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<b>Date of Birth</b>	14 November 1967	
<b>Nationality</b>	Indian	

### Educational and Professional Qualifications

Barrister; M.A. Cantab (Law Tripos), 1st Class;  
 Bundy Scholar, Norah Hunter Dias Prize in law;  
 Magdalene College, Cambridge University (1986-1989);

Called to the Bar in 1990 (Lincoln's Inn);  
 Practising before the Supreme Court and High Courts of India since 1989;  
 Designated a Senior Advocate in 2001;  
 Overseas Associate, Essex Court Chambers, London.

### Professional Experience

Vice Chairman of the UNCITRAL National Coordination Committee for India (UNCCI); one of the only three UNCITRAL National Coordination Committees constituted world over under the mandate of the United Nations.

Additional Solicitor General for the Union of India at the Supreme Court (2009-2014): *The Constitution of India provides for Law Officers at the Federal and Provincial levels of Government. At the Federal level, the Union of India is represented by the Attorney General for India, the Solicitor General for India and a team of eight Additional Solicitors General.*

Honorary Adjunct Professor at Jindal Global Law School. Taught a course on the *Recognition and Enforcement of Foreign Awards in India.*

Vice-Chairman of the Permanent Court of Arbitration India Conference Committee.  
Appointed/called upon by the PCA to exercise power as an Appointing Authority at the PCA.

Part of the sub-committee of experts on Investment treaties and Investment treaty arbitrations that assisted the Law Commission of India in its 260th report on India's Model Bilateral Investment Treaty.

Contributed to the Law Commission's 246th report on Amendment to the Indian Arbitration and Conciliation Act, 1996.

Part of the Attorney General's Committee set up in 2010 to suggest changes to the Indian Arbitration and Conciliation Act, 1996.

The Government of India's representative at the UNCITRAL Working Group on Arbitration in Vienna in October 2011.

Was called upon by the Supreme Court of India, to assist in the interpretation of a constitutional provision relating to delegation of power, in *Narmada Bachao Andolan v. State of M.P.*, (2011) 12 SCC 333.

Additional Advocate General for the State of Uttarakhand in the Supreme Court (2002-2007).

Additional Advocate General for the State of Haryana at the Supreme Court (2007-2009).

*[Each State/Province is represented by an Advocate-General. Gourab represented the State of Uttarakhand from 2002 to 2007, and represented the State of Haryana as its Additional Advocate General before the Supreme Court from 2007 to 2009].*

Member, National Legal Services Authority (NALSA), New Delhi (2004-2009)

*[NALSA is the apex body constituted to lay down policies for making legal services available under the provisions of the Legal Services Authorities Act, 1987. Its duties include framing effective schemes for legal services, disbursing funds and grants to State Legal Services Authorities and NGOs for implementing legal aid schemes and programmes. The Chief Justice of India is the Patron-in-chief of NALSA.]*

Delegate of the Supreme Court of India in the Indo Canadian Legal Forum Meet, 2001; in the Indo-US Legal Forum Meet, 2001 and in the Indo-British Legal Forum Meets, 2003 and 2008.

## Arbitration Experience

Presently representing Amazon Inc. in disputes against Future Retail and Reliance Industries Limited before various fora, including the Arbitral Tribunal (under SIAC Rules), the Delhi High Court and the Indian Supreme Court;

Represented the Republic of India in Bilateral Investment Treaty arbitrations;

Acted as co-arbitrator (nominated by the ICC), in an international commercial arbitration;

Presently acting as a sole arbitrator in an international commercial arbitration between a Qatari based party and an Indian party, seated in New Delhi;

Acted as sole arbitrator in a multi-jurisdictional LCIA arbitration seated in London;

Representing a Norwegian company as lead counsel in an international commercial arbitration in relation to disputes arising out of contracts for exploring and producing hydrocarbons in India and overseas;

Represented a leading Chinese company as the lead counsel in an ICC arbitration concerning a dispute arising between the parties in relation to a contract for manufacturing;

Represented an Indian company in a major arbitration dispute for non-payment of “Take or Pay” charges under a Gas Sale agreement;

Represented an Indian company in a multi-million-dollar arbitration dispute pertaining to an Engineering Procurement Contract for Power Generation and Distribution System and Integrated Balance Works.

### **Specialisation**

(Indicate five areas of specialisation)

Building and Construction disputes:

- Currently representing a multi-national corporation in two separate Arbitrations, involving a major metro rail project, and a hydropower project.
- Has represented a consortium of foreign companies against a public sector undertaking, in a construction dispute regarding the construction of New Delhi’s new underground metro rail.

- Has been lead counsel and argued for several leading companies in construction disputes, both in Arbitral proceedings as well as the in litigation before the High Courts and the Supreme Court.

