

# INVITATION FOR EXPRESSION OF INTEREST FOR HEMA ENGINEERING INDUSTRIES LIMITED

## A. BACKGROUND

Hema Engineering Industries Limited, promoted by Mr. Krishan Kumar Jajoo, Mr. Chandresh Jajoo, Mrs. Monica Jajoo and M/s Kay Jay Fincap Limited was incorporated on 22-09-1987 with CIN U74210DL1987PLC029299 and has its registered office at Sachidanand Farm House, Kishangarh Village, Opp. Swimming Pool, DDA Sports Complex, Lane Green Avenue, Vasant Kunj, New Delhi - 110070. The company is primarily engaged in the business of manufacturing of sheet metal automotive components for major OEMs like Hero MotoCorp Limited, TVS Motor Company Limited etc.

The company has following manufacturing units:-

## B. OWNED FACILITIES

- 1. Unit I (Khandsa Road):** The unit is located at 1/3 Km, Khandsa Road, Gurgaon. The unit has a land area of 22,529 square meters. The unit was manufacturing component like frame, swing arm, top bridge mainly for Hero Motorcop Limited Presently the unit is not operational and no plant and machinery is presently available there.
- 2. Unit II (Hosur):** The unit is located at 214/2, Upparapalli Village, Mathakondapalli P. O., Thally Road, Hosur, Tamilnadu -635114. The unit has a land area of approx. 30,300 square meters with built up area of 13,767 sq mteres. The unit is manufacturing silencers, mufflers and related accessories mainly for TVS Motor Company Limited. The unit has recorded a turnover of Rs. 269 Crores for the financial year 2020-2021.
- 3. Unit IV (Hosur Unit):** The unit is located at Survey No.713/714, Poonapally Panchayat, Thally Road, Hosur Taluk, Krishangiri District, Tamilnadu - 635114. The unit has a land area of 22,453 square meters with a built up area of 12,569 square meters. The unit has a turnover of Rs. 28 Crores in F Y 2020-2021 and is mainly supplying to Unit II.

- 4. Unit VIII (Haridwar):** The unit is located at Plot no.4, Industrial Park-2, Salempur Mehdoon, Haridwar – 249403 (Uttarakhand). It has a land area of approx. 4,556 square meters. The unit was manufacturing frames, swing arms, top bridge and other automotive components mainly for Hero Motorcop Limited, Haridwar. Unit is presently not operational.
- 5. Unit XI (Haridwar):** The unit is located at Khasra No 1394, Salempur Mehdoon, Paragana Roorkee-2, Haridwar, Uttarakhand - 247667. It has a land area of approx. 6,840 square meters. The unit was manufacturing frames, swing arms, top bridge and other automotive components mainly for Hero Motorcop Limited, Haridwar. Unit is presently not operational.
- 6. Unit XV (Kakkalur):-** The unit is located at Plot No G-77, Shed No 47, Sidco Indl. Estate, Kakkalur, Dist – Thiruvallur, Tamilnadu – 602003. It has a land area of approx. 0.84 Acres. The units were set up for supplying the materials to Royal Enfield but the same was closed few months back and presently no plant and machinery is available there.
- 7. Unit XVII (Haridwar):-** The unit is located at Bawli Kanlanjari, Haridwar, Uttarakhand – 247667. It has a land area of 16,610 sq meters. This unit consists only the land and small prefabricated shed.
- 8. Unit XVIII (Hoshiarpur):-** The unit is located at Hadbast No. 266, Tehsil Hoshiarpur, Marnain Khurd, Hoshiarpur, Punjab – 144208 and has a land area of 6.43125 acres. The unit consists only the land and building is under construction thereon.
- 9. Unit XIX ( Dharuhera):-** 69<sup>th</sup> KM , Delhi Jaipur Highway , Dharuhera , Rewari – 123106, Haryana. This is the Sprocket unit of Omax Autos Limited and was purchased by HEIL on 23<sup>rd</sup> January 2020 along with all the plant and machinery, equipment etc. The unit has an area of 16 Kanals and presently is not operational.

### **C. LEASED FACILITIES**

- 10. Unit VII (Dharuhera):-** The unit is located at 69<sup>th</sup> KM, Delhi Jaipur Highway, Dharuhera, Rewari – 123106, Haryana and owned by M/s Kay Jay Fincap Limited, a

shareholding company of HEIL. It has a covered area of about 87,398 square feet. The lease has been terminated in March 2021, though the assets including plant and machinery belonging to HEIL are still lying there. Unit is presently not operational.

