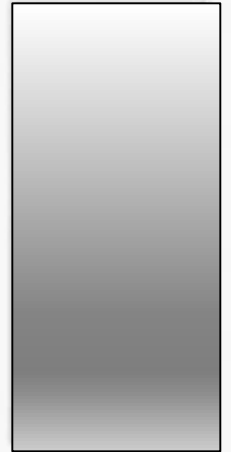


LEGALITE ADVISORS

IMPORTANT LEGAL UPDATES FOR APRIL, 2021



Companies Act

- **The Ministry of Corporate Affairs (“MCA”) – general circular no. 05/2021 wrt clarification on spending of CSR funds for setting up makeshift hospitals and temporary COVID Care facilities dated April 22, 2021 (“Circular”).**
 - The MCA, *vide* the Notification, has further clarified that spending of CSR funds for ‘**setting up makeshift hospitals and temporary COVID Care facilities**’ is an eligible CSR activity under item nos. (i) and (xii) of Schedule VII of the Companies Act, 2013 relating to promotion of health care, including preventive health care, and, disaster management respectively.
 - The companies may undertake the aforesaid activities in consultation with State Governments. This will be allowed as long as the companies fulfil the Companies (CSR Policy) Rules, 2014 and the circulars related to CSR issued by the MCA from time to time.
 - The Circular from MCA comes in handy for India Inc as the Government had recently allowed the Indian corporates to vaccinate their employees at the companies’ premises without them having to go to vaccination centre.
 - **Link of the Circular.**
http://www.mca.gov.in/Ministry/pdf/GeneralCircularNo5_22042021.pdf

Companies Act (Contd...)

- **The Ministry of Corporate Affairs (“MCA”) – notification no. G.S.R. 247(E) on the Companies (Accounts) Second Amendment Rules, 2021 (“Amendment Rules”) dated April 01, 2021 (“Notification”).**
 - The MCA, *vide* the Notification, has further amended the Companies (Accounts) Rules, 2014 (**“Principal Rules”**) which shall come into force with effect from April 01, 2021.
 - In the proviso to rule 3(1) of the Principal Rules, for the figures, letters and words ‘*1st day of April, 2021*’, the figures, letters and words ‘*1st day of April, 2022*’ shall be substituted.
 - The MCA had earlier issued a notification making it mandatory for the companies to record audit trail of each and every financial transaction done on their accounting software, effective from April 01, 2021. However *vide* the Notification, the Government has extended the date for implementation of rule making it mandatory for companies using accounting software for maintaining their books to use software that allows to record audit trail of each and every transaction effective April 01, 2022.
 - **Link of the Notification.**
http://www.mca.gov.in/Ministry/pdf/AccountsSecondAmendmentRules_13042021.pdf

Companies Act (Contd...)

- ❑ **The Ministry of Corporate Affairs (“MCA”) – notification no. G.S.R. 248(E) on the Companies (Audit and Auditors) Second Amendment Rules, 2021 (“Amendment Rules”) dated April 01, 2021 (“Notification”).**
 - The MCA, *vide* the Notification, has further amended the Companies (Audit and Auditors) Rules, 2014 (“**Principal Rules**”) which shall come into force with effect from April 01, 2021.
 - In rule 11, in clause (g), for the words ‘*Whether the company*’, the words, figures and letters ‘*Whether the company, in respect of financial years commencing on or after the 1st April, 2022*’, shall be substituted.
 - The aforesaid amendment in rule 11(g) of the Principal Rules, is in alignment with the amendment made in the proviso to rule 3(1) of Companies (Accounts) Rules, 2014 as stated in the immediately preceding slide viz. the requirement of mandatory audit trail in a company accounting software has been deferred to financial year commencing on or after April 01, 2022.
 - **Link of the Notification.**
http://www.mca.gov.in/Ministry/pdf/AuditAuditorsSecondAmendmentRules_13042021.pdf

