

Format for Submission of Expression of Interest of Unitech Transformers Private Limited

SN	Particulars of Information Required	Answers by Resolution Applicants
1.	Name of Resolution Applicant (In case of joint Applicants, similar information is required for all such persons)	
2.	Type of Person (Individual/Company/Partnership firm/LLP, etc.) Documents of constitution, registrations, PAN, Aadhaar may be attached as applicable.	
3A	Identity detail of resolution applicant (In case Incorporated body)	
i.	Corporate Identification or registration number	
ii.	Authority with which the resolution applicant is registered	
iii.	Registered address	
iv.	Correspondence Address / other addresses	
v.	Name, Designation, Email Id, Mobile No. and other contact details of the designated person	
vi.	Details of Board of Directors/promoters/key managerial personnel* of Resolution Applicant along with full name, age, designation, PAN, Aadhaar for each director	
vii.	Detail of shareholding pattern with complete details of shareholders holding more than 5% shares in the company	
3B	Identity detail of resolution applicant (In case Individual)	
i.	Name of Resolution Applicant, Father's name, Age, PAN, Aadhaar, Nationality, Email Id and Mobile and Telephone No.	
ii.	Address (Business and residence)	

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iii.	Details of family members (for the purpose of ascertaining connected persons)	
5	Financial Information (Audited financial statement of the resolution applicants for two financial years before the initiation of CIRP of the Corporate Debtor to be submitted)	
6	Net Worth of the resolution applicant	
7	Net Worth of the group	
i.	Revenue of the applicant	
ii.	EBIDTA of resolution applicant	
iii.	Details of Industry/ Segment in which resolution applicant is engaged No. of years of experience, geographical expanse of operations	
6	Details of experience of resolution applicant in business segment of corporate debtor Number of year of experience, Geographical expanse of operations	
7	Information required for verification of eligibility as prescribed under section 29A of Insolvency & Bankruptcy Code, 2016 and Regulation 38(3) of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.	
i.	Whether the resolution applicant or any of its connected persons** is declared as undischarged insolvent under any law in India or in jurisdiction outside India.	
ii.	Whether the resolution applicant or any of its connected persons are declared as 'wilful defaulter(s)' by RBI under Banking Regulation Act, 1949	
iii.	Whether any bank account(s) or account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as as "non-performing asset" (NPA) under Banking Regulation Act,	

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	1949 or the guidelines of a financial sector regulator issued under any other law for the time being in force, and at least one year before the commencement of the CIRP of the Corporate Debtor	
iv.	Whether the resolution applicant or any of its connected persons has been convicted for any offence punishable with imprisonment of two years or more, under any Act specified under Twelfth Schedule; or for seven years or more under any law for the time being in force.	
v.	Whether the resolution applicant (if an individual) or any of its connected persons is disqualified to act as a director under the Companies Act, 2013	
vi.	Whether the resolution applicant or any of its connected persons, prohibited by SEBI from trading in securities or accessing the securities market	
vii.	Whether the resolution applicant or any of its connected persons has executed a guarantee in favour of a creditor in respect of a corporate debtor against which CIRP application made by such creditor has been admitted under IBC, 2016 and such guarantee has been invoked by the creditor and remains unpaid in full or part.	
viii.	Whether the resolution applicant or any of its connected persons has been a promoter or in the management or control of a corporate debtor in which transactions under Section 43, 45, 50 and 66 has taken place and in respect of which an order has been made by the adjudicating authority under Insolvency & Bankruptcy Code, 2016.	

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14	Details of Holding Company*** (if any) of Resolution Applicant [same as Sr. No. 3A]	
15	Details of Subsidiary Company*** (if any) of Resolution Applicant [same as Sr. No. 3A]	
16	Details of Associate Company*** (if any) of Resolution Applicant [same as Sr. No. 3A]	
17	Details of any other 'related party' of the resolution applicant for which the answer to queries at Sr. No. 7 to 13 is in assertive. #	

NOTES:

1. Process Participation Fee

The process participation fees of Rs. 10 lakhs (Rupees Ten Lakhs only) shall be deposited with the resolution professional along with this form, either by cheque/demand draft drawn in favour of the Corporate Debtor, before 10/08/2018.

2. Eligibility Criteria

The eligibility criteria as decided by Committee of Creditors which is required to be fulfilled by the Resolution Applicant is provided in the document called 'Invitation for Expression of Interest'. The eligibility criteria would be verified by the Resolution Professional based on the documents submitted by Resolution Applicant along with this format.

3. All the potential Resolution Applicants must read and understand following documents before submission of expression of interest, the documents are available on the website of Resolution Professional at <http://www.sakshamresolve.com> and the website of corporate debtor <http://www.unitechtransformers.com>.

- Form G
- Bid Evaluation Matrix
- Draft of agreement to be executed between Resolution Applicant and Resolution Professional

4. * For definition of “Key Managerial Personnel” please refer to section 2(51) of Companies Act, 2013

5. * *As per explanation to clause (j) of section 29A of Insolvency and Bankruptcy Code, 2016 ‘connected persons’ means—
 - (i) any person who is the promoter or in the management or control of the resolution applicant; or

 - (ii) any person who shall be the promoter or in management or control of the business of the corporate debtor during the implementation of the resolution plan; or

 - (iii) the holding company, subsidiary company, associate company or related party of a person referred to in clauses (i) and (ii):

Provided that nothing in clause (iii) of this Explanation shall apply to resolution applicant where such applicant is a financial entity and is not a related party of the corporate debtor:

Provided further that the expression “related party” shall not include a financial entity, regulated by a financial sector regulator, if it is a financial creditor of the corporate debtor and is a related party of the corporate debtor solely on account of conversion or substitution of debt into equity shares or instruments convertible into equity shares, prior to the insolvency commencement date;

For the purposes of this section, “financial entity” shall mean the Central Government may, in consultation with the financial sector regulator, notify in this behalf, namely:-

- (a) a scheduled bank; or

- (b) any entity regulated by a foreign central bank or a securities market regulator of a jurisdiction outside India which jurisdiction is compliant with the Financial Action Task Force Standards and is a signatory to the International Organisation of Securities Commissions Multilateral Memorandum of Understanding;

- (c) any investment vehicle, registered foreign institutional investor, registered foreign portfolio investor or a foreign venture capital investor, where the terms shall have the meaning assigned to them in regulation 2 of the Foreign Exchange Management

(transfer or Issue of Security by a Person Resident Outside India) Regulations, 2017 made under the Foreign Exchange Management Act, 1999

(d) an asset reconstruction company registered with the Reserve Bank of India under section 3 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

(e) an Alternate Investment Fund registered with the Securities and Exchange Board of India;

(f) such categories of persons as may be notified by the Central Government.

6. ***For definition of Holding Company, Subsidiary company and Associate Company please refer to section 2(46), (87) and (6) of Companies Act, 2013 respectively.
7. # Refer to definition of "related party" under section 2(76) of Companies Act, 2013
8. In case of joint resolution applicant, the net worth for the purpose of ascertaining the financial potential of such resolution applicants will be their combined net worth.
9. The resolution applicants may attach supplementary sheets as required for furnishing relevant information.
10. The resolution applicants must sign and stamp this document on every page before submitting.