

Insolvency and Bankruptcy Board of India (Form of Annual Statement of Accounts) Rules, 2018

UNION OF INDIA

India

Insolvency and Bankruptcy Board of India (Form of Annual Statement of Accounts) Rules, 2018

Rule

INSOLVENCY-AND-BANKRUPTCY-BOARD-OF-INDIA-FORM-OF-ANNUAL STATEMENT OF ACCOUNTS) RULES, 2018

- Published on 1 May 2018
- Commenced on 1 May 2018
- [This is the version of this document from 1 May 2018.]
- [Note: The original publication document is not available and this content could not be verified.]

Insolvency and Bankruptcy Board of India (Form of Annual Statement of Accounts) Rules, 2018 Published vide Notification No. G.S.R. 423(E), dated 1.5.2018 G.S.R. 423(E). - In exercise of the powers conferred by clause (zh) of sub-section (2) of section 239 read with sub-section (1) of section 223 of the Insolvency and Bankruptcy Code, 2016 (31 of 2016), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Insolvency and Bankruptcy Board of India (Form of Annual Statement of Accounts) Rules, 2018. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires:- (a) "Code" means the Insolvency and Bankruptcy Code, 2016 (31 of 2016); (b) "Fund" means the Fund of the Board constituted under sub-section (1) of section 222 of the Code; (c) "Form" means form annexed to these rules; (d) "Schedule" means the Schedule annexed to these rules; (e) "year" means a financial year beginning on 1st April and ending on 31st March of the immediately following year. (2) Words and expressions used and not defined in these rules, but defined in the Code shall have the meanings respectively assigned to them in the Code.

3. Maintenance of accounts and records.

- The Board shall maintain its accounts and records in the Form of financial statements annexed to these rules.(2)The Board Shall follow the general directions of the Central Government given in consultation with the Comptroller and Auditor General of India in maintaining the financial statements.

4. Preparation and submission of annual statement of accounts of the Board.

(1)The Board shall prepare its annual statement of accounts and balance sheet showing the financial results and significant accounting policies in Form `A', Form `B' and Form `C' and the Schedules.(2)The annual statement of accounts and balance sheet of the Board, duly authenticated by the whole-time members in-charge of Finance Accounts Department of the Board, Chairperson of the Audit Committee of the Board and Chairperson and approved by the Board shall be forwarded to the Comptroller and Auditor General of India, for the purposes of audit, within three months of the end of the financial year.(3)The duly audited annual statement of accounts and balance sheet of the Board as certified by the Comptroller and Auditor General of India together with the audit report thereon shall be forwarded by the Chairperson for every financial year to the Central Government of laying before each House of Parliament.Form of Financial Statements[see sub rule (1) of rule 3]Form - `A'(see sub-rule (1) of rule 4Insolvency and Bankruptcy Board of IndiaBalance Sheet as at(Amount in Rs.)

Fund and Liabilities	Schedule	Current Year	Previous Year
Fund	I		
Reserves and Surplus	II		
Earmarked/Endowment Funds	III		
Secured Loans and Borrowings	IV		
Unsecured Loans and Borrowings	V		
Deferred Credit Liabilities	VI		
Current Liabilities and Provisions	VII		
Total			
Assets			
Fixed Assets	VIII		
Investments - From Earmarked/Endowment Funds	IX		
Investments - Others	X		
Current Assets, Loans and Advances	XI		
Miscellaneous Expenditure (to the extent notwritten of or adjusted)			
Total			
Significant Accounting Policies	XXII		

Contingent Liabilities and Notes on Accounts

XXIII

Insolvency and Bankruptcy Board of India

Whole Time Member(In charge of
FinanceandAccounts) IBBI

Chairperson AuditCommittee,
IBBI

ChairpersonIBBI

Place: Delhi

Date:

Form `C'Receipt and Payment Accounts for the Period/Year

Ended.....[see sub rule (1) of rule
4](Amount in Rs.)

Receipts	Current Year	Previous Year	Payments	Current Year	Previous Year
I. Opening Balances			I. Expenses		
(a) Cash in Hand			(a) Establishment expenses (corresponding to Sch. 18)		
(b) Bank Balance			(b) Administrative Expenses (Corresponding to Schedule 19)		
(i) In current Accounts					
(ii) In Deposit Accounts					
(iii) Saving Accounts					
II. Grants Received			II. Payment made against funds for various projects (Name ofthe fund or project should be shown along with the particulars ofpayment made for each project)		
(a) From Government of India					
(b)From Other Sources (Details) (Grants for Capital andRevenue Expenditure to be shown separately)					

III. Income on Investment
from

III. Investments and Deposits
Made

(a) Earmarked/Endowment funds

(b) Own funds (Investment - others)

IV. Interest Received

(i) On Bank Deposits

(ii) Loans, advances etc.

