

EXPRESSION OF INTEREST

for

Selection of Software Development Agency for MCA SPV

Introduction

MCA SPV is planning to increase the IT effectiveness of the Official Liquidator offices of Ministry of Corporate affairs for which two applications are envisioned namely, e-Court and e-Auction. Proposals are invited from Software Development companies for development and maintenance of the same for at least 5 years.

Eligibility

1. The applicant should be an Indian company , registered in India as per companies Act 1956
2. Applicant should have a minimum turnover of Rs. 50 crores in each of the last three years as per P&L audited statement of account. A certificate of Chartered Accountant needs to be submitted
3. Having delivered software solution of at least three (3) Govt. / PSU /Registered & Listed company having annual turnover of minimum Rs 100 crore (attach proof)
4. Applicant must have Five years experience in Software Development, system Integration, and BPR.
5. Undertaking by the agency that the agency is not barred by any government agency or no complaint should be pending with Government or its agencies.
6. Operational/Development centre office establishment at Delhi/NCR to support timely service for activities within the scope of work. Self certification by the agency is to be given.

Project Brief

- SDA has to develop two systems namely, e-Courts for CLT (Company Law Tribunal) & CLB (Company Law Board) and e-Auction for Official Liquidator (OL)
- The two systems so developed shall be integrated with the existing MCA21 system
- The detailed project implementation document is as per Annex-I

The EOI proposal must include the following:

- **Understanding of the MCA21 system**
- **Approach & Methodology**
Applicants must clearly specify Approach and methodology for the said assignment in the EOI. This must include the Technological, operational, functional and commercial aspects.
- **Team Structure**

Selection Procedure

A committee of experts will be set up by the MCA SPV for evaluation of EOI proposals. After the technical evaluation of the proposals a limited RFQ/Tender will be issued to the shortlisted applicants.

Final selection will be made by the MCA SPV committee on the basis of the evaluation of the bids so submitted.

Technical Query conference

A Technical Query (TQ) conference will be held by MCA SPV on **5TH August 2011, 3:00 p.m.** at Conference Room, Ministry Of Corporate Affairs, 5th Floor, Shastri Bhawan, Dr. rajendra Prasad Road, New delhi, wherein all the queries can be raised and clarifications can be sought from the MCA SPV team.

Responsibilities of the SDA

The broad responsibilities of the SDA are as follows:

- Study the existing MCA 21 & OL systems
- Submit a project plan for development & implementation of e-Courts and e-Auction system
- Development & integration of the e-courts and e-auction systems with MCA21 system

Schedule of Submission

- **Place :**
E-Governance Cell
Ministry Of Corporate Affairs, 5th Floor,
Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi
- **Contact person- Mr. Gautam Kumar**
- **Date: 23rd August, 2011**

Documents required at the time of submitting expression of interest

1. Turnover proof (Profit & Loss Account / Auditor's Certificate).
2. Registration Certificate/Certificate of incorporation.
3. Article /Memorandum of Association/Partnership deed or Proprietorship deed.
4. Service tax registration.
5. Experience Proof (letter from clients may be supplied)
6. List of clients (Experience certificate from clients may be attached)
7. List of offices.
8. Brief on relevant assignments handled

Annex-I

Project Implementation approach

For

Official Liquidator, Company Law Board / Company Law Tribunal

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1. Project Background

In India, liquidation and winding up of a company take place under the Companies Act, 1956 (Part VII) which provides detailed statutory requirements and procedures to be followed during winding up and liquidation of companies. This process takes place under the supervision and direction of Honorable High Courts (HHCs) / Company Courts and constitutes the substantive elements of insolvency process with regard to companies.

Official Liquidators (OLs) assume a significant role in the entire liquidation process. Once a particular case is cleared by the HHC for liquidation, it is allocated to the OL falling under jurisdiction of HHC. OL then discharges statutory duties leading to disposal of assets of the company, disbursements against valid claims filed by the creditors and dissolution of the company.

