

CS IP ANIL KUMAR (ANIL SHARMA)

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JOB OBJECTIVE

CS and also an Insolvency Professional with more than 23 years of experience (**10 yrs with Listed Companies**) with in-depth practical knowledge of **Secretarial, Legal, Administrative, Financial, Commercial, Techno-Commercial matters** having excellent leadership and strategy formation skills

ROFILE SUMMARY

- Planning Public Issue/Initial Public Offer, American Depository Receipts (ADR) & Preferential Issue
- Handling the gamut of activities encompassing dealing with stock exchanges for Listed Companies, General Meeting with e-voting, postal ballot notices, SEBI, FEMA, Core Investment Companies Regulations
- Legal Due Diligence & analysing the strategy of merger, takeover & drafting such schemes
- Sick Companies management, coming out strategy including Corporate Debt Restructuring (CDR)
- Ensuring legal & Financial compliances with applicable laws, accounting standards (IFRS)
- **Supervising procedure of court and arbitration matters** including international arbitration
- Case Summarisation, Legal due diligence, Commercial & Business Litigation, Intellectual Property management, Representation before ROC, CLB(earlier), SEBI
- Coordinating with Advocates for making petitions, Case paper and advising strategies
- Drafting Shareholders' Agreement, Joint Venture (JV) Agreement including international JV
- **Finalising business strategy, HR strategy** etc. in consonance with vision statement
- Drafting & Vetting of Tenders relating to Capital Expenditure, Engineering Procurement Construction (EPC) Contractor & Project Management Consultant
- Drafting & Vetting Administrative, operational & commercial policies
- Drafting Commercial & Business Agreements
- **Dealing with Consortium Banks, Financial operations** including Corporate Finance, Funds raising, Working Capital Management, Cash Management, External Commercial Borrowing, Treasury, Hedging, Foreign Letter of Credit, Export/Import & Logistics matters
- Studying & analysing CAPEX, Devising tools for Investment in Securities, conducting Techn Economic Viability Study, preparing project reports, monitoring projects

ARTICLES PUBLISHED WITH EXAMPLES BASED ON PROFESSIONAL EXPERIENCE

<https://www.linkedin.com/in/csanilsharma>

1. [Spirituality and Management of Worldly Affairs \(Published in Knowledge Pack of 60th National Cost Convention 2022 of the Institute of Cost Accountants of India. Please roll page 73/170 or page 64 of magazine\)](#)
2. [Sick Companies: Legal Scenario and Coming out Strategy \(Published in Chartered Secretary Journal of ICSI edition Feb., 17. Please See Page 42\)](#)
3. [Transparency in Related Party Transactions: A Key to Good Corporate Governance \(Published in Chartered Secretary Journal of ICSI edition April, 16. Please See Page 23\)Raising Funds From Public in India – Different Options](#)
4. [American Depository Receipts – Concept & Regulations \(Given to ICSI for publication in Chartered Secretary\)](#)
5. [Pre-Packaged Insolvency Resolution Process – Critical Aspects \(Given to IIP ICAI for publication\)](#)
6. [Demerger of Listed Company in India: Critical Perspectives](#)
7. [International Commercial Arbitration: Applicability of Indian Laws](#)
8. [Project Planning, Implementation and Funds Management](#)
9. [Integrating HR strategy with business strategy](#)
10. [Developing Business Strategy](#)
11. [Management Mantras from Chanakya](#)
12. [Democracy allows Accession not Secession](#)

