

INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

(Disciplinary Committee)

No. IBBI/DC/303/2026

19 February 2026

ORDER

This Order disposes of the Show Cause Notice (SCN) No. COMP-11011/144/2025-IBBI-1849/1804 dated 01.12.2025 issued to Mr. Bhim Sain Goyal, who is an Insolvency Professional (IP) registered with the Insolvency and Bankruptcy Board of India (IBBI/Board) having Registration No. IBBI/IPA-002/IP-N00726/2018-2019/12216 and a Professional Member of the ICSI Institute of Insolvency Professionals (ICSI-IIP).

1. Background.

- 1.1. The Corporate Insolvency Resolution Process (CIRP) of Suich Industries Limited (Corporate Debtor/CD) was initiated by an order dated 19.11.2024 by the NCLT, New Delhi Bench-V (AA), in an application filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 (Code) by M/s. Jazz Communication INC, wherein Mr. Bhim Sain Goyal was appointed as the Interim Resolution Professional (IRP) of the CD.
- 1.2. The Board received a complaint against Mr. Bhim Sain Goyal with regard to his assignment as IRP in the CIRP of the CD. The Board examined the allegations in the above complaint vis-à-vis reply of Mr. Bhim Sain Goyal and based on such examination; the Board formed a *prima facie* opinion that Mr. Bhim Sain Goyal has contravened provisions of the Code and Regulations made thereunder and issued SCN to Mr. Bhim Sain Goyal on 01.12.2025. Mr. Bhim Sain Goyal submitted his reply to the SCN on 02.12.2025.
- 1.3. The SCN, the reply of Mr. Bhim Sain Goyal to the SCN and other materials available on record were referred to this Disciplinary Committee (DC). Mr. Bhim Sain Goyal availed an opportunity of personal hearing before the DC on 06.02.2026 through virtual mode.

2. Alleged Contraventions, Submissions of Mr. Bhim Sain Goyal, and Findings of the DC.

The contraventions alleged in the SCN, oral and written submissions by Mr. Bhim Sain Goyal and analysis and findings of the DC are summarized in the following paragraphs.

2.1. Undertaking an Assignment without holding valid Authorisation for Assignment (AFA).

- 2.1.1. Regulation 7A of IBBI (Insolvency Professional) Regulations, 2016 (IP Regulations) provides that an IP shall not accept or undertake an assignment unless it holds a valid AFA on the date of such acceptance or commencement of such assignment, as the case may be.

- 2.1.2. It was noted that Mr. Bhim Sain Goyal was holding an AFA valid till 08.11.2024. An application seeking initiation of CIRP of the CD was filed by the OC did not propose the name of the IP. However, through an interlocutory application (IA/5108/2024), his name was proposed as IRP. Accordingly, the AA *vide* order dated 19.11.2024 appointed him as IRP. In the said order, AA had directed that *“The IRP so appointed shall file a valid AFA and disclosure about non initiation of any disciplinary proceedings against him, within five working days (5) of pronouncement of this order.”*
- 2.1.3. It was observed that Mr. Bhim Sain Goyal undertook the assignment and issued the public announcement on 22.11.2024. It was admittedly clear that at the time of his appointment and making public announcement, he was not holding a valid AFA.
- 2.1.4. In his reply, Mr. Bhim Sain Goyal has stated that he approached the IPA to seek their opinion for making public announcement and as he did not receive any reply, he made the public announcement. He further submitted that later, on the advice of the IPA, he filed an application (IA/5852/2024) on 28.11.2024 intimating the AA that he has submitted an application with the IPA for renewal of his AFA and the same is under consideration. He had further submitted that due to expiry of previous AFA and renewal application being under consideration with IPA, he could take the instant assignment. Accordingly, he had prayed for withdrawal from the assignment.
- 2.1.5. It was noted that while disposing of the aforesaid application seeking withdrawal from the assignment, the AA in its order dated 12.12.2024 observed that *“IRP was directed to file their valid AFA within 5 working days, It is the case of the Applicant that IRP was not having valid AFA but despite this, the IRP chose to issue a public announcement.”*
- 2.1.6. In the meanwhile, he got the AFA renewed w.e.f. 06.12.2024 and valid till 31.12.2025. In the aforesaid order, the AA further observed that *“It is also the fact that currently the IRP is having a valid AFA in terms of the provisions of IBC, 2016. But, when the IRP was not having a valid AFA, it was not proper for him to issue a public announcement.”* With respect to his request for withdrawal from the assignment, the AA further noted that *“It is for the Committee of Creditors to take the decision on the replacement of the IRP. The Applicant may approach the OC/COC who has to take decision on the resignation of Applicant as IRP.”*
- 2.1.7. Mr. Bhim Sain Goyal in his reply had further stated that pursuant to directions of the AA in aforesaid order, he repeatedly tried to approach the OC, but no response was forthcoming. Thereafter, he proceeded to file an application (IA 2128/2025) before the AA on 30.04.2025 seeking approval on the constitution of CoC and the said application is pending adjudication.
- 2.1.8. It may be noted that the CIRP of the CD commenced on 19.11.2024 on which date he was not holding a valid AFA. Further, despite a specific direction in the said order to file a valid AFA within five working days, he proceeded to undertake the assignment.

