

INVITATION FOR
SUBMISSION OF EXPRESSION
OF INTEREST
FOR
AMZEN TRANSPORTATION
INDUSTRIES PRIVATE LIMITED
(AT IPL)

Dated: 20 April 2024

Issued by Deepak Maini

Resolution Professional for AT IPL.

Regd. No. IBBI/IPA-001/IP-P00676/2017 -2018/11149

DISCLAIMER FOR THE KNOWLEDGE OF PROSPECTIVE RESOLUTION APPLICANTS.

This Invitation for Expression of Interest to submit resolution plans in respect of ATIPL ("Corporate Debtor") has been issued by the Resolution Professional of the Corporate Debtor ("RP"), acting on the instructions of the Committee of Creditors of the Corporate Debtor ("COC") in compliance with the provisions of the Insolvency and Bankruptcy Code, 2016 ("Code") read with Regulation 36A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 ("CIRP Regulations") solely for general information purposes only, without regard to any specific objectives, suitability, financial situations and needs of any particular person. This document does not constitute or form part of and should not be construed as an offer or invitation for the sale or purchase of securities or any of the businesses or assets described in it or an offer to sell or issue or the solicitation of an offer to buy or acquire securities or assets of the Corporate Debtor or any of its subsidiaries or affiliates in any jurisdiction or as an inducement to enter into investment activity. No part of this Invitation for Expression of Interest ("EoI"), nor the fact of its distribution, should form the basis of, or be relied on in connection with, any contract or commitment or investment decision whatsoever. Nothing in this document is intended by the RP to be construed as legal, accounting, financial, commercial regulatory or tax advice. It is hereby clarified that if any resolution plan (or the terms thereof) which is received by the RP is not pursuant to or in accordance with the provisions of this Invitation for EoI and/or such plan is not in accordance with the terms and conditions set out in this Invitation for EoI, then such resolution plan shall not be considered eligible for evaluation by the COC. By accepting this Invitation for EoI, the recipient acknowledges and agrees to the terms set out in this Invitation. This document is personal and specific to each applicant and does not constitute an offer or invitation or solicitation of an offer to the public or to any other person within or outside India.

The information contained in this Invitation for EoI and subsequently disclosed pursuant to the terms hereof has been collated from information available with the RP for the preliminary reference of the recipients in making their own evaluation of the Corporate Debtor and does not purport to be accurate, comprehensive or complete. All information provided herein and/or subsequently disclosed pursuant to the terms hereof has been provided by the Corporate Debtor and has not been independently verified or authenticated by the RP or the COC. All recipients should conduct their own diligence, investigation and analysis of the Corporate Debtor, and the data set forth in this document or otherwise provided. It is hereinafter clarified that no representation or warranty, express or implied, is or will be made and no responsibility or liability is or will be accepted by the RP or the COC in relation to the accuracy, fairness, authenticity or completeness of this document or any other written or oral information made available to any interested party or its advisers and any such liability is expressly disclaimed. By placing a resolution plan upon conducting its independent diligence of the information disclosed in pursuant to this Invitation for EoI, the resolution applicant acknowledges and undertakes that it would not raise the veracity of any information provided herein as a defence in any proceeding or before any forum. Moreover, there would also be no liability (whether direct or indirect) of the RP or his team of Professional Advisors or the COC for the information and the process provided herein or in connection with the use of this document, including for the Prospective Resolution Applicant not being selected as a successful bidder or on account of any decision taken by the RP and/ or the COC.

The RP and his team of Professional Advisors and members of COC give no undertaking to provide the recipient with access to any additional information or to update this Invitation for EoI or any additional information, or to correct any inaccuracies in it which may become apparent. The issue of this Invitation for EoI shall not be deemed to be any form of commitment on the part of Corporate Debtor, the RP and his team of Professional Advisors, the members of COC to proceed with any transaction nor does it constitute an offer for sale or purchase or otherwise. By accepting this document, the recipient accepts the terms of this disclaimer notice, which forms an integral part of this document and the terms of this document.

Further, no person shall be entitled under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise to claim for any loss, damage, cost or expense which may arise from or be incurred or suffered on account of anything contained in this document, the documents / information provided otherwise, including the accuracy, adequacy, authenticity, correctness, completeness or reliability of the

information contained in this document and as stated above and any assessment, assumption, statement or information contained therein or deemed to form part of this document, and the Resolution Professional and his advisors, the Corporate Debtor, members of CoC and their advisors, affiliates, directors, employees, agents and other representatives do not have any responsibility or liability for any such information and therefore, any liability or responsibility is expressly disclaimed.

