

PRESS RELEASE

The Insolvency and Bankruptcy Board of India invites suggestions on all Regulations notified under the Insolvency and Bankruptcy Code, 2016 with an aim to simplify, ease and reduce cost of compliance.

Section 240 read with sections 188 and 196 of the Insolvency and Bankruptcy Code, 2016 (Code) empowers the Insolvency and Bankruptcy Board of India (IBBI) to make Regulations. For this purpose, IBBI has evolved a transparent and consultative process. It has been the endeavour of the IBBI to effectively engage stakeholders in the regulation making process. The process factors in ground realities, secures ownership of regulations and produces regulations robust and precise, relevant to the market needs at particular time.

2. Public consultation enables collective choice and hence plays an important role in the evolution of the regulatory framework. The participation of the public, particularly the stakeholders in the insolvency ecosystem ensures that the regulations are informed by the legitimate needs of those interested in and affected by the regulations. In a dynamic environment, despite the best of efforts and intentions, a regulator in such novel and emerging regulatory regime may not always be able to address the ground realities. Further, the stakeholders may contemplate, at leisure, the important issues in the extant regulatory framework that hinder transactions and offer alternate solutions to address them. This is akin to *crowdsourcing of ideas*. This enables every idea to reach the regulator. Consequently, the universe of ideas available with the regulator would be much larger and the possibility of a more conducive regulatory framework would be much higher.

3. Further, regulation 7 of the IBBI (Mechanism for Issuing Regulations) Regulations, 2018 provides that the Board shall review each regulation every three years, unless a review is warranted earlier and amend or repeal any regulation, keeping in view the following criteria -

- a. *Its objectives;*
- b. *Its outcome;*
- c. *Experience of its implementation;*
- d. *Experience of its enforcement and the related litigation;*
- e. *Global best practices, if any;*
- f. *Its relevance in the changed environment; and*
- g. *Any other factor considered relevant by the Board.*

4. Also, one of the Budget Announcements in the Union Budget for FY 2023-24, was as follows:

“100. To simplify, ease and reduce cost of compliance, financial sector regulators will be requested to carry out a comprehensive review of existing regulations. For this, they will consider suggestions from public and regulated entities. Time limits to decide the applications under various regulations will also be laid down.”

5. In furtherance of the above, suggestions/comments from public and regulated entities are invited on the Regulations especially from the perspective of simplifying, easing and reducing cost of compliance, and on grounds mentioned in regulation 7 of the IBBI (Mechanism for Issuing Regulations) Regulations, 2018. The comments may be provided online by visiting the IBBI website at - https://ibbi.gov.in/webfront/regulation_comment.php . The last date for submission of public comments is **30th June 2025**.

6. The comments received till 30th June 2025 shall be processed together and following the due process, regulations will be modified to the extent considered necessary. It will be the endeavour of the IBBI to notify modified regulations by 30th September, 2025.

7. For providing comments, please follow the process as under:

- a) Visit IBBI's website, www.ibbi.gov.in ;
- b) Select "Public Comments";
- c) From the drop-down menu, select "comments on regulations";
- d) Provide your Name, and Email ID;
- e) Select the stakeholder category, namely, -
 - (i) Corporate Debtor;
 - (ii) Creditor to a Corporate Debtor;
 - (iii) Insolvency Professional;
 - (iv) Insolvency Professional Agency;
 - (v) Insolvency Professional Entity;
 - (vi) Personal Guarantor to a Corporate Debtor;
 - (vii) Proprietorship firms;
 - (viii) Partnership firms;
 - (ix) Academics;
 - (x) Investors;
 - (xi) Others.

8. Select the regulations, you wish to make a comment upon, from the drop down menu, as under:

- a) IBBI (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016;
- b) IBBI (Insolvency Professional Agencies) Regulations, 2016;
- c) IBBI (Insolvency Professionals) Regulations, 2016;
- d) IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016;
- e) IBBI (Liquidation Process) Regulations, 2016;
- f) IBBI (Information Utilities) Regulations, 2017;
- g) IBBI (Fast Track Insolvency Resolution for Corporate Persons) Regulations, 2017;
- h) IBBI (Inspections and Investigations) Regulations, 2017;
- i) IBBI (Voluntary Liquidation Process) Regulations, 2017;
- j) IBBI (Mechanism for Issuing Regulations) Regulations, 2018;

- k) IBBI (Insolvency Resolution Process for Personal Guarantors to Corporate Debtors) Regulations, 2019;
- l) IBBI (Bankruptcy Process for Personal Guarantors to Corporate Debtors) Regulations, 2019
- m) IBBI (Pre-packaged Insolvency Resolution Process) Regulations, 2021.

9. Please note that the selected regulations can be found by clicking the *pdf* icon right next to the “select regulations” option.

10. Select the kind of comments you wish to make, namely,

- a) General Comments; or
- b) Specific Comments.

11. If you have selected “General Comments”, please select one of the following options:

- a) Inconsistency, if any, between the provisions within any regulations (intra-regulations);
- b) Inconsistency, if any, between the provisions in different regulations (inter-regulations);
- c) Inconsistency, if any, between the provisions in any regulations with those in the rules;
- d) Inconsistency, if any, between the provisions in any regulations with those in the Code;
- e) Inconsistency, if any, between the provisions in any regulations with those in any other law;
- f) Any difficulty in implementation of any of the provisions in any regulations;
- g) Any provision that should have been provided in any regulations, but has not been provided;
- h) Any provision that has been provided in any regulations, but should not have been provided.

and then write comments in the “Write Comment” box.

12. If you have selected “Specific Comments”, please select regulation number and then sub-regulation number, and write comments in the “Write Comment” box, under the selected regulation / sub-regulation number.

13. You can make comments on more than one regulation, or more than one regulation / sub-regulation number, by clicking on more comments and repeating the process outlined above from point 10 onward.

14. Click ‘Submit’, after entering the image text in the box provided on the portal, if you have no more comments to make.

Illustration

If you are a creditor to a corporate debtor and wish to make a specific comment on sub-regulation (1) of regulation (6) relating to eligibility for appointment of Liquidator as specified in the IBBI (Voluntary Liquidation Process) Regulations, 2017. The steps that you need to follow are:

- a) Visit IBBI's website, www.ibbi.gov.in;
- b) Select "Public Comments";
- c) From the drop-down menu, select "comments on regulations";
- d) Provide your Name and Email ID;
- e) Select the stakeholder category, which in this case is "Creditor to a Corporate Debtor";
- f) Select the regulations, which in this case is "IBBI (Voluntary Liquidation Process) Regulations, 2017";
- g) Select "Specific Comments";
- h) Select the regulation / sub-regulation number, which in this case is "Regulation (6)" and "Sub Regulation (1)";
- i) Write your comments in the box "Write Comment";
- j) If you wish to give a comment on another regulations, or another regulation number of the same regulations, repeat the process from point 'f' onward by clicking the icon "More Comments";
- k) Click 'Submit', after entering the image text in the box provided on the portal and after you have given all your comments.
