INVITATION FOR EXPRESSION OF INTEREST TO SUBMIT RESOLUTION PLAN FOR NITIN FIRE PROTECTION INDUSTRIES LIMITED

1. BACKGROUND:

Nitin Fire Protection Industries Limited (NFPIL) was incorporated on September 4, 1995 in the state of Maharashtra. The company has two Manufacturing cum warehousing units situated at T.T.C. Industrial Area, Vashi near Navi Mumbai. The company supplies and distributes a complete range of portable fire fighting equipment. The products are approved by BIS approval and bear ISI mark. The company also has a system design & service center in Mumbai. Apart from portable fire fighting equipment, the company undertakes turnkey projects for design, manufacture, install commission and supply of complete Fire detection and suppression systems, using the latest techniques. It also undertakes AMCs (Annual Maintenance Contracts) of fire detection and suppression systems.

At present, NFPIL is undergoing a Corporate Insolvency Resolution Process ("CIRP") in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016 ("IBC"). The CIRP of NFPIL was initiated, by an Order dated 22nd October, 2018 of Honourable National Company Law Tribunal ("NCLT"), Mumbai Bench. NCLT appointed Mr. Uliyar Balakrishna Bhat as Interim Resolution Professional ("IRP") for supervising the CIRP of NFPIL and his appointment as Resolution Professional ("RP") was confirmed by the Committee of Creditors ("CoC") subsequently. Mr. Uliyar Balakrishna Bhat ("RP") has constituted the CoC in accordance with the provisions of IBC and as per directions of the CoC is inviting the Expression of Interest ("EOI") from Potential Resolution Applicants ("RA") to submit the Resolution Plan. Form G - Invitation of Resolution Plans (Under sub-regulation (5) of regulation 36A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016) for the attention of the Prospective Resolution Applicants of NFPIL is set out in **"Annexure – G"** hereto.

It is clarified that the Bid Process document detailing the procedure for submitting resolution plan, criteria for evaluation of bids shall be disclosed at a later stage.

2. SUBMISSION OF EOI:

RA submitting the EOI should meet the Eligibility Criteria as set out in **"Annexure – A"** hereto. EOI shall be submitted in the prescribed format as set out in **"Annexure – B"** hereto along with the supporting documents as set out in **"Annexure – C"** and the details of RA as set out in **"Annexure – D"** hereto.

EOI in the prescribed format with annexure along with the demand draft as set out in para 3 below is required to reach in a sealed envelope at below mentioned address through speed post / registered post or by hand delivery. The sealed envelope should be super scribed as *"Expression of Interest for NFPIL"* in the name of Uliyar Balakrishna Bhat, Resolution Professional for NFPIL, 501, Delta, Technology Street, Hiranandani, Powai, Mumbai – 400 076, India. A soft copy of EOI along with annexure stated above also is required to be mailed to ubbhat@radissonindia.in

3. FEES:

Along with EOI, RA shall submit a demand draft in the name of "IDBI A/c – NFPIL" payable at Mumbai of INR 5 Lakhs (Rupees Five Lakhs Only) towards refundable process participation fees. The above demand draft will be deposited only in those cases where the RA is shortlisted. The demand draft will be given back to the RAs who are not shortlisted.

4. LAST DATE OF SUBMISSION OF EOI:

(i) The last date for submission of EOI is 1700 hrs on 26th January, 2019. In case the designated day happens to be a holiday in Mumbai, 1700 hours on the next working day will be deemed as the last date for submission of EOI.

(ii) All the EOIs received on or before the last date of submission of EOI will be reviewed by RP and/or members of CoC. Qualified and shortlisted parties will be informed on or before 31th January, 2019 about the same. The Bid Process Memorandum containing the evaluation matrix and terms and conditions of submitting Resolution Plan would be issued to the shortlisted parties pursuant thereto.

(iii) The qualified and shortlisted RA will be given 30 (Thirty) days to carry out further due-diligence (DD) and submit their Resolution Plan, in accordance with the provisions of the IBC, by 1700 hours on or before 7th March, 2019.

(iv) Access to Information Memorandum (IM), data room for DD and other relevant information will be provided to qualified and shortlisted RA after receiving a confidentiality undertaking as per section 29 (2) of the IBC. The confidentiality undertaking to be submitted by RA is set out in **"Annexure – E - I"** and **"Annexure – E – II"** hereto.

(v) RA to this invitation should satisfy the conditions as specified under section 29A of IBC. The declaration to be submitted by RA under section 29A of IBC is set out in **"Annexure – F"** hereto.

(vi) For any clarifications, please write to: ubbhat@radissonindia.in on or before 10th January, 2019.

