



भारतीय दिवाला और शोधन अक्षमता बोर्ड  
**Insolvency and Bankruptcy Board of India**

## **Know About Insolvency and Bankruptcy Board of India (As on March 2021)**

**Insolvency and Bankruptcy Board of India**

7<sup>th</sup> Floor, Mayur Bhawan, Connaught Circus, New Delhi - 110001

[www.ibbi.gov.in](http://www.ibbi.gov.in)

### **Establishment**

The Insolvency and Bankruptcy Board of India (IBBI) is a statutory body established on 1<sup>st</sup> October, 2016 in accordance with the provisions of the Insolvency and Bankruptcy Code, 2016 (Code). It is headquartered in New Delhi, having two offices, one at Mayur Bhawan, Connaught Circus and the other at Jeevan Vihar, Parliament Street.

The IBBI is one of the key pillars of the ecosystem responsible for implementation of the Code. It has regulatory oversight over the service providers in the insolvency ecosystem. It also has responsibility to provide regulatory framework for insolvency resolution processes of corporates and individuals, and to promote and develop working and practices of various institutions, in furtherance of the objectives of the Code.

Though IBBI levies a fee on the service providers, it mostly depends on grants from Government for its sustenance.

### **Composition of the Governing Board**

The affairs of the IBBI are governed by a Governing Board constituted by the Central Government. The Governing Board consists of (a) a Chairperson; (b) three members from amongst the officers of the Central Government not below the rank of Joint Secretary or equivalent, one each representing the Ministry of Finance, Ministry of Corporate Affairs and Ministry of Law & Justice; (c) one member nominated by the Reserve Bank of India; (d) three whole-time members; and (e) two part-time members. The composition at the end of September, 2020 is as under:

Dr. M. S. Sahoo, Chairperson
Dr. Navrang Saini, Whole-time Member
Dr. (Ms.) Mukulita Vijayawargiya, Whole-time Member
Mr. Sudhaker Shukla, Whole-time Member
Dr. Shashank Saxena, Member (Senior Economic Adviser, Ministry of Finance)
Mr. Gyaneshwar Kumar Singh, Member (Joint Secretary, MCA)
Dr. Rajiv Mani, Member (Joint Secretary and Legal Adviser, MoL&J)
Mr. Unnikrishnan A., Member (Legal Adviser, Reserve Bank of India)
Dr. Krishnamurthy Subramanian, Member (CEA, Government of India)
Mr. B. Sriram, Member (Former Managing Director & CEO, IDBI Bank Ltd.)

## What It Does

- ⇒ It is a unique regulator, which regulates insolvency profession as well as insolvency processes. It has regulatory oversight over Insolvency Professionals (IPs), Insolvency Professional Agencies (IPAs), Insolvency Professional Entities (IPEs), and Information Utilities (IUs).
- ⇒ It makes and administers regulations for various processes under the Code, namely, corporate insolvency resolution, fast track resolution, corporate liquidation, voluntary liquidation, fresh start, individual insolvency resolution and individual bankruptcy.
- ⇒ It has the responsibility to promote the development of, and regulate the working and practices of the IPs, IPAs, and IUs and other institutions in furtherance of the purposes of the Code.
- ⇒ It collects, organises, and disseminates relevant data and information about each insolvency and bankruptcy process and conducts and promotes research and studies in the area of insolvency and bankruptcy.
- ⇒ It acts as the 'Authority' under the Companies (Registered Valuers and Valuation) Rules, 2017 for regulation and development of the profession of valuers in the country. As the Authority, it registers and regulates Registered Valuers (RVs) and Registered Valuers Organisations (RVOs).

## Duties and Functions

Section 196 of the Code entrusts the IBBI with broadly three sets of functions.

### A. Quasi-Legislative Functions

The IBBI has made the following regulations as on 31<sup>st</sup> March, 2021 to regulate the processes and service providers under the Code:

SN.	Regulations
1	IBBI (Model Bye-laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016
2	IBBI (Insolvency Professional Agencies) Regulations, 2016
3	IBBI (Insolvency Professionals) Regulations, 2016
4	IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016
5	IBBI (Liquidation Process) Regulations, 2016
6	IBBI (Engagement of Research Associates and Consultants) Regulations, 2017

SN.	Regulations
7	IBBI (Advisory Committee) Regulations, 2017
8	IBBI (Procedure for Governing Board Meetings) Regulations, 2017
9	IBBI (Voluntary Liquidation Process) Regulations, 2017
10	IBBI (Information Utilities) Regulations, 2017
11	IBBI (Inspection and Investigation) Regulations, 2017
12	IBBI (Fast Track Insolvency Resolution Process for Corporate Persons) Regulations, 2017
13	IBBI (Employees' Service) Regulations, 2017
14	IBBI (Grievance and Complaint Handling Procedure) Regulations, 2017
15	IBBI (Mechanism for Issuing Regulations) Regulations, 2018
16	IBBI (Bankruptcy Process for Personal Guarantors to Corporate Debtors) Regulations, 2019
17	IBBI (Insolvency Process for Personal Guarantors to Corporate Debtors) Regulations, 2019

