



Vision

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

Motto

सत्यं वद। धर्मं चर। इष्टार्थं कुरु। अर्थो भवति।

Mission

"To develop high calibre professionals facilitating good corporate governance"

Info Capsule

Tuesday, February 27, 2024

President

CS B Narasimhan

Vice President

CS Dhananjay Shukla

❖ Banking

Union Finance Minister Sitharaman with start-up, fintech ecosystem stakeholders, recommends monthly meeting with RBI (February 27, 2024)

Union Finance Minister Nirmala Sitharaman chaired a meeting with start-up and fintech ecosystem entities on February 26, 2024. The interaction with the start-up and fintech ecosystem partners was organised to enable the free exchange of ideas to bolster and scale up operations to facilitate global competitiveness by enabling growth in the fintech sector. India has approximately 10,244 fintech entities, which is the third largest in the world.

For details:

<https://www.livemint.com/industry/banking/union-finance-minister-sitharaman-with-start-up-fintech-ecosystem-stakeholders-recommends-monthly-meeting-with-rbi-11709007012634.html>

❖ Capital Market and Securities Laws

SEBI Issues Advisory Against Fraudulent Trading Schemes claiming to be offered to Indian residents by FPIs (February 26, 2024)

SEBI has been receiving a number of complaints regarding fraudulent trading platforms which falsely claim or suggest affiliation with SEBI-registered Foreign Portfolio Investors (FPIs) and claiming to offer trading opportunities through FPI or Foreign Institutional Investor (FII) Sub-accounts or Institutional Accounts with special privileges. Fraudsters are enticing victims through online trading courses, seminars, and mentorship programs in the stock market, leveraging social media platforms like WhatsApp or Telegram, as well as live broadcasts. Posing as employees or affiliates of SEBI-registered FPIs, they coax individuals into downloading applications that purportedly allow them to purchase shares, subscribe to IPOs, and enjoy "Institutional account benefits"—all without the need for an official trading or Demat account. These operations often use mobile numbers registered under false names to orchestrate their schemes. SEBI urges investors to exercise caution and to steer clear of any social media messages, WhatsApp groups, Telegram channels, or apps claiming to facilitate stock market access through FPIs or FIIs registered with SEBI. Such schemes are fraudulent and do not have SEBI's endorsement.

For details:

https://www.sebi.gov.in/media-and-notifications/press-releases/feb-2024/sebi-issues-advisory-against-fraudulent-trading-schemes-claiming-to-be-offered-to-indian-residents-by-fpis_81733.html

❖ Ministry of Finance

Implementation of e-Verification Scheme-2021 (February 26, 2024)

The Income Tax Department has identified certain mismatches between the information received from third parties on interest and dividend income, and the Income Tax Return (ITR) filed by taxpayers. In many cases, taxpayers have not even filed their ITR.

In order to reconcile the mismatch, an on-screen functionality has been made available in the Compliance portal of the e-filing website <https://eportal.incometax.gov.in> for taxpayers to provide their response. At present, the information mismatches relating to Financial Years 2021-22 and 2022-23 have been displayed on the Compliance portal. The taxpayers are also being made aware of the mismatch through SMS and emails as per details available with the Department.

Those taxpayers who have already registered on the e-filing website, can navigate to Compliance portal directly after logging into their account. Details of mismatches identified will be available under the 'e-Verification' tab.

Taxpayers who are not registered on the e-filing website have to register themselves on the e-filing website to view the mismatch. For registration, the "Register" button on the e-filing website can be clicked and the relevant details can be provided therein. After successful registration, the e-filing account can be logged into and the Compliance portal can be navigated to view the mismatches.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=2009208>

Adjudication Order

February 10, 2024	Adjudication Order of penalties in the matter of <i>Kudos Finance and Investments Private Limited</i> under Section 454(3) read with section 138 of the Companies Act, 2013 read with rule 13 of the Companies (Accounts) Rules, 2014	Registrar of Companies Maharashtra, Pune
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Brief Facts:

An Inquiry was conducted by the Investigating Officer and during the Inquiry it was pointed out by the Investigating Officer that the turnover of the company exceeds the Rs.1000 Crore. Hence, in compliance of the Section 138 of the Companies Act, 2013, the company shall appoint internal auditor & shall conduct audit in the company. However, the company neither appointed internal auditor and nor conducted audit in the company and failed to comply with requirements of section 138 of the Companies Act, 2013. Thus, company and its officers are liable under provisions of section 450 of the Act. A reasonable opportunity was given to company and its directors. However, reply submitted by the Company was not satisfactory and the competent authority has directed to adjudicate the matter.

Order:

The Adjudicating Officer inter alia order that the applicant company and its officers, who have defaulted the provisions of section 138(1) of the Act that the turnover of the company exceeds the Rs.1000 Crore & the company neither appointed an internal auditor and nor conducted audit in the company, and failed to comply with requirements of section 138, hence company and its officers are liable under provisions of section 450 of the Act.

S. No	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 27.02.2024

S & P BSE Sensex	73,095.22 (+305.09)
Nifty 50	22,198.35 (+76.30)

Foreign Exchange Rates as on 27.02.2024 (<https://m.rbi.org.in/scripts/ReferenceRateArchive.aspx>)

INR / 1 USD	INR / 1 EUR	INR / 1 GBP	INR / 1 JPY
82.89	89.93	105.10	0.55

Prepared by Directorate of Academics

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

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