

UPDATED LIST OF CREDITORS

CORPORATE DEBTOR: M/S APEX BUILDSYS LTD

1. FINANCIAL CREDITORS

CONSOLIDATED CLAIMS (a+b+c)-

(Amount in INR)

| Financial creditors | Original claims | | | Revised claims | | |
|--------------------------|-----------------------|-----------------------|----------------|-----------------------|-----------------------|----------------|
| | Amount claimed | Claim admitted | Voting share | Amount claimed | Claim admitted | Voting share |
| State Bank of India | 2,09,96,54,275 | 2,09,96,54,275 | 47.27% | 2,09,96,54,275 | 2,09,96,54,275 | 47.23% |
| ICICI Bank Ltd. | 1,75,56,32,647 | 1,75,56,32,647 | 39.53% | 1,75,56,32,647 | 1,75,56,32,647 | 39.49% |
| Bank of Bahrein & Kuwait | 31,52,13,944 | 30,81,14,471 | 6.94% | 31,22,86,830 | 31,22,86,830 | 7.02% |
| IFCI Factors Ltd | 25,23,95,227 | 25,23,95,227 | 5.68% | 25,23,95,227 | 25,23,95,227 | 5.68% |
| Jammu and Kashmir Bank | 2,59,80,177 | 2,59,80,177 | 0.58% | 2,59,80,177 | 2,59,80,177 | 0.58% |
| Total | 4,44,88,76,271 | 4,44,17,76,798 | 100.00% | 4,44,59,49,156 | 4,44,59,49,156 | 100.00% |



a) Working Capital Facilities in Consortium (Inclusive of WCTL & FITL) –

(Amount in INR)

| Financial creditors | Amount claimed | Claim admitted | Voting share |
|--------------------------|-----------------------|-----------------------|----------------|
| State Bank of India | 2,09,96,54,275 | 2,09,96,54,275 | 81.37% |
| ICICI Bank Ltd. | 16,86,07,292 | 16,86,07,292 | 6.53% |
| Bank of Bahrein & Kuwait | 31,22,86,830 | 31,22,86,830 | 12.10% |
| Total | 2,58,05,48,397 | 2,58,05,48,397 | 100.00% |

b) Term Loan Facilities –

(Amount in INR)

| Financial creditors | Amount claimed | Claim admitted | Voting share |
|---------------------|-----------------------|-----------------------|----------------|
| ICICI Bank Ltd. | 1,28,65,87,196 | 1,28,65,87,196 | 100.00% |
| Total | 1,28,65,87,196 | 1,28,65,87,196 | 100.00% |

c) Other Credit Facilities – Working capital facilities outside consortium

(Amount in INR)

| Financial creditors | Amount claimed | Claim admitted |
|----------------------------|---------------------|---------------------|
| ICICI Bank Ltd (OD & BG) | 30,04,38,159 | 30,04,38,159 |
| IFCI Factors Ltd | 25,23,95,227 | 25,23,95,227 |
| Jammu and Kashmir Bank Ltd | 2,59,80,177 | 2,59,80,177 |
| Total | 57,88,13,563 | 57,88,13,563 |



Security Interest for the credit facilities granted (Lender wise) is as follows-

A) ICICI Bank

For Rupee term loan 1, Rupee term loan 2 and Overdraft

a) Primary security:

- **First charge** on entire movable fixed assets of the company (by way of hypothecation), both present & future, located at borrower's divisions at various places in India.
- **First charge** on entire immovable fixed assets/ properties of the company (by way of equitable mortgage), both present & future, located at borrower's divisions at various places in India which are as follows
 - Property (Factory land & building) bearing industrial plot no 11, Sector-9, IIE Pantnagar, Rudrapur, Uddham Singh Nagar, Uttrakhand measuring 65,201.42 sq. mtrs
 - Property (Factory land & building) bearing industrial plot no. D-3 in the Umred Industrial Area, within the village limits of Belgaon and Kunbhari, outside Municipal limits, Taluka Umred and District Nagpur measuring 2,56,473 sq. mtrs., Maharashtra

(Both properties along with all buildings and structures thereon, fixtures, fittings and all plant and machinery attached to the earth or permanently fastened to anything attached to the earth, both present and future.)

b) Personal Guarantee of the following

- i. Mr. Hem Singh Bharana

c) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Working capital facilities under consortium

a) Primary security:

- **First charge** on entire current assets of the company, both present & future, wherever situated, pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation



b) Collateral Security:

- **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members.

c) Personal Guarantee of the following

- Mr. Hem Singh Bharana

d) Corporate Guarantee of the following

- ERA Infra Engineering Ltd.

Bank Guarantees (Outside consortium)

The Bank guarantees are unsecured.

B) State Bank of India

Working capital facilities under consortium

a) Primary security:

- **First charge** on entire current assets of the company, both present & future, wherever situated but pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation

b) Collateral Security:

- **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members. (Same as held by the ICICI Bank Ltd for the term loans)
- **Pledge** of 90,59,050 fully paid up shares of the Apex Buildsys Ltd (Borrower) held by Era Infra Engineering Ltd (Exclusive additional security pursuant to restructuring)

c) Personal Guarantee of the following

- Mr. Hem Sing Bharana

d) Corporate Guarantee of the following

- ERA Infra Engineering Ltd.



