CA RK GUPTA

Mobile +91-9811117243 | rkg4247@gmail.com | www.carkgupta.com | YouTube @CARKGUPTA

INSOLVENCY AND LIQUIDATION PROCESS FOR CORPORATE PERSONS

Resolution Plan: Invitation, Submission, Examination and Approval

Instruments 44 – 55, Consolidated with the Gap-Fill Undertakings, Affidavits and Declarations from the Prospective Resolution Applicant (Instruments 49A – 49S)

A Consolidated Compendium of Precedents

This is the consolidated, single-file version of the resolution-plan phase of the Master Compendium (Phase VII — Invitation & Evaluation of Resolution Plans, and Phase VIII — Resolution Plan: Examination & Approval), Instruments 44 to 55 as they already stand in the Master Compendium, with the nineteen gap-fill instruments 49A to 49S newly inserted — in sequence — immediately after Instrument 49 (Performance Security & Earnest-Money Deposit) and before Instrument 50 (Examination of Resolution Plans). New instruments are marked [NEW] in their heading. Instruments 44–55 are reproduced here for reference completeness from the Master Compendium; the balance of the Master Compendium (Phases I–VI and IX–X, and the Liquidation / Voluntary Liquidation / PPIRP / Individual Insolvency volumes) is unaffected and is not reproduced in this file.

Two indexes follow: a sequential Instrument Index (Word field — update with F9 / “Update Field” for live page numbers once the document is finalised), and a Section-wise Referencer that maps the twenty-two undertakings, affidavits and declarations obtainable from a Prospective Resolution Applicant to their governing Instrument, grouped exactly as in the originating checklist (A. Statutory / Regulation-Mandated; B. Process Integrity and Conduct; C. Authority and Capacity; D. Financial Capability and Implementation; E. Miscellaneous).

Index I — Sequential Instrument Index

Right-click and choose “Update Field” (or select all → F9) after finalising the document to populate live page numbers.

Index I — Sequential Instrument Index 2
Index II — Section-wise Referencer 4
Phase VII — Invitation & Evaluation of Resolution Plans 6
Instrument 44 — Eligibility Criteria for Resolution Applicants 6
Instrument 45 — Invitation for Expression of Interest — Form G ◆ § 6
Instrument 46 — Provisional & Final List of Prospective Resolution Applicants 7
Instrument 47 — Request for Resolution Plans (RFRP) & Evaluation Matrix ◆ 7
Instrument 48 — Section 29A Eligibility — Verification, Undertaking & Affidavit ◆ 8
Instrument 49 — Performance Security & Earnest-Money Deposit ◆ 8
Instrument 49A — Declaration on Source of Funds; FEMA/RBI Compliance ◆ [NEW] 9
Instrument 49B — Undertaking to Pursue Regulatory and Sectoral Approvals ◆ [NEW] 9
Instrument 49C — Disclosure of Related-Party / Connected-Person Status of the PRA ◆ [NEW] 10
Instrument 49D — Reaffirmation of the Confidentiality Undertaking at Plan Submission ◆ [NEW] 11
Instrument 49E — Declaration of No Collusive or Anti-Competitive Conduct ◆ [NEW] 11
Instrument 49F — Continuing Eligibility / No Material Adverse Change Declaration ◆ [NEW] 12
Instrument 49G — Undertaking of Accuracy of Information; Indemnity for Misstatement ◆ [NEW] 12
Instrument 49H — Board / Partners' / Trustees' Resolution and Power of Attorney Authorising Submission of the Plan ◆ [NEW] 12
Instrument 49I — Consortium / Joint-Applicant Undertaking (Joint and Several Liability) ◆ [NEW] 13
Instrument 49J — KYC Documentation Bundle for the Resolution Applicant [NEW] 13
Instrument 49K — Certificate of Net Worth and Financial Capability ◆ [NEW] 14
Instrument 49L — Undertaking to Implement the Plan and Cooperate with the Implementation and Monitoring Committee ◆ [NEW] 14
Instrument 49M — Clean-Slate Acknowledgment by the Resolution Applicant ◆ [NEW] 15
Instrument 49N — Declaration of Material Litigation, Investigation or Prosecution against the Applicant ◆ [NEW] 15
Instrument 49O — Undertaking on Data Protection and Information Security ◆ [NEW] 16
Instrument 49P — Undertaking to Bear Stamp Duty, Registration and Incidental Costs ◆ [NEW] 16
Instrument 49Q — Undertaking Not to Withdraw or Unilaterally Modify the Plan after Submission ◆ [NEW] 17
Instrument 49R — PRA's Undertaking of Compliance with Section 30(2) ◆ [NEW] 17
Instrument 49S — PRA's Statement on Mandatory Contents of the Plan ◆ [NEW] 18
Phase VIII — Resolution Plan: Examination & Approval 18
Instrument 50 — Examination of Resolution Plans; Mandatory Contents ◆ 19
Instrument 51 — Compliance Certificate — Form H § 19

Instrument 52 — CoC Approval of the Resolution Plan (66%) 21
Instrument 53 — Application to the Adjudicating Authority for Approval of the Plan 21
Instrument 54 — Approved Plan — Binding Effect; Monitoring & Implementation ◆ 22
Instrument 55 — Going-Concern Sale Assessment (where heading to liquidation) 22

Index II — Section-wise Referencer

Undertakings, Affidavits and Declarations to be obtained from a Prospective Resolution Applicant, at the time of submission of the resolution plan, grouped by purpose.

A. Statutory / Regulation-Mandated

#	Undertaking / Affidavit / Declaration	Instrument
1	Affidavit of eligibility under Section 29A	Instrument 48
2	Undertaking of compliance with Section 30(2)	Instrument 49R [NEW]
3	Statement on mandatory contents of the plan (Reg. 38)	Instrument 49S [NEW]
4	Declaration on source of funds; FEMA/RBI compliance	Instrument 49A [NEW]
5	Undertaking to pursue regulatory / sectoral approvals (CCI, SEBI, sectoral regulators)	Instrument 49B [NEW]
6	Performance Security / Bank Guarantee undertaking	Instrument 49
7	Disclosure of related-party / connected-person status	Instrument 49C [NEW]

B. Process Integrity and Conduct

#	Undertaking / Affidavit / Declaration	Instrument
8	Reaffirmation of the confidentiality undertaking / NDA	Instrument 49D [NEW]
9	Declaration of no collusive / anti-competitive conduct	Instrument 49E [NEW]
10	Continuing-eligibility declaration (no material adverse change since EOI)	Instrument 49F [NEW]
11	Undertaking of accuracy; indemnity for misstatement	Instrument 49G [NEW]

C. Authority and Capacity

#	Undertaking / Affidavit / Declaration	Instrument
12	Board / Partners' / Trustees' Resolution authorising submission	Instrument 49H [NEW]
13	Power of Attorney in favour of the signatory	Instrument 49H [NEW]
14	Consortium joint-and-several liability undertaking	Instrument 49I [NEW]
15	KYC documentation bundle	Instrument 49J [NEW]

D. Financial Capability and Implementation

#	Undertaking / Affidavit / Declaration	Instrument
16	Certificate of net worth and financial capability	Instrument 49K [NEW]
17	Undertaking to implement the plan and cooperate with the Implementation and Monitoring Committee	Instrument 49L [NEW]
18	Clean-slate acknowledgment	Instrument 49M [NEW]

E. Miscellaneous

#	Undertaking / Affidavit / Declaration	Instrument
19	Declaration of material litigation / investigation against the PRA or its promoters	Instrument 49N [NEW]
20	Undertaking on data protection and information security (DPDP Act, 2023)	Instrument 49O [NEW]
21	Undertaking to bear stamp duty, registration and incidental costs	Instrument 49P [NEW]
22	Undertaking not to withdraw / unilaterally modify the plan after submission	Instrument 49Q [NEW]