PROFESSIONAL EXPERIENCE (INCLUDES 10 YEARS EXPERIENCE WITH LISTED COMPANIES) Nov. 1999 to till now

**Advisor/Partner at RRR Insolvency Service Experts LLP, C-10, LGF,
Lajpat Nagar-III, New Delhi-110024**

June, 2021 to till date

- Advice on raising funds through Initial Public Offer (IPO) i.e. Public Issue, SEBI Regulations, Listing requirements, Stock Exchange matters, Corporate Governance
- Planning, drafting and vetting Amalgamation, Merger & Demerger Schemes, Business Transfer Agreement
- Drafting & Vetting Joint Venture Agreement, Business/Franchisee and Commercial (including international) Agreements
- Supporting IRP in Going Concern Project, **M/s. Ajnara India Ltd, Noida**, a large Real Estate Company having Projects all over Delhi NCR viz. supervising problematic areas including accounts for raising demand on home buyers, RERA matters, Compliance Matters, other crucial customers' matters.
- Due Diligence for Preferential, Undervalued, Fraudulent and Exorbitant transactions of large real estate Company(ies)
- Taking session of Professionals in Corporate Laws in NIRC ICSI in person and Insolvency Laws through Webinar
- Managing & Supervising cases relating to CIRPs and other IBC cases
- Managing & Supervising NCLT, NCLAT, Civil Courts, High Courts and Supreme Court cases
- Application of following Statutes to execute the work relating to Insolvency –
 - (i) The Registration Act, 1908 – Registration of Immovable Properties
 - (ii) The Transfer of Property Act, 1882 – For Assignment Deeds etc
 - (iii) Income Tax Act, 1961 – For Capital Gain and Dividend Distribution Tax
 - (iv) The Central Goods and Service Tax Act, 2017 – For Sale under Liquidation
 - (v) The Companies Act, 2013 – For filing forms during CIRP and running Corporate Debtor on “Going Concern” basis
 - (vi) SEBI Regulations – For listed Companies under CIRP and running Corporate Debtor on “Going Concern” basis
 - (vii) Real Estate Regulation and Development Act, 2016
 - (viii) Electricity Code and UPERC Regulations
 - (ix) All other Statutes as applicable including Labour Legislations

Tidel Park Limited,

Nov., 2016 to June, 2021

(A renowned Software Park in Chennai managed by the Tamilnadu Govt. & its fully owned corporations located on IT expressway in South Chennai having Captive Electricity Generation plants in the State with more than Rs. 500 crore net worth on standalone basis)

Following are the subsidiaries/associates/Group companies

- i) Tamilnadu Telecommunications Ltd. (Listed Company)
- ii) Tidel Park Coimbatore Ltd.
- iii) Ticel Bio-Park Ltd.
- iv) Tamilnadu Road Development Company Ltd.
- v) IT Express Way Ltd.

The Company is chaired by Industry Secretary, Govt. Industries Deptt., Tamilnadu and has mix of IASs, Senior Officers of Banks, LIC and renowned EPC contractors (MNCs) as directors.

Designation: Company Secretary, Admin Head (Reporting to Managing Director/Board)

- Advice on raising funds through Initial Public Offer (IPO) i.e. Public Issue, SEBI Regulations, Listing requirements, Stock Exchange matters, Corporate Governance

- Ensuring compliance of Corporate Laws, Rules, Secretarial Standards and other applicable statutes and holding of Board Meetings, General Meetings and Committee Meetings
- Board Evaluation to assess its competency to achieve Vision of the Company and taking corrective measures if any required
- Drafting CSR policy & its execution to give social service direction to the Company
- Drafting, Vetting & Legal Due Diligence of Engineering Procurement Construction (EPC) Contractor & Project Management Consultant (PMC) **Tender & Contract Management documents** for implementing different projects viz. 10 MW Solar Project expandable in hybrid manner, Integrated Building Management System (IBMS), New IT Park of 5 lac Sq. ft., Advanced Computing & Design Centre Park of 5 lac Sq.ft with total estimated cost of Rs. 600 crore.
- Responsible for Strategising and monitoring litigation in courts (land, property & commercial disputes), arbitration forums & Intellectual Property Rights
- Managing team of legal advisors for appearing in Supreme Court and other State Courts
- **Expediting the court cases:** Closure of 80% cases: Out of which 80% of the cases are decided in favour of the Company and balance are settled. Claim value of the cases at the time of joining was more than Rs. 30 Crore.
- Drafting and finalising Procurement (Purchase) Policy, Appointment of Consultants & Advisors Policy, Legal Panel Scheme etc
- Drafting different documents like Occupants Agreements, Tender for Security Services, House Keeping Services, Procuring Capital Items of more than 10 crore etc
- Finalizing Vision and Mission Statement after assessing long term operational goals in terms of their viability
- Drafting Service Conditions & Rules, Aligning Departmental Objectives with Mission or Development Strategies
- Finalising HR & Compensation Policy, Policy on regularization of contract employees, Performance Appraisal Policy, Incentive Schemes and Profit linked Remuneration Policy

Dec., 2009 to Nov., 2016

Pixel Galaxy Studio Private Ltd., Sector 63, Noida

(IT Related Services Company (<http://www.svtechzone.com>) having joint venture with promoter of USA Company (<http://citadelvc.com/>))

Designation: Company Secretary & Vice President (Finance)

G.S. Advocates & Associates, Law Firm (in existence for more than 20 years)/Kumar Anil & Associates, Company Secretaries

Designation: Special Corporate Advisor reported to Managing Partner

ILA Creative Technologies Pvt. Ltd. (<http://www.wiztoonz.com>, <http://www.aag.edu.in>)

