

- 6. This proposal of the Plaintiff was examined by Financial Wing of Department of Telecommunications which has suggested that the proposal of the Plaintiff may be considered as per DPE OM dated 2nd April, 2009.
- 7. Based on the financial results of the Plaintiff for the financial year 2015-16, the Plaintiff has been classified as "Incipient sick CPSE" as per DPE OM dated 29.10.2015. As per financial results the Plaintiff's expenditure was three times higher than its income. The Plaintiff is indebted for about Rs. 17662.96 Crores as on 31st March, 2017. It is pertinent to note that in Financial Year 2016-17, the Plaintiff has incurred a loss of about Rs. 2,941.08 Crores and its net-worth has turned negative i.e. Rs. '-' 2701 crore.
- 8. The Plaintiff has engaged a Consultant for providing "Advisory Services" for its own revival plan. One of such plan has been prepared by the Consultant and has been sent for consideration to the Department of Telecommunications.
- 9. The issue of financial support as sought by the Plaintiff regarding extending benefit of merger of 50% DA effectively amounting to 78.2% as on 01st January, 2007 cannot be decided in isolation and has to be examined in light of financial position of MTNL and its sustainability and ability to pay.
- 10. It is humbly prayed that the delay in filing the present affidavit due to procedural reasons may kindly be condoned by this Hon'ble Court.

Solemnly affirmed at Mumbai

Dated this ^{24th}~~23rd~~ day of November, 2017



[Signature]

Advocate for the Defendant No. 5.

[Signature]

Deponent

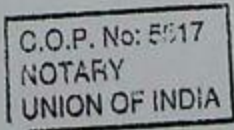
It. Controller of Communication Accounts (Pen & Legal),
 G/O Pr. Controller of Communication Accounts,
 Maharashtra Circle, C.T.O. Bldg.,
 2nd Floor, Fort, Mumbai - 400 001.

BEFORE ME

HPS Shah
 24/11/17

SMT. HINA P. SHAH
 ADVOCATE & NOTARY, UNION OF INDIA
 B-2/50, 2nd Floor, Teacher's Colony,
 Bandra (East), Mumbai - 400 051.
 Tel.: 9892032589
 26571612/22077769

24 NOV 2017



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