

Insolvency and Bankruptcy Board of India

15th April, 2026

DISCUSSION PAPER ON AMENDMENTS TO IBBI (INSPECTION AND INVESTIGATION) REGULATIONS, 2017

Background

1. Consequential to the Insolvency and Bankruptcy Code (Amendment) Act, 2026 (**Amendment Act**), there is a need to amend the IBBI (Inspection and Investigation) Regulations, 2017 (Regulations).
2. The clause 2 of the Amendment Act amends section 3 of the Code by inserting a definition of the term 'service provider' to include an insolvency professional, insolvency professional agency, information utility registered with the Insolvency and Bankruptcy Board of India ('Board'), and other persons notified by the Central Government for rendering services in relation to the insolvency and bankruptcy processes under the Code. The Amendment Act thus introduces 'service provider' as a defined term under the Code, bringing all relevant entities under a single, unified definition.
3. The clauses 63 and 64 of the Amendment Act also amend sections 217 and 218 respectively dealing with complaints and investigations under the Code, to substitute the words "insolvency professional agency or insolvency professional or information utility", wherever they occur in the section, with the term "service provider", as a common definition of "service provider" is inserted into section 3 of the Code. Therefore, these provisions will apply to all types of persons covered under the definition of "service provider".
4. Further, clause 66 of the Amendment Act amends section 220 of the Code to clarify and expand the constitution and the powers of the Disciplinary Committee, including the power to direct disgorgement of unlawful gains, and provide for restitution to affected persons. The Amendment Act also amends the constitution of the disciplinary committee of the Board to consist of one or more persons from amongst its chairperson, whole-time members or officers not below the rank of the Executive Director.

Proposal

5. In view of the changes in the Amendment Act, the following is proposed:
 - (a) Definitions of 'service provider' and 'disciplinary committee' in the IBBI (Inspection and Investigation) Regulations, 2017 are proposed to be aligned with the Amendment Act.
 - (b) Consequential amendments in the Regulations pursuant to amendments in sub-section (4) and (5) of section 220 regarding power of the Disciplinary Committee to direct disgorgement.
6. Additionally, the following is also proposed:

Amendments may be made in the Regulations that the relevant Form for submitting claim for restitution from the disgorged amount may be notified through a Circular instead of being embedded in the regulations, to provide operational flexibility and reduce regulatory burden. No change is suggested in the content of the present Form.

Proposed Amendments

7. A draft of proposed notification for amendment of the Insolvency and Bankruptcy Board of India (Inspection and Investigation) Regulations, 2017 in this regard is prepared and placed at **Annexure**.
8. **Public comments:** The Board accordingly solicits comments on the proposals discussed above and the draft regulations proposed above. After considering the comments, the Board proposes to make regulations under clauses (aa), (f) and (t) of sub-section (1) of section 196 read with section 240 of the Code. The process for submission of comments is provided at **Pages 5 & 6**.
9. The last date for submission of comments is **28th April, 2026**.

**THE GAZETTE OF INDIA
EXTRAORDINARY
PART III, SECTION 4
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NEW DELHI, 2026**

INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

NOTIFICATION

New Delhi, the2026

Insolvency and Bankruptcy Board of India (Inspection and Investigation) (Amendment) Regulations, 2026.

No. IBBI/2025-26/GN/REG.....— In exercise of the powers conferred by section 196 read with section 240 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016), the Insolvency and Bankruptcy Board of India hereby makes the following regulations to further amend the Insolvency and Bankruptcy Board of India (Inspection and Investigation) Regulations, 2017, namely:-

1. (1) These regulations may be called the Insolvency and Bankruptcy Board of India (Inspection and Investigation) (Amendment) Regulations, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Insolvency and Bankruptcy Board of India (Inspection and Investigation) Regulations, 2017, (hereinafter referred to as ‘the principal regulations’), in sub-regulation (1) of regulation 2 :-

(i) In clause (c), for the words “of whole time member(s) constituted by the Board” the words “consisting of one or more persons as provided” shall be substituted.

(ii) In the proviso to clause (c), for the words “whole time member(s)” the word “person(s)” shall be substituted.

(iii) In clause (j), for the words “means insolvency professional agency, insolvency professional, insolvency professional entity or information utility” the words “shall have the same meaning as assigned in clause (31A) of section 3 of the Code” shall be substituted.

3. In the principal regulations, in clause (c) of sub-regulation (3) of regulation 13, after the words “any of the actions” the words “or directions” shall be inserted.

4. In the principal regulations, in sub-regulation (1) of regulation 14, after the words “direction has been issued” the words “by the Disciplinary Committee” shall be inserted.
5. In the principal regulations, in sub-regulation (3) of regulation 14, for the words “Form A” the words “such format as notified by the Board” shall be substituted.
6. In the principal regulations, after Chapter V, “Form A” shall be omitted.

RAVI MITAL, Chairperson

[....]

Note: The Insolvency and Bankruptcy Board of India (Inspection and Investigation) Regulations, 2017 were published vide Notification No. IBBI/2017-18/GN/REG011 on 12th June, 2017 in the Gazette of India, Extraordinary, Part III, Section 4, No. 239 dated 12th June, 2017 and were last amended by the Insolvency and Bankruptcy Board of India (Inspection and Investigation) (Amendment) Regulations, 2025 published vide Notification No. IBBI/2024-25/GN/REG118, dated the 28th January 2025 in the Gazette of India, Extraordinary, Part III, Section 4, No. 79 on 28th January 2025.

Process for submission of Public Comments

The comments may be submitted electronically by 28th April, 2026. For providing comments, please follow the process as under:

- i. Visit IBBI website at www.ibbi.gov.in;
- ii. Select 'Public Comments', then select 'Discussion paper – Inspection & Investigation - April 2026'
- iii. Provide your Name and Email-ID;
- iv. Select the stakeholder category, namely, -
 - a. Corporate Debtor;
 - b. Personal Guarantor to a Corporate Debtor;
 - c. Proprietorship firms;
 - d. Partnership firms;
 - e. Creditor to a Corporate Debtor;
 - f. Insolvency Professional;
 - g. Insolvency Professional Agency;
 - h. Insolvency Professional Entity;
 - i. Academics;
 - j. Investor; or
 - k. Others.
- v. Select the kind of comments you wish to make, namely,
 - a. General Comments; or
 - b. Specific Comments.
- vi. If you have selected 'General Comments', please select one of the following options:
 - a. Inconsistency, if any, between the provisions within the regulations (intra regulations);
 - b. Inconsistency, if any, between the provisions in different regulations (inter regulations);
 - c. Inconsistency, if any, between the provisions in the regulations with those in the rules;
 - d. Inconsistency, if any, between the provisions in the regulations with those in the Code;
 - e. Inconsistency, if any, between the provisions in the regulations with those in any other law;
 - f. Any difficulty in implementation of any of the provisions in the regulations;

- g. Any provision that should have been provided in the regulations, but has not been provided; or
- h. Any provision that has been provided in the regulations but should not have been provided.

And then write comments under the selected option.
