



JSA Corporate InVision

June 2022

MINISTRY OF CORPORATE AFFAIRS

Amendments to the Companies (Appointment and Qualification of Directors) Rules, 2014

The following amendments have been made to the principal rules:

- In line with PN 3 of 2020, if a person, desirous of being appointed as a director on the board of directors of an Indian company, is a national of a country which shares land border with India, such a person must have necessary security clearance from the Ministry of Home Affairs, Government of India. The consent Form DIR-2 and Director Identification Number application Form DIR-3 have been revised to include a declaration to this effect¹;
- Any individual, whose name has been removed from the databank of independent directors (i.e., databank of person eligible and willing to be appointed as an independent director), can apply for restoration of name. The name of such individual will appear in a separate category for a period of 1 (one) year from the date of restoration. Such individual must pass the online proficiency self-assessment test within 1 (one) year from the date of restoration, failing which his/her name will be removed from the databank and he/she must apply afresh for inclusion of name in the databank².

Securities and Exchange Board of India (SEBI)

Infrastructure Investment Trusts (“InvITs”) and Real Estate Investment Trusts (“REITs”)

SEBI has issued a series of circulars dated June 24, 2022 to streamline the process of allotment and listing of units of InvITs and REITs. The timeline for allotment and listing of privately placed units of InvITs is reduced to 6 (six) working days from the closure of the issue (initially it was 30 (thirty) working days). This applies to listing of units of privately placed InvITs which open on or after August 1, 2022. Further, from August 1, 2022, an additional facility to block funds through Unified Payments Interface (“UPI”) mechanism will be provided to individual investors to apply in public issues of units of InvITs and REITs of value upto ₹ 5,00,000 (Indian Rupees five lakhs). Further, pursuant to a circular

¹ Circular dated June 1, 2022

² Circular dated June 10, 2022

dated June 3, 2022, annual meetings and all other meetings of unitholders of InvITs and REITs can be conducted through video conferencing or through other audio-visual means till December 31, 2022.

Guidelines for Large Value Fund ("LVF") for accredited investors

In 2021, SEBI amended the SEBI (Alternative Investment Funds ("AIFs")) Regulations, 2012 to provide certain relaxations to a LVF for accredited investors. Further to that, SEBI has issued a circular dated June 24, 2022 providing guidelines for LVFs and also certain requirements for AIFs in general. For detailed analysis of these guidelines, please refer to the [JSA Prism of June 29, 2022](#).

Naming and tagging of demat accounts maintained by stock brokers

Pursuant to a circular dated June 20, 2022, stock brokers are required to maintain demat accounts under various categories, such as proprietary account, pool account, client securities margin pledge account and client securities. To reflect the purpose for which they are maintained, SEBI had directed stock brokers to appropriately name and tag all demat accounts by June 30, 2022. Credit and debit of securities will not be allowed in any demat account left untagged from July 1, 2022, and August 1, 2022, respectively. This does not apply to demat accounts used exclusively for banking activities by stock brokers which are also banks.

Reserve Bank of India (RBI)

Discontinuation of returns under Foreign Exchange Management Act, 1999

RBI has issued a circular on June 9, 2022, wherein, from July 1, 2022, authorised dealer category-I banks are no longer required to report details of non-resident guarantees issued and invoked in respect of fund and non-fund-based facilities between two persons resident in India.

MINISTRY OF INFORMATION & BROADCASTING

Advisory on advertisements of online betting platforms

The print and electronic media, including online and social media, have been advised to refrain from publishing advertisements of online betting platforms by an advisory dated June 13, 2022. This is issued in light of the fact that though such activity is largely prohibited in India, it is extensively advertised, which poses a significant financial and socio-economic risk for the consumers, especially to the youth of India.

CENTRAL CONSUMER PROTECTION AUTHORITY

Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022

To curb misleading advertisements and protect the consumers, the Central Consumer Protection Authority has issued the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 ("**Guidelines**") on June 9, 2022. The Guidelines are applicable to (i) all advertisements; (ii) a manufacturer, service provider or trader whose goods, product or service is the subject of an advertisement, and (iii) to an advertising agency or endorser whose service is availed for the advertisement. For detailed analysis of the Guidelines, please refer to the [JSA Prism of June 16, 2022](#).

Corporate Practice

JSA's corporate practice is centered around transactional and legal advisory services including day-to-day business, regulatory issues, corporate and governance affairs. We have an expert team of attorneys who advise on legal issues concerning inbound and outbound investments, strategic alliances, collaborations and corporate restructurings. We advise clients through all stages of complex and marquee assignments including restructuring, mergers and acquisitions (including those in the public space) to private equity and joint ventures. Our vast clientele includes multinational corporations and large Indian businesses in private, public and joint sector. We work closely with in-house counsel teams, investment banks, consulting and accounting firms along with multilateral agencies and policy making institutions on development of policy and legal frameworks. We provide assistance and counsel to start-ups and venture backed companies by drawing upon our in-depth understanding of how companies are incorporated, financed and grown. With an in-depth understanding of the industry combined with years of expertise, our attorneys provide innovative and constructive solutions to clients in complex transactional engagements. We emphasize teamwork across our wide network of offices across India. This allows us to benefit from the various specialisations available for the ultimate benefit of our clients. We also provide assistance in dealing with diverse corporate governance and compliance issues including FCPA /Anti-Bribery/Anti-Corruption matters and investigations.

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13 Practices and
22 Ranked Lawyers



15 Practices and
18 Ranked Lawyers



7 Practices and
2 Ranked Lawyers

IFLR1000

IFLR1000 India Awards 2021



10 Practices and
34 Ranked Lawyers

Banking & Finance Team
of the Year

Fintech Team of the Year

Restructuring & Insolvency
Team of the Year

Among Top 7 Best Overall
Law Firms in India and
10 Ranked Practices

13 winning Deals in
IBLJ Deals of the Year

6 A List Lawyers in
IBLJ Top 100 Lawyer List

Banking & Financial Services
Law Firm of the Year 2022

Dispute Resolution Law
Firm of the Year 2022

Equity Market Deal of the
Year (Premium) 2022

Energy Law Firm of the Year 2021

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