

## Legal Framework

### ACT

#### **Insolvency and Bankruptcy Code (Amendment) Act, 2026 - Assented to by the President of India on April 06, 2026**

The Insolvency and Bankruptcy Code (Amendment) Bill, 2026 was passed by the Lok Sabha on March 30, 2026, and by the Rajya Sabha on April 1, 2026. The Bill received the assent of the President of India on April 6, 2026, and has been published in the Gazette of India Extraordinary as the Insolvency and Bankruptcy Code (Amendment) Act, 2026 dated April 6, 2026.

The major provisions introduced through this amendment include enhanced penalties for frivolous or vexatious proceedings before the Adjudicating Authority; time-bound admission of applications by the NCLT; mandatory timelines for adjudicatory orders by the Adjudicating Authority; the Creditor-Initiated Insolvency Resolution Process (CIIRP); time-bound disposal of appeals before the NCLAT; relaxations for MSMEs in the insolvency process; modifications to the waterfall mechanism under Section 53 of the IBC; the Group Insolvency Framework; the Cross-Border Insolvency Framework; and strengthening of avoidance transactions, among others.

**Source:** *The Gazette of India (Extraordinary), CG-DL-E-06042026-271594, Ministry of Law and Justice (Legislative Department), , dated April 06, 2026.*

### REGULATIONS

#### **Fair Value will Include Tangible and Intangible Assets: IBBI**

The Insolvency and Bankruptcy Board of India (IBBI) has amended the IBBI (CIRP) Regulations through a Notification dated 25 February 2026.

“The estimated realizable value of the corporate debtor shall be computed after taking into account the total estimated realizable value of all the assets of the corporate debtor including but not limited to tangible and intangible assets, along-with their



underlying synergies,” reads the explanation inserted in Regulation 2 (hb) of the IBBI (CIRP) Regulations 2016. This amendment also makes provision for appointment of two sets of registered valuers to determine the fair value and the liquidation value, and a coordinating valuer. The amendments have also been done in Regulations 27, 35 and 36. Besides, Regulation 38A has been inserted for treatment of allottees not filing claims. “In respect of a real estate project, where the information memorandum includes the details of the allottees who have not submitted their claims, the resolution plan shall provide for treatment of such allottees,” reads Regulation 38 A, which has been inserted through this amendment. The amendment has also inserted Regulation 36 (ja) to incorporate the dues of homebuyers in the Information Memorandum (IM). “details of all allottees, including their names, amounts due, and units allotted, whose claims are either reflecting in the books of accounts of the corporate debtor or in the records of the Real Estate Regulatory Authority as established under the Real Estate (Regulation and Development) Act, 2016 (16 of 2016), but have not submitted their claims to the resolution professional,”.

**Source:** *Notification F. No. IBBI/2025-26/GN/REG135, dated February 25, 2026.*

#### **IBBI Amends PPIRP Regulations**

Through a notification dated 25 February 2026, the IBBI has amended the Pre-Packaged Insolvency

Resolution Process (PPIRP) Regulations, 2021, primarily to revise the provisions relating to fair value and to expand the definition and scope of fair value. Instead of appointing two valuers, the Resolution Professional will now appoint two sets of registered valuers. The average of the two estimates of the fair value submitted by the coordinating valuers shall be considered as the fair value of the CD. Furthermore, the Registered Valuers shall prepare the Report and maintain documentation.

**Source:** *Notification F. No. IBBI/2025-26/GN/REG138, dated February 25, 2026.*

## CIRCULARS

### **IBBI Mandates use of International Valuation Standards (IVS) for Valuations under IBC**

Through a Circular dated April 01, 2026, the IBBI has notified the International Valuation Standards (IVS), as issued and updated from time to time by the International Valuation Standards Council (IVSC), as the valuation standards applicable for the purposes of the valuations conducted under the IBC and regulations made thereunder, until further orders. "This circular shall come into force from the date of its issue and shall apply to all valuation conducted under the Code and regulations made thereunder," said the IBBI emphasizing that the Circular has been issued u/s 196 of the Code and regulations made thereunder. The circular aligns with a key objective of the IBC—maximising the value of the Corporate Debtor's assets in a time-bound manner, said IBBI.

**Source:** *Circular No. IBBI/RV/93/2026 dated April 01, 2026.*

### **IBBI introduced standardized forms for Resolution Professionals to monitor Personal Guarantors' Insolvency**

These standardized Forms will replace the previous system under which the Resolution Professional (RP) used to submit periodic information regarding the insolvency resolution process to the IBBI through

emails, which was time-consuming and inefficient. "The key benefits of these forms include allowing resolution professionals to easily access and submit forms online, reducing delays and improving efficiency and minimizing the likelihood of errors and omissions, ensuring more accurate and reliable information," said the Circular issued by the IBBI. In order to facilitate IPs to familiarize themselves with these forms and resolve technical issue(s) that may arise, if any, penalties shall be levied for delayed submission or modification only after June 30, 2026, said the Circular. The IBBI has also prescribed timelines for these 7 forms.