V. Other Income (Specify)

VI. Amount Borrowed

VII. Any other receipts (give details)

Total

Insolvency and Bankruptcy Board of India

Whole Time Member(In charge of FinanceandAccounts) IBBI

Place: Delhi

Date:

Form `B'Income and Expenditure Account for the Period/Year Ended[see sub rule (1) of rule 4]

Income

Grants/Subsidies

Fees/Subscriptions

Income from Investments (Income on investment, from earmarked/endowment funds transferred to funds)

Income from Royalty, Publications etc.

(a) Out of Earmarked/Endowment funds

(b) Out of own funds (Investment - others)

IV. Expenditure on Fixed Assets & Capital Work-in-Progress

(a) Purchase of fixed Assets

(b) Expenditure on Capital Work-in-progress

V. Refund of surplus money/loans

(a) To the Government of India

(b) To other providers of funds

VI. Finance Charges (Interest)

VII. Other Payments (Specify)

VIII. Closing Balances

(a) Cash in Hand

(b) Bank Balances

(i) In current Accounts

(ii) In Deposit Accounts

(iii) Savings Accounts

Total

Chairperson AuditCommittee, ChairpersonIBBI
IBBI

Schedule	Current Year	Previous Year
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XII

XIII

XIV

XV

Interest Earned	XVI		
Other Income	VII		
Total (A)			
Expenditure	Schedule	Current Year	Previous Year
Establishment Expenses	XVIII		
Other Administrative Expenses etc.	XIX		
Expenditure on Grants, subsidies etc.	XX		
Interest	XXI		
Depreciation (Net Total at the year end corresponding to Schedule VIII)	XXII		
Total (B)			
Balance being excess of Income over Expenditure (A-B) Transfer to Special Reserve (Specify each) Transfer to/from General Reserve			
Balance Being Surplus (Deficit) Carried to Corpus/Capital Fund			
Significant Accounting Policies	XXII		
Contingent Liabilities and Notes on Accounts	XXIII		
Insolvency and Bankruptcy Board of India			
Whole Time Member(In charge of FinanceandAccounts) IBBI	Chairperson AuditCommittee, IBBI		ChairpersonIBBI

Place: Delhi

Date:

I

[See sub-rule (1) of rule 4]Fund(Amount in Rs.)

	Current Year	Previous Year
Balance as at the beginning of the year		
Add: Contributions towards fund		
Add/(Deduct): Balance of net income/ (expenditure) transferredfrom the Income and Expenditure Account		
Balance as at the Year -End		

II

[See sub-rule (1) of rule 4]Reserves and Surplus(Amount in Rs.)

Current
Year

Previous
Year

1.Capital ReserveAs per last AccountAddition during the yearLess:

Deductions during the year

2.Revaluation ReserveAs per last AccountAddition during theyearLess:

Deductions during the year

3.Special ReservesAs per last AccountAddition during theyearLess:

Deductions during the year

4.General ReserveAs per last AccountAddition during the yearLess:

Deductions during the year

Total

III

[See sub-rule (1) of rule 4]Earmarked/Endowment Funds

	Fund Wise Break up	Totals			Current Year	Previous Year
		Fund XX	Fund YY	Fund ZZ		
(a) Opening balance of the funds	Fund WW					
(b) Additions to the Funds:						
(i) Donations/grants						
(ii) Income from investments made on account of funds						
(iii) Other additions (specify nature)						
Total (a + b)						
(c) Utilisation/Expenditure towards objectives of funds						
(i) Capital Expenditure						
- FixedAssets						
- Others						
Total						
(ii) Revenue Expenditure						
- Salaries,Wages and allowances etc.						
- Rent						
- OtherAdministrative Expenses						
Total						
Total (c)						

Net Balance as at the Year End (a + b -
c)

1. Disclosures shall be made under relevant heads based on conditions attaching to the grants.

2. Plan Funds received from the Central Government are to be shown as separate Funds and not to be mixed up with any other funds.

IV

[see sub-rule (1) of rule 4]Secured Loans and Borrowings(Amount in Rs.)

Current Year Previous Year

1. Central Government
 2. Financial Institutions
 - (a) Terms Loans
 - (b) Interest accrued and due
 3. Banks
 - (a) Term Loans- Interest accrued and due
 - (b) Other Loans (specify)- Interest accrued and due
 4. Other Institutions and Agencies
 5. Debentures and bonds
 6. Others (Specify)
 - Total
- Note: Amounts due within one year

V

[see sub-rule (1) of rule 4]Unsecured Loans and Borrowings(Amount in Rs.)

