



COMPLIANCE UPDATE

November 2022 | Part 2 of 2

Securities and Exchange Board of India (SEBI)

- **Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) (Amendment) Regulations, 2022**

SEBI on November 09, 2022 amended the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011. As per the amendment, the price determined, shall not apply in the case of disinvestment of a public sector undertaking by the Central Government or a State Government which leads to change in control of a PSU.

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

- **Securities and Exchange Board of India (Infrastructure Investment Trusts) (Second Amendment) Regulations, 2022**

SEBI on November 09, 2022 directed all Infrastructure Investment Trusts (InvITs) to surrender the certificate of registration to the Board if they fail to make any offer of their units, whether by way of public issue or private placement, within three years from the date of registration with the Board.

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

- **Securities and Exchange Board of India (Issue and Listing of Non-Convertible Securities) (Second Amendment) Regulations, 2022**

SEBI on November 09, 2022 added a new chapter in Securities and Exchange Board of India (Issue and Listing of Non-Convertible Securities) Regulations, 2021. The newly added Chapter VIA deals with Online Bond Platform Providers.

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

- **Master Circular on the redressal of investor grievances through the SEBI Complaints Redress System (SCORES) platform**

SEBI on November 07, 2022 notified the Master Circular on the redressal of investor grievances through the SEBI Complaints Redress System (SCORES) platform.

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

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- **Securities and Exchange Board of India (Real Estate Investment Trusts) (Amendment) Regulations, 2022**

SEBI on November 09, 2022 amended Regulation 11 of Securities and Exchange Board of India (Real Estate Investment Trusts) Regulations, 2014. As per the amendment, the sponsor(s) and sponsor group(s) of a Real Estate Investment Trust (REIT) shall collectively hold a minimum of 15% of the total units of the REIT for a period of at least 3 years from the date of listing of such units pursuant to initial offer on a post-issue basis. Furthermore, any holding of the sponsor(s) and sponsor group(s) exceeding the minimum holding, shall be held for a period of at least 1 year from the date of listing of such units.

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

Central Board of Indirect Taxes & Customs (CBIC)

- **Reduction in Special Additional Excise Duty on petroleum crude**

The Ministry of Finance on November 01, 2022 reduced the Special Additional Excise Duty to INR 9,500 per tonne from INR 17,000 per tonne.

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

- **Central Goods and Services Tax (Third Amendment) Rules, 2022**

The CBIC on November 15, 2022 extended the due date of filing Form GSTR-9 till November 30, 2022.

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

Industry-wise updates

Wholesale & retail

- **Removal of Licensing Requirements, Stock Limits and Movement Restrictions on Specified Foodstuffs (Third Amendment) Order, 2022**

The Ministry of Consumer Affairs, Food and Public Distribution on November 02, 2022 exempted wholesale and bulk consumers (big chain retailers and shops) from the stock limit on edible oils and oilseeds.

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

Information technology

- **Aadhaar (Enrolment and Update) (Tenth Amendment) Regulations, 2022**

Unique Identification Authority of India on November 09, 2022 directed all Aadhaar holders to reverify the documents every 10 years.

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

Forests & environment

- **Guidelines on disposal of cigarette or bidi butts**

Central Pollution Control Board on November 01, 2022 issued guidelines on disposal of cigarette and bidi butts.

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

- **E-Waste (Management) Rules, 2022**

The Ministry of Environment, Forest, and Climate Change on November 02, 2022 notified E-Waste (Management) Rules, 2022.

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

- **Environment (Protection) Third Amendment Rules, 2022**

The Ministry of Environment, Forest, and Climate Change on November 02, 2022 revised the emission limits for gensets.

