

COMPLIANCE UPDATE

JANUARY 2024 | Part 2 of 2

Reserve Bank of India (RBI)

Master Direction – Reserve Bank of India (Commercial Paper and Non-Convertible Debentures of original or initial maturity up to one year) Directions, 2024

RBI on January 03, 2024 notified Master Directions for Commercial Papers and Non-Convertible Debentures. The Directions details the parameters for eligible investors, general guidelines and reporting requirements. (To view the Notification, please click here)

Securities and Exchange Board of India (SEBI)

Securities and Exchange Board of India (Alternative **Investment Funds) (Amendment) Regulations, 2024**

SEBI on January 05, 2024 amended Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012. The amendment mandates:

- AIFs to be in dematerialized form
- Appointment of Custodian for AIFs

(To view the Notification, please click here)

Ease of doing investment by investors- Facility of voluntary freezing/ blocking of trading accounts by clients

SEBI on January 12, 2024 directed all Registered Trading Members to provide the facility of voluntary freezing/blocking the online access of the trading account to their clients on account of suspicious activities which shall be laid down before April 01, 2024.

(To view the Circular, please click here)

Central Board of Indirect Taxes and **Customs (CBIC)**

Reduction of Special Additional Excise Duty on Diesel

The Ministry of Finance on January 01, 2024 has reduced the Special Additional Excise Duty on High Speed Diesel Oil to INR 0 per liter from INR 6 earlier.

(To view the Notification, please click here)

Table of content

Compliance

- **Reserve Bank of India (RBI)**
- Securities and Exchange Board of India (SEBI)
- **Central Board of Indirect Taxes & Customs (CBIC)**
- Ministry of Commerce and Industry (MCI)

Industry-wise updates

- Agriculture
- Shipping, ports, and fisheries
- Utilities

State-wise updates

- Andhra Pradesh
- Manipur Meghalaya
- Arunachal Pradesh Nagaland
- Chandigarh Goa
- Haryana
- Jharkhand
- Karnataka
- Maharashtra
- Punjab Rajasthan Tamil Nadu

NCT of Delhi

Uttarakhand

Declaration of interest rate under Special Deposit Scheme

The Ministry of Finance on January 02, 2024 has declared the interest rate for Special Deposits in Non-Government Provident, Superannuation and Gratuity Funds as 7.1% with effect from January 01, 2024 to March 31, 2024.

(To view the Notification, please click here)

Extension of due date for filing monthly return (GSTR-3B) and annual return for certain districts of Tamil Nadu

The Ministry of Finance on January 05, 2024 has extended the due date for furnishing the return in FORM GSTR-3B for the month of November, 2023 and the annual return till January 10, 2024 for registered persons whose principal place of business is in the districts of Tirunelveli, Tenkasi, Kanyakumari, Thoothukudi and Virudhunagar.

(To view the Notification, please click here)

Special Procedure (GST) for Registered Person involved in manufacturing of tobacco products

The Ministry of Finance on January 05, 2024 has directed manufacturers of tobacco products (as mentioned in the Schedule) to furnish details of packing machines being used for filling and packing of packages in FORM GST SRM-I. Furthermore, the Registered Person shall also submit a special statement for each month in FORM GST SRM-II.

(To view the Notification, please click here)

Ministry of Commerce and Industry (MCI)

Restrictions on import of used IT assets from Special Economic Zone (SEZ) to Domestic Tariff Area (DTA)

MCI on January 01, 2024 imposed restrictions on import of Used IT Assets (Laptops, desktops, monitors, printers)- Import from Special Economic Zone (SEZ) to Domestic Tariff Area (DTA).

(To view the Notification, please click here)

Air Conditioner and its related Parts, Hermetic Compressor and Temperature Sensing **Controls (Quality Control) Amendment Order, 2023**

MCI on January 02, 2024 excluded hermetic compressors with a capacity exceeding 7000 W (2 TR) from the scope of the Air Conditioner and its Related Parts, Hermetic Compressor, and Temperature Sensing Controls (Quality Control) Order, 2019.

