

# Info Capsule

Friday  
January 01, 2021

**President : CS Ashish Garg**

**Vice President : CS Nagendra D. Rao**

## ❖ **Business and Economics News**

### **Tata Sons now largest promoter of listed companies, overtakes Centre (January 01, 2021)**

At the end of 2020, Tata Sons is the largest promoter of listed companies, overtaking the central government.

This is the first time in nearly two decades that the government has not held the position, after the market capitalisation of state-run companies declined.

Tata Sons stake in the conglomerate's listed companies is now worth Rs. 9.28 lakh crore, up 34.4 percent on a year-on-year (YoY) basis.

*For details:*

<https://www.moneycontrol.com/news/business/tata-sons-now-largest-promoter-of-listed-companies-overtakes-centre-6292161.html>



**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)

## ❖ **Ministry of Corporate Affairs**

- **MCA notified further extension of relaxation for holding Board Meeting through Video-Conferencing for restricted matters upto June 30, 2021 (December 30, 2020)**

MCA vide notification dated December 30, 2020 issued the Companies (Meetings of Board and its Powers) Fourth Amendment Rules, 2020 to provide further relaxation in the requirement of holding Board meetings with physical presence of directors under Section 173(2) r/w Rule 4 of the Companies (Meetings of Board and its Powers) Rules, 2014, for approval of the restricted matters.

Accordingly, **upto June 30, 2021**, the Board meetings on approval of restricted matters may be held through video conferencing or other audio visual means in accordance with Rule 3 of the Companies (Meetings of Board and its Powers) Rules, 2014.

*For details:*

[http://www.mca.gov.in/Ministry/pdf/FourthAmdtRules\\_30122020.pdf](http://www.mca.gov.in/Ministry/pdf/FourthAmdtRules_30122020.pdf)

- **Clarification on passing of ordinary and special resolutions by companies under the Companies Act, 2013 read with rules made thereunder on account of COVID-19- Extension of time. (December 31, 2020)**

MCA in view of the continued disruption caused due to COVID-19 pandemic and to provide greater ease of doing business has further allowed the companies to conduct their Extra Ordinary General meeting through Video-Conferencing or Other Audio visual means or to transact items through postal ballot in accordance with the specified framework provided earlier **upto June 30, 2021**.

*For details:*

[http://www.mca.gov.in/Ministry/pdf/GeneralCircularNo.39\\_31122020.pdf](http://www.mca.gov.in/Ministry/pdf/GeneralCircularNo.39_31122020.pdf)

## MCA update

- Stakeholders may please note that there is no change in the additional fee logic of e-form MGT-7 and AoC-4/AOC-4 XBRL/AOC-4 CFS/AOC-4 NBFC for the FY 2019-20 w.e.f. January 01, 2021 since extension was provided to all the companies for conducting AGM and not for filing the form.

Hence, the due date of form filing shall be computed based on the actual date of AGM or due date/extended due date of AGM as the case may be. Post December 31, 2020, additional fee shall be applicable from the actual date of AGM or due date/extended due date of AGM + 30/60 days as the case may be and Rs.100 per day shall be charged starting from such day even if such date falls prior to December 31, 2020.

*For details:*

<http://www.mca.gov.in/MinistryV2/homepage.html>

- Stakeholders may please note that the Field 'SRN of the application filed for extension' (GNL-1) in e-form MGT-7 is made optional for FY 2019-20 w.e.f January 01,2021 due to blanket extension provided for all companies to conduct AGM. Consequently, e-Form MGT-7 has been revised on MCA 21 Company Forms Download page w.e.f January 01, 2021. Stakeholders are advised to check the latest version before filing.

*For details:*

<http://www.mca.gov.in/MinistryV2/homepage.html>

- Please note that the last date for filing DIR-3 KYC for Financial year 2019-20 has expired on December 31, 2020. The process of deactivating the non-compliant DINs is in progress and will be completed shortly. Please note that web service DIR-3 KYC shall not be available for filing during the pendency of this activity. Filing of DIR-3 KYC can be made after completion of the scheduled activity, as above, when the service is made available on the portal after payment of applicable fees. Stakeholders may kindly note and plan accordingly.

*For details:*

<http://www.mca.gov.in/MinistryV2/homepage.html>

## ❖ Terminology for Today

### Brand positioning

Brand positioning is the way you differentiate yourself from your competitors and how consumers identify and connect with your brand. It's comprised of the key qualities and values that are synonymous with your company. Brand positioning can be conveyed through a variety of means including tone and voice, visual design and the way your company represents itself in person and on social media.

