

Minutes of the Second Meeting of the Committee of Creditors of

M/S FORCE 1 GUARDING SERVICES PRIVATE LIMITED

CIN: U74920TN2002PTC048679

Regd. Office: No. 3/1, Lake View Road, Kottur, Chennai - 600085

Held at 6/4 Ram Swathi Towers, 5 & 7 Dr. Durgabai Deshmukh Road, R.A. Puram, Chennai - 600028 (through Video Conferencing) on Saturday, the 04th September, 2021 at 03.00 p.m.

PERSONS PRESENT

A. RESOLUTION PROFESSIONAL

Name	Designation	Mode of Presence
K.K. Balasubramanian	Resolution Professional (RP)	In person

B. COMMITTEE OF OPERATIONAL CREDITORS

Sr.	Financial Creditor	Represented by	Mode of Presence
1	Authorised Representative of the workmen and employees employed by the corporate debtor)	Ms. Geethadanesh,	Video Conferencing from Chennai
2	ESI Regional Office, Chennai N.S. Sujeendranath, Social Security Officer -Legal, ESIC		Video Conferencing from Chennai
3	ESI Sub Regional Office, Pune Represented by N.S. Sujeendranath, Social Security Officer -Legal, ESIC		Video Conferencing from Chennai
4.	Employees Provident Fund Organisation, RO, Chennai South. (Represented by Mr. Mahesh, Asst. Provident Fund Commissioner & Recovery Officer)		Video Conferencing from Chennai
5.	Rajesh, Ex-Employee		Video Conferencing from Chennai

C. DIRECTORS/ OFFICER OF CORPORATE DEBTOR

Sr.	Name	Designation	Mode of Presence
1	Vinoth Kumar	Director	Video Conferencing from Chennai

D. RESOLUTION PROFESSIONAL'S TEAM

Sr.	Name	Designation	Mode of Presence
1.	Mrs.Usha Balasubramanian	Team member - RP team	In Person
3.	Mr.A. Rengarajan	Team member - RP team	In Person

RP welcomed all the members present at the meeting and informed the members that this is the second meeting of the Committee of Creditors (CoC) of M/s. Force 1 Guarding Services Private Limited ("Corporate Debtor").

RP invited all the members to introduce themselves to confirm that nobody except the members are present at the meeting room.

RP clarified that only a duly Authorized Member from respective CoC members can attend and vote at the CoC Meeting.

All the members of CoC introduced themselves. RP then declared that the members are present through video/audio conferencing at the meeting.

ITEM NO. 1: CHAIRMAN OF THE MEETING

Resolution Professional Mr. K.K. Balasubramanian Chaired the Second Meeting of the CoC of "M/s. Force 1 Guarding Services Private Limited."

ITEM NO. 2: ROLL CALL AT THE MEETING

The Chairman took a roll call of the members. The Chairman of the meeting requested participants who were present in person to sign the attendance. The attendance sheet was duly signed by the participants present and the same was handed over to the Chairman.

ITEM NO. 3: QUORUM

The Chairman informed that pursuant to Regulation 22(1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, the Quorum for the meeting of members of the committee shall be at least 33% of the voting share present either in person or by Video Conference or other Audio-Visual means. Since 5 members representing 82.66 voting share attended the meeting through video conferencing, the Quorum was present in accordance with the aforementioned Regulation.

ITEM NO. 4: TAKE ON RECORD THE MINUTES OF THE FIRST CoC MEETING HELD ON 7TH APRIL, 2021

1st CoC meeting was held on 7th April, 2021. The minutes of the 1st CoC meeting was circulated on 9th April, 2021. After discussion, the same was taken into record.

ITEM NO 5. : UPDATE ON THE CLAIMS RECEIVED

Following claims received after the 1st CoC meeting :

S.No	Name of the Operational Creditor	Claim Amount
1.	ESI Regional Office, Chennai	₹ 5,93,543.00
2.	ESI Sub Regional Office, Tirunelveli	₹ 1,09,347.00
3.	ESI Sub Regional Office, Madurai	₹ 9,838.00
4.	ESI Sub Regional Office, Pune	₹ 22,883.00
5.	Employees Provident Fund Organization, RO, Chennai South.	₹ 189,39,277.00
6.	Mr. Rajesh (Ex- Employee), Coimbatore	₹ 52,360.00
7.	Commercial Taxes	₹ 28,15,237.00
	Total	₹ 2,25,42,485.00

ITEM NO 6 : APPOINTMENT OF VALUER

The Chairman informed that he has appointed following two valuers for the valuation of the financial assets of the Corporate Debtor and their fees are as follows.