It has been decided that a system be implemented in OL and Company Law Board (CLB) offices to carry out its processes electronically. The proposed implementation would cater to Board for Industrial and Financial Reconstruction (BIFR). **Company law Board is likely to be converted to Company law Tribunals (CLT)**

2. Functional Scope

The functional scope of the project includes:

1. Designing the best processes for efficient and effective functioning of various services rendered:
 - Services rendered as administrator of companies under liquidation
 - Services rendered to creditors, debtors, employees, worker etc.
 - Services rendered to staff of office of OL.
 - Services rendered to Regional Directors, MCA, and other government department, if any.
 - Services rendered to HHCs/ Company Courts
 - Services rendered by CLB and BIFR which will subsequently be part of service offerings of CLT.
2. Reviewing and recommending processes and procedures for establishment functions of Office of OL in areas like HR, Finance, and Governance. This will also include comprehensive assessment of organization and recommendations on staffing structure, skill deployment, training needs and capacity building plan.
3. Identification and potential integration (if required) of OL offices with other stakeholders (e.g. e-Courts, MCA21, NSDG etc.).
4. Understanding the implications of various legislative issues on OL functioning and highlighting any changes which may be required in laws to support the proposed process for OL.
5. Understanding the existing IT and non IT initiatives such as Management and computerization of Records of OL & CLB/CLT and its integration with final solution.

6. Defining the detailed infrastructural requirement for OL & CLB/CLT offices. This would include their IT and non-IT requirements

3. Project Objective

The fundamental objective of the project is to establish an end to end e-Service (Courts & auction) offering for the office of Official Liquidator & CLB/CLT. The new system is expected to:

- Create an efficient, effective, transparent and customer driven OL organization.
- Empower employees by providing technology enablers to help them deliver top class services.
- Facilitate stakeholders to get hassle free access of the information; and timely and easy redressal of their grievances.
- Enable financial institutions, investors, Creditors, Workers etc. to easily get access to claim related information
- Enhance the ability of MCA to better serve the interests of business community and give a further boost to the image of India as a business friendly destination.
- Explore interface opportunities and provide (if required) such interfaces with MCA21 and other entities identified in future or during the course of this project.

The project objectives translate into the following outcomes:

- Energized and transparent customer driven organization with efficient and effective IT-enabled liquidation processes having speedy execution of Winding Up process
- Enhanced stakeholder satisfaction by way of new business processes and potential operational changes that may help the office of OL in serving the needs of customers.
- Better roadmap for e-Enablement and capacity building of OL offices.
- Creation of central, secure electronic data repository with web based access
- Potential integration opportunities of OL offices with MCA21, Courts(CLB & CLT) and NSDG for speedier information exchange
- Online access to all the data and records pertaining to liquidation of companies

4. Proposed Implementation Approach

From the implementation standpoint the OL requirements can be grouped as the following high level integrated modules:

a) Management of electronic repository

This module would enable management of company records. The key functionalities offered include:

- Creation of central, secure electronic data repository with web based access
- Provides facility to create, access, input, modify and manage a central repository of liquidation case records

b) Financial accounting system (Basic FA implementation)

This module would enable management of various accounting registers and other books of accounts of both companies under liquidation and OL staff / administration specific accounting books. The key functionalities include:

I. Out of Scope/Already existing)

- Maintenance of Master Cash Book and other books of accounts as per the Companies (Court) Rules
- Creation of a separate account for every company under liquidation
- Updating of the company accounts with details of debit and credit entries
- Management of accounts process workflow within PeopleSoft
- Management of investment portfolios

II. In Scope

- Generation of reports and forms required as per the Companies (Court) Rules
- Interface with an online payment gateway for making payment through Internet Banking, NEFT / RTGS
- Generation of a report for daily reconciliation with the bank
- Generation of report for auditing purpose
- Calculation of government fees
- Processing of approved invoices and claims
- Management of accounts process workflow outside PeopleSoft
- Management of Audit Process during final dissolution of company or during half yearly / annual audits
- Real-time generation of various forms / registers
- Integration with e-auction system.
- Interface with the Case Management Module for information exchange

c) Workflow management (Framework Available)

