



Shaily Gupta

Partner

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Practice/s

Direct Tax

Education

LL.B., Indraprastha Law
College, CCS University,
Meerut (2019)

Chartered Accountant, The
Institute of Chartered
Accountants of India (2009)

B. Com. (Hons.), University of
Delhi, New Delhi (2007)

Professional Affiliation/s

Bar Council of Delhi

Delhi Income Tax Appellate
Tribunal Bar Association

Recognitions & Accomplishments

India Business Law Journal -
India's Future Legal Leaders
(2026)

Legal 500 Asia-Pacific -
Recommended & Key
Lawyer (2026)

Delhi University - Long
Strider award for excellence
in the profession

Shaily Gupta is a Partner in the Direct Tax practice group. She is a Chartered Accountant and lawyer with over 16 years experience advising multinational corporations, private equity funds, financial institutions, promoter groups, high-net-worth individuals and family offices on a broad spectrum of domestic and international tax matters.

Her practice encompasses tax advisory, transaction structuring and implementation, tax due diligence, mergers and acquisitions, corporate reorganisations, capital reduction and cash repatriation, secondment arrangements, Permanent Establishment (PE) exposure, interpretation of tax treaties, global restructuring transactions, foreign portfolio investor taxation, tax controversy management, and complex issues relating to the Principal Purpose Test (PPT), General Anti-Avoidance Rule (GAAR) and beneficial ownership.

Shaily has significant experience in advising clients on India entry strategies, cross-border investments, inbound and outbound structuring, tax-efficient exits, and post-acquisition integration. She also advises promoter groups and family offices on succession planning, family settlements, private trusts, pre-IPO tax planning and complex residency and domicile matters.

She also specializes in income tax litigation, representing clients before income-tax authorities, appellate authorities and High Courts in domestic and international tax controversies, including search and seizure proceedings, tax investigations, transfer pricing disputes, treaty interpretation, GAAR, PE and withholding tax matters. She has independently argued cases and assisted senior counsels in various landmark tax cases.

Prior to joining the Firm, Shaily was an Executive Director at Vaish Associates Advocates (New Delhi) and previously worked with EY.

REPRESENTATIVE MATTERS

In her area of expertise, Shaily has advised and represented the following clients:

Tax Advisory – Domestic and International Tax

- **Several multinational corporations** on tax implications arising on capital reduction, cash repatriation, secondment structuring, PE implications and tax treaty interpretation, advisory (including restructuring) and ongoing tax compliance;
- **Various multinational groups** on their India entry strategies, jurisdiction selection, holding structures and cross-border reorganizations;
- **Various crypto exchanges and platforms** on tax issues;
- **Various clients** on tax due diligence, mergers and acquisitions, transaction structuring and implementation;
- **VTB Bank** on diverse tax, accounting and regulatory issues in relation to activities to be undertaken upon registering as a Foreign Portfolio Investor in India;
- **Continental Group, Aumovio Group and Schaeffler** on tax compliance; implementation of global restructuring transactions and ongoing tax advisory matters.

Tax Litigation

- Several multinational corporations, Indian business groups and high-net-worth individuals in tax litigation before tax authorities, appellate authorities, the Income Tax Appellate Tribunal and High Courts;
- Several multinational corporations and foreign investors in matters involving GAAR, beneficial ownership and Principal Purpose Test under India's tax treaties;
- **JSW MG Motor** in search and assessment proceedings;
- **Prominent Fintech Company and Indian business groups** in income tax investigation;
- **Volvo Group** on tax treaty interpretation related to the MFN clause before Courts;
- **Clifford Chance** on landmark ruling involving virtual service PE issue.

Private Client

- **UK nationals** on domicile and cross-border tax planning;
- **Several individuals** on complex tax residency issues, including treaty tie-breaker provisions;
- **Advised promoters** on tax-efficient pre-IPO restructuring and planning;

- **Advised promoter families and family offices** on succession planning, establishment of private trusts, family settlements, governance structures and related tax compliances;
- **Advised clients** on tax-efficient transfer of ancestral properties and other wealth transition strategies;
- **Expatriates** on Indian tax implications and compliance obligations; and
- **Individuals** on personal tax litigation matters.

PUBLICATIONS AND PRESENTATIONS

Shaily is a regular speaker at industry conferences, professional forums and academic institutions, and is frequently quoted by leading business newspapers and television channels on developments in Indian tax law.

Shaily has participated in tax policy discussions with government authorities, including the Prime Minister's Office, and has contributed to industry representations on important international tax issues, including post-*Tiger Global* developments relating to offshore indirect transfers and treaty interpretation.

Her publications include:

- Tax treatment of non-compete fees: Supreme Court brings long-awaited clarity", published on Mondaq (February 2026)
- India Budget 2025: Simplified taxation for non-residents in electronics manufacturing", published on International Tax Review (February 2025);
- Budget 2025: Proposed Amendments to Section 275 - Lifting the Bar?", published on Taxsutra (February 2025);
- India EL 2021 - Expansion of Provisions or Hidden Inconsistencies?", published on Bloomberg Tax and Bloomberg Terminal (July 2021);
- INSIGHT: India - Non-residents Exempt from Filing Income Tax Return", published on Bloomberg Tax, International Tax News (March 2020);
- INSIGHT: India Returns to the Conventional Regime of Taxation of Dividends", published on Bloomberg Tax, International Tax News (February 2020);
- International Taxation - Emerging Indian Experience", published in the book issued by International Fiscal Association (2019); and
- India's Equalization Levy—Genesis, Provisions and Interpretation Issues", published in Tax Planning International, Asia-Pacific Focus, Bloomberg (July 2017).