

WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC

Week 49 -30th November 2020 to 6th December 2020

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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
	NIL

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SEBI during the week

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

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

S. No	Date of Issue	Act/rules/circulars....	Subject & Link	Gist thereof
1	02-12-20	Circular	Operational guidelines for Transfer and Dematerialization of re-lodged physical shares	<p>Transfer of shares in physical mode is discontinued wef 1.4.19. SEBI then allowed re-lodging the request for such transfer (which were rejected) made prior to 1.4.19. Vide this circular issued Operational guidelines for Transfer and Dematerialization of re-lodged physical shares.</p> <p>Excerpts of the guidelines are as follows</p> <ul style="list-style-type: none"> • Subsequent to processing transfer request, RTA will retain physical shares and intimate investor (transferee) about execution of transfer along with a confirmation letter • Investor has to make request for Demat to DP along with letter. • DP has to process Demat basis the letter

				In case of non-receipt of demat request from the investor within 90 days of the date of Letter of Confirmation, the shares will be credited to Suspense Escrow Demat Account of the Company
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S. No	NEWS ON SEBI
1	SEBI has issued a discussion paper to seek comments / views from the public and market intermediaries on review of the 'NCDs along with warrants' as a stapled product offering or as a segregated product offering, through Qualified Institutional Placement (QIP) route under SEBI regulations.

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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	04-12-2020	Notification	External Trade – Facilitation - Export of Goods and Services	<p>Vide this notification, RBI announced few facilitation measures, summary of which is given below</p> <ul style="list-style-type: none"> • AD will now be able to regularise exports where proceeds have been realized (without any limit). Currently, banks do so in the case of exports of up to \$1 million. • Write-off facility is currently available to the extent of 5 %of export value for normal exporters and 10 % in the case of status holders. Revised limit are as under <table border="1"> <thead> <tr> <th>Particulars</th> <th>Limit*</th> </tr> </thead> <tbody> <tr> <td>Self-write-off by an exporter (Other than the Status Holder Exporter)</td> <td>5%</td> </tr> </tbody> </table>	Particulars	Limit*	Self-write-off by an exporter (Other than the Status Holder Exporter)	5%
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Self-write-off by an exporter (Other than the Status Holder Exporter)	5%							

				<table border="1"> <tr> <td>Self-write-off by Status Holder Exporter</td> <td>10%</td> </tr> <tr> <td>Write-off by AD Category-1 Bank</td> <td>10%</td> </tr> </table> <p><i>* In relation to - Total export proceeds realized during the calendar year preceding the year in which the write-off is being done</i></p> <ul style="list-style-type: none"> AD banks are allowed to set-off outstanding export receivables against outstanding import payables with entity's overseas group/associate companies either on net basis or gross basis. 	Self-write-off by Status Holder Exporter	10%	Write-off by AD Category-1 Bank	10%
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S. No	NEWS ON RBI
1	RBI is stepping up its scrutiny of non-banking finance companies (NBFCs) and urban co-operative banks (UCBs), particularly the larger ones. The central bank announced a host of steps in this direction that included the strengthening of their audit systems and framing a dividend distribution policy. The banking regulator also announced plans to bring in a scale-based regulatory framework for the NBFCs.

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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

S. No	NEWS ON IBC
1.	Debt resolution through the insolvency and bankruptcy code (IBC) and the resultant realization for financial creditors has taken a hit so far this fiscal due to the pandemic that led to suspension of fresh proceedings, says a report. At best, financial creditors may realise Rs 60,000-65,000 crore through IBC in FY21, significantly lower than Rs 1,00,000 crore they realised in FY20, Icra said in a report.

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Others during the week

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

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

S. No	GENERAL NEWS
1	India and the United States signed a Memorandum of Understanding on Intellectual Property (IP) cooperation between the two countries. The Department for Promotion of Industry and Internal Trade (DPIIT) under the Minister of Commerce signed the MoU with the United States Patent and Trademark Office (USPTO), the agency of Department of Commerce of US.
MSME NEWS	
1	MSME units engaged as vendors with the government or PSUs likely to revive first: Dun & Bradstreet report. The global economy has been disrupted like never before by the Covid-19 pandemic leading to unprecedented public health and socio-economic crisis. The course of economic activity will be shaped by three factors — period of lockdown, the global recession and the changes in consumer behaviour. India’s quarterly growth rate has been receding sequentially since Q4 FY18 and India recorded a growth of 4.2% in FY20, the lowest in 11 years. MSMEs in India contribute to 29% to GDP, almost half of India's exports and employing 110 million people.



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