



भारतीय विवाला और शोधन अलगता बोर्ड
Insolvency and Bankruptcy Board of India

Insolvency and Bankruptcy News

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BEYOND RECOVERY

BEYOND RECOVERY

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'In the past few years, the reforms we have undertaken in mission mode have led to consistent improvement in the ease of doing business in India. We have reduced the compliance burden. We are replacing red tape with a red carpet. The implementation of GST (Goods and Services Tax) and the Insolvency and Bankruptcy Code has boosted investor confidence.

Shri Narendra Modi, Hon'ble Prime Minister of India, during his address at BRICS Business Forum Leaders' Dialogue, August 22, 2023.



From Chairperson's Desk

Beyond Recovery

In the realm of economic reforms, the Insolvency and Bankruptcy Code, 2016 (IBC/Code) has emerged as a transformative force in addressing insolvency and bankruptcy matters across a spectrum of entities. The IBC has remarkably altered how distressed and defaulting businesses are handled by their stakeholders. The Preamble to the Code emphasises its purpose as timely corporate reorganisation and insolvency resolution, with the goal of maximizing asset value. Unlike traditional recovery-oriented tools, IBC adopts a resolution-oriented approach i.e., it allows a firm to continue as a going concern, despite the default. By focusing on the revival and continuity of financially distressed entities, the IBC seeks to preserve jobs, protect investments, and maintain the operational viability of such businesses. However, the outcomes of IBC are evaluated on the basis of recovery to the creditors as a result of resolution process.

The data as on September, 2023 indicates that the creditors have realised ₹ 3.16 lakh crore under the resolution plans approved under the Code. In addition, more than 26000 applications having underlying default of ₹ 9.33 lakh crore have been withdrawn before their admission to the resolution process. This data primarily reflects the outcomes in terms of financial recovery. It is essential to recognize that the success of resolution goes beyond these recovery figures. In an attempt to measure the achievements of resolution process under the IBC, the Indian Institute of Management, Ahmedabad (IIM Ahmedabad) has done a study wherein the functioning of firms that have undergone resolution under the Code, has been reviewed. The Report looks at the performance of the firms both before and after the resolution process, to understand if the firms have been able to find their feet in the market. The Report also compares the performance of the resolved firms against their peers by sector and size.

Some of the key findings in the Report are as under:

- Average sales have shown an increase of 76% in three years since resolution. While the net margins continue to remain negative, the resolved firms have operationally broken even in the post-resolution period, which is a significant improvement from the pre-resolution period.
- There is around 50% increase in the average employee expenses in the three years post-resolution—indicating a higher employment intensity in the resolved firms (listed) in the post-resolution period. The total employment across firms have also shown a substantial increase in the post-resolution period.
- The trends indicate a significant increase of around 50% in the average total assets of resolved firms post resolution.

This is coupled with 130% increase in the CAPEX, which indicate a build-up of tangible assets in the balance sheet of these firms in the post-resolution period.

- The Report further finds that there is convergence in the profitability ratios of the resolved firms with the benchmark averages in the post-resolution period.
- The trends in the market capitalization of listed resolved firms indicate a significant revival in the average market valuations in the post-resolution period, which is expected given the growth opportunities that will accrue to these firms post the resolution with the creditors. A similar trend is seen for the aggregate market valuation of all the resolved firms which has increased from around ₹ 2 lakh crore to ₹ 6 lakh crore in the post-resolution phase. Overall, the results suggest that the market has priced and acknowledged the potential of these firms in the post-resolution period.
- Liquidity has improved in the post-resolution period by about 80%. The trends indicate a significant increase in the liquidity of the resolved firms in the post-resolution period. For instance, the current assets to current liability has improved from 1.01 in the year of bankruptcy to 1.83 in the third year post-resolution.

The IIM Ahmedabad reports that overall the resolved firms that went through the resolution process under the Code have significantly improved their performance in the post-resolution period compared to the period prior to their insolvency. Specifically, these firms' profitability, liquidity, activity, and turnover ratios have improved during the post-resolution period. These findings are further reinforced when their performance is compared with their performing peers from the same industry and size decile. Furthermore, a propensity score-matched analysis indicates that the resolved firms have reduced the wedge with the comparable cohort of firms in the post-resolution period, especially in the profitability metrics.

The Report of IIM Ahmedabad is a testament to the fact that the Code has been able to resolve distress and achieve much beyond recovery, benefiting the overall economy. The Report also validates the vision behind prioritizing financial creditors over the rights of the Central and State Government, that it would ultimately boost the availability of financing, lower capital costs, foster entrepreneurship, and accelerate economic growth thus yielding better gains for Government in longer run. As the IBC continues to evolve, it holds the potential to redefine corporate reorganization and serve as a key driver for availability of credit and promoting entrepreneurship in the country.

(Ravi Mital)

IBBI Updates

Insolvency Professionals' Conclaves

Resolution of Real Estate Projects under IBC

The Insolvency and Bankruptcy Board of India (IBBI/Board) organised a Conclave of Insolvency Professionals (IPs) on the theme 'Resolution of Real Estate Projects under Insolvency and Bankruptcy Code, 2016' on July 14, 2023 at India International Centre, New Delhi. The welcome address was delivered by Mr. Sudhaker Shukla, WTM, IBBI, while the special address was delivered by Mr. Ravi Mital, Chairperson, IBBI. Mr. Ramalingam Sudhakar, Hon'ble President, NCLT graced the occasion as the Chief Guest and highlighted the challenges of real estate projects under the Code, emphasising on the uniqueness of the complex nature of real estate projects. He accentuated on the importance of efficiency of the IPs for speedy resolution of any real estate project. Hon'ble NCLT members Mr. Laxmi Narayan Gupta, Mr. Patibandla Satyanarayana Prasad, Mr. Avinash K. Srivasatava, Mr. B. V. Balaram Das, Mr. Ashok Kumar Bhardwaj, Mr. Atul Chaturvedi participated in the Conclave. Around 50 IPs and 10 Insolvency Professional Entities (IPEs) participated in the discussions. The Conclave was concluded by delivery of vote of thanks by Mr. Jayanti Prasad, WTM, IBBI.



IP Conclave on 'Resolution of Real Estate Projects under IBC', New Delhi, July 14, 2023

Insolvency Case Management System

The IBBI organised a Conclave of IPs on the theme 'Insolvency Case Management System' on July 24, 2023 in association with National E-Governance Services Limited (NeSL) at India International Centre, New Delhi. The Conclave witnessed keen participation of IPs. During the Conclave, NeSL, India's first Information Utility (IU) registered with the Board gave a presentation on 'Insolvency Case Management System (ICMS)' which was followed by a demonstration of their Platform for distressed assets. NeSL apprised that it has developed a unique technology tool - ICMS that assists IPs in seamlessly executing all corporate insolvency resolution process (CIRP) and liquidation process related tasks in a time-bound manner. The IPs in the interactive session discussed their experience of using the ICMS, difficulties in adoption of ICMS and feedback on ICMS with the Panel members, Mr. Sudhaker Shukla, WTM, IBBI; Mr. Jayanti Prasad, WTM, IBBI; Ms. Anita Shah Akella, Joint Secretary, MCA; Mr. Debajyoti Ray Chaudhuri, MD, NeSL and Mr. Sandip Garg, ED, IBBI.



IP Conclave on 'Insolvency Case Management System', New Delhi, July 24, 2023

Perspective of the Creditors and IPs

The IBBI organised a Conclave of IPs on the theme 'Perspective of the Creditors and Insolvency Professionals' on September 15, 2023 in association with Insolvency Professional Agencies (IPAs) and co-hosted by Committee on

Insolvency and Bankruptcy Code (CIBC), Institute of Chartered Accountants of India in Mumbai. The Conclave witnessed enthusiastic participation and engagement from IPs. Mr. Ravi Mital, Chairperson, IBBI, and Mr. Jayanti Prasad, WTM, IBBI addressed the participants during the inaugural session of the Conclave. They highlighted the positive outcomes of the IBC, emphasised the need for effective coordination between stakeholders and underscored the importance of stakeholder consultation for improved outcomes under the Code. The Conclave included two panel discussions on the themes 'Perspectives and Expectations of Creditors' and 'Key Learnings in CIRP and Liquidation Processes', along with an interactive session with the IBBI representatives.



IP Conclave on 'Perspective of the Creditors and IPs', Mumbai, September 15, 2023

Training Programme for Indian Corporate Law Service Trainee Officers

The IBBI organised a three-day training programme for Indian Corporate Law Service (ICLS) trainee officers, of the 2021 batch on August 10, August 11 and August 14, 2023. Mr. Jayanti Prasad, WTM, IBBI along with Mr. Satish Sethi, ED, IBBI inaugurated the training session. The training sessions covered overview of the IBC, broad overview of professionalisation of insolvency services and role of regulator. It also covered the concepts, duly supplemented by way of practical case studies related to various processes under the Code, namely, CIRP, liquidation process, voluntary liquidation, fast track resolution process, individual insolvency, and individual bankruptcy. The working of grievance redressal and disciplinary mechanism of Board was explained to the trainees. The programme ended with the closing remarks by Mr. Jayanti Prasad, WTM, IBBI.



Training Programme for ICLS Trainee Officers, August, 2023

Report of Study on Effectiveness of the Resolution Process: Firm Outcomes in the Post-IBC Period

To measure the impact of resolution process on rescued firms under the Code, the IIM Ahmedabad was commissioned to conduct a study to review the functioning of firms that have undergone resolution under the Code. The Report of IIM Ahmedabad looks at the performance of the firms both before and after the resolution process, to understand if the firms have been able to find their feet in the market. The Report also compares the performance of the resolved firms against their peers by sector and size. The Report finds that the IBC framework has yielded, for the resolved firms (i) 76% increase in average sales, (ii) 50% increase in average employee expenses which could be attributed to increased employment generation, (iii) 50% increase in average total assets, (iv) 130% increase in CAPEX, (v) threefold increase in market valuation of resolved firms (from ₹ 2 lakh crore to ₹ 6 lakh crore), and (vi) improvement in liquidity of the resolved firms by about 80%. The complete Report can be accessed at www.ibbi.gov.in

Human Resources

Appointment of Mr. Satish Sethi, ED

Mr. Satish Sethi took charge as Executive Director (ED) of IBBI on July 17, 2023. Immediately before joining, he was serving as Principal Director in the office of the Comptroller and Auditor General of India (C&AG). He is an Indian Audit and Accounts Service Officer of 2000 batch. He has served as Accountant General in Rajasthan and in various other capacities in the office of C&AG of India. He was also posted as Director of Audit in Embassy of India, Washington DC.



Hindi Diwas

The IBBI celebrated *Hindi Pakhwada* from September 14, 2023 to September 27, 2023. It conducted a meeting through video conferencing on September 14, 2023 wherein the officers and staff were encouraged to use Hindi language in official notings and letters. The employees participated with great enthusiasm in various other activities organised by the Board during the *Pakhwada* such as Essay competition and Knowledge competition.



Celebration of Hindi Pakhwada at Mayur Bhawan office, September, 2023



Celebration of Hindi Pakhwada at Jeevan Vihar office, September, 2023

Swachhta Pakhwada

The IBBI celebrated *Swachhta Pakhwada* from September 20, 2023 to September 29, 2023. During this period, the employees were encouraged to embrace cleanliness by taking a *Swachhata Pledge* and receiving a certificate as a token of their commitment. Additionally, the officers/staff were made aware about the significance of maintaining a clean environment, the prohibition of single-use plastic bags within the office premises, the practice of segregating dry and wet waste, and the weeding out of unnecessary documents.

Employee Trainings and Workshop

The IBBI organised the following workshops and trainings for its officers during the quarter July – September, 2023:

| Date | Organised by | Nature of the programme / Subject | No. of Officers |
|----------|----------------------------|-------------------------------------------------------------|-----------------|
| 02-08-23 | University of Bradford, UK | Research leading to policy impact and Environmental justice | 40 |
| 08-08-23 | CMIE | Training session on use of CMIE Prowess Module | 40 |



Interactive session by University of Bradford, UK, August 2, 2023



Training session on CMIE Prowess Module, August 8, 2023

The members and officers of the IBBI attended the following workshops and training programmes:

| Date | Organised by | Nature of the programme / Subject | No. of Officers |
|----------------------|--------------------------------------|------------------------------------------------------------------------|-----------------|
| 24-07-23 to 28-07-23 | IMF and Singapore Training Institute | Workshop on Corporate and Household Insolvency, Singapore | 2 |
| 04-08-23 to 05-08-23 | ICAI Singapore Chapter | ICAI International Convention on Insolvency Resolution, Singapore | 6 |
| 11-09-23 to 13-09-23 | INSOL International | INSOL Tokyo Conference and Legal & Regulatory Colloquium, Tokyo, Japan | 2 |
| 18-09-23 to 21-09-23 | IAIR | IAIR Annual Conference and AGM, Belgrade, Serbia | 2 |



Participation at Workshop on Corporate and Household Insolvency, Singapore, July, 2023



Participation at ICAI International Convention on Insolvency Resolution, Singapore, August, 2023



Participation at INSOL Tokyo Conference and Legal & Regulatory Colloquium, Tokyo, Japan, September, 2023



Participation at IAIR Annual Conference and AGM, Belgrade, Serbia, September, 2023

Legal and Regulatory Framework

Amendments to CIRP Regulations

The IBBI notified the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Amendment) Regulations, 2023 on July 20, 2023. The amended regulations clarified that the regulatory fee under Regulation 31A(1) of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (CIRP Regulations) shall not be payable in cases where the approved resolution plan in respect of insolvency resolution of a real estate project is from an association or group of allottees in such real estate project.

The IBBI notified the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Second Amendment) Regulations, 2023 on September 18, 2023. The amended regulations:- (a) provided for filing of details of debt, default and limitation, along with evidence, in respect of applications under section 7 or section 9 of the Code; (b) inserted provisions for facilitating the custody and control of assets of corporate debtor (CD) by the Interim Resolution Professional (IRP)/Resolution Professional (RP); (c) specified timelines for filing claims by the creditors beyond the last date given in the public announcement; (d) provided for the manner of verification of such late filing of claims by the IRP/RP; (e) introduced provisions for replacement of the authorised representative of creditors in a class; (f) specified fee and duties of authorised representative of creditors in a class; (g) specified a timeline to provide the details of assignment or transfer of debt, occurred during the insolvency resolution

process, to the IRP/RP by the parties concerned; (h) provided for conduct of audit of the CD on proposal by committee of creditors (CoC); (i) provided for issuance of information memorandum, evaluation matrix and request for resolution plans to every resolution applicant in the final list under sub-regulation (12) of regulation 36A; and made consequential changes in the model timelines; (j) modified the timelines of activities leading to filing of Form CIRP 7; and (k) modified format of Form G and Form H.

Amendments to IP Regulations

The IBBI notified the Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Amendment) Regulations, 2023 on July 20, 2023. The amended regulations modified the name 'Graduate Insolvency Programme' to Post Graduate Insolvency Programme'. The necessary amendments are made to the Qualifications and Experience criteria under Regulation 5 of the IBBI (Insolvency Professionals) Regulations, 2016 (IP Regulations).

The IBBI notified the Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Second Amendment) Regulations, 2023 on September 18, 2023. The amended regulations:- (a) introduced a unified enrolment and registration application form to enable submission of common application form for both enrolment and registration process; (b) reduced the timelines for approval of unified application (for registration) or communicating prima-facie refusal to grant registration to the applicant by the Board; (c) introduced the requirement to furnish intimation to the Board by the IPA in case of acceptance of application for surrender of professional membership, expulsion of professional member, demise of an individual or winding up or dissolution of a company, limited liability partnership or registered partnership firm, who are registered as IPs, and a consequent special procedure by the Board for processing the same; and (d) introduced the provision for surrender of certificate of registration by the IP to the Board.

Amendment to IPA Regulations

The IBBI notified the Insolvency and Bankruptcy Board of India (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) (Amendment) Regulations, 2023 on September 18, 2023. The amended regulations introduced:- (a) timeline of 60 days for approval of unified application (for enrolment) by the IPA and of 30 days for forwarding the same (for registration) to the Board; and (b) additional requirements for the IPA to consider while accepting application for surrender of professional membership or expelling the professional member.

Circulars

Filing of CIRP Forms by IPEs

The IBBI vide its circular dated September 1, 2023 extended the online facility for submitting CIRP Forms on the website of IBBI to IPEs acting as IPs. The online facility enables the IPEs to access the said platform with the help of a unique username and password provided by the IBBI and authorise an IP handling the process to upload/ submit the CIRP Forms. Thereafter, the authorised IP would be able to submit the CIRP Forms along with relevant information and records through his username and password as provided to him in capacity of individual IP.

Clarification w.r.t Liquidators' fee

The IBBI vide its circular dated September 28, 2023 clarified the calculation of Liquidator's fee under Regulation 4(2)(b) of IBBI (Liquidation Process) Regulations, 2016 (Liquidation Regulations). The Circular explained the terms 'Amount realised', 'Other liquidation cost', 'Amount distributed to stakeholders' and 'Amount of Realisation/Distribution' and advised the IPs who are currently handling or have handled any liquidation assignment in the past, to charge the fee under Regulation 4(2)(b) of the Liquidation Regulations in accordance with the clarifications given in the Circular.

Invitation of public comments on insolvency resolution process of PGs to CDs

The IBBI released a discussion paper on September 27, 2023 soliciting comments from the stakeholders on insolvency resolution process of personal guarantors (PGs) to CDs. The last date for submission of comments would be October 19, 2023. The discussion paper proposed to address three issues, namely: - (a) Appointment of RP in the insolvency resolution process of PGs to CDs; (b) Sharing of report prepared by the RP under section 99 of the Code with the PG and the creditors; and (c) Mandating summoning of meeting of the creditors under section 106 of the Code in case of insolvency resolution process of PGs to CDs.

Other Authorities

Report of the Committee to examine the issues related to legacy stalled real estate projects

The Ministry of Housing and Urban Affairs had constituted a Committee under the Chairmanship of Mr. Amitabh Kant, G 20 Sherpa (Ex-CEO, NITI Aayog) to examine all the issues related to legacy stalled real estate projects and suggest various ways to complete these projects. The Committee presented its Report in July, 2023, wherein it concluded that the primary reason for stress in real estate projects is lack of financial viability of these projects, which has resulted in cost overruns, project and time delays. The Committee observed that the steps to improve the Internal Rate of

Return of these projects would attract more funding and judicial interventions such as IBC should be used only as a last resort. The recommendations of the Committee have been categorized as:- (a) Mandatory registrations of projects with Real Estate Regulatory Authority (RERA); (b) Execution of registration/sub lease deeds for all occupied units; (c) Occupancy/possession of all substantially completed projects; (d) Proposal for State Government's Rehabilitation Package for a promoter led resolution; (e) Framework for RERA and Administrator led revival of projects; (f) Financing of stalled projects; and (h) Use of IBC for resolving projects as a measure of last resort.

Orders

Supreme Court

Paschimanchal Vidyut Vitran Nigam Ltd. Vs. Raman Ispat Pvt. Ltd. & Ors. [Civil Appeal No. 7976 of 2019]

Paschimanchal Vidyut Vitran Nigam Ltd. (PVVNL) entered into an agreement for supply of electricity to the CD. The agreement provided that outstanding electricity dues would constitute a charge on the assets of the CD. On default to pay electricity dues, PVVNL attached the properties of the CD. Further, Tehsildar, Muzaffarnagar passed an order restraining transfer of property of the CD. Thereafter, CD got admitted into CIRP. On rejection of resolution plan by CoC, the Adjudicating Authority (AA) directed liquidation of the CD. During liquidation, the District Collector issued a notice for recovery of outstanding dues by auction of movable and immovable properties on default by the CD in payment of electricity dues. On challenging the same, the AA directed District Collector and Tehsildar to immediately release the property of the CD to enable sale of property in liquidation as per the Code. This order of AA was upheld by NCLAT. Aggrieved by the same, PVVNL approached the SC.

While disposing of the appeal, SC *inter-alia* observed that considering the Electricity Act, 2003, regulations made thereunder and agreement between the parties, a charge was created on the assets of the CD. Therefore, PVVNL is a secured operational creditor (OC). It held that:-

- Section 238 of the Code overrides the provisions of the Electricity Act, 2003 despite the latter containing two specific provisions which open with *non-obstante* clause (i.e. section 173 and 174).
- The specific mention of other class of creditors whose dues are statutory, such as dues payable to workmen or employees, exclusion of the provident fund, the pension fund, the gratuity fund under section 36(4) clarifies that not all dues owed under statute are treated as 'government dues'. Further, dues payable to statutory corporations, whose dues do not constitute government dues or those payable into the respective Consolidated Funds, stand on a different footing.
- Dues payable or requiring to be credited to the treasury, such as tax, tariffs, etc. which broadly fall within the ambit of Article 265 of the Constitution are 'government dues' under section 53(1)(e) of the Code. Accordingly, dues of PVVNL do not fall within section 53(1)(e) but falls under section 53(1)(b) of the Code.
- In the case of *Tax Officer v. Rainbow Papers Ltd.*, it did not notice the waterfall mechanism in section 53 that the separate and distinct treatment of amounts payable to secured creditor on the one hand, and dues payable to the Government on the other hand clearly signifies Parliament's intention to treat the latter differently i.e. having lower priority. The judgement has to be confined to the facts of that case alone.

Union Bank of India Vs. Financial Creditors of Amtek Auto Ltd. & Ors. [Civil Appeal No. 4620/2023]

SC has upheld the order passed by five judge bench of NCLAT which held that the power of review is not conferred on the Tribunal; whereas the power to recall its judgment is inherent in it under rule 11 of NCLAT Rules, 2016 on sufficient grounds.

Employees Provident Fund Organization Vs. Fanendra Harakchand Munot & Anr. [Civil Appeal No. 5424/2023]

The Employees' Provident Fund Organisation (EPFO) after the approval of resolution plan filed its claims before the AA which got rejected. EPFO filed an appeal before NCLAT which was dismissed on the grounds of inordinate delay in filing of the claim by the EPFO. Aggrieved by this order, EPFO preferred an appeal before SC. While dismissing the appeal, SC held that the Commissioner and employees of the EPFO must ensure that they comply with the timelines under the Code. It further observed that in case of failure to comply with the timelines, action must be taken against the erring employees.

Eva Agro Feeds Private Limited Vs. Punjab National Bank & Anr. [Civil Appeal No. 7906/2021]

In this case, the question before SC was, whether NCLAT was right in cancelling the e-auction held by the liquidator and directing to initiate fresh e-auction for CD's assets? In the instant case, in e-auction sale conducted by the liquidator, the highest bidder (Eva Agro Feeds Private Limited - Appellant) was declared as

successful auction purchaser on July 20, 2021. However, the next day, liquidator cancelled the auction and decided to hold auction afresh. Against which, the highest bidder filed an interlocutory application in which the AA, vide order dated August 12, 2021, directed the liquidator to proceed with the auction in favour of the auction purchaser. On the same date, the Punjab National Bank (financial creditor i.e. FC) filed appeal against this order of the AA before the NCLAT. However, the liquidator in compliance with AA order dated August 12, 2021 proceeded with the auction and issued sale certificate on September 15, 2021. Vide order dated November 30, 2021, the NCLAT set aside auction with the direction to the liquidator to re-conduct the e-auction. The auction purchaser filed appeal before SC against the said order of NCLAT.

SC while setting aside the order of NCLAT, restored the order passed by AA. SC also relied on *Valji Khimji and Company v. Official Liquidator of Hindustan Nitro Product (Gujarat) Limited & Ors* and held that 'if every confirmed sale can be set aside the result would be that no auction sale will ever be completed because always somebody can come after the auction or its confirmation offering a higher amount'. SC further held that that para 1 (IIA) in Schedule I to the Liquidation Regulations (w.e.f. September 30, 2021) does not imply that an auction sale or the highest bid prior to September 30, 2021 could be cancelled by the liquidator without furnishing any reason.