**11. Unit XII (Nalagarh):-** The unit is located at Village Belideyor, Khasra No. 175 to 180, 183, 188 to 196, Paragna, Tehsil Nalagarh, Distt. Solan, Himachal Pradesh – 174101 and has an area of approx. 15942 square meters. It has been taken on lease by HEIL and the validity of lease is till 31.03.2041. This unit was set up supplying to TVS Motor Company Limited, Nalagarh but presently unit is not operational.

**12. Unit XVI (Halol):-** The unit is located at Plot No 1601, G.I.D.C Halol, Tal - Halol, Dist- Panchmahal, Halol, Gujarat – 389350 and has an area of approx. 14,800 square meters and was taken on lease by HEIL. The lease has been terminated in December 2020 but the assets of the company including plant and machinery are still lying there. HEIL has set up a powder coating plant there.

**13. Unit XIX (Sindhrawali):-** The unit is located at 64<sup>th</sup> KM Stone, Delhi Jaipur Highway, Village Sidhrawali, Gurgaon – 122413, Haryana and has a land area of 5.3417 acres. This unit is known as Speedomax Unit and was to be purchased by HEIL under an asset purchase agreement dated 22.05.2019 but due to non-payment of the consideration, the asset could not be registered in the name of HEIL and still on lease in terms of lease agreement dated 11.06.2019.

The company at its peak, was one of the **largest auto ancillary manufacturer** of the country and has The company has world class production facilities which are commensurate with global standards and includes a range of modern gears like CNC tube bending machines, auto-feed presses, SPM and Seam welding machines, Robotic Welding among others.

The plants are equipped with fully automated and conveyerised painting and power coated lines, high-tech PLC controlled Tri-Nickel plating plants and Non-Cyanide Alkaline Zinc Plating plants. The group specializes in providing with durable and corrosion resistant finishes. Further sophistications include an in-house CAD/CAM facility, advanced

software like Pro/ENGINEER, industrial wire cutting machines, a machining center for tool making and a well-resourced training center.

#### **D. PRODUCTS RANGE**

As an OEM of M/s Hero Moto Corp, TVS, Yamaha and other Auto Majors, the Group supplies the following major parts:

- Frames for 2 wheelers
- Chassis parts
- Front and Rear Fork parts
- Front and Rear Panel parts
- Muffler (Silencer) and its parts
- Shock Absorbers & Strut parts
- Spoke & Nipples
- Handle Bar
- Seating Mechanisms
- Seat parts

The company was performing well till FY 2018-19, during which it achieved turnover of Rs.1,653 Crore and PBT of Rs.32.55 crore (*As per Standalone Audited results of HEIL*). Subsequently the performance of the company started declining due to various factors, as in FY 2019-20 though it was able to achieve a turnover of Rs.1,414 crore, but it recorded net loss of Rs. 99.88 Crore in the same FY (*As per Standalone Audited results of HEIL*).

#### **E. TRANSACTION PROCESS**

The transaction process has been outlined below:-

- a) Invitation for Expression of Interest (“EOI”)
- b) Confidentiality undertaking by the Resolution Applicants (RAs) along with the supporting documents annexed to the EoI;
- c) On receipt of declaration of eligibility from the RA and receipt of the executed confidentiality undertaking, the RA will be provided with:
  - The Information Memorandum prepared as per provisions of the Insolvency and Bankruptcy Code (“IBC”), 2016.

- Access to the data and information to be provided for due diligence.
- Request for Resolution Plan ('RFRP') outlining the next steps along with the evaluation criteria.

## **F. SUBMISSION OF EXPRESSION OF INTEREST**

- i. Expression of Interest ("EoI") is invited in a plain sealed envelope superscripted as "Expression of Interest for participating in CIRP of Hema Engineering Industries Limited", in the format as set out in Annexure '1'.
- ii. Applicants should meet the Eligibility Criteria as set out as Annexure '2' of Format for EOI.
- iii. Applicants should submit the EoI along with the supporting documents set out as Annexure '1A'.
- iv. Applicant is also required to submit the following undertakings as set out in Annexure 3, Annexure 4 and Annexure 5 of Format for EOI respectively along with the EoI.
- v. All Potential Resolution Applicant provide the EoI on or before 6<sup>th</sup> July 2021 addressed to the RP at Mr. Vikas Garg (Resolution Professional), Immaculate Resolution Professionals Pvt. Ltd, Unit No. 111-112, First Floor, Tower-A, Spazedge Commercial Complex, Sector-47, Sohna Road, Gurgaon - 122018 in a sealed envelope through speed post/registered post or by hand delivery. A soft copy of the Expression of Interest along with the required annexures must be emailed to cirp.hemaengg@gmail.com in a protected PDF format and password must be shared in a separate email.

