



Vision

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

Motto

सत्यं वद। धर्मं चर। इष्टार्थं कुरु। तृणान्तेऽपि नृणां कुरु।

Mission

"To develop high calibre professionals facilitating good corporate governance"

Friday, October 31, 2025

Info Capsule

President

CS Dhananjay Shukla

Vice President

CS Pawan G Chandak

❖ Views & Comments Sought by Regulators

Release of Discussion paper on proposed changes in the housing index compilation methodology in the new CPI series (October 30, 2025)

The Ministry of Statistics and Programme Implementation (MoSPI) is undertaking the base revision exercise of the Consumer Price Index (CPI). In the process, MoSPI is revisiting methodologies, exploring new data sources and incorporating changes after comprehensive consultations with the experts, academicians, users and other stakeholders.

A Discussion Paper on the proposed changes in housing index compilation methodology in the new CPI series is prepared. It provides detailed outlines of the existing methodology and proposed changes for the new series. MoSPI invites views and comments from experts, academicians, Central government Ministries/ departments, State governments, financial institutions and other stakeholders on the proposed housing index compilation methodology.

The Discussion Paper is available on the MoSPI website www.mospi.gov.in and CPI warehouse www.cpi.mospi.gov.in. Comments and suggestions may be sent to psd-nso2020@mospi.gov.in by 20th November, 2025

For details: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2184166>

❖ Business & Economy

US has granted India a six-month exemption from sanctions on Chabahar port, confirms MEA (October 30, 2025)

The United States has granted India a six-month exemption from sanctions for operations through Iran's Chabahar port along the Gulf of Oman, the Ministry of External Affairs (MEA) said on Thursday (30.10.2025), confirming what is a major relief for New Delhi's regional connectivity plans. "US has granted India six months exemption from American sanctions on Chabahar port; we remain engaged with US to conclude a trade deal," said MEA spokesperson Randhir Jaiswal. ET had reported earlier on Thursday that India had secured an extension of the sanctions waiver until the early part of next year for the Chabahar Port, which is key to New Delhi's outreach to Afghanistan, Central Asia and even eastern Russia. The US sanctions waiver had expired on Tuesday (28.10.2025), and India managed to obtain the extension after intense diplomatic engagement with Washington, ET reported. New Delhi argued that continued operation of the port was vital for the effectiveness of its regional connectivity strategy, especially as an alternative trade corridor bypassing Pakistan.

For details: <https://economictimes.indiatimes.com/news/economy/foreign-trade/us-has-granted-india-a-six-month-exemption-from-sanctions-on-chabahar-port-confirms-mea/articleshow/124947386.cms>

❖ Ministry of Commerce & Industry

Union Minister of Commerce and Industry Shri Piyush Goyal Chairs Meeting with Export Promotion Councils and Industry Associations (October 30, 2025)

The Union Minister of Commerce and Industry, Shri Piyush Goyal, chaired a meeting with Export Promotion Councils (EPCs) and Industry Associations at Vanijya Bhawan, New Delhi on 29 October 2025. The meeting witnessed participation from representatives of the Department of Commerce, Department of Revenue, Department for Promotion of Industry and Internal Trade (DPIIT), Export Promotion Councils, and various Industry Associations. The discussions focused on issues and challenges faced by the industry, achievements in export diversification, and the views and expectations of stakeholders for further promotion of exports from the country.

For details: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2184042>

❖ **Capital Market and Securities Law**

• **Implementation of eligibility criteria for derivatives on existing Non-Benchmark Indices (October 30, 2025)**

The Securities and Exchange Board of India (SEBI) has issued circular dated October 30, 2025. SEBI vide its circular dated May 29, 2025, stipulated prudential norms with respect to eligibility criteria for derivatives on Non-Benchmark Indices (NBIs). Further, as the process of adjustment of constituents and their weights in the existing NBIs can impact passive funds tracking the indices as well as derivatives contracts on these indices, a public consultation was carried out on August 18, 2025, to seek views on whether compliance with prudential norms be achieved through creation of separate index or weight/constituent adjustment in existing index.

Therefore, based on the feedback received on public consultation and recommendations of Secondary Market Advisory Committee (SMAC), certain norms are stipulated for implementation of eligibility criteria for derivatives contracts on existing NBIs.

For details: https://www.sebi.gov.in/legal/circulars/oct-2025/implementation-of-eligibility-criteria-for-derivatives-on-existing-non-benchmark-indices_97564.html

• **Ease of doing business –Interim arrangement for certified past performance of Investment Advisers and Research Analysts prior to operationalisation of Past Risk and Return Verification Agency “PaRRVA” (October 30, 2025)**

SEBI, vide circular dated April 4, 2025, specified the framework for creation and operationalization of PaRRVA in order to address the demand of Investment Advisers (“IAs”) and Research Analysts (“RAs”) to display their performance. PaRRVA will carryout the verification activities prospectively for the period post on-boarding of the IAs/RAs with PaRRVA.

SEBI has received representations from the Industry associations of IAs/RAs to facilitate IAs/RAs to communicate past performance data to clients for the period prior to operationalisation of PaRRVA. Considering the representation of the industry, as an interim arrangement, it has been inter alia decided that IAs/RAs may provide past performance data certified by a member of ICAI/ICMAI to a client (including prospective client) only on specific request of such client.

