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Khaitan & Co has been a trusted legal partner for leading GCCs across industries. How are you helping global corporations navigate India's regulatory landscape—from structuring models and tax strategy to data protection and employment law compliance?

At Khaitan & Co, we help clients in structuring, establishing and scaling their GCCs through models tailored to their strategic goals, business needs and compliance requirements. Our experience spans advising on structuring models such as subsidiaries, joint ventures and Build-Operate-Transfer arrangements, and assisting with regulatory approvals, safeguarding intellectual property; and navigating India's evolving data protection regime. We also support on real estate aspects, draft key critical operational agreements and offer tailored regulatory guidance for GCCs in regulated sectors.

With GCCs increasingly adopting models like Build-Operate-Transfer (BOT) and direct ownership, what legal and operational considerations should multinational enterprises keep in mind? How does Khaitan & Co support innovation and scalability in these setups?

Some of the key considerations for multinational enterprises while setting up GCCs include:

- In case of BOT models, putting in place robust agreements that clearly identify the scope of services, performance expectations, liabilities and transfer-stage modalities while also planning GCC operations and governance mechanisms to mitigate any taxable presence in the form of business connection/ permanent establishment of the multinational enterprises in India.
- In captive GCC set-ups, selecting the appropriate entity type and location based on business objectives, compliance obligations and available incentive frameworks, ensuring adherence to India's foreign exchange management and labour law regime.
- Across models, addressing transfer pricing issues and considering alternate dispute resolution mechanics to ensure an agreed arm's length margin is being charged by the Indian GCC and across models ensuring compliance with applicable data protection requirements and protecting intellectual property rights.

We provide end to end legal guidance for GCCs across their life cycle – covering employment law, transfer pricing, tax advisory, contractual and corporate aspects and privacy compliance.

What trends do you foresee shaping the legal and business environment for GCCs—especially in areas like AI integration, cross-border operations, and tax certainty?

Indian GCCs are rapidly moving beyond pilot projects in AI, with the technology becoming increasingly embedded in core functions to drive efficiency and innovation. This is supported by various Government initiatives (at Central and State level) for boosting AI adoption.

With flexible structuring options, a deep talent pool, supportive policies, and strengthening infrastructure, India is set to witness continued GCC growth, with many centres evolving into global innovation hubs. We also see a rising number of GCCs opting for Advance Pricing Agreements (APAs) to achieve margin predictability and expect steady progress towards greater tax certainty. ■