



COMPLIANCE UPDATE

June 2022 | Part 2 of 2

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Ministry of Corporate Affairs (MCA)

- **Companies (Appointment and Qualification of Directors) Amendment Rules, 2022**

The Ministry of Corporate Affairs on June 01, 2022 amended Rule 8 of Companies (Appointment and Qualification of Directors) Rules, 2014. As per the amendment, every person applying for Director Identification Number (DIN) shall obtain necessary security clearance from the Ministry of Home Affairs, Government of India if he is national of a country which shares land border with India.

(To view the Notification, please click [here](#))
- **Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2022**

The Ministry of Corporate Affairs on June 01, 2022 amended Rule 4 (Application of removal of name of the company) of Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016. The amendment directs the Registrar to give the applicant an opportunity to correct any errors in the application within 15 days.

(To view the Notification, please click [here](#))
- **Companies (Appointment and Qualification of Directors) Second Amendment, Rules, 2022**

The Ministry of Corporate Affairs on June 10, 2022 amended Rule 6 (Compliances required by a person eligible and willing to be appointed as an independent director) of Companies (Appointment and Qualification of Directors) Rules, 2014. As per the amendment, any individual whose name has been removed from the databank may apply for restoration of his name on payment of fees of INR 1000.

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

Reserve Bank of India (RBI)

- **Provisioning for standard assets by NBFCs – Upper Layer**

The Reserve Bank of India on June 06, 2022 issued directions to maintain standard assets by Non-Banking Financial Company (NBFC) – Upper Layer.

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

Securities & Exchange Board of India (SEBI)

- **Procedure for seeking prior approval for change in control of Portfolio Managers**

The Securities and Exchange Board of India on June 02, 2022 streamlined the process of providing approval to the proposed change in control of a Portfolio Manager. As per the new procedure, online application shall be made by Portfolio Manager to SEBI for prior approval through the SEBI Intermediary Portal.

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

Ministry of Commerce & Industries

- **Amendment in the Handbook of Procedures of the Foreign Trade Policy**

The Ministry of Commerce and Industries on June 09, 2022 extended the last date for filing of annual returns under Para 5.15 of HBP 2015-20 to September 30, 2022.

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

Industry-wise updates

Wholesale & Retail

- **[Footwear Made from all Rubber and all Polymeric Material and its Components \(Quality Control\) Order, 2022](#)**
Ministry of Commerce on June 03, 2022 notified the Footwear Made from all Rubber and all Polymeric Material and its Components (Quality Control) Order, 2022. The order will come into force from July 01, 2023.
(To view the Notification, please click [here](#))
- **[Footwear Made from Leather and Other Materials \(Quality Control\) Order, 2022](#)**
Ministry of Commerce on June 03, 2022 notified the Footwear Made from Leather and Other Materials (Quality Control) Order, 2022. The order will come into force from July 01, 2023.
(To view the Notification, please click [here](#))
- **[Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022](#)**
Consumer Protection Authority on June 09, 2022 notified the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022. The Guidelines provide for regulation of bait, free claims and children-targeted advertisements and prohibit surrogate advertisements.
(To view the Notification, please click [here](#))

Forestry

- **[Standardization of validity of baseline data and public consultation reports for submission of proposal under the Environment Impact Assessment Notification, 2006](#)**
Ministry of Environment, Forest and Climate Change, Government of India on June 08, 2022 notified the standard procedures for baseline data and public consultation, which are submitted with baseline data older than three years.
(To view the Notification, please click [here](#))
- **[Clarification regarding applicability of Environment Impact Assessment Notification, 2006 for manufacturing of Phosphoric Acid and Sulphuric Acid](#)**
Ministry of Environment, Forest, and Climate Change on June 08, 2022 clarified that manufacturing of Phosphoric Acid and Sulphuric Acid is not covered under the extant provisions of the Environment Impact Assessment Notification, 2006.
(To view the Notification, please click [here](#))

Health

- **[Assisted Reproductive Technology \(Regulation\) Rules, 2022](#)**
Ministry of Health and Family Welfare on June 07, 2022 notified Assisted Reproductive Technology (Regulation) Rules, 2022 to regulate Assisted Reproductive Technology (ART) clinics and banks.
(To view the Notification, please click [here](#))

Textiles, clothing & leather

- **[Jute Bags \(Quality Control\) Order, 2022](#)**
Ministry of Textiles on June 06, 2022 notified Jute Bags (Quality Control) Order, 2022 for compulsory use of standard mark (Indian Standards).
(To view the Notification, please click [here](#))

Utilities (water, gas, electricity)

- **[Electricity \(Promoting Renewable Energy Through Green Energy Open Access\) Rules, 2022](#)**
The Ministry of Power on June 06, 2022, notified the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022. The object of the Rules is to promote generation, purchase, and consumption of green energy, including through waste-to-energy plants. It enables a simplified procedure for the open access to green power.
(To view the Notification, please click [here](#))

- **Electricity (Late Payment Surcharge and Related Matters) Rules, 2022**

The Ministry of Power on June 06, 2022 notified the Electricity (Late Payment Surcharge and Related Matters) Rules, 2022 which shall be applicable to outstanding dues of generating companies, inter-state transmission licensees and electricity trading licensees.

