

June 28, 2021

**IMPORTANT NOTICE TO HOME BUYERS AND FIXED DEPOSIT HOLDERS WHO ARE NOT FORMING PART OF THE COMMITTEE OF CREDITORS**

Home buyers and Fixed Deposit holders who have not filed their claims for Jaypee Infratech Limited (“Corporate Debtor”) (“JIL”) as per the list available on <http://www.jaypeeinfratech.com/public-announcement.html> are requested to file their claims before IRP at the earliest. As per the Final Resolution plan dated June 7, 2021 (read with its addendum), Suraksha has proposed that claims which have not been received till the date of approval of the Resolution Plan by the Hon’ble NCLT, shall stand abated, extinguished and settled in perpetuity without any claim whatsoever. Hence, we request you to file the claim, if not filed so far, under the provisions of the Insolvency and Bankruptcy Code, 2016 so that they can be forwarded to Suraksha Realty Limited and Lakshdeep Investments and Finance Private Limited (“Suraksha”) for their consideration.

The Hon’ble Supreme Court in their Order dated March 24, 2021, inter alia directed the follows:

*“225.3. It is made clear that the IRP shall not entertain any expression of interest by any other person nor shall be required to issue any new information memorandum. The said resolution applicants shall be expected to proceed on the basis of the information memorandum already issued by IRP and shall also take into account the facts noticed and findings recorded in this judgment.”*

Accepting any new claims which were not forming part of the CoC constituted on December 6, 2019 would lead to updating of information memorandum which is clearly prohibited in terms of the above direction.

Since the CoC has approved the Final Resolution Plan submitted by Suraksha dated June 7, 2021 (read with its addendum) on June 23, 2021, all claims which were not forming part of the CoC as on December 6, 2019 are being forwarded to Suraksha.

Para 17.30 and Para 16.2 of the Final Resolution Plan submitted by Suraksha on June 7, 2021 (read with its addendum), states the following:

*“17.30. With respect to the Home buyers who have not filed their Claim on or before NCLT Approval Date (“Unclaimed Unit Buyers”), the Resolution Applicants are not making any provision under this Resolution Plan for such Unclaimed Unit Buyers and accordingly all right, title and other entitlements (if any) of such Unclaimed Unit Buyers shall immediately upon approval of this Resolution Plan by the Adjudicating*

*Authority shall stand abated, extinguished and settled in perpetuity without any claim whatsoever of such Unclaimed Unit Buyers against the Resolution Applicant and/or the Corporate Debtor in line with Jaypee Kensington Judgement, relevant paragraph reproduced herein below for ready reference:*

*In the very scheme the corporate insolvency resolution process, a resolution applicant cannot be expected to make a provision in relation to any creditor or depositor who has failed to make a claim within the time stipulated and the extended time as permitted by Regulation 12."*

*"16.2 (b) Against the Claims filed subsequent to IM however prior to NCLT Approval Date, an amount of Rs. 9.16 Crore shall be paid to Fixed Depositors, on pro-rata basis, in three equal half yearly instalments, from the Approval Date, as full and final settlement of all the claims of Fixed Deposit holders in accordance with the provisions of the Code. No payment shall be made towards interest over such fixed deposits. It is clarified that the Resolution Applicants are legally entitled not to deal with the Claims not admitted by IRP, however, the Resolution Applicants have provided for payment of Rs. 9.16 crore as goodwill gesture, in the interest of such public depositors and shall not be construed to be differential treatment."*

The list of claims which were not forming part of the CoC constituted as on December 6, 2019 are being forwarded to Suraksha from time to time and are also available on the website of the Corporate Debtor on the same link as mentioned above.

If in case your name is appearing in the list of home buyers / fixed deposit holders who have not filed their claims, request you to please submit your claim on [irpjil@bsraffiliates.com](mailto:irpjil@bsraffiliates.com) as per Form CA (annexed as Annexure I) along with Provisional Allotment Letter, Statement of Account and KYC Documents.

Home buyers and fixed deposit holders who have not filed their claims can also seek assistance on the toll-free no. 1-800-102-8484 (Domestic) and +91(120) 4857050 (International) between 10:00 AM to 05:00 PM IST, Monday through Friday.

Please note that if you have already filed your claim and your unit number are appearing in the list of Home Buyers and fixed deposit holders who are forming part of the CoC or whose claims have been forwarded to Suraksha Group, then there is no requirement to submit your claims in Form CA again.

Thanking You,

Yours truly,

For Jaypee Infratech Limited



Company under Corporate insolvency resolution  
process by NCLT Order, dated August 9, 2017

**Anuj Jain**

Interim Resolution Professional

IP Registration no. IBBI/IPA-001/IP-P00142/2017-18/10306

*(Jaypee Infratech Limited is under Corporate Insolvency Resolution Process of the Insolvency and Bankruptcy Code 2016. Its affairs, business and assets are being managed by the Interim Resolution Professional, Mr. Anuj Jain, appointed by the National Company Law Tribunal by order dated 09.08.2017 under the provisions of the Code read with order dated 09.08.2018 passed by Hon'ble Supreme Court in Writ Petition (Civil) No. 744/2017 )*

## Annexure I

**FORM CA**  
**SUBMISSION OF CLAIM BY FINANCIAL CREDITORS IN A CLASS**  
(Under Regulation 8A of the Insolvency and Bankruptcy (Insolvency Resolution Process for Corporate Persons) Regulations, 2016)

[Date]

From

[Name and address of the financial creditor, including address of its registered office and principal office]

To

The Interim Resolution Professional / Resolution Professional

[Name of the Insolvency Resolution Professional / Resolution Professional]

[Address as set out in public announcement]

**Subject: Submission of claim and proof of claim.**

Madam/Sir,

[Name of the financial creditor], hereby submits this claim in respect of the corporate insolvency resolution process of [name of corporate debtor]. The details for the same are set out below:

RELEVANT PARTICULARS	
1.	Name of the financial creditor
2.	Identification number of the 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)
3.	Address and e-mail address of the financial creditor for correspondence.
4.	Total amount of claim (in Rs.)
5.	Details of documents by reference to which the debt can be substantiated
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 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 the bank account to which the amount of the claim or any part thereof can be transferred pursuant to a resolution plan
10.	List of documents attached to this claim in order to prove the existence and non-payment of claim due
11.	Name of the insolvency professional who will act as the Authorised representative of creditors of the class

Signature of financial creditor or person authorised to act on its 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 number, passport, AADHAAR Card or the identity card issued by the Election Commission of India.

**DECLARATION**

I, [Name of claimant], currently residing at [insert address], do hereby declare and state as follows: -

1. [Name of corporate debtor], the corporate debtor was, at the insolvency commencement date, being the.....day of.....20....., actually indebted to me for a sum of Rs. [insert amount of claim].
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 claim].
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 debtor and the creditor which may be set-off against the claim].

5. I am / I am not a related party of the corporate debtor, as defined under section 5 (24) of the Code.
6. I am eligible to give voting instruction to the authorized representative by virtue of proviso to section 21 (2) of the Code even though I am a related party of the corporate debtor.

Date:

Place:

(Signature of the claimant)

**VERIFICATION**

I, [Name] 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 therefrom.

Verified at ... on this ..... day of ....., 20...

(Signature of claimant)

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