**FORM D**

**PROOF OF CLAIM BY FINANCIAL CREDITORS**

(*Under Regulation 18 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 the public announcement]*

From

[*Name and address of the registered office and principal office of the financial creditor]*

**Subject:** Submission of proof of claim in respect of the liquidation of [*name of corporate debtor*] under the

Insolvency and Bankruptcy Code, 2016.

Madam/Sir,

[*Name of the financial 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:

|  |  |  |
| --- | --- | --- |
| 1. | NAME OF FINANCIAL 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 AND EMAIL OF FINANCIAL CREDITOR FOR  CORRESPONDENCE. |  |
| 3. | TOTAL AMOUNT OF CLAIM, INCLUDING ANY INTEREST,  AS AT THE LIQUIDATION COMMENCEMENT DATE AND  DETAILS OF NATURE OF CLAIM (WHETHER TERM LOAN,  SECURED, UNSECURED) | PRINCIPAL :  INTEREST :  TOTAL CLAIM : |
| 4. | DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE  DEBT CAN BE SUBSTANTIATED |  |
| 5. | DETAILS OF ANY ORDER OF A COURT OF TRIBUNAL THAT HAS ADJUDICATED ON THE NON-PAYMENT OF DEBT |  |
| 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 FINANCIAL CREDITOR WHICH MAY BE  SET-OFF AGAINST THE CLAIM |  |
| 8. | DETAILS OF ANY SECURITY HELD, THE VALUE OF THE  SECURITY, AND THE DATE IT WAS GIVEN |  |
| 9. | DETAILS OF ANY ASSIGNMENT OR TRANSFER OF DEBT IN HIS FAVOUR |  |
| 10. | DETAILS OF THE BANK ACCOUNT TO WHICH THE  FINANCIAL 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 financial creditor or person authorised to act on his behalf  (please enclose the authority if this is being submitted on behalf a financial creditor) |
| Name in BLOCK LETTERS |
| Position with or in relation to creditor |
| Address of person signing |

**\***PAN, 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 the 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*

*copartners*], 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 and of non-payment*.]

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 financial creditor which may be set-off against the claim*.]

Solemnly, affirmed at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 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 para \_\_\_ 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.