

Clarifications on the EOI process document (Version 1.2)

1. Clause (ii) D of Annexure B to be read as below -

In the event the consortium is made up of a mix of strategic investors & financial investors viz. comprising body corporates, FIs/funds/private equity investors/non-banking financial institutions/any such other applicants, the qualifying criteria shall be testified as follows - either the SI members should meet the eligibility criteria applicable to SIs based on their weighted share within the SI category or the FI members should meet the eligibility criteria applicable to FIs based on their weighted share within the FI category.

2. To be read along with Clause (ii) C under Annexure B -

Consortium has funds available for investment/deployment in Indian companies or Indian assets of INR 10,00,00,00,000 (Indian Rupees One Thousand Crore) or more in the immediately preceding completed financial year. In such instance, the Qualification Criteria pertaining to Net-worth or AUM need not be testified.

3. Point 4 in Annexure C under Strategic Investor to be read as below –

Certificate from Statutory Auditor or Chartered Accountant or Company Secretary or equivalent in the jurisdiction of incorporation/registration of the entity certifying tangible net worth as at end of last 3 financial years and committed funds not earlier than as at 31st December 2018.

Clarifications

1. How the weighted average for the net worth composition shall be derived in a scenario where the consortium is a mix of strategic investors and financial investors?

As clarified in point 1 of Corrigendum above the consortium comprising a mix of SIs and FIs shall be testified either for SI members or FI members.

Given below are examples for illustrative purposes only –

i. Consortium comprises of 2 SI and 2 FI having following share in the consortium-

- a. SI1 – 40% (Lead Member) having Net worth of A
- b. SI2 – 20% having Net worth of B
- c. FI1 – 20% having AUM of C
- d. FI2 – 20% having AUM of D

SI criteria –

$$\text{Net worth} = (40\%*A + 20\%*B) / (40\%+20\%)$$

OR

FI criteria -

$$\text{AUM} = (20\%*C + 20\%*D) / (20\%+20\%)$$

ii. Consortium comprises of 1 SI and 2 FI having following share in the consortium –

- a. SI1 – 30% having Net worth of A

- b. FI1 – 30% having AUM of B
- c. FI2 – 40% (Lead Member) having AUM of C

SI criteria –

$$\text{Net worth} = (30\% * A) / (30\%)$$

OR

FI criteria –

$$\text{AUM} = (40\% * C + 30\% * B) / (40\% + 30\%)$$

2. *Whether individual PRA's who have submitted separate EoI's can subsequently submit one resolution plan as a consortium?*

This query may be raised at the stage when the request for resolution plan has been released.

3. *In the event of any relaxation of the norms for foreign direct investment in civil aviation sector and the consortium members wish to restructure their equity participation in Jet, would RP during the pendency of CIRP consider the same?*

The RP will be bound to abide by applicable law at all times and it may not be feasible to give a response in anticipation of any change in policy.

4. *Introducing a new Special Purpose Vehicle after the submission of EoI. Please confirm whether this is permissible and whether the net worth of the SPV will be considered or that of the shareholders or members of such SPV?*

This query may be raised at the stage when the request for resolution plan has been released.