

## Message from Chairman, Editorial Board



**CA. (Dr.) Debashis Mitra**

President, ICAI  
Chairman, Editorial Board-IIPI

*Dear Member,*

Since the inception of the Insolvency and Bankruptcy Code, 2016 (IBC), its stakeholder base has been diversifying on constant basis. In this context, some of the landmark amendments were made in the IBC including, (a) Extending the status of financial creditors to homebuyers in June 2018 thereby ensuring their representation in the Committee of Creditors (CoC) and making them integral part of the decision-making process for resolution of stressed real estate companies, (b) Corporate Insolvency Resolution Process for Personal Guarantors to Corporate Debtors-2019, and (c) Pre-Pack Insolvency Resolution Process for MSMEs-2021 (PIIRP for MSMEs), resulted in expansion of stakeholder base.

The proposed (full-fledged) Individual Insolvency framework in near future is expected to bring a sea change in the ecosystem. These developments have necessitated nation-wide awareness campaigns for public at large about remedies available under the Code, while dealing with distress resolution. As the backbone of India's national economic edifice, the Micro, Small and Medium Enterprises (MSMEs) Sector has around 63.4 million units spread throughout the country. Therefore, there is pertinent need to create awareness among such MSMEs regarding the avenues for reorganization of distressed

assets available for them under PIIRP framework for MSMEs.

*Azadi Ka Amrit Mahotsav* (AKAM) is an opportunity for all of us to create awareness about insolvency profession and processes under IBC across stakeholders and public at large, particularly among youth who are the potential stakeholders in the form of Insolvency Professionals (IPs), entrepreneurs, financial creditors, operational creditors, etc. I am pleased to note that Indian Institute of Insolvency Professionals of ICAI (IIPI) in association with Insolvency and Bankruptcy Board of India (IBBI) organized 43 events on the theme "Awareness Programme about Insolvency Profession with Special Reference to Graduate Insolvency Programme" in 40 cities, out of 75 cities planned by IBBI, throughout the country from 1<sup>st</sup> to 9<sup>th</sup> June 2022. We trust, this outreach effort will go a long way in creating awareness across stakeholders, present and future.

Real-Estate Sector has emerged the second highest stakeholder under the IBC regime in almost all the categories viz. Commencement of CIRP (20%), Commencement of Liquidation (17%), Appeal, Review, Settled and Withdrawn (25%) and Resolution through Resolution Plans (13%). As the individual homebuyers are also recognized as financial creditors, the insolvency processes of the corporate debtors of the real estate sector, impacts a significant part of population in the economy. They along with other stakeholders need to be made aware about their rights and responsibilities under various insolvency processes under the IBC. Keeping these things in mind, some of the articles in this edition are focused to deal with various aspects of Real Estate Sector under the IBC. I am confident, the readers would be benefitted a lot from the current edition of the journal.

Wish you all the best.

**CA. (Dr.) Debashis Mitra**

President, ICAI  
Chairman, Editorial Board-IIPI