

FAQs on Submission of Claims under Resolution

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By Resolution Team, Vinod Kothari & Company

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Disclaimer: The FAQs below and their responses are our attempt to help potential claimants and are purely for informal guidance. This is neither a legal or professional advice, nor are the responses any statutory/adjudicatory authority's views. Claimants may consult their respective advisers in case of any doubt.

Kindly refer to the FAQs below for any clarification with respect to your claims and submission thereof. Please note that claims which are not in accordance with the requirements of the Code and the Regulations are liable to be ignored/rejected.

1. I am an Operational Creditor of A Ltd., a Company under Corporate Insolvency Resolution Process (hereinafter referred to as 'the Corporate Debtor'). Which Form should I use to file my claim?

An Operational Creditor, other than a workman or employee, will have to fill in **Form B** along with the Affidavit and Verification, provided under the Schedule of IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016) (hereinafter known as 'CIRP Regulations') and submit it to the Resolution Professional (hereinafter referred to as 'RP') (Mr. Vinod Kumar Kothari) of the Corporate Debtor.

(Forms as per Annexure)

2. How should an Operational Creditor, (other than workmen and employee) submit the Form (proof of claim) to the RP?

An Operational Creditor shall submit the Form to the IRP/RP in *person*, by *post* or by *electronic means*.

3. I am Financial Creditor of the Corporate Debtor. Which Form should I use to file my claim?

A Financial Creditor will have to fill in **Form C**, along with the Affidavit and Verification, provided under the Schedule of CIRP Regulations and submit it to the RP of the Corporate Debtor.

(Forms as per Annexure)

4. How should a Financial Creditor submit the Form (proof of claim) to the RP?

A Financial Creditor shall submit the Form to the IRP/RP only by electronic means.

5. I am a workman/employee of the Corporate Debtor and want to submit my claim. How should I submit my proof of claim to the RP of the Corporate Debtor?

You shall submit your claim in **Form D** along with the Affidavit and Verification, provided under the Schedule of CIRP Regulations and submit it to the RP of the Corporate Debtor, in person, by post or by electronic means.

(Forms as per Annexure)

6. I, Mr. X, is authorized by workmen and/employees of the Corporate Debtor to file a proof of claim on their behalf. How should I file the claim?

You are an Authorised Representative of workmen and/employees of the Corporate Debtor. You shall file proof of claim in **Form E** along with the Affidavit and Verification, provided under the Schedule of CIRP Regulations and submit it to the RP of the Corporate Debtor, in person, by post or by electronic means.

(Forms as per Annexure)

7. A creditor other than an Operational Creditor, Workman/Employee and Financial Creditor wants to file his/its proof of claim. Which Form should be used to file the claim?

Such creditor may submit his/its proof of claim in **Form F** along with the Affidavit and Verification, provided under the Schedule of CIRP Regulations and submit it to the RP of the Corporate Debtor in person, by post or by electronic means.

(Forms as per Annexure)

8. Should a Form for filing proof of claim accompany any documentary evidence?

Yes. Every Form for filing proof of claim of a creditor shall be supported by documentary evidence.

For Eg:

- *An Operational Creditor may support his/its claim with invoice/bill of supply of goods/services.*
- *A Financial Creditor may support its claim by financial statements evidencing debt due/unpaid, etc.*
- *A Workman or Employee may support their claim by a proof of employment such as contract of employment, etc.*
- *Any other claimant may support his/its claim with a bank statement showing unpaid debt along with an affidavit to validate such statement, etc.*

In any of the above cases, claim may also be supported by an order of a court or tribunal adjudicating upon non-payment of debt due.

For detailed list of documents that may be used to support a claim by a creditor, kindly refer to Regulation 7, 8, 9 and 9A of [CIRP Regulations](#).

9. What category would a petrol pump owner supplying diesel to the Corporate Debtor fall into?

A petrol pump owner supplying diesel to the Corporate Debtor would fall under the category of an Operational Creditor and shall file his claim in Form B. Refer Section 5(21) of the Insolvency and Bankruptcy Code, 2016 (“the Code”), defining operational debt.