For details: <https://www.sebi.gov.in/legal/circulars/oct-2025/ease-of-doing-business-interim-arrangement-for-certified-past-performance-of-investment-advisers-and-research-analysts-prior-to-operationalisation-of-past-risk-and-return-verification-agency-parrv-97556.html>

❖ **ESG UPDATE**

Arion Banki HF

- One of the founding members of a joint business and government forum on climate issues and green solutions, Green by Iceland, in September 2019.
- Equal pay certification from the union VR since 2015 and equal pay symbol from the Ministry of Welfare since 2018.
- Signatory to Principles for Responsible Investment (UN PRI) since 2017.
- Founding member of IcelandSIF, Iceland Sustainable Investment Forum.
- Signatory to UN Global Compact, the UN’s initiative on sustainability since 2016.
- Signatory to the City of Reykjavík and Festa’s Declaration on Climate Change since 2015.
- Recognized as a company which has achieved excellence in corporate governance by the Center for Corporate Governance since 2015.
- Partner of Festa, a sustainability centre.

For details: <https://www.arionbanki.is/english/about-us/organization/sustainability/>

❖ **Pronouncement**

October 16, 2025	ArcelorMittal Nippon Steel India Limited (Formerly Known As Essar Steel India Limited) Versus National Company Law Tribunal Acting Through Registrar & Ors	Gujarat High Court R/Special Civil Application No. 11679 of 2024 With Civil Application (For Vacating Stay) No. 1 of 2024 C/SCA/11679/2024
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Recusal under Rules 62 of the NCLT Rules, 2016**Brief Facts**

Members of the NCLT recused themselves from hearing the matters pertaining to disposal of the Company Petition in relation to ESSAR Steel India Limited –CIRP after an email was addressed to them by the counsel for certain Respondents. The matters were then transferred to another bench of NCLT, which also recused itself, citing allegations made against the Tribunal's members and registry by the same counsel. Being aggrieved and dissatisfied with the recusals and transfers order of NCLT petitioner has approached to the High Court under Article 226 of the Constitution by way of this petition.

Legal Provision

Rules 62 of the NCLT Rules, 2016: Recusal.

(1) For the purpose of maintaining the high standards and integrity of the Tribunal, the President or a Member of the Tribunal shall recuse himself: -

xx xx xx

Judgement

Hon'ble High Court inter alia observed that on plain reading of Rule 62 of the NCLT Rules, 2016, at the threshold, makes it clear that the legislature has categorically specified the circumstances under which the President or the Member of the Tribunal shall recuse himself from a case allotted to it. Thus, on literal interpretation of the legislature intention would mean that the President or the Member of the Tribunal shall not recuse from any case, except in the circumstances constituted in sub-sections (a), (b) and (c) of Rule 62 of the NCLT Rules, 2016.

On a plain reading of the orders passed by the NCLT – II, Ahmedabad, particularly the order dated 23rd April 2024, it appears that the learned Members recused themselves mainly due to the conduct of the learned counsel who had made allegations against the Members of the Tribunal and the Registry, and who had also arranged for certain persons to remain present in the courtroom to record the proceedings. It is thus evident that the recusal was not on account of any of the circumstances enumerated under Rule 62 of the NCLT Rules, 2016, but rather on account of the conduct of the advocate appearing before the Tribunal.

High Court viewed that the NCLT – II ought not to have recused itself or yielded to such conduct of the parties. If Courts and the Tribunals begin to succumb to pressure or intimidation from counsel or litigants, it would only embolden those who seek to manipulate judicial proceedings and promote practices such as browbeating, forum shopping, and attempts to influence the Bench. Courts and Tribunals are expected to be magnanimous, but such magnanimity should never be at the cost of judicial dignity or independence.

It is increasingly being observed that when judicial officers do not align with the expectations of certain litigants, attempts made to browbeat or pressurize them to avoid the passing of unfavourable orders. Such conduct cannot be tolerated. Judicial magnanimity should never be mistaken for weakness. Courts and Tribunals are not powerless to deal with such situations; they possess ample authority to take appropriate action against such misconduct. Therefore, instead of resorting to recusal in such circumstances, the proper course would be to take firm and lawful measures against the wrongdoers.

The High Court said that ordinarily, orders of recusal are not open to judicial review. However, where the legislature has specifically prescribed the circumstances in which recusal is permissible, any order passed beyond those circumstances can certainly be scrutinized in judicial review. While recusal may be a matter of individual conscience, but at the same time, it is equally an aspect of institutional responsibility.

Particularly in this case, the NCLT – II, being the last available forum within its territorial jurisdiction, ought not to have recused itself except under the circumstances clearly provided in Rule 62. Applying the principle of necessity, the NCLT – II should have continued with the matter rather than recusing on account of the conduct of the parties. Judges and Members are bound by their oath to decide cases impartially, without fear or favour, affection or ill will. Accordingly, upon a comprehensive consideration of the facts and law, High Court held that the recusal orders passed by the NCLT – I and NCLT – II, Ahmedabad, cannot be said to be legal or justified.



RULES AND TOOLS FOR INTERPRETATION OF STATUTES

About the Book

This publication is dedicated for support and use by professionals and it is aimed at developing legal interpretation skills among the professionals.

Year of Publication: 2021

Price: Rs. 750 /- (Excluding Postage)

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About the Book

This publication has been made an endeavor to focus on project financing, process involved in obtaining project finance, importance of financial ratio analysis, analysis and interpretation of financial statements, etc.

Year of Publication: 2021

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APPROACH TO PROJECT FINANCE AND UNDERSTANDING FINANCIAL STATEMENTS

❖ Market Watch

Stock Market Indices as on 31.10.2025	
S & P BSE Sensex	83938.71 (-0.55%)
Nifty 50	25722.10(-0.60%)

Foreign Exchange Rates as on 31.10.2025 (https://m.rbi.org.in/scripts/ReferenceRateArchive.aspx)			
INR / 1 USD	INR / 1 EUR	INR / 1 GBP	INR/ 1 JPY
88.72	102.67	116.69	.57

Prepared by Directorate of Academics

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

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