



KLE SOCIETY'S KLE COLLEGE OF LAW, NAVI MUMBAI

COURSE PLAN

A.Y. 2022-2023

SECTION-I

CLASS: Fourth Year B.L.S.

SEMESTER: VIII

COURSE NAME: BANKRUPTCY LAWS

HOURS PER WEEK: 6 hours

FACULTY NAME: PROF. KRITIKA SINGH

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CREDITS: 4

COURSE TYPE: CORE SUBJECT

COURSE OBJECTIVES: Insolvency is a financial malaise that afflicts the economy and society. Law has to effectively deal with this malaise. Indian Parliament has repealed the laws dealing with insolvency and bankruptcy and passed the Insolvency and Bankruptcy

Code, 2016(IBC) to consolidate the laws relating to insolvency and bankruptcy of corporate persons, individuals and corporate firms and to expedite resolutions with maximization of the value of assets. The objective of this course is to teach and learn IBC in depth. This course will include the study of the historical background of IBC, aims and objectives of IBC, the role, powers and functions of Insolvency Bankruptcy Board of India, provisions of IBC as to corporate persons, Limited Liability Partnership firms, individuals and partnership firms.

COURSE OUTCOMES:

1. Understand laws applicable to creditors' rights and bankruptcy in general.
2. Apply basic business concepts in accounting, finance, and economics specifically relevant and related to the understanding of bankruptcy
3. Analyse issues related to advising the debtor or creditors arising under federal bankruptcy law, including issues related to bankruptcy claims, making claims under bankruptcy and avoidance.
4. Evaluate the basic transactional processes involved in the pursuit of creditors' claims and bankruptcy.
5. Create and appreciate the relationship between the government and IBBI to understand Board's Fund, Insolvency and Bankruptcy Fund, relevant regulations framed by IBBI and rules framed by the government.

SECTION-II

BANKRUPTCY LAWS

Unit number and title	Unit details	Week (starting and end dates)	Hours per week	Teaching learning methods used)/ activities and or class trips/ dates for assessment	Resource/ Reference details
1 Historical background and constitutional allocation of the subject of insolvency and bankruptcy		3 weeks	3	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F 7. Law of Insolvency By: Singh Avtar
1.2 Preliminary under IBC	Short title, extent and commencement of IBC		1	Presentation, Lecture and participative learning, group discussion	Taxmann's Insolvency and Bankruptcy Code 2016 (latest edition)
	Application of IBC		2	Presentation, Lecture and participative learning	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
	Definitions under IBC		2	Presentation, Lecture and participative learning ,group discussion	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
1.3 Miscellaneous	Insolvency and Bankruptcy Fund		1	Presentation, Lecture and participative learning	Taxmann's Insolvency and Bankruptcy Code 2016

					(latest edition)
	Power of Central Government		1	Presentation, Lecture and participative learning	1. https://ipaicmai.in/ 2. https://www.ibbi.gov.in/ 3. https://www.mca.gov.in/Ministry/pdf/TheInsolvencyandBankruptcyofIndia.pdf
	Bar of jurisdiction		2	Presentation, Lecture and participative learning, group discussion	1. https://ipaicmai.in/ 2. https://www.ibbi.gov.in/ 3. https://www.mca.gov.in/Ministry/pdf/TheInsolvencyandBankruptcyofIndia.pdf
	Protection of action taken in good faith		1	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F
	Appeal and revision		1	Presentation, Lecture and participative learning	. https://www.ibbi.gov.in/uploads/publication/e42fdce80e99d28b683a7e21c81110e.pdf
	IBC to override other laws		1	Presentation, Lecture and participative learning, group discussion	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
	Limitation		1	Presentation, Lecture and participative learning	. https://www.ibbi.gov.in/uploads/publi

					cation/e42fd dce80e99d2 8b683a7e21 c811 10e.pdf
			1		
2.1 CIRP		2 weeks	1	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F
2.2 Fast Track CIRP			2	Presentation, Lecture and participative learning	<a href="https://www.ibbi.gov.in/uploads/publication/e42fd
dce80e99d2
8b683a7e21
c811 10e.pdf">https://www .ibbi.gov.in/u ploads/publi cation/e42fd dce80e99d2 8b683a7e21 c811 10e.pdf
2.3 Voluntary Liquidation Process			2	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F
2.4 Prepackaged Insolvency Resolution Process			2	Presentation, Lecture and participative learning, group discussion	Law of Insolvency in India By: Mulla, D. F Law of Insolvency By: Singh Avtar
2.5 Adjudicating Authorities and Appellate Authorities			2	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F
2.6 Offences and Penalties			1	Presentation, Lecture and participative learning	. <a href="https://www.ibbi.gov.in/uploads/publication/e42fd
dce80e99d2
8b683a7e21
c811 10e.pdf">https://www .ibbi.gov.in/u ploads/publi cation/e42fd dce80e99d2 8b683a7e21 c811 10e.pdf
3.1 Fresh Start process for individuals and partnership firms		2 weeks	4	Presentation, Lecture and participative learning	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
3.2 Insolvency resolution			3	Presentation,	. https://www

process for individuals and partnership firms				Lecture and participative learning, group discussion	.ibbi.gov.in/uploads/publication/e42fdce80e99d28b683a7e21c81110e.pdf
3.3 Bankruptcy order in respect of individuals and partnership firms			3	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F 7. Law of Insolvency By: Singh Avtar
3.4 Administration and Distribution of assets of the Bankrupt		3 weeks	6	Presentation, Lecture and participative learning	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
3.5 Adjudicating authorities and appellate authorities			5	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F 7. Law of Insolvency By: Singh Avtar
3.6 Offences and Penalties under Part III of IBC			5	Presentation, Lecture and participative learning, group discussion	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021
4.1 IBBI		2 weeks	2	Presentation, Lecture and participative learning	. https://www.ibbi.gov.in/uploads/publication/e42fdce80e99d28b683a7e21c81110e.pdf
4.2 Insolvency Professional Agencies			3	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F 7. Law of Insolvency

					By: Singh Avtar
4.3 Insolvency Professionals	1.Information Utilities 2.Insolvency Professionals Entities		2	Presentation, Lecture and participative learning	Law of Insolvency in India By: Mulla, D. F 7. Law of Insolvency By: Singh Avtar
4.5 Registered Valuers, and Registered Valuers' Organizations			2	Presentation, Lecture and participative learning	Vivek Sood, Emergence of Commercial Justice, Bloomsbury, 2021

SECTION-III

Course Outcome (CO) and Programme Outcome (PO) & Programme Specific Outcome (PSO1) Mapping

Course Outcome	Programme Outcome				
	PO1	PO2	PO3	PO4	PO5
CO1					
CO2		•			
CO3		•			
CO4				•	
CO5					

SECTION-IV

Course Outcome and Internal Assessment Mapping

Learning outcomes of the course	Components of Assessment		
	Internal Assessment 1 (Class Test)	Internal Assessment 2 (Research Project)	End Semester Exam
CO1: Remember and Understand	•		•
CO2: Apply			•

CO3: Analyze	•	•	
CO4: Evaluate	•	•	
CO5: Create		•	