5. ADVERTISEMENT:

The advertisement inviting EOI to submit Resolution plan is published on 11th January, 2019 in all India edition of Financial Express (English), Free Press Journal (English) and Mumbai Edition of Navakal (Marathi). The same is also set out in **"Annexure – H"** hereto.

6. NOTES AND OTHER TERMS AND CONDITIONS:

(i) The Invitation for EOI is not an offer or invitation for sale or the solicitation of an offer to buy, purchase or subscribe to any securities, if any, of NFPIL.

(ii) COC / RP reserve the right to withdraw EOI and/or cancel the Resolution Plan process at any stage. Mere submission of the EOI shall not create any rights in favour of the RA and the decision of the CoC / RP regarding the resolution plan process shall be final and binding on all parties. The CoC / RP further reserves the right to (a) amend, extend, vary or modify the terms and conditions regarding submission of Resolution plan, including but not limited to Evaluation Matrix, timelines regarding submission of Resolution Plans; and
(b) disqualify and/or reject any RA at any stage of the bid process without assigning any reason and without any liability, including any tortious liability.

(iii) Amendments / Clarifications / Information regarding extension, if any, of time for submission of EOI shall be uploaded on the NFPIL's website. All interested parties should visit NFPIL's website at www.nitinfire.com to keep themselves updated regarding the same.

(iv) No agreements with RP or any official, representative, affiliates, associate, advisor, agent, director, partner or employee of the RP or NFPIL or any member of the COC or verbal communication by them shall affect or modify any terms of this EOI.

(v) No claims against the RP or NFPIL or any member of the COC or any of their official, representative, affiliates, associate, advisor, agent, director, partner or employee would arise out of this EOI.

(vi) By submitting a proposal, each RA shall be deemed to acknowledge that it has carefully read the entire EOI, its terms and conditions and evaluation matrix and has fully informed itself as to all existing conditions and limitations.

SD/-

Uliyar Balakrishna Bhat
Resolution Professional for NFPIL
Registration No. IBBI/IPA-001/IP-P00658/2017-2018/11107
E-mail: ubbhat@radissonindia.in

NFPIL Office:
501, Delta,
Technology Street,
Hiranandani, Powai,
Mumbai – 400 076.

IP/IRP's Office:
A – 005, Western Edge II,
Off Western Express Highway,
Borivali East, Mumbai – 66.

Place: Mumbai

Date: 11 January 2019

Attachments: Annexures – A to H

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"ANNEXURE – A"

ELIGIBILITY CRITERIA

The eligibility criteria for submission resolution plan for NFPIL are as follows:

(a) Any person including private limited company or public limited company registered under the Companies Act 1956 or 2013, Limited Liability Partnership (LLP) or SEBI registered Alternative Investment Fund (AIF) or a company incorporated outside India, which is eligible to invest in India under the laws of India either as a sole resolution applicant or as part of a consortium.

(b) In case of consortium, the minimum equity contribution by each consortium member should be at least 10% and lead consortium member should be at least 26%.

(c) The shareholding of the special purpose vehicle incorporated by the consortium shall be same as the shareholding of members in consortium.

(d) Potential Resolution Applicant's competence and capability are proposed to be established broadly by the following parameters:

1. Business Capacity
2. Financial Capacity
3. Provisions of section 29A of IBC

1. Business Capacity Eligibility Criteria:

Turnover:

Minimum turnover of INR 75 Crores (Rupees Seventy Five Crores Only) at the group level as per the last available audited financial statements.

Note:

(i) Turnover shall mean either gross income or gross revenue.

(ii) The last available audited financial statements shall not be older than one year from the date of the advertisement.

(iii) The condition for turnover may be relaxed for any Financial Investors / Investment Companies / Alternative Investment Fund / Sole Individual Investor / Consortium of Sole Individual Investors.

(iv) While providing the information and numbers for the turnover criteria, standalone turnover (i.e. gross income or gross revenue) along with the consolidated number with that of the promoter / promoter group and / or any of the group entities may be provided based on last audited financial statements of the Potential Resolution Applicant and such entities.

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2. **Financial Capacity Eligibility Criteria:**

(i) **<u>Net Worth:</u>**

For Body Corporate: Minimum net worth of INR 25 Crores (Rupees Twenty Five Crores Only) at the group level as per the last available audited financial statements.

For Investment Companies / FIs / Fund houses / PE Investors: Minimum Assets Under Management of INR 100 Crores (Rupees Two Hundred Crores Only) at the group level as per the last available audited financial statements.

