



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

# Insolvency and Bankruptcy News

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## Standardising VALUATION



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*'Today it is recognised universally that Indian legal framework for resolution of insolvency with multiple objects sought to be achieved has emerged as a formidable mechanism unparalleled in the contemporary world'*

**Justice Ashok Bhushan, Chairman, NCLAT, during inauguration of the renovated court premises of NCLAT Chennai Bench, April 1, 2023.**

*Speaking on government's role in supporting the real estate sector 'Insolvency and Bankruptcy Code has helped clean up the sector with banks willing to lend with confidence'*

**Shri Piyush Goyal, Hon'ble Union Minister for Commerce and Industry, Consumer Affairs, Food and Public Distribution and Textiles, while addressing the National Investiture Ceremony of Confederation of Real Estate Developers Associations of India, April 15, 2023.**



# From Chairperson's Desk

## Standardising Valuation

The Insolvency and Bankruptcy Code, 2016 (IBC/Code) seeks to resolve a distressed corporate debtor (CD) in a time bound manner for ensuring the maximisation of value of assets of the CD. In a significant shift from earlier regimes, the decision what to do with the distressed firm has been entrusted upon the creditors. For the body of the creditors i.e. committee of creditors (CoC) to arrive at an optimum decision, an accurate valuation of the CD is essentially required. The valuation also determines the entitlement of various stakeholders (like dissenting creditors and operational creditors) in a resolution plan. Recognising this, the Insolvency and Bankruptcy Board of India (IBBI/Board) in its regulations provided for valuation by the Registered Valuer (RV).

The Companies Act, 2013 has introduced the concept of 'RV' under section 247 of Chapter XVII to set certain valuation standards and regulate the practice ensuring transparency, accountability and better governance during a valuation exercise. The Central Government, thereafter, designated the IBBI as the Authority under section 458 of the Companies Act, 2013 and notified the Companies (Registered Valuers and Valuation) Rules, 2017 (Valuation Rules) to provide a comprehensive framework for development and regulation of the profession of valuers. The Valuation Rules prescribes that valuation standards are to be notified by the Government. However, pending such notification, an RV is required to undertake valuation as per internationally accepted valuation standards or valuation standards adopted by any Registered Valuers Organisation (RVO).

Currently, RVs follow a wide range of standards, approaches, and methodologies while assessing the value of assets. As a consequence, in the corporate insolvency resolution process (CIRP) of a particular CD, two RVs appointed by the Resolution Professional (RP) might adopt different standards and approaches for valuing the same assets. This inconsistency in valuations, along with multiple interpretations might cause confusion, undermine the credibility of the valuation process, and disrupt the decision-making process.

Furthermore, the valuations typically rely on various assumptions such as growth rates, discount rates, and terminal values etc. These subjective hypotheses can vary from one valuer to another, leading to inconsistencies in the valuation outcomes. Moreover, different valuation techniques, like discounted cash flow, comparable company analysis, replacement cost, residual income etc. can produce different conclusions. The selection of the valuation methodology can be subjective and varies between valuers, leading to different valuation results due to varying approaches and assumptions.

Regulation 27 of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (CIRP Regulations) has strived to square away the difference in two valuations and provides for appointment of a third valuer if there is substantial difference between the valuations arrived by first two valuers and considering average of the two closest estimates. However, third valuer also might come up with entirely different value depending on different standards, approaches, methods, and assumptions.

To bring uniformity, Regulation 35 of the CIRP Regulations mandates the valuers to assess value of the CD '*computed in accordance with internationally accepted valuation standards, after physical verification of the inventory and fixed assets of the corporate debtor*'. The Institute of Chartered Accountants of India (ICAI) has issued ICAI Valuation Standards in August, 2018 to set up concepts, principles and procedures which are generally accepted internationally having regard to legal framework and practices prevalent in India. The two worldwide followed standards are International Valuation Standards issued by the International Valuation Standards Council and the Royal Institution of Chartered Surveyors Red Book. Notably, no definite standard has been prescribed under IBC to conduct the valuations.

The uniform valuation standards with international acceptance are necessary in order to establish consistent, uniform, and transparent valuation and ensure comparability and credibility of valuation assessments under IBC. Standardized methodologies and defined techniques, clear guidelines on selecting appropriate valuation approaches, such as asset-based, market-based, and income-based, depending on the nature of the assets and the businesses are required. Moreover, there is need to quantify the permissible assumptions, limiting subjectivity, chartering scope of work with accountability etc. to achieve consistent, fair, and more transparent valuation outcomes, benefiting all stakeholders involved in the insolvency resolution process. Uniform valuation standards would help in identifying potential biases or errors in the valuation process, thus minimizing the risk of misrepresentation. Valuation reports prepared in adherence to established standards would add an additional layer of validation and provide a reliable basis for negotiation in resolution plans.

It is felt that a before-hand discussion with CoC on valuation methodology adopted by valuers prior to finalisation of valuation reports and sharing those reports would provide clarity for conclusion drawn and help in improving the quality of valuation reports. The Ministry of Corporate affairs (MCA) in its discussion paper dated January 18, 2023 has also proposed to disclose the valuation in the information memorandum to bring transparency, eliminate any information asymmetry and increase participation of resolution applicants with availability of better information.

To achieve successful insolvency resolutions, it is imperative to enhance the effectiveness, reliability, and usefulness of the valuation procedure under the IBC. This can be accomplished by implementing a well-structured and comprehensive standards framework for valuations. Standardized valuations would enable stakeholders to make well-informed decisions, instil confidence in the resolution process, and maximize value for all parties concerned in the resolution of distressed enterprises.

(Ravi Mital)

## IBBI Updates

### Annual Strategy meet

The IBBI has been organising its annual strategy meets to develop a strategic action plan that sets its priorities, focuses energy and resources on priority areas, and outlines specific actions and sub-actions to achieve desired outcomes, for the coming year. The strategy meet for the year 2023-24 took place through virtual mode on April 6, 2023 and May 2, 2023.

### MoU with Hamdard Institute of Legal Studies and Research

The IBBI signed a Memorandum of Understanding (MoU) with Hamdard Institute of Legal Studies and Research, Jamia Hamdard (deemed to be university) at New Delhi on May 24, 2023. The MoU aims to collaborate in conducting awareness and capacity building programs, conferences, seminars, workshops etc. on issues related to IBC and develop and impart courses, conduct moot competitions, issue joint publications and other collaborative efforts on the issues related to IBC.



MoU with Hamdard Institute of Legal Studies and Research, May 24, 2023

### 4<sup>th</sup> National Online Quiz on IBC

The IBBI, in collaboration with MyGov and BSE Investors' Protection Fund, announced the '4th National Online Quiz on Insolvency and Bankruptcy Code, 2016' to increase awareness and understanding about the Code among various stakeholders, across the country. The Quiz would be open to Indian citizens aged 18 years and above as on July 1, 2023 and be available for participation from July 1, 2023 to July 31, 2023. The Quiz would be available both in English and Hindi.

### Conference on 'IBC - Evolving Paradigms and Reforms'

The IBBI in association with Confederation of Indian Industry (CII) organized a Conference on 'Insolvency and Bankruptcy Code - Evolving Paradigms and Reforms' on April 13, 2023 at India Habitat Centre, New Delhi. Chairperson, IBBI attended the Conference as Chief Guest. Mr. Sudhaker Shukla, WTM, IBBI presided as a session chair in Plenary Session I on 'Reforms to strengthen processes under IBC' and Mr. Sandip Gard, ED, IBBI presided as a session chair in Plenary Session II on 'Pre-pack Insolvency and Cross-Border Insolvency Mechanism' in the said Conference.



Mr. Ravi Mital, Chairperson, IBBI at CII Conference, April 13, 2023



Mr. Sudhaker Shukla, WTM, IBBI at CII Conference, April 13, 2023



Mr. Sandip Garg, ED, IBBI at CII Conference, April 13, 2023

### 'Week with the Legends' at IICA

The Indian Institute of Corporate Affairs (IICA), Manesar, Haryana organised a seminar with IBBI as a part of the student-led program, 'Week with the Legends' which commenced on June 6, 2023. The Conference was inaugurated by Mr. Ravi Mital Chairperson, IBBI in the presence of Mr. Jayanti Prasad, WTM, IBBI along with Mr. Praveen Kumar, DG & CEO, IICA and Dr. K.L. Dhingra, Head, Centre for Insolvency and Bankruptcy, IICA with the students and faculty members in attendance. Chairperson, IBBI and WTM, IBBI invited questions from the students and addressed their queries, presenting their viewpoints on wide areas related to the IBC. Additionally, the seminar included Mr. Ritesh Kavdia, ED, IBBI, and Mr. Shiv Anant Shanker, CGM, IBBI who delivered a presentation on the key role of the Insolvency Professional (IP), the risks involved in being an IP and the skills/principles required by an IP to perform its role to the best manner possible.



Week with the Legends at IICA, June 6, 2023

### Data Dissemination - Details of Assignments Handled by IPs

As part of its data dissemination efforts, the IBBI published the data on performance of IPs in CIRPs handled by them, on its website on June 6, 2023. The data highlighted the:- (a) number of assignments with the IPs; (b) number of completed CIRP cases in appeal/review/settled, withdrawn, resolved and liquidated categories; (c) number of ongoing CIRP cases; (d) time taken in resolution and realisable value as a % of liquidation value; and (e) information on whether IP is a part of the panel valid from January 1, 2023 to June 30, 2023.

**International Yoga Day**

The IBBI observed the International Yoga Day on June 21, 2023. A virtual workshop was conducted on Yoga and Meditation for health and wellness for the employees of the Board, by Mr. Ajay Kumar Jain, IP and Yoga trainer. The Yoga session included practicing Yogasans, Pranayam and Meditation.

**Human Resources**

**Executive Director**

Mr. Amit Pradhan, ED was repatriated to his parent organisation, the Securities and Exchange Board of India, on April 17, 2023. The Board expressed its profound appreciation and admiration for the exceptional quality of services rendered by Mr. Pradhan. A robust and resounding sense of gratitude was placed on record, recognizing the remarkable contributions he made during his tenure at the IBBI.



Farewell of Mr. Amit Pradhan, April 17, 2023

**Employee Trainings and Workshop**

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
01-06-2023	EGROW Foundation	Non-Performing Assets (NPAs) and Resolution frameworks	25
09-06-2023	IBBI	Training programme on Valuation	35



Training programme by EGROW Foundation, June 1, 2023



Training programme on Valuation, June 9, 2023

**Legal and Regulatory Framework**

**Central Government**

**Notification under section 14(3)(a) of IBC**

The Central Government vide its notification no.S.O.2660(E) dated June 14, 2023, exempted the application of provisions of section 14(1) of the Code in situations where the CD has entered into any of the following transactions, arrangements or agreements, namely:- (a) the Production Sharing Contracts, Revenue Sharing Contracts, Exploration Licenses and Mining Leases made under the Oilfields (Regulation and Development) Act, 1948 (53 of 1948) and rules made thereunder; and (b) any transactions, arrangements or agreements, including Joint Operating Agreement, connected or ancillary to the transactions, arrangements or agreements referred to in clause (a).

**IBBI**

**Invitation of public comments on regulations notified under IBC**

The IBBI, vide its press release dated May 4, 2023, invited comments from the public including stakeholders on the regulations already notified under the Code till date. This is issued with a view to ensure that the regulations are informed by the legitimate needs of those stakeholders who are affected by the regulations. The stakeholder may provide comments on important issue in the extant regulatory framework that hinder transactions and offer alternate solutions to address the same.

**Invitation of public comments on measures for effective resolution**

The IBBI, vide its discussion paper dated June 7, 2023, invited comments from the stakeholders on various issues that are adversely affecting the efficiency and effectiveness of the resolution process, namely: (a) Timeline for providing information for assignment of debt; (b) Seeking information from personnel of the CD; (c) Modification of timelines for submission and consolidation of claims; (d) Duties, fee and replacement of Authorised Representative; (e) Inclusion of relevant minutes in Form H; (f) Addressing the aspect of limitation in applications for initiation of CIRP; (g) Favourable voting on more than one resolution plan; (h) Changes in various CIRP timelines; and (i) Audit requirement for insolvency resolution process cost in certain CIRPs.

**Invitation of public comments on enrolment and registration process of IPs**

With a view to facilitate ease of entry in the insolvency profession, the IBBI, vide its discussion paper dated June 7, 2023, invited comments from the stakeholders on (a) simplification of enrolment of membership and registration process; (b) modification in exam and pre-registration educational course requirements; (c) streamlining the exit and attendant compliance obligations pursuant to suspension of the professional member by the Insolvency Professional Agency (IPA), surrender of professional membership by the IP with IPA/surrender of certificate of registration with the Board, expulsion of the professional member by IPA, or demise of an IP (individual) and winding up or dissolution of an entity.

**Guidelines for Panel of IPs**

On June 12, 2023, the IBBI issued the guidelines namely 'Insolvency Professionals to act as Interim Resolution Professionals, Liquidators, Resolution Professionals and Bankruptcy Trustees (Recommendation) Guidelines, 2023' (Panel Guidelines). These Guidelines will enable the Board to prepare a common panel of IPs and share the same with the Adjudicating Authority (AA) for appointment of Interim Resolution Professionals (IRPs), Liquidators, RPs and Bankruptcy Trustees from July 1, 2023 to December 31, 2023. These Guidelines shall come into effect from July 1, 2023.

**Circular regarding production of IU Record**

The IBBI, vide its Circular dated June 16, 2023 advised as a matter of general guidance to creditors filing applications under section 7 and 9 of the Code, to append the record of default (RoD) issued by the Information Utility (IU) along with their application being filed in the jurisdictional National Company Law Tribunal (NCLT). This circular in on lines with the order dated April 3, 2023 issued by the Joint Registrar, NCLT intimating all stakeholders about the insertion of Regulation 20(1A) in the IBBI (Information Utilities) Regulations, 2017 and for the compliance of the said provision. Accordingly, the petitioners filing applications under section 7 and 9 of the Code are required to comply with the said regulations and produce the RoD, at the earliest for effective hearing of their cases.

**Orders**

**Supreme Court**

**Sanket Kumar Agarwal & Anr. Vs. APG Logistics Pvt. Ltd. [Civil Appeal No. 748 of 2023]**

The SC held that section 238A of the Code enable application of provisions of the

Limitation Act, 1963. Rule 3 of the NCLAT Rules, 2016 is in line with section 12(1) of the Limitation Act, 1963 which stipulates that in computing the period of limitation the day from which such period is to be reckoned, shall be excluded. Accordingly, it held that for the purpose of computing limitation for filing of appeal under section 61(2) of the Code, the date on which the order was pronounced must be excluded.

**Mars Remedies Pvt. Ltd. Vs. BDH Industries Ltd. [Civil Appeal No. 5170/2022]**

This case relates to an intervention application filed by a financial creditor (FC) in the main appeal filed by the CD against the order of admission on the application of another FC. The SC held that two CIRPs cannot simultaneously go against the same CD and the CD cannot be allowed to choose one of the best.

**Moser Baer Karmachari Union through President Mahesh Chand Sharma Vs. Union of India [WP (C) No.421 of 2019 and Ors.]**

Moser Baer Karmachari Union, in this case - (a) challenged the validity of section 327(7) of the Companies Act, 2013 being arbitrary and violative of Article 21 of the Constitution of India; and (b) prayed for leaving the statutory claims of the 'workmen's dues' out of the purview of waterfall mechanism under section 53 of the Code.