C) Bank of Bahrain & Kuwait BSC

Working capital facilities under consortium

- a) Primary security:
- **First charge** on entire current assets of the company, both present & future, wherever situated, pertaining to the borrower/ borrower's divisions at various places in India, shared **pari-passu** among the consortium members, by way of hypothecation
- b) Collateral Security:
- **Second charge** on entire fixed assets of the company (Both movables and immovables), both present & future, located at borrower's divisions at various places in India, shared **pari-passu** among the consortium members. (Same as held by the ICICI Bank Ltd for the term loans)
- c) Personal Guarantee of the following
- Mr. Hem Singh Bharana
- d) Corporate Guarantee of the following
- ERA Infra Engineering Ltd.

D) Jammu and Kashmir Bank

Term loan for Working capital (Outside consortium)

- a) Personal Guarantee of the following
- Mr. Hem Singh Bharana
- b) Corporate Guarantee of the following
- ERA Infra Engineering Ltd.

(Jammu and Kashmir Bank claims that it has first charge on pari-passu basis with ICICI Bank Ltd on the Fixed assets of the company (Both movable and immovable) and entire current assets of the company, except exclusively charged. The ICICI Bank and State bank of India (as lead bank of the working capital consortium) have denied ceding any charge in favour of the Jammu and Kashmir Bank Ltd. On consideration



of all documents, information and facts, its claim is being treated as unsecured against the assets of the company)

E) IFCI Factors Ltd

Factoring of receivables -Working capital (Outside consortium)

- a) Personal Guarantee of the following
 - i. Mr. Hem Singh Bharana



2. OPERATIONAL CREDITORS

List of operational creditors whose claim has been admitted

(Amount in Rs. Lacs)

| S. No | Name | Claim filed | Claim admitted |
|-------|---------------------------------|---------------|----------------|
| 1 | Vishwanath Industries | 2.27 | 1.55 |
| 2 | Transolutions Pvt. Ltd | 66.49 | 61.32 |
| 3 | P C Bindal & Co | 18.93 | 15.35 |
| 4 | Gee Kay Gases | 1.71 | 1.71 |
| 5 | Union Roadways Ltd | 79.53 | 55.74 |
| 6 | EMMAAR EL Construction Pvt. Ltd | 437.72 | 282.67 |
| 7 | ADOR Welding Ltd | 53.35 | 7.01 |
| 8 | Mukta V N Films Ltd | 113.10 | 41.25 |
| 9 | Anil Kumar Sharma | 1.50 | 0.91 |
| | Total | 774.60 | 467.51 |

Note: The status of the other claims received as operational creditors is as follows:

(Amount in Rs. Lacs)

| S. No | Name | Claim filed | Status |
|-------|------------------------------------|-------------|----------------------|
| 1 | Jangipur Bengal Mega Food Park Ltd | 4,804.06 | Rejected |
| 2 | Sunflag Iron & Steel Co. Ltd | 2,137.00 | Rejected |
| 3 | Roquette Riddhi Siddhi Pvt. Ltd | 5.00 | Wrong form |
| 4 | Maharashtra Vat Department | 123.62 | Pending verification |
| 5 | R D Weld Products Pvt. Ltd | 24.87 | Pending verification |
| 6 | Commercial Tax Officer -Rajasthan | 10.57 | Pending verification |
| 7 | Balaji Associates | 10.00 | Pending verification |



3. EMPLOYEES

List of employees whose claim has been admitted

(Amount in Rs. Lacs)

| S. No | Name | Claim filed | Claim admitted |
|-------|--------------------------|--------------|----------------|
| 1 | Satish Chandra | 3.00 | 2.37 |
| 2 | Prashant Chauhan | 1.35 | 1.07 |
| 3 | Mahendra Pal Singh | 0.77 | 0.69 |
| 4 | Syamsundar Bandyopadhyay | 3.72 | 3.65 |
| 5 | Chetan Sharma | 2.83 | 1.12 |
| 6 | Dinesh Ambwani | 4.54 | 4.49 |
| 7 | Shailesh Gada | 6.15 | 2.64 |
| 8 | Gangadhar Reddy Mannem | 4.11 | 2.71 |
| 9 | Amitava Gayen | 1.17 | 0.88 |
| 10 | Neeraj Kumar | 2.73 | 1.67 |
| 11 | Jitender Kumar Aggarwal | 0.74 | 0.70 |
| 12 | Vishnu Kumar Gupta | 0.81 | 0.81 |
| 13 | Deepak Giri | 1.50 | 1.28 |
| 14 | Suresh Kosta | 1.71 | 1.59 |
| | Total | 35.13 | 25.67 |

Note: The status of the other claims received from employees is as follows:

(Amount in Rs. Lacs)

| S. No | Name | Claim filed | Status |
|-------|-------------------|-------------|----------------------|
| 1 | Rakesh Sahi | 10.94 | Pending verification |
| 2 | Dasaradha Ramaiah | 8.34 | Pending verification |



Date: 22.12.2018

Place: New Delhi

GIAN CHAND NARANG

INTERIM RESOLUTION PROFESSIONAL-

M/S APEX BUILDSYS LIMITED

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