For Sole Individual Investor / Consortium of Sole Individual Investor: Minimum consolidated Net worth of INR 25 Crores (Rupees Twenty-Five Crores Only) at Sole or at the consortium level.

Note:

(i) The last available audited financial statements shall not be older than one year from the date of the advertisement.

(ii) In case of Potential Resolution Applicant other than Sole Individual Investor / Consortium of Sole Individual Investor, while providing the information and numbers for the net worth criteria, standalone net worth along with the consolidated number with that of the promoter / promoter group and / or any of the group entities may be provided based on last audited financial statements of Potential Resolution Applicant and such entities.

(iii) In case consortium is of Private / Public Limited Companies / LLP / Body Corporate / any other Potential Resolution Applicants, net worth of the Consortium shall be calculated as an aggregate of weighted average of individual member's net worth proportionate to their respective shareholding in the consortium. [(% equity contribution of member 1 x net worth of member 1) + (% equity contribution of member 2 x net worth of member 2) + (% equity contribution of member 3 x net worth of member 3) +……member n]

(iv) In case of consortium of Financial Investors, the minimum AUM of consortium shall be calculated as an aggregate of weighted average of individual member's AUM proportionate to their respective shareholding in the consortium.

(ii) **<u>Good financial health and repute:</u>**

Good track record of financial health and repute of the Potential Resolution Applicant for last 3 years.

3. Provisions of section 29A of IBC

Potential Resolution Applicant must be eligible to submit Resolution Plan in accordance with provision of Section 29A of IBC. For this purpose, the Potential Resolution Applicant should give a declaration supported by affidavit as set out in **<u>"Annexure – F"</u>** hereto stating that it does not suffer from any disqualification provided in Section 29A of IBC. In case of Resolution Applicants submitting the Resolution Plan jointly, the declaration and affidavit needs to be submitted by each such Resolution Applicant. However, a Resolution Applicant(s) suffering from a disqualification under Section 29A (c) may submit a resolution plan, provided that it undertakes that it will make payment of all overdue amounts with interest thereon and charges relating to non-performing asset accounts before submission of resolution plan and that it will submit a written acknowledgement of such payment at least one day before the last day of submission of resolution plan.

Exchange Rate:

For the purpose of evaluation of the EOI, the exchange rate to be used for conversion into INR (Indian Rupees) shall be RBI Reference rate on the last working day that precedes the date of the EOI.

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"ANNEXURE – B"

FORMAT OF EXPRESSION OF INTEREST (EOI)

To
Mr. Uliyar Balakrishna Bhat
Resolution Professional (RP) for NFPIL
501, Delta,
Technology Street,
Hiranandani, Powai,
Mumbai – 76, India.

Subject: Expression of Interest (EOI) for Nitin Fire Protection Industries Limited (NFPIL)

Dear Sir,

In response to your public advertisement in _____ and uploaded on the website of NFPIL on 11th January, 2019, inviting EOIs to submit the Resolution Plan for NFPIL, we hereby submit our EOI.

We have attached the supporting documents required to be submitted with EOI as published on the website of NFPIL at www.nitinfire.com

The information furnished by us in this EOI is true, correct and accurate to the best of our knowledge.

We understand that based on this information you and Committee of Creditors (CoC) of NFPIL would be able to review and evaluate our EOI for submitting the Resolution Plan for NFPIL Limited.

We however, understand that Mr. Uliyar Balakrishna Bhat, RP for NFPIL and the CoC of NFPIL reserve their right to decide whether or not we are eligible for submitting the Resolution plan for NFPIL without disclosing any reason whatsoever and without any liability.

Thanking you.

Yours truly.

On behalf of the firm/company/organization:

Signature:

Name of signatory:
Designation:
Company Seal/stamp

Place:

Date:

Enclosures: Annexures

"ANNEXURE – C"

SUPPORTING DOCUMENTS REQUIRED TO BE SUBMITTED WITH EOI ----------

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1. Profile of Resolution Applicant

2. **Legal Documents:** Copies of Certificate of Registration / Incorporation and Constitutional Documents (Memorandum and Articles of Association, etc.) of Resolution Applicant and information / details required as per Regulation 38(3) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2017.

3. **For Turnover / Net-worth:** Certified true copies of Audited financial statements of immediately preceding 3 (three) years of RA and / or its promoter / promoter group or any other group company as per eligibility criteria.

4. A notarized declaration from 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 RA shall provide all relevant documents for its promoter / promoter group or any other group company, if required to meet the eligibility criteria.

5. Any other documents / information which Potential Resolution Applicant finds necessary to share or as may be notified by the RP from time to time.