1. Mr. Raja Pandian, Registered Valuer for FA & S at a fees of Rs.14,000/- plus GST plus travelling expenses based on actuals
2. Mr. Ramji Mahadevan, Registered Valuer for FA & S at a fees of Rs. 17,000/- plus travelling expenses based on actuals

ITEM NO 7 : UPDATE ON THE FINALIZATION OF ACCOUNTS OF CORPORATE DEBTOR

The Chairman informed that he has appointed an Accounting professional to carry out the books of accounts and completed the audited Financial Statements of the Corporate Debtor upto the financial year ended 31st March, 2019 and Unaudited financial statements of the Corporate Debtor for the financial year ended on 31st March 2020 and 2021 has been finalized. He added that the Provisional Financial Statements for the period ended on 25th February, 2021 (CIRP Commencement Date) has also been finalized.

ITEM NO 7. TO TAKE NOTE OF ACTIONS TAKEN BY RESOLUTION PROFESSIONAL

The Chairman apprised the CoC about the actions taken by him since last CoC meeting till date of meeting.

1. Resolution Professional has taken symbolic possession of the Corporate office of the Corporate Debtor Force1 Guarding Services Pvt. Ltd, Chennai
2. The Corporate Debtor is not in operation for the last 2 years. We were informed that all other branches in other Cities have been closed.
3. CIRP information notice sent to all relevant Govt. authorities such as Registrar of Companies (INC 28 filed), Income Tax Authority, ESI, EPF etc.
4. CIRP information notice sent to all banks where the Corporate Debtor has Bank Accounts for Change of Bank Authorized Signatories.
5. Taken possession of Tally accounts and other available accounting records.

6. Appointment of Two Valuers Mr M. Ramji Mahadeven and Mr Raja Pandian M for valuation of financial assets.
7. Appointment of Consultant for preparation and finalization of accounts and GST Advisory and Income Tax advisory services for the Two (2) financial years 2019-2020 & 2020-2021 and pre and post CIRP period from Feb 25'2021.
8. Confirmation of Balances of Debtors on the Outstanding Accounts Receivables as per available records as on Feb 25, 2021 sent to 33 Debtors and reply has been received from some Debtors and the same is being reviewed.
8. Fixed Asset verification done as per the accounting records.
9. Unaudited Financial Statements 2019-2020 & 2020-2021 have been prepared and finalized.
10. Provisional accounts i.e. Profit & Loss and Balance sheet till Feb 25, 2021 has been prepared and verification of the same is under progress.
11. The existing Auditors are yet to resign and we are in the process of appointing new auditors.
12. Information Memorandum/RFRP/Evaluation Matrix of the Corporate Debtor is under finalization which will be presented in the next COC meeting.
13. Filed petition with NCLT for exclusion of period of lockdown from 10th May, 2021 to 5th July, 2021 from CIRP period. Hearing was held on 2nd September, 2021. The matter has been adjourned to 29th September, 2021.
14. Telengana GST has been activated by way of filing returns.

ITEM NO 8. CIRP EXPENSES INCURRED TILL DATE:

The chairman presented CIRP expenses/budgeted as follows:

Following CIRP expenses have incurred during the period April 1, 2021 to Aug 31, 2021:

	CIRP EXPENSES	AMOUNT RS.
1	Resolution Professional Fees (Rs. 150000 X 5)	7,50,000
2	Support services Rs. 30000 X 5	1,50,000

3	Travelling and administration cost Rs 12500 X 5	62,500
4.	Accounts preparation & finalization services For 2 years	1,00,000
5.	GST advisory services	25,000
6.	Legal Expenses	1,50,000
7.	Valuation fees plus conveyance and administration expenses) (payable to two Registered Valuers)	35,000
	TOTAL in Rs.	12,72,500

Amount in words: (Rupees Twelve Lakhs Sixty Seven Thousand and Five Hundred Only)

LIST OF ITEMS TO BE VOTED

1. **To ratify, confirm and approve the exclusion of the period of lockdown from 10th May, 2021 to 5th July, 2021 from Corporate Insolvency Resolution Process ("CIRP") period and to ratify, confirm and approve the filing of necessary application before the National Company Law Tribunal, Chennai Bench ("NCLT") in this regard.**

The Chairman informed that Covid lockdown was declared in Tamil Nadu from 10th May 2021 to 5th July, 2021. There were practical difficulties which was faced due to lockdown and various CIRP processes could not be completed within the stipulated CIRP timelines.

