

NOTICE OF THE TWENTIETH MEETING OF COMMITTEE OF CREDITORS  
OF  
EMERALD LANDS (INDIA) PRIVATE LIMITED  
(UNDER CORPORATE INSOLVENCY RESOLUTION PROCESS)

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NOTICE OF THE 20<sup>TH</sup> MEETING OF THE COMMITTEE OF CREDITORS OF EMERALD LANDS (INDIA) PRIVATE LIMITED UNDER REGULATION 19 OF THE INSOLVENCY AND BANKRUPTCY BOARD OF INDIA (INSOLVENCY RESOLUTION PROCESS FOR CORPORATE PERSONS) REGULATIONS, 2016

Notice is hereby given to all members of the Committee of Creditors (**COC**) (including the authorized representative of the homebuyers) for the 20<sup>th</sup> COC meeting of Emerald Lands (India) Private Limited (**Emerald/ Corporate Debtor**).

Name of the Corporate Debtor	Emerald Lands (India) Private Limited
Date of the COC meeting	Wednesday, 30 <sup>th</sup> June 2021
Time of the COC meeting	05.00 PM
Venue of the COC meeting	Through Audio/Video Conferencing – Google Meet

In light of challenges posed by COVID-19, the meeting is proposed to be conducted through Audio/Video Conferencing *via* Google Meet. Please note that the participants attending the meeting through such Audio/Video Conferencing would be considered as part of quorum for the meeting. As per COC constitution, there are two categories of members, being IL&FS Financial Services Ltd. (**IFIN/ILFS**) and class of homebuyers. The homebuyers shall be represented through their Authorized Representative (**AR**).

You are requested to kindly make it convenient to attend the meeting.

Navneet Kumar Gupta

Resolution Professional

Emerald Land (India) Private Limited (under Corporate Insolvency Resolution Process)

IBBI Registration no.: IBBI/IPA-001/IP-P00001/2016-2017/10009

E-mail id: [IP.EMERALDLAND@gmail.com](mailto:IP.EMERALDLAND@gmail.com)

[navneetkgupta@gmail.com](mailto:navneetkgupta@gmail.com)

Date: 28.06.2021

Place: New Delhi

Enclosed:

1. Agenda of the Meeting.
2. Notes to Agenda.

**List of persons to whom notice is sent in terms of Section 24(3) of the Insolvency and Bankruptcy Code, 2016**

**I. Financial creditors**

S. No.	Financial Creditor	Email Id
1.	IL&FS Financial Services Limited	<a href="mailto:ifinsecretarial@ilfsindia.com">ifinsecretarial@ilfsindia.com</a> <a href="mailto:baiju.mathew@ilfsindia.com">baiju.mathew@ilfsindia.com</a> <a href="mailto:rohan.bawa@ilfsindia.com">rohan.bawa@ilfsindia.com</a> <a href="mailto:santanu.sen@ilfsindia.com">santanu.sen@ilfsindia.com</a> <a href="mailto:evneet.uppal@ilfsindia.com">evneet.uppal@ilfsindia.com</a> <a href="mailto:Amit.Shah@ilfsindia.com">Amit.Shah@ilfsindia.com</a> <a href="mailto:Rakesh.Chatterjee@ilfsindia.com">Rakesh.Chatterjee@ilfsindia.com</a>

**II. Members of Suspended board of directors**

S. No.	Name of the Ex-Management	Email Id
1.	Mr. Vijay Krishna Chowdhary	<a href="mailto:vchowdhry@gmail.com">vchowdhry@gmail.com</a>
2.	Ms. Ilina Dubey	<a href="mailto:ilina@brack-capital.com">ilina@brack-capital.com</a>
3.	Mr. Lior Shmul	<a href="mailto:lior@brack-capital.com">lior@brack-capital.com</a>
4.	Mr. Pradeep Jain	<a href="mailto:pradeepjain@silverglades.com">pradeepjain@silverglades.com</a>
5.	Mr. Ravi Khanna	<a href="mailto:ravi@brack-capital.com">ravi@brack-capital.com</a>

**III. Authorised Representative of creditors in a class appointed**

S. No.	Name of Authorised Representative	Email Id
1.	Gulshan Gaba	<a href="mailto:gulshan@vpgs.in">gulshan@vpgs.in</a> <a href="mailto:cagulshangaba@yahoo.com">cagulshangaba@yahoo.com</a>

**IV. Operational Creditors if aggregate dues are at least 10% of the debt:**

None – since no operational creditor has dues of 10% or more of the total debt of the Corporate Debtor.

**V. Invitee**

Members of Chandhiok & Mahajan, Advocates & Solicitors, legal counsels for the Resolution Professional.