Phase VII — Invitation & Evaluation of Resolution Plans

Instrument 44 — Eligibility Criteria for Resolution Applicants

Statutory basis: *s.25(2)(h), IBC 2016 r/w Reg. 36A(4), CIRP Regulations, 2016*

A note and template recording the eligibility criteria for prospective resolution applicants, laid down by the RP with the approval of the CoC, having regard to the complexity and scale of the corporate debtor and the Section 29A ineligibilities. 1. Under Section 25(2)(h), the RP invites prospective resolution applicants who fulfil the criteria laid down by the RP with the approval of the CoC, having regard to the complexity and scale of operations and such conditions as the Board may specify. 2. Under Regulation 36A(4), the criteria are stated in the invitation for expression of interest; they must not be unduly restrictive and must be capable of objective satisfaction. # Parameter Threshold / requirement 1 Net worth of the applicant (or group, consolidated) ≥ [amount] 2 Turnover / assets under management ≥ [amount] 3 Technical / operational capability in [sector] [experience / track record] 4 Eligibility under Section 29A Not ineligible (Instrument 48) 5 Consortium / joint applicants [permitted; lead member; combined thresholds]

> ***Drafting note***
>
> *keep the criteria proportionate. Set criteria proportionate to the scale of the corporate debtor; over-restrictive criteria reduce competition and invite challenge. Currency (2026). Section 25(2)(h) and Regulation 36A continue in force as amended; verify the current requirements before finalising the criteria with the CoC.*

Instrument 45 — Invitation for Expression of Interest — Form G ◆§

Statutory basis: *Reg. 36A(1), CIRP Regulations, 2016 — the notified Form G*

The public invitation for an Expression of Interest from prospective resolution applicants. Note the 2026 position: the forms have been removed from Schedule I of the CIRP Regulations, so the operative Form G is the one notified by the Board's circular dated 2 June 2026, and the Regulation 40A model timeline now speaks of "publication of brief particulars of the invitation for expression of interest." The notified particulars are set out below; take the current form from the circular before issue. ANONYMISED MODEL DRAFT. All names, dates, figures, addresses, registration numbers and annexures are illustrative placeholders only, to be verified and replaced with the actual case-specific particulars before settlement and filing. Statutory and regulatory references are stated as amended to 2026.

FORM G INVITATION FOR EXPRESSION OF INTEREST FOR [CORPORATE DEBTOR] PRIVATE LIMITED, OPERATING IN [INDUSTRY] AT [LOCATION(S)] (Under Regulation 36A(1) of the CIRP Regulations, 2016)

```
  #     Relevant particulars
Details
  1     Name of the corporate debtor along with PAN / CIN / LLP No.
[____]

  #    Relevant particulars
Details
  2    Address of the registered office
[____]
  3    URL of the website
[____]
  4    Details of the place where the majority of the fixed assets are located
[____]
  5    Installed capacity of the main products / services
[____]
  6    Quantity and value of the main products / services sold in the last financial year
[____]
  7    Number of employees / workmen
[____]
       Further details, including the last available financial statements (with schedules)
  8
[____]
       of two years, lists of creditors and relevant dates, available at:
       Eligibility for resolution applicants under Section 25(2)(h) of the Code, available
  9
[____]
       at:
```

```
 10    Last date for receipt of the expression of interest
[____]
 11    Date of issue of the provisional list of prospective resolution applicants
[____]
 12    Last date for submission of objections to the provisional list
[____]
 13    Process email id to submit the EOI
[    ]
```

Signature of the Resolution Professional Registration No. of the Resolution Professional: [____] Registered address of the Resolution Professional: [____] For [Corporate Debtor] Private Limited | Date & place: [date], [Delhi]

> ***Drafting note***
>
> *publication & timeline. Publish the invitation in one English and one regional-language newspaper widely circulated where the registered office and principal assets are located, and on the website (if any) and the IBBI / designated platform. Allow not less than the prescribed period for the EOI, and keep the eligibility criteria under Section 25(2)(h) and the detailed information available at the stated link. Currency (2026). Regulation 36A continues in force as amended; Schedule I (and the scheduled Form G) has been omitted by the CIRP Third Amendment Regulations, 2026 (in force 2 June 2026) — take the operative form and the minimum EOI period from the IBBI circular dated 2 June 2026 before issue.*

Instrument 46 — Provisional & Final List of Prospective Resolution Applicants

Statutory basis: *Reg. 36A(10)–(12), CIRP Regulations, 2016*

A note and template recording the issue of the provisional and final lists of prospective resolution applicants (“PRAs”) after the receipt of expressions of interest. 1. Within ten days of the last date for receipt of expressions of interest, the RP issues a provisional list of eligible PRAs to the CoC and to all applicants who submitted an EOI. 2. An applicant / creditor may, within five days of the provisional list, object to the inclusion or exclusion of a PRA, with reasons; the RP considers the objections and records a reasoned decision. 3. Within the period prescribed, the RP issues the final list of PRAs, to whom the information memorandum, the evaluation matrix and the request for resolution plans are issued (Instrument 47).

```
 #    Prospective resolution applicant                    Eligibility (criteria / 29A)
Provisional / Final
 1    [PRA-1]                                                 [met / objection noted]
[Provisional → Final]
 2    [PRA-2]                                                 [met / objection noted]
[Provisional → Final]
```

> ***Drafting note***
>
> *record reasons — the lists are litigated. Record reasons for including or excluding each applicant and for the disposal of objections; the lists are frequently challenged. Currency (2026). Regulation 36A(10)–(12) continues in force as amended; verify the current timelines for the provisional and final lists.*

Instrument 47 — Request for Resolution Plans (RFRP) & Evaluation Matrix ◆

Statutory basis: *Reg. 36B, CIRP Regulations, 2016*

The RP issues the request for resolution plans (“RFRP”) to the PRAs in the final list, with the information memorandum and the CoC-approved evaluation matrix. A. Contents of the RFRP (Reg. 36B) • The information memorandum, the evaluation matrix and the relevant provisions of the Code and the Regulations; where applicable, the disclosure of any guarantor-asset transfer (Regs. 28-A / 28-B) and how its proceeds are to be distributed. • The eligibility under Section 29A and the criteria; the manner, format and last date for the submission of resolution plans. • The requirement of performance security (Instrument 49) and the consequences of withdrawal or non-implementation; the permitted modifications to the RFRP / matrix; and the process schedule. B. Evaluation matrix The evaluation matrix sets the parameters and relative weights for evaluating plans for feasibility and viability — the realisable value to stakeholders, the upfront / deferred profile, the treatment of dissenting financial creditors and operational creditors, the equity / management commitment, and the implementation timeline. The matrix is approved by the CoC before issue and is not changed thereafter except as permitted. # Evaluation parameter Weight

(%) 1 Net present value of the total amount to stakeholders [__] 2 Upfront / time profile of payments [__] 3 Treatment of dissenting FCs and operational creditors [__] 4 Credibility of implementation, equity and management [__] TOTAL 100

Drafting note

fix the matrix before plans are sought. Approve the evaluation matrix before plans are sought; changing the matrix after plans are received invites challenge. Currency (2026). Regulation 36B continues in force as amended; the 2026 reforms require the plan to provide a fair-and-equitable minimum to dissenting FCs and to address any guarantor-asset distribution — build these into the RFRP and matrix, and verify the current contents before issue.