(To view the Notification, please click here)

Electrical Accessories (Quality Control) Order, 2023

MCI on January 01, 2024 directed all electrical accessories manufacturers to adhere to the Scheme-1 of Schedule-II to the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018.

(To view the Notification, please click here)

Geographical Indications of Goods (Registration and Protection) (2nd Amendment) (Draft) Rules, 2024

MCI on January 02, 2024 notified the draft of Geographical Indications of Goods (Registration and Protection) (2nd Amendment) Rules, 2024. The Rules aim to strengthen the legal framework for the registration and protection of GIs, which are vital in recognizing the unique identity of products originating from specific geographical regions and embodying traditional knowledge and skills. The Draft Rules are open for objections till February 01, 2024.

Industry-wise updates

Agriculture

Insecticides (First Amendment) (Draft) Rules, 2024

The Ministry of Agriculture and Farmers Welfare on January 12, 2024 has published the Draft Insecticides (First Amendment) Rules, 2024. As per the Draft Rules, all retailers or dealers possessing a valid license without prescribed qualifications shall be allowed up to June 30, 2024 to comply with the said qualifications. The Draft Rules are open for objections till February 7, 2024.

(To view the Notification, please click here)

Shipping, ports, and fisheries

Coastal Aquaculture Authority Rules, 2024

The Ministry of Fisheries, Animal Husbandry and Dairying on January 08, 2024 notified Coastal Aquaculture Authority Rules, 2024 to regulate:

- Registration of coastal aquaculture units or activities
- Access to Water Resources by Registered Units
- Aquaculture inputs

(To view the Notification, please click here)

Utilities

Electricity (Amendment) Rules, 2024

The Ministry of Power on January 10, 2024 added Rules 21, 22 and 23 in the Electricity Rules, 2005. The newly added Rules deal with:

- Rule 21- Establishment, operation and maintenance of dedicated transmission lines
- Rule 22 Open access charges
- Rule 23 Gap between approved Annual Revenue Requirement and estimated annual revenue from approved tariff

State-wise updates

Andhra Pradesh

Extending the time limit for recovery of tax under Andhra Pradesh GST Act, 2017

The Government of Andhra Pradesh on January 01, 2024 extended the time limit for issuance of orders under Section 73 of Andhra Pradesh Goods and Services Tax Act, 2017 for recovery of tax in the following cases:

- Tax is not paid or short paid or
- Input tax credit wrongly availed or utilized

The extension will be for the following period:

- For FY 2018-19, up to the 30th day of April 2024
- For FY 2019-20, up to the 31st day of August 2024

To view the Notification, please click here)

Date of enforcement of Andhra Pradesh Motor Vehicle Taxation (Amendment) Act, 2023

The Government of Andhra Pradesh on January 02, 2024 appointed December 07, 2018, as the date on which the provisions of the Andhra Pradesh Motor Vehicle Taxation (Amendment) Act, 2023 will come into force.

To view the Notification, please click here

 Andhra Pradesh Electricity Regulatory Commission (Compensation to Victims of Electrical Accidents) First Amendment Regulation, 2023

The Andhra Pradesh Electricity Regulatory Commission (**APERC**) on December 27, 2023 amended the first proviso under Clause 5(2) of the Andhra Pradesh Electricity Regulatory Commission (Compensation to Victims of Electrical Accidents) Regulation, 2017.

As per the amendment, ex-gratia payment will be provided in cases where there is no wrongful act, omission, rashness, neglect or default on the part of the licensee, and irrespective of the place of the electrical accident.

To view the Notification, please click here)

<u>Classification of industrial Sectors into Red, Orange, Green and White Categories</u>

The Andhra Pradesh Pollution Control Board (**APPCB**) on January 01, 2024 classified the following additional industrial Sectors into Red, Orange, Green and White Categories:

- Scrapping centre
- Used cooking oil collection centre
- Compressed/refined biogas
- Railway stations
- Dairy farms & gaushalas
- Building and construction projects having built-up area up to 20,000 m2 and wastewater generation > 50 KLD
- Construction and demolition, waste processing plants
- Gold assaying & hallmarking centres
- Semiconductor manufacturing industries
- Sand/riverbed material mining from the riverbed and its floodplains

To view the Notification, please click here)

<u>Andhra Pradesh Milk Procurement (Protection of Farmers) and Enforcement of Safety of</u> <u>Milk Standards Rules, 2023</u>

The Government of Andhra Pradesh on January 11, 2024 published the Andhra Pradesh Milk Procurement (Protection of Farmers) and Enforcement of Safety of Milk Standards Rules, 2023.

