviewing suggested amendments to the CEPA. While India is seeking better market access in Japan for its pharmaceuticals as well as marine and organic products, Japan has requested India to remove restrictions on steel imports (including Minimum Import Price and safeguard duty) and the Minimum Alternate Tax (MAT) on Special Economic Zones (SEZs).



Double Taxation Avoidance Agreement

The Double Taxation Avoidance Agreement (DTAA) between India and Japan was signed in the year 1989 for the avoidance of double taxation between the two countries and to prevent fiscal evasion with respect to taxes on income.

In December 2012, India and Japan signed a Protocol to amend the DTAA for the purposes of facilitating exchange of information in accordance with accepted international standards, on matters related to tax, including bank information and information without domestic tax interest. Further, there a provision in the amendment Protocol for sharing any information received from Japan, with the authorization of the competent authority in Japan and vice versa, in respect of a resident of India, with other law enforcement agencies.

The Protocol also has a provision for India and Japan to assist each other in collection of revenue claims, as well as for exemption of interest income from taxation with respect to debt-claims insured by the Government or Government-owned financial institutions.

Bilateral loan and assistance

India has a need for infrastructure and Japan has experience in handling long-term, low-cost funds for infrastructure projects in emerging markets in the form of official development assistance (**"ODA"**) loans, distributed through policy institutions such as the Japan International Cooperation Agency (**"JICA"**) and Japan Bank for International Cooperation (**"JBIC"**). Japan has been granting ODA to India in the form of Yen loans since the year 1958. The focus areas of such loans have been the development of economic infrastructure, reduction in poverty through agricultural and rural development, environmental protection and improving healthcare. The cumulative amount of loan assistance received by India from Japan (in the form of ODA loans) is JPY 3,600 billion as of 2011.

Between the years 2010 and 2014, the total ODA disbursements by Japan in favour of India were as follows:

Values in JPY 100 million

S. No.	Fiscal Year	Loan Aid	Grant Aid	Technical Cooperation
1.	2010	480.17	11.59	22.12
2.	2011	2,898.37	2.78	34.69
3.	2012	3,531.06	1.04	33.01
4.	2013	3,650.59	16.62	43.62
5.	2014	1,186.43	2.17	37.76
	Total	45,750.62	920.80	536.18

Source: mofa.go.jp



Some of the recent key ODA transactions between India and Japan are as follows:

- On December 12, 2015, India and Japan executed a Memorandum of Understanding (**"MoU"**) on High Speed Railways (HSR) whereby it was agreed that Japan will fund 80% of the cost of the flagship Mumbai-Ahmedabad bullet train project through a soft loan of JPY 1 trillion at an interest rate of 0.1%, with a tenure stretching over 50 years and a moratorium period of 15 years.

- On January 13, 2016, JICA signed an ODA loan agreement with the Government of India (**"GoI"**) to provide an ODA loan of up to JPY 19.064 billion for the Project for Pollution Abatement of River Mula-Mutha in Pune. JICA's assistance will entail construction of a sewer network of over 113 km, 4 sewage pumping stations and 11 sewerage treatment plants of 396 million litres per day (MLD) combined capacity in order to bridge the gap between sewerage being generated (728 MLD) and that being currently treated (476 MLD).

  Currently, JICA is involved in 19 projects to enhance sewerage and water facilities in various areas, such as Delhi, Bengaluru, Agra, Amritsar, Varanasi, Jaipur, Nagaur district (Rajasthan) and Goa, among others, with a cumulative ODA loan assistance of over JPY 490,695 million.

- On March 4, 2016, JICA signed an agreement with the GoI for JPY 102.415 billion for the Ahmedabad and Chennai metro projects for building environment friendly urban traffic networks and designs that take into account the needs of the elderly and disabled.

- On March 11, 2016, JICA signed an ODA loan agreement with India Infrastructure Finance Company Limited (**"IIFCL"**) to provide up to JPY 50,000 million for 'PPP Infrastructure Financing Project'.

- On March 31, 2016, JICA signed ODA loan agreements with the GoI to provide JPY 175.106 billion for assistance in five projects, including: supporting sewerage services in Odisha; constructing a dedicated freight corridor; supporting farmer horticulture in Jharkhand; contributing to health care in Tamil Nadu; and supporting stable power supply in Madhya Pradesh.

- Hitachi, Toshiba, Mitsubishi and JGC Corporation led consortiums have been selected by the Japanese Government for the construction of 'eco-cities' and related works along the Delhi Mumbai Industrial Corridor (DMIC) in the Ahmedabad region. These 'eco-cities' will be constructed pursuant to DMIC Development Corporation's pact with Japan External Trade Organization (JETRO) for collaboration in environment-related projects around the DMIC project area. They will be funded by JBIC



which will invest JPY 7,759 million in Phase-1 of the DMIC under a loan agreement with IIFCL concluded in 2009.

Energy and Defense Cooperation

Until recently, the compass of bilateral defense cooperation between India and Japan consisted mainly of multi-sectoral ministerial and Cabinet level dialogues. These dialogues related to the regularization of bilateral maritime exercises, humanitarian relief exercises and exchanges of-test pilots and air transport squadrons between the Japan Maritime Self-Defence Force and the Indian Navy, the Japan Ground Self-Defence Force and the Indian Army, and the Japan Air Self Defence Force and the Indian Air Force respectively. The elevation of the India-Japan bilateral relationship to 'Special Strategic and Global Partnership' has encouraged India and Japan to enhance the value of their energy and defence related cooperation, as elucidated below:

- On December 12, 2015, India and Japan inked a MoU concerning the Agreement on Cooperation in the Peaceful Uses of Nuclear Energy. They also signed the agreement concerning transfer of defense equipment and technology cooperation for making available defense equipment and technology necessary to implement joint research, development and / or production projects. An agreement concerning security measures for the protection of classified military information was also signed between the two countries for the reciprocal protection of classified military information transmitted to each other, provided the same is consistent with the national laws and regulations of the Country receiving the information.

