

## M/S APEX BUILDSYS LIMITED- IN LIQUIDATION

### LIST OF STAKEHOLDERS AS ON 23.03.2020

#### 1. FINANCIAL CREDITORS

##### CONSOLIDATED CLAIMS (a+b+c) –

(Amount in INR)

S.N	Financial creditors	Amount claimed	Amount Admitted	Nature of Claim Admitted		Share
				Secured	Unsecured	
1	State Bank of India	264,36,20,024	264,03,47,272	264,03,47,272	-	48.18%
2	ICICI Bank Ltd.	211,73,31,594	211,73,31,594	211,73,31,594	-	38.63%
3	Bank of Bahrain and Kuwait B.S.C.	38,63,52,004	38,63,52,004	38,63,52,004	-	7.05%
4	IFCI Factors Ltd	30,55,12,513	30,55,12,513		30,55,12,513	5.58%
5	Jammu and Kashmir Bank	3,08,52,000	3,08,52,000	3,08,52,000	-	0.56%
	<b>Total</b>	<b>548,36,68,135</b>	<b>548,03,95,383</b>	<b>517,48,82,870</b>	<b>30,55,12,513</b>	<b>100.00%</b>

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

(Amount in INR)

S.N	Financial creditors	Amount claimed	Claim admitted	Nature of Claim Admitted		Share
				Secured	Unsecured	
1	State Bank of India	264,36,20,024	264,03,47,272	264,03,47,272	-	73.91%
2	ICICI Bank Ltd.	54,54,83,510	54,54,83,510	54,54,83,510	-	15.27%
3	Bank of Bahrein & Kuwait	38,63,52,004	38,63,52,004	38,63,52,004	-	10.82%
	<b>Total</b>	<b>357,54,55,538</b>	<b>357,21,82,786</b>	<b>357,21,82,786</b>	-	<b>100.00%</b>

##### b) Term Loan Facilities –

(Amount in INR)

S.N	Financial creditors	Amount claimed	Claim admitted	Nature of Claim Admitted	
				Secured	Unsecured
1	ICICI Bank Ltd.	156,16,38,754	156,16,38,754	156,16,38,754	-
	<b>Total</b>	<b>156,16,38,754</b>	<b>156,16,38,754</b>	<b>156,16,38,754</b>	-

c) Other Credit Facilities – Working capital facilities outside consortium

(Amount in INR)

S.N	Financial creditors	Amount claimed	Claim admitted	Nature of Claim Admitted	
				Secured	Unsecured
1	ICICI Bank Ltd (OD & BG)	1,02,09,330	1,02,09,330	1,02,09,330	-
2	IFCI Factors Ltd	30,55,12,513	30,55,12,513	-	30,55,12,513
3	Jammu and Kashmir Bank Ltd	3,08,52,000	3,08,52,000	3,08,52,000	-
	<b>Total</b>	<b>34,65,73,843</b>	<b>34,65,73,843</b>	<b>357,21,82,786</b>	30,55,12,513

**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 Facility**

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, Utrakhand 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 during CIR process, 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
- Mr. Hem Sing Bharana
- d) Corporate Guarantee of the following
- ERA Infra Engineering Ltd.

### **C) Bank of Bahrain & Kuwait BSC**

#### Working capital facilities under consortium

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

### **D) Jammu and Kashmir Bank**

#### Term loan for Working capital (Outside consortium)

- a) 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 during CIR process in the matter of ICICI Bank Ltd. Vs Apex Buildsys Ltd., vide order dt. 09-01-2019, Jammu & Kashmir Bank has 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