2.1.9. Thus, the Board, held the *prima facie* view that by his above stated conduct and actions, Mr. Bhim Sain Goyal has contravened Section 208(2)(c) of the Code, Regulations 7(2)(a) and 7A of IP Regulations.

2.2. Submissions by Mr. Bhim Sain Goyal.

2.2.1. Mr. Bhim Sain Goyal acknowledged that there was a bona fide mistake on his part in issuing Public Announcement in this matter without holding a valid AFA. He submitted that this mistake on his part was already on record before the Board and the AA. He requested to view this mistake leniently due to the following reasons:

- (a) He was under the belief that his next AFA will be valid till 31.12.2025, and the period from 08.11.2024 which was the date of expiry of his AFA to 31.12.2024 was grace period. He wrote an email to his IPA for clarification. However he went ahead with issuing PA without waiting for the reply. This was an error of judgement.
- (b) He had issued Public Announcement with the bonafide belief that he should not delay the CIRP of the CD.
- (c) He didn't receive any financial benefit by issuing PA. The amount of Rs.2 lakh is not paid by the OC, as he is not traceable since the date of the order of his appointment.
- (d) He had filed an application immediately after his IPA advised him to do so, and didn't take a single/further step in the CIRP of the CD. The SBI called him multiple times to constitute Committee of Creditors (CoC) and hold meetings but he adhered to the IBC provisions, and the directions of the AA.
- (e) He didn't approach IBBI to register the assignment in his name.
- (f) To avoid the situation that the CD is under CIRP but no CIRP proceedings are going on, he voluntarily filed application to the AA for allowing him to constitute CoC so that the FC can change him officially, and the process may continue.
- (g) He didn't get any penny from anyone, and he was incurring costs starting from issuance of PA in engaging advocate for filing various application(s) on his behalf, at his own cost.

2.2.2. Mr. Bhim Sain Goyal submitted before the Board that he received the copy of the order from the advocate of the applicant OC on 21.11.2024. At that time, renewal of his AFA which expired on 08.11.2024 was under process of renewal. Since he was not holding valid AFA, he wrote an email to ICSI-IIP to seek their opinion for making Public Announcement, specially due to change in AFA validity period of newly issued AFAs. He took the opinion of few IP friends also, and when he didn't receive the reply of ICSI-IIP till the end of day on 21.11.2024, he finally issued Public Announcement, keeping in mind that his AFA is under renewal and the process should not be delayed. He didn't receive any reply. Later on, he was advised by ICSI-IIP to surrender the assignment by filing application for withdrawal of appointment of IRP before the AA which he promptly filed on 28.11.2024. When the application was heard on 12.12.2024, his AFA got renewed. The AA passed an order stating that *'It was for the Committee of Creditors to take the decision on replacement of IRP. The*

applicant may approach OC/COC who has to take decision on resignation of applicant as IRP.” He submitted that since he was not holding valid AFA, he didn’t constitute CoC.