Current Year Previous Year

1. Central Government
2. Financial Institutions
3. Banks
 - (a) Term Loans
 - (b) Other Loans (specify)
4. Other Institutions and Agencies
5. Debentures and bonds
6. Fixed Deposits

7. Others (Specify)

Total

Note: Amounts due within one year

VI

[see sub-rule (1) of rule 4]Deferred Credit Liabilities(Amount in Rs.)

	Current Year	Previous Year
1. Acceptances secured by hypothecation of capital equipment and other assets		
2. Others		
Total		

Note: Amounts due within one year

VII

[see sub-rule (1) of rule 4]Current Liabilities and Provisions

	Current Year	Previous Year
A. Current Liabilities		
1. Acceptances		
2. Sundry creditors:-		
(a) For Goods		
(b) Others		
3. Advances Received		
4. Interest accrued but not due on:		
(a) Secured Loans/borrowings		
(b) Unsecured Loans/borrowings		
5. Statutory Liabilities:		
(a) Overdue		
(a) Others		
6. Other Current Liabilities		
Total (A)		
B. Provisions		
1. For Taxation		
2. Gratuity		
3. Superannuation/Pension		
4. Accumulated Leave Encashment		

5. Trade Warranties/Claims

6. Others (Specify)

Total (B)

Total (A+B)

Cost of assets on hire purchase basis included above

VIII

[see sub-rule (1) of rule 4]Fixed Assets(Amount in Rs.)

Description	Gross Block	Depreciation Net Block		Cost at the year end	As at the beginning of the year	During the year	Deduct during
	Cost as at beginning of the year	Additions during the year	Deductions/Adjustments during the year				
A. fixed assets							
1. Land							
(a) Freehold							
(b) Leasehold							
2. Buildings							
(a) On Freehold Land							
(b) On Leasehold Land							
(c) Ownership Flat/ Premises							
(d) Superstructures on Land not belonging to the entity							
3. Plant Machinery & Equipment							
4. Vehicles							
5. Furniture & Fixture							
6. Office Equipment							
7. Computers/Peripherals							
8. Electrical Installations							
9. Library Books							
10. Tube wells & Water							

Supply

11. Other Fixed Assets

Total of Current year

Total of previous year

B. Capital work in progress

Total

Note: To be given as to cost of assets on hire purchase basis included above

IX

[See sub-rule (1) of rule 4]Investments From Earmarked/Endowment Funds(Amount in Rs.)

Current Year Previous Year

1. In Government Securities
2. Other approved Securities
3. Shares
4. Debentures and Bonds
5. Subsidiaries and Joint Ventures
6. Others (to be specified)
- Total

X

[See sub-rule (1) of rule 4]Investments - Others(Amount in Rs.)

Current Year Previous Year

1. In Government Securities
2. Other approved Securities
3. Shares
4. Debentures and Bonds
5. Subsidiaries and Joint Ventures
6. Others (to be specified)
- Total

XI

[See sub-rule (1) of rule 4]Current Assets, Loans, Advances etc.(Amount in Rs.)

Current Year	Previous Year
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Current Assets, Loans, Advances etc.

A Current Assets:

1. Debts:

(a) Debts Outstanding for a period exceeding six months

(b) Others

2. Cash balances in hand (including cheques/ drafts and imprest)

3. Bank Balances:

(a) With Scheduled Banks:

(b) With Non-Scheduled Banks:

- In current accounts

- In deposit accounts

- In savings accounts

4. Post Office - Savings Accounts

Total (A)

B. Loans, Advances and Other Assets

1. Loans to:

(a) Staff

(b) Other Entities engaged in activities/ objectives similar to that of the entity

(c) Other (specify)

2. Advances and other amount recoverable in cash or in kind or for value to be received:

(a) On capital account

(b) Prepayments

(c) Others

3. Income Accrued

(a) On investments from Earmarked/ Endowment fund

(b) On investment - others

(c) On loans and advances

(d) Others (includes income due unrealized Rs.)

4. Claims Receivable

Total (B)

Total (A+ B)

XII

[See sub-rule (1) of rule 4] Grants/Subsidies (Irrevocable Grants & Subsidies Received) (Amount in Rs.)

Current Year Previous Year

1. Central Government
2. Government Agencies
3. Institutions/ Welfare Bodies
4. International Organisations
5. Others (Specify)
- Total

XIII

(See sub-rule(1) of rule 4)Fees/Subscriptions(Amount in Rs.)

