

COMPLIANCE UPDATE

March 2022 | Part 2 of 2



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Securities and Exchange Board of India (SEBI)

▪ Automation of disclosure requirements under SEBI Regulations, 2011 - System driven disclosures - Ease of doing business

SEBI vide Circular dated March 07, 2022 has notified automation of disclosure requirements under the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (**Takeover Regulations**), which states that transactions undertaken in the depository system under Regulation 29 and Regulation 31 of Takeover Regulations do not require manual filing except for the following transactions:

- Triggering of disclosure requirement due to acquisition or disposal of the shares by the acquirer together with Persons Acting in Concert (**PACs**)
- Triggering of disclosure requirement in case the shares are held in physical form by the acquirer and/or PACs
- Listed companies who have not provided PAN of promoter(s) including member(s) of the promoter group to the designated depository or companies which have not appointed any depository as their designated depository

(To view the Circular, please click [here](#))

▪ Revision to Operational Circular for issue and listing of non-convertible securities, securitized debt instruments, security receipts, municipal debt securities and commercial paper

SEBI vide Circular dated March 08, 2022 has provided an option to the investors to apply in public issues of debt securities with the facility to block funds through Unified Payments Interface (**UPI**) mechanism for application values of up to INR 2 lakh.

(To view the Circular, please click [here](#))

Reserve Bank of India (RBI)

▪ Launch of UPI feature phones (UPI123pay) and 24*7 helpline for digital payments (Digisaathi)

RBI vide Press Release dated March 08, 2022 has launched two new key initiatives:

- UPI123Pay, which includes distinct options such as app-based functionality, missed call, interactive voice response and proximity sound-based payments
- 24*7 payments provide channel to obtain help on the entire gamut of digital payments

(To view the Press Release, please click [here](#))

▪ Master Direction - Reserve Bank of India (Regulatory Framework for Microfinance Loans) Directions, 2022

RBI vide Master Directions dated March 14, 2022 has notified directions for framework of microfinance loans, which is applicable on:

- All commercial banks excluding payment banks
- All Primary (Urban) Co-operative/State Co-operative/District Central Co-operative banks
- All Non-Banking Financial Companies (NBFCs), including micro-finance institutions and housing finance companies

(To view the Master Direction, please click [here](#))

▪ Interest Equalization Scheme on Pre and Post Shipment Rupee Export Credit extension

RBI vide Notification dated March 08, 2022 has notified the approval of Government of India on the extension of Interest Equalization Scheme for Pre and Post Shipment Rupee Export Credit (Scheme) up to March 31, 2024 or till further review, whichever is earlier. The extension takes effect from October 1, 2021 and ends on March 31, 2024. The modifications made by the Government to the Scheme are detailed in the Notification.

(To view the Notification, please click [here](#))

Central Board of Indirect Taxes and Customs (CBIC)

▪ Auto-population of e-invoice details into GSTR-1

The Goods and Services Tax Network vide Circular dated March 10, 2022 has made it mandatory for certain class of taxpayers to prepare and issue their e-invoices by reporting their invoice data in the prescribed format and reporting the same on the Invoice Registration Portal (IRP).

(To view the Notification, please click [here](#) and [here](#))

▪ Fixation of tariff value of edible oils, brass scrap, areca nut, gold and silver

CBIC vide Notification no. 15/2022- Customs (N.T.) dated March 08, 2022 has notified the tariff value for crude oil, RBD palm oil, crude palmolein, gold, silver, crude soya bean oil, etc., effective from March 09, 2022.

(To view the Notification, please click [here](#))

Ministry of Corporate Affairs

▪ Amendment to the Limited Liability Partnership Rules, 2009

MCA vide Notification dated March 04, 2022 has notified the Limited Liability Partnership (Second Amendment) Rules, 2022. Key aspects of the amendment are:

- **Rule 11(1):** Application for allotment of DPIN cannot be made by more than five individuals
- **Rule 11(3):** The certificate of registration issued by Registrar in Form 16 shall mention Permanent Account Number (PAN) and Tax Deduction Account Number (TAN) issued by Income-tax Department
- **Rule 19(4):** For change in name, there is no requirement to attach the authority under which the application is made

(To view the Notification, please click [here](#))

Ministry of Labour and Employment

▪ Ministry of Labour and Employment amends the Employees State Insurance Rules, 1950

The Ministry of Labor and Employment vide Notification dated March 7, 2022 has amended the Employee's State Insurance (Central) Rules, 1950 which provide that an insured woman on maternity leave is qualified to claim sickness benefit under Employees State Insurance Rules for not less than half the number of days available for working in such ESIC contribution period. The amendment is effective from January 20, 2017.