[On the Letterhead of the Entity Submitting the Expressions of Interest EOI]

**ANNEXURE-1  
FORMAT FOR EXPRESSION OF INTEREST**

Date: \_\_-6-2021

To,  
Mr. Vikas Garg  
Resolution Professional  
Immaculate Resolution Professionals Private Limited  
Unit No. 111-112, First Floor, Tower-A,  
Spazedge Commercial Complex,  
Sector-47, Sohna Road, Gurgaon - 122018

**Subject: Expression of Interest ('EOI') for identification as Prospective Resolution Applicant for Hema Engineering Industries Limited.**

Dear Sir,

In response to the invitation for EOI for identification of prospective resolution applicants, we hereby express our interest for participation in the Corporate Insolvency Resolution Process (CIRP) of Hema Engineering Industries Limited as a prospective resolution applicant and herewith submit our EOI for consideration by the Resolution Professional ('RP') and Committee of Creditors ('COC') of Hema Engineering Industries Limited. Along with our EOI, we have also provided information as required in the prescribed format in **Annexure-1** and enclosed documents as listed in **Annexure-2**.

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. Further, we agree and acknowledge and undertake that:

- (a) We are not ineligible to be resolution applicant in terms of provisions of Section 29A of the Insolvency and Bankruptcy Code, 2016, and have duly enclosed our affidavit to that affect.
- (b) My/Our net worth is Rs. \_\_\_\_\_ crore as on 31-3-2021. Net worth certificate obtained from practicing CA/CS and audited financial statements for the year ended 31-3-2018/31-3-

2019/31-03-2020 and provisional balance sheet as at 31.03.2021 are enclosed in support of the same.

- (c) Mr. \_\_\_\_\_ has been authorised on behalf of the applicant to submit the EOI and Board Resolution/Authority Letter/Power of Attorney authorising him is enclosed.
- (d) We acknowledge that any and all information that may be provided to us in respect of Hema Engineering Industries Limited is confidential and shall be used by us solely for the purpose of participation in the CIRP and have duly enclosed our confidentiality undertaking as per Section 29(2) of the Insolvency and Bankruptcy Code, 2016.
- (e) We have enclosed our undertaking as required under Regulation 36A(7) of the IBBI (CIRP) Regulations, 2016.
- (f) We understand that in case we are shortlisted as Prospective Resolution Applicant by the COC, we shall be issued an invitation by the RP for submission of the Resolution Plan. We shall be entitled to participate in the further process only on receipt of said invitation from the RP. Invitation for Resolution Plan may contain such further conditions including but not limited to conditions with respect to Earnest Money Deposit, furnishing of Performance Guarantee etc.
- (g) The RP/ the COC reserve the right to request for additional information or clarification from us for the purposes of the EOI and we shall promptly comply with such requirements. Failure to address the queries of RP/ COC may lead to rejection of our EOI.
- (h) The RP/ the COC reserves the right to shortlist the Prospective Resolution Applicant at their sole discretion and may reject the EOI submitted by us without assigning any reason/without any liability whatsoever;

Yours Sincerely,

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

Signature: \_\_\_\_\_

Name of Signatory:

Designation:

Company Seal/Stamp

Enclosures:-

Annexure -1 : Expression of Interest and Supporting Documents

Annexure-2: Confirmation for meeting eligibility criteria

Annexure-3 : Affidavit u/s 29 A

Annexure-4: Confidentiality Undertaking

Annexure-5 : Undertaking under Regulation 36A(7)



## ANNEXURE-1 FORMAT FOR EXPRESSION OF INTEREST

### I. Applicant Details

#### 1. Name and Address:

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

#### 2. Date of Establishment:

#### 3. Core Area of Expertise:

#### 4. Authorised Person (Please enclose Authority Letter/ Board Resolution / Power of Attorney in respect of authorisation)

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

*[Note: In case of Joint Applicants, please provide aforesaid details in respect of all the applicants]*

### II. Applicant Profile

[Note: The applicant profile should necessarily include net worth and revenue details of the preceding three years. Where the entity submitting the EOI is a financial investor /fund, please also provide details pertaining to 'assets under management' for the preceding three years or the committed funds available as on March 31, 2019 / March 31, 2020 / March 31, 2021 for investment.]