## ❖ **Securities Laws & Capital Market**

### **SEBI Circulars**

- **Circular on Mutual Funds (December 31, 2020)**

SEBI has extended the date of applicability of the provision of paragraph 1 of SEBI Circular No. SEBI/HO/IMD/DF2/CIR/P/2020/175 dated September 17, 2020, the uniform applicability of NAV in respect of purchase of units of mutual fund schemes upon realization of funds from January 01, 2021 to February 01, 2021. Further, SEBI has modified the provisions related to Trade Execution and Allocation.

*For details:*

[https://www.sebi.gov.in/legal/circulars/dec-2020/circular-on-mutual-funds\\_48630.html](https://www.sebi.gov.in/legal/circulars/dec-2020/circular-on-mutual-funds_48630.html)

- **Creation of Security in issuance of listed debt securities and 'due diligence' by debenture trustee(s) - Extension of timeline for implementation (December 31, 2020)**

SEBI, vide circular no. SEBI/HO/MIRSD/CRADT/CIR/P/2020/218 dated November 03, 2020, specified requirements with regard to creation of security in issuance of listed debt securities and due diligence to be carried out by debenture trustee(s), which were applicable from January 01, 2021. SEBI has extended the implementation date of the provisions of the aforesaid circular to April 01, 2021 after taking into consideration the challenges arising out of the prevailing business and market conditions due to COVID-19 pandemic.

*For details:*

[https://www.sebi.gov.in/legal/circulars/dec-2020/creation-of-security-in-issuance-of-listed-debt-securities-and-due-diligence-by-debenture-trustee-s-extension-of-timeline-for-implementation\\_48621.html](https://www.sebi.gov.in/legal/circulars/dec-2020/creation-of-security-in-issuance-of-listed-debt-securities-and-due-diligence-by-debenture-trustee-s-extension-of-timeline-for-implementation_48621.html)

- **Relaxation in timelines for compliance with regulatory requirements (December 31, 2020)**

SEBI has extended the timelines for compliance with the regulatory requirements by the trading members / clearing members for maintaining call recordings of orders/ instructions received from clients to February 28, 2021. Further, for KYC application form and supporting documents of the clients to be uploaded on system of KRA the period of exclusion shall be from January 01, 2021 till February 28, 2021. A 15-day time period after February 28, 2021, is allowed to clear the back log.

*For details:*

[https://www.sebi.gov.in/legal/circulars/dec-2020/relaxation-in-timelines-for-compliance-with-regulatory-requirements\\_48625.html](https://www.sebi.gov.in/legal/circulars/dec-2020/relaxation-in-timelines-for-compliance-with-regulatory-requirements_48625.html)

## • Procedural Guidelines for Proxy Advisors (December 31, 2020)

SEBI has modified the Clause 1(c) of the SEBI Circular No. SEBI/HO/IMD/DF1/CIR/P/2020/147 dated August 03, 2020 as *“Proxy Advisors shall alert clients, within 24 hours of receipt of information, about any factual errors and any impending material revisions to their reports. Further, any such material revisions to their reports shall be communicated to the clients within 72 hours of receipt of the information, while ensuring that adequate time is available for clients to make an informed decision.”* Further, it is provided that Clauses 1(c) and 1(e) of the aforesaid circular shall be applicable with effect from February 01, 2021 and all other conditions shall remain unchanged.

For details:

[https://www.sebi.gov.in/legal/circulars/dec-2020/procedural-guidelines-for-proxy-advisors\\_48633.html](https://www.sebi.gov.in/legal/circulars/dec-2020/procedural-guidelines-for-proxy-advisors_48633.html)

## ❖ Market Watch

Stock Market Indices as on 01.01.2021	
S & P BSE Sensex	47868.98 (+117.65)
Nifty 50	14018.50 (+36.75)

Foreign Exchange Rates as on 31.12.2020 ( <a href="https://www.fbil.org.in/#/home">https://www.fbil.org.in/#/home</a> )			
INR / 1 USD	INR / 1 GBP	INR / 1 EUR	INR / 1 JPY
73.0536	99.5974	89.7931	.7084

## Prepared by Directorate of Academics

For any suggestions, please write to [academics@icsi.edu](mailto:academics@icsi.edu), or call at 01204082269

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