

Insolvency and Bankruptcy Board of India
7th Floor, Mayur Bhawan, Connaught Place, New Delhi-110001

CIRCULAR

No. IBBI/LIQ/78/2024

29th October, 2024

To

All Registered Insolvency Professionals

All Recognised Insolvency Professional Entities

All Registered Insolvency Professional Agencies

(By mail to registered email addresses and on the website of the IBBI)

Dear Madam/Sir,

Sub: Centralized Electronic Listing and Auction Platform for the Sale of Assets under Liquidation Process

1. Regulation 33 (1) of the IBBI (Liquidation Process) Regulations, 2016 (Liquidation Regulations) provides that, *“The liquidator shall ordinarily sell the assets of the corporate debtor through an auction in the manner specified in Schedule I.”* Further, Clause (7) of Para 1 of Schedule I of the Liquidation Regulation provides that, *“From a date to be notified through circular by the Board, the liquidator shall sell the assets only through an electronic auction platform empanelled by the Board.”* Currently, the liquidators in the various liquidation process are selling the assets through various auction platforms and the details of a company's assets are typically made public only at the time of the auction notice. This practice leads to information asymmetry, as potential buyers have limited time to assess the value of the assets, often resulting in lower recovery rates. A centralised listing and auction platform where details of all assets under liquidation of CD are continuously available to the public provides an effective solution to these problems.

2. To address the above challenges, IBBI has collaborated with the Indian Banks' Association (IBA) to facilitate the auction of assets through the eBKray platform which is presently owned and managed by PSB Alliance Private Limited (a consortium of 12 public sector banks). eBKray has been conducting auctions for assets mortgaged to public sector banks under the SARFAESI Act for the past five years.

3. Accordingly, PSB Alliance has developed a module within the eBKray platform to facilitate the listing and auction of assets under IBC. This centralized platform offers detailed information on corporate debtor assets, including photographs, videos, and geographical coordinates. By enhancing transparency and efficiency through advanced technology, eBKray aims to increase bidder participation, streamline operations, and maximize returns for creditors while improving outcomes for bidders.

4. It will be a single listing platform to host all assets being sold in liquidation cases. This platform will require liquidators to list all assets of the CD as mentioned in the Asset Memorandum, including comprehensive details such as the status of the attachment or lien, geographical coordinates, and the likely date of auction. For GCS, the entire CD would be listed on this platform.

5. Initially, the platform is envisioned to be deployed on a pilot mode and it will be improved based on the experiences of usage. The full-fledged roll-out of the platform will be notified thereafter. The IPs can access the platform using their login details on the IBBI platform. The platform may be accessed by the prospective buyers at <https://ebkray.in> and FAQs and guide to use the platform are placed at <https://ibbi.gov.in/en/home/psb-alliance>

6. The IPs handling the liquidation processes are hereby directed that they:

(a) Shall list the details of all the unsold assets in respect of the ongoing liquidation processes on the eBKray platform; and

(b) Shall list all the assets within 7 days of submission of the asset memorandum to the Adjudicating Authority in respect of liquidation processes commencing on or after this circular; and

(c) May use the eBKray auction platform for the sale of assets on or after this circular in respect of all ongoing cases.

7. This circular shall come into force with effect from 01st November 2024.

8. This is issued in the exercise of the powers conferred under section 196 of the Insolvency and Bankruptcy Code, 2016.

Yours faithfully,

-Sd-

(Rajesh Tiwari)

General Manager