### B. Executive Functions

#### Registration:

The IBBI registers and regulates service providers for the insolvency processes and takes measures for professional development and expertise through education, examination, training, and continuous professional education. It has been servicing the following service providers over the years:

(Number)

SN.	Service Provider	At the end of				
		Mar, 2017	Mar, 2018	Mar, 2019	Mar, 2020	Mar, 2021
1	Insolvency Professionals	977* + 96	1812	2456	3004	3504
2	Insolvency Professional Entities	03	75	48	69	83
3	Insolvency Professional Agencies	03	03	03	03	03
4	Information Utilities	0	01	01	01	01
5	Registered Valuer Organisations	NA	NA	11	12	16
6	Registered Valuers	NA	NA	1186	3030	3967

\* These registrations had validity of six months and expired by 30<sup>th</sup> June, 2017.

#### Examinations:

The IBBI conducts the following examinations online for registration of IPs and RVs as on 31<sup>st</sup> March, 2021. It has facilitated development of study material for these examinations, which are available for free download.

SN.	Examination	Com-menced on	No. of Attempts made by Candidates as on				
			2016-17	2017-18	2018-19	2019-20	2020-21
1	Limited Insolvency Examination	31-12-16	1183	14171	19496	23541	27259
2	Valuation Examination (Land and Building)	31-03-18	NA	NA	9469	13249	17282
3	Valuation Examination (Plant and Machinery)	31-03-18	NA	NA	1665	2422	3415
4	Valuation Examination (Securities or Financial Assets)	31-03-18	NA	NA	4496	9291	13709

### **Capacity Building and Advocacy & Awareness:**

⇒ To further develop the insolvency profession, the IBBI has promoted a two-year full-time course, namely, the Graduate Insolvency Programme (GIP) to produce a cadre of IPs of the highest quality and standards. The Indian Institute of Corporate Affairs has been authorised to offer GIP. The first batch shall be completing the course in June, 2021, while the second batch of GIP commenced on 1<sup>st</sup> July, 2020. The admission process for the third batch commenced during the 4<sup>th</sup> quarter of 2020-21.

⇒ The IBBI has granted approval to the National Law Institute University, Bhopal, to offer the two-year GIP programme starting from the 2021-22 academic year.

⇒ The IBBI organises workshops - basic and advanced - for IPs and other stakeholders to train them to be abreast with latest developments in the law, rules, regulations and emerging jurisprudence.

⇒ The IBBI organises advocacy and awareness programmes.

The details of capacity building programmes and advocacy and awareness programmes are as under:

(Number)

Programmes	2016-17	2017-18	2018-19	2019-20	2020-21
Workshops for IPs	01	02	07	15	02
Training programmes for Market participants	-	09	02	03	03
Roundtables with stakeholders	08	45	25	20	19
Advocacy and Awareness Programmes	-	-	10	105	48
Programmes where Members and Senior Officers Participated	36	78	82	66	84
<b>Total</b>	<b>45</b>	<b>134</b>	<b>126</b>	<b>209</b>	<b>157</b>

### **Monitoring of Processes:**

The IBBI monitors the ongoing processes under the Code, the details of which are as under :

(Number)

Process	2016- 17	2017- 18	2018- 19	2019- 20	2020- 21
<b>Corporate Insolvency Resolution Process</b>					
CIRPs at the beginning of the Year	0	36	537	1063	1838
Commenced	37	706	1156	1978	499
Closed by:					
Appeal/Review/ Settled	1	94	149	319	54
Withdrawal under Section 12A	0	0	97	201	113
Approval of Resolution Plan	0	20	79	141	108
Commencement of Liquidation	0	91	305	542	339
Ongoing at the end of the Year	36	537	1063	1838	1723
<b>Liquidation Process</b>					
Liquidations at the beginning of the Year	0	0	90	375	812
Commenced	0	91	305	542	339
Final Report Submitted	0	1	20	105	114
Ongoing at the end of the Year	0	90	375	812	1037
<b>Voluntary Liquidation Process</b>					
Voluntary Liquidations at the beginning of the Year	0	0	173	299	441
Commenced	0	184	229	271	223
Withdrawal	0	0	06	01	0
Final Report Submitted	0	11	97	128	164
Ongoing at the end of the Year	0	173	299	441	500

### **Monitoring of Service Providers:**

The IBBI monitors the conduct of service providers. The status of inspections conducted as on 31<sup>st</sup> March, 2021 is as under:

(Number)

Inspections	2017-18	2018-19	2019-20	2020-21
Ordered	02	10	55	62
Completed	0	03	27	53
Ongoing	02	09	37	46

### **Handling complaints:**

As on 31<sup>st</sup> March, 2021, the IBBI has received 4479 complaints, of which 4118 have been disposed of. The details of status of complaint and grievance redressal is as under:

(Number)

