



Subjectwise Monthly Updates

March 2023

Directorate of Academics

Index

EXECUTIVE PROGRAMME	
Company Law	2
Tax Laws	5
Securities Laws and Capital Markets	10
PROFESSIONAL PROGRAMME	
Secretarial Audit, Compliance Management and Due Diligence	13
Banking – Law & Practice	16

© The Institute of Company Secretaries of India.

All rights reserved. No part of this monthly updates may be translated or copied in any form or by any means without the prior written permission of The Institute of Company Secretaries of India.

Disclaimer : Although due care and diligence have been taken in preparation and uploading this Subjectwise Monthly Updates, the Institute shall not be responsible for any loss or damage, resulting from any action taken on the basis of the contents of this Subjectwise Monthly Updates. Anyone wishing to act on the basis of the material contained herein should do so after cross checking with the original source.



Executive Programme

COMPANY LAW

Module 1 Paper 2

<i>Sr. No</i>	<i>Reference to Chapter No.</i>	<i>Amendments to Regulations/ Rules/ Act/ Circulars/ Notification</i>	<i>Brief particulars/ Link of the Amendment</i>
1.	Lesson 1 Introduction to Company Law	MCA Establishes Centre for Processing Accelerated Corporate Exit The Ministry of Corporate Affairs (MCA) vide its notification dated March 17, 2023 has notified that in exercise of the powers conferred by section 396(1) of the Companies Act, 2013, the Central Government establishes a Centre for Processing Accelerated Corporate Exit (C-PACE). The C-PACE shall be located at the Indian Institute of Corporate Affairs (IICA), Manesar, Gurugram. This notification shall come into force with effect from the 01st day of April, 2023. Brief analysis: Hon'ble Finance Minister Smt. Nirmala Sitharaman during Budget speech 2022 stated that "Center for accelerated corporate exit to be set up to accelerate corporate exits". In view of the same the MCA vide issuing notification dated March 17, 2023 has established the Centre for Processing Accelerated Corporate Exit (C-PACE). The C-PACE be located at the Indian Institute of Corporate Affairs (IICA), Manesar, Gurugram. It will be effective from 01st April, 2023. C-PACE is a significant step towards providing ease to companies for closing their business and getting	https://egazette.nic.in/WriteReadData/2023/244467.pdf

		their names removed from the Register of Companies. It caters to make the process of removal of names more streamlined and efficient, saving time and effort for companies.	
2.	Lesson 8 Accounts, Audit and Auditors	<p>The Companies (Indian Accounting Standards) Amendment Rules, 2023 (March 31, 2023)</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated March 31, 2023 has notified “the Companies (Indian Accounting Standards) Amendment Rules, 2023” which has come into force with effect from April 01, 2023. According to one of the amendment, a new para has been inserted in Ind AS 101, which states deferred tax related to assets and liabilities arising from a single transaction shall apply for annual reporting periods beginning on or after 01.04.23. Various other amendments in Ind AS 102, 103, 107, 109 and 115 have also been notified.</p> <p>Brief Analysis:</p> <p>The Ministry of Corporate Affairs (MCA) in consultation with National Financial Reporting Authority (NFRA) has notified the Companies (Indian Accounting Standards) Amendment Rules, 2023 to further amend the Companies (Indian Accounting Standards) Rules, 2015. Following Ind AS has been amended viz:</p> <ul style="list-style-type: none"> • Ind AS 101 (First-time adoption of Indian Accounting Standards); 	https://egazette.nic.in/WriteReadData/2023/244871.pdf

		<ul style="list-style-type: none"> • Ind AS 102 (Share based payment); • Ind AS 103 (Business Combinations); • Ind AS 107 (Financial Instruments: Disclosures); • Ind AS 109 (Financial Instruments); • Ind AS 115 (Revenue from Contracts with Customers); • Ind AS 1 (Presentation of Financial Statements); • Ind AS 8 (Accounting Policies, Changes in Accounting Estimates and Errors); • Ind AS 12 (Income Taxes); <p>and</p> <p>Ind AS 34 (Interim Financial Reporting).</p>	
--	--	---	--

TAX LAWS

Module 1, Paper 4

Sr. No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the Amendment
Direct Taxes (Part I)			
1.	Lesson 3 Income which do not form a part of Total Income	<p>CBDT notifies Insolvency and Bankruptcy Board of India', New Delhi for the purpose of clause 46 of section 10 [Notification No. 9 Dated March 1, 2023]</p> <p>The Central Government notifies 'Insolvency and Bankruptcy Board of India', New Delhi (PAN AAAGI0193K), a Board established by the Central Government, for the purposes of clause (46) of section 10 of the Income-tax Act, 1961 in respect of the certain specified income arising to that Board subject to fulfilment of certain conditions.</p> <p><i>Accordingly, 'Insolvency and Bankruptcy Board of India', New Delhi can claim exemption under section 10(46) of the Income tax Act, 1961 with respect of the certain specified income subject to fulfilment of certain conditions.</i></p>	https://incometaxindia.gov.in/communications/notification/notification-9-2023.pdf
2.	Lesson 3 Income which do not form a part of Total Income	<p>CBDT notifies 'Karnataka State Building and Other Construction Workers Welfare Board', Karnataka for the purpose of clause 46 of section 10 [Notification No. 12 Dated March 3, 2023]</p> <p>The Central Government notifies "Karnataka State Building and</p>	https://incometaxindia.gov.in/communications/notification/notification-12-2023.pdf