Tata Power Western Odisha Distribution Limited (TPWODL) & Anr. Vs. Jagannath Sponge Private Limited [Civil Appeal No. 5556/2023]

The issue for consideration before SC was whether the OC/appellant was entitled for payment of arrears of electricity dues post approval of the resolution plan by AA. SC, while dismissing the appeal filed by OC against NCLAT order, whereby it had upheld order of the AA, observed that the electricity department cannot demand payment of arrears payable by the CD, from the successful resolution applicant (SRA) for restoration/grant of electricity connection. SC held that the 'clean slate principle' would stand negated, if SRA is asked to pay the arrears payable by the CD for the grant of an electricity connection in its name.

RPS Infrastructure Ltd. Vs. Mukul Kumar & Anr. [Civil Appeal No. 5590 of 2021]

In this case the OC had filed arbitral claims after a delay of 287 days during the pendency of approval of resolution plan by AA. SC while dismissing the appeal of the OC, observed that it was not vigilant enough to find out that CIRP was initiated against CD. It observed that section 15 of the Code read with regulation 6 of CIRP Regulations mandates public announcement through newspapers, providing impetus to the concept of 'deemed knowledge' and that the plea of not being aware of the newspaper announcement, will not be available to a 'commercial party'. It further held that merely the fact that the AA has not approved a resolution plan, does not imply setting the clock back by making CIRP an endless process. In case, the belated claims are allowed there may be possibility that a claimant in similar situation may jump onto the bandwagon. It observed that, 'We find it difficult to unleash the hydra-headed monster of undecided claims on the resolution applicant'.

Axis Bank Limited Vs. Naren Sheth & Anr. [Civil Appeal No. 2085 of 2022]

The appellant challenged the order of NCLAT that had upheld the admission order passed by AA condoning the delay on the part of State Bank of India (FC). The issue before SC was whether FC be entitled to the benefit of section 18 of the Limitation Act, 1963? In the facts of the case, SC noted that the CD has submitted one-time settlement offers, thereby acknowledging the debt. SC relied on its own judgment in the matter of *Dena Bank (Now Bank of Baroda) v. C. Sivakumar Reddy*, and held that acknowledgments made by the CD, post declaration of non-performing asset (NPA) have given fresh limitation period in terms of section 18 of the Limitation Act, 1963 and FC was able to prove 'sufficient cause' as required under section 5 of the Limitation Act, 1963 for condonation of delay. It dismissed the appeal.

R. Raghavendran Vs. C. Raja John & Ors. [Civil Appeal No. 2552/2022]

The limited question for examination by the SC was whether the CD being a micro, small and medium enterprise (MSME) would have to compete with other resolution applicants to retain control of the CD. SC while allowing the appeal of RP observed the fundamental principle of the Code being maximization of value of assets of the CD. Thereafter, it proceeds to discuss the scenario of a CD, which is an MSME, *qua* the ineligibility in terms of the inapplicability of section 29A (c) & (h) of the Code to a promoter. This, as one may say, is a special privilege for MSMEs. It is, in 'exceptional circumstances' if a CD is an MSME, not necessary for promoters to compete with other resolution applicants to retain control of the CD. SC held that, 'The impugned judgment is predicated on a broad reasoning as if ipso facto there is no need to call other proposals if it is an MSME. In view of the larger context it would have, we clearly observe and hold that this is not the correct position of law'. SC set aside the NCLAT order.

Regen Powertech Private Limited Vs. Giriraj Enterprises & Anr. [Civil Appeal Nos. 5985 & 6001 of 2023]

AA, by a common order, dismissed the applications filed by CoC and customers of

CD for consolidation of CIRPs of two interconnected CDs. On appeal filed by the customers of CD, for consolidation of two CIRPs, NCLAT had allowed the same. The RP of CD (which owned the subsidiary) filed the present appeals. In view of the facts and circumstances of this case, SC held that the RP should not have filed the appeals and should have maintained a neutral stand. It is for the aggrieved parties, including the CoCs of the CDs, to take appropriate proceedings or file an appeal before it. If required and necessary, the Court can take assistance and ascertain the facts from the RP, in case an appeal(s) is preferred by the CoCs or a third party. SC dismissed the appeal.

High Court

ESL Steel Ltd. Vs. Principal Commissioner, CGST, Ranchi & Ors. [WP(T) No. 1995 of 2023]

On July 21, 2017, FC initiated CIRP against CD, and on April 17, 2018 the resolution plan was also approved by the AA. However, in the interregnum, the Government had introduced Goods and Services Tax (GST) and all assesseees had to file form GST TRAN-I to get their existing CENVAT credit transitioned into their GST portal as Input Tax Credit (ITC). During CIRP, the CD also filed its TRAN-I form on September 27, 2017 i.e. before the resolution plan was approved. SRA after taking over the CD had filed a revised TRAN-I with the GST Department seeking to avail ITC on capital goods which was not availed earlier. However, instead of allowing the revised TRAN-I, the GST Department issued a show cause notice to SRA demanding of credit, interest and penalty which got subsequently confirmed by the Additional Commissioner of CGST, against which the SRA filed the writ before Jharkhand HC. The issue before the HC was - Firstly, whether proceedings for recovery of any alleged dues prior to approval of resolution plan can be continued and secondly, whether the balance amount of tax credit should be granted to the SRA or the same also gets expunged? On the first issue, HC held that past obligation of all dues gets extinguished after passing of the resolution plan by AA. On the second issue, it held that the ITC available to the CD will not be available to SRA in the new *avatar*.

Vineet Saraf Vs. Rural Electrification Corporation Ltd [W.P.(C) 3293/2023 & CM APPL 12815/2023]

The issue before Delhi HC was whether writ of prohibition can be issued against FC to prevent it from approaching NCLT against PG to CD? HC while dismissing the said writ petition held that NCLT is the proper forum having jurisdiction to adjudicate, and not the HC.

EDAC Engineering Ltd. Vs. Industrial Fans (India) Pvt Ltd. & Ors. [Application No.s 2080 and 4609 of 2021]

In this case, the arbitrator exercised his statutory lien for non-payment of his fees/costs by the CD. Aggrieved by action of arbitrator, CD filed an application before Madras HC seeking the direction to the arbitrator to release the lien on the arbitral award dated April 30, 2021 in view of the moratorium under section 14 of the Code. HC while dismissing the application of CD noted that arbitral award was passed on April 30, 2021, which was prior to the moratorium order dated August 8, 2023. HC held that the appointment of arbitrator having been done by the Court much prior to the initiation of CIRP, the fee payable has to be treated as part of CIRP costs. It observed that moratorium under section 14 of the Code does not affect the payment of fees to the arbitrator for the award passed before the moratorium was declared.

KRBL Limited Vs. State of Gujarat [R/Special Civil Application No. 19804 of 2022]

The petitioner is the successful bidder for CD's property in the auction conducted by the liquidator. Post auction sale, the State Goods and Services Tax (SGST) department had issued an order creating charge in the revenue records on the auctioned property towards the outstanding dues of GST. Successful bidder challenged order of SGST department before Gujarat HC. While allowing the petition of the successful bidder, HC noted that SGST department failed to lodge its claim during the stage of liquidation. Relying on the judgments of SC in the cases of *Ghanshayam Mishra and Sons Private Limited and Paschimanchal Vidhyut Vitran Nigam Limited* it held that once the resolution plan is approved, it becomes binding on the stakeholders including government OCs. It further observed that the SGST department having relinquished its interest under section 52, cannot continue insistence of maintaining the charge in the revenue records, rather will have to stand in order of priority under section 53. It further observed that charge in terms of section 100 of the Transfer of Property Act, 1882 cannot be enforced against any person in whose name the property has been transferred for consideration without notice.

National Company Law Appellate Tribunal

Edelweiss Asset Reconstruction Company Ltd. Vs. Anuj Jain RP of Ballarpur Industries Ltd. & Ors. [CA (AT) (Ins.) No.517 & 518 of 2023]

Yes Bank Ltd. granted two term loans to BILT Graphic Paper Products Ltd. (BGPPL/Principal Borrower) an affiliate company of Ballarpur Industries Limited (CD). Security for the loans was created in favour of the Security Trustee. To

secure the loan facility availed by BGPPL, the CD created a charge on its immovable property. A corporate guarantee was also executed by the CD to secure Term Loan-II of BGPPL. Yes Bank Ltd. assigned its debt and underlying securities in respect of the BGPPL in favour of Edelweiss Asset Reconstruction Company Ltd. (ARC). BGPPL had not committed any default in repayment of its loan to its creditor/assignee. Later, the CIRP was initiated by the Finquest Financial Solutions Pvt Ltd. (FC) in respect of the CD. During the CIRP, the ARC filed its claim as secured FC with respect to the Term Loan II. RP rejected the claim of the ARC, stating that the default was not committed by the principal borrower and therefore, the ARC is placed in the category of other creditors. ARC has not challenged the rejection of claim and the notional value of ₹ 1/- allotted to its claim. While the IA filed by RP before AA for the approval of resolution plan, the ARC filed an IA praying for rejection of the resolution plan. However, the AA rejected the IA filed by the ARC and approved the resolution plan. Aggrieved by the aforesaid two orders, these appeals have been filed.

In this appeal filed by ARC, the Appellate Tribunal, relying upon SC judgement in *Anuj Jain IRP, Jaypee Infratech Ltd. v. Axis Bank Ltd.* reiterated the distinction provided in Code with regard to a FC and a creditor who has only security interest. It observed that:-

- After moratorium is declared, there is prohibition on enforcement of any security interest created by the CD in respect of its property. The prohibition from enforcement of any security interest by one or other creditor including secured FC or third party secured creditor is for a purpose and object. FC who is part of the CoC is prohibited from enforcing any security interest. A third-party secured interest like that of the Appellant is equally bound by the provision of section 14(1)(c) and cannot claim any enforcement of security interest in the CIRP.
- In *Committee of Creditors of Essar Steel India Ltd. v. Satish Kumar Gupta & Ors.*, SC while considering the provisions of section 30, 50, 52 and 53 of the Code has held that provision of sections 52 and 53 are not applicable in the insolvency resolution process as they are applicable only during liquidation. Reference of section 53 under section 30(2) is for the purpose of computing the payment to OCs and dissenting FCs to which they may be entitled under section 53.
- Regulation 37 of CIRP Regulations thus, is provision of the Code which is consistent to the Code and to carry out the provisions of the Code. Regulation 37(b) indicate that resolution plan shall provide for sale of all or part of the assets whether subject to any security interest or not. The use of expression 'subject to any security interest or not' makes it clear that the assets of the CD can be dealt with in the resolution plan whether it is subject to any security interest or not. The existence of security interest in assets of CD does not preclude the assets to be dealt with or sold in the resolution plan. Further, sub-clause (d) permits the resolution plan to contain provision for satisfaction or modification of any security interest. Thus, as per scheme of regulation 37, security interest in assets of the CD can be dealt with, modified, satisfied and there is no exclusion to the resolution plan regarding dealing of the security interest.
- CIRP and liquidation are two different concepts with two different consequences. While in CIRP, the claim of FCs is dealt with, there is no cap to the effect that they are entitled to receive the amount equivalent to their debt which is owed by the CD. Despite FC having security interest in the assets of the CD, they can be dealt with in the resolution plan in any manner as per the commercial wisdom of the CoC. When the security interest of FC can be dealt with in the resolution plan in any manner, a third-party having security interest in the assets of the CD cannot claim any higher status or status different from the FC.
- When any asset including security interest is part of the CIRP, there is no constraint or prohibition in the Code or Regulations to deal with the said asset including a security interest. The claim was filed by the ARC, and it was part of the CIRP, hence, its security interest can very well be dealt with in the resolution plan. The scheme as delineated by regulation 37 of CIRP Regulations allows this.
- The NCLAT concurred with AA's observations that for extinguishment of security interest of the Appellant, no prior consent of the Appellant was required. It further held that when there is no default by the principal borrower as in the present case and there is no actual loss to the ARC, and more so when its security interest has been extinguished by the RP, it could demand the principal borrower to furnish additional security for better protection.
- The Appellant at no point of time challenged the admission of its claim by RP as 'other creditor'. The main distinguishing feature of present case with that of *Jaypee Kensington Boulevard Apartments Welfare Association & Ors. v. NBCC (India) Ltd. & Ors.* is that in *Jaypee Kensington* security interest of the lender of that case was not part of the CIRP but in the present case same was part of the CIRP.

Manoj Stone Infra Pvt. Ltd. Vs. Railsys Engineers Pvt. Ltd. [I.A.No.2573/2023 in CA (AT)(Ins.) No. 763 of 2023]

Appeal was filed against the order of AA by which section 9 application was dismissed. There were three parties involved, OC who supplied goods to CD who in turn supplied goods to another company. CD made only part payment for the goods supplied, and for the remaining no payment was made citing poor quality as a reason. There existed a mutual business understanding between OC and CD that payment was to be made by CD to OC, subject to receipt of money from another company. The issue before the Appellate Tribunal was peculiar to the facts of the case that whether there was an operational debt which was due and payable. NCLAT held that since the claim of the OC arose out of a mutual business understanding of partnership, the debt claimed by it did not fall within the definition of operational debt. It was further observed that the claim must bear some nexus with the provision of goods or services irrespective of who is to be the supplier or receiver.

Mrs. Monica Jajoo Vs. PHL Fininvest Private Limited & Ors. [CA (AT) (Ins.) No. 1344 & 1345 of 2022]

PG to CD filed an appeal before NCLAT seeking to quash AA's order of CIRP against PG on the ground that another bench of AA is already dealing with the liquidation proceedings against the same CD. NCLAT while setting aside the order of AA, held that the words 'a' and 'such' used in section 60(2) clearly indicate that the said provision would be applicable only when a CIRP or liquidation proceeding of a CD was pending before same bench of AA. The objective was that when a CIRP or liquidation proceeding of a CD was pending before 'a' bench of NCLAT, the application relating to insolvency process of a CD/PG should be filed before the same bench of NCLAT.

Jaydip Ghosh & Ors. Vs. Niraj Agarwal & Ors. [CA (AT) (Ins.) No. 839 & 861/2022]

AA's order approving the resolution plan was challenged by suspended directors of CD, and unsuccessful resolution applicant on the grounds of change in the nature of business of the CD proposed by the SRA. NCLAT while dismissing the appeal observed that suspended directors have no locus to file an appeal against the approved resolution plan. NCLAT, further held that change of nature of business can be permitted, as CoC in its commercial wisdom has accepted the plan, after examining various factors namely i.e. CD not carrying on business activity for a long time, licence got lapsed and not renewed, etc.

Ashique Ponnamparambath & Anr. Vs. BMW India Financial Services Pvt. Ltd. [CA (AT) (CH) (Ins.) No.301/2021]

The issue for consideration was whether a co-borrower who has not been disbursed any amount of loan, fall under the definition of FC under section 5(8) of the Code? NCLAT while dismissing the appeal observed that the appellants have taken over all rights and liabilities along with co-borrower in respect of the facilities extended by the FC and the CD having passed a board resolution on February 23, 2018 consenting to assume the liability would cumulatively prove that the appellant is a co-borrower and section 7 application under the Code is maintainable.

Mahendra Kumar Agarwal Vs. PTC India Financial Services Ltd. & Anr. [CA (AT) (CH) (Ins.) No. 8 of 2023]

During the pendency of CIRP against the CD, AA admitted insolvency proceedings against PG to CD. While dismissing the appeal filed by the PG, NCLAT held that insolvency proceedings against the PG to CD can be initiated even when no CIRP is pending against the CD or continue to be pending.

Employees Provident Fund Organization Vs. CA. S. Prabhu [CA(AT)(CH)(Ins.) No. 176 of 2022]

AA dismissed the application of EPFO filed against the rejection of their claims by the liquidator holding that EPFO has failed to place on record any order passed under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. On appeal by EPFO, NCLAT noted that in terms of paras 35 and 36 of the Employees' Provident Fund Scheme, 1952; employer-CD was required to prepare contribution card which reflects dues payable. Although the contribution amount was declared by the CD, remittance was made short of declared contribution as per the establishment ledger. Keeping in view the aforesaid provision and judgment of NCLAT in the matter of *Jet Aircraft Maintenance Engineers Welfare Association v. Ashish Chhawchharia, Resolution Professional of Jet Airways (India) Ltd. & Ors.* and judgment of SC in *Jalan Fritsch Consortium v. Regional Provident Fund Commissioner and Anr.*, set aside the order of AA and permitted the liquidator to admit the claims on the basis of establishment ledger.

Anil Kumar Vs. Jayesh Sanghrajaka & Ors. [IA No.1666 of 2023 in CA (AT)(Ins.) No. 513 & 753 of 2023]

In this, CoC withdrew its liquidation decision and approved a resolution plan received subsequently, after application was filed before the AA, without inviting it in Form G. Suspended director of the CD challenged the said decision that no fresh Form G was issued before allowing the resolution plan after decision of the

liquidation. NCLAT after examining the facts of the case, held that, '*Corporate Debtor is to be revived or not by acceptance of a particular resolution plan is essentially a business decision and hence should be left to the CoC so long as it musters more than 66% vote share*'. It noted that no settlement offer from the appellant or resolution plan from prospective resolution applicants was available before the CoC and the extended CIRP period was also coming to an end. In the given circumstances, the decision of the CoC to entertain the resolution plan without publication of Form G cannot be viewed to be such a grave procedural non-compliance that the integrity of the entire resolution process was undermined. Further, no consequence of non-compliance to regulation 36A of CIRP Regulations has been provided. The language of CIRP Regulations must be read along with mandate and objective of the Code which clearly emphasizes reorganization and insolvency resolution of CD in a time bound manner. When the CoC has approved a resolution plan by 100% voting share after considering its feasibility and viability, such decision of CoC is a commercial decision. There can be no fetters on the commercial wisdom of the CoC.

Tenny Jose & Ors. Vs. Mr. Prathap Pillai, RP of M/s. Tenny Jose Limited [CA (AT) (CH) (Ins.) No. 95 of 2023]

AA directed the erstwhile directors to refund the excess salary drawn along with interest under section 66 of Code. The ex-directors challenged the order of AA contending that such remuneration was drawn when the CD was in good financial position and, thus, the same is not in nature of fraudulent transaction. Further, the inference made on the basis of forensic report dated June 4, 2022 i.e., after 206 days of commencement of CIRP which is beyond delay of 135 days as per regulation 35A. NCLAT while rejecting the appeal held that as soon as RP came to know about the 'fraudulent trading', she filed the application within 45 days of forensic audit report. NCLAT observed that 'even, if there is any 'delay' beyond 135 days prescribed under regulation 35A, considering the fact that the said regulation is 'Directory in Character', the same is not 'Fatal'.

Carissa Investments LLC Vs. Indu Techzone Private Limited & Ors. [Company Appeal (AT)(CH) (Ins.) No. 124 of 2022]

A settlement agreement was executed between CD and an ARC, whereby the CD undertook to pay the amount to ARC in three tranches in full and final settlement of the debt. CD repaid part of sums in two tranches and defaulted to make payment for the third tranche as on March 31, 2020. In this background, the AA passed orders of admission of the application filed by ARC. On appeal filed by a shareholder of the CD, the issue before the NCLAT was whether the date of default admitted as March 31, 2020, is exempted under section 10A. NCLAT relied on the SC judgment in *Ramesh Kymal v. M/s. Siemens Gamesa Renewable Power Pvt. Ltd* and observed that the object of legislation was to suspend the operation of sections 7, 9 and 10 in respect of defaults arising on or after March 25, 2020 when the lockdown was disrupting the normal business operation. It held that section 10A shall not apply in respect of the defaults committed prior to March 25, 2020 as provided in the explanation to section 10A and allowed the appeal.

Ocean Capital Market Ltd. Vs. Uday Narayan Mitra & Ors. [CA (AT) (Ins) No. 514 of 2023]

AA while rejecting the approval of resolution plan has allowed objections raised by dissenting FC because the personal and corporate guarantee extended to them were to be assigned in favour of SRA as per the resolution plan. It was proposed that an addendum be presented to CoC for approval, which will include the modification of resolution plan pertaining to assignment of securities to SRA. On appeal by SRA, NCLAT noted that SRA has submitted an affidavit that personal and corporate guarantees of the dissenting FCs shall not be assigned, and they will be allowed to retain their personal guarantees. While disposing of the appeal, it observed that to meet the ends of justice SRA be allowed to place an addendum which incorporated the conditions mentioned in the affidavit filed by SRA suggesting modification of resolution plan to not to assign the securities in favour of SRA, before CoC for approval; in case such addendum is approved by CoC then it must be placed before AA for consideration.

Peter Beck and Partner Vermögensverwaltung GMBH Vs. Sharon Bio-medicine Limited & Ors. [CA(AT)(Ins.) No. 912 of 2023]

Unsecured FC who abstained against the resolution plan, challenged the approved resolution plan before NCLAT on the grounds of discrimination in the payout between unsecured FC who voted in favour of the resolution plan and the one who did not vote. NCLAT while dismissing the appeal observed that Form H categorically allows different payments to above two categories. Further, the assenting FCs are entitled to payment as proposed in the resolution plan and dissenting FCs are entitled as per the minimum entitlement in terms of section 30(2)(b) of the Code.

Assistant Commissioner of Central Tax Vs. Mr. Sreenivasa Rao Ravinuthala & Anr. [CA(AT)(CH)(Ins.) No. 346 of 2021]

The Central Tax Department was provided 0.13% of the claims in the resolution plan approved by the AA, while the FC were provided higher amount. The Department filed appeal before NCLAT challenging resolution plan *inter alia*

seeking to be treated as secured creditor in terms of section 11E of Central Excise Act, 1944 (Excise Act) considering the decision of SC in the matter of *State Tax Officer v. Rainbow papers Ltd.* The NCLAT, while upholding the order of AA, held that the dues claimed by the Department, cannot be treated as a secured creditor as the term 'secured interest' as defined under the Code excludes charges created by operation of law. It observed that dues under Excise Act would have charge only after the dues under the provisions of the Code are recovered.

Vijay Kumar Garg Vs. Deputy Commissioner of Customs & Ors. [CA(AT)(CH) (Ins.) No. 259 of 2023]

CD furnished bank guarantees (BGs) and fixed deposit receipts (FDRs) in lieu of the payment of customs duty, in favour of Deputy Commissioner of customs, to procure raw material imported at the ports of Maharashtra. The issue before the NCLAT was, whether such BGs and FDRs be returned to liquidator for distribution of assets as per section 53 of the Code. NCLAT observed that invocation of BG, in the present case, 'is not about recovery of any claim by customs authorities but is about revocation of surety provided by Corporate Debtor to customs authorities in the form of FDRs and BGs'. NCLAT, also relied on SC's judgement *State Bank of India v. Ramakrishnan & Anr.* and reiterated that 'The assets of the surety are separate from those of the CD, and proceedings against the CD may not be seriously impacted by the actions against assets of third party like surety. BG can be invoked even during moratorium period issued under section 14 of the IBC in view of the amended provision under section 14 (3)(b) of the IBC'.

SVA Family Welfare Trust & Anr. Vs. Ujaas Energy Ltd. & Ors. [CA (AT) (Ins.) No. 266 of 2023]

CoC of M/s. Ujaas Energy Limited (CD) with requisite majority of 78.04% vote had approved the resolution plan which proposed a sum of ₹ 45,00,00,000/- towards the value of CD and ₹ 23,81,75,744/- towards release of personal guarantees. AA in its order rejected the resolution plan holding that resolution plan contravenes the provision of section 30(2)(e) of the Code as CoC cannot extinguish right of another dissenting secured creditor to proceed against the PG of the CD. Against AA's order, SRA filed an appeal. The issue before NCLAT was whether a clause in the resolution plan providing for extinguishment of personal guarantee given to the FC is valid? NCLAT while allowing appeal, observed that relinquishment of personal guarantee was a commercial decision of the CoC. NCLAT relied on its own judgment in the matter of *Edelweiss Asset Reconstruction Company Ltd. v. Mr. Anuj Jain, Resolution Professional of Ballarpur Industries Ltd. & Ors.* and observed that resolution plan allocates a plan value for extinguishment of personal guarantee which has been accepted with 78.04% votes of FC. NCLAT examined SC judgment in *Lalit Kumar Jain v. Union of India* and held that the judgment cannot be read to mean as laying down law that personal guarantee never can be discharged in a resolution plan. Resolution plan submitted by the SRA did not contravene section 30(2)(e) of the Code and directed AA to pass fresh order.

