

Companies Act 2013 during the week

Rules -0; Circulars -0; Notifications-2; Orders-0; Important Notices -0

S. No	Date of Issue	Rules/Circular/ Notification/Order	Contents thereof	Gist thereof
1	06/04/2022	Notification	The Companies (Management and Administration) Amendment Rules, 2022 https://egazette.nic.in/WriteReadData/2022/234911.pdf	MCA vide this notification has made amendments to provisions relating to Inspection of registers, returns, etc (Rule 14 of Companies (Management and Administration) Amendment Rules, 2014). It is mentioned that the Address/Registered Address, Email Id, Unique Identification number, PAN mentioned in the register or index or return in respect of the members of a company shall not be made available for any inspection or for taking extracts or copies.

2	08/04/2022	Notification	<p>Companies (Incorporation) Amendment Rules, 2022</p> <p>https://egazette.nic.in/WriteReadData/2022/234994.pdf</p>	<ul style="list-style-type: none"> • MCA vide this notification amended that in case of a Company being incorporated as a Nidhi, the declaration by the Central Government under section 406 of the Act shall be obtained by the Nidhi before commencing the business and a declaration in this behalf shall be submitted at the stage of incorporation by the company • Form INC 20A (Declaration for commencement of business) is modified to that extent to include above details along with the date of approval.
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S. No	NEWS ON MCA
	NIL

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SEBI during the week

Act -0; Report -0; Circulars-5; Press Release-1; Regulations -0; Guidelines- 0

S. No	Date of Issue	Act/rules/circulars	Subject & Link	Gist thereof
1	04/04/2022	Circular	<p>Execution of 'Demat Debit and Pledge Instruction' (DDPI) for transfer of securities towards deliveries / settlement obligations and pledging / repledging of securities</p> <p>https://www.sebi.gov.in/legal/circulars/apr-2022/execution-of-demat-debit-and-pledge-instruction-ddpi-for-transfer-of-securities-towards-deliveries-settlement-obligations-and-pledging-re-pledging-of-securities_57546.html</p>	<ul style="list-style-type: none"> SEBI vide this circular has made Demat Debit and Pledge Instruction as a separate document wherein clients shall explicitly agree to authorize the stock broker/stock broker and depository participant to access their BO account for the limited purpose of meeting pay-in obligations for settlement of trades executed by them The DDPI shall serve the same purpose of PoA and this will significantly mitigate the misuse of PoA. The stock broker / stock broker and depository participant shall not directly / indirectly compel the clients to execute PoA or DDPI or deny services to the client if the client refuses to execute PoA or DDPI. The provisions of this circular shall be applicable with effect from July 01, 2022

2	04/04/2022	Press Release	<p>SEBI constitutes committee on Strengthening of Governance of Market Infrastructure Institutions</p> <p>https://www.sebi.gov.in/media/press-releases/apr-2022/sebi-constitutes-committee-on-strengthening-of-governance-of-market-infrastructure-institutions_57564.html</p>	<ul style="list-style-type: none"> • SEBI has constituted an ad-hoc committee on April 04, 2022, for reviewing and making recommendations for further strengthening of governance norms at Market Infrastructure Institutions (MIIs). • The terms of reference of the Committee include making recommendations on measures for strengthening the role played by the Governing Board and Committees of MIIs, reviewing the requirements related to appointment and role & responsibility of Directors on the Board and Key Managerial Persons (KMPs), developing effective metrics for monitoring various aspects of the functioning of MIIs and KMPs, enhancing accountability and transparency, reviewing the policy on safekeeping and sharing of information held by MIIs, revisiting the Code of Conduct and Code of Ethics for Directors of the Governing Board and KMPs and any other measures that the committee may consider appropriate.
3	05/04/2022	Circular	<p>Revision of UPI limits in Public Issue of Equity Shares and convertibles</p> <p>https://www.sebi.gov.in/legal/circulars/apr-2022/revision-of-upi-limits-in-public-issue-of-equity-shares-and-convertibles</p>	<p>SEBI vide this circular has provided that all Individual Investors applying in Public Issues where the application amount is upto 5 Lakhs shall use Unified Payment Interface (UPI) and shall also provide their UPI ID in the bid-cum application form submitted with a syndicate member, stock broker, depository participant ('DP') and registrar to an issue</p>