- In January 2016, ministers from India and Japan issued Joint Statement of the 8th Japan-India Energy Dialogue, which recognized the need to promote renewable energy and energy conservation techniques. India has acknowledged that cooperation in energy sector should be such that Japanese technology and capital can be dovetailed with Indian high skilled human resources and the 'Make in India' campaign to create mutually beneficial partnerships, between the two countries.

- Negotiations on the purchase of 12 Utility Seaplane Mark 2 (US-2) amphibian aircrafts by India from Japan are in their final stages. The manufacturer of US-2 amphibian aircraft, ShinMaywa Industries, Ltd., has initiated discussions with Indian counterparts in anticipation of the possibility of assembling the aircraft within India. India plans to use these aircrafts for patrolling the Andaman and Nicobar islands and conducting search and rescue operations.

Trade between India and Japan



- India's exports to Japan have more than doubled from USD 2.5 billion in 2005-06 to USD 5.2 billion in 2010-11, growing at the average rate of 16% per annum. Despite this, the share of Japan in India's total exports shrank from 2.4% in 2005-06 to 2.1% in 2010-11. The share of Japan in India's imports has also declined during this period from 2.7% in 2005-06 to 2.3% in 2010-11.

- CEPA concluded between India and Japan in 2011envisages the abolition of tariffs over 94% of items traded between India and Japan over a period of 10 years, and more limited provisions covering trade in services, intellectual property, cross-border investment and visa requirements. Within a year of the CEPA coming into force, the number of Japanese companies in India has increased by 14%, while India's exports have increased from approximately USD 9 billion to approximately USD 10 billion. However this trend has not been maintained, and exports have declined in 2015-16.

- As of 2015, India ranks 20th as the largest importer from Japan, accounting for only 2% of imports from Japan. Although globally Japan's biggest export line is automobiles (which account for 21% of its total goods exports), only 5% of India's imports from Japan consist of automobiles. The largest element in India's imports from Japan is machinery, which accounts for 27%.

Values in USD Millions

S. No.	Year	India's Export to Japan	India's Import from Japan	India's Total Trade with Japan	India's Balance of Trade with Japan	% Share in India's Total Trade
1.	2011-12	6,328.54	11,999.43	18,327.97	-5,670.89	2.30
2.	2012-13	6,100.06	12,412.29	18,512.35	-6,312.23	
3.	2013-14	6,814.07	9,480.75	16,294.82	-2,666.68	2.34
4.	2014-15	5,385.57	10,131.36	15,516.93	-4,745.79	2.13
5.	2015-16	4,662.67	9,850.22	14,512.90	-5,187.55	2.05

Source: commerce.gov.in

Foreign Direct Investment



- From April 2000 to March 2016, India has received USD 20.97 billion as cumulative FDI inflow from Japan. This accounts for 7.27% of total inflows into India and as of March 2016, Japan was the 4th largest contributor to India's FDI inflows. The FDI inflow from Japan to India for the last five years is as follows:

Values in USD Million

S. No.	Years	FDI from Japan
1.	2011-12	2971.70
2.	2012-13	2237.22
3.	2013-14	1717.75
4.	2014-15	2084.23
5.	2015-16	2613.68

Source: dipp.nic.in

- The sectors which attracted the most investment between April 2000 and March 2016 are drugs and pharmaceuticals and the automobile industry.

S. No.	Top Sectors	% FDI equity inflows
1.	Drugs and Pharmaceuticals	21.29
2.	Automobiles	19.18
3.	Services Sector	15.54
4.	Metallurgy Industries	7.34
5.	Electrical Equipment	5.22

Source: dipp.nic.in

- For the financial year 2015-2016, the total FDI from Japan to India is USD 2613.68 million. As of 2015, India made up only 1.5% of Japan's total FDI. Although FDI doubled in the period between the early 2000s and 2008, this was largely due to the purchase of Ranbaxy Laboratories by Japan's Daiichi Sankyo for USD 4.6 billion in the year 2008. Since then, FDI per year reduced till 2013-2014 due to reduced ease of doing business and the two important exits of major Japanese players (discussed below).



- Nevertheless, the establishment of the new government in India led by Prime Minister Modi and the initiatives of the GoI such as 'Ease of Doing Business' and 'Make in India', appear to be making India an attractive destination for FDI.

- Since 2014-2015, FDI inflow from Japan has been increasing, and according to a 2013 survey conducted by JBIC, India is ranked second as most promising overseas business destination for the next 10 years.

Ongoing Japanese Projects in India



As of October 2015, were are 1229 Japanese companies registered in India. This figure represents a 6% increase as compared to 2014, which recorded a total of 1,156 Japanese companies in India. The total number of Japanese business establishments as of October 2015, was 4,417 which represents a 14% increase as compared to 2014 which recorded 3,881 Japanese establishments. The majority of Japanese companies and business establishments are engaged in sectors such as transport infrastructure, water and sanitation facilities, power, forest resource management, agricultural, healthcare and education. Given Prime Minister Modi and Prime Minister Abe's commitment under the 'Japan-India Investment Promotion Partnership' to double the FDI inflows from Japan to India and the number of Japanese companies in India within the next five years, a comprehensive review of the projects currently being undertaken by Japanese companies and the scope of their expansion would be required to be undertaken by both the governments.

Schedule A

An indicative list of some of the major M&A activities and major project expansions between India and Japan between September 2014 (since Prime Minister Modi's first official visit to Japan) and October 2016 has been provided below.