Rakesh Kumar Gupta & Ors. Vs. Straight Edge Contracts Pvt. Ltd. through its Resolution Professional & Ors. [CA (AT) (Ins.) No. 651, 370, 444, 602, 651 & 1397 of 2022]

The issue for consideration was, whether AA can recall the order of admission in application filed under section 9 in case of an active collusion between the parties? NCLAT while allowing the appeal filed by RP, held that the AA has the jurisdiction to recall its own order which has been obtained by playing fraud upon it.

K. Jayant Prabhu & Anr. Vs. Pankaj Srivastava Liquidator of M/s. Samruddhi Realty Ltd. [CA (AT) (CH) (Ins.) No. 254 of 2023]

Homebuyer entered into an agreement for sale and a construction agreement with CD, for purchase of a plot and construction of residential Villa. CD had given him permissive possession of the Villa pending completion of some interior work. Meanwhile, the CD went into insolvency on the application filed by an OC. During the liquidation, the Homebuyer filed an application before AA seeking direction to the liquidator for (a) exclusion of Villa from liquidation estate, (b) for registration of the Villa and (c) completion of the remaining work. The AA dismissed the application of Homebuyer holding that no sale deed was registered, resultantly no security interest was created in favour of the Homebuyer. NCLAT dismissed the appeal of the Homebuyer and observed that agreement to sell or being in possession of the property will not confer ownership rights to him.

Giriraj Enterprises Vs. Regen Powertech Pvt. Ltd. & Ors. [IA Nos. 667, 668 & 669-2021 in CA (AT) (CH) (Ins.) No. 323-2021]

In the facts of the case, customer companies entered into supply agreement with RPPL for procurement and supply of Wind Turbine Generators, and another agreement for operation and maintenance was entered into by them with RISPL which is a wholly owned subsidiary of RPPL. Both the companies RPPL as well as RISPL were admitted into CIRP on different dates of the same NCLT bench. The AA has approved the CoC approved resolution plan. However, while the CoC approved resolution plan was under consideration before AA, CoC and customers of RISPL filed applications before AA for consolidated CIRP of the CDs. It was also prayed that a single RP should be appointed for both the CDs. However,

the applications were dismissed by AA by a common order. An appeal was filed by the customers before NCLAT for consolidation and simultaneous CIRP of both the CDs. The two issues before the NCLAT were whether (a) the customer companies are OCs; and (b) the consolidation of CIRP be done for the two CDs. The NCLAT referred to sections 5(21) and 3(6) of the Code which defines 'operational debt' as 'claim' in respect of the provision of goods and services which in turn is the 'right to remedy for breach of contract'. It relied on the judgment of the Hon'ble SC in the matter of *Consolidated Construction Consortium Limited v. Hitro Energy Solutions Pvt. Ltd.* and held that purchasers of goods and services will be treated as OCs under the Code since an 'Operational Debt' will include a debt arising from a contract in relation to the supply of goods and services from the CD.

On the issue of consolidation of CIRP of CDs, the NCLAT took into account the criteria for consolidation viz., interlinking between the two CDs in terms of economic unit, assets, liabilities, accounts, finances, compliances, control and such other factors. It observed that both the CDs had interconnected businesses and RISPL was created for operational convenience of RPPL. It clarified that intent of the Code is such that the 'synergy and value addition of the assets ought to be the driving force'. Reference was also made to the Report of the Mediator dated April 23, 2021, wherein the Mediator had observed that there was unanimity that the resolution plan must be one for both the CDs and the efforts must be to identify a single entity for purchase of both. NCLAT also referred to the recommendations of the Working Group constituted by IBBI for facilitation of Group Insolvency Resolution and the executive summary published by the Ministry of Corporate Affairs (MCA). It concurred with the view that adoption of single entity approach in Group Insolvency create divergence in the economic realities of the group. Thus, the view implied impending need for Group insolvency for value maximization. NCLAT clarified that 'there is no exercise of 'Equity Jurisdiction' in ordering Consolidation'. Reliance was placed on its decision in the matter of *Radico Khaitan Ltd. v. BT & FC Pvt. Ltd. & Ors.* and *Oase Asia Pacific Pte Limited v. Axis Bank and other Financial Creditors* and reiterated that because the parameters for consolidation have been fulfilled, the CDs can be treated as 'single economic unit'.

Agarwal Polysacks Limited Vs. K.K. Agro Foods and Storage Limited [CA(AT)(Ins.) No. 1126 of 2022]

The AA rejected FC's application under section 7 for failing to prove the financial debt based on written financial contract. NCLAT while allowing the appeal filed by FC held that the financial debt can be proved from other relevant documents, and it is not mandatory that written financial contract can be only basis for proving the financial debt.

Nitin Pannalal Shah & Ors. Vs. Vipul H. Raja [CA (AT) (Ins.) No. 379 of 2021 & I.A No. 2204 of 2021]

Suspended director of the CD filed an appeal against admission order passed by AA on the ground that it is a stockbroker and not a corporate person under the Code. NCLAT, while setting aside the AA's order, held that that stockbrokers and financial service providers, are excluded from the scope of 'corporate person' in terms of section 3(7) of the Code. NCLAT while allowing the appeal observed, 'Legislature was well aware of the intricate nature of the financial services and have purposely kept Financial Service Providers out of the procedure prescribed under the Code with exception of Notification on Financial Service Provider under Section 227 by the Central Government'.

Beetel Teletech Ltd. Vs. Arcelia IT Services Pvt. Ltd. [CA(AT)(Ins.) No. 1459 of 2022]

An appeal was filed against the order of AA dismissing section 9 application holding that the OC failed to establish the minimum threshold limit of ₹ 1 crore. On appeal by the OC, the NCLAT while setting aside the order of AA, observed that although the default was committed prior to section 10A period, the liability continued during the section 10A period, interest accrued during such period should not be ignored while computing the threshold for initiating CIRP.

Dauphin Cables Private Limited Vs. Praveen Bansal [CA (AT)(Ins.) No. 971, 972 & 973 of 2023]

The issue before NCLAT was whether shareholders of a CD can seek from RP, the details of documents and calculation based on which FC's claim was admitted? NCLAT, while dismissing the appeal filed by the shareholder of CD, held that AA is fully empowered for calling information or evidence from the parties and clarified that the scheme of the Code does not indicate that all information collected by RP has to be shared with shareholders.

IDBI Trusteeship Services Limited Vs. Direct Media Distribution Ventures Private Limited [CA (AT) (Ins.) No. 850 of 2023]

CD issued non-convertible debentures (NCDs) for which the appellant (FC) acted as debenture trustee. On May 22, 2020, debentures fell due for redemption against which part of the sums were realised during September, 2020 in the form of shares. FC again sent a demand notice dated May 13, 2022 for the remaining sums due under the NCDs. FC filed section 7 application for the non-payment of the NCDs, which was dismissed by AA on the ground of bar under section 10A of

the Code. In this appeal filed by the FC, the NCLAT observed that on May 22, 2020 the NCDs fell due for redemption and CD defaulted in making payment of the principal amount and redemption premium, therefore the date of default is hit by embargo under section 10A.

Kerala State Co-operative Bank Limited Vs. Mr. Aravindhakshan Nair R & Ors. [CA(AT)(CH)(Ins.) No. 276 of 2023]

The secured creditor challenged the auction sale of assets of CD by the liquidator, for want of maximisation of value. The AA rejected this request. The secured creditor filed an appeal before NCLAT on the ground that the liquidator has proceeded with independent decisions overlooking the matters of maximising the value of the assets and has sold the assets at a diminished 'Reserve Price' without obtaining the requisite approval from Stakeholders' Consultation Committee (SCC) and did not adhere to regulations 32 and 32A of the Liquidation Regulations. The NCLAT dismissed the appeal holding that the said diminished reverse price was well within the knowledge of the FC and it never objected such reduction during the SCC meeting and observed that the liquidator had followed the 'Mode of Sale' as specified under Schedule I of the Regulations.

Soneko Marketing Pvt. Ltd. & Ors. Vs. Girish Sriram Juneja & Ors. [CA (AT) (Ins.) No. 807, 607, 724 & 735 of 2023 & I.A. No. 2721 of 2023]

Unsuccessful resolution applicant objected to the approval of resolution plan on the ground that CoC has approved the resolution plan before the Competition Commission of India (CCI) granted its approval. The aforesaid objection was rejected by AA, against which an appeal was filed before NCLAT. The NCLAT while dismissing the appeal held that the pre-condition is mandatory, however the timeline to obtain approval is directory i.e. the approval from CCI can be obtained after approval of CoC but before AA's approval on the resolution plan.

Saptarshi Nath & Ors. Vs. Kapil Dev Taneja, RP of Exit 10 Marketing Pvt. Ltd. [CA(AT)(Ins.) No. 1356 of 2022]

AA directed the erstwhile directors to refund certain amount as they had indulged in preferential transaction. Ex-directors of the CD challenged the orders of AA before NCLAT on the ground that no such direction could be issued to the erstwhile directors under section 44(1)(d) of the Code. The NCLAT while allowing the appeal observed that as per section 44(1)(d) direction can be given to a person who has received benefits from the CD, whereas creditors were benefited in the preference transactions and not the CD. As such in the facts of the case, direction could be issued against the creditors not the directors.

Vinod Kumar Kothari Vs. Sneha Techno Equipments Private Limited [CA(AT)(Ins.) No. 316 of 2023 & IA No. 1079 of 2023]

AA held that the forfeiture of earnest money deposit (EMD) by liquidator is not appropriate and directed him to return the amount of EMD with interest. While dismissing the appeal filed by the liquidator, NCLAT observed that the amendment dated July 25, 2019 was in vogue as on July 8, 2020. As such the terms and conditions provided by the liquidator in the expression of interest for repayment of the sale consideration; overlooking the terms and conditions as envisage in Schedule I of the Liquidation Regulations, was untenable.

National Company Law Tribunal

In the matter of Go (Airlines) India Ltd. [I.A. No.2850, 2944, 3048, 3254, 3277 & 32820 of 2023 in CP (IB)-264(PB)/2023]

The aircraft lessors have filed the IAs before AA for direction to CD to refrain the CD from operating or flying the aircrafts and prayed for granting necessary permissions to conduct inspection of the four engines. AA while disposing of the IAs held that in terms of section 14(1)(d) moratorium has been imposed on the CD and that physical possession of aircrafts are with CD, as such it would not be within the rights of aircraft lessors to claim possession of the aircrafts/engines. Further, it was observed that as long as the aircrafts are registered, they can be used for flying to keep CD as a going concern.

Inquest Fintech Pvt. Ltd. Vs. Ms. Maya Gupta Liquidator of Rain Automotive India Pvt. Ltd. [IA-35, 36 & 57/2022 in CP No. (IB)-1095(ND)/2019]

During liquidation, the liquidator filed three separate avoidance applications under section 45, 50 and 66. Later, with the approval of the SCC, the liquidator assigned the actionable claims (i.e. PUFÉ transactions) for a total consideration of ₹ 50,000/- after following the bidding process. Thereafter, a deed of assignment for assignment of these actionable claims was entered into between the liquidator and the assignee. When the assignee filed three IAs before AA for implementation in the assigned matters, the AA denied the implementation and *inter-alia* observed that (a) as there will be room for arbitrariness and the liquidator may assign not readily realisable assets (NRRRA) for an arbitrary or meagre amount in the absence of adjudication of PUFÉ proceedings by AA, the proceeds of PUFÉ proceedings can only be recovered once such proceedings are concluded or determined and the entitlement of the CD is crystallised, (b) RP/ liquidator cannot assign as section 43, 45, 50 and 66 talks of application by RP or liquidator only and there is no concept of assignee, (c) the intent

behind PUFÉ is not recovery but maximization of the value of assets of CD and if third party is allowed to pursue, it will become a recovery forum and the liquidator herein by assigning the debt / NRRRA of the CD total of ₹ 26 crore for a meagre consideration of ₹ 50,000/- is facilitating the enrichment of assignee, if pending three applications are allowed by AA, and (d) a dispute between assignee and respondent of PUFÉ 'is de hors the insolvency proceedings' and accordingly, AA has no jurisdiction until the PUFÉ proceedings are concluded.

IBBI

Disciplinary Orders

During the quarter, the Disciplinary Committee/Authorised Officer of the IBBI disposed of 11 show cause notices issued to the IPs/Registered Valuers (RVs)/Registered Valuer Entities for contravention of the provisions of law by passing suitable orders.

Corporate Processes

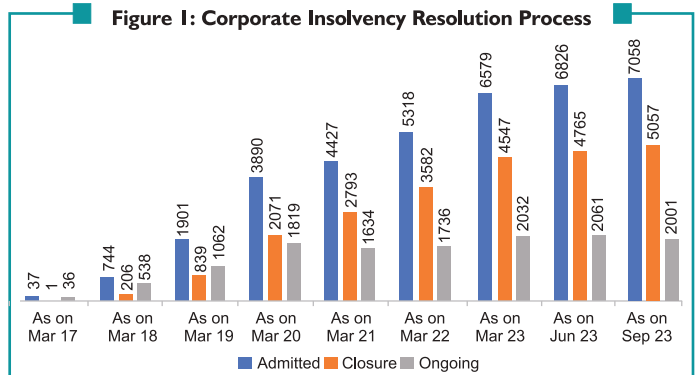
The data provided in this section regarding corporate processes is provisional, as it is getting revised on a continuous basis depending on the flow of updated information as received from IPs or the information in respect of process changes. For example, a process may ultimately yield an order for liquidation even after approval of resolution plan or may ultimately yield resolution plan even after an order for liquidation.

Insolvency Resolution

The provisions relating to CIRP came into force on December 1, 2016. The details of CIRP cases admitted and closed, as at the end of September, 2023 are given in Table I and Figures 1-2. Sectoral distribution of CDs under CIRP is presented in Figures 3-6.

Table I: Details of CIRP cases as on September 30, 2023

| CIRP cases | Number |
|---------------------------------------|--------|
| Admitted | 7058 |
| Withdrawn under section 12A | 947 |
| Closed on appeal or review or settled | 1053 |
| Resolution plans approved | 808 |
| Liquidation orders passed | 2249 |
| Ongoing CIRP cases | 2001 |



Note: These CIRPs are in respect of 6784 CDs. This excludes 1 CD which has moved directly from Board for Industrial and Financial Reconstruction (BIFR) to resolution. Source: Compilation from website of the NCLT and filing by IPs.

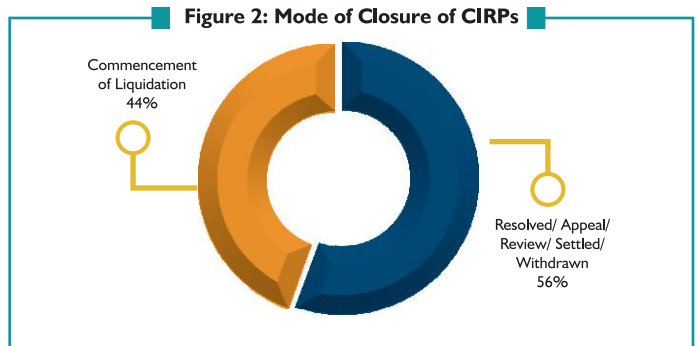


Figure 3: Sectoral Distribution of CIRPs: Admission

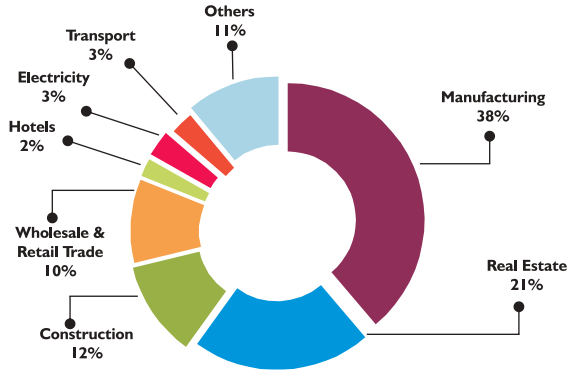


Figure 4: Sectoral Distribution of CIRPs: Appeal/Review/ Settled/Withdrawn

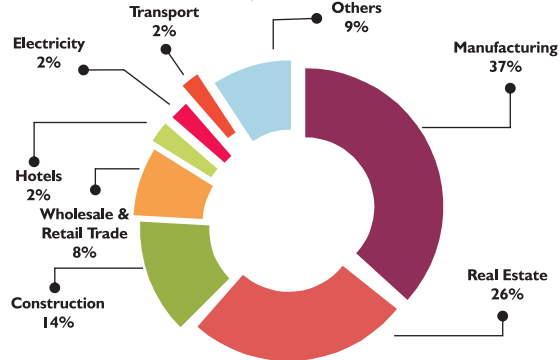


Figure 5: Sectoral Distribution of CIRPs: Resolution Plans

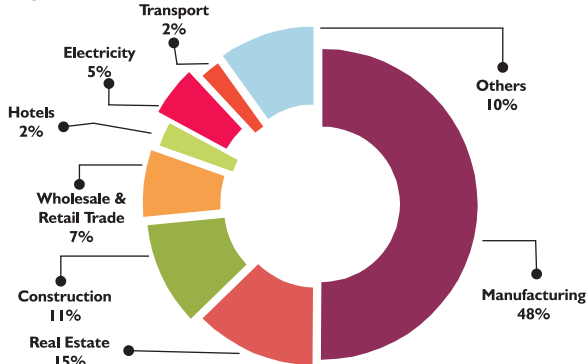
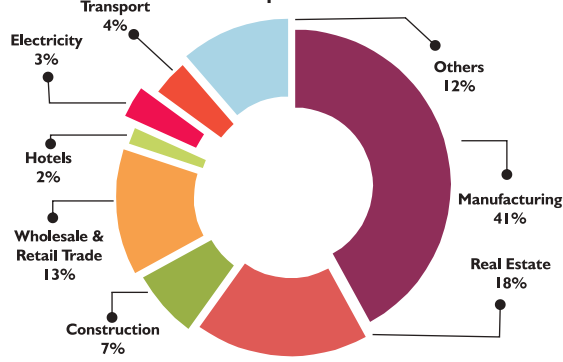


Figure 6: Sectoral Distribution of CIRPs: Commencement of Liquidation



The distribution of stakeholder-wise initiation of CIRPs is presented in Table 2 and Figure 7. OCs triggered 49.46% of the CIRPs, followed by about 44.50% by FCs and remaining by the CDs. It is observed that about 80% of CIRPs having an underlying default of less than ₹ 1 crore, were initiated on applications by OCs

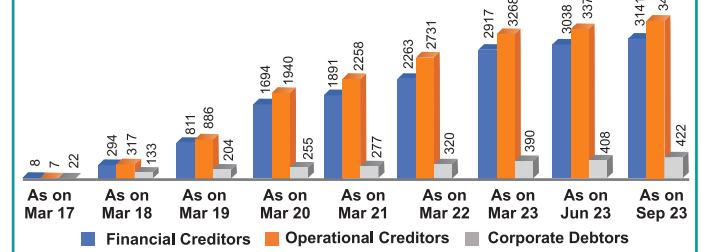
while about 80% of CIRPs having an underlying default of more than ₹ 10 crore were initiated on applications by FCs. The share of CIRPs initiated by CDs is declining over time.

Table 2: Year-wise and Stakeholder-wise Initiation of CIRPs

| Period | CIRP initiated by | | | Total |
|-------------------|-------------------|-------------|------------|-------------|
| | FC | OC | CD | |
| 2016 - 17 | 8 | 7 | 22 | 37 |
| 2017 - 18 | 286 | 310 | 111 | 707 |
| 2018 - 19 | 517 | 569 | 71 | 1157 |
| 2019 - 20 | 883 | 1054 | 51 | 1988 |
| 2020 - 21 | 197 | 318 | 22 | 537 |
| 2021 - 22 | 372 | 473 | 43 | 888 |
| 2022 - 23 | 654 | 537 | 70 | 1261 |
| April - Jun, 2023 | 121 | 108 | 18 | 247 |
| Jul - Sep, 2023 | 103 | 115 | 14 | 232 |
| Total | 3141 | 3491 | 422 | 7054 |

Note: This excludes four cases wherein applications filed by the RBI were admitted u/s 227 of the Code.

Figure 7: Stakeholder-wise Distribution and Trends of Initiation of CIRPs



Note: This excludes four cases wherein applications filed by the RBI were admitted u/s 227 of the Code.

The outcome of CIRPs, initiated stakeholder-wise, as on September 30, 2023 is presented in Table 3. Of the OC initiated CIRPs that were closed, more than 53% were closed on appeal, review, or withdrawal. Such closures accounted for more than 70% of all closures by appeal, review, or withdrawal.

Table 3: Outcome of CIRPs, initiated Stakeholder-wise, as on Sep 30, 2023

| Outcome | Description | CIRPs initiated by | | | | Total |
|------------------------------------|----------------------------------------------------|--------------------|-------------|-------------|------------|----------|
| | | FCs | OCs | CDs | FISPs | |
| Status of CIRPs | Closure by Appeal/Review/Settled | 320 | 725 | 8 | 0 | 1053 |
| | Closure by Withdrawal u/s 12A | 260 | 679 | 8 | 0 | 947 |
| | Closure by Approval of Resolution Plan | 462 | 281 | 62 | 3 | 808 |
| | Closure by Commencement of Liquidation | 1042 | 979 | 228 | 0 | 2249 |
| | Ongoing | 1057 | 827 | 116 | 1 | 2001 |
| | Total | | 3141 | 3491 | 422 | 4 |
| CIRPs yielding | Realisation by Creditors as % of Liquidation Value | 177.5 | 129.4 | 148.1 | 160.4 | 168.5 |
| Resolution Plans | Realisation by Creditors as % of their Claims | 33.8 | 18.3 | 18.4 | 42.4 | 31.9 |
| | Average Time taken for Closure of CIRP | 659 | 662 | 563 | 632 | 653 |
| CIRPs yielding Liquidations | Liquidation Value as % of Claims | 5.8 | 9.3 | 8.6 | - | 6.5 |
| | Average Time taken for Closure of CIRP | 493 | 468 | 394 | - | 472 |

Resolution Plans

Till FY 2022-23, 682 CIRPs had yielded resolution plans. The creditors realised ₹ 2.88 lakh crore under the resolution plans, in these cases. The liquidation value of the assets available with these CDs, when they entered the CIRP, was at ₹ 1.73 lakh crore against the total claims of the creditors worth ₹ 9.03 lakh crore. The realisation to the creditors was 31.91% and 166.49% as against their admitted claims and liquidation value, respectively.

Till June, 2023, 720 CIRPs had yielded resolution plans. The creditors realised ₹ 2.92 lakh crore under the resolution plans, in these cases. The liquidation value of the assets available with these CDs, when they entered the CIRP, was at ₹ 1.74 lakh crore against the total claims of the creditors worth ₹ 9.23 lakh crore. The realisation to the creditors was 31.62% and 167.18% as against their admitted claims and liquidation value, respectively.

During the quarter July – September, 2023, 7 more CIRPs were reported as yielding resolution plans, pertaining to the prior period, as presented in Part A of Table 4. 85 CIRPs yielded resolution plans during the quarter July – September, 2023, the details of which are presented in Part B of Table 4. Four CDs which had earlier yielded resolution have since either moved into liquidation or the process has been ordered to be restarted, taking the total resolution plans approved to 808 till September, 2023.

Till September 30, 2023, the creditors have realised ₹ 3.16 lakh crore under the resolution plans. The fair value and liquidation value of the assets available with

these CDs, when they entered the CIRP, was estimated at ₹ 2.92 lakh crore and ₹ 1.87 lakh crore, respectively, as against the total claims of the creditors worth ₹ 9.92 lakh crore. The creditors have realised 168.54% of the liquidation value and 86.31% of the fair value (based on 713 cases where fair value has been estimated). The haircut for creditors relative to the fair value of assets was around 14%, while relative to their admitted claims is of around 68%. Furthermore, this realisation does not include the CIRP cost, and many probable future realisations such as equity, realisation from corporate and personal guarantees, funds infused into the CD including capital expenditure by the resolution applicants, and recovery from avoidance applications.

