

PROCEDURE- WORKMAN AND EMPLOYEE

Relevant extract of Regulation 19 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulation, 2016 has been reproduced.

Regulation 19. Claims by Workmen and Employees

1. *A person claiming to be a workman or an employee of the corporate debtor shall submit proof of claim to the liquidator in person, by post or by electronic means in Form E of Schedule II.*
2. *Where there are dues to numerous workmen or employees of the corporate debtor, an authorized representative may submit one proof of claim for all such dues on their behalf in Form F of Schedule II.*
3. *The existence of dues to workmen or employees may be proved by them, individually or collectively, on the basis of-*
 - a. *records available in an information utility, if any; or*
 - b. *other relevant documents which adequately establish the dues, including any or all of the following –*
 - (i) *a proof of employment such as contract of employment for the period for which such workman or employee is claiming dues;*
 - (ii) *evidence of notice demanding payment of unpaid amount and any documentary or other proof that payment has not been made; and*
 - (iii) *an order of a court or tribunal that has adjudicated upon the non-payment of dues, if any.*

Note:

- Claimant are advised to please go through the latest provisions of Insolvency and Bankruptcy Code, 2016 before filing claim.
- All the documents including Form are required to be self attested.
- Affidavit is required to be notarized before Notary / Oath Commissioner.