M&A Activities between India and Japan

S. No.	Name of Japanese Company	Name of Indian Company	Deal information
Manufacturing			
1.	Mitsui Chemicals Agro Inc.	PI Life Science Research Limited	PI Life Science Research Limited ("PI") (subsidiary of PI Industries Limited) has transferred 51% stake held in Solinnos Agro Sciences Private Limited (**"Solinnos"**) to Mitsui Chemicals Agro Inc. (**"Mitsui Chemicals"**) as approved by the Board of Solinnos in its meeting held on September 01, 2016. This is in pursuance of a joint venture agreement entered into between PI and Mitsui Chemicals.
2.	Mitsubishi Chemical Corporation	The Chatterjee Group	The Chatterjee Group signed an agreement to acquire a 90% stake in Mitsubishi Chemical Corporation's Indian subsidiary, MCC PTA India Corp. Private Limited, for an estimated amount of USD 48 million.

S. No.	Name of Japanese Company	Name of Indian Company	Deal information
3.	Mitsubishi Chemicals Incorporation	PI Industries	Mitsubishi Chemicals Incorporation and PI Industries have entered into an agreement to establish a joint venture company in India.
4.	Toyota Tsusho Corporation	Mirra and Mirra Industries Private Limited	Toyota Tsusho Corporation (**"Toyota Tsusho"**) has acquired shares of Mirra and Mirra Industries Private Limited (**"Mirra"**) to make a full-scale entry into India's specialty steel secondary processing business. Under the new management structure, Toyota Tsusho has a 45% ownership stake in Mirra.
5.	Mitsubishi Agricultural Machinery	Mahindra & Mahindra	Mitsubishi Agricultural Machinery and Mahindra & Mahindra entered into a capital tie-up through a third-party allocation of new shares.
Energy			
1.	Softbank, Foxconn (Taiwan)	Adani Group	Adani Group is in talks with Softbank and Foxconn to secure investment in an approx. USD 3 billion project to make solar cells and panels.
2.	Meidensha Corporation	Prime Meiden Limited	Meidensha Corporation has increased its shareholding in Prime Meiden Limited from 23% to 100%.
Automobile			
1.	Nissan Motor Co. Limited	Ashok Leyland	Nissan Motor Co. Limited has agreed to sell all of its shares in three joint venture companies that were formed in 2008 to Ashok Leyland. Under the agreement which was signed on September 7, 2016, these joint venture companies will become wholly-owned subsidiaries of Ashok Leyland, upon receipt of all necessary approvals from the regulatory authorities in India.
2.	Nippon Bee Chemicals Co. Limited	Berger Paints India Limited	Berger Paints India Limited (**"Berger"**) has entered into a joint venture agreement with Nippon Bee Chemical Co. Limited to make and sell auto coatings in India. The joint venture company will use the existing plants of Berger for the purpose and expects approx. USD 18-19 million revenue in the first year.
3.	Sanoh Industrial Company	STI Sanoh India Limited	Sanoh Industrial Company has acquired the minority stake held by its local partner in the Indian joint venture STI Sanoh India Limited, ending an almost two decade old partnership between the two companies.
4.	Kawasaki Kisen Kaisha, Limited	Ocean Sparkle Limited	Denmark's Svitzer, Japan's K Line and Australia's Qube Logistics are among the strategic investors in talks with Hyderabad-based Ocean Sparkle Limited (**"Ocean"**) to acquire a controlling stake in it, in a deal valuing with the Indian shipping firm for approx. USD 450-500 million. The buyers have made non-binding offers to acquire 74% stake in Ocean.
Electronics, Communication and Information Technology			
1.	JTEKT Corporation	Sona Koyo Steering Systems Limited	JTEKT Corporation holds 20% stake in Sona Koyo Steering Systems Limited (**"Sona Koyo"**) and is looking at further increasing its stake in Sona Koyo.
2.	SOLIZE Corporation	CSM Software Private Limited	SOLIZE Corporation has acquired India-based CSM Software Private Limited for an undisclosed amount. It is the first complete acquisition of an Indian IT company by a Japanese software company.

S. No.	Name of Japanese Company	Name of Indian Company	Deal information
3.	Softbank Corp	InMobi	Softbank Corp. has invested approx. USD 200 million in InMobi.
Pharmaceuticals and Health Care			
1.	Toyota Tsusho Corporation, and SECOM Medical System Co. Limited	Kirloskar Group	Toyota Tsusho, SECOM Medical System Co. Limited and Kirloskar Group have entered into a business alliance for the creation of a joint venture company which will establish hospitals in India.
2.	Mitsui	Keimed	Mitusi is expected to purchase a 20% interest in Keimed for approx. USD 25 million from Apollo Hospitals Enterprise.
E-Commerce			
1.	Mitsui & Co.	Naaptol	Naaptol, which runs TV shopping and E-Commerce platforms, has raised USD 51.7 million in a new round of equity funding from existing investor Mitsui & Co. (**"Mitsui"**). With this, Mitsui has strengthened its foothold in Naaptol from 5% to around 20%, valuing Naaptol at approx. USD 328 million.
2.	NetPrice	ShopClues	ShopClues has raised approx. USD 10 million from Helion, Nexus and NetPrice.
3.	Softbank	Snapdeal	Softbank has invested approx. USD 627 million in Snapdeal.
4.	Softbank	Oyo rooms	Oyo rooms has raised approx. USD 100 million in its fifth round of funding, from investors including Softbank.
5.	Softbank	Grofers	Grofers has raised approx. USD 120 million from various investors including Softbank.
Insurance			
1.	Daiichi Life Insurance Company Limited	Bank of India	Bank of India (**"BoI"**) has sold its 18% stake in Star Union Daiichi Life Insurance Company Limited (**"SUD"**) to Daiichi Life Insurance Company Limited (**"DILIC"**) for approx. USD 80 million. The shareholding of DILIC in SUD will increase from 26% to 44%, upon completion of the transaction and after receiving necessary statutory/regulatory approvals. The shareholding of BoI in SUD will be reduced from 48% to 30%.
2.	Nippon Life Insurance Company	Reliance Life Insurance Company Limited	Japan's Nippon Life Insurance Company has increased its stake in Reliance Life Insurance Company Limited (**"Reliance Life"**) by 23%, taking its total holding to 49%. Reliance Capital, the holding company of Reliance Life has received approx. USD 338 million for the deal.
Infrastructure			
1.	Softbank	Housing.com	Softbank has acquired a 30% stake in Housing.com for approx. USD 64 million.
2.	Toshiba Corporation	UEM	Toshiba Corporation is acquiring an additional 54% stake to become the majority owner with 80% stake in UEM.
Others			
1.	Tiger, Softbank, Didi Kuadi	Ola	Tiger, Softbank and Didi Kuadi have invested in Ola, effectively raising Ola's valuation to approx USD 5 billion dollars from the earlier approx. USD 3.5 billion.

