

AFFIDAVIT

I/We confirm that I am eligible to submit the Tender Document and to participate in the E-auction process in Bhatia Global Trading Limited (In Liquidation) and that I, along with the persons acting jointly or in concert with any other persons, do not have any ineligibility stated in Section 29A of the Insolvency and Bankruptcy Code, 2016. Moreover, I/We have read and understood the applicable provisions of the Insolvency and Bankruptcy Code, 2016.

Further I, ..... aged ..... residing at ....., the  
Director/ Partner/ Proprietor of M/s .....  
Having ..... registered ..... office ..... at  
.....[Bidder/ Joint bidder/ Co-  
Applicant/ Bidder(s)] so solemnly affirm and declare on oath under:-

1. I state that an liquidation process has been initiated against Bhatia Global Trading Limited (In Liquidation) vide order dated 22-10-2020 passed by the Hon'ble National Company Law Tribunal, Indore Bench in Ahmedabad (Adjudicating Authority) under Section 33 of the Insolvency and Bankruptcy Code, 2016 (Code).

2. I state that the present affidavit is sworn by me (as or on behalf of bidder/ Joint Bidder/ Co- Bidder, as the case may be) in compliance of Section 29A of the Code.

3. I, (as or on behalf of Bidder/ Joint Bidder/ Co- Bidder, as the case may be), affirm that as a compliance to Section 29A of the Insolvency and Bankruptcy Code, 2016, I along with my connected persons, meet the mandatory criteria of eligibility as Bidders for the E-auction process of Bhatia Global Trading - Limited (In Liquidation) and state that neither me nor any other person acting jointly or in concert:

(a) is an undischarged insolvent;

(b) is a wilful defaulter in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 (10 of 1949);

- (c) at the time of submission of the Tender document in the E-auction process, has an account, or an account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as non-performing asset in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 (10 of 1949) or the guidelines of a financial sector regulator issued under any other law for the time being in force, and at least a period of one year has lapsed from the date of such classification till the date of commencement of the Liquidation process of the corporate debtor;
- (d) has been convicted for any offence punishable with imprisonment –
- i. of two years or more under any Act specified under the Twelfth Schedule; or ii. for seven years or more under any other law for the time being in force;
- (e) is disqualified to act as a director under the Companies Act, 2013 (18 of 2013);
- (f) is prohibited by the Securities and Exchange Board of India from trading in securities or accessing the securities markets;
- (g) has been a promoter or in the management or control of a 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;
- (h) has 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;
- (i) is subject to any disability, corresponding to clauses (a) to (h), under any law in a jurisdiction outside India; or
- (j) has a connected person not eligible under clauses (a) to (i).

Solemnly affirmed on this \_\_\_\_\_ day of August, 2021