



ADVOCATES AND ATTORNEYS

NEW DELHI | MUMBAI | BANGALORE | HYDERABAD | CHENNAI | KOCHI | PUNE | MANGALORE

BANKING & FINANCE

Where time is money, bank on us.



ABOUT KING STUBB & KASIVA

King Stubb & Kasiva (“KSK”) is a full-service national law firm in India with offices in New Delhi, Mumbai, Bengaluru, Chennai, Hyderabad, Kochi, Mangalore & Pune. KSK has alliances with associate lawyers in all states and union territories of India and international locations. We can cater to all corporate legal, regulatory and dispute resolution requirements of our clients across the length and breadth of the country. We also have a huge informal network of international law firms across ninety-seven countries.

We represent large, medium & small business houses, multinational corporations, banking & financial institutions, technology and manufacturing pioneers, private equity and venture capital investors and start-ups across the country.

KSK does not just provide legal expertise, we take a position and provide commercially savvy advice – we partner with our clients to deliver the best business solutions. We do this by knowing their industries, the trends and issues, and their competitors. We are always focused on providing interactions between our firm and our client which delivers the highest levels of integrity, hard work and trust in order to create a perfectly professional relationship.

The prime motive revolving around any business is to reduce expenditure and increase revenue. We collaborate with the client to highlight legal risks and advise steps and solutions to mitigate these to achieve the business objectives.

ABOUT BANKING & FINANCE

The Banking and Finance team represents banks and other financial institutions in a broad range of legal and regulatory matters. We also provide representation to credit unions and other finance companies in a wide variety of lending and other financing transactions, including large multi-bank credit facilities, asset-backed and secured loans, real estate loans, letter of credit facilities and loan participation. The Firm also actively involves itself in structuring, negotiating, documenting and closing complex financing structures. Our banking and lending practice extends across all of our offices and our team approach provides clients with efficiency and the necessary knowledge and expertise required for each transaction.

The solution-oriented strategy of the Firm is guaranteed to minimize roadblocks & transactional time and maximize effectiveness. We have been involved in many significant financing transactions, but we also understand the needs of the mid-sized companies that underpin the Indian economy. The Firm also supports financial institutions in numerous litigation matters like debt recovery, claims under Negotiable Instruments Act, Consumer Protection Act, etc. We represent our clients before all types of judicial and administrative forums.



SERVICE OFFERINGS

- Trade Finance;
- Project Finance;
- Escrow, Consortium, Mortgage,
- Pledge & Lien Agreements;
- Loan, Credit & Security Documentation;
- Securitization of Assets;
- Recovery of debts and Dishonor of Cheques;
- Charge Actions & Foreclosures;
- Documentary Credits;
- Enforcement of Charges, Debentures;
- Guarantees & Other Form of Securities;
- Asset & Debt Recovery;
- Liquidation & Bankruptcy;
- Futures/derivatives litigation;
- Distressed Assets and Corporate
- Strategic Debt Restructurings;
- Acquisition and Leveraged Finance;
- Real Estate Financing;
- Carbon Credit Financing;



TRADE & PROJECT FINANCE

TRADE FINANCE

We advise our clients regarding various types of trade finance as per the requirement of the clients and their customers, which include:

- Borrowing base facilities
- Export credit agency financing
- Pre-export financing and prepayment facilities
- Receivables and supply chain finance
- Reserve base lending
- Revolving trade facilities
- Senior secured facilities
- Syndicated facilities
- Warehouse loan facilities
- Structured financing

PROJECT FINANCE

KSK assists its clients including lenders, developers, project sponsors and Special Purpose Vehicles in drafting, reviewing and negotiating the following agreements and other ancillary agreement in project financing, which includes:

- Shareholder's agreement;
- EPC (engineering, procurement and construction) contract;
- Project Loan Agreements;
- O&M contract;
- Power Purchase Agreement (PPA);
- Concession Agreement
- Substitution Agreement

We also assist our clients in conducting the due diligence of the project land and complying with all the regulatory factors applicable in India.

