



feINDIAN INSTITUTE OF BANKING & FINANCE

(An ISO 9001 - 2015 CERTIFIED ORGANISATION)

Kohinoor City, Commercial-II, Tower-1, 2nd Floor, Kiroli Road, Kurla (West), Mumbai - 400 070

Website: www.iibf.org.in

Certificate Course on Resolution of Stressed Assets with Special Emphasis on Insolvency and Bankruptcy Code, 2016 for Bankers (Remote Proctored mode) Rules & Syllabus 2020

OBJECTIVE

The Insolvency and Bankruptcy Code, 2016 is an Act to consolidate and amend the laws relating to reorganization and insolvency resolution of corporate persons, partnership firms and individuals in a time bound manner.

The certificate course aims to develop among banking professionals and employees an understanding of the Code, procedure to be followed for resolution of stressed assets, role of bankers in an insolvency resolution process under the Code and to further strengthen their capacity to discharge their duties and responsibilities, including commercial decisions with utmost care and diligence, in the best interests of all stakeholders.

MOU with Insolvency and Bankruptcy Board of India (IBBI)

An MOU has been entered into by IIBF with IBBI. As per the MOU, IBBI will be a knowledge partner with IIBF for the certificate course.

REMOTE PROCTORED MODE

Remote proctoring allows candidates to take an examination at a location of his/her choice while ensuring the integrity of the examination. These systems require students to confirm their identity, and, during the examination, the system monitors students through video, mic, etc. looking for behavior that could indicate unfair practices. Examinations are conducted over internet using a Desktop/Laptop. Taking examination using any other device is not permitted e.g. mobiles, tabs, etc.

ELIGIBILITY

1. Members and Non-Members of the Institute
2. Candidates must have passed the 12th standard examination in any discipline or its equivalent

SUBJECT OF EXAMINATION

Insolvency and Bankruptcy Code

PASSING CRITERIA:

Minimum marks to pass in the subject is 50 out of 100.

The certificate to be issued to the successful candidates by IIBF will indicate association of IBBI as a knowledge partner.

EXAMINATION FEES*:

Particulars	For Members	For Non-Members
First attempt	Rs.1,100/- *	Rs.1,600/- *
Subsequent each attempt	Rs.1,100/- *	Rs.1,600/- *

* Plus Convenience charges and Taxes as applicable.

Please Note: Candidates are required to Register for every attempt separately.

While registering online for the examination candidates will have to choose examination date / time slot of his/her choice, the exam date/time will be allotted on first-cum-first-serve basis.

Candidates are required to take utmost care and precaution in selecting Exam Date and Time slot, as there is no provision to change the Exam date and Time slot in the system. Hence no request for change of Exam date and time slot will be entertained for any reason.

The fee once paid will **NOT** be refunded or adjusted on any account.

MEDIUM OF EXAMINATION:

Examination will be conducted in English only.

PATTERN OF EXAMINATION:

- (i) Question Paper will contain 100 objective type multiple choice questions for 100 marks.
- (ii) The examination will be held in the remote proctored mode only.
- (iii) There will NOT be negative marking for wrong answers.

DURATION OF EXAMINATION:

The duration of the examination will be of 2 hours.

PERIODICITY:

Examination will be conducted on pre-announced dates published on IIBF Web Site. Institute conducts the examination on 2nd & 4th Saturday and on all Sunday's. However, periodicity of the examination may be changed depending upon emerging requirements.

PROCESS

Registration

- 1) Application for examination should be registered online from the Institute's website www.iibf.org.in. The schedule of examination and dates for registration will be published on IIBF website.
- 2) At the time of registration, the candidate will select date/time of the examination.
- 3) At the time of registration, the candidate can register for e-book, if required, by paying the requisite additional fees.
- 4) The study material can be in the form of a hard book and e-book.
- 5) Based on the option selected (e-book) the candidate will be provided access to the e-book..
- 6) On successful registration, admit letter will be generated. Candidates can download it.