2.2.3. After passing of the order dated 12.12.2024, Mr. Bhim Sain Goyal started approaching the applicant OC *vide* letter dated 20.12.2024 for seeking his replacement with another IRP in the matter of CD. He sent several reminders *vide* letter dated 17.01.2025, 15.02.2025 and 10.03.2025. All these reminders went unanswered by the OC. In furtherance to this, Mr. Bhim Sain Goyal also physically visited his shop and tried to contract his advocate, but everything went futile. Subsequently, he filed an application before the AA on 29.04.2025. The AA *vide* order dated 08.05.2025 directed him to file an application to make OC a party to the said application which he did on 22.05.2025 and *vide* order dated 30.05.2025, the application was allowed and the OC was added as party. During the intervening period, the complainant bank also filed an application for his removal as IRP, but the application was rejected *vide* order dated 11.03.2025.

2.2.4. Regarding status of the CD, Mr. Bhim Sain Goyal stated that due to no clear order on his withdrawal application, it was not appropriate on his part to take control of CD’s assets. However, State Bank of India (SBI/FC) informed him that they have taken possession of all CD Assets and were about to sell the Assets under SARFAESI Act, when the order of his appointment as IRP was passed on 19.11.2024

2.3. Analysis and Findings of the DC.

2.3.1. The timeline of the events of this case is tabulated below:-

Date	Events
08.10.2023	An application under Section 9 of the Code was filed by the OC Jazz Communications INC.
04.10.2024	An application IA/5108/2024 was filed by the OC for suggesting name of Mr. Bhim Sain Goyal as IRP.
08.10.2024	Order was reserved in application filed under Section 9 of the IBC.
22.10.2024	IA/5108/2024 disposed of by the AA observing that <i>“Order has already been reserved in the main petition on 08.10.2024. The name proposed by the Applicant as IRP shall be considered while deciding the main company petition i.e. IB-662/ND/2023 and this IA shall also be read along with that petition.”</i>
08.11.2024	AFA of the Mr. Bhim Sain Goyal expired.
11.11.2024	Email was sent by ICSI-IIP to Mr. Bhim Sain Goyal for renewal of his AFA as follows: <i>“Regulation 12A of IBBI (Model Bye Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016</i>

	<i>An application for issue or renewal of an authorisation for assignment, shall be in such form, manner and with such fee, as may be provided by the Agency:</i> <i>Provided that an application for renewal of an authorisation for assignment shall be made any time before the date of expiry of the authorisation, but not earlier than forty-five days before the date of expiry of the authorisation.</i> <i>An authorisation for assignment issued or renewed by the Agency shall be valid till 31st December, 2025, or till the date on which the professional member attains the age of seventy years, whichever is earlier.”</i>
19.11.2024	The AA passed order admitting CD into CIRP and appointing Mr. Bhim Sain Goyal as IRP which provided as follows: <i>“The Applicant has not proposed the Interim Resolution Professional (“IRP”) with the instant Application. However the applicant through an Application i.e., IA/5108/2024 in IB-662/ND/2023 has proposed the name of Mr. Bhim Sain Goyal to act as the Interim Resolution Professional (“IRP”) of the Corporate Debtor, accordingly, this bench appoints Mr. Bhim Sain Goyal, as the Insolvency Resolution Professional of the corporate debtor. The registration number of the IRP being IBBI/IPA-002/IP-N00726/2018-2019 / 12216 and email id - bsgoyall@gmail.com. The specific consent in Form 2 of Insolvency and Bankruptcy Board of India (Application to Adjudicating Authority) Rule, 2016 is attached with the present application. The IRP so appointed shall file a valid AFA and disclosure about non-initiation of any disciplinary proceedings against him, within five working days (5) of pronouncement of this order.”</i>
21.11.2024	Mr. Bhim Sain Goyal wrote following email to ICSI-IIP: <i>“I have applied for renewal of my AFA.</i> <i>Further I inform you that I am appointed IRP in one matter vide order dated 19/11/2024. I could not apply earlier for renewal due to sad demise of my mother on 28/10/2024. The amended position of law as indicated in your email as well is that AFA will remain valid till 31/12/2025 after renewal. I seek your opinion about making 'Public Announcement' to be made against order dated 19/11/2024”</i>
22.11.2024	Due to non-receipt of any response from the ICSI-IIP, Mr. Bhim Sain Goyal proceeded to make Public Announcement of the CD.
22.11.2024	Mr. Bhim Sain Goyal admitted that he received a call from ICSI-IIP advising him to withdraw from the assignment and submit the proof of filing application for withdrawal from the assignment.

