



Vision

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

Motto

सत्यं वद। धर्मं चर। इष्टार्कं कुरु। तृणार्कं ह्यु कुरु।

Mission

"To develop high calibre professionals facilitating good corporate governance"

Wednesday, February 21, 2024

Info Capsule

President

CS B Narasimhan

Vice President

CS Dhananjay Shukla

❖ Capital Market and Securities Laws

Centralization of certifications under Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS) at KYC Registration Agencies (KRAs) (February 20, 2024)

The reporting financial institution (RFI) [as defined under rule 114F (7) of Income Tax Rules, 1962] is required to obtain a self-certification from the client, as part of the account opening documentation, to determine the client's residence for tax purpose. With an aim to promote ease of doing business and compliance reporting, it is provided that the intermediaries, who are RFI, shall upload the FATCA and CRS certifications obtained from the clients onto the system of KRAs with effect from July 01, 2024. The existing certifications obtained from clients prior to July 01, 2024 shall be uploaded by the intermediaries onto the systems of KRAs within a period of 90 days of implementation of this circular.

For details:

<https://www.sebi.gov.in/legal/circulars/feb-2024/centralization-of-certifications-under-foreign-account-tax-compliance-act-fatca-and-common-reporting-standard-crs-at-kyc-registration-agencies-kras-81583.html>

❖ Public Comments invited by Regulators

Central Consumer Protection Authority (CCPA) seeks public comments on Draft Guidelines for Prevention and Regulation of Greenwashing (February 20, 2024)

The Central Consumer Protection Authority has sought public comments on Draft Guidelines for Prevention and Regulation of Greenwashing. Draft Guidelines are placed on the website of the Department of Consumer Affairs and are accessible through the link:

<https://consumeraffairs.nic.in/sites/default/files/fileuploads/latestnews/Draft%20Guideline%20with%20approval.pdf>

Public comments/suggestions/feedback are solicited and may be provided to the Central Authority within 30 days (until 21st March 2024).

The Department of Consumer Affairs (DoCA) constituted a committee of stakeholders for consultation on "Greenwashing" on vide OM dated 2nd November, 2023. The committee had representation of NLUs, law firms, Government and Voluntary Consumer Organizations (VCO's) and all the major industry associations.

Three meetings of the committee were held to finalizing the Draft Guidelines for Prevention and Regulation of Greenwashing. The draft Guidelines for Prevention and Regulation of Greenwashing have been framed after detailed deliberations with all committee members and now being put up for public consultation. Proposed Guidelines shall be issued under section 18 (2) (1) of the Consumer Protection Act 2019.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=2007403>

❖ **Competition Law**

• **The Competition Commission of India (Lesser Penalty) Regulations, 2024 (February 20, 2024)**

In exercise of the powers conferred by sub-section (1) and clauses (ga), (gb) and (gc) of sub-section (2) of section 64, read with section 46 and clause (b) of section 27 of the Competition Act, 2002, the Competition Commission of India notified the Competition Commission of India (Lesser Penalty) Regulations, 2024. The Competition Commission of India (Lesser Penalty) Regulations, 2024 inter alia provides that:

An applicant, seeking the benefit of lesser penalty or lesser penalty plus under section 46 of the Act, shall- (a) cease to have further participation in the cartel from the time of its disclosure unless otherwise directed by the Commission; (b) provide vital disclosure in respect of alleged contravention of the provisions of section 3 of the Act; (c) provide all relevant information, documents and evidence as may be required by the Commission; (d) co-operate genuinely, fully, continuously and expeditiously throughout the investigation and other proceedings before the Commission; (e) not conceal, destroy, manipulate or remove the relevant documents in any manner that may contribute to the establishment of a cartel; and (f) not give any false evidence or omit to submit any material information knowing it to be material.

The applicant shall provide the names of the individuals who have been involved in the cartel on its behalf and for whom lesser penalty or lesser penalty plus, as the case may be, is sought by the applicant.

For details: [https://egazette.gov.in/\(S\(khvm1q3axqsddhokp54ff5ut\)\)/ViewPDF.aspx](https://egazette.gov.in/(S(khvm1q3axqsddhokp54ff5ut))/ViewPDF.aspx)

• **Coming into force of Section 33 of the Competition Amendment Act 2023 (February 20, 2023)**

In exercise of the powers conferred by sub-section (2) of section 1 of the Competition (Amendment) Act, 2023 (9 of 2023), the Central Government hereby appoints the 20th day of February, 2024 as the date on which the provisions of section 33 of the said Act shall come into force.

It may be noted that Section 33 of the Competition Amendment Act 2023 deals with power to impose lesser penalty.

For details: [https://egazette.gov.in/\(S\(esnu3rnoao0wmsx233uxqe1\)\)/ViewPDF.aspx](https://egazette.gov.in/(S(esnu3rnoao0wmsx233uxqe1))/ViewPDF.aspx)

• **Competition Commission of India (CCI) approves the acquisition of up to 8.79% (approx.) of the equity share capital of Pricol Limited (Pricol/Target) by Minda Corporation Limited (Minda/Acquirer) (February 20, 2024)**

The Proposed Combination relates to an acquisition of up to 8.79% (approx.) of the equity share capital of Pricol by Minda.

