**-On Company Letter Head-**

To

The Managing Director

Maximus ARC Limited

Vijayawada.

Dear Sir,

**Re:** **Application for funding of OTS dues to Banks/FIs**

We are herewith enclosing application in the format along with the following information:

1. Profile of the Company & Associate Companies
2. List of Directors and their profile
3. Memorandum of Articles and Articles of Association of the Company
4. Copy of PAN card and Address Proof of the company
5. Audited Financial Statements for the last three years along with the income tax / sales tax returns etc.
6. Assets and liabilities statement of promoter directors and guarantors along with latest income tax returns, CIBIL Certificates./Dir
7. Projected financial statements for the current year and the subsequent 5 years along with the cash flow statements and D.S.C.R. calculations.
8. List of Machinery with capacity, age and value (If any machinery is installed under lease or hire purchase, necessary particulars may also be furnished)
9. Copies of Sanction Letters / Reschedulement / OTS letters issued by the Banks/FIs.
10. Audited Financial Statements of the Associate / Group Companies (If any) for the past three years along with the income tax / sales tax returns and assessment orders etc
11. Copies of the title deeds of all the properties offered as primary and collateral securities already mortgaged to the original lenders along with latest tax receipts and E.C. for the past 13 years.
12. Copies of the title deeds of the properties being offered as additional collateral security along with the link documents if any and latest tax receipts and E.C. for the past 13 years
13. Copies of the Rent / Lease Agreement (if the business premises is given on rent / lease)
14. Latest valuation reports of all the properties offered as primary and collateral securities.

1. Copies of the licenses / clearances from the statutory authorities like pollution control board, factories inspector, boiler inspector, electricity department, industrial license etc.
2. Copy of the bank account statement for the past one year;
3. Copies of the insurance policies covering the buildings, plant and machinery and stocks;
4. Copies of Charge Forms filed with ROC to create charge in favour of the original lenders;

**We certify:**

* That the information furnished by us is true and the projections made are reasonable considering the performance and the present industry scenario;
* That we have no other borrowing arrangements for the unit except as indicated in the Application;
* That there are no statutory dues to be paid by our Company except as indicated in the application;
* That no other legal action has been/is being / is being contemplated to be taken against me/us/promoters/Company/ New Directors except as furnished in the application;
* That no attachment orders from statutory authorities are issued / are being contemplated to be issued against the company;
* That we shall furnish all other information that may be required by you in connection with our application;
* That this information may also be exchanged by you with any agency you may deem fit and you, your representatives, representatives of the Reserve Bank of India or any other agency as authorised by you, may, at any time, inspect/verify our assets, books of accounts etc. in our factory / business premises as given in the application.

**We further undertake:**

* To abide by the rules, terms and conditions as stipulated by Maximus ARC Limited from time to time;
* To authorise Maximus ARC Limited to furnish our names and other information to CIBIL as per RBI directives.
* To meet the legal opinion charges/advocate fee, valuation fee, inspection charges, stock audit charges as per Maximus ARC Limited rules from time to time.
* We also undertake that the Management Fee at the prescribed rate shall be paid by us on the principal amount of acquisition / total funding by Maximus ARC Limited on the completion of every year on the due date reckoning from the date of first disbursement and that any part of the year shall be deemed to be a full year for the purpose of calculation or levy of the Management Fee.
* That in the event of our application is favourably considered by MAXIMUS ARC LIMITED to acquire the debt from Banks/FIs, we would be making the necessary arrangements to meet the required working capital funds either from our own sources or otherwise and MAXIMUS ARC LIMITED will not be under any type of obligation to arrange for the working capital funds,
* We enclose a cheque for Rs. being Non-refundable advance towards Management Fee. We agree and understand that the said fee shall be adjusted against the Management Fee in the event of sanction of our application by MAXIMUS ARC LIMITED and in the event of non-sanction, we authorise MAXIMUS ARC LIMITED to adjust the same towards processing fee.
* We request you to sanction the Funding as requested in this application for the acquisition of debt due by us to Banks/FIs.

Yours faithfully,

Authorised Signatory

Name and Designation

Date:

With Seal

Place:

**\***Theapplication and the enclosures shall be duly signed by the applicant with initials on each page by the authorised signatory

**Application for funding of OTS dues to Banks/FIs**

|  |  |  |
| --- | --- | --- |
| 1 | Name of the Company |  |
| 2 | Registered Office & Telephone |  |
| 3 | Corporate Office & Telephone |  |
| 4 | Address of factory & Telephone |  |
| 5 | Constitution |  |
| 6 | Line of activity |  |
| 7 | Licensed Capacity |  |
| 8 | Installed Capacity |  |
| 9 | Status of Unit | Closed/Running  If Closed: Date of closure |
| 10 | CIN No. |  |
| 11 | PAN No. |  |
| 12 | Date of Incorporation |  |
| 13 | Date of Commencement of Business |  |
| 14 | Date of Commencement of Production |  |
| 15 | Date of NPA |  |

**16. Name of Promoters/Directors/Guarantors of the Company:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Age** | **Residential Address** | **Experience in the line of activity** |
|  |  |  |  |
|  |  |  |  |
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|  |  |  |  |

(Relationship with one another, if any, may also be furnished)

**17. Shareholding Pattern:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of the shareholder | No. of Shares | Face Value | Amount | % of Share |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**18.** **Names of Associate concerns and nature of association, if any:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of the Associate Concern | Address of Associate Concern | Presently banking with | Nature of Association | Common Directors |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**19. Credit Facilities Availed:**