#### Oil and Gas:

- Has represented leading companies in the field of oil and gas, including Pure E&P AS (formerly Rocksource ASA), GAIL India Ltd., Oil and Natural Gas Corporation (ONGC), Indian Oil Corporation Ltd. (IOCL), Oil India Limited (OIL), Mahanagar Gas Ltd. (MGL), GAIL Gas Ltd. (GGL) as also the Ministry of Petroleum and Natural Gas (MoPNG) on wide ranging issues like tariff fixation, transportation charges, Take or Pay, Ship or Pay, APM and non-APM price, and related issues of captive consumption under the Electricity Act, 2003

#### Intellectual Property and Securities:

- Currently representing leading SEP implementers in disputes relating to FRAND obligations before Indian Courts.
- Successfully represented Interdigital Technology Corporation, an American multi-national corporation, before the Delhi High Court against Xiaomi Corporation, in securing the first of its kind *ad interim* “anti-anti suit injunction” in India, against the orders of the Wuhan Intermediate People’s Court, China. The case can be found in *Interdigital Technology Corporation & Ors v. Xiaomi & Ors*. IA No. 8772 in CS (Comm) 295/202.
- Has successfully represented a leading company in a dispute pertaining to comparative advertising and malicious falsehood before the Delhi High Court, in *Reckitt Benckiser v Hindustan Unilever* (2008) 38 Patents & Trademark Cases 139.
- Has successfully represented India’s market regulator, the Securities Exchange Board of India, in *SEBI v. Rakhi Trading and Others* [(2018) 13 753] wherein the Indian Supreme Court recognised circular trading the Futures and Options segment of the Indian markets as “manipulative” trading.

#### Civil and Commercial Litigation:

- Has argued several cases arising out of contractual disputes, and incidental to it, including invocation of bank guarantees, letters of credit, tenders and termination of contract.
- Some instances of cases in this field are *BHEL v Tata Projects Ltd* [2014] 10 SCALE 23, *Air India Cabin Crew Association and Ors v Union of India and Ors* [2012] 1 S.C.C. 619, *Oil & Natural Gas Corporation v City Industrial Development Corporation*, [2007] 7 S.C.C. 39, *Ojas*

*Industries v Oudh Sugar Mills* [2007] 4 S.C.C. 723, *Panchanan Dhara v Monmatha Nath Maity*, [2006] 5 S.C.C. 340 and *Food Corporation of India v Babulal Agrawal* [2004] 2 S.C.C. 712.

Taxation and Statutory levies:

- As Additional Solicitor General of India, was the lead counsel, and represented the Union of India in several disputes pertaining to taxation.
- Successfully represented a local body before the Supreme Court of India in its levy of statutory cess in *Vasant Chemicals Limited v Managing Director Hyderabad Metropolitan Water Supply and Sewerage Board and Others* (2019) 4 SCC 592.
- Represented a Power generating company before the Uttarakhand High Court, in a constitutional challenge to the Uttarakhand Water Tax on Electricity Generation Act, 2012 in *Alaknanda Hydro Power Co. Ltd vs State Of Uttarakhand & Others*, W.P No. 2074 of 2016.
- Represented the statutory authority as Additional Solicitor General of India, in several cases, including *Commissioner of Customs v N.I. Systems*, (2010) 256 E.L.T. 173, *Liberty India v Commissioner of Income Tax*, (2009) 9 SCC 328, *Commissioner of Central Excise v Gujarat Narmada Fertilizer Corporation*, (2009) 1 SCC 101.
- Was appointed by a leading international law firm as an expert to opine on a complicated issue pertaining to tax laws in India in a matter before the Eastern Caribbean Supreme Court

In addition to this, has extensively argued matters relating to Insolvency, bankruptcy and company law, Information technology and data laws, Insurance laws and Labour and employment law before various fora, including the Indian Supreme Court.

### Current Position

Senior Advocate, Supreme Court of India.

Barrister and Overseas Associate, Essex Court Chambers, London.

Member, Indian Council of Arbitration and Dispute Resolution (ICADR) Panel of Arbitrators.

Member, London Court of International Arbitration (LCIA) Panel of Arbitrators.

Member, Singapore International Arbitration Centre (SIAC) Panel of Arbitrators.

## Publications

### Selected Publications:

Editor, 'International Arbitration and the Rule of Law: Essays in Honour of Fali Nariman', a PCA publication (2021);

Author, article on *Third Party Funding in International Arbitration in India* for International Arbitration and the *Rule of Law: Essays in Honour of Mr. Fali Nariman*, a Permanent Court of Arbitration publication;

Author of the India chapter of the *Encyclopedia of International Commercial Litigation* published by Wolters Kluwer (2020);

Author of the 'India Investment Treaty Know-How' chapter in the Global Arbitration Review in 2016 and 2017;

Author of 'Halsbury's Laws of India, *Business Associations*'. Chapter titled *Enforcement of Foreign Arbitral Awards in India: Recent Developments*, in *Commercial Arbitration: International Trends and Practice*, published by Thomson Reuters and Maharashtra National Law University publication.

## Professional Memberships

Member, Bar Council of Delhi

Member, Delhi High Court Bar Association

Member, Supreme Court Bar Association

## Languages

(Indicate level of proficiency)

English (Native Fluency), Bengali (Native fluency), Hindi (Native fluency).