

WEEKLY UPDATES ON COMPANY LAW,SEBI, RBI AND IBC
Week 37 - September 6 2021 to September 12 2021

1

Companies Act 2013 during the week

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

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

S. No	NEWS ON MCA
1.	Ministry of Corporate Affairs has invited applications to engage the services of Young Professional (YP) to work in areas of Corporate Social Responsibility (CSR), Business and Human Rights, Responsible Business conduct etc. on contract basis through open market.

2

SEBI during the week

Act -0; Rules -0; Regulations-1; General Orders – 0; Guidelines- 0

Master Circulars-0; Circulars – 1; Press Release –0 Others -2;

S. No	Date of Issue	Act/rules/circulars	Subject & Link	Gist thereof
1	07/09/2021	Regulations	<p>Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) (Fifth Amendment) Regulations, 2021 https://www.sebi.gov.in/legal/regulations/sep-2021/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-fifth-amendment-regulations-2021_52488.html</p>	<p>SEBI vide this regulation have made the following amendments</p> <ul style="list-style-type: none"> a) Reference to Exchange Board of India (Issue and Listing of Debt Securities) Regulations, 2008 have been replaced with Securities and Exchange Board of India (Issue and Listing of Non-Convertible Securities) Regulations, 2021 wherever applicable b) Reference to Securities and Exchange Board of India (Issue and Listing of Non-Convertible Redeemable Preference Shares) Regulations, 2013; have been replaced with Securities and Exchange Board of India (Issue and Listing of Non-Convertible Securities) Regulations, 2021 wherever applicable c) Listed Entities having outstanding value of Non convertible Debt securities of Rs.500 crore. as on 31/3/2021 (referred as High Value Debt Listed Entities) will have to comply with Corporate Governance Provisions of LODR. They

				<ul style="list-style-type: none"> - Are required to comply with regulations pertaining to Risk Management Committee - Shall submit such disclosures along with its standalone financial results for the half year. - Shall undertake Directors and Officers insurance (D and O insurance) for all its independent directors for such sum assured and for such risks as may be determined by its board of directors - the limit of the committees on which a director may serve in HVDLE shall be excluded for the purpose of the limit of the committees on which a director may serve <p>Debt Securities or Non-convertible redeemable preference shares have been clubbed under “Non-convertible Debt securities” and necessary amendments have been carried out throughout the regulation.</p>
2	07/09/2021	Others	<p>Notification under Securities and Exchange Board of India (Certification of Associated Persons in the Securities Markets) Regulations, 2007- NISM-Series-XXI-A: Portfolio Management Services (PMS) Distributors Certification Examination</p> <p>https://www.sebi.gov.in/legal/gazette-notification/sep-</p>	<p>The associated persons functioning as principal officer of a Portfolio Manager or employee(s) of the Portfolio Manager having decision making authority related to fund management, shall obtain certification from the National Institute of Securities Markets by passing the (NISM-Series-XXI-B) Portfolio Managers Certification Examination .</p>

			2021/notification-under-securities-and-exchange-board-of-india-certification-of-associated-persons-in-the-securities-markets-regulations-2007-nism-series-xxi-a-portfolio-management-services-pms-dist- 52516.html	
3	07/09/2021	Circulars	<p>Introduction of T+1 rolling settlement on an optional basis</p> <p>https://www.sebi.gov.in/legal/circulars/sep-2021/introduction-of-t-1-rolling-settlement-on-an-optional-basis 52462.html</p>	<p>Flexibility has been provided to Stock exchanges to offer either T+1 or T+2 settlement cycles. Advance notice of at least one month to be provided for change in settlement cycles. No netting between T+1 and T+2 settlements</p> <p>After opting for T+1 settlement cycle for a scrip, the Stock Exchange shall have to mandatorily continue with the same for a minimum period of 6 months. Thereafter, in case, the Stock Exchange intends to switch back to T+2 settlement cycle, it shall do so by giving 1-month advance notice to the market.</p>
4	09/09/2021	Informal Guidance	<p>Informal Guidance under SEBI (PIT) regulations</p> <p>https://www.sebi.gov.in/enforcement/informal-guidance/sep-2021/in-the-matter-of-kddl-limited-under-sebi-prohibition-of-insider-trading-regulations-2015 52521.html</p>	<p>Q1 : Whether inter-se transfers between Insiders within a period of six months post the allotment of shares under Rights issue will violate the provisions of Contra Trade</p> <p>A: PIT regulations (Schedule B (10)) places restriction on contra trades, if the same is executed during a period of less than six months. Inter se transfer between Insiders after Rights Issue would amount to Contra trade. PIT regulation provides an avenue for relaxation from the restriction on contra trade. It states that</p>

				<p>Compliance officer may be empowered to grant relaxation from strict application of such restriction.</p> <p>Q2. Whether buyer who had sold shares through market transaction, can buy shares through inter-se transaction within 6 months from above sale of shares</p> <p>A: the above transaction would be considered as Contra Trade under PIT regulations</p> <p>Q3 : Whether closure of trading window restrictions would be applicable to the such transactions?</p> <p>A: it would be exempted from trading window restrictions subject to pre-clearance from the Compliance officer</p>
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S. No	NEWS ON SEBI
	NIL

3

RBI during the week

Notifications -0; Master Directions –0; Master Circulars –0; Circular -0;

Press Release – 0

S. No	Date of Issue	Notifications/Master Directions/Master Circulars	Subject & Link	Gist thereof
NIL				

S. No	NEWS ON RBI
	RBI lifts UCO Bank out of corrective action list after four years : The Reserve Bank of India (RBI) taken UCO Bank out of its prompt corrective action (PCA) list after finding that the state-run lender was not in breach of its rules on regulatory capital, bad loans and leverage ratio.

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IBC during the week
Notifications -0; Master Directions –0; Master Circulars –0; Circular –0;
Press Release –0; Others – 0

S. No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
NIL				

NEWS ON IBC	
S. No	
1	Insolvency resolution pace slows by 45% in Q1 : The pandemic and a shortage of members in the National Company Law Tribunal (NCLT) has slowed insolvency resolution by over 45% with cases taking nearly 593 days during the June quarter, latest data showed. As of March-end, it took 408 days from the insolvency commencement date to the approval of the resolution. A thrust of the law was to provide for a time-bound resolution — ideally within 180 days, which could be extended by another 90 days. But with litigation in other forums excluded, it is now taking close to 600 days, according to data with the Insolvency & Bankruptcy Board of India. Nearly 75% of the cases have crossed the 270-day period.

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Others during the week

NSE-0; BSE-0; DIPP-0; Finance Ministry-0; Others -1;

S. No	Date of Issue	Rules/Circular/ Notification/Order	Contents thereof	Gist thereof
1	09/09/2021	Circular	Extension of time lines for filing of Income-tax returns and various reports of audit for the Assessment Year 2021-22. https://incometaxindia.gov.in/communications/circular/circular-no-17-of-2021.pdf	Deadline for filing returns has been extended till 31st December 2021. This is the second time the ITR filing deadline has been extended; it was previously extended from July to September 2021.



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