This module would enable liquidation cases to be managed during their lifecycle. The key functionalities include:

- Creation of a new liquidation case
- Updating of the case status
- Management of liquidation process workflow
- Approval / rejection mechanism for various activities
- Uploading and associating of documents / media files with the case
- Online submission of claims / invoices / reports
- Interface with MCA21 to fetch relevant company specific information, for e.g. Company related annual filing, balance sheet etc.
- Managing / downloading of pre-defined templates for various notices / letters / reports
- Real-time generation of various forms / registers (as defined in Company (Court) Rules)

- Generation of dashboard view of end-to-end OL related activities with SLA and current status in a liquidation case.

d) HR system (Already in place)

This module would enable management of OL staff and its related details. The key functionalities include:

- Payroll management
- Attendance management
- Recruitment
- Training tracker
- Performance Record

e) Assets / inventory management module

This module will enable management of OL asset/inventory. This will include the assets used for operations of OL along with assets of companies kept under custody of OL during prosecution period.

This module needs to be integrated with e-auction system.

f) E-auction system (assets disposal system)

This module would enable conducting of online auction of company's assets and realizing the payments against the sale of assets. The key functionalities include:

- Online publication of sale notices / information
- Interface with the Case Management Module for information exchange
- Online registration of prospective bidders
- Interface with an online payment gateway for receiving payments against tender fee, EMD and sale amount
- Online submission of bids
- Online open auction
- Online publishing of bid results / confirmation of sale

a) E-Court System

- Electronic filing of cases and documents by lawyers / companies through legal representatives
- Workflow system for CLB, BIFR and CLT internal processing
- Case tracking and management system
- Cross court access
- Case transfer between courts
- Legal fee payment
- Document search and extraction facility
- Video and audio recording of the court proceedings
- Transcription of the proceedings
- Case listing for each court

g) Complaint management system (Already in Place)

Complaint management system will have following major functionalities:

- User interface to log complaints, suggestions/feedback etc.
- Complaint resolution, root cause analysis and user acknowledgement process. After complaint is resolved, user will be notified via e-mail and resolver of the complaint will provide root cause analysis which will be accessible to complaint monitoring cell
- Monitoring Cell which will monitor all types of complaints, suggestions and verify resolutions of complaints. Monitoring cell will have access to each and every entry of complaint management system.
- User Satisfaction/Feedback: To assess the correctness and user acceptance level of resolution, user will be asked to provide feedback on resolution provided against complaint he/she logged.

h) Reporting and query module

This module would enable generation of MIS reports. The key functionalities offered include:

