



**bharucha & partners**

Advocates & Solicitors

**HR & EMPLOYMENT LAW**  
Practice Profile



# About the Firm

Founded in 2008 on immutable principles of professional ethics and excellence, Bharucha & Partners is a full-service law firm, with offices in Mumbai, New Delhi, and Bengaluru in India.

We are a Firm of practitioners, with 12 Partners and over 80 lawyers offering a blend of rich experience, creativity, and the energy of youth. Each of the partners has a proven track record of handling complex commercial transactions or disputes, while each associate has a passion for the law, and is individually groomed to share the vision and mission of the partners and the Firm. The hallmarks which each of our practitioners share are commitment to the profession, communication and transparency, and conviction and integrity in our dealings with each other, our clients, counterparts in the profession, and no less importantly, with ourselves.

The Firm caters to a diverse clientele including Fortune 500 companies, multinational corporations, public sector undertakings, banking and financial institutions, government and state authorities, and various not-for-profits. Our clients consistently praise the 'work ethic' of the Firm, the 'timeliness' of our lawyers, and the 'hard-working' team of lawyers that serve 'the best interests of the clients'.

The Firm has been consistently recognised on various platforms like Chambers and Partners, Euromoney, Legal 500, Who's Who Legal, IFLR1000, asialaw, Benchmark Litigation, and India Business Law Journal, to name a few.

# Mission

## **To our clients**

We are committed to further your interests: by delivering work product of the highest quality; on time, every time; consistent with high ethical standards; at a reasonable cost; always delivering value.

## **To our professional colleagues**

As our learned friends, we offer courteous and straight dealing.

## **To our counter parties**

Respectful of your legitimate rights, we will not make unreasonable demands while working for the best results for our clients. In a hostile situation, may the best man win and we will work to ensure that the best case for our client is put forward.

# Vision

In the 21st century, time is at a premium; competence is said to be a commodity; and loyalty is for sale. We accept none of that.

Organisations and systems make time manageable. Excellence is rare, it cannot be equated with competence.

We have seen the legal profession grow and change with growth. We believe that growth cannot be at the cost of excellence. To the contrary, growth must foster excellence. We will not be part of any system where values or quality may be impaired in the rush to get the deal done.

We have come together based on immutable principles of truth, ethics, and excellence.

We will not compromise.

Growth will be driven by these principles. We will select the right people, groom them, invest in them. We will not just invest money. We will invest our time and our commitment. Some will fall by the way, as they must, but a few will make the grade. Those who share our values and our vision will be partners. They will be lawyers who will succeed in any jurisdiction.

Within ourselves, we have the capabilities of a full-service law firm. We will grow our capabilities to better serve our clients.

We are proud of every member of our Firm, be they professionals, fee earners, or support staff. Each is a flag bearer. We are committed to going forward and each constituent of our Firm is proud to belong to the law firm that delivers excellent value to its clients and enriches the profession.

# The HR & Employment Law Practice

Our HR & Employment Law Practice caters to clients across industries and sectors. We address mandates with sensitivity, taking into account nuances specific to client requirements and any issues specific to the business or industry.

The Firm's mandates range from negotiating employment contracts for senior-level and strategic resources as well as settlements with trade unions; strategising and assisting in implementing corporate and HR reorganisation and rationalisation; structuring incentive plans; drafting and reviewing HR manuals, and assisting clients with implementing HR policies including POSH, Equal Opportunities and Whistle Blower compliance and investigations into complaints; data privacy; regulatory compliance, and employment disputes.

Lawyers at our HR & Employment Law Practice work closely with our transaction Practice Groups and with the ethics, Governance, and Anti-Corruption Practice group. This holistic and coordinated approach is particularly important in the context of M&A and strategic investment transactions and where clients are caught up in employee fraud or breach of data privacy issues by employees.

We are recognised for our experience in executing sensitive mandates efficiently while maintaining the human touch necessary to address issues affecting livelihoods and working conditions that are inherent to any employment law mandate.

