



**THE INSTITUTE OF
Company Secretaries of India**

भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

(Under the jurisdiction of Ministry of Corporate Affairs)



INFO CAPSULE

Series - 10

(351 - 400)



Motto

सत्यं वद। धर्मं चर।

“इष्टवर्क तेह त्पुते वबेवेह तेपु तेह वव”

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Latest @ ICSI

Info Capsule Series 10

ICSI Eastern Region Convocation

The ICSI second half-yearly Eastern Region Convocation - 2021 has been scheduled for December 12, 2021 (Sunday) at Bhubaneswar at the following venue: Auditorium at Campus 7, Kalinga Institute of Industrial Technology (KIIT), Deemed to be University, Chandrasekharpur, Bhubaneswar, Odisha. Registration through Google Form is now open till December 07, 2021. Those eligible members who had earlier confirmed their participation should mandatorily need to submit their request through the Google form again. ACS/FCS who got their membership in the period from April 01, 2021 to September 30, 2021 are eligible to participate.

For details:

https://www.icsi.edu/media/webmodules/01122021_Announcement_regarding_ICSI_Eastern_Region_Convocation_second_round_at_Bhubaneswar.pdf

https://www.icsi.edu/media/webmodules/01122021_List_of_Eligible_members_for_Eastern_Region_Convocation_2021_Second_Round.pdf

11th Samadhan Diwas

The ICSI in its endeavour to provide on the spot solution of the grievances of the trainees and trainers is organising 11th Samadhan Diwas on Wednesday, December 08, 2021 from 3:00 PM onwards.

For details:

https://www.icsi.edu/media/webmodules/06122021_11_samadhan_diwas.pdf

Call for Articles for the 49th National Convention - Extension of Last Date

The last date to contribute articles for publication in the Souvenir to be published in the 49th National Convention of Company Secretaries by the Members has been extended till December 12, 2021.

For details:

https://www.icsi.edu/media/webmodules/02122021_Call_for_Articles_date_extension.pdf

22nd National Conference of Practising Company Secretaries on the theme 'Passion for Profession: Empowering Entrepreneurship & Excellence' inaugurated on December 03, 2021 at Kolkata (December 03, 2021)

The 22nd edition of the National Conference of Practising Company Secretaries, being organised on the theme 'Passion for Profession: Empowering Entrepreneurship & Excellence' was inaugurated in Kolkata on December 03, 2021, in the benign presence of Dr. Navrang Saini, Chairperson (Designate) & Whole Time Member, IBBI, who graced the occasion as the Chief Guest along with Swami Suparnananda ji, Secretary, The Ramakrishna Mission Institute of Culture, as the Special Guest. In alignment with Azadi ka Amrit Mahotsav initiative of Government of India, the National Conference is aimed at bringing together a plethora of innovative ideas that will narrate the outline of governance and provide variables of powering Atmanirbhar Bharat.

For details:

https://www.icsi.edu/media/webmodules/03122021_PRESS_RELEASE.PDF

Seminar on Burning Issues in Summon, Search, Seizure and Arrest under GST

The Indirect Taxes Committee of PHD Chamber is organising another edition of Knowledge Series on Goods & Services Tax 2022. The first Seminar in the Knowledge Series is being organised on "Burning Issues in Summon, Search, Seizure and Arrest under GST" on Friday, December 10, 2021 from 10:30 am - 02:00 pm at PHD House, New Delhi. Members of the ICSI will be awarded 2 credit hours (For physically - Structured and virtually - Unstructured).

For details:

https://www.icsi.edu/media/webmodules/08122021_Seminar_on_Burning_Issues_in_Summon_Search_Seizure_and_Arrest_under_GST_on_Friday_10th_December_2021.pdf

ICSI - Mega Placement Drive, 2022

The institute is striving towards supporting the members by providing appropriate employment opportunities. The Institute is organizing Mega Placement Drive through its regional office at Mumbai, New Delhi, Kolkata and Chennai for recruitment of Company Secretary(ies) in various Organizations and Firms of Practising Company Secretaries.

Link to register: <https://bit.ly/3rMk9Ow>

New President and Vice President of ICSI for the year 2022 (January 19, 2022)

CS Devendra Vasant Deshpande elected as President, ICSI & CS Manish Gupta as Vice President, ICSI for the year 2022.

For details:

www.icsi.edu/home/

Ministry of Corporate Affairs

Info Capsule Series 10

Press-Release - 17,130

Implementing Agencies are registered with MCA21 registry (November 29, 2021)

Union Minister of State for Corporate Affairs Shri Rao Inderjit Singh in reply to a question in Lok Sabha stated that in the CSR Legal framework, the word 'Nongovernmental Organisations (NGO)' has nowhere been defined, however, Section 135 of the Companies Act, 2013 read with Rule 4 of the Companies (CSR Policy) Rules, 2014 prescribes that the Board of the company is empowered to undertake its CSR activities either by itself or through Implementing Agencies as mentioned in the said rule. The Companies (CSR Policy) Rules, 2014 was amended on January 22, 2021 and registration of Implementing Agencies with the Central Government is mandatory with effect from April 01, 2021. Giving more details, it is stated that till October 31, 2021, total 17,130 Implementing Agencies are registered with MCA21 registry. It is further stated that the CSR architecture is disclosure based and only CSR mandated companies are required to file details of CSR spent annually in the MCA21 registry. On the basis of filings made by the companies in the MCA21 registry, companies have spent a cumulative amount of Rs 20,150.27 Crore in FY 2018-19, Rs 24,688.66 Crore in FY 2019-20 and Rs 8828.11 Crore in FY 2020-21 respectively. An analysis of CSR filings made by the companies reveals that of the total annual CSR spent, approximately 60% of the CSR expenditure has been done through implementing agencies.

For details : <https://pib.gov.in/PressReleasePage.aspx?PRID=1776197>

Clarification of holding of Annual General Meeting (AGM) through Video Conference (VC) or Other Audio Visual Means (OAVM) (December 08, 2021)

With reference to General Circular No. 20/2020 dated May 05, 2020 and General Circular No. 02/2021 dated January 13, 2021, the MCA has allowed the companies whose AGMs are due in the Year 2021, to conduct their AGMs on or before June 30, 2022 in accordance with the requirements laid down in Para 3 and Para 4 of the General Circular No. 20/2020 dated May 05, 2020. Further, the MCA has clarified that this Circular shall not be construed as conferring any extension of time for holding of AGMs by the companies under the Companies Act, 2013 (the Act) and the companies which have not adhered to the relevant timelines shall be liable to legal action under the appropriate provisions of the Act.

For details:

<https://www.mca.gov.in/bin/dms/getdocument?mds=LzJdfoYrL7zlnxT8HWRv5Q%253D%253D&type=open>

Clarification on passing of Ordinary and Special resolutions by the companies under the Companies Act, 2013 read with rules made thereunder on account of COVID-19-Extension of timeline (December 08, 2021)

The MCA in view of the continued disruption caused due to COVID-19 pandemic and to provide greater ease of doing business has further allowed the companies to conduct their EGMs through Video-Conference (VC) or Other Audio Visual Means (OAVM) or transact items through postal ballot in accordance with the framework provided earlier up to June 30, 2022.

For details:

<https://www.mca.gov.in/bin/dms/getdocument?mds=FNEhC2FrBK07ANLDeiQ01A%253D%253D&type=open>

Clarification of holding of Annual General Meeting (AGM) through Video Conference (VC) or Other Audio Visual Means (OAVM) (December 14, 2021)

With reference to Ministry's General Circular No. 20/ 2020 dated May 05, 2020, General Circular No. 02/ 2021 dated January 13, 2021 and General Circular No. 19/ 2021 dated December 08, 2021, the MCA has allowed the companies who are proposing to organize AGMs in 2022 for the Financial Year ended /ending any time before/ on 31.03.2022 through VC or OAVM as per the respective due dates by 30th June, 2022 in accordance with the requirements laid down in Para 3 and Para 4 of the General Circular No. 20/ 2020 dated May 05, 2020. Further, the MCA has clarified that this Circular shall not be construed as conferring any extension of time for holding of AGMs by the companies under the Companies Act, 2013 and the companies which have not adhered to the relevant timelines shall be liable to legal action under the appropriate provisions of the Act.

For details:

<https://www.mca.gov.in/bin/dms/getdocument?mds=%252FsmI3Qxz3XlO4y8gLsakgg%253D%253D&type=open>

More than 7 lakh companies incorporated after announcement of Make in India programme (December 14, 2021)

'Make in India', is an initiative launched on 25th September 2014, a major national programme of the Government of India designed to facilitate investment, foster innovation, build best in class infrastructure, and make India a hub for manufacturing, design, and innovation. This was stated by Union Minister of State for Corporate Affairs Shri Rao Inderjit Singh in a written reply to a question in Rajya Sabha.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1781405>

Introduction of Bill in Lok Sabha compiled

Introduction of the Chartered Accountants, the Cost and Works Accountants and the Company Secretaries (Amendment) Bill, 2021 (December 17, 2021)

A bill to amend the Chartered Accountants Act, 1949, the Cost and Works Accountants Act, 1959 and the Company Secretaries Act, 1980 is introduced in Lok Sabha on today, December 17, 2021. The bill seeks to amend various provisions which inter alia includes disciplinary mechanism, quantum of penalties and time bound disposal of cases.

For details:

http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/161_2021_ls_Eng.pdf

Relaxation on levy of additional fees in filing of eforms AOC-4, AOC-4 (CFS), AOC-4 XBRL, AOC-4 NonXBRL and MGT-7/MGT-7A for the financial year ended on 31.03.2021 under the Companies Act, 2013 (December 29, 2021)

The MCA has relaxed the levy of additional fees for annual financial statement/return filings required to be done for the financial year ended on 31.03.2021. Vide this Circular, it has been provided that no additional fees shall be levied upto 15.02.2022 for the filing of e-forms AOC-4, AOC-4 (CFS), AOC-4 XBRL, AOC-4Non-XBRL and upto 28.02.2022 for filing of e-forms MGT-7/MGT-7A in respect of the financial year ended on 31.03.2021 respectively. During the said period, only normal fees shall be payable for the filing of the aforementioned e-forms.

For details:

<https://www.mca.gov.in/bin/dms/getdocument?mds=y7MsuJR2BoOvDvpg8FREsg%253D%253D&type=open>

The Companies (Registration Offices and Fees) Amendment Rules, 2022 (January 11, 2022)

In exercise of the powers conferred by sections 396, 398, 399, 403 and 404 read with subsections (1) and (2) of section 469 of the Companies Act, 2013, the Central Government has notified the Companies (Registration Offices and Fees) Amendment Rules, 2022 further to amend the Companies (Registration Offices and Fees) Rules, 2014. The said notified rules shall come into force with effect from 1st July, 2022. In the Companies (Registration Offices and Fees) Rules, 2014, in the Annexure, in item I (Fee for filing under section 403 of the Companies Act, 2013), sub-item B, has been substituted.

For details:

<https://egazette.nic.in/WriteReadData/2022/232589.pdf>

Ministry of Finance

Info Capsule Series 10

This is the right time to increase our exports - says MoS Finance Bhagwat Karad (November 26, 2021)

Union Minister of State (MoS) for Finance, Dr Bhagwat Karad expressed confidence that with businesses expanding after a lull phase of the Covid 19 pandemic, exports from India are moving towards a new milestone. Speaking at the 'Banking Conclave for Exports' jointly organized by Federation of Indian Export Organizations and Union Bank of India in Mumbai, Dr. Karad said "our economy is rebounding, business is expanding and this is the right time to talk about increasing exports".

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1775348>

Notification - Department of Economic Affairs (Budget Division) Auction for Sale (re-issue) of Government Securities (GS) (November 29, 2021)

F. No. 4(3) - B (W&M)/2021.—Government of India hereby notifies sale (reissue) of the following Government Securities:

Name of the Security	Date of Original Issue	Original Tenure (yy-mm-dd)	Date of Maturity	Auction Basis	Auction Method	Notified Amount (in ₹Crore)
Gol FRB 2028	Oct. 04, 2021	07-00-00	Oct.04, 2028	Price	Uniform	4,000
6.10% GS 2031	July 12, 2021	10-00-00	July 12, 2031	Price	Uniform	13,000
6.95% GS 2061	Nov.22, 2021	40-00-24	Dec.16, 2061	Price	Multiple	7,000

Gol will have the option to retain additional subscription up to 2,000 crore each against one or more security/ies mentioned above. The sale will be subject to the terms and conditions spelt out in this notification (called 'Specific Notification').

For details:

<https://egazette.nic.in/WriteReadData/2021/231470.pdf>

Union Budget 21-22 provided capital outlay of Rs. 5.54 lakh crore, an increase of 34.5% over Budget Estimate of FY 2020-21, to boost economy after COVID-19 pandemic (December 06, 2021)

To initiate infrastructure development to boost the economy after COVID-19 pandemic, Union Budget 2021-22 has provided a capital outlay of Rs. 5.54 lakh crore, an increase of 34.5% over Budget Estimate of FY 2020-21. This was stated by Union Minister of State for Finance Shri Pankaj Chaudhary in a written reply to a question in Lok Sabha.

The Minister stated that the Government has also made provision of more than Rs. 2 lakh crore for States & Autonomous Bodies towards their Capital Expenditure. National Monetization Pipeline was also prepared to unlock the value of investments in public sector assets by tapping private capital and efficiencies for delivering infrastructure services. These proceeds are envisaged to augment existing/ create Greenfield infrastructure. Additionally, Central Ministries/Departments have been suggested to expedite infrastructure investment by front-loading capital expenditure.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1778566>

India, ADB sign \$125 million loan to improve water supply and sanitation in Uttarakhand (December 07, 2021)

The Government of India and the Asian Development Bank (ADB) today signed a \$125 million loan to improve access to safe and affordable drinking water supply and citywide inclusive sanitation services in Dehradun and Nainital cities in the state of Uttarakhand. Mr. Rajat Kumar Mishra, Additional Secretary, Department of Economic Affairs, Ministry of Finance, signed for the Government of India the agreement for the Uttarakhand Integrated and Resilient Urban Development Project while Mr. Takeo Konishi, Country Director of ADB's India Resident Mission, signed for ADB.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1778883>

Finance Minister Smt. Nirmala Sitharaman participates in G20 Seminar on "Recover Together, Recover Stronger" (December 09, 2021)

Union Minister for Finance and Corporate Affairs Smt. Nirmala Sitharaman participated virtually from New Delhi in the G20 International Seminar hosted in Bali by the G20 Presidency of Indonesia. Speaking on the G20's theme for the year, "Recover Together, Recover Stronger", the Finance Minister stressed on the fact that for a strong, sustainable, balanced and inclusive recovery of the global economy, it is imperative to ensure collective progress of all countries.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1779674>

Auction for Sale (Re-issue) of (i) '6.10% GS 2031', (ii) 'Gol Floating Rate Bond 2034', and (iii) '6.95%GS 2061' (December 13, 2021)

The Government of India (GoI) has announced the Sale (Reissue) of

- (i) '6.10% Government Security, 2031' for a notified amount of Rs 13,000 crore (nominal) through price based auction using uniform price method;
- (ii) 'Gol Floating Rate Bonds, 2034' for a notified amount of Rs 4,000 crore (nominal) through price based auction using uniform price method; and
- (iii) '6.95% Government Security 2061' for a notified amount of Rs 7,000 crore (nominal) through price based auction using multiple price method. GoI will have the option to retain additional subscription up to Rs 2,000 crore each against one or more security/ies.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1781007>

Over 32.11 crore loans of Rs. 17 lakh crore with disbursement of Rs. 16.50 lakh crore extended under Pradhan Mantri Mudra Yojana (December 14, 2021)

As per data uploaded by Member Lending Institutions (MLIs) on Mudra portal, as on 26.11.2021, over 32.11 crore loans involving a sanctioned amount of Rs. 17 lakh crore with disbursement of Rs. 16.50 lakh crore have been extended under Pradhan Mantri Mudra Yojana (PMMY), since its inception in April, 2015. This was stated by Union Minister of State for Finance Dr Bhagwat Kisanrao Karad in a written reply to a question in Rajya Sabha.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1781403>

Ministry of Corporate Affairs and Financial Intelligence Unit-India sign MoU for data exchange between the two organisations (PIB Dated December 15, 2021)

A formal Memorandum of Understanding (MOU) was signed between the Ministry of Corporate Affairs (MCA) and Financial Intelligence Unit-India, Ministry of Finance for data exchange between the two organizations. The MoU is in line with the vision of MCA and FIU-INDIA to harness data capabilities to ensure effective enforcement. The data sharing arrangement gains significance in light of development of MCA21 Version 3 and FINNET 2.0 which will utilize state of the art technology for improving their regulatory and facilitating functions. MCA is in process of rollout of MCA21 Version 3 in phases. FIU-India is in the process of upgrading existing FINnet 1.0 to FINnet 2.0. The MoU will facilitate the sharing of data and information between MCA and FIU-INDIA on an automatic and regular basis. It will enable sharing of specific information such as information relating to suspicious transactions, KYC related details and consolidated financial statements of companies registered in the country. The MoU will ensure that both MCA and FIU-INDIA have seamless linkage for regulatory purposes. In addition to regular exchange of data, MCA and FIU-INDIA will also exchange with each other, on request, any information available in their respective databases, for the purpose of carrying out scrutiny, inspection, investigation and prosecution.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1781807>

India, KFW sign Euro 442. 26 million loan for Surat Metro Rail Project (December 17, 2021)

The Government of India and the Germany Development Bank - KFW (Kreditanstalt für Wiederaufbau) signed a Euro 442.26 million loan for Surat Metro Rail project. Shri Rajat Kumar Mishra, Additional Secretary, Department of Economic Affairs in the Ministry of Finance signed for Government of India the agreements for Surat Metro Rail Project, while Ms Claudia Schmerler, Head of Division, Climate Finance and Urban Mobility signed for KFW.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1782754>

Rule 9(1A) of the Prevention of Money-laundering (Maintenance of Records) Rules, 2005 shall not apply to the Foreign Portfolio Investor (January 04, 2022)

In exercise of the powers conferred by sub-clause (i) of clause (h) of sub-rule (2) of rule 9A of the Prevention of Money-laundering (Maintenance of Records) Rules, 2005, the Central Government in consultation with the regulatory authority, namely the Securities and Exchange Board of India, in the public interest and in the interest of the regulated entity, namely the Foreign Portfolio Investor, hereby directs that the provisions of sub-rule (1A) of rule 9 of the Prevention of Money-laundering (Maintenance of Records) Rules, 2005 shall not apply to the Foreign Portfolio Investor.

For details:

<https://egazette.nic.in/WriteReadData/2022/232403.pdf>

M/s. PNB Housing Finance Limited permitted to perform authentication under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 for the purposes of section 11A of the Prevention of Money-laundering Act, 2002 (January 04, 2022)

In exercise of the powers conferred by sub-section (1) of section 11A of the Prevention of Money-laundering Act, 2002, the Central Government on being satisfied that the reporting entity namely, “M/s. PNB Housing Finance Limited” complies with the standards of privacy and security under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, and it is necessary and expedient to do so, and after consultation with the Unique Identification Authority of India established under sub-section (1) of section 11 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the appropriate regulatory namely, the Reserve Bank of India, hereby permits the said reporting entity to perform authentication under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 for the purposes of section 11A of the Prevention of Money-laundering Act, 2002.

For details:

<https://egazette.nic.in/WriteReadData/2022/232402.pdf>

Special Deposit Scheme interest rate (January 04, 2022)

Deposits made under the Special Deposit Scheme for Non-Government Provident, Superannuation and Gratuity Funds, announced in the Ministry of Finance (Department of Economic Affairs) Notification No. F. 16(1)-PD/75 dated 30th June, 1975, shall with effect from 1st January, 2022 to 31st March, 2022 bear interest at 7.1% (seven point one percent). This rate will be in force w.e.f. 1st January, 2022.

For details:

<https://egazette.nic.in/WriteReadData/2022/232401.pdf>

Auction of G Secs (January 03, 2022)

Government of India (GoI) notifies sale (Re-issue) of the Government Securities. GoI will have the option to retain additional subscription up to Rs. 2,000 crore each against one or more security/ies as mentioned in the list. The Securities will be sold through Reserve Bank of India, Mumbai Office, Fort, Mumbai- 400 001 as per the terms and conditions specified in the General Notification F.No.4(2)-W&M/2018, dated March 27, 2018 issued by Government of India.

For details:

<https://egazette.nic.in/WriteReadData/2022/232383.pdf>

Govt. appoints V Anantha Nageswaran as new Chief Economic Adviser (January 28, 2022).

The announcement came days ahead of the presentation of the 2022 Union Budget on February 1 and the tabling of the 2021-22 Economic Survey on January 31. Nageswaran, an academic and former executive with Credit Suisse Group AG and Julius Baer Group, replaces Krishnamurthy Subramanian as the new Chief Economic Adviser to the Finance Minister. Subramanian recently stepped down from his position as the CEA after the completion of his three-year tenure.

For details:

<https://www.moneycontrol.com/news/business/announcements/v-anantha-nageswaranappointed-indias-new-chiefeconomic-adviser-7998371.html>

UNION BUDGET 2022-23

Introduction

This budget seeks to lay the foundation and give a blueprint to steer the economy over the Amrit Kaal of the next 25 years (from India at 75 to India at 100). The government aims to attain the following vision through this budget-

- Complementing the macroeconomic level growth focus with a micro-economic level all inclusive welfare focus,
- Promoting digital economy & fintech, technology enabled development, energy transition, and
- Relying on virtuous cycle starting from private investment with public capital investment helping to crowd-in private investment.

This budget is based on the following pillars:

1. **PM Gati Shakti**
2. **Inclusive Development**
3. **Productivity Enhancement & Investment, Sunrise opportunities, Energy Transition, and Climate Action.**
4. **Financing of investments.**

1. PM GATI SHAKTI PLAN

The PM Gati Shakti plan involves seven engines namely: Roads, Railways, Airports, Ports, Mass Transport, Waterways, and Logistics Infrastructure.

The mentioned engines are supported by the complementary roles of Energy Transmission, IT Communication, Bulk Water & Sewerage, and Social Infrastructure.

Highlights

- 100 PM Gati Shakti cargo terminals will be developed during the next 3 years.
- Implementation of innovative ways for building metro systems.
- Master Plan for expressways to be formulated in 2022-23 to facilitate faster movement of people and goods.
- National highway network to be expanded by 25,000 km in 2022-23. Mobilisation of Rs. 20,000 crores through innovative ways of financing to complement the public resources.
- A new scheme, Prime Minister's Development Initiative for North-East, PM-DevINE, will be implemented through the North-Eastern Council.
- An initial allocation of INR 1,500 crore will be made.
- The above mentioned scheme will fund infrastructure, in the spirit of PM Gati Shakti, and social development projects based on felt needs of the North-East.

2. INCLUSIVE DEVELOPMENT

- Rs. 2.37 lakh crore direct payment to 1.63 crore farmers for procurement of wheat and paddy.
- Chemical free Natural farming to be promoted throughout the county. Initial focus is on farmer's lands in 5 Km wide corridors along river Ganga.
- "Kisan Drones" for crop assessment, digitization of land records, spraying of insecticides and nutrients.
- 1400 crore outlay for implementation of the Ken-Betwa link project. 9.08 lakh hectares of farmers' lands to receive irrigation benefits by Ken-Betwa link project.
- Udyam, e-shram, NCS and ASEEM portals to be interlinked. 130 lakh
- MSMEs provided additional credit under Emergency Credit Linked Guarantee Scheme (ECLGS).
- ECLGS to be extended up to March, 2023. Guarantee cover under ECLGS to be expanded by Rs. 50,000 Crore to total cover of Rs. 5 Lakh Crore.
- Rs. 2 lakh Crore additional credit for Micro and Small Enterprises to be facilitated under the Credit Guarantee Trust for Micro and Small Enterprises (CGTMSE).
- Raising and Accelerating MSME performance (RAMP) programme with outlay of Rs. 6,000 Crore to be rolled out.
- Reorientation of Skilling programmes and partnerships with the industry to promote continuous skilling avenues, sustainability, and employability.
- The National Skill Qualification Framework (NSQF) will be aligned with dynamic industry needs.
- 'One class-One TV channel' programme of PM eVIDYA to be expanded to 200 TV channels.
- An open platform for National Digital Health Ecosystem to be rolled out.
- National Tele Mental Health Programme for quality mental health counselling and care services to be launched. Integrated benefits to women and children through Mission Shakti, Mission Vatsalya, Saksham Anganwadi and Poshan 2.0.
- Rs. 60,000 crore allocated to cover 3.8 crore households in 2022-23 under Har Ghar, Nal se Jal.
- Rs. 48,000 crore allocated for completion of 80 lakh houses in 2022-23 under PM Awas Yojana.
- Vibrant Villages Programme for development of Border villages with sparse population, limited connectivity and infrastructure on the northern border.
- Scheduled Commercial Banks to set up 75 Digital Banking Units (DBUs) in 75 districts.

3. PRODUCTIVITY ENHANCEMENT & INVESTMENT, SUNRISE OPPORTUNITIES, ENERGY TRANSITION, AND CLIMATE ACTION

- Reduction in more than 25,000 compliances and repealing of 1486 Union Laws.
- Special Economic Zones Act to be replaced with a new legislation to enable States to become partners in 'Development of Enterprise and Service Hubs'.
- For the Amrit Kaal, the next phase of Ease of Doing Business EODB 2.0 and Ease of Living, will be launched.

- This new phase of Ease of Doing Business EODB will be guided by an active involvement of the states, digitisation of manual processes and interventions, integration of the central and state-level systems through IT bridges, a single point access for all citizen-centric services, and a standardization and removal of overlapping compliances.
- Government contribution to be provided for R&D in Sunrise Opportunities like Artificial Intelligence, Geospatial Systems and Drones, Semiconductor and its eco-system, Space Economy, Genomics and Pharmaceuticals, Green Energy, and Clean Mobility Systems.
- Expansion of the scope of the single window portal, PARIVESH to provide information to the applicants.
- Based on the location of the units, information about specific approvals will be provided.
- e-Passports with embedded chip and futuristic technology to be rolled out.
- A high-level committee of reputed urban planners, urban economists and institutions will be formed to make recommendations on urban sector policies, capacity building, planning, implementation and governance. Modernization of building byelaws, Town Planning Schemes (TPS), and Transit Oriented Development (TOD) will be implemented.
- Battery swapping policy to be brought out for setting up charging stations at scale in urban areas. Additional allocation of Rs. 19,500 crore for Production Linked Incentive for manufacture of high efficiency solar modules to meet the goal of 280 GW of installed solar power by 2030.
- Four pilot projects to be set up for coal gasification and conversion of coal into chemicals for the industry.
- Necessary amendments in the Insolvency and Bankruptcy Code will be carried out to enhance the efficacy of the resolution process and facilitate cross border insolvency resolution.
- An animation, Visual Effects, Gaming, and Comic (AVGC) promotion task force to be set-up to realize the potential of this sector.
- Scheme for design-led manufacturing to be launched to build a strong ecosystem for 5G as part of the Production Linked Incentive Scheme.
- 68% of capital procurement budget earmarked for domestic industry in 2022-23, up from 58% in 2021-22.
- Defence R&D to be opened up for industry, startups and academia with 25% of defence R&D budget earmarked. Independent nodal umbrella body to be set up for meeting testing and certification requirements.
- Financial support to farmers belonging to Scheduled Castes and Scheduled Tribes, who want to take up agro-forestry.

4. FINANCING OF INVESTMENTS

- Outlay for capital expenditure stepped up sharply by 35.4% to Rs. 7.50 lakh crore in 2022-23 from Rs. 5.54 lakh crore in the current year.
- Effective Capital Expenditure' of Central Government estimated at Rs. 10.68 lakh crore in 2022-23, which is about 4.1% of GDP.

- World-class foreign universities and institutions to be allowed in the GIFT City.
- An International Arbitration Centre will be set up in the GIFT City for timely settlement of disputes under international jurisprudence.
- Services for global capital for sustainable & climate finance in the country will be facilitated in the GIFT City.
- Data Centres and Energy Storage Systems to be given infrastructure status.
- Venture Capital and Private Equity invested more than Rs. 5.5 lakh crore last year facilitating one of the largest start-up and growth ecosystem.
- Measures to be taken to help scale up this investment. Blended funds to be promoted for sunrise sectors.
- Sovereign Green Bonds to be issued for mobilizing resources for green infrastructure. Introduction of Digital Rupee by the Reserve Bank of India starting 2022-23. Enhanced outlay for 'Scheme for Financial Assistance to States for Capital Investment', i.e., from Rs. 10,000 crore in Budget Estimates to Rs. 15,000 crore in Revised Estimates for current year.
- Allocation of Rs. 1 lakh crore in 2022-23 to assist the states in catalysing overall investments in the economy:
- Fifty-year interest free loans, over and above normal borrowings. In 2022-23, States will be allowed a fiscal deficit of 4% of GSDP, of which 0.5% will be tied to power sector reforms.
- Budget Estimates 2021-22: Rs. 34.83 lakh crore.
- Revised Estimates 2021-22: Rs. 37.70 lakh crore.
- Total expenditure in 2022-23 estimated at Rs. 39.45 lakh crore.
- Fiscal deficit in current year: 6.9% of GDP (against 6.8% in Budget Estimates).
- Fiscal deficit in 2022-23 estimated at 6.4% of GDP.

UNION BUDGET 2022-23 - TOPIC WISE HIGHLIGHTS

1. Micro, Small and Medium Enterprises (MSMEs)

- Udyam, e-Shram, National Career Service (NCS) and ASEEM portals will be interlinked to formalise the economy and create job opportunities for all. The scope of all the portals collectively will be widened offering G2C, B2B and B2C services.
- Revamping of Credit Guarantee Trust for Micro and Small Enterprises (CGTMSE) with the required Infusion of Funds.

Additional Rs 2 lakh crore under CGTMSE will increase the number of entrepreneurs on one side and will create more jobs on the other side.

- Rs. 6,000 crore Raising and Accelerating MSME Performance (RAMP) programme will be rolled out in next 5 years to improve the competitiveness and productivity of MSMEs.

RAMP is an initiative to revitalize the MSME sector that has been heavily impacted by the Covid pandemic. While this is a positive measure taken by the government and will help MSMEs stand up and grow.

- Extending Emergency Credit Line Guarantee Scheme (ECLGS) to March 2023 and expanding its guarantee cover by Rs. 50,000 crore to total cover of Rs. 5 lakh crore with focus on hospitality and related enterprises.

2. Digital Innovations

(i) Digital Innovations in education sector

- Digital University to be built for providing world-class quality universal education with personalized learning experience facilitated with door step education facility in regional languages on hub and spoke model.
- 'One class-One TV channel' programme of PM eVIDYA to be expanded to 200 TV channels, launched in keeping view of COVID-19 impact on education and to enable supplement classes to children in remote areas from class 1 to 12 in regional languages.
- Virtual labs and skilling e-labs to be set up to promote critical thinking skills and simulated learning environment.
- High-quality e-content will be developed for delivery through Digital Teachers.
- Digital Ecosystem for Skilling and Livelihood (DESH-Stack e-portal) will be launched to empower citizens to skill, reskill or upskill through on-line training programmes.
- Integrated benefits to women and children through Mission Shakti, Mission Vatsalya, Saksham Anganwadi and Poshan 2.0. Under Saksham Anganwadi Mission 2.0 around two lakh anganwadis to be upgraded for early child education equipped with new generation virtual aids, clean energy.
- Animation, visual effects, gaming, and comic promotion task force to be set up for exploring youth employment opportunities.

(ii) Digital Innovations in corporate sector

- As a robust step towards digitalization: Udyam, e-shram, NCS and ASEEM portals to be interlinked. These portals will now perform as live organic database.
- Centre for Processing Accelerated Corporate Exit (C-PACE) to be established for speedy voluntary winding-up of companies.
- Shrinking up the general time frame of voluntary winding up of company from 2 years to 6 months. Single-window portal for all green clearances - Parivesh launched in 2018 extension of scope related to provide information to applicants. Government procurement to be eased by end-to-end online e-bill system & utilizing surety bonds as a substitute for bank guarantee. The e-Bill system will enable the suppliers and contractors to submit online their digitally signed bills and claims and track their status from anywhere.

(iii) Digital Innovation in Banking sector

- RBI will launch blockchain-based digital rupee starting from FY 2022-23, digital rupee to be rolled out by 2023.
- In order to encourage digital payment regime, 75 digital banks at 75 districts will be set up by scheduled commercial banks to encourage and facilitate digital payments.
- Digital Banking by Post Offices: 100% of post offices to come on the core banking system

(iv) Digital Innovation in Taxation matters

- For FY 2022-23 the government will levy income tax from digital asset transfers at 30%.
- The budget tabled reforms in Customs Administration of Special Economic Zones will be undertaken, and it shall henceforth be fully IT driven and function on the Customs National Portal with a focus on higher facilitation and with only risk-based checks. This reform shall be implemented by 30th September 2022.

(v) Digital Innovation in Health sector

- Planned to launch an open platform for national digital health ecosystem, consisting digital registries of health providers and health facilities, unique health identity and universal access to health facilities.

(vi) Digital Innovation in other matters

- In context of economy the goal to complement macro-growth with micro all inclusive welfare, digital economy and fintech, tech-enabled development and energy transition is tabled.
- e-Passports with embedded chip and futuristic technology to be rolled out for FY 2022-23 Technology is planned enter more into agricultural sector by way of introduction of tech-driven Kisan drones for crop assessment, spraying insecticides and land records.
- Integration of central and state-level systems proposed through I-T bridges.
- Unique land parcel identification number proposed to facilitate IT-based management of land records.

3. Start-ups

- ‘Kisan Drones’ for crop assessment, digitisation of land records, spraying of insecticides and nutrients. Start-ups will be promoted to facilitate Drone Shakti for Drone-As-A-Service (DrAAS). The use of drones for startups will push the start-ups for excellence. It will ensure business momentum and drive faster adoption of unmanned aerial vehicle (UAVs) in the country.
- In view of Covid-19 pandemic, it is proposed to extend the start-up tax holiday scheme to start-ups incorporated till March 31, 2023, in addition to the start-ups that had already been eligible for the exemption. These private companies were eligible for a 100% tax rebate on profit for a period of three years in the first ten years of their existence.
- NABARD to facilitate fund with blended capital to finance start-ups for agriculture & rural enterprise.

4. Ease of Doing Business

- With the advent of Amritkaal, the next phase of Ease of Doing Business (EODB 2.0) and Ease of Living will be launched.
- Establishment of ‘One Nation, One Registration’ mechanism for uniform process of registration of land records.
- Expanding scope of PARIVESH Portal by providing information to the applicants tracking of the process through Centralized Processing Centre-Green (CPC-Green). Integration of central and state level systems through IT bridges
- Establishing Centre for Processing Accelerated Corporate Exit (C-PACE) to facilitate voluntary winding up of companies
- Issuance of chip embedded e-Passports. The new passport jacket will contain an electronic chip with security-related data encoded on it for advanced security and convenience for citizens.
- Scheme for design-led manufacturing to be launched to build a strong ecosystem for 5G as part of the Production Linked Incentive Scheme. An animation, visual effects, gaming, and comic (AVGC) promotion task force to be set-up to realize the potential of this sector.

5. Energy Transition and Climate Action

- Allocation of Rs. 19,500 crore for Production Linked Incentive for manufacture of high efficiency modules, with priority to fully integrated manufacturing units from polysilicon to solar PV modules, will be made.
- The Circular Economy transition is expected to help in productivity enhancement as well as creating large opportunities for new businesses and jobs. The focus now will be on addressing important cross cutting issues of infrastructure, reverse logistics, technology up-gradation and integration with informal sector. This will be supported by active public policies covering regulations, extended producers’ responsibilities framework and innovation facilitation.
- Co-firing of five to seven per cent biomass pellets in thermal power plants has been proposed by Union Minister that will result in CO₂ savings of 38 MMT annually. This will also provide extra income to farmers and job opportunities to locals and help avoid stubble burning in agriculture fields.

- Four pilot projects for coal gasification and conversion of coal into chemicals to also come up.
- Energy efficiency and saving measures through setting up of Energy Service Company (ESCO) business model in large commercial buildings will also facilitate capacity building and awareness for energy audits, performance contracts, and common measurement & verification protocol.
- Sovereign Green Bonds will be issued for mobilizing resources for green infrastructure. The proceeds will be deployed in public sector projects which help in reducing the carbon intensity of the economy.
- Battery swapping policy and inter operability standards will be formulated.

6. Farmers and Agriculture related initiatives

- Rs. 2.37 lakh crore direct payment to 1.63 crore farmers for procurement of wheat and paddy.
- Railways to provide new products and efficient logistics services to small farmers.
- Financial inclusion of farmers and senior citizens in rural areas through post offices providing Core Banking System (CBS).
- Promotion of chemical-free natural farming throughout the country, with a focus on farmers' lands in 5-km wide corridors along river Ganga, at the first stage.
- Use of 'Kisan Drones' for crop assessment, digitization of land records, spraying of insecticides, and nutrients.
- Rationalized and comprehensive scheme to increase domestic production of oilseeds to be implemented.
- Year 2023 announced as the International Year of Millets for promoting post-harvest value addition, enhancing domestic consumption, and branding of millet products.
- NABARD to facilitate fund with blended capital to finance startups for agriculture & rural enterprise.
- Delivery of Digital and Hi-Tech services to farmers in PPP mode.
- Implementation of the Ken-Betwa Link Project, aimed at providing irrigation benefits to 9.08 lakh hectare of farmers' lands.
- Draft DPRs of five river links have been finalized and after consensus among beneficiary states, Centre to provide support for implementation.

7. Housing and Urban Development

- Innovative ways of financing and faster implementation of building metro and Multimodal connectivity between mass urban transport and railway stations to be encouraged and facilitated.
- Allocation of Rs. 60,000 crore has been made with an aim to cover 3.8 crore households in 2022-23 under the scheme Har Ghar, Nal Se Jal. Out of 8.7 crore 5.5 crore households were provided tap water in last 2 years.
- 80 lakh houses to be completed in 2022-23 under PM Awas Yojana, both rural and urban. Rs. 48,000 crore is allocated for this purpose.

- Central Government to work with the state governments for reduction of time required for land and construction related approvals for promoting affordable housing for middle class and Economically Weaker.
- A high-level committee of reputed urban planners, urban economists and institutions to be formed to make recommendations on urban sector policies, capacity building, planning, implementation and governance.
- Modernization of building byelaws, Town Planning Schemes (TPS), and Transit Oriented Development (TOD) to be implemented. Support to be provided to the states for urban capacity building.

8. Health

- An open platform for National Digital Health Ecosystem to be rolled out. It will consist of digital registries of health providers and health facilities, unique health identity, consent framework, and universal access to health facilities.
- To better the access to quality mental health counselling and care services, a 'National Tele Mental Health Programme' will be launched. This will include a network of 23 tele-mental health centres of excellence, with NIMHANS being the nodal centre and International Institute of Information Technology-Bangalore (IIITB) providing technology support.

9. Women & Children

- Recognising the importance of 'Nari Shakti', 3 schemes namely, Mission Shakti, Mission Vatsalya, Saksham Anganwadi and Poshan 2.0 were launched to provide integrated development for women and children. 2 lakh Anganwadis to be upgraded for improving child health.
- Saksham Anganwadis are a new generation anganwadis that have better infrastructure and audiovisual aids, powered by clean energy and providing improved environment for early child development.

TAX PROPOSALS

I. Direct Tax

1. Introducing new 'Updated return'

- Provision to file an Updated Return on payment of additional tax.
- This will enable the assessee to declare income missed out earlier.
- Updated return can be filed within two years from the end of the relevant assessment year.

2. Reduction in Alternate Minimum Tax Rate and Surcharge for Co-operative societies

- Alternate Minimum Tax paid by cooperatives brought down from 18.5% to 15%.
- This will provide a level playing field between cooperative societies and companies.
- Surcharge on co-operative societies reduced from 12% to 7% for those having total income of more than Rs 1 crore and up to Rs 10 crores.

3. **Tax relief to persons with disability:** Payment of annuity and lump sum amount from insurance scheme to be allowed to differently abled dependent during the lifetime of parents/guardians, i.e., on parents/ guardian attaining the age of 60 years.
4. **Parity in National Pension Scheme Contribution:** Tax deduction limit increased from 10% to 14% on employer's contribution to the NPS account of State Government employees. This will bring them at par with central government employees and would help in enhancing social security benefits.
5. **Incentives for Start-ups:** Period of incorporation extended by one year, up to 31.03.2023 for eligible start-ups to avail tax benefit. Previously the period of incorporation valid up to 31.03.2022.
6. **Incentives under concessional tax regime:** Last date for commencement of manufacturing or production under section 115BAB extended by one year i.e. from 31st March, 2023 to 31st March, 2024.
7. **Scheme for taxation of virtual digital assets**
 - Specific tax regime for virtual digital assets introduced.
 - Any income from transfer of any virtual digital asset to be taxed at the rate of 30%.
 - No deduction in respect of any expenditure or allowance to be allowed while computing such income except cost of acquisition.
 - Loss from transfer of virtual digital asset cannot be set off against any other income.
 - To capture the transaction details, TDS to be provided on payment made in relation to transfer of virtual digital asset at the rate of 1% of such consideration above a monetary threshold.
 - Gift of virtual digital asset also to be taxed in the hands of the recipient
8. **Litigation Management:** In cases where question of law is identical to the one pending in High Court or Supreme Court, the filing of appeal by the department shall be deferred till such question of law is decided by the court. This will greatly help in reducing repeated litigation between taxpayers and the department.
9. **Tax incentives to IFSC:** Subject to specified conditions, the following to be exempt from tax:
 - Income of a non-resident from offshore derivative instruments.
 - Income from over the counter derivatives issued by an offshore banking unit.
 - Income from royalty and interest on account of lease of ship.
 - Income received from portfolio management services in IFSC.
10. **Rationalization of Surcharge**
 - Surcharge on AOPs (consortium formed to execute a contract) capped at 15%.
 - This will reduce the disparity in surcharge between individual companies and AOPs.
 - Surcharge on long term capital gains arising on transfer of any type of assets capped at 15%.