		<p>Other Construction Workers Welfare Board (PAN AAALK0820C)", a Board constituted by the State Government of Karnataka, for the purposes of clause (46) of section 10 of the Income-tax Act, 1961 in respect of the certain specified income arising to that Board subject to fulfilment of certain conditions.</p> <p><i>Accordingly, 'Karnataka State Building and Other Construction Workers Welfare Board' can claim exemption under section 10(46) of the Income tax Act, 1961 with respect of the certain specified income subject to fulfilment of certain conditions.</i></p>	
3.	<p>Lesson 9 Procedural Compliances</p>	<p>Partial relaxation with respect to electronic submission of Form 10F by select category of taxpayers in accordance with the DGIT (Systems) [Dated March 28, 2023]</p> <p>Notification No. 03/2022 dated 16th July 2022 mandating furnishing of Form 10F electronically. Non-resident (NR) taxpayers who were not having PAN and not required to have PAN were exempted from mandatory electronic filing of Form 10F till 31st March 2023 by the competent authority.</p> <p>In view of the continued practical challenges and to mitigate the genuine hardship being faced by such category of taxpayers, it has been decided by the competent authority to extend the above mentioned partial relaxation further till 30th September 2023. For the sake of clarity, it is</p>	<p>https://incometaxindia.gov.in/communications/notification/partial-relaxation-extendion-form-10f.pdf</p>

		reiterated that such category of taxpayers may make statutory compliance of filing Form 10F till 30th September 2023 in manual form as was being done prior to issuance of the DGIT(Systems) Notification No. 3 of 2022.	
4.	Lesson 9 Procedural Compliances	<p>Income-tax (Fourth Amendment) Rules, 2023 - Last date for linking of PAN-Aadhaar extended [Notification No. 15 Dated March 28, 2023]</p> <p>In order to provide some more time to the taxpayers, the date for linking PAN and Aadhaar has been extended to 30th June, 2023, whereby persons can intimate their Aadhaar to the prescribed authority for Aadhaar-PAN linking without facing repercussions.</p> <p>Under the provisions of the Income-tax Act, 1961(the 'Act') every person who has been allotted a PAN as on 1st July, 2017 and is eligible to obtain Aadhaar Number, is required to intimate his Aadhaar to the prescribed authority on or before 31st March, 2023, on payment of a prescribed fee. Failure to do so shall attract certain repercussions under the Act w.e.f. 1st April, 2023. The date for intimating Aadhaar to the prescribed authority for the purpose of linking PAN and Aadhaar has now been extended to 30th June, 2023.</p>	https://incometaxindia.gov.in/communications/notification/notification-15-2023.pdf
	Lesson 9 Procedural Compliances	Procedure, format and standards for filling an application in Form No. 15C or Form No. 15D for grant of certificate for no-deduction of income-tax under sub-section (3) of section 195 of the Income Tax	https://incometaxindia.gov.in/communications/notification/notification-no-01-of-2023.pdf

		<p>Act, 1961 through TRACES [March 29, 2023]</p> <p>Section 195(3) of the Income-tax Act, 1961 provides for grant of certificate to a person entitled to receive interest or other sum on which income tax is to be deducted under section 195(1) of the Income-tax Act, 1961 without deduction of tax at source. For the purpose, an application has to be made by the person to the Assessing Officer "AO" in the prescribed form.</p> <p>Rule 29B(3) of the Income-tax Rules, 1962 provides that the application shall be made by a banking company or insurer in Form No. 15C and by any other person who carries on business or profession in India through a branch in Form 15D.</p> <p><i>The Director General of Income-tax (Systems) hereby specifies Form No. 15C and Form No. 15D for electronic furnishing at TRACES website under digital signature or through electronic verification code; and the procedure, format and standards for the purpose of electronic filing of Form No. 15C and Form No. 15D and generation of certificate through TRACES which will be applicable from 01.04.2023.</i></p>	
6.	<p>Lesson 9</p> <p>Procedural Compliances</p>	<p>Consequences of PAN becoming inoperative as per the newly substituted rule 114AAA [Circular No. 3 Dated March 28, 2023]</p> <p>It is hereby clarified that a person who has failed to intimate the Aadhaar number in accordance with section 139AA of the Income-</p>	<p>https://incometaxindia.gov.in/communications/circular/circular-03-2023.pdf</p>