### III. Experience of the Applicant in the similar / allied industries (if applicable)

### IV. Technical and Financial Capabilities including capacity to invest in Hema Engineering Industries Limited.

### V. Details of Connected Persons to be provided as follows:-

Shareholders :- Name, address, fathers's name, Adhar No., CIN/PAN/LLPIN/, No. of Shares, Percentage of Holding

Directors:- Name, address, father's name, Adhar No., PAN, Designation, Date of Appointment

## **LIST OF SUPPORTING DOCUMENTS TO BE ENCLOSED**

Documents to be enclosed

1. KYC Documents (Incorporation documents like MOA/AOA, PAN, Address Proof)
2. Certificate of Net worth by practicing CA/CS as on 31-3-2019/ 31-03-2020/31-03-2021.
3. Audited Financial Statements for last 3 years and provisional financial statements as at 31.03.2021.
4. Affidavit that the Applicant is not ineligible to be a Resolution Applicant under Section 29A of IBC, 2016, on a stamp paper of Rs. 100 (as per format A)
5. Confidentiality Undertaking (as per format B)
6. Board Resolution/Authority Letter/Power of Attorney authorising submission of Expression of Interest.
7. Undertaking under Regulation 36A (7) of IBBI (CIRP) Regulations 2016, on a stamp paper of Rs. 100. (as per format C)

**ANNEXURE-2**  
**ELIGIBILITY CRITERIA**

**Earnest Money Deposit:-**

Refundable Earnest Money Deposit (non-interest bearing)	<ul style="list-style-type: none"><li>• Rs. 1,00,00, 000 (Through Demand Draft in the name of corporate debtor) along with EOI</li><li>• Rs. 4,00,00, 000 (Through Demand Draft in the name of corporate debtor) along with Resolution Plan</li></ul>
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Minimum qualifications for applicants to approach the Resolution Professional of the Corporate Debtor for the purpose of participating in the process are as under:

**A. For Body Corporates (Any private limited company or public limited company registered under the Companies Act or Limited Liability Partnership (LLP)/Individuals:**

- Average Minimum consolidated net worth of INR 100 Crores at group level for last three years.
- Average Minimum turnover of INR 500 Crores at group level for last three years. (*preference should be given to applicant having track record of manufacturing and supplying Original Equipment Manufacturers in automobile space*)

**B. For Financial Institutions/ PE Funds / Trusts/ Asset Reconstruction Companies/ Non-Banking Finance Companies/ other financial investors:**

- Average Minimum assets under management of INR 500 Crores in last three financial years.

**C. For Joint Investors:**

- Net Worth of all investors acting jointly shall be added to ascertain the test of minimum net worth of INR 100 Crores.
- The net worth of each joint investor shall not be less than INR 15 Crores.
- The net worth of lead investor shall be not less than INR 30 crores with minimum equity contribution of at least 26%.
- The weighted average will be given on the basis of the net worth of each individual investor to calculate their equity contribution in the consortium.

**D. For qualification, it would be mandatory for the bidders to submit:**

- For all Bidders: Cover letter being the expression of interest with business profile.
- For Body Corporates / Individuals: Notarised Affidavit of “Net Worth certificate” along with supporting documents.
- For Body Corporates: Audited financial statements for the financial years i.e. March 31, 2021, (in case audited financial statements for financial year March 31, 2021 are not available, then provisional accounts certified by a Chartered Accountant will suffice), March 31, 2020, and March 31, 2019.
- For Individuals: Income Tax Returns for the last three financial years i.e. March 31, 2021, March 31, 2020 and March 31, 2019.
- For Financial Institutions/ Funds/ Trusts/ PE investors: "AUM or Committed funds certificate” from an independent reputed CA firm or their statutory auditors or equivalent (for jurisdictions outside India) along with supporting documents

**E. For all Bidders: Certificate or Undertaking from a director or duly authorized signatory (along with proof of authority) that:**

- I. to the best of its knowledge, every information and records provided in the expression of interest is true and correct;
- II. subject to applicable laws, to forthwith notify the RP of any factor that may make the applicant ineligible to participate in the corporate insolvency resolution process;
- III. and to furnish further information or documents to the RP as may be reasonably required to verify that the applicant meets the criteria set out in the EOI.