The SC observed that the waterfall mechanism under section 53 is based on a structured mathematical formula, and the hierarchy under section 236 of the Companies Act, 2013 is created in terms of payment of debts in order of priority with several qualifications. The unpaid dues of the workmen are adequately and significantly protected under section 53 in line with the objectives of the Code. Thus, the interests of workmen are protected whether secured creditor has relinquished his security interest or not.

It further observed that the Parliament in its wisdom made the provisions under the Code to keep out statutory workmen's dues from the liquidation estate assets. The workmen's salary for the period of 24 months preceding the liquidation commencement date shall rank equally between the workmen's dues to the said extent and the dues to the secured creditor. By virtue of section 327(7), sections 326 and 327 of the Companies Act, 2013 shall not be applicable in the liquidation of a company under the Code.

**M.K. Rajagopalan Vs. Dr. Periasamy Palani Gounder & Anr. [Civil Appeal Nos. 1682-1683 of 2022]**

The SC observed that CD's revised plan was not put before the CoC for a vote and that the resolution applicant was ineligible under section 29A of the Code. It emphasised that CoC in its commercial wisdom must consider every aspect of resolution plan, including financial arrangement and legality before the final approval.

**Vistra ITCL (India) Ltd. & Ors. Vs. Dinkar Venkatasubramanian & Anr. [Civil Appeal No. 3606 of 2020]**

CIRP was initiated against the CD i.e. Amtek Auto Limited. Vistra (Security Trustee) claimed to be a secured FC on the ground that shares were pledged as security interest against the short-term loan. The loan was extended for the ultimate interest of CD in its group companies. The issue was whether the security trustee can claim the rights and obligations of a secured FC? The SC acknowledged that Vistra held a security interest in the pledged shares but because CoC had already approved the resolution plan, the question requires consideration of a larger bench, as Vistra could not participate in voting as member of CoC. Thus, the rights of an FC couldn't be bestowed upon it. It, however, allowed SRA the option to treat Vistra as a secured creditor, allowing it to retain the security interest in the pledged shares and receive the proceeds from their sale.

**Indiabulls Asset Reconstruction Company Ltd. Vs. Ram Kishore Arora & Ors. [Civil Appeal No. 1925 of 2023]**

FC filed an appeal in SC against the orders of NCLAT that had allowed project-wise CIRP of Supertech Limited i.e. Ecovillage II in Greater Noida West. The SC while declining to constitute CoC with respect to entire projects of CD, observed that greater inconvenience and irreparable injury to the home buyers would result if such an order is passed. It further noted that the infusion of funds by the promoter in different projects is to be treated as interim finance.

**M. Suresh Kumar Reddy Vs. Canara Bank & Ors. [Civil Appeal No. 7121 of 2022]**

On the scope of authority of AA to admit the application under section 7 considering the rationale laid down by the SC in the case of *Vidarbha Industries Power Ltd. v. Axis Bank Ltd.*, SC made following important findings and observations:-

a. In the cases of *Innovative Industries* and *E.S. Krishnamurthy and others*, the

SC had held that in case CD commits default of financial debt, AA has to merely see the records of IU and other evidence produced by FC to satisfy that default has occurred.

- b. Once AA is satisfied that the default has occurred, there is hardly any discretion left with AA to refuse admission under section 7 of the Code.
- c. Even non-payment of a part of debt becoming due and payable will amount to default on the part of CD.
- d. The SC in the *Vidarbha Industries* case has held that the AA cannot exercise discretionary power arbitrarily or capriciously unless the fact and circumstances warrant exercise of discretion in a particular manner.
- e. The SC laid emphasis on the review petition observations that its decision in *Vidarbha Industries* case was in the setting of facts of the case and observations in the judgments are not to be read as provisions of statute.
- f. The SC while dismissing the appeal observed that the decision in the case of *Vidarbha Industries* cannot be read and understood as taking a view which is contrary to the view taken in the case of *Innovative Industries* and *E.S. Krishnamurthy*.

**Gluckrich Capital Pvt. Ltd Vs. The State of West Bengal & Ors. [Misc. Application No. 1302 of 2023 (IA No. 102537 of 2023)]**

On the issue whether the RP/SRA has remedy against a third party in a fraudulent transaction attracting section 66 of the Code, the SC clarified that the remedy against third party is not available under section 66 of the Code, and in such circumstances, it is for the RP or the SRA to take civil remedies against third party for recovery of dues payable to CD and the civil remedies which may be available in law are independent of the said section.

**High Court**

**Anirudh Agro Farms Pvt. Ltd. Vs. The State of Telangana & Ors. [Writ Appeal No.414 of 2023]**

The issue for consideration before the Telangana HC was whether a certificate of sale issued by the liquidator under the provisions of the Code/regulations is required to be filed or registered before the jurisdictional sub-registrar. In this case, the liquidator had issued a certificate of sale in favour of the highest bidder. The Sub-registrar office (SRO) however, declined to do the registration on the ground that there is no practice of filing certificate of sale of this nature in its office and in its communication directed that such filing would attract stamp duty at par with sale under Article 47A of the Indian Stamp Act, 1899. As the single bench of the Telangana HC did not interfere with the communication of the SRO, writ appeal was filed before the Division Bench of the HC. The Division Bench while disposing of the writ appeal, observed that once a direction is issued for the duly validated certificate to be issued to the auction purchaser with a copy forwarded to the registering authority to be filed in book, it has the same effect as registration and obviates the requirement of any further action.

**Sanjay Kumar Agarwal Vs. Central Bureau of Investigation, Anti-Corruption Bureau Dhanbad [Cr. M.P. No. 1048 of 2021]**

Jharkhand HC held that RP's functions are in the nature of public duty. It was observed that RP is a 'public servant' under section 2(c) of the Prevention of Corruption Act, 1988 (PC Act) for the reason that definition of public servant as given under the PC Act is very wide and expansive. It is not limited to those serving under the Government or its instrumentalities and drawing salary from the public exchequer. Further, the Court noted that apart from the list of functionaries provided in section 2(c), the functional criteria laid down to include within its fold those who are discharging public duty, or any duty authorised by Court of justice in connection with the administration of justice. It observed that the RP plays a key role in the insolvency resolution process and has a duty to protect the assets of CD. The nature of assignment and duty his office performs entails performance of function which are in the nature of public duty; thus is covered in the definition of 'public servant' under the PC Act. Also, the appointment of RP is made by the AA under the Code.

**Sunflag Iron & Steel Co. Ltd. Vs. J. Poonamchand & Sons [Misc. Civil Application No.374-2020]**

During the pendency of CIRP application for admission, CD filed an application under section 11(6) of the Arbitration and Conciliation Act, 1996 (A&C Act) before Bombay HC for the appointment of an Arbitrator. The HC while disposing of the application for appointment of Arbitrator observed that there is no inconsistency between the provisions of the Code and the A&C Act. It held that triggering point of section 238 having overriding effect on the A&C Act, is the admission of application by the AA and not mere filing of application under the Code.

### National Company Law Appellate Tribunal

#### **Clicbrics Technologies Pvt. Ltd. Vs. Ansal Housing Ltd [CA (AT)(Ins)No. 1268 of 2022]**

In this case, the operational creditor (OC) being a real estate agent filed an application under section 9 seeking initiation of CIRP against CD-M/s. Ansal Housing Limited. The application was dismissed by AA holding that the OC had approached it with mala fide intention and not for genuine resolution. The NCLAT, while allowing appeal of OC observed that no material has been placed on record by CD to establish that the invoices were disputed by the CD prior to demand notice. The submission by CD that the OC by refusing to receive payment tried to use the provisions of the Code as a tool to coerce and intimidate the CD to succumb to his illegitimate demands, cannot be accepted. It held that the operational debt which had admittedly become due and payable, having not been disputed prior to issue of demand notice and not been discharged by the CD, is a fit case for admission of CIRP.

#### **Intec Capital Ltd. Vs. Uday Kumar Bhaskar Bhat, IRP of Atharva Auto Logistics Pvt. Ltd. [CA (AT) (Ins) No.361 of 2023]**

Post admission of section 7 application, the FC filed claim for a sum of ₹ 6,52,42,330/- and the said amount was provisionally admitted subject to verification by the IRP. However, at the time of verification, the fact that the same FC had initiated arbitration award prior to the date of admission by AA, came to light after filing of claim and before verification. The RP reduced the claim amount to ₹ 3,16,90,306/- based on the arbitration. Aggrieved with the reduction of the claim amount, FC had filed an application before AA which got dismissed. In the appeal filed by the FC, the issue was whether an RP can reduce the claim once admitted in the process. NCLAT while upholding the order of AA, observed that in terms of regulation 14(2) of CIRP Regulations, RP has right to revise the amounts of the claim admitted as and when he comes across any additional information warranting such revision.

#### **State Bank of India Vs. Hackbridge Hewittic and Easun Ltd. [I.A. No. 614 of 2021 in CA (AT) (CH) (Ins.) No. 05 of 2021]**

The issue for consideration before NCLAT was whether the date of default to be considered from the date of proposal or acceptance or cancellation of approved OTS proposal. NCLAT held that the date of default automatically got extended from the date of OTS proposals submitted by obligants to the credit facilities. Thus, section 18 of the Limitation Act, 1963 is attracted and considering part payments made by CD, limitation got extended. NCLAT set aside the AA's order and held that OTS proposal tantamount to acknowledgment of debt by CD.

#### **Kanoria Chemical & Industries Ltd. Vs. Vijendra Kumar Jain & Ors. [CA (AT) (Ins.) No. 618 of 2021 & I.A. No. 1647 of 2021]**

The appellant/ OC challenged the approval of the resolution plan by the AA on the grounds that – (a) the OC's claim arising out of the arbitral award has not been considered in accordance with the provisions of section 30(2)(b) of the Code; and (b) the SRA was ineligible under section 29A. The NCLAT observed that the OC did not deserve 'zero' payment since there was no contrary order against the award. Therefore, OC's claim should have been appropriately admitted by the RP and considered for payment in the approved resolution plan. On the issue of eligibility of SRA, it was observed that section 240A prescribes that the provision of clauses (c) and (h) of section 29A shall not apply in respect of CIRP of CD being an MSME and thus the SRA is permitted to submit a resolution plan.

#### **Mukesh Kumar Jain, Liquidator Trans Gulf Frozen Food Containers Pvt. Ltd. Vs. Divyanshu Walia [CA (AT) (Ins.) No. 455 of 2023]**

The issue before NCLAT was whether the son of the deceased liquidator has personal liability for supplying documents/ objects once all the documents have been handed over to the present liquidator. NCLAT held that there was no personal liability on the son of the deceased liquidator for supplying documents/objects as claimed by the present liquidator.

#### **Adinath Jewellery Exports Vs. Mr. Brijendra Kumar Mishra, Liquidator of Shrenuj & Co. Ltd. [CA (AT) (Ins.) No. 748 of 2022]**

The appellant who claimed to be a tenant of the CD challenged the orders of AA whereby liquidator was directed to keep certain premises locked and sealed. The appellant contended *inter alia* that the Small Causes Court has jurisdiction under the Maharashtra Rent Control Act, 1999 to handle eviction matters and not the AA. NCLAT on the strength of leave and license agreement and other relevant communications between the appellant and the RP who had renewed the agreement during moratorium, noted that the relationship between appellant and the CD was that of a licensee and licensor, not a tenant and landlord. NCLAT while dismissing the appeal held that once a property is part of liquidation estate of CD, the provisions of Code are applicable regarding the assets which were in the ownership of the CD and section 238 of the Code shall have overriding effect on

the applicability of any other law which was inconsistent with the Code.

#### **GVR Consulting Services Pvt. Ltd. & Anr. Vs. Pooja Bahry & Ors. [CA (AT) (Ins.) No. 405 with 369 and 412 of 2022]**

The issue for consideration was whether the motive of the CD in transaction is the pivotal factor in deciding the preferential transaction and whether the sums arranged from relatives of the CD can be held to be preferential transaction. The NCLAT while disposing the appeal observed that intent and motive behind the transaction is not required to be looked into by the AA to term a transaction as preferential transaction. It was observed that taking financial assistance from related and non-related parties cannot be held to be in the ordinary course of business of the CD. Further, repayment by CD in a mortgage transaction in favour of related party falls within the scope of preferential transaction. Thus, CD arranging sums from relatives and other parties cannot be held to be part of an ordinary course of business or part of financial affairs.

#### **Westcoast Infraprojects Pvt. Ltd. Vs. Mr. Ram Chandra Dallaram Choudhary, Liquidator of Anil Ltd. [CA (AT) (Ins.) No. 1258 of 2022]**

The question for consideration before the NCLAT, was whether liquidator could forfeit the EMD amount deposited by highest bidder for want of payment of full consideration within time. Before the NCLAT, the bidder came up with a fresh argument that liquidator had no jurisdiction to forfeit the EMD. As per section 74 of the Indian Contract Act, 1872, liquidator ought to have filed a suit for recovery of the penalty by way of compensation. NCLAT while dismissing the appeal, differentiated between the auction conducted by liquidator under the Code and public auctions. It observed that section 74 of the Indian Contract Act, 1872 has no application in the case of auction conducted by the liquidator under the IBB (Liquidation Process) Regulations, 2016.

#### **Mr. Arun Chadha Liquidator of Pawan Buildwell Pvt. Ltd. Vs. Ramesh Kumar Suneja [CA (AT) (Ins) No.747 & 748 of 2021]**

The issue before NCLAT was whether the creation of security interest by way of mortgage of the property is preferential transaction under section 43 or is covered under section 66 (transaction to defraud the creditors). NCLAT observed that while CD was in default, it mortgaged its property for the benefit of its related parties. Moreover, CD uploaded Form CHG-I on website of MCA to create 'first and exclusive charge' over the mortgaged property. Further, NCLAT also took note of the independent auditor's report indicating that CD gave advances and guarantees to its associates/related person in excess of 60% of its share capital and reserves & surplus and the CD has not received counter-guarantees of the equivalent amount from the respective related parties. NCLAT cancelled the mortgage and held that security interest created on mortgaged property in favour of related party infringes section 43.

#### **IDBI Trusteeship Service Ltd Vs. Nirmal Lifestyle Limited [CA (AT) (Ins.) No. 117 of 2023]**

Post admission of section 7 application, FC and CD entered consent terms with revival clause in the event of default to make payment of the sums by the CD. FC filed an application for revival of CIRP against CD for the failure to honour settlement terms. However, the same was rejected. On an appeal filed by FC, NCLAT held that the present case is not mere withdrawal simplicitor but consent terms were brought on record as part of the application under section 12A of Code. While allowing the appeal, it observed that rejection of revival is to deny the FC its rightful remedy.

#### **Kapil Wadhawan Vs. Piramal Capital & Housing Finance Ltd. & Ors. [CA (AT) (Ins.) No. 437 of 2023]**

RBI initiated CIRP against Dewan Housing Finance Corporation Limited (DHFL/CD) and appointed an Administrator. During the CIRP, the Administrator filed applications seeking the avoidance of certain transactions undertaken by DHFL. Subsequently, Piramal Capital & Housing Finance Ltd. emerged as SRA. The resolution plan included a clause stating that the SRA would pursue the avoidance applications filed by the Administrator. Thereafter, by the orders of AA, SRA was substituted in the name of Administrator in the avoidance applications. Appellant, the ex-promoter of CD, filed an appeal. The NCLAT, while dismissing the appeal held that the SRA should be permitted to pursue the avoidance applications, which were filed by the erstwhile Administrator and were pending before the AA. It further observed that as per section 26 of the Code avoidance applications do not affect the proceeding of the CIRP and can continue post completion of CIRP.