		<p>tax Act, 1961 (the Act) read with rule 114AAA shall face the following consequences as a result of his PAN becoming inoperative:</p> <ul style="list-style-type: none"> (i) refund of any amount of tax or part thereof, due under the provisions of the Act shall not be made to him; (ii) interest shall not be payable to him on such refund for the period, beginning with the date specified under sub-rule (4) of rule 114AAA and ending with the date on which it becomes operative; (iii) where tax is deductible under Chapter XVJJ-B in case of such person, such tax shall be deducted at higher rate, in accordance with the provisions of section 206AA; (iv) where tax is collectible at source under Chapter XVJJ-BB in case of such person, such tax shall be collected at higher rate, in accordance with the provisions of section 206CC. <p>These consequences shall take effect from 1st July, 2023 and continue till the PAN becomes operative. A fee of Rs. 1000 will continue to apply to make the PAN operative by intimating the Aadhaar number.</p> <p>The consequences of PAN becoming inoperative shall not be applicable to those persons who have been provided exemption from intimating Aadhaar number under the provisions of sub-section (3) of section 139AA of the Act.</p>	
--	--	--	--

SECURITIES LAWS & CAPITAL MARKETS

Module 2, Paper 2

<i>Sr. No.</i>	<i>Reference to Chapter No.</i>	<i>Amendments to Regulations/Rules/Act/Circular/ Notification</i>	<i>Brief Particulars/Link of the Amendment</i>
1.	Lesson 16 Securities Market Intermediaries	<p>SEBI (Foreign Portfolio Investors) (Amendment) Regulations, 2023 (Notification No. SEBI/LAD-NRO/GN/2023/128 Dated 14th March, 2023)</p> <p>SEBI on March 14, 2023, notified the SEBI (Foreign Portfolio Investors) (Amendment) Regulations, 2023 which shall come into force on the date of their publication in the Official Gazette. Vide this notification the following amendments have been made:</p> <ul style="list-style-type: none"> • For grant of certificate as a foreign portfolio investor an application to be made to Designated Depository Participants (“DDP”) in the form specified by the government or SEBI, along with the fee specified in Part A of the Second Schedule. In addition to this provision, the application now has to be made in the manner specified by the government or SEBI and along with any documents in the manner specified by SEBI. [Amendment: Regulation 3(2)] • In regulation 22 pertaining to General obligations and responsibilities of foreign portfolio investors, the following amendments have been made: <ul style="list-style-type: none"> ○ The foreign portfolio investor shall as soon as possible but not later than seven working days, inform the Board and designated depository participant in writing, if any information or particulars previously submitted to the Board 	<p>https://www.sebi.gov.in/legal/regulations/mar-2023/securities-and-exchange-board-of-india-foreign-portfolio-investors-amendment-regulations-2023_69104.html</p>

		<p>or designated depository participant are found to be false or misleading, in any material respect. [Amendment: Regulation 22(1)(b)]</p> <ul style="list-style-type: none"> ○ As soon as possible but not later than seven working days, inform the Board and designated depository participant in writing, if there is any material change in the information including any direct or indirect change in its structure or ownership or control or investor group previously furnished by him to the Board or designated depository participant. [Substitution: Regulation 22(1)(c)] ○ As soon as possible but not later than seven working days, inform the Board and the designated depository participant, in case of any penalty, pending litigation or proceedings, findings of inspections or investigations for which action may have been taken or is in the process of being taken by an overseas regulator against it. [Amendment: Regulation 22(1)(e)] ○ Ensure that accurate details regarding its investor group are maintained with its designated depository participant at all times. [Insertion: Regulation 22(1)(l)] 	
--	--	---	--



Professional Programme

SECRETARIAL AUDIT, COMPLIANCE MANAGEMENT AND DUE DILIGENCE

Module 2 Paper 4

Sr. No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the Amendment
1.	Miscellaneous	<p>MCA Establishes Centre for Processing Accelerated Corporate Exit</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated March 17, 2023 has notified that in exercise of the powers conferred by section 396(1) of the Companies Act, 2013, the Central Government establishes a Centre for Processing Accelerated Corporate Exit (C-PACE). The C-PACE shall be located at the Indian Institute of Corporate Affairs (IICA), Manesar, Gurugram. This notification shall come into force with effect from the 01st day of April, 2023.</p> <p>Brief analysis:</p> <p>Hon'ble Finance Minister Smt. Nirmala Sitharaman during Budget speech 2022 stated that "Center for accelerated corporate exit to be set up to accelerate corporate exits". In view of the same the MCA vide issuing notification dated March 17, 2023 has established the Centre for Processing Accelerated Corporate Exit (C-PACE). The C-PACE be located at the Indian Institute of Corporate Affairs (IICA), Manesar, Gurugram. It will be effective from 01st April, 2023.</p> <p>C-PACE is a significant step towards providing ease to companies for</p>	<p>https://egazette.nic.in/WriteReadData/2023/244467.pdf</p>

