

10th UPDATED LIST OF CREDITORS as on 30th August 2019

CORPORATE DEBTOR: M/S APEX BUILDSYS LTD

1. FINANCIAL CREDITORS

CONSOLIDATED CLAIMS (a+b+c) –

(Amount in INR)

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

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

(Amount in INR)

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

b) Term Loan Facilities –

(Amount in INR)

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

c) Other Credit Facilities – Working capital facilities outside consortium

(Amount in INR)

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



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

A) ICICI Bank

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

a) Primary security:

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

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

b) Personal Guarantee of the following

- i. Mr. Hem Singh Bharana

c) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Working capital facilities under consortium

a) Primary security:

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



b) Collateral Security:

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

c) Personal Guarantee of the following

- i. Mr. Hem Singh Bharana

d) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Bank Guarantees (Outside consortium)

a) Primary security

- i. First pari-passu charge on current assets of the company.
- ii. Second pari-passu charge on entire fixed assets of the company (both movable & immovable)

b) Personal Guarantee of the following

- ii. Mr. Hem Singh Bharana

Note: This Bank Guarantee Limit of ICICI Bank Ltd. is being considered as a secured facility based on the direction of Hon'ble NCLT on the application of Jammu & Kashmir Bank as discussed at the security interest of Jammu & Kashmir Bank in Para D.

B) State Bank of India

Working capital facilities under consortium

a) Primary security:

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

b) Collateral Security:

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



- c) Personal Guarantee of the following
- i. Mr. Hem Sing Bharana
- d) Corporate Guarantee of the following
- i. ERA Infra Engineering Ltd.

C) Bank of Bahrain & Kuwait BSC

Working capital facilities under consortium

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

D) Jammu and Kashmir Bank

Term loan for Working capital (Outside consortium)

- a) Security
- i. First pari-passu charge on all movable and immovable fixed assets (present & future) of the company with ICICI Bank, other than those exclusively charged.
 - ii. Second pari-passu charge on all the current assets of the company, with ICICI Bank.
- b) Personal Guarantee of the following
- i. Mr. Hem Singh Bharana



c) Corporate Guarantee of the following

- i. ERA Infra Engineering Ltd.

Note: Pursuant to the directions of Hon'ble NCLT, on an application filed by Jammu & Kashmir Bank in the matter of ICICI Bank Ltd. Vs Apex Buildsys Ltd., vide order dt. 09-01-2019, Jammu & Kashmir Bank has now been treated as a Secured Financial Creditor.

E) IFCI Factors Ltd

Factoring of receivables -Working capital (Outside consortium)

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



2. OPERATIONAL CREDITORS

- List of operational creditors whose claim has been admitted

(Amount in Lakhs)

| S. No | Name | Claim filed | Claim admitted |
|-------|---|-------------|----------------|
| 1 | Vishwanath Industries | 2.27 | 1.55 |
| 2 | Transolutions Pvt. Ltd | 66.49 | 61.32 |
| 3 | P C Bindal & Co | 18.93 | 15.35 |
| 4 | Gee Kay Gases | 1.71 | 1.71 |
| 5 | Union Roadways Ltd | 79.53 | 55.74 |
| 6 | EMMAAR EL Construction Pvt. Ltd | 437.72 | 282.67 |
| 7 | ADOR Welding Ltd | 53.35 | 38.79 |
| 8 | Mukta V N Films Ltd | 113.10 | 41.25 |
| 9 | Anil Kumar Sharma | 1.50 | 0.91 |
| 10 | Balaji Associates | 10.00 | 2.69 |
| 11 | Maharashtra Vat Department | 123.62 | 123.62 |
| 12 | Commercial Tax Officer -Rajasthan | 10.57 | 10.57 |
| 13 | R D Weld Products Pvt. Ltd | 24.87 | 12.18 |
| 14 | Mukti Enterprises | 0.25 | 0.21 |
| 15 | GNR LOGISTICS PVT. LTD. | 13.90 | 13.91 |
| 16 | SDTC Logisitics | 6.61 | 6.04 |
| 17 | Grauer & Weil (India) Limited | 20.17 | 19.87 |
| 18 | Nagesh Roadlines | 17.57 | 14.65 |
| 19 | M/S Gujrat Maharashtra trailer transport service | 15.65 | 11.68 |
| 20 | Shamji Tours & Travels | 1.65 | 0.74 |
| 21 | Balaji Industrial Services | 14.55 | 6.02 |
| 22 | Deep Associates | 15.62 | 8.54 |
| 23 | Vega Swift Logistics | 8.53 | 7.67 |
| 24 | Samiksha Timber Trading & Suppliers | 4.39 | 4.39 |
| 25 | Vikash Engineers | 3.45 | 1.67 |
| 26 | Seagull Logistics | 49.00 | 17.88 |
| 27 | M/S KSE LTD | 12.69 | 12.69 |
| 28 | Anchor Group Security Services | 8.00 | 3.36 |
| 29 | Master Group Security Services | 1.50 | 0.58 |
| 30 | Commissioner of Custom, NS-II, JNCH, Nhava Sheva | 117.34 | 117.34 |
| 31 | Rathi Industrial Gases | 7.99 | 1.90 |
| 32 | Impetus Worldwide Logistics | 14.58 | 13.77 |
| 33 | Agarwal transport organisation | 7.85 | 7.03 |
| 34 | AV Weldtech Pvt. Ltd. | 2.10 | 1.22 |
| 35 | AC GST Division Hingna, Nagpur-I, Sector-A, Layout, Butibori-441122 | 386.72 | 378.85 |