Examination

- 1) Candidates will take examination under remote proctored mode on predetermined date/time from a secured environment. (refer Do's and Don'ts section for more information)
- 2) Candidates should login to the system half an hour before the exam start time.
- 3) The examination proctor will verify the candidate's face with the registered photo image of the candidate.
- 4) Candidate will also be asked to display any valid original photo id-card (Aadhaar card/e-Aadhaar/Employer's card/ PAN Card/ Driving License/ Election voter's card/ Passport etc.) for verification purpose. After successful verification the proctor will allow the candidate to start the examination.
- 5) Candidate may be required to show 360° view of the exam area using the webcam. So that the proctor can identify the object/check the suitability of the exam area/environment. A clear desk/table has to be ensured for appearing for the examination. No reference materials, books, notes, periodicals, mathematical tables, slides rules, stencils, post-its, chits, mobile phones, headsets (wired/ wireless), any other electronic gadgets are allowed to be kept on the table or the desk.
- 6) Both sides of the rough sheet (if it is going to be used) should be shown to proctor before and after the examination.
- 7) Once the examination begins live remote proctoring of the candidate's activities will take place throughout the examination period.
- 8) Under remote proctoring candidate's activities will be monitored using webcam, mic etc. Computer screen, browser, mouse, keyboard etc. will be monitored.
- 9) Proctor, if required, can convey information/ instructions to the candidate using chat box.
- 10) If a candidate indulges in unfair practices/suspicious acts, the proctor will intervene and warn the candidate through chat box or can cancel/stop the examination immediately as the case may be.
- 11) After completion of the examination/submission, provisional scorecard will be displayed on the screen.
- 12) **RESULT ADVICE/ CONSOLIDATED MARKSHEET/ FINAL CERTIFICATE**

- a. Result Advice of candidates will be hosted on Institute's website on declaration of result, which can be downloaded by the candidates.
- b. Consolidated mark sheet for candidates completing examination having more than one subject, will be available on the Institute's website after the declaration of results. Candidates can download the same after entering login credentials using their membership number and edit profile password.
- c. For passed candidates, digitally signed certificate will be sent through e-mail registered with the Institute within 3 weeks after the declaration of result. The Paper Certificate issued by the Institute is discontinued.

Minimum System Requirement:

- I) Desktop/Laptop:
 - Browser: Google Chrome version 75 & above, with cookies & popups enabled
 - Video/Audio: Webcam and a good quality Mic is required
 - Operating system: Windows 8 or 10
 - RAM & Processor: 4 GB+ RAM, i3 5th Generation 2.2 Ghz or equivalent/higher
 - Pop-up blocker: Disabled
- II) Internet Connection:
 - Stable internet connection with at-least 2 mbps+ upload speed

Examination not allowed on mobiles or tablets

Do's and Don'ts

1. The candidate will take the examination from a secured environment.
 - i. Place having desk and chair preferably with plain backdrop (area behind the candidate) with adequate lighting so that the candidate is visible to the proctor. The place should be noise free with no public movement in the surroundings. All the items should be removed from the desk except computer/external webcam (if internal webcam is not available) /keyboard/mouse, other permitted items, if any.
 - ii. Examination will not be conducted if the examination area is a Public place, a noisy environment, having inadequate lighting, having public movement in examination area/around the candidate, having other computer or similar device in the examination area.
 - iii. The examination cannot be taken sitting on a couch, bed or on the floor.
2. Candidate's will take examination on a registered date/time from a secured environment. Candidate who tries to appear after the scheduled examination date/time will not be allowed to appear for the examination.
3. Candidate's should login to the system half an hour before the examination start time.
4. No other persons are allowed in the examination area during the examination.
5. Candidate must keep ready his/her original photo identity card that has name and photo on the same side, admit letter, rough sheet, pen/pencil and calculator.
6. Candidates must dress decently as though they are in a public place and will be video recorded
7. Candidates must not talk to anyone during the examination period or talk/read to oneself loudly.
8. In case of emergency he/she can talk to helpdesk in case of any technical issue with permission from proctor.
9. Candidates must not use headphones, ear buds, or any other type of listening equipment.
10. Candidates must not communicate with any other person by any means.
11. Candidates must not use any phone for any reason.
12. Candidates must not leave the room/examination area during the examination for any reason without the permission of the proctor. Leaving the room/examination area or moving to another room/area during the examination for any reason will be treated as a violation of examination rules.
13. Candidates must not setup the computer at the time of examination. All the settings need to be done much before the examination time and tested properly. For any failure of the computer system during the examination period, Institute will not be responsible and candidate will lose his/her attempt.
14. Candidates must not switch off the webcam or mic or cover the webcam during the examination.