26.11.2024	Email was sent by ICSI-IIP to Mr. Bhim Sain Goyal seeking clarification regarding acceptance of assignment without valid AFA as follows: <i>“It has been noticed that you have undertook 1 CIRP assignment namely “SUICH INDUSTRIES LIMITED” on 19th November, 2024 without holding valid Authorization for Assignment (AFA).</i> <i>As per Regulation 7A of IP Regulations, an insolvency professional shall not accept or undertake an assignment after 31st December, 2019 unless he holds a valid authorization for assignment on the date of such acceptance or commencement of such assignment, as the case may be .</i> <i>And Clause 4(1) of the Model Bye-Laws of an Insolvency Professional Agency and Regulation 2 of IP regulations state that:</i> <i>(a) “assignment” means any assignment of an insolvency professional as interim resolution professional, resolution professional, liquidator, bankruptcy trustee, authorized representative or in any other role under the Code;</i> <i>You are requested to clarify the same along with date of giving consent for the above mentioned company (along with consent form) at the earliest latest by 27th November, 2024. ”</i>
28.11.2024	IA No. 5852 of 2024 filed by Mr. Bhim Sain Goyal seeking withdrawal of appointment as IRP.
28.11.2024	Mr. Bhim Sain Goyal wrote an email to ICSI-IIP in reply to email dated 26.11.2024 as follows: <i>“In your earlier email, you informed me that my AFA is expiring in November 2024, and the renewed AFA shall be valid till 31/12/2025. During the issuance of my last AFA, rules relating to validity of AFA were tweaked, and all AFAs issued from a particular date shall be valid till 31st December or 30th June, as may be applicable.</i> <i>Considering the tweaking of AFA Rules, and your email informing that my AFA is valid till November 2024, I have filed an application for renewal of AFA, and written you an email requesting to advise me whether I should accept this assignment or not. When I didn't receive any reply, I issued 'Public Announcement' on 22/11/2024. On 22/11/2024, I received a call from Ms Anjali from ICSI IIP advising me to withdraw from the assignment, and submit the proof of filing application for withdrawal from the assignment. I inform you that I have filed the application for withdrawal from the assignment of 'Suich Industries Limited' today. ”</i>

06.12.2024	AFA of Mr. Bhim Sain Goyal was renewed by ICSI-IIP.
12.12.2024	IA/5852/2024 was disposed by the AA observing as follows: <i>“Vide that order, IRP was directed to file their vaild AFA within 5 working days, It is the case of the Applicant that IRP was not having valid AFA but despite this, the IRP chose to issue a public announcement. It is also the fact that currently the IRP is having a valid AFA in terms of the provisions of IBC, 2016. But, when the IRP was not having a valid AFA, it was not proper for him to issue a public announcement. It is for the Committee of Creditors to take the decision on the replacement of the IRP. The Applicant may approach the OC/COC who has to take decision on the resignation of Applicant as IRP. With these observations, the present IA is disposed of.”</i>
04.03.2025	IA/1173/2025 was filed by the SBI for replacement of IRP.
11.03.2025	IA/1173/2025 was dismissed by the AA observing as follows: <i>“When an IRP has been appointed by this Adjudicating Authority, therefore, in terms of provisions contained in Section 22, the CoC has either to confirm the appointment of IRP as Resolution Professional or to replace the IRP. No such application on behalf of the CoC has been filed. We do not know whether the application has filed their claim before the IRP or not or whether any CoC has been constituted or not. The Applicant at this stage has no locus to file an application for replacement of the IRP.”</i>
30.04.2025	IA/2128/2025 was filed by Mr. Bhim Sain Goyal for constitution of CoC.
08.05.2025	The AA directed IA No. 2128 of 2025 to implead OC as Party.