11. Health and Education Cess: Any surcharge or cess on income and profits not allowable as business expenditure.

12. Deterrence against tax-evasion” No set off, of any loss to be allowed against undisclosed income detected during search and survey operations.

13. Rationalizing TDS Provisions

- Benefits passed on to agents as business promotion strategy taxable in hands of agents.
- Tax deduction provided to person giving benefits, if the aggregate value of such benefits exceeds Rs. 20,000 during the financial year.

II. Indirect Taxes

- The Gross GST collections for the month of January 2022 are Rs. 1,40,986 crores which is highest since inception of Goods and Services Tax (GST).
- Customs Administration of SEZs to be fully IT driven and function on the Customs National Portal - shall be implemented by September 30, 2022.
- A moderate tariff of 7.5 percent on capital goods and project imports.
- A few exemptions introduced on inputs, like specialised castings, ball screw and linear motion guide - to encourage domestic manufacturing of capital goods.
- More than 350 exemption entries proposed to be gradually phased out, like exemption on certain agricultural produce, chemicals, fabrics, medical devices, & drugs and medicines for which sufficient domestic capacity exists.
- Concessions in customs duty will be given to certain consumer electronic devices to promote manufacturing of wearable devices, hearable devices and electronic smart meters.
- Duty concessions to parts of transformer of mobile phone chargers and camera lens of mobile camera module and certain other items.
- Customs duty on cut and polished diamonds and gemstones being reduced to 5 per cent and Nil customs duty to simply sawn diamond.
- Customs Duty on umbrellas raised up to 20 percent and exemption to parts of umbrellas being withdrawn. Customs duty exemption given to steel scrap last year extended for another year to provide relief to MSME secondary steel producers.
- Certain Anti-Dumping Duties and Countervailing Duties on stainless steel and coated steel flat products, bars of alloy steel and high-speed steel are being revoked - to tackle prevailing high prices of metal in larger public interest.
- Unblended fuel to attract additional excise duty of Rs. 2/litre from October 1, 2022 to promote blending biofuels in petrol and diesel.

Key Highlights of Economic Survey 2022

Strong Revenue : The survey pointed out that revenues have witnessed a strong revival in FY22. This means that the government has fiscal room to provide support if necessary. High Foreign Reserves, Foreign Direct Investment (FDI) and rising exports have provided a buffer against liquidity tampering.

GDP Estimates : The Economic Survey projected an 8-8.5 per cent gross domestic product (GDP) growth rate for the Indian economy in the 2022-23 fiscal year beginning on April 1. This compares to 9.2 per cent GDP expansion projected by the National Statistical Office (NSO) for ongoing financial year. It also noted that the GDP growth rate contracted by 7.3 per cent in 2020-21.

Agriculture : Agriculture and allied sectors remained the silver lining during the Covid-19 pandemic and are expected to grow by 3.9 per cent in 2021-22 after growing 3.6 per cent in the previous year.

Services Sector : The Covid-19 pandemic has hit the services sector the hardest. This sector is projected to grow by 8.2 per cent this financial year following the previous fiscal's 8.4 per cent contraction.

Industrial sector : The growth of the industrial sector has been estimated at 11.2 per cent in FY22.

Consumption : Total consumption is estimated to have grown by 7.0 per cent in 2021-22 with significant contributions in the form of government spending.

Air India Privatisation : The Economic Survey has highlighted that privatisation of Air India was a significant step in terms of boosting the privatisation drive and gathering disinvestment proceeds.

Increase in Capital Spending : According to the Economic Survey, there can be a sharp increase in capital spending by the government as a demand and supply-enhancing measure.

For details:

<https://www.indiatoday.in/business/budget-2022/story/economic-survey-2022-highlights-8-key-points-you-need-to-know-1906739-2022-01-31>

Securities Laws and Capital Markets

Info Capsule Series 10

SEBI Circulars

- **Master Circular(s) for Real Estate Investment Trusts (REITs) and Infrastructure Investment Trusts (InvITs) (November 29, 2021)**

For effective regulation of REITs and InvITs, SEBI has been issuing various circulars from time to time. In order enable the industry and other users to have an access to all the applicable circulars at one place, Master Circular(s) for REITs and InvITs have been prepared. These Master Circulars are compilation of relevant circulars issued by SEBI up to October 31, 2021 which are operational as on date of this circular. Circulars providing temporary relaxations with regards to certain compliance requirements for REITs and InvITs in the wake of the COVID-19 pandemic have not been included in the master circular.

For details:

https://www.sebi.gov.in/legal/master-circulars/nov-2021/master-circular-for-real-estate-investment-trusts-reits-_54300.html

https://www.sebi.gov.in/legal/master-circulars/nov-2021/master-circular-for-infrastructure-investment-trusts-invits-_54302.html

- **Publishing Investor Charter and disclosure of Investor Complaints by Stock Brokers on their websites (December 02, 2021)**

In order to facilitate investor awareness about various activities which an investor deals with such as opening of account, KYC and in person verification, complaint resolution etc., SEBI, has prepared an Investor Charter for Stock Brokers inter-alia detailing the services provided to Investors, Rights of Investors, various activities of Stock Brokers with timelines, DOs and DON'Ts for Investors and Grievance Redressal Mechanism which is placed at Annexure 'A' to this Circular. In this regard, Stock Exchanges are directed to advise Stock Brokers to bring the Investor Charter for Stock Brokers to the notice of their clients through disclosing the Investor Charter on their respective websites. Additionally, all the Stock Brokers shall disclose on their respective websites, the data on complaints received against them or against issues dealt by them and redressal thereof, latest by 7th of succeeding month, as per the format enclosed at Annexure 'B' to this circular.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/publishing-investor-charter-and-disclosure-of-investor-complaints-by-stock-brokers-on-their-websites_54402.html

- **Transaction in Corporate Bonds through Request for Quote platform by Portfolio Management Services (PMS) (December 09, 2021)**

In order to enhance transparency pertaining to debt investments by Portfolio Management Services (PMS) in corporate bonds and to increase liquidity on exchange platform, SEBI has prescribed that on a monthly basis, PMS shall undertake at least 10% of their total secondary market trades by value in CBs in that month by placing/seeking quotes through one-to-one (OTO) or one-to-many (OTM) mode on the Request for Quote platform of stock exchanges (RFQ). In order to ensure compliance with the abovementioned 10 percent requirement, PMS shall consider the trades executed by value through OTO or OTM mode of RFQ with respect to the total secondary market trades in CBs, during the current month and immediate preceding two months on a rolling basis. The above shall come into force with effect from April 1, 2022.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/transaction-in-corporate-bonds-through-request-for-quote-platform-by-portfolio-management-services-pms-_54523.html

- **Circular on Mutual Funds (December 10, 2021)**

As per SEBI Mutual Funds Regulations, trustees and asset management companies (AMC) shall ensure that the assets and liabilities of each scheme are segregated and ring-fenced from other schemes of the mutual fund and bank accounts and securities accounts of each scheme are segregated and ring-fenced. However, based on the recommendations of Mutual Funds Advisory Committee (MFAC), it has been decided that Mutual Funds may use pool accounts, only for such transactions which are executed at mutual fund level owing to certain operational and regulatory requirements. However, such use of pool accounts is subject to certain conditions. Further, SEBI has extended the date of implementation of its circular dated September 27, 2021 and October 27, 2021 on “Risk Management Framework (RMF) for Mutual Funds” and on “Two-tiered structure for benchmarking of certain categories of Mutual Fund Schemes” respectively, to April 01, 2022.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/circular-on-mutual-funds_54542.html

- **Publishing of Investor Charter and disclosure of Investor Complaints by Portfolio Managers/Mutual Funds/AIFs (December 10, 2021)**

With a view to enhancing awareness of investors about the various activities which an investor deals with while availing the services provided by portfolio managers/Mutual Funds/ AIFs, an investor charter has been prepared by SEBI. The registered Portfolio Managers and Mutual Funds are advised to bring to the notice of their clients the Investor Charter by prominently displaying on their websites.

However, AIFs are advised to bring the Investor Charter to the notice of their investors by disclosing in the Private Placement Memorandum (PPM) in case of new schemes and by disclosing to the investors on their registered e-mail in case of existing schemes. Additionally, in order to enhance transparency in the Investor Grievance Redressal Mechanism, all Portfolio Managers and Mutual Funds on a monthly basis shall disclose on their websites as well as on Association of Mutual Funds in India (AMFI) website, the data pertaining to all complaints including SCORES complaints received by them. The information shall be made available by 7th of the succeeding month. For effective monitoring,

AIFs shall maintain data on investor complaints, which shall be compiled latest within 7 days from the end of quarter. The provisions of these circulars shall come into effect from January 01, 2022.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/circular-on-investor-charter-and-disclosure-of-investor-complaints-by-mutual-funds-on-their-websites-and-amfi-website_54545.html

https://www.sebi.gov.in/legal/circulars/dec-2021/publishing-of-investor-charter-and-disclosure-of-investor-complaints-by-portfolio-managers-on-their-websites_54546.html

https://www.sebi.gov.in/legal/circulars/dec-2021/publishing-investor-charter-and-disclosure-of-complaints-by-aifs_54544.html

- **Publishing Investor Charter and disclosure of Investor Complaints by Investment Advisers/ Research Analysts on their websites/mobile applications (December 13, 2021)**

In order to facilitate investor awareness about various activities which an investor deals with while availing the services provided by investment advisers/ research analysts, SEBI has developed an Investor Charter for Investment Advisers/ Research Analysts. All registered Investment Advisers/ Research Analysts are advised to bring to the notice of their clients the Investor Charter by prominently displaying on their websites and mobile applications. Additionally, in order to further enhance transparency in grievance redressal, the Investment Advisers/ Research Analyst shall disclose the details of investor complaints by 7th of the succeeding month in the revised format on a monthly basis on respective websites/mobile application.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/publishing-of-investor-charter-and-disclosure-of-investor-complaints-by-investment-advisers-on-their-websites-mobile-applications_54585.html

https://www.sebi.gov.in/legal/circulars/dec-2021/publishing-of-investor-charter-and-disclosure-of-investor-complaints-by-research-analysts-on-their-websites-mobile-applications_54584.html

- **Clarification regarding amendment to SEBI (Portfolio Managers) Regulations, 2020 (December 10, 2021)**

SEBI has issued Clarification regarding amendment to SEBI (Portfolio Managers) Regulations, 2021. It is clarified that a Manager of an AIF who is also a SEBI registered Portfolio Manager, and intends to offer Co-investment services through portfolio management route, shall do so only under prior intimation to SEBI. Further, Portfolio Managers shall submit a monthly report regarding their portfolio management activity, on SEBI Intermediaries Portal within 7 working days of the end of each month, as per the revised format which includes details of Co-investment offered by Portfolio Manager. Portfolio Managers shall also furnish a report to their clients on a quarterly basis, as per the revised format, which includes details of Co-investment offered by Portfolio Manager.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/clarification-regarding-amendment-to-sebi-portfolio-managers-regulations-2020_54528.html

- **Clarifications with respect to Circular dated November 03, 2021, on 'Common and simplified norms for processing investor's service request by RTAs and norms for furnishing PAN, KYC details and Nomination' (December 14, 2021)**

SEBI, vide its Circular dated November 03, 2021, has laid down the common and simplified norms for processing investor's service request by Registrars to an Issue and Share Transfer Agents (RTAs) and

norms for furnishing PAN, KYC details and Nomination. Based on the representations received from the Registrars Association of India (RAIN), SEBI has provided clarity on certain provisions and on the applicability of the aforementioned circular. The said clarifications are given in Annexure to this circular.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/clarifications-with-respect-to-circular-dated-november-03-2021-on-common-and-simplified-norms-for-processing-investor-s-service-request-by-rtas-and-norms-for-furnishing-pan-kyc-details-_54602.html

- **Investment Advisory Services and Portfolio Management Services for Accredited Investors (December 21, 2021)**

SEBI has prescribed the framework pertaining to fees for investment advisory services for Accredited Investors. Also, SEBI has specified the quantum and manner of exit load applicable to the client of the Portfolio Manager. It is provided that in case of accredited investors, the limits and modes of fees payable to the Investment Advisers will be governed through bilaterally negotiated contractual terms. In case of large value accredited investors, the quantum and manner of exit load applicable to the client of the Portfolio Manager will be governed through bilaterally negotiated contractual terms.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/investment-advisory-services-for-accredited-investors_54830.html

https://www.sebi.gov.in/legal/circulars/dec-2021/portfolio-management-services-for-accredited-investors_54828.html

- **Restoration of relaxed timelines w.r.t. validity of observation letter pertaining to Mutual Funds (December 22, 2021)**

SEBI restored the validity period of "observation letter" issued by SEBI for launching new fund offerings (NFOs) by mutual funds to six months. This will come into force with immediate effect. SEBI, in March 2020, had extended the validity period of observation letter issued by it for the launch of NFOs from six months to one year from the date of SEBI letter. However, for all schemes (NFOs) where SEBI has already issued observation letter and NFOs are yet to be launched, the schemes shall be launched within one year from the date of SEBI observation letter.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/restoration-of-relaxed-timelines-w-r-t-validity-of-observation-letter-pertaining-to-mutual-funds_54866.html

- **Extension of facility for conducting annual meeting and other meetings of unitholders of REITs and InvITs through Video Conferencing (VC) or through Other Audio-Visual means (OAVM) (December 22, 2021)**

SEBI allowed Real Estate Investment Trusts ("REITs") and Infrastructure Investment Trusts ("InvITs") to conduct annual meetings and other meetings of their unitholders through VC/OAVM till June 30, 2022. The circular came after SEBI received representations from REITs/InvITs to further extend the facility to conduct annual meetings and other meetings of unitholders through VC/OAVM.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/extension-of-facility-for-conducting-annual-meeting-and-other-meetings-of-unitholders-of-reits-and-invtis-through-video-conferencing-vc-or-through-other-audio-visual-means-oavm-_54861.html

- **Non-compliance with provisions related to continuous disclosures (December 29, 2021)**

In the interests of investors and the securities market, the Stock Exchanges shall levy fine and take action in case of non-compliances with continuous disclosure requirements by the issuers of listed Non-Convertible Securities and/ or Commercial Paper as specified in Annexure I and Annexure II of this circular respectively. However, Stock Exchanges may deviate from the above, if found necessary, only after recording reasons in writing. The fines shall continue to accrue till the time of rectification of the non-compliance and to the satisfaction of the concerned recognized stock exchange. Such accrual shall be irrespective of any other disciplinary/enforcement action(s) initiated by recognized stock exchange(s)/SEBI. This circular shall come into force for the due dates of compliances falling on or after February 01, 2022.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/non-compliance-with-provisions-related-to-continuous-disclosures_55070.html

- **Extension of timeline for modified reporting requirements for AIFs. (December 30, 2021)**

With reference to SEBI Circular dated April 07, 2021, regarding the modified reporting requirements which shall be applicable for quarter ending December 31, 2021 onwards, the SEBI has extended the aforesaid timeline for applicability of the modified reporting requirements. It has been decided that the modified reporting requirements shall be applicable for quarter ending September 30, 2022 onwards.

For details:

https://www.sebi.gov.in/legal/circulars/dec-2021/extension-of-timeline-for-modified-reporting-requirements-for-aifs_55108.html

- **Disclosure obligations of listed entities in relation to Related Party Transactions (January 07, 2022)**

1. Vide notification dated September 07, 2021, Regulation 15(1A) of the SEBI (Listing Obligations and Disclosure Requirements), Regulations 2015 ('LODR Regulations') was introduced stipulating that Regulations 15 to 27 of Listing Regulations shall be applicable to high value debt listed entities on a 'comply or explain' basis.
2. Subsequently, vide amendment dated November 09, 2021, Regulation 23 of the LODR Regulations on related party transactions was amended, inter-alia, mandating listed entities that have listed specified securities to submit to the stock exchanges disclosure of Related Party Transactions (RPTs) in the format specified by the Board from time to time.
3. SEBI vide circular no. SEBI/HO/CFD/CMD1/CIR/ P/ 2021/ 662 dated November 22, 2021 has specified following disclosure obligations of listed entities in relation to Related Party Transactions with respect to specified securities a. Information to be reviewed by the Audit Committee for approval of RPTs; b. Information to be provided to shareholders for consideration of RPTs; and c. Format for reporting of RPTs to the Stock Exchange.

4. Since the provisions of Regulation 23 of the LODR Regulations would be applicable to high value debt listed companies also, it has been decided to make provisions of the above referred circular dated November 22, 2021 applicable to high value debt listed entities.
5. This Circular shall come into force with immediate effect. Stock Exchanges are advised to bring the provisions of this circular to the notice of all listed entities that have issued specified securities and also disseminate on their websites.

For details:

https://www.sebi.gov.in/legal/circulars/jan-2022/disclosure-obligations-of-high-value-debt-listed-entities-in-relation-to-related-party-transactions_55225.html

- **Issuance of Securities in dematerialized form in case of Investor Service Requests (January 25, 2022)**

As an on-going measure to enhance ease of dealing in securities markets by investors, SEBI has prescribed that listed companies shall issue the securities in dematerialized form only while processing service request including issue of duplicate securities certificate, claim from unclaimed suspense account, renewal / exchange of securities certificate etc. The securities holder/claimant shall submit duly filled up Form ISR-4 (to be hosted on the website of the Issuer Companies and the RTAs) as per the format attached to this circular along with the documents / details specified therein. The RTA / Issuer Companies shall verify and process the service requests and thereafter issue a 'Letter of confirmation' in lieu of physical securities certificate(s), to the securities holder/claimant within 30 days of its receipt of such request after removing objections, if any. The operational guidelines are detailed in the Annexure - A to this circular.

For details:

https://www.sebi.gov.in/legal/circulars/jan-2022/issuance-of-securities-in-dematerialized-form-in-case-of-investor-service-requests_55542.html

- **Introduction of Special Situation Funds as a subcategory under Category I AIFs (January 27, 2022)**

SEBI has amended the SEBI (Alternative Investment Funds) Regulations, 2012 on January 24, 2022, to introduce Special Situation Funds (SSF), a sub-category under Category I AIF, which shall invest in 'special situation assets'. In this context, SEBI has specified that each scheme of SSF shall have a corpus of at least one hundred crore rupees. SSF shall accept an investment of value not less than ten crore rupees from an investor. In case of an accredited investor, the SSF shall accept an investment of value not less than five crore rupees. Further, in case of investors who are employees or directors of the SSF or employees or directors of the manager of the SSF, the minimum value of investment shall be twenty-five lakh rupees.

For details:

https://www.sebi.gov.in/legal/circulars/jan-2022/introduction-of-special-situation-funds-as-a-sub-category-under-category-i-aifs_55625.html

- **Change in control of the asset management company involving scheme of arrangement under Companies Act, 2013 (January 31, 2022)**

To streamline the process of providing approval to the proposed change in control of an asset management company ("AMC") involving scheme of arrangement which needs sanction of National Company Law Tribunal ("NCLT") in terms of the provisions of the Companies Act, 2013, SEBI vide this circular has provided that the application seeking approval for the proposed change in control of the AMC under Regulation 22(e) of Mutual Fund Regulations shall be filed with SEBI prior to filing the

application with the NCLT. Upon being satisfied with compliance of the applicable regulatory requirements, an in-principle approval will be granted by SEBI. The validity of such in-principle approval shall be 3 months from the date of issuance, within which the relevant application shall be made to NCLT. Within 15 days from the date of order of NCLT, applicant shall submit the application for the final approval along with copy of the NCLT Order approving the scheme, to SEBI for final approval. The provisions of this Circular shall be applicable to all the applications for change in control of AMC for which the schemes of arrangement are filed with NCLT on or after March 1, 2022.

For details:

https://www.sebi.gov.in/legal/circulars/jan-2022/change-in-control-of-the-asset-management-company-involving-scheme-of-arrangement-under-companies-act-2013_55745.html

- **Disclosures in the abridged prospectus and front cover page of the offer document (February 04, 2022)**

In order to further simplify, provide greater clarity and consistency in the disclosures across various documents and to provide additional but critical information in the abridged prospectus, the format for disclosures in the abridged prospectus has been revised and is placed at Annexure A of this Circular. This Circular shall be applicable for all issues opening after the date of this Circular. While the disclosures in the abridged prospectus shall be as per Annexure A of this Circular instead of Annexure I of Part E of Schedule VI of SEBI (ICDR) Regulations, the disclosure on front outside cover page shall be as per Annexure B of this Circular.

For details:

https://www.sebi.gov.in/legal/circulars/feb-2022/disclosures-in-the-abridged-prospectus-and-front-cover-page-of-the-offer-document_55920.html

- **Guidelines on Accounting with respect to Indian Accounting Standards (IND AS) (February 04, 2022)**

SEBI vide notification dated January 25, 2022 amended SEBI (Mutual Funds) Regulations, 1996, which, inter-alia, mandated that the AMCs shall prepare the Financial Statements and Accounts of the Mutual Fund Schemes in accordance with IND AS with effect from April 01, 2023. In this regard, SEBI has specified that the Mutual Fund Schemes shall prepare the opening balance sheet as on date of transition and the comparatives as per the requirements of IND AS. Mutual Fund schemes may not be mandatorily required to restate the previous years published perspective historical per unit statistics as per requirement of IND AS for the first two years from first time adoption of IND AS. The provisions of this Circular shall be effective from April 01, 2023.

For details:

https://www.sebi.gov.in/legal/circulars/feb-2022/circular-on-guidelines-on-accounting-with-respect-to-indian-accounting-standards-ind-as-_55919.html

- **Audit Committee of Asset Management Companies (AMCs)(February 09, 2022)**

Taking into account the recommendation of Mutual Fund Advisory Committee (MFAC) and the feedback received from the industry, SEBI has prescribed that the AMCs of mutual funds shall be required to constitute an Audit Committee. The role, responsibility, membership and other features of the Audit Committee of AMC are detailed in this circular. Currently, the requirement for an Audit Committee is at the level of trustees of Mutual Funds.

For details:

https://www.sebi.gov.in/legal/circulars/feb-2022/circular-on-audit-committee-of-asset-management-companies-amcs-_55987.html

- **Conversion of Private Unlisted InvIT into Private Listed InvIT (February 09, 2022)**

SEBI, vide this circular, has provided the manner in which a Private Unlisted InvIT may list its units and convert into a Private Listed InvIT on making a private placement of units through a fresh issue and/or an offer for sale in terms of Chapter IV of the SEBI (Infrastructure Investment Trusts) Regulations. Post issuance and listing of such units through private placement in accordance with this circular, the Private Unlisted InvIT shall stand transformed and shall be considered a Private Listed InvIT and it shall be required to comply with the provisions of the InvIT Regulations prescribed for Private Listed InvITs.

For details:

https://www.sebi.gov.in/legal/circulars/feb-2022/conversion-of-private-unlisted-inv-it-into-private-listed-inv-it_55972.html

- **Framework for conversion of Private Listed InvIT into Public InvIT (February 09, 2022)**

SEBI, vide this circular, has provided the manner in which a Private Listed InvIT may convert into a Public InvIT on making a public issue of units through a fresh issue and/or an offer for sale in terms of the SEBI (Infrastructure Investment Trusts) Regulations. Post issuance and listing of such units through public issue in accordance with this circular, the Private Listed InvIT shall stand transformed and shall be considered a Public InvIT and it shall be required to comply with all provisions of the InvIT Regulations prescribed for Public InvITs.

For details:

https://www.sebi.gov.in/legal/circulars/feb-2022/framework-for-conversion-of-private-listed-inv-it-into-public-inv-it_55971.html

SEBI News

- **Brokers want time limit be imposed on SEBI to issue Show-Cause Notices (December 20, 2021)**

Ahead of the Union Budget, stock brokers' association Anmi has urged the government to prescribe a time limit on SEBI for issuance of showcause notices and cut down minimum fine on small investors to Rs. 1 lakh from Rs. 5 lakh at present for market violation rules. At present, the SEBI Act, 1992 does not prescribe any period of limitation for issuance of a Show-Cause Notice (SCN) or for completion of the adjudication proceeding. This results into several proceedings being initiated by the regulator several years after the alleged violation resulting into unnecessary hardship and grave prejudice to market participants and affects their ability to effectively respond to such notice, Anmi said in a statement on Monday.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/brokers-want-time-limit-be-imposed-on-sebi-to-issue-show-cause-notices/articleshow/88389801.cms>

- **SEBI levies monetary fine on 2 Mindtree employees for disclosure lapses (December 27, 2021)**

SEBI imposed a monetary fine on two employees of Mindtree Ltd., for disclosure lapses, in violation of insider trading norms. Mindtree had informed SEBI regarding instances of the violation of the code of conduct framed by the company under the Prohibition of Insider Trading (PIT) norms by two of its employees. The investigation was carried out during January-March 2019. SEBI in separate orders noted that their violations affect multiple stakeholders and have an impact on the entire securities market. The regulator has levied a fine of Rs. 1 lakh each on them.

For details:

https://www.business-standard.com/article/companies/sebi-levies-monetary-fine-on-2-mindtree-employees-for-disclosure-lapses-121122700952_1.html

- **SEBI Chairman Ajay Tyagi on insider trading, mutual funds and first-time investors (November 29, 2021)**

SEBI Chairman Ajay Tyagi has heralded a multitude of reforms for the market during his over-four-year stint. In addition to ensuring a smooth ride for the markets through the pandemic and managing a milestone in IPO mobilisation, SEBI has brought about a risk management system that aims to protect new investors. In a recent interview with Business Standard, Tyagi highlighted his views on various aspects of the market.

For details:

<https://www.moneycontrol.com/news/business/sebi-chairman-ajay-tyagi-on-insidertrading-mutual-funds-and-first-time-investors-7771441.html>

- **SEBI passes confirmatory order in matter related to insider trading in Infosys scrip (December 13, 2021)**

Markets regulator SEBI passed a confirmatory order against an Infosys employee and his connected person, who was an employee of Wipro Ltd, in a matter related to alleged insider trading in Infosys shares. SEBI said Ramit Chaudhari and Keyur Maniar "should desist from directly accessing the securities market till the completion of the ongoing investigation into the matter." Through an interim order passed in September, SEBI had barred them from accessing securities market and had also directed impounding of illegal proceeds of Rs 2.62 crore. In the confirmatory order, SEBI noted that the amount has been deposited.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-passes-confirmatoryorder-in-matter-related-to-insider-trading-in-infosys-scrip/articleshow/88264008.cms>

- **SEBI imposes Rs 72 crore penalty on Winsome Textile Industries, directors (December 15, 2021)**

Market regulator SEBI slapped a fine of over Rs 72 crore on Winsome Textile Industries Ltd, its directors and two other individuals in a matter pertaining to issuance of global depository receipts (GDR) by the firm. The firm made misleading corporate announcements and also failed to inform the stock exchanges about the delisting of the GDRs from the Luxemburg Stock exchange. "Winsome caused the investors in the securities market in India to believe that the full consideration for GDRs had been received by it which was not true and thereby, induced the investors in India to deal in securities, and committed fraud on the investors in India." The directors also acted as a party to the fraudulent scheme of GDR issuance.

For details:

https://www.business-standard.com/article/markets/sebi-imposes-rs-72-crore-penalty-onwinsome-textile-industries-directors-121121501335_1.html

- **SEBI drops case against Dish TV's promoter (December 21, 2021)**

SEBI has disposed of a case of alleged insider trading against Dish TV India's corporate promoter Direct Media Distribution Ventures Pvt Ltd. It was alleged that the promoter sold 21.4 lakh shares of Dish TV through market transactions while in possession of UPSI. However, SEBI noted that "the trading pattern of the Noticee, does not lead to the conclusion that Noticee's trades in the scrip of DTIL on January 29, 2019 were induced by the UPSI."

For details:

<https://www.moneycontrol.com/news/business/sebidrops-case-against-dish-tvs-promoter-7850971.html>

- **National Stock Exchange launches NSE Prime (December 21, 2021)**

NSE on Tuesday launched a new corporate governance initiative - 'NSE Prime', that NSE-listed companies can adopt voluntarily. NSE Prime is a framework that prescribes higher standards of corporate governance for listed Companies than those required by regulations. Additional disclosure requirements have also been prescribed to provide for a higher quality of public information and greater transparency. Listed companies that voluntarily choose to be part of NSE Prime will need to comply with pre-defined norms on an ongoing basis, which will be monitored by NSE.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/national-stock-exchange-launches-nse-prime/articleshow/88416821.cms>

- **SEBI board to clear proposals on IPO reforms (December 27, 2021)**

SEBI is set to clear a set of proposals aimed at primary market reform when it meets on December 28, said people with knowledge of the matter. These include constraints on the use of funds raised in initial public offerings (IPO) for unidentified acquisitions by new-age technology companies, an increase in the lock-in period for anchor investors in IPOs and tighter rules on monitoring IPO proceeds.

For details:

<https://economictimes.indiatimes.com/markets/ipos/fpos/sebi-board-to-clear-proposals-on-iporeforms/articleshow/88513435.cms>

- **SEBI makes unitholders' consent a must for winding up mutual fund scheme (December 28, 2021)**

SEBI in its board meeting on December 28, 2021 made it mandatory for Mutual Fund (MF) trustees to take consent of unitholders' when winding-up any MF scheme. Franklin Templeton MF's decision to wind-up six of its schemes in April 2020, had forced unitholders to move courts to question the legality of such a decision. In the year-long legal tussle, the Supreme Court (SC) eventually upheld that unitholders' approval was necessary for winding-up of any MF scheme. SEBI in its board meeting stated that "the trustees shall obtain consent of the unitholders by simple majority of the unitholders present and voting on the basis of one vote per unit." However, if unitholders vote against such a wind-up, the scheme will be re-opened for investments and withdrawals from the second business day after the voting results are published.

For details:

<https://www.moneycontrol.com/news/business/personal-finance/sebi-makes-unitholders-consent-a-must-for-winding-up-mutual-fund-scheme-7875541.html>

- **SEBI board tightens rules for utilisation of IPO proceeds (December 28, 2021)**

SEBI decided to put a cap on IPO proceeds earmarked for making future acquisition of unspecified targets and will bring under monitoring the funds reserved for general corporate purposes. The regulator has prescribed certain conditions for selling shares in an Offer-for-Sale (OFS) under IPO by significant shareholders and has extended anchor investors' lock-in period to 90 days, according to a statement issued by SEBI after its board meeting. In addition, SEBI has decided to revise allocation methodology for Non-institutional Investors (NIIs). This comes amid a slew of new-age technology companies filing draft papers with SEBI to raise funds through initial public offerings (IPOs).

https://www.business-standard.com/article/markets/sebi-clears-amendments-to-variousregulations-tightens-norms-for-ipos-121122800846_1.html

SEBI has restructured its advisory committee on market data that recommends policy measures pertaining to areas like securities market data access and privacy. Rejigging its market data advisory committee, SEBI has said the panel will now be chaired by S Sahoo, Professor at National Law University, Delhi and former chairperson, Insolvency and Bankruptcy Board of India (IBBI), as per the latest information with the regulator.

https://www.business-standard.com/article/companies/sebi-restructures-its-advisory-committee-on-market-data-121123100847_1.html

Capital markets regulator SEBI came out with a framework for operationalising the gold exchange, wherein the yellow metal will be traded in the form of electronic gold receipts (EGRs). The stock exchange desirous of trading in EGRs may apply to SEBI for approval of trading in the new segment, the regulator said in a circular. The bourses can launch contracts with different denomination for trading or conversion of EGR into gold. Under the new framework, the entire transaction has been divided into three tranches- creation of EGR; trading of EGR on stock exchange and conversion of EGR into physical gold. A common interface will be developed by depositories, which will be made accessible to all the entities – vault managers, depositories, stock exchanges and clearing corporations. The new framework will come into force with immediate effect.

<https://www.moneycontrol.com/news/business/markets/sebi-puts-in-placeframework-foroperationalising-goldexchange-7920661.html>

SEBI barred Billionaire Solutions and its sole proprietor Akash Jaiswal from the capital markets for two years for providing unauthorised investment advisory services and directed them to refund investors' money. In its order, SEBI found that Billionaire Solutions and Jaiswal were engaged in the business of providing investment advice to the public in lieu of monetary consideration and were thus, acting as an 'investment adviser'. However, they were not holding any certificate of registration from SEBI to act as an investment advisor.

https://www.business-standard.com/article/markets/sebibans-billionaire-solutions-proprietor-for-unauthorisedservices-122011201414_1.html

Shri Ajay Tyagi, Chairman, SEBI launched “Saaṛṭhi” - SEBI’s Mobile App on Investor Education at a function held in Mumbai. Launching the SEBI App, Shri Tyagi said, “This Mobile App is yet another initiative of SEBI with a view to empowering investors with knowledge about securities market. With the recent surge in individual investors entering the market, and more importantly a large proportion of trading being mobile phone based, this App will be helpful in easily accessing the relevant information. The SEBI Mobile App aims to create awareness among the investors about the basic concepts of Securities Market, KYC Process, trading and settlement, mutual funds, recent market developments, investor grievances redressal mechanism, etc. The App is available in Hindi and

English. The Android and iOS versions of the App can be downloaded from Play Store and App Store respectively.

For details:

https://www.sebi.gov.in/media/press-releases/jan-2022/sebi-chairman-launches-saa-thi-sebi-s-mobile-app-on-investor-education_55384.html

- **SEBI begins review to define what constitutes a free float (January 18, 2022)**

The Securities and Exchange Board of India (SEBI) has started a review of what constitutes a free float and whether it should continue to be minimum public shareholding or only be the shares that are not held by institutions and promoters. Free float or floating shares indicate the number of shares available for trading. The more the free float, the better the price discovery and lower the chances of stock manipulation. The definition by Indian exchanges is slightly different and includes shares of a company available in the market for public investment.

For details:

<https://www.livemint.com/market/stock-market-news/sebi-begins-review-to-define-what-constitutes-a-free-float-11642444046346.html>

- **Finance ministry mulls time limit on SEBI show-cause notices (January 21, 2022)**

The finance ministry is considering a proposal to fix a time limit for show-cause notices by the Securities and Exchange Board of India (SEBI) to ensure proceedings are time-barred and cases aren't initiated beyond a certain period. SEBI's inputs have been sought and an amendment to this effect could be included in the February 1, 2022 finance bill, a government official said. The capital market regulator will be restricted from initiating proceedings or sending notices in old, pending matters, according to the plan. Currently, the SEBI Act doesn't specify a time limit.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/financeministry-mulls-time-limit-on-sebishow-causenotices/articleshow/89029047.cms>

- **SEBI asks PFS to file action taken report on governance within four weeks (January 23, 2022)**

Securities and Exchange Board of India (SEBI) has asked PTC India Financial Services Ltd (PFS) to file an action taken report (ATR) within four weeks on corporate governance matters and issues raised by resigning directors. The capital market regulator director directed the company to address these issues before holding board meetings. PFS, in late night filing with BSE, said the company has received a communication dated 22nd January, 2022 from the SEBI informing that the company is directed to address the Corporate Governance issues and all other issues raised by the resigning IDs and ex Chairperson first. A meeting of the Board of Directors was scheduled to be held on 22nd January, 2022. However, the same could not be held as the company does not have quorum required under SEBI Regulations, the company said in filing.

For details:

https://www.business-standard.com/article/companies/sebi-asks-pfs-to-file-action-report-on-governance-within-four-weeks-122012301061_1.html

- **Consultation Paper on Environmental, Social and Governance (ESG) Rating Providers for Securities Markets (January 24, 2022)**

SEBI, through this consultation paper, is seeking public comments on a proposed regulatory framework to regulate ESG ratings providers (ERPs) and oversight there on, periodicity of disclosure etc. The activities of ERPs are typically not subject to regulatory oversight at present, increasing reliance on such unregulated ESG rating providers in securities markets raises concerns about the potential risks it poses to investor protection, the transparency and efficiency of markets, risk

pricing, and capital allocation, among others. Moreover, a lack of transparency in this area gives rise to the risk of greenwashing and misallocation of assets which could lead to infirmity in such ESG rating and a consequent lack of trust thereof. Therefore, there arises an imperative need, more than ever before, to ensure that the providers of such products operate in a transparent and regulated environment that balances the needs of all stakeholders. The comments/ suggestions may be provided as per the prescribed format latest by March 10, 2022.

For details:

https://www.sebi.gov.in/reports-and-statistics/reports/jan-2022/consultation-paper-on-environmental-social-and-governance-esg-rating-providers-for-securities-markets_55516.html

- **Mumbai investment banking officials under SEBI scanner for leaking GMM Pfaudler price information (January 23, 2022)**

Officials from one of Mumbai's leading investment bank cum brokerage house are under the scanner of market regulator SEBI for leaking price sensitive information ahead of the offer for sale (OFS) of GMM Pfaudler in September 2020. Large quantities of shares were borrowed via the Securities Lending and Borrowing (SLB) window and sold in open market days ahead of the company's OFS with insider knowledge. SEBI has found that the information that the OFS price of GMM Pfaudler would be much lower than the then prevailing market price was leaked by officials of one of the investment banks.

For details:

<https://www.thehindubusinessline.com/markets/stock-markets/mumbai-investment-banking-officials-under-sebi-scanner-for-leaking-gmm-pfaudler-price-information/article64930513.ece>

- **SEBI bans 14 entities in Lux Industries insider trading case (January 25, 2022)**

Capital markets regulator SEBI barred 14 entities for indulging in insider trading and ordered impounding ill-gotten gains of Rs 2.94 crore in the matter of Lux Industries Ltd. The surveillance alert system of SEBI had detected suspicious trading pattern in the scrip of Lux around the announcement dated May 25, 2021 regarding the audited financial results for the quarter and financial year ended March 31, 2021, wherein substantial increase in profits both on a quarter-on-quarter as well as a year-on-year basis was observed. On an analysis of the alerts on the announcement related to financial results, SEBI found that a group of connected/ related entities were observed to have taken long positions in the scrip. Subsequently, the entities squared off the said long positions, thereby generating substantial profits.

For details:

https://www.business-standard.com/article/companies/sebi-bans-14-entities-in-luxindustries-insider-trading-case-122012401458_1.html

- **Flipkart-backed PhonePe approaches SEBI for mutual fund license (January 28, 2022)**

Fintech major PhonePe, which is backed by e-commerce giant Flipkart, has become latest entity to apply for mutual fund (MF) license from market regulator Securities and Exchange Board of India (SEBI). In last year-and-a-half, several entities have applied for MF license and shown interest in entering the Rs. 37 lakh crore MF industry. Several portfolio management service (PMS) providers have also applied for MF license.

For details:

<https://www.moneycontrol.com/news/business/personal-finance/flipkart-backedphonepe-approaches-sebi-for-mutual-fund-licence-7999321.html>

- **SEBI advises MFs to stop investing in international stocks (January 31, 2022)**

The Securities and Exchange Board of India (SEBI) has advised mutual funds investing in overseas securities to stop further investments in foreign stocks to avoid breach of industry-wide overseas limits. Mutual funds can make overseas investments up to \$1 billion per mutual fund, with the overall industry limit of \$7 billion, according to a SEBI circular of 3 June 2021. The suspension is likely to be temporary and could be revoked once the limits are enhanced by the regulator.

For details:

<https://www.livemint.com/mutual-fund/mf-news/sebi-advises-mfs-investing-outsideindia-to-halt-flows-from-next-week-11643452534929.html>

- **Nine entities settle case of alleged AIF rules violations with SEBI (January 28, 2022)**

As many as nine entities, including PenBrook Capital Advisors and Peninsula Brookfield Trustee, settled with SEBI a case pertaining to alleged violations of alternative investment funds rules after paying Rs 85 lakh towards settlement charges. The settlement order comes after the entities approached SEBI to settle the case in the matter of Peninsula Brookfield India Real Estate Fund, AIF. The adjudication proceedings initiated against the nine entities under the show cause notice issued in March 2021 have been disposed of, SEBI said in the order.

For details:

https://www.business-standard.com/article/markets/nine-entities-settle-case-of-alleged-aif-rules-violations-with-sebi-122012801989_1.html

- **Gitanjali Gems case: SEBI bans Mehul Choksi, another individual from markets (January 31, 2022)**

SEBI has barred fugitive businessman Mehul Choksi and one Rakesh Girdharlal Gajera from the capital markets for one year and levied a fine totalling Rs. 2.5 crore on them for violating insider trading rules in the matter of Gitanjali Gems. In addition, they have been restrained from buying, selling or otherwise dealing in securities of Gitanjali Gems Ltd (GGL) for a period of two years. Also, the Securities and Exchange Board of India (SEBI) has directed Gajera to disgorge a sum of Rs. 15.82 crore. Choksi, promoter and managing director of Gitanjali Gems, is the maternal uncle of Nirav Modi, both of whom are facing charges of defrauding state-run Punjab National Bank (PNB) of over Rs. 14,000 crore.