SI No.	Name of the Creditors	Amount Claimed	Claim Admitted
1	Commercial Tax Department, Sector-2, Noida Uttar Pradesh (Sales Tax)	216,120,620	216,120,620
2	Balaji Associates	1,020,851	268,668
3	Hi-Tech Engineering	2,455,771	(NIL)Rejected
4	APS Befrand Industries	186,068	186,068
5	Lloyd Insulations (India) Ltd.	6,067,710	6,067,710
6	Isolloyd Engineering Technology Limited	804,039	492,332
7	Becquerel Industries Pvt. Ltd.	90,150	90,150
8	Rathi Industrial Gases	857,278	202,239
9	Vega Swift Logistics (Pro. Mr, Mayur Vora)	1,160,845	766,589
10	GEE Kay Gases	171,036	171,036
11	Union Roadways Ltd	7,953,409	5,574,384
12	Shamji Travels and Tours	278,243	74,000
13	Nagesh Roadlines, Mumbai(Pro. Mr. Shyamraj Shamboonath Mishra )	1,757,850	1,464,700
14	ANIL KUMAR SHARMA	150,000	91,330
15	M/s GNR Logistics Pvt. Ltd.	1,390,580	1,390,580
16	Dy. Comm. A.B. Ahirkar (Sales Tax NAG-VAT-E-010, Nagpur) (GST)	136,262,637	14,177,565
17	Grauer & Weil (India) Limited	1,988,258	1,986,572
18	Globe Ecologistics Pvt Ltd	154,600	(NIL)Rejected
19	Dr. Prem Verma, Comm. Of Central Goods & Service Tax, GST, Delhi East, Division Nehru Place	1,525,256,624	Nil (Due to Non submission of required documents/proof of claim)
20	Samikisha Timber Trading & Suppliers (Prop)	439,516	439,320
21	Electomatic Engineers Pvt. Ltd.	1,805,936	(NIL)Rejected

22	Shri Rahul Kumar (Dy. Comm. Of Custom, EPCG Monitoring Cell, JNCH, Nhava Sheva	12,732,336	12,732,336
23	Puran Sing, Assistance Commissioner Commercial Tax, Special Circle-VII, Jaipur(sales Tax-VAT)	1,679,208	1,679,208
24	Maharashtra Industrial Development corporations (MIDC)	12,153,548	12,153,548
25	A V WELDTECH PVT. LTD	209,625	121,875
26	Employee Providend Fund Organization (EPFO)- Nagpur	2,130,185	2,130,185
27	Gurudatta Enterprises (Partnership Firm)	396,000	396,000
28	Shree datta Coating	1,700,000	1,700,000
29	Sant Gadgebaba Bahuudeshiya Swachata Sewa Sahakari Sanstha Umred	3,021,659	(NIL)Rejected
30	EMM AAR EL COSTRUCTION PRIVATE LIMITED	43,771,840	28,962,965
31	Agarwal Transport Organization (Proprietor)	785,418	576,727
32	SDTC Logistics Pvt. Ltd.	661,895	603,656
33	Transolution Private Limited	7,696,456	6,132,617
34	Hari Tools Syndicate	62,393	42,986
35	Impetus Worldwide Logistics	1,457,800	1,377,130
36	Priyanka Freight Carriers	435,016	435,016
37	Sterling Arch	3,278,125	1,900,000
38	Andrew Navneet Haqq AC, CGST Div. Rudrapur	12,354,968	(NIL)Rejected
39	P.C. Bindal & Co., Chartered Accountants	1,893,222	1,535,000
40	SPARES SUPPLY SYNDICATE	1,057,033	931,197
41	(SIIDCUL) State Infrastructure & Industrial Development Corporation of Uttarakhand Ltd.	81,565,804	81,565,804
42	Vidharbh Eng. Works	1,466,287	1,345,218
43	Anchor Group Security Services	880,532	335,974
44	Dy. Comm., CGST & CX Division Hingna Nagpur	38,672,000	38,672,000
45	Gandhi Automations Pvt. Ltd.	1,885,543	1,885,543
46	Gujrat Maharashtra Trailor Transport Service	1,565,800	1,167,613
<b>CLAIMS OF OPERATIONAL CREDITORS</b>		<b>2,139,884,715</b>	<b>447,946,461</b>

