



## INDIAN INSTITUTE OF INSOLVENCY PROFESSIONALS OF ICAI

(Company formed by ICAI under Section 8 of the Companies Act 2013)

# IIPI Newsletter

### Wilmington Trust files CIRP application against SpiceJet

Aircraft lessor Wilmington Trust SP Services (Dublin) has filed for insolvency against low-cost carrier SpiceJet, joining other lessors in their efforts to recover dues. It is the third lessor to have moved the NCLT for recovering their dues from SpiceJet. Pleas by aircraft lessor Airastle and engine lessor Willis lease finance are already pending in the tribunal.

However, the SpiceJet is reportedly taking steps to revive its grounded fleet using the \$50 million it received from the government's Emergency Credit Line Guarantee Scheme (ECLGS) and internal cash accruals, as it sought to quash rumours of insolvency.

**For More Details, Please Visit:**

<https://www.financialexpress.com/business/airlines-aviation-lessor-wilmington-trust-moves-insolvency-plea-against-spicejet-3121959/>



**June 12, 2023**  
**Volume 08, Number 24**

## CONTENTS

**News Update**  
**News Roundup**  
**Upcoming Event**  
**Event Photograph**

### News Update

*\*For Internal Circulation Only*  
*\*Knowledge SBU Initiative*

### IBBI Invites Comments on Proposed Amendments for Timely Resolution of Corporate Debtors

IBBI has proposed a number of amendments to the existing insolvency regulations through a discussion paper. They include a new system of voting on more than one resolution plan, extending the timeline for submission of claims, introducing audit for insolvency resolution process cost, and increasing fee for the Authorized Representatives among others.

To ensure that preference of Resolution Plan is captured, and creditors are able to vote freely, it is proposed to use a system of voting with preference, said the IBBI in the Discussion Paper dated June 07, 2023. As per the proposal, if no Resolution Plan achieves the 66 per cent required votes, the proposal with the least first preference votes is eliminated and its first preference is allotted to the second highest voted Resolution Plan. It also seeks to introduce compulsory audit of CIRP cost in the cases where the total assets of the corporate debtor (CD) as per the last available financial statements exceed ₹100 crore.

The proposed regulations also seek to make it compulsory for the resolution professional to provide reasons for the rejection of any claim to ensure transparency of the process and provide clarity to creditors whose claims have been rejected, while allowing creditors to submit claims beyond the 90-day limit without approaching the adjudicating authority. Besides, the proposed amendments also include changes related to facilitating information from promoters and management of the CD, taking over assets of the CD, declaration on limitation, increased responsibilities for Authorized Representatives, and recording relevant minutes of CoC meetings. Comments can be submitted electronically by June 27, 2023.

**For More Details, Please Visit:** [https://www.business-standard.com/economy/news/ibbi-proposes-system-of-voting-on-multiple-resolution-plans-under-ibc-123060801077\\_1.html](https://www.business-standard.com/economy/news/ibbi-proposes-system-of-voting-on-multiple-resolution-plans-under-ibc-123060801077_1.html)

## News Roundup

### IBBI issued 'Discussion Paper' on Simplification of Enrolment and Registration Process for Ease of Entry and Exit in the Insolvency Profession

In this 'Discussion Paper', the IBBI has proposed that Pre-Registration Educational Course (PREC) will be conducted by specialized institution/s, PREC curriculum will have due emphasis on practical training aspects including exit assessment exam, PREC to include a course assessment at the end of the course and registration should be obtained within 12 months from successful completion of PREC. It is also proposed to introduce a straight-through approach for both enrolment and registration process to run in one pass. Accordingly, Model Bye-laws Regulations will also be amended. Stakeholders can submit their comments electronically by June 28, 2023.

**For More Details, Please Visit:**

<https://ibbi.gov.in/uploads/whatsnew/5aba9e309d9cce68abe4f1db73582c4b.pdf>

### NCLT's go ahead to Jupiter Wagons to acquire controlling stake in Stone India

Jupiter Wagons Ltd (JWL), a manufacturer of wagons and railway equipment, has received approval from the National Company Law Tribunal (NCLT), Kolkata to acquire a controlling stake in Stone India Ltd. It had previously acquired Stone India for ₹25 crore through a Resolution Plan. The lenders of Stone India, includes Indian Overseas Bank, State Bank of India, and ICICI Bank. Stone India has been non-operational since 2017 and has no employees. Jupiter Wagons reportedly set to enter the electric truck market and plans to launch its first light commercial vehicle in December this year.

