

ANNEXURE – 1 TO RESOLUTION – 1

M/S GIT TEXTILES MANUFACTURING LTD (IN CIRP)
MINIMUM CRITERIA OF RESOLUTION PLAN
FORMING PART OF RESOLUTION - 1

The following are the Minimum Criteria for the prospective Resolution Applicants of the corporate debtor M/S GIT TEXTILES MANUFACTURING LTD (IN CIRP):

1. The net worth of the Resolution Applicant as on 31.03.2022 should be minimum of Rs. **1 Crore**.
2. Along with the Expression of Interest (EOI) the prospective Resolution Applicant shall provide an earnest money deposit (EMD) of **Rs.5 Lakh**, REFUNDABLE within 7 days of the preparation of the Final list of eligible applicants, if the applicant's name is not included in the Final list, the amount of EMD shall be submitted along with the EOI by way of RTGS/ demand draft / pay order of a scheduled bank in favour of the Corporate Debtor "GIT TEXTILES MANUFACTURING LTD" payable at par with all branches in India or by way of cheque or online transfer in the bank account of the Corporate Debtor.
3. Along with the Resolution Plan, the Resolution Applicant shall remit a minimum outright payment equivalent to **5% of the total financial offer** price including the future payments over and above the EMD of Rs.5 lakhs as stated in Sr. No. 2, REFUNDABLE if Resolution Plan is not accepted by COC, by way of RTGS/ demand draft / pay order of a scheduled bank in favour of the Corporate Debtor "GIT TEXTILES MANUFACTURING LTD" payable at par with all branches in India.
4. Regulation 36B(4A): The request for resolution plans shall require the resolution applicant, in case its resolution plan is approved under sub-section (4) of section 30, to provide a performance security of at least **10% of the total financial Bid** in the form of a Bank Guarantee / Online Transfer in the bank account of the Corporate Debtor, unconditional and irrevocable, guaranteeing to pay the commitments within the time specified therein and such performance security shall stand forfeited if the resolution applicant of such plan, after its approval by the Adjudicating Authority, fails to implement or contributes to the failure of implementation of that plan in accordance with the terms of the plan and its implementation schedule.

The Performance Security to be given by the Resolution Applicant should remain valid till the last instalment of the amount as offered in terms of the Resolution Plan is paid by the Resolution Applicant.

NOTES / MEANING OF DIFFERENT TERMS FOR MINIMUM CRITERIA:

1. **NETWORTH:** Net worth in case of Corporate Debtor shall have the meaning as per Section 2 (57) of the Companies Act, 2013; that is, net worth means the aggregate value of the paid-up share capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure not written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write-back of depreciation and amalgamation.

In the case of individuals, the Net Worth shall mean the fair value of tangible assets of the individual net of all liabilities at a date as certified by a Chartered Accountant in full-time practice.

2. **NPV WORKING:** Future payments will be discounted at 10% p.a. to arrive at the Net Present Value. The period of 90 days from the date of approval of Resolution Plan by the Adjudicating Authority shall be considered as Year 0 and shall be considered as upfront.
3. **RESOLUTION APPLICANT:** Resolution Applicant means a person, eligible as per the provisions of the Insolvency and Bankruptcy Code, 2016 and Regulations thereto to be a Resolution Applicant and who individually or jointly with any other person, submits a resolution plan to the resolution professional pursuant to the invitation made under clause (h) of sub-section (2) of section 25 of the IBC, 2016.
4. **OFFER PRICE:** Offer price, for the purpose of Minimum Criteria, shall mean the entire consideration, present and future, whether by Cash or Cash Equivalents.