In case the financial year end is different from 31 March 2021, then the applicant may provide financials of the immediately preceding financial year and provisional statements till March 31, 2021.

Board Resolution / letter of authority / power of attorney, as the case may be, authorizing the signatory to sign and submit the EoI documents.

Affidavit u/s 29A (Annexure-3)

Confidentiality Undertaking (Annexure-4)

Undertaking under Regulation 36A(7) (Annexure-5)

**F. Other Terms and Conditions**

- If any false information or record has been submitted by the Potential Resolution Applicant, it will render the Potential Resolution Applicant ineligible to participate in the process;
- The fulfilment of eligibility conditions in the EoI does not automatically entitle the applicant to participate in the corporate insolvency resolution process which will be subject to applicable laws and further conditions stipulated by RP or Committee of Creditors (“COC”), in their sole discretion, including those in relation to access to Virtual Data Room (“VDR”) or as may be stipulated under the Request for Resolution Plan document. Further, RP and COC reserve the right to issue clarifications, amendments and modification to the EOI document or to waive or relax any term or condition or its application in any particular case, in each case as they may deem fit in their sole discretion. The RP and COC reserve the right to reject any and all applications in their sole discretion without assigning any reasons. Further, the expression of interest
- A Potential Resolution Applicant (RA) must be eligible to submit a Resolution Plan in accordance with the provision of Section 29A of IBC. For this purpose, the Potential RA should give a declaration supported by an affidavit hereto stating that it does not suffer from any of the disqualifications provided under Section 29A of IBC. In case of any Resolution Applicants submitting a joint Resolution Plan, 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) of IBC may submit a resolution plan, provided that it undertakes to 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 three days before the last day for submission of resolution plan
- A Prospective Resolution Applicant must be a fit and proper person, should not suffer from any legal disability to be a promoter under the applicable laws.
- No oral conversations or agreements with the RP or any official, agent or employee of the RP, or any member of the COC shall affect or modify any terms of this EoI.
- Neither the Potential Resolution Applicant nor any of representatives of the Potential Resolution Applicant shall have any claims whatsoever against the RP or its advisors or any member of the COC or any of their directors, officials, agents or employees arising out of or relating to this EoI.

- By submitting a proposal, each prospective Potential Resolution Applicant bidder shall be deemed to acknowledge that it has carefully read the entire EoI and has fully informed itself as to all existing conditions and limitations. Ignorance of law/s will not be treated as any excuse.
- The Potential Resolution Applicant acknowledges that the investment in the Corporate Debtor shall be made by the Potential Resolution Applicant on an “as in, where is” basis and the RP or the COC will not be providing any representations or warranties for the Corporate Debtor.
- All the EOIs received will be reviewed by RP in consultation with its advisors and COC and a provisional list of eligible Potential Resolution Applicants shall be shared in accordance with IBC and CIRP Regulations.

**Joint Investors:**

Where the EoI is being submitted by a Joint Investors of joint bidders (“Joint Investors”), the EoI, along with all undertakings submitted shall be signed by each member of the Joint Investors. Please further note that:

- a) A Person cannot be part of more than 1 (one) Joint Investors submitting the EoI for the Company. Further a Person shall submit only 1 (one) EOI, either individually as a Prospective Resolution Applicant or as a constituent of a Joint Investors;
- b) The Joint Investors shall submit the copy of Joint Investors agreement/MOU, if any, entered into between the Joint Investors members, setting out the respective obligations of the Joint Investors members;
- c) Each member of the Joint Investors shall nominate and authorize a Lead Partner to represent and act on behalf of the members of the Joint Investors. Such Lead Partner shall be the single point of contact on behalf of the Joint Investors with the Resolution Professional and the CoC, their representative and advisors in connection with all matters pertaining to the Joint Investors;
- d) The members of the Joint Investors shall be jointly and severally liable in respect of obligations under the EOI/ undertakings given to the Resolution Professional;
- e) If any 1 (one) member of the Joint Investors is disqualified under Section 29A of the Code, then the entire Joint Investors; i.e., all the members of such Joint Investors shall stand disqualified;

- f) The EOI must detail the members of the Joint Investors, the Lead Member and the proposed percentage holding of each member;
- g) Lead Member of the Joint Investors shall be identified at the time of submission of EOI and shall hold at least 26%; and
- h) No change of Lead Member or any member whose financials have been considered towards the eligibility criteria may be permitted post submission of EOI (except with approval of the COC).