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"ANNEXURE – 'D'

DETAILS OF THE POTENTIAL RESOLUTION APPLICANT ----------

1. **Name and address:**

   Name:

   Address (with proof):

   Telephone No.:

   Fax No.:

   Email:

2. **Name and address (with proof) of the Firm / Company / Organization:**

3. **Date of establishment of Resolution Applicant / Promoter Group and copies of documents:**

4. **Core area of expertise of Resolution Applicant:**

5. **Contact Person:**

   Name:

   Designation:

   Telephone No:

   Mobile No.:

   Email:

6. **PAN No. and / or CIN No. and / or Aadhaar No. or equivalent details of Resolution Applicant and copies of documents:**

7. **Company / FI Profile:**

(i) Company Financial Profile (consolidated / standalone as applicable):

(Note: The Company profile should necessarily include tangible net worth and revenue numbers of the preceding three years. Where the entity submitting the EOI is a financial investor / fund entity, please provide details pertaining to "assets under management" and / or "committed funds" for the preceding three years or the committed funds available as on 31 March 2018 for investment. Further the fulfilment of eligibility criteria must be clearly identified / certified herein)

(ii) Experience of the Company in the relevant sector(s).

(iii) History if any, of the Company or affiliates of the Company being declared a 'wilful defaulter' or 'non-cooperative borrower' or 'non-impaired asset' or 'non-performing asset'.

(Note: In case of consortium, the details set out above are to be provided for each of the member of the consortium)

"ANNEXURE – 'E - I'

CONFIDENTIALITY UNDERTAKING

(To be executed on stamp paper)

To,
Mr. Uliyar Balakrishna Bhat
Resolution Professional (RP) for NFPIL
501, Delta,
Technology Street,
Hiranandani, Powai,
Mumbai – 76, India.

Dear Sir,

SUBJECT: UNDERTAKING UNDER SECTION 29 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016 (IBC) AND REGULATION 36(4) OF THE INSOLVENCY AND BANKRUPTCY BOARD OF INDIA (INSOLVENCY RESOLUTION PROCESS FOR CORPORATE PERSONS) REGULATIONS, 2016 (CIRP REGULATIONS) TO MAINTAIN CONFIDENTIALITY

I/We understand that:

1. Corporate Insolvency Resolution Process (CIRP) has been initiated for Nitin Fire Protection Industries Limited (NFPIL or Corporate Debtor) as per the provisions of Insolvency and Bankruptcy Code 2016 (IBC), by an order of National Company Law Tribunal (NCLT) Mumbai Bench vide Order No. CP (IB) – 1890/I&BP/MB/2018 dated 22nd October 2018. Vide the same Order, Mr. Uliyar Balakrishna Bhat, Insolvency Professional (IP) was appointed as Interim Resolution Professional (IRP) and he was subsequently appointed as Resolution Professional (RP) for NFPIL Limited by the Committee of Creditors (CoC) of NFPIL Limited.

2. On passing of the above referred order dated 22nd October 2018 by the NCLT, the board of directors of NFPIL was suspended and the powers of its board of directors now vest with Mr. Uliyar Balakrishna Bhat, Resolution professional (RP) for NFPIL.

3. It is the duty of the Resolution Professional under the IBC to prepare an information memorandum (IM) of the corporate debtor, in this case, NFPIL, and invite the potential / prospective resolution applicants to submit resolution plan (s).

I/We hereby declare and undertake as under:

1. Pursuant to the invitation by the Resolution Professional to prospective resolution applicants to submit resolution plans, we are interested in submitting a resolution plan (bid / proposal) to the resolution Professional.

2. We require a copy of the IM of NFPIL and other relevant Information / additional information in physical and electronic form, relating to NFPIL that may be necessary to submit a resolution plan for NFPIL by us, either directly or through our affiliates (Transaction). We note, understand and acknowledge that:

(i) You have prepared IM of NFPIL in terms of Section 29 read with the relevant regulations framed under the IBC. We further note and understand that the information contained in the IM is confidential information and can be made available to a resolution applicant only after obtaining an undertaking of confidentially as required under Section 29 of the IBC and Regulation 36 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (CIRP Regulations) only for the purpose of the Transaction;

(ii) The IM has been prepared on the basis of information provided by the management of NFPIL and its creditors. The Resolution Professional is sharing the IM with us for information purposes only. No representation or warranty, express or implied, is given by the Resolution Professional or the advisors appointed by the Resolution Professional or any of its partners, directors, officers, affiliates, employees, advisors or agents (unless specifically mentioned under the provisions of the IBC) as to the accuracy or completeness of the contents of this IM or any other document or information supplied, or which may be supplied at any time or any opinions or projections expressed herein or therein;

(iii) The IM is a dynamic document and may be updated from time to time till such the resolution plan is approved by the committee of creditors of NFPIL;

(iv) Other additional information relating to NFPIL may be necessary for the Transaction;

(v) Any additional or supplementary information or clarification besides the IM, including those provided by way of emails or on telephone provided to us by the Resolution Professional or his team members, including legal advisors are also confidential in nature and shall be construed as a part of the IM.

