

Vision

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

Motto

सत्यं वद। धर्मं चर।
इष्टार्थं कुरु। तृणैः कवेदं ह्यु कुरु।

Mission

"To develop high calibre professionals facilitating good corporate governance"

Wednesday, June 28, 2023

Info Capsule

President

CS Manish Gupta

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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.

❖ Business and Economics News

• Group of organisations write to MCA over concerns around impact of Digital Competition Bill (June 26, 2023)

A total of 58 organisations and individuals representing different stakeholder communities from across the country including the Cyber Cafe Association of India (CCAOI), Internet Society Chapters of India, India Internet Foundation (IFF) and Consumer Unity & Trust Society (CUTS International) have written to the Secretary of the Ministry of Corporate Affairs (MCA) Dr Manoj Govil urging the MCA to hold an "open consultative public engagement process" while drafting the Digital Competition Bill and to take concerns around the impact of the Bill on end consumers and small businesses.

For details:

https://economictimes.indiatimes.com/tech/technology/group-of-organisations-write-to-mca-over-concerns-around-digital-competition-bill/articleshow/101273498.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

❖ Terminology for today

Funding Winter

Funding winter means an extended period of reduced capital inflows to startups. This has been a global phenomenon throughout 2022 and expected to have an extended run in 2023 as well. Prior to funding winter, globally many startups were able to raise funds at increasingly higher valuations with relative ease.

❖ **Securities Laws and Capital Market**

• **SEBI asks CRAs to disclose about non-cooperating issuers (June 27, 2023)**

With an aim to boost transparency, SEBI asked credit rating agencies to disclose lists of issuers who are non-cooperative with them. This comes after SEBI observed over the time the number of issuers that are non-cooperative with CRAs (Credit Rating Agencies) have increased, with a vast majority of INC issuers being unlisted and small entities. The list would be disclosed in a prescribed format and the disclosure would be updated on a daily basis, SEBI said in a circular. The new circular will be applicable with effect from July 15, 2023. Under the rules, every CRA has to carry out periodic reviews of all published ratings during the lifetime of the securities, unless the rating is withdrawn. However, in case a client does not cooperate with the CRA, the CRA is required to carry out the review on the basis of best available information or in the manner specified by SEBI.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-asks-cras-to-disclose-about-non-cooperating-issuers/articleshow/101317732.cms>

• **SEBI discontinues fee payment via demand draft (June 28, 2023)**

SEBI on June 27, 2023 said it will no longer accept demand drafts concerning the fee charged for requesting informal guidance about applicability of rules. Now, the regulator will accept the fee by way of direct credit into its bank account. SEBI's Informal Guidance Scheme enables certain entities to request for informal guidance regarding the applicability of laws and regulations administered by the markets regulator in the form of "No Action Letters" or "Interpretive Letters" from the markets watchdog. To give this effect, the SEBI (Informal Guidance) Scheme has been amended.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-discontinues-fee-payment-via-demand-draft/articleshow/101318449.cms>

• **SEBI notifies ways to achieve minimum public unitholding of 25% in REITs, InvITs (June 27, 2023)**

SEBI notified methods such as offer for-sale mechanism, rights issue and issuance of bonuses to unitholders of REITs and InvITs to achieve compliance with the 25% minimum public holding requirement. As per SEBI rules, any listed REIT (Real Estate Investment Trust) or InvIT (infrastructure Investment Trust), is mandated to achieve minimum public holding of at least 25% within a period of three years from the date of listing of the units. To facilitate REITs and InvITs to achieve minimum public unitholding compliance, managers of these trusts will have to adopt any method suggested by the SEBI. The methods laid down by the SEBI include issuance of units to the public through an offer document, offer for sale by sponsor, manager and their associates, bonus issue to public unitholders, allotment of units under institutional placement and sale of units by sponsors or managers or associates/related parties in the open market subject to compliance with the conditions.

For details:

<https://www.livemint.com/market/stock-market-news/sebi-notifies-ways-to-achieve-minimum-public-unitholding-of-25-in-reits-invits-11687880655210.html>

❖ **Banking**

HDFC-HDFC bank merger likely to be effective July 1 (June 28, 2023)

The merger of HDFC Corp with the country's largest private lender HDFC Bank will likely take effect July 1, Chairman of India's mortgage-lending pioneer Deepak Parekh said on June 28, 2023. The combined entity will have an asset base of around ₹18 lakh crore, or in excess of \$200 billion. The boards of HDFC and the private bank will meet on June 30 to clear and approve the merger, Parekh told the media in Mumbai.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/hdfc-hdfc-bank-merger-likely-to-be-effective-july-1/articleshow/101322236.cms>

❖ **Competition Commission of India**

CCI approves acquisition of TCNS Clothing Co. Limited by Aditya Birla Fashion and Retail Limited (June 27, 2023)

The proposed combination involves acquisition of 51% of the Expanded Share Capital of the Target by the Acquirer TCNS Clothing Co. Limited (Target) by the Aditya Birla Fashion and Retail Limited (Acquirer). The Acquirer is a listed company and is part of the Aditya Birla conglomerate. It is engaged in retailing of branded products within the apparel, footwear and accessories segment, through its retail stores, online retail platforms and e-commerce marketplaces. The Target is a listed company engaged in the business of manufacturing, distribution and sale of women's apparel, jewellery, footwear, and beauty products, currently undertaken under the brands i.e., W, Aurelia, Wishful, Elleven and Folk Song.

For details: <https://www.cci.gov.in/antitrust/press-release/details/304>

❖ **Market Watch**

Stock Market Indices as on 28.06.2023

S & P BSE Sensex	63,915.42 (+945.42)
Nifty 50	18,972.10 (+280.90)

Foreign Exchange Rates as on 27.06.2023

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

INR / 1 USD	INR / 1 EUR	INR / 1 GBP	INR / 1 JPY
82.00	89.43	104.32	0.57

Prepared by Directorate of Academics

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

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