

RBI

RBI issues clarification stating that Non-Resident Indians (NRIs) and Overseas Citizens of India (OCIs) do not require prior approval of RBI for acquisition and transfer of immovable property in India

RBI clarifies that NRIs and OCIs do not require prior approval of RBI for acquisition and transfer of immovable property in India other than agricultural land, farmhouse or plantation property, as per the terms and conditions laid down in Chapter IX of the Foreign Exchange Management (Non-Debt Instruments) Rules, 2019, issued under Section 46 of Foreign Exchange Management Act (FEMA) 1999. This clarification specifically concludes that NRIs, PIOs and OCIs are governed by the provisions of FEMA, not erstwhile FERA. Such individuals can freely invest in India in the real estate sector or acquire immovable properties, whether residential or commercial and do not require prior RBI approval.

RBI issues a master circular on Bank Finance to Non-Banking Financial Companies (NBFCs) which shall be applicable to all Scheduled Commercial Banks (excluding Regional Rural banks)

The credit-related matters of banks have been progressively deregulated by the Reserve Bank of India. Consistent with the policy of bestowing greater operational freedom to banks in the matter of credit dispensation and in the context of mandatory registration of NBFCs with the Reserve Bank, most of the aspects relating to the financing of NBFCs by banks have also been deregulated. However, in view of the sensitivities attached to the financing of certain types of activities undertaken by NBFCs, restrictions on financing of such activities continue to be in force. The ceiling on bank credit linked to Net Owned Fund (NOF) of NBFCs has been withdrawn in respect of all NBFCs which are statutorily registered with RBI and are engaged in the principal business of asset financing, loan, factoring and investment activities. Accordingly, banks may extend need-based working capital facilities as well as term loans to all NBFCs registered with RBI and engaged in infrastructure financing, equipment leasing, hire-purchase, loan, factoring and investment activities. Banks should not execute guarantees covering inter-company deposits/loans thereby guaranteeing refund of deposits/loans accepted by NBFCs / firms from other NBFCs / firms. The restriction would cover all types of deposits/loans irrespective of their source, including deposits/loans received by NBFCs from trusts and other institutions. Further Banks should not invest in Zero-Coupon Bonds (ZCBs) issued by NBFCs unless the issuer NBFC builds up sinking fund for all accrued interest and keeps it invested in liquid investments/securities (Government bonds).

MCA

MCA notifies the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Third Amendment, Rules, 2021

The amendments are made in Rule 6 of Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016 which provide a manner of transfer of shares under sub-section (6) of Section 124 of Companies Act, 2013 to the IEPF Fund. Accordingly, the amendment provides that shares held in such DEMAT account shall not be transferred or dealt with in any manner whatsoever except for the purposes of transferring the shares back to the claimant as and when he approaches the Authority.

Relaxation on levy of additional fees is given till February 15, 2022 for filing of e-forms AOC-4, AOC-4 (CFS), AOC-4, AOC-4 XBRL AOC-4 Non-XBRL and February 28, 2022 for MGT-7/MGT-7A for the financial year ended on March 31, 2021

MCA in its circular has decided that no additional fees shall be levied till February 15, 2022 for filing of e-forms AOC-4, AOC-4 (CFS), AOC – 4 XBRL, AOC – 4 Non-XBRL and upto February 28, 2022 for filing of e-forms MGT-7/MGT-7A with respect to financial year ending March 31, 2021.

MCA notifies Section 80 of Companies (Amendment) Act, 2017 w.e.f. July 1, 2022

MCA notifies Section 80 of Companies (Amendment) Act, 2017 w.e.f. July 1, 2022 which relates to amendment in Section 403 of the Companies Act, 2013. Section 403 of the Companies Act, 2013 deals with Fee for Filing etc.

Following table of additional fee and higher additional fee (in certain cases) shall be applicable for delay in filing of forms other than for increase in Nominal share capital or forms under Section 92/137 of the Act:

Period of Delays	Additional fees as a multiple of normal fees	Higher additional fee as a multiple of normal fee
Upto 15 days (Section 139 and 157)	One time of normal fees	-
More than 15 days and upto 30 days (Section 139 and 157) and upto 30 days in remaining forms	2 times of normal filing fees	3 times of normal filing fees
More than 30 days and upto 60 days	4 times of normal filing fees	6 times of normal filing fees
More than 60 days and upto 90 days	6 times of normal filing fees	9 times of normal filing fees
More than 90 days and upto 180 days	10 times of normal filing fees	15 times of normal filing fees
Beyond 180 days	12 times of normal filing fees	18 times of normal filing fees

SEBI

SEBI extends timeline for modified reporting requirements for AIFs till quarter ending September 30, 2022

Securities Exchange Board of India (SEBI) vide its Circular has extended the timeline for the modified reporting requirements shall be applicable for quarter ending September 30, 2022.

SEBI issues circular prescribing uniform structure for levying fines and taking action for non-compliance with continuous disclosure requirements specified under SEBI (LODR) Regulations, 2015

SEBI has prescribed the uniform structure for levying fines and taking action for non-compliance with continuous disclosure requirements specified under SEBI (LODR) Regulations, 2015, the same shall come into force for the due dates of compliances falling on or after February 1, 2022.

SEBI introduces Securities Exchange Board of India (Vault Managers) Regulations, 2021

The Regulation is pertaining to storage and safekeeping of gold, issue of electronic gold receipts etc. in connection with trading of gold. The Regulation for the first time has introduced new terminologies i.e. Assayers, Electronic gold receipt, vault manager, vaulting services. Regulation 2(c) defines "Assayer" as a person engaged in the process of assessing the purity or quality of gold.