S. No.	Name of Japanese Company	Name of Indian Company	Deal information
2.	Nihon Kotsu Travel Service Co.	MyTaxiIndia Private Limited	MyTaxiIndia Private Limited has raised approx. USD 500,000 in a pre-Series A funding round from Japanese travel major Nihon Kotsu Travel Service Co., marking the first investment by an overseas taxi company in a home-grown counterpart.
3.	Ryohin Keikaku Co. Ltd.	Reliance Brands	Ryohin Keikaku Co. Ltd. has formed a joint venture with Reliance Brands.
4.	Adways	Pocket Money	Adways has acquired Pocket Money for an undisclosed amount.

Investment and Expansion Plans from Japan

S. No.	Name of Foreign Collaborator	Name of Indian Company	Investment / Expansion Plans
Energy			
1.	Softbank	Bharti Enterprises	Softbank and Bharti Enterprises have formed a joint venture along with Taiwan-based Foxconn Technology to invest in Mega Solar Park planned by the Odisha Government.
2.	Orix Corporation	IL&FS	Orix Corporation plans to build 26 solar energy projects spanning across Tamil Nadu, Rajasthan, Gujarat, Maharashtra, Andhra Pradesh, Karnataka and Madhya Pradesh.
3.	Toshiba Mitsubishi-Electric Industrial Systems Corp.	-	Toshiba Mitsubishi-Electric Industrial Systems Corp. is building a second plant in Bangalore slated to open in 2017.
4.	Softbank	-	Softbank has been offered close to 1000 acres of land at Bhadrawati near Chandrapur for setting up a solar power project.
5.	Yokogawa Electric Corporation	Yokogawa India Limited	Yokogawa India Limited has received an order from the Gas Transmission Company Limited to supply a monitoring and control system for the gas pipeline system in Bangladesh.
6.	Itochu	Aegis	Itochu will pay Aegis an amount of approx. USD 5.12 million acquiring a 40% stake in AGI (Unit of Aegis), an LPG supplier based in Singapore for the purpose of increasing supply of oil and gas in the Indian market, with liquefied gas from the US and other parts of Asia. Aegis plans to build a new terminal in about five years to double its supply capacity from the current 700,000 tons a year. The project is estimated to cost around approx. USD 86 million.
Manufacturing			
1.	Toyota Motor Corporation	Toyota Tsusho Sugar Trading Limited	Toyota Tsusho Sugar Trading Limited, in which Toyota Motor Corporation holds 21.7% stake, is interested to establish a refinery near Nellore with an investment of approx. USD 67 million.
2.	Kyokuto Kaihatsu Kogyo Co. Limited	Mithra Kyokuto SPV Company Private Limited	Mithra Kyokuto Special Purpose Vehicle Company Private Limited is now planning to expand its product range by introducing logistics vehicles.

S. No.	Name of Foreign Collaborator	Name of Indian Company	Investment / Expansion Plans
3.	Sumitomo Chemical Co. Limited	-	Sumitomo Chemical Co. Limited plans to install production equipment with an annual capacity of 5,000 tons at their Chennai facility with investment of approx. USD 10 million.
4.	Anchor Electricals	-	Anchor Electricals, a wholly-owned subsidiary of Panasonic Corporation, announced that it is investing approx. USD 22 million in a manufacturing facility in Haridwar. The facility will produce a complete range of wiring devices.
5.	Isuzu	-	Isuzu has planned an approx. USD 448 million investment for setting up a manufacturing facility in Sricity, Andhra Pradesh. Isuzu will manufacture SUVs and pick-up trucks at the proposed new plant.
6.	Nihon Nohyaku	Hyderabad Chemicals	Nihon Nohyaku ("**Nihon**") has proposed to acquire a 74% stake in Hyderabad Chemicals. The Hyderabad Chemical takeover deal is in line with Nihon's strategy to increase its presence in the growing agrochemical market of India.
7.	Nissan International Holdings BV	Hinduja Tech Limited	Nissan International Holdings BV, an investment arm of Nissan Group, has taken a one-third stake in Hinduja Tech Limited, a subsidiary of Ashok Leyland.
8.	Mitsubishi Electric	-	Mitsubishi Electric ("**Mitsubishi**") has proposed to open an elevator plant near Bengaluru. Mitsubishi plans to invest approx. USD 26 million for this purpose.
Automobile			
1.	Toyoda Gosei Co. Limited.	Toyoda Gosei Minda India Pvt. Ltd.	Toyoda Gosei Co. Limited is establishing a new automotive parts plant in Bawal, Haryana through its Indian subsidiary - Toyoda Gosei Minda India Pvt. Ltd. The investment associated with the new plant will be approx. USD 8 million and will employ approx. 440 employees.
2.	Suzuki Motors	Paytm	Paytm has signed a strategic tie-up with Suzuki Motors. As part of the partnership, Paytm customers will be able to book Suzuki bikes and scooter models from more than 400 Suzuki dealers on its platform.
3.	Honda Motor Co. Limited	HDFC ERGO General Insurance Company Limited	Honda Motorcycle & Scooter India Private Limited has signed a Memorandum of Understanding with HDFC ERGO General Insurance Company Limited as a preferred insurance partner for Honda Two Wheelers in India.
4.	Terra Motors	-	Terra Motors ("**Terra**") proposes to invest approx. USD 5 million in India in the coming years. Till now, Terra has invested approx. USD 2 million in the Indian market. Terra will use fresh investment for developing new products and buying factory equipment.
5.	Honda	-	Honda is planning to expand the production capacity of its largest and scooter-only plant in Vithalapur, Gujarat.
6.	Suzuki	-	Suzuki has proposed to sell approx. USD 1.8 billion convertible bonds to fund approx. USD 2.8-billion mega factory in Gujarat.
7.	-	Yamaha Private Limited	Yamaha Private Limited has proposed to expand its business in Tamil Nadu worth approx. USD 239 million.