#### **Gurudeo Exports Corporation Private Limited (GECPL) and Ors. Vs. Akash Singhal Liquidator of Amira Pure Foods Pvt. Ltd. & Ors. [CA (AT) (Ins.) No. 301 of 2021 & IA No. 701, 702 & 703 of 2021]**

NCLAT observed that since there is no evidence indicating payment of service tax or GST or TDS under Income Tax Act, 1961 and other supporting documents,

claim of the appellants could not be considered. It held that the proceedings under the Code are summary in nature and not like Civil Courts ascertaining facts based on examination and cross examination. Trade practices carried on earlier occasion based on oral agreement and sometimes violating the relevant law viz., Companies Act, 2013, GST or TDS claims under Income Tax Act, 1961 cannot be accepted at the resolution/liquidation stage unless the claims are real and based on solid documentary evidence and in accordance with law. The claims based on indirect, or circumstantial or secondary evidence cannot be allowed in the processes under the Code.

**Naresh Kumar Aggarwal Vs. CFM Asset Reconstruction Pvt. Ltd. & Ors. [CA (AT) (Ins.) No.470 of 2023]**

In January, 2021 SBI entered into an assignment agreement with an Asset Reconstruction Company (ARC) [registered under section 3 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act)] for debt owed by principal borrower which was guaranteed by CD. Thereafter, ARC filed a CIRP application against the CD in 2022 which got admitted in February, 2023. Aggrieved by the same, shareholder of the CD filed an appeal claiming that CIRP on the basis of unregistered assignment agreement, is not liable to be admitted. NCLAT while dismissing the appeal, observed that the assignment agreement was in accordance with section 5 of the SARFAESI Act, which provides that ARC shall be deemed to be the lender, and all rights of such Bank / Financial Institution shall vest in the ARC.

**SMBC Aviation Capital Ltd. Vs. Interim Resolution Professional of Go Airlines (India) Ltd. [CA (AT) (Ins.) No. 593,603,604 & 615 of 2023]**

The lessors of the aircraft objected to the admission of the application of CD under section 10 on the ground that no notice to creditors was given and the corporate applicant filed the application with malicious intention. The AA while passing admission orders observed that the Code does not mandate serving notice to the creditors. It also held that section 65 application can be adjudicated even after admission. Aggrieved by the order of AA, the lessors filed appeal before the NCLAT. The main issues for consideration before NCLAT were whether (a) the service of notice to creditors prior to the orders of admission is mandatory, (b) the opportunity to file an application under section 65 be afforded before admitting the application, and (c) If the lessors cancel the lease agreement with the CD before passing orders of admission of corporate applicant, will the moratorium under section 14 apply to the assets of the lessor yet to be transferred from the CD? The Appellate Tribunal, while disposing the appeal, observed that neither the Code nor regulations obligate the AA to issue prior notice to creditors; however, AA should hear the objectors at the time of admission before taking appropriate decision. It held that section 65 applications can be filed after admission of application of the corporate applicant into CIRP, as no malicious or fraudulent intention can be established in the facts of the present case. Regarding the application of moratorium on the leased assets, the matter was reverted to AA for decision.

**Union Bank of India (Erstwhile Corporation Bank) Vs. Dinkar T. Venkatasubramanian & Ors. [I.A. No. 3961 of 2022 in CA (AT) (Ins.) No. 729 of 2020]**

AA had approved the resolution plan in respect of the CIRP of Amtek Auto Ltd. However, the reliefs prayed for by the FC in the IA were rejected by AA. FC's appeal against the AA's order before NCLAT without impleading the CoC was partly allowed. Subsequently, the review application filed by the FC was dismissed by the NCLAT holding that there is no provision for review under the Code and the FC may take recourse in accordance with law, if aggrieved. The FC filed the present IA before the NCLAT seeking to recall the order partly allowed by it. On a reference made by three-member Bench of the NCLAT, a five member Bench was constituted to decide on the questions: (a) whether the Tribunal not being vested with any power to review the judgment can entertain an application for recall of judgment on sufficient grounds? (b) whether judgment of NCLAT in *Agarwal Coal Corporation Private Limited v. Sun Paper Mill Limited & Anr. and Rajendra Mulchand Varma & Ors. v. K.L.J Resources Ltd & Anr.* can be read to mean that there is no power vested in it to recall a judgment? The five-member Bench held that the power of review is not conferred on the Tribunal; whereas the power to recall its judgment is inherent in it on sufficient grounds under rule 11 of NCLAT Rules, 2016.

**Actioncor Consultants Pvt. Ltd. Vs. Viprah Technologies Ltd. [CA (AT) (Ins.) No. 916/2019]**

As per the investment agreement, the managing director (MD) and director of the CD had created a mortgage for securing the sums for repayment to secured creditors and to deregister the CD from the Board for Industrial and Financial Reconstruction (BIFR) within one year of the execution of the investment

agreement. One of the clauses in the agreement stipulated the settlement of disputes through mediation. Despite the failure to adhere to the terms of agreement, FC did not take steps to sell the property to recover the funds. Further, the CD is not a party to the investment agreement executed between the MD, the director of the CD, and the FC. The NCLAT, referred to the judgment of the SC in the case of *Anuj Jain, IRP of Jaypee Infratech Limited v. Axis Bank and Ors.* and held that to be construed as a 'financial debt', there should be a direct disbursement of the amount owed and there should be a direct transaction between FC and the CD. In the present case, there is no evidence on record substantiating disbursement of debt to the CD and the same has been acknowledged by the CD in their balance sheet as a 'promise to pay'. It held that the MD and the director had admittedly taken the loan and the CD was never directly figuring in the transaction. It further held that the FC are at liberty to recover their dues from the sale of the property.

**Hari Babu Thota, RP of Shree Aashraya Infra-Con Ltd. [CA (AT) (CH) (Ins.) No. 110 of 2023]**

AA rejected the plan on the ground of disqualification of CD not having MSME registration. In the facts of the case, CD got registered under the Micro, Small and Medium Enterprises Development Act, 2006 as a micro, small and medium enterprise (MSME) entity post CIRP. Relying on its own judgment in *Digamber Anand Rao Pingle v. Shrikant Madanlal Zavar & Ors.*, NCLAT observed that in the cases where the MSME certificate was obtained after commencement of the CIRP, such an unauthorised application cannot be considered to tide over ineligibility to submit resolution plan.

**IFCI Limited Vs. Sutanu Sinha and Anr. [CA (AT) (CH) (Ins.) No. 108 of 2023]**

The issue for consideration before the NCLAT was whether the compulsorily convertible debentures (CCDs) should be treated as 'equity instrument' or as a 'debt' and if the amount stated to be due and payable falls within the definition of 'financial debt'. NCLAT observed that there is no condition in any of the agreements entered by the parties, which changes the nature of the CCDs on the 'happening of any event'. It held that the investment was in the form of debentures which are convertible into equity. Merely because interest is payable on the CCDs, in the case of a default, it cannot be construed that the CCDs fall within the definition of 'financial debt' under section 5(8) of the Code. The terms and conditions of the CCD and the intention of the parties nowhere specify that the instrument would take the character of a 'financial debt'. At the time of disbursement of the amount, it was to be treated as equity alone and not as debt.

**Renuka Devi Rangaswamy, IRP of M/s. Regen Infrastructure and Services Pvt. Ltd. Vs. Mr. Madhusudan Khemka [CA(AT) (CH) (Ins.) No. 356 of 2022]**

Several agricultural lands were purchased with the funds of the CD. However, the lands were purchased by a related party of the CD by virtue of having a common directorship in a different group company. NCLAT observed that, the intent to defraud requires that there must be high standard of proof to prove a fraudulent trading. Dishonesty is an essential ingredient of fraudulent trading and the same cannot be inferred in any manner. It further observed that ingredients for fraudulent trading, necessary materials are to be pleaded by a litigant/ stakeholder, by concrete proof in the light of facts. It held that the transaction in question made within the group will not fall within the meaning of fraudulent trading under section 66(1) of the Code.

**Puissant Towers India Pvt. Ltd. Vs. Neueon Towers Ltd. [CA (AT) (CH) (Ins.) No. 181 of 2022]**

AA rejected the CoC approved resolution plan holding that ARC cannot submit resolution plan, without the prior approval of RBI under section 10(2) of SARFAESI Act. NCLAT held that no prior permission is required for ARCs to participate in resolutions under the Code provided any of the activities undertaken by the ARC are not prohibited under SARFAESI Act. It further observed that section 238 of the Code, will prevail over any of the provisions of the SARFAESI Act, if it is inconsistent with any of the provisions of the Code.

**V. Duraisamy IRP of H G S Dairies and Agro Ltd. Vs. Jeyapriya Fruits and Vegetables Commission Agent [CA (AT) (Ins.) No. 916 of 2019]**

AA ordered initiation of section 9 application. Pursuant to public announcement the only claim was from the OC applicant. CIRP was admitted and CoC was constituted with sole OC. The IRP could not take possession of the asset of CD, as the same was locked on one hand and the name has been struck off from the MCA portal. As there were no prospects of continuing the CIRP, the IRP filed application for dismissal of company petition which was dismissed holding that AA has no power of review or recall its own order. AA further directed the IRP to take steps for restoring the name of CD in the records of Registrar of Companies. On



appeal by IRP, the NCLAT held that there is no provision in the Code for the constitution of CoC with a single creditor.

**Consortium of Prudent ARC Ltd. Vs. Ravi Shankar Devarakonda, RP of Meenakshi Energy Ltd & Ors. [CA (AT) (CH) (Ins.) No. 37 of 2023]**

The issue before NCLAT was whether in the commercial wisdom of CoC, the revised plan can be submitted by the resolution applicants. NCLAT observed that decision to conduct the swiss challenge was approved by the CoC by requisite majority; further, the decision of CoC to conduct the challenge process is supported by terms of the request for resolution plan document. It held that CoC is empowered to negotiate after receipt of the plan on or before the plan is put to vote with the resolution applicants including a challenge process within its wisdom to take a decision.

**National Company Law Tribunal**

**Brij Lal Kishore Kumar Vs. Tara Chand Rice Mills Pvt. Ltd. [IA No. I29/2022 in CP (IB) No. I21/Chd/Hry/2017]**

An order of liquidation was passed by the AA on February 12, 2019 against Tara Chand Rice Mills Private Limited (CD). The last date for submission of the claim in liquidation proceeding was March 14, 2019, whereas the Income Tax Department filed its claim of ₹ 53,45,54,200/- on December 31, 2021, i.e. with a delay of 1023 days. As the liquidator rejected the claim on the ground of delay, the Income Tax Department filed an IA praying for condonation of delay and consideration of their claim in the liquidation. AA while disposing the application, relied on the judgment passed by the SC in case of *State Tax Officer v. Rainbow Papers Limited*, directed liquidator to re-distribute the proceeds from the realization of the liquidation process as per the provisions of section 53 of the Code by treating the Income Tax Department as a secured creditor.

**Viswaroopa Info Services India Pvt. Ltd. Vs. SITI Visions Digital Media Pvt. Ltd. [(IB)-980 (ND) 2020]**

OC had filed section 9 application against CD owing to unpaid invoices amount. The authorised director of OC is wife of MD of CD and together they had held 9% of equity shares in CD. The issue for consideration before AA was, whether OC and CD are related parties in terms of section 5(24) of the Code and was there existing dispute between them. AA while disposing of the petition observed that in the absence of any corroborative material, assumptions cannot be drawn on the basis of husband and wife relationship between the applicant and the CD. AA dismissed OC's application on the strength of emails exchanged between the parties on OC withholding of assets of CD for maintenance and held that there was pre-existing dispute between OC and CD.

**Tuf Metallurgical Pvt. Ltd. Vs. Albus India Ltd. [IA/1703/2023 in IB-1089/PB/2018]**

Post approval of resolution plan, erstwhile director of Albus India Ltd (CD) filed an FIR against FC and RP about serious allegations against erstwhile RP. Consequently, Police issued series of notices demanding information/documents related to the CIRP. Aggrieved by the action of police, RP filed an IA seeking directions from AA to restrain police from harassing erstwhile RP, valuers, SRA, FC. While disposing the application AA directed police not to take any coercive action against RP and held '...Section 233 of the IBC, 2016 grants immunity to the Resolution Professional for actions taken in good faith Further, jurisdiction with respect to offences committed under the IBC, 2016 is with Special Courts established in terms of Section 236 of the IBC, 2016. A proper procedure is laid down under the Code for filing complaint against the Resolution Professional. Chapter VI of the Code dealing with Inspection and Investigation lays down the proper procedure to file a complaint against the Resolution Professional. Section 217 clearly provides that any person aggrieved by the functioning of the Resolution Professional may file a complaint to the Board (IBBI). The IBBI is empowered to investigate such complaints'.

**Other Authorities**

**Jet Airways (India) Limited Vs. Commissioner of Service Tax-V, Mumbai [Service Tax Appeal No. 86949 of 2015]**

CD (M/s Jet Airways (India) Limited) and Revenue Department filed appeals before the Customs, Excise and Service Tax Appellate Tribunal (CESTAT) challenging the order passed by Commissioner of Service Tax which has confirmed the demands amounting to ₹ 20,28,56,543/- along with applicable interest and penalty against CD. While disposing the appeal, CESTAT relied on the SC judgment in *Ghanashyam Mishra and Sons Pvt. Ltd. v. Edelweiss Asset Reconstruction Company Ltd.* and held that appeals have abated in view of approval of resolution plan by the AA. It also referred to the instructions dated May 23, 2022 issued by the Central Board of Indirect Taxes and Customs providing SoP for handling NCLT cases and reiterating the legal position that GST and customs authorities are required to submit their claims against the CD during the processes under the Code; and no demands can be raised once resolution plan is approved.

**IBBI**

**Disciplinary Orders**

During the quarter, the DC/Authorised Officer of the IBBI disposed of 36 show cause notices issued to the IPs/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.

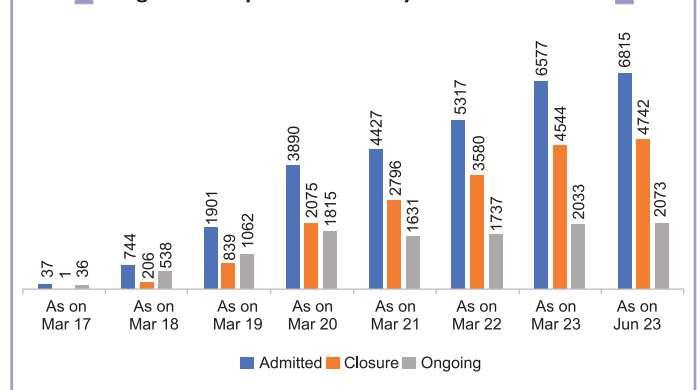
**Insolvency Resolution**

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 June, 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 June 30, 2023**

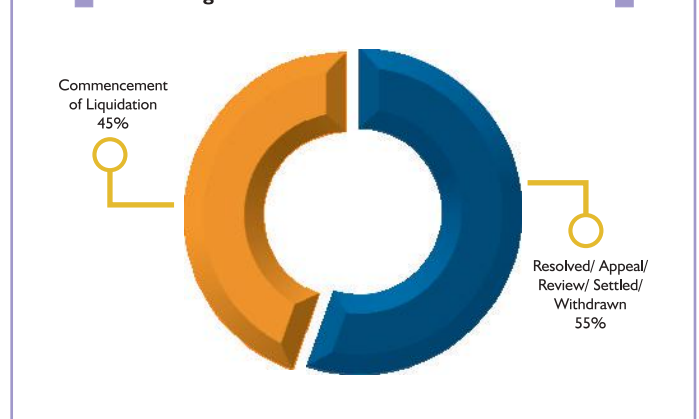
CIRP cases	Number
Admitted	6815
Withdrawn under section 12A	897
Closed on appeal or review or settled	1005
Resolution plans approved	720
Liquidation orders passed	2120
Ongoing CIRP cases	2073

**Figure 1: Corporate Insolvency Resolution Process**

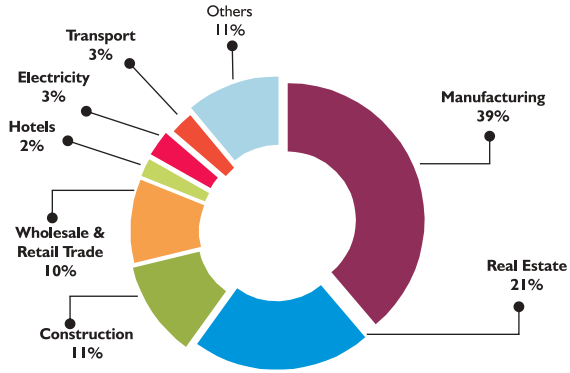


Note: These CIRPs are in respect of 6566 CDs. This excludes 1 CD which has moved directly from BIFR to resolution. Source: Compilation from website of the NCLT and filing by IPs.