Securities Law

- **The Securities and Exchange Board of India (“SEBI”) – circular number SEBI/HO/CFD/CMD1/P/CIR/2021/556 on relaxation from compliance with certain provisions of the SEBI (Listing Obligations Disclosure Requirements) Regulations, 2015 (“Regulations”) due to the CoVID-19 pandemic, dated April 29, 2021 (“Circular”).**

 - SEBI, pursuant to various representations received from listed entities, professional bodies, industry associations, market participants etc. requesting extension of timelines for various filings and relaxation from certain compliance obligations under the Regulations *inter-alia* due to ongoing second wave of the CoVID-19 pandemic and restrictions imposed by various state governments. It has therefore been decided to grant the following relaxations from compliance with certain provisions of the Regulations.

Sr. No.	Regulation	Requirement	Due date	Extended deadline for the quarter / half year / year ending March 31, 2021.
1	Annual Secretarial Compliance report.	60 (sixty) days from end of the financial year	May 30, 2021	June 30, 2021

Securities Law (Contd...)

Sr. No.	Regulation	Requirement	Due date	Extended deadline for the quarter / half year / year ending March 31, 2021.
2	Quarterly financial results/ Annual audited financial results.	45 (forty-five) days from end of the quarter / 60 (sixty) days from end of the financial year.	May 15, 2021/ May 30, 2021	June 30, 2021
3	Statement of deviation or variation in use of funds.	Along with the financial results (within 45 (forty-five) days of end of each quarter/ 60 (sixty) days from end of the financial year).	May 15, 2021/ May 30, 2021	June 30, 2021

- SEBI has also permitted to use digital signature certifications for authentication/certification of filings/submissions made to the stock exchanges under the Regulations for all filings until December 31, 2021.

Securities Law (Contd...)

- **Link of the Circular.**

https://www.sebi.gov.in/legal/circulars/apr-2021/relaxation-from-compliance-with-certain-provisions-of-the-sebi-listing-obligations-disclosure-requirements-regulations-2015-due-to-the-covid-19-pandemic_50000.html

Securities Law (Contd...)

□ **The Securities and Exchange Board of India (“SEBI”) – notification number SEBI/LAD-NRO/GN/2021/17 on SEBI (Prohibition of Insider Trading) (Amendment) Regulations, 2021 (“Amended Regulations”), dated April 26, 2021 (“Notification”).**

- Pursuant to the Notification, which is effective immediately, the following clause in the SEBI (Prohibition of Insider Trading) Regulations, 2015 stands omitted:

Regulation 7(1)(a): Initial Disclosure: Every promoter, member of the promoter group, key managerial personnel and director of every company whose securities are listed on any recognised stock exchange shall disclose his holding of securities of the company as on the date of these regulations taking effect, to the company within thirty days of these regulations taking effect.

- The Notification does away with the requirement of promoter, member of the promoter group, key managerial personnel and director of a company to now disclose their security holdings within 30 (thirty) days of such acquisition, of such company in which they have acquired the securities.

- **Link of the Notification.**

https://www.sebi.gov.in/legal/regulations/apr-2021/securities-and-exchange-board-of-india-prohibition-of-insider-trading-amendment-regulations-2021_49947.html

Securities Law (Contd...)