Following shall be the agendas for the 20<sup>th</sup> meeting of the COC:

<b>Item No.</b>	<b>Particulars</b>	<b>Voting % to pass</b>
<b>A. List of matters to be discussed/noted</b>		
A1	The Resolution Professional to take Chair	
A2	To ascertain the quorum of the Meeting in accordance with the provisions of Regulation 22 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016	
A3	To take note of the minutes of the 19 <sup>th</sup> meeting of the COC held on 10 <sup>th</sup> May 2021	
A4	To discuss and approve extension of CIRP period beyond 7 <sup>th</sup> July 2021	
A5	To present and discuss the report on 29A compliance check submitted by BDO India LLP	
A6	To update about the CIRP process of Corporate Debtor	
<b>B. List of issues to be Voted upon after discussion</b>		
B1	To discuss and approve extension of CIRP period beyond 7 <sup>th</sup> July 2021	66%
<b>C. Any other matter with the permission of the Chairperson</b>		

**A. LIST OF MATTERS TO BE DISCUSSED AT THE MEETING:**

**Item No. A1**

**The Resolution Professional to take Chair**

As per Regulation 24(1) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations 2016 (**CIRP Regulations**), the resolution professional shall act as the Chairperson of the meeting of the COC. Therefore, Mr. Navneet Kumar Gupta, Resolution Professional of the Corporate Debtor (**Resolution Professional/RP**), is to take the Chair.

**Item No. A2**

**To ascertain the quorum of the Meeting in accordance with the provisions of Regulation 22 of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016**

As per Regulation 22(1) of the CIRP Regulations, the quorum at the meeting of the COC shall be presence (by audio/visual means) of members of the COC representing at least 33% (Thirty Three percent) of the voting rights.

**Item No. A3**

**To take note of the minutes of the 19<sup>th</sup> meeting of the COC held on 10<sup>th</sup> May 2021**

The minutes of the 19<sup>th</sup> COC meeting were circulated on 11<sup>th</sup> May 2021 to all the members of the COC. The members of the COC shall be requested to take note of the minutes as circulated and confirm the same.

**Item No. A4**

**To discuss and approve extension of CIRP period beyond 7<sup>th</sup> July 2021**

Pursuant to the order of the Hon'ble National Company Law (NCLT) dated 04<sup>th</sup> April 2021, the last date for completion of the corporate insolvency resolution process (**CIRP**) of Emerald was 2<sup>nd</sup> June 2021.

In the last meeting of the COC held on 10<sup>th</sup> May 2021, the members of the COC approved the resolution for seeking exclusion/extension of a period of 35 days beyond 2<sup>nd</sup> June 2021 i.e. up till 7<sup>th</sup> July 2021. Pursuant thereto, the RP on 20<sup>th</sup> May 2021 had filed an application bearing I.A No.

2461 of 2021 under Section 12 read with Section 60(5) of the Insolvency and Bankruptcy Code, 2016 (**Code/ IBC**) seeking exclusion/extension of a period of 35 days beyond 2<sup>nd</sup> June 2021. Further, the RP had also filed an application bearing I.A No. 2311 of 2021 for urgent listing of the exclusion/extension application. The RP shall apprise the members of the COC about various circulars and practice directions issued by the registry of NCLT pursuant to which the NCLTs were directed to schedule hearings for urgent matters through video-conferencing on designated days of the week. The RP shall also apprise the members of the COC about the ongoing summer vacation of the NCLT which will end on 30<sup>th</sup> June 2021. As such, due to the limited functioning of the NCLT and ongoing summer vacation, the applications filed by the RP are yet to be listed. The applications are expected to be listed in the first week of July 2021.

Further, Substantial time of CIRP process has been used in the 29A compliance checks by the BDO India (“29A Consultant”). The Final report on 29A compliance check has been received on 26<sup>th</sup> June 2021 which was forwarded to CoC members on same date.

Further that, the RP had also received emails from one of the resolution applicants, Mahakram Developers Private Limited on 1<sup>st</sup> June 2021 and 17<sup>th</sup> June 2021 informing the RP that their key members have been infected with Covid-19 and therefore they could not address the pending issues with respect to legal compliance issues and submit the revised/updated resolution plan.

Further that, the RP has written to Malhotra Group Plc about revised submission of resolution plan post addressing the legal compliance issues raised by legal counsel of RP. We are awaiting their response.

The RP shall apprise the members of the COC about the cash crunch being faced by the Corporate Debtor causing delay in payment of CIRP cost including payment to 29A Consultant. Homebuyers are requested to expedite their contribution. For the time being, to prevent further loss of time, RP requested to IFIN to make contribution to the CIRP cost beyond their share to bridge the gap caused due to non-payment of homebuyers’ share. The above factors including the second wave of Covid-19 pandemic has caused certain delays in the CIRP of Emerald.