			convertibles_57589.html	and share transfer agent. The provisions of this circular shall come into force for Public Issues opening on or after May 01, 2022.
4	06/04/2022	Circular	<p>Guidelines in pursuance of amendment to SEBI KYC Registration Agency (KRA) Regulations, 2011</p> <p>https://www.sebi.gov.in/legal/circulars/apr-2022/guidelines-in-pursuance-of-amendment-to-sebi-kyc-registration-agency-kra-regulations-2011_57676.html</p>	<p>SEBI has issued additional guidelines for KYC Registration Agencies (KRAs) and provided that KRAs shall continue to act as repository of KYC data in the securities market and shall be responsible for storing, safeguarding and retrieving the KYC documents and submit to the SEBI or any other statutory authority as and when required.</p> <p>KRAs shall independently validate records of those clients (existing as well as new) whose KYC has been completed using Aadhaar as Officially Valid Document (OVD).</p> <p>The validation of all KYC records (new and existing) shall commence from July 01, 2022.</p>
5	08/04/2022	Circular	<p>Clarification on applicability of Regulation 23(4) read with Regulation 23(3)(e) of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 in relation to Related Party Transactions</p> <p>https://www.sebi.gov.in/legal/circulars/apr-2022/clarification-on-applicability-of-</p>	<ul style="list-style-type: none"> • Representations have been received seeking clarity on the period of validity of the omnibus approval where the transactions are material and shareholders' approval is also required. • SEBI has clarified the following <ul style="list-style-type: none"> ○ Shareholders' approval of omnibus RPTs approved in AGM shall be valid upto the date of the next AGM for a period not exceeding fifteen months.

			<p>regulation-23-4-read-with-regulation-23-3-e-of-the-sebi-listing-obligations-and-disclosure-requirements-regulations-2015-in-relation-to-related-party-transactio- 57807.html</p>	<ul style="list-style-type: none"> ○ In case of omnibus approvals for material RPTs, obtained from shareholders in general meetings other than AGMs, the validity of such omnibus approvals shall not exceed one year
6	08/04/2022	Circular	<p>Standard Operating Procedures (SOP) for dispute resolution available under the stock exchange arbitration mechanism for disputes between a listed company and its shareholder(s) investor(s)</p> <p>https://www.sebi.gov.in/legal/circulars/apr-2022/standard-operating-procedures-sop-for-dispute-resolution-available-under-the-stock-exchange-arbitration-mechanism-for-disputes-between-a-listed-company-and-its-shareholder-s-investor-s- 57805.html</p>	<ul style="list-style-type: none"> ● Stock exchanges are advised to put in place by June 01, 2022, Standard Operating Procedures (SOP) for operationalizing the resolution of all disputes pertaining to or emanating from investor services such as transfer/transmission of shares, demat/remat, issue of duplicate shares, transposition of holders, etc. and investor entitlements like corporate benefits, dividend, bonus shares, rights entitlements, credit of securities in public issue, interest /coupon payments on securities, etc. ● In respect of disputes in above matters where RTA are offering services to shareholder(s)/ investor(s) on behalf of listed companies, the RTAs shall continue to be subjected to the stock exchange arbitration mechanism. ● The recognized stock exchanges are directed to bring the provisions of this circular and the SOP put in place in this regard to the notice of listed companies and also to disseminate the same on their website.

S. No	NEWS ON SEBI
1.	<p>SEBI invites application to hire digital forensic services provider:</p> <p>Capital markets regulator SEBI is planning to hire an agency that will provide assistance to its search team for onsite data acquisition during search and seizure operations.</p> <p>SEBI has invited applications from eligible service providers experienced in digital forensic services for acquisition, extraction and analysis of digital evidence from mobile, computers, and tablets, among others, on an ongoing basis.</p> <p>This comes in the backdrop of the SEBI crackdown against entities allegedly involved in a front-running scam using messaging app Telegram.</p> <p>The regulator carried out a search and seizure operation at the premises of several entities in multiple locations across the country in the matter.</p>

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RBI during the week

Notifications -1; Master Directions –0; Master Circulars –0; Press Release -2;

