

# Info Capsule

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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 Ashish Garg**

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

## ❖ Latest @ ICSI

### Online Doubt Clearing Classes

The ICSI is conducting Online Doubt Clearing Classes from September 15, 2020 onwards for students appearing in December, 2020 examination.

<https://www.icsi.edu/media/webmodules/onlineclasses.pdf>

## ❖ Ministry of Finance

### India to receive Rs 3,500 crore Loans from Japan's donor agency JICA to boost COVID-19 fight

Japan's donor agency JICA signed an agreement with the Government under which it will provide about Rs 3,500 crore in loan to boost the fight against the COVID-19 pandemic in India.

<https://zeenews.india.com/india/india-to-receive-rs-3500-crore-loan-from-japans-donor-agency-jica-to-boost-covid-19-fight-2306751.html>

## ❖ Securities Laws & Capital Market

### SEBI Circulars

#### • Review of Debt and Money Market Securities Transactions Disclosure (September 02, 2020)

In order to enhance transparency, SEBI vide its circular has provided that w.e.f. October 01, 2020, the details of debt and money market securities transacted (including inter scheme transfers) in its schemes portfolio shall be disclosed on daily basis with a time lag of 15 days in a revised format as prescribed in Annexure A of this circular. The disclosure shall be in a comparable, downloadable (spreadsheet) and machine readable format.

[https://www.sebi.gov.in/legal/circulars/sep-2020/review-of-debt-and-money-market-securities-transactions-disclosure\\_47465.html](https://www.sebi.gov.in/legal/circulars/sep-2020/review-of-debt-and-money-market-securities-transactions-disclosure_47465.html)

#### • SEBI Adjudication Order (September 01, 2020)

SEBI imposed a penalty of Rs. 1 lakh on Whitefeathers Realty Pvt Ltd for not making disclosure under Regulation 29(1) read with 29(3) of SAST Regulations, 2011 to the company (Mapro Industries Ltd.) and stock exchange regarding its acquisition of 10,000 shares leading to its shareholding from 4,13,050 shares (4.92%) to 4,23,050 shares (5.04%) i.e. breaching the 5% threshold.

[https://www.sebi.gov.in/enforcement/orders/sep-2020/adjudication-order-in-respect-of-whitefeathers-realty-pvt-ltd-in-the-matter-of-mapro-industries-ltd\\_47463.html](https://www.sebi.gov.in/enforcement/orders/sep-2020/adjudication-order-in-respect-of-whitefeathers-realty-pvt-ltd-in-the-matter-of-mapro-industries-ltd_47463.html)

#### • SEBI Order (August 31, 2020)

SEBI directed Kelvin Fincap Limited not to access the securities market, directly or indirectly, by issuing prospectus, offer document or advertisement soliciting money from the public for a period of 3 years and are further restrained and prohibited from buying, selling or otherwise dealing in the securities market, directly or indirectly, for a period of 7 years. Kelvin Fincap Limited has allotted shares to more than 49 persons under the preferential allotment and thereby has violated the relevant provisions of Companies Act and SEBI (ICDR) Regulations.

[https://www.sebi.gov.in/enforcement/orders/aug-2020/in-the-matter-of-kelvin-fincap-limited\\_47459.html](https://www.sebi.gov.in/enforcement/orders/aug-2020/in-the-matter-of-kelvin-fincap-limited_47459.html)

### SEBI in News

#### • SEBI levied a fine of Rs 15 lakh on Renish Hareshbhai Bhuvra for releasing unpublished price sensitive information (UPSI) related to financial results of HDFC Bank through WhatsApp messages prior to the official announcement by the company.

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-penalises-1-person-for-leaking-info-on-hdfc-bank-results-via-whatsapp/articleshow/77859093.cms>

#### • SEBI imposed a total fine of Rs. 4 lakh on four entities for disclosure lapses in the matter of SRK Industries Ltd. It was found that the entities had failed to make complete disclosures required under PIT (prohibition of insider trading) norms for becoming the promoters of SRK, due to a scheme of arrangement approved by High Court of Bombay and High Court of Madras for the merger of TCL (Transcend Commerce Ltd) with SRK.

[https://www.business-standard.com/article/markets/sebi-fines-4-entities-for-disclosure-lapses-in-srk-industries-case-120083101685\\_1.html](https://www.business-standard.com/article/markets/sebi-fines-4-entities-for-disclosure-lapses-in-srk-industries-case-120083101685_1.html)

## ❖ **Valuations**

### **Guidelines on Use of Caveats, Limitations and Disclaimers by the Registered Valuers in Valuation Reports**

With an objective to provide guidance to the Registered Valuers (RVs) in the use of Caveats, Limitations and Disclaimers in the interest of credibility of the valuation reports, the Insolvency and Bankruptcy Board of India has issued Insolvency and Bankruptcy Board of India (Use of Caveats, Limitations, and Disclaimers in Valuation Reports) Guidelines, 2020 on September 01, 2020

These Guidelines shall come into force with respect of valuation reports for the valuations conducted by Registered Valuers (RVs) on or after October 01, 2020.

Further, the objectives on above – mentioned guidelines also provide an illustrative list of the Caveats, Limitations, and Disclaimers which shall not be used in a valuation report.

