

कॉन/आइआरसी/SE/104/Vol.-VII/

दिनांक : 11.08.2023

Sub: Disclsoure under Regulation 30 of SEBI (LODR) Regulations, 2015 – Details of Pending Material Litigations

Pursuant to Regulation 30 of SEBI (LODR) Regulations, 2015 as amended vide SEBI (LODR) (Second amendment) Regulations, 2023, dated 14.06.2023, requiring disclosure of continuing event or information which become material pursuant to the said amendment, kindly find enclosed a statement showing details of pending material litigation or disputes.

This is for your information and record.

Annexure

Statement showing details of pending material litigation(s) or dispute(s) on date are as under:

SI. NO.	NAME OF THE PARTY	NAME OF THE COURT / AUTHORITY WHERE MATTER IS SUB-JUDICE (PENDING SINCE)	REMARKS	CLAIM AMOUNT (RS. IN CRORES)
CLAIM BY CONCOR				
1	M/s. Gateway Distriparks & Anr.	Arbitration case (2008)	Dispute reg. implementation of Joint Venture Agreement (JVA) for CFS at Garhi Harsaru.	1680.00
2	Chairman appellate Committee under FT (D&AR) Act, Department of Commerce, Ministry of Commerce & Industry	Appellate Committee under FT (D&AR) Act (2021)	CONCOR had recognized during the financial year 2015-16 to 2018-19 an amount totalling to Rs. 1044.03 crores as the income on account of benefit available under Service Export from India Scheme (SEIS). The availability of this benefit to CONCOR was also confirmed through legal opinions. In FY 2019-20 Directorate General of Foreign Trade (DGFT), disallowed Rs. 861.05 crores of claim for SEIS by stating that services towards custom transit of foreign liners sealed containers by rail transport placed under customs control to/from ICDs, are not eligible for SEIS, for which provision was made by the company and it also filed appeal against the same at the appropriate level.	Total claim Rs. 1044.03 crore and received Rs. 182.98 crore, claim pending is Rs. 861.05 Crore
CLAIMS AGAINST CONCOR				
3	Claims of farmers for the land acquired by Company at Varnama (11 cases)	HON'BLE SUPREME COURT (2020)	Claim for additional compensation as per new land acquisition act. for land acquired in Varnama	121.34
4	Roadwings International Pvt Ltd	Hon'ble Delhi High Court (2022) and NCLAT (Delhi) (2023)	Demand notice/invoice demanding payment of an unpaid operational debt due from CONCOR in respect of contract number CON/T/RST/2009 dated 18.03.2010 and amendment no. 1 (NOAM) no. CON/T/RST/2009-10 dated 13.05.2010 for manufacture, supply and commissioning of 33 reach stacker machines along with the operation and maintenance of reach stackers at the specified terminals of CONCOR in India. A majority arbitral award of Rs.81.37 crores + future interest (value of minority award Rs.33.80 crore in favour of party and Rs.6.38 crores in favour of CONCOR) was given against CONCOR in this case. CONCOR has filed the case with Hon'ble Delhi High Court for setting aside of majority arbitral award of Rs.81.37 crores + future interest for Idle hours, moves beyond stipulation, deduction for non-availability,	87.50

			non-payment of bills, BG invocation, interest, service tax refund etc. Pending above matter in Hon'ble High Court at Delhi, NCLT New Delhi Bench vide its order dated 12.07.2023 admitted petition under Section 9 of the Insolvency and Bankruptcy Code, 2016 against CONCOR. An appeal against the above said order, was filed before Hon'ble NCLAT, New Delhi by CONCOR on 13.07.2023. NCLAT vide its order dated 14.07.2023 has stayed the order dated 12.07.2023 passed by NCLT.	
5	Silver theft case of 2019	CESTAT (2021)	Show cause notice from CUSTOMS DT.02.02.2021 reg. silver shortage. Silver theft case of 2019 is under adjudication with preventive Comm./CUSTOMS/Ahmedabad as per custom act and HCCAR rules, differential duty @7.5% amounting to Rs. 10,89,902/- & Rs. 10,000/- DD has been deposited to customs on dt. 28.02.2022, prayer pages, undertaking and Vakalatnama issued.	82.59
6	SDMC	Delhi High Court (2017)	Related to Property Tax claimed by SDMC from CONCOR for its land at TKD taken on lease from Railways.	137.40
7	HEI Ltd	Delhi High Court OMP (COMM)-11/2016	CONCOR has filed this case for setting aside of arbitral award granting the award of Rs.21.31 crores for LD refund, Escalation, Reduction for immediate payment along with cost of arbitration and interest from payment due date till date of payment, against CONCOR	51.29
		Delhi High Court OMP (COMM)-50/2016	In the arbitration, HEI Ltd had made a claim of Rs.30.45 crores on account of escalation claim but only Rs.0.47 crores was awarded. Hence the party has also appealed against the arbitral award for the balance escalation claim of Rs.29.98 crores + interest.	
8	HEI Ltd	Delhi High Court OMP (COMM)-563/2016	CONCOR has filed this case for setting aside of majority arbitral award of Rs.39.58 crores + interest awarded for refund of LD, escalation payment, encashed BG, withheld money, forex defreezing, against CONCOR.	39.58

Note: In the above table basic claim amounts are stated and the interest/ other costs, if any, will be extra.