For details:

<https://www.livemint.com/market/gitanjali-gems-case-sebi-bans-mehul-choksi-anotherindividual-from-markets-11643649898585.html>

- **BSE gets SEBI's in-principle nod for gold spot exchange (February 10, 2022)**

The Securities and Exchange Board of India (SEBI) has given in-principle approval to the BSE to commence trading in electronic gold receipts (EGR) on the exchange, the bourse said in a filing to the National Stock Exchange. The capital market regulator had in January notified the framework for the setting up of spot gold exchange, where the metal can be traded in electronic format through EGRs. The framework divides the transaction chain into three branches—the creation of EGRs, trading on EGRs on exchanges and conversion of EGRs to physical gold. Besides the spot exchange, SEBI allowed for vault managers to apply to act as custodians of physical gold and for conversion of EGRs into gold. SEBI made EGRs fungible and allowed for interoperability among vault managers to reduce costs.

For details:

<https://www.moneycontrol.com/news/business/commodities/bse-gets-sebis-in-principlenod-for-gold-spot-exchange-8070061.html>

SEBI Adjudication Order

- **In the matter of Crayon Capital Art Fund (November 30, 2021)**

SEBI imposed penalty of Rs. 15 Lakh on three entities for setting up, sponsoring and operating an art fund scheme which qualified as a collective investment scheme in terms of Section 11AA of SEBI Act, without incorporating a collective investment management company duly registered with SEBI for this purpose and thus violated Regulation 12 (1B) of the SEBI Act read with Regulation 3 of the SEBI (Collective Investment Scheme) Regulations.

For details:

https://www.sebi.gov.in/enforcement/orders/nov-2021/adjudication-order-in-respect-of-crayon-capital-art-fund-gaurav-karan-and-amit-vadehra-in-the-matter-of-crayon-capital-art-fund_54335.html

Consultation Paper

- **Consultation Paper regarding developing “One Commodity One Exchange” (December 07, 2021)**

SEBI has placed a consultation paper for public comments on the proposal regarding developing the concept of “One Commodity One Exchange” so as to reduce fragmentation of liquidity and help every stock exchange to develop an exclusive set of un-fragmented liquid contracts. The comments/suggestions may be sent by email to cdmrd_ocoe@sebi.gov.in within one month from date of uploading of this consultation paper on the SEBI Website.

For details:

https://www.sebi.gov.in/reports-and-statistics/reports/dec-2021/consultation-paper-on-developing-unique-set-of-commodities_54473.html

- **Consultation Paper on Algorithmic Trading by Retail Investors (December 09, 2021)**

SEBI has placed a consultation paper for public comments on algorithmic trading being done by retail investors including use of API access and automation of trades using the same, latest by January 15, 2022. SEBI, from time to time, has provided broad guidelines on algorithmic trading according to which any order that is generated using automated execution logic shall be known as Algorithmic Trading. Generally, the features of algorithmic trading (‘algo trading’) include using a defined set of instructions in the form of algos to generate trading signals and placing orders. The algo trading system automatically monitors the live stock prices and initiates an order when the given criteria are met. This frees the trader from having to monitor live stock prices and initiate manual order placement.

For details:

https://www.sebi.gov.in/reports-and-statistics/reports/dec-2021/consultation-paper-on-algorithmic-trading-by-retail-investors_54515.html

Press Release

- **SEBI Chairman’s Speech at inauguration of Arun Duggal ESG Centre for Research and Innovation -IIM Ahmedabad (December 03, 2021)**

Speaking at the inauguration of Arun Duggal ESG Centre for Research and Innovation - IIM Ahmedabad, Shri Ajay Tyagi, Chairman, SEBI, emphasised on the following:

- Globally, governments and various international bodies continue to drive ESG (Environment, Sustainability and Governance) investment considerations. The global policy forum for securities regulators, International Organization for Securities Commissions (IOSCO), has been focused on ensuring that investors receive timely, comprehensive and comparable information.
- In the backdrop of global developments and the increasing focus on sustainability investing, the disclosure requirements under the BRR were reviewed. SEBI radically improved the ESG-related reporting with the introduction of the Business Responsibility and Sustainability Report (BRSR) in May 2021.
- BRSR is a more outcome oriented reporting format, which lays considerable emphasis on quantifiable metrics, which allows for easy measurement and comparisons. SEBI is in the process of stipulating disclosures for mutual fund schemes with the ESG theme.
- The introduction of BRSR and launch of ESG Mutual Fund schemes have generated interest in ESG Ratings as a way for ESG disclosures by listed issuers to aid investors meaningfully integrate ESG into their investment decisions.
- SEBI is examining the disclosure of ESG related aspects in the rating press release by Credit Rating Agencies. In depth research on ESG norms is the need of the hour, with focus towards developing high quality, objective, content-specific rating matrices.

For details:

https://www.sebi.gov.in/media/speeches/dec-2021/chairman-s-speech-at-inauguration-of-arunduggal-esg-centre-for-research-and-innovation-iim-ahmedabad-december-03-2021_54423.html

- **SEBI constitutes ‘Advisory Committee for Leveraging Regulatory and Technology Solutions (ALeRTS)’ (December 14, 2021)**

In order to guide SEBI in its pursuit to enhance technological capabilities and explore appropriate technology solutions for early detection of market anomalies, SEBI has constituted an ‘Advisory Committee for Leveraging Regulatory and Technology Solutions (ALeRTS)’ headed by Ms. Madhabi Puri Buch, Ex-Whole Time Member, SEBI, and comprising experts from various technology domains as members.

For details:

https://www.sebi.gov.in/media/press-releases/dec-2021/sebi-constitutes-advisory-committee-for-leveraging-regulatory-and-technology-solutions-alerts-_54605.html

- **SEBI issues directions to stock exchanges in Commodity Derivatives segment (December 20, 2021)**

SEBI has issued directions to Stock Exchanges having Commodity Derivatives Segment in respect of trading in derivative contracts in Paddy (non-basmati), Wheat, Chana, Mustard seeds and its derivatives, Soya bean and its derivatives, Crude palm oil and Moong. SEBI has directed that, with immediate effect, no new contract shall be launched in these seven commodities for a period of one year till further orders. In respect of running contracts, no new position will be allowed to be taken. Only squaring up of position will be allowed. The derivative contracts in Chana and Mustard seeds have already been suspended, vide SEBI press release dated August 16, 2021 and October 08, 2021, respectively.

For details:

https://www.sebi.gov.in/media/press-releases/dec-2021/sebi-issues-directions-to-stock-exchanges-in-commodity-derivatives-segment_54725.html

- **SEBI signs IOSCO's Enhanced Multilateral MoU (EMMoU) (December 23, 2021)**

SEBI has signed the Enhanced Multilateral Memorandum of Understanding (EMMoU) of the International Organization of Securities Commissions (IOSCO) on December 22, 2021. Shri. Ajay Tyagi, Chairman signed the EMMoU on behalf of SEBI. With the signing, SEBI joins a select group of securities regulators which are signatories to EMMoU. The EMMoU signatories, by availing themselves of advanced level of assistance and by continuing to provide each other with the fullest cooperation permissible, are expected to increase the effectiveness of their investigations and the enforcement of their jurisdiction's laws and regulations.

For details:

https://www.sebi.gov.in/media/press-releases/dec-2021/sebi-signs-iosco-s-enhanced-multilateral-mou-emmou-_54931.html

- **Grant of recognition to CDSL Ventures Limited as an Accreditation Agency (January 12, 2022)**

CDSL Ventures Limited (CVL), a wholly owned subsidiary of Central Depository Services (India) Limited (CDSL) has been granted recognition as an Accreditation Agency under Regulation 2(1) (aa) of SEBI (Alternative Investment Funds) Regulations, 2012 read with SEBI circular dated August 26, 2021, for a period of three years with effect from February 01, 2022. The renewal of the recognition would be subject to satisfactory performance by CVL. It is provided that the procedure for accreditation of an investor and verification of accreditation status of an investor by investment providers (viz Alternative Investment Funds, Portfolio Managers and, Investment Advisers) and other modalities along with relevant circulars shall be displayed on the website of CDSL and CVL.

For details:

https://www.sebi.gov.in/media/press-releases/jan-2022/grant-of-recognition-to-cdsl-ventures-limited-as-an-accreditation-agency_55304.html

- **Empowering Investors through Investor Charters (January 17, 2022)**

To protect investors' interests, promote transparency in markets and enhance awareness, trust and confidence among the investors, SEBI, vide a Public Notice dated November 17, 2021, had published the "Investor Charter" for securities markets. Since then, various steps have been taken to implement the Charter. As for SEBI's own charter, efforts have been taken to enhance the effectiveness of investor grievance redressal mechanism. SEBI has been publishing the status of disposal of investor grievances received in SCORES (SEBI Complaints Redress System) on its website on a monthly basis. Details of investor grievances, which are pending for more than three months with different intermediaries, are also being published. In case SEBI receives a large number of repeated complaints on any issue, the root causes are analyzed and if required, appropriate policy changes are made to address the issue. SEBI is also examining the possibility of introducing alternate dispute resolution mechanism in various agreements (wherever possible) between the regulated entities and their clients. This is with a view to providing efficacious mechanism for resolving disputes between the investors and the regulated entities.

For details:

https://www.sebi.gov.in/media/press-releases/jan-2022/empowering-investors-through-investor-charters_55353.html

SEBI Notification

- **Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) (Third Amendment) Regulations, 2021(December 06, 2021)**

In exercise of the powers conferred under section 30 of the Securities and Exchange Board of India Act, 1992, SEBI amended the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011. The Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) (Third Amendment) Regulations, 2021 inter-alia provides that in the event the acquirer makes a public announcement of an open offer for acquiring shares or voting rights or control of a target company, the acquirer may seek the delisting of the target company by making a delisting offer in accordance with this regulation. The acquirer shall have declared his intention to so delist the target company at the time of making such public announcement of an open offer as well as at the time of making the detailed public statement.

For details:

<https://egazette.nic.in/WriteReadData/2021/231637.pdf>

- **Ministry of Finance notifies Electronic Gold Receipt as Security under Securities Contracts (Regulation) Act, 1956 (December 24, 2021)**

In exercise of the powers conferred by sub-clause (iia) of clause (h) of section 2 of the Securities Contracts (Regulation) Act, 1956, (hereinafter referred to as the said Act), the Central Government declares “Electronic Gold Receipt” as securities for the purpose of the said Act. For the purpose of this notification,- “Electronic Gold Receipt” means an electronic receipt issued on the basis of deposit of underlying physical gold in accordance with the regulations made by the Securities and Exchange Board of India under section 31 of the said Act.

For details:

<https://egazette.nic.in/WriteReadData/2021/232117.pdf>

- **SEBI (Vault Managers) Regulations, 2021 (December 31, 2021)**

SEBI notifies the SEBI (Vault Managers) Regulations, 2021 which shall come into force on the date of their publication in the Official Gazette on 31st December, 2021. The notification provides that any person intending to carry on the business as a Vault Manager shall make an application to the SEBI for grant of a certificate of registration. Vault Manager means any person who carries on or intends to carry on the business of providing vaulting services. Vaulting service in relation to gold means the storage and safekeeping of gold deposited with the Vault Manager, by the depositor, for the purpose of trading in Electronic Gold Receipt and providing services incidental thereto.

For details:

<https://egazette.nic.in/WriteReadData/2021/232291.pdf>

- **SEBI (Issue of Capital and Disclosure Requirements) (Amendment) Regulations, 2022 (January 14, 2022)**

SEBI vide its notification dated January 14, 2022, has amended the provisions of SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018, which has come into force on the date of their publication in the Official Gazette. The amendments inter alia provide that

- o The issuer shall place a copy of the certificate of a practicing company secretary before the general meeting of the shareholders considering the proposed preferential issue, certifying that the issue is being made in accordance with the requirements of the SEBI (ICDR) Regulations, 2018.

- o An issuer making an initial public offer shall ensure that the amount for general corporate purposes and such objects where the issuer company has not identified acquisition or investment target, as mentioned in objects of the issue in the draft offer document and the offer document, shall not exceed 35% of the amount being raised by the issuer.
- o Regulation (8A) is inserted prescribing the additional conditions for an offer for sale for issues under regulation 6(2).
- o Credit Rating Agency (CRAs) registered with SEBI, shall henceforth be permitted to act as Monitoring Agency instead of Scheduled Commercial Banks (SCBs) and Public Financial Institutions (PFI). Such a monitoring shall continue till 100% instead of 95% utilization of issue proceeds as present.

For details

<https://egazette.nic.in/WriteReadData/2022/232654.pdf>

- **SEBI (Settlement Proceedings) (Amendment) Regulations, 2022 (January 14, 2022)**

SEBI vide its notification dated January 14, 2022, has amended the provisions of SEBI (Settlement Proceedings) Regulations, 2018 which has come into force on the date of their publication in the Official Gazette. The SEBI (Settlement Proceedings) Regulations, 2018 provide that the settlement terms may include a settlement amount and/or nonmonetary terms. Vide this amendment, SEBI has prescribed that the non-monetary terms may also include “restraining from accessing the securities market and/or prohibiting from buying, selling or otherwise dealing in securities, directly or indirectly and associating with the securities market in any manner for a specific period”.

For details:

<https://egazette.nic.in/WriteReadData/2022/232643.pdf>

- **SEBI (Foreign Portfolio Investors) (Amendment) Regulations, 2022 (January 14, 2022)**

SEBI vide its notification dated January 14, 2022, has amended the provisions of SEBI (Foreign Portfolio Investors) Regulations, 2019, which has come into force on the date of their publication in the Official Gazette. The amendments enable SEBI to generate unique registration numbers of FPIs on receiving the basic details of the applicants seeking FPI registration from either of SEBI registered Depositories.

For details:

<https://egazette.nic.in/WriteReadData/2022/232644.pdf>

- **SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2022 (January 24, 2022)**

SEBI vide its notification dated January 24, 2022, has amended the provisions of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015, which shall come into force on the date of their publication in the Official Gazette. The amendments inter alia provide that The appointment or a re-appointment of a person, including as a managing director or a whole-time director or a manager, who was earlier rejected by the shareholders at a general meeting, shall be done only with the prior approval of the shareholders. [Proviso to Regulation 17(1C)] Issuance of duplicates or new certificates in cases of loss or old decrepit or worn out certificates in dematerialised form. This will improve ease, convenience and safety of transactions for investors. [Regulation 39(2)] The requests for effecting transfer of securities shall not be processed unless the securities are held in the dematerialised form with a depository. Further, transmission or transposition of securities held in physical or dematerialised form shall be effected only in dematerialised form. [Proviso to 40(1)]

For details:

https://www.sebi.gov.in/legal/regulations/jan-2022/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-amendment-regulations-2022_55526.html

- **SEBI (Mutual Funds) (Amendment) Regulations, 2022 (January 25, 2022)**

SEBI, vide its notification dated January 25, 2022, has notified the SEBI (Mutual Funds) (Amendment) Regulations, 2022 which shall come into force on the date of their publication in the Official Gazette. The amendment, inter alia, provides that the financial statements and accounts of the mutual fund schemes shall be prepared in accordance with Indian Accounting Standards (IND AS) and any addendum thereto, as notified by the Companies (Indian Accounting Standards) notified by the Companies (Indian Accounting Standards) Rules, 2015, as amended from time to time. Provided that in case there is any conflict between the requirements of IND AS and these regulations and guidelines issued thereunder, the asset management companies shall follow the requirements specified under SEBI (Mutual Fund) Regulations.

For details:

<https://egazette.nic.in/WriteReadData/2022/232913.pdf>

SEBI Report

- **Extension of timeline for submission of public comments on the consultation paper for Review of SEBI (Collective Investment Schemes) Regulations, 1999 (January 31, 2022)**

SEBI had placed a consultation paper for Review of SEBI (Collective Investment Schemes) Regulations, 1999 on its website on January 07, 2022 seeking comments by January 31, 2022. SEBI has extended the timeline for submission of comments to February 15, 2022.

For details:

https://www.sebi.gov.in/reports-and-statistics/reports/jan-2022/extension-of-timeline-for-comments-on-consultation-paper-for-review-of-sebi-collective-investment-schemes-regulations-1999_55788.html

NCLT

Info Capsule Series 10

Standard Operating Procedure for physical/Virtual/ Hybrid/hearing of cases before the National Company Law Tribunal (December 18, 2021)

The National Company Law Tribunal (NCLT) has issued the Standard Operating Procedure (SOP) for physical hearing, as well as the continuation of Virtual. This SOP is issued in supersession of earlier notification/ guidelines/ circulars issued by the NCLT regarding functioning of the NCLT during COVID-19 Pandemic period and keeping in view of the present situation and the guidelines of Government of India on COVID-19 restrictions. It has been provided that NCLT at all benches will continue to receive online filing of cases through eportal of NCLT and all the latest guidelines of the Central and the State Governments regarding gathering at Public places shall be, adhered to in letter and spirit.

For details:

<https://nclt.gov.in/sites/default/files/tender/circulars/publicnotices/Standard%20Operating%20Procedure%20for%20Physical-Virtual-%20Hybrid%20hearing%20of%20cases%20before%20the%20National%20Company%20Law%20Tribunal%20on%2018.12.2021.pdf>

Insolvency and Bankruptcy

Info Capsule Series 10

Insolvency Professionals to act as Interim Resolution Professionals, Liquidators, Resolution Professionals and Bankruptcy Trustees (Recommendation) (Second) Guidelines, 2021 (December 01, 2021)

Insolvency Professionals to act as Interim Resolution Professionals, Liquidators, Resolution Professionals and Bankruptcy Trustees (Recommendation) (Second) Guidelines, 2021, shall come into effect from January 1, 2022. These guidelines are supersession of earlier guidelines issued on June 1, 2021. The said guidelines inter-alia containing provisions pertaining to: recommendation of name of IP by IBBI in case of Corporate Insolvency; recommendation of name of IP or Bankruptcy Trustee in case of Individual Insolvency by Board; preparation of panel of IPs as per guidelines, eligibility of IP for inclusion in the panel; invitation of expression of interest by IPs in Form A (format specified) by Boar; scoring on ongoing assignments of IPs; and obligations of IP in the panel etc.

For details:

<https://ibbi.gov.in/uploads/legalframework/f812a9b138081ae0760bc224a478fdc4.pdf>

Centre says taking all steps to strengthen National Company Law Tribunal (December 06, 2021)

The Government on December 06, 2021 said it is taking all steps to strengthen the National Company Law Tribunal (NCLT) to reduce delays in disposal of cases under the insolvency law. In a written reply to a query in the Lok Sabha, Union Minister Shri Rao Inderjit Singh said that up to March 31 this year, in 252 of the 348 cases resolved under the Insolvency and Bankruptcy Code (IBC), "creditors have accepted realisation of 50 per cent or less of their admitted claims". IBC provides a framework for market-linked and time-bound resolution of stressed assets.

For details:

https://www.business-standard.com/article/economy-policy/centre-says-taking-all-steps-to-strengthen-national-company-law-tribunal-121120601204_1.html

RBI retains three-member Advisory Committee of Reliance Capital (December 08, 2021)

A day after NCLT admitted RBI's petition for insolvency resolution of Reliance Capital, the central bank said it has retained the three-member Advisory Committee to assist the newly appointed administrator of the crisis-ridden NBFC. The Mumbai bench of the National Company Law Tribunal (NCLT) on December 06, admitted the Reserve Bank's plea to initiate insolvency resolution proceedings against Reliance Capital.

For details:

https://www.business-standard.com/article/economypolicy/rbi-retains-three-member-advisory-committee-of-reliance-capital-121120701241_1.html

IBBI Quarterly Newsletter for Jul-Sep, 2021 (December 08, 2021)

Insolvency and Bankruptcy Board of India (IBBI) issued quarterly newsletter for the July September, 2021, the newsletter inter-alia carries information pertaining to various orders issued by Courts/NCLT/NCLAT, recent updates, details of recent MoUs signed by IBBI and data pertaining to CIRPs and Liquidations etc.

For details:

<https://ibbi.gov.in/uploads/whatsnew/fe8c71b65477be42045dd9d0a9a88656.pdf>

Company law tribunal can't compel parties to settle dispute in insolvency proceedings under IBC, says SC (December 14, 2021)

In a significant verdict, the Supreme Court on December 14, 2021 held that the National Company Law Tribunal (NCLT) cannot compel a party to settle a dispute under the Insolvency and Bankruptcy Code (IBC) as it is empowered "only to verify whether a default has occurred or not". The top court referred to the provisions of the IBC and said that the NCLT and its appellate body, NCLAT, had only two options available to either allow or reject the insolvency proceedings against the firm. A bench comprising Justices Shri D Y Chandrachud and Shri A S Bopanna set aside the verdicts of NCLT and NCLAT which had asked the company to try to settle the claims of homebuyers within a time frame and had dismissed the pleas for initiation of insolvency proceedings against Bharath Hi Tech Builders Pvt. Ltd.

For details:

<https://economictimes.indiatimes.com/news/india/company-law-tribunal-cant-compel-parties-to-settle-dispute-in-insolvency-proceedings-under-ibc-sayssc/articleshow/88283767.cms>

PSUs with high liabilities may face IBC-based closure (December 15, 2021)

The government has unveiled a new public sector companies' policy for non-strategic sectors so that the department of public enterprises (DPE) can drive the privatization or closure of state-run firms. In cases where the liabilities are "exorbitantly high", the government has indicated its willingness to go for the Insolvency and Bankruptcy Code (IBC) route as well. The norms stipulate that the entire process of closure should be completed within nine months of approval by the Cabinet Committee on Economic Affairs (CCEA).

For details:

<https://timesofindia.indiatimes.com/business/india-business/psus-with-highliabilities-may-face-ibc-based-closure/articleshow/88289170.cms>

Listing fee dues cannot be recovered under operational debt: NCLAT (December 19, 2021)

Dues on the listing fees against a company are 'regulatory dues' in nature and cannot be recovered under 'operational debt' through insolvency proceedings, said the National Company Law Appellate Tribunal (NCLAT) while dismissing an appeal by stock exchange BSE. Listing fees comes under the ambit of 'regulatory dues', which markets regulator SEBI is entitled to recover, and the defaulting company being an entity registered under SEBI is under an obligation to follow the regulations prescribed by the regulator for the recovery of its dues, observed the NCLAT.

For details:

https://www.business-standard.com/article/markets/listing-fee-dues-cannot-berecovered-under-operational-debt-nclat-121121900545_1.html

Jurisdiction of Authorities under PMLA to Proceed Against Properties of Corporate Debtor Ceases Once Liquidation Approved Under IBC: Delhi (December 17, 2021)

The Delhi High Court has adjudicated on the question as to whether the authorities under the Prevention of Money Laundering Act, 2002 would retain the jurisdiction or authority to proceed against properties of a corporate debtor once a liquidation measure has come to be approved in accordance with Insolvency and Bankruptcy Code, 2016. In a detailed order it was held that, the power to attach as conferred by section 5 of the PMLA would cease to be exercisable once any one of the measures specified in Regulation 32 of the Liquidation Regulation 2016 comes to be adopted and approved by the Adjudicating Authority.

For details:

<https://www.livelaw.in/news-updates/ibc-pmla-retain-jurisdiction-propertiescorporate-debtor-liquidation-delhi-high-court-187870>

NCLT rejects GVFL plea against Hubtown (December 20, 2021)

The National Company Law Tribunal (NCLT), in a relief to real estate developer Hubtown, has rejected venture finance firm GVFL Trustee Company's claim of around Rs. 150 crore against the company. The Mumbai bench of the bankruptcy court, while dismissing the petition filed by GVFL under the Insolvency and Bankruptcy Code (IBC) against the BSE listed company, has also clarified that "a shareholder is different from a lender". The ruling is expected to impact several such investment structures entered into by developers and financiers. GVFL had filed four petitions, claiming that it, as a secured shareholder, was entitled under the shareholder pact to call upon the developer, as the original promoter, to buy back shares at a minimum 26% IRR per annum.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/nclt-rejects-gvfl-pleaagainst-hubtown/articleshow/88381075.cms?from=mdr>

Amendment to the Insolvency and Bankruptcy Board of India (Online Delivery of Educational Course and Continuing Professional Education by Insolvency Professional Agencies and Registered Valuers Organisations) Guidelines, 2020 (December 21, 2021)

In exercise of powers under section 196(1)(aa) of the Code read with regulation 5(b) and clause (ba) of sub-regulation (2) of regulation 7 of the IBBI (Insolvency Professionals) Regulations, 2016 and clauses (a) and (e) of sub-rule (2) of rule 12 of the Companies (Registered Valuers and Valuation) Rules, 2017, the Insolvency and Bankruptcy Board of India hereby extends the validity of the Insolvency and Bankruptcy Board of India (Online Delivery of Educational Course and Continuing Professional Education by Insolvency Professional Agencies and Registered Valuers Organisations) Guidelines, 2020 till 31st March, 2022.

For details:

<https://ibbi.gov.in/uploads/legalframework/58782cc53126e4e8cfc18103d7d5798d.pdf>

Final Panel of IPs prepared in accordance with 'Insolvency Professionals to act as Interim Resolution Professionals, Liquidators, Resolution Professionals and Bankruptcy Trustees (Recommendation) (second) Guidelines, 2021' (December 30, 2021)

- Insolvency and Bankruptcy Board of India (IBBI) prepared panel of IPs for appointment as: Interim Resolution Professional (IRP) in a corporate insolvency resolution process under section 16(4);
- Liquidator in a liquidation process under section 34(6);
- Resolution Professional (RP) in an individual insolvency resolution process under section 97(4) or 98(3); and
- Bankruptcy Trustee (BT) in a bankruptcy process under section 125(4), 146(3) or 147(3)

For the period of January 01, 2022 - June 30, 2022. The Panel has been prepared in accordance with the 'Insolvency Professionals to act as Interim Resolution Professionals, Liquidators, Resolution Professionals and Bankruptcy Trustees (Recommendation) (Second) Guidelines, 2021'.

For details:

<https://ibbi.gov.in/uploads/whatsnew/6a77e5bcf009173614e660fdb48e33e5.pdf>

To handle insolvency in financial companies, modified FRDI Bill up for discussions (January 03, 2022)

The government has started discussions to put in place a resolution mechanism to deal with insolvency of firms in the financial sector. A modified version of the Financial Resolution and Deposit Insurance (FRDI) Bill – which was withdrawn in 2018 due to its controversial provision of bail-in that was perceived as undermining safety of depositors – is being contemplated. The Finance Ministry has recently sought views of the Reserve Bank of India (RBI) on drafting the fresh legislation and discussions are underway to putting in place a system to deal with financial firms' insolvency while at the same time providing highest level of safety to depositors.

For details:

<https://indianexpress.com/article/business/banking-and-finance/modified-frdi-bill-up-for-discussions-7702781/>

Applying the insolvency code to the power distribution sector (January 02, 2022)

The Union Ministry of Power has asserted that State-owned power distribution companies (discoms) come under the ambit of the Insolvency and Bankruptcy Code (IBC). The ministry believes that if such an entity were to default on its payments, it can be admitted to the Corporate Insolvency Resolution Process under the Code.

For details:

<https://www.hindustantimes.com/ht-insight/economy/applying-the-insolvency-code-to-the-power-distribution-sector-101641128199330.html>

Future-RIL deal: NCLAT agrees to hear Amazon's appeal against CCI (January 13, 2022)

The National Company Law Appellate Tribunal (NCLAT) has agreed to hear US e-commerce firm Amazon's plea challenging the Competition Commission of India's (CCI's) suspension of approval to the 2019 transaction with Future Group on February 2. The appellate tribunal has directed CCI and Future Coupons Pvt Ltd (FCPL) to file their reply in the next 10 days and Amazon to file a rejoinder. Sources said Amazon made many arguments in its petition to NCLAT, including saying that deal with Future was signed in April 2019, and the complaint was filed towards the end of 2021 and according to the law, CCI did not have the right to unwind a transaction post-12 months. The e-commerce firm also has contended that the fine imposed by CCI was way more than the penalties charged in previous cases.

For details:

https://www.business-standard.com/article/companies/futureril-deal-nclat-agrees-to-hear-amazon-s-appeal-against-cci122011301066_1.html

IBC may come up in Budget session for faster resolution, cross-border norms (January 14, 2022)

The Insolvency and Bankruptcy Code (IBC) could soon see some strengthening, including a cross-border insolvency framework and measures to speed up resolution of cases, with the matter set to be taken up in the upcoming budget session of parliament, government insiders said. The proposed legislative changes also include a code of conduct for the committee of creditors (CoC) that decides on insolvency resolution proposals. The proposed cross-border insolvency legislation will pave the way for lenders to include foreign assets of a bankrupt entity in their recovery proceedings, including offshore personal assets of promoters where they have offered personal guarantees, the sources said.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/ibc-may-come-up-in-budget-session-for-faster-resolution-cross-border-norms/articleshow/88888051.cms>

Income tax cannot raise fresh claims after resolution plan approved under IBC : Bombay High Court (January 20, 2022)

Bombay High Court has ruled that the tax department cannot raise fresh claims after a resolution plan is approved. The tax department had issued fresh notices to the corporate debtor after a resolution plan was approved. There is still ambiguity over what would happen to pending tax demand for the company under IBC. And what would happen if the company were to get a refund from the tax department after the new buyers take over, say industry trackers.

For details:

<https://economictimes.indiatimes.com/news/economy/policy/income-tax-cannot-raise-freshclaims-after-resolution-plan-approved-under-ibc-bombay-highcourt/articleshow/89019195.cms>

Suraksha group expects NCLT nod by March to acquire Jaypee Infra; gearing up to start construction (January 23, 2022)

Mumbai-based Suraksha group said the company expects to get the approval of the NCLT by March to acquire Jaypee Infratech Ltd (JIL) through insolvency process and complete around 20,000 flats for homebuyers. In the meantime, Suraksha ARC Managing Director and Chief Executive Officer Aalok Dave said the company is making preparations internally to start construction work on all stalled projects soon after the NCLT approval.

For details:

<https://economictimes.indiatimes.com/industry/indl-goods/svs/construction/surakshagroup-expects-nclt-nod-by-march-to-acquire-jaypee-infra-gearing-up-to-startconstruction/articleshow/89073593.cms>

NCLAT directs NCLT to decide over SREI's plea against rights issue of Trinity Alternative Investment (January 23, 2022)

The National Company Law Appellate Tribunal (NCLAT) has asked the Kolkata bench of NCLT to decide over the plea of SREI Infrastructure Finance against the right issue of its subsidiary Trinity Alternative Investment Managers. SREI Infrastructure Finance Ltd (SIFL), which owns 51 per cent equity in the fund management firm Trinity Alternative Investment Managers Ltd, is anticipating dilution of its shareholding in the subsidiary after its right issue.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/nclat-directs-nclt-to-decide-over-sreis-plea-against-rights-issue-of-trinity-alternativeinvestment/articleshow/89071916.cms>

NCLT allows liquidation of Nitin Fire Protection (January 25, 2022)

The dedicated bankruptcy court has ordered the liquidation of BSE-listed Nitin Fire Protection Industries, a leading player in fire protection systems in the country which owes more than ₹618 crore to its lenders. The Mumbai-based company was admitted under the corporate insolvency resolution process (CIRP) in November 2019 through a petition filed by its lender, Dena Bank. The RP had informed the tribunal that since there was no revival plan for the company and the statutory period of 270 days for the revival of the company had expired, the lenders had decided to file a liquidation application for the company.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/nclt-allows-liquidation-of-nitin-fire-protection/articleshow/89104185.cms>

Need for an Insolvency Code tweak for the common man in Budget 2022 (January 25, 2022)

On the eve of budget, the big announcement of last year's budget of establishing a National Asset Reconstruction Company (NARCL) is yet to be implemented due to procedural logjam. The ask in this budget is to introduce new amendments to Insolvency and Bankruptcy Code (IBC Code) that are amenable to implementation and help of common man. Thus change in vis-à-vis Micro, Small and Medium Enterprises (MSMEs), financial service providers, disclosure to exchanges and tribunals will make the functioning of the Code more meaningful for the common man.

For details:

<https://timesofindia.indiatimes.com/business/indiabusiness/need-for-an-insolvencycode-tweak-for-the-commonman-in-budget2022/articleshow/89120963.cms>

NCLAT asks CoC to consider 63 moons' plea in DHFL Resolution Plan (January 27, 2022)

In a major boost to 63 moons technologies, which had filed a petition in the National Company Law Appellate Tribunal (NCLAT) against Piramal ascribing Re 1 value to Rs. 40,000 crore worth of recoverable assets in the DHFL case, the NCLAT on Thursday January 27, 2022 ordered the petition to be considered by the Committee of Creditors (CoC). In a statement, 63 moons technologies said with this order, the CoC has to reconsider the provision of section 66 of IBC, which mandates that the benefit should go to all the creditors of DHFL. However, in its resolution plan, the CoC had overlooked this provision to the benefit of the Piramal Group.

For details:

https://www.business-standard.com/article/companies/nclat-asks-coc-to-consider-63-moons-plea-in-dhfl-resolution-plan-122012700692_1.html

DHFL: NCLAT sets aside NCLT order that directed to consider Wadhwan's second offer (January 30, 2022)

The National Company Law Appellate Tribunal (NCLAT) has set aside an earlier order of the Mumbai bench of the NCLT, which had directed the administrator of the debt-ridden DHFL to put the second settlement proposal by erstwhile promoter Kapil Wadhwan before its lenders for consideration. The appellate tribunal observed that NCLT has passed directions to consider the second proposal from Wadhwan, despite the fact that the Committee of Creditors (CoC) of DHFL had already by an overwhelming majority approved the Piramal Capital & Housing Finance's resolution plan and the administrator had applied before it for its approval. Citing a recent judgement passed by the Supreme Court in the case of Ebix Singapore, the NCLAT said "there was no scope for negotiations between the parties once the CoC has approved the resolution plan".

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/dhfl-nclat-sets-aside-nclt-order-that-directed-to-consider-wadhwans-second-offer/articleshow/89219602.cms>

Smt. Nirmala Sitharaman proposes faster resolution of bankrupt companies (February 01, 2022)

Finance Minister Smt. Nirmala Sitharaman on Tuesday February 01, 2022, proposed faster resolution of bankrupt companies by paving the way for amendments to the Insolvency and Bankruptcy Code (IBC), seeking to make cross-border deals easier and speed up voluntary winding of defaulting borrowers. "Necessary amendments in the Code will be carried out to enhance the efficacy of the resolution process and facilitate cross-border insolvency resolution," Smt. Sitharaman said.

For details:

<https://economictimes.indiatimes.com/news/economy/policy/nirmala-sitharaman-proposes-faster-resolution-of-bankrupt-companies/articleshow/89271110.cms?from=mdr>

Appointment of Dr. Anuradha Guru ex-officio member in the Insolvency and Bankruptcy Board of India (February 02, 2022)

Pursuant to Ministry of Corporate Affairs notification dated January 28, 2022 and in exercise of the powers conferred by clause (b) of sub-section (1) of section 189 of the Insolvency and Bankruptcy Code, 2016, the Central Government appointed Dr. Anuradha Guru, Economic Adviser, Ministry of Corporate Affairs (MCA) as ex-officio member in the Insolvency and Bankruptcy Board of India to represent the MCA in the Board.

For details: <https://egazette.nic.in/WriteReadData/2022/233065.pdf>

Discussion Paper on Amendment in IBBI (Voluntary Liquidation Process) Regulations, 2017 (February 01, 2022)

This discussion paper solicits public comments on the following issues related to a voluntary liquidation process in two parts as below: Part-A: Review of Timelines: preparation of list of stakeholders by liquidator may be reduced to fifteen days, distribution of proceeds from realization to the stakeholders may be reduced to a period of thirty days, submission of the Final Report by liquidator to Adjudicating authority within ninety days or two hundred and seventy days, as the case may be. Part-B: Compliance Certificate: compliance certificate / checklist may be introduced for voluntary liquidation process which would contain summary of the voluntary liquidation process including the time taken for various actions by the liquidator. The proposals in the quoted paragraphs aims at achieving the objectives of the Code by expediting the voluntary liquidation process and balancing the interest of all stakeholders. Comments may be submitted electronically by February 22, 2022 by visiting website: www.ibbi.gov.in.

For details:

<https://ibbi.gov.in/uploads/whatsnew/3d7752f4ef0c5a9d3417e3e8ae18e4f9.pdf>

IndusInd Bank moves NCLT to initiate insolvency proceedings against Zee Ent (February 05, 2022)

Private sector lender IndusInd Bank has filed a plea before NCLT to initiate insolvency proceedings against Zee Entertainment Enterprises Ltd (ZEEL). An application has been filed by IndusInd Bank Ltd, claiming to be a Financial Creditor, before the NCLT, Mumbai for initiation of Corporate Insolvency Resolution Process (CIRP) against the company, claiming a default of Rs 83.08 crore. According to ZEEL, the issue of the company's alleged default under the Debt Service Reserve Account (DSRA) Guarantee Agreement, is sub-judice before the Delhi High Court in a suit filed by the company against IndusInd Bank. On December 22 last year, ZEEL announced its merger with Sony Pictures Networks India Pvt Ltd (SPNI) after signing definitive agreements. As per the deal, Sony would invest USD 1.575 billion and hold 52.93 per cent stake in the merged entity and Zee will have the remaining 47.07 per cent.

For details:

https://www.business-standard.com/article/pti-stories/indusind-bank-moves-nclt-toinitiate-insolvency-proceedings-against-zee-entertainment-122020500737_1.html

Release of publication “Frequently Asked Questions (FAQs)” on Insolvency and Bankruptcy Code, 2016 (February 08, 2022)

The Insolvency and Bankruptcy Board of India, in association with the Committee on Insolvency & Bankruptcy Code, Institute of Chartered Accountants of India (ICAI), released a publication titled “Frequently Asked Questions (FAQs)” on Insolvency and Bankruptcy Code, 2016. The publication is the revised, enriched version of the publication released by ICAI in 2017, with a view to create awareness and disseminate knowledge about the Code, in easy-to understand FAQs format. The revised edition covers the developments in the Code and subordinate legislation during the period. The publication is available at <https://ibbi.gov.in/publication/study-materials>

For details:

<https://ibbi.gov.in/uploads/press/65eee8f676076151ff311ece435abae3.pdf>

Shri Ravi Mital takes charge as Chairperson of Insolvency and Bankruptcy Board of India (February 09, 2022)

Shri Ravi Mital took charge as Chairperson of Insolvency and Bankruptcy Board of India in New Delhi on February 09, 2022. A 1986 batch Indian Administrative Service (IAS) officer of Bihar cadre. Prior to joining the IBBI as Chairperson, he superannuated from the position of Secretary, Department of Sports, Ministry of Youth Affairs and Sports. He has also served as Secretary, Ministry of Information & Broadcasting and Special Secretary, Department of Financial Services, Ministry of Finance. He has also served on Boards of various organisations including State Bank of India, Punjab National Bank, GIC Re etc. During his service, he has served in varied capacities in various Ministries and Departments of the Government.

For details:

<https://ibbi.gov.in/uploads/press/8b201095f2ca39be057229c1f4cae926.pdf>

Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Amendment) Regulations, 2022 (February 09, 2022)

The Insolvency and Bankruptcy Board of India notified the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Amendment) Regulations, 2022, the regulations inter-alia contains provision pertaining to following: 1) Meetings of committee: Regulation 18 is substituted to include, RP may place a proposal received from members of the committee in a meeting, if he considers it necessary and shall place the proposal if the same is made by members of the committee representing at least 33% of the voting rights. 2) Preservation of records: Regulation 39A is substituted to include, IRP or RP to preserve all such records which give complete account of CIRP; preserve copies of records relating to or forming the basis of-public announcement, verification of claims, list of creditors, information memorandum, record of all filings with authorities, statutory filings etc.; prescribed all records electronic copy shall be preserved for the period of 8 years and physical copy of records for a minimum period of 3 years.

For details:

<https://ibbi.gov.in/uploads/legalframework/dbe9d181c132daf2d18090d873b1adbc.pdf>

Direct Tax

Info Capsule Series 10

Notification No. 135 (December 08, 2021)

The Protocol, amending the Agreement between the Government of the Republic of India and the Government of the Kyrgyz Republic for the avoidance of double taxation and for the prevention of fiscal evasion with respect to taxes on income which was signed at New Delhi on 13th April, 1999, has been signed at Bishkek, Kyrgyz Republic on 14th June, 2019, as set out in the Annexure. The date of entry into force of the said amending Protocol is the 22nd October, 2020, being the date of the later notification of the completion of the procedures required by the respective laws for the entry into force of the said amending Protocol, in accordance with Article 3 of the said amending Protocol. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 90 of the Income-tax Act, 1961, the Central Government hereby notifies that all the provisions of the said amending Protocol shall have effect in the Union of India.