3. The IM, together with any additional or supplementary information or clarification, including those provided by way of emails or on telephone by the Resolution Professional or his team members, including advisors is referred as “Confidential Information”.

4. We are executing this undertaking of confidentiality to maintain confidentiality in respect of the information contained in the IM as mandated by the IBC and CIRP Regulations.

5. In terms of Section 29 of the IBC and Regulation 36 of the CIRP Regulations we agree and undertake:

(a) To maintain confidentiality of the information as detailed in the IM and of any other information received by us and not to use such information to cause an undue gain or undue loss to yourself or any other person.

(b) To comply with the requirement under Section 29(2) of IBC

(c) In terms of Section 29(2) of the IBC, to

(i) Comply with provisions of law for time being in force relating to confidentiality and insider trading.

(ii) Protect any intellectual property and confidential information of NFPIL and its subsidiary company(s) we may have access to; and (mentioned in the Confidential

Information).

(iii) Not to share this information/relevant information with any third party unless clauses (i) and (ii) above are complied with.

(d) Except as provided herein, we will not disclose the contents of Confidential Information, as updated from time to time, to any person other than to our affiliates (including, for avoidance of any doubt, and our and their directors, officers, employees, agents or advisors (including, without limitation, financial advisors, attorneys, bankers, consultants and accountants) and potential financing sources (collectively, our "Representatives") who need to know such Confidential Information for the purpose of the Transaction provided, that such Representatives have been directed to comply with the confidentiality and use obligations of this undertaking in case any Confidential Information is disclosed to them. We will be solely responsible for any breach of the provisions of this undertaking of confidentiality by any of our Representatives, except for those Representatives who have a separate undertaking of confidentiality with you.

6. We accept and acknowledge that the Confidential Information has been developed or obtained by NFPIL through investment of significant time, effort and expense, and that the Confidential Information is valuable, special and unique asset of NFPIL, which provides NFPIL with a significant competitive advantage, and needs to be protected from improper disclosures. We further understand and accept that the information contained in the Confidential Information, as updated from time to time, cannot be used for any purpose other than for the Transaction. Accordingly, we agree and undertake to direct our Representatives to:

a) Maintain confidentiality of the Confidential Information, as provided from time to time, and not to use such Confidential Information to cause an undue gain to us or undue loss to any other person including NFPIL or any of its creditors and stakeholders.

b) Keep the Confidential Information safe in a secure place and protected against theft, damage, loss and unauthorized access and undertakes to keep all documents and other materials reproducing or incorporating confidential information separate from its own confidential information.

c) Use Confidential Information solely for the purpose of transaction and not for any other purpose.

7. We hereby agree to, and, will direct our Representatives to not share the Confidential Information with any third party/person or entity except where Confidential Information:

a) is or becomes publicly available to us or our Representatives without breach of obligations as set out herein; or

b) prior to its disclosure in connection with the Transaction was already in our or our Representatives possession; or

c) prior consent by the Resolution Professional is provided for disclosure in writing; or

d) is required to be disclosed by any applicable law for the time being in force or by any

applicable regulatory authority or regulation or professional standard or judicial process or not or whether the resolution plan submitted by us is placed before the committee (including by disposition, interrogatory, request for documents, subpoena, civil investigative demand, or similar process).

8. This Undertaking also applies to Confidential Information accessed through the electronic data room and supersedes any 'click through' acknowledgement or agreement associated with any such electronic data room.

9. We agree to keep the Confidential Information safe in a secure place and protected against theft, damage, loss and unauthorized access and undertake to keep all documents and other materials reproducing or incorporating confidential information separate from its own confidential information.

10. We understand and undertake, in the event of not being shortlisted for the binding bid phase or our bid not qualifying for being placed before the committee of creditors of NFPIL or the committee of creditors rejecting our bid or the NCLT not approving our bid or in the event that the RP calls upon us in to do so, we shall immediately return or destroy the Confidential Information including the IM and other information provided by the RP or its representatives, without retaining a copy thereof, in electronic or any other form.

11. This undertaking of confidentiality condition shall remain valid for a period of three (3) years after it is executed, irrespective of whether we are shortlisted for the next phase of inviting binding bids or not or whether the resolution plan submitted by us is placed before the committee of creditors or not or whether it is approved by the committee of creditors or not and even after completion of the corporate insolvency resolution process.

