

August 18, 2018

Singapore Exchange Securities Trading Limited
2 Shenton Way,
#19-00 SGX Centre 1
Singapore 068804

Sub: Intimation regarding Change of Resolution Professional and Resignation of Director

Dear Sir,

Pursuant to Listing Regulations, we hereby inform that:

1. The undersigned, namely Anil Kohli, Insolvency Professional (Registration No. IBBI/IPA-001/IP-P00112/2017-18/10219) has been appointed as the Resolution Professional (RP) in place of Mr. Devendra Singh for conducting Corporate Insolvency Resolution Process of Moser Baer India Limited for the remaining period in terms of the Order dated August 10, 2018 of the Hon'ble National Company Law Tribunal, New Delhi (Copy of Order attached); and
2. Mr. Samrish Bhanja has resigned from the position of Independent Director of the Company.

Thanking you,

Yours faithfully,



(Anil Kohli)

Resolution Professional

Moser Baer India Limited

(Undergoing Corporate Insolvency Resolution Process)



IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

(IB)-378(PB)/2017

IN THE MATTER OF:

Alchemist Asset Reconstruction Co. Ltd.
and
Moser Baer India Ltd.

..... Petitioners

..... Respondents

SECTION : Under Section 7 of the Insolvency & Bankruptcy Code, 2016

Order delivered on 10.08.2018

Coram:

CHIEF JUSTICE (RTD.) M.M. KUMAR
Hon'ble President

Sh. S. K. MOHAPATRA,
Hon'ble Member (Technical)

PRESENTS:

For the Applicant / Petitioner :	Mr. Krishnendu Datta & Mr. Karan Kanwal, Advs. For Mr. Devender Singh, RP
For the Respondent :	Mr. Dinkar Singh, Adv.
For the SBI :	Mr. Ramji Srinivasan, Sr. Adv. & Mr. Anant A. Pavgi, Advs.

ORDER

CA-716(PB)/2018 & CA-723(PB)/2018

On 09.08.2018 CA-716(PB)/2018 was pressed for replacing the earlier RP with a new RP namely Mr. Anil Kohli. However, the hearing on the application was adjourned for today 10.08.2018 as the CoC was to consider the issue again in the meeting held on 09.08.2018 i.e. yesterday. The item concerning replacement of the RP was taken up being item No. B2 and the minutes of 03.08.2018 were to be confirmed in the meeting held on 09.08.2018. It would be appropriate to the minutes of CoC dated 03.08.2018 which are set out verbatim as under:-

“ ITEM NO. B2.



TO REPLACE THE RESOLUTION PROFESSIONAL WITH ANOTHER RESOLUTION PROFESSIONAL SUBJECT TO THE PROVISIONS UNDER SECTION 27 OF THE INSOLVENCY AND BANKRUPTCY CODE, 2016.

The Chairman informed the members of the CoC that as per provisions under Section 27 of the Insolvency and Bankruptcy Code, 2016, the Committee of Creditors (CoC), may, in the Meeting, by a majority vote of not less than Sixty Six percent of the voting share of the financial creditors, replace the Resolution Professional with another Resolution Professional.

The one of the Financial Creditor proposed the name of Mr. Anil Kohli IBBI/IPA-001/IP-P00112/2017-18/10219 to be appointed as the Resolution Professional for conducting the CIRP of Moser Baer India Limited for the remaining period. The written consent of Mr. Anil Kohli is submitted in Form AA under regulation 3(1)(A) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016.

The following resolution was proposed for e-voting

“RESOLVED THAT pursuant to Section 27 of the Insolvency and Bankruptcy Code, 2016 and other applicable provisions, if any, of the Insolvency and Bankruptcy Code, 2016 and in accordance with rules and regulations made thereunder, approval of committee of creditors, be and is hereby accorded for appointment of Mr. Anil Kohli, an Insolvency Professional (Registration No. IBBI/IPA-001/IP-P00112/2017-18/10219 to act as the Resolution Professional for conducting the CIRP of Moser Baer India Limited for the remaining period, in place of Mr. Devendra Singh, the existing Resolution Professional, in the matter of Corporate Insolvency Resolution Process of Moser Baer India Limited(MBIL).”



The aforesaid resolution was put to e-voting on 07.08.2018 and the resolution has been carried with more than adequate vote sharing of 66.05%.

There is no serious dispute amongst the parties with regard to the aforesaid factual position. The decision has been confirmed by CoC in its meeting held yesterday i.e. 09.08.2018 and new CA-723(PB)/2018 has been filed by RP as per the advise of the CoC. Accordingly, we entertain the new application for change of RP.

As a sequel to above discussion application is allowed. Mr. Anil Kohli is appointed as new RP by replacing the earlier RP.

The applications CA-716(PB)/2018 and CA-723(PB)/2018 are disposed of.

CA-295(PB)/2018

Ld. Counsel for the applicant has submitted that the representation on behalf of 1800 workers is required to be considered by the newly appointed RP Mr. Anil Kohli. By a separate order passed today Mr. Anil Kohli has been appointed as a new RP by replacing earlier RP. Representation if any, may be made to the new RP by the applicant.

CA-295(PB)/2018 stands disposed of.

10.08.2018
Ritu Sharma

Sd/-
(M.M.KUMAR)
PRESIDENT
Sd/-
(S. K. MOHAPATRA)
MEMBER (TECHNICAL)