



INSOLVENCY PROFESSIONAL AGENCY
OF INSTITUTE OF COST ACCOUNTANTS OF INDIA



IBC AU-COURANT

LATEST UPDATES ON INSOLVENCY AND BANKRUPTCY

"No matter what people tell you, words and ideas can change the world."

"No matter what people tell you, words and ideas can change the world."

➤ **NCLT issues notice in Surfer Technologies' insolvency plea against Byju's**

The National Company Law Tribunal (NCLT) on February 6 issued a notice in an insolvency plea filed by a digital marketing firm called Surfer Technologies against ed-tech giant Byju's. NCLT has asked Byju's to file a response to the plea in two weeks, with the case now likely to come up for hearing on March 5. This is the second plea against Byju's that the NCLT has issued a notice in.

During the course of the hearing, Surfer argued that Byju's owes them Rs. 2.3 crore and all of them are admitted debts. According to Surfer, they were generating leads for Byju's and passing them on; these leads were overseen and then authorized by the ed-tech company.

Surfer is the fourth entity to approach the NCLT against Byju's after Board of Control for Cricket in India (BCCI), France-based Teleperformance Business Services company, and the lenders. Surfer's plea was filed on January 9, while it was registered on February 1. Surfer would fall under the category of operational creditor as it is a service provider.

There are two kinds of creditors under IBC: operational creditors (OCs), and financial creditors (FCs). OCs are those who provide goods and services to a business but have not been paid while FCs are those who lend money to the company.

Source: Money Control

Read Full news: <https://www.moneycontrol.com/news/business/nclt-issues-notice-in-surfer-technologies-insolvency-plea-against-byjus-12204861.html>

➤ **IBBI Removes Restriction On Insolvency Professionals**

The Insolvency and Bankruptcy Board of India has removed the restriction preventing the same insolvency professional from participating in both the resolution process for a company and for its individual guarantor. This will reduce the risk of misrepresentation and concealment of information, as the same RP would be involved in both processes, according to Alay Razvi, partner at Accord Juris LLP, Hyderabad.

According to Delhi High Court Advocate Shashank Agarwal, this makes sense as the RP, who has already been working on the corporate, which is under the Corporate Insolvency Resolution Process, would already be aware of the affairs of the personal guarantor. This would expedite the process, he said.

Source: NDTV

Read Full news : <https://www.ndtvprofit.com/law-and-policy/ibbi-removes-restriction-on-insolvency-professionals>

➤ **More disclosures, status report now part of voluntary liquidation plan**

Company directors filing for voluntary liquidation process under the Insolvency and Bankruptcy Code (IBC) must disclose pending proceedings, assessments and litigations before the statutory authorities, the modified rules by the Insolvency and Bankruptcy Board of India (IBBI) have said.

The directors must also declare beforehand that sufficient provisions have been made to meet the likely obligations arising on account of the pending proceedings.

IBBI has amended the regulations “to streamline the voluntary liquidation process and facilitate the distribution of unclaimed proceeds to the stakeholders before the dissolution of the corporate person.”

Source: Business Standard

Read Full news : https://www.business-standard.com/finance/news/more-disclosures-now-part-of-voluntary-liquidation-scheme-in-ibc-124020601306_1.html