2.3.2. In the IBBI (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016, in the Schedule, in para VI, in clause 12A, for sub-clause (6), the following sub-clause was substituted as follows on 31.01.2024: –

“(6) An authorisation for assignment issued or renewed by the Agency shall be valid for a period of one year from the date of its issuance or renewal, as the case may be:

Provided that an authorisation for assignment issued or renewed by the Agency shall be valid till 30th of June of the year where the expiry of the period of one year falls from 1st of January to 30th of June, or till 31st of December of the year where the expiry of the period of one year falls from 1st of July to 31st of December:

Provided further that if the professional member attains the age of seventy years during this period, the authorisation for assignment shall be valid till such date.”

2.3.3. The above regulation provided that the AFA renewed by the IPA after the insertion of the above provision shall be valid till 30th of June of the year where the expiry of the period of one year falls from 1st of January to 30th of June, or till 31st of December of the year where

the expiry of the period of one year falls from 1st of July to 31st of December. The above provision has prospective application and hence it will not be applicable to the AFA issued or renewed by IPA, prior to the date of the notification of the said Regulation, i.e. 30.01.2024.

2.3.4. The AFA of Mr. Bhim Sain Goyal was valid up to 08.11.2024 on the basis of his application for AFA made prior to the amendment dated 30.01.2024. Hence on 22.11.2024, when he made the public announcement, he was not holding valid AFA. He further did not inform the AA within 5 days of the admission order dated 19.11.2024 as directed in the said order regarding the fact that his AFA expired on 08.11.2024 and on the date of the admission order, i.e., 19.11.2024, he was not holding valid AFA even though he was communicated in very clear terms by ICSI-IIP on 22.11.2024 that he is not eligible to take the assignment as he does not have valid AFA and shall withdraw from the assignment. The DC therefore holds the contravention.

3. Order.

3.1.1. In view of the above discussion, the DC holds that Mr. Bhim Sain Goyal accepted the assignment and made public announcement on 22.11.2024, when he was not holding valid AFA. He further did not inform the AA within 5 days of the admission order dated 19.11.2024 as directed in the said order regarding the fact that his AFA expired on 08.11.2024 and on the date of the admission order, i.e., 19.11.2024, he was not holding valid AFA.

3.1.2. However, the DC takes note of the following circumstances while deciding the punishment:-

- a) Mr. Bhim Sain Goyal admitted that he made an error of judgment misinterpreting the communication from ICSI-IIP regarding the validity date of his AFA.
- b) He did not have valid AFA only because of delay in starting the process of renewal of AFA and not because of any disciplinary proceedings or any other default.
- c) He has not taken any benefit in terms of fees and has incurred CIRP cost on his own even though he did not receive Rs. 2,00,000 directed to be paid to him by the OC as per the admission order by the OC.

3.2. The DC in exercise of the powers conferred under Section 220 of the Code read with Regulation 13 of the IBBI (Inspection and Investigation) Regulations, 2017 hereby suspends the Authorisation for Assignment of Mr. Bhim Sain Goyal (Registration No. IBBI/IPA-002/IP-N00726/2018-2019/12216) for a period of six months.

3.3. This Order shall come into force on expiry of 30 days from the date of its issue.

3.4. A copy of this order shall be sent to the CoC/ Stakeholders Consultation Committee of all the Corporate Debtors in which Mr. Bhim Sain Goyal is providing his services, if any and the CoC/SCC may decide on the continuation of services of Mr. Bhim Sain Goyal.

3.5. A copy of this order shall be forwarded to ICSI Institute of Insolvency Professionals where Mr. Bhim Sain Goyal is enrolled as a member.

3.6. A copy of this order shall also be forwarded to the Registrar of the Principal Bench of the National Company Law Tribunal, New Delhi, for information.

3.7. Accordingly, the show cause notice is disposed of.

Dated: 19 February 2026

Place: New Delhi

-sd/-

(Sandip Garg)

Whole Time Member

Insolvency and Bankruptcy Board of India