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

State-wise updates

Andhra Pradesh

▪ **Amendment to the Andhra Pradesh Petroleum Products (Licensing and Regulation of Supplies) Order, 1980**

The Government of Andhra Pradesh vide Notification dated June 3, 2022 amended the Andhra Pradesh Petroleum Products (Licensing and Regulation of Supplies) Order, 1980 with the following amendments:

- Addition of sub-Clause (5) in Clause 3 allowing the authorized Fair Price Shop Dealer can purchase and store up to 20 LPG cylinders and refills of 5 kg Free Trade LPG at a time
- The authorized Fair Price Shop Dealer must sell to the consumers as permitted by Oil Marketing Companies
- The authorized Fair Price Shop Dealer can only purchase, store and sell the 5 kg Free Trade LPG till the validity of authorization to run the fair price shop

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

▪ **Rationalization of procedures for collection of minimum charges during long closures of industrial units due to sickness**

The Government of Andhra Pradesh vide Notification dated June 04, 2022, has renewed the policy for collection of minimum electricity charges for Sick Industries wherein the industries at their closure period are provided waiver to their minimum electricity charges and interest in minimum electricity charges. Also, the DISCOMs are required to submit quarterly report on the status of implementation of Sick Industry Policy.

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

▪ **Prohibition of strikes in NTPC Limited for 6 (six) months**

The Government of Andhra Pradesh vide Notification dated June 6, 2022, effective from June 10, 2022, has declared all services in NTPC Limited as essential services and, therefore, has prohibited strikes in any services in NTPC Limited in Andhra Pradesh for a period of 6 months.

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

▪ **Draft Amendment to Motor Vehicles Amendment to Rule 81 of Andhra Pradesh Motor Vehicles Rules, 1989**

The Government of Andhra Pradesh vide Notification dated June 09, 2022, has amended Rule 81 of Andhra Pradesh Motor Vehicles Rules, 1989 which provides that the Registering Authority on payment made by the owner of the vehicle may reserve special numbers of registration within five thousand from the last number which is assigned in serial order on the previous day of issuance of a serial number. The other amendments relate to the procedure for the same. The said Draft Amendments shall be taken into consideration after 15 days from the date of publication of this Notification in the Andhra Pradesh Gazette by the Government.

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

▪ **Limitation period of filing NOCs for hospitals**

The State Disaster Response & Fire Services Department, Andhra Pradesh vide Notification dated June 09, 2022, has highlighted the purpose and principles governing fire safety norms and the process related to NOCs, safety norms, exits, exemptions, safety equipment etc., so that these are at par with the Andhra Pradesh Fire Services Act, 1999, in relation to Safety Standards.

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

Assam

▪ **Exemption of adult workers of tea factories under Factories Act, 1958**

The Government of Assam on June 8, 2022 issued an Order exempting adult workers of the tea factories in the state of Assam from the provision of Section 51, 54, and 56 (related to weekly hours, daily hours, and spread over, respectively) of the Factories Act for a period of 4 months with effect from July 2022 to October 2022, to deal with the exceptional pressure of work during the peak of the manufacturing season, subject to the following conditions:

- Total number of hours of work in any one day shall not exceed 12 hours
- The spread over, inclusive of intervals for rest, shall not exceed 13 hours in any one day
- The total no of hours of work in any week, including overtime, should not exceed 60 hours
- No-worker shall be allowed to work overtime for more than 7 days at a stretch
- The total number of hours of overtime work in any quarter shall not exceed 75 hours

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

Bihar

▪ Clarification regarding advertisement or sale of real estate projects

Bihar Real Estate Regulatory Authority vide Circular dated June 06, 2022 has clarified that Promoters can advertise or sell their real estate projects only after registration of the project in cases when the land exceeds 500 square metres or the number of apartments proposed to be developed exceeds 8.

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

Gujarat

▪ Waiver of late fee for delay in filing FORM GSTR-4 to furnish the quarterly returns under Gujarat Goods and Services Tax Act, 2017 for FY 2021-22

The Finance Department of Gujarat vide Notification dated June 06, 2022 waived off the payment of late fee for delay in filing FORM GSTR-4 to furnish the quarterly returns under the Gujarat Goods and Services Tax Act, 2017 for FY 2021-22 from May 01, 2022 to June 30, 2022.

