

INITIATIVES

Programmes on Insolvency and Bankruptcy Code, 2016

Round Table to review Insolvency and Bankruptcy Code were held at Delhi and Hyderabad. Programmes on Insolvency and Bankruptcy Code, 2016 were held recently at Hyderabad and Bangalore. Three days Programme cum Webcast was organised to train for IBBI- Limited Insolvency Examination.

Learning Management System (LMS) for IBBI Limited Insolvency Examination

The Learning Management System which is designed as per the Syllabus of the Limited Insolvency Examination as prescribed by The Insolvency and Bankruptcy Board of India is continuously being updated and is offered free of cost. This portal supports content as well as self evaluation tests. There are over 6000 registered users with 135750 tests taken till date.

The Learning Management System is available at the link:

http://www.iiipicai.in/index.php?option=com_content&view=article&id=37&Itemid=166

IIPI- WBG Select Training Program For Insolvency Professionals (IP)

The Indian Institute of Insolvency Professionals of ICAI (IIPI) with the World Bank Group (WBG) under the aegis of the Insolvency and Bankruptcy Board of India (IBBI) conducted first of its kind three days training program for Insolvency Professionals, at Mumbai from 18th to 20th January, 2018.

The faculty for the event were global experts who shared their advice and experiences covering the Corporate Insolvency Resolution Process, Liquidation and Cross-border insolvency. The program was inaugurated by Dr. Ms. Mukulita Vijayawargiya, Whole Time Member, IBBI and other dignitaries.

NEWS UPDATE

“The Insolvency and bankruptcy Code (Amendment) Act, 2017” was notified on 19th January, 2018.

The same is available at the link:

http://ibbi.gov.in/webadmin/pdf/whatsnew/2018/Jan/182066_2018-01-20%2023:35:02.pdf

MAT Provisions relaxed by CBDT for companies facing Insolvency:

CBDT relaxed MAT provisions w.e.f AY 2018-19, in case of a company, against whom an application for Corporate Insolvency Resolution Process has been admitted by the Adjudicating Authority under section 7/9/10 of IBC. The amount of loss brought forward (including unabsorbed depreciation)

shall be allowed to be reduced from the book profit for the purpose of levy of MAT u/s 115JB.

Details available at the link:

http://ibbi.gov.in/webadmin/pdf/whatsnew/2018/Jan/CBDT_MAT_2018-01-06%2023:31:15.pdf

Fees payable to an Insolvency Professional (IP) and to other professionals appointed by an IP

IBBI vide its Circular No. IP/004/2018 dated the 16th January, 2018 clarified that an insolvency professional shall render services for a fee which is a reasonable reflection of his work, raise bills / invoices in his name towards such fees, and such fees shall be paid to his bank account. Further, any payment of fees for the services of an insolvency professional to any person other than the insolvency professional shall not form part of the insolvency resolution process cost.

Disclosures by Insolvency Professionals and other Professionals appointed by Insolvency Professionals conducting Resolution Processes

IBBI vide its Circular No. IP/005/2018 dated the 16th January, 2018 provided that an insolvency professional and every other professional appointed by the insolvency professional for a resolution process have to make specified disclosures.

The details are available on the link:

http://ibbi.gov.in/webadmin/pdf/whatsnew/2018/Jan/Disclosures-Circular-12.01.2018%20%281%29-1_2018-01-16%2018:17:52.pdf

Other important circulars issued by IBBI

Circular No. IP/001/2018 dt. 3.1.2018 - Insolvency professional to use Registration Number and registered address in all his communications.

Circular No. IP/002/2018 dt. 3.1.2018 - Insolvency professional to ensure compliance with provisions of the applicable laws.

Circular No. IP/003/2018 dt. 3.1.2018 - Insolvency professional not to outsource his responsibilities.

Govt. disposed 2,750 cases under Insolvency and Bankruptcy Code :

As per PIB press release of MCA, following the notification of relevant provisions of the Insolvency and Bankruptcy Code 2016 on 01.12.2016, over 2434 fresh cases have been filed before NCLT and 2,304 cases of winding up of companies have been transferred from various High Courts. Out of these, a total number of 2,750 cases have been disposed of and 1,988 cases were pending as on 30.11.2017. As per information received from Public Sector Banks (PSBs), as on 30.11.2017, an amount of Rs. 39.63 crore had been realized after filing of cases with NCLT, and an amount of Rs. 2.89 crore had been borne by the banks as haircut.

Hope you find this Update helpful.

Suggestions if any, may be mailed to ipa@icai.in

Disclaimer: Although due care has been taken in bringing out this update, Indian Institute of Insolvency Professionals of ICAI does not own the responsibility for any error or omission. The users are advised to cross check with the original material before acting upon the content herein.