He further informed that in terms of Regulation 40C Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 which came into effect on 29th March, 2020, the lockdown period shall not be counted for the purpose of these timelines. The extract of Regulation 40C Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 is given below:-

"40C. Special provision relating to time-line.

Notwithstanding the time-lines contained in these regulations, but subject to the provisions in the Code, the period of lockdown imposed by the Central Government in the wake of COVID-19 outbreak shall not be counted for the purposes of the time-line for any activity that could not be completed due to such lockdown, in relation to a corporate insolvency resolution process".

He further apprised that an application has been filed before NCLT seeking approval of Honourable Tribunal for the exclusion of the period of lockdown from 10th May

Red

2021 to 5th July, 2021 from CIRP Period. The matter came up for hearing on 2nd September, 2021 and the next hearing on the matter is fixed on 29th September, 2021.

The CoC members approved the following resolution:

"RESOLVED THAT the Committee of Creditors ("CoC") do hereby ratify, confirm and approve the filing of the application seeking exclusion of the period of lockdown from 10th May 2021 to 5th July, 2021 from Corporate Insolvency Process Period ("CIRP") before the National Company Law Tribunal, Chennai Bench ("NCLT"), under Section 12(2) of Insolvency And Bankruptcy Code, 2016 to enable the CoC to get more time to complete the CIRP process and that the steps taken by Mr K. K. Balasubramanian, Resolution Professional("RP") for aforesaid purpose including signing and filing of requisite applications, affidavits and other documents including appointment of counsel to represent RP be and is hereby ratified, confirmed and approved."

2. **Approval of extension of corporate insolvency process period by 90 days from 5th September, 2021 pursuant to section 12(2) of Insolvency And Bankruptcy Code, 2016 and authorise RP to file necessary application before the National Company Law Tribunal, Chennai Bench ("NCLT") in this regard.**

The Chairman informed that the CIRP Period is getting over on 5th September, 2021. That the application seeking exclusion of lockdown period is pending before NCLT. Accordingly, in order enable the CoC to get more time to complete the CIRP process, which includes finalization of accounts, verification of information pertaining to receivables, time required for invitation of bid from prospective resolution applicants and time required for submission of resolution plan, it is advisable to seek extension of CIRP Period.

He added that in terms of Section 12 of Insolvency And Bankruptcy Code, 2016 the CoC may seek 90 days extension of CIRP Period by filing an application before NCLT.

The CoC members considered and approved the following resolution :-

"RESOLVED THAT approval of the Committee of Creditors ("CoC") be and is hereby given for seeking extension of corporate insolvency resolution process ("CIRP") period by 90 days from 5th September, 2021 or CIRP end date being the date after exclusion of lockdown period from CIRP Period as may be approved by the National Company Law Tribunal, Chennai Bench ("NCLT"), under Section 12(2) of Insolvency And Bankruptcy Code, 2016 from the NCLT to enable the CoC to give more time to

complete the CIRP process and that Mr K. K. Balasubramanian, Resolution Professional be and is hereby authorized to sign and file necessary applications, affidavits and other documents and take necessary steps for aforesaid purpose.

3. **Approval of CIRP Expenses**

The CoC members considered and approved the following resolution :-

"RESOLVED THAT the following expenses, incurred during the period April 1, 2021 to August 31, 2021 be and is hereby approved.

	CIRP EXPENSES	AMOUNT RS.	
1	Resolution Professional Fees (Rs. 150000 X 5)	7,50,000	
2	Support services Rs. 30000 X 5	1,50,000	
3	Travelling and administration cost Rs 12500 X 5	62,500	
4.	Accounts preparation & finalization services For 2 years	1,00,000	
5.	GST advisory services	25,000	
6.	Legal Expenses	1,50,000	
7.	Valuation fees plus conveyance and administration expenses) (payable to two Registered Valuers)	35,000	
	TOTAL in Rs.	12,72,500	

4. **ANY OTHER MATTER**

Mr. Rajesh, operational creditor sought clarification that he has an outstanding salary due from the Corporate Debtor and has waited for 2 years and still the same has not been settled. RP clarified that his claim has been verified and RP will have to follow the CIRP process and that settlement of claims received from creditors shall be in accordance with the provisions of the Code.

There being no other matter to transact the meeting ended with vote of thanks to the chair.



K K BALASUBRAMANIAN
INSOLVENCY PROFESSIONAL
IP Regn.No.IBBI/PA-001/IP/P-01544/2018-2019/12401

CHAIRMAN
K. K. BALASUBRAMANIAN
RESOLUTION PROFESSIONAL OF
FORCE 1 GUARDING SERVICES PRIVATE LIMITED
CHENNAI