- **The Securities and Exchange Board of India (“SEBI”) – circular number SEBI/HO/MIRSD/RTAMB/P/CIR/2021/558 on addendum to SEBI circular on “Relaxation in adherence to prescribed timelines issued by SEBI due to Covid 19 dated April 13, 2020”, dated April 29, 2021 (“Circular”).**
 - SEBI had issued circular No. SEBI/HO/MIRSD/RTAMB/CIR/P/2020/59 dated April 13, 2020 wherein ‘Relaxations in adherence to prescribed timelines’ for carrying out various shareholder requests and for other regulatory filings were granted to registrar and share transfer agents (“RTAs”) in view of the Covid-19 pandemic. SEBI *vide* the Circular has included, ‘processing of the DEMAT requests’, to the list per the annexure of the aforesaid circular and accordingly the list of 13 items that are eligible for relief stand revised as stated in the enclosed Circular.
 - Relaxation has been given to intermediaries / market participants *w.r.t.* compliance with the prescribed timelines which has been extended to July 31, 2021 in view of the Covid-19 situation for the said 13 items as stated in the enclosed Circular.
 - The half-yearly Internal Audit Report (“IAR”) is to be submitted by RTAs within 45 (forty-five) days from the closure of the half year. Given the Covid-19 situation, SEBI *vide* the Circular has extended the timeline of May 15, 2021 for submission of IAR by RTAs for half year ended March 31, 2021 to **July 31, 2021**.
 - **Link of the Circular.**
https://www.sebi.gov.in/legal/circulars/apr-2021/addendum-to-sebi-circular-on-relaxation-in-adherence-to-prescribed-timelines-issued-by-sebi-due-to-covid-19-dated-april-13-2020_50006.html

Insolvency And Bankruptcy Code

- ❑ **Insolvency and Bankruptcy Board of India (“IBBI”) – notification no. IBBI/2021-22/GN/REG072 on amendment to IBBI (Information Utilities) Regulations, 2017 (“Regulations”) by introduction of IBBI (Information Utilities) (Amendment) Regulations, 2021 (“Amendment Regulations”), dated April 13, 2021 (“Notification”).**
 - The Notification, effective immediately, alters Regulations to provide as under:
 - ✓ Regulation 15(3) has been amended to add certain minimum service quality standards as under which should be envisaged in the bye-laws for information utilities:
 - registration of users;
 - issuance of record of default;
 - issuance of annual statement to registered users; and
 - adoption of quality standards and quality standards certifications.
 - ✓ Regulation 27(1) (Duties of the User) of the Regulations has been substituted to provide concrete timelines to make reporting to the information utilities. Accordingly, every user (user being a person availing services of the information utility) who has provided information with the information utility in Form C (details of creation of debt) shall submit the information updated as on the last day of every month, in the first week of following month, provided that information of default shall be updated within 7 (seven) days of occurrence of default. Earlier, the said timeline wasn’t prescribed and a user was merely expected to “expeditiously” submit the information with the information utility.

Insolvency And Bankruptcy Code (Contd...)

✓ Form C has been substituted, format whereof has been provided in the Notification.

- **Link of the Notification.**

<https://www.ibbi.gov.in/uploads/legalframwork/874c1870a61be056ec690a5ecb928ef0.pdf>

Insolvency And Bankruptcy Code (Contd...)

- ❑ **Insolvency and Bankruptcy Board of India (“IBBI”) – notification no. IBBI/2021-22/GN/REG073 on amendment to IBBI (Insolvency Professionals) Regulations, 2016 (“Regulations”) by introduction of IBBI (Insolvency Professionals) (Amendment) Regulations, 2021 (“Amendment Regulations”), dated April 27, 2021 (“Notification”).**
 - The Notification, effective immediately, alters Regulations to provide relaxations in the wake of on-going CoVID-19 pandemic as under:
 - ✓ Accordingly, respective fees payable by insolvency professionals under regulation 7 (Certificate of Registration) and regulation 13 (Recognition of Insolvency Professional Entities) shall be paid by June 30, 2021 for the financial year 2020-21 instead of March 31, 2021.
 - ✓ Further, after the commencement of Amendment Regulations and until December 31, 2021, the intimation of appointment or cessation as director, partner, in an insolvency professional entity (“IPE”) by such IPE to the IBBI shall be made within 30 (thirty) days and the said relaxation has been continued which was initially introduced on March 28, 2020.
 - **Link of the Notification.**
<https://www.ibbi.gov.in/uploads/legalframework/c91c364ba5f65d67f1fd3c1e8e3cf4df.pdf>

Insolvency And Bankruptcy Code (Contd...)

