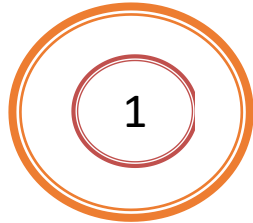


**WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC**

**Week 03– January 13 to January 20, 2020**

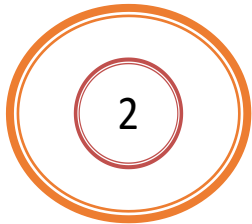


**Companies Act 2013 during the week**

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

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

S. No	NEWS ON SECURITIES EXCHANGE BOARD OF INDIA
1.	The Ministry of Corporate Affairs is giving final touches to the takeover code for unlisted companies and it is likely to be introduced soon



### SEBI during the week

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

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

S. No	Date of Issue	Act/rules/circulars.	Subject & Link	Gist thereof
1	17/01/2020	Circular	Format for statement indicating Deviation or Variation in the use of proceeds of issue of listed non-convertible debt securities or listed non-convertible redeemable preference shares (NCRPS)	<p>As per SEBI (Listing obligation and Disclosure Requirements) Regulations, 2015 ('SEBI LODR Regulations'), a listed entity is required to submit to the stock exchange, a statement indicating deviation or variation, if any, in the use of proceeds of issue of non-convertible debt securities or non-convertible redeemable preference shares(NCRPS), from the objects stated in the offer document/Information.</p> <p>SEBI has prescribed a format for the statement or variation in the use of proceeds of issue for entities whose specified securities are listed. It is felt that a similar format be issued for listed entities which its non-convertible debt securities or NCRPs on the</p>

				<p>stock exchange (s).</p> <p>Accordingly, SEBI has decided that listed entities which have issued non-convertible debt securities or NCRPs, shall submit the statement or variation, if any, in the format placed as Annexure A of the circular on half yearly basis.</p> <p><b>Applicability:</b> The format for the statement or variation shall be applicable for funds raised by issuance of non-convertible debt securities or NCRPs, which are listed.</p> <p><b>Frequency of Disclosure:</b> The statement indicating deviation or variation shall be submitted to the Stock Exchange(s) yearly basis within 45 days of end of the half year until such funds are fully utilised or the purpose for which these proceeds were raised has been achieved.</p> <p><b>Role of the Audit Committee:</b> The statement indicating deviation report shall be placed before the Audit Committee of the listed entity for review on half yearly basis and after such review; the comments of Audit Committee along with the report shall be disclosed/submitted to the stock exchange, as part of the format.</p>
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S. No	NEWS ON SECURITIES EXCHANGE BOARD OF INDIA
1.	The regulator is believed to be taking a relook at the regulations under the Listing Obligation under the Listing Obligations and Disclosure Requirements(LODR) and is understood to be working on guidelines that clearly define material and non-material events.
2	<p data-bbox="293 464 1077 496"><b><u>SEBI fines 3 entities for fraudulent trading in stock options.</u></b></p> <p data-bbox="293 539 1995 571">The orders follow a probe conducted by the regulator in the stock options segment of the BSE from April 2014 to September 2015.</p>
3	<p data-bbox="293 624 1133 655"><b>SEBI has issued Informal Guidance in the matter of KCP Limited</b></p> <p data-bbox="293 663 1973 727">The company had sought clarification on whether at least one independent director on the Board of Directors of the listed entity should be a director on the Board of directors of an unlisted material subsidiary.</p> <p data-bbox="293 735 2018 799">SEBI confirmed their understanding and guided that is mandated to appoint at least one independent director of the listed entity on the board of unlisted material subsidiaries including the material subsidiary incorporated outside India.</p>

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 Directors/Master Circulars	Subject & Link	Gist thereof

S. No	NEWS ON RESERVE BANK OF INDIA
1	<p><b><u>Alarmed RBI seeks govt relief for telcos to avoid bad loans</u></b>            Alarmed by the risk that the telecom AGR (adjusted gross revenue) mess has created for a large bank exposure, the Reserve Bank of India (RBI) has requested the government to provide some relief to the telecom players on clearance of the dues.</p>

4

**IBC during the week**

**Notifications -0; Master Directions –0; Master Circulars –0 ; Circular –1 ;**

**Press Release – 0;**

S.No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
1	15/01/2020	Circular	IBBI (Voluntary Liquidation Process) (Amendment)Regulations,2020	<p>The Insolvency and Bankruptcy Board of India (IBBI) has notified changes to the voluntary liquidation process regulations.</p> <p>With the amendments, a liquidator has to deposit unclaimed dividends and undistributed proceeds in a liquidation process along with any income earned thereon into the Corporate Voluntary Liquidation Account before submission of an application for dissolution of the corporate person.</p> <p>The amendments also provide a process for a stakeholder to seek withdrawal from the Corporate Voluntary Liquidation Account.</p>

				<p>The IBBI would operate and maintain the account in the Public Accounts of India.</p> <p>IBBI (Voluntary Liquidation Process) (Amendment) Regulations, 2020 is attached herewith.</p>
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S. No	NEWS ON INSOLVENCY AND BANKRUPTCY CODE
1	The Supreme Court on Monday issued a notice on petitions which challenge the constitutional validity of the conditions introduced by Insolvency and Bankruptcy Code (Amendment) Ordinance 2019 on the homebuyer's right to file insolvency petition against the defaulting builders.
2	The Ministry of Corporate Affairs is set to notify new rules for the treatment of third party assets of a stressed financial company under the Insolvency and Bankruptcy Code.

S. No	GENERAL NEWS
1	After fourteen years, the Micro Small and Medium Enterprises Development Act 2006 may undergo a major revamp
2	Deal size is likely to become part of CCI's criteria for vetting global M&As that have relevance to the Indian market.
3	The National Company Law Appellate Tribunal (NCLAT) on Monday asked the Enforcement Directorate (ED) and the Ministry of Corporate Affairs (MCA) to file affidavits clarifying that JSW Steel, which placed the winning bid for Bhushan Power & Steel, will not be persecuted for financial irregularities allegedly committed by former promoters of the company.
4	<p><b><u>The government to consider provisions to pay higher salaries for key roles at loss-making firms.</u></b></p> <p>If Cabinet approves the MCA proposal then the loss-making company will be allowed to pay higher remuneration to key management roles</p>
5	<p><b><u>Air India unable to move engine due to Rs. 100 crore GST dues</u></b></p> <p>The airline, which is yet to pay December Salary, has almost completely run out of funds and is now struggling to keep flying in the absence of equity infusion this fiscal.</p>

6	<p><b><u>India plans a new law to protect foreign investment.</u></b> India plans to attract more capital from overseas to boost stuttering domestic growth by this move.</p>
7	<p><b><u>EPF Act: Contractual Employees Engaged By A Company Entitled To Provident Fund Benefit: SC</u></b> The Supreme Court has observed that Contractual employees engaged by the company, who draw their wages/salary directly or indirectly from the company, are entitled to the benefit of Provident Fund under the Employees Provident Funds and Miscellaneous Provision Act, 1952</p>





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