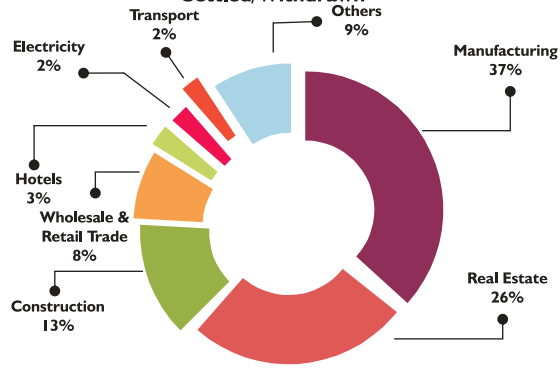
**Figure 2: Mode of Closure of CIRPs**



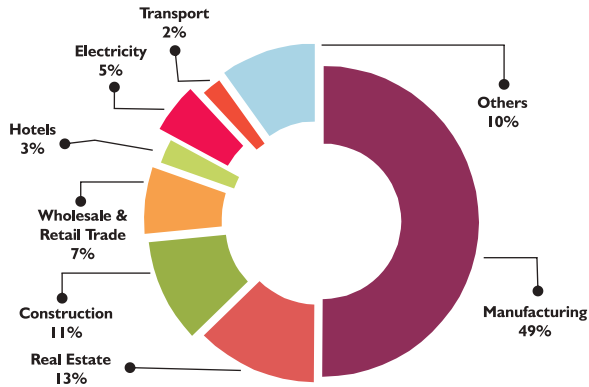
**Figure 3: Sectoral Distribution of CIRPs: Admission**



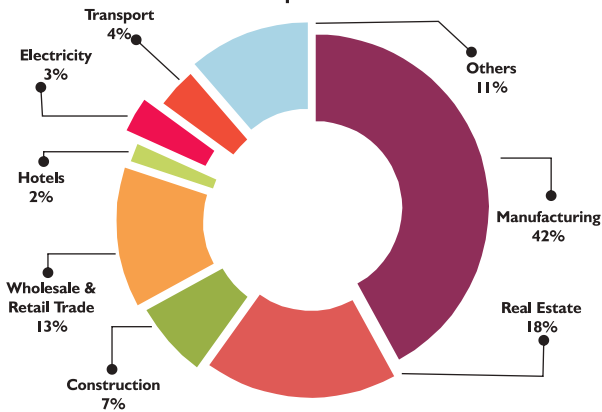
**Figure 4: Sectoral Distribution of CIRPs: Appeal/Review/ Settled/Withdrawn**



**Figure 5: Sectoral Distribution of CIRPs: Resolution Plans**



**Figure 6: Sectoral Distribution of CIRPs: Commencement of Liquidation**



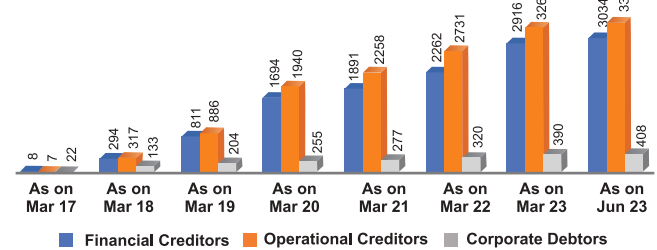
The distribution of stakeholder-wise initiation of CIRPs is presented in Table 2 and Figure 7. OCs triggered 49.46% of the CIRPs, followed by about 44.55% by FCs and remaining by the CDs. It is observed that about 80% of CIRPs having an underlying default of less than ₹ 1 crore, were initiated on applications 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	371	473	43	887
2022 - 23	654	536	70	1260
April - June, 2023	118	102	18	238
<b>Total</b>	<b>3034</b>	<b>3369</b>	<b>408</b>	<b>6811</b>

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 June 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 71% of all closures by appeal, review, or withdrawal.

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

Outcome	Description	CIRPs initiated by				Total
		FCs	OCs	CDs	FISPs	
<b>Status of CIRPs</b>	Closure by Appeal/Review/Settled	286	711	8	0	1005
	Closure by Withdrawal u/s 12A	248	641	8	0	897
	Closure by Approval of Resolution Plan	413	250	56	1	720
	Closure by Commencement of Liquidation	965	941	214	0	2120
	Ongoing	1122	826	122	3	2073
<b>Total</b>		<b>3034</b>	<b>3369</b>	<b>408</b>	<b>4</b>	<b>6815</b>
<b>CIRPs yielding</b>	Realisation by Creditors as % of Liquidation Value	180.9	124.4	147.6	138.4	167.2
<b>Resolution Plans</b>	Realisation by Creditors as % of their Claims	34.0	17.7	18.3	42.6	31.6
	Average Time taken for Closure of CIRP	643	635	541	552	632
<b>CIRPs yielding Liquidations</b>	Liquidation Value as % of Claims	6.2	9.3	8.6	-	6.8
	Average Time taken for Closure of CIRP	480	458	391	-	462

**Resolution Plans**

Till FY 2022-23, 678 CIRPs had yielded resolution plans. The creditors realised ₹ 2.86 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 ₹ 1.70 lakh crore against the total claims of the creditors worth ₹ 8.99 lakh crore. The realisation to the creditors was 31.82% and 168.47% as against their admitted claims and liquidation value, respectively.

During the quarter April – June, 2023, 8 more CIRPs were reported as yielding resolution plans, pertaining to the prior period, as presented in Part A of Table 4. 38 CIRPs yielded resolution plans during the quarter April – June, 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 720 till June, 2023.

Till June 30, 2023, the creditors have realised ₹ 2.92 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 ₹ 2.72 lakh crore and

₹ 1.74 lakh crore, respectively, as against the total claims of the creditors worth ₹ 9.23 lakh crore. The creditors have realised 167.18% of the liquidation value and around 84% of the fair value (based on 628 cases where fair value has been estimated). The haircut for creditors relative to the fair value of assets was around 16%, 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
<b>Part A: Reported for Prior Period (Till March 31, 2023)</b>												
1	Associated Lighting Service Private Limited	Yes	21-10-20	03-12-21	FC	9.22	4.33	6.81	4.50	48.79	103.94	66.07
2	Sintex Prefab and Infra Limited	No	24-02-21	21-12-22	FC	745.80	50.28	65.72	80.56	10.80	160.22	122.58
3	DBM Geotechnics and Construction Pvt Limited	No	09-01-20	25-01-23	OC	394.70	27.33	31.75	32.13	8.14	117.55	101.21
4	Ananya Infra Projects Private Limited	No	01-03-22	23-02-23	OC	4.81	0.00	0.00	1.42	29.60	-	-
5	Peekay Mediequip Private Limited	Yes	13-08-19	02-03-23	FC	104.09	11.97	16.80	42.44	40.77	354.42	252.62
6	B.B. Foods Private Limited	No	22-10-19	29-03-23	FC	65.48	17.87	25.03	16.25	24.82	90.92	64.92
7	ITMA Hotels India Private Limited	Yes	31-12-21	29-03-23	FC	238.51	76.62	102.81	54.73	22.95	71.44	53.24
8	Heera Construction Company Limited	Yes	27-03-19	31-03-23	FC	623.39	277.04	372.10	188.12	30.18	67.90	50.56
<b>Part B: For April – June, 2023</b>												
1	Haryana Telecom Limited	Yes	07-02-20	12-04-23	FC	102.67	25.60	33.96	22.26	21.68	86.94	65.53
2	Apollo Soyuz Electricals Private Limited	Yes	12-07-21	13-04-23	FC	59.92	7.29	10.37	6.01	10.03	82.46	57.97
3	Indian Steel Corporation Limited	No	06-10-21	13-04-23	FC	2733.17	643.45	1093.94	822.00	30.07	127.75	75.14
4	Unimark Remedies Limited	No	03-04-18	17-04-23	FC	1180.78	125.66	180.67	127.00	10.76	101.06	70.29
5	KV Developers Pvt Limited	No	28-10-20	17-04-23	FC	204.49	82.59	109.10	136.10	66.55	164.78	124.75
6	Amzen Machines Private Limited	No	11-03-21	17-04-23	FC	523.03	93.13	139.35	88.80	16.98	95.36	63.72
7	J-Marks Exim (India) Private Limited	Yes	26-05-20	19-04-23	FC	339.12	9.81	13.17	8.86	2.61	90.27	67.28
8	Gotan Limes Pvt Ltd	No	12-04-22	19-04-23	OC	9.81	0.79	1.01	1.53	15.59	194.61	151.49
9	Vaishali Real Estate Private Limited	Yes	30-03-22	20-04-23	FC	2.91	3.93	6.31	2.91	100.00	74.04	46.17
10	Amar Parkash Rice Exports Private Limited	No	26-04-22	21-04-23	FC	14.16	5.72	6.93	6.90	48.73	120.55	99.57
11	SARE Gurugram Private Limited	No	09-03-21	24-04-23	FC	2140.32	252.84	322.47	253.03	11.82	100.08	78.46
12	Lanco Solar Energy Private Limited	No	14-06-19	24-04-23	FC	649.73	47.31	99.47	83.24	12.81	175.94	83.68
13	GPI Textiles Limited	No	06-07-18	27-04-23	FC	384.85	103.34	132.87	157.60	40.95	152.52	118.62
14	IVRCL Chengapalli Tollways Ltd.	No	20-04-22	01-05-23	FC	1465.30	471.23	611.75	1465.30	100.00	310.95	239.53
15	Precision Containeurs Limited	No	10-03-22	02-05-23	FC	1000.44	1.84	2.30	5.00	0.50	271.52	217.20
16	Vijay Engineering Enterprises Private Limited	Yes	09-08-19	02-05-23	FC	26.05	0.81	0.84	0.73	2.81	89.88	87.08
17	CLC Industries Limited	Yes	03-01-20	12-05-23	FC	1203.12	125.63	263.03	144.25	11.99	114.82	54.84
18	Prince Mfg Industries Private Limited	Yes	05-10-21	15-05-23	OC	179.45	39.20	53.17	39.25	21.87	100.13	73.82
19	S.K.Elite Industries (India) Limited	No	07-05-21	15-05-23	FC	86.23	36.08	45.18	47.15	54.68	130.67	104.36
20	Sharon Bio -Medicine Limited	No	11-04-17	17-05-23	FC	920.36	184.23	279.92	201.90	21.94	109.59	72.13
21	Mayur Pankh Properties Private Limited	Yes	18-12-18	17-05-23	FC	146.28	72.41	88.23	64.24	43.91	88.71	72.80
22	Dignity Buildcon Private Limited	No	24-04-19	17-05-23	OC	1065.48	428.88	630.05	450.10	42.24	104.95	71.44
23	Octaga Green Power and Suoar Company Ltd	No	02-07-19	19-05-23	OC	184.44	17.85	27.48	25.65	13.91	143.73	93.33
24	Mohota Industries Limited	No	30-08-21	19-05-23	OC	136.47	49.38	66.18	49.24	36.08	99.71	74.40
25	National Steel And Agro Industries Limited	No	11-04-22	19-05-23	FC	2025.21	334.57	560.15	622.84	30.75	186.16	111.19
26	Viceroy Bangalore Hotels Private Limited	No	05-08-22	22-05-23	FC	1163.85	329.78	458.62	300.00	25.78	90.97	65.41
27	Emerald Lands (India) Private Limited	No	02-01-20	24-05-23	FC	353.72	142.11	185.76	116.51	32.94	81.99	62.72
28	Galada Power And Telecommunication Limited	No	14-08-19	25-05-23	FC	2118.55	21.54	33.83	29.93	1.41	138.93	88.46
29	Telexcell Information Systems Ltd	Yes	05-10-21	30-05-23	OC	27.34	4.78	6.25	4.65	17.02	97.30	74.46
30	Stone India Limited	No	09-11-21	08-06-23	FC	103.02	6.27	8.15	19.35	18.78	308.82	237.42
31	Peacock Construction Private Limited	Yes	31-12-19	09-06-23	FC	7.13	0.07	0.70	0.07	1.01	100.00	10.22
32	Three CHomes Private Limited	Yes	06-09-19	13-06-23	FC	299.73	480.70	600.87	353.44	117.92	73.53	58.82
33	Salebhai Internet Limited	Yes	08-12-21	20-06-23	OC	0.07	0.03	0.06	0.07	100.00	224.45	112.14
34	Farmax India Limited	Yes	01-07-22	22-06-23	OC	35.23	0.37	0.43	0.42	1.20	115.40	99.08
35	Orange Medicare And Research Centre Pvt Ltd	Yes	17-02-22	23-06-23	FC	62.70	23.68	29.64	22.96	36.62	96.98	77.46
36	Siddharth World Trade Private Limited	Yes	13-05-21	23-06-23	FC	237.92	8.48	11.11	8.50	3.57	100.19	76.49
37	DS Kulkarni Developers Limited	No	26-09-19	23-06-23	FC	1805.77	596.73	835.78	1081.26	59.88	181.20	129.37
38	Neosaska Pharma Pvt. Ltd.	No	01-04-22	28-06-23	OC	47.20	27.71	49.10	21.62	45.82	78.05	44.04
<b>Total (April – June, 2023)</b>						<b>23046.00</b>	<b>4805.83</b>	<b>6998.21</b>	<b>6790.67</b>	<b>29.47</b>	<b>141.30</b>	<b>97.03</b>
<b>Total (Till June, 2023)</b>						<b>922660.31</b>	<b>174513.40</b>	<b>271911.94</b>	<b>291759.72</b>	<b>31.62</b>	<b>167.18</b>	<b>83.89*</b>

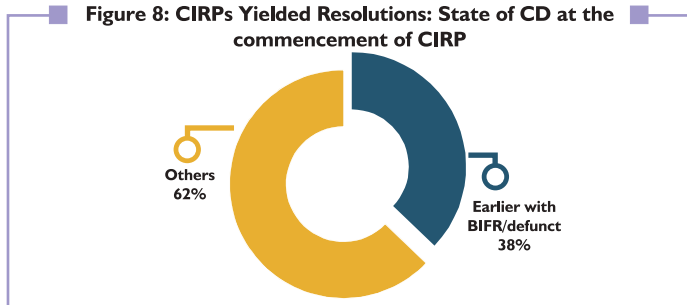
**Notes:**

- In 720 resolved CDs, 160 applications in respect of avoidance transactions to the tune of ₹ 97,273 crore have been pending before AA.
- CIRPs in 25 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 12 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 628 cases where fair value has been estimated

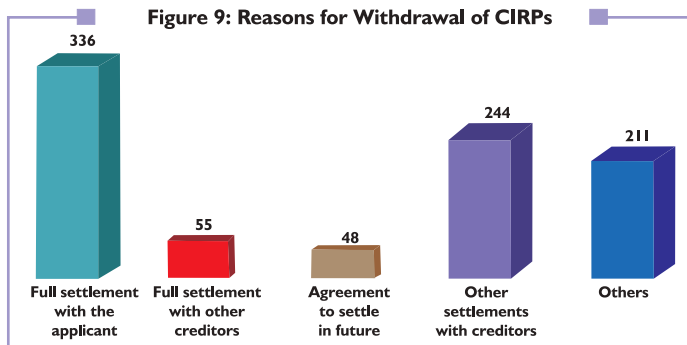
About 38% of the CIRPs (271 out of 719 for which data are available), which yielded resolution plans, were earlier with BIFR and/or defunct (Figure 8). In these CDs, the claimants have realised 22.64% of their admitted claims and 158.37% of liquidation value.