As per the Rules, sairies shall purchase milk analyzers only from the manufactures or dealers who have got valid license form Milk Commissioner of Andhra Pradesh.

(To view the Notification, please click here)

Arunachal Pradesh

List of public holidays for the year 2024

The Governor of Arunachal Pradesh on September 26, 2023 issued the list of public holidays for the year 2024.

Chandigarh

Days for the Calendar Year 2024 on which the use of loudspeaker or public address systems is permitted

The Department of Environment, Chandigarh on December 26, 2023 notified the days for the Calendar Year 2024 on which the use of loudspeaker or public address systems and the like during night hours (between 10:00 PM to 12:00 midnight) is permitted.

(To view the Notification, please click here)

Goa

Goa Preservation of Trees (Third Amendment) Rules, 2023

The Government of Goa on January 04, 2024 notified the Goa Preservation of Trees (Third Amendment) Rules, 2023 further to amend the Goa, Daman, and Diu Preservation of Trees Rules, 1983.

As per the amendment, in Rule 6A, for Clause (a), the following Clause shall be substituted, namely: (a) Tree felling fee Rs. 1,000/- per tree'. This shall come into force from January 04, 2024

(To view the Notification, please click here)

Goa Provision of Water Supply Rules, 2023

The Government of Goa issued the Goa Provision of Water Supply Rules, 2023. The Notification will come into force from December 28, 2023. The following provisions have been stated:

- Procedure for water supply service connection: Every application for water supply service connection irrespective of category shall be disposed of by PWD within a period of 30 days from the date of receipt of the application by the concerned Assistant Engineer and as per provisions of the Goa (Right of Citizens to Time Bound Delivery of Public Services) Act, 2013 subject to the production of valid requisite documents and as per technical feasibility.
- Control of water supply system by PWD:
 - PWD shall control any water supply system developed by the Water Resources Department, Municipal Councils, Village Panchayats, Corporations, Autonomous Bodies, Industrial estates, Government undertakings, and private developers, if the Government so desires.
 - o The consumer shall allow and facilitate PWD for inspection of the water meter.
 - Release of water by the concerned Assistant Engineer for individual connection shall be through a 15mm/20mm diameter service pipeline.

(To view the Notification, please click here)

Haryana

Haryana Settlement of Outstanding Dues (Amendment) Act 2023

The Government of Haryana issued the Haryana Settlement of Outstanding Dues (Amendment) Act, 2023 to further amend the Haryana Settlement of Outstanding Dues Act, 2017. The following amendments have been stated:

- In Section 2, which states 'Definitions', in Clause (ii), for the words, figures and sign 'up to March 31, 2017', the words, figures and sign 'up to June 30, 2017' shall be substituted.
- In Section 3, which states 'Framing of the scheme', for the words, figures, and sign 'up to March 31, 2017', the words, figures, and sign 'up to June 30, 2017' shall be substituted. This Notification will come into force from December 28, 2023

(To view the Notification, please click here)

Jharkhand

Revision of minimum wages in Jharkhand

The Government of Jharkhand on January 02, 2024 revised and issued a draft for fixing the minimum wage in areas of Jharkhand as following:

- Unskilled INR 352.38
- Semi-skilled INR 369.17
- Skilled INR 486.64
- Highly skilled INR 562.14

Karnataka

Notification regarding the holiday list for 2024

The Government of Karnataka on December 13, 2023 notified the national, festival and other holidays to be the holidays with wages for the Calendar Year, 2024.

