

**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]*

[Date]

To

The Interim Resolution Professional / Resolution Professional

*[Name of the Insolvency Resolution Professional / Resolution Professional]*

*[Address as set out in public announcement]*

From

*[Name and address of the operational creditor]*

*Subject:* Submission of proof of claim.

Madam/Sir,

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

<i>Particulars</i>	
1. Name of operational creditor	
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)	
3. Address and email address of operational creditor for correspondence	
4. Total amount of claim (including any interest as at the insolvency commencement date)	

<ol style="list-style-type: none"> <li>5. Details of documents by reference to which the debt can be substantiated.</li> <li>6. Details of any dispute as well as the record of pendency or order of suit or arbitration proceedings</li> <li>7. Details of how and when debt incurred</li> <li>8. 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</li> <li>9. Details of any retention of title arrangements in respect of goods or properties to which the claim refers</li> <li>10. Details of the bank account to which the amount of the claim or any part thereof can be transferred pursuant to a resolution plan</li> <li>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</li> </ol>	
<p>Signature of operational creditor or person authorized to act on his behalf</p> <p><i>[Please enclose the authority if this is being submitted on behalf of an operational creditor]</i></p> <p>Name in block letters</p> <p>Position with or in relation to creditor</p> <p>Address of person signing</p>	

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

## AFFIDAVIT

I, [name of deponent], currently residing at [insert address], do solemnly affirm and state as follows:

1. [Name of corporate debtor], the corporate debtor was, at the insolvency commencement date, being the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, justly and truly indebted to me in the 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.

4. In respect of the said sum or any part thereof, I have not nor has 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.]*

Solemnly, affirmed at [insert place] 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 paragraph \_\_\_ to \_\_\_ of this affidavit are true and correct to my knowledge and belief and no material facts have been concealed therefrom.

Verified at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_

*Deponent's signature*