

# Info Capsule

Wednesday  
January 27, 2021



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)

**President :** CS Nagendra D. Rao

**Vice President :** CS Devendra V. Deshpande

## ❖ Ministry of Corporate Affairs

New 'Extend' functionality shall be introduced as part of SPICe+ Part A in line with Rule 9A 'Extension of reservation of name in certain cases' of the Companies (Incorporation) Third Amendment Rules, 2020 with effect from 26th January 2021.

Stakeholders may kindly note and plan accordingly.

*For details:*  
[www.mca.gov.in](http://www.mca.gov.in)

## ❖ Securities Laws and Capital Markets

### SEBI Adjudication Orders

- **In the matter of GDR issue of K Sera Sera Limited, now known as KSS Limited (January 25, 2021)**

SEBI imposed a penalty of Rs. 14.10 crore on KSS and its two directors for indulging in fraudulent schemes for the subscription of GDR issuance by KSS and therefore violated the provisions of Section 12A(a), (b) and (c) of the SEBI Act, 1992 read with Regulations 3(b), (c), (d), 4(2)(c), (f), (k) & (r) of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003. Further, it is also alleged that KSS had failed to submit certain information demanded by SEBI and also submitted false information and, by doing so, have violated the provisions of Sections 11C (3) of SEBI Act.

*For details:*

[https://www.sebi.gov.in/enforcement/orders/jan-2021/adjudication-order-in-the-matter-of-gdr-issue-of-k-sera-sera-limited-now-known-as-kss-limited\\_48875.html](https://www.sebi.gov.in/enforcement/orders/jan-2021/adjudication-order-in-the-matter-of-gdr-issue-of-k-sera-sera-limited-now-known-as-kss-limited_48875.html)

- **In respect of Genie Commercial Ventures Pvt. Ltd. (January 25, 2021)**

SEBI imposed a penalty of Rs. 3 lakh on Genie Commercial Ventures Pvt. Ltd. for failure to make timely disclosures and thereby has violated Regulation 52(1), 52(4) and 52(5) of the LODR Regulations.

*For details:*

[https://www.sebi.gov.in/enforcement/orders/jan-2021/adjudication-order-in-respect-of-genie-commercial-ventures-pvt-ltd-\\_48874.html](https://www.sebi.gov.in/enforcement/orders/jan-2021/adjudication-order-in-respect-of-genie-commercial-ventures-pvt-ltd-_48874.html)

### ❖ ***NCLT/ NCLAT News***

#### **Setting up of NCLAT Chennai bench to help cos, litigants in southern states: Sitharaman (January 25, 2021)**

Union minister Smt. Nirmala Sitharaman on Monday said 'setting up of a bench of the National Company Law Appellate Tribunal (NCLAT) will provide a major relief to companies and litigants in the southern states, and also help in reducing pendency of cases.'

The Chennai bench of the NCLAT was inaugurated by Smt. Nirmala Sitharaman, who is in charge of finance as well as corporate affairs ministries, on Monday, January 25, 2021.

*For details:*

[https://www.outlookindia.com/newscroll/setting-up-of-nclat-chennai-bench-to-help-cos-litigants-in-southern-states-sitharaman/2017199?utm\\_source=amp&utm\\_medium=wa&utm\\_campaign=amp](https://www.outlookindia.com/newscroll/setting-up-of-nclat-chennai-bench-to-help-cos-litigants-in-southern-states-sitharaman/2017199?utm_source=amp&utm_medium=wa&utm_campaign=amp)

### ❖ ***Insolvency and Bankruptcy***

#### **Supreme Court upholds order directing Operational Creditor to pay CIRP costs, fees after dismissal of insolvency plea (January 27, 2021)**

Stating that the direction did not warrant interference, the Supreme Court dismissed the appeal against NCLAT order.

The Supreme Court has upheld an order passed by the National Company Law Appellate Tribunal (NCLAT) directing an Operational Creditor to pay the CIRP costs and fees after the dismissal of his insolvency plea. (*Rajkumar Brothers And Production Pvt Ltd vs. Harish Amilineni Shareholder and erstwhile Director of Amilionn Technologies Private Limited & Anr*)

*For details:*

<https://www.barandbench.com/news/litigation/supreme-court-upholds-order-directing-operational-creditor-to-pay-cirp-costs-fees-dismissal-insolvency>

## ❖ **Banking & Insurance**

### • **RBI Working Paper No.03/2021: Monetary Policy Transparency and Anchoring of Inflation Expectations in India (January 25, 2021)**

The Reserve Bank of India placed on its website a Working Paper titled “Monetary Policy Transparency and Anchoring of Inflation Expectations in India” under the Reserve Bank of India Working Paper Series. This paper constructs an index of monetary policy transparency for India and examines the role of transparency in anchoring inflation expectations. Empirical results show that the degree of policy transparency has indeed increased substantially since the adoption of Flexible Inflation Targeting (FIT) in 2016.

*For details :*

[https://www.rbi.org.in/Scripts/BS\\_PressReleaseDisplay.aspx?prid=51023](https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=51023)

### • **No withdrawal of old series of Rs. 100, Rs. 10 and Rs. 5 banknotes from circulation: RBI (January 25, 2021)**

The RBI has put out a tweet from its official Twitter handle stating that" With regard to reports in certain sections of media on withdrawal of old series of Rs. 100, Rs. 10 & Rs. 5 banknotes from circulation in near future, it is clarified that such reports are incorrect."

*For details:*

<https://www.livemint.com/industry/banking/no-withdrawal-of-old-series-of-rs100-rs10-and-rs5-banknotes-from-circulation-rbi-11611568758731.html>

### • **Banks review services policy for WhatsApp (January 26,2021)**

Banks, which were looking to integrate WhatsApp as a key channel for customers to transact on, are reviewing their policies in respect of the use of the messaging platform. This comes after general concerns among the public that have arisen over Facebook sharing user data among its group companies.

*For details :*

<https://economictimes.indiatimes.com/industry/banking/finance/banking/banks-review-services-policy-for-whatsapp/articleshow/80462041.cms>

### • **Invest Lumpsum for Lifetime Pension - Standard annuity plan to be launched soon! (January 27, 2021)**

IRDAI has asked all life insurance companies to offer Standard Individual Immediate Annuity Product, ‘Saral Pension’ with effect from 1st April 2021. The regulator has released the guidelines on Standard Individual Immediate Annuity Product, ‘Saral Pension’ by defining the benefits, features, terms and conditions and annuity options.

*For details:*

<https://www.financialexpress.com/money/insurance/invest-lumpsum-for-lifetime-pension-standard-annuity-plan-to-be-launched-soon/2179586/>

[https://www.irdai.gov.in/ADMINCMS/cms/whatsNew\\_Layout.aspx?page=PageNo4353&flag=1](https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4353&flag=1)

## ❖ Terminology for Today

### Dead-hand Provision

The provision requires that anti-takeover defenses can only be cancelled by a vote of the board, so acquirers who want to avoid the consequences of the defenses must receive approval from the board before initiating a takeover.

## ❖ Market Watch

### Stock Market Indices as on 27.01.2021

S & P BSE Sensex	47409.93 (-937.66)
Nifty 50	13967.50 (-271.4)

### Foreign Exchange Rates as on 25.01.2021

(<https://www.fbil.org.in/#/home>)

INR / 1 USD	INR / 1GBP	INR / 1 EUR	INR/ 1 JPY
72.9297	100.0255	88.8187	.7032

### 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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