Table 4: CIRPs Yielding Resolution Plans

| Sl. | Name of CD | Defunct (Yes/No) | Date of Commencement of CIRP | Date of Approval of Resolution Plan | CIRP initiated by | Amount (in ₹ crore) | | | | Realisable Value as % of | | |
|------------------------------------------------------------|---------------------------------------------------|------------------|------------------------------|-------------------------------------|-------------------|-----------------------|-------------------|------------|------------------------|--------------------------|-------------------|------------|
| | | | | | | Total Admitted Claims | Liquidation Value | Fair Value | Total Realisable Value | Admitted Claims | Liquidation Value | Fair Value |
| Part A: Reported for Prior Period (Till June, 2023) | | | | | | | | | | | | |
| 1 | Maa Anandamoyee Himghar Private Limited | No | 03-10-19 | 19-02-21 | FC | | | | | | | |
| 2 | Linus Agroventures Private Limited | No | 19-02-20 | 25-11-21 | FC | 55.79 | 5.23 | 7.46 | 6.82 | 12.22 | 130.31 | 91.37 |
| 3 | Suzuki Textiles Limited | Yes | 31-01-22 | 18-01-23 | OC | 323.78 | 22.63 | 29.77 | 30.44 | 9.40 | 134.51 | 102.24 |
| 4 | Sintex Industries Limited | No | 06-04-21 | 10-02-23 | FC | 7816.32 | 3632.81 | 5187.68 | 3588.16 | 45.91 | 98.77 | 69.17 |
| 5 | Jeevan Polymers Private Limited | No | 19-04-22 | 21-04-23 | OC | 82.38 | 21.15 | 26.79 | 22.98 | 27.90 | 108.67 | 85.81 |
| 6 | Enaar Steel & Alloy Private Limited | Yes | 01-07-22 | 27-06-23 | CD | 16.08 | 4.39 | 6.28 | 10.23 | 63.63 | 232.90 | 163.03 |
| 7 | M.S. Mining and Consultancy Pvt Ltd | No | 17-03-20 | 30-06-23 | OC | 10.83 | 2.13 | 3.35 | 3.05 | 28.17 | 143.35 | 91.09 |
| Part B: For July – September, 2023 | | | | | | | | | | | | |
| 1 | Rite Bite Trading Pvt. Ltd. | No | 02-06-22 | 04-07-23 | OC | 79.14 | 0.68 | 0.71 | 1.05 | 1.33 | 154.23 | 147.33 |
| 2 | Indu Projects Limited | No | 25-02-19 | 05-07-23 | FC | 4143.81 | 220.90 | 394.12 | 400.00 | 9.65 | 181.08 | 101.49 |
| 3 | Alkas Spinning Mills Private Limited | Yes | 05-05-20 | 05-07-23 | OC | 10.24 | 3.75 | 4.45 | 3.88 | 37.94 | 103.62 | 87.18 |
| 4 | Premshree Devcon Private Limited | No | 26-06-19 | 06-07-23 | OC | 15.21 | 5.26 | 7.16 | 11.05 | 72.63 | 209.95 | 154.28 |
| 5 | Lakshmi Transcon Pvt. Ltd. | Yes | 08-03-22 | 07-07-23 | OC | 24.37 | 4.02 | 4.98 | 3.68 | 15.10 | 91.54 | 73.92 |
| 6 | Malar Energy And Infrastructure Private Limited | Yes | 05-07-19 | 10-07-23 | FC | 68.66 | 40.55 | 57.35 | 21.02 | 30.62 | 51.85 | 36.66 |
| 7 | S&H Gears Private Limited | Yes | 09-01-20 | 10-07-23 | FC | 17.88 | 15.16 | 20.77 | 17.18 | 96.07 | 113.34 | 82.72 |
| 8 | Jain Shoppers Private Limited | Yes | 17-02-22 | 10-07-23 | OC | 0.19 | 0.18 | 0.36 | 0.12 | 65.63 | 68.49 | 34.34 |
| 9 | Capricorn Food Products India Limited | No | 13-11-20 | 12-07-23 | OC | 227.68 | 99.31 | 134.69 | 79.44 | 34.89 | 80.00 | 58.98 |
| 10 | RPA Ferro-Industries Private Limited | No | 15-03-22 | 12-07-23 | FC | 111.08 | 38.67 | 52.88 | 25.11 | 22.60 | 64.93 | 47.48 |
| 11 | Slogan Infotech Private Limited | No | 15-07-22 | 12-07-23 | FC | 1.24 | 0.02 | 0.02 | 0.96 | 77.49 | 5151.88 | 5151.88 |
| 12 | Polycot India Private Limited | Yes | 02-12-20 | 13-07-23 | FC | 145.93 | 4.30 | 6.18 | 7.85 | 5.38 | 182.29 | 126.99 |
| 13 | Shri Krishna Prasadam Limited | Yes | 14-03-22 | 14-07-23 | FC | 2.13 | 1.52 | 1.52 | 2.13 | 100.00 | 140.00 | 139.98 |
| 14 | Yashasvi Yarns Limited | No | 26-04-22 | 17-07-23 | FC | 246.83 | 16.80 | 25.25 | 28.49 | 11.54 | 169.60 | 112.81 |
| 15 | Greatweld Engineering Private Limited | Yes | 29-01-21 | 18-07-23 | OC | 42.85 | 5.47 | 6.79 | 5.05 | 11.79 | 92.46 | 74.39 |
| 16 | Sivana Realty Private Limited | No | 11-08-20 | 19-07-23 | OC | 459.43 | 178.25 | 35.06 | 303.08 | 65.97 | 170.03 | 864.47 |
| 17 | Arena Superstructures Private Limited | No | 29-10-20 | 19-07-23 | FC | 781.03 | 151.00 | 224.93 | 578.86 | 74.12 | 383.34 | 257.35 |
| 18 | Opal Luxury Time Products Limited | Yes | 03-08-21 | 20-07-23 | OC | 21.32 | 0.00 | 0.00 | 1.56 | 7.32 | - | - |
| 19 | Dharti Dredging And Infrastructure Limited | No | 05-04-22 | 20-07-23 | FC | 408.74 | 58.55 | 97.10 | 56.81 | 13.90 | 97.03 | 58.51 |
| 20 | Lavasa Corporation Limited | No | 30-08-18 | 21-07-23 | OC | 6642.39 | 735.00 | 1742.00 | 1603.54 | 24.14 | 218.17 | 92.05 |
| 21 | Warasgaon Asset Maintenance Limited | No | 20-12-18 | 21-07-23 | OC | | | | | | | |
| 22 | Dasve Convention Center Limited | No | 05-02-19 | 21-07-23 | OC | | | | | | | |
| 23 | Warasgaon Power Supply Limited | No | 08-02-21 | 21-07-23 | CD | | | | | | | |
| 24 | Dasve Retail Limited | No | 08-02-21 | 21-07-23 | CD | | | | | | | |
| 25 | Sutlej Housing Private Limited | No | 25-09-19 | 21-07-23 | OC | 164.00 | 39.24 | 60.82 | 115.20 | 70.24 | 293.58 | 189.42 |
| 26 | Bindal Fashion Private Limited | Yes | 08-07-22 | 21-07-23 | OC | 11.85 | 0.41 | 0.78 | 0.33 | 2.81 | 81.99 | 42.58 |
| 27 | Xion Gems & Jewellers Private Limited | No | 13-10-21 | 25-07-23 | FC | 2.25 | 0.01 | 0.21 | 0.07 | 3.11 | 791.16 | 32.58 |
| 28 | Fourpol Electricals Private Limited | No | 04-10-21 | 26-07-23 | FC | 0.78 | 0.06 | 0.06 | 0.06 | 7.67 | 105.04 | 98.12 |
| 29 | Rathi Graphic Technologies Limited | No | 03-02-20 | 27-07-23 | FC | 249.74 | 8.12 | 11.11 | 7.78 | 3.12 | 95.91 | 70.06 |
| 30 | Steelco Gujarat Limited | No | 31-12-20 | 31-07-23 | FC | 169.51 | 82.60 | 106.71 | 84.55 | 49.88 | 102.36 | 79.23 |
| 31 | Sewa Steels Pvt. Ltd. | Yes | 25-05-22 | 31-07-23 | OC | 36.18 | 7.60 | 9.60 | 9.24 | 25.54 | 121.56 | 96.21 |
| 32 | Safeco Hygiene Films Private Limited | No | 01-08-22 | 31-07-23 | FC | 37.97 | 31.67 | 44.07 | 37.73 | 99.36 | 119.15 | 85.61 |
| 33 | Shree Vaishnav Casting Private Limited | Yes | 11-03-19 | 31-07-23 | OC | 270.46 | 50.20 | 76.28 | 45.60 | 16.86 | 90.84 | 59.78 |
| 34 | Abloom Infotech Private Limited | No | 11-03-21 | 01-08-23 | FC | 50.72 | 46.19 | 58.22 | 41.39 | 81.61 | 89.60 | 71.09 |
| 35 | Suryodaya Realtors Private Limited | Yes | 30-04-21 | 02-08-23 | CD | 9.65 | 3.66 | 5.03 | 0.64 | 6.58 | 17.38 | 12.63 |
| 36 | Sampark Land And Builders Private Limited | Yes | 30-04-21 | 02-08-23 | CD | | | | | | | |
| 37 | Sampark Land Developers Private Limited | Yes | 30-04-21 | 02-08-23 | CD | 58.92 | 12.44 | 17.32 | 58.14 | 98.68 | 467.39 | 335.76 |
| 38 | Forge India Pvt Ltd | No | 12-01-22 | 04-08-23 | OC | 69.22 | 11.35 | 15.24 | 11.80 | 17.05 | 103.92 | 77.45 |
| 39 | Bhandari Deepak Industries Private Limited | Yes | 19-11-19 | 04-08-23 | OC | 24.60 | 9.73 | 13.35 | 13.08 | 53.18 | 134.41 | 98.02 |
| 40 | Broadband Pacenet (India) Private Limited | No | 10-03-22 | 04-08-23 | FC | 340.39 | 0.07 | 0.08 | 0.04 | 0.01 | 55.70 | 52.04 |
| 41 | Kings Electronics Private Limited | Yes | 04-11-19 | 07-08-23 | OC | 167.72 | 33.31 | 47.57 | 39.92 | 23.80 | 119.83 | 83.91 |
| 42 | Trans Globe Textiles Limited | Yes | 25-10-21 | 07-08-23 | OC | 1.26 | 0.00 | 0.00 | 0.05 | 4.34 | 1167.05 | 1167.05 |
| 43 | Medirad Tech India Limited | No | 08-12-21 | 09-08-23 | FC | 91.75 | 40.52 | 50.73 | 44.50 | 48.51 | 109.84 | 87.73 |
| 44 | Innovative Tyres & Tubes Limited | No | 28-03-22 | 09-08-23 | OC | 131.31 | 41.46 | 80.41 | 42.25 | 32.18 | 101.89 | 52.54 |
| 45 | Global Cold Chain Solutions India Private Limited | Yes | 27-04-22 | 09-08-23 | OC | 3.23 | 0.57 | 0.69 | 1.15 | 35.48 | 200.65 | 167.24 |
| 46 | Meenakshi Energy Limited | No | 07-11-19 | 10-08-23 | FC | 4592.34 | 1100.00 | 2150.00 | 1346.08 | 29.31 | 122.37 | 62.61 |
| 47 | Mahendra Investment Advisors Private Limited | Yes | 28-04-21 | 10-08-23 | FC | 217.64 | 14.27 | 17.38 | 6.10 | 2.80 | 42.74 | 35.10 |
| 48 | Sandwoods Infratech Projects Private Limited | No | 25-10-21 | 10-08-23 | OC | 168.90 | 3.89 | 6.25 | 126.06 | 74.63 | 3239.75 | 2015.41 |
| 49 | Steamline Industries Limited | No | 13-03-19 | 11-08-23 | FC | 163.00 | 24.50 | 43.08 | 24.82 | 15.23 | 101.30 | 57.61 |
| 50 | E&G Global Estates Limited | Yes | 24-06-20 | 11-08-23 | FC | 23.22 | 12.25 | 15.24 | 18.83 | 81.10 | 153.66 | 123.56 |
| 51 | Srei Equipment Finance Limited | No | 08-10-21 | 11-08-23 | RBI | 33050.43 | 4910.23 | 7983.23 | 13784.76 | 41.71 | 280.74 | 172.67 |
| 52 | Srei Infrastructure Finance Limited | No | 08-10-21 | 11-08-23 | RBI | | | | | | | |
| 53 | Ashiana Landcraft Realty Private Limited | Yes | 11-01-22 | 11-08-23 | FC | 1228.61 | 122.54 | 166.60 | 343.55 | 27.96 | 280.36 | 206.21 |
| 54 | General Composite Private Limited | No | 03-09-19 | 11-08-23 | FC | 14.86 | 10.84 | 14.55 | 11.55 | 77.73 | 106.56 | 79.39 |
| 55 | KGS Sugar And Infra Corporation Limited | Yes | 10-10-19 | 11-08-23 | FC | 556.78 | 85.82 | 118.51 | 133.42 | 23.96 | 155.47 | 112.58 |
| 56 | Shivansh Diamond Private Limited | No | 10-03-21 | 17-08-23 | FC | 101.83 | 1.06 | 6.26 | 2.23 | 2.19 | 209.64 | 35.60 |
| 57 | H L Buildwell Private Limited | No | 15-02-22 | 17-08-23 | FC | 19.81 | 7.65 | 10.42 | 9.25 | 46.69 | 120.85 | 88.78 |

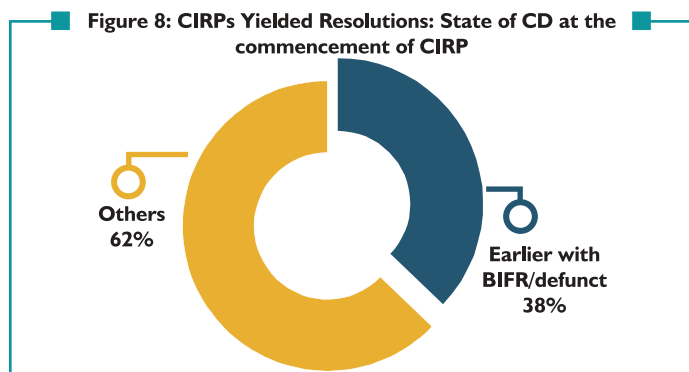
| Sl. | Name of CD | Defunct (Yes/No) | Date of Commencement of CIRP | Date of Approval of Resolution Plan | CIRP initiated by | Amount (in ₹ crore) | | | | Realisable Value as % of | | |
|---------------------------------------|---------------------------------------------------------|------------------|------------------------------|-------------------------------------|-------------------|-----------------------|-------------------|------------------|------------------------|--------------------------|-------------------|---------------|
| | | | | | | Total Admitted Claims | Liquidation Value | Fair Value | Total Realisable Value | Admitted Claims | Liquidation Value | Fair Value |
| 58 | Net 4 India Limited | Yes | 08-03-19 | 18-08-23 | FC | 472.73 | 11.00 | 17.80 | 17.79 | 3.76 | 161.76 | 99.97 |
| 59 | Midland Polymers Limited | Yes | 06-01-23 | 18-08-23 | FC | 2.85 | 2.64 | 4.70 | 2.32 | 81.30 | 87.91 | 49.27 |
| 60 | JMT Auto Limited | No | 23-02-22 | 21-08-23 | FC | 220.77 | 105.03 | 144.20 | 124.04 | 56.18 | 118.10 | 86.02 |
| 61 | UBS Publishers Distributors Pvt Ltd | No | 21-10-22 | 21-08-23 | OC | 61.35 | 1.99 | 2.66 | 2.49 | 4.05 | 124.74 | 93.59 |
| 62 | SNS Laboratories Limited | Yes | 11-08-22 | 22-08-23 | OC | 0.99 | 0.36 | 0.45 | 0.54 | 54.90 | 151.45 | 121.24 |
| 63 | Jaycon Infrastructure Limited | No | 07-10-19 | 23-08-23 | FC | 128.71 | 11.53 | 22.96 | 11.97 | 9.30 | 103.79 | 52.13 |
| 64 | Swati Health And Education Services Private Ltd. | Yes | 04-03-22 | 24-08-23 | FC | 35.05 | 24.75 | 33.13 | 23.57 | 67.27 | 95.24 | 71.15 |
| 65 | Subi Chemicals Pvt Ltd | No | 25-11-22 | 25-08-23 | FC | 194.86 | 2.65 | 4.10 | 2.31 | 1.19 | 87.30 | 56.33 |
| 66 | UCAL Products Private Limited | Yes | 10-12-21 | 25-08-23 | FC | 13.82 | 0.55 | 1.49 | 0.65 | 4.73 | 118.96 | 43.82 |
| 67 | G B J Hotels Private Limited | No | 19-04-22 | 25-08-23 | FC | 169.87 | 203.25 | 260.99 | 169.87 | 100.00 | 83.57 | 65.09 |
| 68 | Vaasan Medical Center (India) Private Limited | No | 01-11-21 | 25-08-23 | FC | | | | | | | |
| 69 | Bhumya Tea Company Private Limited | No | 05-04-22 | 28-08-23 | FC | 390.37 | 12.83 | 18.36 | 20.50 | 5.25 | 159.77 | 111.63 |
| 70 | Arhan Infratech Private Limited | No | 06-09-19 | 30-08-23 | OC | 42.52 | 1.08 | 2.06 | 0.00 | 0.00 | 0.00 | 0.00 |
| 71 | Radiant Castings Private Limited | No | 24-08-22 | 30-08-23 | FC | 100.93 | 42.14 | 64.05 | 30.00 | 29.72 | 71.20 | 46.84 |
| 72 | CPS Steel India Private Limited | Yes | 25-04-22 | 31-08-23 | FC | 33.70 | 1.41 | 1.98 | 1.90 | 5.64 | 135.15 | 96.15 |
| 73 | Metrik Infraprojects Private Limited | Yes | 16-04-21 | 08-09-23 | OC | 50.27 | 0.24 | 0.35 | 29.96 | 59.60 | 12705.74 | 8475.02 |
| 74 | Oliver Engineering Pvt. Ltd. | No | 26-04-22 | 12-09-23 | FC | 806.53 | 99.37 | 153.80 | 110.55 | 13.71 | 111.25 | 71.88 |
| 75 | Cengres Tiles Limited | Yes | 27-04-22 | 13-09-23 | FC | 100.17 | 49.88 | 68.54 | 44.20 | 44.13 | 88.61 | 64.49 |
| 76 | Cura Technologies Limited | Yes | 16-03-22 | 14-09-23 | OC | 13.96 | 0.01 | 0.01 | 0.67 | 4.80 | 6894.00 | 6894.00 |
| 77 | Superdrawn Wire Industries Private Limited | No | 16-03-22 | 19-09-23 | FC | 55.31 | 1.30 | 2.08 | 1.75 | 3.16 | 134.63 | 84.00 |
| 78 | Gujarat Hydrocarbons And Power Sez Limited | Yes | 18-11-20 | 19-09-23 | FC | 2363.54 | 206.68 | 306.34 | 131.43 | 5.56 | 63.59 | 42.90 |
| 79 | BKM Industries Limited | Yes | 30-12-20 | 19-09-23 | FC | 193.93 | 34.72 | 46.99 | 34.31 | 17.69 | 98.82 | 73.02 |
| 80 | VME Properties Private Limited | Yes | 02-09-21 | 20-09-23 | FC | 181.53 | 11.51 | 15.34 | 14.50 | 7.99 | 126.03 | 94.52 |
| 81 | Uniply Decor Limited | Yes | 11-03-22 | 20-09-23 | FC | 45.07 | 38.03 | 49.53 | 27.50 | 61.03 | 72.32 | 55.53 |
| 82 | Saalim Shoes Private Limited | Yes | 22-09-20 | 20-09-23 | OC | 188.14 | 59.00 | 77.00 | 121.17 | 64.40 | 205.37 | 157.36 |
| 83 | BBN Foods Hi-Tech Processing Private Limited | Yes | 17-12-19 | 21-09-23 | OC | 5.66 | 0.48 | 0.62 | 0.99 | 17.47 | 204.72 | 159.00 |
| 84 | Action Ispat And Power Private Limited | Yes | 23-03-22 | 26-09-23 | FC | 3741.40 | 212.09 | 293.37 | 256.00 | 6.84 | 120.70 | 87.26 |
| 85 | Leela Trade Steel And Commodities India Private Limited | No | 18-02-21 | 27-09-23 | FC | 153.48 | 30.57 | 40.94 | 79.27 | 51.65 | 259.30 | 193.63 |
| Total (July - September, 2023) | | | | | | 65246.57 | 9456.75 | 15579.98 | 20771.31 | 33.01 | 219.64 | 133.32 |
| Total (Till September, 2023) | | | | | | 991815.55 | 187460.63 | 292433.62 | 315937.20 | 31.85 | 168.54 | 86.31* |

Notes:

- In 808 resolved CDs, 200 applications in respect of avoidance transactions to the tune of ₹ 1.13 lakh crore have been pending before AA.
- CIRPs in 29 matters which yielded resolution plans and were reported earlier in this table have since moved into liquidation. The CIRPs have restarted in 22 cases and CIRPs in 2 matters, where liquidation orders were passed earlier, have yielded resolution plans.
- During the quarter, there are 24 CIRPs where the realisable value was less than the liquidation value of the CD. While realisable value is significantly influenced by the value of asset of the CD while entering the resolution process and time taken for resolution, it is also the outcome of a market determined price discovery process and commercial wisdom of the CoC.

* Based on 713 cases where fair value has been estimated

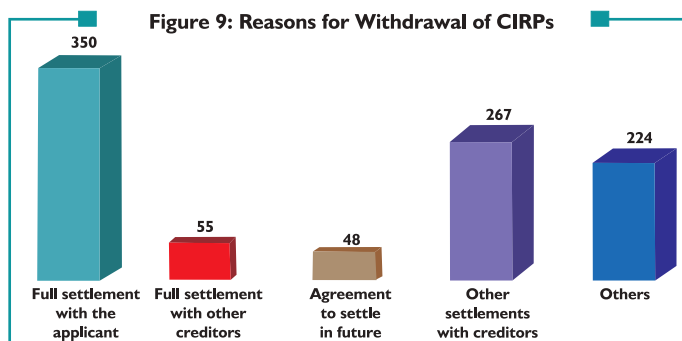
About 38% of the CIRPs (310 out of 804 for which data are available), which yielded resolution plans, were earlier with BIFR and/or defunct (Figure 8). In these CDs, the claimants have realised 22.44% of their admitted claims and 156.98% of liquidation value.



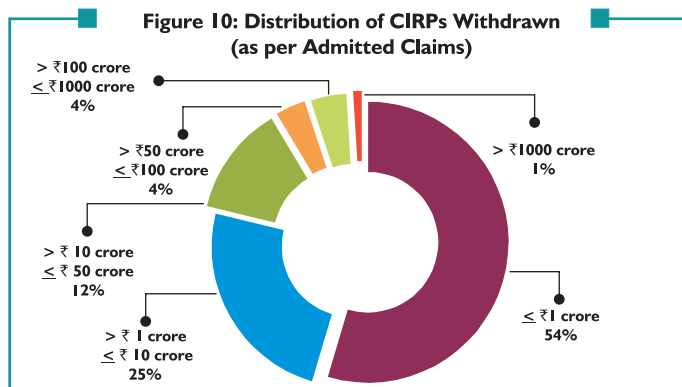
Data awaited in 4 cases

Withdrawals under Section 12A

Till September, 2023, a total of 947 CIRPs have been withdrawn under section 12A of the Code. The reasons for withdrawal and distribution of claims in these CIRPs are presented in Figures 9 and 10. Almost three fourth of these CIRPs had claims of less than 10 crore.



Note: Data awaited in 3 CIRPs



Note: Data awaited in 3 CIRPs

Liquidation

Till FY 2022-23, a total of 2030 CIRPs had yielded orders for liquidation, of which the final reports were submitted in 520 cases. Till June, 2023, 2120 CIRPs had yielded orders for liquidation, of which the final reports were submitted in 555 cases. During the quarter July – September, 2023, 111 more CIRPs were reported as yielding orders for liquidation, pertaining to the prior period. Further, 118 CIRPs ended in orders for liquidation during the current quarter. Two CDs which

had earlier yielded order of liquidation have since either been ordered to be restarted or have been withdrawn, taking the total CIRPs ending in liquidation to 2249. Of these, final reports have been submitted in 597 cases.