The Acquirer is engaged in the business of manufacturing of auto - components parts and caters to Original Equipment Manufacturers (OEMs) and Tier-1 in various segments in India.

The Target is engaged in the business of manufacturing of automobile components for OEMs, Tier-1 and replacement markets across India and globally.

For details: <https://www.cci.gov.in/media-gallery/press-release/details/367/0>

❖ **Ministry of Electronics and Information Technology**

Government to come out with draft regulatory framework for Artificial Intelligence by July 2024(February 21, 2024)

Minister of State for Electronics and Information Technology Rajeev Chandrasekhar has said that the government will come out with a draft regulatory framework for artificial intelligence (AI) by July this year. Addressing the opening session of the two-day Nasscom leadership summit in Mumbai, Mr. Chandrasekhar said that the government is working on a draft AI regulation framework that is set for release in June or July this year. He added that the intention is to harness AI for economic growth and address potential risks and harms. Mr. Chandrasekhar also said the government is determined to build AI-skilled individuals. He highlighted the importance of a global governance framework that deals with the safety and trust of AI.

Mr. Chandrasekhar had earlier said that the government's approach to regulating AI includes establishing principles and a comprehensive list of harms and criminalities related to the technology. He had said that the government preferred to provide clear standards for platforms that addressed concerns like bias and misuse during model training, rather than regulating AI at certain stages of its development. Regarding the increasing use of the internet, he said that the 900 million people who use it now will soon reach 1.2 billion.

For details: <https://newsonair.gov.in/News?title=Government-to-come-out-with-draft-regulatory-framework-for-Artificial-Intelligence-by-July-2024&id=477637>

❖ **Ministry of External Affairs**

Raisina Dialogue 2024 (February 20, 2024)

The Raisina Dialogue is India's flagship conference on geopolitics and geo-economics, committed to addressing the most challenging issues facing the international community. The 9th edition of the Raisina Dialogue will be held from 21-23 February, 2024.

Prime Minister Shri Narendra Modi will inaugurate the Dialogue on 21 February. Prime Minister of the Hellenic Republic (Greece), H.E. Mr. Kyriakos Mitsotakis, will join the inaugural session as the Chief Guest, and deliver the keynote address.

The theme of the 2024 edition is "Chaturanga: Conflict, Contest, Cooperate, Create". Over the course of three days, decision makers and thought leaders of the world will engage each other across conversations in various formats, over six thematic pillars: (i) Tech Frontiers: Regulations & Realities; (ii) Peace with the Planet: Invest & Innovate; (iii) War & Peace: Armouries & Asymmetries; (iv) Decolonising Multilateralism: Institutions & Inclusion; (v) The Post 2030 Agenda: People & Progress; and (vi) Defending Democracy: Society & Sovereignty.

For details: https://www.mea.gov.in/press-releases.htm?dtl/37644/Raisina_Dialogue_2024

❖ **List of ICSI Latest Publication 2023 Onwards**

1	Charter of Audit Committee - January 2023
2	Corporate Governance from Compliance to Excellence (Handbook on Best Practices) Version 2.0 - March 2023
3	FAQS on SEBI (Real Estate Investment Trusts) Regulations, 2014 - March 2023
4	FAQS on SEBI (Infrastructure Investment Trusts) Regulations, 2014 - March 23
5	Handbook on IFSCA - April 2023
6	Handbook on Business Responsibility and Sustainability - May 2023
7	FAQS on Section 8 Companies 2 nd Edition - June 2023
8	Ready Reckoner for Private Companies (Revised Edition) - June 2023
9	One Person Company - A Referencer - July 2023
10	NBFC - A Quick Referencer
11	Handbook on Producer Companies
12	Chartered Secretary Collector's Series (First Edition) - September 2023
13	ICSI (Management and Development of Company Secretaries in Practice) Guidelines, 2023 – November 2023
14	Charter of Board of Directors
15	Charter of Nomination and Remuneration Committee - January 24
16	Guidance Note on Annual Secretarial Compliance Report (Revised Edition) - January 24
17	Company Law Exploring Procedural Dimensions VOL I / II / III - December 2023

Weblink for Purchase: <https://www.icsi.edu/home/icsipublications/>

❖ **Market Watch**

Stock Market Indices as on 21.02.2024	
S & P BSE Sensex	72623.09 (-434.31)
Nifty 50	22055.05 (-141.90)

Foreign Exchange Rates as on 21.02.2024 (https://m.rbi.org.in/scripts/ReferenceRateArchive.aspx)			
INR / 1 USD	INR / 1 EUR	INR / 1 GBP	INR / 1 JPY
82.88	89.61	104.67	.5525

Prepared by Directorate of Academics

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

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