

Info Capsule

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❖ Latest @ ICSI

Feedback on Company Forms in MCA21-V3 Portal

As you are aware, the Ministry of Corporate Affairs w.e.f. August 31, 2022 migrated filing of 9 Company Forms from MCA 21 V2 to V3 Portal.

The Ministry of Corporate Affairs w.e.f. January 23, 2023, has launched second set of Company Forms covering 56 forms on MCA21-V3 Portal for filing purposes. The list of all 56 Company Forms is available on MCA website.

The Institute of Company Secretaries of India, in its attempt to further facilitate the stakeholders and ensure smooth transition and implementation, is sharing your feedback to the Ministry of Corporate Affairs (MCA) on regular basis. Such feedback is constantly and closely monitored by MCA at all levels for timely resolution.

We request you to share your inputs/issues/suggestions on filing of Company Forms in MCA V3 at the link given below:

<https://forms.gle/m5NGoCbt4TibuD196>

We thank you for your continued support and hope for association in the future as well.

❖ Securities Laws and Capital Market

SEBI to enhance reporting of group-level transactions (August 08, 2023)

SEBI is planning to enhance the reporting of group-level transactions by conglomerates. The regulator said details on cross holdings and material financial transactions within a conglomerate are among matters it is examining for disclosures on an annual basis. "While listed entities are subject to comprehensive disclosure requirements, the same levels of disclosure requirements are not applicable to unlisted companies," SEBI said in its annual report. "Therefore, there is a need to identify, monitor and manage the risks introduced into the securities market ecosystem by unlisted companies in a conglomerate with a complex set of listed and unlisted associates." Separately, the regulator said it is reviewing the eligibility criteria for introduction and continuation of stocks in the derivatives segment.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-to-enhance-reporting-of-group-level-transactions/articleshow/102515234.cms>

❖ Terminology for today

Coase theorem

A concept, developed by Ronald Coase that deals with externalities. Coase thinks of the problem in terms of conflicting property rights such as the right of a factory to operate noisy machinery and the right of its neighbours to enjoy peace and quiet. If property rights are clearly delineated then, in the absence of transaction costs, bargaining should lead to an efficient outcome, such as the factory compensating its neighbours for the noise.

❖ ***Business and Economic News***

Several landmark initiatives taken up under NEP 2020 for the transformation of Education Sector (August 07, 2023)

National Education Policy 2020 (NEP 2020) unequivocally endorses and envisions a substantial increase in public investment in education by both the Central government and all State Governments to reach 6% of GDP. The Policy also calls for the rejuvenation, active promotion, and support for private philanthropic activity in the education sector. As far as Ministry of Education is concerned, there has been increase in budget allocation from Rs. 99,311.52 crore (2020-21) to Rs. 1,12,899.47 crore (2023-24), which is around 13.68 % increase. As per Analysis of Budgeted Expenditure on Education 2018-19 to 2020-21, total expenditure on education as percentage of GDP has shown increasing trend and for the year 2020-21 it is 4.64%.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1946419>

❖ ***Ministry of Micro, Small & Medium Enterprises***

Role of MSME Sector in the Country (August 07, 2023)

As per the latest information received from Ministry of Statistics & Programme Implementation, the share of MSME Gross Value Added (GVA) in all India Gross Domestic Product (GDP) during the year 2019-20, 2020-21 and 2021-22 was 30.5%, 27.2% and 29.2% respectively. The share of MSME manufacturing output in all India Manufacturing output during the year 2019-20, 2020-21 and 2021-22 was 36.6%, 36.9% and 36.2% respectively.

As per the information received from Directorate General of Commercial Intelligence and Statistics (DGCIS), the share of export of MSME specified products in all India exports during the year 2020-21, 2021-22 and 2022-23 was 49.4%, 45.0% and 43.6% respectively. As on 02.08.2023, as per Udyam Registration Portal, the total number of persons employed in MSMEs which were registered from 01.07.2020 to 01.08.2023 in India was 12,36,15,681.

For details:

<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1946375#:~:text=As%20per%20the%20latest%20information,27.2%25%20and%2029.2%25%20respectively.>

❖ *Ministry of Environment, Forest and Climate Change*

Biological Diversity Act (August 07, 2023)

The Government of India has taken several steps for conservation of biodiversity which includes survey, inventorization, taxonomic validation and threat assessment of floral and faunal resources; assessment to develop an accurate database for planning and monitoring as well as conservation and protection of forests; establishment of a protected area network of National Parks, Wildlife Sanctuaries, conservation and community reserves; designating Biosphere Reserves for conservation of representative ecosystems; undertaking of species oriented programmes, such as Project Tiger, Project Elephant, Project Dolphin; complemented with ex-situ conservation efforts.

A total of 1,02,718 species of fauna and 54,733 species of flora have been documented in the 10 biogeographic zones of the country. For ensuring protection of flora and fauna within protected areas, management plans are prepared by State Forest Departments which inter alia include a schedule of activities to be take-up over a period of ten years. The Wild Life (Protection) Amendment Act, 2022 provides for diligence to be taken before approval of any activity is accorded by the State Government within a protected area to ensure conservation and protection of biodiversity.

As per Section 37 (1) of the Biological Diversity Act,2002 the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as Biodiversity Heritage Sites.

For details:

<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1946410>

❖ *Market Watch*

Stock Market Indices as on 08.08.2023

S & P BSE Sensex	65846.50 (-106.98)
Nifty 50	19570.85 (-26.45)

Foreign Exchange Rates as on 07.08.2023

(<https://www.geojit.com/currency-futures>)

INR / 1 USD	INR / 1 EUR	INR / 1 GBP	INR/ 1 JPY
82.69	90.99	105.41	0.58

❖ **Mediation Law**

Parliament passes the Mediation Bill 2023 to reduce pendency of court cases (August 7, 2023)

The Parliament has passed the Mediation Bill 2023 with the Lok Sabha giving its assent to the Bill on Monday, August 7, 2023. The Rajya Sabha had cleared it on August 1, 2023.

Replying to the discussion on the bill, Minister for Law and Justice Sh. Arjun Ram Meghwal said, Mediation is not a new concept for an ancient country like India regarding Mediation. He said, many examples are available in different texts and scriptures. Sh. Arjun Ram Meghwal said, Government brought the bill so that the problems of people, especially the poor, are solved. He said, nearly 70 thousand cases are pending in Supreme Court, 60 lakh cases are pending in High Courts and four crore cases are pending in District and Subordinate courts. The Minister said, Government has given priority to reduce the pendency of cases in the courts. He said the bill will boost the ease of living and will be cost-effective. He said, through this bill mediation centres will get legal support.

The Bill requires persons to try to settle civil or commercial disputes through mediation before approaching any court or tribunal. A party may withdraw from mediation after two mediation sessions. The mediation process must be completed within 180 days, which may be extended by another 180 days by the parties. The Bill provides for the setting up of The Mediation Council of India. Its functions will include registering mediators, and recognising mediation service providers and mediation institutes.

For details:

<https://newsonair.gov.in/News?title=Parliament-passes-Mediation-Bill-2023&id=465709>

Prepared by Directorate of Academics

For any suggestions, please write to academics@icsi.edu.

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