There are 1652 ongoing liquidation processes, whose status as on September 30, 2023 is presented in Figure 11. The details of the mode of closure of liquidation process are presented in Table 5. The details of liquidation processes closed during the quarter July – September, 2023 are presented in Table 6.

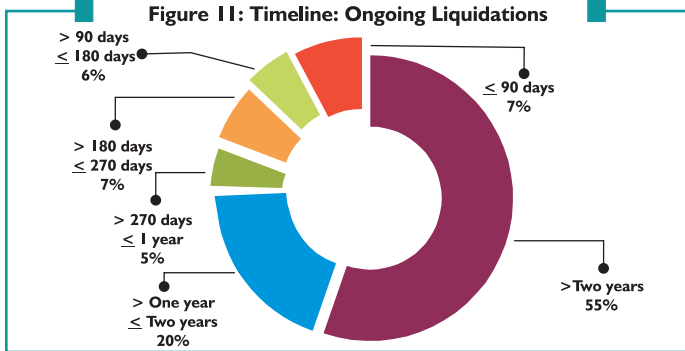


Table 5: Mode of Closure of Liquidation Processes

| Status of Liquidation | Till June, 2023 | Jul-Sep, 2023 | Total as on Sep 30, 2023 |
|----------------------------------|-----------------|---------------|--------------------------|
| Initiated | 2131 | 118 | 2249* |
| Final Report submitted | 555 | 42 | 597 |
| Closed by Dissolution | 299 | 44 | 343 |
| Closed by Going Concern Sale | 31 | 1 | 32 |
| Closed by Compromise/Arrangement | 8 | - | 8 |
| Ongoing processes | 1565 | NA | 1652 |

*This excludes 24 cases where liquidation order has been set aside by NCLT / NCLAT / HC / SC.

Table 6: Details of Closed Liquidations

| Sl. | Name of CD | Date of Order of Liquidation | Amount (in ₹ crore) | | | | Date of Order of Dissolution / Closure |
|---------------------------------------------------------------|------------------------------------------------------|------------------------------|---------------------|-------------------|---------------|-----------------------------|----------------------------------------|
| | | | Admitted Claims | Liquidation Value | Sale Proceeds | Distributed to Stakeholders | |
| Part A: Reported for Prior Period (Till June 30, 2023) | | | | | | | |
| 1 | Aesys Technologies India Private Limited@* | 11-03-22 | 1.39 | - | - | - | 11-03-22 |
| 2 | Kalpyog Chemicals Private Limited | 21-09-20 | 43.97 | 5.23 | 8.24 | 7.20 | 14-12-22 |
| 3 | SMV Commodities and Trading India Private Limited | 09-11-21 | 5.52 | 0.06 | 0.01 | - | 27-03-23 |
| 4 | Sathya Solutions Private Limited | 26-03-21 | 0.90 | 0.00 | 0.00 | 0.00 | 02-05-23 |
| 5 | Namratha Power Private Limited | 27-07-22 | 3.33 | 0.00 | - | - | 08-05-23 |
| 6 | Mahavir Richab Investments Private Limited | 24-08-22 | 2.18 | 0.32 | 0.27 | 0.24 | 09-05-23 |
| 7 | Net Work Telelink Private Limited | 28-02-19 | 372.26 | 0.34 | 0.69 | 0.02 | 12-05-23 |
| 8 | Rainbow Industrial Park Private Limited | 31-05-22 | 0.01 | 0.00 | 0.00 | - | 19-05-23 |
| 9 | VRV Textiles Limited | 31-05-22 | - | - | - | - | 26-05-23 |
| 10 | Vijai Mahalaxmi Spinning Mills India Private Limited | 27-04-18 | 76.65 | 10.77 | # | # | 31-05-23 |
| 11 | Jangipur Bitumen Private Limited@ | 08-06-23 | - | - | - | - | 08-06-23 |
| 12 | Bharat Medicare Private Limited | 28-01-19 | 0.45 | 0.87 | 0.53 | - | 13-06-23 |
| 13 | Galaxy Cosmetics Private Limited | 15-04-19 | 0.07 | 0.15 | 0.03 | 0.01 | 13-06-23 |
| 14 | Incom Wires and Cables Limited | 19-01-21 | 15.96 | 2.50 | 2.77 | 2.25 | 15-06-23 |
| 15 | Brown Kraft Industries Limited | 27-08-18 | 148.82 | 6.45 | 2.30 | 1.91 | 23-06-23 |
| Part B: For July – September, 2023 | | | | | | | |
| 1 | S. Nanda Industries Private Limited@* | 04-07-23 | 1.49 | - | - | - | 04-07-23 |
| 2 | Kyati Metals and Trading Private Limited | 22-11-21 | 41.55 | 0.06 | 0.06 | - | 07-07-23 |
| 3 | Purna Pharmaceuticals Private Limited | 22-01-20 | 24.39 | - | - | - | 10-07-23 |
| 4 | SAV Industries Private Limited@* | 10-07-23 | 265.48 | - | - | - | 10-07-23 |
| 5 | Maestria Paints India Private Limited | 01-05-23 | 1.20 | - | - | - | 14-07-23 |
| 6 | GVS Infra & Industries Private Limited | 21-09-22 | 372.72 | - | - | - | 17-07-23 |
| 7 | Bhagwandas Ispat Private Limited | 14-02-20 | 18.07 | 1.59 | 1.43 | 1.30 | 18-07-23 |
| 8 | Auro Mira Biopower India Private Limited | 16-07-18 | 112.84 | 15.38 | 10.54 | 9.33 | 19-07-23 |
| 9 | Rutika Creations Private Limited | 08-10-20 | 4.86 | 0.57 | 0.71 | 0.47 | 20-07-23 |
| 10 | Indian Gem & Jewellery Imperial Private Limited | 22-01-21 | 58.01 | 3.28 | 3.12 | 2.84 | 20-07-23 |
| 11 | Samudra Bio Pharma Private Limited | 03-10-18 | 20.08 | 8.70 | 2.75 | 2.61 | 26-07-23 |
| 12 | Fatheypori Gardens Private Limited | 04-06-19 | 2810.03 | 1.05 | 1.03 | 0.87 | 27-07-23 |
| 13 | Karvin Cuisines Private Limited | 09-01-23 | 1.22 | 0.01 | 0.01 | - | 27-07-23 |
| 14 | Ebusinessware (India) Private Limited | 03-02-23 | - | - | - | - | 27-07-23 |
| 15 | Spice Infra-Trading Private Limited | 31-07-19 | 400.08 | 0.01 | 0.74 | 0.28 | 04-08-23 |
| 16 | Sriaranath Logistics Limited\$ | 22-09-21 | 75.01 | 8.00 | 12.26 | 12.26 | 04-08-23 |
| 17 | Cosmos Forgings Limited | 01-06-22 | 82.19 | 0.02 | 0.02 | - | 10-08-23 |
| 18 | Devesh Engineering Enterprises Private Limited | 01-06-22 | 28.15 | 0.03 | 0.03 | - | 10-08-23 |

| | | | | | | | |
|---------------------------------------|-----------------------------------------------|----------|-----------------|----------------|----------------|----------------|-----------|
| 19 | Lata Export Apparels Private Limited | 10-04-19 | 13.13 | 2.49 | 2.54 | 2.33 | 11-08-23 |
| 20 | BP Ferrium Industries Private Limited | 21-07-22 | 416.72 | 0.03 | 0.03 | - | 16-08-23 |
| 21 | Orchid Textiles Private Limited@* | 16-08-23 | 1.44 | - | - | - | 16-08-23 |
| 22 | Sunpower Solar Technick Private Limited | 16-04-21 | 365.48 | 0.05 | 0.00 | - | 17-08-23 |
| 23 | Nouvelle Advisory Services Private Limited@* | 21-08-23 | 1.35 | - | - | - | 21-08-23 |
| 24 | Quantum Concrete LLP | 22-01-21 | 0.40 | 0.32 | 0.40 | 0.00 | 22-08-23 |
| 25 | Glister Hospitality Gurgaon Private Limited | 28-06-22 | 0.19 | 0.06 | 0.05 | 0.02 | 28-08-23 |
| 26 | Alchemist Hospitals (Gurgaon) Private Limited | 23-08-19 | 96.66 | 1.85 | 1.73 | 1.60 | 31-08-23 |
| 27 | Tirupur Sri Senthil Cotton Mills Limited | 29-05-20 | 0.17 | 0.01 | - | - | 31-08-23 |
| 28 | Snehdaxa Infrastructure Private Limited | 11-12-19 | 6.67 | - | - | - | 01-09-23 |
| 29 | East Mond Infra and Trade Private Limited | 29-09-22 | 226.60 | 1.25 | 1.02 | 0.57 | 08-09-23 |
| 30 | Brinzk Powertech Private Limited | 15-07-19 | 16.42 | 9.43 | 8.05 | 6.10 | 11-09-23 |
| Total (July – September, 2023) | | | 5462.60 | 54.19 | 46.52 | 40.58 | NA |
| Total (Till September, 2023) | | | 79906.57 | 2965.01 | 2850.44 | 2618.35 | NA |

Note:

^ means no value

@ Direct dissolution

*Claims pertain to CIRP period

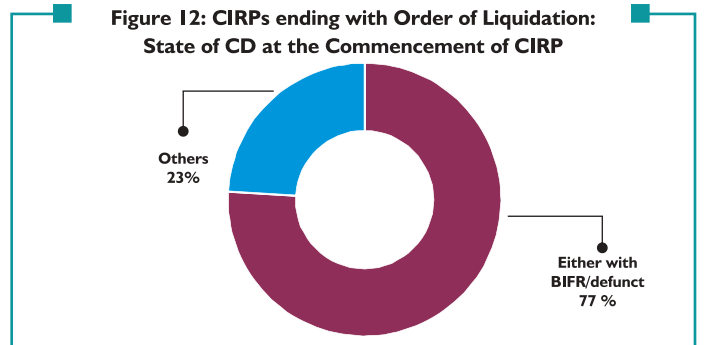
^0 means an amount below two decimals.

\$ indicates Sale as going concern

Information awaited

NA means Not Applicable

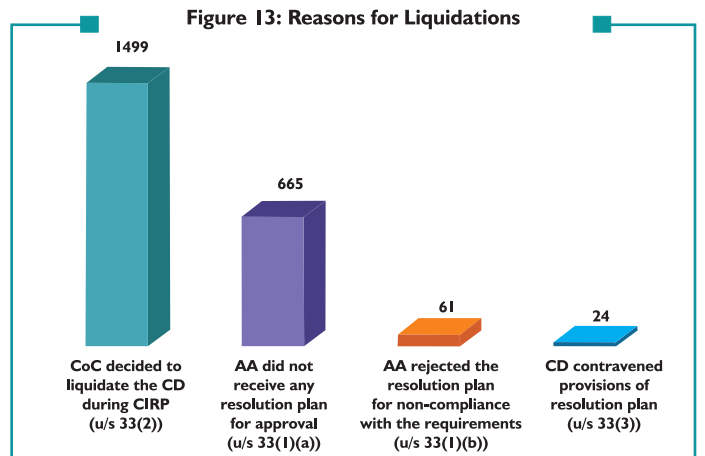
More than 77% of the CIRPs ending in liquidation (1713 out of 2229 for which data are available) were earlier with BIFR and/or defunct (Figure 12). The economic value in most of these CDs had almost completely eroded even before they were admitted into CIRP. These CDs had assets, on average, valued at 7% of the outstanding debt amount.



Notes:

- There were 129 CIRPs, where CDs were in BIFR or non-functional but had resolution value higher than liquidation value.
- Includes cases where no resolution plans were received and cases where liquidation value is zero or not estimated.
- Data of 20 CIRPs is awaited.

The AA passes an order for liquidation under four circumstances. As on September, 2023, 2249 orders for commencement of liquidation have been passed. The details of liquidation in these circumstances are presented in Figure 13.



Regulation 12 of the Liquidation Regulations requires the liquidator to make a public announcement calling upon stakeholders to submit their claims as on the liquidation commencement date (LCD), within 30 days from the LCD. The details of the claims admitted by the liquidators in 1971 liquidations, for which data are available, are presented in Table 7.

Table 7: Claims in Liquidation Process

(Amount in ₹ crore)

| Stakeholders under Section | Number of Claimants | Amount of Claims Admitted | Liquidation Value | Amount Realised | Amount Distributed |
|---------------------------------------------------------|---------------------|---------------------------|-------------------|-----------------|--------------------|
| 597 Liquidations where Final Report*** Submitted | | | | | |
| 52 | 74 | 12571.32 | 505.60 | 496.35 | 474.54 |
| 53 (1) (a) | NA | NA | | | 369.53 |
| 53 (1) (b) | 4226 | 93123.95 | | | 4103.48 |
| 53 (1) (c) | 3440 | 92.86 | | | 11.05 |
| 53 (1) (d) | 733 | 11855.63 | 5336.88 | 4754.71# | 142.75 |
| 53 (1) (e) | 702 | 7830.94 | | | 25.87 |
| 53 (1) (f) | 6073 | 7359.52 | | | 107.12 |
| 53 (1) (g) | 0 | 0 | | | 0 |
| 53 (1) (h) | 155 | 53.60 | | | 9.77 |
| Total (A) | 15403 | 132887.82 | 5842.48 | 5251.06# | 5244.11 |
| Ongoing 1376 Liquidations* | | | | | |
| 53 (1) (a) | NA | NA | | | |
| 53 (1) (b) | 46282 | 773914.47 | | | |
| 53 (1) (c) | 36207 | 1434.02 | | | |
| 53 (1) (d) | 13626 | 143087.29 | | | |
| 53 (1) (e) | 3320 | 41809.55 | 53708.94** | NA | NA |
| 53 (1) (f) | 1985943 | 98329.13 | | | |
| 53 (1) (g) | 67 | 585.64 | | | |
| 53 (1) (h) | 105643 | 4118.30 | | | |
| Total (B) | 2191088 | 1063278.40 | | | |
| Grand Total (A + B) | 2206491 | 1196166.22 | 59551.42 | | |

Inclusive of unclaimed proceeds of Rs. 6.95 crore under liquidation.

* Data for other ongoing liquidations is not available.

**Out of 1652 ongoing cases, liquidation value of only 1,590 CDs is available. Liquidation value of 1279 CDs taken during liquidation process is Rs.47,354.41 crore and liquidation value of rest of the 311 CDs captured during CIRP is Rs.6,354.53 crore.

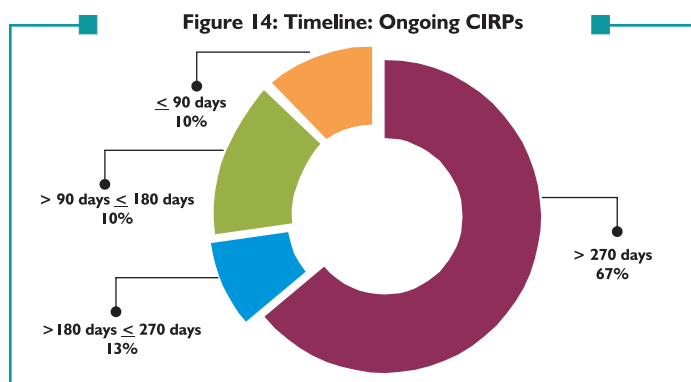
*** Data of 2 Final Report cases awaited.

Sale as Going Concern

Till March, 2023, 26 CDs were closed by sale as a going concern under liquidation process. The number of cases closed by sale as a going concern reached to 31 till June, 2023. One case of sale as going concern has been reported during the quarter July – September, 2023, taking the total no. of closures through the said mode to 32. These 32 CDs had claims amounting to ₹ 21,920.13 crore, as against the liquidation value of ₹ 787.71 crore. The liquidators in these cases realized ₹ 869.37 crore and companies were rescued.

Timeline of Ongoing CIRPs

The status of ongoing CIRPs as of September, 2023 in terms of time taken is presented in Figure 14.



Large Cases (Admitted Claims > ₹1,000 crore)

Of the 808 CDs rescued under the Code as on September 30, 2023, 138 had admitted claims of more than ₹1,000 crore. The realisable value of the assets available with these 138 CDs, when they entered the CIRP, was only ₹ 1.64 lakh crore, though they owed ₹ 8.78 lakh crore to the creditors. Till September 30, 2023, realisation by the claimants under resolution plans in comparison to liquidation value is 175.28%, while the realisation by them in comparison to their claims is 32.84%. These realisations are exclusive of realisations that would arise from value of equity holdings post-resolution, resolution of PGs to CDs, and from disposal of applications for avoidance transactions. The details are presented in Table 8.

Table 8: Details of Large Cases as on September 30, 2023

(Amount in ₹ lakh crore)

| CIRP cases (Admitted Claims > ₹ 1,000 crore) | | Till June, 2023 | July– Sep, 2023 | Till Sep, 2023 |
|----------------------------------------------|--------------------------------------------|-----------------|-----------------|----------------|
| Resolution plans approved | No. of Cases | 128 | 10 | 138 |
| | Admitted Claims | 8.22 | 0.56 | 8.78 |
| | Liquidation Value | 1.57 | 0.07 | 1.64 |
| | Realisable Value | 2.71 | 0.18 | 2.89 |
| | Realisable Value as % of Admitted Claims | 32.89 | 32.97 | 32.84 |
| | Realisable Value as % of Liquidation Value | 172.28 | 237.97 | 175.28 |

Of 2249 CDs ending up with orders for liquidation, 187 had admitted claims of more than ₹ 1,000 crore. These CDs had an aggregate claim of ₹ 8.43 lakh crore. However, they had assets, on the ground, valued only at ₹ 0.43 lakh crore.

Avoidance Transactions

The Code read with Regulations require the RPs and Liquidators to file applications for avoidance of transactions, with the AA seeking appropriate directions. 1025 applications seeking avoidance of transactions have been filed with the AA till September 30, 2023 as presented in Table 9.

Table 9: Details of avoidance applications and disposal

(Amount in ₹ crore)

| Sl. | Nature of transactions | Applications Filed | | Applications Disposed | | |
|--------------|------------------------|------------------------|------------------|------------------------|-----------------|--------------------|
| | | Number of transactions | Amount involved | Number of transactions | Amount involved | Amount clawed back |
| 1 | Preferential | 150 | 15102.34 | 49 | 798.98 | 34.79 |
| 2 | Undervalued | 19 | 925.05 | 5 | 362.42 | 5.77 |
| 3 | Fraudulent | 240 | 89595.10 | 34 | 1169.26 | 5.59 |
| 4 | Extortionate | 3 | 70.68 | 1 | 0.09 | - |
| 5 | Combination | 612 | 213604.30 | 114 | 42561.26 | 5183.46* |
| Total | | 1025 | 319297.47 | 203 | 44892.01 | 5229.61* |

*In the matter of Jaypee Infra, possession of 758 acres out of total 858 acres of land was given back to the CD. The 858 acres of land was earlier valued at ₹ 5500 crore.

Resolution of FiSPs

CIRPs of three financial service providers (FiSPs) i.e. Dewan Housing Finance Corporation Ltd., Srei Equipment Finance Limited and Srei Infrastructure Finance Limited have yielded resolutions under the Code. The details of the resolutions are presented in Table 10 below:-

Table 10: Details of applications admitted for FiSPs

(Amount in ₹ crore)

| Sl. | Claims of Financial Creditors Dealt Under Resolution | | | | Resolution Applicant | |
|-----|------------------------------------------------------|-----------------|-----------------|-------------------------------------|----------------------|--------------------------------------------|
| | Name of FiSP | Amount Admitted | Amount Realized | Realisation as % of admitted claims | | Realisation as % of Liquidation value |
| 1 | Dewan Housing Finance Corporation Ltd | 87247.68 | 37167.00 | 42.60% | 138.42% | Piramal Capital & Housing Finance Ltd. |
| 2 | Srei Equipment Finance Limited | 33050.43 | 13784.76 | 42.12% | 280.74% | National Asset Reconstruction Company Ltd. |
| 3 | Srei Infrastructure Finance Limited | | | | | National Asset Reconstruction Company Ltd. |

CIRP in respect of one FiSP i.e. Reliance Capital Limited is underway, as per the provisions of the Code.

Voluntary Liquidation

A corporate person may initiate voluntary liquidation proceeding if majority of the directors or designated partners of the corporate person make a declaration to the effect that (i) the corporate person has no debt or it will be able to pay its debts in full, from the proceeds of the assets to be sold under the proposed liquidation, and (ii) the corporate person is not being liquidated to defraud any person.

Till FY 2022-23, 1562 corporate persons initiated voluntary liquidation of which final reports were submitted in 1039 cases and 17 cases were withdrawn. Till June, 2023, 1612 corporate persons initiated voluntary liquidation of which final reports were submitted in 1123 cases and 18 cases were withdrawn.

At the end of September, 2023, 1668 corporate persons initiated voluntary liquidation, of which final reports have been submitted in 1179 cases. Further, 19 processes have been withdrawn by September 30, 2023. The details of commencement of voluntary liquidations are presented in Figure 15. The status of 470 ongoing voluntary liquidations is presented in Figure 16.