### **Annexure-3**

(on stamp paper of Rs. 100)

#### **AFFIDAVIT**

1. I, \_\_\_\_\_S/o \_\_\_\_\_, aged about \_\_\_ years, Managing Director / Director of M/S \_\_\_\_\_ do hereby solemnly affirm and state as under:
2. That I am the authorized signatory on behalf of the applicant, [Name of the Applicant] and as such, I am fully conversant with the facts and circumstances of the case and hence, competent to depose by way of present affidavit.
3. That I state that [Name of the Applicant] , is aware that Hema Engineering Industries Limited is undergoing Corporate Insolvency Resolution Process(CIRP) under chapter II of the Insolvency and Bankruptcy Code, 2016 pursuant to order of Hon'ble NCLT, Bench-III, New Delhi dated 05.04.2021, in C. P. (IB) No. 900(ND)/2020.
4. That I state that [Name of the Applicant], is not ineligible to be Resolution Applicant in respect of Hema Engineering Industries Limited. under the provision of section 29A of The Insolvency and Bankruptcy Code, 2016 as amended by The Insolvency and Bankruptcy Code(Amendment) Act , 2017.
5. That [Name of the Applicant], and/or any connected person is not an undischarged insolvent;
6. That [Name of the Applicant], and/or any connected person is not a wilful defaulter in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949;
7. That at the time of submission of the resolution plan [Name of the Applicant], and/or any connected person do not have an account, or an account of a corporate debtor under the management or control of [Name of the Applicant] or of whom [Name of the Applicant] is a promoter, classified as non- performing asset in accordance with guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 or the guidelines of a financial sector regulator issued under any other law for the time being in force;



8. That directors of [Name of the Applicant], and/or any connected person have not been convicted for any offence punishable with imprisonment for two years or more under any Act specified under the Twelfth Schedule; or for seven years or more under any other law for the time being in force:
9. That directors of [Name of the Applicant], and/or any connected person is not disqualified to act as a director under the Companies Act, 2013;
10. That [Name of the Applicant], and/or any connected person are not prohibited by the Securities and Exchange Board of India from trading in securities or accessing the securities market;
11. That [Name of the Applicant], and/or any connected person has not been a promoter or in the management or control of the corporate debtor in which a preferential transaction , undervalued transaction, extortionate credit transaction or fraudulent transaction has taken place and in respect of which an order has been made by the Adjudicating Authority under this Code;
12. That [Name of the Applicant], and/or any of the Directors of [Name of the Applicant], namely [Name of all Directors/ Partners of the Applicant] have not executed a guarantee in favour of a creditor in respect of a corporate debtor against which an application for insolvency resolution made by such creditor has been admitted under this Code and such guarantee has been invoked by the creditor and remains unpaid in full or part;
13. That during the Resolution Process, no person who would be considered as Connected Person and is not eligible to submit resolution plan under section 29A of The Insolvency and Bankruptcy Code, 2016 and regulation 38 of IBBI (Insolvency Resolution Process of Corporate Person) regulations, 2016 shall be engaged in the management and control of corporate debtor.
14. That [Name of the Applicant], and/or any of connected person are not subject to any disability, corresponding to clause (1) to (13) under any law in a jurisdiction outside India.

For [Name of the Applicant]

[Name]

[Designation]

[On the Letterhead of the Entity Submitting the Expressions of Interest EOI]

**Annexure-4**  
**Confidentiality Undertaking**

Date: \_\_\_\_\_

To,

Mr. Vikas Garg  
Resolution Professional  
Immaculate Resolution Professionals Private Limited  
Unit No. 111-112, First Floor, Tower-A,  
Spazedge Commercial Complex,  
Sector-47, Sohna Road, Gurgaon - 122018

Dear Sir,

**Sub: Undertaking in terms of Section 29(2) of the Insolvency and Bankruptcy Code, 2016 read with Regulation 36(4) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Person) Regulation, 2016.**

We are interested in participation in Corporate Insolvency Resolution Process (CIRP) in respect of Hema Engineering Industries Limited. We understand that on being shortlisted as prospective resolution applicant the Resolution Professional may share confidential information in respect of Hema Engineering Industries Limited through Information Memorandum, Data Room and other modes to enable us to formulate and submit resolution plan in respect of Hema Engineering Industries Limited.