| | | | |
|--------------|---|-----------------|-----------------|
| 36 | Lloyd Insulations (India) Limited | 62.38 | 53.40 |
| 37 | Isolloyd Engineering Technologies Limited | 7.06 | 7.06 |
| 38 | Shreedatta Coating | 17.00 | 17.00 |
| 39 | Gurudatta Enterprises | 7.00 | 3.96 |
| 40 | NTC Logistics India (P) Limited | 55.16 | 20.72 |
| 41 | Srijan Infratech | 46.84 | 33.40 |
| 42 | Priyanka Freight Carriers | 5.47 | 4.35 |
| Total | | 1,874.68 | 1,438.25 |

- List of operational creditors whose claim has been admitted on contingent basis:

(Amount in Lakhs)

| S. No | Name | Claim filed | Claim admitted |
|--------------|-------------------------------------|-----------------|-----------------|
| 1 | Ahluwalia Contracts (India) Limited | 1,227.08 | 1,227.08 |
| Total | | 1,227.08 | 1,227.08 |

- Total Admitted Amount – Rs. 2665.33 (Rs. 1438.25 + 1227.08)

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

(Amount in Lakhs)

| S. No | Name | Claim filed | Status |
|--------------|---|------------------|--------------------|
| 1 | Jangipur Bengal Mega Food Park Ltd | 4,804.06 | Rejected |
| 2 | Sunflag Iron & Steel Co. Ltd | 2,137.00 | Rejected |
| 3 | Sterling Arch | 77.50 | Rejected |
| 4 | GST Commissionerate Delhi South, Nehru Place New Delhi2 | 17486.16 | Under Verification |
| 5 | Sai Tech Infra Contractors Pvt. Ltd. | 0.83 | Under Verification |
| Total | | 24,505.55 | |



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3. EMPLOYEES/WORKERS

- List of Employees/Workers whose claim has been admitted:

(Amount in Lakhs)

| S. No | Name | Claim filed | Claim admitted |
|-------|--------------------------|-------------|----------------|
| 1 | Satish Chandra | 3.00 | 2.37 |
| 2 | Prashant Chauhan | 1.35 | 1.07 |
| 3 | Mahendra Pal Singh | 0.77 | 0.69 |
| 4 | Syamsundar Bandyopadhyay | 3.72 | 3.65 |
| 5 | Chetan Sharma | 2.83 | 2.23 |
| 6 | Dinesh Ambwani | 4.54 | 4.49 |
| 7 | Shailesh Gada | 6.15 | 2.64 |
| 8 | Gangadhar Reddy Mannem | 4.11 | 3.74 |
| 9 | Amitava Gayen | 1.17 | 0.88 |
| 10 | Neeraj Kumar | 2.73 | 1.67 |
| 11 | Jitender Kumar Aggarwal | 0.74 | 0.70 |
| 12 | Vishnu Kumar Gupta | 0.81 | 0.81 |
| 13 | Deepak Giri | 1.50 | 1.28 |
| 14 | Suresh Kosta | 1.71 | 1.59 |
| 15 | Dasaradha Ramaiah | 8.34 | 5.17 |
| 16 | Rakesh Sahi | 10.94 | 4.60 |
| 17 | Gajanan Chourewar | 4.01 | 1.48 |
| 18 | Rajeev Gupta | 2.12 | 2.12 |
| 19 | Shyam Veer | 0.96 | 0.51 |
| 20 | L.Thyagarajan | 2.97 | 2.97 |
| 21 | Manikandan Shivan | 0.45 | 0.45 |
| 22 | Ashish Shrivastava | 5.20 | 1.96 |
| 23 | U. Sandhya Rani | 5.60 | 1.69 |
| 24 | Mayur Sabhaya | 0.80 | 0.62 |
| 25 | Sanjay Kumar Singh | 1.13 | 0.71 |
| 26 | Vinod Verma | 1.66 | 1.48 |
| 27 | Vinod Srikoti | 3.39 | 2.93 |
| 28 | Rajesh K. Mathur | 1.47 | 0.55 |
| 29 | Sanjay K. Tripathi | 1.53 | 1.53 |
| 30 | Manoj Kumar Dey | 1.10 | 0.73 |
| 31 | Clayton Clarence | 0.70 | 0.44 |
| 32 | Amit Kumar Singh | 3.50 | 1.85 |
| 33 | Nahusheshwar B. Pathrabe | 5.74 | 1.23 |
| 34 | Iniyavan Sriram | 6.00 | 1.97 |
| 35 | Vishal Choudhary | 11.27 | 3.89 |
| 36 | Neeraj Saxena | 1.98 | 1.84 |
| 37 | Nitesh Kumar Nagdeote | 0.73 | 0.70 |
| 38 | Hareram Sharma | 1.50 | 1.10 |
| 39 | Ajay Kumar Srivastava | 1.48 | 1.48 |