12. We understand that if we disclose (or threaten to disclose) Confidential Information in violation of this undertaking of confidentiality, the Resolution Professional or NFPIL or CoC shall be entitled to pursue all available remedies including legal recourse (both, by way of damages or specific relief) to safeguard its interest under undertaking of confidentiality.

We accept and agree above terms.

On behalf of the firm/company/organization:

Signature:

Name of signatory:
Designation:
Company Seal/stamp

Place:

Date:

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"ANNEXURE – 'E - II'

UNDERTAKING UNDER SECTION 36A (7) OF THE IBBI (CIRP) REGULATIONS, 2016

I/We, _____ having our registered office/address at_____ state and declare herewith on solemn affirmation as under:

1) I/We have received the detailed invitation for Expression of Interest (EOI) in respect of Nitin Fire Protection Industries Ltd, the Corporate Debtor (CD) under Corporate Insolvency Resolution Process (CIRP), from its Resolution Professional (RP), Shri Uliyar Balakrishna Bhat.
2) I/We are submitting herewith our Expression of Interest in respect of the said CD and we are willing to furnish whatever further information is called for by the RP
3) Pursuant to the provisions of Regulation 36A (7) of the IBBI (CIRP) Regulations, 2016, I/We hereby state and submit that
4) I/We meet the criteria specified by the Committee of Creditors of the CD under clause (h) of sub-section (2) of section 25 of the IBC, 2016 as communicated to us by the RP,
5) I/We are submitting herewith relevant records in evidence of our meeting the criteria as stated above,
6) I/We do not suffer from any ineligibility under section 29A of the IBC, 2016 to the extent applicable,
7) I/We are submitting herewith relevant information and records to enable an assessment of ineligibility under section 29A,
8) I/We undertake that I/We shall forthwith intimate the RP if I/We become ineligible under section 29A, at any time in future during CIRP of the CD,
9) I/We state, submit and undertake that every information and record provided in Expression of Interest is true and correct and discovery of any false information on record at any time will render me/us ineligible to submit Resolution Plan, forfeit any refundable deposit, and attract penal action under the IBC, 2016,
10) I/We undertake that I/We shall maintain confidentiality of the information received from the RP and I/We shall not use such information to cause any undue gain or undue loss to ourself or any

other person and comply with the requirements under sub-section (2) of section 29 of the IBC, 2016

11) I/We undertake to supply whatever clarifications or documents or additional information as may be required or called for by the RP.

12) I/We hereby state that whatever is stated above is true and correct to the best of my/our knowledge and belief.

Date: _____
Place: _____

Witness:

1) Name and address _____
2) Name and address _____

"ANNEXURE – 'F'

DECLARATION UNDER SECTION 29A OF IBC

(To be notarised on stamp paper)

In the matter of the Corporate Insolvency Resolution Process of Nitin Fire Protection Industries Limited under the provisions of the Insolvency and Bankruptcy Code, 2016

AFFIDAVIT

AFFIDAVIT OF Mr./Mrs._____
(DIRECTOR / PROPRIETOR/ PARTNER OF _____-)

I Mr./ Mrs._____ Director / Proprietor / Partner of _____, an adult of Mumbai, Indian inhabitant, having my present address at _____
Add:

Do hereby state on solemn affirm as under: -

1. That I am fully conversant with the facts and circumstances of the matter and am also duly empowered and competent to swear and affirm this affidavit.
2. I am not an Un- discharged insolvent;
3. I have not been identified as a wilful defaulter in accordance with the guidelines of the Reserve Bank of India Issued under the Banking Regulation act,1949
4. I am not whose account is classified as non-performing asset in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 and the period of one year or more has lapsed form the date of such classification and who has not failed to make the payment of all overdue with interest thereon and charges relating to non-performing asset before submission of the resolution plan;
5. I have not been convicted for any offence punishable with imprisonment for two years or more; or
6. I have not been disqualified to act as a director under the Companies Act, 2013;
7. I have not been prohibited by the Securities and Exchange Board of India from Trading in securities or accessing the securities markets;
8. I have not indulged in preferential transaction or undervalued transaction or fraudulent transaction in respect of which an order has been made by the adjudicating Authority under this Code;
9. I have not executed an enforceable guarantee in favour of a creditor; in respect of a corporate debtor under insolvency resolution process or liquidation under this code;
10. I am not connected person in respect of such person meets any of the criteria specified in clauses (1) to (8)
11. I have not been subject to any disability, corresponding to clause (1) to (9), under any lawin jurisdiction outside India.
12. That I confirm that the said declaration and disclosure is true and correct.
13. That I am duly authorised to submit this declaration by virtue of [state where the authority is drawn from]