Figure 15: Commencement of Voluntary Liquidations

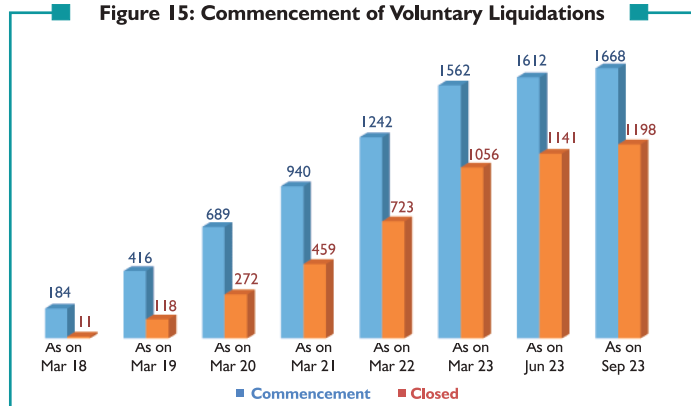


Figure 16: Timeline of Ongoing Voluntary Liquidations

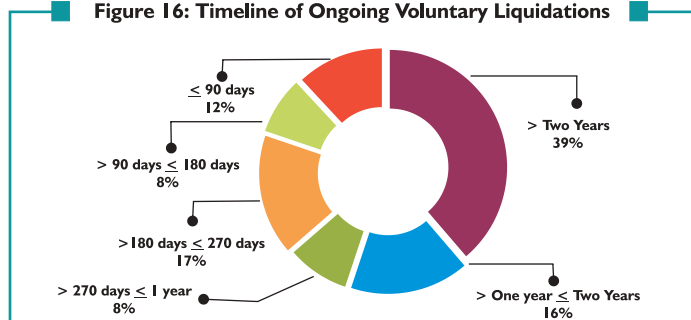


Table 12: Realisations under Voluntary Liquidations

| Sl. | Name of Corporate Person | Date of Commencement | Date of Dissolution | Amount (In ₹ crore) | | | | | | |
|------------------------------------------------------|--------------------------------------------------------------|----------------------|---------------------|-----------------------|------------------|-------------------|----------------------|---------|--|--|
| | | | | Realisation of Assets | Due to Creditors | Paid to Creditors | Liquidation Expenses | Surplus | | |
| Part A: For Prior Period (Till June 30, 2023) | | | | | | | | | | |
| 1 | Athena Globus Private Limited | 07-12-2020 | 22-12-2022 | 0.02 | 0.02 | 0.02 | 0.01 | - | | |
| 2 | Gencor Cultech India Private Limited | 01-12-2021 | 20-03-2023 | 0.20 | - | - | 0.02 | 0.18 | | |
| 3 | Kanazawa Machine & Tool India Private Limited | 19-02-2019 | 13-04-2023 | 0.92 | 0.02 | 0.02 | 0.17 | 0.72 | | |
| 4 | CNO IT Services (India) Private Limited | 07-03-2019 | 28-06-2023 | 3.72 | 0.65 | 0.65 | 1.11 | 1.95 | | |
| 5 | Tulya Alloy Castings Limited | 24-09-2021 | 28-06-2023 | 0.55 | - | - | 0.23 | 0.32 | | |
| 6 | Bonfiglioli Renewable Power Conversion India Private Limited | 22-11-2021 | 28-06-2023 | 1.07 | 0.01 | 0.01 | 0.06 | 1.00 | | |
| 7 | DCS BPO Private Limited | 01-06-2022 | 28-06-2023 | 0.94 | - | - | 0.06 | 0.88 | | |
| Part B: For July-September, 2023 | | | | | | | | | | |
| 1 | Contentmart Private Limited | 23-04-2019 | 03-07-2023 | 0.19 | 0.04 | 0.04 | 0.06 | 0.09 | | |
| 2 | VSN Pan Products Limited | 01-01-2021 | 04-07-2023 | 0.93 | - | - | 0.02 | 0.91 | | |
| 3 | Gopivotal Software India Private Limited | 29-09-2021 | 04-07-2023 | 0.97 | 0.09 | 0.09 | 0.01 | 0.87 | | |
| 4 | Cisco Development India Private Limited | 24-03-2021 | 04-07-2023 | 18.98 | 3.77 | 3.77 | 0.15 | 15.06 | | |
| 5 | Naisargik Agritech (India) Limited | 30-09-2020 | 05-07-2023 | 0 | - | - | 0 | - | | |
| 6 | NBCC International Limited | 26-09-2022 | 05-07-2023 | 1.03 | 0.01 | 0.01 | 0.05 | 0.97 | | |
| 7 | Fullerton Securities & Wealth Advisors Limited | 24-01-2019 | 06-07-2023 | 29.99 | - | - | 3.97 | 26.02 | | |
| 8 | KPS Systems Private Limited | 05-04-2021 | 06-07-2023 | 0.72 | - | - | 0 | 0.72 | | |
| 9 | Indi Shopee Private Limited | 26-02-2022 | 11-07-2023 | 0.04 | - | - | 0.02 | 0.01 | | |
| 10 | Shinmaywa Industries India Private Limited | 05-09-2022 | 17-07-2023 | 1.42 | - | - | 0.16 | 1.25 | | |
| 11 | Sumitomo Construction Machinery India Private Limited | 30-09-2020 | 19-07-2023 | 0.29 | - | - | 0.17 | 0.12 | | |
| 12 | ECL Engineering Services India Private Limited | 19-02-2021 | 19-07-2023 | 1.27 | 0.53 | 0.53 | 0.35 | 0.39 | | |
| 13 | Pavanraj Fabs India Private Limited | 30-03-2021 | 19-07-2023 | 2.67 | 0.01 | 0.01 | 0.31 | 2.35 | | |
| 14 | Aaroh Finance and Investments Private Limited | 14-10-2021 | 19-07-2023 | 0.37 | - | - | 0.02 | 0.35 | | |
| 15 | Pole Star Enterprises Private Limited | 16-11-2022 | 19-07-2023 | 0.48 | 0.02 | 0.02 | 0.01 | 0.45 | | |

Of the 1649 corporate persons that initiated voluntary liquidations (excluding withdrawals) till September 30, 2023, the reasons for these initiations are available for 1571 cases, which are presented in Figure 17. Most of these corporate persons are small entities. 1022 of them have paid-up equity capital of less than ₹ 1 crore. Only 234 of them have paid-up capital exceeding ₹ 5 crore. The corporate persons, for which details are available, have an aggregate paid-up capital of ₹ 12,040 crore (Table 11).

Figure 17: Reasons for Voluntary Liquidation

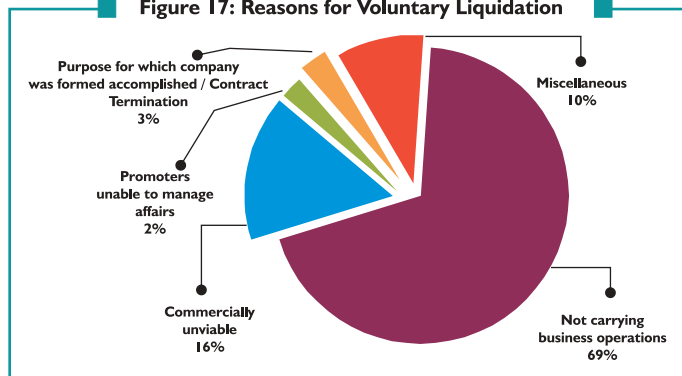


Table 11: Details of 1649 Voluntary Liquidations (Excluding 19 Withdrawals)

| Details of | No. of Liquidations | Amount (in ₹ crore) | | | | Surplus |
|--------------------------------------------------|---------------------|---------------------|--------------|-------------------|--------------------------|---------|
| | | Paid-up capital* | Assets | Out-standing debt | Amount paid to creditors | |
| Liquidations for which Final Reports submitted** | 1179 | 6426 | 8482 | 121 | 121 | 8137 |
| Ongoing Liquidations | 470 | 5615 | 3276# | | *** | |
| Total | 1649 | 12041 | 11758 | | *** | |

Note:

* Paid-up capital is not available in case of eight companies as they are limited by guarantee companies where there exist no shareholders and paid-up capital.

** Data for 20 Final Report cases are awaited.

***For ongoing liquidations, data is not available.

Assets of 385 cases are available.

It was reported in the last newsletter that dissolution orders were passed in respect of 571 voluntary liquidations. Dissolution orders in respect of 7 more voluntary liquidations, which were issued during the earlier period, were reported later, as indicated in Part A of Table 12. During the quarter July – September, 2023, dissolutions orders in respect of 66 voluntary liquidations were issued taking the total dissolutions to 644. These 644 corporate persons owed ₹ 46.66 crore to creditors and through voluntary liquidation process, they were paid full amount.

| | | | | | | | | |
|-------------------------------------|--------------------------------------------------------------------|------------|------------|----------------|--------------|--------------|---------------|----------------|
| 16 | Moog EM Solutions (India) Private Limited | 25-03-2022 | 20-07-2023 | 1.38 | 0.07 | 0.07 | 0.13 | 1.18 |
| 17 | Nexter Systems India Private Limited | 24-02-2021 | 24-07-2023 | 1.14 | - | - | 0.05 | 1.10 |
| 18 | Lazard India Private Limited | 16-09-2020 | 25-07-2023 | 2.38 | - | - | 0.45 | 1.93 |
| 19 | Ace Ketones Private Limited | 05-11-2021 | 25-07-2023 | 1.87 | - | - | 0.02 | 1.86 |
| 20 | Attur Shri Ganga Chit Funds Private Limited | 01-08-2020 | 26-07-2023 | 0.25 | - | - | 0.02 | 0.22 |
| 21 | Penske Supply Chain Solutions India Private Limited | 18-11-2021 | 26-07-2023 | 4.16 | - | - | 1.29 | 2.87 |
| 22 | Delta IES India Private Limited | 12-10-2022 | 27-07-2023 | 0.07 | - | - | 0.03 | 0.04 |
| 23 | NIIT Institute of Process Excellence Limited | 19-02-2020 | 28-07-2023 | 2.80 | 0.10 | 0.10 | 0.03 | 2.67 |
| 24 | Task Audit and Reporting Solutions Private Limited | 15-03-2023 | 28-07-2023 | 0.09 | 0.05 | 0.05 | 0.01 | 0.03 |
| 25 | SMS Plastics Technology Private Limited | 04-02-2019 | 31-07-2023 | 2.80 | 0.04 | 0.04 | 0.09 | 2.67 |
| 26 | Oil India International Limited | 30-09-2019 | 31-07-2023 | 137.62 | 0.17 | 0.17 | 2.33 | 135.12 |
| 27 | MF Process & Solutions Private Limited | 28-01-2022 | 31-07-2023 | 1.15 | 0.24 | 0.24 | 0.10 | 0.82 |
| 28 | Makemytrip Travel Services Private Limited | 28-09-2017 | 01-08-2023 | 5.67 | 0.08 | 0.08 | 0.09 | 5.51 |
| 29 | Parmanand Overseas Limited | 22-11-2021 | 01-08-2023 | 0.69 | - | - | 0.06 | 0.64 |
| 30 | Neutrik India Private Limited | 05-01-2021 | 02-08-2023 | 2.39 | - | - | 0.16 | 2.23 |
| 31 | Dimensions Trade and Commerce Ltd | 28-03-2022 | 02-08-2023 | 0.27 | - | - | 0.02 | 0.25 |
| 32 | Akarshan Multitrade Private Limited | 23-05-2022 | 02-08-2023 | 0.02 | 0 | 0 | 0.02 | 0 |
| 33 | Top Right Group India Knowledge Services Private Limited | 20-03-2018 | 04-08-2023 | 1.39 | - | - | 0.01 | 1.38 |
| 34 | Trend Communications India Private Limited | 28-12-2020 | 07-08-2023 | 0.04 | - | - | 0.03 | 0.01 |
| 35 | Oxyzen Financial Equities and Portfolio Management Private Limited | 30-09-2020 | 09-08-2023 | 0.35 | - | - | 0.02 | 0.34 |
| 36 | Q-India Support Services Private Limited | 01-12-2021 | 11-08-2023 | 0.77 | - | - | 0.09 | 0.69 |
| 37 | Nischay Advisory LLP | 17-01-2023 | 11-08-2023 | 0.02 | - | - | 0.02 | - |
| 38 | Om Bakeries Private Limited | 07-03-2022 | 11-08-2023 | 0.30 | - | - | 0.04 | 0.25 |
| 39 | R.N.C. Cotton Mills Pvt. Ltd. | 27-05-2022 | 11-08-2023 | 0.50 | - | - | 0.02 | 0.48 |
| 40 | Kamakooti Agencies Private Limited | 01-09-2022 | 11-08-2023 | 0.91 | 0 | 0 | 0.02 | 0.88 |
| 41 | Builddirect Technologies India Private Limited | 03-08-2020 | 24-08-2023 | 2.09 | - | - | 0.49 | 1.60 |
| 42 | Acendre India Private Limited | 15-12-2021 | 24-08-2023 | 4.27 | 1.04 | 1.04 | 0.23 | 3.00 |
| 43 | Digital First Online Brands Private Limited | 10-01-2022 | 24-08-2023 | 1.75 | - | - | 0.16 | 1.59 |
| 44 | SAMC Support Services Private Limited | 20-05-2022 | 25-08-2023 | 47.44 | 0.82 | 0.82 | 0.02 | 46.60 |
| 45 | Super Woodwell Private Limited | 25-04-2022 | 29-08-2023 | 0.12 | 0.01 | 0.01 | 0.01 | 0.09 |
| 46 | Nomura Infrastructure Investment Advisors Private Limited | 19-03-2020 | 30-08-2023 | # | # | # | # | # |
| 47 | Shanti Strips Private Limited | 30-07-2022 | 31-08-2023 | 0.46 | - | - | 0.01 | 0.45 |
| 48 | Visuvas Villas Private Limited | 17-12-2022 | 31-08-2023 | 2.56 | - | - | 0.06 | 2.50 |
| 49 | Teleopti India Private Limited | 08-07-2019 | 04-09-2023 | 1.40 | - | - | 0.37 | 1.03 |
| 50 | Kusmunda Coal Transport Private Limited | 31-08-2017 | 06-09-2023 | 0.27 | - | - | 0.14 | 0.13 |
| 51 | PRTM Management Consultants (India) Private Limited | 20-09-2019 | 08-09-2023 | 0.07 | - | - | 0.07 | - |
| 52 | Nest Hotel Private Limited | 03-09-2020 | 11-09-2023 | 1.93 | - | - | 0.05 | 1.88 |
| 53 | Invalued Trading Private Limited | 11-01-2021 | 11-09-2023 | 0.12 | - | - | 0.06 | 0.06 |
| 54 | Teradyne Engineering (India) Private Limited | 21-06-2021 | 11-09-2023 | 1.70 | - | - | 0.21 | 1.48 |
| 55 | Vriksha Realty Private Limited | 25-08-2021 | 11-09-2023 | 1.54 | 0.01 | 0.01 | 0.01 | 1.52 |
| 56 | Taisei Oncho India Private Limited | 24-02-2023 | 11-09-2023 | 0.06 | - | - | 0.06 | - |
| 57 | Pelican Products and Services India Private Limited | 01-03-2021 | 12-09-2023 | 0.65 | - | - | 0.26 | 0.39 |
| 58 | AFA Exports Private Limited | 13-06-2021 | 12-09-2023 | 7.68 | 0.97 | 0.97 | 0.13 | 6.58 |
| 59 | Inventec Manufacturing (India) Private Limited | 07-07-2021 | 12-09-2023 | 3.58 | 0.01 | 0.01 | 0.50 | 3.07 |
| 60 | Fujin Power Private Limited | 23-08-2022 | 15-09-2023 | 3.46 | - | - | 0.01 | 3.44 |
| 61 | Narayana Institute for Advanced Research Private Limited | 30-11-2022 | 15-09-2023 | 5.80 | - | - | 0.08 | 5.73 |
| 62 | Akshara Enterprises Private Limited | 28-03-2023 | 15-09-2023 | 1.06 | - | - | 0.02 | 1.05 |
| 63 | North Kerala Footwear Consortium Private Limited | 25-03-2022 | 21-09-2023 | 0.14 | - | - | 0.02 | 0.12 |
| 64 | Bhuvanaa Fabric Agencies Private Limited | 03-03-2022 | 25-09-2023 | 0.10 | - | - | 0.02 | 0.08 |
| 65 | Buffalogrid Project Private Limited | 03-02-2020 | 26-09-2023 | 0.11 | 0.06 | 0.06 | 0.05 | 0 |
| 66 | Solopgang Services India Private Limited | 15-03-2021 | 27-09-2023 | 13.37 | - | - | 6.78 | 6.59 |
| Total (July-September, 2023) | | | | 330.11 | 8.14 | 8.14 | 20.27 | 301.71 |
| Total (Till September, 2023) | | | | 4385.33 | 46.66 | 46.66 | 128.52 | 4210.07 |

'0' means an amount below two decimals

'-' means no value

Data awaited

Time For Conclusion of Processes

The average time taken for completion of various processes is presented in Table 13.

Table 13: Average Time for Approval of Resolution Plans/Orders for Liquidation

| Sl. | Average time | Time (In days) | | | | | | | | |
|---------------------|--------------------------------------------------------------------|--------------------------|-------------------------|-------------------------|--------------------------|-------------------------|-------------------------|--------------------------|-------------------------|-------------------------|
| | | As on March, 2022 | | | As on March, 2023 | | | April, 2023 to Sep, 2023 | | |
| | | No. of Processes covered | Including excluded time | Excluding excluded time | No. of Processes covered | Including excluded time | Excluding excluded time | No. of Processes covered | Including excluded time | Excluding excluded time |
| CIRPs | | | | | | | | | | |
| 1 | From ICD to approval of resolution plans by AA | 497 | 531 | 450 | 681 | 612 | 507 | 127 | 867 | 724 |
| 2 | From ICD to order for Liquidation by AA | 1627 | 414 | NA | 2036 | 456 | NA | 213 | 630 | NA |
| Liquidations | | | | | | | | | | |
| 3 | From LCD to submission of final report under Liquidation | 410 | 490 | NA | 551 | 531 | NA | 46 | 589 | NA |
| 4 | From LCD to submission of final report under Voluntary Liquidation | 711 | 426 | NA | 1039 | 410 | NA | 140 | 388 | NA |
| 5 | From LCD to order for dissolution under Liquidation | 236 | 509 | NA | 317 | 584 | NA | 66 | 857 | NA |
| 6 | From LCD to order for dissolution under Voluntary Liquidation | 355 | 582 | NA | 529 | 650 | NA | 115 | 797 | NA |

Corporate Liquidation Accounts

The Regulations require a Liquidator to deposit the amount of unclaimed dividends, if any, and undistributed proceeds, if any, in a liquidation process along with any income earned thereon into the corporate liquidation account before he submits an application for dissolution of the corporate person. It also provides a process for a stakeholder to seek withdrawal from the said account. Similar provisions exist for voluntary liquidation processes. The details of these accounts at the end of September, 2023 are presented in Table 14.

Table 14: Corporate Liquidation Accounts as on September 30, 2023

(Amount in ₹ lakh)

| Name of Account | Opening Balance | Deposit during the period | Withdrawn during the period | Balance at the end of the period |
|------------------------------------------------|-----------------|---------------------------|-----------------------------|----------------------------------|
| Corporate Liquidation Account | | | | |
| 2019–20 | 0.00 | 476.26 | 0.21 | 476.05 |
| 2020–21 | 476.05 | 116.18 | 0.00 | 592.23 |
| 2021–22 | 592.23 | 25.93 | 4.84 | 613.32 |
| 2022–23 | 613.32 | 596.10 | 0.00 | 1209.42 |
| Apr–Jun, 2023 | 1209.42 | 144.83 | 9.26 | 1344.99 |
| Jul–Sep, 2023 | 1344.99 | 15.01 | 0.00 | 1360.01 |
| Corporate Voluntary Liquidation Account | | | | |
| 2019–20 | 0.00 | 109.70 | 0.00 | 109.70 |
| 2020–21 | 109.70 | 112.06 | 0.00 | 221.76 |
| 2021–22 | 221.76 | 127.94 | 0.03 | 349.67 |
| 2022–23 | 349.67 | 241.29 | 10.42 | 580.54 |
| Apr–Jun, 2023 | 580.54 | 92.57 | 0.00 | 673.11 |
| Jul–Sep, 2023 | 673.11 | 6.34 | 0.00 | 679.45 |

Pre-Packaged Insolvency Resolution Process

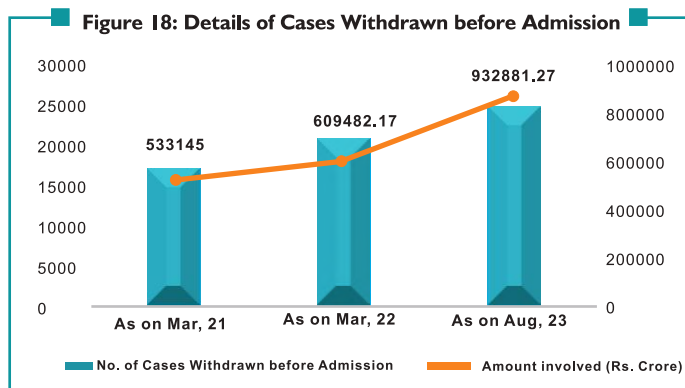
The Central Government enacted the Insolvency and Bankruptcy Code (Amendment) Act, 2021 on August 11, 2021 which was deemed to have come into force on April 4, 2021 introducing the Pre-packaged Insolvency Resolution Process (PPIRP) for corporate MSMEs. On April 9, 2021, the Central Government notified the Insolvency and Bankruptcy (Pre-packaged Insolvency Resolution Process) Rules, 2021 prescribing the manner and form of making application to initiate PPIRP and the IBBI notified the IBBI (Pre-packaged Insolvency Resolution Process) Regulations, 2021. The Regulations provide for manner of carrying out certain processes and tasks under PPIRP. As per the information available with the Board, six applications have been admitted as on September, 2023, out of which one has been withdrawn and resolution plans has been approved in three cases i.e., Amrit India Limited, Sudal Industries Limited and Shree Rajasthan Syntex Limited. The details of the ongoing cases are in Table 15.

Table 15: List of ongoing cases for PPIRP as on September 30, 2023

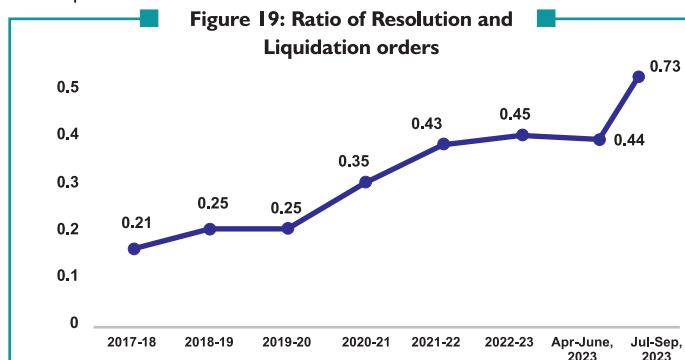
| Sl. | Name of the CD | Date of admission | Name of the NCLT Bench |
|-----|-------------------------------------|-------------------|------------------------|
| 1 | GCCL Infrastructure & Projects Ltd. | 14-09-21 | Ahmedabad |
| 2 | Enn Tee International Limited | 10-10-22 | New Delhi |

Other Outcomes

(a) A distressed asset has a life cycle. Its value gradually declines with time if distress is not addressed. The credible threat of the Code, that a CD may change hands, has changed the behaviour of debtors. Thousands of debtors are resolving distress in early stages of distress. They are resolving when default is imminent, on receipt of a notice for repayment but before filing an application, after filing application but before its admission, and even after admission of the application, and making best effort to avoid consequences of resolution process. Most companies are rescued at these stages. Till August, 2023, 26,518 applications for initiation of CIRPs of CDs having underlying default of ₹ 9.33 lakh crore were withdrawn before their admission (Figure 18).



(b) A number of initiatives are being taken to improve the outcomes of the Code. These include monitoring of cases pending for admission and ongoing CIRPs. Further, the IBBI revised its mechanisms for real-time sharing of information regarding applications for the initiation of CIRP with the IU. These initiatives have had a substantial impact on the IBC process, as evidenced by the increase in NCLT-approved resolutions and the admission of cases initiated by FCs. Figure 19 below highlights the improvement in ratio of number of cases ending with resolution vis-à-vis cases in which liquidation is ordered.



Summary of Outcomes

(a) The primary objective of the Code is rescuing lives of CDs in distress. The Code has rescued 2808 CDs (808 through resolution plans, 1053 through appeal or review or settlement and 947 through withdrawal) till September, 2023. It has referred 2249 CDs for liquidation. The resolved CDs resulted in realisation of around 32% as against the admitted claims and more than 168% as against the liquidation value. Resolution plans on average are yielding 86.31% of fair value of the CDs. Till September, 2023, 597 CDs have been completely liquidated. These 597 CDs together had outstanding claims of ₹ 1.32 lakh crore, but the assets valued at ₹ 0.06 lakh crore. The liquidation of these companies resulted in 90% realisation as against the liquidation value.

(b) The Code endeavours to close the various processes at the earliest. The 808 CIRPs, which have yielded resolution plans by the end of September, 2023 took on average 541 days (after excluding the time excluded by the AA) for conclusion of process, while incurring an average cost of 1.23% of liquidation value and 0.73% of resolution value. Similarly, the 2249 CIRPs, which ended up in orders for liquidation, took on average 472 days for conclusion. Further, 597 liquidation processes, which have closed by submission of final reports took on average 536 days for closure. Similarly, 1179 voluntary liquidation processes, which have closed by submission of final reports, took on average 408 days for closure.

Individual Processes

Insolvency Resolution Process

The provisions relating to insolvency resolution and bankruptcy relating to PGs to CDs came into force on December 1, 2019. As per the information received from the applicants, IPs, and data collected from various benches of NCLT and Debt Recovery Tribunal (DRT), 2289 applications have since been filed as of September 30, 2023, for initiation of personal insolvency resolution process (PIRP) of PGs to CDs. Out of them, 284 applications have been filed by the debtors and 2005

applications by the creditors under sections 94 and 95 of the Code, respectively. Among them 50 have been filed before different benches of DRT and 2239 have been filed before different benches of NCLT (Table 16).