(Rs. In Lakhs)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Facility** | **Sanction** | **Disbursed** | **Interest rate** | **Amount Due as on-----** | | |
|  |  |  |  | **Principal** | **Interest** | **Total** |
| Term Loan |  |  |  |  |  |  |
| Working Capital |  |  |  |  |  |  |
| LC |  |  |  |  |  |  |
| Others |  |  |  |  |  |  |
| **Total** |  |  |  |  |  |  |

**20. Reasons for NPA:**

**21. Efforts made for revival and reasons for failure:**

**22. Funding Required from Maximus ARC Limited:**

(Rs. In Lakhs)

|  |  |  |  |
| --- | --- | --- | --- |
| OTS Amount | Proposed funding plan | | Proposed Repayment schedule |
| Margin form Applicant | Funding from Maximus |
|  |  |  |  |

**23. Details of Primary Security:**

(Rs. In Lakhs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl.No** | **Description of the Security** | **Name of the Owner** | **Description** | **Value as on----** |
| Land  Building  P & M |
|  |  |  |  |  |

**24. Details of Collateral Security:**

(Rs. In Lakhs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl.No** | **Description of the Security** | **Name of the Owner** | **Description** | **Value as on----** |
| Land  Building  P & M |
|  |  |  |  |  |

**25. Name of the Guarantors:**

(Rs. In Lakhs)

|  |  |  |
| --- | --- | --- |
| **Name of the Guarantor** | **Address & Contact Details** | **Net worth as on ------** |
|  |  |  |
|  |  |  |

**26. Pledge of shares:**

(Rs. In Lakhs)

|  |  |  |  |
| --- | --- | --- | --- |
| Name of the Shareholder | No. of Shares | Face Value | Total Value |
|  |  |  |  |
|  |  |  |  |

**27. Details of Additional Securities offered to Maximus ARC Limited:**

(Rs. In Lakhs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl.No** | **Description of the Security** | **Name of the Owner** | **Description** | **Value as on----** |
| Land  Building  P & M |
|  |  |  |  |  |

**28. Details of Additional Personal Guarantees offered to Maximus ARC Limited:**

(Rs. In Lakhs)

|  |  |  |
| --- | --- | --- |
| **Name of the Guarantor** | **Address & Contact Details** | **Net worth as on ------** |
|  |  |  |
|  |  |  |

**29. Details of additional pledge of shares:**

(Rs. In Lakhs)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of the Shareholder | Share Certificate No. | No. of Shares | Face Value | Total Value |
|  |  |  |  |  |
|  |  |  |  |  |

**30. Past Performance/ Future Estimates: (Enclose as Annexure)**

Actual performance for two previous years, estimates for current year and projections for next 5 years to be provided along with cash flows and DSCR.

**31. Status regarding Statutory Obligations:**

|  |  |  |
| --- | --- | --- |
| Statutory Obligations | Whether Complied with (Write Yes/No). If Not applicable then write N.A | Remarks |
| Registration under Shops and Establishment Act |  |  |
| Registration under SSI |  |  |
| Latest Sale Tax Return filed |  |  |
| Latest Income Tax return filed |  |  |
| Drug License |  |  |
| Any other licenses give details |  |  |

**32. Insurance particulars of primary and collateral securities:**

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Insurance Company | Particulars of asset insured | Sum Insures | Valid Till |
|  |  |  |  |

**33. Statutory Dues:**

(Rs. In Lakhs)

|  |  |
| --- | --- |
| **Description** | **Amount** |
| Employee wages |  |
| PF |  |
| Gratuity , ESI |  |
| Electricity Dues |  |
| Municipal Taxes |  |
| Sales Tax |  |
| Central Excise |  |
| Income Tax |  |
| Others |  |

**34. Availability of Tile Deeds and Loan Documents**

|  |  |
| --- | --- |
| **Nature of the Document** | **Bank Branch** |
| Original Title Deeds |  |
| Original Loan Agreements |  |

**34. ROC Certificates creating charge on Movable & Immovable Properties:**

|  |  |
| --- | --- |
| Name of Bank/Institution | Charge Amount |
|  |  |

**35. Legal Aspects**

**DRT:**

|  |  |
| --- | --- |
| DRT Location |  |
| O.A. No. |  |
| Suit Amount and suit date |  |
| Details of counters filed |  |
| Present stage of OA/Counters/Next date of hearing |  |
| Any counter claim |  |
| Whether RC received , if yes status of Execution of RC |  |

**Liquidation/winding up proceeding, if any:**

|  |  |
| --- | --- |
| Liquidation/ winding up proceedings, if any |  |
| Status of possession of securities of OL |  |

**Action under SARFAESI:**

|  |  |
| --- | --- |
| Whether selling bank has mandate of consortium/other banks to proceed under provisions of the SARFAESI Act |  |
| Dt of issue of 13(2) & Amount claimed |  |
| Dt. of issue of 13(4) |  |
| S A, if any, filed by company and reasons |  |
| Any stay ordered by Court |  |
| Date of taking symbolic possession |  |
| Date of CMM Order obtained |  |
| Date of taking physical possession. |  |
| Dt of Issue of Sale Notice and Reserve Price |  |
| Present status of SA/stay |  |
| Any other cases pending in civil court etc. |  |

NCLT:

|  |  |
| --- | --- |
| Dt. of Case filed & location |  |
| Case No. |  |
| Present status |  |

**Authorised Signatory**