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

State-wise updates

Andhra Pradesh

▪ **Exemption to retail enterprises to remain open everyday**

The Labour Factories Boilers & Insurance Medical Services Department, Andhra Pradesh on November 01, 2022 issued a notification exempting retail enterprises under Andhra Pradesh Shops and Establishments Act, 1988 and allowing them to keep open all the retail enterprises every day of the year for a period of five years starting from November 01, 2022. As per the notification, the following conditions are set out:

- The Employees must be given a compensatory, compulsory weekly holiday.
- Working hours of employees shall be a maximum of 8 hours per day and not more than 48 hours in a week
- Record of overtime shall be maintained separately
- Employees shall be given a compensatory off and paid twice the ordinary wage if made to work on a national holiday or festival holiday.
- Women are allowed to work in all shifts, once the safety of the employees is ensured.

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

▪ **Amendments to the Andhra Pradesh Building Rules, 2017**

The Government of Andhra Pradesh on November 11, 2022 issued amendments to the Andhra Pradesh Building Rules, 2017 issued vide G.O.Ms.No.119, MA&UD (H) Dept., dated March 28, 2017. As per the Notification, the following amendments have been brought about:

- In Rule 3, after sub-Rule (10) (d)(xxiii), the (xxiv), 'For all Building Plans, the Provisions made in In-Building Solutions mandated in Annexure-7 in Andhra Pradesh Building Rules, 2017 shall be followed' is added.
- In Rule 16, after sub-Rule (4)(h), the 'Provisions made in In-Building Solutions as applicable and mandated in Annexure-7 in Andhra Pradesh Building Rules, 2017 shall be followed' is added.

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

Goa

▪ **Enforcement of certain provisions under Goa Goods and Services (Amendment) Act, 2022**

The Department of Finance (Revenue & Control) of the Government of Goa issued a notification to bring Sections 2 to 15 except Section 13 of the Goa Goods and Services (Amendment) Act of 2022 into existence on October 01, 2022.

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

▪ **Commencement of Goa Registration of Tourist Trade (Amendment) Act, 2022**

The Department of Tourism, Goa has issued a notification stating that the provisions of the Goa Registration of Tourist Trade (Amendment) Act, 2022 shall come into force on November 14, 2022.

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

NCT of Delhi

▪ **Dust control measures in C&D Projects**

The Commission for Air Quality Management in National Capital Region and Adjoining Areas, vide Direction dated November 02, 2022, has directed that all construction and demolition projects must deploy and ensure frequent and effective use of adequate number of anti-smog guns in proportion to the total area of construction project.

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

▪ **Implementation of Actions under Stage-III ('Severe' Air Quality) of revised Graded Response Action Plan in Delhi-NCR**

In wake of the Delhi AQI nearing the 'Severe +' Category (AQI >450), the GRAP Stage-IV actions were invoked on November 03, 2022, based on the AQI forecasts. As the present AQI level of Delhi is around 339 which is about 111 AQI points below the threshold for invoking the GRAP Stage-IV actions (Delhi AQI > 450) and preventive/ mitigative/restrictive actions under all Stages up to Stage-IV are underway, the sub-Committee, has decided to revoke the order, issued dated November 03, 2022, for actions under Stage-IV of the GRAP with immediate effect. Actions under Stages-I to Stage-III of the GRAP shall however remain invoked and be implemented, monitored and reviewed by all agencies concerned in the entire NCR to ensure that the AQI levels do not slip further to the 'Severe' / 'Severe +' category.

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

▪ **Amendment to Delhi Common Effluent Treatment Plants Rules, 2001**

The Office of the Commissioner of Industries, Delhi on November 02, 2022, issued an amendment to Delhi Common Effluent Treatment Plants Rules, 2001 whereby Schedule II which states "Formula for cost apportionment to all units existing in industrial estates" has been substituted. This has come into force on November 02, 2022.

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

▪ **Delhi PCC issues direction on closing of all industries in Delhi which are running of fuels**

The Delhi Pollution Control Committee on 3rd November 2022, issued directions under section 31(A) of Air (Prevention and control of pollution) Act 1981 to stop entry of trucks traffic into Delhi and ban on plying of Delhi registered diesel operated MGVs and LMVs. The Delhi PCC has notified strict implementation and enforcement of the below directions, except for exempted categories/services without any default and demur with immediate effect.