Table 16: Insolvency Resolution of Personal Guarantors

(Amount in ₹ crore)

| Period | Applications filed by | | | | Total | | Adjudicating Authority | |
|---------------|-----------------------|-----------------|--------------------|------------------|-------------|------------------|------------------------|-----------|
| | Debtors (u/s 94) | | Creditors (u/s 95) | | No. | Debt Amount | NCLT | DRT |
| | No. | Debt Amount | No. | Debt Amount | | | | |
| 2019-20 | 3 | 49.66 | 22 | 3289.85 | 25 | 3339.51 | 24 | 1 |
| 2020-21 | 23 | 2485.94 | 239 | 37632.83 | 262 | 40118.77 | 256 | 6 |
| 2021-22 | 86 | 3397.57 | 875 | 63616.92 | 961 | 67014.49 | 946 | 15 |
| 2022-23 | 70 | 10396.90 | 687 | 35886.93 | 757 | 46283.83 | 756 | 1 |
| Apr-Jun, 2023 | 37 | 1364.43 | 77 | 3047.52 | 114 | 4411.95 | 114 | 0 |
| Jul-Sep, 2023 | 65 | 279.74 | 105 | 2468.54 | 170 | 2748.28 | 143 | 27 |
| Total | 284 | 17974.24 | 2005 | 145942.59 | 2289 | 163916.83 | 2239 | 50 |

Note: The data are provisional. These are revised on a continuous basis as further information is received. Debt data not available in 469 cases.

Of the 2289 applications, 88 applications have been withdrawn/ rejected/ dismissed before the appointment of RP and RPs have been appointed in 991 cases. After the appointment of RP, 62 cases have been withdrawn/ rejected/ dismissed and 282 cases have been admitted. The details are given in Table 17.

Table 17: Status of filed applications for initiation of Insolvency Resolution Process of PGs to CDs (Number)

| Period | No. of applications filed | Before appointment of RP | | No. of cases where RPs have been appointed* | After appointment | | No. of cases Admitted |
|---------------|---------------------------|--------------------------------|-----------------------------------------|---------------------------------------------|--------------------------------|-----------------------------------------|-----------------------|
| | | No. of Applications with drawn | No. of Applications dismissed/ rejected | | No. of Applications with drawn | No. of Applications dismissed/ rejected | |
| | | | | | | | |
| 2019-20 | 25 | 0 | 0 | 2 | 0 | 0 | 0 |
| 2020-21 | 262 | 6 | 1 | 35 | 2 | 1 | 9 |
| 2021-22 | 961 | 15 | 16 | 399 | 0 | 7 | 34 |
| 2022-23 | 757 | 17 | 30 | 485 | 13 | 20 | 196 |
| Apr-Jun, 2023 | 114 | 0 | 2 | 55 | 6 | 10 | 30 |
| Jul-Sep, 2023 | 170 | 0 | 1 | 15 | 3 | 0 | 13 |
| Total | 2289 | 38 | 50 | 991 | 24 | 38 | 282 |

*This includes the admitted cases and cases, which are withdrawn or dismissed or rejected after appointment of RP.

Out of the 282 admitted PIRPs, 90 have been closed. Of these, 7 have been withdrawn; 62 have been closed on non-submission or rejection of repayment plan; and 21 have yielded approval of repayment plan. In these cases, the creditors have realised ₹ 91.27 crore, which is 5.22% of their admitted claim. During the quarter July - September, 2023, seven PIRPs have yielded approval of repayment plan. The details are given in Table 18.

Table 18: PIRPs Yielding Approval of Repayment Plan

(Amount in ₹ crore)

| Sl. | Name of the PG | Name of the CD | PIRP initiated by | Date of commencement of PIRP | Date of approval of plan | Total admitted claims | Realisable Amount | Realisable % of realisation |
|---------------------------------------|----------------|---------------------------|-------------------|------------------------------|--------------------------|-----------------------|-------------------|-----------------------------|
| 1. | K Ramesh Reddy | Chadal vada Infratech Ltd | Creditor | 21-09-22 | 13-09-23 | 278.07 | 68.17 | 24.52 |
| 2. | K Suresh Reddy | | | | | | | |
| 3. | T Yugandhar | | | | | | | |
| 4. | T Padmavathi | | | | | | | |
| 5. | T Shri Ganesh | | | | | | | |
| 6. | T Devender | | | | | | | |
| 7. | T Pavani | | | | | | | |
| Total (July - September, 2023) | | | | | | 278.07 | 68.17 | 24.52% |
| Total (Till September, 2023) | | | | | | 1749.95 | 91.27 | 5.22% |

Bankruptcy Process

If the resolution process fails or repayment plan is not implemented, the debtor or the creditor may make an application for initiation of the bankruptcy process. As per the information received from the applicants, IPs and data collected from various benches of NCLT and DRT, 19 bankruptcy applications have since been filed as of September, 2023. All the 19 applications are initiated by the creditors under Section 123 of the Code. Among them, one application has been filed before DRT, Chennai and 18 applications have been filed before different benches of NCLT.

Service Providers

Insolvency Professionals

An individual, who is enrolled with an IPA as a professional member and has the required qualification and experience and passed the Limited Insolvency Examination, is registered as an IP Pursuant to the IBBI (Insolvency Professionals) (Fourth Amendment) Regulations, 2022 read with IBBI (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) (Amendment) Regulations, 2022, the IPEs have been permitted to register as IP to carry on the activities of an IP. An IP needs an authorization for assignment (AFA) to take up an assignment under the Code with effect from January 1, 2020.

The IBBI made available an online facility from November 16, 2019 to enable an IP to make an application for issuance/renewal of AFA to the concerned IPA. Thereafter, an IPA processes such applications electronically. The details of IPs registered as on September 30, 2023 and AFAs held by them, IPA-wise, are presented in Table 19.

Table 19: Registered IPs and AFAs as on September 30, 2023

| City/ Region | Registered IPs | | | | IPs having AFA | | | |
|---------------------------|----------------|-------------|-------------|-------------|----------------|------------|-------------|-------------|
| | IIIP ICAI | ICSI IIP | IPA of ICAI | Total | IIIP ICAI | ICSI IIP | IPA of ICAI | Total |
| New Delhi | 497 | 294 | 95 | 886 | 275 | 167 | 56 | 498 |
| Rest of Northern Region | 504 | 215 | 78 | 797 | 239 | 117 | 42 | 398 |
| Mumbai | 430 | 153 | 39 | 622 | 237 | 75 | 24 | 336 |
| Rest of Western Region | 363 | 132 | 52 | 547 | 216 | 72 | 24 | 312 |
| Chennai | 155 | 90 | 20 | 265 | 82 | 46 | 13 | 141 |
| Rest of Southern Region | 440 | 235 | 89 | 764 | 203 | 123 | 57 | 383 |
| Kolkata | 235 | 42 | 26 | 303 | 145 | 21 | 14 | 180 |
| Rest of Eastern Region | 79 | 31 | 12 | 122 | 39 | 17 | 6 | 62 |
| Total (Individual) | 2703 | 1192 | 411 | 4306 | 1436 | 638 | 236 | 2310 |
| Total (IPE as IP) | 35 | 12 | 18 | 65 | 33 | 10 | 16 | 59 |
| Grand Total | 2738 | 1204 | 429 | 4371 | 1469 | 648 | 252 | 2369 |

Of the 4404 IPs registered till date, registrations of 8 IPs have been cancelled through disciplinary action, and registrations of 2 IPs cancelled on failing to fulfil the requirement of fit and proper person status. As per information available, 23 IPs have passed away. The registrations and cancellations of registrations IPs, quarter wise, till September 30, 2023 are presented in Table 20.

Table 20: Registration and Cancellation of Registration of IPs

| Year / Quarter | Registered at the beginning of the period | Registered during the period | Cancelled during the period on account of | | | Registered at the end of the period |
|---------------------------|-------------------------------------------|------------------------------|-------------------------------------------|--------------------------------------------------------------------------------|-----------|-------------------------------------|
| | | | Disciplinary Process | Failing to fulfil the continuing requirement of 'fit and proper person' status | Death | |
| 2016-17 (Nov-Dec) # | 0 | 977 | 0 | 0 | 0 | 977 |
| 2016-17 (Jan-Mar) | 0 | 96 | 0 | 0 | 0 | 96 |
| 2017-18 | 96 | 1716 | 0 | 0 | 0 | 1812 |
| 2018-19 | 1812 | 648 | 4 | 0 | 0 | 2456 |
| 2019-20 | 2456 | 554 | 0 | 1 | 5 | 3004 |
| 2020-21 | 3004 | 506 | 0 | 1 | 5 | 3504 |
| 2021-22 | 3504 | 549 | 1 | 0 | 8 | 4044 |
| 2022-23 | 4044 | 209 | 2 | 0 | 5 | 4246 |
| Apr-Jun, 2023 | 4246 | 27 | 0 | 0 | 0 | 4273 |
| Jul-Sep, 2023 | 4273 | 34 | 1 | 0 | 0 | 4306 |
| Total (Individual) | NA | 4339 | 8 | 2 | 23 | 4306 |
| Total (IPE as IP) | NA | 65 | 0 | 0 | 0 | 65 |
| Grand Total | NA | 4404 | 8 | 2 | 23 | 4371 |

Registration with validity of six months. These registrations expired by June 30, 2017.

An individual with 10 years of experience as a member of the ICAI, ICSI, ICMAI or a Bar Council or 10 years of experience in the field of law, after receiving a Bachelor's degree in law or 10 years of experience in management, after receiving a Master's degree in Management or two year full time Post Graduate Diploma in Management or 15 years of experience in management, after receiving a Bachelor's degree is eligible for registration as an IP on passing the Limited Insolvency Examination.

The Post Graduate Insolvency Programme (PGIP) is a first of its kind programme for those aspiring to take up the profession of IP as a career without having to wait for acquiring the specified 10/15 years of experience. The IBBI has granted approval to two institutes to conduct PGIP - the Indian Institute of Corporate Affairs and the National Law Institute University, Bhopal, who commenced PGIP from the year 2019 and 2022 respectively. The IBBI has granted 32 registrations based on this qualification, until September 30, 2023.

Table 21 presents distribution of IPs as per their eligibility (an IP may be a member of more than one Institute) as on September 30, 2023. Of the 4306 IPs (individual) as on September 30, 2023, 432 IPs (constituting about ten per cent of the total registered IPs) are female.

Table 21: Distribution of IPs as per their Eligibility as on September 30, 2023

| Eligibility | No. of IPs | | |
|-----------------------|-------------|------------|-------------|
| | Male | Female | Total |
| Member of ICAI | 2153 | 211 | 2364 |
| Member of ICSI | 595 | 132 | 727 |
| Member of ICMAI | 186 | 19 | 205 |
| Member of Bar Council | 234 | 33 | 267 |
| Managerial Experience | 678 | 33 | 711 |
| PGIP Qualified | 28 | 4 | 32 |
| Total | 3874 | 432 | 4306 |

The Regulations provide that an IP (individual) shall be eligible to obtain an AFA if he has not attained the age of 70 years. Table 22 presents the age profile of the IPs registered as on September 30, 2023.

Table 22: Age Profile of IPs (individual) as on September 30, 2023

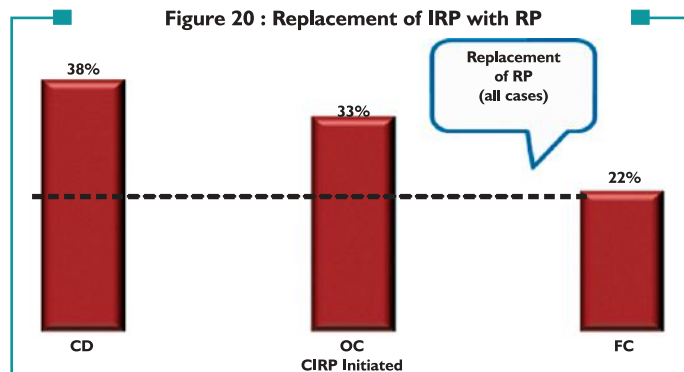
| Age Group (in Years) | Registered IPs | | | | IPs having AFA# | | | |
|----------------------|----------------|-------------|------------|-------------|-----------------|------------|------------|-------------|
| | IIIP ICAI | ICSI IIP | IPA ICAI | Total | IIIP ICAI | ICSI IIP | IPA ICAI | Total |
| ≤ 30 | 12 | 9 | - | 21 | 6 | 3 | - | 9 |
| > 30 ≤ 40 | 217 | 71 | 16 | 304 | 129 | 48 | 9 | 186 |
| > 40 ≤ 50 | 956 | 377 | 56 | 1389 | 532 | 215 | 30 | 777 |
| > 50 ≤ 60 | 809 | 334 | 104 | 1247 | 430 | 193 | 63 | 686 |
| > 60 ≤ 70 | 649 | 344 | 206 | 1199 | 339 | 179 | 134 | 652 |
| > 70 ≤ 80 | 57 | 51 | 26 | 134 | NA | NA | NA | NA |
| > 80 ≤ 90 | 2 | 6 | 3 | 11 | NA | NA | NA | NA |
| > 90 | 1 | - | - | 1 | NA | NA | NA | NA |
| Total | 2703 | 1192 | 411 | 4306 | 1436 | 638 | 236 | 2310 |

Excluding 914 AFAs which are expired / not renewed.

NA: Not Applicable.

Replacement of IRP with RP

Section 22(2) of the Code provides that the CoC may, in its first meeting, by a majority vote of not less than 66% of the voting share of the FCs, either resolve to appoint the IRP as the RP or to replace the IRP by another IP to function as the RP. Under section 22(4) of the Code, the AA shall forward the name of the RP, proposed by the CoC, under section 22(3)(b) of the Code, to IBBI for its confirmation and shall make such appointment after such confirmation. However, to save time in such reference, a database of all the IPs registered with the IBBI has been shared with the AA, disclosing whether any disciplinary proceeding is pending against any of them and the status of their AFAs. While the database is currently being used by various Benches of the AA, in a few cases, the IBBI receives references from the AA and promptly responds to it. Till September 30, 2023, as per updates available, a total of 1516 IRPs have been replaced with RPs, as shown in Figure 20. It is observed that IRPs in about 38% of CIRPs initiated by CD are replaced by RPs, in 33% of CIRPs initiated by OCs and in 22% of CIRPs initiated by FCs.



Insolvency Professional Entities

During the quarter under review, four IPEs were recognised. As on September 30, 2023, there were 113 IPEs (Table 23).

Table 23: IPEs as on September 30, 2023

| Quarter | No. of IPEs | | |
|-------------------|-------------|--------------|--------------------------|
| | Recognised | Derecognised | At the end of the Period |
| 2016-17 (Jan-Mar) | 3 | 0 | 3 |
| 2017-18 | 73 | 1 | 75 |
| 2018-19 | 13 | 40 | 48 |
| 2019-20 | 23 | 2 | 69 |
| 2020-21 | 14 | 0 | 83 |
| 2021-22 | 10 | 2 | 91 |
| 2022-23 | 17 | 1 | 107 |
| Apr-Jun, 2023 | 2 | 0 | 109 |
| Jul-Sep, 2023 | 4 | 0 | 113 |
| Total | 159 | 46 | 113 |

Insolvency Professional Agencies

IPAs are front-line regulators and responsible for developing and regulating the insolvency profession. They discharge three kinds of functions, namely, quasi-legislative, executive, and quasi-judicial. The quasi-legislative functions cover laying down standards and code of conduct through byelaws, which are binding on all members. The executive functions include monitoring, inspection, and investigation of professional members on a regular basis, addressing grievances of aggrieved parties, gathering information about their performance, etc., with the overarching objective of promoting best practices and conduct by IPs. The quasi-judicial functions include dealing with complaints against members and taking suitable disciplinary actions.

As on September 30, 2023, there are three IPAs registered in accordance with the Code and Regulations. The IBBI interacts with the Managing Directors (MDs) of the IPAs and the IU every month, to obtain feedback on areas of concern for the profession of IPs and discuss the resolutions and the way forward. Table 24 presents the details of activities by the IPAs. Table 25 gives detail of number of continuing professional education (CPE) hours earned by IPs.

Table 24: Activities by IPAs

| Period | Number of | | | | | |
|---------------|------------------------------------|--------------------------|----------------------------|---------------------------------------------------|----------------------------|-----------------------------------------|
| | Pre-registration Courses conducted | CPE Programmes conducted | Training Workshops for IPs | Other Work shops/ Webinars/ Roundtables/ Seminars | Disciplinary Orders Issued | Complaints (Forwarded by IBBI) Disposed |
| 2018-19 | 16 | - | 7 | 100 | 4 | 11 |
| 2019-20 | 11 | 30 | 9 | 157 | 9 | 127 |
| 2020-21 | 14 | 193 | 66 | 102 | 42 | 102 |
| 2021-22 | 13 | 133 | 56 | 81 | 23 | 12 |
| 2022-23 | 15 | 231 | 104 | 192 | 85 | 125 |
| Apr-Jun, 2023 | 1 | 45 | 15 | 28 | 21 | 37 |
| Jul-Sep, 2023 | 1 | 58 | 12 | 41 | 0 | 31 |
| Total | 71 | 690 | 269 | 701 | 184 | 445 |

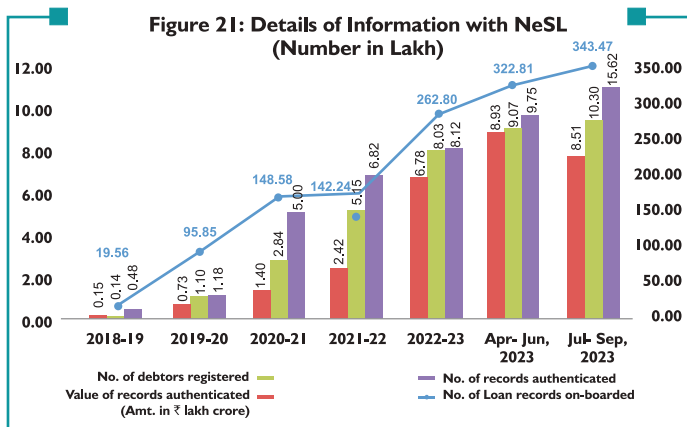
Table 25: CPE Hours earned by the IPs

| Period | Number of CPE Hours earned by members of | | | |
|--------------------------|------------------------------------------|--------------|--------------|---------------|
| | IIP ICAI | ICSI IIP | IPA ICAI | Total |
| 2019-20 | 1160 | 695 | 320 | 2175 |
| 2020-21 | 18465 | 8746 | 4647 | 31858 |
| 2021-22 | 14123 | 7890 | 3872 | 25885 |
| 2022-23 | 22185 | 10732 | 3433 | 36350 |
| Apr-Jun, 2023 | 1612 | 2726 | 661 | 4999 |
| Jul-Sep, 2023 | 1737 | 1694 | 848 | 4279 |
| Total | 59282 | 32483 | 13781 | 105546 |
| Average CPE hours | | | | |
| per registered IP | 21.93 | 27.25 | 33.53 | 24.51 |

Information Utility

The Code provides that the data with the IU facilitates the CIRP. The Record of Default (RoD) of the IU provides evidence of debt and default and assists the AA in deciding on an application for admission of insolvency proceedings against a CD. Sections 7(3) & 9(3) of the Code read with the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, require submission of RoD from an IU as evidence of default, among various other options, along with application for initiation of CIRP. The RoD issued by an IU has evidentiary value in IBC processes. It contains complete details of the parties to the debt, debt information, security details, default information, details of communication with debtor and authentication status by the counter parties of the debt categorized in accordance with regulation 21 of the IBBI (Information Utilities) Regulations, 2017. The IU issues RoD in every defaulted loan (unique debt) reported to it on completing the process of authentication.

There is one IU, namely, the NeSL that provides authenticated financial information to the users. The IBBI interacts with the MD & CEO of the IU along with the MDs of IPAs every month to discuss the issues relating to receipt and authentication of financial information. During interaction in this quarter, IPAs were requested to encourage their members to make use of the information stored with the IU for verification of claims during CIRP. As at the end of September, 2023, NeSL has issued about 1,12,017 RoDs to support the IBC ecosystem. Figure 21 provides details of the registered users and information with NeSL, as submitted by it.



Registered Valuer Organisations

The Companies (Registered Valuers and Valuation) Rules, 2017 (Valuation Rules) made under section 247 of the Companies Act, 2013 provide a unified institutional framework for development and regulation of valuation profession. Its remit is limited to valuations required under the Companies Act, 2013 and the Code. The IBBI performs the functions of the Authority under the Valuation Rules. It recognises Registered Valuer Organisations (RVOs) and registers RVs and exercises regulatory oversight over them, while RVOs serve as front-line regulators for the valuation profession.

An individual having specified qualification and experience needs to enrol with an RVO, complete the educational course conducted by the RVO, clear the examination conducted by IBBI, before seeking registration with IBBI as an RV. There are currently 15 RVOs, Assessors and Registered Valuers Foundation being the latest RVO recognised. The IBBI meets MDs / CEOs of RVOs every month to discuss the issues arising from the valuation profession, to resolve queries of the

RVOs and to guide them in discharge of their responsibilities. The details of individual RVs, RVO-wise, as on September 30, 2023, are given in Table 26. A total of 5411 individuals have active registrations, three of them are registered for all three asset classes, 85 are registered for two asset classes and the balance 5232 are registered for one asset class. As on September 30, 2023, the registration of four RVs have been cancelled and registration of 3 individuals are under suspension.

Table 26: Registered Valuers as on September 30, 2023

(Number)

| Sl. | Registered Valuer Organisation | No. of registration granted in each Asset Class | | | |
|--------------|-------------------------------------------------|-------------------------------------------------|-------------------|--------------------------------|-------------|
| | | Land & Building | Plant & Machinery | Securities or Financial Assets | Total |
| 1 | RVO Estate Managers and Appraisers Foundation | 91 | 14 | 16 | 121 |
| 2 | IOV Registered Valuers Foundation | 1557 | 248 | 181 | 1986 |
| 3 | ICSI Registered Valuers Organisation | 0 | 0 | 252 | 252 |
| 4 | IIV India registered Valuers Foundation | 182 | 48 | 56 | 286 |
| 5 | ICMAI Registered Valuers Organisation | 56 | 31 | 311 | 398 |
| 6 | ICAI Registered Valuers Organisation | 0 | 0 | 1068 | 1068 |
| 7 | PVAI Valuation Professional Organisation | 321 | 56 | 138 | 515 |
| 8 | CVSRTA Registered Valuers Association | 209 | 61 | 0 | 270 |
| 9 | Association of Certified Valuators and Analysts | NA | NA | 4 | 4 |
| 10 | CEV Integral Appraisers Foundation | 148 | 45 | 3 | 196 |
| 11 | Divya Jyoti Foundation | 100 | 18 | 65 | 183 |
| 12 | Nandadeep Valuers Foundation | 6 | 0 | 1 | 7 |
| 13 | All India Institute of Valuers Foundation* | 4 | 2 | 8 | 14 |
| 14 | International Business Valuers Association | 4 | 1 | 20 | 25 |
| 15 | All India Valuers Association | 2 | NA | NA | 2 |
| 16 | Assessors and Registered Valuers foundation | 47 | 14 | 30 | 91 |
| Total | | 2727 | 538 | 2153 | 5418 |

Note: NA signifies that the RVO is not recognised for that asset class.

*The RVO has merged with IOV Registered Valuers Foundation and the transfer of membership of members is under process.

RVs are permitted to form an entity (Partnership / Company) for rendering valuation services. There are 98 such entities registered as RVs as on September 30, 2023, as presented in Table 27. 43 of them are registered for three asset classes, 17 are registered for two asset classes and 38 are registered for one asset class. The registration of RVs till September 30, 2023 is given in Table 28.