### 3. EMPLOYEES/WORKERS

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

SI No.	Name of the Creditors	Amount of Claim received	Claim Admitted
1	Mayur Bhai Sabhaya	62,000	62,000
2	Neeraj Kumar	167,252	167,252
3	Gajanan Maroti Bisane	72,057	72,057
4	Gangadhar Reddy Mannem	374,000	373,541
5	Rajeev Gupta	212,150	212,150
6	Niteshkumar Gorobaji Nagdeote	70,027	70,027
7	Shive Narayan Gupta	1,600,000	1,235,212
8	Dinesh Kumar	120,000	120,000
9	Ajay Kumar Srivastava	579,822	352,043
10	M.Iniyavan Sriram	197,000	197,000
11	Dasaradha Ramaiah Padala	834,289	5,16,618
12	Vinod Srikoti	338,831	293,039
13	Shyam veer	55,000	50,545
14	Puja Sahu	78,678	46,072
15	U. Sandhya Rani	335,688	169,011
16	Shailendra Kumar	107,908	106,477
17	Praveen Misra	160,000	116,718
18	L. Thyagarajan	297,121	297,121
19	Prashant Haribhau Korekar	59,952	38,658
20	Anil Kumar Singh	73,700	73,700
21	Anwar Ali	43,803	43,803
22	Gajanan Pandurang Chourewar	436,434	148,422
23	Dinesh H Ambwani	448,735	448,735
24	Prashant Chauhan	107,000	107,000
25	Kuldeep Kumar Sharma	450,000	202,209
26	Neeraj Saxena	184,335	1,84,335
27	Kiran Ghusai	180,496	79,861
28	Chetan Sharma	223,000	2,23,000
29	Deepak Giri	150,000	1,28,032
30	Shahid hussain	170,000	1,70,000
31	Sanjay Kumar Singh	71,000	71,000
32	Nahusheshwar Pathrabe	158,055	1,22,729
33	Mahendra Pal Singh	77,621	69,126
34	Satish Chandra	237,000	2,37,000
35	Vishal Choudhary	770,734	5,04,890



36	Ranjit Goswami	119,442	119,442
37	Amitava Gayen	87,984	76,233
38	Ashok kumar	161,427	129,337
39	Abhay Karadbhajane	133,872	116,038
40	Vinod Verma	148,023	148,023
41	Shailesh Gada	714,650	263,717
42	Hare Ram Sharma	109,626	109,626
43	Clayton Clarence	43,913	43,913
44	Beeer Singh Bhati	891,225	519,309
45	Ashish U Shrivastava	196,000	195,577
46	Santosh Kumar Chouhan	296,025	296,025
47	Narendra Shukla	86,360	86,360
48	Sanjay Kumar Sharma	107,990	(NIL)Rejected
49	Rakesh Sahi	1,542,698	460,211
50	MANOJ KUMAR DEY	72,534	72,270
51	Upendra Prasad	108,554	42,706
<b>Total</b>		<b>1,43,24,011</b>	<b>99,88,170</b>

- **List of Employees/Workers who have filed their claim through authorized representative:**

S. No	Name	Claim filed	Claim admitted
1	Dinesh Kumar - ERA Labour Union of Sidkul, Pant Nagar) – 103 workers (Annexure-A)	11,42,92,579	1,09,70,698
<b>Total</b>		<b>11,42,92,579</b>	<b>1,09,70,698</b>

#### 4. OTHER CREDITORS

**List of other creditors whose claim has been admitted**

S. No	Name	Claim filed	Claim admitted
1	Schott Kaisha Private Limited	1,70,48,022	1,68,26,544
<b>Total</b>		<b>1,70,48,022</b>	<b>1,68,26,544</b>

<b>Summary of Claims Admitted Under Liquidation Process</b>					
S.N.	Particulars	Claim Received		Claim Admitted	
		No. of Claimants	Amount Claimed	No. of Claimants	Admitted Amount
1	Financial Creditors	5	548,36,68,135	5	5,480,395,383
2	Operational Creditors	46	2,139,884,715	40	447,946,461
3	Employees/Workers				
	Employees/Workers (Individual Claim)	51	1,43,24,011	50	99,88,170
	ERA Labour Union (Pant Nagar Plant) – 103 workers	103	11,42,92,579	103	1,09,70,698
4	Other Creditors	1	1,70,48,022	1	1,68,26,544
	<b>Total Claims</b>	<b>206</b>	<b>776,92,17,462</b>	<b>199</b>	<b>596,61,27,257</b>