15. Candidates must not navigate away from examination window.
16. Candidate's face must be positioned in the middle of the camera view and candidate's face must be visible throughout the Examination.
17. Don't Position camera too low, too high or hooked onto a different monitor. Weird camera angles can be very distracting -- and unflattering -- during examination. The candidate should make sure that the camera is at eye level and on the monitor which is used for the examination.
18. Candidate must not look away from laptop/desktop screen, must face computer screen.
19. Candidate must not seek any assistance or refer study material/mobile/ for answering the questions.
20. Candidate must ensure that he/she has attempted every question and reviewed the accuracy of his/her answers before submitting the paper. Once submitted (even by mistake), re-examination will not be permitted.
21. On the exam day candidate is advised to ensure that the Laptop is fully charged and in case of Desktop it is connected to an uninterrupted power source for smooth conduct of examination.
22. Candidates are not permitted to logout/switch-off the computer for the sake of going to washroom and if they log out/switch-off, re-login will not be permitted.
23. Candidates will be allowed to use battery operated portable calculator during the examination. The calculator can be of any type up to 8 functions i.e. (Addition, Subtraction, Multiplication, Division, Percentage, Sq. root, Tax+ and Tax-), having 12 digits. Attempt to use any other type of calculator not complying with the specifications indicated above or having more features than mentioned above shall tantamount to use of unfair means. Scientific/Financial calculator is NOT allowed.

Debarment/Cancellation of examination:

- 1) If a candidate indulges in unfair practices/suspicious acts, the proctor will intervene and warn or cancel the test.
- 2) For any case of misconduct, the proctor can warn/cancel the test immediately as the case may be.
- 3) For any unfair act (cheating) during the examination, the result of such examination may be cancelled and he/she will be liable for punishment. Institute will also inform the employer of the candidate by giving the details of unfair practice and punishment levied on the candidate.
- 4) If the unfair act is determined after the examination, the result of such examination will be cancelled and he/she will be liable for punishment.
- 5) If any candidate attempts copying Onscreen question, takes photoshops or violates any of the examination rules, it will be considered to be an act of misconduct and he/she will be liable for punishment.
- 6) PLEASE REFER INSTITUTE'S WEBSITE UNDER THE MENU "EXAM RELATED" FOR DETAILS OF DEBARMENT PERIOD FOR UNFAIR PRACTICES ADOPTED BY CANDIDATES DURING CONDUCT OF INSTITUTE'S EXAMINATIONS.

Privacy

During the remote proctored examination, Images/Videos/Sounds of the candidates and their computer systems will be captured and stored for examination proctoring purposes. It is envisaged that candidates who register for the remote proctored examinations agree for the same.

PROOF OF IDENTITY

Non-members applying for Institute's examinations/ courses are required to attach/ submit a copy of any one of the following documents containing Name, Photo and Signature at the time of registration of Examination Application. Application without the same shall be liable to be rejected.

- 1) Photo ID Card issued by Employer or 2) PAN Card or 3) Driving License or 4) Election Voter's ID Card or 5) Passport 6) Aadhaar Card

STUDY MATERIAL/ COURSEWARE

The Institute has developed a courseware to cover the syllabus. The courseware (book) for the subject/s will be available at outlets of publisher/s. Please visit IIBF website www.iibf.org.in under the menu "Exam Related" for details of book/s and address of publisher/s outlets. Candidates are advised to make full use of the courseware. However, as banking and finance fields are dynamic, rules and regulations witness rapid changes. Therefore, the courseware should not be considered as the only source of information while preparing for the

examinations. Candidates are advised to go through the updates put on the IIBF website from time to time and go through Master Circulars/ Master Directions issued by RBI and publications of IIBF like IIBF Vision, Bank Quest, etc. All these sources are important from the examination point of view. Candidates are also to visit the websites of organizations like RBI, IBBI etc. besides going through other books & publications covering the subject/ exam concerned etc. Questions based on current developments relating to the subject/ exam may also be asked.