- **The Ministry of Law and Justice – Insolvency and Bankruptcy (Amendment) Ordinance, 2021 to amend the Insolvency and Bankruptcy Code, 2016 (“Principal Code”), dated April 04, 2021 (“Ordinance”).**
 - The Hon’ble President of India – Mr. Ram Nath Kovind, under article 123 of the Constitution of India, gave his assent on April 04, 2021, to the promulgation of the Ordinance for making further amendments in the Principal Code.
 - Further, the Insolvency and Bankruptcy Board of India (“**IBBI**”) on April 09, 2021, notified the Insolvency and Bankruptcy (Pre-packaged Insolvency Resolution Process) Regulations, 2021 (“**Regulations**”) as well as the Insolvency and Bankruptcy (Pre-Packaged Insolvency Resolution Process) Rules, 2021 (“**Rules**”) with immediate effect i.e. on April 09, 2021.
 - **Background:**
 - ✓ Substantial harm has been caused by CoVID-19 pandemic to the businesses, financial markets of the Country, predominantly the business operations of micro, small and medium enterprises thereby exposing many of them to financial distress;

Insolvency And Bankruptcy Code (Contd...)

- ✓ Government to mitigate the distress caused by the pandemic, including increasing the minimum amount of default for initiation of corporate insolvency resolution process to INR 1,00,00,000 (Indian Rupees One Crore only) and suspending filing of applications for initiation of corporate insolvency resolution process in respect of the defaults arising during the period of one year beginning from 25th March 2020 which has recently ended;
- ✓ Micro, Small and Medium Enterprises (“**MSMEs**”), being the most vulnerable entities in this stressful environment deserve the maximum attention as they are key growth engines for the overall development of the Country and to provide an immediate relief to the MSMEs, an efficient alternative insolvency resolution process (in the form of pre-packaged insolvency resolution process) for corporate persons classified as micro, small and medium enterprises under the Principal Code, has been envisaged under the Ordinance for ensuring quicker, cost-effective and value maximising outcomes for all the stakeholders, in a manner which is least disruptive to the continuity of their businesses and which preserves jobs.

- **Following are the salient features of the Ordinance:**

- 1. Eligibility for Pre-Packaged Insolvency Resolution Process (“PPIRP”).**

- ✓ An application for initiating PPIRP shall be initiated in respect of a corporate debtor which is classified as an MSME under section 7 of the MSME Act, 2006, for the default of INR 10,00,000 (Indian Rupees Ten Lakhs only) such MSME provided that following conditions are met:

Insolvency And Bankruptcy Code (Contd...)

- it has not undergone pre-packaged insolvency resolution process or completed corporate insolvency resolution process, during the period of 3 (three) years preceding the initiation date;
- it is not undergoing a corporate insolvency resolution process;
- no order requiring it to be liquidated is passed;
- it is eligible to submit a resolution plan;
- the financial creditors of the corporate debtor, (non-related parties), representing by a 10% majority, have proposed the name of the insolvency professional (“IP”) to be appointed as resolution professional for conducting the pre-packaged insolvency resolution process of the corporate debtor, whose appointment has been approved by financial creditors of the corporate debtor, (non-related parties), representing not less than 66% in value of the financial debt due to such creditors;
- the application for PPIRP has been approved by the board of directors, members and financial creditors (non-related) with such majority as may be prescribed in the Ordinance and the directors of the corporate debtor have filed a declaration regarding timely filing of the application; that the PPIRP is not being made to defraud any person; and the name of the e IP proposed and approved to be appointed as resolution professional under clause.

Insolvency And Bankruptcy Code (Contd...)

2. Duties of the IP before the PIRP:

- ✓ Prior to filing of application, the IP shall be required to file and prepare a report confirming whether the corporate debtor meets the requirements as prescribed in point no. 1 above, and file such reports as may be required. Such duties shall cease to exist if the application for initiation of the PPIRP is not filed within 90 (ninety) days of approval from financial creditors, or where the application is admitted/ rejected.