Taking into account the time lost due to the second wave of Covid-19 pandemic, cash crunch in Emerald, time required for negotiations with the resolution applicants (**RAs**) on the updated resolution plans and for checking the feasibility and viability of the updated resolution plans the members of the COC are requested to discuss and deliberate on the way forward and decide the tentative timelines to complete the negotiation process and filing an appropriate application before the NCLT for either approval of the resolution plan or liquidation, as the case may be. In

case further time is required, the members of the COC may discuss and deliberate on seeking further extension beyond 7<sup>th</sup> July 2021 from the NCLT for completion of the CIRP subject to exclusion/extension granted by the NCLT until 7<sup>th</sup> July 2021.

**Item No. A5**

**To present and discuss the report on 29A compliance check submitted by BDO India LLP**

BDO India LLP had submitted its final report to the RP on 26<sup>th</sup> June 2021 and the same had been shared with CoC members immediately thereafter. The RP shall request the CoC to deliberate and legal counsel to provide next steps on the final report.

**Item No. A6**

**To update about the CIRP process of Corporate Debtor**

<b>Events</b>	<b>Detailed Description</b>
Resolution Plan of Mahakram Developers Pvt. Ltd. (“Mahakram”)	After sending various emails to share the revised resolution plan and responses, the RP received the updated resolution plan on 21 <sup>st</sup> June 2021 from Mahakram and the same was shared with the members of the COC and their legal counsels for further comments.
Resolution Plan of Malhotra Group Plc (“MG Plc”)	The RP has sent an email to Mr. Anshul Jain, consultant of MG Plc, to submit the revised resolution plan. We are awaiting their response.
29A Compliance Check	The final report on 29A compliance check has been annexed as <b>Annexure 1</b> .

**B. LIST OF MATTERS PUT TO VOTE/RATIFICATION AT THE MEETING: -**

**Item No. B1**

**To approve further extension of CIRP period beyond 7<sup>th</sup> July (Minimum voting share to pass resolution is 66%)**

As discussed in Item no. A4

**Proposed Resolution:**

***To consider and if found fit, to pass with or without modification the following Resolution.***

***“RESOLVED THAT the approval of members of the Committee of Creditors be and is hereby given to extend the period of CIRP process by \_\_\_\_\_ days beyond 7<sup>th</sup> July 2021 under Section 12 of the Insolvency and Bankruptcy Code, 2016 subject to exclusion/extension granted by the Hon’ble Adjudicating Authority until 7<sup>th</sup> July 2021”***

***“RESOLVED FURTHER THAT the Committee of Creditors hereby authorize the Resolution Professional to make an application under Section 12 of the Insolvency and Bankruptcy Code, 2016 seeking extension of \_\_\_\_ days beyond 7<sup>th</sup> July 2021”***

***“RESOLVED FURTHER THAT, Mr. Navneet Kumar Gupta, Resolution Professional of the Company appointed by the Committee of Creditors be and is hereby authorized to do all such acts, deeds and things as may be considered necessary to give effect to the above resolution”***

**C. ANY OTHER MATTER TO BE DISCUSSED/PROPOSED FOR RESOLUTION**

The members of COC would be entitled to raise any other matter to be discussed and may propose any resolution to be discussed and passed at the meeting with the permission of the chair.



**The relevant back up files for the agenda, if any, shall be shared in a mail subsequently.**

Kindly make it convenient for yourself or your authorized representative to attend the meeting through audio/video mode. In case the meeting will be attended by your authorized representative, kindly let us know in advance, in writing, the identity of the authorized representative.

In light of IBBI circular number IBBI/CIRP/016/2018 dated 10 August 2018, we request that appropriate senior level personnel attend the COC on behalf of the member such that the person attending be **authorized to take decisions** for the agenda as stated above on behalf of the COC member.

As per Regulation 25(3) of CIRP Regulations, "*The resolution professional shall take a vote of the members of the committee present in the meeting, on any item listed for voting after discussion on the same.*" Accordingly, COC members are kindly requested to have mandates from their respective internal authorities, as appropriate, prior to the meeting.

For any queries you may send email on [ip.emeraldland@gmail.com](mailto:ip.emeraldland@gmail.com) copy to [navneetkgupta@gmail.com](mailto:navneetkgupta@gmail.com)

Regards

Navneet Kumar Gupta

Resolution Professional

Emerald Lands (India) Private Limited, which is undergoing Corporate Insolvency Resolution Process as per the provisions of the Insolvency and Bankruptcy Code, 2015 *vide* order of the Hon'ble National Company Law Tribunal, New Delhi dated 02 January 2020

Email ID for Correspondence: [ip.emeraldland@gmail.com](mailto:ip.emeraldland@gmail.com).