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

▪ Amendment to Gujarat Electricity Regulatory Commission (Net Metering Rooftop Solar PV Grid Interactive Systems) Regulations, 2016

The Gujarat Electricity Regulatory Commission vide Notification dated May 31, 2022 amended Regulation No. 6.1 (vi) of the Gujarat Electricity Regulatory Commission (Net Metering Rooftop Solar PV Grid Interactive Systems) Regulations, 2016 stating that any individual, company, body corporate, association, body of individuals or artificial juridical person can be made eligible for setting up of solar power systems.

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

Haryana

▪ Standard Operating Procedures (SOPs) for safe operations on hazardous and dangerous manufacturing processes

The Labour Department of Haryana, vide Public Notice dated June 01, 2022, released the Standard Operating Procedure (SOPs) for carrying out manufacturing operations for factories where hazardous chemicals, gases, and other flammable substances are used. The Department has advised all the factory owners and stakeholders to carry out their manufacturing process safely and in accordance with the said SOP.

(To view the Public Notice, please click [here](#) and to view the SOP, please click [here](#))

Himachal Pradesh

▪ Himachal Pradesh Real Estate (Regulation and Development) 1st Amendment Rules, 2022

The Housing Department of Himachal Pradesh vide Notification dated June 03, 2022 made alterations to Form L - Agreement for Sale appended to the Himachal Pradesh Real Estate (Regulation and Development) Rules, 2017 via the Himachal Pradesh Real Estate (Regulation and Development) 1st Amendment Rules, 2022.

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

▪ Revised minimum basic wages for various categories of workers

The Department of Labour & Employment, Himachal Pradesh vide Notifications dated May 25, 2022 revised the minimum rates of wages in the scheduled employment of the following categories of workers, effective from April 1, 2022:

- Construction/maintenance of roads, building operations, stone breaking and stone crushing
- Shops & commercial establishments
- Safai karamcharis
- Pharmaceutical industry
- Public motor transport
- Hospitals/nursing homes & clinics
- Hydro power projects
- Temples and religious places/dharmshalas
- Workers working in toll tax barriers
- Private educational institutes
- Agriculture
- Security services

- Domestic workers
- Forestry industries

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

Karnataka

▪ **Amendment in Government of Karnataka, Notification (24/2017) No. FD 47 CSL 2017, dated December 29, 2017**

The Government of Karnataka vide Notification dated June 03, 2022 added a proviso to the earlier released Notification (24/2017) No. FD 47 CSL 2017, dated the December 29, 2017, whereby the Government has waived off the late fee for delay in filing of FORM GSTR-4 for FY 2021-22 from May 01, 2022, to June 30, 2022.

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

▪ **Karnataka Essential Commodities Licensing (Third Amendment) Order, 2022**

The Government of Karnataka vide Notification dated June 10, 2022 amended the Schedule IV of Karnataka Essential Commodities Licensing Order, 1986, whereby the figure 'up to 30th June 2022' is substituted with 'up to 30th December 2022'.

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

Ladakh

▪ **Draft Industrial Relations (Ladakh) Rules, 2022**

The Union Territory of Ladakh vide Notification dated June 07, 2022 released the Industrial Relations (Ladakh) Rules, 2022 under the Industrial Relations Code, 2020 in supersession of:

- The Jammu and Kashmir Trade Union Regulations, 1972
- The Industrial Employment (Standing Orders) Jammu and Kashmir Rules, 1972
- The Industrial Disputes (Jammu and Kashmir State) Rules, 1972

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

▪ **Draft Ladakh Occupational Safety, Health, and Working Conditions Rules, 2022**

The Union Territory of Ladakh vide Notification dated June 07, 2022 released the draft Ladakh Occupational Safety, Health, and Working Conditions Rules, 2022 under the Occupational Safety, Health, and Working Conditions Code, 2020 in supersession of:

- The Jammu and Kashmir Building and Other Construction Workers (Regulation Employment and Condition of Services) Rules, 2006
- The Jammu and Kashmir Factories Rules, 1972
- The Contract Labour (Regulation and Abolition) Jammu and Kashmir Rules, 1972
- The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Jammu and Kashmir Rules, 1984
- The Jammu and Kashmir Motor Transport Workers Rules, 1972

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

▪ **Draft of Code on Wages (Ladakh) Rules, 2022**

The Administration of Union Territory of Ladakh vide Notification dated June 01, 2022 issued a draft of the Code on Wages (Ladakh) Rules, 2022 under the Code on Wages, 2019 in supersession of:

- The Jammu and Kashmir Payment of Wages Rules, 1972
- The Jammu and Kashmir Minimum Wages Rules, 1972

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

▪ **Draft Code on Social Security (Ladakh) Rules, 2022**

The Administration of Union Territory of Ladakh vide Notification dated June 01, 2022 issued the Code on Social Security (Ladakh) Rules, 2022 under the Code on Social Security, 2020 in supersession of:

- Jammu and Kashmir Workmen Compensation Rules, 1972
- Jammu and Kashmir Payment of Gratuity Rules, 1973
- Jammu and Kashmir Maternity Benefit Rules, 1974
- Jammu and Kashmir Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2006
- Jammu and Kashmir Unorganized Workers Social Security Rules, 2010

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

Odisha

▪ Clarification regarding advertisement or sale of real estate projects

The Housing and Urban Development Department of Odisha vide Notification dated June 01, 2022 clarified that Promoters can advertise or sell their real estate projects only after registration of the project in cases when the land exceeds 500 square metres or the number of apartments proposed to be developed exceeds 8.

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

▪ Waiver of late fee for delay in filing FORM GSTR-4 to furnish the quarterly returns under Odisha Goods and Services Tax Act, 2017 for Financial Year 2021-2022

The Finance Department of Odisha vide Notification dated June 06, 2022 waived off the payment of late fee for delay in filing FORM GSTR-4 to furnish the quarterly returns under the Odisha Goods and Services Tax Act, 2017 for FY 2021-2022 from May 01, 2022, to June 30, 2022

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

▪ Guidelines for endorsement of recognition certificates of Boiler Repairers or Erector

The Odisha Government vide Order dated June 03, 2022 listed out relevant documents which are to be furnished by the applicants for endorsement of boiler, steam pipeline erector or for obtaining repair certificate. The list of documents includes 'filled in prescribed application form' along with requisite fees, original recognition certificate.

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

Tamil Nadu

▪ Exemption from opening and closing hours for shops and establishments for three years

The Government of Tamil Nadu vide Notification dated June 02, 2022 has provided exemption from the provisions of sub-Section (1) of Section 7 and sub-Section (1) of Section 13 of the Tamil Nadu Shops and Establishments Act, 1947, which specified the opening and closing hours of the shops and establishments. The Notification has permitted the shops and establishments to be open 24*7 on all days of year for a period of three years, subject to the following conditions:

- All employees to be provided with one day holiday on rotational basis and the details of every employee to be displayed in a conspicuous place in establishments in Form S
- Display details of employees on holiday/leave on daily basis in a conspicuous place
- Wages, inclusive of overtime wages, to be credited to the savings bank account of employees
- Employer to abide by daily and weekly working hours including overtime
 - **Working hours:** Not more than 8 hours daily and 48 hours in a week
 - **Overtime:** 10.5 hours in any day and 57 hours in a week
- Written Consent of women required for making them work between 8:00 pm and 6:00 am, subject to providing adequate protection to their dignity, honor and safety
- Provide transport facilities to the women working in shifts and display of availability of transport facility at the main entrance of the establishment
- Provide restroom, washroom, safety lockers and other basic amenities
- Constitution and operationalization of Internal Complaints Committee under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- Other terms and conditions provided in Tamil Nadu Shops and Establishments Act, 1947 and Tamil Nadu Shops and Establishments Rules, 1948

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

Uttar Pradesh

▪ Directions to continuous and non-continuous processing factories in Rampur and Azamgarh of Uttar Pradesh on account of Lok Sabha bye-elections 2022

The government of Uttar Pradesh vide Notification dated June 02, 2022, on account of the Lok Sabha bye-elections 2022 to be held on June 23, 2022, has directed all continuous processing factories situated in Rampur and Azamgarh to allow their employees a suitable time to cast their vote and has directed all the non-continuous processing factories to grant a holiday to their workers. Further, the non-continuous processing factories shall not call their workers to work in the next week against the holiday so provided.

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

- **Public holiday on account of Lok Sabha bye-elections 2022 on 23rd June 2022 in Rampur and Azamgarh of Uttar Pradesh**

The government of Uttar Pradesh vide Notification dated June 02, 2022, has declared June 23, 2022 as a public holiday in Rampur and Azamgarh on account of Lok Sabha bye-elections 2022.

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

West Bengal

- **Declaration of Rate of interest on State Compensatory Afforestation Fund (SCAF)**

The West Bengal Finance Department vide Notification date June 10, 2022, has notified that rate of interest on State Compensatory Afforestation Fund (SCAF) will be set at 3.5% per annum for FY 2021-22.

(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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