S. No.	Name of Foreign Collaborator	Name of Indian Company	Investment / Expansion Plans
8.	Suzuki Motors	-	Suzuki Motors to infuse approx. USD 1271 million in setting up three plants at Hansalpur, Gujrat.
9.	Igarashi Electrical Works	Mape Advisory Group	Igrashi Electrical Works aims to dedicate a capacity of up to 100,000 units at its Gurgaon plant for a new light commercial vehicle.
10.	Mitsubishi Heavy	-	Annual sales of several million dollars are targeted from a new plant near Bangalore. This plant began production in April 2015.
Finance			
1.	Temp Holdings Company Limited	-	Temp Holdings Company Limited has introduced a corporate venture capital fund for the Indian HR market.
2.	Nissan	SBI	As per the agreement, Nissan customers can avail of vehicle loans from SBI to purchase Nissan products at a competitive interest rate.
3.	Dream Incubator Inc.	-	Dream Incubator Inc. has established its liaison office in Mumbai for market entry consulting and execution support for Japanese companies and investment in / incubation of Indian companies.
4.	-	LIC Nomura Mutual Fund	LIC Nomura Mutual Fund plans to raise approx. USD 29 million through its new open-ended exchange traded fund.
5.	Green Venture	-	Green Venture has hit the first close of its new fund at approx. USD 37 million and added India in the list of its target markets. Green Venture expects its second closing with about approx. USD 60 million in total commitments at the end of December 2016.
Electronics, Communication and Information Technology			
1.	Hitachi Koki Corporation	-	Hitachi Koki Corporation manufactures 10,000 units at its India unit, which it plans to increase to 20,000 per annum.
2.	Panasonic	-	Panasonic is planning to open a refrigerator plant with an investment of approx. USD 37 million. The manufacturing unit options include Jhajjar in Haryana or a Tier 2 city in Maharashtra.
3.	-	Ricoh India	Ricoh India has proposed to infuse approx. USD 167 million into its Indian unit to cover estimated losses.
4.	Nikon	-	Nikon plans to double India's contribution to its global turnover in the next three years. India's contribution to their global turnover is 2.5% and they plan to increase it to 5% in the coming years.
5.	Toshiba Corporation	Electronics Corporation of India Limited	Electronics Corporation of India Limited has received export order from Toshiba Corporation for a value of approx. USD 300 thousand for manufacturing Radar Antennas operating in microwave frequency band enable accurate prediction of weather.
6.	NTT	-	NTT Communications India Private Limited, a wholly-owned subsidiary of NTT Com, has proposed to acquire a unified license for national long-distance services in India.

S. No.	Name of Foreign Collaborator	Name of Indian Company	Investment / Expansion Plans
7.	Bharti-Softbank	ScoopWhoop Media Private Limited	Bharti-Softbank has acquired an equity stake of 36.5 % in ScoopWhoop Media Private Limited through BSB Portal Limited.
8.	Japan TV Broadcast Industry	Amagi	Amagi, a cloud-based TV broadcast platform developer, has proposed to expand its Japanese broadcasting business by opening a sales and support office in Tokyo.
9.	Dentsu Aegis Network	WATConsult	Dentsu Aegis Network has acquired over 75% stake in Kolkata based digital media agency WATConsult. The deal values was approx. USD 26-29 million.
10.	-	Ricoh India	Ricoh India has secured an approx. USD 60 million MPS deal. Ricoh India has signed a memorandum to provide, among other things, 'state of the-art' MPS services to software group Vakrangee Limited.
Infrastructure			
1.	Kintetsu World Express Inc.	Kintetsu World Express India Private Limited	Kintetsu World Express Inc. has opened India's first Good Distribution Process warehouse at the Hyderabad airport cargo satellite building to exclusively handle pharmaceutical logistics.
Health Care and Pharmaceuticals			
1.	Shimadzu Corporation	Trivitron Healthcare Private Limited	Shimadzu Corporation has proposed to partner with Trivitron Healthcare Private Limited to sell screening devices for newborns in emerging markets.
Others			
1.	Rakuten Inc.	-	Rakuten Inc. opened its development centre in Bengaluru in 2014.

Shardul Amarchand Mangaldas

Key Japanese Exits from India



Daiichi Sankyo's exit from Ranbaxy Laboratories

In June 2008, Daiichi Sankyo Company, Limited (**"Daichii"**), the third largest pharmaceutical company in Japan made an offer to buy a controlling stake in Ranbaxy Laboratories Limited (**"Ranbaxy"**). Daiichi acquired a 63.92% stake in Ranbaxy for USD 4.98 billion, with a one-time write-down goodwill payment of USD 3.59 billion.

