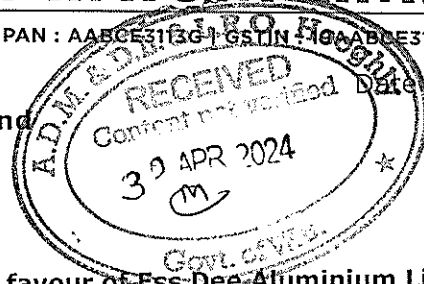




ESS DEE ALUMINIUM LIMITED

CIN : L27203WB2004PLC170941 | PAN : AABCE3113G | GSTIN : HGAABDE3113G320



To,
The Additional District Magistrate & District Land
& Land Reforms Officer Hooghly
Jiban paul's Garden Hooghly -712103

Subject: Prayer for mutation of land in favour of Ess Dee Aluminium Limited.

Ref: Memo No: HGLY-19015(19)/99/1978/2024- LLR AND RRD(HGLY),Dt: - 16-04-2024.

Respected Sir,

With reference to our previous correspondence dated 15-03-2024, we are writing to formally submit the requested documents pertaining to the mutation of land in favor of Ess Dee Aluminium Ltd (hereinafter referred to as "ESS DEE").

1. As Per the provisions outlined in Clause 1 of the Letter dated April 16, 2024, and in accordance with the affidavit submitted on March 15, 2024, we direct your attention to specific pages **51 through 66**. These points delineate the merger scheme between India Foils Ltd and Ess Dee Aluminium Ltd. Furthermore, we highlight the amalgamation/merger order dated September 30, 2010, which is detailed within the aforementioned pages. It is crucial to emphasize that these documents have been duly lodged on the Ministry of Corporate Affairs (MCA) website, thus confirming their authenticity. Any further inquiries regarding these documents will be addressed with precision.
2. In reference to Clause 2 of the Letter dated April 16, 2024, we hereby provide an elucidation concerning the recent submission of the petition for land mutation in favour of Ess Dee Aluminium Ltd over Shakambhari Ispat & Power Limited.

To initiate, it is imperative to comprehend the tenets of the Insolvency and Bankruptcy Code of 2016. Enacted in 2016, however, the Indian government's intent is unequivocal: to rejuvenate struggling industries. This initiative is critical as it aims to resuscitate financially distressed companies and thereby fortify the nation's economy.

Now, turning to the matter concerning Ess Dee, State Bank of India filed an application for the initiation of Corporate Insolvency and Resolution Process under Section 7 of the Insolvency and Bankruptcy Code, 2016, read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

The Corporate Debtor was admitted into Corporate Insolvency Resolution Process (CIRP) via an Order dated February 14, 2020, issued by this Adjudicating Authority. Ms. Deepika Bhugra Prasad was appointed as the Interim Resolution Professional (IRP) for the Corporate Debtor.

Subsequently, Ms. Deepika Bhugra Prasad was appointed as the Interim Resolution Professional (IRP) for the Company, and in the initial meeting of the Committee of Creditors (COC) held on March 18, 2022, the IRP was appointed as the Resolution Professional ("RP") of the Company, a decision confirmed by the Hon'ble NCLT. As of the commencement date of CIRP, the powers of the Company's board of directors were suspended and were exercised by the RP, in accordance with the provisions of the IBC, 2016.

Corp. Office : "Diamond Prestige", 41A A.J.C. Bose Road, 8th Floor # 801, Kolkata 700 017, West Bengal

Regd. Office : 1, Sagore Dutta Ghat Road, Kamarhati, Kolkata 700 058, West Bengal | **Phone :** 033 6625 5252

E-mail : essdee@shakambhargroup.co.in | **Works :** Vill. & P.O. : Hoera, P.S. : Mogra, Dist. : Hooghly, West Bengal 712 147



ESS DEE ALUMINIUM LIMITED

CIN : L27203WB2004PLC170941 | PAN : AABCE3113G | GSTIN : 19AABCE3113G3Z0

Furthermore, in the absence of any approved Resolution Plan by the COC members, the natural consequence for the Company was liquidation, and the COC members passed a Resolution for the liquidation of the Company with a voting share of 84.78%. Consequently, the Hon'ble NCLT initiated the liquidation of the Company via an Order dated October 08, 2021, and appointed Ms. Deepika Bhugra Prasad as the Liquidator of the Corporate Debtor (Liquidation Process).

The Liquidator published the E-auction Sale Notice dated August 04, 2022, and its subsequent addendums, inviting bids for the sale of the Company as a "going concern" and on a piecemeal basis, as per Regulation 6(2)(b) of the 2016 Regulations. Pursuant to the E-Auction process conducted by the Liquidator on August 26, 2022, M/s Shakambhari Ispat & Power Limited (SIPL) was declared as the successful bidder for the Company.

Consequently, a letter of intent dated September 06, 2022, was issued by the Liquidator to SIPL, and the entire sale consideration was received by the Liquidator until September 15, 2022. Accordingly, the Liquidator issued a sale certificate dated September 28, 2022, and the Company was sold as a **"Going Concern"** as per Regulation 32(e) read with Regulation 32A of Insolvency & Bankruptcy Boards of India (Liquidation Process) Regulations, 2016.

Thus, a sale certificate dated September 28, 2022, was issued by the Liquidator, wherein the Company was sold as a **"Going Concern"** as per Regulation 32(e) read with Regulation 32A of Insolvency & Bankruptcy Boards of India (Liquidation Process) Regulations, 2016, thereby absolving the sale of the Company from any liability or encumbrances as per Regulation 53 of the IBC Code.