<https://www.ibbi.gov.in/uploads/legalframework/e5e1300db2dd6a8bebe289ba579a7c14.pdf>

## ❖ **Direct Tax**

The Central Government vide Notification No. 71/2020 hereby specifies "Scheduled Commercial Banks" listed in the Second Schedule of the Reserve Bank of India Act, 1934 for the purposes of the sub-clause (ii) of clause (a) of sub-section (1) of Section 138 of the Income-tax Act, 1961.

[https://www.incometaxindia.gov.in/communications/notification/notification\\_71\\_2020.pdf](https://www.incometaxindia.gov.in/communications/notification/notification_71_2020.pdf)

## ❖ **Indirect Tax**

### **Goods and Services Tax Updates**

- **Due date of Compliances further extended till November 30, 2020**

Notification No. 65/2020 – Central Tax dated September 01, 2020 seeks to amend notification no. 35/2020-Central Tax dated 03.04.2020 to extend due date of compliance under Section 171 which falls during the period from “20.03.2020 to 29.11.2020” till 30.11.2020

<https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-65-central-tax-english-2020.pdf>

- **New functionalities for TCS and Composite Tax payers**

It is a provision to make amendment, multiple times, in Table 4 of Form GSTR-8. The taxpayers under composition scheme, who are permitted to make supplies through E-Commerce Operators, e.g. Restaurant Services, will now be able to view and take necessary actions in their TDS/TCS credit received form. E-commerce operators would now be able to add GSTIN of such composition suppliers, in their Form GSTR-8 and file the Form.

<https://www.gst.gov.in/newsandupdates/read/397>

## ❖ **Market Watch**

<b>Capital Market</b>	
S & P BSE Sensex	39086.03 (+185.23)
Nifty 50	11535.00 (+64.75)

<b>Reference Rate</b>			
<b>INR / 1 USD</b>	<b>INR / 1 EUR</b>	<b>INR / 1 GBP</b>	<b>INR / 1 JPY</b>
73.26 (+0.41%)	87.35 (+0.58%)	97.77 (+0.40%)	0.69 (+0.03%)

## ❖ **Insolvency and Bankruptcy**

### • **COVID-19 clouds IBC Resolution, Applicants seek payment schedule relaxation**

The COVID-19 pandemic is prompting successful resolution applicants to seek relaxation in the payment schedule. Resolution applicants of at least two corporate debtors from the Reserve Bank of India's (RBI's) first list of non-performing assets (NPAs) including Bhushan Power & Steel (BPSL) and Amtek Auto have asked for flexibility in the payment schedule in recent months.

[https://www.business-standard.com/article/finance/covid-19-clouds-ibc-resolution-applicants-seek-payment-schedule-relaxation-120083100494\\_1.html](https://www.business-standard.com/article/finance/covid-19-clouds-ibc-resolution-applicants-seek-payment-schedule-relaxation-120083100494_1.html)

### • **Videocon Industries promoters seek fresh package for debt restructuring**

In a last-ditch effort to save Videocon Industries from going into liquidation, the promoters have sought a debt restructuring package which would result in banks getting back Rs 33,400 crore from the company over the next few years. The company was sent to the National Company Law Tribunal (NCLT) for debt resolution in December 2017 and almost shut operations.

[https://www.business-standard.com/article/companies/videocon-industries-promoters-seek-debt-recast-package-from-lenders-120090100725\\_1.html](https://www.business-standard.com/article/companies/videocon-industries-promoters-seek-debt-recast-package-from-lenders-120090100725_1.html)

## ❖ **Banking & Insurance**

### **Moratorium period on Loan Repayment extendable by two years: Centre, RBI tell SC**

The Centre and RBI Tuesday told the Supreme Court that the moratorium period on repayment of loans amid the COVID-19 pandemic is "extendable" by two years. Solicitor General Tushar Mehta, appearing for the Centre and the Reserve Bank of India (RBI), told a bench headed by Justice Ashok Bhushan that several steps have been taken for stressed sectors and the economy has contracted by 23 per cent due to the pandemic.

<https://indianexpress.com/article/business/banking-and-finance/loan-repayment-moratorium-period-rbi-6578768/>

## ❖ **Business and Economic News**

- Supreme Court allows Telcos to pay AGR dues within 10 years, NCLT to decide whether spectrum can be sold. The Supreme Court granted telecom companies 10 years to clear AGR (adjusted gross revenue) dues of around Rs 1.43 lakh crore to the Centre, providing much needed relief to some of the Telcos which could have faced the prospect of winding up their operations for being unable to pay the entire amount at one go.

<https://www.barandbench.com/news/litigation/supreme-court-allows-telcos-agr-dues-within-10-years>

- Major rating agencies have raised their projections of the contraction of India's economy in the current fiscal year, with some anticipating a double-digit fall after gross domestic product (GDP) declined 23.9% in April-June.

[https://www.business-standard.com/article/economy-policy/rating-agencies-up-projection-for-india-s-gdp-contraction-in-fy21-120090200039\\_1.html](https://www.business-standard.com/article/economy-policy/rating-agencies-up-projection-for-india-s-gdp-contraction-in-fy21-120090200039_1.html)

## **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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व्यक्तं तेन नमोः श्रेयते इयं तेन ज्ञा।

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"To develop high calibre professionals  
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