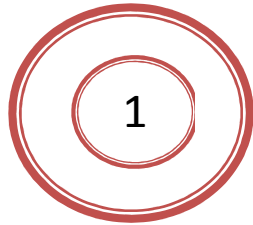


WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC

Week 59 - February 11 to February 18, 2019

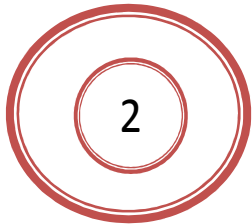


Companies Act 2013 during the week

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 MINISTRY OF CORPORATE AFFAIRS
1	Ministry's letter dated 15.02.2019 to ICAI to withdraw the ICAI's announcement regarding clarification on Applicability of Rotation principles on a company as per Section 139 of the Companies Act, 2013. It is stated that the issuance of any clarification on different provisions of Companies Act falls in the domain of this Ministry, and ICAI is neither empowered nor competent to issue such clarification and especially so without prior consultation with the Ministry.



SEBI during the week

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

Master Circulars-0; Circulars – 3; Press Release –0; Others -0

S.No	Date of Issue	Act/rules/circulars....	Subject & Link	Gist thereof
1	11.02.2019	Circular	Framework for utilization of Financial Security Deposit (FSD)	In order to rationalize security deposit and after consultation with Warehousing Development Regulatory Authority (WDRA)& Exchanges/Clearing Corporations, it has been decided that Recognized Clearing Corporations having commodity derivatives segment shall adhere to certain norms for utilization of security deposit.
2	11.02.2019	Circular	Relaxation from requirement to furnish a copy of PAN for transfer of equity shares of listed entities executed by non-residents	The said relaxation is subject to the following conditions: <ul style="list-style-type: none"> a) The relaxation shall only be available for transfers executed after January 01, 2016. b) The relaxation shall only be available to non-commercial transactions, i.e. transfer by way of gift among immediate relatives. c) The non-resident shall provide copy of an alternate valid document to ascertain identity as well as the non-resident status.

3	15.02.2019	Circular	Advisory Committee at Market Infrastructure Institutions(MIIs)	<p>a. In partial modification to the said circular Clause 6 of the aforementioned circular shall not be applicable to Advisory Committee, along-with IGRC.</p> <p>b. Also the below stated clause provided in composition of advisory committee, at point A(5), B(5) and C(5) of the Annexure to the circular dated January 10, 2019, shall stand deleted: <i>'The number of PIDs shall not be less than the total of number of shareholder directors and trading members / clearing members / depository participants[as applicable] put together'.</i></p>
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RBI during the week

Notifications -1; 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
1	15.02.2019	Notification	Investment by Foreign Portfolio Investors (FPI) in Debt	"No FPI shall have an exposure of more than 20% of its corporate bond portfolio to a single corporate (including exposure to entities related to the corporate)" - in order to encourage a wider spectrum of investors to access the Indian corporate debt market, it has been decided to withdraw this provision with immediate effect.

S. No	NEWS ON RESERVE BANK OF INDIA
1	RBI announced draft directions and regulations on facilities for hedging foreign exchange risk by Residents and Non-residents (Amended) on February 15, 2019. <i>Comments on the draft directions are invited from banks, market participants and other interested parties by March 15, 2019.</i>

S. No	NEWS ON INSOLVENCY AND BANKRUPTCY CODE
1	The National Company Law Appellate Tribunal has passed an order permitting 22 group companies of debt-laden Infrastructure Leasing and Financial Services (IL&FS) that were able to meet all payment obligations to service their debt obligations as per schedule. The NCLAT also lifted the moratorium on 133 IL&FS group companies incorporated outside the jurisdiction of India. If these companies fail to pay the obligations, lenders can take them to court and recover their dues. The government and the board of directors of debt-laden Infrastructure Leasing and Financial Services (IL&FS) are looking at sale of individual group companies as they believe the direct resolution of vertical holding companies such as IL&FS Transportation Networks is "unlikely".
2	The ICAI Accounting Research Foundation (ICAI ARF) will oversee the process of reopening the books of crisis-hit IL&FS.

S.No.	GENERAL IMPORTANT NEWS
1	The government is considering giving complete exemption to startups from angel tax once they are certified by the Commerce and Industry Ministry, a move aimed at helping budding entrepreneurs, official sources said.
2	New-age banking services start-up for small enterprises, Open, has raised \$5 million in its series-A round of funding from Beenext, Speedinvest and 3one4 Capital. The round was led by Beenext, an early-stage fund investing across Southeast Asia, India and Japan, and Speedinvest, an early-stage VC fund in Europe. Existing investors Unicorn India Ventures and Angellist Syndicate also participated in this round. It has also raised funding from prominent tech entrepreneurs like Citrus founders Amrish Rau and Jitendra Gupta, and TaxiforSure founder Aprameya Radhakrishnan among others.
3	The National Company Law Tribunal, Mumbai on Wednesday admitted Serious Fraud Investigation Office (SFIO) petitions for winding up the Indian Bullion Market Association (IBMA) and Juggernaut Projects, which are being probed in connection with the alleged Rs 5,600-crore National Spot Exchange (NSEL) scam.



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