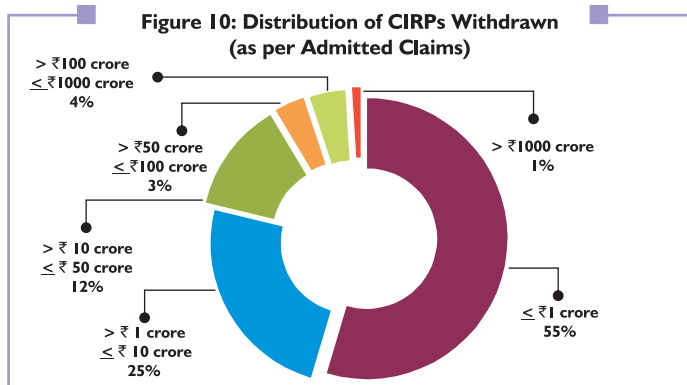
Data awaited in 1 case

**Withdrawals under Section 12A**

Till June, 2023, a total of 897 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

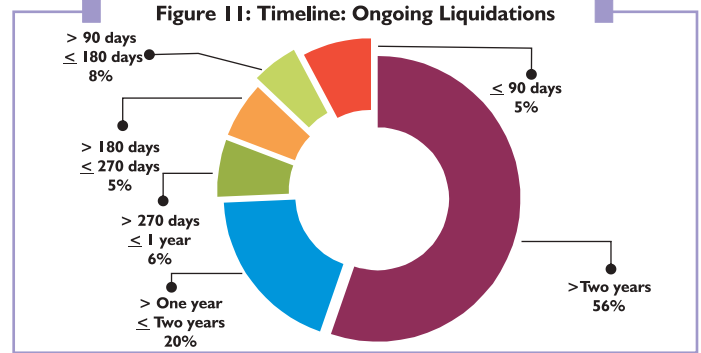


Note: Data awaited in 3 CIRPs

**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. During the quarter April – June, 2023, 8 more CIRPs were reported as yielding orders for liquidation, pertaining to the prior period. Further, 86 CIRPs ended in orders for liquidation during the current quarter. Four 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 2120. Of these, final reports have been submitted in 555 cases.

There are 1565 ongoing liquidation processes, whose status as on June 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 April – June, 2023 are presented in Table 6.



**Table 5: Mode of Closure of Liquidation Processes**

Status of Liquidation	Till March, 2023	Apr -June, 2023	Total as on June, 2023
Initiated	2030	90\$	2120*
Final Report submitted	533	22	555
Closed by Dissolution	280	19	299
Closed by Going Concern Sale	26#	5	31
Closed by Compromise / Arrangement	8	-	8
Ongoing processes	1497	NA	1565

\*This excludes 24 cases where liquidation order has been set aside by NCLT / NCLAT / HC / SC. # Data has been updated on the basis of process closure order received. \$ This excludes four cases which had earlier yielded order of liquidation and have since either been ordered to be restarted or have been withdrawn and includes four cases pertaining to the previous period, which were reported in this quarter.

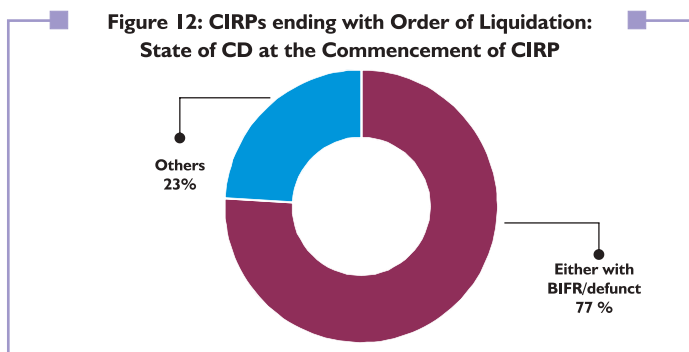
**Table 6: Details of Closed Liquidations**

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	
<b>Part A: Reported for Prior Period (Till March 31, 2023)</b>							
1	Chincholi Sugar & Bio Industries Limited\$	19-12-19	676.48	43.97	37.46	35.08	23-06-22
2	Mehta & Associates Fire Protection Systems Private Limited\$	12-02-21	6.80	1.17	1.47	1.35	03-03-23
3	K.P.R Universal Holdings Private Limited	17-08-22	-	0.01	0	-	28-03-23
4	Tejaswini Engineering Private Limited	30-12-21	60.26	0.46	0.46	0.18	29-03-23
5	Global Towers Limited	15-07-22	30.31	14.87	19.28	18.77	31-03-23
6	Sneha Engineering Equipment Private Limited	08-09-21	0.68	0.74	0.88	0.65	31-03-23
<b>Part B: For April – June, 2023</b>							
1	Velugu Engineering and Enterprises Private Limited	26-10-21	28.92	0	0	-	12-04-23
2	Wind-Way's Packaging Private Limited	04-08-17	11.16	6.48	6.48	6.37	17-04-23
3	RLA Holdings Pvt Ltd	17-05-19	1.43	1.54	1.20	1.01	17-04-23
4	Vishal Footwear Limited	24-08-22	0.13	-	-	-	17-04-23
5	ANG Industries Limited	04-02-19	216.93	25.46	26.50	21.59	26-04-23
6	Gold King Tex India Private Limited	03-09-19	129.90	7.47	7.91	6.47	26-04-23
7	Tulsi Extrusions Limited\$	20-02-20	596.22	28.94	19.90	17.09	01-05-23
8	Plast Link Polymers India Private Limited	30-03-22	5.43	0.01	0.01	-	01-05-23
9	United Salt Works and Industries Limited	09-03-22	-	-	-	-	02-05-23
10	UTM Packaging (India) Private Limited	05-02-21	0.88	0.01	0	-	04-05-23
11	Trident Tools Limited	31-05-21	167.32	7.03	7.02	5.41	12-05-23
12	Paerhat Gas Industries Limited\$	08-08-18	228.53	2.37	2.83	2.59	12-05-23
13	Indo Biotech Foods Limited	01-07-22	0.01	0	0	-	15-05-23
14	Usha Multipack Private Limited	24-06-20	5.21	0.48	0.48	0.48	19-05-23
15	Vintage Foods and Industries Limited.	15-06-20	23.40	0.16	0.54	0.44	25-05-23
16	Supra Petro Chemicals Private Limited*	18-01-23	1.00	0.03	0.03	-	02-06-23
17	Chadalavada Infratech Limited\$	11-04-22	440.48	1.08	1.08	0.46	06-06-23
18	Perfect Mobiles and Communications Private Limited	24-08-22	42.48	0.03	0.03	-	06-06-23
19	S.K. Masala and Foods Limited	12-02-21	8.49	0.91	1.08	0.97	08-06-23

20	Prathvi Coal Private Limited@*	09-06-23	0.04	-	-	-	09-06-23
21	Satkar Air Cargo Services Private Limited	03-12-19	0.75	0.07	0.07	0.02	15-06-23
22	Good Value Marketing Company Limited	01-07-22	0.01	-	0	-	23-06-23
<b>Total (April-June, 2023)</b>			<b>1908.74</b>	<b>82.06</b>	<b>75.16</b>	<b>62.90</b>	<b>NA</b>
<b>Total (Till June, 2023)</b>			<b>73772.46</b>	<b>2884.13</b>	<b>2789.08</b>	<b>2566.14</b>	<b>NA</b>

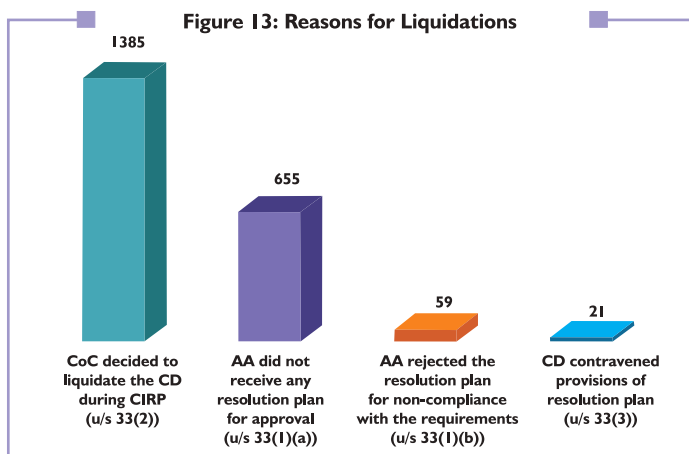
Note:  
 '!' means no value  
 @ Direct dissolution  
 \*Claims pertain to CIRP period  
 '0' means an amount below two decimals.  
 \$ indicates Sale as going concern  
 NA means Not Applicable

More than 77% of the CIRPs ending in liquidation (1616 out of 2108 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:  
 1. There were 121 CIRPs, where CDs were in BIFR or non-functional but had resolution value higher than liquidation value.  
 2. Includes cases where no resolution plans were received and cases where liquidation value is zero or not estimated.  
 3. Data of 12 CIRPs is awaited.

The AA passes an order for liquidation under four circumstances. As on June, 2023, 2120 orders for commencement of liquidation have been passed. The details of liquidation in these circumstances are presented in Figure 13.



Regulation 12 of the IBBI (Liquidation Process) Regulations, 2016 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 1925 liquidations, for which data are available, are presented in Table 7.

**Table 7: Claims in Liquidation Process**

Stakeholders under Section	Number of Claimants	Admitted Claims	Amount (in ₹ crore)		
			Liquidation Value	Sale Proceeds	Distributed to Stakeholders
<b>555 Liquidations where Final Report Submitted##</b>					
52	74	12571.32	505.59	496.35	474.54
53 (1) (a)	NA	NA	5254.47	4623.11#	312.20
53 (1) (b)	3992	91780.88			4042.29
53 (1) (c)	3454	92.94			11.01
53 (1) (d)	714	11364.91			141.25
53 (1) (e)	664	7691.84			21.15
53 (1) (f)	6030	6465.70			104.36
53 (1) (g)	0	0			0
53 (1) (h)	162	52.53			5.72
<b>Total (A)</b>	<b>15090</b>	<b>130020.12</b>	<b>5760.06</b>	<b>5119.46#</b>	<b>5112.52</b>
<b>Ongoing 1372 Liquidations*</b>					
53 (1) (a)	NA	NA	52647.44**	Not Applicable	Not Applicable
53 (1) (b)	45322	764943.63			
53 (1) (c)	35819	1423.82			
53 (1) (d)	13458	141136.68			
53 (1) (e)	3256	40103.42			
53 (1) (f)	1985150	98113.31			
53 (1) (g)	67	585.64			
53 (1) (h)	105646	4120.10			
<b>Total (B)</b>	<b>2188718</b>	<b>1050426.60</b>			
<b>Grand Total (A+B)</b>	<b>2203808</b>	<b>1180446.72</b>	<b>58407.5</b>		

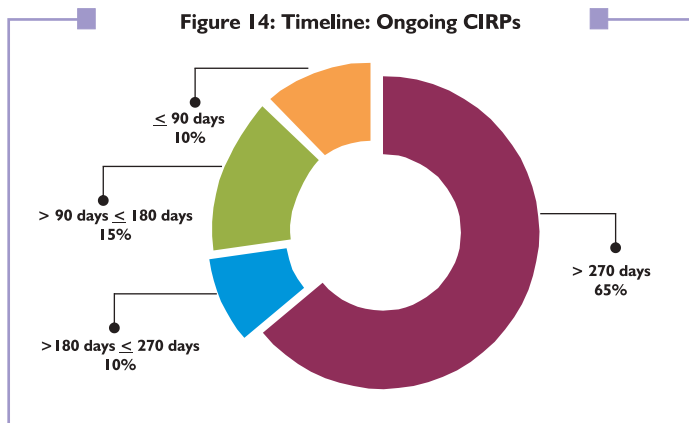
# Inclusive of unclaimed proceeds of ₹ 6.94 crore under liquidation.  
 ## Data of 2 Final Report cases is partially available.  
 \*Data for other liquidations are not available.  
 \*\*Out of 1565 ongoing cases, liquidation value of only 1533 CDs is available. Liquidation value of 1277 CDs taken during liquidation process is ₹ 46,151.64 crore and liquidation value of rest of the 256 CDs captured during CIRP is ₹ 6,495.80 crore.

**Sale as Going Concern**

Till March, 2023, 26 CDs were closed by sale as a going concern under liquidation process. During the quarter April – June, 2023, 5 CDs were closed by sale as a going concern, taking the total no. of closures through the said mode to 31. These 31 CDs had claims amounting to ₹ 24,951.03 crore, as against the liquidation value of ₹ 777.96 crore. The liquidators in these cases realized ₹ 812.61 crore and companies were rescued.

**Timeline of Ongoing CIRPs**

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



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

Of the 720 CDs rescued under the Code as on June 30, 2023, 127 had admitted claims of more than ₹ 1,000 crore. The realisable value of the assets available with these 127 CDs, when they entered the CIRP, was only ₹ 1.53 lakh crore, though they owed ₹ 8.18 lakh crore to the creditors. Till June 30, 2023, realisation by the claimants under resolution plans in comparison to liquidation value is 173.97%, while the realisation by them in comparison to their claims is 32.63%. These realisations are exclusive of realisations that would arise from value of equity holdings post-resolution, resolution of personal guarantors (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 June, 2023**

CIRP cases (Admitted Claims > ₹ 1,000 crore)		(Amount in ₹ lakh crore)		
		Till March, 2023	April – June, 2023	Till June, 2023
Resolution plans approved	No. of Cases	116	11	127
	Admitted Claims	8.00	0.18	8.18
	Liquidation Value	1.50	0.03	1.53
	Realisable Value	2.62	0.05	2.67
	Realisable Value as % of Admitted Claims	32.70	29.61	32.63
	Realisable Value as % of Liquidation Value	174.30	159.08	173.97

Of 2120 CDs ending up with orders for liquidation, 181 had admitted claims of more than ₹1,000 crore. These CDs had an aggregate claim of ₹ 7.84 lakh crore. However, they had assets, on the ground, valued only at ₹ 0.42 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. 947 applications seeking avoidance of transactions have been filed with the AA till June 30, 2023 as presented in Table 9.