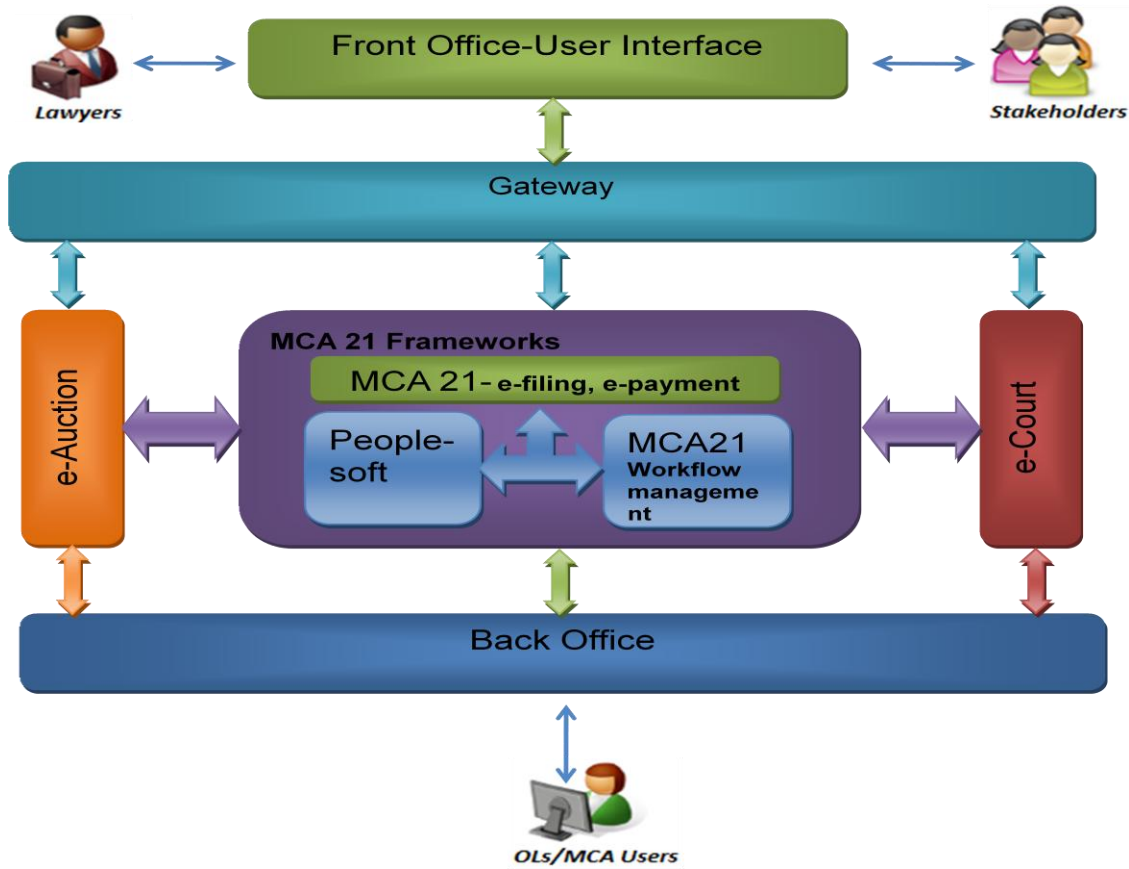
- Configuration of reports
- Automatic generation and emailing of reports
- Query window with search functionality and exporting the result in pdf/excel format.

i) User registration module

This module would enable the stakeholders to register as authorized users by obtaining Digital signatures from the CAs:

- User Registration and DSC linkage

5. Implementation Approach



Requirement	Option	In scope /Out of Scope	Remarks
Data centre	Existing DC & DR of MCA21	Out of Scope	
Network connectivity to all the offices of OL and CLB/CLT	Available	Out of scope	SDA to suggest proposed network requirements
Application			

e-Auction	COTS or bespoke or open source	In Scope	To be integrated with the existing MCA21 system.
e-Court System (Case management system)	COTS or bespoke or open source	In Scope	To be integrated with the existing MCA21 system.
E-filing (Management of electronic record repository)	New Forms to be developed (PDF forms)using the existing MCA21 framework	In Scope	The existing platform and workflow system of MCA21 may be used.
Workflow Manager and approval system	New workflows are to be developed	In Scope	The existing platform and workflow system of MCA21 may be used.
e-payment	Functionality to be developed using the existing e-payment module of MCA21 system	In Scope	The existing platform and workflow system of MCA21 may be used.
Interface with MCA21 system	Development of new interfaces	In Scope	The existing platform and workflow system of MCA21 may be used.
Interface for External stakeholders	FO module and gateway of MCA21	In Scope	The existing platform and workflow system of MCA21 may be used.
Query & reporting	Fresh development in the MCA21 system	In Scope	The existing platform and workflow system of MCA21 may be used.
HR- module	Basic functionality implemented separately in PeopleSoft HR module for PIMS and payroll	Out of Scope	Integration with PeopleSoft is required for reporting and data exchange

Financial accounting	Basic functionality implemented separately in PeopleSoft modules i.e. General ledger, AR, AP and Assets management	Out of Scope	Integration with PeopleSoft is required for reporting and data exchange
System Integration		In Scope	The existing platform and workflow system of MCA21 may be used.
Other software's and applications like operating system, Web server, Web application server, monitoring and reporting tools etc	MCA 21 system		Existing system may be used.
Database	MCA21 database		IBM DB2 is available