

FORM B

PROOF OF CLAIM BY OPERATIONAL CREDITORS EXCEPT WORKMEN AND EMPLOYEES

(Under Regulation 7 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

11.02.2020

To
The Interim Resolution Professional / Resolution Professional
CA IP Sanjay Kumar Agarwal
Draupadi Mansion, 3rd Floor,
11, Brabourne Road, Kolkata-700001

From
Chunku Hansdak, Assistant Commissioner,
Central goods & Service Tax and Central Excise,
Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand)

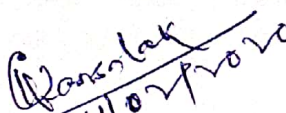
Subject: Submission of proof of claim.

Sir,

I, Chunku Hansdak, Assistant Commissioner, Central Goods & Service Tax and Central Excise, Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand), hereby submit this proof of claim in respect of the corporate insolvency resolution process in the case of M/s Adi Ispat Private Limited [Central Excise Registration No.AAECA8248FXM001], Manjhladih, Gadi Srirampur, Giridih (Jharkhand). The details for the same are set out below:

PARTICULARS		
1.	NAME OF OPERATIONAL CREDITOR	Chunku Hansdak, Assistant Commissioner
2.	IDENTIFICATION NUMBER OF OPERATIONAL 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)	PAN No. AALPH7524F
3.	ADDRESS AND EMAIL ADDRESS OF OPERATIONAL CREDITOR FOR CORRESPONDENCE	Central goods & Service Tax and Central Excise, Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand) E-mail ID: cenexgdh@gmail.com
4.	TOTAL AMOUNT OF CLAIM (INCLUDING ANY INTEREST AS AT THE INSOLVENCY COMMENCEMENT DATE)	STATUTORY DUES OF Rs.13135808/- [DISALLOWED CENVAT CREDIT & CESSSES OF Rs.43,61,517/-] (+) [INTEREST OF Rs.4412774/- AS ON 22.11.2019] (+) [PENALTY OF Rs.43,61,517/-]

PARTICULARS		
5.	<p>DETAILS OF DOCUMENTS BY REFERENCE TO WHICH THE DEBT CAN BE SUBSTANTIATED.</p>	<p>ORDER-IN-ORIGINAL No. 13/AC/CE/GDH/(16-17)2017 DATED 26.09.2017 OF SRI SUDARSHAN SHIT, Assistant Commissioner, Central Goods & Service Tax and Central Excise, Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand) issued under File No. V(72)79/Adi Ispat/Adjn./Ran-II/2015/GDHD/721 dated 26.09.2017.</p> <p>This ORDER-IN-ORIGINAL WAS DELIVERED TO M/s Adi Ispat Private Limited on 04.01.2018.</p>
6.	<p>DETAILS OF ANY DISPUTE AS WELL AS THE RECORD OF PENDENCY OR ORDER OF SUIT OR ARBITRATION PROCEEDINGS</p>	<p>AN APPEAL OF M/s Adi Ispat Private Limited is pending before the Commissioner (Appeal), Central goods & Service Tax and Central Excise, Ranchi as the Commissioner (Appeal) had transferred the instant appeal to the Call Book vide Order-in-Appeal No.226/RAN/2019 dated 11.03.2019 issued under C.No. XAP/08/RAN/2018-19/1049-1053 dated 18.03.2019.</p>
7.	<p>DETAILS OF HOW AND WHEN DEBT INCURRED</p>	<p>M/s Adi Ispat Private Limited had availed and utilised CENVAT Credit of Rs.43,61,517/- (INCLUSIVE OF CESSES), THE DUTY PAID ON VARIOUS INADMISSIBLE ITEMS LIKE M.S.CHANNEL, M.S.JOIST, H.R.PLATE ETC. DURING THE PERIOD FROM SEPTEMBER' 2013 TO MARCH' 2014 BY WAY OF SUPPRESSION OF FACTS.</p>
8.	<p>DETAILS OF ANY MUTUAL CREDIT, MUTUAL DEBTS, OR OTHER MUTUAL DEALINGS BETWEEN THE CORPORATE DEBTOR AND THE CREDITOR WHICH MAY BE SET-OFF AGAINST THE CLAIM</p>	<p>M/s Adi Ispat Private Limited had made a pre-deposit of Rs.327114/- VIDE CHALLAN No. 50025 DT. 03.04.2018.</p>
9.	<p>DETAILS OF:</p> <p>a. any security held, the value of security and its date, or</p> <p>b. any retention of title arrangement in respect of goods or properties to which the claim refers</p>	<p>NOT APPLICABLE</p>
10.	<p>DETAILS OF THE BANK ACCOUNT TO WHICH THE AMOUNT OF THE CLAIM OR ANY PART THEREOF CAN BE TRANSFERRED PURSUANT TO A RESOLUTION PLAN</p>	<p>(I) BASIC EXCISE DUTY A/C CODE - 00380003 - Rs.42,34,493/-</p> <p>(II) ED. CESS A/C CODE -</p>

