

WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC

Edition No 321 Week 12 18-03-2024 to 24-03-2024



Companies Act 2013 during the week

Notifications - 0; Rules -0; Circulars - 0; Orders-0; Important Notices -0

S.	Date of Issue	Rules/Circular/	Contents thereof	Gist thereof
No		Notification/Order		
				NIL

S. No	NEWS ON MCA
-	NIL



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SEBI during the week

Circulars-3; Report -0; Notification - 0; Regulation-0; Others -0

S. No	Date of	Rules/Circulars/	Contents thereof	Gist thereof
	Issue	Notification/ Order		
1.	19/03/2024	Circular	Entities allowed to use e-KYC Aadhaar	SEBI, in its Master direction dated 10 th October 2023, detailed about the
			Authentication services of UIDAI in	adaptation of the Aadhaar-based e-KYC process and e-KYC Authentication
			the Securities Market as sub-KUA	facility for Resident Investors.
				Department of Revenue and Ministry of Finance has notified certain entities
				to undertake the Aadhaar authentication service of UIDAI on 30 th January
				2023.
				Now (14 th March 2024). Department of Revenue-Ministry of Finance has
				notified another 4 entities which are permitted to use Aadhaar
				authentication services of UIDAI.
				The KUAs shall facilitate the onboarding of these entities as sub-KUAs to
				provide the services of Aadhaar authentication concerning KYC
2.	20/03/2024	Circular	Safeguards to address the concerns	SEBI has amended its Master circular for Depositories dated October 06,
			of the investors on the transfer of	2023.
			securities in a dematerialized mode	The amendment prescribed safeguards to address the concerns of the
				investors on the transfer of securities in a dematerialized mode. The
				provisions, inter alia, provide that the depositories shall give more emphasis



				on investor education, particularly about careful preservation of Delivery
				Instruction Slip (DIS) by the Beneficial Owners.
				The provisions of this circular shall come into effect from April 1, 2024
3.	20/03/2024	Circular	SEBI issues circular to exempt certain	SEBI has issued directions to exempt a section of foreign portfolio investors
			FPIs from additional disclosure	(FPIs) who hold concentrated holdings in one corporate group from the
			framework	additional disclosure framework.
				The regulator's Board had recently given the go-ahead for this amendment.
				In a circular dated March 20, 2024, the SEBI stated that an FPI having more
				than 50 % of its Indian equity AUM (assets under management)in a
				corporate group shall not be required to make the additional disclosures as
				in the circular dated August 24, 2023, subject to compliance with conditions.

S.No	S.No NEWS ON SEBI	
	NIL	





RBI during the week

Notifications - 0; Master Directions -0; Circulars -0; Press Release-1

S.No	Date of Issue	Rules/Circulars /Notifications/	Subject	Gist thereof
		Order / Press		
		release		
1.	21/03/2024	Press Release	Omnibus Framework for	Pursuant to the announcement made in the Statement on Developmental and
			recognition of Self-	Regulatory Policies of the Reserve Bank, as part of its Monetary Policy Statement –
			Regulatory Organizations	2023-24 (dated October 06, 2023), a draft framework titled 'Draft Omnibus Framework
			for Regulated Entities of the	for recognizing Self-Regulatory Organizations for its Regulated Entities' was issued for
			Reserve Bank	public comments on December 21, 2023. Based on the examination of the inputs
				received, the Reserve Bank has now finalized the Omnibus Framework for recognizing
				Self Regulatory Organizations (SRO) for its Regulated Entities.
				The omnibus framework contains broad parameters viz., objectives, responsibilities,
				eligibility criteria, governance standards, application process and other basic
				conditions for grant of recognition, which will be common for any SRO proposed to be
				recognized by the Reserve Bank.



		Other sector-specific guidelines like number of SROs, membership, etc., shall be
		issued separately by the respective departments of the Reserve Bank wherever a
		sectoral SRO is intended to be set up.

S.No	NEWS ON RBI
	NIL NIL

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IBC during the week

Press Release – 0; Master Direction – 0; Notification – 0; Circulars – 0; Order -0; Others - 0

S.	Date	Rules/Circulars/	Contents thereof	Gist thereof
No		Notifications/Order		
		/Press Release		
	L			NIL



S.No	NEWS ON IBC
	NIL

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Others during the week

ICAI − 0; **DGFT** − 0; **NCLT** − 0; **ICSI** − 0; **OTHERS** -0;

S.	Date	Rules/Circulars/	Contents thereof	Gist thereof
No		Notifications/Order		
		/Press Release		
1.	19/03/2024	Notification	CBDT Amends India-Spain Double	The Central Board of Direct Taxes (CBDT) has issued a significant
			Taxation Avoidance Agreement (DTAA)	amendment to paragraph 2 of Article 13 of the India-Spain DTAA,
				affecting the taxation of royalties and fees for technical services.
				The CBDT has substituted paragraph 2 of Article 13 in the India-Spain
				DTAA.