“Amzen Transportation Industries Private Limited”, (the “Company” / “Corporate Debtor”) established on July 7th, 2008, is a company incorporated under the Companies Act, 1956. The Registered office of the company is situated at 3 LSC, Pamposh Enclave, Greater Kailash Part-1, New Delhi - 110048 and the plant is situated at Phatak Majri, P.O. Sadhugarh, Tehsil & Distt. Fatehgarh Sahib, Punjab.

Compliance of Regulation 36 A (1,2,3) -

Form G as required under this regulation has been published in (Newspaper) Financial Express PAN India (Eng) + Rozana Spokesman in Punjab (Punjabi) + Jansatta in Delhi/NCR (Hindi) on 20th April, 2024. Form G has also been uploaded on the website of IBBI. Form G has mentioned where detailed invitation for expression of interest can be downloaded.

Compliance of Regulation 36 A (4) -

- a) Eligibility criteria is prescribed as per **Annexure ‘one’**
- b) The prospective resolution applicants should not be ineligible as per ineligibility terms as per Section 29A of IBC, 2016.
- c) Basic information of the Corporate Debtor is given in the earlier paragraph.
- d) The prospective resolution applicants are not required to pay any non-refundable deposits.

Compliance of Regulation 36 A (5) -

A prospective resolution applicant, who meets the requirements of the invitation for expression of interest, may submit an expression of interest within the time specified in the invitation under clause (b) of sub-regulation (3).

Compliance of Regulation 36 A (6), -

The expression of interest received after the time specified in the invitation i.e., May 06, 2024 be rejected.

Compliance of Regulation 36 A (7) -

An expression of interest shall be unconditional and be accompanied by-

- a) an undertaking by the prospective resolution applicant that it meets the criteria specified by the committee under clause (h) of sub-section (2) of section 25;
- b) relevant records in evidence of meeting the criteria under clause (a);
- c) an undertaking by the prospective resolution applicant that it does not suffer from any ineligibility under section 29A to the extent applicable;
- d) relevant information and records to enable an assessment of ineligibility under clause (c);
- e) an undertaking by the prospective resolution applicant that it shall intimate the resolution professional forthwith if it becomes ineligible at any time during the corporate insolvency resolution process;
- f) an undertaking by the prospective resolution applicant that every information and record provided in the expression of interest is true and correct and discovery of any false

- information or record at any time will render the applicant ineligible to submit a resolution plan, forfeit any refundable deposit, and attract penal action under the Code; and
- g) an undertaking by the prospective resolution applicant to the effect that it shall maintain the confidentiality of the information and shall not use such information to cause an undue gain or undue loss to itself or any other person and comply with the requirements under sub-section (2) of section 29.

Complete process of EOI is mentioned below:

1. **Annexure One** – Eligibility Criteria for Resolution Applicant as per Section 25(2)(h)
2. **Annexure Two** – Request letter for Expression of Interest (EOI)
3. **Annexure Three** – Supporting Documents to be attached with EOI
4. **Annexure Four** - Details/Profile of Resolution Applicant
5. **Annexure Five** – Compliance of Regulation 36 (A) (7) (AFFIDAVIT)

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Email: amzen.cirp@insolvencyservices.in
AFA Validity: 19-11-2024

AMZEN TRANSPORTATION INDUSTRIES PRIVATE LIMITED
(Under CIRP)

ELIGIBILITY CRITERIA FOR RESOLUTION APPLICANT

a. Categories of prospective Resolution Applicants:

- **Category-I:** In case of a private/ public limited company, Partnership Firm, LLP, and Body Corporate whether incorporated in India or outside India:

1. Minimum Tangible Net worth (TNW) of **INR 100 Crores (Rupees one Hundred Crores only)** and above as on March 31, 2023 based on audited financial statements of the entity and as duly certified by a Chartered Accountant. Further, if the Financial Statements as on March 31, 2024 have been completed/audited, these can also be submitted and can be considered for Minimum Tangible Net worth of **INR 100 Crores**.

Note:

In case of a consortium, all the members of the consortium should together meet the eligibility criteria. However, the individual members joining in the consortium must have a minimum net worth of INR 10 Crores each. Total number of members in Consortium not to exceed 4.

- **Category II –**

1. In case of Financial Institutional Investors (FIIs) / Financial Institutions (FIs)/ Mutual Funds / Private Equity Funds/ Venture Capital Funds, Domestic/ Foreign Investment Institutions, Non-Banking Financial Companies (NBFCs), Banks, AIFs and similar entities (other than ARCs):

Assets Under Management (AUM) / Committed Funds of at least **INR 400 Crores (Rupees Four Hundred Crores only)** as of March 31, 2023, based on audited financial statements of the entity as duly certified by a Chartered Accountant. Further, if the Financial Statements as of March 31, 2024, have been completed/audited, these can also be submitted and can be considered for calculating Assets Under Management (AUM) / Committed Funds of at least **INR 400 Crores**.