**Source:** *Circular No. IBBI/II/92/2026, dated March 06, 2026.*

## NOTIFICATION

### **Ashutosh Mishra Appointed Ex-Officio Member in IBBI**

This appointment has been made pursuant to Gazette Notification F. No. 30/03/2016- Insolvency dated February 11, 2026, issued by Ms. Anita Shah Akella, Joint Secretary, Ministry of Corporate Affairs (MCA). "In accordance with the provisions of clause (c) of sub-section (1) of section 189 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016), the Central Government hereby appoints Shri Ashutosh Mishra, Additional Secretary as the ex-officio member in the Insolvency and Bankruptcy Board of India to represent the Ministry of Law & Justice in the said Board," reads the Notification.

**Source:** *F. No. 30/03/2016-Insolvency, dated February 11, 2026.*

## FACILITATION

### **IBBI published final panel of IPs and IPEs**

The panel, which will be valid from January 16 to June 30, 2026, includes 1183 Insolvency Professionals (IPs) and 59 Insolvency Professional Entities (IPEs) registered as IPs. According to IBBI, Individual IPs have been categorized into four geographical zones (North, South, East, West), in addition to their

existing bench-wise classifications. The list includes a breakdown of ongoing assignments (as IRP, RP, Liquidator) in CIRP, and RP (Individual Insolvency, & BT) and total number of completed assignments, said the IBBI.

**Source:** IBBI, January 16, 2026. <https://ibbi.gov.in/uploads/whatsnew/e4487cf0ce93bb466992a524bca2d15b.pdf>

## PRESS RELEASES

### **Committee on Framing Guidelines for Insolvency Proceedings in the Real Estate Sector submits its Report to Chairperson, IBBI**

The Committee, chaired by Shri Jayanti Prasad, submitted its report on April 7, 2026. According to the IBBI, the Report recognises that real estate insolvency presents unique challenges, as it directly affects large numbers of homebuyers whose primary expectation is completion and delivery of homes rather than financial recovery. It highlights the need for a shift from an entity-centric, recovery-focused framework to a project-centric, completion-driven approach, with stronger coordination between the IBC and the Real Estate (Regulation and Development) Act, 2016.

The Committee has reportedly examined the 55 key issues affecting real estate insolvency and has made 155 recommendations covering structural, procedural, and institutional aspects of the framework. These recommendations are aimed at improving efficiency, ensuring timely completion of projects, enhancing stakeholder confidence, and strengthening alignment between insolvency processes and sectoral regulation.

**Source:** *Press Release, No. IBBI/PR/2026/7, April 08, 2026.*

### **Ms. Aparna Sinha appointed Ex-officio member in the IBBI**

Through a Gazette notification, Ms. Aparna Sinha, Advisor (FSRL), Department of Economic Affairs, Ministry of Finance, has been appointed as an ex officio member of the Insolvency and Bankruptcy Board of

India (IBBI), representing the Ministry of Finance on the Board. This appointment has been made by the Central Government in accordance with clause (c) of subsection (1) of section 189 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016).

**Source:** *Gazette Notification, File No. 30.03.2016-Insolvency, dated March 24, 2026.*

## DISCUSSION PAPERS

### **IBBI Issues Discussion Paper on Strengthening CoC Oversight and Procedural Clarity under the CIRP Regulations, 2016**

The Discussion Paper dated February 16, 2026, addresses key issues within the corporate insolvency framework. It proposes strengthening the recording of Committee of Creditors (CoC) deliberations while approving resolution plans and clarifies decision making on continuation of the Corporate Debtor (CD) as a going concern and approval of CIRP costs. It also delineates the roles of the Adjudicating Authority (AA) and the CoC regarding delayed but admissible claims and examines CoC composition where only Operational Creditors are represented. According to Insolvency and Bankruptcy Board of India (IBBI), the proposed amendments are intended to strengthen creditor oversight, improve procedural discipline, and reinforce value maximization. They include directing the CoC to record expected recoveries for creditors in respect to the fair and liquidation values determined under Regulation 35; amending Regulation 31B of the IBBI (CIRP) Regulations to enhance clarity and ensure proper recording of proceedings; and amending Regulation 16(2)(a) to expressly exclude related operational creditors from participation in the CoC constituted under Regulation 16, among other measures. The IBBI has also attached the Draft Regulations to the Discussion Paper.

**Source:** *Discussion Paper on strengthening CoC's oversight and procedural clarity under the CIRP Regulations, 2016, dated February 16, 2026.*