Verification

I hereby state that whatever is stated herein above is true to the best of my knowledge.
Solemnly affirmed at _____) on this _ day of _____, 20__

(Signature of Applicant)

Identified by me

Advocate

Before me

Notary

"ANNEXURE – 'G'

FORM G

Invitation of Resolution Plans

(Under sub-regulation (5) of regulation 36A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

FOR THE ATTENTION OF THE PROSPECTIVE RESOLUTION APPLICANTS OF NITIN FIRE PROTECTION INDUSTRIES LIMITED

Sr. No	Particulars	Information
1	NAME OF CORPORATE DEBTOR	NITIN FIRE PROTECTION INDUSTRIES LIMITED
2	DATE OF INCORPORATION OF CORPORATE DEBTOR	04-09-1995
3	AUTHORITY UNDER WHICH CORPORATE DEBTOR IS INCORPORATED / REGISTERED	Registrar of Companies – Mumbai
4	CORPORATE IDENTITY NUMBER / LIMITED LIABILITY IDENTIFICATION NUMBER OF CORPORATE DEBTOR	CIN: L29193MH1995PLC092323
5	ADDRESS OF THE REGISTERED OFFICE AND PRINCIPAL OFFICE (IF ANY) OF CORPORATE DEBTOR	**Registered / Principal Office:** Nitin Fire Protection Industries Limited 501, Delta, Technology Street, Hiranandani, Powai, Mumbai – 400 076.
6	INSOLVENCY COMMENCEMENT DATE IN RESPECT OF CORPORATE DEBTOR	22nd October, 2018 (As per Order of NCLT dated 22nd October, 2018 ; copy made ready and communicated on 22nd October, 2018)
7	DATE OF INVITATION OF EXPRESSION OF INTEREST	11th January, 2019
8	ELIGIBILITY FOR RESOLUTION APPLICANTS UNDER SECTION 25(2)(H) OF THE CODE IS AVAILABLE AT:	The eligibility criteria is set out in the detailed invitation for expression of interest, available on the website of the corporate debtor. www.nitinfire.com
9	NORMS OF INELIGIBILITY APPLICABLE UNDER SECTION 29A ARE AVAILABLE AT:	The norms are set out in the detailed invitation for expression of interest, available on the website of the corporate debtor. www.nitinfire.com
10	LAST DATE FOR RECEIPT OF EXPRESSION OF INTEREST	26th January, 2019
11	DATE OF ISSUE OF PROVISIONAL LIST OF PROSPECTIVE RESOLUTION APPLICANTS	31st January, 2019
12	LAST DATE FOR SUBMISSION OF OBJECTIONS TO PROVISIONAL LIST	5th February, 2019
13	DATE OF ISSUE OF FINAL LIST OF PROSPECTIVE RESOLUTION APPLICANTS	12th February, 2019
14	DATE OF ISSUE OF INFORMATION MEMORANDUM, EVALUATION MATRIX AND REQUEST FOR RESOLUTION PLAN TO PROSPECTVIE RESOLUTION APPLICANTS	5th February, 2019

Sr. No	Particulars	Information
15	MANNER OF OBTAINING REQUEST FOR RESOLUTION PLAN, INFORMATION MEMORANDUM AND FURTHER INFORMATION	The RP will share RFRP, evaluation matrix, Information Memorandum and further information to qualified and shortlisted prospective resolution applicants meeting the eligibility criteria as set out by the Committee of Creditors 1. Contact for any communication Uliyar Balakrishna Bhat Resolution Professional of NFPIL ubbhat@radissonindia.in
16	LAST DATE FOR SUBMISSION OF RESOLUTION PLANS	1. Submission of Resolution Plan by Shortlisted and Qualified Resolution Applicants: 7th March, 2019 by 1700 hours
17	MANNER OF SUBMITTING RESOLUTION PLANS TO RESOLUTION PROFESSIONAL	1. Through speed post / registered post or by hand delivery addressed to Uliyar Balakrishna Bhat, Resolution Professional for NFPIL. 501, Delta, Technology Street, Hiranandani, Powai, Mumbai – 400 076. 2. A soft copy is required to be mailed to ubbhat@radissonindia.in
18	ESTIMATED DATE FOR SUBMISSION OF RESOLUTION PLANS TO ADJUDICATING AUTHORITY FOR APPROVAL	05th April, 2019
19	NAME AND REGISTRATION NUMBER OF THE RESOLUTION PROFESSIONAL	Uliyar Balakrishna Bhat IBBI/IPA-001/IP-P00658/2017-2018/ 11107
20	NAME, ADDRESS AND EMAIL OF THE RESOLUTION PROFESSIONAL, AS REGISTERED WITH THE BOARD	**Name:** Uliyar Balakrishna Bhat **Address registered with Board:** A - 005, Western Edge II, Off Western Express Highway, Borivali East, Mumbai 66, India. **Email registered with Board:** ubbhat@radissonindia.in
21	ADDRESS AND EMAIL TO BE USED FOR CORRESPONDENCE WITH THE RESOLUTION PROFESSIONAL	**Address:** Mr. U Balakrishna Bhat, Resolution Professional 501, Delta, Technology Street, Hiranandani, Powai, Mumbai – 400 076 **Email Id:** ubbhat@radissonindia.in
22	FURTHER DETAILS ARE AVAILABLE AT OR WITH	Uliyar Balakrishna Bhat ubbhat@radissonindia.in
23	DATE OF PUBLICATION OF FORM G	11th January, 2019

