

TERMS & CONDITIONS

1. Expression of Interest (“EOI”) needs to be submitted in the format of Application provided below along with the required Annexures.
2. **FEES**
 - a. A non-refundable process participation fees of INR 5 lac plus applicable taxes (i.e. GST @ 18%) to obtain the Information Memorandum and to access the data center with a discretion of the Committee of Creditors (“CoC”) to adjust such fees towards successful bid of the Resolution Applicant.
 - b. The fees must be paid along with the EOI.
 - c. The fees may be paid through Demand Draft/Cheque drawn in favour of “KSS Petron Private Limited” payable at Delhi/Gurugram (Haryana) or by NEFT/RTGS (bank details for remittance provided below):

Bank Name	Kotak Bank
Branch Address	Kasturba Gandhi Marg, New Delhi
A/c No.	503011016937
IFSC Code	KKBK0000172

[On the Letterhead of the Entity Submitting the EoI]

EXPRESSION OF INTEREST

Date: _____

To,

CS Vineet K Chaudhary

(Acting Resolution Professional),

Resolution Professionals LLP,

D-38, LGF (L/S) South Extension

Part-II, New Delhi-110049

Subject: Expression of Interest (“EoI”) for submitting Resolution Plan for KSS Petron Private Limited (“Corporate Debtor”)

Dear Sir,

In response to the public advertisement in [*Insert the name(s) of the newspaper and/or website*] dated [*Insert date of the advertisement*] (“**Advertisement**”) inviting EoI for submission of resolution plans (“**Resolution Plan**”) as per the provisions of the Insolvency and Bankruptcy Code, 2016 (“**IBC**”), we confirm that we have understood the eligibility criteria mentioned in Annexure A to this EoI and meet the necessary thresholds and criteria mentioned therein and submit our EoI for submission of a Resolution Plan for the Corporate Debtor.

Along with our EoI, we have also provided information as required in the prescribed format in Annexure B and Annexure C.

The information furnished by us in this EoI and in the Annexures, including documentary proofs, is true, correct, complete, accurate. Further, we acknowledge that:

- (a) the Resolution Professional (“RP”) reserves the right to determine whether or not we qualify for the submission of the Resolution Plan and that the RP reserves the right to reject the EOI submitted by us without assigning any reason whatsoever and without any liability to the Applicant; and
- (b) the RP reserves the right to request for additional information/ documents from us for the purposes of the EoI.
- (c) Information Memorandum will be provided after submitting a confidentiality undertaking as per Section 29(2) of the Insolvency and Bankruptcy Code, 2016.

Sincerely yours,

On behalf of [*Insert the name of the entity submitting the EoI*] 1 & 2

Signature: _____

Name of Signatory:

Designation:

Company Seal/Stamp

1: In case of Consortium Applicant the EoI shall be signed by the nominated lead.

2: The person signing the EoI and other supporting documents should be an authorised signatory supported by necessary board resolutions/authorization letter.

Annexure A
Eligibility Criteria*

<u>S. No.</u>	<u>Eligibility</u>	<u>Criteria</u>
1.	Net Worth	Minimum net worth (at group level) of INR 100 Crore or more
OR		
2.	Assets under management/committed funds available	Minimum Assets under management/committed funds available of INR 100 Crore or more
AND		
3.	Prospective Resolution Applicant shall not be an ineligible person as prescribed under Section 29A of the IBC read with the applicable regulations	

**In case of consortium applicant, the nominated lead shall be required to fulfill prescribed eligibility criteria.*

Annexure B

1. Name and Address:

- a. Name of the Firm/Company/Organisation:
- b. Address:
- c. Telephone No:
- d. Fax:
- e. Email:

2. Date of Establishment:

3. Nature of Establishment: *[Body Corporate OR Financial Institutions / Funds / PE Investors]*

4. Experience in infrastructure sector / Civil Construction / Turnkey Projects / sector related to the Company (if any):

5. Past experience in acquisition / turnaround of stressed assets (if any):

6. Overall management strength:

7. Contact Person:

- a. Name:
- b. Designation:
- c. Telephone No:
- d. Email:

8. Group / Company Profile:

- a. Group / Company Financial Profile (consolidated / standalone as applicable):

[Note: The Group / Company profile should necessarily include net worth and revenue numbers of the preceding three years. Where the entity submitting the EOI is a financial investor/ fund entity, please additionally provide details pertaining to "assets under management" for the preceding three years and the committed funds available as on 30 September 2017 for investment in Indian assets.] ³

For Body Corporate

<i>INR Crores</i>	<i>FY17</i>	<i>FY16</i>	<i>FY15</i>
<i>Revenue</i>			
<i>Networth</i>			

³ RBI reference rate as on the date of financial statements shall be used for conversion into Indian Rupees. Immediately available preceding date rate shall be considered if rate for that particular date is unavailable.

For Financial Institutions / Funds / PE Investors

<i>INR Crores</i>	<i>FY17</i>	<i>FY16</i>	<i>FY15</i>
<i>Assets under management</i>			

- b. History if any, of the Company or affiliates of the Company being declared a 'wilful defaulter', 'non-cooperative borrower', 'non-impaired asset' or 'non-performing asset':
- c. Ownership Details:
- d. Proof of Identity and Address:

Note: Applicant shall submit the following documentary proofs as a part of this Annexure B:

1. Applicable to Body Corporate

- a. Audited financial statements for last 3 financial years along with certificate from Statutory Auditor or Chartered Accountant or Company Secretary or equivalent in the jurisdiction of incorporation of the Company certifying networth and turnover of the last 3 financial years.
- b. Copy of Certificate of Registration and latest Constitutional Documents of the Applicant

2. Applicable to Financial Institutions / Funds / PE Investors

- a. Certificate from Statutory Auditor or Chartered Accountant or Company Secretary or equivalent in the jurisdiction of incorporation certifying Assets under management as on end of last three financial years;
- b. Documentary evidence for Funds available for deployment as on September 30, 2017.
- c. Audited financial statements for last 3 financial years
- d. Copy of Certificate of Registration and latest Constitutional Documents of the Applicant

[Note A: In case of Consortium Applicant, the details set out above are to be provided for each member of the Consortium]

[Note B: In case of joint EoIs, the details set out above are to be provided for each of the entities / groups submitting each joint EoI.]

Annexure C

1. Details of Consortium Members:

Name of the Member	% of share in the Consortium	Nominated as Lead (Y/N)