We do hereby undertake that we shall comply with the provisions of Sec 29(2) of Insolvency and Bankruptcy Code, 2016 in letter and spirit and undertake that we, our officers, employees, consultants/ advisors etc. shall:

- (a) Comply with the provisions of law for the time being in force relating to the confidentiality and insider trading;
- (b) protect any intellectual property of the Corporate Debtor viz. Hema Engineering Industries Limited that we may have access to; and

(c) shall not share the relevant information with the third parties unless clause (a) and (b) above are complied with.

We understand that as per Sec 29(2) of the Code “Relevant Information means the information required by the resolution applicant to make the resolution plan for the corporate debtor, which shall include the financial position of the corporate debtor, all information related to disputes by or against the corporate debtor and any other matter pertaining to the corporate debtor as may be specified.”

Yours Sincerely

*[Name of Applicant]*

**Annexure-5**  
**Undertaking Under Regulation 36A (7) of IBBI (CIRP) Regulations 2016**

(on stamp paper of Rs. 100)

Date: \_\_\_\_\_

To,

Mr. Vikas Garg  
Resolution Professional  
Immaculate Resolution Professionals Private Limited  
Unit No. 111-112, First Floor, Tower-A,  
Spazedge Commercial Complex,  
Sector-47, Sohna Road, Gurgaon - 122018

Dear Sir,

**Sub: Undertaking in terms of Regulation 36A(7) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Person) Regulation, 2016.**

We are interested in participation in Corporate Insolvency Resolution Process (CIRP) in respect of Hema Engineering Industries Limited. We hereby give this undertaking as per Regulation 36A (7) of IBBI (CIRP) Regulations 2016:-

- (a) We undertake that we meet the criteria as specified by the committee under clause (h) of sub-section (2) of section 25 and we have provided relevant records in evidence of meeting the criteria under this clause;
- (b) We undertake that we do not suffer from any ineligibility under Section 29A of IBC, 2016 to the extent applicable and we have provided relevant information and records to enable an assessment of ineligibility under section 29A of IBC, 2016;
- (c) We undertake that we shall intimate the Resolution Professional forthwith if we become ineligible at any time during the Corporate Insolvency Resolution Process;
- (d) We undertake 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 applicant

ineligible to submit resolution plan, forfeit any refundable deposit, and attract penal action under the Code;

- (e) We undertake that we will maintain confidentiality of the information and shall not use such information to cause an undue gain or undue loss to ourself or any other person and comply with the requirements under sub-section (2) of section 29 of IBC, 2016.

Yours Sincerely

[Name of Applicant]

**FORM G**  
**INVITATION FOR EXPRESSION OF INTEREST**  
(Under Regulation 36A (1) of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

<b>RELEVANT PARTICULARS</b>		
1.	Name of the corporate debtor	Hema Engineering Industries Limited
2.	Date of incorporation of corporate debtor	22 <sup>nd</sup> September 1987
3.	Authority under which corporate debtor is incorporated / registered	Registrar of Companies, New Delhi Under the Companies Act, 1956
4.	Corporate identity number / limited liability identification number of corporate debtor	U74201DL1987PLC029299
5.	Address of the registered office and principal office (if any) of corporate debtor	<p><b>Registered office:</b> Sachindanand Farm House, Kishangarh Village, Op. Swimming Pool, DDA Sports Complex, Lane Green Avenue, Vasant Kunj, New Delhi - 110070</p> <p><b>Administrative office &amp; Plant (As per MCA Website):</b> 69<sup>th</sup> Km Stone, Delhi-Jaipur Highway, Dharuhera, Rewari – 122001 (Haryana)</p> <p><b>Plant:-</b> 1/3 KM, Khandsa Road, Gurugram – 122001</p> <p><b>Plant:-</b> Upparapalli Village, Mathgondapalli Post, Thally Road, Hosur (Tamilnadu)</p> <p><b>Plant:-</b> No. 713 &amp; 717, Poonapalli Village, Hosur (Tamilnadu)</p> <p><b>Plant:-</b> Plot No.4, Salempur, Mehdood, IP-2, Haridwar (Uttarakhand)</p> <p><b>Plant:-</b> Khasra No. 1394, Salempur Mehdood-2, Haridwar (Uttarakhand)</p> <p><b>Plant:-</b> 153, Village Belideyod, Tehsil- Nalagarh (Himachal Pradesh)</p> <p><b>Plant:-</b></p>