In 2014, Daiichi agreed to merge Ranbaxy with Sun Pharmaceutical Industries Ltd. (**"Sun Pharmaceuticals"**) in an all-stock deal worth USD 4 billion, which included Ranbaxy's debt of USD 800 million. This came in response to the US Food and Drug Agency's report on Ranbaxy's quality control practices. Daichii has now decided to exit India, by selling its 8.9 per cent stake in Sun Pharmaceuticals, worth USD 3.18 billion, in block deals in the stock market. Separately, the former owners of Ranbaxy have been ordered by a Singapore arbitration tribunal to pay USD 385 million to Daiichi for misrepresenting the problems facing Ranbaxy when it acquired the firm. This exit is largely considered to be the result of poor organizational structure within Ranbaxy, which kept its analytical research and quality assurance departments together. It has been noted that better due diligence conducted by Daiichi at the time of acquiring Ranbaxy may have averted its financial losses.

NTT DOCOMO's exit from Tata Teleservices

In 2008, NTT DOCOMO, Inc. (**"NTT"**) bought a 26% equity stake in Tata Teleservices (**"TTSL"**) from Tata Sons Limited (**"Tata Sons"**) for USD 2.7 billion. Under the terms of the shareholders agreement, NTT has the right to deliver a sale notice to Tata Sons, which will obligate Tata Sons to either purchase the TTSL shares itself or find a suitable buyer or buyers for the same within a prescribed timeline. Under the shareholders agreement, the TTSL shares would be sold at 50% of its original investment or a fair market value, whichever is higher.

In July 2014, NTT exercised its right to exit and requested the sale of its TTSL shares. NTT alleged, that despite repeated negotiations Tata Sons was unable to find a buyer and its own offer to purchase the stake at INR 58.045 per share was rejected by the Reserve Bank of India (RBI) due to restriction under the Indian foreign exchange laws that do not allow a foreign investor to exit at a pre-determined assured return.



As a result, NTT moved the International Court for Arbitration in London (**"LCIA"**) on January 3, 2015. The Arbitral tribunal has ordered Tata Sons to pay USD 1.17 billion to NTT for breach of contract. The LCIA allowed Tata Sons to appeal against the order. Subsequently, NTT moved the High Court of Delhi to obtain enforcement of the award. The matter is currently sub-judice. Meanwhile, NTT has also initiated proceedings in the United States District Court for the Southern District of New York, under the New York Convention which allows private parties to seek court intervention to enforce awards passed in cross-border arbitrations. Since Tata Sons has failed to make the payment under the award, NTT has approached US courts in jurisdictions where Tata Sons has assets, in order to recover its dues.

Government initiatives



Joint Statement on India and Japan Vision 2025

In December 2015, during Prime Minister Abe's official visit to India, Prime Minister Modi and Prime Minister Abe issued the Joint Statement on India and Japan Vision 2025. Some of the initiatives they proposed are as follows:

Infrastructure

- The Prime Ministers sought synergy between India's "Act East" policy and Japan's "Partnership for Quality Infrastructure", and decided to develop and strengthen reliable, sustainable and resilient infrastructures that augment connectivity within India and between India and other countries in the region;

- The Prime Ministers noted that India's railways modernization and expansion plans open up commercial opportunities for Japanese companies in high-speed rail, station re-development and rolling stock manufacturing;

- They welcomed the signing of the Memorandum of Cooperation on introduction of Japan's High Speed Railways (HSR) technologies (the Shinkansen system) to Mumbai-Ahmedabad route;

- Prime Minister Abe expressed his intention to support India's efforts in "Make in India," "Digital India," "Skill India," "Clean India" and "Smart City" campaigns through active mobilisation of Japanese public and private sector involvement, including ODA;

- The Prime Ministers further concurred to take the Chennai Bengaluru Industrial Corridor (CBIC) project to the next stage of concrete implementation including by utilising ODA loan schemes and other facility measures. India expressed a hope to attract USD 5.5 billion of investment and other support;

- They reaffirmed the intention to develop 'Japan Industrial Townships' (JITs), with investment incentive for companies that would not be lower than the prevailing policy framework such as Special Economic Zone (SEZ), and National Investment and Manufacturing Zone (NIMZ); and



- They called for close collaboration in the electricity and energy sector through such measures as use of high-efficiency and environmentally friendly coal-fired power generation technology, and Clean Coal Technology (CCT) including Integrated Gasification Fuel Cell (IGFC), once developed.

Defence

- The Prime Ministers reaffirmed their commitment to continue discussions to deepen the bilateral defence relationship including through two-way collaboration and technology cooperation, co-development and co-production; and

- They reaffirmed their desire to further develop dialogue and exchanges between the two countries in the security and defence fields, including through the full utilisation of '2+2 Dialogue', Defence Policy Dialogue, Military-to-Military Talks and Coast Guard to Coast Guard cooperation.

Finance

- Prime Minister Modi welcomed the 'Japan-India Make-in-India Special Finance Facility' up to 1.5 trillion Yen by Nippon Export and Investment Insurance (NEXI) and JBIC. This program aims to promote direct investment of Japanese companies and trade from Japan to India, in order to support their business activities with counterparts in India, including development of necessary infrastructure, and help materialise Make-in-India policy of the GoI;

- The Prime Ministers expressed their expectation that the total commitment of Japanese ODA yen loan to India in FY 2015 may reach around JPY 400 billion, the highest ever provided to India, and concurred to accelerate their respective efforts with a view to achieving this goal;

- They positively appraised the work of 'Japan Plus' and expressed strong hope that investment-related assistance, guidance and support extended by Japan Plus will become even more effective and efficient through enhancing coordination with stakeholders;

- Prime Minister Abe expressed the intention of establishing a new mechanism, 'Japan-India IoT Investment Initiative,' to promote investment in Internet of Things (IoT) related area from India to Japan;

- The Prime Ministers welcomed the priorities for action in the Sendai framework for Disaster Risk Reduction 2015-2030, and noted the importance of measures to mitigate the risk of disaster arising from earthquake, cyclone and tsunami, including flood control and early warning systems.