CUT-OFF DATE OF GUIDELINES/ IMPORTANT DEVELOPMENTS FOR EXAMINATIONS

The Institute has a practice of asking questions in each exam about the recent developments/ guidelines issued by the regulator(s) in order to test if the candidates keep themselves abreast of the current developments. However, there could be changes in the developments/ guidelines from the date the question papers are prepared and the dates of the actual examinations.

In order to address these issues effectively, it has been decided that:

- (i) In respect of the examinations to be conducted by the Institute for the period March to August of a calendar year, instructions/ guidelines issued by the regulator(s) and important developments in banking and finance up to 31st December will only be considered for the purpose of inclusion in the question papers".
- (ii) In respect of the examinations to be conducted by the Institute for the period September to February of a calendar year, instructions/ guidelines issued by the regulator(s) and important developments in banking and finance up to 30th June will only be considered for the purpose of inclusion in the question papers.

The table given below further clarifies the situation.

Particulars Developments for Examination/s	Cut-off Date of Guidelines/ Important Developments for Examination/s
For the examinations to be conducted by the Institute for the period March to August	31st December
For the examinations to be conducted by the Institute for the period September to February	30th June

SYLLABUS

The details of the prescribed syllabus which is indicative are furnished in the booklet. However, keeping in view the professional nature of examinations, all matters falling within the realm of the subject concerned will have to be studied by the candidate as questions can be asked on all relevant matters under the subject. Candidates appearing for the examination should particularly prepare themselves for answering questions that may be asked on the latest developments taking place under the various subject/s of the said examination although those topics may not have been specifically included in the syllabus. The Institute also reserves to itself the right to vary the syllabus/ rules/ fee structure from time to time. Any alterations made will be notified from time to time. Further, questions based on current developments in banking and finance may be asked.

Candidates are advised to refer to financial newspapers/ periodicals more particularly "IIBF VISION" and "BANK QUEST" published by the Institute.

Resolution of Stressed Assets with Special Emphasis On Insolvency and Bankruptcy Code, 2016 for Bankers

MODULE – A: OVERVIEW OF CREDIT RECOVERY AND INSOLVENCY LAWS IN INDIA CHAPTER 1: CREDIT RECOVERY LAWS FOR BANKS

- 1.1 Objectives
- 1.2 Credit recovery laws in India
- 1.3 Legal process for credit recovery
- 1.4 Legal adjudication: Why delays occur and remedies

- 1.5 Costs of recovery & optimisation thereof
- 1.6 Deciding between out-of-court settlement and legal action
- 1.7 Important recovery cases and lessons learnt.

CHAPTER 2: EVOLUTION OF INSOLVENCY AND BANKRUPTCY CODE

- 2.1 Objectives
- 2.2 Genesis of the Insolvency and Bankruptcy Code (IBC) and setting up of IBBI
- 2.3 Insolvency versus liquidation
- 2.4 Necessity for laws on insolvency
- 2.5 Where did Sick Industrial Companies Act, and other RBI schemes fall short?
- 2.6 Development of Insolvency and Bankruptcy Code, 2016

MODULE – B: EVOLUTION & PRACTICE OF INSOLVENCY AND BANKRUPTCY CODE

CHAPTER 3

BANKRUPTCY LAWS – CROSS COUNTRY EXPERIENCE

- 3.1 Objectives
- 3.2 Framework for restructuring financially distressed assets
- 3.3 Efficiency issues in restructuring
- 3.4 Bank receivership v/s Bankruptcy Codes: Impact on operations and efficiency of credit recovery
- 3.5 Bankruptcy codes: Cross country experience: USA, UK, Sweden, France, Germany etc.
- 3.6 Learnings from cross country experience
- 3.7 Important international cases