(To view the Notification, please click here)

<u>Karnataka Motor Vehicles Taxation (Second Amendment) Act, 2023</u>

The Government of Karnataka on December 30, 2023 amended Section 7 of the Karnataka Motor Vehicles Taxation Act, 1957. As per the amendment, a person will not be eligible for refund of tax if the tax is not paid in full.

A refund of tax is provided in the cases where the vehicle has not been used during the whole of that period for which tax has been paid.

(To view the Notification, please click here)

Extending the time limit for recovery of tax under Karnataka GST Act, 2017

The Government of Karnataka on December 29, 2023 extended the time limit for issuance of orders under Section 73 of Karnataka Goods and Services Tax Act, 2017 for recovery of tax in the following cases:

- Tax is not paid or short paid or
- Input tax credit wrongly availed or utilized

The extension will be for the following period:

- For FY 2018-19, up to the 30th day of April 2024
- For FY 2019-20, up to the 31st day of August 2024

(To view the Notification, please click here)

Wildlife (Protection and Surrender of undeclared wildlife or Animal article, trophy, and uncured trophy) (Karnataka) Rules, 2024

The Government of Karnataka on January 11, 2024 published Wildlife (Protection and Surrender of undeclared Wildlife or Animal article, trophy, and uncured trophy) (Karnataka) Rules, 2024.

Key aspects:

- From the date of commencement of these Rules, within 90 days, any person who has in his/their possession any wild life or animal article, trophy and uncured trophy that does not have a certificate of ownership, may physically handover and surrender such item to the jurisdictional Deputy Conservator of Forests (Territorial or Wild Life), Assistant Conservator of Forests (Territorial or Wild Life), Range Forest Officer (Territorial or Wild Life) or the Head of the Police Station, along with an affidavit in Form-1.
- In case the wildlife or animal article, trophy and uncured trophy do not have a certificate of ownership belonging to a Club, Society, Company, Institution etc., the surrender shall be made by any Member or Director or Authorized signatory representing the said body.
- These Rules shall not be applicable to any wildlife or animal article, trophy or uncured trophy that has a certificate of ownership issued under the Wildlife (Protection) Act, 1972.

(To view the Notification, please click here)

Karnataka Air (Prevention and Control of Pollution) (Amendment) Rules, 2024

The Government of Karnataka on January 10, 2024 notified amendment to Rule 20 of Karnataka Air (Prevention and Control of Pollution) Rules, 1983.

As per the amendment, fee has been modified for consent to establish or consent to expansion or consent to operate for Industries or Organizations as mentioned below:

- Capital investment exceeding INR 1 crore but not exceeding INR 5 crore INR 30,000
- Capital investment exceeding INR 5 crore but not exceeding INR 10 crore: INR 40,000
- Capital investment exceeding INR 10 crore but not exceeding INR 25 crore: INR 60,000

This fee will come into force from January 11, 2024.

(To view the Notification, please click here)

Karnataka Government - Covid Advisory

Health and Family welfare department of Government of Karnataka on December 18, 2023 notified the following to minimize the spread of Covid -19:

- For all elderly people and pregnant women to wear masks and avoid closed/poorly ventilated places or crowded areas.
- To maintain good personal hygiene by frequently washing hands.

Maharashtra

Bombay Foreign Liquor (Amendment) Rules, 2024

The Home Department, Maharashtra on January 09, 2024 issued Bombay Foreign Liquor (Amendment) Rules, 2024 to further amend the Bombay Foreign Liquor Rules, 1953 whereby the following amendments have been made:

- Rule 40 which states 'Regulation of business of licensee' has been amended
- Form FL-II appended to the Principal Rules has been amended

(To view the Notification, please click here)

Bombay Prohibition (Privileges Fees) (Amendment) Rules, 2024

The Government of Maharashtra on January 09, 2024 notified Bombay Prohibition (Privileges Fees) (Amendment) Rules, 2024 further to amend the Bombay Prohibition (Privileges Fees) Rules, 1954 whereby Rule 5B, which specifies the fee for conducting agreement of license, has been inserted. (To view the Notification, please click here)

Manipur

 Manipur Labour Laws (Exemption from Renewal of Registration and License by Establishments) Ordinance, 2023