PARTICULARS		
		(III) 00380111 – Rs.84683/- SHE CESS A/C CODE – 00380115 – Rs.42341/- (IV) INTEREST (OTHER RECEIPTS) A/C CODE – 00380087 – Rs.4412774/- (V) PENALTY (OTHER RECEIPTS) A/C CODE – 00380087 – Rs.43,61,517/-
11.	LIST OF DOCUMENTS ATTACHED TO THIS PROOF OF CLAIM IN ORDER TO PROVE THE EXISTENCE AND NON-PAYMENT OF CLAIM DUE TO THE OPERATIONAL CREDITOR	(I) ATTESTED COPY OF ORDER-IN-ORIGINAL No.13/AC/CE/GDH/(16-17)2017 DATED 26.09.2017 (II) ATTESTED COPY OF LETTER DATED 05.04.2018 OF M/s Adi Ispat Private Limited confirming the receipt of the ORDER-IN-ORIGINAL DATED 26.09.2017 (III) ATTESTED COPY OF INTEREST CALCULATION CHART IN ANNEXURE-I & ANNEXURE-II (IV) ATTESTED COPY OF CHALLAN No. 50025 DT. 03.04.2018 OF M/s Adi Ispat Private Limited (V) Attested copy of Order-in-Appeal No.226/RAN/2019 dated 11.03.2019
<p style="text-align: center;">  Signature of operational creditor or person authorised to act on his behalf [Please enclose the authority if this is being submitted on behalf of an operational creditor] </p>		
Name in BLOCK LETTERS		
CHUNKU HANSDAK		
Position with or in relation to creditor		
Assistant Commissioner		
Address of person signing		
Central Goods & Service Tax and Central Excise, Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand)		

*PAN number, passport, AADHAAR Card or the identity card issued by the Election Commission of India

DECLARATION


I, CHUNKU HANSDAK, currently residing at Giridih, hereby declare and state as follows:-

1. M/s Adi Ispat Private Limited, Manjhladih, Gadi Srirampur, Giridih (Jharkhand), the corporate debtor was, at the insolvency commencement date, being the 22nd day of November, 2019, actually indebted to me in the sum of Rs.13135808/-
2. In respect of my claim of the said sum or any part thereof, I have relied on the documents specified below:
 - (I) ORDER-IN-ORIGINAL No.13/AC/CE/GDH/(16-17)2017 DATED 26.09.2017 OF SRI SUDARSHAN SHIT, Assistant Commissioner, Central goods & Service Tax and Central Excise, Division Giridih, Barmasia Road, Giridih-815301 (Jharkhand) issued under File No. V(72)79/Adi Ispat/Adjn./Ran-II/2015/GDHD/721 dated 26.09.2017
 - (II) INTEREST CALCULATION CHART IN ANNEXURE-I & ANNEXURE-II
3. The said documents are true, valid and genuine to the best of my knowledge, information and belief and no material facts have been concealed therefrom.
4. In respect of the said sum or any part thereof, neither I nor any person, by my order, to my knowledge or belief, for my 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 debt or and the creditor which may be set-off against the claim] .

Date: 11.02.2020

Place: Giridih

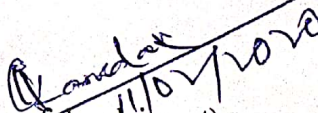

(Signature of the claimant)

VERIFICATION

I, CHUNKU HANSDAK the claimant hereinabove, do hereby verify that the contents of this proof of claim are true and correct to my knowledge and belief and no material fact has been concealed there from.

Verified at Giridih on this 11th day of February, 2020




(Signature of the claimant)

Enclosures – As above (46 sheets)

[Note: In the case of company or limited liability partnership, the declaration and verification shall be made by the director/manager/secretary and in the case of other entities, an officer authorised for the purpose by the entity].