

# INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

New Delhi, the 5<sup>th</sup> May, 2021

## **Insolvency and Bankruptcy Board of India - Guidelines for Association for Summer/Winter/Short Term/Certificate Courses with Academic Institutions/ Civil Services Academies/ Judicial Academies, 2021.**

### **Objective:**

The Insolvency and Bankruptcy Board of India (IBBI/Board), in its endeavour to create awareness about the Insolvency and Bankruptcy Code, 2016 (IBC/Code) and its ecosystem, amongst the students of higher education courses, academicians, trainee civil and judicial officers, Insolvency Professionals (IPs) registered with IBBI and Registered Valuers (RVs), wishes to promote Summer/Winter/Short Term/Certificate Courses through “Institutes of Learning”.

2. For the purposes of these Guidelines, the term *Institutes of Learning* shall include Universities, Deemed Universities, Professional Institutes (Institute of Chartered Accountants of India, Institute of Cost Accountants of India and Institute of Company Secretaries of India), Civil Services Academies (Central & State Government), Judicial Academies, IIMs, IITs, NITs and Institutes of National Importance as may be designated by the Ministry of Education.

### **3. Potential Areas of Support from IBBI:**

- a) Association of the Board (use of IBBI logo for the Course brochure, etc.);
- b) Nomination of Officers/Members as faculty for one or two sessions;
- c) Provision of information brochure, newsletter, reference material, etc. for the participants;
- d) Suggestions regarding resource persons for the course;
- e) Courses can be considered for grant of CPE hours to IPs/RVs, as per IBBI (Continuing Professional Education for Insolvency Professionals) Guidelines, 2019, as amended from time to time.
- f) Any other area of support, as may be approved by the Board from time to time.

4. For seeking an active association of the Board, in any of the areas specified in para 3 above, in organisation of Summer/Winter/Short Term/Certificate Courses on IBC and its ecosystem, the concerned institute needs to submit to the Board for its consideration, a proposal detailing, among others, the following:

- a) Course title, objective of the Course and intended outcomes;
- b) Duration of the Course;
- c) Specific areas in which assistance of the Board is being requested;
- d) Any other request (to be specified).

## **5. Obligations:**

- a) The responsibilities, obligations and liabilities of the Board are limited to what is stated in Para 3, above.
- b) The Institute of Learning shall be responsible for all liabilities, obligations and expenses associated with the Course.

6. **The Guidelines** for association of the Board for such courses is as below:

### **I. PROPOSAL**

An Institute of Learning may submit its proposal as per requirements detailed in para 4, above, requesting for association of the Board, in organization of Summer/Winter/Short Term/Certificate Courses, along with requisite information to be provided in Format A.

A Course will be considered valid only if at least 20 participants have enrolled for the Course.

### **II. CONFLICT OF INTEREST**

- a) The Institute of Learning shall ensure that the course shall not have as a sponsor, a Corporate Debtor/ Financial Creditor/ Operational Creditor/ Personal Guarantor/ Service Provider/ Professional engaged by the Service Provider, who is/are involved in any ongoing processes under the IBC. The Institute of Learning shall provide an undertaking in this regard in Format B.
- b) An exemption to the above clause may be permitted by the Board, on a case to case basis, provided the said company/legal entity is a Public Sector Undertaking.

### **III. APPROPRIATE USE OF IBBI NAME AND LOGO**

- a) The name, brand of IBBI and Logo cannot be used for commercial purposes by the Institute of Learning.
- b) The Institute of Learning shall submit the design of banners, study material, brochure, other material, etc. in which logo of the Board is being used, to the Board for its vetting, at least seven days in advance of release/use, so as to ensure that the logo has been used appropriately and in compliance with rules relating to use of the National Emblem.
- c) The format of Certificate (of participation/merit) shall not carry IBBI logo or signatures of any Board official.

### **IV. OUTREACH**

The information about the Course will be communicated to the targeted stakeholders, by way of uploading on IBBI website, in coordination with the Institute of Learning, so as to ensure maximum awareness and outreach about the Course.

### **V. COMPLIANCES**

- a) The approvals/compliances, if any, required for such courses from UGC, AICTE, etc. will be the sole responsibility of the organising Institute of Learning. The Board will have no responsibility in this regard.