For details:

<https://incometaxindia.gov.in/communications/notification/notification-135-2021.pdf>

Notification No. 134 (December 06, 2021)

The Central Government hereby specifies the Jeevan Akshay - VII Plan of the Life Insurance Corporation of India, as filed by that Corporation with the Insurance Regulatory and Development Authority, as the annuity plan of the Life Insurance Corporation of India for the purposes of the clause (xii) of sub-section (2) of Section 80C of the Income-tax Act, 1961 for the assessment year 2021-22 and subsequent years.

For details:

<https://incometaxindia.gov.in/communications/notification/notification-no-134-2021.pdf>

CBDT notifies conditions for exemption of income accrued by non-resident as a result of transfer of non-deliverable forward contracts vide Income-tax (33rd Amendment) Rules, 2021 (December 10, 2021)

The CBDT notified Income-tax (33rd Amendment) Rules, 2021 further to amend the Income tax Rules, 1962. In the Income-tax Rules, 1962, the rule 21AK shall be inserted as follow: Rule 21AK: Conditions for the purpose of clause (4E) of section 10: (1) The income accrued or arisen to, or received by, a non-resident as a result of transfer of non-deliverable forward contracts under clause (4E) of section 10 of the Act, shall be exempted subject to fulfillment of the following conditions, namely: i. the non-deliverable forward contract is entered into by the non-resident with an offshore banking unit of an International Financial Services Centre which holds a valid certificate of registration granted under International Financial Services Centres Authority (Banking) Regulations, 2020 by the International Financial Services Centres Authority; and ii. such contract is not entered into by the non-resident through or on behalf of its permanent establishment in India. The offshore banking unit shall ensure that the condition provided in clause (ii) of sub-rule (1) is complied with.

For details:

<https://www.incometaxindia.gov.in/communications/notification/notification-136-2021.pdf>

Vedanta withdraws cases against Government to settle retro tax dispute (December 13, 2021)

In view of the recent amendments to the Indian Income Tax Act, 1961 vide the Taxation Laws (Amendment) Act, 2021, which nullifies the retrospective tax imposed by Finance Act, 2012, Vedanta Ltd., and all its related group entities have taken step to settle a Rs 20,495 crore retrospective tax disputes arising from Order dated March 11, 2015, passed by the Deputy Commissioner of Income-tax, International Taxation.

For details:

<https://timesofindia.indiatimes.com/business/india-business/vedanta-withdraws-casesagainst-govt-to-settle-retro-tax-dispute/articleshow/88260503.cms>

CBDT notifies E-Verification Scheme, 2021 for Collection of Information of Assessee by Assessing Officer (Notification No. 137 Dated December 13, 2021)

The Central Board of Direct Taxes (CBDT) has rolled out the e-Verification Scheme, 2021 for the Collection of Information of Assessee by the AO. This Scheme will be applicable for calling for information under section 133 of the Act; collecting certain information under section 133B of the Act; calling for information by the prescribed income-tax authority under section 133C of the Act; exercise of power to inspect registers of companies under section 134 of the Act; and exercise of the power of Assessing Officer under section 135 of the Act. Further, the Scheme shall be applicable to exercise the functions for processing or utilisation of the information which is in possession of the Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems), as the case may be; or made available to the Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems), as the case may be, by the Director-General of Income-tax (Intelligence and Criminal Investigation); the Commissioner of Income-tax in charge of the Centralised Processing Centre for processing of returns; the Commissioner of Income-tax in charge

of the Centralised Processing Centre (TDS) for processing of statement of tax deducted at source; or any other authority, body or person.

For details:

<https://www.incometaxindia.gov.in/communications/notification/notification-137-2021.pdf>

3.59 crore Income Tax Returns filed on the new e-filing portal of the Income Tax Department (PIB Dated December 16, 2021)

Senior officials of Ministry of Finance headed by Secretary, Revenue had a meeting with the Infosys team on the preparedness of the e-filing website during the peak filing period. As briefed by Infosys, steps taken in this regard include augmentation of the technical infrastructure and setting up of a dedicated war room to monitor the performance of the portal. On its part, Infosys assured about its preparedness to ensure a smooth filing season to instill confidence among the taxpayers. As on 15th December, 2021, 3.59 crore Income Tax Returns (ITRs) have been filed on the new e-filing portal of the Department. The number of ITRs filed per day has crossed 6 lakh and increasing everyday as the extended due date of 31st December, 2021 is approaching.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1782371>

Income-tax (34th Amendment) Rules, 2021 [Notification No. 138 dated December 27, 2021]

The Central Board of Direct Taxes hereby makes the Income-tax (34th Amendment) Rules, 2021 further to amend the Income-tax Rules, 1962 as follow: Rules 2DD has been inserted related to Computation of exempt income of specified fund for the purposes of clause (23FF) of section 10. Form No. 10-II has been inserted related to Statement of exempt income under clause (23FF) of section 10 of the Income-tax Act, 1961.

For details:

<https://egazette.nic.in/WriteReadData/2021/232154.pdf>

The Central Government notifies 'Regional Air Connectivity Fund Trust' (January 06, 2022)

Central Government vide Notification No. 1/2022/F. No. 300196/28/2019-ITA-I dated 6th January, 2022 notifies for the purposes of the clause (46) of section 10 of the Income-tax Act, 1961, 'Regional Air Connectivity Fund Trust (PAN AADTR1130P), a trust constituted by the Central Government, in respect of the following specified income arising to that trust, namely:- a. Grant from Government; b. Receipt of levy from Airlines; c. Forfeiture of bank guarantee due to non-fulfilment of obligation by Airlines; and d. Interest income earned on (a) to (c) above.

For details:

<https://incometaxindia.gov.in/communications/notification/notification-1-2022.pdf>

Extension of timelines for filing of Income-tax returns and various reports of audit for the Assessment Year 2021-22 (Circular No. 01 Dated 11th January, 2022)

On consideration of difficulties reported by the taxpayers and other stakeholders due to COVID and in electronic filing of various reports of audit under the provisions of the Income-tax Act, 1961 (Act), the Central Board of Direct Taxes (CBDT), provides relaxation in respect of the following compliances:

S. No.	Particulars	Further Extended Due Date
1	The due date of furnishing of Report of Audit under any provision of the Act for the Previous Year 2020-21, in the case of assessee referred in clause (a) of Explanation 2 to sub-section (1) of section 139 of the Act	15th February, 2022
2	The due date of furnishing of Report of Audit under any provision of the Act for the Previous Year 2020-21, in the case of assessee referred in clause (aa) of Explanation 2 to sub-section (1) of section 139 of the Act.	15th February, 2022
3	The due date of furnishing of Report from an Accountant by persons entering into international transaction or specified domestic transaction under section 92E of the Act for the Previous Year 2020-21	15th February, 2022
4	The due date of furnishing of Return of Income for the Assessment Year 2021- 22, which was 31st October 2021 under sub-section (1) of section 139 of the Act	15th March, 2022
5	The due date of furnishing of Return of Income for the Assessment Year 2021- 22, which was 30th November 2021 under sub-section (1) of section 139 of the Act	15th March, 2022

For details:

<https://www.incometaxindia.gov.in/communications/circular/circular-no-1-2022.pdf>

Notification No. 11(Dated 27th January, 2022)

The Central Government notifies, for the purpose of clause (46) of section 10 of the Income tax Act, 1961, "West Bengal Electricity Regulatory Commission" a commission constituted by the state government of West Bengal, in respect of certain specified income arising to the Commission subject to fulfillment of certain condition.

For details:

<https://www.incometaxindia.gov.in/communications/notification/notification-11-2022-new.pdf>

Budget 2022-23 : Directors may face tax recovery heat, say experts (February 04, 2022)

The proposal in the Finance Bill to amend provisions of Section 179 of the Income Tax (I-T) Act relating to tax liability of directors of private limited companies from April 1, 2022, could increase risks for directors of medium and small-sized firms in case of nonpayment. While the language of the provision is quite broad, the title of the section limits itself to 'liability of directors of private companies in liquidation'. The Bill proposes to align the title with the scope of the provision, thereby ensuring that orders under this section can be issued even if the relevant company is not under liquidation.

For details:

https://www.business-standard.com/budget/article/budget-2022-23-directors-may-face-tax-recovery-heat-say-experts-122020301923_1.html

Clarification regarding the Most-Favoured-Nation (MFN) clause in the Protocol to India's DTAA's with certain countries [Circular No. 3 Dated February 03, 2022]

The Protocol to India's Double Taxation Avoidance Agreements (DTAAs) with some of the countries, especially the European States and OECD members contains a provision, referred to as the Most-Favoured-Nation (MFN) clause. Though each MFN clause in these DTAA's has a different formulation, the general underlying provision is that if after the signature/ entry into force of the DTAA with the first State, India enters into a DTAA with another OECD Member State, wherein India limits its source taxation rights in relation to certain items of income (such as dividends, interest income, royalties, Fees for Technical Services, etc.) to a lower rate or a scope more restricted than the scope provided for those items of income in the DTAA with the first State, such beneficial treatment should also be extended to the First State. The Central Board of Direct Taxes (CBDT) has received representations seeking clarity on the applicability of the MFN clause (particularly to dividend withholding rates) available in the Protocol to some of the DTAA's with OECD member States. India's DTAA's with countries, namely Slovenia, Colombia, and Lithuania, provide for the lower rate of source taxation with respect to certain items of income. However, these States were not members of the OECD at the time of the conclusion of their DTAA's with India and have become members of the OECD thereafter. On a plain reading of the MFN clauses in India's DTAA's especially with respect to the above-mentioned countries, it is clear that there is a requirement that the third State is to be a member of the OECD both at the time of conclusion of the treaty with India as well as at the time of applicability of MFN clause.

Therefore, it is clarified that for the applicability of the MFN clause, the third State has to be an OECD Member State on the date of the conclusion of DTAA with India. It may also be pointed out that the MFN clause in these DTAA's clearly states that the reduced rate takes effect from the date of entry into force of Indian DTAA with the third State. Thus, the declaration in the decree/bulletin/publication of The Netherlands, France, and the Swiss Confederation to make the reduced rate effective from the date of the third State becoming member of OECD subsequent to the entry into force of a DTAA is not in accordance with the relevant provision of the MFN clause in the Protocol. In fact, these countries could not have made it effective from the date of entry into force of Indian DTAA with the third State as the third State was not a member of the OECD on such date of entry into force. This makes it clear that the intention of the MFN clause in the Protocol of

the DTAA is not to give the benefit of India's DTAA with the third State which was not a member of OECD when India entered into DTAA with it.

For details:

<https://incometaxindia.gov.in/communications/circular/circular-3-2022.pdf>

More than 43.34 crore Permanent Account Numbers (PANs) linked with Aadhaar till 24.01.2022 (February 7, 2022)

As on 24-01-2022, the total number of Permanent Account Numbers (PANs) linked with Aadhaar is 43,34,75,209. This was stated by Union Minister of State for Finance Shri Pankaj Chaudhary in a written reply to a question in Lok Sabha. It has been further stated that the time-limit as extended by the Government for linking all PAN cards with Aadhaar cards is 31-03-2022.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1796312>

Around 6.17 crore Income Tax Returns (ITRs) and about 19 lakh major Tax Audit Reports (TARs) filed on new e-Filing portal of Income Tax Department (February 7, 2022)

Around 6.17 crore Income Tax Returns (ITRs) and about 19 lakh major Tax Audit Reports (TARs) have been filed on the new e-Filing portal of the Income Tax Department as on 6th February, 2022. Out of 6.17 crore ITRs filed for AY 2021-22, 48% of these are ITR-1 (2.97 crore), 9% is ITR-2 (56 lakh), 13% is ITR-3 (81.6 lakh), 27% are ITR-4 (1.65 crore), ITR-5 (10.9 lakh), ITR-6 (4.84 lakh) and ITR-7 (1.32 lakh). Over 1.73 lakh Form 3CA-3CD and 15.62 lakh Form 3CB-3CD have been filed in FY 21- 22. More than 1.61 lakh other Tax Audit Reports (Form 10B, 29B, 29C, 3CEB, 10CCB, 10 BB) have been filed till 06.02.2022. Further, to assist the filers for resolution of any grievance related to e-filing, two new email ids- TAR.helpdesk@incometax.gov.in and ITR.helpdesk@incometax.gov.in have been provided.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1796192>

Indirect Tax

Info Capsule Series 10

At Rs. 1.31 trillion, India's November GST collection second-highest in a month yet

Goods and Services Tax (GST) collection grew about 25 per cent year-on-year to Rs. 1.31 trillion in November, the second-highest mop-up ever, the official data showed on December 01, 2021, giving experts confidence that GST receipts would surpass the Budget projections for 2021-22. The highest collection was recorded in April this year, at Rs. 1.40 trillion.

For details:

https://www.business-standard.com/article/economy-policy/at-rs-1-31-trillion-india-gstcollection-second-highest-for-november-121120100609_1.html

Central Goods and Services Tax (Ninth Amendment) Rules, 2021 - Notification No. 37/2021 - Central Tax (December 01, 2021)

In the Central Goods and Services Tax Rules, 2017, in rule 137, with effect from November 30, 2021, for the words “four years”, the words “five years” shall be substituted and in FORM GST DRC-03 in the heading, after the words “or statement”, the words, letters and figures “or intimation of tax ascertained through FORM GST DRC-01A” shall be inserted.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/gst/notfctn-37-central-tax-english-2021.pdf>

GST on service supplied by restaurants through e-commerce operators - Circular No. 167/23/2021- GST (December 17, 2021)

Clarification regarding modalities of compliance to the GST laws in respect of supply of restaurant service through E-Commerce Operators (ECO) are as follows:

Sl. No.	Issue	Clarification
1.	Would ECOs have to still collect TCS in compliance with section 52 of the CGST Act, 2017?	As 'restaurant service' has been notified under section 9(5) of the CGST Act, 2017, the ECO shall be liable to pay GST on restaurant services provided, with effect from January 01, 2022, through ECO. Accordingly, the ECOs will no longer be required to collect TCS and file GSTR 8 in respect of restaurant services on which it pays tax in terms of section 9(5). On other goods or services supplied through ECO, which are not notified u/s 9(5), ECOs will continue to pay TCS in terms of section 52 of CGST Act, 2017 in the same manner at present.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/gst/Circular-167-2021-GST.pdf>

Mandatory Aadhaar authentication for GST Refund and revocation application to be effective from January 01, 2022 - Notification No. 38/2021 - Central Tax (December 21, 2021)

This notification seeks to bring sub-rule (2) and sub-rule (3), clause (i) of sub-rule (6) and sub-rule (7) of rule 2 of the Central Goods and Services Tax (Eighth Amendment) Rules, 2021 into force w.e.f. January 01, 2022.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/gst/notfctn-38-central-tax-english-2021.pdf>

Government notifies Sections 108, 109 and 113 to 122 of Finance Act, 2021 - Notification No. 39/2021 - Central Tax (December 21, 2021)

This notification seeks to notify January 01, 2022 as the date on which provisions of section 108, 109 and 113 to 122 of the Finance Act, 2021 shall come into force. These are GST provisions related to communication of details of invoice or debit note to the recipient.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/gst/notfctn-39-central-tax-english-2021.pdf>

Notification to give effect to 13th tranche of preferential tariff as per ASEAN India Trade in Goods Agreement (AITIGA) - Notification No. 54/2021 - Customs (December 24, 2021)

This Notification seeks to further amend notification No. 46/2011-Customs dated June 01, 2011 to give effect to 13th tranche of preferential tariff as per ASEAN India Trade in Goods Agreement (AITIGA). In the said notification, in the Table, -

- (i) against serial number 80, for the entry in column (5), the entry "48.0" shall be substituted;

- (ii) against serial number 81, for the entry in column (5), the entry “48.0” shall be substituted;
- (iii) against serial number 83, for the entry in column (5), the entry “51.0” shall be substituted;
- (iv) against serial number 124, for the entry in column (5), the entry “41.0” shall be substituted; and
- (v) against serial number 125, for the entry in column (5), the entry “51.0” shall be substituted. This notification shall come into force with effect from the 1st day of January, 2022.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/cs54-2021.pdf>

GSTN invites interested and qualified Companies to become E-Invoice Registration Partner (December 28, 2021)

The Goods and Service Tax Networks (GSTN) has invited interested and qualified companies to become EInvoice Registration Partner (IRP), the registrations for which are open till January 15, 2022. The basic eligibility criteria is that any company/LLP in IT/ITES/BFSI domain, registered in India for at least 3 years and any Start-up or SME/MSME in IT/ITES/BFSI domain (start-up and SME/MSME as defined by Government of India guidelines), registered in India for at least 3 years. The advantages of having e-invoices are well known and is a step in the direction of transformative digitalization leading to integration of business relevant processes with the tax compliance of the business process flow in India, bringing in overall ease of doing business.

For details:

<https://www.taxscan.in/gstn-invitesinterested-and-qualified-companiesto-become-e-invoice-registrationpartner/146347/>

Central Goods and Services Tax (Tenth Amendment) Rules, 2021 - Notification No. 40/2021-Central Tax (December 29, 2021)

Rule 36(4) of Central Goods and Services Tax Rules, 2017 shall be substituted, with effect from January 01, 2022, to provide that Input Tax Credit shall not be available to the registered person unless such invoices/debit notes have been reflected in GSTR2B of the said person. Due date for GSTR-9 as well as GSTR-9C for the Financial Year 2020-21 has been extended from December 31, 2021 to February 28, 2022. Rule 95 has been amended to provide that where Unique Identity Number of the applicant is not mentioned in a tax invoice, the refund of tax paid by the applicant on such invoice shall be available only if the copy of the invoice, duly attested by the authorized representative of the applicant, is submitted along with the refund application in FORM GST RFD-10.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/gst/notfctn-40-central-tax-english-2021.pdf>

Recommendations of 46th GST Council Meeting (December 31, 2021)

The GST Council's 46th meeting was held on December 31, 2021 in New Delhi under the chairmanship of Union Finance & Corporate Affairs Minister Smt. Nirmala Sitharaman. The GST Council has recommended to defer the decision to change the rates in textiles recommended in the 45th GST Council meeting. Consequently, the existing GST rates in textile sector would continue beyond January 01, 2022.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1786581>

Upcoming functionality - Interest Calculator in GSTR-3B (January 08, 2022)

As a facilitation measure for taxpayers & for assisting the taxpayers in doing a correct self-assessment, a new functionality of interest calculator is being released in GSTR-3B. This functionality will arrive at the system computed interest on the basis of the tax liability values declared by the taxpayers. The interest applicable, if any, on the tax liability declared in the GSTR-3B of a particular tax-period will be computed after the filing of the said GSTR-3B. These system computed interest values will be auto-populated in the Table-5.1 of the GSTR-3B of the next tax-period. The facility would be similar to the collection of Late fees for GSTR-3B, filed after the Due date, posted in the next period's GSTR-3B. This functionality has a user-friendly interface, which informs the taxpayers regarding the manner of system computation of interest values for each tax-head. This functionality also assists the taxpayers in doing correct computation of interest for the liability of any past period declared in the GSTR-3B for the current tax period, based on the details furnished by them on the portal.

For details:

<https://www.gst.gov.in/newsandupdates/read/519>

Deployment of Interest Calculator in GSTR-3B (January 26, 2022)

The new functionality of interest calculator in GSTR-3B is now live on the GST Portal. This functionality will facilitate & assist the taxpayers in doing self-assessment. This functionality will arrive at the system computed interest on the basis of the tax liability values declared by the taxpayers, along with the details about the period to which it pertains. The interest applicable, if any, will be computed after the filing of the said GSTR3B and will be auto-populated in the Table-5.1 of the GSTR-3B of the next tax-period. The facility would be similar to the collection of Late fees for GSTR-3B, filed after the Due date, posted in the next period's GSTR-3B. This functionality will inform the taxpayers about the manner of system computed interest for each tax-head and hence will assist the taxpayers in doing correct computation of interest for the tax liability of any past period declared in the GSTR-3B for the current tax period.

For details:

<https://www.gst.gov.in/newsandupdates/read/520>

Clarification regarding applicability of Social Welfare Surcharge on goods exempted from basic and other customs duties/cesses - Circular No. 03/2022- Customs (February 01, 2022)

Social Welfare Surcharge (SWS) is levied and collected, as a duty of customs, and is calculated at the rate of 10% on the aggregate of duties, taxes and cesses which are levied and collected by the Central Government as a duty of customs on goods imported into India. It may be noted that at present SWS applies at the rate of 10% of the aggregate of customs duties payable on import of goods and not on the value of imported goods. If aggregate customs duty payable is zero on account of an exemption, the SWS shall be computed as 10% of value equal to 'Nil' (as aggregate amount of customs duties payable is zero). Law does not require computation of SWS on a notional customs duty calculated at tariff rate where applicable aggregate of duties of customs is zero. It is clarified that the amount of Social Welfare Surcharge payable would be 'Nil' in cases where the aggregate of customs duties (which form the base for computation of SWS) is zero even though SWS has not been exempted.

For details:

<https://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-circulars/cs-circulars-2022/Circular-No-03-2022.pdf>

GSTN enables new Option of Search Tax Payer details in GST Portal (February 03, 2022)

The Goods and Service Tax Networks (GSTN) has added the new Option of Search Tax Payer details in the GST Portal. You can now search for Taxpayer details by entering the GSTIN OR UIN. The search will contain a percentage of Liability paid that represents the quantum of liability auto-populated from GSTR-1 that was declared/paid in GSTR-3B.

For details:

<https://www.taxscan.in/gstn-enables-new-option-ofsearch-tax-payer-details-in-gst-portal/152886/>

GST Council to discuss ATF inclusion in next Meeting, Says Nirmala Sitharaman (February 06, 2022) Government will discuss inclusion of Aviation Turbine Fuel (ATF) under Goods and Services Tax (GST) regime in the next meeting of the council, Finance Minister Nirmala Sitharaman said on February 06, 2022, while saying that rising global fuel prices is a "concern".

For details:

<https://www.ndtv.com/business/centre-will-bring-atf-inclusionin-gst-for-discussion-in-nextcouncil-meet-fm-2752625>

Tax on digital assets could go up, government mulling GST on crypto mining, supply (February 10, 2022)

The government is examining the applicability of Goods and Services Tax (GST) on various cryptocurrency transactions including mining of these digital assets. The issue is being examined internally at CBIC and a proposal will be taken to the GST Council, CBIC chairman Vivek Johri said.

For details:

<https://economictimes.indiatimes.com/news/economy/policy/tax-on-digital-assets-could-go-upgovt-mulling-gst-on-cryptominingsupply/articleshow/89465542.cms>

Banking and Insurance

Info Capsule Series 10

Recommendations of the Internal Working Group to Review Extant Ownership Guidelines and Corporate Structure for Indian Private Sector Banks (November 26, 2021)

An Internal Working Group (IWG) was constituted by Reserve Bank on June 12, 2020 to review the extant guidelines on ownership and corporate structure for Indian private sector banks. The report submitted by the IWG was placed on the RBI website on November 20, 2020 inviting comments of stakeholders and members of the public by January 15, 2021. The IWG had made a total of 33 recommendations. After examining the comments and suggestions received from the stakeholders and members of the public, it has been decided to accept 21 recommendations (some with partial modifications, where considered necessary).

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52618

Depositors of 16 stressed cooperative banks to get up to Rs. 5 lakh on Monday (November 28, 2021)

Customers of 16 stressed cooperative banks will get up to Rs. 5 lakh deposit insurance cover on Monday, November 29, 2021 by Reserve Bank of India's subsidiary DICGC as part of its mandate under a new law. The Deposit Insurance and Credit Guarantee Corporation (DICGC) had earlier prepared a list of 21 banks but five, including Punjab & Maharashtra Co-Operative Bank (PMC Bank), are out of the list as they are either in merger process or out of the moratorium. Parliament in August 2021 passed the Deposit Insurance and Credit Guarantee Corporation (Amendment) Bill, 2021 ensuring that account holders get up to Rs. 5 lakh within 90 days of the RBI imposing a moratorium on the banks.

For details:

<https://www.financialexpress.com/industry/banking-finance/depositors-of-16-stressed-cooperative-banks-to-get-up-to-rs-5-lakh-on-monday/2377879/>

With Farm Laws Repeal Bill & Crypto on agenda, winter session begins today (November 29, 2021)

Starting on November 29, 2021, Parliament has a heavy legislative winter agenda. The government has listed 29 Bills for tabling and passing in the upcoming session. Some of the bills are The Farm Laws Repeal Bill, 2021; The Cryptocurrency and Regulation of Official Digital Currency Bill, 2021; The Banking Laws (Amendment) Bill, 2021; The Pension Fund Regulatory and Development Authority (Amendment) Bill, 2021.

For details:

https://www.business-standard.com/article/economy-policy/with-farm-laws-repeal-billon-agenda-winter-session-set-to-begin-on-monday-121112800864_1.html

Industry bodies urge RBI to scrap daily loan asset classification norm (November 30, 2021)

Top industry bodies are seeking the scrapping of the Reserve Bank of India's direction on loan asset classification by Non-Banking Finance Companies (NBFCs) on a daily basis as the rule could cripple the small and medium enterprises segment that is just limping back to normalcy after the Covid impact. The Confederation of Indian Industries (CII) and the Associated Chambers of Commerce and Industry of India (Assocham) are writing to the regulator to review the norm which asks NFBCs to classify loans based on daily repayments.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/industrybodies-urge-rbi-to-scrap-daily-loan-asset-classification-norm/articleshow/87994461.cms>

RBI for widening scope of 'bank note' to include digital currency (November 30, 2021)

The Reserve Bank of India (RBI) has proposed amendments to the Reserve Bank of India Act, 1934, which would enable it to launch a Central Bank Digital Currency (CBDC). The move comes amid the government's plans to introduce a Bill on cryptocurrencies in the current Parliament session that seeks to prohibit "all private cryptocurrencies in India" with "certain exceptions".

For details:

<https://indianexpress.com/article/business/banking-and-finance/rbi-for-widening-scope-of-bank-note-to-include-digital-currency-7648080/>

RBI appoints an Advisory Committee to advise the Administrator of M/s Reliance Capital Ltd. (November 30, 2021)

The Reserve Bank of India, on November 29, 2021 has superseded the board of directors of Reliance Capital Ltd. and appointed Shri Nageswara Rao Y, ex-Executive Director, Bank of Maharashtra, as the Administrator. The Reserve Bank has constituted a three-member Advisory Committee to assist the Administrator in discharge of his duties. It may also be mentioned that the Insolvency and Bankruptcy (Insolvency and Liquidation Proceedings of Financial Service Providers and Application to Adjudicating Authority) Rules, 2019 provide for the concerned financial sector regulator appointing a Committee of Advisors to advise the Administrator in the operations of the financial service provider during the corporate insolvency resolution process.

For details:

https://rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52649

State Finances: A Study of Budgets of 2021-22 (November 30, 2021)

The Reserve Bank of India (RBI) has released the report titled “State Finances: A Study of Budgets of 2021-22”, an annual publication that provides information, analysis and an assessment of the finances of State governments for 2021-22 against the backdrop of actual and revised (or provisional accounts) outcomes for 2019-20 and 2020-21, respectively. The theme of this year’s Report is “Coping with the Pandemic: A Third-Tier Dimension”.

For details:https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52651

Srei : Administrator admits Rs. 22,910 cr claims from banks (December 01, 2021)

The Reserve Bank of India-appointed administrator has admitted total claims of Rs. 22,910.49 crore of commercial banks’ on Srei Infrastructure Finance and its whollyowned subsidiary Srei Equipment Finance, against the combined amount of Rs. 25,115.29 crore claimed by them. The Kolkata bench of the National Company Law Tribunal (NCLT) on October 8 gave its approval to start insolvency proceedings against Srei Infrastructure Finance and Srei Equipment Finance after the Reserve Bank of India (RBI) filed insolvency applications against them. The central bank filed the insolvency petitions just after the Bombay High Court dismissed a writ petition filed by two promoters of Srei group challenging the RBI’s decision to supersede the boards of these companies and initiate insolvency proceedings against them.

For details:

<https://www.financialexpress.com/industry/banking-finance/srei-administrator-admits-rs-22910-cr-claims-from-banks/2379455/>

Bank credit to industry revives, but real estate, education loans lag (December 02, 2021)

According to RBI’s data, credit to industry sector increased 4.1% on year to Rs. 28,54,571 crore as on October 22. On the other hand, loans to commercial real estate fell 0.5% on year to Rs. 2,53,582 crore while education loans credit deployment by banks by 8.7% to Rs. 47,260 crore. Even as bank credit to industry, which comprises 29.3% of total non-food industry credit, showed some signs of an uptick with 4.1% year-on-year rise in October, data from the Reserve Bank of India’s sectoral credit deployment shows that credit towards commercial real estate and education loans has shrunk by 0.5% and 8.7% on year, respectively.

For details:

<https://www.financialexpress.com/industry/banking-finance/bank-credit-to-industry-revives-but-real-estate-education-loans-lag/2380190/>

Changes in Banking Regulation Act in works (December 02, 2021)

The government is eyeing changes to the Banking Regulation Act to bar new bank licence holders from certain specified business activities through the main banking entity. The move is aimed at aligning certain sections of the Banking Regulation Act with the norms stipulated by the banking regulator, Reserve Bank of India.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/changes-inbanking-regulation-act-in-works/articleshow/88040598.cms>

Privatisation of PSBs: Two-day bank strike from December 16 (December 02, 2021)

The United Forum of Bank Unions (UFBU) has called a two-day strike from December 16 to protest against the Centre's plan to privatise public sector banks. Sanjay Das, general secretary of All India Bank Officers Confederation (AIBOC), said that besides the two-day strike, a series of other agitational programmes will be held if the government does not give up the idea of privatisation of the banks.

For details:

https://www.business-standard.com/article/current-affairs/privatisation-of-Indpsbs-twoday-bank-strike-from-december-16-121120101740_1.html

General permission for infusion of capital in overseas branches and subsidiaries and retention/ repatriation/ transfer of profits in these centres by banks incorporated in India (December 08, 2021)

Please refer to para 1 of the 'Statement on Developmental and Regulatory Policies' dated December 8, 2021 on the above subject. As per extant practice, banks incorporated in India seek prior RBI approval for

- a. infusion of capital in their overseas branches and subsidiaries.
- b. retention of profits in, and transfer or repatriation of profits from these overseas centres.

In order to provide greater operational flexibility, it has been decided that prior RBI approval for above capital infusion/ transfers (including retention/ repatriation of profits), shall not be required by banks which meet the regulatory capital requirements (including capital buffers¹). Instead, the banks shall seek approval of their boards for the same. While considering such proposals, banks shall analyse all relevant aspects including inter alia the business plans, home and host country regulatory requirements and performance parameters of their overseas centres. Banks shall also ensure compliance with all applicable home and host country laws and regulations. Banks which do not meet the minimum regulatory capital requirements as laid down in para 3 above, shall be required to seek prior approval of RBI as hitherto.

For details: <https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12205&Mode=0>

Introduction of Legal Entity Identifier for Cross-border Transactions (December 10, 2021)

The Legal Entity Identifier (LEI) is a 20-digit number used to uniquely identify parties to financial transactions worldwide to improve the quality and accuracy of financial data systems. LEI has been introduced by the Reserve Bank in a phased manner for participants in the over the counter (OTC) derivative, non-derivative markets, large corporate borrowers and large value transactions in centralised payment systems. In order to further harness the benefits of LEI, it has been decided that AD Category I banks, with effect from October 01, 2022, shall obtain the LEI number from the resident entities (non-individuals) undertaking capital or current account transactions of ₹50 crore and above (per transaction) under FEMA, 1999. As regards non-resident counterparts/ overseas entities, in case of non-availability of LEI information, AD Category I banks may process the transactions to avoid disruptions. Further, AD Category I banks may encourage concerned entities to voluntarily furnish LEI while undertaking transactions even before October 01, 2022. Once an entity has obtained an LEI number, it must be reported in all transactions of that entity, irrespective of transaction size.

For details: <https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12206&Mode=0>

Safety of depositors' money vital for growth of banks: PM Modi (December 13, 2021)

Prime Minister Narendra Modi on December 12, 2021 said that Rs. 1,300 crore had been paid to over one lakh depositors who could not access their money due to financial crises at banks and that a further three lakh such depositors were set to receive payments for funds stuck at such banks. At an event on the theme 'Depositors First: Guaranteed Time-bound Deposit Insurance Payment up to Rs. 5 Lakh', he said that the move to guarantee deposits of up to Rs. 5 lakh up from Rs. 1 lakh earlier meant that about 98 per cent of accounts were fully covered and a total Rs. 76 lakh crore were insured by the Deposit Insurance and Credit Guarantee Corporation (DICGC).

For details:

<https://indianexpress.com/article/business/banking-and-finance/safety-depositors-money-vital-banks-growth-modi-7669526/>

PCA Framework for NBFCs (December 14, 2021)

The Reserve Bank of India on December 14, 2021 has issued the Prompt Corrective Action (PCA) Framework for Non-Banking Financial Companies (NBFCs). It may be recalled that the revised Prompt Corrective Action (PCA) Framework for Scheduled Commercial Banks (SCBs) was issued on November 02, 2021. NBFCs have been growing in size and have substantial inter-connectedness with other segments of the financial system. Accordingly, a PCA Framework for NBFCs has also been put in place to further strengthen the supervisory tools applicable to NBFCs. This shall apply to: All Deposit Taking NBFCs [Excluding Government Companies]; All Non-Deposit Taking NBFCs in Middle, Upper and Top Layers [Excluding - (i) NBFCs not accepting/not intending to accept public funds; (ii) Government Companies, (iii) Primary Dealers and (iv) Housing Finance Companies]. The PCA Framework for NBFCs shall come into effect from October 01, 2022, based on the financial position of NBFCs on or after March 31, 2022. A separate circular would be issued in due course with regard to applicability of PCA Framework to Government NBFCs.

For details:

<https://www.livemint.com/industry/banking/pca-norms-unlikely-to-impact-nbfc-for-now-11640022355534.html>

RBI Working Paper No. 05/2021 - Reassessing Investment Dynamics - Newer Insights into Leverage and Investment of the Indian Corporate Sector (December 16, 2021)

The Reserve Bank of India placed on its website a Working Paper titled "Reassessing Investment Dynamics - Newer Insights into Leverage and Investment of the Indian Corporate Sector" under the Reserve Bank of India Working Paper Series. Given the criticality of investment in achieving durable growth in the context of ongoing subdued investment, globally as well as in India, this paper revisits investment dynamics in India from the standpoint of the 'augmented accelerator' hypothesis and examines whether a combination of macro and financial factors explains better the investment trends in the Indian economy.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52746

RBI Working Paper No. 06/2021: An Alternative Perspective on Demand and Supply to Forecast Inflation (December 16, 2021)

The Reserve Bank of India placed on its website a Working Paper titled “An Alternative Perspective on Demand and Supply to Forecast Inflation” under the Reserve Bank of India Working Paper Series. The paper develops a new method to construct a measure of demand-supply imbalance in the economy using a Bayesian Dynamic Factor Model. The estimated index of demand-supply mismatch is found to have a causal relationship with headline inflation. It is also found to be a competing predictor of headline inflation, as compared to other conventional measures of slack such as the output gap and level of capacity utilisation.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52747

Incentive scheme for promotion of RuPay Debit cards and low-value BHIM-UPI transactions (P2M) (December 17, 2021)

The Government is taking various initiatives to promote digital payments. Over past few years, digital payment transactions have witnessed tremendous growth across the country with the number of transactions growing from 2,071 crore in FY 2017-18 to 5,554 crore in FY 2020-21. In the present Covid pandemic, digital payments enable safety for citizens through contact-less modes of payments as well as provide impetus to the economy. In compliance with the Budget announcement (FY 2021-22) and to give further boost to digital transactions in the country, it has been decided by the Government to incentivise the acquiring Banks by way of paying percentage of value of RuPay Debit cards transactions (P2M) and low-value BHIMUPI transactions (upto ` 2,000) (P2M), for a period of one year w.e.f. April 01, 2021.

For details:

<https://egazette.nic.in/WriteReadData/2021/231960.pdf>

592nd Meeting of Central Board of the Reserve Bank of India (December 17, 2021)

The 592nd meeting of the Central Board of Directors of Reserve Bank of India was held on December 17, 2021 at Lucknow under the Chairmanship of Shri Shaktikanta Das, Governor. The Board reviewed the current domestic and global economic situation, evolving challenges and remedial measures. The Board also reviewed half yearly income statement of the Reserve Bank of India for the half-year ended September 30, 2021. The Board also discussed various areas of operations of the Reserve Bank including the functioning of the Local Boards, activities of select Central Office Departments and the draft Report on Trend and Progress of Banking in India, 2020-21. The Board also discussed various aspects relating to Central Bank Digital Currency and Private Crypto Currencies.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=52755

Banks recovered Rs. 13,109 crore from sale of fugitives' asset: Finance Minister Nirmala Sitharaman informs Parliament (December 21, 2021)

Banks have recovered as much as Rs. 13,109 crore from the sale of assets belonging to fugitive economic offenders Vijay Mallya, Nirav Modi and Mehul Choksi, finance minister Nirmala Sitharaman told Parliament on December 20, 2021. The government had sought Parliamentary clearance to spend an additional Rs. 3.74 lakh crore during the current fiscal. It involves a higher-than-expected net cash outgo of Rs. 2.99 lakh crore.

For details:

<https://www.financialexpress.com/industry/banking-finance/lok-sabha-clears-supplementary-demands-finance-minister-says-banks-recovered-rs-13109-crore-from-sale-of-fugitives-asset/2384912/>

PCA norms unlikely to impact NBFCs for now (December 21, 2021)

Many non-bank lenders have recently raised capital and kept bad loans under control, experts tracking the sector said, ahead of the new Prompt Corrective Action (PCA) framework that kicks in from October. As a result, the Reserve Bank of India (RBI) move to regulate NonBanking Financial Companies (NBFCs) on a par with banks is not expected to impact them immediately. The new regulations will be based on the financials of NBFCs as on March 31, 2022. As NBFCs are interconnected with the banking system, RBI has been trying to bridge the gap in regulations between them and banks.

For details:

<https://www.livemint.com/industry/banking/pca-norms-unlikely-to-impact-nbfc-for-now-11640022355534.html>

Banking sector needs \$70-billion capital to support \$5-trillion economy: SBI chairman Dinesh Kumar Khara (December 23, 2021)

The banking sector is very well capitalised at present, but for the economy to reach the \$5-trillion target, lenders would need fresh capital of \$70 billion, State Bank of India chairman Dinesh Kumar Khara said at the virtual FICCI-IBA banking conference held on December 22, 2021. He said in India, the bank credit to gross domestic product (GDP) ratio is around 56% currently, while the corporate debt to GDP ratio stands at 90%. In advanced countries like the US, the private debt to GDP ratio stands at over 200%, showing that there may be a significant change ahead in ways companies borrow money.

For details:

<https://www.financialexpress.com/industry/banking-finance/banking-sector-needs-70-bn-capital-to-support-5-trn-economy-dinesh-kumar-khara/2387331/>

Industry bodies urge RBI to extend card-on-file tokenization deadline (December 22, 2021)

The Merchant Payments Alliance of India (MPAI) and the Alliance of Digital India Foundation (ADIF) have together voiced their concerns over industry readiness on the recent Reserve Bank of India (RBI) directive on Card-on-File Tokenization (CoF) and have written to the Central bank requesting an extension of the 31 December deadline for implementation of card data storage norms.

For details:

<https://www.livemint.com/industry/banking/industry-bodies-urge-rbi-to-extend-card-onfile-tokenization-deadline-11640153645176.html>

Restriction on storage of actual card data [i.e. Card-on-File (CoF)] (December 23, 2021)

The Reserve Bank of India (RBI) vide its Circular dated March 17, 2020 on “Guidelines on Regulation of Payment Aggregators and Payment Gateways”, the authorised non-bank payment aggregators and merchants on-boarded by them were prohibited from storing card data (CoF) from June 30, 2021. At the request of industry stakeholders, this timeline was extended to December 31, 2021. Further, regulations on CoF Tokenisation (CoFT) were issued vide circular dated September 07, 2021 on “Tokenisation - Card Transactions: Permitting Card-on-File Tokenisation (CoFT) Services.

In light of various representations received in this regard, RBI has advise as under:

- a) the timeline for storing of CoF data is extended by six months, i.e., till June 30, 2022; post this, such data shall be purged; and
- b) in addition to tokenisation, industry stakeholders may devise alternate mechanism(s) to handle any use case (including recurring e-mandates, EMI option, etc.) or post-transaction activity (including chargeback handling, dispute resolution, reward/loyalty programme, etc.) that currently involves / requires storage of CoF data by entities other than card issuers and card networks.

For details:

<https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12211&Mode=0>

No need for depositors, stakeholders to react to speculative reports, says RBI on RBL Bank (December 27, 2021)

The Reserve Bank of India (RBI) on December 27, 2021 said RBL Bank is well capitalised and its financial position remains satisfactory. As such, there is no need for depositors and other stakeholders to react to the speculative reports, the Central bank said, adding the Bank’s financial health remains stable. This statement comes amid speculation relating to the Bank in certain quarters, which RBI said appears to be arising from recent events surrounding the Bank.