10. What is the format of the Affidavit required to be filed along with the proof of claim?

The format of Affidavit is provided in Schedule in respect of each Form for filing proof of claim. (Forms as per Annexure)

11. Each Form for submission of proof of claim by a creditor requires particulars of mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim made by the creditor. What is meant by such particulars?

There might be instances where debt may also be owed by the creditor towards the Corporate Debtor. Such debts may be referred to as mutual debts/credits between the Corporate Debtor and creditor, which may be set off against the debt/claim of the creditor. In such case, the creditor shall mention the particulars of such mutual debt in the specified space provided in the respective Form for filing proof of claim. (Refer CIRP Regulations by clicking [here](#).)

For example: A Ltd. is a Corporate Debtor owing debt amounting to INR 1000 to OC Ltd. an Operational Creditor for goods supplied by OC Ltd. A Ltd. is in the business of providing HR consultancy services. In its course of business, A Ltd. provided services to OC Ltd., consideration for which amounting to INR 500 is yet to be paid by OC Ltd. Such INR 500 shall be referred to as mutual debt between A Ltd. and OC Ltd. which may be set off against the claim of OC Ltd. amounting to INR 500. Particulars of such mutual debt have to be mentioned against the item no.7 in the table of details of Form B for submission of proof of claim by an Operational Creditor.

12. I am a supplier of goods to the Corporate Debtor, which category of creditors will I fall in?

A supplier of goods and/services to the Corporate Debtor will be an Operational Creditor. Refer Section 5(20) and Section 5(21) of the Code¹.

13. I have lent money to the Corporate Debtor at an interest of 12% p.a. Which category of creditors will I fall in?

Money disbursed against time value of money shall be a financial debt as per the Code and a person to whom such financial debt is owed will be a Financial Creditor. Therefore, you having lent money to the Corporate Debtor against payment of interest will fall under the category of Financial Creditors. Refer Section 5(7) and Section 5(8) of the Code.

14. What is the last date for filing/submitting my claim to the IRP?

Public announcement as available on the website of IBBI and the Corporate Debtor, mentions the last date of submission of claims. Any claimant must refer the same, for the purpose of timely submission of their claims.

You can access the public announcement by clicking [here](#) on the website of IBBI. Alternatively, it can be accessed on the Corporate Debtor's website.

15. What will happen if I don't file the claim by the last date of submission as mentioned in the public announcement?

¹ <http://ibbi.gov.in/webadmin/pdf/legalframework/2017/Jul/IBC%202016.pdf>

In case the claimant is unable to file/submit his/its claim to the IRP by the last date mentioned in the public announcement, the same can be filed later.

However, in case of Financial Creditors, claims received up to the date of first meeting of the Committee of Creditors will be considered for the purpose of calculating voting share in the meeting.

16. Once I file my claim is the IRP/RP bound to admit it?

No, the IRP/RP has to right to reject or partially admit the claim.

17. Does filing of claim means that the Corporate Debtor or the IRP/RP is going to pay me money?

A successful submission of claim by a creditor is not a confirmation/assurance of receipt of debt due. It is merely a representation that a debt is due of respective amount and nature. Acceptance of such claim is subject to the discretion of the IRP/RP, who may admit or reject the claim, in whole or in part as the case may be.

Furthermore, claims are subject to valuation by the IRP/RP. The payment, if any to the creditor will be subject to the order of priority of distribution of the liquidation assets provided under Section 53 of the Code.

18. Having filed the claim, when can I expect the payment to be credited or made?

The priority of payments will be as per the Resolution Plan to be prepared and sanctioned by the Committee of Creditors, and further as per orders of NCLT, including any modifications thereof.

19. Can I withdraw/modify my claim which is already submitted?

You may withdraw/modify your claim within a period of 14 days of original date of submission. (Refer Section 38(5) of the Code)

20. What if I submit a wrong claim or inflate the claim amount, or write wrong particulars?

The submission of a claim is supported by your Affidavit, wherein you are swearing on oath that the particulars are true and correct. Please evaluate the serious implications of doing so.