Instrument 48 — Section 29A Eligibility — Verification, Undertaking & Affidavit ◆

Statutory basis: *s.29A, IBC 2016 r/w Reg. 36A(8), CIRP Regulations, 2016*

A verification checklist and an undertaking / affidavit by which a resolution applicant affirms that it, the persons acting jointly or in concert with it, and its connected persons are not ineligible under Section 29A. A. Grounds of ineligibility (Section 29A) — checklist • Undischarged insolvent; wilful defaulter; an account classified as an NPA for one year or more (subject to the proviso on payment of overdue amounts). • Convicted of a specified offence; disqualified to act as a director; prohibited by SEBI from trading or accessing the securities market. • A promoter / in management of a corporate debtor in which a preferential, undervalued, extortionate-credit or fraudulent transaction has been ordered; a guarantor of a corporate debtor under the Code whose invoked guarantee remains unpaid. • Subject to a disability outside India corresponding to the above; or a connected person to any of the above. B. Undertaking / affidavit I / We, [resolution applicant], affirm that the applicant, the persons acting jointly or in concert with it, and the connected persons within Section 29A are not ineligible under any clause of Section 29A to submit a resolution plan; and undertake to disclose forthwith any change affecting this eligibility. The clause-wise basis is in the annexed compliance sheet. [Name & designation of the authorised signatory] — verified on affidavit at [Delhi] on [date].

Drafting note

verify the whole chain. Section 29A extends to persons acting in concert and to connected persons; verify the entire chain, not merely the named applicant. Authority: ArcelorMittal v. Satish Kumar Gupta (scope of Section 29A and the proviso on clearing overdue amounts). Currency (2026). Section 29A and Regulation 36A(8) continue in force as amended; verify the current clauses and provisos before certifying eligibility.

Instrument 49 — Performance Security & Earnest-Money Deposit ◆

Statutory basis: *Reg. 36B(4A), CIRP Regulations, 2016*

A note and template recording the performance security required of the successful resolution applicant, and any earnest-money deposit required with the plan, as stipulated in the RFRP. 1. The RFRP requires the resolution applicant whose plan is approved by the CoC to furnish performance security within the time and in the form stated, as a guarantee of the performance of the plan. 2. The performance security is [amount / percentage] in the form of [bank guarantee / deposit / other], valid until [milestone], and is liable to be forfeited if the applicant fails to implement, or contributes to the failure of implementation of, the plan. 3. Where the RFRP requires it, a plan is accompanied by an earnest-money deposit of [amount], refundable / adjustable on the RFRP terms and forfeitable on the stated defaults. 4. The terms of forfeiture, refund and adjustment are set out in the RFRP and bind the applicant on submission of the plan.

Drafting note

spell out the forfeiture triggers. State the forfeiture triggers clearly in the RFRP; performance security is the principal lever against a defaulting successful resolution applicant. Currency (2026). Regulation 36B(4A) continues in force as amended; verify the current performance-security requirements and any prescribed quantum before issue.

CA RK Gupta Mobile +91-9811117243 | rkg4247@gmail.com | www.carkgupta.com | YouTube @CARKGUPTA

Submission Annexures — Instruments 49A–49S (undertakings, affidavits and declarations obtained from the Prospective Resolution Applicant at the time of submission of the resolution plan, over and above the format-specific annexures prescribed in the RFRP)

Instrument 49A — Declaration on Source of Funds; FEMA/RBI Compliance ◆ [NEW]

Statutory basis: *Prevention of Money-Laundering Act, 2002; FEMA, 1999 read with the FEMA (Non-Debt Instruments) Rules, 2019 — standard KYC/AML practice; no prescribed IBC form*

A declaration by which the resolution applicant confirms that the funds proposed to be infused under the plan are from legitimate, disclosed sources, and — where the applicant is a person resident outside India, an NRI or an OCI, or the plan otherwise involves foreign investment — that the proposed investment complies with FEMA and the applicable sectoral cap.

Declaration

I / We, [resolution applicant], declare that the funds proposed to be infused into [Corporate Debtor] under the resolution plan are derived from legitimate and fully disclosed sources, and do not represent, directly or indirectly, the proceeds of crime within the meaning of the Prevention of Money-Laundering Act, 2002. A source-of-funds statement, supported by [bank certificate / audited financials / CA certificate], is annexed at [Annexure __].

Where the applicant is a person resident outside India, an NRI, an OCI, or the plan otherwise involves foreign investment, it is further confirmed that the proposed acquisition / investment is in compliance with the Foreign Exchange Management Act, 1999, the FEMA (Non-Debt Instruments) Rules, 2019, and the extant sectoral cap / entry-route conditions for [sector], and the applicant undertakes to obtain / file [RBI approval, if the sector is under the approval route / Form FC-GPR / Form FC-TRS / other prescribed filing] before or contemporaneously with implementation of the plan.

[Name & designation of the authorised signatory] — verified on affidavit at [Delhi] on [date].

> ***Drafting note***
>
> *Read with the s.29A/independence declaration (Instrument 48) — that instrument addresses eligibility; this one addresses the legitimacy of the funding, which is a distinct enquiry the RFRP and the CoC's due diligence increasingly require, particularly for cash-heavy or NRI/OCI-funded plans. For a listed corporate debtor or a plan proposing a large equity infusion, consider requiring a chartered accountant's source-of-funds certificate rather than a bare declaration. Currency (2026). Verify the current FDI sectoral caps, the entry route for the sector in question, and PMLA reporting thresholds before finalising the RFRP annexure.*

Instrument 49B — Undertaking to Pursue Regulatory and Sectoral Approvals ◆ [NEW]

Statutory basis: *Proviso to Section 31(4), IBC 2016; Competition Act, 2002; SEBI (LODR) Regulations, 2015 where the corporate debtor is listed; sectoral regulator statutes (RBI/IRDAI/TRAI etc.) as applicable*

An undertaking by the resolution applicant to seek and diligently pursue every regulatory or statutory approval the plan requires — CCI approval where the combination crosses the notified thresholds, SEBI/stock-exchange approvals where the corporate debtor is listed, and the approvals of any sectoral regulator — within the timeline permitted under the proviso to Section 31(4).

Undertaking

I / We, [resolution applicant], confirm the following regulatory / statutory approvals as applicable to the plan:

Approval	Applicability	Status / expected timeline
Competition Commission of India (combination approval)	[Applicable — thresholds crossed / Not applicable — reasons stated at Annexure __]	[date / within __ days of CoC approval]
SEBI / stock exchange(s)	[Applicable, corporate debtor listed / Not applicable]	[date]
Sectoral regulator (RBI / IRDAI / TRAI / other)	[Applicable / Not applicable]	[date]

The applicant undertakes to file for, and diligently pursue, each applicable approval, and to keep the Resolution Professional and the Committee of Creditors informed of the status; and acknowledges that under the proviso to Section 31(4), the plan may provide for approval by the Adjudicating Authority prior to the grant of a required approval, subject to the applicant obtaining it within the period stipulated in the plan.

Drafting note

Where the combination does not cross the CCI's notified asset/turnover thresholds, record that finding and its basis in the annexure rather than leaving the row blank — CoC members and the Adjudicating Authority increasingly expect the analysis to be shown, not merely the conclusion. Cross-refer to Instrument 51 (Form H), which also carries an approvals-pending field for the same information at the certification stage. Currency (2026). Verify the current CCI combination thresholds (revised periodically by notification) and the current text of the Section 31(4) proviso before settling the undertaking.

Instrument 49C — Disclosure of Related-Party / Connected-Person Status of the PRA ◆ [NEW]

Statutory basis: *Regulation 36B, CIRP Regulations, 2016; established CoC due-diligence practice*

A disclosure by the resolution applicant of any related-party or connected-person relationship it, or a person acting in concert with it, has with the corporate debtor, its promoters, or a member of the Committee of Creditors — obtained for conflict-of-interest evaluation, distinct from the Section 29A eligibility affidavit at Instrument 48.

Disclosure

Relationship tested	Disclosure
Related party of the corporate debtor (as defined in Section 5(24)/(24A))	[Yes / No — nature, if yes]
Relationship with any promoter / erstwhile director / KMP of the corporate debtor	[Yes / No — nature, if yes]
Relationship with any member of the Committee of Creditors, or with any of its authorised representatives	[Yes / No — nature, if yes]
Relationship with any other prospective resolution applicant in the same process	[Yes / No — nature, if yes]

The applicant undertakes to disclose forthwith any relationship falling within the above categories that arises or comes to its knowledge after the date of this disclosure and before approval of the plan under Section 31.