For details:

<https://www.thehindubusinessline.com/money-and-banking/no-need-for-depositors-stakeholders-to-react-to-speculative-reports-says-rbi-on-rbl-bank/article38046946.ece>

RBI extends restrictions on PMC Bank for 3 months till March 2022 (December 28, 2021)

The restrictions on Punjab and Maharashtra Cooperative (PMC) Bank has been extended for another three months till the end of March next year. Reserve Bank of India (RBI) has extended the restrictions as further action on the draft scheme for the takeover of the crisis-hit bank by the Delhi-based Unity Small Finance Bank (USFB) is in process.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/rbi-extends-restrictions-on-pmc-bankfor-3-months-till-march2022/articleshow/88551115.cms>

RBI reports 4,071 bank fraud cases worth Rs. 36,342 crore during H1 FY2022 (December 28, 2021) During the first half of the financial year 2021-22, the reported number of fraud cases in various banking operations increased to 4,071 as against 3,499 in the year-ago period, the RBI’s Report on Trend and Progress of Banking in India 2020-21 showed. However, the amount involved in frauds in various banking operations based on the date of reporting declined to Rs. 36,342 crore

during April-September 2021 from Rs. 64,261 crore in the corresponding period of the previous financial year.

For details:

<https://www.financialexpress.com/industry/banking-finance/rbi-reports-4071-bank-fraud-cases-worth-rs-36342-crore-during-h1-fy2022/2392317/>

Maintenance of Current Accounts in multiple banks by Insurance Intermediaries including entities sponsored by them (December 29, 2021)

It has been observed that the insurance intermediaries maintain multiple current accounts with banks at different operational levels, i.e., Branch offices, Corporate office, etc., for regulatory and other purposes. Based on the requests received by the Authority, to avoid hardships, if any, faced by the insurance intermediaries in maintaining current accounts with banks, it is clarified that the respective insurance intermediaries including entities sponsored by them may maintain current accounts in appropriate number of banks for the purpose of meeting regulatory requirements, reinsurance business, etc. that are in line with conditions given in regulations, guidelines, circulars issued by the Authority.

For details:

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4616&flag=1

NPA's can spike to 9.5% by Sept in 'severe stress scenario' (December 30, 2021)

Macro-stress tests conducted by the Reserve Bank of India (RBI) for credit risk show that Scheduled Commercial Banks' Gross NPA ratio may increase from 6.9 per cent in September 2021 to 8.1 per cent by September 2022 under the baseline scenario and to 9.5 per cent under a severe stress scenario. Banks' retail-led credit growth model is heading into headwinds even as inquiry volumes with lenders show credit demand rising from sub-prime consumers, particularly after the Covid second wave, according to the RBI's latest Financial Stability Report (FSR).

For details:

<https://www.thehindubusinessline.com/money-and-banking/npas-can-spike-to-95-by-sept-in-severe-stress-scenario/article64816245.ece>

RBI releases Framework for Facilitating Small Value Digital Payments in Offline Mode (January 03, 2022)

The Reserve Bank has placed on its website the 'Framework for facilitating small value digital payments in offline mode'. The framework incorporates the feedback received from the pilot experiments on offline transactions conducted in different parts of the country during the period from September 2020 to June 2021. Offline mode of payment can be enabled only after obtaining specific consent of the customer. Customers shall enjoy protection under the provisions of circulars limiting customer liability issued by Reserve Bank (as amended from time to time). Customers also have recourse to the Reserve Bank - Integrated Ombudsman Scheme for grievance redress. Offline transactions are expected to give a push to digital transactions in areas with poor or weak internet or telecom connectivity, particularly in semi-urban and rural areas. The new framework is applicable with immediate effect.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53038

Insurance Regulatory and Development Authority of India (IRDAI)- Press release on Covid-19- (January 03, 2022)

The Press release of April 01, 2020 clarified that all the indemnity based health insurance products that cover the treatment costs of hospitalization offered by all general and health insurance companies cover the costs of hospitalization treatment on account of Covid -19. In the wake of recent instances of spread of Covid-19 cases being reported under Omicron variant, it is clarified that all health insurance policies issued by all general and health insurance companies that cover treatment costs of Covid-19 also cover the costs of treatment towards Omicron variant of Covid-19 as per terms and conditions of policy contract. The hospitals are also requested to honour the Service Level Agreements (SLA) that have been entered with insurance companies for the purpose of providing cashless treatment to health insurance policyholders.

For details:

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4621&flag=1

Exposure Draft- Guidelines on Remuneration of Non-Executive Directors and Managing Director/Chief Executive Officer/Whole-time Directors of Insurance companies (January 03, 2022)

In order to ensure sound remuneration or compensation practices and avoid situations resulting from excessive risk taking behaviour due to inappropriate compensation structures or incentive plans and also taking into account the experience of past 5 years, it is proposed to replace the extant guidelines on remuneration of non-executive directors and managing director /chief executive officer/ whole-time director of insurers. All are requested to offer their comments / suggestions on the proposed guidelines. The comments / suggestions should reach in the specified format by 19th January, 2022 to Ms. Shruti Srivastava by e-mail at shruti.srivastava@irdai.gov.in and a copy at rksharma@irdai.gov.in.

For details:

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4622&flag=1

IRDAI to modify norms for remuneration of CEOs, directors of pvt insurers (January 03, 2022)
Regulator IRDAI on January 03, 2022 came out with guidelines to ensure orderly development of the surety insurance business and surety bonds market. The IRDAI (Surety Insurance Contracts) Guidelines, 2022 will come into effect from April 1, 2022, the regulator said in a notification.

For details:

https://www.business-standard.com/article/companies/irdai-to-modify-norms-forremuneration-of-ceos-directors-of-pvt-insurers-122010301361_1.html

Basel III Framework on Liquidity Standards - Liquidity Coverage Ratio (LCR), Liquidity Risk Monitoring Tools and LCR Disclosure Standards and Net Stable Funding ratio - Small Business Customers(January 06, 2022)

With the objective to better align our guidelines with the BCBS standard and enable banks to manage liquidity risk more effectively, it has been decided to increase the threshold limit for deposits and other extensions of funds made by non-financial Small Business Customers from `5 crore to `7.5 crore for the purpose of maintenance of Liquidity Coverage Ratio (LCR)

For details:

<https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12220&Mode=0>

Banks have written off double the amount recovered in last 5 yrs: RBI data (January 07, 2022)

Commercial banks in India have written off a whopping Rs 9.54 trillion worth of bad loans in the last five years, of which more than Rs 7 trillion was by public sector banks. The amount banks have written off is more than double the sum recovered during the period. According to the Reserve Bank of India (RBI) data, the amount recovered in the last five years through various channels such as lok adalats, debt recovery tribunals, the SARFAESI Act, and the Insolvency and Bankruptcy Code (IBC) was Rs 4.14 trillion.

For details:

https://www.business-standard.com/article/finance/banks-write-offs-double-the-amount-recovered-in-last-5-years-rbi-data-122010600688_1.html

RBI Working Paper No. 01/2022: Stock Price Reaction on the Announcement of Basel Implementation: Evidence from Indian Banks (January 11, 2022)

Reserve Bank of India placed on its website a Working Paper titled “Stock Price Reaction on the Announcement of Basel Implementation: Evidence from Indian Banks” under the Reserve Bank of India Working Paper Series. The study evaluates the market reaction of different policy decisions taken by the Reserve Bank of India (RBI) to bring in major reforms in the Indian banking industry after the financial liberalisation to align its domestic regulations with global Basel capital adequacy norms. These announcements are some of the important decisions that have brought in critical changes in the operations of Indian commercial banks; therefore, it is imperative to understand how the market perceives the implementation of Basel recommendations. Event studies are used to examine the short-run effect of regulations. Using the same methodology, the study reveals that the Indian banks were initially not prepared to raise the capital to 9 per cent, which resulted in the market overreacting to the Basel I announcement, and pessimistic sentiments were observed in terms of abnormal returns and cumulative returns.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53083

RBI releases Annual Report of Ombudsman Schemes, 2020-21 (January 12, 2022)

The Reserve Bank of India (RBI) released the Annual Report of the Ombudsman Schemes for the year 2020-21, which has been prepared for the nine-month period, i.e., July 1, 2020 to March 31, 2021, in alignment with the change in the Financial Year of RBI from ‘July - June’ to ‘April - March’ with effect from July 1, 2020. The Annual Report covers the activities under the Banking Ombudsman Scheme, 2006 (BOS), the Ombudsman Scheme for Non-Banking Financial Companies, 2018 (OSNBFC) and the Ombudsman Scheme for Digital Transactions, 2019 (OSDT), major developments and the way forward in the area of consumer protection.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53088

The Registration of Factors (Reserve Bank) Regulations, 2022 (January 18, 2022)

In exercise of the powers conferred by section 3 read with Section 31A of the Factoring Regulation Act, 2011, the Reserve Bank of India, made the following regulations pertaining to the manner of granting Certificate of Registration to companies which propose to do factoring business. The Regulations inter-alia contains provisions pertaining to Net Owned Fund, Principal Business Criteria, Registration and matters incidental thereto, Conduct of business and prudential regulations etc.

For details:

<https://egazette.nic.in/WriteReadData/2022/232690.pdf>

Obligatory Cession for the financial year 2022-23 (January 18, 2022)

Insurance regulatory and development Authority of India issued notification F. No. IRDAI/RI/1/180/2022 dated January 10, 2022. This notification shall be applicable to Indian Re-insurers and other applicable insurers as per the provisions of Section 101A of the Insurance Act, 1938. According to the notification the percentage cession of the sum insured on each General Insurance Policy to be reinsured with the Indian Re-insurer(s) shall be 4% (four percent) in respect of insurance attaching during the financial year beginning from 1st April, 2022 to 31st March, 2023, except the terrorism premium and premium ceded to Nuclear pool, wherein it would be made 'NIL'. The entire Obligatory Cession is to be placed with General Insurance Corporation of India (GIC Re) only.

For details:

<https://egazette.nic.in/WriteReadData/2022/232672.pdf>

Inclusion of Sikkim State Co-operative Bank Ltd in the Second Schedule of the RBI Act (January 18, 2022)

In pursuance of clause (a) of sub-section (6) of Section 42 of the Reserve Bank of India Act, 1934, the Reserve Bank of India directed the inclusion of "Sikkim State Co-operative Bank Ltd." in the Second Schedule to the said Act.

For details:

<https://egazette.nic.in/WriteReadData/2022/232714.pdf>

RBI issues regulations under the amended Factoring Regulation Act, 2011(January 20, 2022)

Government of India has recently amended the Factoring Regulation Act, 2011 ("the Act") which widens the scope of companies that can undertake factoring business. The Act permits Trade Receivables Discounting System (TReDS) to file the particulars of assignment of receivables transactions with the Central Registry on behalf of the Factors for operational efficiency. Further, the Act empowers the Reserve Bank of India to make regulations prescribing the manner of grant of certificate of registration and for prescribing the manner of filing of assignment of receivables transactions by TReDS on behalf of the Factors. In exercise of the powers conferred under the Act, the Bank has issued the following regulations:

- a. Registration of Factors (Reserve Bank) Regulations, 2022 issued vide Notification No. DOR.FIN.080/CGM (JPS) - 2022 dated January 14, 2022 (published in Official Gazette - Extraordinary - Part-III, Section 4 dated January 17, 2022).
- b. Registration of Assignment of Receivables (Reserve Bank) Regulations, 2022 issued vide Notification No. DOR.FIN.081/CGM (JPS) - 2022 dated January 14, 2022 (published in Official Gazette - Extraordinary - Part-III, Section 4 dated January 17, 2022).

Under the provisions of the regulations mentioned above, all existing non-deposit taking NBFC-Investment and Credit Companies (NBFC-ICCs) with asset size of 1,000 crore & above will be permitted to undertake factoring business subject to satisfaction of certain conditions. This will increase the number of NBFCs eligible to undertake factoring business significantly from 7 to 182. Other NBFC-ICCs can also undertake factoring business by registering as NBFC-Factor. Eligible companies may apply to the Reserve Bank for seeking registration under the Act. Further, in respect of trade receivables financed through a Trade Receivables Discounting System (TReDS), the particulars of

assignment of receivables shall be filed with the Central Registry on behalf of the Factors by the TReDS concerned within 10 days.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53131

Fintechs issue BNPL cards to push usage at offline stores (January 25, 2022)

Fintech lenders active in the 'Buy Now Pay Later' (BNPL) space are now issuing physical cards to customers to push usage in the offline mode. PayU Finance, Slice and Uni Cards have tied up with banks to issue BNPL cards, which are essentially prepaid payment instruments (PPIs) bearing a credit line.

For details:

<https://www.financialexpress.com/industry/fintechs-issue-bnpl-cards-to-push-usage-at-offline-stores/2414758/>

Hero Fincorp to raise Rs. 2,000 crore for growth (January 25, 2022)

Hero Fincorp could raise Rs. 2,000 crore equity funding from existing and new investors to create a capital buffer for its business, according to people familiar with the matter. As part of the funding plan that is under deliberation, Hero Motocorp and members of the Munjal family through their investment companies could bring in Rs.1,100-1,200 crore of equity funding with new investors bringing in the remaining amount. The Munjal family are the promoters of Hero MotoCorp and also have substantial shareholding in Hero Fincorp, which is registered as a non-bank finance company.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/hero-fincorpto-raise-rs-2000-cr-for-growth/articleshow/89104552.cms>

RBI Working Paper No. 05/2022: Quantifying Survey-based Qualitative Responses on Capacity Utilisation - An Analysis for India (January 27, 2022)

The Reserve Bank of India placed on its website a Working Paper titled "Quantifying Survey-based Qualitative Responses on Capacity Utilisation - An Analysis for India" under the Reserve Bank of India Working Paper Series. This paper focuses on examining the efficacy of survey-based qualitative information on Capacity Utilisation (CU) in tracking or predicting quantitative estimates of CU, which helps to assess economic slack and provides useful insights into the overall demand situation, inflationary pressure and investment conditions prevailing in the economy. Empirical results based on competing models reveal that although popular diffusion indices or summary measures of qualitative responses such as Balance Statistics or Net Response (NR) are useful indicators of CU; at times, they result in positive bias in the prediction. The forecast accuracy, however, may be improved by employing percentage responses separately on "rise/improvement in CU" and "fall/deterioration in CU". The results are robust for both assessment of CU in the current quarter and one-quarter-ahead expectation.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53173

96 pc PMC Bank depositors to be paid upfront : Unity SFB (January 27, 2022)

Unity Small Finance Bank, which has taken over the failed cooperative lender PMC Bank, on January 27, 2022 said all small depositors with under Rs. 5 lakh of deposits -- who form 96 per cent of the customer base -- can take their entire money out now or keep it in the new bank and earn 7 per cent interest annually. On January 25, the finance ministry had approved the merger of PMC Bank with Unity SFB, protecting it from liquidation and bringing relief to all stakeholders.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/96-pc-pmc-bank-depositors-to-be-paid-upfront-unity-sfb/articleshow/89163782.cms>

LIC IPO filing next week, issue in March : Govt. official (February 02, 2022)

The government is likely to file draft papers for the mega Initial Public Offering of LIC with market regulator SEBI by next week, while a portion of the issue would be reserved for anchor investors, a top official said on February 02, 2022. In an interview with PTI, Tuhin Kanta Pandey, Secretary to the Department of Investment and Public Asset Management (DIPAM), said approval of the insurance regulator is awaited, post which the draft prospectus, detailing the size of the share sale, will be filed.

For details:

<https://economictimes.indiatimes.com/markets/ipos/fpos/lic-ipo-filing-next-week-issue-in-march-govt-official/articleshow/89300264.cms>

Digital payments through UPI kick start 2022 on strong foot with transactions worth Rs. 8.32 lakh crore in January (February 03, 2022)

UPI transactions kick-started the new year 2022 on a strong note with the highest ever monthly value recorded at Rs. 8.32 lakh crore in January. This is significantly higher than the monthly average of Rs. 6.3 lakh crore in the trailing 12-month period, the data from country's flagship payments processor NPCI showed. Higher transaction figures reflect faster adoption of digital mode of payments in the country, further solidifying the government's push to make the economy paperless.

For details:

<https://www.financialexpress.com/industry/banking-finance/digital-payments-through-upi-kickstart-2022-on-strong-foot-with-transactions-worth-rs-8-32-lakh-crore-in-jan/2425088/>

Govt. getting ready to sell IDBI Bank, may keep some stake: Top official (February 04, 2022)

The Centre will come out with an Expression Of Interest (EOI) for the sale of IDBI Bank by the end of March but may not offload its entire stake in the bank in one go, Department of Investment and Public Asset Management (DIPAM) Secretary Tuhin Kanta Pandey said. The sale of IDBI Bank will be the first such case of "voluntary discovery" of the buyer through an open bidding process; in similar cases, banks have been sold to buyers only under distress situations.

For details:

<https://indianexpress.com/article/business/banking-and-finance/govt-getting-ready-to-sell-idbi-bank-may-keep-some-stake-top-official-7755780/>

Covid hits foreign ops: Branches, staff, income of Indian banks fall (February 05, 2022)

Foreign banks expanded their branch network and employee base in India marginally whereas overseas staff strength and number of branches of Indian banks and their subsidiaries recorded a decline during 2020-21, according to a Reserve Bank of India (RBI) survey. According to the RBI, the number of foreign branches of Indian banks declined from 137 in 2019-20 to 121 in 2020-21 and foreign subsidiaries fell from 381 to 377. The decline coincided with the Covid-19 pandemic which hit most parts of the world in 2020.

For details:

<https://indianexpress.com/article/business/banking-and-finance/covid-hits-foreign-ops-branches-staff-income-of-indian-banks-fall-7757818/>

SBI lines up 6 NPA accounts for sale to ARCs to recover dues of Rs. 406 crore (February 05, 2022)

Country's largest lender State Bank of India (SBI) has lined up six Non-Performing Assets (NPAs) for sale to Asset Reconstruction Companies (ARCs) to recover dues of nearly Rs. 406 crore. The six NPA accounts put up for sale to the ARCs are – Patna Bakthiyarpur Tollway with outstanding of Rs. 230.66 crore; Steelco Gujarat Ltd. Rs. 68.31 crore; GOL Offshore Ltd. Rs. 50.75 crore; Andhra Ferro Alloys Ltd. Rs. 26.73 crore; Guru Ashish Taxfab Rs. 17.07 crore and Genix Automations Pvt. Ltd. Rs. 12.23 crore.

For details:

<https://www.financialexpress.com/industry/banking-finance/sbi-lines-up-6-npa-accounts-for-sale-to-arcs-to-recover-dues-of-rs-406-cr/2426841/>

'Normalisation' may kick off: RBI likely to hike reverse repo (February 08, 2022)

The Reserve Bank of India (RBI) is expected to start the process of normalisation of the accommodative monetary policy by increasing the reverse repo rate – the rate at which the RBI borrows money from banks – in the forthcoming review on February 10. With the Covid pandemic impacting the recovery, there could be a slight downward revision in the GDP growth rate for FY22, analysts said.

For details:

<https://indianexpress.com/article/business/banking-and-finance/normalisation-may-kick-off-rbi-likely-to-hike-reverse-repo-7761521/>

Over 1,45,000 bank fraud complaints in FY21 (February 08, 2022)

Fraud complaints registered by the RBI under the various Ombudsman schemes in different categories have risen to 1,45,309 in 2020-21 against 1,35,448 in FY20, Finance Minister Nirmala Sitharaman informed the Rajya Sabha on February 08, 2022. "RBI has informed that on comparing the complaints against ATM/Debit Cards, Credit Cards and Mobile/Electronic Banking during the period from 2019-20 to 2020-21, there is a decline of 13.01%.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/over-145000-bank-fraud-complaints-in-fy21/articleshow/89437990.cms>

Mudra loan target not met in FY21 (February 09, 2022)

Financial institutions missed the annual target given by the government Under Pradhan Mantri Mudra Yojana (PMMY) in FY21 by Rs. 28,000 crore, on account of pandemic. The national level target under PMMY have been consistently met since inception of the scheme. However, in FY21, an amount of Rs. 3.22 lakh crore was sanctioned under PMMY against the target of Rs. 3.50 lakh crore, MoS in the Ministry of Finance, Bhagwat Karad stated in Rajya Sabha on February 08, 2022.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/mudra-loantarget-not-met-in-fy21/articleshow/89437997.cms>

RBI releases master directions for credit derivative transactions (February 10, 2022)

The Reserve Bank of India on February 10, 2022 came out with its master directions for credit derivative transactions, a year after it released the draft guidelines. These directions will apply to credit derivatives transactions undertaken in Over-the-Counter (OTC) markets and on recognised stock exchanges in India, and will be effective from May 9, 2022.

For details:

<https://www.financialexpress.com/industry/banking-finance/rbi-releases-master-directions-for-credit-derivative-transactions/2430827/>

RBI Governor: Cryptos have no underlying asset... not even a tulip (February 11, 2022)

Reiterating the central bank's serious concerns over cryptocurrencies, Reserve Bank of India Governor Shaktikanta Das said these are a big threat to the country's financial and macroeconomic stability and also warned investors that cryptocurrencies do not have any underlying asset.

For details:

<https://indianexpress.com/article/business/banking-and-finance/cryptocurrencies-a-threat-to-financial-stability-of-india-rbi-governor-shaktikanta-das-7766158/>

Competition Law

Info Capsule Series 10

CCI approves acquisition of controlling stake in Forbes Enviro Solutions Limited by Lunolux Limited (December 21, 2021)

The Competition Commission of India (CCI) approves acquisition of controlling stake in Forbes Enviro Solutions Limited (Target / FESL) by Lunolux Limited (Acquirer / LL) under Section 31(1) of the Competition Act, 2002. The proposed combination pertains to the acquisition of controlling stake in FESL by LL through the primary acquisition of up to 72.56% and the subsequent acquisition of up to 26% by way of an open offer under the provisions of the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011. FESL will house the Health and Safety Business of Eureka Forbes Limited - i.e., business of (a) water purifiers, (b) air purifiers, (c) security solutions, (d) vacuum cleaners and (e) electric air cleaning systems. The proposed combination is in the nature of an acquisition and falls under Section 5(a) of the Competition Act, 2002.

LL

LL is a special purpose vehicle incorporated by AI Global Investments (Cyprus) PCC Limited (AI Global). AI Global operates as the investment hub for Asia for all the funds managed by Advent International.

FESL

FESL is presently a subsidiary of Eureka Forbes Limited (EFL).

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1783743>

CCI approves acquisition up to 16.94% equity share capital of IRB Infrastructure Developers Limited by Bricklayers Investment Pte. Ltd (December 21, 2021)

The Competition Commission of India (CCI) approves acquisition up to 16.94% equity share capital of IRB Infrastructure Developers Limited (IRB / Target) by Bricklayers Investment Pte. Ltd. (GIC Investor / Acquirer) under Section 31(1) of the Competition Act, 2002.

The proposed combination relates to GIC Investor's proposed acquisition of up to 16.94% of the share capital of the Target on a fully diluted basis and non-fully diluted basis, through the subscription of new shares issued by way of a preferential issue on a private placement. The proposed combination is in the nature of an acquisition and falls under Section 5(a) of the Competition Act, 2002.

GIC Investor

GIC Investor is a foreign direct investor, which is a wholly-owned subsidiary of GIC Infra Holdings Pte. Ltd. (GIC Infra) which, in turn, is a wholly-owned subsidiary of GIC (Ventures) Private Limited (GIC Ventures). GIC Investor was incorporated on 22 May 2019 and is a special purpose vehicle (SPV) organized as a private limited company in Singapore that is part of a group of investment holding companies managed by GIC Special Investments Private Limited (GICSI).

Target

Target is a public company incorporated in India in 1998 and is the holding company of the IRB Group. Target is primarily engaged in carrying out construction works in accordance with engineering, procurement and construction (EPC) contracts, providing operation and maintenance (O&M) services of roads and highways.

Target has ancillary interests in power generation through wind sources, real estate service and the development and operation of airports.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1783745>

CCI orders probe against IREL for abuse of dominant position (January 5, 2022)

Competition Commission has ordered a detailed probe against state-owned IREL (India) Ltd, which is into mining and production of minerals, for alleged abuse of dominant position. It was alleged that IREL abused its dominant position by indulging in prohibitive increase in the sillimanite prices by following discriminatory pricing against the interests of the micro, small and medium enterprises in the domestic market. The informant also alleged that the company favoured multi-nationals and/or foreign parties and fixed the supply of sillimanite as per its whims and fancies and forcing its customer to accept arbitrary quantity.

For details:

https://www.business-standard.com/article/companies/cci-orders-probe-against-irelfor-abuse-of-dominant-position-122010401005_1.html

CCI approves acquisition of shares in Sutherland Global Holdings Inc. by Coral Blue Investment Pte. Ltd. (January 11, 2022)

The Competition Commission of India (CCI) approves acquisition of shares in Sutherland Global Holdings Inc. by Coral Blue Investment Pte. Ltd. The proposed combination pertains to the acquisition of Series C Preferred Stock convertible to common stock of Sutherland Global Holdings Inc. (Sutherland) in two tranches by the Coral Blue Investment Pte Ltd. (GIC Investor) subject to the fulfilment of relevant conditions. GIC Investor is wholly-owned by GIC Blue Holdings Pte. Ltd., an entity which is in turn wholly-owned by GIC (Ventures) Private Limited. GIC Investor is a special purpose vehicle organized as a private limited company in Singapore. It is part of a group of

investment holding companies managed by (i) GIC Special Investments Private Limited, which is wholly-owned by GIC Private Limited and (ii) the Integrated Strategies Group of GIC.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1789125>

CCI imposes penalty on maritime transport companies for indulging in cartelisation (January 24, 2022)

The Competition Commission of India ('CCI') passed a final order against four maritime transport companies namely Nippon Yusen Kabushiki Kaisha ('NYK Line'), Kawasaki Kisen Kaisha Ltd. ('K-Line'), Mitsui O.S.K. Lines Ltd. ('MOL') and Nissan Motor Car Carrier Company ('NMCC') for indulging in cartelisation in the provision of maritime motor vehicle transport services to automobile Original Equipment Manufacturers (OEMs) for various trade routes. Amongst these four companies, NYK Line, MOL and NMCC were lesser penalty applicants before CCI. The evaluation of available evidence revealed that there was an agreement between NYK Line, K-Line, MOL and NMCC with the objective of enforcement of "Respect Rule", which implied avoiding competition with each other and protecting the business of incumbent carrier with the respective OEM. To achieve the said objective, the maritime transport companies resorted to multi-lateral as well as bilateral contacts/ meetings/ e-mails with each other to share commercially sensitive information which, inter alia, included freight rates. They also aimed to preserve their position in the market and maintain or increase prices, including by resisting requests for price reduction from certain OEMs.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1792247>

Competition Commission says SC dismissed tyre companies' appeals against its order (February 2, 2022)

Competition Commission on Wednesday said Supreme Court has dismissed a petition filed by tyre companies wherein they had challenged the regulator's order imposing penalties totalling over Rs. 1,788 crore on them for anti-competitive practices. In August 2018, the watchdog had imposed a total fine of more than Rs. 1,788 crore on Apollo Tyres, MRF, CEAT, Birla Tyres, JK Tyre and Industries and Automotive Tyre Manufacturers Association (ATMA). They were found to have violated Section 3 of the Competition Act during 2011-2012. The section prohibits anti-competitive agreements. An appeal was filed against Competition Commission of India (CCI) order before the Madras High Court and the same was dismissed on January 6, 2022.

For details:

<https://www.financialexpress.com/industry/competition-commission-says-sc-dismissed-tyre-companies-appeals-against-its-order/2424443/>

Labour Laws

Info Capsule Series 10

Total employment in nine select sectors stand at 3.1 crore for the quarter ending September 2021 (January 10, 2022)

Union Minister for Labour & Employment, Shri Bhupender Yadav released the report of second quarter of Quarterly Employment Survey (QES) part of All-India Quarterly Establishment-based Employment Survey (AQEES). The AQEES has been taken up to provide frequent (quarterly) updates about the employment and related variables of establishments in both organized and unorganized segments of nine selected sectors which account for a great majority of the total employment in the non-farm establishments. The nine selected sectors are Manufacturing, Construction, Trade, Transport, Education, Health, Accommodation & Restaurant, IT/BPO and Financial Services. Sharing the results, the Union Minister said that the employment is showing an increasing trend and mentioned the fact that the over-all percentage of female workers stood at 32.1, higher than 29.3% reported during the first round of QES.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1788945>

Meeting with States/UTs to review the status of preparedness in respect of migrant workers keeping in view of the surge in cases of Covid (January 13, 2022)

In view of the prevailing pandemic situation arising out of Omicron variant, Shri Sunil Barthwal, Secretary, Ministry of Labour & Employment chaired a Co-ordination Meeting with States/UTs on 12.01.2022 through video conferencing, to take stock of the preparedness of the States/ UTs in respect of workers in general & Migrant Workers in particular. Additional Chief Secretaries, Principal Secretaries, Secretaries of State Labour Departments and Labour Commissioners of all the States/UTs and officers of Ministry of Railway and Department of Food and Public Distribution participated in the meeting.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1789690>

International Business News

Info Capsule Series 10

India's exports of gems, jewellery double in this financial year (November 29, 2021)

India's exports of gems and jewellery during the first seven months of this financial year (up to October) has been \$23.62 billion, as compared to \$11.69 billion in last financial year, said the country's Commerce and Industry Minister Piyush Goyal on Saturday, November 27, 2021.

For details:

<https://www.khmertimeskh.com/50978858/indias-exports-of-gems-jewellery-double-in-this-financial-year/>

India's Bharat Biotech resumes exports of homegrown COVID19 shot (November 29, 2021)

Indian vaccine maker Bharat Biotech said on Monday, November 2021 that it has resumed export of its COVID-19 shot, Covaxin, and has executed long-pending orders in November. The company also said exports to additional countries will commence from December, according to a statement it shared on Twitter.

For details:

<https://economictimes.indiatimes.com/industry/healthcare/biotech/pharmaceuticals/indias-bharatbiotech-resumes-exports-ofhomegrown-covid-19-shot/articleshow/87979275.cms>

International Business News India's exports of Agricultural and Processed Food products rise by more than 13% in first eight months of current fiscal (December 05, 2021)

India's exports of Agricultural and Processed Food products rose by more than 13 percent in terms of US Dollars in the first eight months of the current fiscal compared to the same period of the previous year. The export of products under the Agricultural and Processed Food Products Export Development Authority (APEDA) ambit increased from 11,671 million dollars in April November 2020-21 to 13,261 million in April-November 2021- 22.

For details:

<https://newsonair.com/2021/12/05/indias-exports-of-agricultural-and-processed-food-products-rise-by-more-than-13-in-first-eight-months-of-current-fiscal/>

Union Minister Narayan Rane calls on Indian Entrepreneurs to Make and Export Goods affected by shutdown in China (December 06, 2021)

Union Minister of Micro, Small and Medium Enterprises (MSME) Narayan Rane has advocated Indian entrepreneurs to capitalize on the opportunity that has emerged from the closure of factories in China. Speaking at an event of the Entrepreneurship Development Institute of India (EDII), Rane called upon the business promoters to produce those goods in India whose manufacturing has been shut down in China.

For details:

<https://swarajyamag.com/insta/union-minister-narayan-rane-calls-on-indian-entrepreneurs-to-make-and-export-goods-affected-by-shutdown-in-china>

MG to export Hector from its Gujarat plant: Expansion plans revealed (December 10, 2021)

MG Motor India has today announced the commencement of exports from its state-of-the-art manufacturing facility in Halol, Gujarat. The British automotive marque will begin with exporting the MG Hector SUV to Nepal as the first step towards its expansion plan for other South Asian countries.

For details:

<https://www.financialexpress.com/auto/car-news/mg-to-export-hector-from-its-gujarat-plant-expansion-plans-revealed/2385953/>

India's exports likely to touch record \$400 billion this fiscal: Piyush Goyal (December 14, 2021)

Commerce and Industry Minister Piyush Goyal on Tuesday, December 14, 2021 said India's merchandise export is set to touch an all-time high of \$400 billion during the current financial year, driven by sharp uptick in shipments. As per a preliminary trade data, India's merchandise exports in April-November 2021 was at \$262.46 billion, an increase of 50.71 per cent over \$174.15 billion in the same period of the previous financial year.

For details:

<https://economictimes.indiatimes.com/news/economy/foreign-trade/indias-exports-likely-to-touch-record-400-billion-this-fiscal-piyush-goyal/articleshow/88278781.cms>

India needs to actively pursue FTAs to push apparel exports (December 15, 2021)

India needs to actively pursue free-trade agreements (FTAs) with major export destinations like the EU (European Union) and the US to push apparel shipments amid increasing competition from Bangladesh and Cambodia that enjoy tariff concessions, an RBI article said on Wednesday, December 15, 2021.

For details:

<https://timesofindia.indiatimes.com/business/india-business/india-needs-to-actively-pursue-ftas-to-push-apparel-exports-suggests-rbi-article/articleshow/88306085.cms>

India's rice exports to surpass FY21's record 17.72 million tonne (December 16, 2021)

The government said that India's rice exports in 2021-22 would likely surpass the record 17.72 million tonne achieved in 2020-21. In the first seven months of the current fiscal, India's rice exports rose by more than 33% to 11.79 MT from 8.91 MT achieved in April-October FY21.

For details:

<https://economictimes.indiatimes.com/news/economy/foreign-trade/indias-rice-exports-to-surpass-fy21s-record-17-72-million-tonne/articleshow/88324905.cms>

With PLI schemes & global demand recovery, India exports likely to fly high in New Year (December 19, 2021)

After staging a strong recovery from COVID-induced slowdown in 2021, India's exports are likely to extend the growth story to the New Year also on increased demand in the global markets, boost in domestic manufacturing due to production-linked incentive schemes and implementation of some interim trade pacts.

For details:

<https://economictimes.indiatimes.com/news/economy/foreign-trade/with-pli-schemesglobal-demand-recovery-india-exports-likely-to-fly-high-in-newyear/articleshow/88369135.cms>

Top-notch infra, access to West Asia & Africa – why Indian exporters want 'India Mart' in Dubai (December 26, 2021)

Indian exporters, especially those dealing in leather and engineering goods, are keen on a potential trade market in the United Arab Emirates (UAE) dedicated to Indian goods – an idea pitched by Union Commerce and Industry Minister Piyush Goyal last week – as it can provide market access to the larger Gulf region and Africa, and reduce cost of supply chains.

For details:

<https://theprint.in/economy/top-notch-infra-access-to-west-asia-africa-why-indian-exporterswant-india-mart-in-dubai/787434/>

Adani Group set for 1st coal exports from controversial Australia mine decade after takeover (December 27, 2021)

Indian conglomerate Adani Group said it's ready to begin the first coal exports from the controversial Carmichael mine in Australia's Galilee Basin, more than a decade after the group took over the project. "The first shipment of high-quality coal from the Carmichael mine is being assembled at the North Queensland export terminal in Bowen," the group run by Indian billionaire Gautam Adani said in a statement.

For details:

<https://theprint.in/economy/adani-group-set-for-1st-coal-exports-from-controversialaustralia-mine-decade-after-takeover/788884/>

India's wheat exports rise to \$872 mn in Apr-Oct period (January 02, 2022)

India's wheat exports jumped to USD 872 million during April-October (2021) period in the current fiscal on account of healthy demand, with Bangladesh emerging as the top destination, the commerce ministry said on Friday. In volume terms, wheat exports during the said period rose by more than 527 per cent to 3.2 Million Tonnes (MT) from 0.51 MT in the year-ago period.

For details:

<https://economictimes.indiatimes.com/small-biz/trade/exports/insights/indias-wheatexports-rise-to-872-mn-in-apr-oct-period/articleshow/88643951.cms>

Business and Economic News

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NCLAT extends time for completing insolvency process for Vasani Healthcare (November 26, 2021)

The National Company Law Appellate Tribunal has granted more time till November 30 for completing the insolvency resolution process for Vasani Healthcare and set aside an NCLT order, saying the timeline could be extended in view of exceptional circumstances and save the company from liquidation. A two-member Chennai Bench of the Appellate Tribunal has also excluded the time spent in filing appeals - from August 18 to November 25 - before it. "This Tribunal is of the view that Corporate Debtor (Vasani Healthcare) cannot be pushed into liquidation," said NCLAT.

For details:

<https://economictimes.indiatimes.com/industry/healthcare/biotech/healthcare/nclatextends-time-for-completing-insolvency-process-for-vasanihealthcare/articleshow/87929471.cms>

Cross Border Insolvency: UN model allows automatic recognition of foreign rulings (November 29, 2021)

The Ministry of Corporate Affairs (MCA) has published a draft framework for cross border insolvency proceedings based on the UNCITRAL (United Nations Commission on International Trade Law) model under the Insolvency and Bankruptcy Code. Cross border insolvency proceedings are relevant for the resolution of distressed companies with assets and liabilities across multiple jurisdictions. A framework for cross border insolvency proceedings allows for the location of such a company's foreign assets, the identification of creditors and their claims and establishing payment towards claims as well as a process for coordination between courts in different countries.

For details:

<https://indianexpress.com/article/business/economy/cross-border-insolvency-un-model-automatic-recognition-foreign-rulings-7646416/>

NITI Aayog

NITI Aayog report on 'Designing the Future of Dispute Resolution: The ODR Policy Plan for India' (NOVEMBER 29, 2021)

NITI Aayog released the report 'Designing the Future of Dispute Resolution: The ODR Policy Plan for India', on November 29, 2021. Online Dispute Resolution in simple terms is the use of technology to resolve disputes outside of the public court system. ODR is also more than just e-ADR for it can include the resolution of disputes through AI/ML tools and has no determined set of procedures. This report may be accessed from the below mentioned link.

For details:

<https://www.niti.gov.in/sites/default/files/2021-11/odr-report-29-11-2021.pdf>

HC starts hearing plea by Invesco against ZEE (November 30, 2021)

The Bombay High Court on Monday, November 29, 2021 began hearing in the application filed by the US investment company Invesco, which has challenged an order of the single bench judge of the Bombay High Court in the matter against Zee Entertainment Enterprises (ZEE). Invesco, which is the largest shareholder in ZEE, argued in front of the division bench of the high court that only the National Company Law Tribunal (NCLT) had a jurisdiction to decide on the merit when shareholders make a requisition to call for an extraordinary general meeting (EGM).

For details:

<https://economictimes.indiatimes.com/industry/media/entertainment/hc-starts-hearing-plea-by-invesco-against-zee/articleshow/87993891.cms>

RBI supersedes Reliance Capital board, to start resolution process (November 29, 2021)

The Reserve Bank of India (RBI) on Monday, November 29, 2021 superseded the board of struggling Reliance Capital and decided to approach the National Company Law Tribunal to kickstart the resolution process. The central bank's move comes after Reliance Capital defaulted on multiple repayment obligations to its creditors and due to serious corporate governance issues found by the regulator. Reserve Bank will apply to the NCLT, Mumbai for appointing the Administrator as the Insolvency Resolution Professional, the RBI circular said.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/rbi-supersedes-reliancecapital-board-to-start-resolution-process/articleshow/87981359.cms>

Parag Agrawal: India celebrates new Twitter CEO (November 30, 2021)

India-born Parag Agrawal, who has been named the chief executive officer of Twitter, is making headlines in the country of his birth as many celebrate his appointment. The 37-year-old succeeded Twitter co-founder Jack Dorsey, who announced on Monday that he was stepping down. Mr Agrawal joined Twitter in 2011 and rose through the ranks to become the firm's Chief Technology Officer.

For details:

<https://www.bbc.com/news/world-asia-india-59472676>

Good news for pensioners! Government rolls out Unique Face Recognition Technology for life certificate (November 30, 2021)

In order to make the process of life certificate easier for elderly pensioners, the government has rolled out Unique Face Recognition Technology. It will benefit crores of Pensioners across the country in providing Life Certificate by simply using Mobile App. The Face Recognition Technique of giving Life Certificate is a historic and far reaching reform, since it will touch the lives of not only 68 lakh central government pensioners but also crores of pensioners who fall outside the jurisdiction of this department such as EPFO, state government pensioners and others.

For details:

<https://www.zeebiz.com/personal-finance/news-good-news-for-pensioners-governmentrolls-out-unique-face-recognition-technology-for-life-certificate-172008>

BJP spokesperson Sambit Patra appointed as Chairman of ITDC (December 02, 2021)

The Central Government has appointed Sambit Patra as the Chairman of India Tourism Development Corporation (ITDC), a Miniratna PSU under the Ministry of Tourism. According to an official order, the Appointments Committee of the Cabinet (ACC) has approved the proposal of the Ministry of Tourism to split the post of Chairman & Managing Director (CMD) of ITDC into two separate roles: Chairman and Managing Director (MD).

For details: <https://psuwatch.com/bjp-spokesperson-sambit-patra-appointed-as-chairman-of-itdc>

NCLT initiates insolvency proceedings against MGF Developments Limited (December 1, 2021)

The National Company Law Tribunal (NCLT) has initiated insolvency proceedings against real estate firm MGF Developments, on a petition filed by a group of homebuyers. According to the creditor, the default amount is under various heads and includes Rs 11.48 crore of interestbearing maintenance security collected from the homebuyers and not refunded to the association of homebuyers as per law. "The present application under Section 7 of the IBC Code, 2016 has been filed by The Vilas Condominium Association consisting of homebuyers having 327 units allotted in the name of members of the association....," the NCLT order said.