Furthermore, the NCLT, via its order dated February 24, 2023, approved the acquisition of the Company as a "Going Concern" along with the grant of certain reliefs, concessions, waivers, etc., as per the application under Section 35(10)(n) and Section 60(5) of the IBC, 2016, read with Regulation 32A and 32(e) of Insolvency & Bankruptcy Boards of India (Liquidation Process) Regulations, 2016, filed by M/s Shakambhari Ispat & Power Limited (SIPL).

We have provided this comprehensive account to elucidate the company's history. Shakambhari acquired Ess Dee and established it as its wholly-owned subsidiary. However, Ess Dee maintains its distinct existence, hence the financial support and establishment provided. Consequently, the property and title are held under Ess Dee's name, and following the merger, it falls under India Foils Ltd. Hence, we seek the mutation to be under Ess Dee's name.

Corp. Office : "Diamond Prestige", 41A A.J.C. Bose Road, 8th Floor # 801, Kolkata 700 017, West Bengal

Regd. Office : 1, Sagore Dutta Ghat Road, Kamarhati, Kolkata 700 058, West Bengal | **Phone :** 033 6625 5252

E-mail : essdee@shakambhargroup.co.in | **Works :** Vill. & P.O. : Hoera, P.S. : Mogra, Dist. : Hooghly, West Bengal 712 147



ESS DEE ALUMINIUM LIMITED

CIN : L27203WB2004PLC170941 | PAN : AABCE3113G | GSTIN : 19AABCE3113G3Z0

7. Furthermore, we wish to address Clause 3 of the aforementioned Letter dated April 16, 2024. As the newly appointed manager of the commercial unit spanning an area of 17.33 acres, comprising 62 plots in mouza-Hoera, J.L No.-1, under the jurisdiction of the BL & LRO, Mogra Chinsurah, we express our lack of awareness regarding the absence of necessary permits and approvals for land conversion prior to our assumption of duties on February 24, 2023.

We fully recognize the significance of obtaining the requisite land conversion approvals for the aforementioned unit. Consequently, we formally request your assistance in procuring the necessary permits and approvals to ensure that the commercial unit aligns with all legal requirements.

8. In accordance with Clause 4 of the letter, please find enclosed an original authorization letter empowering Mr. Jeetendra Kumar Pandey to liaise with the BL&LRO, Chinsurah-Mogra for the registration and mutation of land.

9. As per Clause 5, provided below are the names and addresses, along with relevant documents, of several other units of Shakambhari Ispat & Power Ltd.:

- f. Shakambhari Ispat & Power Ltd Location: Mohuda, P.O.- Purulia, West Bengal.
- g. Bravo Sponge Iron Private Limited Location: Mohuda, P.O.- Rukni, P.S.: Para, West Bengal- 7231451
- h. Eloquent Steel Private Limited Location: Nacrojoria, P.O./P.S.: - Salanpur, West Bengal, West Bengal- 713357
- i. SPS Steels Rolling Mills Limited Unit I Location: Dr. Zakir Hussain Avenue, G.T. Road, Durgapur, West Bengal- 713206
- j. SPS Steels Rolling Mills Limited Unit II Location: Poradiha, P.S. Santuri, West Bengal – 722153

10. As per Clause 6, please find enclosed the Affidavit in original.

We trust that these documents will provide clarity on the matter at hand. Thank you for your attention to this issue. We anticipate a favourable resolution regarding Ess Dee's petition for land mutation.

For Ess Dee Aluminium Ltd

Jeetendra Kumar Pandey

JEETENDRA KUMAR PANDEY
ASST. GENERAL MANAGER (HR/ADMIN)
PHONE NO. 9836802406

Ess Dee Aluminium Ltd.
Unit of Shakambhari Group of Companies
Hoera, Mogra
Hooghly-712147

- Encl: 1) Original set of Affidavit as required
2) Original Authorisation letter of Mr.J.K.Pandey



ESS DEE ALUMINIUM LIMITED

CIN : L27203WB2004PLC170941 | PAN : AABCE3113G | GSTIN : 19AABCE3113G3Z0

Date: 30.04.2024

TO WHOM IT MAY CONCERN

I, do hereby Authorize Mr. Jeetendra Kumar Pandey, holding PAN No: BAFPP8042P and the Position of Assistant General Manager (HR) in the Ess Dee Aluminum Limited, will represent on the behalf of company in communicating / liaise including the procurement of necessary certificates or related documents of Mutation of company's total lands of Digsui Hoera Mouza under Chinsurah Mogra Block and Benedanga Mouza under Pandua Block in the District Hooghly P.S: Mogra or any other actions or activities necessary to obtain the required paperwork and documents with Department of B.L & L.R.O in Lichubagan, P.O: sahganj P.S. chinsurah, Hooghly Pin no : 712104.

Jeetendra Kumar Pandey

Mr. Jeetendra Kumar Pandey
Asst. General Manager (HR)
(Ess Dee Aluminium Ltd.)

Jeetendra Kumar Pandey
Asst. GM (HR)
Ess Dee Aluminium Ltd.
Unit of shakambhari Group of Companies
Hoera, Mogra
Hooghly-712147

Sharad S Jhunjunwal

Sharad S Jhunjunwal
CEO (Ess Dee Aluminium Ltd.)

Sharad S Jhunjunwala
(CEO)

Ess Dee Aluminium Ltd.
Unit of shakambhari Group of Companies
Hoera, Mogra
Hooghly - 712147

Sharad S Jhunjunwal

Attested / Authorized by
Sharad S Jhunjunwal
CEO (Ess Dee Aluminium Ltd.)

Sharad S Jhunjunwala
(CEO)

Ess Dee Aluminium Ltd.
Unit of shakambhari Group of Companies
Hoera, Mogra
Hooghly - 712147