Complaints and Grievances	2017-18		2018-19		2019-20		2020-21	
	Re-ceived	Dis-posed	Re-ceived	Dis-posed	Re-ceived	Dis-posed	Re-ceived	Dis-posed
Under Regulation	18	0	111	51	153	177	268	260
Through CPGRAM/PMO /MCA/Other Authorities)	06	0	333	290	239	227	358	378
Through Other Modes	22	02	713	380	1268	989	990	1364
<b>Total</b>	<b>46</b>	<b>02</b>	<b>1157</b>	<b>721</b>	<b>1660</b>	<b>1393</b>	<b>1616</b>	<b>2002</b>

### Research and Publication:

- ⇒ engages with academia to spread awareness and harness intellectual inputs on insolvency regime by way of essay competition, research promotion, internships, moot courts, quiz, etc.
- ⇒ disseminates data and information for researchers and other stakeholders at regular intervals on its website. The website had about 13,700 orders and about 11,609 media reports at the end of March, 2021. At the end of March, 2021, the website had 42,648 subscribers, who are receiving daily updates on their emails.
- ⇒ has published 17 issues of IBBI Quarterly Newsletters capturing the latest developments, policy initiatives and evolving jurisprudence surrounding the theme of insolvency.
- ⇒ has made available study material for all four examinations - Limited Insolvency Examination and Valuation Examinations for three asset classes (Land and Building, Plant and Machinery, Securities or Financial Assets), with the assistance of the stakeholders.
- ⇒ has published two annual publications, namely, (a) Insolvency and Bankruptcy Code - A Miscellany of Perspectives, in October 2019; and (b) Insolvency and Bankruptcy Regime in India: A Narrative, in October, 2020.
- ⇒ has published a Handbook "Understanding the IBC: Key Jurisprudence and Practical considerations" in collaboration with IFC.
- ⇒ has published a publication "Understanding the Insolvency and Bankruptcy Code, 2016: Analysing developments in jurisprudence" in June, 2019.
- ⇒ has launched the IBBI Research Initiative, 2019 to promote research and discourse in areas relevant for the evolving insolvency and bankruptcy regime in general, and that in India.
- ⇒ has launched a Working Paper Series for all officers/RAs/Consultants of IBBI in August, 2020 to promote in-house research.
- ⇒ has published a compendium of section-wise jurisprudence on IBC upto September, 2020.
- ⇒ has published a "Handbook on Ethics for Insolvency Professionals: Ethical and Regulatory Framework" in collaboration with British High Commission.

### C. Quasi-Judicial Functions

The Code provides for a Disciplinary Committee (DC) to dispose of Show Cause

Notices (SCNs) issued to service providers and to impose a monetary penalty, or suspend or cancel the registration, as may be warranted. Till 31<sup>st</sup> March, 2021, 82 SCNs have been issued and the DC has disposed of 71 of them, as under:

(Number)

Show Cause Notices	2017-18	2018-19	2019-20	2020-21
Issued	04	09	15	54
Disposed of	Nil	11	08	52
Balance	04	02	09	11

### Court Cases

A new law is typically settled in its early years. The IBBI is respondent and petitioner/applicant/complainant in several matters before various courts and tribunals, the details of which, as on 31<sup>st</sup> March, 2021, are as under:

(Number)

Matters Before	2017-18			2018-19			2019-20			2020-21		
	Filed	Dis-posed	Pend-ing#	Filed	Dis-posed	Pend-ing#	Filed	Dis-posed	Pend-ing#	Filed	Dis-posed	Pend-ing#
Supreme Court	12	0	12	37	14	35	22	23	34	10	07	37
High Courts	05	0	05	44	19	30	40	21	49	98	30	117
NCLAT	03	0	03	15	10	08	07	13	02	08	01	09
NCLT	04	0	04	13	10	07	20	17	10	47	14	43
Special Courts	0	0	0	07	0	07	15	0	22	15	0	37
<b>Total</b>	<b>24</b>	<b>0</b>	<b>24</b>	<b>116</b>	<b>53</b>	<b>87</b>	<b>104</b>	<b>74</b>	<b>117</b>	<b>178</b>	<b>52</b>	<b>243</b>

# Pending with Courts / Tribunals.

### Other Information

SN.	Particulars	2016-17	2017-18	2018-19	2019-20	2020-21
1	No. of Panels of IPs Prepared	0	02	03	04	05
2	No. of RTI Requests Handled	0	71	236	230	310
3	No. of Orders Gathered and Browsed	52	1313	3304	6362	2675
4	No. of Public Announcements and Invitations of Expression of Interests Published on Website	0	877	2733	4442	2056
5	No. of Discussion Papers prepared	07	11	09	20	05

### Recognition

- ⇒ Global Restructuring Review (GRR) Award for the 'Most Improved Jurisdiction' for the year 2018 awarded to India.
- ⇒ India made a leap in the 'resolving insolvency' parameter of the World Bank's Ease of Doing Business Survey for the year 2019, improving 56 places to reach 52 from 108 among 190 countries.
- ⇒ In the 2020 edition of the Global Innovation Index, India's rank in 'Ease of Resolving Insolvency' improved to 47 from 95 in the previous year.