



INDIAN INSTITUTE OF INSOLVENCY PROFESSIONALS OF ICAI

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

IIPI Newsletter

IIPI Organizing 15th EDP 'Managing Corporate Debtor as Going Concern under CIRP (For IPs)'

The 15th Executive Development Program (EDP) on 'Managing Corporate Debtor as Going Concern under CIRP (For IPs)' will be conducted for over five days from 10th to 14th October 2023. The IPs attending the program will be eligible for CPE: 20 hours credit. The highlights of the program include – Managerial Knowhow, Regulatory Framework, Inter-Disciplinary Approach, Developing Soft Skills, and Practical Exposure via Case Studies. Registration to this program is open 4 pm on Oct. 09, 2023.

For More Details, Please Visit: <https://www.iiipicai.in/wp-content/uploads/2023/09/15th-EDP-corporate-debtors-flyer-1.pdf>



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

We should improve our system so that prospective bidders feel more confident: Ravi Mital, Chairperson- IBBI

Shri Ravi Mital, Chairperson-IBBI has said that Insolvency Professionals (IPs) should make every possible effort to improve the insolvency ecosystem in the country which will ultimately increase the confidence of prospective bidders in the stressed assets and ensure better resolution of the corporate debtors. He was speaking as the Chief Guest at the Conference (physical) on “Developing Markets for Stressed Assets in India” organized by IIPI in New Delhi on Friday, September 22, 2023.

“IPs should compile litigations and find out ways to minimize delays. If delays are reduced, venture capitalists will be encouraged to invest in stressed assets,” said Shri Ravi Mital. He also suggested the IPs to revisit the companies, which they had resolved through resolution plans under the IBC, after 4 to 5 years of their resolution and prepare “success stories”, which will be useful in creating a positive environment for investment in stressed assets. Speaking on this occasion, Shri Akhil Gupta, Vice Chairman-Bharti Enterprises Ltd., said that it is the right time to extend Prepack Insolvency for all the companies.

IIPI Chairman Dr. Ashok Haldia highlighted that the ultimate objective of the IBC is to reduce stressed assets and the focus of the IBC 2.0 is to ensure the speedy resolution of CIRP cases. He informed that IIPI has made mandatory Peer Review for a class of IPs and the result of Peer Review will also be made available on IIPI website in future. The Conference also witnessed ‘Special Address’ by CA. G. C. Misra, Chairman, Committee on IBC-ICAI and CA Subodh Kumar Aggarwal, Past President-ICAI and Prof. Balagopal Gopalakrishnan, IIM, Ahmedabad. Besides, there was a “Panel Discussion” on the topic in which IPs, bankers, industry professionals, lawyers etc. shared their views and exchanged ideas.

For More Details, Please Visit: <https://www.iiipicai.in/wp-content/uploads/2023/09/IIPI-Press-Release-on-Stressed-Assets-22.09.23.pdf>

News Roundup

Creditors given more time to file claims during CIRP

The Amended Regulations increase the timelines to file claims up to the date of issue of request for resolution plans under regulation 36B or ninety days from the Insolvency Commencement Date (ICD), whichever is later. Furthermore, the RP has been empowered to give his view on the acceptance of claim for its collation even for claims submitted beyond this time and committee of creditors (CoC) to recommend their acceptance for inclusion in the list of claims and its treatment in the Resolution Plan before the same is adjudicated or condoned by the Adjudicating Authority (AA). These amendments are aimed to facilitate the Adjudicating Authorities, which are burdened with applications for acceptance of delayed claims. Besides, the amendment aligns the timelines concerning various procedural aspects like issuance of information memorandum and request for resolution plans. These amendments have been introduced through IBBI (IRPCP) (Second Amendment) Regulations, 2023 (Amendment Regulations) on September 18, 2023.

For More Details, Please Visit:

<https://ibbi.gov.in/uploads/whatsnew/0786ae9bba060d63b959b88b5c85bc96.pdf>

IBBI (Insolvency Professionals) Regulations amended to simplify the Enrolment and Registration Process

Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Second Amendment) Regulations, 2023 dated September 18, 2023, has introduced a 'Unified Enrolment and Registration Application Form' to enable submission of common application form for both enrolment and registration processes. The amended Regulations provide a timeline of 60 days for approval of unified application (for enrolment) by the IPA and 30 days for forwarding the unified application (for registration) to the IBBI. Through this amendment, the IBBI has introduced a provision for surrender of certificate of registration by the IP to the IBBI.

For More Details, Please Visit:

<https://ibbi.gov.in/uploads/legalframework/f76838225028debe733984fb02cd2ec3.pdf>

USA's Drugstores company Rite Aid to close hundreds of stores due to Bankruptcy

According to media report, Rite Aid is negotiating with creditors over the terms of a bankruptcy plan that would include liquidating a substantial portion of its more than 2,100 drugstores. The company has proposed to close roughly 400 to 500 stores in bankruptcy, and either sell or let creditors take over its remaining operations. The company operates more than 2,330 stores in 17 states of the USA.

For More Details, Please Visit: <https://www.reuters.com/business/healthcare-pharmaceuticals/rite-aid-plans-shut-down-hundreds-stores-bankruptcy-wsj-2023-09-22/>



IBBI Amended IBBI (CIRP) Regulations to streamline process and expedite Resolution of CDs

This amendment IBBI (IRPCP) Regulation (Second Amendment), Regulations, 2023 dated Sept. 18, 2023, is primarily related to the additional information, and documents the creditors will be required to provide along with the CIRP petition, assistance, and cooperation by the personnel of the CD in taking over of assets by the IRP/RP, filing of claims by the creditors, transfer of debt by creditor, audit of the CD.

As per the Regulation 2 D inserted through this amendment, 'While filing an application under Section 7 or 9, the financial creditor or operational creditor, as the case may be, shall also submit along with evidence, chronology of the debt and default including the date when the debt became due, date of default, dates of part payments, if any, date of last acknowledgment of debt and the limitation applicable. Further, the amendments in Regulation 16 A clarify the roles, responsibilities, and remuneration of Authorized Representatives of homebuyers.

For More Details, Please Visit:

<https://ibbi.gov.in/uploads/legalframework/82a0d8c13a4ad67aac73623ca3b22c2f.pdf>

Pics of Conference on ‘Developing Markets for Stressed Assets in India’ (Physical Mode) organized by IIPI in New Delhi on Sept. 22, 2023.



Chief Guest, Shri Ravi Mital, Chairperson, Insolvency and Bankruptcy Board of India (IBBI), addressing the Conference.



Release of the publication titled “Study Group Report on Contribution by Insolvency Professionals in Resolution Under IBC”



Panel Discussion: Panelists CA. Shailendra Ajmera-IP, Adv. Girish Rawat, Partner-M/s Luthra & Luthra Law Offices, Shri D. Shiva Kumar Sharma, Senior Advisor- Indian Banks’ Association, CA. Rahul Madan, MD-IIPI (Coordinator), Shri R. R. Jha, Director (Projects)- Power Finance Corporation Ltd., Mr. Abhilash Lal, IP and Shri Raj Kumar Bansal, MD&CEO-Edelweiss ARC (joined online).