India-Japan Social Security Agreement

India and Japan signed a Social Security Agreement (the **"SSA")** in Tokyo on November 16, 2012, for the purpose of regulating their mutual relations in the field of social security. The SSA came into effect on October 1, 2016, following the exchange of diplomatic notes between India and Japan confirming that the countries have fulfilled their respective constitutional requirements necessary for the entry into force of the SSA. The SSA broadly provides for the following benefits:

- Where a person, employed by an employer who's place of business is in India or Japan is sent to either of the other states, or a third territory, to work on the employer's behalf, the person may continue to make social security payments in the country of their employment even while they are abroad, and they will be exempt from making any such payments in the country of their assignment.

- Between India and Japan, there will be no restriction on the entitlement to or payment of benefits solely on the ground that a person ordinarily resides outside the territory of India or Japan. Further, benefits will also be paid by India and Japan to nationals of each other's States who ordinarily reside in a third country under the same conditions as if they were nationals of the Indian or Japanese State.

- When a person does not have sufficient periods of coverage in their country of their employment to fulfil the requirement for either:

  (i) entitlement to Japanese benefits; or

  (ii) acquisition, retention or recovery of the right to old-age, survivors' and disability benefits in India, the periods of coverage under the legislation of their country of assignment shall be taken into account for establishing entitlement to benefits, in so far as they do not overlap with periods of coverage of the original state.

- The SSA allows persons other than Japanese nationals to claim lump-sum payments upon withdrawal in accordance with the legislation of Japan.

  In the case of India, a person is entitled to withdraw the full amount standing to the person's credit under the Employee's Provident Funds Scheme, 1952, on ceasing to be an employee in an establishment covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. A person is also entitled to withdrawal benefits under the Employees' Pension Scheme, 1995, if the requirement of eligible services for monthly members' pension is not fulfilled even after including the totalization benefit as provided in the SSA.



- With the implementation of the SSA, Indian and Japanese employees will now be able to avoid making double social security contributions, or contributing to a social security scheme without being able to extract its benefits due with restrictions on withdrawal. Therefore, the introduction of the SSA will reduce the cost of posting Indian and Japanese employees abroad, thereby increasing the ease of doing business between the two countries and enhancing the profitability and competitiveness of Indian and Japanese companies with foreign operations in either of the countries.

Way Forward

In the months to come, India and Japan's economic and commercial relations stand to be accelerated by 'Ease of Doing Business' measures such as the introduction of the Goods and Services Tax (GST), the implementation of the India-Japan SSA and the working of 'Japan Plus' for the fast tracking of Japanese investments amongst other initiatives being undertaken and proposed to be undertaken by the Indian and Japanese governments. During the 41st Joint Meeting of India-Japan Business Co-operation Committee, the Japanese delegation has expressed their appreciation on these recent developments in the economic policy of India, as well as the adoption of the new bankruptcy law and the liberalization of FDI for most of the sectors.

The introduction of GST is expected to make the tax environment more conducive to business by reducing the multiplicity of taxes, doing away with elaborate compliance obligations and avoiding tax cascading. Particularly, with reference to the infrastructure and manufacturing sectors, once clarity is achieved with respect to the concessions and exemptions that would be available to infrastructure projects under the new regime, the beneficial impact of GST may be better ascertained. This, coupled with other regulatory relaxations and the reduced cost of posting Japanese employees to India, is intended to make the activities of the Japanese government and Japanese companies more profitable and competitive in India.

With the support of 'Invest India' as India's official Investment Promotion and Facilitation Agency and the given the mandate of the 'Japan Plus' team, it may be expected that new investments will be initiated, attracted and facilitated through a comprehensive strategy for investment promotion and handholding of Japanese investments across sectors. The 'Japan Plus' team is also expected to assist the Department of Industrial Policy and Promotion (DIPP) in setting benchmarks and identifying bottlenecks and areas of concern for Japanese companies undertaking investment in India. Given that State governments in India are active in seeking investment opportunities from Japan for mega development projects, and have been successful in partnering with foreign companies for this purpose, one possible policy change that should be examined is the fast-tracking of awards being granted for infrastructure projects so as to avoid unnecessary delays and other bureaucratic hold-ups that discourage companies from investing in India.

There are certain potential areas of cooperation between India and Japan, such as pharmaceuticals and information technology. There are good opportunities for Indian companies in these areas in Japan. However, there are certain market access related issues in these areas, such as below par share of Indian companies in Japanese drug market, low share of India's information technology services in Japanese information technology market and issues relating to requirement of certificate of eligibility for Indian persons intending to obtain business visa for Japan. Both countries have already agreed on need for higher cooperation in providing market access of Indian pharmaceutical products and recognizing Indian organic standards. Further steps by both the governments in this regard would allow Indian companies to explore such opportunities in Japan.

Given Prime Minister Modi's commitment to enhance economic and investment relations with Japan, and in light of his upcoming official visit to Japan, it may be expected that new initiatives will be inked between the two countries to fast-track existing projects and explore the possibilities of cooperation in new projects.

Bibliography

https://www.eiuperspectives.economist.com/sites/default/files/EIU%20India%20Japan%20Mar31%2015_FINAL.pdf

http://dipp.nic.in/English/Publications/FDI_Statistics/2016/FDI_FactSheet_JanuaryFebruaryMarch2016.pdf

https://www.jica.go.jp/english/news/press/2015/160113_01.html

http://www.mofa.go.jp/region/asia-paci/india/pmv0504/oda_i.pdf

http://www.financialexpress.com/economy/loan-pact-with-jica-for-1st-bullet-train-likely-in-2016/241182/

http://www.in.emb-japan.go.jp/files/000192371.pdf

http://www.mea.gov.in/bilateral-documents.htm?dtl/26177/List_of_documents_exchanged_during_the_visit_of_Prime_Minister_Shinzo_Abe_of_Japan_to_India_in_New_Delhi_December_12_2015

http://www.idsa.in/idsacomments/make-in-india-scope-for-india-japan-defence-cooperation_tbasu_291215