Date: 23.03.2020  
Place: New Delhi

GIAN CHAND NARANG  
LIQUIDATOR  
M/S APEX BUILDSYS LIMITED  
IBBI REG. NO.: IBBI/IPA-002/IP-N00362/2017-18/11031

**Annexure – A**

**M/s Apex Buildsys Limited- In Liquidation**

Detail of Labour Union Claim for 103 Workmen received filed through authorized representative Mr. Dinesh Kumar – (ERA Labour Union of Sidkul, Pant Nagar)

<b>S. No.</b>	<b>EID Code</b>	<b>Name of Workmen</b>	<b>Total Amount Claimed</b>	<b>Total Admitted Amount</b>
1	E-32	VIPIN KUMAR	1,115,477	122,430
2	E-41	SATENDER KUMAR	1,122,160	121,544
3	E-56	VISHWANATH	1,241,813	128,725
4	E-57	JAI PRAKSH SINGH	1,164,496	128,111
5	E-61	SATENDRA SHARMA	1,239,576	132,083
6	E-62	MUNNA KUMAR	1,302,150	135,714
7	E-66	SURESH KUMAR	1,093,086	113,536
8	E-70	RAM PRAVESH	1,214,766	126,906
9	E-72	PRADEEP CHANDER SINGH	1,052,731	113,575
10	E-73	HEERA LAL SAGAR	1,279,814	136,377
11	E-74	BHARAT JOSHI	1,099,725	120,075
12	E-79	PRAKASH CHAND KANDPAL	1,246,511	137,474
13	E-99	RADEY SHYAM	956,483	103,237
14	E-100	NARENDRA KUMAR	1,316,375	127,426
15	E-116	DINESH KUMAR	1,682,056	152,762
16	E-123	AMIT KUMAR SHARMA	1,361,393	125,270
17	E-124	DHARMENDRA SINGH	1,299,820	124,825
18	E-125	SUNIL KUMAR SHARMA	1,387,073	133,685
19	E-126	DIWAN SINGH	1,254,576	120,902
20	E-128	GIRISH JOSHI	1,173,563	116,024
21	E-131	PREM PRAKASH	980,203	101,544
22	E-132	DINESH KUMAR II	1,362,489	135,149
23	E-133	RADHEY LAL	1,008,860	104,405
24	E-134	RAMESH KUMAR YADAV	1,095,118	115,162
25	E-139	MANOHAR	991,961	100,498
26	E-142	INDER DEV	1,013,121	102,057
27	E-148	SURESH KUMAR SHARMA	1,197,416	112,461
28	E-151	RAHAT MASIH	1,094,406	93,946