**Table 9: Details of avoidance applications and disposal**

Sl.	Nature of transactions	Applications Filed		Applications Disposed		
		Number of transactions	Amount involved	Number of transactions	Amount involved	Amount clawed back
1	Preferential	140	15053.46	48	798.85	34.66
2	Undervalued	17	891.09	5	362.42	5.77
3	Fraudulent	209	71696.76	34	1169.26	5.59
4	Extortionate	3	70.68	1	0.09	-
5	Combination	578	207876.88	112	42540.56	5170.63*
<b>Total</b>		<b>947</b>	<b>295588.87</b>	<b>200</b>	<b>44871.18</b>	<b>5216.65*</b>

\*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**

CIRP against Dewan Housing Finance Corporation Ltd., was admitted on December 3, 2019, under the Insolvency and Bankruptcy (Insolvency and Liquidation Proceedings of Financial Service Providers and Application to Adjudicating Authority) Rules, 2019, which were notified on November 15, 2019. The AA, vide order dated June 7, 2021, approved the resolution plan submitted by Piramal Capital and Housing Finance Ltd.

Subsequently, CIRPs have been initiated for three below mentioned financial service providers (FiSPs): -

**Table 10: Details of applications admitted for FiSPs**

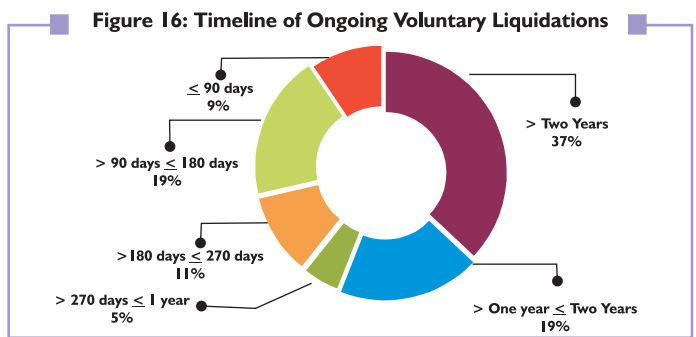
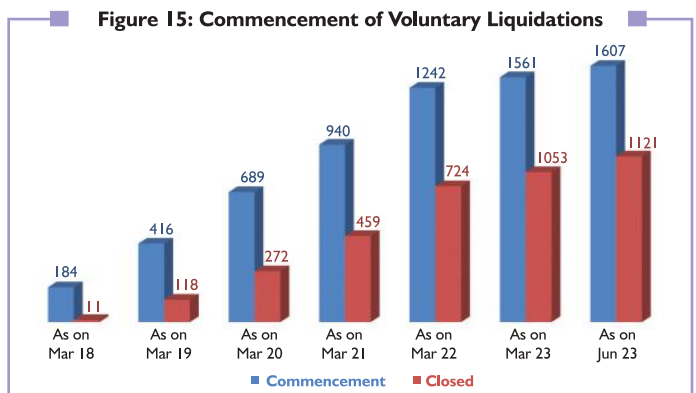
Sl.	Name of the FiSP	Date of Admission
1	Srei Equipment Finance Limited	08-10-21
2	Srei Infrastructure Finance Limited	08-10-21
3	Reliance Capital Limited	06-12-21

CIRPs in respect of aforementioned FiSPs are underway, as per the provisions of the Code.

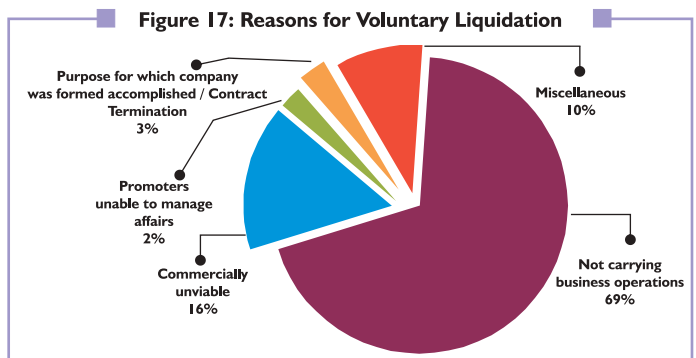
**Voluntary Liquidation**

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, 1559 corporate persons initiated voluntary liquidation of which final reports were submitted in 1024 cases and 15 cases were withdrawn, as reported in the last newsletter. At the end of June, 2023, 1607 corporate persons initiated voluntary liquidation, of which final reports have been submitted in 1104 cases. Further, 17 processes have been withdrawn by June 30, 2023. The details of commencement of voluntary liquidations are presented in Figure 15. The status of 486 ongoing voluntary liquidations is presented in Figure 16.



Of the 1590 corporate persons that initiated voluntary liquidations (excluding withdrawals) till June 30, 2023, the reasons for these initiations are available for 1511 cases, which are presented in Figure 17. Most of these corporate persons are small entities. 981 of them have paid-up equity capital of less than ₹ 1 crore. Only 226 of them have paid-up capital exceeding ₹ 5 crore. The corporate persons, for which details are available, have an aggregate paid-up capital of ₹11,775 crore (Table 11).



**Table 11: Details of 1590 Voluntary Liquidations (Excluding 17 Withdrawals)**

Details of	No. of Liquidations	Amount (in ₹ crore)				
		Paid-up capital*	Assets	Out-standing debt	Surplus	
Liquidations for which Final Reports submitted**	1104	5981	8188	102	102	7868
Ongoing Liquidations	486	5794	3898#			***
<b>Total</b>	<b>1590</b>	<b>11775</b>	<b>12086</b>			<b>***</b>

Note:  
 \* Paid-up capital is not available in case of seven companies as they are limited by guarantee companies where there exist no shareholders and paid-up capital.  
 \*\* Data for 18 Final Report cases are awaited.  
 \*\*\* For ongoing liquidations, data is not available.  
 # Assets of 401 cases are available.

It was reported in the last newsletter that dissolution orders were passed in respect of 512 voluntary liquidations. Dissolution orders in respect of 15 more voluntary liquidations, which were issued during the earlier period, were reported later, as

indicated in Part A of Table 12. During the quarter April – June, 2023, dissolutions orders in respect of 44 voluntary liquidations were issued taking the total dissolutions to 571. These 571 corporate persons owed ₹ 37.82 crore to creditors and through voluntary liquidation process, they were paid full amount.

**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
<b>Part A: For Prior Period (Till March 31, 2023)</b>								
1	Preferred Commodities Pvt Ltd	30-01-19	20-09-19	0.67	-	-	0.02	0.65
2	Gautam Fincap Private Limited	21-01-19	29-01-20	0.72	-	-	0.03	0.69
3	DRA (India) Limited	21-03-19	07-08-20	0.83	-	-	0.01	0.82
4	Manraj Tradecom Private Limited	23-02-19	10-08-21	1.07	-	-	0.04	1.04
5	Millenium Mumbai Broadcast Private Limited	09-12-19	05-09-22	0.02	-	-	0.01	0.01
6	ATOZ Intermediary Services Private Limited	29-10-21	17-11-22	0.02	-	-	0.02	-
7	Intrans Engineering Limited	11-08-21	27-12-22	6.03	0.22	0.22	0.19	5.62
8	Mcare Health and Wellness Private Limited	10-01-20	06-01-23	0.29	-	-	0.02	0.27
9	Pinebridge Investments India Advisors Private Limited	16-02-18	02-02-23	0.33	-	-	0.15	0.18
10	Thermax Sustainable Energy Solution Limited	05-04-21	10-02-23	0.23	-	-	0.16	0.07
11	Rajiv Sachdeva Cargo Agency Private Limited	28-08-19	10-03-23	0.25	0.01	0.01	0.02	0.21
12	Ageo Technologies Private Limited	31-12-21	16-03-23	0.01	0	0	0.01	-
13	NBCC Engineering & Consultancy Limited	19-02-21	16-03-23	0.57	-	-	0.19	0.38
14	KDD (India) Private Limited	04-11-20	31-03-23	2.52	-	-	0.71	1.81
15	Aaiswarya Township Developers Private Limited	10-12-22	31-03-23	2.96	-	-	0.06	2.89
<b>Part B: For April– June, 2023</b>								
1	Pillar Industries India Private Limited	10-09-21	10-04-23	8.86	-	-	0.12	8.74
2	Sun Green Trading and Services Private Limited	10-10-22	10-04-23	0.28	-	-	0.03	0.25
3	Niche Chemlinks Private Limited	12-03-20	12-04-23	0	-	-	0	-
4	Leighfisher India Private Limited	28-07-21	12-04-23	1.92	-	-	0.07	1.85
5	Finbro Technologies Private Limited	16-06-22	12-04-23	0.03	-	-	0.03	-
6	Shree Hanuman Realcon Private Limited	31-01-22	17-04-23	13.70	-	-	0.07	13.63
7	On Demand Transportation Technologies Limited	21-03-20	19-04-23	0.01	-	-	0.01	-
8	Lumax Energy Solutions Private Limited	09-07-21	19-04-23	0.02	-	-	0.02	-
9	Q Squared Solutions (India) Private Limited	22-11-21	19-04-23	0.10	0.03	0.03	0.05	0.02
10	Srijan Aravali Technologies Private Limited	06-09-21	19-04-23	0.20	0.01	0.01	0.02	0.17
11	Kendrion (Pune) Private Limited	07-09-20	24-04-23	6.07	-	-	0.50	5.57
12	Bridge Over Tw.Com Private Limited	23-09-21	26-04-23	0.22	-	-	0.02	0.20
13	Hex Mobiles Private Limited	14-11-22	26-04-23	1.97	-	-	0.19	1.78
14	Ten Ocean Marine Limited#	04-03-21	02-05-23	-	-	-	-	-
15	Global Smart Chip Solutions Private Limited	21-03-22	03-05-23	8.04	0.01	0.01	0.29	7.74
16	Akal Finlease Limited	04-02-20	09-05-23	0.93	-	-	0.02	0.91
17	Baycurrent Consulting India Private Limited	30-09-18	12-05-23	0.98	-	-	0.09	0.89
18	Balu Investment Services Private Limited	15-03-18	16-05-23	0.17	-	-	0.05	0.12
19	Allied Marine Spares Private Limited	07-10-19	16-05-23	0.17	-	-	0.01	0.15
20	Telematics Integrated Solutions Private Limited	22-11-19	16-05-23	0.03	-	-	0.01	0.02
21	Saurashtra Roadways Private Limited	26-12-19	16-05-23	3.82	-	-	0.80	3.02
22	Verantis India Private Limited	08-01-21	16-05-23	0.01	-	-	0.01	-
23	Toshiba Global Commerce Solutions (India) Private Limited	16-03-21	16-05-23	0.55	-	-	0.14	0.41
24	Foxconn Technology India Development Private Limited	23-08-21	16-05-23	17.91	-	-	0.05	17.86
25	Decagon Investments Private Limited	03-12-21	16-05-23	0.99	-	-	0.05	0.94
26	NUSI Offshore Training Institute	28-02-22	16-05-23	0.08	0	0	0.07	0
27	Lumina Networks India Private Limited	16-05-22	16-05-23	0.14	0	0	0.01	0.13
28	SAMC Trustee Private Limited	22-07-22	16-05-23	4.32	0.05	0.05	0.02	4.25
29	Govardhan Creation Private Limited	04-08-22	17-05-23	0.44	-	-	0.02	0.42
30	Kruger M and E Industries (India) Private Limited	29-07-22	17-05-23	2.25	0	0	0.03	2.22
31	Arrows Global Services India Private Limited	05-08-20	19-05-23	0.25	0.19	0.19	0.06	-
32	Twenty One Net (India) Private Limited	17-08-20	19-05-23	0	-	-	0	-
33	F&B Asia Ventures (India) Private Limited	22-09-21	19-05-23	1.75	-	-	0.07	1.68
34	Convotherm India Private Limited	08-03-19	23-05-23	0.11	-	-	0.11	-
35	Kiewit India LLP	15-07-21	25-05-23	0.48	-	-	0.13	0.35
36	Laxmi Edifice Private Limited	28-09-20	06-06-23	1.28	0.31	0.31	0.05	0.93
37	Fenwal India Private Limited	07-02-20	12-06-23	0.49	-	-	0.13	0.37
38	Afchem Distribution India Private Limited	23-07-21	12-06-23	0.04	0.01	0.01	0.03	-
39	Lithius Energy Private Limited	13-08-21	14-06-23	2.94	0.16	0.16	0.16	2.62
40	Sterling Fabory India Private Limited	03-06-22	16-06-23	2.33	-	-	0.06	2.27
41	Sreevatsalakshmi Finance Corporation Limited	01-09-21	20-06-23	0.02	-	-	0.02	-
42	Hinduja Insurance Broking and Advisory Services Limited	30-09-22	21-06-23	1.04	0.03	0.03	0.05	0.96
43	Rama Cotton Textiles Private Limited	25-03-22	22-06-23	0.49	-	-	0.01	0.48
44	M-System India Private Limited	05-12-20	23-06-23	0.64	0.02	0.02	0.18	0.44
<b>Total (April– June, 2023)</b>				<b>86.06</b>	<b>0.83</b>	<b>0.83</b>	<b>3.84</b>	<b>81.39</b>
<b>Total (Till June, 2023)</b>				<b>4047.80</b>	<b>37.82</b>	<b>37.82</b>	<b>106.59</b>	<b>3903.31</b>

‘0’ means an amount below two decimals; ‘-’ means no value # Data awaited from liquidator

## 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 June, 2023		
		No. of Processes covered	Time (in days)		No. of Processes covered	Time (in days)		No. of Processes covered	Time (in days)	
	Includ- ing excluded time	Exclud- ing excluded time		Includ- ing excluded time	Exclud- ing excluded time		Includ- ing excluded time	Exclud- ing excluded time		
<b>CIRPs</b>										
1	From ICD to approval of resolution plans by AA	496	533	450	682	616	509	38	926	750
2	From ICD to order for Liquidation by AA	1626	414	NA	2034	456	NA	86	601	NA
<b>Liquidations</b>										
3	From LCD to submission of final report under Liquidation	405	487	NA	533	530	NA	22	709	NA
4	From LCD to submission of final report under Voluntary Liquidation	712	426	NA	1037	410	NA	67	384	NA
5	From LCD to order for dissolution under Liquidation	235	511	NA	314	585	NA	24	893	NA
6	From LCD to order for dissolution under Voluntary Liquidation	355	582	NA	527	650	NA	44	754	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 June, 2023 are presented in Table 14.

**Table 14: Corporate Liquidation Accounts as on June 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
<b>Corporate Liquidation Account</b>				
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
<b>Corporate Voluntary Liquidation Account</b>				
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

## Pre-Packaged Insolvency Resolution Process

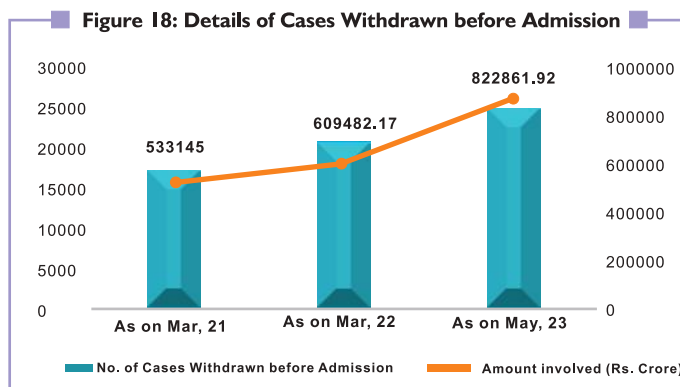
The Central Government enacted the Insolvency and Bankruptcy Code (Amendment) Act, 2021 on August 11, 2021 which was deemed to have come into force on April 4, 2021 introducing the Pre-packaged Insolvency Resolution Process (PIRP) for corporate MSMEs. On April 9, 2021, the Central Government notified the Insolvency and Bankruptcy (Pre-packaged Insolvency Resolution Process) Rules, 2021 prescribing the manner and form of making application to initiate PIRP 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 PIRP. As per the information available with the Board, six applications have been admitted as on June, 2023, out of which one has been withdrawn and resolution plan has been approved in one case i.e. Amrit India Ltd. The details of the ongoing cases are in Table 15.