## The HR & Employment Law Practice Leaders



**MP Bharucha, Founder, Senior Partner**

MP, as he is popularly known, spearheads the commercial litigation Practice at the Firm. MP has been consistently ranked by Chambers and Partners, Euromoney, and Legal 500 as amongst India's leading lawyers and has wide experience in employment matters. He is known for his multidisciplinary abilities in both dispute resolution and general corporate advisory.



**Justin M Bharucha, Managing Partner**

Justin takes the lead role on the Firm's employment mandates. He has experience in the full range of key employment concerns relevant to business operations in India, both advisory and contentious. He is known for advising on industrial relations and labour issues in corporate transactions, including business sales, mergers & acquisitions, etc. Justin is also recognised by Chambers and Partners, Legal 500, and IFLR1000.



**Vandana Pai, Senior Partner**

Vandana regularly advises clients on the employment law aspects emanating from complex private equity investments and mergers & acquisitions across sectors, including putting in place employee stock option and incentive plans, senior management hires and exit, etc. Vandana is named as a key lawyer by Legal 500 for the Labour & Employment rankings.



### **Vishnu Dutt U, Partner, Practice Lead – Equity Capital Markets**

Vishnu focuses on capital markets and corporate mergers & acquisitions. He regularly advises on employment issues and compliances for listed companies. He is noted for his nuanced advice and his practical approach to matters. Vishnu has been recognised by IFLR1000.



### **Parag Bhide, Partner**

Parag has advised clients on a wide range of employment matters, including workforce restructuring, employee transfers, redundancies, labour issues in corporate transactions, social security and employee incentive schemes, maternity benefits, and employee contracts. He has a diverse array of clients, ranging from fintech companies and technology service providers to investment and venture capital firms.



### **Sonam Gupta, Counsel**

Sonam has represented and advised clients on a wide range of employment disputes across sectors. Sonam has also advised multiple clients on human resource policies and employment law compliances. Sonam also represents them in mandates before various fora. Sonam is consistently recognised by Legal 500.



**Mita Sood, Counsel**

Mita is a part of the Employment Practice of the Firm. She advises clients on a wide range of matters including drafting employment policies, advising on structuring employment incentives, termination of employment for misconduct, and generally advising on compliance with Employment law.



# Indicative Experience

1. Representing Dai-ichi Karkaria Limited before the labour tribunals and Bombay High Court with respect to disputes against Hind Karmgar Sanghatana.
2. Representing and advising Firstsource Solutions Limited:
  - a. Before the labour tribunals and Bombay High Court with respect to disputes arising from claims of wrongful termination made by its former employees; and
  - b. Providing advice with respect to termination of employees pursuant to the closure of one of their business lines in India.
3. Representing Insilico Limited before the Bombay High Court with respect to a dispute arising from claims of wrongful termination made by an employee of a business acquired by Insilico.
4. Representing and advising Alchem International Private Limited:
  - a. Before the district court and the Punjab & Haryana High Court with respect to a dispute arising out of breach of a confidentiality agreement by an employee; and
  - b. Conducting workshops on Prevention of Sexual Harassment (POSH) at the workplace, for awareness and sensitization of employees.
5. Representing two central administrative officers before the Delhi High Court with respect to a dispute regarding their seniority in the Indian Forest Services.
6. Representing the key managerial personnel of a company before a district court with respect to criminal proceedings initiated pursuant to death of a contractual employee on site.
7. Representing the key managerial personnel of a company before a district court with respect to an appeal filed by the complainant against the order of the company's Internal Complaints Committee dismissing their complaint of sexual harassment.
8. Advising ISS Facility Services India Private Limited with respect to matters of employment law, including issues of payment obligations arising due to various government directions issued to mitigate the spread of COVID 19- and employment contracts.
9. Advising Burberry India with respect to terms and conditions of their employment contracts in India.
10. Advising India Factoring and Finance Solutions Private Limited with respect to its human resources policies, Employee Stock Ownership Plan (ESOP) Scheme as well as termination of a key managerial employee.
11. Advising Girnar Software Private Limited with respect to the buyback of its employee stock options including preparation of the share purchase agreement, structuring equity compensation to the promoters in lieu of vested phantom stock units as well as employment arrangements with key employees CollegeDekho Academy.
12. Advising Tebodin India Private Limited with respect to the enforceability of employment bonds.
13. Advising a multinational IT company with respect to the initiation of criminal proceedings against a former employee arising from a suicide threat.
14. Advising a public listed company with respect to the appointment of a related party to the board of directors of its international subsidiary.