	The amended paragraph now stipulates that royalties and fees for
	technical services may be taxed in the Contracting State in which they
	arise, subject to the law of that State.
	However, if the recipient is the beneficial owner of the royalties or fees
	for technical services, the tax charged shall not exceed ten percent of
	the gross amount of royalties or fees for technical services

S NO	GENERAL NEWS
	NIL





Update on Regulated Sector- 10

S.No	Sector	Update										
1.	RBI alerts banks on heightened cyber security threats, gives action plan to address vulnerabilities, says report	The Reserve Bank of India (RBI) has cautioned some banks, urging them to fortify their defenses against potential cyber attacks, as per a Money control report citing industry sources. The warnings, issued to select banks, follow the central bank's recent Cyber Security and Information Technology Examination (CSITE), wherein action points were provided to address identified vulnerabilities, the report added.										
2.	Insurance sector attracted Rs 54,000 crore FDI in last 9 years: DFS Secretary	The insurance sector has received close to Rs 54,000 crore as Foreign Direct Investment (FDI) in the last 9 years on the back of further liberalization of overseas capital flow norms by the government.										
3.	IEPFA invites comments from stakeholders to simplify, expedite and streamline claims settlement process											



4.	Nestlé Steps Up Packaging Sustainability Efforts with 83.5% of Global Plastic Packaging Designed for Recycling	Nestlé's vision is that none of its packaging ends up in landfills or as litter. On Global Recycling Day, the company highlights how it is improving its packaging to facilitate recycling and how it is supporting better waste management. At the end of 2023, 83.5% of Nestlé's plastic packaging globally was designed for recycling. For example, in the UK and Ireland, Nestlé has transitioned its Quality Street sweets and Smarties to recyclable paper packaging.
5.	Consultation on Draft Circular - Audiovisual (AV) representation of disclosures made in the Public Issue Offer Documents	SEBI has placed consultation on draft circular proposing the disclosures made in the Draft Red Herring Prospectus (DRHP) and Red Herring Prospectus (RHP) of public issues shall also be made available in Audiovisual (AV) format by the issuer companies desiring to list on the main board. Further, the AV on the public issues will be in bilingual version i.e. English and Hindi and made available in public domain. It is expected that the AV will provide ease in understanding the salient features and also provide reference to various disclosures of the proposed public issue.
6.	Market regulator SEBI plans to boost municipal bond participation via ARCL	SEBI plans to facilitate the settlement and clearing of municipal(muni) bonds through AMC Repo Clearing (ARCL) to encourage greater participation and increase volumes. Although the muni bond market is yet to take off in a big way, the market regulator sees an opportunity for broader participation and fundraising. "We believe the total value of real estate investment trusts, infrastructure investment trusts, and the muni bonds ecosystem can be another one-time gross domestic product. That is the growth opportunity available," said Madhabi Puri Buch, chairperson of SEBI, at a conference organised with the National Institute of Securities Markets last week
7.	Competition Commission of India (CCI) approves the proposed acquisition of certain shareholding of Shriram Investment	The proposed combination relates to the acquisition by Shriram Ownership Trust (SOT) of 9.44% and 20% stake of Shriram Investment Holdings Private Limited (SIHL) held by APRN Enterprises Private Limited (APRN) and Piramal Enterprises Limited (PEL), respectively. Such that the holding in SIHL by SCPL and SOT, will increase to 100%. SIHL is an unregistered core investment company with a standalone asset size of Rs. 3,976 crore and a turnover of Rs. 1,881 crore as of 31st March 2023. SIHL does not have any business of its own except investments in various companies, most of



	Holdings Private Limited	which are 100% subsidiaries of SIHL. SOT and SCPL are already holding 70.56% of the SIHL.													
	by Shriram Ownership	The Shriram Group wants to increase its holding in SIHL and its financial services business by acquiring stake from PEL and													
	Trust	APRN. These two shareholders, being minority shareholders, expressed their interest in favour of the exit. SOT, being the													
		existing shareholder of the SIHL, proposes to acquire the stake from the above two shareholders.													
8.		The government has proposed exempting intra-group transactions and certain other mergers and acquisitions from the													
	Govt. proposes exempting	requirement of Competition Commission approval, a move that is likely to help in reducing the regulatory burden on the													
	certain M&A deals from	watchdog. Draft rules to exempt certain categories of													
	CCI approval requirement	combinations from the Competition Commission of India (CCI) approval requirement have been issued by the corporate affairs													
		ministry													
9.		Startup Mahakumbh, India's largest and first-of-its-kind startup event, registered record participation, serving as a vibrant													
		platform for all stakeholders in the Indian startup ecosystem. The confluence of													
		stakeholders and experts is expected to help further develop emerging sectors like DeepTech, AgriTech, BioTech, MedTech,													
		AI, Gaming, etc.													
	Startup Mahākumbh	The event, designed to foster innovation and entrepreneurship across India, witnessed an unparalleled level of participation													
	witnesses record-	from leading investors, innovators and aspiring entrepreneurs. The event is hosting over 2000 startups, 1000+ investors, 100+													
	breaking participation and	unicorns, 300+ incubators & accelerators, 3,000+ conference delegates, 10+ country delegations, 3000+ future entrepreneurs													
	enthusiasm	and 50,000+ business visitors from across the country. The event has witnessed vibrant discussions on way forward and													
		networking between all the stakeholders. The event is being organized jointly by the collaborative efforts of ASSOCHAM, NASSCOM, Bootstrap Incubation & Advisory Foundation, TiE and Indian Venture and Alternate Capital Association (IVCA).													
		It is supported by Department for Promotion of Industry and Internal Trade (DPIIT), MeitY Startup Hub (MSH) and Invest													
		India.													
		TIME.													
10.	GIFT City may see India's	India's first regulated real estate and infrastructure asset tokenisation platform is likely to be set up at													
	first regulated global	Gujarat International Finance Tec-City (GIFT City). With the help of blockchain technology, the platform													



realty,	infra-asset	will	seek	to	unlock	investments	in	the	sector	by	allowin	g sma	all inv	estors	to	have fr	actio	nal owr	nership
tokenisation pl	atform	in	real	estate	e and	infrastructure	pro	ojects	using	a	sset to	kens	while	provid	ling	liquidity	to	global	asset
owners																			





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