2. In case of Asset Reconstruction Companies (ARCs)

Net Owned Funds (NOF) for Asset Reconstruction Companies (ARCs) as per the latest RBI guidelines dated 11th October 2022 and other related guidelines of relevant authorities.

b. Payment of EMD Fees (Refundable):

Along with the EOI application, each prospective Resolution Applicant shall deposit the process

participation fees of **INR 25 Lakhs (Rupees Twenty-Five Lakhs only)** through:

1. Performance Bank Guarantee (PBG) issued by any Public/Private bank in India in favor of **“RESOLUTION PROFESSIONAL, AMZEN TRANSPORTATION INDUSTRIES PRIVATE LIMITED”**.
2. RTGS/NEFT in the CIRP account of the Corporate Debtor with UCO bank

Bank Details are as follows: -

- Account Name: - Amzen Transportation Industries Private Limited
- Account Number- 19450210009147
- IFSC- UCBA0000120
- Type: - Current A/c
- Branch: - New Delhi- 5 Parliament Street, Retail Branch

*The above fee is refundable in nature.

[On the Letterhead of the Prospective Resolution Applicant Submitting the EOI]

ANNEXURE 'TWO'

AMZEN TRANSPORTATION INDUSTRIES PRIVATE LIMITED

(Under CIRP)

EXPRESSION OF INTEREST

Date: [.....]

To

Mr. Deepak Maini

Registration No.: IBBI/IPA-001/IP-P00676/2017-2018/11149

Address: C-100, Sector-2, Noida, UP-201301

Email: deepak.maini@insolvencieservices.in, amzen.cirp@insolvencieservices.in,

Subject: Expression of Interest ("EOI") for submitting Resolution Plan for Amzen Transportation Industries Private Limited ("Corporate Debtor") undergoing Corporate Insolvency Resolution Process ("CIRP") under Insolvency and Bankruptcy Code, 2016 (IBC).

Dear Sir,

In response to the publishing of Form-G at IBBI Website and public advertisement in Financial Express PAN India (Eng) + Rozana Spokesman in Punjab (Punjabi) + Jansatta in Delhi/NCR (Hindi), on 20th April, 2024 for 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 and meet the necessary threshold and criteria mentioned in "Annexure One" to the EOI and accordingly 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 Two", Annexure Three" and "Annexure Four".

We further undertake that the information furnished by us in this EOI and Annexures is true, correct, complete, and accurate to the best of our knowledge. Based on this information, we understand you would be able to evaluate our preliminary proposal in order to pre-qualify for the abovementioned proposal. Further, we agree and acknowledge that:

- a. The EOI will be evaluated by the Resolution Professional (RP) of Corporate Debtor based on the information provided in the Annexures and attached documents to determine whether we qualify to submit the proposal pursuant to EOI;

- b.** The RP/ the Committee of Creditors (CoC) reserves the right to determine at their sole discretion, whether or not we qualify for the submission of the proposal and may reject the EOI submitted by us without assigning any reason/ without any liability whatsoever;
- c.** The RP/ the CoC reserves the right to request additional information or clarification from us for the purposes of the EOI and /or for any compliance under IBC and we shall comply with the same immediately without any delay. Failure to satisfy the queries of RP/ CoC may lead to rejection of our submission pursuant to EOI;
- d.** Meeting the qualification criteria as set out in EOI / Annexure – One alone does not automatically entitle us to participate in the next stage of the bid process;
- e.** We are not an ineligible person in terms of provisions of Section 29A of the IBC, 2016 read with its amendment as on the date of signing of this EOI. We are a “fit and proper” person and not under any legal disability to be a promoter entity of the Corporate Debtor under the applicable laws including listing agreements, stock exchange requirements and SEBI regulations and guidelines.

Yours Sincerely,

On behalf of [Insert the name of the entity submitting the EOI]

Signature:

Name of Signatory:

Designation:

Company Seal /Stamp

Notes: The person signing the EOI and other supporting documents should be an authorized signatory supported by necessary board resolutions/ authorization letters.