**For More Details, Please Visit:**

<https://www.cnbctv18.com/business/companies/bankruptcy-court-clears-jupiter-wagons-resolution-plan-for-stone-india-16896601.htm>

### Financial Struggles Hit UK's Canary Wharf as Second Office Block, Collapses into Insolvency

Canary Wharf's 20 Canada Square office block has gone into insolvency, following the recent collapse of 5 Churchill Place. An insolvency firm has been appointed as the fixed charge receiver over the shares of Cheung Loong Holdings Limited, the owner of the building. The insolvency is linked to the financial position of Chinese property developer Cheung Kei Group, who acquired both properties in 2017 for £680m. The day-to-day operation of 20 Canada Square remains unaffected.

**For More Details, Please Visit:** <http://surl.li/hxsuz>



### IBC 2.0 is expected to be rolled out soon: ICAI

“ICAI has been actively involved with the insolvency committee chaired by the MCA secretary and other stakeholders. IBC 2.0 will largely be based on the discussion paper issued by the government. It depends on the government, but I expect it to happen very soon,” said Aniket S Talati, president, ICAI.

During a presentation on IBC on Sunday in a Residential meeting in Agra, ICAI said, “Ministry of corporate affairs is looking for IBC 2.0 and is working very hard on it. The Insolvency and Bankruptcy Board of India (IBBI) and ICAI are together working on it and supporting the ministry of corporate affairs on it. We are expecting that within some time we will see IBC 2.0 which will certainly mitigate the issues pertaining to the insolvency resolution process”. IBC 2.0 may include a full-fledged individual insolvency framework, pre-packaged insolvency for bigger corporates, group insolvency framework and use of tech in IBC, said ICAI.

**For More Details, Please Visit:**

<https://www.fortuneindia.com/enterprise/bankruptcy-code-20-to-be-rolled-out-soon-icai/112923>

## Event Photograph



*IIPAI conducted Webinar on “Guidance on Ethics and Quality Control for IPs” on June 09, 2023.*

### **IIPAI organizing Conference (Physical) on June 16, 2023, at Royal Plaza Hotel in New Delhi**

The conference titled “Overcoming Emerging Challenges under IBC – Preparing IPA & IPs” is scheduled on June 16 in Royal Plaza Hotel, 19, Ashoka Road, New Delhi. Shri L. N. Gupta, Hon’ble Member (Technical) NCLT, New Delhi has provided his consent to be the Chief Guest in the Inaugural Session of the Conference while Shri Jayanti Prasad, WTM-IBBI; Ms. Anita Shah Akella Joint Secretary, Ministry of Corporate Affairs; Shri Ashwini Kumar Tewari, MD-SBI; CA. G.C. Mishra, Chairman, Committee IBC-ICAI; and Dr Ashok Haldia Chairman, IIPAI will be Guests of Honour. Besides, there will be two Panel Discussions, the 1<sup>st</sup> will be chaired by CA. G.C. Mishra, Chairman, Committee IBC-ICAI and 2<sup>nd</sup> by CA. Sripriya Kumar, Chairman, CL&CG Committee – ICAI. The Valedictory Address will be delivered by Shri Satish Marathe Director, Central Board, RBI.

**For More Details, Please Visit:**

<https://www.iipicai.in/wpcontent/uploads/2023/06/16-June-Delhi-update.pdf>



### **IIPAI Organizing 12<sup>th</sup> EDP Managing Corporate Debtors as Going Concern Under CIRP (For IPs) from June 20**

The 12<sup>th</sup> Executive Development Program Managing Corporate Debtors as Going Concern Under CIRP (For IPs) will be conducted in five days from 20<sup>th</sup> to 24<sup>th</sup> June 2023. This program will of 30 hours in duration. The participant will be eligible for 20 hours of CPE credit. The highlights of the program include – managerial know how, regulatory framework, inter-disciplinary approach, developing soft skills, and practical exposure via case studies. Candidates can register by 4 pm on 19<sup>th</sup> June, 2023.

**For More Details, Please Visit:**

<https://www.iipicai.in/wp-content/uploads/2023/05/12th-EDP-corporate-debtors-flyer-updated.pdf>

### **IIPAI’s Webinar on ‘Real Estate CIRP’s – Challenges & Solution’ on 23<sup>rd</sup> June**

The Webinar has been scheduled from 3 pm to 6 pm on June 23, 2023. It will have 2 CPE hours for IPs attending the program.

**For More Details, Please Visit:**

<https://www.iipicai.in/wp-content/uploads/2023/06/jUNE-23-webinar.pdf>