15. Advising General Motors with respect to the transfer of employees from General Motors Technical Centre India Private Limited to Tata Consultancy Services Limited and transfer of its employees in Talegaon as part of a proposed share sale to Great Wall Motors.
16. Advising General Atlantic with respect to the employment due diligence conducted as part of its investment in Absolute Barbeque Private Limited.
17. Advising Axis Asset Management Company Limited in relation to potential employee disputes.
18. Advising the Centrum Group in relation to potential employee disputes.
19. Advising Vedantu Innovations Private Limited during their investment into Adinio Services Private Limited with respect to employment contracts executed between the target and its promoters including preparation of addenda to the employment contracts and employee and phantom stock option plans, including preparation of the plan and the necessary regulatory filings thereto.
20. Advising ATS Corporation on structuring and documenting the employment of the Vice President of Information Technology and Engineering Services of the Indian subsidiary in context of the existing policies of ATS Corporation under Canadian laws and ensuring compliance with Indian laws.
21. Advising advised Culver Max India Private Limited on the impact of the proposed merger with Zee Entertainment Enterprises Limited on the Employee Provident Fund exemption.
22. Advising Apollo Global Management on structuring gratuity payments to fixed term contract employees.
23. Advising DashX UK in structuring employment arrangements with its promoters and employees in context of restrictions as to 'permanent establishment' under the extant foreign exchange regulations.
24. Advising IMCD NV in drafting the employment agreement of the Managing Director of IMCD India as well as advising IMCD India in structuring and drafting employment arrangements with the promoters of entities acquired by IMCD India.
25. Advising L3 Harris India on several matters related to employment laws including advising on termination of employees and assisting in restructuring the gratuity and bonus payments to its employees.
26. Advising DJO Global India Healthcare Private Limited on structuring compensation for performance of on-call services by IT employees.
27. Advising Flourish Ventures on structuring compensation to consultants based in India, including in relation to carried interest payable to such persons.
28. Advising Vikrant Gugnani, the promoter of Transasia Ventures Private Limited, in negotiating his employment arrangement with the acquirer, Thriwe Consulting Private Limited as part of the sale of Transasia Ventures Private Limited.
29. Advising Hitech Corporation Limited on structuring and documenting deferred payouts based on performance and incentives linked to turnover.
30. Advising Thriwe Consulting Private Limited on queries in relation to termination of employment and restrictions under Indian law on termination of employment.

# Clients

We act for public and private companies, acquirers and targets, financial and strategic investors, banks and financial institutions, boards of directors and promoters. The Firm has an even spread of domestic and international clients across a range of industries.

- Aditya Birla Group
- Adani Group
- Apollo Global Management
- Ameriprise Financial, Inc.
- Axis Bank Limited
- BAE Systems plc
- Badminton Association of India
- Balaji Motion Pictures Limited
- Buongiorno SpA
- Burberry Group plc
- Collage Group
- Curtiss-Wright Controls, Inc.
- Danone S.A.
- Diageo plc
- Edelweiss Comtrade Limited
- Firstsource Solutions Limited
- Flipkart India Private Limited
- Fokker Aerostructures B.V.
- Girnar Software Private Limited
- Grover Zampa Vineyards Limited
- Harris Corporation
- HSBC Limited
- IDBI Bank
- IJM Corporation Berhad
- Imperial Auto Industries Limited
- Indian Broadcasting Foundation
- Indostar Capital Finance Limited
- ISS A/S
- ITC Limited
- JCDecaux Group
- JM Baxi Group
- Johnson & Johnson Private Limited
- Kalaari Capital
- Kalpataru Power Transmission Limited
- Kotak Mahindra Bank
- Larsen & Toubro Limited
- Lucid Colloids Limited
- Luxottica Group SpA
- Macquarie Group Limited
- Marks & Spencer Group plc
- Minnow Films Limited
- Morepen Laboratories Limited
- Next Radio Limited
- NIIF Infrastructure Finance Limited
- Peugeot Citroen S.A.
- Porvair plc
- Rolls Royce plc
- Samsung Group
- Shemaroo Entertainment Limited
- Skyline Radio Network Limited
- Standard Chartered Bank Limited
- Star India Private Limited
- State Bank of India
- Sun TV Network Limited
- Tata Communications Limited
- The Federal Bank Limited
- The Times Group
- Twitter, Inc.
- V-Ships Group
- Vestas Wind Systems A/S
- Vodafone Idea Limited
- Wadhawan Group
- Zostel Hospitality Private Limited