For details:

<https://economictimes.indiatimes.com/industry/services/property/-cstruction/nclt-initiates-insolvencyproceedings-against-mgf-developmentslimited/articleshow/88012570.cms>

The RBI initiates insolvency proceedings against Reliance Cap at the NCLT, Mumbai (December 02, 2021)

The Reserve Bank of India on December 02, 2021 filed an application for initiating insolvency proceedings against Reliance Capital at the Mumbai bench of the National Company Law Tribunal. The RBI on November 29, 2021 superseded the board of Reliance Capital Ltd (RCL), promoted by Mr. Anil Ambani's Reliance Group, in view of the defaults in meeting payment obligations. The RBI said the board has been superseded "in view of the defaults by RCL in meeting the various payment obligations to its creditors and serious governance concerns which the Board has not been able to address effectively".

For details:

https://www.business-standard.com/article/companies/rbi-files-application-forinitiating-insolvency-proceedings-against-rcap-121120201156_1.html

The IBBI empowers adjudicating authority to pick IPs from panel to curb delay (December 02, 2021)

To avoid administrative delays in the appointment of a resolution professional (RP), the Insolvency and Bankruptcy Board of India (IBBI) plans to provide a list of such qualified professionals to the adjudicating authority to choose from. The IBBI in its new guidelines has said it would create a panel of insolvency professionals (IPs), which would be updated every six months. The board has also prepared an algorithm to place the IPs on a panel in a particular order. The IP with the lowest volume of ongoing processes will get a score of 100 and will be at the top of the panel. The IP with the highest volume of ongoing processes will get a score of zero.

For details:

https://www.business-standard.com/article/economy-policy/ibbi-empowersadjudicating-authority-to-pick-ips-from-panel-to-curb-delays-121120200862_1.html

Jet Airways says in 'advanced discussions' with Boeing, Airbus for aircraft (December 03, 2021)

Jet Airways, which is preparing to relaunch operations next year, on December 03, 2021 said it is in "advanced discussions" with Boeing and Airbus for buying and leasing planes. The grounded airline has been acquired by Murarilal Jalan-Kalrock Capital consortium under the insolvency resolution process. The ongoing discussions are part of the grounded airline's revival plan approved by the Mumbai bench of the National Company Law Tribunal (NCLT), the airline said in a regulatory filing on Friday December 03, 2021.

For details:

https://www.business-standard.com/article/companies/jet-airways-says-in-advanceddiscussions-with-boeing-airbus-for-aircraft-121120300588_1.html

ODR is an Effective, Convenient, Efficient process (November 05, 2021)

The administration of Justice in India has a history of being delayed and the Covid-19 pandemic has made the situation even worse. Although the Supreme Court has allowed the online filling and hearing of cases, one cannot neglect the fact that the judiciary is already overburdened and heavily clogged with tons of cases. An improvised and efficient solution is required to ease pressure on courts and one of the answer to this can be through the Online Dispute Resolution or ODR. Online Dispute Resolution or ODR is a process to settle disputes outside courts, combining technology and alternative dispute resolution ("ADR") mechanisms. ODR covers disputes that are settled over the internet having been initiated in cyberspace but with a source outside it i.e. offline. Originally, arbitration was intended as an alternative to going to court for various kinds of disputes but with time the method itself has become complex and expensive.

For details:

<https://pib.gov.in/PressReleseDetail.aspx?PRID=1777674>

NCLT allows withdrawal of insolvency proceedings against MGF Developments (December 06, 2021)

The National Company Law Tribunal (NCLT) has allowed the withdrawal of insolvency proceedings against real estate firm MGF Developments, after the company reached to a settlement with the homebuyers who had dragged the company to NCLT. "Having gone through all the documents and hearing the submissions, we are satisfied that it is a fit case for grant of relief," NCLT said in the order. NCLT had initiated insolvency proceedings against MGF on an application under Section 7 of the IBC Code, 2016 filed by The Vilas Condominium Association consisting of homebuyers having 327 units allotted in the name of members of the association.

For details:

<https://economictimes.indiatimes.com/industry/services/property/-cstruction/ncltallows-withdrawal-of-insolvency-proceedings-against-mgfdevelopments/articleshow/88128320.cms>

NCLT reserves order on RBI's plea to commence insolvency against Reliance Capital (December 06, 2021)

The dedicated bankruptcy court has reserved its order in a plea filed by the Reserve Bank of India (RBI) against Reliance Capital Ltd (RCL). The Central Bank has filed an application for the initiation of the Corporate Insolvency Resolution Process (CIRP) against RCL under the Insolvency and Bankruptcy Code, 2016. Earlier on November 29, RBI superseded the board of RCL and appointed former Bank of Maharashtra executive director Mr. Y. Nageswar Rao as an administrator of the company.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/nclt-reserves-order-onrbis-plea-to-commence-insolvency-against-reliance-capital/articleshow/88119532.cms>

Till September, 421 cases resolved under insolvency law; 1,149 cases went for liquidation (December 07, 2021)

Hon'ble Finance and Corporate Affairs Minister Smt. Nirmala Sitharaman told the Rajya Sabha on December 07, 2021-"If no resolution plan is received or no resolution plan is approved by the Adjudicating Authority, the corporate entity proceeds to liquidation. Till 30th September, 2021, 1,419 CIRPs have yielded orders for liquidation, having liquidation value of Rs 52,036 crore." In a written reply, the minister also said the total amount of admitted claims of financial creditors in respect of 421 corporate debtors, which have been resolved through a resolution plan, is Rs 7.19 lakh crore while the amount realisable is Rs 2.46 lakh crore.

For details:

<https://economictimes.indiatimes.com/news/economy/finance/till-september-421-casesresolved-under-insolvency-law-1149-cases-went-forliquidation/articleshow/88147977.cms>

Can't term bad business calls fraud: NCLT (December 07, 2021)

The bankruptcy court has clarified in an order related to RTIL Ltd (erstwhile Reid & Taylor India) that a 'bad commercial business decision' may have led to a loss for the company, but it cannot be considered fraudulent on that account. The Mumbai bench of the National Company Law Tribunal (NCLT) dismissed a plea filed by the Resolution Professional of RTIL to declare business transactions to the tune of ₹1019.48 crore 'fraudulent'.

For details:

<https://economictimes.indiatimes.com/industry/banking/finance/banking/cant-term-bad-business-calls-fraud-nclt/articleshow/88134509.cms>

External Commercial Borrowings (ECB) and Trade Credits (TC) Policy - Changes due to LIBOR transition (December 08, 2021)

Please refer to paragraph 3 of the Governor's Statement on Developmental and Regulatory Policies dated December 08, 2021. In this connection, attention of Authorised Dealer Category-I (AD Category-I) banks is invited to paragraph 1.5, 2.1.vi. and 14.vi. of the Master Direction No. 5 dated March 26, 2019, on "External Commercial Borrowings, Trade Credits and Structured Obligations", prescribing the benchmark rates and the maximum spread over benchmark for calculating the all-in-cost for foreign currency (FCY) ECBs and TCs. In view of the imminent discontinuance of LIBOR as a benchmark rate, it has been decided, in consultation with stakeholders, to make the following changes to the all-in-cost benchmark and ceiling for FCY ECBs/ TCs:

- i. **Redefining Benchmark Rate for FCY ECBs and TCs:** Currently, the benchmark rate is defined in paragraph 1.5 of the master direction as "benchmark rate in case of FCY ECB/TC refers to 6-months LIBOR rate of different currencies or any other 6-month interbank interest rate applicable to the currency of borrowing, e.g., EURIBOR". Henceforth, benchmark rate in case of FCY ECB/TC shall refer to any widely accepted interbank rate or alternative reference rate (ARR) of 6-month tenor, applicable to the currency of borrowing.
- ii. **Change in all-in-cost ceiling for new ECBs/ TCs:** To take into account differences in credit risk and term premia between LIBOR and the ARR, the all-in-cost ceiling for new FCY ECBs and TCs has been increased by 50 bps to 500 bps and 300 bps, respectively, over the benchmark rates.
- iii. **One Time Adjustment in all-in-cost ceiling for existing ECBs/ TCs:** To enable smooth transition of existing ECBs/ TCs linked to LIBOR whose benchmarks are changed to ARRs, the all-in cost ceiling for such ECBs/ TCs has been revised upwards by 100 basis points to 550 bps and 350 bps, respectively, over the ARR. AD Category-I banks must ensure that any such revision in ceiling is only on account of transition from LIBOR to alternative benchmarks.

For details:

<https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12204&Mode=0>

Single Window System (December 08, 2021)

While presenting Budget 2020-21, Finance Minister announced plans to set up an Investment Clearance Cell (ICC) that will provide "end to end" facilitation and support to investors, including pre-investment advisory, provide information related to land banks and facilitate clearances at Centre and State level. The cell was proposed to operate through an online digital portal. Subsequently, as per the mandate, DPIIT along with Invest India initiated the process of developing the portal as a National Single Window System (NSWS). Envisioned as a onestop for taking all the regulatory approvals and services in the country, NSWS [www.nsws.gov.in] was soft-launched on 22nd September, 2021 by Commerce & Industry Minister.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1779399>

FDI (December 08, 2021)

Foreign Direct Investment (FDI) is one of the important drivers of economic growth and a source of non-debt finance for the economic development of India. FDI complements and supplements domestic investment. Domestic companies are benefited through FDI by way of enhanced access to supplementary capital and state-of-art-technologies, as also exposure to global managerial practices resulting into employment generation and accelerated growth of the sectors. The details of foreign investment reported through routes of Foreign Direct Investment (FDI) inflow and Foreign Portfolio Investment (FPI) inflows (net) during the last five financial years are as under:

(Amount in USD Million)

S. No.	Financial Year	Total FDI Inflow	FPI inflows (net)
1	2016-17	60,220	7,735
2	2017-18	60,974	22,165
3	2018-19	62,001	(-) 2,225
4	2019-20	74,390	552
5	2020-21	81,973	38,725

Source: Reserve Bank of India.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1779405>

RBI Monetary policy highlights: Lending rates unchanged amid Omicron scare (December 08, 2021)

The Reserve Bank of India's six-member monetary policy committee (MPC), headed by Governor Shaktikanta Das, decided to maintain key interest rates for a ninth straight meeting, retaining an accommodative stance amid the threat surrounding Omicron coronavirus variant. Repo and reverse repo rates currently stand at 4 per cent and 3.35 per cent, respectively.

For details:

https://www.business-standard.com/article/finance/rbi-monetary-policy-live-updates-repo-reverse-repo-rates-unchanged-amid-omicron-scare-121120800045_1.html

Reliance Capital slides 5%; company asks creditors to submit claims (December 09, 2021)

Shares of beleaguered company Reliance Capital shed 5 per cent in early trade on Thursday after the firm asked creditors to submit claims with proof by December 20 following the initiation of corporate insolvency proceedings. The Reserve Bank of India had applied for the initiation of the Corporate Insolvency Resolution Process (CIRP) against the Anil Ambani-led company last week. The regulator had superseded Reliance Capital's board, citing defaults and governance issues. In a statement, the company's promoters said they support the central bank's application of referring the company to the NCLT under Section 227 for the fast track resolution. Reliance Capital owes creditors over Rs 19,805 crore, the majority of the amount through bonds under the trustee Vistra ITCL India.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/reliance-capital-slides-5-company-asks-creditors-to-submit-claims/articleshow/88180499.cms>

A merger of Srei companies' debt could boost recovery (December 10, 2021)

Lenders to the bankrupt Srei Group are hoping that consolidation of the two debt-laden companies - Srei Infrastructure Finance and Srei Equipment Finance - will enhance its value and ensure a better recovery for ₹30,000 crore in stuck dues. Lenders are set to seek National Company Law Tribunal (NCLT) approval for consolidation of debt in the next few days following which creditor claims will be ascertained and bids will be called to find a buyer for the company.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/a-merger-of-sreicompanies-debt-could-boost-recovery/articleshow/88196843.cms>

PM Modi to take final call on cryptocurrency regulatory framework (December 10, 2021)

Prime Minister Narendra Modi will take a final decision on the regulatory framework for cryptocurrencies amid conflicting views among stakeholders, two persons familiar with the development said. The options include a complete ban on private cryptocurrencies, a partial ban, allowing all categories of crypto products with regulation, or just a select few with regulation, one of the persons said.

For details:

<https://economictimes.indiatimes.com/news/economy/policy/pm-modi-to-take-final-call-on-cryptocurrency-regulatory-framework/articleshow/88196615.cms?from=mdr>

Nagpur co seeks NCLT nod on Srei-run auction (December 14, 2021)

Nagpur-based Zcube Infracon that was the highest bidder for a property located in Mumbai in an auction conducted by Srei Infrastructure Finance, sought “appropriate orders” from the Kolkata Bench of the NCLT to direct Reserve Bank of India-appointed administrator to complete necessary formalities for transferring the title of the property in its favour.

For details:

<https://timesofindia.indiatimes.com/business/indiabusiness/nagpur-co-seeks-nclt-nod-on-srei-run-auction/articleshow/88264759.cms>

12 recommendations made by Parl panel in report on Personal Data Protection (December 17, 2021)

The parliamentary joint committee on the Personal Data Protection (PDP) Bill, 2019, headed by P P Chaudhary, MP, on Thursday presented its report, recommending changes to draft legislation, including altering its name to “Data Protection Bill”. The key proposed changes to the Bill include those on data localisation, having a single data protection authority (DPA) for personal and non-personal data, considering social media platforms publishers and holding them responsible for the content they host, a mechanism to be followed for data protection when a child comes of age, and provisions for localisation and cross-border flows of data.

For details:

https://www.business-standard.com/article/economy-policy/12-recommendations-made-by-parl-panel-in-report-on-personal-data-protection-121121601160_1.html

Deal done. ZEE and Sony merge created India's 2nd largest entertainment network (December 22, 2021)

After three months of due diligence, Sony Pictures Networks India (SPN), a subsidiary of Sony Corp's Sony Pictures Entertainment (SPE), has signed definitive agreements to merge with Zee Entertainment Enterprises (ZEE) even as the latter is embroiled in a legal battle with largest shareholder Invesco over control of the media company. As part of the proposed merger, ZEE will merge into SPN and, after closing, the new merged company will be publicly listed in India.

For details:

<https://economictimes.indiatimes.com/industry/media/entertainment/media/zee-sony-merger-companies-all-set-to-sign-on-the-dotted-line/articleshow/88421982.cms>

“Soya Meal” added in the Schedule of the Essential Commodities Act, 1955, (December 23, 2021)

Ministry of Consumer Affairs, Food And Public Distribution (Department of Food and Public Distribution) vide Notification S.O. 5369(E) dated 23rd December, 2021 and in exercise of the powers conferred by Section 2A (2) of the Essential Commodities Act, 1955, the Central Government issued Essential Commodities Order, 2021 to regulate the production, stocking and distribution of Soya Meal. In view of the above Order, in the Essential Commodities Act, 1955, in the Schedule, after serial No. (8), the following item shall be added, namely:- “(9) Soya Meal”. This Notification shall remain in force for a period up to 30th June, 2022 from the date of its publication in the Official Gazette.

For details:

<https://egazette.nic.in/WriteReadData/2021/232095.pdf>

Big 4 ask employees to disclose this year's crypto investments (December 26, 2021)

The Big Four professional services firms - Deloitte, PwC, EY and KPMG - have asked their executives and partners to disclose cryptocurrency investments made by them or their family members during the year. As part of annual risk-assessment process, the firms have also sought details of investments in non-fungible tokens or other crypto assets.

For details:

<https://economictimes.indiatimes.com/industry/services/consultancy/-audit/big4-ask-employees-to-disclose-this-years-cryptoinvestments/articleshow/88499412.cms>

ZEE-Sony Merger: Uncertainties galore but analysts give buy rating (December 24, 2021)

Notwithstanding the uncertainties surrounding the murky legal battle between Goenkas and Invesco, analysts are bullish on Zee Entertainment Enterprises (ZEE) shares after signing of a merger agreement with Sony Pictures Networks India. Analysts believe that things may get solved one way or the other, hence investors should lap up ZEE shares. ZEE's merger with Sony will create India's largest broadcaster and second-largest streaming app, positioning it better against rivals Netflix and Amazon Prime Video. There can be huge value creation due to the combined OTT (Over-The-Top) app becoming a must-have for subscribers and a scalable business proposition, noted analysts.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/zee-sony-mergeruncertainties-galore-but-analysts-advice-buy/articleshow/88449163.cms>

International Financial Services Centers Authority (Registration of Insurance Business) (Amendment) Regulations, 2021 (January 04, 2022)

In exercise of the powers conferred by sub-section (1) of Section 28 read with Section 12 and 13 of the International Financial Services Centers Authority Act, 2019, the International Financial Services Centers Authority made amendment to the International Financial Services Centers Authority (Registration of Insurance Business) Regulations, 2021 which inter-alia carrying provisions pertaining to: "Certificate from CA/CS/CMA, etc.: Provide a certificate from a practicing Chartered Accountant in India, a practicing Company Secretary in India, a practicing Cost Accountant in India or any other person with appropriate qualification, as specified by the Authority, certifying that all the requirements of the Act read with IFSCA (Registration of Insurance Business) Regulations, 2021 and notifications issued under section 2CA of the Act have been complied with by the Applicant."

For details:

<https://egazette.nic.in/WriteReadData/2022/232424.pdf>

Manufacturing PMI eases to three month low in December amid Covid fears (January 04, 2022)

India's manufacturing lost some momentum in December, easing to a three-month low after hitting a 10-month high in November, amid fears that the rapidly spreading third wave of the pandemic may hit consumer sentiment and output. The data released by analytics firm IHS Markit showed the purchasing managers' index (PMI) for manufacturing fell to 55.5 in December from 57.6 in November. A reading above 50 indicates expansion in economic activity and a number below that signals contraction.

For details:

https://www.business-standard.com/article/economy-policy/manufacturing-pmi-easesto-three-month-low-in-december-amid-covid-fears-122010300325_1.html

India records highest-ever monthly exports at \$37 billion in December (January 04, 2022)

India exported goods worth \$37.29 billion in December, the highest ever in a month, as demand for items such as engineering products, petroleum items, and gems and jewellery continued to soar, the preliminary data released by the commerce and industry ministry showed. India's merchandise exports in April-December were nearly \$300 billion, up 48.85 per cent year-on-year and 26 per cent against the same period in 2019.

For details:

https://www.business-standard.com/article/economy-policy/india-records-highest-evermonthly-exports-at-37-billion-in-december-122010400019_1.html

Reliance Jio gets approval to buy 5G gear from 'trusted' vendors (January 04, 2022)

Telecom major Reliance Jio has received approval enabling it to use equipment from various vendors, including Ericsson, Nokia Networks, Cisco, and Dell, which have been endorsed as a 'trusted source' by the National Security Council Secretariat. The move will pave the way for telecom companies to take the next steps in ordering specific equipment, particularly for the upcoming 5G roll-out from these vendors.

For details:

https://www.business-standard.com/article/companies/reliance-jio-gets-approval-to-buy-5g-gear-from-trusted-vendors-122010400023_1.html

GAIL completes acquisition of IL&FS' 26 pc stake in OTPC (January 04, 2022)

State-owned gas utility GAIL (India) Ltd on January 04, 2022 said it has completed the acquisition of bankrupt Infrastructure Leasing and Financial Services' (IL&FS) 26 per cent stake in ONGC Tripura Power Company (OTPC). OTPC is a special purpose vehicle set up by Oil and Natural Gas Corporation (ONGC) to build a 726.6 megawatt combined cycle gas turbine (CCGT) thermal power plant at Palatana, Tripura. The IL&FS group and the Government of Tripura (GoT) were partners in the special purpose vehicle (SPV).

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/gail-completes-acquisitionof-ilfs-26-pc-stake-in-otpc/articleshow/88692506.cms>

NCLAT sets aside NCLT approval of Twin Star's resolution plan for Videocon (January 06, 2022)

The National Company Law Appellate Tribunal (NCLAT) on January 05, 2022 set aside the Mumbai bench of National Company Law Tribunal (NCLT) order, which had approved the resolution plan of Videocon Group by Vendata's Twin Star Technologies. It has remitted the matter back to Videocon's committee of creditors (CoC) for completion of corporate insolvency resolution process (CIRP) in accordance with the insolvency and bankruptcy code (IBC). "...we have come to the conclusion that Section 30 (2)(b) of the code has not been complied with and hence, the approval of the resolution plan is not in accordance with Section 31 of the code", the two-judge bench presided over by Jarat Kumar Jain and Ashok Kumar Mishra said in their order.

For details:

https://www.business-standard.com/article/companies/nclat-sets-aside-nclt-approval-of-twin-star-s-resolution-plan-for-videocon-122010500960_1.html

Shri Piyush Goyal calls for a Single window portal for doing robust common KYC system for Stock Brokers, Mutual Fund and depositories etc. (January 05, 2022)

Union Minister of Commerce & Industry, Consumer Affairs, Food & Public Distribution and Textiles, Shri Piyush Goyal on January 05, 2022 called for transparency and the highest level of integrity in the stock markets. Addressing the National Stock Exchange (NSE) function to mark the Silver Jubilee Celebration of 25 Years of Nifty Index and 20 Years of Launching of Derivatives Markets in India, he said this will empower households to look at greater incomes through investment besides encourage foreign investors. "I think perception matters in the financial world, & therefore it is imperative we must put in place a strong system to maintain the highest level of integrity & transparency, which will encourage every Indian to invest in the stock market & empower households to look at greater incomes through investment besides encourage foreign investors," Shri Goyal said the NSE has been able to eliminate a lot of bad practices and brought in more transparency in the working of the exchange.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1787805>

Telecommunication Engineering Centre (TEC) releases 'Code of Practice for securing consumer Internet of Things(IoT)' (January 05, 2022)

In order to secure Consumer Internet of Things (IoT) devices, Telecommunication Engineering Centre(TEC), under Department of Telecommunications, Ministry of Communications, has released a report "Code of Practice for Securing Consumer Internet of Things(IoT)" as a baseline requirement aligned with global standards and best practices. These guidelines will help in securing consumer IoT devices & ecosystem as well as managing vulnerabilities. This report is intended for use by IoT device manufacturers, Service providers/ system integrators and application developers etc.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1787727>

RBI releases “Eligibility criteria for entities to be categorised as Specified User under clause (j) of Regulation 3 of the Credit Information Companies (Amendment) Regulations, 2021” (January 05, 2022)

Consequent to the Credit Information Companies (Amendment) Regulations, 2021 published in the Gazette of India vide notification CG-DL-E-30112021-231472 dated November 29, 2021, the Reserve Bank of India has today released on its website, “Eligibility criteria for entities to be categorised as Specified User under clause (j) of Regulation 3 of the Credit Information Companies (Amendment) Regulations, 2021”. The criteria sets out the requirement for the entities to become eligible as Specified User of the Credit Information Companies under clause (j) of Regulation 3 of the Credit Information Companies (Amendment) Regulations, 2021.

For details:

https://www.rbi.org.in/Scripts/BS_PressReleaseDisplay.aspx?prid=53055

Cabinet approves Intra-State Transmission System - Green Energy Corridor Phase-II (January 06, 2022)

The Cabinet Committee on Economic Affairs, chaired by the Prime Minister, Shri Narendra Modi, on January 06, 2022 approved the scheme on Green Energy Corridor (GEC) Phase-II for Intra-State Transmission System (InSTS) for addition of approximately 10,750 circuit kilometres (ckm) of transmission lines and approx. 27,500 Mega Volt-Amperes (MVA) transformation capacity of substations. The scheme will facilitate grid integration and power evacuation of approximately 20 GW of Renewable Energy (RE) power projects in seven States namely, Gujarat, Himachal Pradesh, Karnataka, Kerala, Rajasthan, Tamil Nadu and Uttar Pradesh. The scheme is targeted to be set up with total estimated cost of Rs. 12,031.33 crore and Central Financial Assistance (CFA) @ 33 percent of the project cost i.e. Rs. 3970.34 crore. The transmission systems will be created over a period of five year from Financial Year 2021-22 to 2025-26. The Central Financial Assistance (CFA) will help in offsetting the Intra-State transmission charges and thus keep the power costs down. Thus, the Government support will ultimately benefit the end users – the citizens of India.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1788010>

PE inflows spurt 15% in 2021 to record \$40 billion, says report (January 07, 2022)

Private equity (PE) investments hit a record high of USD40.1 billion in 2021, an increase of over 15 per cent from the previous year, led by a USD 3.6 billion flow into Flipkart and USD 1.93 billion into Bundl Technologies, as per a report. According to the data collated by Refinitiv, an LSEG business, while the value of inflows rose 15.2 per cent from USD 34.8 billion in 2020 to USD 40.1 billion in 2021, the deal volume soared to 990 in the reporting year from 588 in 2020.

For details:

https://www.business-standard.com/article/economy-policy/pe-inflows-spurt-15-in2021-to-record-40-billion-says-report-122010601721_1.html

ECLGS stopped 14% of loans from slipping into NPA, says SBI report (January 07, 2022)

The Emergency Credit Line Guarantee Scheme (ECLGS) for micro, small, and medium enterprises (MSME), one of the government's key planks in reviving economic activity, has prevented 1.35 million MSME accounts from going under, according to a report by State Bank of India released on Thursday. The scheme has saved around 15 million jobs and stopped 14 per cent of outstanding MSME loans from turning into non-performing assets (NPAs), said the report authored by SBI's Chief Economic Advisor Soumya Kanti Ghosh.

For details:

https://www.business-standard.com/article/economy-policy/eclgs-stopped-14-of-loans-from-slipping-into-npa-says-sbi-report-122010700050_1.html

CCI set to probe Google's 'abuse of dominance' in news aggregation (January 09, 2022)

Fair trade regulator CCI has ordered a probe against Google for its alleged abuse of dominant position in news aggregation to impose unfair conditions on news publishers. The order came on a complaint filed by the Digital News Publishers Association, which is a private company that promotes and secure interest of digital news publishers. It had filed complaint against Alphabet Inc, Google LLC, Google India Pvt Ltd and Google Ireland Ltd.

For details:

<https://timesofindia.indiatimes.com/india/cci-set-to-probe-googles-abuse-of-dominancein-news-aggregation/articleshow/88783076.cms>

Amazon pulls CCI to NCLAT challenging suspension of 2019 Future deal (January 10, 2022)

Amazon has filed a legal challenge at the National Company Law Appellate Tribunal (NCLAT) against the Competition Commission of India's (CCI) suspension of the US ecommerce giant's 2019 deal with Future Retail (FRL). Amazon has challenged the CCI order on at least five grounds, and the matter is likely to be listed this week, according to the sources. Parallely, Amazon's Indian unit has approached the Supreme Court against a halt on an arbitration case against Future Retail's (FRL) asset sale to Reliance Industries (RIL).

For details:

https://www.business-standard.com/article/companies/amazon-pulls-cci-to-nclatchallenging-suspension-of-2019-future-deal-122010900492_1.html

NCLAT rejects petitions against Ola in alleged predatory pricing matter (January 10, 2022)

The National Company Law Appellate Tribunal (NCLAT) has rejected petitions filed by ride sharing players Meru and Fast Track Call Cab against Ola alleging predatory pricing ways and anti-competitive practices in Bengaluru market. The appeals were filed by the entities against ANI Technologies, which run the app-based taxi service under the brand name Ola. It was alleged that Ola indulged in abuse of dominant position and entered into anticompetitive agreements with drivers in the Bengaluru market.

For details:

https://www.business-standard.com/article/companies/nclat-rejects-petitions-againstola-in-alleged-predatory-pricing-matter-122011001179_1.html

Auction for Sale (Issue/re-issue) of Government Securities (GS) (January 10, 2022)

Government of India hereby notifies sale (issue/re-issue) of the Government Securities. Govt will have the option to retain additional subscription up to Rs. 2,000 crore each against one or more security/ies mentioned above. The sale will be subject to the terms and conditions spelt out in this notification. The Securities will be sold through Reserve Bank of India, Mumbai Office, Fort, Mumbai-400 001 as per the terms and conditions specified in the General Notification F.No.4(2)-W&M/2018, dated March 27, 2018 issued by Government of India.

For details:

<https://egazette.nic.in/WriteReadData/2022/232535.pdf>

We must aspire to take India to the top 25 positions in the Global Innovation Index - Shri Piyush Goyal (January 10, 2022)

The Minister of Commerce and Industry, Consumer Affairs, Food and Public Distribution and Textiles, Shri Piyush Goyal called upon stakeholders in the innovation ecosystem to strive to take India to the top 25 in the Global Innovation Index. Our startups are the key reason behind India's meteoric rise in Global Innovation Index from 76 in 2014 to 46 in 2021, Shri Goyal said. The Minister spoke of the need for institutionalizing the Startup Week Celebrations as an annual event so that we keep reviewing, reinventing, rejuvenating and reenergizing our startup ecosystem.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1788900>

Let's target to create 75 more unicorns by 2022-end: Piyush Goyal (Jan 11, 2022)

Indian start-ups should look to create an additional 75 unicorns in 2022, continuing last year's momentum, commerce and industry minister Piyush Goyal said on Monday. Unicorn is a privately-held start-up, with a valuation exceeding \$1 billion. India is now home to 82 unicorns, with more than half of them joining the club in 2021 alone.

For details:

https://www.business-standard.com/article/economy-policy/let-s-target-to-create-75-more-unicorns-by-2022-end-piyush-goyal-122011100016_1.html

India Inc's overseas direct investment dips over 8% to \$2.05 bn in Dec 21 (Jan 10, 2022)

Outward foreign direct investment by Indian companies fell by over 8 per cent to USD 2.05 billion in December 2021 in the current fiscal, data from the Reserve Bank of India (RBI) showed on Monday. The domestic companies had invested USD 2.23 billion in their overseas joint ventures and fully-owned subsidiaries during December 2020 in the previous financial year.

For details:

https://www.business-standard.com/article/economy-policy/india-inc-s-overseas-directinvestment-dips-over-8-to-2-05-bn-in-dec-21-122011001338_1.html

NCLAT disposes of DoT petition against Videocon resolution plan (January 11, 2022)

The National Company Law Appellate Tribunal (NCLAT) on January 11, 2022 disposed of a petition filed by the Department of Telecommunications challenging the Rs 2,962-crore takeover bid by Anil Agarwal's Twin Star Technologies for Videocon Industries. A two-member bench observed that the appellate tribunal earlier this month had already set aside the June 8 order passed by the Mumbai bench of the National Company Law Tribunal (NCLT) approving Twin Star's bid and remanded the matter back to the Committee of Creditors (CoC) of Videocon.

For details:

https://www.business-standard.com/article/companies/nclat-disposes-of-dot-petitionagainst-videocon-resolution-plan-122011101506_1.html

Hyd firm gets to own Choksi co after insolvency resolution (January 11, 2022)

Ace Urban Developers Private Limited now owns AP Gems and Jewellery Park Private Limited, floated in 2001 in Hyderabad which was later owned by absconding gems trader Mehul Choksi. It has gone into the hands of Ace Developers through corporate insolvency resolution process (CIRP) initiated and concluded by NCLT, Hyderabad.

For details:

<https://timesofindia.indiatimes.com/business/india-business/hyd-firm-gets-to-ownchoksi-co-after-insolvency-resolution/articleshow/88821995.cms>

Shri Piyush Goyal calls upon Startups to help micro-entrepreneurs in rural areas, leverage technology to grow their businesses and encourage farmers, weavers & artisans etc. to use digital platforms to sell their products (January 12, 2022)

Union Minister of Commerce & Industry, Consumer Affairs, Food & Public Distribution and Textiles, Shri Piyush Goyal on January 12, 2022 called upon the Startups to help microentrepreneurs in rural areas, leverage technology to grow their businesses and encourage farmers, weavers & artisans etc. to use digital platforms to sell products. "Startups will help India transition from an Assembly Economy, particularly in the digital world, to a knowledge-based economy. In this digital age, technology has removed boundaries & barriers and got the limitations of our enterprises out of our minds," he said, addressing the 16th India Digital Summit, 2022 through video conference.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1789472>

Shri Piyush Goyal appeals to the industry to prepay MSMEs for their services to boost employment and growth (January 12, 2022)

The Minister of Commerce and Industry, Consumer Affairs, Food and Public Distribution today asked Industry Bodies to prepay MSMEs to safeguard their viability and to boost employment and growth. He was interacting with the leaders of major Industry bodies virtually from New Delhi on January 12, 2022. Shri Piyush Goyal was speaking at a meeting with heads of top Business and Industry Associations of country to seek their suggestions and inputs to ensure continuation of fast rebound of economic activities and high growth rates being achieved. He congratulated Indian Industry for bouncing back after taking a hit due to the pandemic and for the resilience displayed while grappling with the pandemic, especially in the field of exports.

For details:<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1789382>

Investor Education and Protection Fund Authority (IEPFA) signs MoU with Indira Gandhi National Open University (IGNOU) for promoting Investor Education and Financial literacy among youth through Gyan Darshan channel (January 12, 2022)

The Investor Education and Protection Fund Authority (IEPFA) under the aegis of Ministry of Corporate Affairs has signed a Memorandum of Understanding (MoU) with Indira Gandhi National Open University (IGNOU) through a virtual event. The objective for signing the MoU is to achieve the mandate of Investor Education, Awareness and Protection by utilizing the telelecturing facility of Gyan Darshan Channel. This association with IGNOU/Gyan Darshan channel will help in propagating the message of Investor Education and Awareness among a large group of present and prospective stakeholders. The panel of resource persons for the lecture series would include experts from professional institutions such as ICAI, ICSI & Senior officials from IEPFA, Ministry of Corporate Affairs and other regulators. The proposed lecture series of 75 episodes will be live tele-lecturing series on 24x7 Gyan Darshan TV channel and is a part of the ongoing celebration of the yearlong activity commemorating the 75th anniversary of India's Independence under "Azadi ka Amrit Mahotsav"

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1789346>

UK secretary of State for International Trade and India's Environment Minister discuss India-UK collaboration on climate change and the 2030 Roadmap (January 12, 2022)

Shri Bhupender Yadav, Union Minister of Environment, Forest and Climate Change had a inperson meeting with UK Secretary of State for International Trade & COP26 Presidency Champion on Adaptation and Resilience, the RT Hon Anne-Marie Belinda Trevelyan on 12th January 2022. In the Meeting, they discussed issues relating to India's new commitments at COP 26, India-UK collaboration on climate change and the India-UK 2030 Roadmap. In the Meeting, Shri. Yadav recalled the five nectar elements "Panchamrit" announced by Prime Minister Shri Narendra Modi at the sidelines of COP 26. He also mentioned about the two joint initiatives launched by UK and India, viz. One Sun One World One Grid (OSOWOG) and Infrastructure for Resilient Island States (IRIS).

For details:

<https://pib.gov.in/PressReleseDetail.aspx?PRID=1789542>

Coffee Day Enterprises promoted Sical Logistics received four firm bids under insolvency proceedings (January 13, 2022)

Lenders of Sical Logistics Ltd, a subsidiary of listed Coffee Day Enterprises, received four firm bids of which Ambey Mining and Pristine Malva Logistics have separately made the highest offer, said people aware of the matter. The other two bidders are Agrigo Trading Pvt Ltd and Winwind Power Energy Pvt Ltd, the people said. Lenders are hoping to recover at least one-fourth of their dues from the company which began facing a liquidity crunch after the sudden demise of promoter VG Siddhartha in July 2019.

For details:

<https://economictimes.indiatimes.com/industry/services/retail/coffee-day-enterprisespromoted-sical-logistics-received-four-firm-bids-under-insolvencyproceedings/articleshow/88862099.cms>

Tata Power seeks UP Transco sale via Swiss challenge method (January 12, 2022)

Tata Power wants banks to use the Swiss challenge method for sale of South East UP Power Transmission Company, claiming it should be allowed to match the best offer because it had emerged as the highest bidder in a previous round, according to sources in the know. Tata bid outbid Adani and three players, all of whom submitted bids on October 30. However, banks set aside Tata's earlier offer because of certain conditions unacceptable to them and are now considering a rebid, said sources. Tata's request may not be easy to implement as IBC regulations are silent on use of Swiss challenge as a method of bidding. Banks have sought legal opinion. Tata Power declined to comment.

For details:

<https://economictimes.indiatimes.com/industry/energy/power/tata-power-seeks-up-transcosale-via-swiss-challenge-method/articleshow/88862073.cms>

India appeals WTO panel ruling on sugar subsidies (January 12, 2022)

India has appealed against a ruling of the World Trade Organisation's trade dispute settlement panel on domestic sugar subsidies, stating that the panel has committed "certain errors of law" in its report, the WTO said on January 11, 2022. The appeal was filed by India in the WTO's Appellate Body, which is the final authority on such trade disputes. India has notified the Dispute Settlement Body of its decision to appeal the panel reports in the cases brought by Brazil, Australia and Guatemala in 'India - Measures Concerning Sugar and Sugarcane,' the WTO said in a statement.

For details:

<https://economictimes.indiatimes.com/news/economy/agriculture/india-appeals-wtopanel-ruling-on-sugar-subsidies/articleshow/88844795.cms>

India improves its global passport ranking, Japan, Singapore top list (January 13, 2022)

The Indian passport now ranks at 83rd position on the Henley Passport Index, climbing seven places from the 90th rank last year, the London-based global citizenship and residence advisory firm, said. It released the rankings for the year 2022, based on exclusive data provided by the International Air Transport Association.

For details:

https://www.business-standard.com/article/current-affairs/india-improves-its-globalpassport-ranking-japan-singapore-top-list-122011300944_1.html

Arbitration can be set aside only if award is against public policy: SC (January 13, 2022)

An arbitration award can be set aside only if the award is against the public policy of India, the Supreme Court has said. A bench of Justices M R Shah and B V Nagarathna said the award can be set aside under the Arbitration Act, if it is found to be contrary to the fundamental policy of Indian Law, interest of country, justice or morality or if it is patently illegal. The top court was hearing an appeal filed by Haryana Tourism Ltd against an order of the Punjab and Haryana High Court which set aside a 2005 award passed by the arbitrator as well as the order passed by the Additional District Judge, Chandigarh.

For details:

https://www.business-standard.com/article/economy-policy/arbitration-can-be-setaside-only-if-award-is-against-public-policy-sc-122011300666_1.html

IT industry can play a key role in raising services exports to \$1 trillion a year - Shri Piyush Goyal(January 16, 2022)

Union Minister of Commerce & Industry, Consumer Affairs, Food & Public Distribution and Textiles, Shri Piyush Goyal has assured leaders of India's top IT companies that the Central government will give full support to the sector to accelerate growth and help India's Services exports soar to \$1 trillion in a decade. Shri Goyal said India was on track to achieve its merchandise exports target of \$400 billion this year, while Services exports were likely to be about \$240 billion to \$250 billion, which is much lower, but can grow rapidly and catch up with merchandise exports. "When I look at the trajectory of these - I personally believe this is going to be a race to the top. We can converge \$1 trillion. That should be the ambition, mission. You have a little bit of catching up to do. I'll be delighted if you cross \$1 trillion faster than them," the minister told IT industry leaders.

For details:

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=1790342>

DCB Bank appoints Rupa Devi Singh as Chairman after Munjee's retirement (January 17, 2022)

Private sector lender DCB Bank has appointed Rupa Devi Singh as its new part time chairman following the retirement of Nasser Munjee from that position. Her appointment is subject to approval from regulatory authorities like Reserve Bank of India and the shareholders of the Bank. Rupa Devi Singh has been a non-executive independent director of the bank from January 22, 2015. She has over 35 years of experience in various sectors viz. commercial banking, project structuring, infrastructure, etc. She was the founding managing director and CEO of Power Exchange India (PXIL). Prior to joining PXIL, she worked with CRISIL as director - Power Practice and subsequently, as director, Corporate & S E Asia at CRISIL.

For details:

https://www.business-standard.com/article/finance/dcb-bank-appoints-rupa-devi-singhas-chairman-after-munjee-s-retirement-122011700237_1.html

Timely action by MCA prevents Rs. 15,000-crore fraud in DevasAntrix deal: Govt sources (January 17, 2022)

Timely action by Ministry of Corporate Affairs (MCA) prevented 15,000-crore fraud in Devas-Antrix deal, Government sources said on Monday. "This order amplifies that no entity or person can get away after committing fraudulent activities in India and strengthens the resolve of this government to bring in an environment of responsible corporate governance in India," a government source said. This response has come on a day when the Supreme Court dismissed an appeal filed by Devas Multimedia and its shareholder Devas Employees Mauritius Pvt. Ltd against an NCLT order to wind up the company.

For details:

<https://www.thehindubusinessline.com/news/timely-action-by-mca-prevents-15000-crore-fraud-in-devas-antrix-deal/article64906152.ece>

Vikram Dev Dutt takes over as Air India chief (January 18, 2022)

Senior bureaucrat Vikram Dev Dutt has been appointed as the Chairman and Managing Director of Air India Ltd. as part of a senior-level bureaucratic reshuffle effected by the Centre on Tuesday. Dutt is a 1993-batch IAS officer of AGMUT (Arunachal Pradesh, Goa, Mizoram and Union Territory) cadre. He has been appointed as the Air India chief in the rank and pay of Additional Secretary, an order issued by the Personnel Ministry.