**Table 15: List of ongoing cases for PIRP as on June 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
3	Sudal Industries Limited	20-04-23	Mumbai
4	Shree Rajasthan Syntex Limited	19-04-23	Jaipur

## Other Outcomes

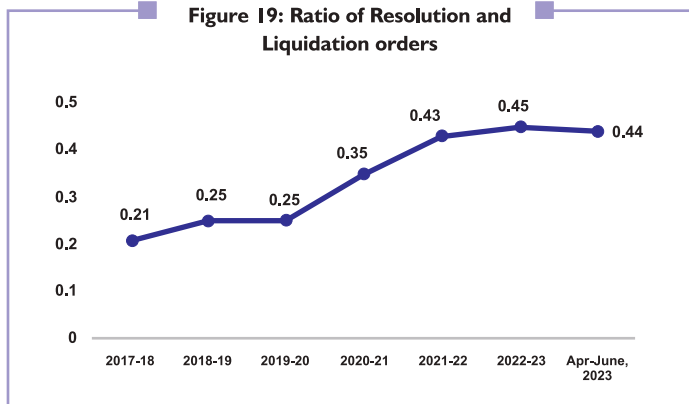
- (a) A distressed asset has a life cycle. Its value gradually declines with time if distress is not addressed. The credible threat of the Code, that a CD may change hands, has changed the behaviour of debtors. Thousands of debtors are resolving distress in early stages of distress. They are resolving 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 May, 2023, 25,565 applications for initiation of CIRPs of CDs having underlying default of ₹ 8.23 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.

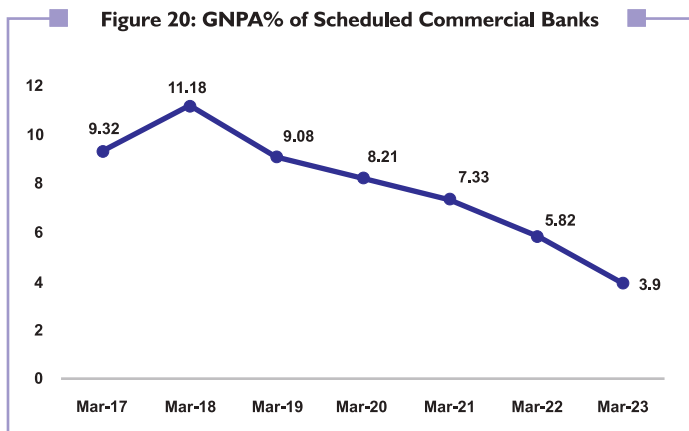


**Figure 19: Ratio of Resolution and Liquidation orders**



(c) As per Economic Survey 2022-23, the finances of the public sector banks have seen a significant turnaround, with profits being booked at regular intervals and their NPAs being fast-tracked for quicker resolution/liquidation under the IBC.

**Figure 20: GNPA% of Scheduled Commercial Banks**



Source: RBI Data

**Summary of Outcomes**

- (a) The primary objective of the Code is rescuing lives of CDs in distress. The Code has rescued 2622 CDs (720 through resolution plans, 1005 through appeal or review or settlement and 897 through withdrawal) till June, 2023. It has referred 2120 CDs for liquidation. The resolved CDs resulted in realisation of around 32% as against the admitted claims and 167% as against the liquidation value. Resolution plans on average are yielding 83.89% of fair value of the CDs. Till June, 2023, 555 CDs have been completely liquidated. These 555 CDs together had outstanding claims of ₹ 1.30 lakh crore, but the assets valued at ₹ 0.06 lakh crore. The liquidation of these companies resulted in 89% realisation as against the liquidation value.
- (b) The Code endeavours to close the various processes at the earliest. The 720 CIRPs, which have yielded resolution plans by the end of June, 2023 took on average 521 days (after excluding the time excluded by the AA) for conclusion of process, while incurring an average cost of 1.15% of liquidation value and 0.69% of resolution value. Similarly, the 2120 CIRPs, which ended up in orders for liquidation, took on average 461 days for conclusion. Further, 555 liquidation processes, which have closed by submission of final reports took on average 537 days for closure. Similarly, 1104 voluntary liquidation processes, which have closed by submission of final reports, took on average 409 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), 2039 applications have since been filed as of June 30,

2023, for initiation of personal insolvency resolution process (PIRP) of PGs to CDs. Out of them, 208 applications have been filed by the debtors and 1831 applications by the creditors under sections 94 and 95 of the Code, respectively. Among them 22 have been filed before different benches of DRT and 1017 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	21	3289.85	24	3339.51	23	1
2020-21	23	2485.94	239	37632.83	262	40118.77	256	6
2021-22	85	3397.57	858	62659.17	943	66056.74	928	15
2022-23	65	10387.34	645	35716.42	710	46103.76	710	0
Apr-Jun, 2023	32	1300.21	68	2505.75	100	3805.96	100	0
<b>Total</b>	<b>208</b>	<b>17620.72</b>	<b>1831</b>	<b>141804.02</b>	<b>2039</b>	<b>159424.74</b>	<b>2017</b>	<b>22</b>

Note: The data are provisional. These are revised on a continuous basis as further information is received.

Debt data not available in 369 cases.

Of the 2039 applications, 75 applications have been withdrawn/ rejected/ dismissed before the appointment of RP and RPs have been appointed in 890 cases. After the appointment of RP, 52 cases have been withdrawn/ rejected/ dismissed and 253 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	24	0	0	2	0	0	0
2020-21	262	6	1	35	2	1	9
2021-22	943	15	12	384	0	7	30
2022-23	710	16	25	442	12	19	187
Apr-Jun, 2023	100	0	0	27	2	9	27
<b>Total</b>	<b>2039</b>	<b>37</b>	<b>38</b>	<b>890</b>	<b>16</b>	<b>36</b>	<b>253</b>

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

Out of the 253 admitted PIRPs, 63 have been closed. Of these, 6 have been withdrawn; 43 have been closed on non-submission or rejection of repayment plan; and 14 have yielded approval of repayment plan. The creditors have realised ₹ 23.10 crore, which is 1.57% of their admitted claim.

**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, 13 bankruptcy applications have since been filed as of June, 2023. All the 13 applications are initiated by the creditors under Section 123 of the Code. Among them, one application has been filed before DRT, Chennai and nine 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 Insolvency Professional Entities (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 June 30, 2023 and AFAs held by them, IPA-wise, are presented in Table 18.

**Table 18: Registered IPs and AFAs as on June 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	489	290	95	874	279	175	62	516
Rest of Northern Region	501	214	76	791	263	119	42	424
Mumbai	426	151	40	617	242	76	27	345
Rest of Western Region	363	131	51	545	227	75	23	325
Chennai	156	90	20	266	88	46	14	148
Rest of Southern Region	437	233	88	758	215	130	60	405
Kolkata	232	43	26	301	151	24	14	189
Rest of Eastern Region	79	31	11	121	45	17	7	69
<b>Total (Individual)</b>	<b>2683</b>	<b>1183</b>	<b>407</b>	<b>4273</b>	<b>1510</b>	<b>662</b>	<b>249</b>	<b>2421</b>
<b>Total (IPE as IP)</b>	<b>31</b>	<b>12</b>	<b>14</b>	<b>57</b>	<b>29</b>	<b>10</b>	<b>10</b>	<b>49</b>
<b>Grant Total</b>	<b>2714</b>	<b>1195</b>	<b>421</b>	<b>4330</b>	<b>1539</b>	<b>672</b>	<b>259</b>	<b>2470</b>

Of the 4362 IPs registered till date, registrations of 7 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 June 30, 2023 are presented in Table 19.

**Table 19: 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
<b>Total (Individual)</b>	<b>NA</b>	<b>4305</b>	<b>7</b>	<b>2</b>	<b>23</b>	<b>4273</b>
<b>Total (IPE as IP)</b>	<b>0</b>	<b>57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>57</b>
<b>Grand Total</b>	<b>NA</b>	<b>4362</b>	<b>7</b>	<b>2</b>	<b>23</b>	<b>4330</b>

# 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, ICAI 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 Graduate Insolvency Programme (GIP) is the 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. At Indian Institute of Corporate Affairs, the first batch (2019-21) and the second batch (2020-22) have successfully completed the course. The third batch (2021-23) has proceeded with internships while the fourth batch (2022-24) commenced classes from July 1, 2022. In respect of National Law Institute University, Bhopal, classes for the first batch of students commenced from July 25, 2022. The IBBI has granted 30 registrations based on this qualification, until June 30, 2023.

Table 20 presents distribution of IPs as per their eligibility (an IP may be a member of more than one Institute) as on June 30, 2023. Of the 4273 IPs as on June 30, 2023, 428 IPs (constituting about ten per cent of the total registered IPs) are female.

**Table 20: Distribution of IPs as per their Eligibility as on June 30, 2023**

Eligibility	No. of IPs		
	Male	Female	Total
Member of ICAI	2138	209	2347
Member of ICSI	591	131	722
Member of ICAI	185	19	204
Member of Bar Council	231	33	264
Managerial Experience	673	33	706
GIP Qualified	27	3	30
<b>Total</b>	<b>3845</b>	<b>428</b>	<b>4273</b>

The Regulations provide that an IP shall be eligible to obtain an AFA if he has not attained the age of 70 years. Table 21 presents the age profile of the IPs registered as on June 30, 2023.

**Table 21: Age Profile of IPs as on June 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	13	9	0	22	9	3	0	12
> 30 ≤ 40	232	68	18	318	149	47	11	207
> 40 ≤ 50	945	377	55	1377	555	225	31	811
> 50 ≤ 60	807	338	100	1245	454	200	70	724
> 60 ≤ 70	627	339	212	1178	343	187	137	667
> 70 ≤ 80	56	46	19	121	NA	NA	NA	NA
> 80 ≤ 90	2	6	3	11	NA	NA	NA	NA
> 90	1	0	0	1	NA	NA	NA	NA
<b>Total</b>	<b>2683</b>	<b>1183</b>	<b>407</b>	<b>4273</b>	<b>1510</b>	<b>662</b>	<b>249</b>	<b>2421</b>

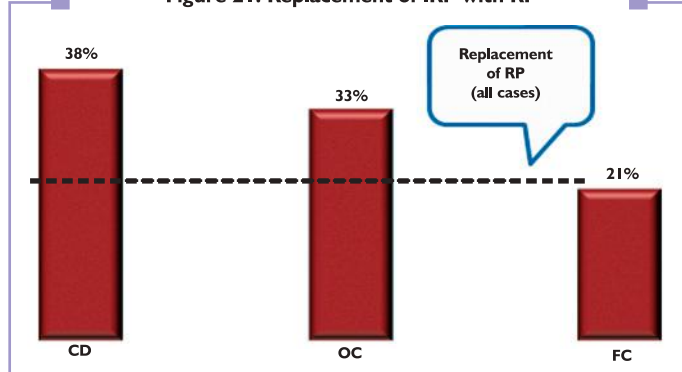
# Excluding 796 AFAs which are expired / not renewed.

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 June 30, 2023, as per updates available, a total of 1422 IRPs have been replaced with RPs, as shown in Figure 21. 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 21% of CIRPs initiated by FCs.

**Figure 21: Replacement of IRP with RP**



### Panel for IPs

In accordance with the Panel Guidelines issued on June 12, 2023, the IBBI invited Expression of Interest from IPs for preparation of a panel of IPs for appointments during July 01, 2023 to December 31, 2023. In accordance with the same, it prepared and published on July 01, 2023, a panel of 418 IPs (who hold AFAs) valid for appointments for the period July 1, 2023 to December 31, 2023 (Table 22). The same has also been shared with the AA (NCLT and DRT).

**Table 22: Zone-wise IPs in the Panel**

Zone	Areas Covered	No. of IPs
New Delhi	Union Territory of Delhi	85
Ahmedabad	State of Gujarat	36
	Union Territory of Dadra and Nagar Haveli	
	Union Territory of Daman and Diu	
Allahabad	State of Uttar Pradesh	20
	State of Uttarakhand	
Amravati	State of Andhra Pradesh	4
Bengaluru	State of Karnataka	12
Chandigarh	State of Himachal Pradesh	41
	State of Punjab	
	State of Haryana	
	Union Territory of Chandigarh	
	Union Territory of Jammu and Kashmir	
	Union Territory of Ladakh	
Cuttack	State of Chhattisgarh	5
	State of Odisha	
Chennai	State of Tamil Nadu	36
	Union Territory of Puducherry	
Guwahati	State of Arunachal Pradesh	2
	State of Assam	
	State of Manipur	
	State of Mizoram	
	State of Meghalaya	
	State of Nagaland	
	State of Sikkim	
	State of Tripura	
Hyderabad	State of Telangana	23
Indore	State of Madhya Pradesh	8
Jaipur	State of Rajasthan	13
Kochi	State of Kerala	10
	Union Territory of Lakshadweep	
Kolkata	State of Bihar	40
	State of Jharkhand	
	State of West Bengal	
	Union Territory of Andaman and Nicobar Islands	
Mumbai	State of Goa	65
	State of Maharashtra	
<b>Total (Individual IPs)</b>		<b>400</b>
<b>IPE as IP</b>		<b>18</b>
<b>Total IPs</b>		<b>418</b>

### Insolvency Professional Entities

During the quarter under review, two IPEs were recognised. As on June 30, 2023, there were 109 IPEs (Table 23).

**Table 23: IPEs as on June 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
<b>Total</b>	<b>155</b>	<b>46</b>	<b>109</b>

### 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 June 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-regist-ration Courses conducted	CPE Progra-mmes conducted	Training Work-shops for IPs	Other Work shops/ Webinars/ Roundtables/ Seminars	Discipli-nary Orders Issued	Complai-nts (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
<b>Total</b>	<b>70</b>	<b>632</b>	<b>257</b>	<b>660</b>	<b>184</b>	<b>414</b>

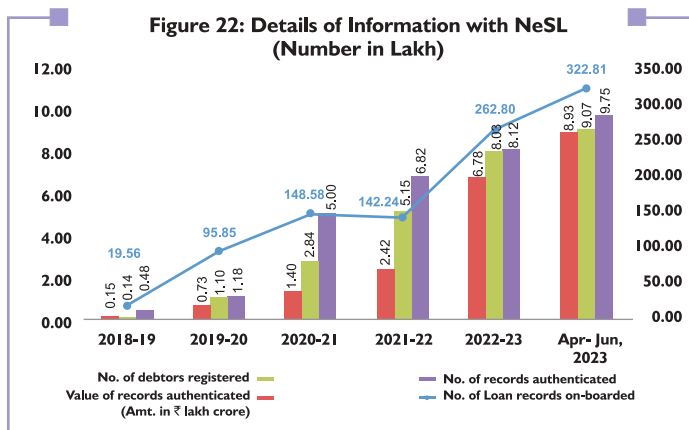
**Table 25: CPE Hours earned by the IPs**

Period	Number of CPE Hours earned by members of			
	IIIP 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
<b>Total</b>	<b>57545</b>	<b>30789</b>	<b>12933</b>	<b>101267</b>
<b>Average CPE hours</b>				
<b>Per registered IP</b>	<b>21.44</b>	<b>26.03</b>	<b>31.78</b>	<b>23.70</b>

### Information Utility

The Code provides that the data with the IU facilitates the CIRP. The 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 National e- Governance Services Limited (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 June, 2023, NeSL has issued about 95,290 RoDs to support the IBC ecosystem. Figure 22 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 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 June 30, 2023, are given in Table 26. A total of 5258 individuals have active registrations, three of them are registered for all three asset classes, 85 are registered for two asset classes and the balance 5170 are registered for one asset class. As on June 30 2023, the registration of three RVs have been cancelled and registration of 4 individuals and 1 entity is under suspension.

