

## UNDERTAKING BY POTENTIAL RESOLUTION APPLICANT

*[On a non-judicial stamp paper of appropriate value]*

To,  
Mr. Abhilash Lal  
Resolution Professional,  
Jhabua Power Limited  
("RP")

Dear Sir,

**Subject: Undertaking in relation to the submission of expression of interest in the corporate insolvency resolution process ("CIRP") of Jhabua Power Limited ("JPL") under the Insolvency & Bankruptcy Code, 2016 ("IBC")**

1. I / We, \_\_\_\_\_ ("Potential Resolution Applicant"), refer to the invitation for expression of interest dated August 19, 2019, as amended from time to time ("Invitation for EOI"). One of the requirements under the Invitation for EOI is that the potential resolution applicant is required to submit the undertakings contained herein at the time of submission of expression of interest.
2. I/We *[insert details of entities whose experience and/or financials are being used to meet eligibility criteria]* hereby state and confirm that I/we meet the eligibility criteria specified in the Invitation for EOI and that we shall provide all documents, representations and information as may be required by the RP or the CoC to substantiate to the satisfaction of the RP and the CoC that we are eligible in terms of the eligibility criteria set out in the Invitation for EOI and is/are also eligible under IBC and the rules and regulations thereunder to submit an expression of interest in respect of the Corporate Debtor.
3. I/We hereby undertake and confirm that I/we shall provide the relevant information and records to enable an assessment of ineligibility in terms of IBC and that it shall intimate the RP forthwith if it becomes ineligible at any time during the CIRP.
4. I/We hereby undertake and confirm that *[insert name of entities]* whose experience and/or financials are being used to meet eligibility criteria form part of the same group.
5. I/We hereby state and confirm that every information and records provided in expression of interest is/are true and correct and discovery of any false information or record at any time will render us ineligible to submit the expression of interest for the Corporate Debtor, forfeit any refundable deposit, and attract penal action under IBC.

6. [I/We hereby undertake and confirm that we shall engage an O&M contractor with at least 5 (five) years of experience of operating a thermal power plant of at least 250 MW on its own.]<sup>1</sup>
7. I/We confirm that this undertaking has been duly signed by [an authorized representative of the Potential Resolution Applicant and a copy of the authorization is annexed to this undertaking]<sup>2</sup>.
8. This undertaking forms an integral part of the expression of interest and any breach hereof would be considered as a breach of the expression of interest.

We agree that we will comply with all the terms and conditions aforesaid of this Undertaking.

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On behalf of [*Insert Name*]

Name:

Title:

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<sup>1</sup> Please include if applicable as per the EOI.

<sup>2</sup> In case of an individual, the undertaking should be signed by the Potential Resolution Applicant himself.