CORPORATE DEBT RESTRUCTURINGS, LIQUIDATION & BANKRUPTCY

Our expertise cover legal and commercial advice on matters relating to debt restructuring and liquidation & bankruptcy including:

- Contingency planning;
- Pre-insolvency
- Distress advisory;
- Negotiations with creditors for settlements and restructuring;
- Negotiations & arrangements with creditors and members;
- Corporate debt restructuring
- Bi-lateral debt restructuring with lenders;
- Distressed financing & re-scheduling
- Out-of-court restructuring & refinancing;
- Corporate restructuring based on mergers/demergers/acquisitions;
- Financial restructuring of debt
- Reorganization through Strategic Debt Restructuring (SDR);
- Debt acquisition through Asset Reconstruction Companies/NBFCs
- Credit bidding;
- Distressed debt trading;
- Insolvency filing requirements in NCLT & appeals in NCLAT & Supreme Court;
- Formal insolvency proceedings before the court;
- Enforcement of security interests;
- Liquidation/winding up;

NBFC Advisory Services

KSK offers comprehensive NBFC advisory services to assist clients in navigating the complex legal landscape of Non-Banking Financial Companies (NBFCs). Our team of experienced lawyers specializes in providing expert guidance and assistance in the following areas:

1. NBFC Licensing and Registration:

We understand the intricacies involved in obtaining NBFC licenses and registrations, and are well-versed in the regulatory framework governing NBFCs. KSK's team has an extensive experience in guiding clients through the entire process, ensuring compliance with all legal requirements and assistance in preparing the necessary documentation. We work closely with our clients to expedite the licensing and registration procedure, enabling them to establish and operate their NBFC smoothly and efficiently.

We offer services including:

- New NBFC registration
- Sale/Purchase of existing NBFC
- Change in control/ ownership
- End to end approval process
- CERSAI & FIU-IND registration
- PPI license
- Payment Aggregator license
- Account Aggregator license
- P2P lending tie-up

2. NBFC Compliances and Regulatory Compliances:

Compliance with the various regulatory obligations is vital for NBFCs to maintain their legal standing and credibility. Our knowledgeable team assists in understanding and complying with the extensive regulatory framework applicable to NBFCs. We conduct a comprehensive review of all operations, identify any compliance gaps, and provide tailored solutions to ensure adherence to the relevant laws and regulations. From drafting policies and procedures to conducting internal audits, we help firms stay updated and compliant with the evolving regulatory landscape.

Our services include:

- Compliance Management
- Periodic Reporting and Submission of Statutory Returns
- Assistance in RBI inspection
- Compounding & Adjudication

NBFC Advisory Services

3. Transactions in the NBFC Space:

Navigating transactions in the NBFC space requires a deep understanding of the legal and regulatory intricacies involved. Our law firm has extensive experience in handling a wide range of NBFC transactions, including mergers, acquisitions, joint ventures, and restructuring. Whether its expanding of NBFC's operations, entering into strategic alliances, or optimizing one's corporate structure, our team provides strategic advice and diligent support throughout the transactional process, ensuring client's interests are protected and their objectives are met.

Services offered:

- Business Correspondence
- Co-lending
- Securitization / Assignment
- Tie-ups with fintechs, banks and other system participants

4. KSK's Past experience with NBFCs:

KSK has successfully advised numerous clients on Non-Convertible Debenture (NCD) deals. We have extensive experience in structuring and negotiating NCD transactions, representing both issuers and investors.

At KSK, we are committed to providing personalized and practical legal advice tailored to client specific needs in the NBFC sector. Our deep knowledge and expertise in NBFC laws and regulations enable us to deliver reliable and efficient services, assisting in achieving business goals while ensuring compliance with the legal framework governing NBFCs.

OUR CLIENTS



NBFCS



KEY CONTACTS



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