- It has been directed to ban plying of Delhi registered diesel operating medium goods vehicles (MGV) and heavy goods vehicles (HGV) in Delhi except those carrying essential commodities/providing essential services.
- Industries like milk and dairy units and those involved in manufacturing of life saving medical equipment/devices, drugs and medicines shall however be exempted from the above restrictions.
- Further there shall be no entry of truck traffic into Delhi (except for trucks carrying essential commodities/providing essential services and all CNG/electric trucks).

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

Gujarat

▪ **Remission of tax payable by a registered dealer on the sales of CNG**

The Finance Department, Gujarat vide notification dated November 02, 2022 remitted the amount of tax at 10% out of the total tax payable by a registered dealer on the turnover sales of the Compressed Natural Gas (CNG) within the State, sold to the specified dealer. The goods are to be sold to the specified dealer on a condition that, a tax of 5% of the sales of the goods to the specified dealer shall be collected by the seller.

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

▪ **Gujarat Electronics Policy (2022-28)**

The Department of Science & Technology, Gujarat on October 28, 2022, notified the Gujarat Electronics Policy. The objective is to promote faster and more inclusive growth in the electronics sector and take strategic steps towards achieving this objective holistically. The Policy will focus on attracting investments and employment across the State by driving growth through incentives, process optimization, and facilitating the adoption of the latest technologies in electronics manufacturing.

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

Haryana

▪ **Incentives under EV segment under Haryana Electric Vehicle Policy, 2022**

The Industries and Commerce Department, Haryana has issued certain incentives under the Haryana Electric Vehicle Policy with an objective to promote Research and development in the field of e-mobility in co-ordination with educational, national, international organizations; offer fiscal benefits to the buyers of electric vehicle in order to ensure sufficient demand and enable wider adoption of electric vehicles in the State and to promote manufacturing of EV and components in the State and support in a conducive business system. The Scheme shall commence with effect from July 10, 2022. The incentives include:

- Research and Development Incentives under EV segment under Clause 10 of the Haryana Electric Vehicle Policy 2022.
- Purchase Incentives to Buyers of Electric Vehicles under Clause 6(a) of Haryana Electric Vehicle Policy, 2022.
- Power Subsidy and Incentives (Electric Duty Exemption) to the manufacturers of Electric Vehicle (EV), major components of EVs, batteries for EVs and charging infrastructure under Clause 5(e) of the Haryana Electric Vehicle.
- Water Treatment Incentives to the manufacturers of Electric Vehicle (EV), major components of EVs, batteries for EVs and charging infrastructure under Clause 5(f) of the Haryana Electric Vehicle Policy, 2022.

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

▪ **Paid holiday for employees of shops and commercial establishments in Haryana**

The Labour Department, Haryana has notified November 22, 2022, and November 25, 2022, to be paid holidays for all shops and commercial establishments falling in the Districts of Faridabad, Fatehabad, Hisar and Palwal, where the election is going to be held on the above-mentioned dates for Panches, Sarpanch of Gram Panchayats, Member of Panchayat Samitis and Zila Parishads in the State of Haryana. Further, this notification is only applicable for employees who are enrolled as voters in the districts mentioned above to enable them to cast their votes.

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

▪ **Haryana Money Circulation Schemes (Banning) Rules, 2022**

The Power Department of the Government of Haryana issued a notification to declare certain Protected systems under the Information Technology Act, 2000 which include the following:

- Supervisory Control
- Data Acquisition System
- Unified Real Time Dynamic State Measurement System

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

Himachal Pradesh

▪ **Declaration of paid holiday for general election**

The Government of Himachal Pradesh has declared paid holiday on November 12, 2022, on account of the general election for all persons who are employed in any business, trade, industrial undertaking, or any other establishments.

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

UT of Ladakh

▪ **Ladakh Minimum Wages Notification (October 2022)**

The Administration of Union Territory of Ladakh, vide Notification revised the minimum rates of wages for scheduled employments, effective from November 02, 2022.