For details:

<https://www.indiatoday.in/business/story/vikram-dev-dutt-takes-over-as-air-india-chief-1901509-2022-01-18>

'Best time to invest in India': PM Modi at WEF's online Davos Agenda 2022 summit (January 18, 2022)

Prime Minister Narendra Modi on Monday addressed the World Economic Forum's Davos Agenda via video conferencing. During his speech, he talked about some of the pressing issues like Covid, climate change, cryptocurrency, reforms and initiatives taken by his government for ease of doing business. He said India is promoting 'Ease of Doing Business'. "By reducing our Corporate tax rate, we are making it most competitive. This is the best time to invest in India," he added.

For details:

<https://www.livemint.com/news/india/live-pm-modi-to-address-wef-s-davos-summitshortly-11642428174433.html>

NCLT adjourns Jio's petition seeking RCom's forensic audit reports (January 18, 2022)

The National Company Law Tribunal has adjourned a petition filed by a Reliance Jio subsidiary seeking forensic audits of Reliance Communications and Reliance Infratel from the lenders. The court will hear the matter again on March 7, 2022. Reliance Projects and Properties, a Reliance Jio subsidiary, had won the race to acquire Reliance Infratel in December 2020, but has moved the court asking India's largest lender State Bank of India to hand over forensic audits which declared Reliance Communications and its subsidiary as a fraud account. Reliance Projects had won the mandate to buy RCom's tower and fiber assets for Rs 4,400 crore in December 2020.

For details:

https://www.business-standard.com/article/companies/nclt-adjourns-jio-s-petitionseeking-rcom-s-forensic-audit-reports-122011801087_1.html

Extension of validity of Registration of existing enterprises under MSME Act (January 19, 2022)

In exercise of the powers conferred by sub-sections (1) and (9) of section 7 read with subsections (2) and (3) of section 8 of the Micro, Small and Medium Enterprises Development Act, 2006, the Central Government made amendments in the notification of Government of India, Ministry of Micro, Small and Medium Enterprises number S.O. 2119 (E), dated the 26th June, 2020. According to the notification the existing enterprises registered prior to 30th June, 2020, shall continue to be valid only for a period up to the 31st day of March, 2022.

For details:

<https://egazette.nic.in/WriteReadData/2022/232763.pdf>

Issue of commemorative Coin Rs. 150 (January 19, 2022)

The Central Government notified the Coinage (Issue of Commemorative Coin on the occasion of 150TH BIRTH ANNIVERSARY OF KAVI MUDDANA) Rules, 2022. According to the notification the coin of One Hundred Fifty Rupees denomination shall only be coined at the Mint for issue under the authority of the Central Government on the occasion of "150TH BIRTH ANNIVERSARY OF KAVI MUDDANA".

For details:

<https://egazette.nic.in/WriteReadData/2022/232762.pdf>

NCLAT issues stay order on insolvency proceedings against HCL Tech (January 19, 2022)

The National Company Law Appellate Tribunal (NCLAT) has put a stay on the insolvency proceedings against India's third largest IT services player HCL Technologies. The National Company Law Tribunal (NCLT) had on January 17, 2022 had initiated for insolvency proceedings against the company. The stay order has been received after C Vijayakumar, MD & CEO filed an application in the NCLAT. A senior spokesperson only stated that a stay order has been obtained against the insolvency proceedings.

For details:

https://www.business-standard.com/article/companies/nclat-issues-stay-order-oninsolvency-proceedings-against-hcl-tech-122011901494_1.html

Ready for settlement talks with govt but our fight in foreign courts to go on: Devas (January 24, 2022)

Days after the Supreme Court ordered the winding up of Bengaluru-based start-up Devas Multimedia, promoters of the company, which has been fighting a legal case against ISRO's commercial arm Antrix, are "ready for negotiations" with the Indian government but will continue their fight for seizure of the Indian state assets abroad to seek compensation for the cancelled satellite deal.

For details:

<https://timesofindia.indiatimes.com/business/indiabusiness/ready-for-settlementtalks-with-govt-but-our-fight-inforeign-courts-to-go-ondevas/articleshow/89081190.cms>

Air India handed over to Tata Group (January 28, 2022)

The government on January 27, 2022 Thursday officially handed over Air India to the Tata group. The Tata Group now takes full control of the iconic 'Maharaja'. The government has notified the agreement between Air India and special purpose vehicle AIAHL for the transfer of noncore assets. The strategic disinvestment transaction of Air India successfully concluded today with the transfer of 100 per cent shares of Air India to Talace Pvt. Ltd. along with management control. A new Board, led by the Strategic Partner, takes charge of Air India, Secretary, DIPAM stated.

For details:

<https://www.indiatoday.in/business/story/air-india-handed-over-to-tata-group-1905228-2022-01-27>

Centre seeks tough action from Google, Twitter, Facebook on fake news (February 3, 2022)

In a meeting with Google, Twitter and Facebook, Ministry of Information and Broadcasting (I&B) officials slammed the tech giants for not proactively removing what they described as fake news on their platforms and asked them to take immediate action. The officials said that the inaction from the tech giants on fake news was forcing the Indian government to order content takedowns. This in turn is having a negative impact on the image of the government who is drawing a flak from within and outside saying it was suppressing free expression.

For details:

<https://www.dnaindia.com/social-media/report-centre-seeks-tough-action-from-googletwitter-facebook-on-fake-news-information-broadcasting-ministry-youtube-2931930>

The Aadhaar (Authentication and Offline Verification) (First Amendment) Regulations, 2022 (February 04, 2022)

The Unique Identification Authority of India has notified the Aadhaar (Authentication and Offline Verification) (First Amendment) Regulations, 2022. Regulations 16B and 16C are newly inserted regulations which inter-alia contains provisions pertaining to manner of voluntary use of Aadhaar number viz; Acceptance of Aadhaar (in form of- physical/Aadhaar Letter/printed e-Aadhaar/ Aadhaar PVC card/m-Aadhaar) as proof of Identity; Offline Verification Seeking Entity shall verify the details with digitally signed Aadhaar Secure QR code; Aadhaar number in electronic form may be used by aadhaar holder for establishing his identity by way of offline verification and the Offline Verification Seeking Entity shall verify the digital signature; Yes/No or eKYC authentication facility for electronic Aadhaar to be provided by an authorized requesting entity. Further, as per new regulation 16C, for acceptance for Aadhaar-Offline Verification Seeking Entity shall verify the digital signatures through Aadhaar secure QR Code and every requesting entity shall ensure informed consent of Aadhaar number holder beforehand of acceptance as proof of identity. New definitions such as Aadhaar letter, Aadhaar Polyvinyl Chloride Card (PVC), e-Aadhaar, m-Aadhaar are introduced.

For details:

<https://egazette.nic.in/WriteReadData/2022/233160.pdf>

NCLAT will hear Amazon's interim plea on CCI order on February 14 (February 07, 2022)

The National Company Law Appellate Tribunal (NCLAT) will hear e-commerce major Amazon's interim plea on February 14, seeking a stay over the order passed by fair trade regulator CCI that had suspended the over two-year old approval for its deal with Future Coupons Pvt Ltd (FCPL). A three-member bench on (Monday) February 07, 2022 directed to list Amazon's plea on February 14 to pass an interim order and stay the operations of the order passed by the Competition Commission of India (CCI) in December last year till it finally decides the matter.

For details:

https://www.business-standard.com/article/companies/nclat-will-hear-amazon-s-interim-plea-on-cci-order-on-february-14-122020701872_1.html

SC denies nod to Amazon to file written note in a case filed by Future Retail (February 08, 2022)

The Supreme Court on February 08, 2022 did not allow Amazon to file written submission in a case related to Future Retail's plea for nod to proceed with the National Company Law Tribunal (NCLT) permission of going ahead with Rs 24,731 crore merger deal with Reliance Retail. The Supreme Court, which had reserved its order on February 3, was irked over the alleged delayed request of the US-based e-commerce major to file the written note in the case and said that it appeared to be a "luxurious litigation".

For details:

https://www.business-standard.com/article/companies/sc-denies-nod-to-amazon-to-file-written-note-in-case-filed-by-future-retail-122020801621_1.html

IL&FS to distribute Rs 20,000 cr proceeds to creditors by March end (February 09, 2022)

The board of debt laden Infrastructure Leasing & Financial Services (IL&FS) has approved a proposal enabling interim distribution of proceeds to the extent of Rs 20,000 crore by March end (2022) to creditors of the group from the resolution of the entities of the group. An affidavit has been filed with National Company Law Appellate Tribunal (NCLAT) by the government on behalf of IL&FS to permit and approve the interim distribution mechanism, post which the proceeds can be transferred to the creditors. The decision of interim distribution of proceeds was taken because the group is expected to have a considerable amount of distributable assets, both in the form of cash and infrastructure investment trust (InvIT) units, by March. Also, despite a significant amount of debt being addressed, debt of majority of the creditors has not been settled since the group went bust in 2018, except in case of category II entities, where the financial bid amount offered by the successful bidder was less than the liabilities of the entities.

For details:

https://www.business-standard.com/article/companies/il-fs-to-distribute-rs-20-000-cr-proceeds-to-creditors-by-march-end-122020800752_1.html#:~:text=The%20board%20of%20debt%20laden,the%20entities%20of%20the%20group

Ministry of Commerce & Industry

Info Capsule Series 10

Preventive measures to contain the spread of COVID-19 - Setting up of a Control Room for Internal Trade and e-Commerce related issues - Reg (January 04, 2022)

Department for Promotion of Industry and Internal Trade informed that due to the surge in the COVID cases across the country, DPIIT has taken cognizance of the steps taken by various State Governments/UTs to control the spread of COVID cases. Therefore, as a measure of precaution and for supporting our business ecosystem, DPIIT will monitor the status and issues arising (if any) during transportation and delivery of goods and essential commodities due to the restrictions (if any) imposed by various State Governments/UTs. In the event of any manufacturing, transportation, distribution, wholesale or e-commerce companies facing difficulties in transportation and distribution of goods or mobilization of resources, the same may be informed to the Department.

For details:

<https://dpiit.gov.in/whats-new/setting-control-room-internal-trade-and-e-commerce-related-issues>

Ethics and Governance

Info Capsule Series 10

Governance, transparency in Indian banks weak by global standards: S&P (November 30, 2021)

Rating agency Standard and Poor's (S&P) on Tuesday said that while banks in India appear to have learnt lessons from bad-debt surges, their governance and transparency are weak by global standards. The lack of improvement in risk management and corporate governance in the coming growth cycle could produce a new crop of sour loans. More follow-through on governance reforms is required, especially for public sector banks, the rating agency said in a statement.

For details:

https://www.business-standard.com/article/finance/governance-transparency-in-indianbanks-weak-by-global-standards-s-p-121113000296_1.html

Pressure mounts on power PSUs to split CMD post after ITDC's compliance (December 19, 2021)

With a regulatory requirement for top-500 listed firms to split the position of chairperson and managing director being less than four months away, pressure is mounting on several PSUs including from the power sector to ensure compliance, especially after state-run ITDC complied with this rule following Sambit Patra's appointment as chairman.

For details:

https://www.business-standard.com/article/companies/pressure-mounts-on-power-psusto-split-cmd-post-after-itdc-s-compliance-121121900211_1.html

CII, global group to push for sustainability in Indian family businesses (December 21, 2021)

The Confederation of Indian Industries (CII) will work with a Switzerland based organisation, Family Business Network (FBN International), to assist Indian family businesses to integrate sustainability in their business models. FBN International, headquartered in Lausanne, is the world's leading organisation of business families. As a first such partnership between a UN agency and global family businesses, UNCTAD and The Family Business Network (FBN) have together developed the Global Initiative "Family Business for Sustainable Development (FBSD)". The partnership aims to provide family businesses worldwide with ways and means to integrate sustainability into their conventional business models, therefore contributing to global sustainable development and inclusive growth, as well as the prosperity of the family business.

For details:

https://www.business-standard.com/article/companies/cii-global-group-to-push-for-sustainability-in-indian-family-businesses-121122101085_1.html

India on track to achieve Paris Accord and COP 26 commitments: Yadav (Jan 11, 2022)

India is on track to achieve the Paris Accord and COP 26 commitments in accordance with Prime Minister Narendra Modi's LIFE mantra, Union Environment Minister Bhupender Yadav said on Monday. The minister said he had a productive conversation with United States climate envoy John Kerry and India and the US have agreed to take forward their Climate Action and Finance Mobilisation Dialogue'.

For details:

https://www.business-standard.com/article/economy-policy/india-on-track-to-achieve-paris-accord-and-cop-26-commitments-yadav-122011001462_1.html

Renewable energy generation capacity addition to touch 16 GW in FY23: ICRA (Jan 10, 2022)

The country's renewable energy capacity addition is estimated to touch 16 GW in the next financial year in view of the strong pipeline of 55 GW clean energy projects, according to ICRA. "The outlook for the capacity addition in the Renewable Energy (RE) sector remains strong with a large project pipeline of over 55 GW and the highly competitive tariffs offered by these projects," rating agency ICRA said in a statement on Monday.

For details:

https://www.business-standard.com/article/economy-policy/renewable-energy-generation-capacity-addition-to-touch-16-gw-in-fy-23-icra-122011000537_1.html

India's growth in next 25 years will be clean, green, sustainable and reliable: PM Narendra Modi (January 17, 2022)

Asserting that India is making its policies today while focussing on requirements for not just the present but also for the next 25 years, Prime Minister Narendra Modi on Monday, January 17, 2022 said this period of growth would be 'green and clean' as well as 'sustainable and reliable'. In a special address at the World Economic Forum's online Davos Agenda 2022 summit, Modi said India has set goals of high growth as well as saturation of welfare and wellness for the next 25 years.

For details:

<https://economictimes.indiatimes.com/news/india/indias-growth-in-next-25-years-willbe-clean-green-sustainable-and-reliable-pm-narendra-modi/articleshow/88958221.cms>

India needs Green Revolution 2.0 to make agri more climate-resistant, sustainable: RBI (January 17, 2022)

India needs a second green revolution along with the next generation of reforms with a view to make agriculture more climate-resistant and environmentally sustainable, said an RBI article on farm sector challenges. Observing that Indian agriculture has exhibited remarkable resilience during the COVID-19 period, the article said "new emerging challenges warrant a second green revolution along with next-generation reforms".

For details:

<https://economictimes.indiatimes.com/news/economy/agriculture/india-needs-greenrevolution-2-0-to-make-agri-more-climate-resistant-sustainablerbi/articleshow/88956718.cms>

All independent directors of PTC Financial Services resign citing governance issues (January 19, 2022)

All independent directors of PTC Financial Services, NBFC arm of PTC India Ltd, resigned on Wednesday, January 19, 2022 citing corporate governance lapses at several occasions on part of the company management. The three independent directors - Kamlesh Shivji Viakmsey, Thomas Mathew T and Santosh B Nayar - have flagged serious concerns on conduct on the management of the PFS India led by managing director and CEO Pawan Singh.

For details:

<https://economictimes.indiatimes.com/news/company/corporate-trends/all-independentdirectors-of-ptc-financial-services-resign-citing-governanceissues/articleshow/89003274.cms>

Future Retail independent directors to decline Amazon's offer to help (January 24, 2022)

Independent directors of Future Retail are set to turn down Amazon's offer of financial support to the company through a deal with private equity firm Samara Capital. In a letter dated January 22, Amazon reiterated its willingness to financially assist Future Retail through the Samara Capital deal and also sought access to conduct due diligence of Future Retail in an expedited manner. However, the engagement, Amazon said, will proceed under the condition that the Rs 25,000 crore Reliance-Future Retail deal be called off.

For details:

<https://www.cnbc18.com/business/companies/future-retail-independent-directors-to-decline-amazons-offer-to-help-12229692.htm>

SEBI notifies stricter norms for appointment of MD at listed cos (January 25, 2022)

Putting in place stringent norms, SEBI has said that a person rejected by shareholders at a general meeting can be appointed or re-appointed as a managing director or whole time director or manager, only after providing detailed justifications and ensuring compliance with various conditions. "The appointment or a re-appointment of a person, including as a Managing Director (MD) or a Whole Time Director (WTD) or a Manager, who was earlier rejected by the shareholders at a general meeting, shall be done only with the prior approval of the shareholders," SEBI said in a notification on Monday.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-notifies-stricter-norms-for-appointment-of-md-at-listed-cos/articleshow/89119176.cms>

SEBI asks PFS to address CG issues before holding board meet, seeks report in 4 weeks (January 24, 2022)

The Securities and Exchange Board of India (SEBI) has asked PTC India Financial Services (PFS) to address corporate governance and other issues raised by its former Chairman and outgoing Independent Directors, before holding its board meeting. The capital markets regulator has also asked PFS to file an Action Taken Report on these issues within four weeks, the company said in a regulatory filing.

For details:

<https://economictimes.indiatimes.com/markets/stocks/news/sebi-asks-pfs-to-address-cgissues-before-holding-board-meet-seeks-report-in-4-weeks/articleshow/89088971.cms>

Govt to unveil green hydrogen policy in next 10 days, says R K Singh (January 28, 2022)

The green hydrogen policy will be unveiled in the next 10 days featuring incentives like free transmission for 25 years to boost production of this clean source of energy, Power and New & Renewable Energy Minister R K Singh said on Thursday.

For details:

https://www.business-standard.com/article/economy-policy/govt-to-unveil-greenhydrogen-policy-in-next-10-days-says-r-k-singh-122012800051_1.html

Amazon says Future Retail directors acting at behest of promoters (January 27, 2022)

In a letter sent to the independent directors on Thursday evening, Amazon said the attempt made by independent directors of Future Retail to question PE firm Samara Capital's term sheet "reveals that the statements are being made at the behest of Future's promoters' and to protect their "mala fide action".

For details:

<https://economictimes.indiatimes.com/tech/technology/amazon-says-future-retaildirectors-acting-at-behest-of-promoters/articleshow/89164036.cms>

PTC India board asks risk management committee to look into corporate governance issues at PFS (Jan 28, 2022)

PTC India, the leading provider of power trading solutions in India on Friday said its board has directed its risk management committee to look into corporate governance issues at PTC India Financial Services (PFS), which was rocked by resignations of three independent directors earlier this month. The three independent directors - Kamlesh Shivji Vikamsey, Santosh B Nayar and Thomas Mathew had resigned en masse from the board of PFS citing corporate governance issues. Subsequently, an independent director of PTC India, Rakesh Kacker, had also resigned.

For details:

<https://economictimes.indiatimes.com/industry/energy/power/ptc-india-board-asks-riskmanagement-committee-to-look-into-corporate-governance-issues-atpfs/articleshow/89186461.cms>

Facing Governance Issues, BharatPe Orders Independent Internal Audit (Jan 29, 2022)

Amid growing concerns over governance issues, fintech company BharatPe announced on Saturday that an independent audit of its internal process and systems is being conducted. The development comes just days after its founder Ashneer Grover took voluntary leave till March-end. Mr Grover had taken the decision to proceed on leave on December 19, after an audio clip had exposed a huge fight between him and the Kotak Mahindra Bank.

For details:

<https://www.ndtv.com/business/facing-governance-issues-bharatpe-orders-independentinternal-audit-2736686>

ICRA places ratings of PFS under watch with negative implications (January 31, 2022)

Rating agency ICRA has placed the rating of PTC India Financial Services Ltd (PFS) under watch with negative implications following the resignation of three independent directors of the company. Such events (resignations) are likely to have a bearing on business operations and investor and lender confidence in the company in the short to medium term. These changes could also impact the ongoing asset quality related resolutions for the company, ICRA said in a statement. The debentures and long term bank facilities carry "A+" rating and short-term bank facilities and commercial paper carry "A1+".

For details:

https://www.business-standard.com/article/companies/icra-places-ratings-of-pfs-underwatch-with-negative-implications-122013100191_1.html

S&P downgrades Future Retail to 'D' after company fails to clear dues (February 02, 2022)

Standard and Poor's (S&P) has lowered Future Retail Ltd's long-term issuer credit rating from "CCC-" to "D" after the company failed to repay dues. Future Retail Ltd failed to make the principal payments due on its restructured domestic bank borrowings on December 31, 2021. The 30-day review period (grace period to pay) allowed by India's central bank has ended, S&P said in a statement.

For details:

https://www.business-standard.com/article/companies/s-p-downgrades-future-retail-tod-after-company-fails-to-clear-dues-122020200147_1.html

At BharatPe, probe finds recruitment fraud and payments to fictitious firms (February 04, 2022)

A preliminary investigation by an external specialist has highlighted two egregious instances of fraud at BharatPe, the merchant-focussed fintech firm hobbled in recent weeks by the cloud of controversy over its co-founder Ashneer Grover. Grover's wife and the firm's controller till recently, Madhuri Grover, is linked to both the fraudulent schemes.

For details:

<https://www.livemint.com/companies/at-bharatpe-probe-finds-recruitment-fraud-andpayments-to-fictitious-firms-11643922478448.html>

Marico Ltd announces plans to achieve net-zero emissions in global operations by 2040 (February 03, 2022)

FMCG major Marico Ltd on Thursday announced plans to achieve net-zero emissions in its global operations by 2040. The company will introduce multiple sustainability initiatives across its global operations with a view of curbing greenhouse gas (GHG) emissions and promoting a carbon-neutral business agenda, Marico Ltd said in a statement.

For details:

<https://economictimes.indiatimes.com/industry/cons-products/fmcg/marico-ltdannounces-plans-to-achieve-net-zero-emissions-in-global-operations-by2040/articleshow/89328060.cms>

Ashneer Grover in talks to sell his 9.5% stake in BharatPe (February 8, 2022)

BharatPe cofounder Ashneer Grover has held early talks with investors to sell his 9.5% stake in the fintech startup, potentially paving the way for his full exit from the company, according to sources. The sale discussions initiated by Grover come on the back of an ongoing investigation and an independent audit of BharatPe, which has indicated financial irregularities at the startup.

For details:

<https://economictimes.indiatimes.com/tech/startups/exclusive-ashneer-grover-in-talksto-sell-his-9-5-stake-in-bharatpe/articleshow/89417038.cms>

JSW Group joins World Business Council for Sustainable Development (February 7, 2022)

JSW Group, one of the country's leading business houses, has joined over 200 forwardthinking companies as the newest member of the World Business Council for Sustainable Development (WBCSD). JSW will be represented in WBCSD by Seshagiri Rao, Joint Managing Director and Group CFO, who also sits on the board of directors of JSW Steel. He will also take part in the WBCSD CFO network, which is driving higher ESG performance within companies, and more effective disclosure to capital markets, JSW Steel said in a filing to BSE.

For details:

<https://economictimes.indiatimes.com/news/company/corporate-trends/jsw-groupjoins-world-business-council-for-sustainable-development/articleshow/89404607.cms>

International Financial Services Centres Authority

Info Capsule Series 10

IFSCA granted approval to IIBEIL for operating as Bullion Exchange and Bullion Clearing Corporation (December 10, 2021)

IFSCA granted recognition to India International Bullion Exchange IFSC Limited (IIBEIL), Gujarat under Regulation 4 of the International Financial Services Centres Authority (Bullion Exchange) Regulations, 2020. The recognition is granted for allowing it to operate as Bullion Exchange and Bullion Clearing Corporation for one year, commencing on the 9th day of December 2021 to 8th day of December 2022 in respect of bullion spot delivery contract and bullion depository receipt with underlying bullion.

For details:

<https://egazette.nic.in/WriteReadData/2021/231880.pdf>

Settlement of trades executed on stock exchanges in IFSC (December 16, 2021)

Regulation 32(1) of the IFSCA (Market Infrastructure Institutions) Regulations, 2021 state that the trading hours for all product categories shall be as decided by the recognised stock exchanges, based on cost-benefit analysis, but shall not exceed 23 hours and 30 minutes in a day and settlement shall be done at least twice a day. With a view to keeping pace with the changing market dynamics in IFSC and to align the clearing and settlement process with international best practices, it is now decided that the settlement for all the trades being executed on the stock exchanges in IFSC should be done at least once a day. The clearing corporations should ensure that the risk management framework is in line with the CPMI IOSCO Principles for Financial Market Infrastructures (PFMIs) at all times and also ensure that during the trading day/session, the Mark-to-Market losses on open futures contracts are collateralized at regular intervals based on risk assessment.

For details:

<https://ifsc.gov.in/Viewer/Index/258>

IFSCA renewed the recognition to India International Clearing Corporation (IFSC) Limited (December 23, 2021)

IFSCA granted renewal of recognition to India International Clearing Corporation (IFSC) Limited under Regulation 12 of the International Financial Service Centres Authority (Market Infrastructure Institutions) Regulations, 2021, for one year, commencing on the 29th day of December, 2021 and ending on the 28th day of December, 2022 in respect of contracts in securities, subject to the conditions that the Clearing Corporation shall comply with conditions specified by IFSCA from time to time or as may be prescribed or imposed.

For details:

<https://egazette.nic.in/WriteReadData/2021/232108.pdf>

Non-applicability or withdrawal of some circulars / directions previously issued / adopted by the IFSCA (December 31, 2021)

IFSCA Banking Handbook has come into effect from January 1, 2022. As a consequence, the provisions of the circulars/ directions - listed in Annex I from those issued by the Reserve Bank of India (RBI) and adopted by IFSCA vide its circular December 4, 2020, ceased to be applicable to the IFSC Banking Units (IBUs) from the date of coming into effect of the directions in the Handbook i.e., January 1, 2022. The provisions of the circulars, listed in Annex II, from those issued by the RBI and adopted by IFSCA shall continue to be applicable to IBUs till further notice. Further, provisions of the circulars/guidelines listed in Annex III issued by the IFSCA have been subsumed in the Handbook.

For details:

<https://ifsc.gov.in/Viewer/Index/261>

International Financial Services Centers Authority (Insurance Intermediary) (Amendment) Regulations, 2021 (January 04, 2022)

In exercise of the powers conferred by sub-section (1) of Section 28 read with Section 12 and 13 of the International Financial Services Centers Authority Act, 2019, the International Financial Services Centers Authority made amendment to International Financial Services Centers Authority (Insurance Intermediary) Regulations, 2021 which inter-alia carrying provisions pertaining to: "Certificate from CA/CS/CMA, etc.: Provide a certificate from a practicing Chartered Accountant in India, a practicing Company Secretary in India, a practicing Cost Accountant in India or any other person with appropriate qualification, as specified by the Authority, confirming that all applicable regulatory requirements have been complied with by the Applicant."

For details:

<https://egazette.nic.in/WriteReadData/2022/232425.pdf>

International Financial Services Centers Authority specifies 'ship lease' which shall include operating lease (January 07, 2022)

In exercise of the powers conferred by section 12 of the International Financial Services Centres Authority Act, 2019 read with notification number S.O.5199 (E) dated 14th December, 2021 issued by Ministry of Finance, Government of India, published in the Gazette of India, dated the 14th December, 2021, the Authority hereby specifies 'ship lease' which shall include operating lease, and hybrid of operating and financial lease, of a ship or ocean vessel, engines of ship or ocean vessel, or any other part thereof, as a financial product under clause (d) of sub-section (1) of section 3 of the said Act.

For details:

<https://egazette.nic.in/WriteReadData/2022/232518.pdf>

Consumer Protection Law

Info Capsule Series 10

Consumer Protection (Search and Seizure and Compounding of offences by the Central Authority and Crediting of Penalty) Rules, 2021 (December 06, 2021)

Ministry of Consumer Affairs, Food and Public Distribution published the Consumer Protection (Search and Seizure and Compounding of offences by the Central Authority and Crediting of Penalty) Rules, 2021 on December 6, 2021. The rules inter-alia provides for compounding procedures, seizure procedure, credit of penalty to Consolidated Fund of India, form of Affidavit etc. These rules came into force w.e.f. 6th December, 2021.

For details:

<https://egazette.nic.in/WriteReadData/2021/231633.pdf>

Central Consumer Protection Authority (CCPA) notified the Central Consumer Protection Authority (Submission of Inquiry or Investigation by the Investigation Wing) Regulations, 2021 (December 9, 2021)

CCPA notified Central Consumer Protection Authority (Submission of Inquiry or Investigation by the Investigation Wing) Regulations, 2021 on December 9, 2021. These regulations inter-alia provides provisions pertaining to preliminary inquiry, investigation procedure and opinion on existence of prima facie case etc. These regulations came into force w.e.f December 9, 2021.

For details:

<https://egazette.nic.in/WriteReadData/2021/231869.pdf>

Consumer Protection (Direct Selling) Rules, 2021 (December 28, 2021)

Ministry of Consumer Affairs, Food and Public Distribution published the Consumer Protection (Direct Selling) Rules, 2021 on December 28, 2021. The rules inter-alia provides for Mandatory maintenance of records, Obligations of direct selling entity, Duties of direct selling entity and direct seller, Prohibition of Pyramid Scheme and money circulation scheme etc. According to rule 5(g) of the said rules, the obligation of direct selling entity include that every direct selling entity shall get all information provided by it on its website duly certified by a Company Secretary.

For details:

<https://egazette.nic.in/WriteReadData/2021/232214.pdf>

Consumer Protection (Jurisdiction of the District Commission, the State Commission and the National Commission) Rules, 2021(December 30, 2021)

Central Government has notified the Consumer Protection (Jurisdiction of the District Commission, the State Commission and the National Commission) Rules, 2021. The revised pecuniary jurisdiction for entertaining consumer complaints is upto:

- 1) 50 lakh for District Commissions,
- 2) More than 50 lakh to 2 Crore for State Commissions and
- 3) More than 2 Crore for National Commission

After the Consumer Protection Act, 2019 came into force, it was observed that the existing provisions relating to pecuniary jurisdiction of consumer commissions were leading to cases which could earlier be filed in National Commission to be filed in State Commissions and cases which could earlier be filed in State Commissions to be filed in District Commissions. This caused a significant increase in the workload of District Commissions, leading to rise in pendency and delay in disposal of cases, defeating the very object of securing speedy redressal to consumers as envisaged under the Act. With notification of the aforementioned rules, the new pecuniary jurisdiction is now revised.

For details:

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1786342>

Environmental Laws

Info Capsule Series 10

Enforcement Task Force (ETF) of the Commission for Air Quality Management in Delhi-NCR, rigorously monitoring enforcement and compliance of directions/ orders (December 05, 2021)

Intensifying its actions in the battle against elevating levels of air pollution in Delhi-NCR, the “Enforcement Task Force” (ETF) of the Commission for Air Quality Management in NCR and Adjoining Areas (CAQM) is daily holding exhaustive review meetings directly with the 40 inspection teams/ flying squads being constituted to inspect, continuously supervise and rigorously monitor enforcement and compliance of statutory directions issued by the Commission to improve the air quality of Delhi-NCR. These flying squads are widely covering every corner of the Delhi-NCR to track down violators and report their details to the Commission for stringent actions against them. Following the directions of the Commission, 12 inspection teams each have been constituted for the NCR Districts of Uttar Pradesh, Haryana and National Capital Territory of Delhi, while 4 teams have been deputed in the NCR Districts of Rajasthan, to examine the units/ activities in various sectors (including Industrial, Transport/ Vehicular, Construction/ Demolition, Dust from Roads and Open Areas and other dispersed sources) contributing to rise in levels of air pollution.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1778274>

Environmental Laws

Info Capsule Series 10

Enforcement Task Force (ETF) of the Commission for Air Quality Management in Delhi-NCR, rigorously monitoring enforcement and compliance of directions/ orders (December 05, 2021)

Intensifying its actions in the battle against elevating levels of air pollution in Delhi-NCR, the “Enforcement Task Force” (ETF) of the Commission for Air Quality Management in NCR and Adjoining Areas (CAQM) is daily holding exhaustive review meetings directly with the 40 inspection teams/ flying squads being constituted to inspect, continuously supervise and rigorously monitor enforcement and compliance of statutory directions issued by the Commission to improve the air quality of Delhi-NCR. These flying squads are widely covering every corner of the Delhi-NCR to track down violators and report their details to the Commission for stringent actions against them. Following the directions of the Commission, 12 inspection teams each have been constituted for the NCR Districts of Uttar Pradesh, Haryana and National Capital Territory of Delhi, while 4 teams have been deputed in the NCR Districts of Rajasthan, to examine the units/ activities in various sectors (including Industrial, Transport/ Vehicular, Construction/ Demolition, Dust from Roads and Open Areas and other dispersed sources) contributing to rise in levels of air pollution.

For details:

<https://pib.gov.in/PressReleasePage.aspx?PRID=1778274>

Pronouncements

Info Capsule Series 10

December 10, 2021	Union of India & Ors. vs. AAP and Company	Supreme Court of India
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Form GSTR - 3B is a 'Return' under GST Law

Facts of the case:

In the year 2019, the Gujarat High Court held that Section 39(1) of the CGST/SGST Act provides that every taxpayer, except a few special categories of persons, shall furnish a monthly return in such form and manner as may be prescribed. Rule 61 of the CGST Rules/SGST Rules prescribe the form and manner of submission of monthly return. Subrule 1 of Rule 61 of the CGST Rules/SGST Rules provides that the return required to be filed in terms of Section 39(1) of the CGST/SGST Act is to be furnished in Form GSTR-3B.

Judgment:

The Supreme Court has reversed the Gujarat High Court's judgment wherein the High Court observed that GSTR-3B is not a return specified under section 39 of CGST Act, 2017.

For details:

<https://www.taxscan.in/gstr-3b-is-a-return-specified-u-s-39-of-gst-act-supreme-court-reverses-gujarat-hcs-order/145090/>

December 13, 2021	N. Raghavender vs. State of Andhra Pradesh	Supreme Court
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Bank Doesn't Hold Customer's Deposit in Trust; Banker-Depositor Relationship that of Creditor-Debtor Brief Fact of the Case: '

C. Vinay Kumar, Accused No.3 was the Treasurer of the Nishita Educational Academy (for short, "the Academy") and is the brother-in-law of Appellant (Accused no. 1). Accused No. 3 opened Current Account No. 282 in his capacity as an authorized signatory of the Academy. The account

was opened with an initial deposit of Rs. 5,00,000/-. The prosecution case is that the Appellant and Accused No. 2 abused their respective position in the Bank and conspired with Accused no. 3 by allowing withdrawal of amounts up to Rs. 10,00,000/- from the account of the Academy, notwithstanding the fact that the account did not have the requisite funds for such withdrawal. The Appellant- N. Raghavender worked as a Branch Manager in Sri Rama Grameena Bank, Nizamabad Branch from May, 1990 to September, 1995. A. Sandhya Rani, Accused No. 2 worked as a Clerkcum- Cashier in the same Bank from 1991-1996 and she also attended day-to-day transactions in current and savings accounts relating to preparation of credit and debit vouchers.

The alleged modus operandi of the accused persons was that the Appellant, in his capacity as a Branch Manager, issued loose-leaf cheques on 23.04.1994 and thereafter, for a sum of Rs. 2,50,000/-, and despite withdrawal of the said amount, the debit was deliberately not entered into the ledger book. After that, another such transaction took place on 30.06.1994 for a sum of Rs. 4,00,000/-, and once again, the debit was not entered into the ledger sheet of the Bank. This was followed by the Appellant issuing another cheque on 30.07.1994, of a closed account for withdrawal of Rs. 3,50,000/-. The endorsement on the third cheque issued by the Appellant showed the payment in favour of Accused No.3; however, the signature on the cheque did not tally with that of Accused No.3. The Appellant was further accused of prematurely closing two FDRs on 24.02.1995 and 25.02.1995, which were for a sum of Rs. 10,00,000/- and 4,00,000/- respectively, and stood in the name of one B. Satyajit Reddy. As per the vouchers issued by the Bank, a total of Rs. 14,00,000/- were credited to account No. 282 but only Rs. 4,00,000/- were shown in the ledger. The remaining Rs.10,00,000/- were allegedly adjusted towards the secret withdrawal from account No. 282 during the year 1994. It is the prosecution's case that the Appellant, Accused No.2 and Accused No.3, worked in tandem to engineer these transactions, which resulted in a wrongful loss to the Bank and its Depositors.

CBI registered case No. RC7(A)/96-CBI/Hyderabad under Sections 409, 477(A), and 120B IPC, and Section 13(2) read with 13(1)(c) & (d) of the PC Act. Investigation was held; charge-sheet was filed and the learned Special Judge, CBI, framed the charges against the Appellant and his co-accused.

Judgement

The Hon'ble Supreme Court inter alia observed that misappropriation with this dishonest intention is one of the most important ingredients of proof of 'criminal breach of trust'. The offence under Section 409 IPC can be committed in varied manners, and as we are concerned with its applicability in the case of a bank officer, it is fruitful to point out that the banker is one who receives money to be drawn out again when the owner has occasion for it. Since the present case involves a conventional bank transaction, it may be further noted that in such situations, the customer is the lender and the bank is the borrower, the latter being under a super added obligation of honouring the customer's cheques up to the amount of the money received and still in the banker's hands. The money that a customer deposits in a bank is not held by the latter on trust for him. It becomes a part of the banker's funds who is under a contractual obligation to pay the sum deposited by a customer to him on demand with the agreed rate of interest. Such a relationship between the customer and the Bank is one of a creditor and a debtor. The Bank is liable to pay money back to the customers when called upon, but until it's called upon to pay it, the Bank is entitled to utilize the money in any manner for earning profit.

Further, Supreme Court held that the prosecution has failed to prove the charges under Sections 409, 420 and 477A IPC against the Appellant beyond reasonable doubt. As a necessary corollary thereto, his conviction under Section 13(2) read with Section 13(1)(d) of the PC Act can also not be sustained. However, the benefit of doubt being extended to him on account of a thin margin between 'strong suspicion' and 'conclusive proof', shall not entitle him to initiate a second round of lis to seek his reinstatement or to claim other service benefits from the Bank. The Hon'ble court held that the Appellant is deemed to be guilty of gross departmental misconduct, for which the punishment of dismissal from service has been adequately awarded. It requires no repetition that standard of proof to establish a misconduct in a domestic enquiry i.e. even preponderance of evidence, is drastically different to those of proving a 'criminal charge' beyond any reasonable doubt. The Appeal is accordingly disposed of in the above terms. Bail bonds, if any, furnished by the Appellant stand discharged.

For details:

https://www.livelaw.in/pdf_upload/bank-judgement-406752765-406754.pdf

January 11, 2022	<i>Samruddhi Co-operative Housing Society Ltd. (Appellant) Vs. Mumbai Mahalaxmi Construction Pvt. Ltd. (Respondent)</i>	<i>Supreme Court of India Civil Appeal No 4000 of 2019</i>
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Builder's Failure to Obtain Occupation Certificate is a 'Deficiency in Service' Under Consumer Protection Act

Brief Fact:

The complaint was filed by the appellant (a co-operative housing society) for refund of the excess taxes and charges paid the appellant to the municipal authorities, due to the alleged deficiency of service of the respondent. By the impugned order, the NCDRC dismissed the complaint on the ground that it was barred by limitation and that it was not maintainable since it was in the nature of a recovery proceeding and not a consumer dispute. The appeal arises from a judgment and order of the National Consumer Disputes Redressal Commission dated 3rd December 2018.

Judgement

Hon'ble Supreme Court observed that Section 2(1)(d) of the Consumer Protection Act defines a 'consumer' as a person that avails of any service for a consideration. A 'deficiency' is defined under Section 2(1)(g) as the shortcoming or inadequacy in the quality of service that is required to be maintained by law. In its decisions in *Wing Commander Arifur Rahman Khan & Others v. DLF Southern Homes Private Limited & Others* (2020) 16 SCC 512 and *Pioneer Urban Land Infrastructure Limited v. Govindan Raghavan* (2019) 5 SCC 725, this Court has held that the failure to obtain an occupancy certificate or abide by contractual obligations amounts to a deficiency in service. In *Treaty Construction v. Ruby Tower Cooperative Housing Society Ltd.* (2019) 8 SCC 157, the Court also considered the question of awarding compensation for not obtaining the certificate.

In that case, the Court declined to award damages as there was no cogent basis for holding the appellant liable for compensation, and assessing the quantum of compensation or assessing the loss to the members of the respondent society. In the present case, the respondent was responsible for transferring the title to the flats to the society along with the occupancy certificate. The failure of the respondent to obtain the occupation certificate is a deficiency in

service for which the respondent is liable. Thus, the members of the appellant society are well within their rights as ‘consumers’ to pray for compensation as a recompense for the consequent liability (such as payment of higher taxes and water charges by the owners) arising from the lack of an occupancy certificate.

For details:

https://www.livelaw.in/pdf_upload/samruddhi-co-operative-housing-society-ltd-vs-mumbai-mahalaxmi-construction-pvt-ltd-2022-livelaw-sc-36-407398.pdf

January 17, 2022	Devas Multimedia Private Ltd. (Appellant) vs. Antrix Corporation Ltd. & Anr... (Respondent)	Supreme Court of India Civil Appeal No.5906 of 2021
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Supreme Court upholds NCLAT judgment ordering winding up of Devas Multimedia

Brief Fact

Challenging an order of winding up passed by the National Company Law Tribunal under Section 271(c) of the Companies Act, 2013 (for short the 2013 Act), which was confirmed by the National Company Law Appellate Tribunal on appeals, the company in liquidation, namely, Devas Multimedia Private Limited, through its ex-Director has come up with an appeal In Civil Appeal No.5766 of 2021 and one of the shareholders of the company in liquidation, namely, Devas Employees Mauritius Private Limited (hereinafter referred to as DEMPL) has come up with another appeal in CA No.5906 of 2021. The contention of Devas that the motive behind Antrix seeking winding up of Devas was to deprive Devas of the benefits of an unanimous award passed by the ICC Arbitral tribunal in favour of Devas.

