

## DUSHYANT DEEP

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### **PROFESSIONAL SUMMARY**

Lawyer, leader and a trusted business support with a diverse work experience of fourteen (14) years at law firms and in-house (company) positions. Adept in drafting, review and negotiations of commercial contracts, policy advocacy, regulatory advisory & dispute resolution. Presently, working with a leading Indian airline (IndiGo) and awarded '*The Expert*' and '*Out of the Box Thinker*' award. Possess strong interpersonal and leadership skills to seamlessly work in a team environment and effectively conduct stakeholder management. Represented clients and employers in various conferences and events, in India and abroad.

### **WORK EXPERIENCE (PQE)**

#### **Present:**

Head – Regulatory & Cargo, InterGlobe Aviation Limited (IndiGo), Gurugram (March, 2018 – Till Date)

#### **Past:**

- (a) Senior Manager - Legal, Religare Finvest Limited, Gurugram (August, 2015 – February, 2018);
- (b) Associate, Link Legal India Law Services, Advocates, New Delhi (July, 2013 – August, 2015); and
- (c) Principal Associate, M.V.Kini & Co., Advocates & Solicitors, Mumbai (May, 2009 – March, 2013)

### **OVERVIEW OF KEY MATTERS**

#### **Aviation**

- (a) Drafting, review and negotiations of various commercial documents and agreements required to support **IndiGo's** passenger and cargo operations like Cargo and Ground handling Agreements, Sales Agency Agreements, IATA Payment Settlement Agreements, Interline Agreements, Aircraft Charter and Lease Agreements, Conditions of Carriage, review of bid documents and submission of bids *etc.*
- (b) Advising **IndiGo** on various statutory and regulatory policies, orders and requirements, including under Aircraft Act, 1934, Carriage by Air Act, 1972, consumer protection and data privacy laws. Scope of work includes issuance of internal advisories/updates, attending government/regulatory meetings, drafting representation, responding to regulatory queries/ notices and managing regulatory compliances.
- (c) Advising **IndiGo** indetermination of airport (aeronautical) tariff before the Airports Economic Regulatory Authority (AERA). Scope of work includes review of tariff 'Consultation Papers' and attending stakeholder consultation meetings.
- (d) Advising **IndiGo** on Environmental, Social and Governance (**ESG**) matters. Scope includes review of existing policy framework and advising on business activities with the objectives of sustainability, inclusivity and ethical conduct.

- (e) Advising **IndiGo** on regulatory litigations including tariff, airport infrastructure – vehicle and slots *etc.* before Supreme Court of India, Delhi High Court and tribunals. Scope of work includes research, review of draft writ petitions, appeals etc., and attending conference with external/senior counsels.
- (f) Advised **Air India** in reviewing lease contracts of aircrafts and engines to/from foreign lessors/lessees. Also, advised **Air India** before the ‘Court of Inquiry’ proceedings relating to Mangalore air crash involving Air India Express; and review of Conditions of Carriage of Air India.
- (g) Advised **Air India** on the setting up of “GE 90 Engine Test Cell Facility Unit” and a “Maintenance Repair Overhaul” (MRO) unit at Nagpur SEZ, Maharashtra. Scope of work included drafting, review and negotiations on the tender documents and EPC construction agreements.

## Projects & Infrastructure

- (a) Advised **Continental Construction** on the construction of the Sorang Hydro Power Project in Himachal Pradesh. Assisted in negotiations and finalisation of the EPC FIDIC Contract and Consortium Agreement.
- (b) Advised **GMR group** on the construction and development of Mactan Cebu International Airport in Philippines. Reviewed requirements of the tender documents (RFP), review of Concession Agreement and Shareholders Agreement, drafting of ancillary project documents.
- (c) Advised **Suzlon Energy Limited** on the setting up of wind farms of 50.40 MW in Rajasthan. Assisted on the negotiations on the term sheet for the transaction.
- (d) Drafting and review of various road highway contracts (**Concession Agreements/EPC Contract**), tender documents, for clients like **National Highway Authority of India (NHAI)** and **Maharashtra State Road Development Corporation Limited (MSRDC)**, **Ramky Infrastructure Limited** and opined on various issues/disputes arising out of such contracts.

## Corporate Commercial/Joint Ventures

- (a) Advised a Belgian client, **Atcomex**, in the setting up of aircraft refueling and manufacturing of road transportation vehicle components business in India. Assisted in incorporating a company in India. Drafted “Consultancy Services Agreement”, “Toll Manufacturing Agreement” and “Employment Agreement” in pursuit of client’s business operations.
- (b) Advised **Brihanmumbai Electricity Supply & Transport Undertaking (BEST)** in entering into a joint venture with Glodyne Technologies for the purposes of providing domain expertise in electricity distribution for a Bihar State Electricity Board power project. Reviewed and negotiated the “Memorandum of Understanding” and “Services Agreement”, “Joint Venture Agreement”.
- (c) Advised **Durian Industries Limited** in drafting of Standard Terms and Conditions for sale of furniture and other goods. Further, assisted Durian in acquiring various retail showroom properties in different Indian cities on a lease basis.
- (d) Advised **Warana Dairy**, engaged in the activities of manufacturing and marketing of dairy products, for entering into a joint venture with a Dubai based company, in order to setup joint manufacturing and production facilities in Kolhapur, Maharashtra. Assisted in review and negotiations of “Term

Sheet”, “Shareholders Agreement” and “Share Subscription Agreement” in accordance with applicable Indian laws.

- (e) Advised a leading Belgian company, **Talboom**, on foreign direct investment issues in entering into a strategic alliance for the purposes of exploration of Geothermal energy in India. Drafted and negotiated “Collaboration Agreement” alongside the foreign legal counsel.

## **Finance and Capital Markets**

- (a) Advised **Religare Finvest Limited** in its lending business, which required drafting and reviewing Loan Agreements, security documents like Mortgage Deed, Hypothecation Deed, Escrow Agreement etc.
- (b) Assisted in capital market transaction and related due diligence for (i) **Jawahar Lal Nehru Port Trust** for issuance of secured redeemable non convertible debenture bonds and (ii) proposed Qualified Institutional Placement (QIP) of shares by **IndiGo**.

## **HIGHLIGHTS–EDUCATION,PROFESSIONALMEMBERSHIP,CONTRIBUTION**

- (a) Professional: Secured ‘**First Class**’ in **BA.LL.B** degree pursued from **Symbiosis Law School, Pune** (2004-2009).
- (b) Former member Advocate of Bar Council of Maharashtra & Goa (Enrollment date: 18th August 2009).
- (c) Educational: Passed class (10+2) & (10) from Amity International School, Noida in 2004 and 2002, respectively.
- (d) Educational: Diploma in **International Business and Corporate Laws** in India from Symbiosis Law School, (2009) and Certificate course in **Mergers and Acquisition** from India Academy of Corporate Laws, Pune (2009).
- (e) Professional: Contributed ‘Information Paper’ titled ‘Growth of Civil Aviation in India’ on behalf of Government of India, for ICAO’s 40<sup>th</sup> Assembly Session. The Information Paper can be accessed at: [https://www.icao.int/Meetings/a40/Pages/WP\\_Presenter.aspx](https://www.icao.int/Meetings/a40/Pages/WP_Presenter.aspx)
- (f) Awarded 'The Expert' & ‘Out of the Box Thinker’ award by IndiGo as part of annual ‘Rewards and Recognition’ event.