

**Mere reflection of a Director Identification Number (DIN) as “Approved/Active” on the MCA portal is not sufficient to establish eligibility to submit a resolution plan under Section 29A of the Insolvency and Bankruptcy Code**

The **Indore Bench of the National Company Law Tribunal (NCLT) in the case of Carnet Elias Fernandes v. Jagdish Kumar Parulkar [IA/305(MP)2025] dated February 17, 2026**, has held that mere reflection of a Director Identification Number (DIN) as “Approved/Active” on the MCA portal is not sufficient to establish eligibility to submit a resolution plan under Section 29A of the Insolvency and Bankruptcy Code (IBC).

The Tribunal observed that such a DIN status, in the absence of any other orders, is insufficient to remove the ineligibility. It held that where a person claims removal of disqualification, the burden lies on such person to place on record an order passed by the competent authority evidencing such removal.

The Tribunal clarified that Section 240A exempts MSMEs only from disqualifications under Sections 29A(c) and 29A(h). The exemption does not apply to Sections 29A(e) and 29A(f), under which Fernandes was found ineligible to submit a resolution plan. The Tribunal also held that it cannot examine or decide upon the propriety or legality of the SEBI order forming part of the disqualification. If aggrieved, the appropriate remedy was to approach the court or authority of competent jurisdiction.

The NCLT thus, held that an online DIN status, in the absence of a clear and categorical order passed by the competent authority removing the disqualification, cannot establish eligibility to participate in the resolution process. Accordingly, the Tribunal dismissed an application filed by Carnet Elias Fernandes, Suspended Management/Promoter of GEI Power Limited, challenging the Resolution Professional's decision declaring him ineligible to submit a resolution plan under Sections 29A(e) and 29A(f) of the Code.