Drafting note

This is a commercial-wisdom / conflict-evaluation disclosure for the CoC, and is separate from the Section 29A ineligibility affidavit (Instrument 48) — a relationship disclosed here need not itself be a Section 29A disqualification, but the CoC is entitled to weigh it. Currency (2026). No prescribed form; tailor the categories to the RFRP and the sector.

Instrument 49D — Reaffirmation of the Confidentiality Undertaking at Plan Submission ◆ [NEW]

Statutory basis: *Regulation 36(2), CIRP Regulations, 2016 — practice extension of Instrument 33*

A reaffirmation, at the time of submitting the plan, that the confidentiality undertaking executed under Instrument 33 before access to the Information Memorandum continues in force and is extended to cover all data-room material actually used in preparing the plan, and the plan itself.

Reaffirmation

I / We, [resolution applicant], reaffirm the Confidentiality Undertaking dated [date] executed under Regulation 36(2) prior to access to the Information Memorandum, and confirm that its terms continue in full force and extend to (a) all data-room material accessed or reviewed in the course of preparing the resolution plan, and (b) the resolution plan itself and all annexures thereto, until [the earlier of __ years from the date of this reaffirmation, or __ years from approval / rejection of the plan].

Drafting note

Some RFRPs prefer a fresh, standalone confidentiality undertaking at plan submission rather than a mere reaffirmation of Instrument 33, particularly where the data room was supplemented after the initial NDA — offer both options and let the RFRP dictate the choice; either way, the gap in the compendium was that Instrument 33 is only executed once, before IM access, and is not otherwise revisited at the submission stage. Currency (2026).

Instrument 49E — Declaration of No Collusive or Anti-Competitive Conduct ◆ [NEW]

Statutory basis: *General process-integrity requirement; Competition Act, 2002, principles*

A declaration by the resolution applicant that it has not entered into any collusive, anti-competitive or cartel-like arrangement with any other prospective resolution applicant or bidder in relation to the process — analogous to the anti-collusion clauses the compendium already carries for liquidation e-auctions, but not previously provided for a CIRP resolution plan.

Declaration

I / We, [resolution applicant], declare that the applicant, its promoters and the persons acting jointly or in concert with it, have not entered into, and shall not enter into, any arrangement, understanding or agreement, express or implied, with any other prospective resolution applicant or bidder in this process to fix, restrict, manipulate or otherwise influence the terms, pricing, or any other parameter of a resolution plan, or to abstain from submitting a competing plan. The applicant undertakes to promptly report to the Resolution Professional any approach made to it with such intent.

Drafting note

The compendium's existing anti-collusion clauses (in the liquidation e-auction instruments) are process-specific to an auction; this declaration adapts the same principle to a resolution plan, where collusion is harder to detect but equally undermines the CoC's ability to secure the best available plan. Currency (2026).

Instrument 49F — Continuing Eligibility / No Material Adverse Change Declaration ◆ [NEW]

Statutory basis: *Established RFRP / CoC practice*

A point-in-time declaration, made at plan submission, that there has been no material adverse change in the resolution applicant's eligibility, financial position or constitution since the Expression of Interest — distinct from the ongoing 'disclose forthwith' undertaking already built into the Section 29A affidavit at Instrument 48.

Declaration

I / We, [resolution applicant], confirm that there has been no material adverse change in (a) the eligibility of the applicant, the persons acting jointly or in concert with it, or the connected persons, under Section 29A; (b) the financial position, net worth or credit rating of the applicant; or (c) the constitution, shareholding or control of the applicant, between the date of submission of its Expression of Interest ([date]) and the date of this plan, save as fully disclosed at [Annexure __].

> ***Drafting note***
>
> *Instrument 48 obliges the applicant to disclose a change in Section 29A eligibility as and when it occurs; this declaration is the formal, dated confirmation the CoC typically wants at the plan-submission checkpoint itself, covering financial position and constitution as well as bare Section 29A status. Currency (2026).*

Instrument 49G — Undertaking of Accuracy of Information; Indemnity for Misstatement ◆ [NEW]

Statutory basis: *General contractual and tort principles; standard RFRP practice*

An undertaking by the resolution applicant that all information, data, financial projections and representations in the plan are true and not misleading, with an indemnity for loss flowing from any misstatement and acknowledgment that a false plan is liable to be treated as void.

Undertaking

I / We, [resolution applicant], warrant that all information, data, financial projections and representations contained in the resolution plan and its annexures are true, correct and not misleading in any material respect, and undertake to indemnify the corporate debtor, the Resolution Professional and the Committee of Creditors against any loss, cost or liability arising from any misstatement or omission. The applicant acknowledges that the plan is liable to be treated as void, and the performance security / earnest-money deposit forfeited, if any information is found to be false, without prejudice to any other remedy or penal consequence available in law.

> ***Drafting note***
>
> *Cross-refer to the penal provisions for furnishing false information under the Code (Sections 73/74/75) if the RFRP wishes to make the cross-reference explicit — this instrument records the contractual indemnity; it does not itself create statutory liability, which arises independently. Currency (2026).*

Instrument 49H — Board / Partners' / Trustees' Resolution and Power of Attorney Authorising Submission of the Plan ◆ [NEW]

Statutory basis: *Constitutional documents of the resolution applicant; standard practice*

The authority documents — a resolution of the applicant's governing body (board, partners, or trustees, as applicable to its constitution) authorising submission of the resolution plan, and a Power of Attorney in favour of the person signing the plan and its accompanying documents.

A. Resolution (company / LLP / partnership / trust, as applicable)

RESOLVED that the consent of the Board of Directors / Partners / Trustees of [resolution applicant] be and is hereby accorded to the submission of a resolution plan for [Corporate Debtor] Private Limited under the Insolvency and Bankruptcy Code, 2016, on the terms and in the form placed before this meeting; and that [Name, designation] be and is hereby authorised to sign, execute and submit the resolution plan and all documents, undertakings, affidavits and declarations incidental thereto, and to represent the applicant before the Resolution Professional, the Committee of Creditors and the Adjudicating Authority in relation thereto.

B. Power of Attorney

KNOW ALL MEN BY THESE PRESENTS that [resolution applicant], acting through its authorised signatory pursuant to the resolution above, does hereby appoint and authorise [Name] to sign, execute, verify and submit, on the applicant's behalf, the resolution plan and all undertakings, affidavits, declarations and correspondence in relation to the CIRP of [Corporate Debtor] Private Limited, and to do all acts, deeds and things necessary or incidental thereto.

> ***Drafting note***
>
> *Tailor the resolution to the applicant's constitution — a company resolution, a partners' resolution for a partnership/LLP, or a trustees' resolution for a trust — and attach the applicant's constitutional document establishing the governing body's authority to pass it (e.g., the relevant clause of the AOA or the partnership/trust deed). Currency (2026). No prescribed IBC form; standard corporate-authority drafting.*

Instrument 49I — Consortium / Joint-Applicant Undertaking (Joint and Several Liability) ◆ [NEW]

Statutory basis: *Regulation 2(1)(k), CIRP Regulations, 2016 read with the RFRP's consortium clause; cf. Instrument 44 (consortium listed as an eligibility parameter)*

Where the plan is submitted jointly or through a consortium, the undertaking of joint and several liability among the consortium members, the designation of a lead member authorised to bind the consortium, and the underlying consortium / joint-venture agreement.

Undertaking

We, [Member 1], [Member 2] [and other members], constituting a consortium for the purpose of submitting a resolution plan for [Corporate Debtor] Private Limited, jointly and severally undertake to be bound by, and to perform, all obligations under the plan, including the payment obligations, the implementation obligations, and the performance security, as if each member were individually liable for the whole. [Member 1] is designated the lead member of the consortium, authorised to submit the plan, receive all communications, and bind the consortium in relation to the process. The consortium / joint-venture agreement dated [date] governing the inter se rights and obligations of the members is annexed at [Annexure __].

