

Edgar Filing: INDIA FUND INC /NY NEW - Form SC TO-I

INDIA FUND INC /NY NEW  
Form SC TO-I  
August 30, 2002

As filed with the Securities and Exchange Commission on August 30, 2002.

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

SCHEDULE TO  
TENDER OFFER STATEMENT UNDER SECTION 14(D) (1) OR 13(E) (1) OF THE SECURITIES  
EXCHANGE ACT OF 1934

THE INDIA FUND, INC.  
(Name of Subject Company (issuer))

THE INDIA FUND, INC.  
(Name of Filing Person (offeror))

COMMON STOCK,  
\$0.001 PAR VALUE PER SHARE  
(Title of Class of Securities)

454089103  
(CUSIP Number of Class of Securities)

BARBARA PIRES, ASSISTANT SECRETARY  
THE INDIA FUND, INC.  
CIBC WORLD MARKETS CORP.  
622 THIRD AVENUE  
NEW YORK, NEW YORK 10017  
(212) 667-4711  
(Name, Address and Telephone Number of Person Authorized to Receive Notices  
and Communications on Behalf of the Person(s) Filing Statement)

COPY TO:  
CYNTHIA COBDEN, ESQ.  
SIMPSON THACHER & BARTLETT  
425 LEXINGTON AVENUE  
NEW YORK, NEW YORK 10017  
(212) 455-2000

CALCULATION OF FILING FEE

TRANSACTION VALUATION	AMOUNT OF FILING FEE
\$34,555,524 (a)	\$3,179.11 (b)

- (a) Calculated as the aggregate maximum purchase price to be paid for 3,063,433 shares in the offer, based upon a price of \$11.28 (95% of the net asset value per share of \$11.87 on August 23, 2002).
- (b) Calculated at \$92 per \$1,000,000 of the Transaction Valuation.

[ ] Check box if any part of the fee is offset as provided by Rule 0-11(a)(2) and identify the filing with which the offsetting fee was previously paid. Identify the previous filing by registration statement number, or the form or schedule and the date of its filing.

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Amount Previously Paid: Not applicable Filing Party: Not applicable
Form or Registration No.: Not applicable Date Filed: Not applicable

[ ] Check box if the filing relates solely to preliminary communications made before the commencement of a tender offer.

Check the appropriate boxes to designate any transactions to which this statement relates:

[ ] third party tender offer subject to Rule 14d-1 [ ] going-private transaction subject
[X] issuer tender offer subject to Rule 13e-4 [ ] amendment to Schedule 13D under R

Check the following box if the filing is a final amendment reporting the results of the tender offer. [X]

Introductory Statement

This Issuer Tender Offer Statement on Schedule TO related to an offer by The India Fund, Inc., a Maryland corporation (the "Fund"), relating to an offer to purchase for cash up to 10% of its outstanding shares, or of the Fund's issued and outstanding shares of Common Stock, par value \$0.001 per share, upon the terms and subject to the conditions contained in the Offer to Purchase dated August 30, 2002 and the related Letter of Transmittal and are filed as exhibits to this Schedule TO.

This Issuer Tender Offer Statement on Schedule TO is being filed in satisfaction of the reporting requirements of Rule 13e-4 (c) (2) promulgated under the Securities Exchange Act of 1934, as amended.

The information in the Offer to Purchase and the related Letter of Transmittal is incorporated herein by reference in answer to Items 1 through 11 of this of this Issuer Tender Offer Statement on Schedule TO.

ITEM 12. EXHIBITS

Table with 2 columns: EXHIBIT NO. and DESCRIPTION. Lists exhibits (a) (1) (i) through (h) with their respective descriptions.

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ITEM 13. INFORMATION REQUIRED BY SCHEDULE 13E-3

Not Applicable

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SIGNATURE

After due inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

THE INDIA FUND, INC.

By: /s/ Bryan McKigney  
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Name: Bryan McKigney  
Title: Director, President and Secretary

Dated: August 30, 2002

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