Your claim forms the basis of the RP computing the liquidation value of the assets and liabilities of the Corporate Debtor. Therefore, you must ensure that the particulars submitted by you are true and correct.

21. My claim was disputed by the Corporate Debtor. Can I still submit the claim?

Yes, but then you must make it clear in your submission, that the Corporate Debtor has disputed the claim.

22. I have a contingent claim. Can I submit such claim?

Yes, but then you must make it clear that the claim is contingent, and clarify the contingency as well.

23. I am holding some securities/assets of the Corporate Debtor against my claim. Should I still submit the claim?

Yes. The assets of the Corporate Debtor form part of its liquidation estate, and your claim ranks as per priority order. Therefore, you must submit the claim and disclose the particulars of the assets/securities you are holding.

24. I have money to receive from the Corporate Debtor, and I have money to pay. Can I set off the two, and therefore, file a claim only for the net amount, or not file a claim if the net amount is negative?

No. You cannot by yourself do any such set off. The set off will be based on set-off rules, and therefore, is subject to evaluation and determination by the RP.

25. OC Ltd. is a supplier of goods to the Corporate Debtor and is therefore an Operational Creditor. FC Ltd. has lent money to the Corporate Debtor and is therefore a Financial Creditor. FC Ltd. assigns its debt to OC Ltd., on account of which OC Ltd. becomes the Financial Creditor of the Corporate Debtor in addition to being an Operational Creditor. Now OC Ltd. wants to file its claim. How should it proceed?

OC Ltd. which is partly an Operational Creditor and partly a Financial Creditor shall submit its claim to the IRP/RP in Form B to the extent the debt is Operational Debt and Form C to the extent the same is Financial Debt.

26. H Ltd. is under Corporate Insolvency Resolution Process. S Ltd. is a subsidiary of H Ltd. Can H Ltd. make a payment on behalf of S Ltd. during Moratorium?

No, the same being a related party transaction shall not be allowed.

27. How do I contact the RP of the Corporate Debtor?

Please send email to resolution@vinodkothari.com.

28. Can I call the RP?

Communication through emails will be preferred.

ANNEXURE

**SCHEDULE
FORM B**

PROOF OF CLAIM BY OPERATIONAL CREDITORS EXCEPT WORKMEN AND EMPLOYEES

(Under Regulation 7 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

[Date]

To

The Interim Resolution Professional / Resolution Professional

[Name of the Insolvency Resolution Professional / Resolution Professional]

[Address as set out in public announcement]

From

[Name and address of the operational creditor]

Subject: Submission of proof of claim.

Madam/Sir,

[Name of the operational creditor], hereby submits this proof of claim in respect of the corporate insolvency resolution process in the case of [name of corporate debtor]. The details for the same are set out below:

PARTICULARS	
1.	NAME OF OPERATIONAL CREDITOR
2.	IDENTIFICATION NUMBER OF OPERATIONAL CREDITOR (IF AN INCORPORATED BODY PROVIDE IDENTIFICATION NUMBER AND PROOF OF INCORPORATION. IF A PARTNERSHIP OR INDIVIDUAL PROVIDE IDENTIFICATION RECORDS* OF ALL THE PARTNERS OR THE INDIVIDUAL)
3.	ADDRESS AND EMAIL ADDRESS OF OPERATIONAL CREDITOR FOR CORRESPONDENCE

4.	TOTAL AMOUNT OF CLAIM (INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)	
5.	DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED.	
6.	DETAILS OF ANY DISPUTE AS WELL AS THE RECORD OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS	
7.	DETAILS OF HOW AND WHEN DEBT INCURRED	
8.	DETAILS OF ANY MUTUAL CREDIT, MUTUAL DEBTS, OR OTHER MUTUAL DEALINGS BETWEEN THE CORPORATE DEBTOR AND THE CREDITOR WHICH MAY BE SET-OFF AGAINST THE CLAIM	
9.	DETAILS OF ANY RETENTION OF TITLE ARRANGEMENTS IN RESPECT OF GOODS OR PROPERTIES TO WHICH THE CLAIM REFERS	
10.	DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN	
11.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	

Signature of operational creditor or person authorised to act on his behalf
[Please enclose the authority if this is being submitted on behalf of an operational creditor]

Name in BLOCK LETTERS

Position with or in relation to creditor

Address of person signing

*PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India

AFFIDAVIT

I, *[name of deponent]*, currently residing at *[insert address]*, do solemnly affirm and state as follows:

1. *[Name of corporate debtor]*, the corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20 , justly and truly indebted to me in the sum of Rs. *[insert amount of claim]*.
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:

[Please list the documents relied on as evidence of claim]

3. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
4. In respect of the said sum or any part thereof, I have not nor has any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following:

[Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.]

