



## Profile

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Srikanth is an arbitrator, and counsel specialising in alternative dispute resolution, having offices **at Simha Law, Maxwell Chambers Suites in Singapore**. He acts as counsel in commercial arbitrations and as a member of the counsel team in investment treaty arbitrations.

He has served as part of the counsel team for a State party in two significant investment treaty arbitrations involving Tax claims. His professional experience also sees him represent parties in arbitrations and negotiated settlements emanating from mainstream commercial disputes.

Spanning his 28+ years of experience, Srikanth has worked with leading multinational companies and firms such as GE, Ernst & Young and Arthur Andersen. During this time, he has been involved in dispute resolution in various forms, including under the procedures available in Bilateral Tax treaties.

Based in Singapore, Srikanth also accepts appointments as Arbitrator for proceedings seated in Singapore, India and other jurisdictions.

Srikanth has a sound appreciation of international commercial trade and supply chain practices through experience in structuring cross-border contracts in accordance with accepted International Tax principles, OECD guidelines, Bilateral Tax Treaties and Free Trade Agreements.

He is trained to read Financial Statements of multinational corporations and related financial documentation - capable of interpreting such documents in the context of governing statutes, regulations, and commercial contracts. His background allows him the benefit of approaching commercial dispute resolution from the perspective of the lawyer, the accountant, and the businessperson.

Besides mainstream commercial disputes, Srikanth stays close to the developments in the world of Smart Contracts, the Digital Marketplace, Block Chain, Cryptocurrency, AI and ODR.

Srikanth read law from the National Law School of India University and is an MBA from Cranfield University in the UK. He also holds a Graduate Certificate in International Arbitration from the National University of Singapore.

He is currently empanelled as an arbitrator with the Indian Council of Arbitration. He has been admitted as a "Fellow" of the Chartered Institute of Arbitrators, UK, and the Singapore Institute of Arbitrators. He is also a Member of the Specialist Mediator Panel (India) with the Singapore International Mediation Centre

As an adjunct to his professional commitments, Srikanth is active as a speaker on the subjects of international arbitration and commercial contracts, including as an invitee instructor with statutory professional bodies. He has been invited to judge Arbitration related Moot Court competitions and share his experience in the field of arbitration with students at Law Schools in India.

Srikanth is also a member of the Promotion Committee of the Singapore Chamber of Maritime Arbitration.

## Personal Information

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Nationality:	Indian
Residency:	Singapore Permanent Resident
Languages Spoken:	English, Hindi, Tamil, Kannada
Date of Birth:	June 29, 1973

## Education and Professional Training

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<b>Professional Internship Programme:</b> SIAC Singapore	May-June 2019
<b>SIAC and Institutional Arbitration:</b> NUS Faculty of Law, Singapore	October 2018
<b>Graduate Certificate in International Arbitration:</b> NUS Faculty of Law, Singapore	2018
<b>Full-time MBA:</b> Cranfield School of Management, Cranfield, UK	2000-2001
<b>BA LLB (Hons):</b> The National Law School of India University, Bangalore, India	1990-1995

## Memberships & Accreditations

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Chartered Institute of Arbitrators: Fellow

Singapore Institute of Arbitrators: Fellow

Indian Council of Arbitration: Empanelled Arbitrator and Fellow

Singapore International Mediation Centre: Member of the Specialist Mediator Panel (India)

Singapore Chamber of Maritime Arbitration: Member of the Promotion Committee

Admitted to the Bar Council of Maharashtra & Goa, India

## ADR Professional Experience

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Co-Founder, Director – SIMHA LAW Pte. Ltd. ('formerly known as Aarna ADR Pte. Ltd.')

 October 2019 onwards

- Served as part of the counsel team for a State party in two significant investment treaty arbitrations involving Tax claims.
- Represented parties in other mainstream commercial disputes involving SIAC and ICC Arbitration Rules, in the aviation, trade and services sectors.
  - o Acted for an Australian party in its claims against its Indian counterparty involving an Aircraft Delivery Contract; SIAC Rules
  - o Acted for an Indian party in its claims against its German and Indian counterparties in a dispute involving Trade Licenses and Fees: ICC Rules
  - o Acted for an Indian service provider in its dispute with a Japanese counter party over unpaid dues: SIAC Rules, negotiated settlement
  - o Represented an Australian company in a negotiated settlement with its English counterparty for damages for wrongful termination of contract
  - o Acting for a UK pharmaceutical company in its contractual claims against its Indonesian distributor; likely mediation under SIMC Rules, and arbitration under SIAC Rules
  - o Acting for an Azerbaijani party in its claims against a Singaporean Bank; likely mediation under SIMC Rules

SIAC Professional Internship Programme

 May – June 2019

Shadowed Senior Arbitrators - permitted as "Observer" in proceedings under ICC Rules

 January – May 2019

**During my time with GE Healthcare India, I was appointed the Business' Ombudsperson** – I was called upon to decide a wide range of cases that were referred to the office of the Ombudsperson for resolution.