http://www.indembassy-tokyo.gov.in/bilateral_brief.html

https://www.theguardian.com/world/2016/jun/30/japan-census-over-65s-record-27-population-immigration

http://economictimes.indiatimes.com/news/economy/foreign-trade/india-japan-discuss-trade-investment-to-fix-irritants/articleshow/53456513.cms

http://dipp.nic.in/English/Investor/Japan_Desk/FDI_Synopsis_Japan.pdf

http://www.in.emb-japan.go.jp/PDF/2016_j_cos_list_pr.pdf

http://www.thestatesman.com/news/business/utilise-cepa-more-to-boost-export-to-japan-govt-tells-cos/169375.html

http://www.meti.go.jp/press/2015/01/20160112005/20160112005-1.pdf

http://commerce.gov.in/eidb/iecnt.asp

https://www.kkc.or.jp/english/activities/indianscholars/JapanIndia_TradeInvestment_Relations_MathewSubhasis_Feb2012_MJ_.pdf

About FICCI

Established in 1927, FICCI is the largest and oldest apex business organisation in India. Its history is closely interwoven with India's struggle for independence, its industrialization, and its emergence as one of the most rapidly growing global economies.

A non-government, not-for-profit organisation, FICCI is the voice of India's business and industry. From influencing policy to encouraging debate, engaging with policy makers and civil society, FICCI articulates the views and concerns of industry. It serves its members from the Indian private and public corporate sectors and multinational companies, drawing its strength from diverse regional chambers of commerce and industry across states, reaching out to over 2,50,000 companies.

FICCI provides a platform for networking and consensus building within and across sectors and is the first port of call for Indian industry, policy makers and the international business community.



Shardul Amarchand Mangaldas

Firm Overview

Shardul Amarchand Mangaldas & Co ("SAM & Co") is one of India's leading full-service law firms. Founded on almost a century of legal achievement, Shardul Amarchand Mangaldas & Co started anew in May 2015, with offices in seven major cities in India – New Delhi, Mumbai, Gurugram, Bengaluru, Chennai, Ahmedabad, and Kolkata. With 430 lawyers including 84 Partners, the Firm employs its legal resources across all major practices and focuses on several core areas of commercial activity.

The Firm's mission is "enabling business by providing solutions as trusted advisors through excellence, responsiveness, innovation and collaboration". The Firm has been at the helm of major headline transactions in all segments of industry and business besides representing major trans-national corporates on their India entry and business strategy.

The Firm is known for its exceptional Mergers & Acquisitions, Tax, Competition Law, Dispute Resolution & Arbitration, Regulatory Litigation, Capital Markets and Private Equity practices globally.

Areas of Practice

General Corporate: Our work in the areas of Mergers and Acquisitions, JVs, Private Equity and Business Restructuring is well documented in the annals of Indian corporate history. Our Competition Law, Intellectual Property and Regulatory teams work very closely with the corporate teams for facilitating deal closures. Our Insurance Practice is robust and well recognized.

Banking & Finance: Our offerings range from traditional banking documentation to securitisation, factoring, setting up payment banks, syndicated loans, structured finance, acquisition finance and mortgage backed securities, guarantee structures, equipment financing, non-convertible debentures, external commercial borrowings and working capital loans.

Competition Law: With a strong and recognized competition practice in India, the 21-member strong competition team has a proven track record of successfully steering clients through their largest transactions, complex investigations and high-stakes litigation

Dispute Resolution: We are a go-to firm for domestic & international arbitrations, commercial & corporate and regulatory disputes in various courts, tribunals, forums, administrative authorities & regulators in India.

Projects and Project Finance: We advise developers, EPC contractors, investors and lenders on various infrastructure projects in sectors such as power, oil & gas, nuclear energy, ports, roads and mining. We also advise on regulatory aspects, contractual issues and government tendering aspects typically associated with such large scale projects.

Capital Markets: Our offerings include legal and regulatory advice on IPOs, FPOs, rights issues, QIPs, ADRs, GDRs, IDRs, AIM listings, on the Equity side. On the Debt Capital Markets side, our offerings include issuance and restructuring of FCCBs, non-convertible bonds, unlisted infrastructure bonds, and medium term note programs (MTN Programs). We also have a well-developed Financial Regulatory Practice (FRP).

Tax: We offer a broad range of direct and indirect tax services (including customs duty, central excise, service tax value added tax, central sales tax, state excise duty etc.) ranging from tax planning, advisory, implementation, documentation, representation and litigation support. We have been instrumental in providing tax advice for international transactions, in addition to being involved in advising and structuring major transactions in India.

Intellectual Property Rights: We offer a full range of services that cover patents, trademarks, copyrights, designs and other allied laws, from conceptualization to enforcement and from negotiations to creation of innovative corporate structures based on intellectual property

Venture Capital: We represent premier domestic and international clients on the investor as well as investee company side for early and growth stage financings. Our VC lawyers based out of Bangalore, Mumbai and Delhi have sizeable deal experience (including having worked at prominent VC funds) and bring a deep understanding of the nuances of early stage investing. We are able to provide practical advice to start-ups and emerging companies, and the venture capital funds that invest in them. We also provide seamless advisory on Intellectual Property, Tax, M&A and Capital Markets. Given our robust intellectual capital, we also help set best practices and provide relevant inputs to regulators and policy makers.

Notes

For any clarifications, please contact:

Shardul Amarchand Mangaldas

Mr. Rudra Kumar Pandey
Partner (Japan Desk)
Shardul Amarchand Mangaldas & Co.

Email : rudra.pandey@AMSShardul.com
Mobile : +91-9871792734
Location : New Delhi

FICCI

Mr. Gajendra Badgujar
Additional Director - East Asia
FICCI

Email : gajendra.badgujar@ficci.com
Mobile : +91-97178 64455
Location : New Delhi