S. No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
1	07/04/2022	Notifications	<p>Establishment of Digital Banking Units (DBUs)</p> <p>https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12285&Mode=0</p>	<p>Digital banking has emerged as the preferred banking service delivery channel in the country along with ‘brick and mortar’ banking outlets. Reserve Bank is taking progressive measures to improve availability of digital infrastructure for banking services.</p> <p>In furtherance of this objective and as a part of efforts to accelerate and widen the reach of digital banking services, the concept of “Digital Banking Units” (DBUs) is being introduced by the Reserve Bank.</p> <p>In pursuance of announcements made in the Union Budget 2022-23, guidelines have been prepared for setting up of Digital Banking Units</p>

				(DBUs) by commercial banks on the basis of recommendations of a Working Group formed by RBI which included representatives of banks and Indian Banks' Association (IBA)
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S. No	NEWS ON RBI
1	<p>RBI imposes monetary penalty on Axis Bank, IDBI Bank : The Reserve Bank of India (RBI) on April 8, imposed monetary penalty of Rs 93 lakh and Rs 90 lakh on Axis Bank and IDBI Bank, respectively, for deficiencies in regulatory compliance. While Axis Bank faced the action for violating certain directions issued by the RBI regarding banking services such as loans, levy of penal charges on non-maintenance of minimum balances in savings bank accounts, Know your customer (KYC) services etc, IDBI Bank violated regulations related to frauds and cyber security, the central bank said in separate statements.</p>

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IBC during the week

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

S. No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
1	05/04/2022	Notification	Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) (Amendment) Regulations, 2022 https://egazette.nic.in/WriteReadData/2022/234852.pdf	<p>IBBI amended the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017.</p> <p>Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) (Amendment) Regulations, 2022 inter alia includes the following</p> <ul style="list-style-type: none"> - Liquidator shall prepare list of stakeholders within 15 days (earlier 45 days) from the last date for receipt of claims. - The liquidator shall distribute the proceeds from realization within 30 days (earlier 6 months) six months from the receipt of the amount to the stakeholders. - The Liquidator shall submit Final report within 90

				<p>days (where no claims is received) and within 270 days (where claims are received)</p> <p>The liquidator shall submit the Final Report and the compliance certificate in Form-H along with the application under section 59(7) to the Adjudicating Authority.</p>
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S. No	NEWS ON IBC
1	Insolvency Resolution Process Against Legal Heirs Of Personal Guarantor By Financial Creditor not permissible - The NCLT, Kolkata Bench Consisting while dismissing the application filed by the Financial Creditor/ Bank of Baroda held that the application is not maintainable against legal heirs of the Personal Guarantor under the Code.
2	Corporate Debtor Cannot Be Sent Into Liquidation Just Because Liquidation Value Is More Than The Value Of The Resolution Plan: NCLT Kolkata while deciding interim applications in the matter of Ramsarup Industries Ltd., has held that just because the liquidation value is being projected higher than the value of the resolution plan, the Corporate Debtor cannot be sent into liquidation for this reason alone. The object of the IBC is to put the Corporate Debtor back on its feet for the larger benefit of all the stakeholders, not just the creditors.

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Others during the week

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

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NIL				

GENERAL NEWS	
1	<p>Cost of living rises in India as companies pass on higher prices</p> <p>Indian manufacturers are running out of capacity to absorb rising input costs, with an increasing number passing it along to consumers in an economy already grappling with Asia's third-fastest inflation and an uneven recovery.</p>
2	<p>Income tax 8th Amendment Rules, 2022</p> <p>The Central Board of Direct Taxes (CBDT) has issued the Income-tax (8th Amendment) Rules, 2022 to further amend the Income-tax Rules, 1962. The said amendment contains provisions relating to Infrastructure Debt Fund and its compliance requirements. The said circular shall come into force on April 6, 2022.</p>
3	<p>Government has launched number of programs to aid Start-ups in technology sectors : Union Minister Dr Jitendra Singh said that Government</p>

has launched number of programs to aid Start-ups in technology sectors. The programmes initiated by Department of Science & Technology aim to nurture innovation and technology led entrepreneurship, which also creates new avenues for wealth creation and job generation. CSIR has set up 7 Common Research and Technology Development Hubs (CRTDHs) during last five years, for promoting industrial R&D innovation, dedicated for MSMEs, start-ups and individual innovators.



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