Reg. 2(m) defines "Vaulting service" in relation to gold means the storage and safekeeping of gold deposited with the Vault Manager, by the depositor, for the purpose of trading in Electronic Gold Receipt and providing services incidental thereto.

"Vault Manager" means any person who carries on or intends to carry on the business of providing vaulting services.

Eligibility Criteria, inter-alia, include

1. The applicant shall be a body corporate incorporated in India.
2. The applicant shall have the minimum net worth of fifty crores rupees.
3. furnishing refundable Financial Security Deposit
4. adequate infrastructure for storage of gold.
5. insurance cover etc.

SEBI issues circular to clarify the issue pertaining to the Schemes of Arrangement by Listed Entities w.r.t. timing of submission of NOC from the lending scheduled commercial banks/financial institutions / debenture trustee

In respect of the NOC as required in terms of Circular dated November 16, 2021 and November 18, 2021, it is now clarified that the No Objection Certificate (NOC) shall be submitted before the receipt of the No-objection letter from the Stock Exchange in terms of Regulation 37(1) of the

SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015. The recognized stock exchanges are directed to bring the provisions of this circular to the notice of the listed companies and also to disseminate the same on their website.

NSE issues circular w.r.t. launch of Digital Portal for filings done with the Exchange

NSE with an intent to enhance customer experience and operational excellence, NSE has embarked on a unique project which focuses on re-designing and re-imagining various user interfaces and has launched Digital Portal for filings done with the Exchange. Currently, listed entities are submitting various disclosures to the Exchange via NEAPS (NSE Electronic Application Processing System) and with the launch of the new Digital Portal, listed entities shall make all the filings through the Digital Portal. However, the transition from NEAPS to the Digital Portal would be carried out in a phased manner. In the initial phase, announcements submitted to the Exchange and disclosures submitted under SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 would be covered and necessary circulars in this regard, detailing out the process of submission would be issued in due course.

SEBI issues circular regarding Disclosure obligations of listed entities, which have listed their debt securities, in relation to Related Party Transactions

The new requirement will apply to "high-value debt-listed entities" which are those entities that have listed non-convertible debt securities and an outstanding value of such securities are Rs 500 crore and above. Under this, certain disclosure requirements need to be placed by high-value debt-listed entities before the audit committee and shareholders for consideration of related party transactions RPTs. Such entities will have to justify as to why the RPT is in its interest, besides, a copy of the valuation or other external party report will have to be submitted to the audit committee as well as shareholders for approval. In addition, these entities will have to place information on the percentage of the counter-party's annual consolidated turnover that is represented by the value of the proposed RPT voluntarily to the audit committee and shareholders. The RPT disclosures need to be made to stock exchanges in the prescribed format. With regard to information to be submitted to the audit committee for approval of a proposed RPT, such entities will have to disclose type, material terms and particulars of the proposed transaction, name of the RPT and its relationship with the high-value debt-listed entity or its subsidiaries, including nature of its concern or interest. In addition, they will have to inform the audit committee about tenure as well as the value of the proposed transaction, the percentage of the listed entity's annual consolidated turnover, for the immediately preceding financial year, which is represented by the value of the proposed transaction.

TAX

GSTN notifies the new Functionality on Interest Calculator in GSTR- 3B on the GSTN Portal

GSTN as a facilitation measure for taxpayers & for assisting the taxpayers in doing a correct self-assessment has notified a new functionality of interest calculator in GSTR-3B. This functionality will arrive at the system computed interest on the basis of the tax liability values declared by the taxpayers. The interest applicable, if any, on the tax liability declared in the GSTR-3B of a particular tax period will be computed after the filing of the said GSTR-3B. This system computed interest values will be auto-populated in Table-5.1 of the GSTR-3B of the next tax period. The facility would be similar to the collection of Late fees for GSTR-3B, filed after the Due date, posted in the next period's GSTR-3B. The GSTR-3B is a monthly self-declaration to be filed by a registered GST dealer along with GSTR 1 and GSTR 2 return forms. It is a simplified return to declare summary GST liabilities for a tax period. Further, the new functionality has a user-friendly interface, which informs the taxpayers regarding the manner of system computation of interest values for each tax head. This functionality also assists the taxpayers in doing the correct computation of interest for the liability of any past period declared in the GSTR-3B for the current tax period, based on the details furnished by them on the portal.

CBDT extends due dates for filing of Income Tax Returns and various reports of audit for the Assessment Year 2021-22 under the Income Tax Act, 1961

In view of the difficulties reported by the taxpayers and other stakeholders due to COVID and in electronic filing of various reports of audit under the provisions of the Income-tax Act, 1961 (the Act), the Central Board of Direct Taxes (CBDT) has decided to further extend the due dates for filing of Income Tax Returns and various reports of audit for the Assessment Year 2021-22.

Due date of furnishing of Report of Audit in the case of assessee referred in clause (a) of Explanation 2 to sub-section (1) of section 139 of the Income Tax Act.	February 15, 2022
Due date of furnishing of Report from an Accountant by persons entering into international transaction or specified domestic transaction under Section 92E of the Act	February 15, 2022
Due Date of furnishing of Return of Income for the Assessment year 2021-22 under Section 139(1) of the Act	March 15, 2022