> ***Drafting note***
>
> *Instrument 44 lists 'consortium / joint applicants' as an eligibility parameter (permitted; lead member; combined thresholds) but does not itself provide the joint-and-several undertaking or a place to annex the consortium agreement — this instrument supplies that. Verify each member's individual Section 29A eligibility (Instrument 48) as well as the consortium's combined net worth against the criteria fixed under Instrument 44. Currency (2026). Regulation 2(1)(k) continues in force as amended.*

Instrument 49J — KYC Documentation Bundle for the Resolution Applicant [NEW]

Statutory basis: *Standard KYC practice*

A checklist of the constitutional / identity documents obtained from the resolution applicant at plan submission, tailored to its constitution.

Checklist

- Certificate of incorporation / registration (company, LLP, society, trust, as applicable)
- PAN and GSTIN of the applicant
- Memorandum and Articles of Association (company) / LLP Agreement / Partnership Deed / Trust Deed, as applicable to the applicant's constitution
- List of directors / designated partners / partners / trustees, with proof of identity and address
- Beneficial-ownership declaration identifying the ultimate individual owner(s) of the applicant
- Latest audited financial statements (standalone and, where applicable, consolidated) for the last [three] financial years
- Specimen signature of the authorised signatory, cross-referenced to the Power of Attorney (Instrument 49H)

> ***Drafting note***
>
> *Cross-refer to Instrument 49K (net-worth certificate) and Instrument 49H (authority documents), which are commonly bundled with this checklist in the RFRP's 'Annexure — PRA documentation'. Currency (2026). Adjust the list to the applicant's constitution and to any sector-specific licence the RFRP separately requires.*

Instrument 49K — Certificate of Net Worth and Financial Capability ◆ [NEW]

Statutory basis: *Standard practice; Regulation 36B(2) financial-strength requirement; cf. Instrument 44 (net worth as an eligibility threshold)*

A certificate from a Chartered Accountant, Company Secretary, or bank, confirming the resolution applicant's net worth and its financial capability to fund the equity and debt components proposed in the plan.

Certificate

This is to certify, on the basis of the audited financial statements of [resolution applicant] as on [date] and [other documents examined], that the net worth of the applicant as on that date is [₹ __ / equivalent], and that the applicant has the financial capability to fund the equity component of [₹ __] and to arrange / service the debt component of [₹ __] proposed under its resolution plan for [Corporate Debtor] Private Limited, through [internal accruals / promoter contribution / committed bank facility — letter dated __ annexed / other].

[Name, membership no. / bank details] — [Chartered Accountant / Company Secretary / Bank], [place], [date].

> ***Drafting note***
>
> *Instrument 44 fixes net worth as an eligibility threshold at the EOI stage (≥ [amount]); this certificate is the documentary proof furnished at plan submission that the threshold, and the specific funding proposed in the plan itself, is met. Where funding is through a committed bank facility rather than net worth alone, annex the bank's sanction/commitment letter. Currency (2026).*

Instrument 49L — Undertaking to Implement the Plan and Cooperate with the Implementation and Monitoring Committee ◆ [NEW]

Statutory basis: *Regulation 38, CIRP Regulations, 2016; cf. Instrument 50's Regulation 38(2)–(3) note on implementation and monitoring*

The resolution applicant's personal undertaking to infuse funds and implement the plan strictly per its timelines, and to cooperate with the Implementation and Monitoring Committee constituted under the plan.

Undertaking

I / We, [resolution applicant], undertake to infuse the funds and implement the resolution plan strictly in accordance with the term, schedule and milestones specified therein; to comply with the directions of the Implementation and Monitoring Committee constituted under the plan; and to furnish periodic implementation-status reports to the Committee / the Adjudicating Authority as the plan or the Committee may require, until implementation is certified complete.

> ***Drafting note***
>
> *Instrument 50's 'B. Implementation and monitoring' note describes what the plan itself must provide for (the term, schedule, monitoring committee); this instrument is the applicant's own signed commitment to comply with what the plan provides, distinct from the plan's drafting requirement. Cross-refer to the performance security (Instrument 49), which is the financial lever for enforcing this undertaking. Currency (2026).*

Instrument 49M — Clean-Slate Acknowledgment by the Resolution Applicant ◆ [NEW]

Statutory basis: *Ghanashyam Mishra & Sons (P) Ltd. v. Edelweiss ARC (2021) — Supreme Court; Essar Steel India Ltd. Committee of Creditors v. Satish Kumar Gupta (2020); cf. the doctrine as discussed in Instrument 50's drafting note*

A signed acknowledgment by which the resolution applicant confirms it takes over the corporate debtor free of all claims not part of the approved plan, and undertakes not to raise, or assist any third party to raise, any claim relatable to the period before approval.

Acknowledgment

I / We, [resolution applicant], acknowledge and accept that, on approval of the resolution plan by the Adjudicating Authority under Section 31, all claims not part of the approved plan shall stand extinguished, and the applicant shall take over [Corporate Debtor] Private Limited on a fresh, clean-slate basis, free of any undecided claim relatable to the period prior to the approval date. The applicant undertakes not to raise, prosecute, or assist or induce any third party to raise or prosecute, any claim against the corporate debtor, its erstwhile promoters, directors or officers, relatable to that period, save as the plan itself may expressly preserve.

> ***Drafting note***
>
> *Instrument 50's drafting note discusses the clean-slate doctrine as legal context for the RP's examination of the plan; it does not itself carry a PRA-signed acknowledgment — this instrument supplies the document the CoC actually wants on file, distinct from the RP's internal analysis. Currency (2026). The clean-slate principle continues good law; verify no subsequent Supreme Court qualification before relying on the citation.*

Instrument 49N — Declaration of Material Litigation, Investigation or Prosecution against the Applicant ◆ [NEW]

Statutory basis: *Established CoC due-diligence practice*

A declaration of material litigation, investigation or prosecution pending against the resolution applicant or its promoters/directors — the mirror, on the applicant's side, of the corporate debtor's own litigation disclosure made in the Information Memorandum.

Declaration

Particulars	Disclosure
Material civil / commercial litigation pending against the applicant or its promoters/directors	[Nil / details at Annexure __]
Regulatory investigation or proceeding (SEBI, RBI, competition, tax, or other) pending against the applicant or its promoters/directors	[Nil / details]

Particulars	Disclosure
Criminal prosecution pending against the applicant or its promoters/directors	[Nil / details]
Proceedings under the Code (as a corporate debtor, guarantor, or otherwise) involving the applicant or a group entity	[Nil / details]

The applicant undertakes to disclose forthwith any matter falling within the above categories that arises after the date of this declaration and before approval of the plan under Section 31.

Drafting note

The compendium's existing litigation-disclosure instrument covers the corporate debtor's own litigation for the Information Memorandum; that is disclosure of the target's litigation to bidders. This instrument is the reverse — disclosure by the bidder itself, for the CoC's commercial-wisdom evaluation of the applicant's own standing. Currency (2026). No prescribed form; tailor thresholds of materiality to the RFRP.

Instrument 49O — Undertaking on Data Protection and Information Security ◆ [NEW]

Statutory basis: *Digital Personal Data Protection Act, 2023 — where the corporate debtor's business involves customer or personal data*

Where the corporate debtor's business involves the personal data of customers, employees or other data principals, an undertaking by the resolution applicant to comply with the Digital Personal Data Protection Act, 2023, on taking over that business.