CHAPTER 4

STRUCTURE OF THE IBC

- 4.1. Objectives
- 4.2. Division of chapters under the Code
 - 4.2.1. Preliminary
 - 4.2.2. Insolvency Resolution and Liquidation for Corporate Persons
 - 4.2.3. Insolvency Resolution and Liquidation for Individuals and Partnership Firms
 - 4.2.4. Regulation of Insolvency Professionals, Agencies and Information Utilities
 - 4.2.5. Miscellaneous
- 4.3. Rules, regulations, and notifications

MODULE – C: CORPORATE INSOLVENCY RESOLUTION PROCESS (CIRP)

CHAPTER 5

INITIATION OF CIRP

- 5.1 Objectives
- 5.2 Who can initiate CIRP?
- 5.3 Prerequisites for initiating insolvency by financial creditor, operational creditor or corporate debtor
- 5.4 Who is a financial creditor, operational creditor and other creditor?
- 5.5 What constitutes a financial debt, operational debt and other debt?
- 5.6 Relevant provisions, rules, and regulations
- 5.7 Application to Adjudicating authority: Formats for application
- 5.8 Adjudication process
- 5.9 Grounds for rejection of application
- 5.10 Essential things to adopt

CHAPTER 6

COMMENCEMENT OF CIRP

- 6.1 Objectives
- 6.2 Commencement of CIRP
- 6.3 Public announcement and invitation to creditors to file claims
- 6.4 Verification of claims and constitution of Committee of Creditors (CoC)
- 6.5 Appointment of authorised representatives of CoC members to participate in the CoC

- 6.6 Conduct of CoC meeting and voting
- 6.7 Duties and powers of CoC
- 6.7.1 Appointment / change of IRP / RP
- 6.7.2 Facilitating CIRP by IRP / RP
- 6.7.3 Approval of CIRP cost and certain actions
- 6.7.4 Approval of Resolution Plan
- 6.8 Role of promoters / directors, and company management during CIRP
- 6.9 Requisites for effective participation in the CoC by bankers

CHAPTER 7

ROLES AND DUTIES OF IRP AND RP

- 7.1 Responsibilities and duties IRP and RP
- 7.1.1 Management of affairs of the corporate debtor
- 7.1.2 Duties of IRP
- 7.1.3 Implied skills and capabilities of IRP
- 7.2 Conducting and regulating the meetings of the CoC
- 7.3 Preparation of the Information Memorandum
- 7.4 Finalising eligibility and qualification criteria for resolution applicants in consultation with CoC
- 7.5 Inviting eligible Resolution Applicants to submit resolution plans
- 7.6 Evaluation matrix for resolution plans
- 7.7 Evaluating resolution plans and examining for compliances
- 7.8 Filing petition for approval of resolution plan approved by the CoC
- 7.9 Engaging lawyers, accountants and other professionals

CHAPTER 8

CATALYSING SUCCESSFUL RESOLUTION PLAN

- 8.1 Objectives
- 8.2 What is a resolution plan?
- 8.3 Requisites effective business plan: Beyond prescribed contents
- 8.4 Evaluation and approval of Resolution Plan by CoC: Factors considered
- 8.5 Is resolution applicant necessarily to be made part of the discussions on the resolution plan?
- 8.6 Does CoC need to give reasons for approval/rejection of the resolution plan?
- 8.7 Can the resolution applicant challenge rejection of its resolution plan?
- 8.8 Submission of the resolution plan to Adjudicating Authority (AA)
- 8.9 Resolution plan: Adjudicating powers of AA
- 8.10 Consequences of rejection of resolution plan
- 8.11 Liquidation- time lines, process&distribution waterfall

CHAPTER 9

FAST TRACK CIRP

- 9.1 Objectives
- 9.2 What is fast track CIRP?
- 9.3 Timelines
- 9.4 How to start fast track CIRP