Amzen Transportation Industries Private Limited
(Under CIRP)

Supporting Documents to Be Attached with EOI by PRA(s)

- 1) Profile of RA including subsidiary (wholly-owned subsidiary and partly owned subsidiary,if any), promoter and promoters' group, Key Managerial Personnel, and Rationale for bidding for the Corporate Debtor.
- 2) Copies of Certificate of Incorporation/ Registration and Constitutional Documents (MoA, AoA). Copy of PAN card or equivalent documents.
- 3) Audited financial statements for the year ending 31st March 2021, 31st March 2022, and 31st March 2023 of the prospective RA and/or its parent entity/ promoter to establish the eligibility criteria. Also share the Audited Financial Statement of 31st March 2024, if available, else share the provisional copy.
- 4) A Chartered Accountant's certificate for the Tangible Net Worth/Asset Under Management / Committed Funds of the prospective RA as of 31st March 2023 / 31st March 2024 based on the audited financial statement of the entity.
- 5) A notarized declaration from the prospective RA in order to demonstrate that the promoter/ promoter group or any other group company are part of the same group, in case the interested party is using such entities for meeting the eligibility criteria. Please note that the prospective RA shall provide all relevant documents for its promoter/ promoter group or any other group company if required to meet the eligibility criteria.

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[Note: The details set out below are to be provided for each of the members]

A. Name and Address:

- i.** Name of the Firm/Company/Organization:
- ii.** Address:
- iii.** Telephone No:
- iv.** Fax:
- v.** Email:

B. Date of Establishment:

C. Core Area of Expertise:

D. Contact Person:

- i.** Name:
- ii.** Designation:
- iii.** Telephone No:
- iv.** Fax:
- v.** Email:

E. Prospective Resolution Applicant Profile:

- i.** Prospective Resolution Applicant Financial Profile (consolidated / standalone as applicable):
- ii.** Experience of the Company in the relevant sector and the rationale for bidding.
- iii.** History, if any, of the prospective RA or affiliates of the prospective RA. Whether RAs have been declared a “willful defaulter”, “non-cooperative borrower”, or “non- performing asset” in the past.

(To be duly stamped and notarized)
(Note: To be on the stamp paper of INR ONE Hundred Rupees)

**Compliance under Regulation 36A (7) Insolvency and Bankruptcy Board of India
(Insolvency Resolution Process for Corporate Persons) Regulations, 2016 ("CIRP
Regulations")**

In the matter of Corporate Insolvency Resolution Process of Amzen Transportation Industries Private Limited under the provisions of the Insolvency and Bankruptcy Code, 2016 and CIRP Regulations.

AFFIDAVIT

I, [*Name of Deponent*], son of / daughter of [*Name of Deponent's father*] aged [*Age of Deponent*] resident of [*Address of Deponent*], the Deponent, do hereby solemnly affirm, state, and declare as under:

1. That I am fully conversant with the facts and circumstances of the subject matter and am also duly empowered and competent to swear and affirm this affidavit;
2. That I, confirm that the criteria as specified by the Committee of Creditor under clause (h) of sub-section (2) of section 25 of IBC 2016, are fulfilled/met;
3. That I, hereby annex the relevant records in evidence of meeting the criteria as specified in para 2 above;
4. That I, have understood the provisions of section 29A of the Insolvency and Bankruptcy Code, 2016 read with the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2018 (collectively referred to as the "IBC"). I confirm that neither [*name of the resolution applicant*] nor any person acting jointly or in concert with [*name of the resolution applicant*] is ineligible under Section 29A of IBC to submit resolution plan (s) in the Corporate Insolvency Resolution Process of **Amzen Transportation Industries Private Limited** under the provisions of IBC.
5. That I, hereby annex the relevant information and records to enable an assessment of ineligibility under para 4 above.
6. That I, give an undertaking that [*Resolution Applicant*] shall intimate the resolution professional forthwith if it becomes ineligible at any time during the corporate insolvency resolution process.
7. That I, give an undertaking that every information and records provided in expression of interest is true and correct and discovery of any false information or record at any time will render the [*Resolution Applicant*] ineligible to submit resolution plan, forfeit any refundable deposit, and

attract penal action under the Code; and

8. That I give an undertaking that the *[Resolution Applicant]* shall maintain confidentiality of the information and shall not use such information to cause an undue gain or undue loss to itself or any other person and comply with the requirements under sub-section (2) of section 29;
9. That I confirm that the said declaration and disclosure is true and correct; and
10. That I am duly authorized to submit this declaration by virtue of *[state where the authority is drawn from]*

Deponent

Verification

Verified at *[Place]* at this *[Date]* day of *[Month]* 2024, that the contents of the above affidavit is true and correct to my personal knowledge, nothing is false in it and no material facts have been concealed therefrom.

Deponent