

COURSE TITLE	LAW OF BANKRUPTCY AND INSOLVENCY
COURSE CODE	10BL0901
COURSE CREDITS	4

Objective:

- 1 To understand various resolution strategies.
- 2 To understand insolvency and bankruptcy laws in India.
- 3 To understand the corporate insolvency resolution process and insolvency resolution of the corporate person.
- 4 To imbibe the basic concepts of cross-border insolvency.

Course Outcomes: After completion of this course, student will be able to:

- 1 Learn the genesis and evolution of Insolvency and Bankruptcy laws in India.
- 2 Know the basics of Insolvency and Bankruptcy laws in India.
- 3 Understand different modes of Insolvency resolution.
- 4 Understand the working of International/cross-border Insolvency resolution.
- 5 Analyze the process of winding up by Tribunal.

Pre-requisite of course:N/A

Teaching and Examination Scheme

Theory Hours	Tutorial Hours	Practical Hours	ESE	IA	CSE	Viva	Term Work
3	1	0	50	30	20	0	0

Contents : Unit	Topics	Contact Hours
1	Introduction to Insolvency and Bankruptcy Laws Concept of Insolvency/Bankruptcy., Historical developments of Insolvency Laws in India., Insolvency Law reforms., Highlights of the Insolvency and Bankruptcy Code, 2016., The Insolvency and Bankruptcy Code 2016: Comparative analysis.	7
2	Introduction to Insolvency and Bankruptcy Code, 2016 Introduction., Historical development. , Object of the code., The scheme of the code., Salient Features of the Insolvency and Bankruptcy Code, 2016., Institutions under the Insolvency and Bankruptcy Code, 2016., Insolvency and Bankruptcy Board of India (IBBI) , Insolvency Professionals (IPs), Insolvency Professional Agencies (IPA), Adjudicating Authority (AA), Information Utility (IU)	7

Contents : Unit	Topics	Contact Hours
3	Corporate Insolvency Resolution Process Introduction., Persons who may initiate Corporate Insolvency Resolution Process., Withdrawal of application., Declaration of Moratorium and Public Announcement. , Management of Affairs of Corporate Debtor by Interim Resolution Professional., Committee of Creditors.	7
4	Insolvency Resolution of Corporate Persons and Resolution Strategies Introduction., Meaning of Resolution Plan and Resolution Applicant., Persons not eligible to be Resolution Applicant., Resolution Plan., Resolution Strategies - Introduction., Corporate and Debt Restructuring., Formal Restructuring and Insolvency Proceedings., Equity Restructuring, Compromises, Arrangements, and Amalgamations., Sale of Assets under Insolvency and Bankruptcy Code., Adjudication and appeals	8
5	Voluntary liquidation and winding up by Tribunal Introduction., Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017, Proceeds of Liquidation and Distribution of Proceeds, Winding up by Tribunal under the Companies Act, 2013., Power of the Tribunal., Company Liquidators: Appointment, removal, replacement, power, and duties. , Examination of Promoters, Directors, etc., Dissolution of Company by Tribunal	8
6	Cross-Border Insolvency Cross-border insolvency: Trends and practices. , The United Nations Commission on International Trade (UNCITRAL)., UNCITRAL Legislative Guide on Insolvency Law vis-a-vis UNCITRAL Model Law on 276 Cross-Border Insolvency., Competent Court or Authority., The World Bank Principles – A Summary	8
Total Hours		45

Suggested List of Experiments:

Contents : Unit	Topics	Contact Hours
1	Issues related to law of bankruptcy and insolvency Issues related to Insolvency Law reforms.	15
Total Hours		15

Textbook :

- 1 Insolvency and Bankruptcy Code: Law and Practice, , Akaant Kumar Mittal,, Eastern Book Company, 2021

References:

- 1 Insolvency and Bankruptcy Code: Law and Practice, Insolvency and Bankruptcy Code: Law and Practice, Akaant Kumar Mittal, Eastern Book Company, 2021

Suggested Theory Distribution:

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

Distribution of Theory for course delivery					
Remember / Knowledge	Understand	Apply	Analyze	Evaluate	Higher order Thinking / Creative
10.00	10.00	30.00	10.00	20.00	20.00

Supplementary Resources:

- 1 <https://ibbi.gov.in/uploads/resources/bcb6b096e766e07c164ad5f61ebe2b01.pdf>