CHAPTER 10

FAILURE OF CIRP OR BUSINESS: LIQUIDATION & VOLUNTARY LIQUIDATION

- 10.1 Why does the CIRP fail
- 10.2 Liquidation process & regulations
- 10.3 PUFFE: Preferential, Undervalued, Fraudulent and Extortionate transactions
- 10.4 Role of liquidator
- 10.5 How to handle moral hazard in liquidation
- 10.6 Who can initiate voluntary liquidation?
- 10.7 Voluntary liquidation process & regulations

MODULE – D: INSOLVENCY RESOLUTION PROCESS FOR NON-CORPORATE ENTITIES

CHAPTER 11

INSOLVENCY RESOLUTION PROCESS FOR INDIVIDUALS AND FIRMS

- 11.1 Objectives
- 11.2 Application for insolvency and bankruptcy resolution
- 11.3 Fresh start process
- 11.4 Appointment of resolution professional
- 11.5 Examination and admission of application
- 11.6 Resolution of objections / applications of creditors / debtors
- 11.7 Insolvency resolution process
- 11.8 Adjudication: Acceptance or rejection of repayment plan
- 11.9 Important case laws and lessons drawn

MODULE – E: OTHER IMPORTANT PROVISIONS / MATTERS

CHAPTER 12

ADJUDICATION, APPEALS, OFFENCES & PENALTIES

- 12.1 Adjudicating authority for corporate persons
- 12.2 Adjudicating authority for individuals and partnership firms
- 12.3 Jurisdiction
- 12.4 Appeals
- 12.5 Special courts
- 12.6 PUFFE: Preferential, Undervalued, Fraudulent and Extortionate transactions
- 12.7 Trial of offences by Special Court
- 12.8 Primacy of IBC

CHAPTER 13

REGULATORY & MISCELLANEOUS ASPECTS

- 13.1 Institutional framework
- 13.2 Regulation of various entities
- 13.3 Repeal / amendments of certain enactments
- 13.4 Empowerment of central government and IBBI to make rules and regulations respectively
- 13.5 Taking control / custody of assets located in a foreign country

MULTIPLE CHOICE QUESTIONS (MCQS) AND ANSWERS

"The Institute conducts its examinations through Multiple Choice Questions (MCQs). These MCQs are part of the Question Bank of the Institute and its Intellectual Property. As a matter of policy, these MCQs and their answers will not be shared by the Institute with the candidates or others and no correspondence in this regard will be entertained."

CONTACT DETAILS:

Register your queries through website www.iibf.org.in > Members/ Candidates Support Services (Help) or email all your queries to care@iibf.org.in

MEMBER SUPPORT SERVICE OFFICE:

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Cuffe Parade,
Mumbai - 400 005

Tel.: 022-2218 3302/ 2218 5134

FOR TRAINING/ CONTACT CLASSES RELATED QUERIES CONTACT:

Leadership Centre
Indian Institute of Banking & Finance
Kohinoor City, Commercial-II, Tower-I, 3rd Floor,
Kiroi Road, Off L. B. S. Marg,
Kurla West,
Mumbai 400 070.

Tel.: 022 6850 9746/ 9604/ 9907

E-mail: training@iibf.org.in

PROFESSIONAL DEVELOPMENT CENTRES:

South Zone	North Zone	East Zone
Indian Institute of Banking & Finance No. 94, Jawaharlal Nehru Road, (100 Feet Road), Opp. Hotel Ambica Empire, Vadapalani, Chennai – 600 026. Tel. : 044-2472 2990/ 2472 8587 E-mail : iibfsz@iibf.org.in	Indian Institute of Banking & Finance 102-113, Vikrant Towers, 1st Floor, 4 Rajendra Place, New Delhi – 110 008. Tel. : 011-2575 2191/ 92 E-mail : iibfnz@iibf.org.in	Indian Institute of Banking & Finance Avani Heights, 2 nd Floor, 59A, Jawaharlal Nehru Road, Kolkatta – 700 020. Tel. : 033-4603 2850 E-mail : iibfez@iibf.org.in

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