(To view the Notification, please click [here](#))

Industry-wise updates

Agriculture

▪ **Fertiliser (Inorganic, Organic or Mixed) (Control) Amendment Order, 2022**

The Ministry of Agriculture and Farmers Welfare vide Order dated March 07, 2022 has notified the Fertiliser (Inorganic, Organic or Mixed) (Control) Amendment Order, 2022. The newly inserted Clause 19A of the Amendment Order states that both dealer and manufacturer can be made a party to suit when the drawn samples from dealers and manufacturers are found to be of non-standard. (To view the Order, please click [here](#))

Insurance

▪ **Disclosure of underwriting philosophy of offering health insurance coverage to transgender persons**

The Insurance Regulatory and Development Authority of India vide Circular dated March 07, 2022 has notified that all insurers (life, general and health insurers) should publish the aspects of underwriting philosophy and approach about offering health insurance coverage to transgender persons on their respective websites. (To view the Circular, please click [here](#))

Consumer Affairs

▪ **Withdrawal of Indian standards related to steel**

The Bureau of Indian Standards (BIS) vide Notification dated March 4, 2022 has issued the date of establishment for the following standards related to steel:

- **S 1855:** 2022 Stranded Steel Wire Ropes for Winding and Man-Riding Haulages in Mines – Specification (Third Revision)
- **IS 14756:** 2022 Stainless Steel Utensils – Specification (Second Revision)

The said Notification has also withdrawn the following Indian standards:

- **IS 1855:** 2003 Stranded Steel Wire Ropes for Winding and ManRiding Haulages in Mines – Specification (Second Revision)
- **IS 14756:** 2017 Stainless Steel Cookware – Specification (First Revision)

(To view the Notification, please click [here](#))

Wholesale and Retail

▪ **Amendment in import policy conditions of items under ITC HS 0106 90 00 of Chapter 01 of (HS), 2022, Schedule-I (Import Policy)**

Ministry of Commerce and Industry vide Notification dated March 07, 2022 has amended the import policy conditions for Drosophila Melanogaster subject to IBSC approval. (To view the Notification, please click [here](#))

▪ **Amendment in import policy and insertion of policy condition under Chapter 29 & 38 of ITC**

Ministry of Commerce and Industry vide Notification dated March 09, 2022, has amended the import policy for some of the HS codes and added revised policy condition against each HS code and item description.

(To view the Notification, please click [here](#))

State-wise restrictions due to resurgence of Covid-19

State/UT	Order/Directions	Competent Authority	Remarks
Goa	<ul style="list-style-type: none"> ▪ Casinos can operate with 100% capacity, subject to adherence to safety protocols, including use of masks, sanitizers ▪ Entry for only fully vaccinated people with negative RTPCR report is allowed ▪ Cinema halls/multiplexes/theatres/auditoriums can function with 100% seating capacity, subject to fulfilment of conditions laid down in Order ▪ Place of public amusement, including spa, massage parlour, restaurant, pub, bar, hall, auditoriums, gyms and yoga centres, marriage venue, river cruises can function with 100% capacity 	Govt. of Goa	(Click here for the Order)
Jammu and Kashmir	<ul style="list-style-type: none"> ▪ Appropriate social distancing norms to be maintained in offices ▪ Only 50% people allowed in indoor gathering ▪ Banquet halls can operate with only 50% capacity ▪ Educational institutions are allowed to operate subject to fulfilment of directions ▪ RTPCR to be conducted on symptomatic incoming passengers by air/rail/road to J&K ▪ Entry into parks permitted only to vaccinated persons with due verification 	Govt. of Jammu and Kashmir	(Click here for the Order)
Maharashtra	<ul style="list-style-type: none"> ▪ The Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation of Mumbai vide its Order dated March 01, 2022, has stated that Municipal Corporations will be dealt as separate administrative units, along with directions such as: <ul style="list-style-type: none"> – All staff to be fully vaccinated – Home delivery staff to be necessarily vaccinated – Offline classes may resume as per hybrid model – All home delivery services allowed for administrative units – All industrial and scientific institutions may function at full capacity, etc. 	Govt. of Maharashtra	(Click here for the Order)

State-wise updates

Chandigarh

- **Order under Section 144 CrPC by Office of the District Magistrate, UT, Chandigarh**

Government of Chandigarh vide Order under Section 144 dated March 03, 2022 has prohibited the sale of and production of bottled correcting fluids, as well as bottled thinners of any chemical composition, both for ink erasing purposes as well as for nail polish removers and similar other purposes for retail sale within the jurisdiction of Union Territory of Chandigarh, in public interest for a period of 60 days effective from March 08, 2022 till May 06, 2022.