(Animation/Gaming Education (AAG & Wiztoonz Brand), Digital Media, Content Management having MOU with Karnataka State Open University (KSOU) under Public Private Partnership with right to open study centres with in India and abroad)

Designation: Heading the organisation for 4 years (2009-13) as Vice President (Operations) reported to Board

Highlights:

- Heading ILA Creative Technologies Pvt. Ltd as Vice President (Operations)
- Advice on raising funds through Initial Public Offer (IPO) i.e. Public Issue, SEBI Regulations, Listing requirements, Stock Exchange matters, Corporate Governance
- Pivotal in planning & drafting Amalgamation, Merger & Demerger Schemes, Business Transfer Agreement, Joint Venture Agreement, Business/Franchisee and Commercial (including international) Agreements and

conducting legal & financial due diligence and Accounting of such schemes as per applicable Indian and International (IFRS) Accounting Standards.

- Ensured compliance of Company Law, FEMA, RBI, Stock Exchanges (Listing Agreement), tax legislations and other applicable statutes and holding of Board Meetings, General Meetings and Committee Meetings
- Advise on raising funds through American Depository Receipts (ADR), IPO and Preferential Allotments; Drafting Joint Venture MOU with Arbitration clause including international arbitration etc
- Secretarial Audit (Listed Companies), Listing Agreement, SEBI regulations and Corporate Governance Compliances, Compliance Certificates; Drafting minutes, holding AGMs, Board Meetings, Committee Meetings etc. Peer Reviewer, Member of Core Group of Experts of ICSI-NIRC, Acting as Auditor/consultant to listed Companies, IT related and Power Companies
- Responsible for Strategising and monitoring litigation in courts (land & commercial disputes) & arbitration forums and advising International Arbitration under United Nations Commission of International Trade Law (UNICTRAL) Arbitration Rules, 1976 and **legal management of intellectual property**
- Managed team of advisors and dealing with miscellaneous corporate matters like Directors internal dispute matters, oppression matters and representing such matters before statutory authorities
- Advice on Implementation of end to end financial remittance model amongst USA Subsidiary, Indian holding Company and its business associates engaged in business generation through USA market.
- Liaison with Payment Gateways' Companies & Merchant Accounts for availing their services, deduction of charges, rolling reserves matters.
- Calls Vendors management: Drafting Agreements, Negotiating rates, duration & nature of calls
- Routine Supervision: Sales Revenue get Charged, hitting of revenue to banks, deduction of charges as per agreement with payment gateways and merchant account, generation of invoices and commitment of services as per Support Policy of the Company
- Management of University's Study Centers & Liasioning, ILA being Nodal Agency of Karnataka State Open University (KSOU) under Public Private Partnership, with the University
- Management & development of Franchisee/business Centers.
- Supervised the team involved in drafting credit system wise & day wise breakup of the syllabus of B.Sc. & M.Sc. (Gaming), B.Sc. & M.Sc. (Animation), B.A. & M.A. (Multimedia) etc.
- Spearheaded a corporate team of 40-45 people and shouldering the responsibilities of overseeing the Marketing Planning & Buying (Media, Advertisement, Digital marketing (SEO, SMO etc), BTL Activities) based on Business Plans.
- Reputed Newspaper media space buying for advertisement at very competitive rate i.e. a few at almost 25% of cost.
- Implemented incentive plans to increase sales and profitability, put up in house production incubation.
- Business management through cost cutting and marginal increase in revenue and to bring & maintain business at breakeven level
- Instrumental in conceptualizing and planning the putting up of modern integrated School and University Complex.
- Development and implementation of strategic and annual operating business plan and formulation of revenue & capital budget in commensuration with business plans and monthly variance reporting against monthly plans, cash flows and various operating metrics
- Contributed significantly towards corporate team building as well as establishing the corporate goals.

Pioneer Industries Ltd./Pioneer Agro Extracts Ltd.,

Dec'04 – Dec'09

(<http://www.pioneerindustries.org>) (Listed Manufacturing Industry)

(An integrated plant complex of manufacturing of Portable Alcohol, IMFL, Vital Wheat Gluten, Liquid Glucose, Malto Dextrin Powder, Refined Oil, Vanaspati)

Designation: Company Secretary (Reported to MD)

Highlights:

- **Advice on Preferential Issue planning, Public Issue matters, Compliance of Company Law, FEMA, RBI, SEBI Regulations, Stock Exchanges (Listing Agreement), tax legislations and other applicable statutes and holding of Board Meetings, General Meetings and Committee Meeting**
- Responsible for Strategising litigation in arbitration forums and Courts regarding land disputes & commercial disputes and legal management of intellectual property
- Efficaciously worked for managing & developing Accounts System of Pioneer Industries from ground zero & Spearheaded the Accounts Team of around 10 Officials & finalisation of Balance Sheets, compliance with Indian accounting standards.
- Contributed significantly towards increasing the revenue of the company by more than 50%
- Played a key role in developing export market i.e. Australia, United States, South Africa, Neitherland, Japan, South Korea, etc. and thus settling EPCG obligation
- Prepared Sick Company Coming out strategy, Represented before Corporate Debt Restructuring (CDR) Shouldered the responsibilities of settling down with Banks using provisions of BIFR and Securitisation Act judiciously and thus saving on this account.
- Distinguished efforts towards managing Distillery Project & Financing beginning from planning, viability study, till the completion
- Proficiently re-fixed the export obligation under EPCG scheme to half
- Efficiently dealt with Banks / Financial Institutions regarding Corporate finance, Funds raising, Working Capital Management, hedging & FLC
- Managed buy back of share commitments of the promoters with IFCI and settled the buy back value of share at around face value after 10 yrs period.

Krishna Maruti Ltd., Gurgaon (Manufacturing Company) (<http://krishnagroup.co.in>) May'04 – Nov'04
(Joint Venture Company, promoted by Maruti Udyog Limited, Suzuki Corporation, Japan and Ashok Kapur & Associates and was into manufacturing of seats)

Designation: Company Secretary (Reported to MD)

Highlights:

- Efficaciously worked for managing & developing Secretarial System of 20 group companies from ground zero
- Successfully launched Joint Venture Companies with Foreign Collaborators, Compliances with rules under Foreign Exchange Management Act (FEMA), various govt. approvals under Industrial Policy.
- Effectively managed Merger of the 2 group companies under section 391 - 394 of the Companies Act, 1956 & handled the buy-back of shares
- **Legal management of intellectual property matters**

Irplast Adhesives India Ltd., New Delhi

Jul'01 – May'04

Now JMG Corporation Limited (<http://jmgcorp.in>) (Listed Manufacturing Company)

Management of Irplast as Company Secretary in Practice from July, 01 to Feb., 02

Designation: Company Secretary (Reported to MD)

Highlights:

- SEBI Regulations, Listing requirements, Stock Exchange matters, Corporate Governance, holding AGM, Board Meetings, Drafting minutes, filing forms.
- Played a key role in restructuring the company through capital reduction & ECB management, hedging & opening of FLC, compliance with listing agreement, FEMA & holding of Board, General and Committee Meetings
- Efficiently planned and managed the operations of the company in the way so as to avoid contravention of the conditions of Sales Tax Exemption Scheme
- Legal & Intellectual Property Rights matters

Him Ispat Ltd., Pathankot (Listed Manufacturing Company)

Nov'99 – Jul'01

Designation: Assistant Company Secretary (Reported to the Company Secretary and Financial Controller)

- Secretarial, Corporate Law matters, Corporate Governance matters, Listing/stock exchange regulations/SEBI matters, shares related including Public Issue matters advice
- Legal, Financial & Audit matters

PROFESSIONAL EDUCATION AND MEMBERSHIP

- 1992 Diploma from Haryana Technical Education Board
- 1995 Bachelor of Business Administration (Finance & Marketing) from Guru Nanak Dev University, Amritsar, Punjab
- 1999 Company Secretarial Examination from Institute of Company Secretaries of India, Delhi **(Passed both groups of final course in June, 1999. Thus one amongst the few students In hundreds who passed both groups)**
- 1999 Member of the Institute of Company Secretaries of India, Delhi
- 2021 Passed insolvency Examination on 15.12.2021 and registered with IBBI.

PERSONAL DETAILS & ACADEMICS

- Date of Birth : 27th November, 1973
- Residential Address : B-23, 1st Floor, Sector 48, Noida - 201301
- Languages Known : English, Hindi and Punjabi
- ACADEMICS : Meritorious scholarship holder student throughout academic career
- Children : Elder Child is studying in IIT Kanpur
Younger Child is in 12th Class

REFERENCES

1. Mr. Prashant Mittal, Industrialist, Mission Road, Pathankot Mobile:9417210310, 9858517704
Email:pmittalptk@yahoo.co.in
2. CA Pawan Kumar Agrawal, Founder & Managing Partner at PKAA & Associates, Chartered Accountants, C-35, 3Rd Floor Hauz Khas, New Delhi-110016, Phone: 011-40112734, Mobile: 9310152152
Email: pka@pkaassociates.in

