**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:

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| --- | --- | --- |
| 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 OF FINANCIAL CREDITOR FOR CORRESPONDENCE  |  |
| 3. | TOTAL AMOUNT OF CLAIM, INCLUDING ANY INTEREST, AS AT 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 OR 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 DEBITS, 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 authorized to act on his behalf(Please enclose the authority if this is being submitted on behalf of the financial creditor) |
| Name in BLOCK LETTERS |
| Position with or in relation to creditor |
| Address of person signing |

\*PAN, Passport, AADHAR 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 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 co-partners],* my co-partners in trade, or, as the case may be] in the sum of Rs. \_\_\_\_\_\_\_\_\_\_ for \_\_\_\_\_ *[please state condideration].*
2. In respect of my claim of the said sum or any part thereof, I have relied on and the documents specified below:

*[Please list the documents relied on as evidence of debt.]*

1. The said documents are true, valid and genuine to the best of my knowledge, information and belief.
2. 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 \_\_\_\_\_\_ 20\_\_\_\_\_\_.

Deponent’s signature