- b) The compliances relating to fiscal laws like GST, Income Tax, etc. with respect to any fees collected or expenditure incurred for the Course will be the responsibility of the organising Institute of Learning. The Board will have no responsibility in this regard.
- c) The Organising Institute of Learning will ensure that no copyright or other intellectual property right infringement occurs in areas such as course title, design, content, design of brochure/certificate/study material, etc. The Board will have no responsibility in this regard.

## **VI. RECORDS**

- a) The organising Institute of Learning will be responsible for maintaining records related to attendance, evaluations and examinations (if any), etc., related to the Course.
- b) The Institute of Learning will have to maintain records of Certificates so issued in a manner like applicable UGC norms relating to records of Degree Courses.
- c) A brief note on the Course along with few relevant photographs shall be submitted by Institute of Learning to the Board within a week of conclusion of the Course.

## **VII. OTHER CONDITIONS**

- a) **No Financial Support from IBBI:** The responsibility of the Board is limited to rendering technical support for designing the Course and faculty experts, wherever required. No financial support from the Board is envisaged at any stage of the Course.
- b) **Course Fee:** The Institute of Learning shall be free to charge a reasonable fee from the participants to a Course in relation to the duration and actual costs to be incurred for conducting the Course. The Board would reserve the right to deny consent to an Institute of Learning where it feels that the fee proposed to be charged is unreasonable.
- c) **No right of employment:** A participant in a Course shall have no right/ claim for an employment with the Board by participating in the said courses. A participant shall not represent anywhere as an employee of the Board.
- d) **Discretion:** The Board shall have absolute discretion to accept or to deny consent to an Institute of Learning or deny sponsorship to any Course/participant.
- e) **Correspondence with the Board:** All the correspondences and queries regarding the Guidelines/Course should be made by mail to: workshop.ip@ibbi.gov.in.
- f) **Relaxations:** Chairperson, IBBI may relax any of the provisions of these Guidelines in respect of an Institute of Learning or a Participant.

**7. Commencement:** These Guidelines shall come into force on 5<sup>th</sup> May, 2021 and accordingly, an Institute of Learning may conduct a Course on any day on or after 5<sup>th</sup> May, 2021.

**8. Review:** These Guidelines will be reviewed by the Board from time to time.

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**Application Seeking Association of the IBBI for conducting Summer/ Winter/ Short Term/ Certificate Courses on IBC and its ecosystem**

We hereby seek consent of the IBBI to associate in conducting Summer/Winter/Short Term/Certificate Courses on IBC and its ecosystem, as under:

1. Details of the Institute of Learning

Name of the Institute	
Address	
Name of the Coordinator/designation and ID No.	
Email and Mobile number of the Coordinator	
Name, mobile no. and Email of the Vice Chancellor / Dean / Head of the Institute of Learning	

2. We wish to conduct a \_\_\_\_\_ (Duration and Name of Course), at \_\_\_\_\_ (city) on \_\_\_\_\_ (proposed dates).

3. The prospective participants for the Course are \_\_\_\_\_ (students/professionals/other, please specify).

4. We expect at least \_\_\_\_\_ (please state the number) participants.

5. The detailed proposed draft brochure (outlining course title, duration, schedule, speakers, fees, venue, etc.) of the Course is attached herewith.

**Certification of the Competent Authority at the Institute of Learning**

We certify that the above information and credentials are correct. We have gone through the “Insolvency and Bankruptcy Board of India - Guidelines for Association for Summer/Winter/Short Term/Certificate Courses with Academic Institutions/ Civil Services Academies/ Judicial Academies, 2021” and agree to abide by the terms and conditions specified therein.

Signature with date	
Name of the authorized official	
Designation and ID No.	
E-mail ID and Mobile No.	
Office Address	

**Undertaking**

**(To be obtained on letterhead of the Institute of Learning)**

**Sub: Declaration regarding sponsorship of \_\_\_\_\_ (name and duration of Course).**

We acknowledge the Insolvency and Bankruptcy Board of India for accepting our request to associate with the \_\_\_\_\_ (name of the course and duration) at \_\_\_\_\_ (City) on \_\_\_\_\_ proposed dates).

We undertake that the course shall not have as a sponsor, a Corporate Debtor/ Financial Creditor/ Operational Creditor/ Personal Guarantor/ Service Provider/ Professional engaged by the Service Provider, who is/are involved in any ongoing processes under the Code.

Signature, date and seal  
Authorized Representative of the organizing Entity

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