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# Practice Areas and Sector Support

## Practice Areas

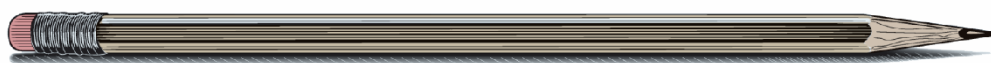
- Mergers & Acquisitions
- Commercial Litigation
- International & Domestic Arbitration
- Private Equity / Venture Capital
- Laws of Crime
- Governance, Ethics, & Anti-Corruption
- Banking & Finance
- Project Finance
- Capital Markets & Securities Law
- Employment & Human Resources
- Regulatory & Compliance
- Intellectual Property
- Insolvency Resolution, Restructuring, & Stressed Assets
- Competition & Antitrust
- Direct Tax
- Indirect Tax
- Real Estate
- Private Client
- Social Impact & Policy
- General Corporate Advisory

## Sector Support

- Banks & NBFCs
- Defence & Aerospace
- Real Estate
- Energy (Conventional & Renewable)
- Ports & Logistics
- Roads
- Technology, Media, & Telecommunications
- Securities & Financial Markets Intermediaries
- Fintech
- Food & Beverages (including Water)
- Trade (Wholesale & Retail)
- Private Clients

# Awards & Recognitions





# Reviews

- *"Highly qualified team acting on the full range of corporate matters including M&A, foreign direct investment and joint ventures. Provides general corporate advice to major companies, financial institutions and investors on both the sale and purchase sides. Provides support to private equity and venture capital entities as well as target companies on the entire life-cycle of investment and fund issues. Handles fund formation, management buyouts, minority and controlling-stake acquisitions and a range of follow-on transactions. Notable ability in the financial services, telecommunications, logistics and energy sectors."* - Chambers and Partners
- *"They are very thorough, proactive and knowledgeable."* - Chambers and Partners
- *"We receive top-notch partner time. They are realistic in negotiations, which results in the work being handled faster in a more congenial atmosphere."* - Chambers and Partners
- *"They are a competent team, very capable."* - The Legal 500
- *"They are customer centric and respond in detail to points raised or opinion sought. They are not ambiguous in their response."* - The Legal 500
- **MP Bharucha** is lauded by market sources as "one of the leading lawyers in the country" who "has been on the top of his game for a long time. Active on a range of commercial disputes, he maintains a particularly high reputation as a litigator in the Mumbai market." - Chambers and Partners
- **Alka Bharucha** "boasts a stellar reputation in corporate transactions. She is renowned for her expertise in cross-border M&A as well as her proficiency in providing advice on general corporate issues, in particular within the power, telecommunications and banking sectors." - Chambers and Partners
- **Hiroo Advani** "is highly sought after for the breadth of his experience in arbitration issues. He often takes on cases in the energy, infrastructure and construction sectors." – Chambers and Partners
- **Justin M Bharucha** "specialises in foreign direct investments in highly regulated sectors. He is regularly active on complex cross-border transactions, utilising his deep knowledge of inbound and outbound M&A." - Chambers and Partners
- **Vandana Pai** "commands a strong reputation among market commentators, who praise her excellence in providing assistance with private equity transactions. Her clients are effusive with praise, with one reporting: "She foresees business and legal issues and is very proactive in addressing potential concerns." - Chambers and Partners







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