Undertaking

I / We, [resolution applicant], undertake that, on implementation of the resolution plan and assumption of control of [Corporate Debtor] Private Limited's business, the applicant shall comply with the obligations of a Data Fiduciary (or Data Processor, as applicable) under the Digital Personal Data Protection Act, 2023, in respect of the personal data held by the corporate debtor, including honouring subsisting consents of data principals, providing the notices and grievance-redressal mechanism the Act requires, and making any notification to the Data Protection Board of India that a personal-data breach occurring after the transfer may require.

Drafting note

Relevant chiefly for corporate debtors in BFSI, e-commerce, healthcare, telecom or other data-intensive sectors; the RFRP may omit this instrument entirely where the corporate debtor's business does not involve personal data. Currency (2026). The DPDP Act, 2023, and its rules are still being operationalised in phases — verify which provisions and rules are in force before finalising the undertaking's wording.

Instrument 49P — Undertaking to Bear Stamp Duty, Registration and Incidental Costs ◆ [NEW]

Statutory basis: *Standard RFRP / practice clause; cf. the equivalent clause the compendium already carries for liquidation e-auction sales*

An undertaking by the resolution applicant to bear the stamp duty, registration charges and other incidental costs on the resolution plan documents and on any conveyance or instrument implementing the plan.

Undertaking

I / We, [resolution applicant], undertake to bear all stamp duty, registration charges, and other incidental costs (including, where applicable, GST and TDS) on the resolution plan documents, and on any conveyance, share-transfer instrument, business-transfer agreement or other document required to implement the plan, whether payable by the applicant or the corporate debtor under the applicable stamp/registration law, save as the plan itself expressly allocates otherwise.

> ***Drafting note***
> *The compendium already carries this clause for a liquidator's e-auction sale ('the successful bidder bears all stamp duty, registration, GST, TDS and other charges'); this instrument is the equivalent for a CIRP resolution plan, which the compendium's resolution-plan instruments (44–51) did not separately provide. Currency (2026). Stamp duty exemptions/concessions for instruments executed under an approved resolution plan vary by State — verify the current position in the State where the conveyance will be registered.*

Instrument 49Q — Undertaking Not to Withdraw or Unilaterally Modify the Plan after Submission ◆ [NEW]

Statutory basis: *Regulation 39(1), CIRP Regulations, 2016; RFRP practice*

An undertaking by the resolution applicant not to withdraw the plan, or modify or revise it, after submission, except through the process expressly permitted under Regulation 39(1) and the RFRP.

Undertaking

I / We, [resolution applicant], undertake not to withdraw the resolution plan submitted for [Corporate Debtor] Private Limited, and not to modify or revise its terms, after submission, save through the process, and within the timelines, expressly permitted under Regulation 39(1) / (1A) of the CIRP Regulations, 2016, and the RFRP. The applicant acknowledges that an unauthorised withdrawal or modification renders the performance security / earnest-money deposit liable to forfeiture, and the applicant liable to debarment from participating in the process, or in future processes involving the Resolution Professional / Committee of Creditors, on the terms stated in the RFRP.

> ***Drafting note***
> *Regulation 39(1) permits a limited window and process for revision before the CoC's approval; this undertaking is the PRA-side commitment that mirrors that regulatory limit. Currency (2026). Verify the current text of Regulation 39(1)/(1A), which has been amended more than once, before fixing the permitted-revision window in the RFRP.*

Instrument 49R — PRA's Undertaking of Compliance with Section 30(2) ◆ [NEW]

Statutory basis: *Section 30(2)(a)-(e), IBC 2016*

The resolution applicant's own signed undertaking, filed with the plan, confirming compliance with each limb of Section 30(2) — distinct from Instrument 50, which is the Resolution Professional's independent examination report testing that very compliance.

Undertaking

Section 30(2) limb	Confirmation
(a) CIRP costs paid in priority to other debts	[Confirmed — plan clause __]
(b) Operational creditors and dissenting financial creditors paid not less than their Section 53 entitlement	[Confirmed — plan clause __]
(c) Management of the corporate debtor's affairs after approval	[Confirmed — plan clause __]

Section 30(2) limb	Confirmation
(d) Fair-and-equitable minimum to dissenting financial creditors; implementation and supervision arrangements	[Confirmed — plan clause __]
(e) Does not contravene any provision of law for the time being in force	[Confirmed]

I / We, [resolution applicant], undertake that the resolution plan submitted for [Corporate Debtor] Private Limited meets each of the above requirements of Section 30(2), and that the plan clauses cited above accurately reflect the treatment described.

> ***Drafting note***
> *Instrument 50 is the RP's own report to the CoC, prepared after independent examination of the plan; this instrument is the PRA's own representation accompanying the plan at submission, which the RP's Instrument 50 examination then tests against the plan text. Keep both on file — the RP's report should not rest on the PRA's word alone. Currency (2026). Section 30(2) continues in force as amended (Section 30(2)(d)'s 2026 substitution requiring a fair-and-equitable minimum to dissenting financial creditors) — verify the current text before finalising the table.*

Instrument 49S — PRA's Statement on Mandatory Contents of the Plan ◆ [NEW]

Statutory basis: *Regulation 38, CIRP Regulations, 2016*

The resolution applicant's own statement, filed with the plan, addressing the mandatory contents Regulation 38 requires — continuity or change of management, the means of implementation, and the adequacy of the arrangements for supervising implementation — distinct from Instrument 50's Regulation 38 compliance table, which records the RP's own testing of the same regulation.

Statement

I / We, [resolution applicant], state as follows in respect of the mandatory contents of the resolution plan under Regulation 38:

- Continuity / change of management: [the existing management is retained on the terms stated in the plan / management is proposed to change to __, with the transition arrangements set out in clause __]
- Means of implementation: [equity infusion of ₹__ / debt of ₹__ / asset sale / other, with the funding and timeline set out in clause __]
- Adequacy of supervision arrangements: [an Implementation and Monitoring Committee comprising __ is constituted under clause __, with the reporting and escalation mechanism set out therein]

> ***Drafting note***
> *Cross-refer to Instrument 49L (the PRA's ongoing cooperation undertaking, which operates once the plan is under implementation) and to Instrument 50's Regulation 38 compliance table (the RP's testing of this same statement against the plan text) — this instrument is the PRA's own affirmative statement at submission that the other two respectively test and later enforce. Currency (2026). Regulation 38 continues in force as amended; verify the current sub-clauses (38(1A)-(3)) before finalising the statement.*

Phase VIII — Resolution Plan: Examination & Approval

Instrument 50 — Examination of Resolution Plans; Mandatory Contents ◆

Statutory basis: *s.30(2), IBC 2016 r/w Reg. 37–39, CIRP Regulations, 2016 — the RP's report*

confirming compliance; no prescribed form

The RP's report to the CoC examining the resolution plan(s) received and confirming compliance with Section 30(2) — the process recital, the Section 29A confirmation, the clause-wise compliance table and the recommendation to vote. The Code prescribes no form; this template supplies one. REPORT OF THE RP ON EXAMINATION OF RESOLUTION PLAN(S) UNDER SECTION 30(2) — to the CoC of [Corporate Debtor] Private Limited | C.P. (IB) No. [____]