3. Application to initiate PIRP and time limit of completion of the PPIRP.

- ✓ Subject to the corporate debtor meeting conditions as mentioned above in point no.1, the application must be filed by the corporate debtor with the Adjudicating Authority (National Company Law Tribunal), not later than 90 (ninety) days from the date of approval by the financial creditors. The corporate debtor shall be required to give several declarations as prescribed in the Rules;
- ✓ The Adjudicating Authority shall approve/reject the application within 14 (fourteen) of the making thereof, provided an opportunity is given to the corporate debtor to make good the defects within 7 (seven) days of such opportunity;
- ✓ The PPIRP shall commence from the date of admission of the application;

Insolvency And Bankruptcy Code (Contd...)

- ✓ The PPIRP shall be completed within 120 (one hundred twenty days) its commencement date as stated above. However, the resolution professional shall submit the resolution plan, as approved by the committee of creditors (“CoC”), to the Adjudicating Authority within a period of 90 (ninety) days from the PPIRP commencement date and in case no plan is approved by the CoC, the resolution professional shall, on the 90th (ninetieth) day as above, file an application with the Adjudicating Authority for termination of the PPIRP.

4. Declaration of moratorium and public announcement during PPIRP.

- ✓ The Adjudicating Authority shall, on the pre-packaged insolvency commencement date, along with the order of admission:
 - declare a moratorium for the purposes referred to in sub-section (1) read with sub-section (3) of section 14 of the Principal Code, which shall, *mutatis mutandis* apply, to the PPIRP;
 - appoint an eligible resolution professional as named in the application or based on the recommendation of the IBB; and
 - cause a public announcement of the initiation of the PPIRP to be made by the resolution professional, immediately after his appointment.
- ✓ The order of moratorium shall have effect from the date of such order till the date on which the PPIRP period comes to an end.

Insolvency And Bankruptcy Code (Contd...)

5. Duties and powers of resolution professional during PPIRP.

- ✓ The resolution professional shall conduct the PPIRP of a corporate debtor during the period thereof.
- ✓ Several duties and powers have been prescribed under section 54F of the Principal Code for a resolution professional to seamlessly and effectively carry out the PPIRP and such duties and powers are pretty much akin to the duties and powers of a resolution professional during a normal corporate insolvency resolution process under the Principal Code.
- ✓ The resolution professional shall monitor the business affairs of the corporate debtor and shall have access to all records and documents of the corporate debtor. It shall also conduct and attend all the CoC meetings.
- ✓ The personnel of the corporate debtor, its promoters and any other person associated with the management of the corporate debtor to extend all assistance and cooperation to the resolution professional.
- ✓ The fees of the resolution professional and any expenses incurred by him for conducting the PPIRP shall be determined as per the Regulations and the CoC may impose limits and conditions on such fees and expenses. Further, the fees and expenses for the period prior to the constitution of the CoC shall be subject to ratification by it.

Insolvency And Bankruptcy Code (Contd...)

6. List of claims and preliminary information memorandum.

- ✓ The resolution professional shall confirm the list of claims submitted to it by the corporate debtor, and inform every creditor regarding its claims, seeking objections if any. Such objections may be communicated to the resolution professional within 7 (seven) days from the receipt of communication by resolution professional.
- ✓ Such list of claims shall be maintained as prescribed in the Regulations and shall be updated and made available for inspection by creditors, members, partners, directors and guarantors of the corporate debtor and be filed with the IBBI and presented at the CoC meeting.
- ✓ The list of claims shall, at the first instance, be submitted by the corporate debtor to the resolution professional within 2 (two) days of PPIRP commencement date.

7. List of claims and preliminary information memorandum.

- ✓ During the PPIRP, the management of the affairs of the corporate debtor shall continue to vest in its board or the partners, as the case may be, subject to such conditions as may be specified in the Regulations.
- ✓ The board or the partners, as the case may be, of the corporate debtor, shall make every endeavour to protect and preserve the value of the property of the corporate debtor, and manage its operations as a going concern.