Current Year Previous Year

1. Entrance Fees
2. Filing Fees
3. Seminar/Program Fees
4. Consultancy Fees
5. Others (Specify)
- Total

Note - Accounting Policies towards each item are to be disclosed

XIV

[See sub-rule (1) of rule 4]Income From Investments(Income on Invest. From Earmarked/
Endowment Funds transferred to Funds)(Amount in Rs.)

	Investment from Earmarked Fund	Investment - Others	Current Year	Previous Year
1. Interest				
(a) On Government Securities				
(b) Other Bonds/ Debentures				
2. Dividends				
(a) On Shares				
(b) On Mutual Fund Securities				
3. Rents				
4. Others (Specify)				

Total

XV

[See sub-rule (1) of rule 4]Income From Royalty, Publication etc.(Amount in Rs.)

Current Year Previous Year

1. Income from Royalty
2. Income from Publications
3. Others (Specify)

Total

XVI

[See sub-rule (1) of rule 4]Interest Earned(Amount in Rs.)

Current Year Previous Year

1. On Term Deposits
 - (a) With Scheduled Banks
 - (b) With Non - Scheduled Banks
 - (c) With Institutions
 - (d) Others
2. On Savings Accounts
 - (a) With Scheduled Banks
 - (b) With Non - Scheduled Banks
 - (c) Post Office Savings Accounts
 - (d) Others
3. On Loans
 - (a) Employees/Staff
 - (b) Others
4. Interest on Debtors and Other Receivables

Total

Note - Tax deducted at source to be indicated

XVII

[See sub-rule (1) of rule 4]Other Income(Amount in Rs.)

Current Year Previous Year

1. Profit on Sale/disposal of Assets
 - (a) Owned Assets

(b) Assets acquired out of grants, or received free of cost

2. Fees for Miscellaneous Services

3. Miscellaneous Income

Total

XVIII

[See sub-rule (1) of rule 4] Establishment Expenses (Amount in Rs.)

Current Year Previous Year

(a) Salaries and Wages

(b) Allowances and Bonus

(c) Contribution to Provident Fund

(d) Contribution to Other Fund (specify)

(e) Staff Welfare Expenses

(f) Expenses on Employees' Retirement and Terminal Benefits

(g) Others (Specify)

Total

XIX

[See sub-rule (1) of rule 4] Other Administrative Expenses (Amount in Rs.)

Current Year Previous Year

(a) Purchases

(b) Labour and processing expenses

(c) Cartage and Carriage Inwards

(d) Electricity and power

(e) Water charges

(f) Insurance

(g) Repairs and Maintenance

(h) Rent, Rates and Taxes

(i) Vehicles Running, Maintenance or Hiring charges

(j) Postage, Telephone and Communication charges

(k) Printing and Stationery

(l) Travelling and Conveyance Expenses

(m) Expenses on Seminar/ Workshops

(n) Subscription Expenses

(o) Expenses of fee

(p) Auditors Remuneration/ Legal fee

- (q) Hospitality Expenses
- (r) Professional Charges
- (s) Provision for Bad and Doubtful Debts/ Advances
- (t) Irrecoverable Balances written -off
- (u) Packing Charges
- (v) Freight and Forwarding Expenses
- (w) Distribution Expenses
- (x) Advertisement and Publicity
- (y) Others (to be specified)

Total

XX

[See sub-rule (1) of rule 4]Expenditure on Grants, Subsidies etc.(Amount in Rs.)

Current Year Previous Year

- (a) Grants given to Institutions/ Organisations
- (b) Subsidies given to Institutions/ Organisations

Total

Note: Name of the Entities, their Activities along with the amount of Grants/ subsidies are to be disclosed.

XXI

[See sub-rule (1) of rule 4]Interest(Amount in Rs.)

Current Year Previous Year

- (a) On Fixed Loans
- (b) On Other Loans (including Bank Charges)
- (c) Others (specify)

Total

XXII

[See sub-rule (1) of rule 4]Significant Accounting Policies (Illustrative)

1. Accounting Convention. - The financial statements are prepared on the basis of historical cost convention, unless otherwise stated and on the accrual method of accounting.

2. Investments. - 2.1 Investments classified as "long term investments" are carried at cost. Provision for decline, other than temporary, is made in carrying cost of such investments.

2.2 Investments classified as "Current" are carried at lower of cost and fair value. Provision for shortfall on the value of such investments is made for each investment considered individually and not on a global basis. 2.3 Cost includes acquisition expenses like brokerage, transfer stamps.