1. The CIRP commenced on [date]; the undersigned was appointed / confirmed RP under Section 22; the public announcement and Form G were issued, resulting in the provisional and final PRA lists dated [date] and [date]. 2. The RFRP, with the evaluation matrix and the IM, was issued; resolution plan(s) were received from [PRA(s)] on [date], each with the Section 30(1) affidavit (Section 29A eligibility) and the performance security stipulated in the RFRP. 3. The RP has examined the eligibility of each resolution applicant, the persons acting jointly or in concert, and the connected persons under Section 29A, and confirms that [PRA(s)] is / are not ineligible — basis at Annexure B-1. 4. The RP has examined each plan against Section 30(2) read with Regulations 37–39; the clause-wise examination is summarised below (detail at Annexure B-2). Provision Requirement Finding (per plan) CIRP costs paid in priority to other debts (Reg. 30(2)(a) [Compliant / Deficiency] 38(1)). OCs and dissenting FCs paid not less than the 30(2)(b) Section 53 liquidation entitlement, in priority [Compliant / Deficiency] (Reg. 38(1)(b)–(c)). Provides for the management of the affairs after 30(2)(c) [Compliant / Deficiency] approval. Provides a fair-and-equitable minimum to dissenting FCs, and for the implementation and 30(2)(d) [Compliant / Deficiency] supervision of the plan; the CoC records its reasons (2026). Does not contravene any provision of law for the 30(2)(e) [Compliant / Deficiency] time being in force. Conforms to other requirements specified by the Board — avoidance-transaction statement; term, 30(2)(f) schedule, management / control and [Compliant / Deficiency] supervision; treatment of stakeholders (Reg. 38(1A)–(3)). 1. On examination, the RP confirms that the plan(s) of [PRA(s)] comply with Section 30(2) and Regulation 38 [save the deficiency / deficiencies the applicant has been called upon to rectify: ____]; only conforming plans are placed before the CoC. 2. The CoC is requested to evaluate the compliant plan(s) for feasibility and viability per the evaluation matrix and to approve a plan by not less than sixty-six per cent under Section 30(4);

on approval, the RP shall submit it to the Adjudicating Authority under Section 30(6) r/w Section 31 with the Form H certificate. [Name], Resolution Professional | Registration No. [____] | Date: [date] | Place: [Delhi] Index of annexures. B-1 Section 29A analysis; B-2 Clause-wise examination under Section 30(2) / Reg. 37– 39; B-3 Plan-wise compliance matrix; B-4 Feasibility & viability evaluation; B-5 Eligibility affidavits.

> ***Drafting note***
>
> *mandatory contents & the 2026 dissenting-FC standard. Test each plan against Regulation 38 — priority of CIRP costs; the dissenting-FC / OC payments; the avoidance-transaction statement; the term, schedule, management / control and supervision; and the treatment of stakeholders. The certificate later filed with the AA is the prescribed Form H (Instrument 51), a different document. Currency (2026). Sections 29A, 30 and 31 and Regulations 37–39 continue in force; Section 30(2)(d) is substituted in 2026 to require a fair-and-equitable minimum to dissenting financial creditors with the CoC recording reasons — apply the latest CIRP amendment regulations and the current Form H, and verify the notified commencement before relying on it.*

Instrument 51 — Compliance Certificate — Form H §

Statutory basis: *Reg. 39(4), CIRP Regulations, 2016 — the notified Form H, certifying that the*

resolution plan complies with the Code and the Regulations The compliance certificate the RP files with the resolution plan, certifying compliance with the Code and the CIRP Regulations. The full structure follows — the CIRP details, the certifications, the creditor-wise voting, the amounts provided to stakeholders, the alteration of shareholding, the regulation-wise compliance, the model timeline, the approvals, the avoidance-application position and the going-concern recommendations. Note the 2026 position: the form is now the one notified by the Board's circular dated 2 June 2026 (Schedule I having been omitted); the plan must meet a minimum, fair-and-equitable payment standard for dissenting financial creditors with the CoC recording its reasons for approval; and Section 31 now permits staged approval, protects licences and permits, and extinguishes prior claims on approval. ANONYMISED

MODEL DRAFT. All names, dates, figures, addresses, registration numbers and annexures are illustrative placeholders only, to be verified and replaced with the actual case-specific particulars before settlement and filing. Statutory and regulatory references are stated as amended to 2026. FORM H — COMPLIANCE CERTIFICATE (Under Regulation 39(4) of the CIRP Regulations, 2016) I, [Name], an insolvency professional registered with the Board (Registration No. [____]), am the Resolution Professional for the CIRP of the corporate debtor, M/s [Corporate Debtor] Private Limited. The details of the CIRP are as under: # Particulars Description 1 Name of the corporate debtor [Corporate Debtor] Private Limited 2 Date of initiation of CIRP / appointment of IRP [date] 3 Date of publication of the public announcement [date] 4 Date of constitution of the CoC / first CoC meeting [date] / [date] 5 Date of appointment of the RP [date] 6 Date of appointment of the registered valuers [date] 7 Date(s) of issue of the invitation for EOI (Form G) [date] 8 Date of the final list of eligible prospective resolution applicants [date]

#	Particulars	Description
9	Last date for submission of resolution plans	[date]
10	Date of approval of the resolution plan by the CoC	[date]
11	Date of filing of the plan with the Adjudicating Authority	[date]
12	Date of expiry of 180 days / extended CIRP period	[date] / [date]
13	Fair value / liquidation value	Rs. [____] / Rs. [____]
14	Number of CoC meetings held	[__]

I have examined the resolution plan received from the resolution applicant, [Resolution Applicant], and approved by the Committee of Creditors. I hereby certify that: 1. the resolution plan complies with all the provisions of the Code and the CIRP Regulations, and does not contravene any provision of the law for the time being in force; 2. the resolution applicant has submitted an affidavit under Section 30(1) confirming its eligibility under Section 29A; the contents are in order; 3. the resolution plan has been approved by the CoC with a [__]% voting share, after considering its feasibility and viability and the other requirements of the CIRP Regulations; 4. the voting was held in the CoC meeting dated [date]; the e-voting was conducted as per Regulation 26. Creditor-wise voting on the resolution plan # Name of creditor Vote share (%) Vote 1 [Name] [__] Voted for [Voted for / 2 [Name] [__] Dissented / Abstained] Total 100%

Amounts provided to stakeholders under the resolution plan (Rs. in crore)

Category of stakeholder	Claimed	Admitted	Provided	Provided / Claimed (%)
Secured financial creditors	[__]	[__]	[__]	[__]
Unsecured financial creditors	[__]	[__]	[__]	[__]
Operational creditors (govt., workmen, employees, others)	[__]	[__]	[__]	[__]
Other debts & dues	[__]	[__]	[__]	[__]
Grand total	[__]	[__]	[__]	[__]

Regulation-wise compliance (extract)

Section / Reg.	Requirement	Compliance
25(2)(h)	Resolution applicant meets the criteria approved by the CoC	Yes
29A / 30(1)	Resolution applicant eligible; affidavit of eligibility submitted	Yes
30(2)	Plan provides for CIRP cost, payment to OCs, payment to dissenting FCs, management, and implementation / supervision	Yes

Section / Reg. Requirement Compliance Plan feasible and viable; approved by the CoC with ≥ 66% vote 30(4) Yes share Determination of avoidance transactions before the 115th day, 35A [Yes / NA] under intimation to the Board Priority to OCs; statement on stakeholders' interests; record of 38(1) / 38(1A) / 38(1B) Yes prior non-implementation Term, management / control and supervision; addresses default, 38(2) / 38(3) Yes feasibility, approvals and capability 39(4) / 36B(4A) Performance security received [Yes]

The CIRP has been conducted as per the model timeline under Regulation 40A (activity-wise actual dates to be tabulated). The time frame for obtaining the relevant approvals (RERA, town-planning, and other permits, where applicable) is set out, each to be obtained within [____] of the approval of the plan by the Adjudicating Authority. The resolution plan is [not] subject to any contingency; the deviations / non-compliances, if any, with the reasons and whether rectified, are stated. The plan is being filed [__] days before the expiry of the CIRP period under Section 12. The position on Section 66 / avoidance applications, the Regulation 39B liquidation-cost contribution, and the Regulation 39C / 39D going-concern and liquidator-fee recommendations are stated as applicable. As required by the Amendment Act, 2026: the plan provides to dissenting financial creditors not less than the minimum entitlement, in a manner that is fair and equitable to them, and the Committee of Creditors has recorded its reasons for approving the plan; the plan is consistent with Section 31 as amended, including (where applicable) staged approval of implementation and distribution, the continuity of licences, permits and approvals during the remaining period, and the extinguishment of prior claims against the Corporate Debtor and its assets on approval. I hereby certify that the contents of this certificate are true and correct to the best of my knowledge and belief, and that nothing material has been concealed.