		Plot No. G-77 Shed No. 47, SIDCO Industrial Estate, Kakalur, Distt. Thiruvallur – 602003 (TN)  <b>Plant:-</b> Plot No. 1601, at GIDC Halol, Tal-Halol, Distt. Panchmahal, Gujarat – 389350  <b>Plant:-</b> 64 <sup>th</sup> Km Stone, Delhi-Jaipur Highway, Sidhrawli Rewari – 122413 (Haryana)
6.	Insolvency commencement date of the corporate debtor	5 <sup>th</sup> April 2021 (Date of Receipt of Order 8 <sup>th</sup> April 2021)
7.	Date of invitation of expression of interest	21 <sup>st</sup> June 2021
8.	Eligibility for resolution applicants under section 25(2)(h) of the Code is available at:	Can be obtained by sending an email to <a href="mailto:cirp.hemaengg@gmail.com">cirp.hemaengg@gmail.com</a> or available at <a href="https://www.hemaengineering.com">https://www.hemaengineering.com</a>
9.	Norms of ineligibility applicable under section 29A are available at:	Can be obtained by sending an email to <a href="mailto:cirp.hemaengg@gmail.com">cirp.hemaengg@gmail.com</a> or available at <a href="https://www.hemaengineering.com">https://www.hemaengineering.com</a>
10.	Last date for receipt of expression of interest	6 <sup>th</sup> July 2021
11.	Date of issue of provisional list of prospective resolution applicants	14 <sup>th</sup> July 2021
12.	Last date for submission of objections to provisional list	19 <sup>th</sup> July 2021
13.	Date of issue of final list of prospective resolution applicants	29 <sup>th</sup> July 2021
14.	Date of issue of information memorandum, evaluation matrix and request for resolution plans to prospective resolution applicants	19 <sup>th</sup> July 2021
15.	Manner of obtaining request for resolution plan, evaluation matrix, information memorandum and further information	Resolution Applicant may communicate with resolution professional at the address mentioned against serial no. 21 for obtaining information memorandum, evaluation matrix, request for resolution plans and any further information
16.	Last date for submission of resolution plans	19 <sup>th</sup> August 2021
17.	Manner of submitting resolution plans to resolution professional	In electronic form on email id <a href="mailto:cirp.hemaengg@gmail.com">cirp.hemaengg@gmail.com</a> and by speed post/ by hand delivery in sealed envelope
18.	Estimated date for submission of resolution plan to the Adjudicating Authority for approval	15 <sup>th</sup> September 2021

19.	Name and registration number of the resolution professional	<b>Vikas Garg</b> Registration No - IBBI/IPA-001/IP-P01050/2017-2018/11733
20.	Name, Address and e-mail of the resolution professional, as registered with the Board	809, 8 <sup>th</sup> Floor, Arunachal Building, 19, Barakhamba Road, New Delhi - 110001 Email:- <a href="mailto:vikas@vamindia.in">vikas@vamindia.in</a>
21.	Address and email to be used for correspondence with the resolution professional	Immaculate Resolution Professionals Private Limited, Unit No. 111-112, First Floor, Tower-A, Spazedge Commercial Complex, Sector-47, Sohna Road, Gurgaon - 122018 Email:- <a href="mailto:ip.hemaengg@gmail.com">ip.hemaengg@gmail.com</a>
22.	Further Details are available at or with	Resolution Professional at email id :- <a href="mailto:cirp.hemaengg@gmail.com">cirp.hemaengg@gmail.com</a> or Mr Umesh Gupta at # 9910024854
23.	Date of publication of Form G	22 <sup>nd</sup> June 2021

**Vikas Garg**  
**IBBI Regn No.:- IBBI/IPA-001/IP-P01050/2017-18/11733**  
 Resolution Professional in the matter of  
 Hema Engineering Industries Limited  
 Date: - 21<sup>st</sup> June 2021  
 Place: - Gurgaon