Insolvency And Bankruptcy Code (Contd...)

- ✓ The promoters, members, personnel and partners, as the case may be, of the corporate debtor, shall exercise and discharge their contractual or statutory rights and obligations in relation to the corporate debtor.
- ✓ CoC to be constituted by the resolution professional within 7 (seven) days of the PPIRP commencement date, based on the list of claims by the resolution professional and the CoC's composition to be altered on the basis of the updated list of claims, and any such alteration shall not affect the validity of any past decision of the CoC.
- ✓ The first meeting of the CoC shall be conducted within 7 (seven) days of its constitution which may be called at the instance of the resolution professional, or upon requisition by at least 1/3rd of CoC members. Notice of the meeting shall be sent to all CoC members, at least 3 (three) days prior to the meeting, which may be reduced if decided by the CoC, and the meeting shall be validly held if members representing at least 33% of the voting share are present thereat.
- ✓ Where the CoC, at any time during the PPIRP period, by a vote of not less than 66% of the voting shares, resolves to vest the management of the corporate debtor with the resolution professional, the resolution professional shall make an application for this purpose to the Adjudicating Authority and if the Adjudicating Authority is of the opinion that during the PPIRP:
 - the affairs of the corporate debtor have been conducted in a fraudulent manner; or

Insolvency And Bankruptcy Code (Contd...)

- the affairs of the corporate debtor have been conducted in a fraudulent manner; or
- there has been gross mismanagement of the affairs of the corporate debtor;

it shall pass an order vesting the management of the corporate debtor with the resolution professional.

8. Consideration and approval of resolution plan.

- ✓ Section 54K of the Principal Code requires the corporate debtor to submit a 'base resolution plan' to the resolution professional within 2 (two) days of PPIRP commencement date which shall be in-turn submitted to the CoC.
- ✓ The CoC may require invitation of resolution plans from outsiders where:
 - The CoC does not approve of the base resolution plans; or
 - The base resolution plan impairs the rights of the operational creditors.
- ✓ In such cases the resolution professional shall, not later than 21 (twenty one) days from the PPIRP commencement date, send out an invitation, therein mentioning:
 - Basis for evaluations;
 - Last date for submission of plan;

Insolvency And Bankruptcy Code (Contd...)

- Basis for considering a plan significantly better than the base resolution plan;
 - Tick size; and
 - Manner of improving a plan.
- ✓ A plan received from outsiders can only be considered by the CoC, if the same is “significantly better” than the base resolution plan. If no plans are received, the base resolution plan may be conducted. The resolution professional may also provide an opportunity to the submitters to improve their plan, by increasing their tick size, evaluation score etc.
- ✓ Resolution plan, upon approval by CoC shall be submitted to the Adjudicating Authority, not later than 90 (ninety) days of PPIRP commencement date. The resolution professional shall, within 7 (seven) days of the order of the Adjudicating Authority approving a resolution plan, intimate each claimant, the principle or formula, as the case may be, for payment of debts under such resolution plan. Where no resolution plan is approved by the CoC or where the CoC has approved the termination of process, the resolution professional shall file an application to the Adjudicating Authority for termination of process.

9. Termination of pre-packaged insolvency resolution process.

- ✓ Where the resolution professional files an application with the Adjudicating Authority, under the provisions of the Principal Code, the Adjudicating Authority shall, within 30 (thirty) days of the date of such application, by an order:

Insolvency And Bankruptcy Code (Contd...)