29	E-152	SURAJIT RAY	1,065,943	98,671
30	E-185	RAM BILASH	1,028,996	95,736
31	E-186	JAI DEV MANDAL	1,062,066	99,467
32	E-189	GHANSHYAM	1,101,143	100,164
33	E-191	MANOJ KUMAR	1,075,818	100,028
34	E-192	NEERAJ KUMAR	1,019,167	98,001
35	E-193	VINOD KUMAR YADAV	996,322	99,729
36	E-194	MANOJ KUMAR	1,569,749	136,105
37	E-195	JHAMMAN LAL	1,144,237	107,004
38	E-196	NARENDRA GANGWAR	1,211,476	108,233
39	E-199	PRADEEP GAUD	1,048,396	98,963
40	E-200	RATAN PRAKASH MANAV	952,066	96,438
41	E-202	JITENDRA YADAV	910,899	91,677
42	E-204	AMRISH KUMAR	956,092	89,997
43	E-206	CHANDRAMA PRASAD	1,210,855	105,562
44	E-207	KAMAL KISHOR	902,829	90,282
45	E-208	VED PRAKASH	971,876	90,962
46	E-209	MADAN MOHAN	912,747	85,801
47	E-211	RAM AVTAR	918,900	89,414
48	E-212	GANESH CHANDRA	907,670	87,399
49	E-213	SATVINDRA SINGH	1,003,542	89,136
50	E-214	JITIN MISTRI	1,184,030	115,791
51	E-215	MUKESH KUMAR PRASAD	1,071,527	102,064
52	E-216	HARENDRA BHARTI	1,389,309	126,319
53	E-219	RAM KUMAR SHARMA	1,028,023	92,890
54	E-221	BHOOP RAM	1,245,891	114,240
55	E-222	VINOD KUMAR I	985,423	92,135
56	E-224	CHANDRA SHEKHAR	1,046,376	94,494
57	E-226	SAPAN KUMAR MANDAL	1,158,459	102,810
58	E-227	VINOD RAM	903,899	89,866
59	E-228	MUNNA YADAV	1,069,093	102,389
60	E-229	NAND GOPAL	996,596	98,771
61	E-231	UPENDRA RAI	1,008,403	99,736
62	E-233	NAGENDRA KUMAR	1,389,186	126,205
63	E-235	SANTOSH SINGH	1,357,543	117,012
64	E-238	TAPAN HALDAR	1,139,933	96,164
65	E-241	RAJ PAL	1,192,184	103,997
66	E-242	JAGDISH SINGH	1,123,975	107,531
67	E-243	BUDH SEN	878,517	90,734
68	E-244	SUNIL KUMAR	856,177	88,003
69	E-245	SURYA BHAN YADAV	1,036,433	108,121
70	E-246	JEEWAN CHAND PANDEY	1,110,759	104,372
71	E-247	SOM PAL	1,038,467	102,326
72	E-248	DHARAMVEER	994,082	93,819
73	E-249	SHANKAR DUTT JOSHI	1,115,493	108,002
74	E-251	RAHUL KUMAR	1,120,742	108,066
75	E-252	HARISH KUMAR	1,110,997	109,425
76	E-253	SATYAJEET MANDAL	946,417	92,367
77	E-254	SANJEEV KUMAR	934,586	90,662
78	E-255	ASHOK KUMAR	1,179,780	107,841

79	E-256	DHARMENDRA YADAV	1,024,547	98,389
80	E-258	ARVIND KUMAR	1,050,955	105,681
81	E-259	LILA DHAR	1,811,847	177,156
82	E-260	AMARJEET	1,202,923	116,183
83	E-261	BHOOP RAM	1,053,138	99,211
84	E-263	ABDUL SAMAD	1,075,922	106,266
85	E-264	KANTA PRASAD	1,018,887	97,820
86	E-265	PURUSHOTAM SHARMA	1,065,752	105,938
87	E-266	MADAN MOHAN SHARMA	892,362	88,510
88	E-267	HARI NATH	937,652	92,821
89	E-268	VIKASH MASIH	914,942	89,246
90	E-269	TRILOK CHAND BISHT	978,742	96,846
91	E-270	FIROJ KHAN	1,448,003	129,447
92	E-273	DWARIKA PRASAD	956,736	93,485
93	E-274	MAHESH KUMAR	1,164,930	101,850
94	E-275	MADAN KUMAR	991,342	94,842
95	E-276	UPMANYU KUMAR	1,113,427	99,322
96	E-277	SHYAM NARAYAN YADAV	1,019,643	95,213
97	E-279	BRIJESH KUMAR	1,050,783	91,614
98	E-280	BARMA PRASAD	1,007,659	91,006
99	E-282	SUNIL KUMAR SHARMA	1,009,889	92,818
100	E-285	MAKKHAN SINGH	1,186,119	114,424
101	E-286	PREM SINGH	1,064,559	109,112
102	E-294	RAKESH KUMAR GANGWAR	1,172,743	101,964
103	E-313	KISHOR KUMAR	1,148,772	50,710
		<b>Total</b>	<b>114,292,580</b>	<b>10,970,698</b>