Judgement

The Supreme Court upheld judgment of the National Company Law Appellate Tribunal (NCLAT) allowing winding up of Devas Multimedia Private Limited (Devas) following a winding-up petition preferred by Central government-owned Antrix Corporation and inter-alia observed that we do not find any merit in the above submission. If as a matter of fact, fraud as projected by Antrix, stands established, the motive behind the victim of fraud, coming up with a petition for winding up, is of no relevance. If the seeds of the commercial relationship between Antrix and Devas were a product of fraud perpetrated by Devas, every part of the plant that grew out of those seeds, such as the Agreement, the disputes, arbitral awards etc., are all infected with the poison of fraud. A product of fraud is in conflict with the public policy of any country including India. The basic notions of morality and justice are always in conflict with fraud and hence the motive behind the action brought by the victim of fraud can never stand as an impediment. We do not know if the action of Antrix in seeking the winding up of Devas may send a wrong message, to the community of investors. But allowing Devas and its shareholders to reap the benefits of their fraudulent action, may nevertheless send another wrong message namely that by adopting fraudulent means and by bringing into India an investment in a sum of INR 579 crores, the investors can hope to get tens of thousands of crores of rupees, even after siphoning off INR 488 crores.

For details

<https://www.barandbench.com/news/devas-v-antrix-supreme-court-upholds-nclat-judgment-ordering-winding-up-of-devas-multimedia>

19/01/ 2022	<i>Competition Commission of India (Appellant) vs. State of Mizoram & Ors (Respondent)</i>	<i>Supreme Court of India Civil Appeal No. 10820-10822 of 2014</i>
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The lottery business can continue to be regulated by the Regulation Act. However, if in the tendering process there is an element of anti-competition which would require investigation by the Competition Commission of India.

Brief Facts:

A complaint received by the Competition Commission of India (for short ‘Appellant/CCI’) seeking investigation under the Competition Act, 2002 (hereinafter referred to as the ‘Competition Act’) in respect of State Lottery run by the State of Mizoram (Respondent No.1) has given rise to the present dispute. The jurisdiction of CCI to inquire into allegations of bid rigging, collusive bidding, and cartelisation in the tender process for appointment of selling agents and distributors for lotteries organised in the State of Mizoram has been challenged in the present proceedings by the successful bidders, and to a much lesser extent, by the State of Mizoram.

Judgement:

Hon’ble Supreme Court took note of the expansive definition of ‘Service’ under Section 2(u) of the Competition Act. It means “service of any description”, which is to be made available to potential users. The purchaser of a lottery ticket is a potential user and a service is being made available by the selling agents in the context of the Competition Act. Suffice for us to say the inclusive mentioning does not inhibit the larger expansive definition. The lottery business can continue to be regulated by the Regulation Act. However, if in the tendering process there is an element of anti-competition which would require investigation by the CCI, that cannot be prevented under the pretext of the lottery business being *res extra commercium*, more so when the State Government decides to deal in lotteries.

For details:

https://main.sci.gov.in/supremecourt/2014/31973/31973_2014_36_1501_32612_Judgement_19-Jan-2022.pdf

20/01/ 2022	<i>Association of aggrieved Workmen of Jet Airways (India) Limited (Appellant) vs. Jet Airways (India) Ltd. and Ors (Respondent)</i>	<i>NCLAT Company Appeal (AT) (Insolvency) No. 643 of 2021 & I.A. No.1700 of 2021</i>
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Resolution Plan after its approval by the Adjudicating Authority is no more a confidential document

Brief Facts:

The only question to be considered before the NCLAT was to whether the Appellant who has filed Appeal against the order of the Adjudicating Authority dated 22nd June, 2021 approving the Resolution Plan submitted by Respondent No.4 is entitled for a copy of Resolution Plan or any part of it in these proceedings. The Appellant is an association of aggrieved workmen of the Jet Airways (India) Ltd. The workmen of Jet Airways (India) Ltd. were Operational Creditors, who have filed their claim before the Resolution Professional. The Resolution Plan allocated workmen and employees an amount of Rs. 52 Crores. This Appeal has been filed by the Appellant challenging

the order of the Adjudicating Authority approving the Resolution Plan on several grounds as contained in the grounds stated in paragraph 9 of the Memo of Appeal.

Judgement:

The Hon'ble NCLAT inter-alia observed that when the right to Appeal on the ground enumerated in sub-section (3) of Section 61 is provided, unless the Appellant is aware of the contents of the Resolution Plan, how he will be able to satisfy the Appellate Court that the grounds enumerated in sub-section (3) of Section 61 are made out in reference to approval of the Resolution Plan. The provision of Section 61, sub-section (3) reaffirms our view that after approval of the Resolution Plan, Resolution Plan does not remain a confidential document, so as to deny its perusal to a claimant, who is aggrieved by the Plan and has come up on the Appeal. We, thus, are of the view that Resolution Plan after its approval by the Adjudicating Authority is no more a confidential document, so as to deny access to even a claimant. It is true that the Resolution Plan even though it is not a confidential document after its approval, cannot be made available to each and to anyone who has no genuine claim or interest in the process. On various grounds the access to Resolution Plan even if it is not a confidential document, after approval can be denied in proper and appropriate cases.

For details:

https://images.assettype.com/barandbench/2022-01/23ead0b7-99b6-4753-abb5-1daff704f07a/Workmen_of_Jet_Airways_v_Jet_Airways__India__Ltd.pdf

19/01/2022	CBRE South Asia Pvt. Ltd. (Appellant) Vs. M/s United Concepts and Solutions Pvt. Ltd. (Respondent)	NCLT New Delhi Bench (IB) - 797(ND)2021
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Interest amount cannot be clubbed with the Principal amount of debt to arrive at the minimum threshold of Rs.1 Crore for complying with the provision of Section 4 of IBC, 2016

Brief Facts

M/s. CBRE South Asia Pvt. Ltd., has filed the present Application under Section 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 6 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 with a prayer to initiate the Corporate Insolvency Resolution Process against M/s. United Concepts and Solutions Pvt. Ltd. (for brevity the 'Corporate Debtor'). During the course of preliminary hearing while going through the Part IV of the Application, it was observed by NCLT New Delhi Bench that the Applicant has claimed a total amount of Rs.1,39,84,400/- as Operational Debt, out of which Rs.88,50,886/- only is the Principal amount and the remaining Rs.51,33,514/- is the interest component. Since the principal outstanding claimed by the Operational Creditor is less than Rs. 1 Crore, a query to the Applicant was raised by NCLT New Delhi Bench as to whether the Principal and Interest amounts can be clubbed together to reach the minimum threshold of Rs. 1 Crore as stipulated under Section 4 of IBC, 2016.

Judgment

Since an Application under Section 9 can only be filed on "occurrence of default", therefore, NCLT New Delhi Bench examined the definition of "default" as defined under Section 3(12) & "debt" as defined under Section 3(11) & claim" as defined under Section 3(6) of IBC, 2016. Further, the Hon'ble Bench also examined "Operational Debt" and "Financial Debt" as defined under section

5(21) & 5(8) of IBC, 2016 respectively and referred to the finding was given by the NCLT Chandigarh Bench in the matter of M/s. Wanbury Ltd. Vs. M/s. Panacea Biotech Ltd. in CP No. 8/2016 dated 18.04.2017. From the above discussion, NCLT Bench observed that the “interest” can be claimed as the Financial Debt, but neither there is any provision nor any scope to include the interest to constitute as the Operational Debt. The Interest amount cannot be clubbed with the Principal amount of debt to arrive at the minimum threshold of Rs.1 Crore for complying with the provision of Section 4 of IBC, 2016.

For details:

https://nclt.gov.in/gen_pdf.php?filepath=/Efile_Document/ncltdoc/casedoc/0710102154392021/04/Order-Challenge/04_order-Challenge_004_1642672166148082997661e9302640fec.pdf

January 25, 2022	Colgate Global Business Services Pvt. Ltd. vs. Union of India	Bombay High Court
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Application for GST refund cannot be rejected without recording any reasons as the same is mandatory under Rule 92(3) of the Central Goods and Services Tax Rules, 2017

Facts of the case:

Colgate Global Business Services Pvt. Ltd. (part of Colgate Palmolive Group) had approached the Deputy Commissioner of state tax seeking refund of Rs. 4,33,03,066 of the Goods and Services Tax (GST). However, after it was rejected by the authority on June 15, 2020, Colgate approached the Bombay High Court. Colgate argued that the order of the Deputy Commissioner passed in June, 2020 rejecting the application was bound to record reasons in the order.

Judgment:

The Bombay High Court has quashed an order by the GST authorities which had rejected the refund claim of Colgate Global Business Services Ltd. The court has set aside the order since the Deputy Commissioner of state tax did not provide any reasons while rejecting the order. The court said providing reasons is mandatory under Rule 92(3) under the Central Goods and Services Tax Rules, 2017. As such the order passed by the tax official was in breach of this provision and deserves to be set aside.

For details:

https://www.business-standard.com/article/economy-policy/hc-sets-aside-rejection-of-gstrefunds-claimed-by-colgate-global-122012801752_1.html

February 01, 2022	In re Sir J J College of Architecture Consultancy Cell	GST AAR Maharashtra
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No GST payable on Comprehensive Architectural Services

Facts of the case:

The Applicant provides services to Government bodies, State corporations and Public Sector Undertakings (PSUs) in relation to comprehensive architecture including architectural design, structural design, MEP design, HVAC design, preparation of drawings, etc. The Applicant has entered into an agreement with the Municipal Corporation of Greater Mumbai, (MCGM), the service

receiver in the subject case, to provide comprehensive architectural services for repairs/ restoration, reconstruction for development of recreation ground cum textile museum, located at India United Mills Nos. 2 & 3 at Kala Chowky, 'E' Ward, Mumbai. The applicant has sought for advance ruling on the issue applicability of GST exemption on Comprehensive architectural services.

Judgment:

The Maharashtra Authority of Advance Ruling (AAR) has held that no Goods and Service Tax is payable on Comprehensive architectural services. The Applicant, Sir JJ College of Architecture Consultancy Cell was formed as per the guidelines of the Council of Architecture, a statutory body under the Act of Parliament and University of Mumbai. The Government of Maharashtra has permitted the applicant to render comprehensive architectural services.

For details:

<https://www.taxscan.in/no-gst-payable-on-comprehensive-architectural-servicesaar/153285/>

Terminology

Info Capsule Series 10

Accretion of Discount

Accretion of discount is the increase in the value of a discounted instrument as time passes and the maturity date looms closer. The value of the instrument will accrete (grow) at the interest rate implied by the discounted issuance price, the value at maturity, and the term to maturity

Adhesion Contract

An adhesion contract is an agreement where one party has substantially more power than the other in setting the terms of the contract. For a contract of adhesion to exist, the offer or must supply a customer with standard terms and conditions that are identical to those offered to other customers. Those terms and conditions are nonnegotiable, meaning the weaker party in the contract must agree to the contract as it is rather than requesting clauses be added, removed, or changed. Adhesion contracts may also be referred to as boilerplate contracts or standard contracts.

Aleatory Contract

An aleatory contract is an agreement whereby the parties involved do not have to perform a particular action until a specific, triggering event occurs. Events are those that cannot be controlled by either party, such as natural disasters and death. Aleatory contracts are commonly used in insurance policies. For example, the insurer does not have to pay the insured until an event, such as a fire that results in property loss.

Allocational Efficiency

Allocational efficiency, also known as allocative efficiency, is a characteristic of an efficient market where capital is assigned in a way that is most beneficial to the parties involved.

Altcoins

Altcoins are cryptocurrencies other than Bitcoin (BTCUSD). They share characteristics with Bitcoin but are also different in other ways. For example, some altcoins use a different consensus mechanism to produce blocks or validate transactions. Or they distinguish themselves from Bitcoin by providing new or additional capabilities, such as smart contracts or low price volatility.

Arc Elasticity

Arc elasticity is the elasticity of one variable with respect to another between two given points. It is used when there is no general function to define the relationship between the two variables. Arc elasticity is also defined as the elasticity between two points on a curve. The concept is used in both mathematics and economics.

Asset Monetization

Asset monetisation is the process of creating new sources of revenue for the government and its entities by unlocking the economic value of unutilised or underutilised public assets. Asset monetisation aims to tap the private sector investment for new infrastructure creation.

Asset Protection

Asset protection is the adoption of strategies to guard one's wealth. Asset protection is a component of financial planning intended to protect one's assets from creditor claims. Individuals and business entities use asset protection techniques to limit creditors' access to certain valuable assets while operating within the bounds of debtor-creditor law

Assemble-to-Order (ATO)

Assemble-to-order (ATO) is a business production strategy where products that are ordered by customers are produced quickly and are customizable to a certain extent. It typically requires that the basic parts of the product are already manufactured but not yet assembled. Once an order is received, the parts are assembled quickly and the final product is sent to the customer

Attribution Analysis

Attribution analysis is a sophisticated method for evaluating the performance of a portfolio or fund manager. Also known as "return attribution" or "performance attribution," it attempts to quantitatively analyze aspects of an active fund manager's investment selections and decisions and to identify sources of excess returns, especially as compared to an index or other benchmark.

Autarky

Autarky refers to a nation that operates in a state of self-reliance. Nations that follow a policy of autarky are characterized by self-sufficiency and limited trade with global partners. The definition of autarky comes from the Greek—autos, meaning "self" and arkein, meaning "to ward off" and "to be strong enough, to suffice."

Average Directional

Index (ADX) The average directional index (ADX) is a technical analysis indicator used by some traders to determine the strength of a trend. The trend can be either up or down, and this is shown by two accompanying indicators, the negative directional indicator (-DI) and the positive directional indicator (+DI).

Barbell

The barbell is an investment strategy applicable primarily to a fixed income portfolio. Following a barbell method, half the portfolio contains long-term bonds and the other half holds short-term bonds. The “barbell” gets its name because the investment strategy looks like a barbell with bonds heavily weighted at both ends of the maturity timeline.

BAT Stocks

BAT is an acronym referring to three of the largest tech companies in China: Baidu Inc. (BIDU), Alibaba Group Holding Ltd. (BABA) and Tencent Holdings Ltd. These stocks are frequently compared with the FAANG stocks in the United States: Facebook (renamed as Meta), Amazon (AMZN), Apple (AAPL), Netflix Inc. (NFLX), and Google (Alphabet).

BATNA

The best alternative to a negotiated agreement (BATNA) is the course of action that a party engaged in negotiations will take if talks fail, and no agreement can be reached. Negotiation researchers Roger Fisher and William Ury coined the term BATNA in their 1981 bestseller "Getting to Yes: Negotiating Agreement Without Giving In.

Bearish Engulfing Pattern

A bearish engulfing pattern is a technical chart pattern that signals lower prices to come. The pattern consists of an up (white or green) candlestick followed by a large down (black or red) candlestick that eclipses or "engulfs" the smaller up candle. The pattern can be important because it shows sellers have overtaken the buyers and are pushing the price more aggressively down (down candle) than the buyers were able to push it up (up candle).

Bitcoin Mining

Bitcoin mining is the process of creating new bitcoin by solving puzzles. It consists of computing systems equipped with specialized chips competing to solve mathematical puzzles. The first bitcoin miner, as these systems are called, to solve the puzzle is rewarded with Bitcoin. The mining process also confirms transactions on the cryptocurrency's network and makes them trustworthy.

Black Box Model

A black box model, or more specifically a black box financial model, is a catch-all term used to describe a computer program designed to transform various data into useful investment strategies.

Blended Rate

A blended rate is an interest rate charged on a loan that represents the combination of a previous rate and a new rate. Blended rates are usually offered through the refinancing of existing loans that are charged a rate of interest that is higher than the old loan's rate, but lower than the rate on a brand-new loan.

Boil the Ocean

Boil the ocean is an idiomatic phrase that means to undertake an impossible task or project or to make a job or project unnecessarily difficult. The phrase appears in business and among startup companies, as well as in other group settings, and is considered to be a negative phrase in relation to how one approaches a task.

Broad Money

Broad money is a category for measuring the amount of money circulating in an economy. It is defined as the most inclusive method of calculating a given country's money supply, and includes narrow money along with other assets that can be easily converted into cash to buy goods and services.

Burn Rate

The ratio of shares granted through a company's equity-based compensation plan and the number of shares outstanding (or authorized). Because equity compensation dilutes the ownership interest of shareholders, much attention is paid to the rate at which new shares are issued.

Busy Boards (Busy Directors)

Companies whose directors sit on multiple boards. The numeric threshold that constitutes a "busy" director is subject to discretion, although researchers generally consider a director to be busy if he or she sits on three or more boards. Similarly, a "busy" board is one in which a significant number of directors are busy

Cboe Volatility Index (VIX)

The Cboe Volatility Index (VIX) is a real-time index that represents the market's expectations for the relative strength of near-term price changes of the S&P 500 index (SPX). Because it is derived from the prices of SPX index options with near-term expiration dates, it generates a 30-day forward projection of volatility. Volatility, or how fast prices change, is often seen as a way to gauge market sentiment, and in particular the degree of fear among market participants.

Centrally Planned Economy

A centrally planned economy, also known as a command economy, is an economic system in which a central authority, such as a government, makes economic decisions regarding the manufacturing and the distribution of products. Centrally planned economies are different from market economies, in which such decisions are traditionally made by businesses and consumers

Channel Stuffing

Channel stuffing is a deceptive business practice used by a company to inflate its sales and earnings figures by deliberately sending retailers along its distribution channel more products than they are able to sell to the public. Channel stuffing typically would take place just before quarter-end or year-end so that management, fearful of bad consequences to their compensation, can "make their numbers."

Chattel Mortgage

A chattel mortgage is a loan used to purchase an item of movable personal property, such as a manufactured home or a piece of construction equipment. The property, or chattel, secures the loan, and the lender holds an ownership interest in it. A chattel mortgage differs from a regular mortgage in which the loan is secured by a lien on a stationary property, such as a house or office building

Commingled Fund

A commingled fund is a portfolio consisting of assets from several accounts that are blended together. Commingled funds exist to reduce the costs of managing the constituent accounts separately. Commingled funds are a type of pooled fund that is not publicly listed or available to individual retail investors. Instead, these are used in closed retirement plans, pension funds, insurance policies, and other institutional accounts.

Common Size Financial Statement

A common size financial statement displays items as a percentage of a common base figure, total sales revenue, for example. This type of financial statement allows for easy analysis between companies, or between periods, for the same company

Correspondent Bank

The term correspondent bank refers to a financial institution that provides services to another one—usually in another country. It acts as an intermediary or agent, facilitating wire transfers, conducting business transactions, accepting deposits, and gathering documents on behalf of another bank. Correspondent banks are most likely to be used by domestic banks to service transactions that either originate or are completed in foreign countries. Domestic banks generally use correspondent banks to gain access to foreign financial markets and to serve international clients without having to open branches abroad.

Creative Destruction

Creative destruction is the dismantling of long-standing practices in order to make way for innovation and is seen as a driving force of capitalism.

Deed of Reconveyance

A deed of reconveyance is a document that transfers a property's title from a mortgage lender to the borrower, indicating that the borrower has fulfilled their obligation to repay the loan and now owns the property.

Depreciation Recapture

Depreciation recapture is the gain realized by the sale of depreciable capital property that must be reported as ordinary income for tax purposes. Depreciation recapture is assessed when the sale price of an asset exceeds the tax basis or adjusted cost basis. The difference between these figures is thus "recaptured" by reporting it as ordinary income.

Dividend Aristocrat

A dividend aristocrat is a company in the S&P 500 index that not only consistently pays a dividend to shareholders but annually increases the size of its payout. A company will be considered a dividend aristocrat if it raises its dividends consistently for at least the past 25 years. Some experts of dividend aristocrats rank them according to additional factors such as company size and liquidity, for instance having a market capitalization in excess of \$3 billion.

Equivalent Annual Cost - EAC

Equivalent annual cost (EAC) is the annual cost of owning, operating, and maintaining an asset over its entire life. Firms often use EAC for capital budgeting decisions, as it allows a company to compare the cost-effectiveness of various assets with unequal lifespans.

Exposure at Default

Exposure at default (EAD) is the total value a bank is exposed to when a loan defaults. Using the internal ratings-based (IRB) approach, financial institutions calculate their risk. Banks often use internal risk management default models to estimate respective EAD systems. Outside of the banking industry, EAD is known as credit exposure.

Gray Box

Gray box refers to the testing of software where there is some limited knowledge of its internal workings. Gray box testing is an ethical hacking technique where the hacker has to use limited information to identify the strengths and weaknesses of a target's security network.

Grayscale Bitcoin Trust (GBTC)

The Grayscale Bitcoin Trust is a digital currency investment product that individual investors can buy and sell in their own brokerage accounts. On January 21, 2020, it became a SEC (The U.S. Securities and Exchange Commission) reporting company, registering its shares with the Commission and designating the Trust as the first digital currency investment vehicle to attain the status of a reporting company by the SEC.

Green Field Site

An area of land, usually in the edge of a town or city or away from substantial urban areas, hitherto undeveloped but for which development is now proposed.

Guanxi

Guanxi (pronounced gwan' CHē) is a Chinese term meaning relationships; in business, it is commonly referred to as networks or connections used to open doors for new business and facilitate deals. A person who has a lot of guanxi will be in a better position to generate business than someone who lacks it.

Harvest Strategy

A harvest strategy is a marketing and business strategy that involves a reduction or a termination of investments in a product, product line, or line of business so that the entities involved can reap or harvest the maximum profits. A harvest strategy is typically employed toward the end of a product's life cycle when it is determined that further investment will no longer boost product revenue.

Hedonic Pricing

Hedonic pricing is a model that identifies price factors according to the premise that price is determined both by internal characteristics of the good being sold and external factors affecting it. A hedonic pricing model is often used to estimate quantitative values for environmental or ecosystem services that directly affect market prices for homes.

Heikin-Ashi Technique

The Heikin-Ashi technique averages price data to create a Japanese candlestick chart that filters out market noise. Heikin-Ashi charts, developed by Munehisa Homma in the 1700s, share some characteristics with standard candlestick charts but differ based on the values used to create each candle.

Hurdle Rate

A hurdle rate is the minimum rate of return on a project or investment required by a manager or investor. It allows companies to make important decisions on whether or not to pursue a specific project. The hurdle rate describes the appropriate compensation for the level of risk present. For example, riskier projects generally have higher hurdle rates than those with less risk.

Hyperinflation

Hyperinflation is a term to describe rapid, excessive, and out-of-control general price increases in an economy. While inflation is a measure of the pace of rising prices for goods and services, hyperinflation is rapidly rising inflation, typically measuring more than 50% per month.

JPM EMBI Global Diversified Index

An unmanaged index in the Emerging Market Bond Index (EMBI) series that measures the performance of U.S. dollar-denominated sovereign bonds issued by emerging market countries as selected by JPMorgan.

Merger Arbitrage

Merger arbitrage, often considered a hedge fund strategy, involves simultaneously purchasing and selling the respective stock of two merging companies to create "riskless" profits. Because there is uncertainty of the deal being completed, the stock price of the target company typically sells at a price below the acquisition price. A merger arbitrageur will review the probability of a merger not closing on time or at all and will then purchase the stock before the acquisition, expecting to make a profit when the merger or acquisition completes.

Organizational Ambidexterity

Organizational ambidexterity refers to the ability of an organization to both explore and exploit to compete in mature technologies and markets where efficiency, control, and incremental improvement are prized and to also compete in new technologies and markets where flexibility, autonomy, and experimentation are needed.

Treasury Stock Method

The treasury stock method is an approach companies use to compute the number of new shares that may potentially be created by unexercised in-the-money warrants and options, where the exercise price is less than the current share price. Additional shares obtained through the treasury stock method factor into the calculation of the diluted earnings per share (EPS). This method assumes that the proceeds a company receives from an in-the-money option exercise are used towards repurchasing common shares in the market.

Unicorn, Decacorn and Hectocorn

Unicorns, as we all know now, are companies valued at more than \$1 billion. Similarly, Decacorns & Hectocorns are sister terms of 'Unicorn'. Decacorns are companies having a valuation of more than \$10 billion. Hectacorns are companies having a valuation of more than \$100 billion. As of 2021, only two companies, i.e., ByteDance & SpaceX are part of this elite club of Hectocorn companies.

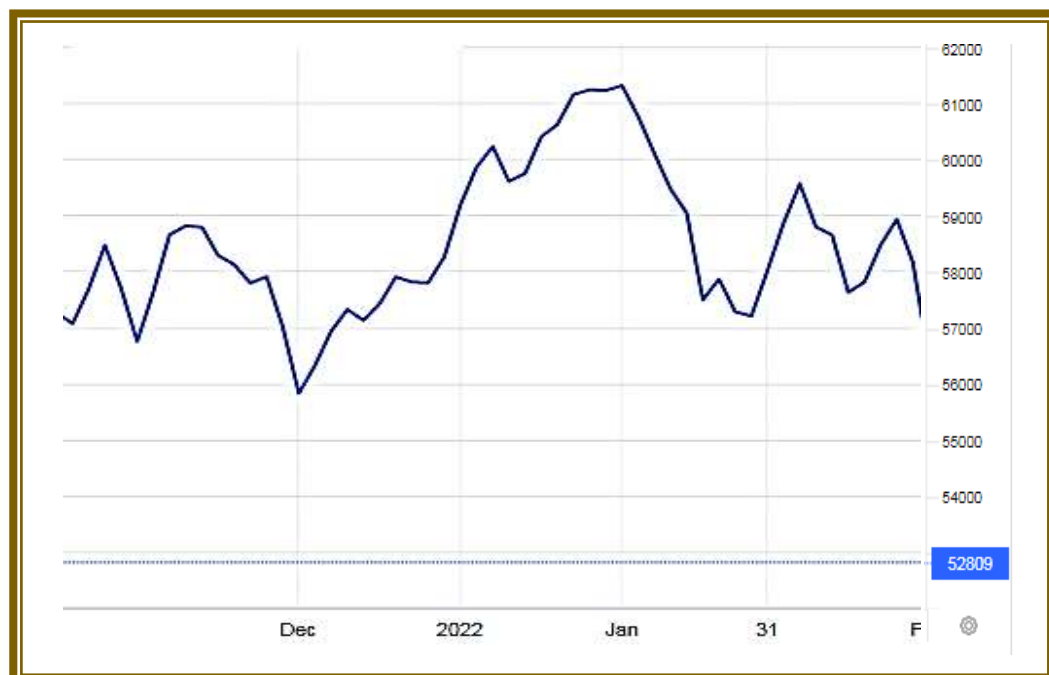
Market Watch

Info Capsule Series 10

Stock Market Indices

S & P BSE Sensex

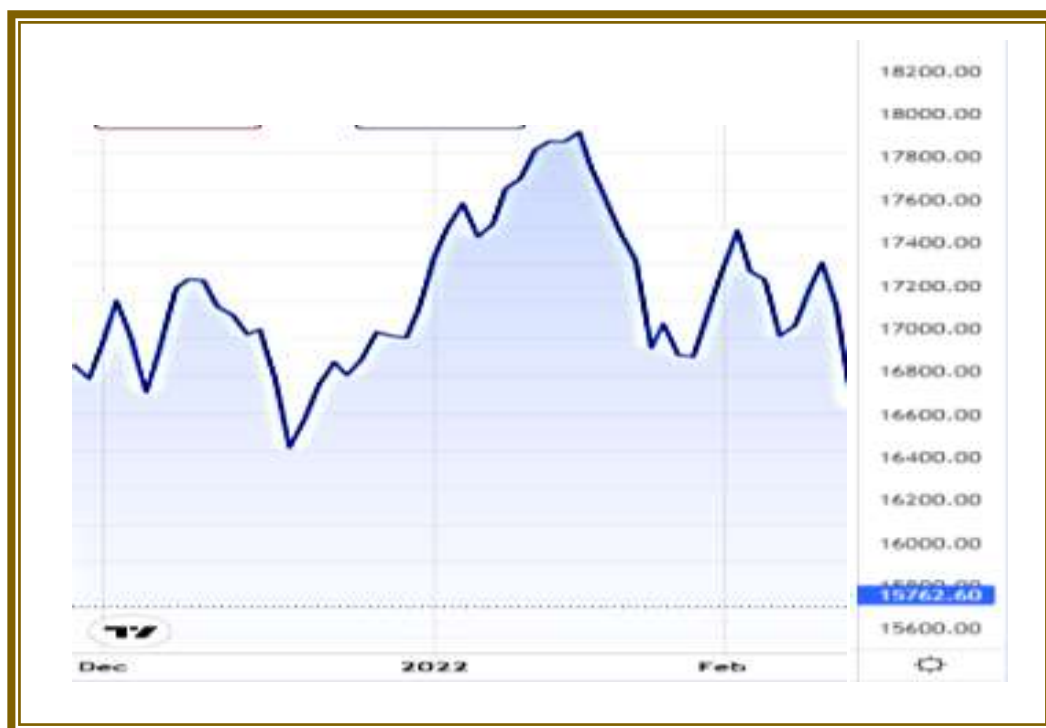
(November 29, 2021 - February 11, 2022)



Stock Market Indices

Nifty 50

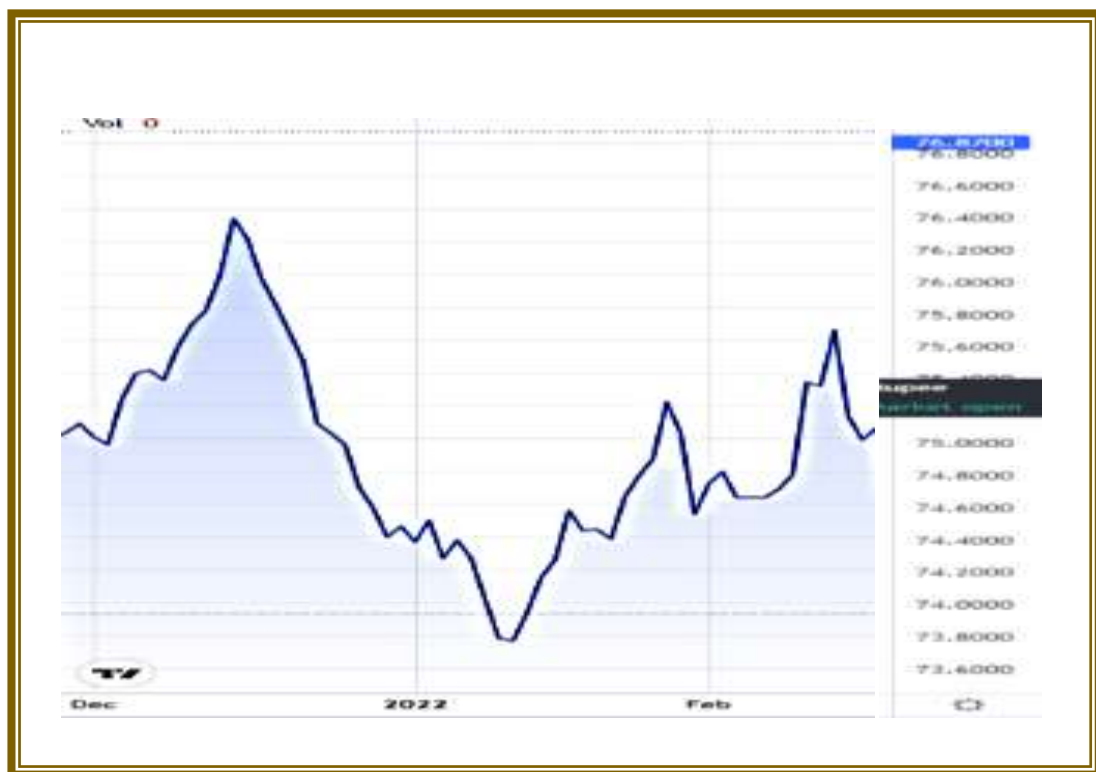
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Foreign Exchange Rates

USD

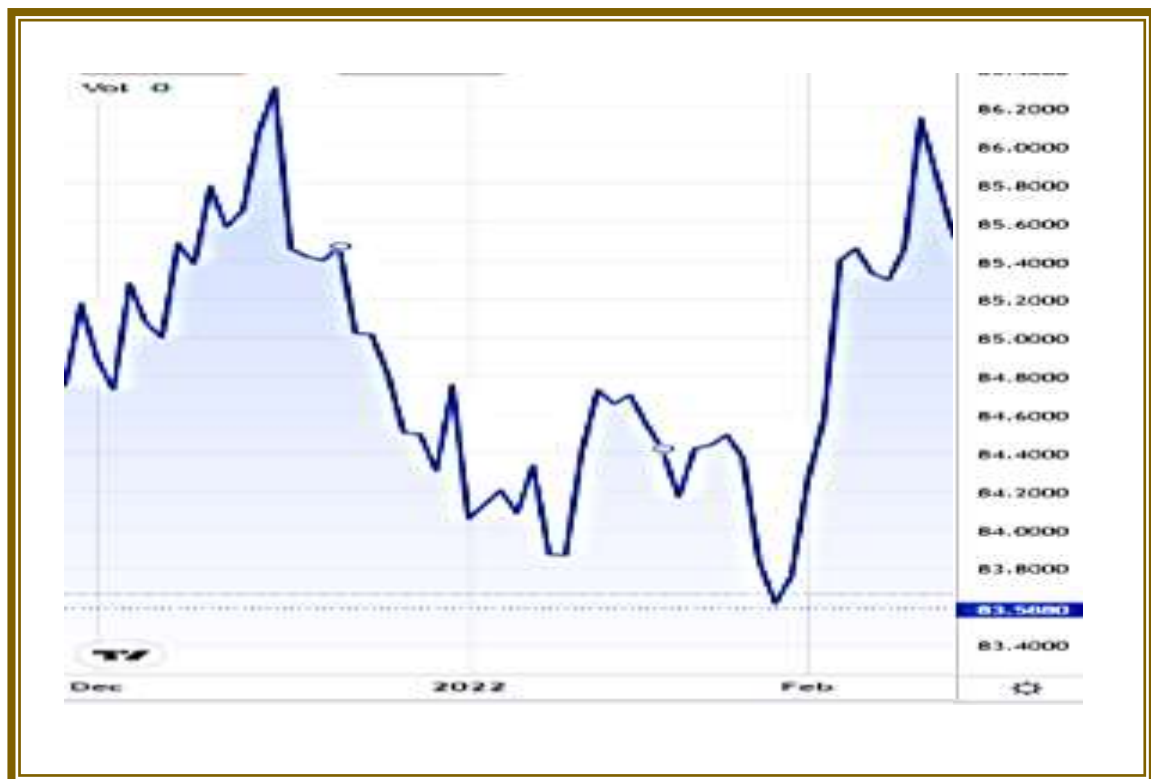
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Foreign Exchange Rates

EURO

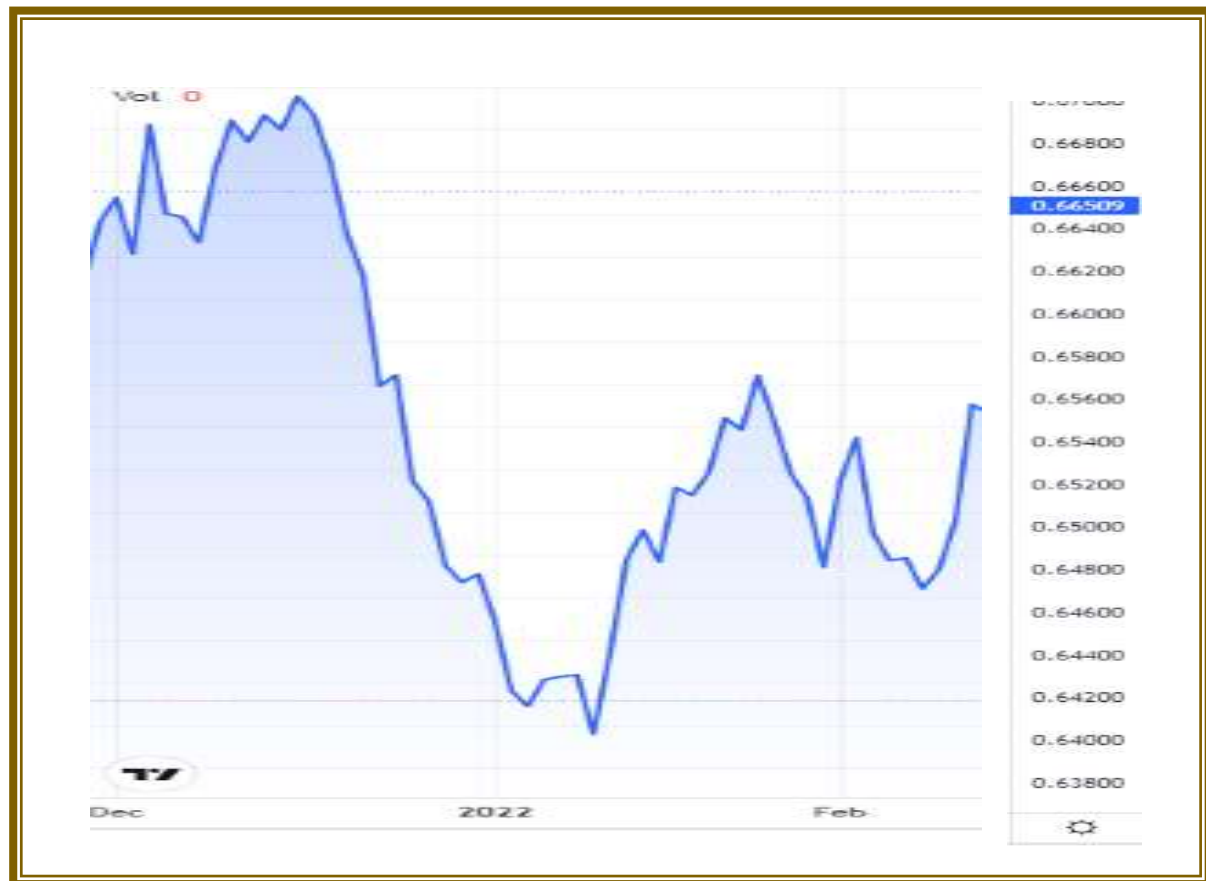
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Foreign Exchange Rates

JAPANESE YEN

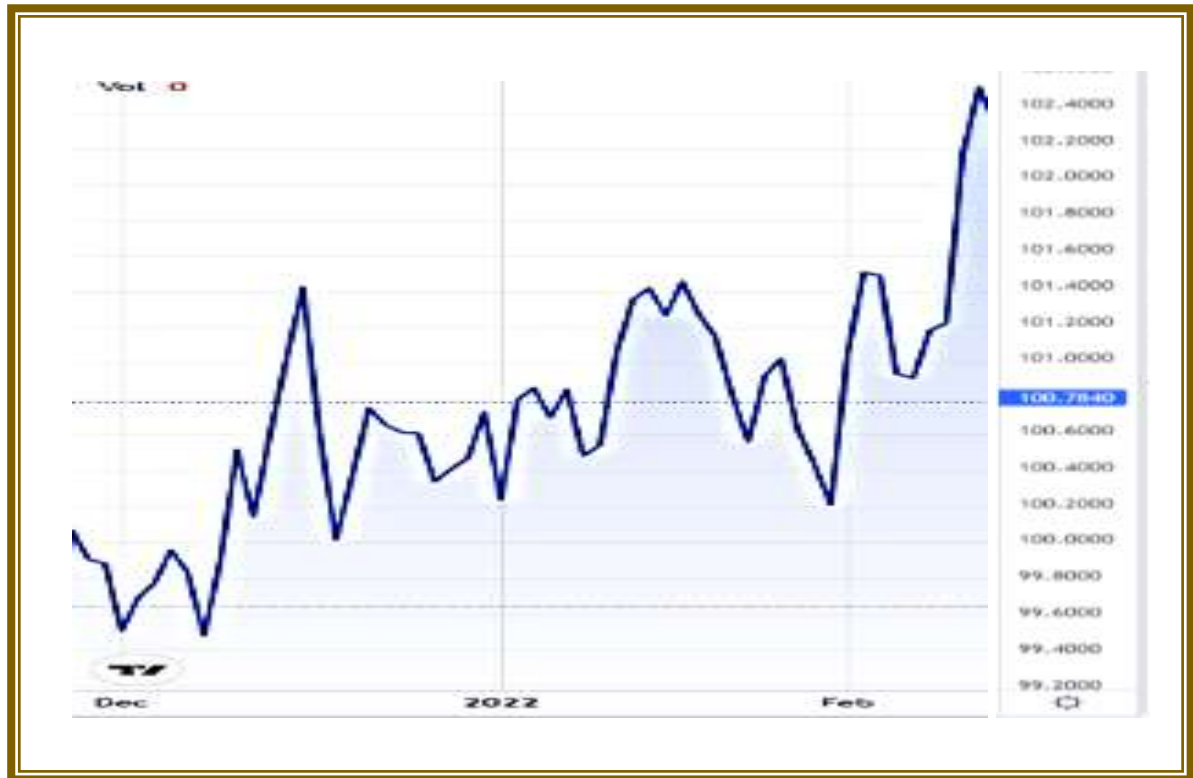
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Foreign Exchange Rates

GBP

(November 29, 2021 - February 11, 2022)



Motto

सत्यं वद | धर्मं चर।
इष्टवर्गं तेन तृप्यते. ब्रह्मैव तेन तेन विजयते।

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"To develop high calibre professionals
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