The Government of Manipur on December 29, 2023 published the Manipur Labour Laws (Exemption from Renewal of Registration and License by Establishments) Ordinance, 2023 to provide for the exemption of the employer of establishment from renewal of registration of his establishment and renewal of his licensee under labour laws. It provides that any person who fails to furnish self-certification under this ordinance shall be punishable with a fine which may extend to INR 10, 000. This Ordinance extends to the whole State of Manipur and has amended the following labor laws:

- Contract Labour (Regulation and Abolition) Act, 1970
- Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979
- Building and Other Construction Workers (Regulation of Employment and Conditions of Service Act, 1996

(To view the Notification, please click here)

Meghalaya

 Draft Meghalaya State Electricity Regulatory Commission (Framework for Resource Adequacy) Regulations, 2023

The Meghalaya State Electricity Regulatory Commission, (**MSERC**) on December 13, 2023 issued Draft Meghalaya State Electricity Regulatory Commission (Framework for Resource Adequacy) Regulations, 2023 whereby the following has been stated:

- The objective of these Regulations is to enable the implementation of a Resource Adequacy framework by outlining a mechanism for planning generation and transmission resources for reliably meeting the projected demand in compliance with specified reliability standards for serving the load with an optimum generation mix.
- These Regulations shall apply to the generating companies, distribution licensees, State Load Despatch Centre, State Transmission Utility, and other grid-connected entities and stakeholders within the State of Meghalaya.

(To view the Draft Regulations, please click here)

Nagaland

List of holidays, 2024

The Government of Nagaland on January 04, 2024 issued a list of holidays for Calendar Year 2024. (To view the list of holidays, please click <u>here</u>)

NCT of Delhi

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

The Ministry of Environment, Forest, and Climate Change (**MoEF&CC**) on January 14, 2023 notified that in an effort to prevent further deterioration of the air quality, the sub-committee decided that all actions as envisaged under Stage III of the GRAP -'Severe' Air Quality (DELHI AQI ranging between 401-450) be implemented in right earnest by all the agencies concerned in the NCR, with immediate effect, in addition to the stage I and II actions already in force.

Penalty for not filing AGMs report through online mode

The Government of Delhi on January 01, 2024 issued a Notification regarding the penalty for not filing AGMs reports through online mode. It states that every year within 30 days of holding the Annual General Body Meeting, a return relating to its constitution, business, and allied matters to the Registrar as prescribed, and if the returns are not filed, it shall be an offence and the person responsible shall be penalized. It further states that all cooperative societies registered shall file their AGMs report online mode as per the table attached.

(To view the Notification, please click here)

Punjab

 Harmonization of classification of industrial sectors into Red, Orange, Green and White categories, regarding Tyre Pyrolysis Oil (TPO) industries

The Punjab Pollution Control Board (**PPCB**) on January 02, 2024 notified regarding the harmonization of classification of industrial sectors into Red, Orange, Green and White Categories, regarding Tyre Pyrolysis Oil (**TPO**) industries. The Board has already categorized 'Pyrolysis Plants' under the Red category at Sr. No. 1082.

The modification/addition is made to the list of industries earlier categorized by the Board under the Red/Orange/Green/White category.

(To view the Notification, please click here)

Enforcement date of various provisions of the Punjab Goods and Services Tax (Amendment) Act, 2023

The Government of Punjab on January 02, 2024 issued a Notification regarding the enforcement date of various provisions of the Punjab Goods and Services Tax (Amendment) Act, 2023. October 01, 2023 shall be the date on which the provisions of Sections 3 to 28 (except Sections 16 to 21) of the Act shall be deemed to have come into force.

August 01, 2023 shall be the date on which the provisions of Sections 16 to 21 of the said Act shall be deemed to have come into force.

(To view the Notification, please click here)

<u>PSERC invites objections/comments on petition for procurement of Power Quality</u> <u>Meters and charging meter rent from the designated consumers</u>

The Punjab State Electricity Regulatory Commission (**PSERC**) on January 01, 2024 issued the Notification inviting objections/comments of the public and all stakeholders in respect of Petition No.72 of 2023 (Suo-Moto) for procurement of Power Quality Meters by Punjab State Power Corporation Limited (**PSPCL**) and charging meter rent from the designated consumers.

