FORM C

PROOF OF CLAIM BY OPERATIONAL CREDITORS EXCEPT WORKMEN AND EMPLOYEES

(*Under Regulation 17 of the Insolvency and Bankruptcy* *Board of India (Liquidation Process*) *Regulations, 2016*)

[*Date*]

To

The Liquidator

[*Name of the Liquidator*]

[*Address as set out in public announcement*]

From

[*Name and address of the operational creditor*]

**Subject**: Submission of proof of claims in respect of the liquidation of [name of corporate debtor] under the Insolvency and Bankruptcy Code, 2016

Madam/Sir,

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

|  |  |  |
| --- | --- | --- |
| **PARTICULARS** | | |
| 1. | NAME 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) |  |
| 2. | ADDRESS OF OPERATIONAL  CREDITOR FOR CORRESPONDENCE |  |
| 3. | TOTAL AMOUNT OF CLAIM, INCLUDING ANY INTEREST AS AT LIQUIDATION COMMENCEMENT DATE AND DETAILS OF NATURE OF CLAIM | PRINCIPAL:  INTEREST:  TOTAL CLAIM: |
| 4. | DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED. |  |
| 5. | DETAILS OF ANY DISPUTE AS WELL AS THE RECORD  OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS |  |
|  | | |
| 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 RETENTION OF TITLE  IN RESPECT OF GOODS OR PROPERTIES TO WHICH THE CLAIM REFERS OR PROPERTIES TO WHICH THE DEBT REFERS OR ANY OTHER SECURITY |  |
| 9. | DETAILS OF ANY ASSIGNMENT OR TRANSFER OF DEBT IN HIS FAVOUR |  |
| 10. | DETAILS OF THE BANK ACCOUNT TO WHICH THE  OPERATIONAL CREDITOR’S SHARE OF THE PROCEEDS OF LIQUIDATION CAN BE TRANSFERRED |  |
| 11. | LIST OUT AND ATTACH THE DOCUMENTS RELIED ON IN SUPPORT OF THE CLAIM. | (i)  (ii)  (iii) |
| 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 [ *address of deponent*], do solemnly affirm and state as follows:

1. The above named corporate debtor was, at liquidation commencement date, that is, the \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 20\_\_, and still is, justly and truly indebted to me [or to me and [insert name of co-partners] ,my co-partners in trade ,or, as the case may be] in the sum of Rs.\_\_\_\_\_\_ for\_\_\_\_\_ [*please state consideration*].
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 debt*]
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 have my partners or any of them, nor has any person, by my/our order, to my/our knowledge or belief, for my/our 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 operational 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. Nothing is false and nothing material has been concealed therefrom.

Verified at \_\_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_ 201\_\_

Deponent's Signature