(To view the Order, please click [here](#))

- **Order to charge tuition fees and not to increase any fees during the academic year without approval**

Office of Adviser to the Administrator, Chairperson, State Executive Committee of State Disaster Management Authority, UT, Chandigarh vide Order dated March 02, 2022 has ordered that all recognized private schools of Chandigarh should charge tuition fees and not increase any fees during the academic 2020-21 without specific approval from the administration.

(To view the Order, please click [here](#))

Goa

- **Amendment in Goa Registration of Births and Deaths Rules, 1999**

Government of Goa vide Notification dated March 03, 2022 has amended the Goa Registration of Births and Deaths Rules, 1999 and has stated that Registrar must be provided with information about the birth of any child who is registered without a name, parent, or guardian.

(To view the Notification, please click [here](#))

Govt. of NCT of Delhi

- **Amendment of notification regarding registered person**

NCT of Delhi vide Notification dated March 10, 2022 has amended its Notification with reference number '13/2020 – State Tax' which states that for the words 'one hundred crore rupees', the words 'fifty crore rupees' shall be substituted. This amendment is effective from April 01, 2021.

(To view the Notification, please click [here](#))

- **Extension of period of notice in case of rejection of refund claims**

NCT of Delhi vide Notification dated March 10, 2022 has amended the older Notification No. 46/2020 and issued another Notification to extend the period for notice issued for rejection of refund claims from 20th day of March 2020 to 30th day of August 2020, effective from June 27, 2020.

(To view the Notification, please click [here](#))

- **Amendment in Notification for reverse charge**

NCT of Delhi vide Notification dated March 10, 2022 has issues a Notification amending Notification No. 4/2017, to specify state tax paid on reverse charge on certain goods, including peppermint and spearmint oil, water mint oil, horsemint oil and bergamot oil effective from October 01, 2021.

(To view the Notification, please click [here](#))

Madhya Pradesh

- **Exemption to restaurant and eating house establishment**

Madhya Pradesh Labor Department vide Notification dated March 08, 2022 has exempted restaurants and eating at house from the provisions of Section 14(1) of Madhya Pradesh Shops and Establishments Act, 1958 which states that no restaurant shall be opened earlier than 5 AM and be kept open later than 1:30 AM for service.

(To view the Notification, please click [here](#))

Meghalaya

- **Exemption of road tax for electric vehicles**

Transport Department of Meghalaya vide Notification dated March 04, 2022 has exempted road tax for electric vehicles till March 31, 2026, with immediate effect.

(To view the Notification, please click [here](#))

▪ **Terms and conditions for claiming exemption under Section 30 of Punjab Shops and Establishments Act, 1958**

Government of Punjab vide Notification dated March 03, 2022 has formulated a scheme for the shops and establishments in the state of Punjab for giving exemption from the provisions of Section 30 of Punjab Shops and Establishments Act, 1958, which states the conditions for employment of women. Some of the terms and conditions stated under the Order are enlisted below:

- The establishment must be registered under Punjab Shops Act
- Total number of hours should not exceed nine hours in any day
- Spread over should not exceed twelve hours
- Total number of overtime hours shall not exceed fifty in any one quarter
- Provision of adequate security and transport facility to women workers
- Women to board vehicles in presence of security guard
- No women to be employed during six weeks following the day of her confinement or miscarriage
- Night shift to have minimum five women employees

(To view the Notification, please click [here](#))

ABOUT US

UnComplycate is an end-to-end compliance and contract management solutions provider that integrates domain experience with IT-enabled implementation, monitoring and management protocols.

With more than thirty years' experience in helping clients discharge their compliance obligations, we have developed a repository of significant knowledge and practical experience in advising and assisting businesses on their regulatory compliance, litigation management, notice and contract management and other attendant requirements. We create bespoke products for clients that include, among other things, an audit of the functions of the company, offering technology-enabled platforms that provide solutions for effective control over the compliance and contract management functions. These services are not limited by geography and can be seamlessly extended to all operating sites of the client.

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