| | | | |
|----|---|---------------|---------------|
| 40 | Anwar Ali | 0.44 | 0.44 |
| 41 | Pradeep Joshi | 0.41 | 0.41 |
| 42 | Girish Sharma | 4.00 | 4.00 |
| 43 | Shive Narayan Gupta | 16.00 | 7.77 |
| 44 | Abhay Karadbhajane | 2.70 | 1.34 |
| 45 | Avinash Kumar Choudhary | 0.53 | 0.53 |
| 46 | Narendra Shukla | 0.86 | 0.86 |
| 47 | ERA Labour Union (Pant Nagar Plant) – 103 workers | 289.72 | 53.65 |
| | Total | 434.36 | 140.31 |

- **List of Employees/Workers whose claim has been admitted on contingent basis:**

(Amount in Lakhs)

| S. No | Name | Claim filed | Claim admitted |
|-------|---|-------------|----------------|
| 1 | ERA Labour Union (Pant Nagar Plant) – 103 workers | 289.72 | 187.50 |
| | Total | | 187.50 |

Total Admitted amount – Rs. 327.81 (140.31 + 187.50)

- **List of Employees/Workers whose claim has not been admitted:**

(Amount in Lakhs)

| S. No | Name | Claim filed | Claim not admitted |
|-------|-----------------------|-------------|--------------------|
| 1 | Bhushan Singh Chauhan | 3.65 | 3.65 |
| | Total | 3.65 | 3.65 |

4. OTHER CREDITORS

List of other creditors whose claim has been admitted

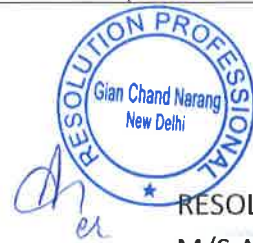
(Amount in Lakhs)

| S. No | Name | Claim filed | Claim admitted |
|-------|---------------------------------|---------------|----------------|
| 1 | Roquette Riddhi Siddhi Pvt. Ltd | 5.00 | 5.00 |
| 2 | Schott Kaisha Private Limited | 170.48 | 118.18 |
| | Total | 175.48 | 123.18 |



| Summary of Claims Admitted | | | | |
|----------------------------|---|------------------|-----------------|-----------------|
| | | | | Amount In Lakhs |
| S.n | Particulars | No. of Claimants | Amount Claimed | Admitted Amount |
| 1 | Financial Creditors | 5 | 44,459.49 | 44,459.49 |
| 2 | Operational Creditors | 42 | 1,874.68 | 1,438.25 |
| 3 | Employees/Workers | | | |
| | Employees/Workers (Individual Claim) | 46 | 144.64 | 86.66 |
| | ERA Labour Union (Pant Nagar Plant) – 103 workers | 103 | 289.72 | 53.65 |
| 4 | Other Creditors | 2 | 175.48 | 123.18 |
| Total Claims | | 198 | 46944.01 | 46161.23 |

| Summary of Claims Admitted on Contingent Basis | | | | |
|--|--|------------------|----------------|-----------------|
| | | | | Amount in Lakhs |
| S.n | Particulars | No. of Claimants | Amount Claimed | Admitted Amount |
| 1 | Operational Creditors Admitted | 1 | 1,227.08 | 1,227.08 |
| 2 | ERA Labour Union (Pant Nagar Plant) – 103 workers) | 103 | 289.72 | 187.50 |
| Total Claims | | 104 | 1516.80 | 1414.58 |



GIAN CHAND NARANG
RESOLUTION PROFESSIONAL
M/S APEX BUILDSYS LIMITED

Date: 30.08.2019

Place: New Delhi

IBBI REG. NO.: IBBI/IPA-002/IP-N00362/2017-18/11031