The designated consumers are to install Power Quality meters within the time specified. PSPCL, in its ARR petition, has proposed that PSPCL may be allowed to undertake the procurement of Power Quality meters and consequently charge meter rent from the designated consumers. The comments/suggestions/objections are invited so as to reach this office within 07 days from January 01, 2024 in person or by post or through e-mail.

(To view the Notification, please click here)

Punjab Canal and Drainage Act, 2023

The Government of Punjab on December 27, 2023 notified the Punjab Canal and Drainage Act, 2023. This shall come into force on such date as the State Government may, by Notification, appoint. The Act focuses on the following:

- Section 2 talks about various definitions like 'canal' 'culturable command area' and others
- Section 3 talks about the power of the state government to appoint officers
- Section 4 talks about the utilization of water for public purposes
- Section 5 talks about the power to prohibit installation of tube wells.

(To view the Notification, please click here)

Draft Punjab Motor Vehicle Aggregator Rules, 2023

The Government of Punjab on December 29, 2023 published the Draft Punjab Motor Vehicle Aggregator Rules, 2023. It states that these rules shall apply to all aggregators operating in the State of Punjab and shall apply to all motor vehicles and e-rickshaws. It has incorporated provisions relating to the grant or renewal or duplicate of the license and states that any person may make an application for a grant of license in Form- I. The Rules laid down various provisions dealing with the eligibility conditions of the aggregator objections or suggestions if any with respect to this draft shall be considered within 30 days of publication of this Notification in the gazette.

Rajasthan

Rajasthan Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) (Second Amendment) Regulations, 2023

The Rajasthan State Electricity Regulatory Commission (RERC) issued the Rajasthan Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) (Second Amendment) Regulations, 2023 to further amend the RERC (Terms and Conditions for Determination of Tariff from Renewable Energy Sources) Regulations, 2020.

Regulation 3, which states 'Scope of regulation and extent of application' has been amended

- In Regulation 5, which states 'Control period', sub-Regulation 5.1 has been substituted

This Notification will come into force from December 29, 2023.

(To view the Notification, please click here)

Tamil Nadu

Establishment of the Tamil Nadu Platform Based Gig Workers' Welfare Board

The Labour Welfare and Skill Development Department, Tamil Nadu on December 26, 2023 notified the Tamil Nadu Platform Based Gig Workers' Welfare Board for manual workers engaged in employment in platform-based gig works in the State of Tamil Nadu.

(To view the Notification, please click here)

Tamil Nadu Protected Agricultural Zone Development (Amendment) Act, 2023

The Government of Tamil Nadu on December 28, 2023 issued the Tamil Nadu Protected Agricultural Zone Development (Amendment) Act, 2023 to further amend the Tamil Nadu Protected Agricultural Zone Development Act, 2020 whereby the following amendments have been made:

- Section 2(a) which defines 'agriculture' has been amended
- In Section 5, which states 'Constitution of Authority', sub-Section (1) has been substituted

(To view the Notification, please click here)

Uttarakhand

Comments on proposal for determination of Additional Surcharge

The Uttarakhand Power Corporation Limited (**UPCL**) on January 07, 2024 invited comments on the proposal for the determination of an Additional Surcharge in accordance with the provisions of UERC (Terms and Conditions of intra–State Open Access) Regulations, 2015 to meet the fixed cost of UPCL arising out of its obligation to supply electricity to the open access consumers.

The responses/suggestions, if any, from consumers and other stakeholders on the Petition may be sent to the Secretary, Uttarakhand Electricity Regulatory Commission, either in person or by post at 'Vidyut Niyamak Bhawan', Near ISBT, PO-Majra, Dehradun-248171 or through e-mail to secy.uerc@gov.in by January 31, 2024.

(To view the Notification, please click here)

Uttarakhand list of public holidays for the year 2024

The Government of Uttarakhand on December 26, 2023 issued the list of public holidays for the Calendar Year 2024.

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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