Solemnly, affirmed at *[insert place]* on _____ day, the _____ day of _____ 20_____

Before me,

Notary / Oath Commissioner

Deponent's signature

VERIFICATION

I, the Deponent hereinabove, do hereby verify and affirm that the contents of paragraph _____ to ___ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at _____ on this _____ day of _____ 201_____

Deponent's signature

**SCHEDULE
FORM C**

PROOF OF CLAIM BY FINANCIAL CREDITORS

(Under Regulation 8 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

[Date]

To
The Interim Resolution Professional / Resolution Professional,
[Name of the Insolvency Resolution Professional / Resolution Professional]
[Address as set out in public announcement]

From
[Name and address of the registered office and principal office of the financial creditor]

Subject: Submission of proof of claim.

Madam/Sir,

[Name of the financial creditor], hereby submits this proof of claim in respect of the corporate insolvency resolution process in the case of [name of corporate debtor]. The details for the same are set out below:

PARTICULARS	
1.	NAME OF FINANCIAL CREDITOR
2.	IDENTIFICATION NUMBER OF FINANCIAL CREDITOR (IF AN INCORPORATED BODY PROVIDE IDENTIFICATION NUMBER AND PROOF OF INCORPORATION. IF A PARTNERSHIP OR INDIVIDUAL PROVIDE IDENTIFICATION RECORDS* OF ALL THE PARTNERS OR THE INDIVIDUAL)
3.	ADDRESS AND EMAIL ADDRESS OF FINANCIAL CREDITOR FOR CORRESPONDENCE.

PARTICULARS		
4.	TOTAL AMOUNT OF CLAIM INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)	
5.	DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED	
6.	DETAILS OF HOW AND WHEN DEBT INCURRED	
7.	DETAILS OF ANY MUTUAL CREDIT, MUTUAL DEBTS, OR OTHER MUTUAL DEALINGS BETWEEN THE CORPORATE DEBTOR AND THE CREDITOR WHICH MAY BE SET-OFF AGAINST THE CLAIM	
8.	DETAILS OF ANY SECURITY HELD, THE VALUE OF THE SECURITY, AND THE DATE IT WAS GIVEN	
9.	DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN	
10.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	

Signature of financial creditor or person authorised to act on his behalf <i>[Please enclose the authority if this is being submitted on behalf of an operational creditor]</i>
Name in BLOCK LETTERS
Position with or in relation to creditor
Address of person signing

*PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India.

AFFIDAVIT

I, *[name of deponent]*, currently residing at *[insert address]*, do solemnly affirm and state as follows:

- 1. *[Name of corporate debtor]*, the corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20 , justly and truly indebted to me in the sum of Rs. *[insert amount of claim]*.
- 2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:

[Please list the documents relied on as evidence of claim]

- 3. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
- 4. In respect of the said sum or any part thereof, I have not nor has any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following:

[Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.]

Solemnly, affirmed at *[insert place]* on _____ day, the _____ day of _____ 20_____

Before me,

Notary/ Oath Commissioner

Deponent's signature

VERIFICATION

I, the Deponent hereinabove, do hereby verify and affirm that the contents of paragraph _____ to ___ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at _____ on this _____ day of _____ 201 _____

Deponent's signature

**SCHEDULE
FORM D**

PROOF OF CLAIM BY A WORKMAN OR AN EMPLOYEE

(Under Regulation 9 of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

[Date]

To

The Interim Resolution Professional / Resolution Professional

[Name of the Insolvency Resolution Professional / Resolution Professional]

[Address as set out in public announcement]

From

[Name and address of the workman / employee]

Subject: Submission of proof of claim.