Table 27: Registered Valuers (Entities) as on September 30, 2023

| Registered Valuer Organisation | Number of Entities | Asset Class | | |
|-----------------------------------------------|--------------------|-----------------|-------------------|--------------------------------|
| | | Land & Building | Plant & Machinery | Securities or Financial Assets |
| RVO Estate Managers and Appraisers Foundation | 5 | 5 | 3 | 4 |
| IOV Registered Valuers Foundation | 35 | 31 | 28 | 28 |
| ICSI Registered Valuers Organisation | 4 | 0 | 0 | 4 |
| IIV India Registered Valuers Foundation | 2 | 2 | 2 | 1 |
| ICMAI Registered Valuers Organisation | 16 | 9 | 9 | 15 |
| ICAI Registered Valuers Organisation | 16 | 0 | 0 | 16 |
| PVAI Valuation Professional Organisation | 4 | 3 | 3 | 4 |
| CVSRTA Registered Valuers Association | 1 | 1 | 1 | 0 |
| CEV Integral Appraisers Foundation | 1 | 1 | 1 | 0 |
| Divya Jyoti Foundation | 3 | 2 | 2 | 3 |
| All India Institute of Valuers Foundation | 1 | 1 | 1 | 1 |
| International Business Valuers Association | 9 | 8 | 6 | 7 |
| Nandadeep Valuers Foundation | 1 | 1 | 1 | 1 |
| Total | 98 | 64 | 57 | 84 |

Table 28: Registration of RVs till September 30, 2023 (Number)

| Year / Quarter | Land & Building | Plant & Machinery | Securities or Financial Assets | Total |
|-----------------|-----------------|-------------------|--------------------------------|-------------|
| 2017–2018 | 0 | 0 | 0 | 0 |
| 2018–2019 | 781 | 121 | 284 | 1186 |
| 2019–2020 | 848 | 204 | 792 | 1844 |
| 2020–2021 | 409 | 82 | 446 | 937 |
| 2021–2022 | 302 | 67 | 303 | 672 |
| 2022–2023 | 311 | 57 | 275 | 643 |
| Apr - Jun, 2023 | 40 | 5 | 29 | 74 |
| Jul–Sep, 2023 | 36 | 2 | 24 | 62 |
| Total | 2727 | 538 | 2153 | 5418 |

Note: Registration of 4 RVs have since been cancelled and registration of 3 RVs are under suspension.

As on September 30, 2023, 1387 RVs (constituting 26% of the total RVs registered) are from metros, while 4031 RVs (constituting 74% of the total RVs registered) are from non-metro locations. The region-wise detail of RVs is given in Table 29.

Table 29: Region wise RVs as on September 30, 2023

(Number)

| Year / Quarter | Land & Building | Plant & Machinery | Securities or Financial Assets | Total |
|-------------------------|-----------------|-------------------|--------------------------------|-------------|
| New Delhi | 90 | 37 | 260 | 387 |
| Rest of Northern Region | 448 | 89 | 381 | 918 |
| Mumbai | 121 | 55 | 325 | 501 |
| Rest of Western Region | 793 | 155 | 360 | 1308 |
| Chennai | 120 | 45 | 157 | 322 |
| Rest of Southern Region | 1069 | 130 | 503 | 1702 |
| Kolkata | 35 | 19 | 123 | 177 |
| Rest of Eastern Region | 51 | 8 | 44 | 103 |
| Total | 2727 | 538 | 2153 | 5418 |

The average age of RVs as on September 30, 2023 stood at 48 years across asset classes. It was 49 years for Land & Building, 54 years for Plant & Machinery and 43 years for Securities or Financial Assets (Table 30). Of the 5418 RVs as on September 30, 2023, 541 RVs (constituting about 10% of the total RVs) are females.

Table 30: Age profile of RVs as on September 30, 2023, 2023

| Age Group (in years) | Land & Building | Plant & Machinery | Securities or Financial Assets | Total |
|----------------------|-----------------|-------------------|--------------------------------|-------------|
| ≤ 30 | 167 | 8 | 128 | 303 |
| > 30 ≤ 40 | 566 | 78 | 832 | 1476 |
| > 40 ≤ 50 | 543 | 112 | 668 | 1323 |
| > 50 ≤ 60 | 1023 | 160 | 329 | 1512 |
| > 60 ≤ 70 | 378 | 123 | 180 | 681 |
| > 70 ≤ 80 | 44 | 54 | 15 | 113 |
| > 80 | 6 | 3 | 1 | 10 |
| Total | 2727 | 538 | 2153 | 5418 |

Complaints and Grievances

The IBBI (Grievance and Complaint Handling Procedure) Regulations, 2017 enable a stakeholder to file a grievance or a complaint against a service provider. Beside this, grievance and complaints are received from the Centralised Public Grievance Redress and Monitoring System (CPGRAMS), Prime Minister’s Office (PMO), MCA, and other authorities. The receipt and disposal of grievances and complaints till September 30, 2023 is presented in Table 31.

Table 31: Receipt and Disposal of Grievances and Complaints till September 30, 2023

(Number)

| Year / Quarter | Complaints and Grievances Received | | | | | | Total | | |
|-----------------|------------------------------------|-------------|-------------------------------------------|-------------|---------------------|-------------|-------------|-------------|-------------------|
| | Under the Regulations | | Through CPGRAM/PMO/MCA/Other Authorities) | | Through Other Modes | | Received | Dispo-sed | Under Examination |
| | Rece-ived | Dispo-sed | Rece-ived | Dispo-sed | Rece-ived | Dispo-sed | | | |
| 2017–2018 | 18 | 0 | 6 | 0 | 22 | 2 | 46 | 2 | 44 |
| 2017–2018 | 18 | 0 | 6 | 0 | 22 | 2 | 46 | 2 | 44 |
| 2018–2019 | 111 | 51 | 333 | 290 | 713 | 380 | 1157 | 721 | 480 |
| 2019–2020 | 153 | 177 | 239 | 227 | 1268 | 989 | 1660 | 1393 | 747 |
| 2020–2021 | 268 | 260 | 358 | 378 | 990 | 1364 | 1616 | 2002 | 361 |
| 2021–2022 | 276 | 279 | 574 | 570 | 611 | 784 | 1461 | 1633 | 189 |
| 2022 -2023 | 235 | 211 | 399 | 386 | 238 | 272 | 872 | 869 | 192 |
| Apr - Jun, 2023 | 46 | 50 | 113 | 98 | 71 | 49 | 230 | 197 | 225 |
| Jul–Sep, 2023 | 62 | 34 | 145 | 150 | 65 | 56 | 272 | 240 | 257 |
| Total | 1169 | 1062 | 2167 | 2099 | 3978 | 3896 | 7314 | 7057 | 257 |

Examinations

Limited Insolvency Examination

The IBBI publishes the syllabus, format, etc. of the examination under regulation 3(3) of the IP Regulations. It reviews the same continuously to keep it relevant with respect to dynamics of the market. It has successfully completed seven phases of the Limited Insolvency Examination. The eighth phase is going on since July 1, 2023. It is a computer based online examination available on daily basis from various locations across India. NSEIT Limited is the current test administrator. The details of the examination are given in Table 32.

Table 32: Limited Insolvency Examination

| Phase | Period | Number of Attempts (some candidates made more than one attempt) | Successful Attempts |
|--------------|----------------------|-----------------------------------------------------------------|---------------------|
| First | Jan, 2017–Jun, 2017 | 5329 | 1201 |
| First | Jan, 2017–Jun, 2017 | 5329 | 1201 |
| Second | Jul, 2017–Dec, 2017 | 6237 | 1112 |
| Third | Jan, 2018–Oct, 2018 | 6344 | 1013 |
| Fourth | Nov, 2018–Jun, 2019 | 3025 | 505 |
| Fifth | Jul, 2019–Dec, 2020 | 5860 | 1016 |
| Sixth | Jan, 2021 –Feb, 2022 | 2741 | 474 |
| Seventh | Mar, 2022–Jun, 2023 | 1677 | 198 |
| Eighth | Jul, 2023 -Sep, 2023 | 135 | 18 |
| Total | | 31348 | 5537 |

Valuation Examinations

The IBBI, being the authority under the Valuation Rules commenced the Valuation Examinations for asset classes of: (a) Land and Building, (b) Plant and Machinery and (c) Securities or Financial Assets, on March 31, 2018. It reviews the examinations continuously to keep it relevant with the changing times. The third phase of the examinations concluded on June 30, 2022 and the fourth phase commenced from July 1, 2022. It is a computer based online examination available from several locations across India. National Institute of Securities Markets is the current test administrator. The details of the Examinations are given in Table 33.

Table 33: Valuation Examinations

| Phase | Period | Number of Attempts (some candidates made more than one attempt) in Asset Class | | | Number of Successful Attempts in Asset Class | | |
|--------------|-----------------------|--------------------------------------------------------------------------------|-------------------|--------------------------------|----------------------------------------------|-------------------|--------------------------------|
| | | Land & Building | Plant & Machinery | Securities or Financial Assets | Land & Building | Plant & Machinery | Securities or Financial Assets |
| First | Mar, 2018 – Mar, 2019 | 9469 | 1665 | 4496 | 1748 | 324 | 707 |
| Second | Apr, 2019 – May, 2020 | 3780 | 757 | 4795 | 380 | 95 | 656 |
| Third | Jun, 2020 – Jun, 2022 | 8370 | 2015 | 8377 | 620 | 139 | 781 |
| Fourth | Jul, 2022 – Sep, 2022 | 2487 | 504 | 1478 | 211 | 38 | 128 |
| | Oct, 2022 – Dec, 2022 | 165 | 27 | 81 | 19 | 3 | 9 |
| | Jan, 2023 – Mar, 2023 | 205 | 39 | 177 | 21 | 5 | 24 |
| | Apr, 2023 – Jun, 2023 | 248 | 41 | 207 | 29 | 4 | 22 |
| | Jul, 2023 – Sep, 2023 | 264 | 43 | 144 | 37 | 7 | 27 |
| Total | | 24988 | 5091 | 19755 | 3065 | 615 | 2354 |

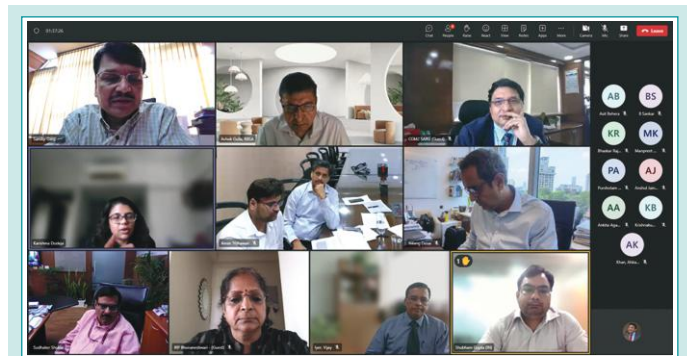
Building Ecosystem

Roundtables

During the quarter, the IBBI organised roundtables with stakeholders as presented in Table 34:

Table 34: Roundtables with stakeholders

| Sl. | Date | Particulars |
|-----|------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 1 | 31-07-2023 | Proposed amendments to CIRP Regulations |
| 2 | 14-09-2023 | Roundtable meeting with IMF Article IV mission team on recent advancements and strides made in insolvency and bankruptcy in India |



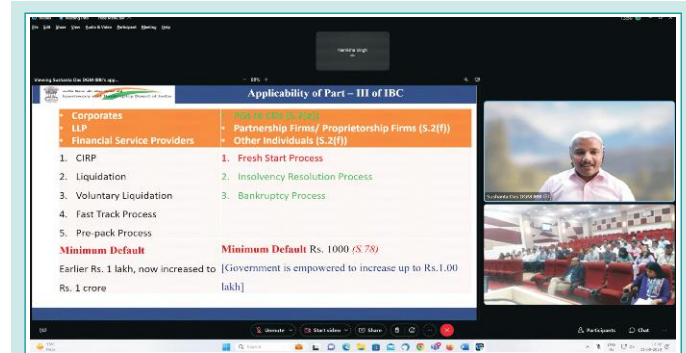
Roundtable on proposed amendments to CIRP Regulations, July 31, 2023

IP Workshops

IBBI has been organising workshops for registered IPs with the aim to deliver specialised and deep level learning through a classroom, non-residential mode. It organised several Workshops for the IPs during the quarter through online mode. The details of the workshops conducted till September 30, 2023, is given in Table 35.

Table 35: Capacity Building Programmes for IPs till September 30, 2023

| Year / Period | Basic Workshops | Advanced Workshops | Other Workshops | Webinars | Roundtables | Trainings | Total |
|-----------------|-----------------|--------------------|-----------------|-----------|-------------|-----------|------------|
| 2016 - 17 | 1 | - | - | - | 8 | - | 9 |
| 2017 - 18 | 6 | - | - | - | 44 | - | 50 |
| 2018 - 19 | 7 | - | - | - | 22 | - | 29 |
| 2019 - 20 | 4 | 6 | 5 | 1 | 22 | - | 38 |
| 2020 - 21 | 1 | 2 | 6 | 29 | 18 | 2 | 58 |
| 2021 - 22 | 7 | 7 | - | 21 | 12 | 3 | 50 |
| 2022-23 | 1 | 3 | 14 | 6 | 6 | 6 | 36 |
| Apr - Jun, 2023 | - | - | 7 | 3 | 2 | - | 12 |
| Jul - Sep, 2023 | - | - | 14 | 4 | 1 | - | 19 |
| Total | 27 | 18 | 46 | 64 | 135 | 11 | 301 |



Webinar on 'Insolvency Resolution Process of PGs to CDs: An Overview', August 21, 2023

Advocacy and Awareness

Virtual Program on Stressed Assets Management and IBC: Way Forward

Mr. Ravi Mital, Chairperson, IBBI addressed the participants in the Virtual Program on 'Stressed Assets Management and Insolvency and Bankruptcy Code' organised by Centre for Advanced Financial Research and Learning on July 11, 2023. He addressed the participants on 'Implementation of IBC: Learnings for Bankers'. The participants included Heads of Stressed Asset Management vertical and senior officials working in credit, legal cell/law department of Banks/Non-banking finance companies/Financial Institutions.

Training programme on IBC

The Board organized a two-day training programme on IBC in association with Pandit Deen Dayal Upadhyaya National Academy of Social Security, Employees' Provident Fund Organisation (EPFO), Ministry of Labour & Employment, Govt. of India on September 22-23, 2023. The IBC workshop formed part of the five days' on-campus training programme on Compliance Management in EPFO. The objective of the workshop was to apprise and update the Group 'A' officers (PF Commissioners) of the EPFO about the critical, conceptual and procedural aspects of the insolvency and bankruptcy process.



Mr. Shiv Anant Shanker, CGM, IBBI at Two-day training programme on IBC, New Delhi, September 22, 2023

Other Programmes

The IBBI in association with various stakeholders, organised advocacy and awareness programmes as presented in Table 36.

Table 36: Advocacy and Awareness Programmes, July – September, 2023

| Sl. | Date | Particulars | Topic | In association with |
|-----|----------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------|
| 1 | 02-07-23 | Meeting on UNIDROIT project along with Insolvency Law Academy | The Cape Town Convention and Bank Insolvency | UNIDROIT and Insolvency Law Academy |
| 2 | 05-07-23 | Workshop on reviewing Liquidation Regulations (Part I) | Reviewing Liquidation Regulations | ICSI IIP |
| 3 | 07-07-23 | Workshop for deliberations on Discussion Paper released by IBBI on June 7, 2023 | Discussion paper released on June 7, 2023 | IIIP ICAI |
| 4 | 12-07-23 | Workshop on reviewing Liquidation Regulations (Part II) & Voluntary Liquidation Regulations | Reviewing Liquidation Regulations & Voluntary Liquidation Regulations | ICSI IIP |
| 5 | 13-07-23 | Webinar with IIIP ICAI on CIRP Best practices | CIRP Best practices | IIIP ICAI |
| 6 | 13-07-23 | Workshop on Peer review | Peer review of registered valuers | ICAI RVO |
| 7 | 19-07-23 | Workshop on reviewing IP Regulations, IPA regulations & Model Bye Laws Regulations | Reviewing IP Regulations, IPA regulations & Model Bye Laws Regulations | ICSI IIP |
| 8 | 21-07-23 | Workshop on Liquidation and Voluntary Liquidation – Best Practices | Liquidation and Voluntary Liquidation – Best Practices | IIIP ICAI |
| 9 | 26-07-23 | Workshop on reviewing Inspection and GRC Regulations | Reviewing Inspection and GRC Regulations | ICSI IIP |
| 10 | 28-07-23 | Workshop on Disciplinary Aspects & Governance under IBC, 2016 | Disciplinary Aspects & Governance under IBC, 2016 | IPA ICAI |
| 11 | 02-08-23 | Workshop on reviewing IU Regulations | Reviewing IU Regulations | ICSI IIP |
| 12 | 09-08-23 | Workshop on reviewing Insolvency resolution and bankruptcy process of Personal Guarantor Regulations | Reviewing Insolvency resolution and bankruptcy process of Personal Guarantor Regulations | ICSI IIP |
| 13 | 12-08-23 | Webinar on Case Study – CIRP & Liquidation | CIRP & Liquidation process | IIIP ICAI |
| 14 | 16-08-23 | Workshop on reviewing Prepacked insolvency resolution Regulations | Reviewing Prepacked insolvency resolution Regulations | ICSI IIP |
| 15 | 21-08-23 | Training on IBC and NCLT: An overview | IBC and NCLT: An overview | NACIN, Faridabad |
| 16 | 21-08-23 to 22-08-23 | Training for Law Officers of Bank of India on IBC | IBC | Bank of India |
| 17 | 21-08-23 to 22-08-23 | 2-day Workshop on IBC with Law officers of Bank of Baroda | IBC | Bank of Baroda |
| 18 | 22-08-23 | Webinar on 'Managing Corporate Debtors as Going Concern under CIRP' | Managing Corporate Debtors as Going Concern under CIRP | IIIP ICAI |
| 19 | 25-08-23 | Workshop on Common Issues on Monitoring/Inspection & Peer Review | Common Issues on Monitoring/Inspection & Peer Review | IIIP ICAI |
| 20 | 02-09-23 to 03-09-23 | First Residential Specialised Valuation Training Programme at Coimbatore with IOV RVF | Valuation | IOV RVF |
| 21 | 04-09-23 | Training of Assistant Secretaries attached in MCA | IBC | MCA |
| 22 | 16-09-23 | ASSOCHAM 8 th National Summit on Insolvency & Bankruptcy Code and Valuation, Worli, Mumbai | IBC | ASSOCHAM |
| 23 | 16-09-23 | One-day conference on Insolvency and Bankruptcy | IBC | WIRC, ICAI and CIBC, ICAI |
| 24 | 23-09-23 | Workshop on disciplinary, grievance and complaints mechanism | Disciplinary, grievance and complaints mechanism | IIIP ICAI |
| 25 | 29-09-23 | Workshop on Best practice - Appointment of professionals and CoC meetings | Best practice - Appointment of professionals and CoC meetings | IIIP ICAI |



Mr. C. Ramachandra Rao, GM, IBBI at Training on 'IBC and NCLT: An overview', Faridabad, August 21, 2023



Mr. Rajesh Tiwari, GM, IBBI at Two-day Workshop on IBC with Law officers of Bank of Baroda, Vadodara, August 22, 2023



Mr. Ravi Mital, Chairperson, IBBI at ASSOCHAM 8th National Summit on Insolvency & Bankruptcy Code and Valuation, Mumbai, September 16, 2023



Mr. Ritesh Kavdia, ED, IBBI at One-day conference on IBC, Ahmedabad, September 16, 2023

Senior officers of IBBI participated as guests and faculty in several programmes during the quarter, the details of which are presented in Table 37.

Table 37: Participation of Senior Officers in Programmes

| Sl. | Date | Organiser | Subject | Participation |
|-----|----------|-----------------------------------------------------------|----------------------------------------------------------------------------|----------------------------------------------------|
| 1 | 13-07-23 | Pension Fund Regulatory and Development Authority (PFRDA) | Induction Training Program for Newly Recruited Assistant Managers in PFRDA | Mr. Ritesh Kavdia, ED |
| 2 | 02-09-23 | CIBC and EIRC, ICAI | IBC Conclave | Mr. Sudhaker Shukla, WTM Mr. Santosh Shukla, ED |
| 3 | 22-09-23 | IIIP ICAI | Conference on 'Developing Market for Stressed Assets in India' | Mr. Ravi Mital, Chairperson |



Mr. Santosh Shukla, ED, IBBI at IBC Conclave, Kolkata, September 2, 2023



Mr. Sudhaker Shukla, WTM, IBBI at IBC Conclave, Kolkata, September 2, 2023



Mr. Ravi Mital, Chairperson, IBBI at Conference on 'Developing Market for Stressed Assets in India', New Delhi, September 22, 2023

List of Abbreviations

| | | | |
|------------------|------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------|
| AA | Adjudicating Authority | IMF | International Monetary Fund |
| AFA | Authorisation for Assignment | IOV RVF | IOV Registered Valuers Foundation |
| ARC | Asset Reconstruction Company | IP/IPs | Insolvency Professional/ Professionals |
| ASSOCHAM | The Associated Chambers of Commerce and Industry of India | IPA/IPAs | Insolvency Professional Agency/ Agencies |
| BIFR | Board for Industrial and Financial Reconstruction | IPA ICAI | Insolvency Professional Agency of Institute of Cost Accountants of India |
| CAPEX | Capital Expenditure | IPE/IPEs | Insolvency Professional Entity/Entities |
| C&AG | Comptroller and Auditor General of India | IP Regulations | IBBI (Insolvency Professionals) Regulations, 2016 |
| CCI | The Competition Commission of India | IRP/IRPs | Interim Resolution Professional/Professionals |
| CD | Corporate Debtor | ITC | Input Tax Credit |
| CEO | Chief Executive Officer | IU/IUs | Information Utility/Utilities |
| CIBC, ICAI | Committee on Insolvency and Bankruptcy Code, ICAI | LCD | Liquidation Commencement Date |
| CIRP | Corporate Insolvency Resolution Process | Liquidation Regulations | IBBI (Liquidation Process) Regulations, 2016 |
| CIRP Regulations | IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 | MCA | Ministry of Corporate Affairs |
| CMIE | Centre for Monitoring Indian Economy | MD | Managing Director |
| CoC | Committee of Creditors | MSME | Micro, Small and Medium Enterprise |
| CPE | Continuing Professional Education | NCD | Non-convertible Debenture |
| CPGRAMS | Centralised Public Grievance Redress and Monitoring System | NCLAT | National Company Law Appellate Tribunal |
| DRT | Debt Recovery Tribunal | NCLAT Rules, 2016 | The National Company Law Appellate Tribunal Rules, 2016. |
| ED | Executive Director | NCLT | National Company Law Tribunal |
| EIRC, ICAI | Eastern India Regional Council, ICAI | NeSL | National e- Governance Services Limited |
| EMD | Earnest Money Deposit | NPA | Non-Performing Asset |
| EPFO | The Employees' Provident Fund Organisation | NRRA | Not Readily Realisable Assets |
| FC/FCs | Financial Creditor / Creditors | OC/OCs | Operational Creditor/ Creditors |
| FiSP/FiSPs | Financial Service Provider/ Financial Service Providers | PFRDA | Pension Fund Regulatory and Development Authority |
| PGIP | Post Graduate Insolvency Programme | PG/PGs | Personal Guarantor/Guarantors |
| GST | Goods and Services Tax | PIRP | Personal Insolvency Resolution Process |
| HC | High Court | PMO | Prime Minister's Office |
| IA/IAs | Interlocutory Application/ Interlocutory Applications | PPIRP | Pre-Packaged Insolvency Resolution Process |
| IAIR | The International Association of Insolvency Regulators | RBI | Reserve Bank of India |
| IBBI / Board | Insolvency and Bankruptcy Board of India | RERA | Real Estate Regulatory Authority |
| IBC / Code | Insolvency and Bankruptcy Code, 2016 | RoD | Record of Default |
| ICAI | Institute of Chartered Accountants of India | RP/RPs | Resolution Professional/Professionals |
| ICAI RVO | ICAI Registered Valuers Organisation | RV/RVs | Registered Valuer/Registered Valuers |
| ICD | Insolvency Commencement Date | RVO/RVOs | Registered Valuer Organisation/Registered Valuer Organisations |
| ICLS | Indian Corporate Law Service | SC | Supreme Court of India |
| ICMAI | Institute of Cost and Management Accountants of India | SCC | Stakeholders' Consultation Committee |
| ICMS | Insolvency Case Management System | SGST | State Goods and Services Tax |
| ICSI | Institute of Company Secretaries of India | SRA | Successful Resolution Applicant |
| ICSI IIP | ICSI Institute of Insolvency Professionals | Valuation Rules | The Companies (Registered Valuers and Valuation) Rules, 2017 |
| IIP ICAI | Indian Institute of Insolvency Professionals of ICAI | WIRC, ICAI | Western India Regional Council, ICAI |
| IIM Ahmedabad | Indian Institute of Management, Ahmedabad | WTM | Whole-time Member |

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