Navneet Kumar Gupta has been granted a certificate of registration to act as an Insolvency Professional by the Insolvency & Bankruptcy Board of India, his registration number is IP Registration No. IBBI/IPA-001/IP-P00001/2016-2017/10009. The affairs, business and property of Emerald Lands (India) Private Limited are being managed by Navneet Kumar Gupta, appointed as Interim Resolution Professional by the Hon'ble National Company Law Tribunal, New Delhi vide its order dated 02 January 2020.

IP Registration details are as under:

IP Registration No. IBBI/IPA-001/IP-P00001/2016-2017/10009

548, Sunview Pocket 4, Sector -11, Dwarka, New Delhi, ,110075

Email i.d.: [navneetkgupta@gmail.com](mailto:navneetkgupta@gmail.com)

P. S.: Notes appended hereto is an integral part of the Notice.

**Notes:**

1. As per Regulation 13(2) of the CIRP Regulations, the list of creditors is available for inspection.
2. All participants attending the aforementioned Meeting through audio/video conferencing would be considered as part of quorum for the aforementioned Meeting.
3. As per Regulation 21(2) of the CIRP Regulations, a Participant may attend the Meeting either in person or through an Authorized Representative. A Participant attending through an authorized Representative, shall inform the signatory of the Notice, at least 48 hours in advance, the identity of the Authorized Representative who will attend and vote at the Meeting on its behalf. The Authorized Representative is requested to carry an Identity Card for his/her identification.
4. A Participant being a Financial Creditor shall only be entitled to vote at the Meeting or by electronic means. The Directors of the Corporate Debtor and one representative of the eligible Operational Creditor(s), if any, attending the Meeting shall not have any right to vote at the Meeting and shall not form a part of the quorum. A financial creditor being a related party of the Corporate Debtor shall not have any right of representation, participation or voting in the Meeting.
5. At the conclusion of voting at the Meeting, the decision taken on each of the items along with the names of the Members of the Committee of Financial Creditors (COC) who voted for or against the decision, or abstained from voting will be announced.
6. As per Regulation 21(3)(b) of the CIRP Regulations, a vote of the Members of the COC shall not be taken at the Meeting unless ALL Members are present at the Meeting.
7. In view of the IBBI circular dated 10th August 2018, No. IBBI/CIRP/016/2018, the financial creditors must be represented in the COC by such persons who are competent and are authorized to take decisions on the spot and without deferring decisions for the want of any internal approval from the financial creditors.
8. In terms of Regulation 25(5) of the CIRP Regulations, if ALL Members of the COC are not present at the Meeting, then the vote of the members of the COC shall not be taken and the voting will be done through electronic means provided in the manner laid down below (as per the requirements of Regulation 26 of CIRP Regulations).

**The instructions for e-voting are as under:**

- (i) The voting period shall begin with circulation of minutes of meeting within 48 hours from conclusion of meeting. The voting lines shall remain open for 24 hours from the time of start of voting. During this period, the participating members of the COC are being provided the platform to cast their vote electronically. The e-voting module shall be disabled by the service provider for voting thereafter. The Members of COC are requested to share the email IDs, 48 hours before, of those authorized representatives of creditors who shall vote post meeting.
- (ii) The participating members of the COC should log on to the e-voting website <https://right2vote.in/login/> during the voting period.
- (iii) Enter your Email ID. Your Email ID is your user ID. Kindly ensure you use the same Email ID as notified to the IRP for e-Voting.
- (iv) You will also receive an INVITE mail from Right2Vote on this email ID and the mail will have the link, user ID and other details mentioned. Do not try to log in with mobile number if you have received the invite on the email
- (v) Press GET OTP. OTP (One Time Password) would be delivered on your Email. The OTP is the password. Once you enter the OTP and press Sign In, you would be logged in.
- (vi) Once logged in, you would be directed to MY POLL INVITE page. Here you would see the poll from the Company/IRP listed. Click on the poll and you would be taken to voting page.
- (vii) On the voting page, you will see all the items to be voted upon. Against each item, following options would be available:
  - a. ACCEPT / APPROVE / YES
  - b. REJECT / NO
  - c. ABSTAIN

Select the option ACCEPT or REJECT, as desired. The option ACCEPT implies that you assent to the respective item and option REJECT implies that you dissent to the respective item. The participating member can also select ABSTAIN. In that case, participating member, shall be deemed to have abstained from voting for that respective item.

- (viii) After selecting the option, click on “DONE”. You would receive a “THANK YOU” message on the screen. This is a confirmation that your vote has been recorded.

- (ix) You can anytime check what you voted or how your vote has been recorded by clicking on > on MY POLL INVITE page and selecting VOTE RECORD. You can also take a print out from here.
- (x) Apart from the website, votes can also cast using Right2Vote's mobile app: 'Right2Vote', available for android and iOS based mobiles. (App link: <https://right2vote.in/getapp/> )
- (xi) In case you have any queries or issues regarding e-voting, write an email to [contact@Right2vote.in](mailto:contact@Right2vote.in).