Madam/Sir,

[Name of the workman / employee], hereby submits this proof of claim in respect of the corporate insolvency resolution process in the case of [name of corporate debtor]. The details for the same are set out below:

PARTICULARS	
1.	NAME OF WORKMAN / EMPLOYEE
2.	PAN NUMBER, PASSPORT, THE IDENTITY CARD ISSUED BY THE ELECTION COMMISSION OF INDIA OR AADHAAR CARD OF WORKMAN / EMPLOYEE
3.	ADDRESS AND EMAIL ADDRESS (IF ANY) OF WORKMAN / EMPLOYEE FOR CORRESPONDENCE
4.	TOTAL AMOUNT OF CLAIM (INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)

PARTICULARS		
5.	DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE CLAIM CAN BE SUBSTANTIATED.	
6.	DETAILS OF ANY DISPUTE AS WELL AS THE RECORD OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS	
7.	DETAILS OF HOW AND WHEN CLAIM AROSE	
8.	DETAILS OF ANY MUTUAL CREDIT, MUTUAL DEBTS, OR OTHER MUTUAL DEALINGS BETWEEN THE CORPORATE DEBTOR AND THE CREDITOR WHICH MAY BE SET-OFF AGAINST THE CLAIM	
9.	DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN	
10.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	

Signature of workman / employee or person authorised to act on his behalf <i>[Please enclose the authority if this is being submitted on behalf of an operational creditor]</i>
Name in BLOCK LETTERS
Position with or in relation to creditor
Address of person signing

AFFIDAVIT

I, *[name of deponent]*, currently residing at *[insert address]*, do solemnly affirm and state as follows:

1. *[Name of corporate debtor]*, the corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20 , justly and truly indebted to me in the sum of Rs. *[insert amount of claim]*.
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:

[Please list the documents relied on as evidence of claim]

3. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
4. In respect of the said sum or any part thereof, I have not nor has any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following:

[Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.]

Solemnly, affirmed at *[insert place]* on _____ day, the _____ day of _____ 20_____

Before me,

Notary/ Oath Commissioner

Deponent's signature

VERIFICATION

I, the Deponent hereinabove, do hereby verify and affirm that the contents of paragraph _____ to ___ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at _____ on this _____ day of _____ 201_____

Deponent's signature

SCHEDULE
FORM E

PROOF OF CLAIM SUBMITTED BY AUTHORISED REPRESENTATIVE OF WORKMEN AND EMPLOYEES

(Under Regulation 9 of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

[Date]

To

The Interim Resolution Professional / Resolution Professional,
[Name of the Insolvency Resolution Professional / Resolution Professional]
[Address as set out in public announcement]

From

[Name and address of the duly authorised representative of the workmen / employees]

Subject: Submission of proofs of claim.

Madam/Sir,

I, [name of authorised representative of the workmen / employees], currently residing at [address of authorised representative of the workmen / employees], on behalf of the workmen and employees employed by the above named corporate debtor and listed in Annexure A, solemnly affirm and say:

1. That the above named corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20 , justly truly indebted to the several persons whose names, addresses, and descriptions appear in the Annexure A below in amounts severally set against their names in such Annexure A for wages, remuneration and other amounts due to them respectively as workmen or/ and employees in the employment of the corporate debtor in respect of services rendered by them respectively to the corporate debtor during such periods as are set out against their respective names in the said Annexure A.
2. That for which said sums or any part thereof, they have not, nor has any of them, had or received any manner of satisfaction or security whatsoever, save and except the following:

[Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.]

Deponent

ANNEXURE

1. Details of Employees/ Workmen

S NO.	NAME OF EMPLOYEE/ WORKMAN	IDENTIFICATION NUMBER (PAN NUMBER, PASSPORT OR AADHAAR CARD)	TOTAL AMOUNT DUE (RS.)	PERIOD WHICH DUE	OVER AMOUNT
1.					
2.					
3.					
4.					

