

THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH-IV

(IB)-463/ND/2021

In the matter of

Skills for India
Having Registered Office at-
4th Floor, Gopal Das Bhawan
28, Barakhambha Road
New Delhi-110003

....Liquidator

Order delivered on- 06.06.2022

CORAM:

SHRI. DHARMINDER SINGH, MEMBER (JUDICIAL)

SMT. SUMITA PURKAYASTHA, MEMBER (TECHNICAL)

ORDER

PER SMT.SUMITA PURKASYTHA , MEMBER (T)

1. This application is filed under section 59 of the Insolvency and Bankruptcy Code, 2016 (Code) read with Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017 (IBBI Regulations) by the Voluntary Liquidator seeking dissolution of Skills for India (herein referred to as the ("Company")).
2. The aforesaid Company was incorporated under the provisions of Companies Act, 1956 on 27.11.2013 having Corporate Identification number U80903DL2013NPL261186.
3. The registered office of the Company is presently situated at 4th Floor, Gopal Das Bhawan, 28, Barakhambha Road New Delhi-10003 which lies within the territorial jurisdiction of this Bench.
4. The following averments have been made in the petition:-

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- a. The main objective of the Company was to carry on the business of Imparting training, skill development and education including led, information technology assistance and distance education.
- b. That as there has been no significant business operation in the company from preceding one year, the Board of Directors on 07.09.2020, unanimously decided to voluntarily liquidate the company. For this purpose, an Annual General Meeting of the members was held on 18.09.2020 to approve the Voluntary Liquidation of the company and the said decision was made after making a full enquiry into the affairs of the company. Declaration of Solvency filed with the ROC in form GNL-2 on 27.08.2020.
- c. Pursuant to the provisions of Section 59 of the Code and other applicable provisions of the Code, the Annual general meeting passed a special resolution dated 18.09.2020 whereby Mr.Narendra Singhania, an Insolvency Professional having registration no. IBBI/IPA-001/IP-P00196 /2017-2018/10375 was appointed as the Voluntary Liquidator of the Company.
- d. As per the requirement of Regulation 14 of the IBBI (Voluntary Liquidation Process) Regulations, 2017, the voluntary liquidator published a notification in the newspaper, namely, " Financial Express" in English and "Jansatta" in Hindi on 19.09.2020 respectively. In terms of the Regulation 14(3)(c) of the IBBI Regulations, the liquidator served a copy of public announcement to IBBI to be published on its official website.

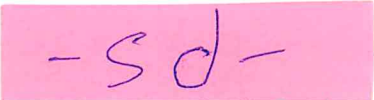
In terms of Regulation 30, it is submitted that no claims were received from any creditor.

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- e. The voluntary liquidator has given the required intimation under section 178 of the Income Tax Act, 1961 with the Income Tax Authorities on 08th October, 2020.
- f. It is submitted that the intimation of appointment of Liquidator to Goods and Services Tax Authority under section 88 of the Goods and Service Tax Act, 2017 was sent on 30th December, 2020. Thereafter, the Registration of the company from Goods and Service Tax was cancelled vide order dated 18th March, 2021.
- g. As per the requirement of Regulation 34 of the IBBI (Voluntary Liquidation Process) Regulations, 2017, it is submitted that a Kotak Bank Account was opened in the name of "Skills for India in Voluntary Liquidation". The said account was closed after distribution of the liquidated assets of the company in accordance with the manner provided in Section 53 of the Act.
- h. The Declaration by majority of Directors along with the audited financial statements of the company for the financial year ended 31st March, 2019 and 31st March, 2020.
- i. In terms of Regulation 9 of the IBBI Regulations, the voluntary liquidator submitted a Preliminary Report to the company on 31st October, 2020.
- j. Accordingly, in terms of Regulation 38 of the IBBI Regulations, the voluntary liquidator submitted the final report to the IBBI and RoC on 9th August, 2021 and 10th August, 2021 respectively. Further, a copy of the Final report had been forwarded to the ROC in Form GNL-2 on 10th August, 2021 as well as IBBI dated, 9th August, 2021.

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5. When the matter was first heard, this Bench had directed that notices be issued to the RoC. The ROC has filed their reply stating that an Affidavit of Solvency was filed by the Director deposing that the Company was not being liquidated to defraud any person.
6. Pursuant to the service of the notices to the ROC and IBBI, no objection has been raised by them. The voluntary liquidator has filed an affidavit confirming that neither he nor the Company has received any objection with regard to the present liquidation proceedings of the company from any authority whatsoever.
7. The applicant states that necessary compliances of Section 59 and other relevant provisions of the Insolvency and Bankruptcy Code, 2016 read with the regulations have been stated within time, more specifically submission of the Form GNL-2 to the ROC and the intimation to the IBBI vide email, after realisation and distribution of the assets to its members and closure of the Bank account.
8. In view of the foregoing paragraphs and in view of the satisfaction accorded by the voluntary liquidator by way of the present application, the said company is hereby dissolved with effect from the date of the present order.
9. A copy of this order be filed with the ROC within the statutory period as per the applicable provisions.
10. The petition is accordingly allowed in the above terms.


[Sumita Purukayastha]
Member(T)


[Dharminder Singh]
Member(J)