3. Fixed Assets. - 3.1 Fixed Assets are stated at cost of acquisition inclusive of inward freight, duties and taxes and incidental and direct expenses related to acquisition. In respect of projects involving construction, related pre-operational expenses (including interest on loans for specific project prior to its completion), form part of the value of the assets capitalized.

3.2 Fixed Assets received by way of non-monetary grants, (other than towards the Corpus Fund), are capitalized at values stated, by corresponding credit to Capital Reserve.

4. Depreciation. - 4.1 Depreciation is provided on straight-line method as per rates specified in the Income-tax Act, 1961 except depreciation on cost adjustments arising on account of conversion of foreign currency liabilities for acquisition of fixed assets, which is amortized over the residual life of the respective assets.

4.2 In respect of additions to/deductions from fixed assets during the year, depreciation is considered on prorata basis. 4.3 Assets consisting Rs. 5,000 or less each are fully provided.

5. Miscellaneous Expenditure. - Deferred revenue expenditure is written off over a period of 5 years from the year it is incurred.

6. Accounting For Sales. - Sales include excise duty and are net of sales returns, rebate and trade discount.

7. Government Grants/subsidies. - 7.1 Government grants of the nature of contribution towards capital cost of setting up projects are treated as Capital Reserve.

7.2 Grants in respect of specific fixed assets acquired are shown as a deduction from the cost of the related assets. 7.3 Government grants/subsidy are accounted on realization basis.

8. Foreign Currency Transactions. - 8.1 Transactions denominated in foreign currency are accounted at the exchange rate prevailing at the date of the transaction.

8.2 Current assets, foreign currency loans and current liabilities are converted at the exchange rate prevailing as at the year end and the resultant gain/loss is adjusted to cost of fixed assets, if the foreign currency liability related to fixed assets, and in other cases is considered to revenue.

9. Lease. - Lease rentals are expensed with reference to lease terms.

10. Retirement Benefits. - 10.1 Liability towards gratuity payable on death/retirement of employees is accrued based on actuarial valuation.

10.2 Provision for accumulated leave encashment benefit to the employees is accrued and computed on the assumption that employees are entitled to receive the benefit as at each year end.

XXIII

[See sub-rule (1) of rule 4]Contingent Liabilities and notes on Accounts (Illustrative)

1. Contingent Liabilities. - 1.1 Claims against the Entity not acknowledged as debts - Rs. _____ (Previous year Rs. _____)

1.2 In respect of:- Bank guarantees given by/on behalf of the Entity -Rs. _____ (Previous year Rs. _____). - Letters of Credit opened by Bank on behalf of the Entity -Rs. _____ (Previous year Rs. _____). - Bills discounted with banks Rs. _____ (Previous year Rs. _____). 1.3 Disputed demands in respect of: Income-tax Rs. _____ (Previous Year Rs. _____) G.S.T. Rs. _____ (Previous Year Rs. _____) Municipal Taxes Rs. _____ (Previous Year Rs. _____) 1.4 In respect of claims from parties for non-execution of orders, but contested by the Entity -Rs. _____ (Previous year Rs. _____).

2. Capital Commitments. - Estimated value of contracts remaining to be executed on capital account and not provided for (net of advances) Rs.

(Previous year Rs. _____).

3. Lease Obligations. - Future obligations for rentals under finance lease arrangements for plant and machinery amount to Rs. _____ (Previous year Rs. _____).

4. Current Assets, Loans and Advances. - In the opinion of the Management, the current assets, loans and advances have a value on realization in the ordinary course of business, equal at least to the aggregate amount shown in the Balance Sheet.

5. Taxation. In view of there being no taxable income under Income-tax Act 1961, no provision for Income tax has been considered necessary.

6. Foreign Currency Transactions. - 6.1 Value of Imports calculated on C.I.F Basis:

- Purchase of finished Goods- Raw Materials & Components (Including in transit)- Capital Goods- Stores, Spares and Consumables
6.2 Expenditure in foreign currency:- Travel- Remittances and Interest payment to Financial Institutions/ Banks in Foreign Currency- Other Expenditure:
• Commission on Sales
• Legal and Professional Expenses
• Miscellaneous Expenses
6.3 Earnings:
6.4 Remuneration to auditors: As auditors:
• Taxation matters
• For management services
• For certification
• Others

7. Corresponding figures for the previous year have to be regrouped/ rearranged, wherever necessary.

8. Schedules I to XXXIII are annexed to and form an integral part of the Balance Sheet as at _____ and the Income and Expenditure Account for the year ended on that date.