		<p>closing their business and getting their names removed from the Register of Companies. It carter to make the process of removal of names more streamlined and efficient, saving time and effort for companies.</p> <p>The Companies (Indian Accounting Standards) Amendment Rules, 2023 (March 31, 2023)</p> <p>The Ministry of Corporate Affairs (MCA) vide its notification dated March 31, 2023 has notified “the Companies (Indian Accounting Standards) Amendment Rules, 2023” which has come into force with effect from April 01, 2023. According to one of the amendment, a new para has been inserted in Ind AS 101, which states deferred tax related to assets and liabilities arising from a single transaction shall apply for annual reporting periods beginning on or after 01.04.23. Various other amendments in Ind AS 102, 103, 107, 109 and 115 have also been notified.</p> <p>Brief Analysis:</p> <p>The Ministry of Corporate Affairs (MCA) in consultation with National Financial Reporting Authority (NFRA) has notified the Companies (Indian Accounting Standards) Amendment Rules, 2023 to further amend the Companies (Indian Accounting Standards) Rules, 2015. Following Ind AS has been amended viz:</p> <ul style="list-style-type: none"> • Ind AS 101 (First-time adoption of Indian Accounting Standards); • Ind AS 102 (Share based payment); 	<p>https://egazette.nic.in/WriteReadData/2023/244871.pdf</p>
--	--	---	--

		<ul style="list-style-type: none">• Ind AS 103 (Business Combinations);• Ind AS 107 (Financial Instruments: Disclosures);• Ind AS 109 (Financial Instruments);• Ind AS 115 (Revenue from Contracts with Customers);• Ind AS 1 (Presentation of Financial Statements);• Ind AS 8 (Accounting Policies, Changes in Accounting Estimates and Errors);• Ind AS 12 (Income Taxes); and Ind AS 34 (Interim Financial Reporting).	
--	--	--	--

BANKING LAW & PRACTICE

Module 3 Paper 9.1

Sr. No.	Reference to Chapter No.	Amendments to Regulations/ Rules/ Act/ Circulars/ Notification	Brief particulars/ Link of the Amendment
1.	Lesson 6 IT in Banking	<p>Reserve Bank of India and Central Bank of the UAE sign MoU to promote innovation in financial products and services (Press Release dated March 15, 2023)</p> <p>The Reserve Bank of India (RBI) and the Central Bank of the United Arab Emirates (CBUAE) signed a Memorandum of Understanding (MoU) on March 15, 2023 in Abu Dhabi, to enhance cooperation and jointly enable innovation in financial products and services. Under the MoU, the two central banks will collaborate on various emerging areas of FinTech, especially Central Bank Digital Currencies (CBDCs) and explore interoperability between the CBDCs of CBUAE and RBI. CBUAE and RBI will jointly conduct Proof-of-Concept (PoC) and pilot(s) of bilateral CBDC bridge to facilitate cross-border CBDC transactions of remittances and trade.</p>	<p>https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=55372</p>
2.	Lesson 6 IT in Banking	<p>Governor, RBI lays the Foundation Stone of a 'New Greenfield Data Centre' and 'Enterprise Computing & Cybersecurity Training Institute' of RBI (Press Release dated March 22, 2023)</p> <p>Shri Shaktikanta Das, Governor, Reserve Bank of India (RBI), on March 22, 2023 laid the foundation stone for establishment of a "Greenfield Data</p>	<p>https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=55396</p>

		<p>Centre' and 'Enterprise Computing & Cybersecurity Training Institute' in Bhubaneswar, Odisha. The Governor in his remarks acknowledged the critical role played by technology in supporting the activities of the financial sector and the RBI over the years and recently, in facilitating a robust recovery from the pandemic. He highlighted the need for augmenting the existing computing infrastructure of the RBI supported by cutting edge facilities for research and capacity building in emerging areas straddling central banking, technology and cybersecurity for a future ready RBI.</p>	
--	--	--	--

Motto

सत्यं वद। धर्मं चर।

इष्टार्थे त्थे त्थार्थे. शोभते तु त्थे त्थे।

Vision

"To be a global leader in promoting good corporate governance"

Mission

"To develop high calibre professionals facilitating good corporate governance"



**THE INSTITUTE OF
Company Secretaries of India**

भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)

Headquarters

ICSI House, 22, Institutional Area, Lodi Road, New Delhi 110 003
tel 011- 4534 1000 fax +91-11-2462 6727 email info@icsi.edu