- terminate the PPIRP; and
- provide for the manner of continuation of proceedings initiated for avoidance of transactions under Chapter III or proceedings initiated under section 66 (Fraudulent trading or wrongful trading) and section 67A (Fraudulent management of corporate debtor during PPIRP), if any.
- ✓ Where the resolution professional, at any time after the PPIRP commencement date, but before the approval of resolution plan, intimates the Adjudicating Authority of the decision of the CoC, approved by a vote of 66% of the voting shares, to terminate the PPIRP, the Adjudicating Authority shall pass an order and in such a case, the corporate debtor shall bear the PPIRP costs, if any.
- ✓ If the Adjudicating Authority has passed an order under provisions of section 54J of the Principal Code (Vesting management of corporate debtor with resolution professional) and the PPIRP is required to be terminated under provisions of section 33 (Initiation of liquidation) of the Principal Code, the Adjudicating Authority shall pass an order:
 - of liquidation in respect of the corporate; and
 - declare that the PPIRP costs, if any, shall be included as part of the liquidation costs for the purposes of liquidation of the corporate debtor.

Insolvency And Bankruptcy Code (Contd...)

10. Initiation of corporate insolvency resolution process.

- ✓ The CoC, at any time after the PPIRP commencement date but before the approval of resolution plan, by a vote of 66% of the voting shares, may resolve to initiate a corporate insolvency resolution process in respect of the corporate debtor, if such corporate debtor is eligible for corporate insolvency resolution process under Chapter II (Corporate Insolvency Resolution Process) of the Principal Code.
- ✓ Where the resolution professional intimates the Adjudicating Authority of the decision of the CoC as above, the Adjudicating Authority shall, within 30 (thirty) days of the date of such intimation, pass an order to:
 - terminate the PPIRP and initiate corporate insolvency resolution process in respect of the corporate debtor;
 - appoint the resolution professional referred to under section 54E as the interim resolution professional, subject to submission of written consent by such resolution professional to the Adjudicatory Authority; and
 - declare that the PPIRP costs, if any, shall be included as part of insolvency resolution process costs for the purposes of the corporate insolvency resolution process of the corporate debtor.

Insolvency And Bankruptcy Code (Contd...)

- ✓ The Adjudicating Authority shall appoint another interim resolution professional by making a reference to the IBBI for recommendation if the aforesaid resolution professional does not consent and where the Adjudicating Authority passes such an order:
 - it shall be deemed to be an order of admission of an application under section 7 (Initiation of corporate insolvency resolution process by financial creditor) of the Principal Code;
 - the corporate insolvency resolution process shall commence from the date of such order;
 - the proceedings initiated for avoidance of transactions under Chapter III or proceedings initiated under section 66 and section 67A, if any, shall continue during the corporate insolvency resolution process;
 - for the purposes of sections 43, 46 and 50, references to “insolvency commencement date” shall mean “PPIRP commencement date”; and
 - in computing the relevant time or the period for avoidable transactions, the time-period for the duration of the PPIRP shall also be included.

Insolvency And Bankruptcy Code (Contd...)

11. Application of provisions of Chapters II, III, VI, and VII to Chapter IIIA and other miscellaneous changes.

- ✓ Section 54P of the Principal Code prescribes the provisions which shall be applicable to Chapter IIIA unless otherwise provided for specifically.
- ✓ The Ordinance also provides for amendment to various provisions of the Principal Code and insertion of various sections therein so as to incorporate the consequent changes brought about by the Ordinance and to give effect to the PPIRP as envisaged in Chapter IIIA above.
- ✓ The Rules and Regulations provide for initiation and regulation of the PPIRP and also prescribes various forms and fees for making applications or reporting under Chapter IIIA.

▪ **Link of the Ordinance.**

<https://www.ibbi.gov.in/uploads/legalframework/04af067c22275dd1538ab2b1383b0050.pdf>

▪ **Link of the Rules.**

<https://ibbi.gov.in//uploads/legalframework/f75906d8657a51f214785c697d9bb296.pdf>

▪ **Link of the Regulations.**

<https://ibbi.gov.in//uploads/legalframework/2021-04-10-182311-5ngd9-Odd40b82af7a770d5e89c0d9e37bdb45.pdf>

Deets / Disclaimer

❑ Deets.

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Thank You



There is no wealth like knowledge and no poverty like ignorance - Buddha