Yours faithfully, [Name of Resolution Professional] Resolution Professional of [Corporate Debtor] Private Limited Registration No. [IBBI/IPA-00X/IP-NXXXXX/20XX-20XX/XXXXX] Date: [date] | Place: [Delhi]

Drafting note

certification & accuracy. Form H is a certificate of the RP's personal satisfaction — tie every "Yes" to the specific clause / page of the resolution plan, reconcile the stakeholder-amount table with the list of creditors and the valuations, and disclose every deviation. Show the dissenting-FC entitlement and the CoC's recorded reasons, and file the certificate with the CoC-approved plan under Section 30(6). Currency (2026). Regulation 39 continues in force as amended; the scheduled Form H has been omitted (CIRP Third Amendment Regulations, 2026) and the operative Form H is notified by the IBBI circular dated 2 June 2026 — align the certificate with that form and with the substituted Sections 30(2)(d) and 31 before filing.

Instrument 52 — CoC Approval of the Resolution Plan (66%)

Statutory basis: *s.30(4), IBC 2016 r/w Reg. 39, CIRP Regulations, 2016*

The record of the CoC's approval of a resolution plan by a vote of not less than sixty-six per cent, after considering feasibility, viability, the order of priority and the evaluation matrix. RESOLVED that, having considered the feasibility and viability, the manner of distribution (taking into account the Section 53 order of priority, including the priority and value of a secured creditor's security interest) and the evaluation matrix, the Committee of Creditors hereby approves, under Section 30(4), the resolution plan of [PRA], with [≥ 66]% of the voting share in favour, and records its reasons for the approval. # Member of the CoC Voting % Vote 1 [Financial Creditor-1] [00.00] [For / Against] 2 [Financial Creditor-2] [00.00] [For / Against] 3 [AR for FCs in a class] [00.00] [proportionate] TOTAL IN FAVOUR [≥ 66.00] Approved A financial creditor who voted against the approved plan is a dissenting financial creditor, entitled in priority to a fair-and-equitable amount not less than the Section 53 liquidation entitlement; this is reflected in the plan, and the CoC records its reasons for the approval.

Drafting note

distribution is the CoC's commercial wisdom. In approving the plan, the CoC takes into account the manner of distribution having regard to the priority and value of security interests. Authority: CoC of Essar Steel v. Satish Kumar Gupta (distribution and commercial wisdom; treatment of dissenting creditors). Currency (2026). Section 30(4) and Regulation 39 continue in force as amended; the 2026 reforms require a fair-and-equitable minimum to dissenting FCs and the recording of the CoC's reasons — verify the current voting and distribution requirements.

Instrument 53 — Application to the Adjudicating Authority for Approval of the Plan

Statutory basis: *s.30(6); s.31, IBC 2016*

The application the RP files for approval, under Section 31, of the CoC-approved resolution plan. BEFORE THE HON'BLE NCLT, [____] BENCH | I.A. No. ______ of 20____ in C.P. (IB) No. ______ of 20____

[Corporate Debtor] Private Limited (in CIRP) — [Name], Resolution Professional ... Applicant Application under Section 30(6) of the Code for approval, under Section 31, of the resolution plan of [PRA] approved by the Committee of Creditors. Grounds 1. The CIRP commenced on [date]; the process was conducted in accordance with the Code and the Regulations; and the CoC approved the plan of [PRA] on [date] with [__]% of the voting share, recording its reasons (Instrument 52). 2. The plan meets Section 30(2); the resolution applicant and its connected persons are eligible under Section 29A; and the Form H compliance certificate is filed herewith (Instrument 51). 3. The plan provides for the priority of CIRP cost, the fair-and-equitable payment to operational creditors and dissenting financial creditors of not less than the Section 53 liquidation entitlement, and for the management, implementation and supervision of the plan. Relief. The applicant prays that this Hon'ble Tribunal be pleased to approve the resolution plan under Section 31(1) and declare it binding on the corporate debtor and its stakeholders; to grant, in

the staged manner now permitted, the reliefs, concessions and dispensations sought in the plan to the extent permissible in law, including the continuity of licences, permits, registrations and approvals and the extinguishment of claims not forming part of the plan on approval; and to pass such further orders as may be just. [Name], Resolution Professional | Registration No. [____] | Date: [date] | Place: [Delhi]

Drafting note

the AA's scope & the 2026 Section 31. The Adjudicating Authority approves the plan if satisfied that it meets Section 30(2); it does not sit in appeal over the CoC's commercial wisdom. Authorities: CoC of Essar Steel v. Satish Kumar Gupta; K. Sashidhar v. Indian Overseas Bank. Currency (2026). Sections 30–31 continue in force as amended; Section 31 (2026) permits staged approval (implementation, then distribution), protects licences and permits during the remaining period where obligations are met, and extinguishes prior claims on approval — frame the reliefs accordingly and verify the current Form H before filing.

Instrument 54 — Approved Plan — Binding Effect; Monitoring & Implementation ◆

Statutory basis: *s.31, IBC 2016 r/w Reg. 38(2)–(3), CIRP Regulations, 2016*

A note recording the binding effect of an approved resolution plan and the arrangements for its implementation and supervision. A. Binding effect (Section 31) 1. On approval by the Adjudicating Authority, the plan binds the corporate debtor and its employees, members and creditors — including the Central Government, any State Government or local authority to whom a debt is owed — guarantors and other stakeholders. 2. Claims not part of the approved plan stand extinguished on approval; the successful resolution applicant takes over the corporate debtor on a fresh footing, free of undecided past claims (the "clean slate" principle), and the licences, permits and approvals continue during the remaining period subject to the plan. B. Implementation and monitoring (Reg. 38(2)–(3)) 1. The plan provides for its term, the implementation schedule, the management and control of the business during the term, and the means of supervising implementation — ordinarily a monitoring committee comprising [creditors / the resolution applicant / the RP or another IP]. 2. The monitoring committee oversees implementation, the payments under the plan, the performance security (Instrument 49), and reports to the stakeholders / the Adjudicating Authority as provided in the plan.

Drafting note

the clean-slate principle & 2026 staging. A successful resolution applicant cannot be saddled with undecided or belated claims after approval; reflect this in the plan and in dealings with claimants. Authority: Ghanashyam Mishra & Sons v. Edelweiss ARC (binding effect and extinguishment of claims not in the approved plan). Currency (2026). Section 31 and Regulation 38(2)–(3) continue in force as amended; the 2026 Section 31 adds staged approval and the express continuity of licences / permits and extinguishment of claims — verify the current monitoring and implementation requirements.

Instrument 55 — Going-Concern Sale Assessment (where heading to liquidation)

Statutory basis: *Reg. 39C, CIRP Regulations, 2016*

A note recording the RP's assessment, with the recommendation of the CoC, on whether the corporate debtor (or any of its assets) may be sold as a going concern in the event of liquidation — to inform the liquidator under the Liquidation Process Regulations. 1. Where the CoC has recommended, or it otherwise appears, that the corporate debtor may proceed to liquidation, the RP records whether the corporate debtor as a whole, or any of its business / assets, can be sold as a going concern. 2. The assessment identifies the business unit(s) / asset cluster(s) capable of a going-concern sale, the rationale and the estimated value, for the liquidator to act upon if a liquidation order is passed. 3. This assessment is part of the information placed before the CoC and is carried into the records handed over on any transition to liquidation (Instrument 61).

> ***Drafting note***
>
> *cross-reference to the liquidation set. Read with the liquidation precedent library — the going-concern sale mechanics now sit in the Liquidation Process Regulations; confirm the current treatment after the omission of the CIRP-side going-concern provision. Currency (2026). Regulation 39C continues in force as amended; verify the current text and its interface with the Liquidation Process Regulations before relying on it.*