SD/-

Uliyar Balakrishna Bhat
Resolution Professional for NFPIL
Registration No. IBBI/IPA-001/IP-P00658/2017-2018/11107
E-mail: ubbhat@radissonindia.in

NFPIL Office:
501, Delta, Technology Street,
Hiranandani, Powai,
Mumbai – 400 076.

IP/IRP's Office:
A – 005, Western Edge II,
Off Western Express Highway,
Borivali East, Mumbai – 66, India.

Place: Mumbai
Date: 11 January 2019

"ANNEXURE – 'H'

THE ADVERTISEMENT INVITING EXPRESSION OF INTEREST (EOI) TO SUBMIT RESOLUTION PLAN PUBLISHED ON _____

INVITATION FOR EXPRESSION OF INTEREST TO SUBMIT RESOLUTION PLAN FOR NITIN FIRE PROTECTION INDUSTRIES LIMITED

Nitin Fire Protection Industries Limited (NFPIL) was incorporated on September 4, 1995 in the state of Maharashtra. The company has two Manufacturing cum warehousing units situated at T.T.C. Industrial Area, Vashi, Near Navi Mumbai. The company supplied and distributes a complete range of portable fire fighting equipment. The products are approved by BIS approval and bear ISI mark. The company also has a system design & service center in Mumbai. Apart from portable fire fighting equipment, the company undertakes turnkey projects for design, manufacture, install commission and supply of complete Fire detection and suppression systems, using the latest techniques. It also undertakes AMCs (Annual Maintenance Contracts) of fire detection and suppression systems.

Corporate Insolvency Resolution Process has been initiated for NFPIL Limited as per the provisions of **Insolvency and Bankruptcy Code, 2016** (IBC), by an Order dated 22nd October, 2018 of Honourable National Company Law Tribunal, Mumbai Bench.

Expression of Interest is hereby invited from **Potential Resolution Applicants** for submission of a Resolution Plan in accordance with the provisions of the IBC. The eligibility criteria for the Potential Resolution Applicant, format for submission of the Expression of Interest, supporting documents and details required to be submitted with the Expression of Interest, associated detailed terms and conditions and Form G for participating in the process is uploaded on the website www.nitinfire.com of NFPIL.

Expression of Interest in the prescribed format with annexure as referred on the website of NFPIL limited is required to reach by **26th January, 2019** in a **sealed envelope** at below mentioned address through speed post / registered post or by hand delivery. The sealed envelope should be super scribed as ***"Expression of Interest for NFPIL"*** in the name of **Uliyar Balakrishna Bhat, Resolution Professional for NFPIL, 501, Delta, Technology Street, Hiranandani, Powai, Mumbai – 76, India**. A soft copy of Expression of Interest along with annexure stated above also is required to be mailed to ubbhat@radissonindia.in

For any clarifications, please write to: ubbhat@radissonindia.in on or before 16th January, 2019.

It may be noted that the terms and conditions for inviting Resolution Plan is determined with the approval of Committee of Creditors of Nitin Fire Protection Industries Limited and may be changed or amended at any stage. Committee of Creditors / Resolution Professional reserves the right to cancel or extend or modify the process and / or reject / disqualify any Resolution Applicant / Expression of Interest /bid / offer at any stage of the bid process without assigning any reason and without any liability.

Place: Mumbai
Date: 11 January 2019

SD/-
Uliyar Balakrishna Bhat
Resolution Professional for NFPIL
Registration No. IBBI/IPA-001/IP-P00658/2017-2018/11107