## Publications

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Co-authored articles on the topic of international arbitration and commercial laws. Among them -

*“The Test of Seats: A Comparative Lens Over the Proper Law of Arbitration Agreements in India and Singapore”* published in Lexology on April 20, 2020;

The “Do you know” series published by the Asian Business Law Institute, a subsidiary of the Singapore Academy of Law -

- *“Breach” and “Remedy” of Contracts in India (June 2022)* and
- *“Administrative and Tax Matters of Contracts under Indian Law” (November 2022)*

Pending publication - Three-part series titled ‘*An Arbitrator’s Toolkit: Blockchain, Cryptocurrency and Smart Contract Dispute Resolution*’

## Speaking Events

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Speaker at numerous Webinars on the subjects of International Arbitration, Contract Negotiation and Drafting

### In collaboration with the AAA-ICDR:

- 27 April 2020 - *Cross Examination, Expert Testimony, and Enforcement of Awards in Crisis Times: Challenges and Opportunities*
- 25 May 2021 - *Special India focus: Redefining Risk mitigation in Commercial Contracts*
- 12 August 2021 - *Analysing recent developments in India-related arbitrations from an India and Singapore Point of View*
- 04 August 2022 - *Disputes involving Blockchain and Crypto assets - Recent Strides (Singapore & India)*

### Webinars conducted by the Economic Times - ET Masterclass

- 26 June 2020 - *Commercial Contracts and Dispute Resolution*
- 24 July 2020 - *Negotiation of Commercial Contracts*
- 05 November 2020, 26 March 2021, 29 September 2021, and 11 March 2022 - *Techniques of M&A Deal Negotiation*
- 26 February 2021 - *Strategic Negotiation of Commercial Contracts*
- 18 November 2021 - *Drafting and Negotiating Commercial contracts: In-depth Clause Review*

### Other speaking events:

- 22 May 2020 - *Virtual Arbitration Hearings: A Singapore perspective*: A talk to members of ALMT Law
- 11 September 2020 - *Enforcement of Interim Measures in Foreign Awards*: An address to Madhyastha - ADR Cell, New Law College Pune
- 8 August 2021 - *ICSI Post Membership Qualification (PMQ) Course on Arbitration - Conceptual Framework of International Commercial Arbitration*: An address to participants of the Course organised by the Institute of Company Secretaries of India)

## **PRIOR PROFESSIONAL EXPERIENCE**

### **GE Healthcare: Senior Tax Manager, Asia-Pacific**

**2009– 2018**

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Overall responsibility for all Direct and Indirect Tax matters in Japan, Korea, ASEAN and ANZ regions comprising total revenues of approximately \$2B. Consistently rated as 'Excellent'. My scope included:

- Acting as a trusted partner to the regional Commercial team by providing appropriate Tax inputs and formulating Tax Risk Management strategies in relation to business initiatives;
- Leading the Business' response against Tax Controversy in different parts of the APAC region including appearing before the Tax authorities on behalf of the Company; Implementing post-audit corrective measures with local Tax and Finance teams,
- Driving regional Tax planning and simplification programmes entailing LE transfers, closures and mergers;
- Advising on routine Tax matters such as PE exposure, WHT, VAT/GST reverse charges, deduction claims, cost allocations, documentation requirements and the like;
- Coordination with regional Treasury, Cash and US Tax teams on factoring programs, financing arrangements, dividend payouts and loans back to the US to assist US Tax planning initiatives;
- Working closely with the central Transfer Pricing teams on-
  - Compliance with local requirements;
  - Administering regional programs such as HQ and regional cost allocation
  - Coordinating TP documentation requirements and concluding Advance Pricing Agreements
- Coordination with Tax controllership on Stat to GAAP reconciliations, reviewing Returns to Accruals reconciliations and advising on reserve requirements under FIN 48 and FAS 5; and
- Overseeing local CIT and VAT/GST Tax compliance.

### **Ernst & Young Customs and International Trade Services: Director**

**2008– 2009**

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During this period, I primarily oversaw as Project Manager, the implementation of Tax Efficient Supply Chain Management restructuring projects, which included working closely with the Direct Tax and Transfer Pricing teams while continuing to guide the team on routine Customs and International Trade matters.

### **Ernst & Young Customs and International Trade Services: Senior Manager**

**2006– 2008**

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In the years leading up to my promotion to Director, I oversaw the delivery on several regional Tax Projects across the Asia Pacific region primarily involving Customs Valuation, Classification, and regional Free Trade Agreements.

**GE Healthcare: Tax Projects Manager, Asia Growth Markets**

**2002-2005**

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In this role, I contributed significantly to the turnaround of Wipro GE Medical Systems to a sustainable profit-making enterprise by cleaning up legacy tax and legal issues including Corporate Income Tax, Customs, Indirect taxes and Transfer pricing controversy including through use of settlement mechanisms where available.

My other key contributions in this role included:

- Implementing processes and plugging Tax leaks; Institution of an Early Warning System to track potential lapses
- Building and leveraging relationships with business leaders to drive compliance; achieved acknowledged improvement in sensitivity to compliance with tax and commercial regulatory policies;
- Bringing together a team of high-quality contributors to sustain the improvements in process and compliance.

Recognized as a “Top Talent”, I was conferred a management award and promoted to a regional role in recognition of my contributions.

**Appointed India business Ombudsperson** – I was called upon to decide a wide range of cases that were referred to the office of the Ombudsperson for resolution.

**Arthur Andersen: Manager**

**2001-2002**

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Accorded responsibility for the South India Indirect Tax Practice while building allied expertise in Direct Tax matters

**Arthur Andersen: Senior**

**1995-2000**

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Handled a wide range of indirect Tax issues spanning several industries during this period while honing my client service and professional skills.

*References upon request*