2. Particulars of how debt was incurred by the corporate debtor, including particulars of any dispute as well as the record of pendency of suit or arbitration proceedings (if any).
3. Particulars of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.

ATTACHMENTS:

- (a) Documents relied as evidence as proof of debt and as proofs of non-payment of debt.
- (b) Affidavit in the form set out in this Form E.

AFFIDAVIT

[PLEASE SUBMIT IF APPLICATION SUBMITTED BY AUTHORISED REPRESENTATIVE ON BEHALF OF WORKMEN/ EMPLOYEES]

I, *[name of deponent]*, currently residing at *[insert address]*, do solemnly affirm and state as follows:

1. *[Name of corporate debtor]*, the corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20 , justly and truly indebted to me in the sum of Rs. *[insert amount of claim]*.
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:

[Please list the documents relied on as evidence of claim]

3. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
4. In respect of the said sum or any part thereof, I have not nor has any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following:

[Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.]

Solemnly, affirmed at *[insert place]* on _____ day, the _____ day of _____ 20_____

Before me,

Notary/ Oath Commissioner

Deponent's signature

VERIFICATION

I, the Deponent hereinabove, do hereby verify and affirm that the contents of paragraph _____ to ___ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at _____ on this _____ day of _____ 201 _____

Deponent's signature

FORM F

PROOF OF CLAIM BY CREDITORS (OTHER THAN FINANCIAL CREDITORS AND OPERATIONAL CREDITORS)

[Under Regulation 9A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016]

Date

To

The Interim Resolution Professional / Resolution Professional

[Name of the Insolvency Resolution Professional / Resolution Professional]

[Address as set out in public announcement]

From

[Name and address of the creditor]

Subject: Submission of proof of claim.

Madam / Sir,

I, *[Name of the creditor]*, hereby submit the following proof of claim in respect of the corporate insolvency resolution process in the case of *[name of corporate debtor]*. The details of the same are set out below:

PARTICULARS

1.	Name of the creditor	
2.	Identification number of the creditor (If an incorporated body corporate, provide identification number and proof of incorporation. If a partnership or individual, provide identification record* of all partners or the individuals)	
3.	Address and email address of the creditor for correspondence	
4.	Description of the claim (Including the amount of the claim as at the insolvency commencement date)	
5.	Details of documents by reference to which claim can be substantiated	
6.	Details of how and when the claim arose	
7.	Details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim	

8.	Details of: a. any security held, the value of security and its date, or b. retention title arrangement in respect of goods or properties to which the claim refers	
9.	Details of bank account to which the amount of the claim or any part thereof can be transferred pursuant to a resolution plan	
10.	List of documents attached to this claim in order to prove the existence and non- satisfaction of claim due to the creditor	
Signature of the creditor or any person authorised to act on his behalf (Please enclose the authority if this is being submitted signed on behalf of the creditor)		
Name in BLOCK LETTERS		
Position with or in relation to the creditor		
Address of the person signing		

* PAN, Passport, AADHAAR or the identity card issued by the Election Commission of India.

AFFIDAVIT

I, [*name of deponent*], currently residing at [*insert address*], do solemnly affirm and state as follows:

1. [*Name of corporate debtor*], the corporate debtor was, at the insolvency commencement date, being the _____ day of _____ 20__, justly and truly indebted to me for the claim, the value of which amounts to Rupees. [*insert amount of claim*].
2. In respect of my claim, I have relied on the documents specified below:
[*Please list the documents relied on as evidence of claim*]
3. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
4. In respect of the claim, I have not nor has any person, by my order, to my knowledge or belief, for my use, had or received any manner of satisfaction or security whatsoever, save and except the following (if any):
[*Please state details of any mutual credit, mutual debts, or other mutual dealings between the corporate debtor and the creditor which may be set-off against the claim.*]

Solemnly, affirmed at [*insert place*] on _____ day, the _____ day of _____ 20_____.

Before me,

Notary / Oath Commissioner

Deponent's signature

VERIFICATION

I, the Deponent hereinabove, do hereby verify and affirm that the contents of paragraph ____ to __ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at _____ on this _____ day of _____ 201__.

Deponent's signature