**Table 26: Registered Valuers as on June 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	90	14	16	120
2	IOV Registered Valuers Foundation	1539	246	179	1964
3	ICSI Registered Valuers Organisation	0	0	249	249
4	IIV India registered Valuers Foundation	178	48	56	282
5	ICMAI Registered Valuers Organisation	53	31	310	394
6	ICAI Registered Valuers Organisation	NA	NA	1056	1056
7	PVAI Valuation Professional Organisation	321	56	135	512
8	CVSRTA Registered Valuers Association	208	61	NA	269
9	Association of Certified Valuers and Analysts	NA	NA	4	4
10	CEV Integral Appraisers Foundation	146	45	3	194
11	Divya Jyoti Foundation	97	18	65	180
12	Nandadeep Valuers Foundation	5	0	1	6
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	0	0	2
16	Assessors and Registered Valuers foundation	44	14	27	85
<b>Total</b>		<b>2691</b>	<b>536</b>	<b>2129</b>	<b>5356</b>

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 89 such entities registered as RVs as on June 30, 2023, as presented in Table 27. 38 of them are registered for three asset classes, 16 are registered for two asset classes and 35 are registered for one asset class. The registration of RVs till June 30, 2023 is given in Table 28.

**Table 27: Registered Valuers (Entities) as on June 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	32	29	25	25
ICSI Registered Valuers Organisation	4	0	0	4
IIV India Registered Valuers Foundation	1	1	1	0
ICMAI Registered Valuers Organisation	15	8	8	14
ICAI Registered Valuers Organisation	15	0	0	15
PVAI Valuation Professional Organisation	3	3	3	3
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	7	7	5	5
<b>Total</b>	<b>88</b>	<b>58</b>	<b>50</b>	<b>74</b>

Note: The registration of 1 entity is under suspension.

**Table 28: Registration of RVs till June 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
<b>Total</b>	<b>2691</b>	<b>536</b>	<b>2129</b>	<b>5356</b>

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

As on June 30, 2023, 1375 RVs (constituting 26% of the total RVs registered) are from metros, while 3981 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 June 30, 2023**

(Number)

Year / Quarter	Land & Building	Plant & Machinery	Securities or Financial Assets	Total
New Delhi	90	37	258	385
Rest of Northern Region	437	88	377	902
Mumbai	120	55	321	496
Rest of Western Region	777	155	355	1287
Chennai	120	45	153	318
Rest of Southern Region	1061	129	499	1689
Kolkata	35	19	122	176
Rest of Eastern Region	51	8	44	103
<b>Total</b>	<b>2691</b>	<b>536</b>	<b>2129</b>	<b>5356</b>

The average age of RVs as on June 30, 2023 stood at 48 years across asset classes. It was 49 years for Land & Building, 54 years for Plant & Machinery and 44 years for Securities or Financial Assets (Table 30). Of the 5356 RVs as on June 30, 2023, 529 RVs (constituting about 10% of the total RVs) are females.

**Table 30: Age profile of RVs as on June 30, 2023, 2023**

Age Group (in years)	Land & Building	Plant & Machinery	Securities or Financial Assets	Total
≤ 30	158	7	123	288
> 30 ≤ 40	552	78	819	1449
> 40 ≤ 50	539	112	664	1315
> 50 ≤ 60	1015	159	327	1501
> 60 ≤ 70	377	123	180	680
> 70 ≤ 80	44	54	15	113
> 80	6	3	1	10
<b>Total</b>	<b>2691</b>	<b>536</b>	<b>2129</b>	<b>5356</b>

**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 June 30, 2023 is presented in Table 31.

**Table 31: Receipt and Disposal of Grievances and Complaints till June 30, 2023 (Number)**

Year / Quarter	Complaints and Grievances Received						Total		
	Under the Regulations		Through CPGRAM/PMO/MCA/Other Authorities)		Through Other Modes		Received	Disposed	Under Examination
	Received	Disposed	Received	Disposed	Received	Disposed			
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
<b>Total</b>	<b>1107</b>	<b>1028</b>	<b>2022</b>	<b>1949</b>	<b>3913</b>	<b>3840</b>	<b>7042</b>	<b>6817</b>	<b>225</b>

**Examinations**

**Limited Insolvency Examination**

The IBBI publishes the syllabus, format, etc. of the examination under regulation 3(3) of the IBBI (Insolvency Professionals) Regulations, 2016. 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 commences on 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
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
<b>Total</b>		<b>31213</b>	<b>5519</b>

**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
<b>Total</b>		<b>24724</b>	<b>5048</b>	<b>19611</b>	<b>3028</b>	<b>608</b>	<b>2327</b>

**Building Ecosystem**

**Expert Committee to propose a detailed framework for use of mediation under the Code**

In terms of clause (1) of sub-section (1) of section 196 of the Code, the IBBI constituted an Expert Committee on March 6, 2023 to study and recommend a mediation framework for use in various processes under the Code. The Expert Committee is chaired by Dr. T. K. Viswanathan, Former Secretary General, Lok Sabha Secretariat and Former Law Secretary. During the quarter, the Committee met five times, i.e., on April 17, May 1, May 19, May 30 and June 6. The Committee deliberated in detail on the scope of mediation under the IBC framework, including use of mediation in the pre-commencement and post-commencement stage; post approval of resolution plan; issues related to claims and avoidance proceedings; cross-border and group insolvency cases; mandatory or optional form of mediation; and framework and infrastructure for operationalization of mediation framework under the Code.



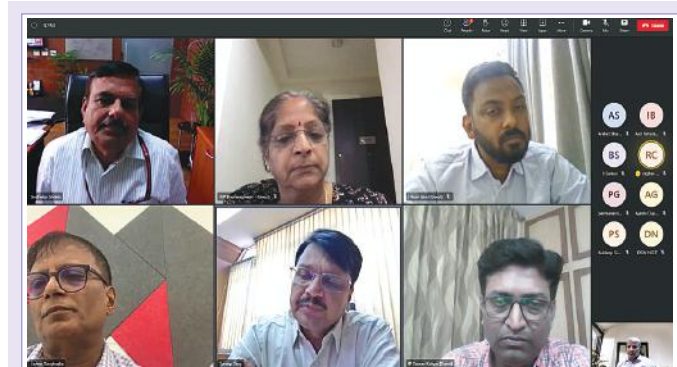
Meeting of the Expert Committee, April 17, 2023

**Roundtables**

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

**Table 34: Roundtables with stakeholders**

Sl.	Date	Particulars
1	21-04-2023	Roundtable on issues related to CIRP of Real Estate cases
2	17-06-2023	Roundtable on Discussion Paper regarding “Measures for increasing the possibility of resolution, value of resolution plan and enabling timely resolution”.



Roundtable on Resolution of Real Estate sector, April 21, 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 June 30, 2023, is given in Table 35.

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

Year / Period	Basic Work-shops	Advanced Work-shops	Other Work-shops	Webinars	Round-tables	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	-	-	10
<b>Total</b>	<b>27</b>	<b>18</b>	<b>32</b>	<b>60</b>	<b>132</b>	<b>11</b>	<b>280</b>

**Advocacy and Awareness**

**Conference on 'Overcoming emerging challenges under IBC – Preparing IPs and IPAs'**

IIIP ICAI organised a Conference on the theme 'Overcoming emerging challenges under Insolvency and Bankruptcy Code, 2016 – preparing Insolvency Professionals and Insolvency Professional Agencies' on June 16, 2023. The Conference had panel discussions on 'Preparing IPs and IPAs for future' and 'Addressing current challenges and preparing for futuristic changes in IBC'. Mr. L. N. Gupta, Hon'ble Member (Technical), NCLT Delhi was the Chief Guest at the Conference. Other dignitaries included Ms. Anita Shah Akella, Joint Secretary, MCA; Mr. Ashwini Kumar Tewari, Managing Director (Risk, Compliance & SARG), SBI; Mr. G. C. Misra, Chairman, Committee IBC – ICAI; and Dr. Ashok Haldia, Chairman, IIIP ICAI. Mr. Santosh Kumar Shukla, ED, represented IBBI as the Guest Speaker. Mr. Shiv Anant Shanker, CGM, IBBI and Mr. Manish Kumar Chaudhari, CGM, IBBI participated in the panel discussions of the conference.



Conference on 'Overcoming emerging challenges under IBC – Preparing IPs and IPAs', June 16, 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, April – June, 2023**

Sl.	Date	Particulars	Topic	In Association With
1	28-04-23 to 30-04-23	Moot Competition	Contemporary and developing aspects of the Insolvency & Bankruptcy Law and Constitutional Law	HPNUL
2	29-04-23	National Seminar on Contemporary Valuation	Valuation	RVO ESMA
3	02-05-23	Valuation Boot Camp (Virtual)	Valuation	ICMAI RVO
4	05-05-23 to 07-05-23	6 <sup>th</sup> Arun Jaitley International Insolvency and Bankruptcy Moot Competition	Insolvency and Bankruptcy Law	NLU Delhi
5	14-05-23 (3 months)	Certificate Course on Bankruptcy of Guarantors	Bankruptcy of Guarantors	NLU Delhi
6	14-05-23 to 15-05-23	5 <sup>th</sup> foundation Day	Sustaining Public Interest through Valuation Ecosystem	ICAI RVO
7	20-05-23	IOV RVF Founder's Day Conference	Valuation: Unfolding the Avenues	IOV RVF
8	20-05-23	Seminar on Corporate Governance for Financial Sustainability - Doon Business School Global	Corporate Governance for Financial Sustainability	Doon Business School Global
9	26-05-23	Summit on navigating India's legal terrain in the era of Amrit Kaal	Navigating India's legal terrain in the era of Amrit Kaal	Federation of Indian Corporate Lawyers
10	27-05-23	Seminar on Ease of Doing Business - Economic Landscape, Finance and Legal	Ease of Doing Business - Economic Landscape, Finance and Legal	Bangalore Chamber of Industry and Commerce
11	17-06-23	One day state level IBC conclave	Insolvency and Bankruptcy Code	Kerala Insolvency Professionals Forum
12	17-06-23	UNIDROIT meeting, Sushma Swaraj Bhawan - MEAs	Discussions on group 'Bank Insolvency' and 'Best practices for Effective Enforcement'	Ministry of External Affairs



National Seminar on Contemporary Valuation, April 29, 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	06-05-23	IPA/ICAI	IP Conclave -IBC from stakeholders' perspective	Mr. Jayanti Prasad, WTM Mr. Ritesh Kavdia, ED
2	14-05-23	ICAI RVO	5 <sup>th</sup> Foundation Day of ICAI RVO and Conference on 'Sustaining Public Interest through Valuation Ecosystem'	Mr. Jayanti Prasad, WTM Mr. Santosh Shukla, ED Mr. Manishkumar M. Chaudhari, CGM
3	25-05-23	IOV RVF	Founder's Day celebration by IOV RVF	Mr. Santosh Shukla, ED
4	23-06-23	PHD Chamber of Commerce and Industry	Roundtable on IBBI Discussion Paper on 'Measures for increasing the possibility of resolution plan and enabling timely resolution'	Mr. Santosh Shukla, ED



6<sup>th</sup> Arun Jaitley International Insolvency and Bankruptcy Moot Competition, May 6, 2023



IOV RVF Founder's Day Conference, May 20, 2023



5<sup>th</sup> Foundation Day of ICAI RVO, May 14, 2023



Seminar on Corporate Governance for Financial Sustainability, May 20, 2023



Summit by Federation of Indian Corporate Lawyers, May 26, 2023

# List of Abbreviations

AA	Adjudicating Authority
A&C Act	The Arbitration and Conciliation Act, 1996
AFA	Authorisation for Assignment
ARC	Asset Reconstruction Company
BIFR	Board for Industrial and Financial Reconstruction
CCD	Compulsorily Convertible Debentures
CD	Corporate Debtor
CEO	Chief Executive Officer
CII	Confederation of Indian Industry
CIRP	Corporate Insolvency Resolution Process
CIRP Regulations	IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016
CoC	Committee of Creditors
CPE	Continuing Professional Education
CPGRAMS	Centralised Public Grievance Redress and Monitoring System
DHFL	Dewan Housing Finance Corporation
DRT	Debt Recovery Tribunal
ED	Executive Director
FC/FCs	Financial Creditor / Creditors
FiSP/FiSPs	Financial Service Provider/ Financial Service Providers
GIP	Graduate Insolvency Programme
GST	Goods and Services Tax
HC	High Court
HPNUL	Himachal Pradesh National Law University
IA/IAs	Interlocutory Application/ Interlocutory Applications
IBBI / Board	Insolvency and Bankruptcy Board of India
IBC / Code	Insolvency and Bankruptcy Code, 2016
ICAI	Institute of Chartered Accountants of India
ICAI RVO	ICAI Registered Valuers Organisation
ICD	Insolvency Commencement Date
ICMAI	Institute of Cost and Management Accountants of India
ICMAI RVO	ICMAI Registered Valuers Organisation
ICSI	Institute of Company Secretaries of India
ICSI IIP	ICSI Institute of Insolvency Professionals
IICA	Indian Institute of Corporate Affairs
IIP ICAI	Indian Institute of Insolvency Professionals of ICAI
IOV RVF	IOV Registered Valuers Foundation

IP/IPs	Insolvency Professional/ Professionals
IPA/IPAs	Insolvency Professional Agency/ Agencies
IPA ICAI	Insolvency Professional Agency of Institute of Cost Accountants of India
IPE/IPEs	Insolvency Professional Entity/Entities
IRP/IRPs	Interim Resolution Professional/Professionals
IU/IUs	Information Utility/Utilities
LCD	Liquidation Commencement Date
MCA	Ministry of Corporate Affairs
MD	Managing Director
MoU	Memorandum of Understanding
MSME	Micro, Small and Medium Enterprise
NCLAT	National Company Law Appellate Tribunal
NCLAT Rules, 2016	The National Company Law Appellate Tribunal Rules, 2016.
NCLT	National Company Law Tribunal
NeSL	National e- Governance Services Limited
NPA	Non-Performing Asset
NLU Delhi	National Law University, Delhi
OC/OCs	Operational Creditor/ Creditors
PC Act	The Prevention of Corruption Act, 1988
PG/PGs	Personal Guarantor/Guarantors
PIRP	Personal Insolvency Resolution Process
PMO	Prime Minister's Office
PPIRP	Pre-Packaged Insolvency Resolution Process
RBI	Reserve Bank of India
RoD	Record of Default
RP/RPs	Resolution Professional/Professionals
RV/RVs	Registered Valuer/Registered Valuers
RVO/RVOs	Registered Valuer Organisation/Registered Valuer Organisations
RVO ESMA	RVO Estate Managers & Appraisers Foundation
SARFAESI Act	The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
SC	Supreme Court of India
SRA	Successful Resolution Applicant
SRO	Sub-registrar office
TDS	Tax Deducted at Source
Valuation Rules	The Companies (Registered Valuers and Valuation) Rules, 2017
WTM	Whole-time Member

Disclaimer : This Newsletter is meant for the sole purpose of creating awareness and must not be used as a guide for taking or recommending any action or decision, commercial or otherwise. The reader must do his own research or seek professional advice if he intends to take any action or decision in any matter covered in this Newsletter.