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

Maharashtra

▪ **Declaration of transport business as Public Utility Service under Industrial Disputes Act, 1947**

Industries, Energy and Labour Department, Maharashtra, on November 9, 2022, has declared transport business (passenger and goods transport) to be a public utility service for the purpose of Industrial Disputes Act, 1947 for a period of 6 months with effective from November 9, 2022 till May 9, 2022.

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

Puducherry

▪ **Permission to open shops and establishments for 24x7 hours**

The Government of Puducherry vide notification dated October 27, 2022 permitted all shops and establishments employing 10 or more persons, to be open for 24x7 hours on all days of the year, for a period of three years with effect from the date of publication, unless it is revoked, subject to the following conditions:

- Every employee shall be given one-day holiday in a week on a rotation basis.
- Every employer shall exhibit details of the employees on holiday or leave, at a conspicuous place in the establishments.
- An employer shall not require or allow any person employed to work therein for more than eight hours on any day and forty-eight hours in any week and the period of work including overtime shall not exceed ten and a half hours in any day and fifty-seven hours in a week.

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

Punjab

▪ **Notification of instructions regarding GST for quarterly financial statements**

The Punjab State Power Corporation Limited (PSPCL) on November 03, 2022 issued a notification regarding instructions for GST quarterly financial statements mentioned in circular no. 07/2022 published on June 30, 2022.

- Each outward and inward supply of goods and services and concerned GST liability should be booked in relevant or concerned account codes as per accounting policy and reconciliation

should be made with transactions submitted in GST returns to avoid any short/excess levy & collection of GST on any transaction.

- Debit amount in SGST account codes should match the Debit of CGST account codes. Similarly, the credit amount in SGST account codes should match the Credit of CGST account codes. Correction for any excess or short booked, be made by plus /minus Debit or Credit in concerned codes.
- Balance at the end of the concerning quarter in GST liability-related account codes should depict the amount of GST that remains to be paid relating to transactions of the concerned quarter, cleared by deposit with the tax department in the last monthly GST return of the concerned quarter (to be filed in succeeding month). A detailed schedule of these transactions should be maintained.

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

Tamil Nadu

▪ **Enforcement of provisions of ESI Act in the Chengalpattu and Karur districts of Tamil Nadu**

The Government of India, vide Notification dated November 04, 2022 extended medical benefits, provided under Regulation 95-A of the Employees' State Insurance (General) Regulations, 1950, to the families of all insured persons in the entire area of Chengalpattu, Karur, and Salem districts in the State of Tamil Nadu with effect from November 01, 2022.

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

Uttar Pradesh

▪ **Draft of Uttar Pradesh Green Hydrogen Policy**

The Uttar Pradesh New & Renewable Energy Development Agency (**UPNEDA**) published the Draft Uttar Pradesh Green Hydrogen Policy in October 2022. The policy aims to promote growth and employment in the state while prioritizing decarbonization and the state's contribution to India's climate goals. The objective of the policy is to:

- Enable ease of doing business for setting up and promoting investments in green hydrogen/ammonia production facilities and green hydrogen-based product manufacturing units.
- Encourage innovation in green hydrogen/ammonia production and consumption technologies to reduce the cost of green hydrogen/ammonia to competitive levels.

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

West Bengal

▪ **Standard Operating Procedure (SoP) for disposing of applications for issuance or alteration of registration certificates under the Legal Metrology (Packaged Commodities) Rules, 2011**

The Directorate of Legal Metrology, West Bengal vide notification dated October 28, 2022 published the Standard Operating Procedure (**SoP**) for disposing of applications for issuance or alteration of registration certificates for manufacturers, importers, or packers under the Legal Metrology (Packaged Commodities) Rules, 2011. All application and requisite documents for issuance or alteration of entry in the registration certificate shall be uploaded at the given URL <https://dolmwb.gov.in> as a part of procedure for disposing of applications for issuance or alteration of registration certificates.

(To view the Standard Operating Procedure, 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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