



LEGAL UPDATE

March 2021 - PART II

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I. MINISTRY OF CORPORATE AFFAIRS (MCA)

1. Section 32 and 40 of Companies (Amendment) Act, 2020 – Notified

Ministry of Corporate Affairs [vide notification F.No. 1/3/2020-CL-I dated March 18, 2021](#) notified the provisions of section 32 and section 40 of the Companies (Amendment) Act, 2020 (29 of 2020).

2. Amendments to Schedule V of the Companies Act, 2013:

Ministry of Corporate Affairs (MCA) [vide notification F. No. 1/5/2013-CL-V dated March 18, 2021](#) has amended Schedule V of the Companies Act, 2013 to allow remuneration to be paid to other directors in case of a Company having no profit or inadequate profit.

3. Establishment of Central Scrutiny Centre (CSC) for carrying out scrutiny of Straight Through Processes (STP) e-forms:

Ministry of Corporate Affairs [F.No.A-42/10/2021-Ad] [dated March 18, 2021](#) has notified establishment of Central Scrutiny Centre (CSC) for carrying out scrutiny of Straight Through Processes (STP) e-forms filed by the companies under the Act and the rules made thereunder.

4. The Companies (Audit and Auditors) Amendment Rules, 2021- Notified w.e.f April 1st, 2021:

Ministry of Corporate Affairs [vide notification F. No.1/33/2013.CL-V \(Part\) dated March 24, 2021](#) has issued the Companies (Audit and Auditors) Amendment Rules, 2021. The Companies (Audit and Auditors) Amendment Rules, 2021 has amended the Companies (Audit and Auditors) Rules, 2014 which will come into force with effect from the 1st day of April 2021.

5. The Companies (Accounts) Amendment Rules, 2021- Notified w.e.f April 1st, 2021:

Ministry of Corporate Affairs [vide notification F. No. 1/19/2013-CL-V-Part III dated March 24, 2021](#) has issued the Companies (Accounts) Amendment Rules, 2021. The Companies (Accounts) Amendment Rules, 2021. has amended the Companies (Accounts) Rules, 2014 which will come into force with effect from the 1st day of April 2021.

6. Section 23 & 45 of the Companies (Amendment) Act, 2020- Notified.

Ministry of Corporate Affairs [vide notification F. No. 1 /3 /2020-CL.I dated March 24, 2021](#) has notified section 23 and section 45 of the Companies (Amendment) Act, 2020.

- 7. Amendments to Schedule III of the Companies Act, 2013 w.e.f April 1st, 2021:**
Ministry of Corporate Affairs [vide notification F.No. 17/62/2015-CL-V Vol I dated March 24, 2021](#) has made amendments in Schedule III of the Companies Act, 2013. The amendments in Schedule -III will be effective from 1st day of April 2021.

- 8. NSDL circular on Enhancement of Issuer services on NSDL issuer portal**
National Securities Depository Limited [vide circular NSDL/CIR/II/5/2021 dated March 25,2021](#) has provided facility to all the issuers & RTAs to make online application for allotment of ISIN and for execution of corporate action through issuer portal for Commercial Paper. The facility is available with immediate effect and with effect from May 1, 2021, it will be mandatory for Issuer/RTAs to avail the said facility for CP ISIN allotment and submission request for execution of the corporate action to credit CP into the investor's demat account directly.

II. SECURITY AND EXCHANGE BOARD OF INDIA (SEBI)

1. SEBI (Investment Advisers) (Second Amendment) Regulations, 2021

Securities and Exchange Board of India [vide notification SEBI/LAD-NRO/GN/2021/11 dated March 16, 2021](#) has issued Securities and Exchange Board of India (Investment Advisers) (Second Amendment) Regulations, 2021 to substitute clause (a) of sub-regulation (1) of regulation 7 with the following clause:

“(a) A professional qualification or post-graduate degree or post graduate diploma (minimum two years in duration) in finance, accountancy, business management, commerce, economics, capital market, banking, insurance or actuarial science from a university or an institution recognized by the Central Government or any State Government or a recognised foreign university or institution or association or a professional qualification by completing a Post Graduate Program in the Securities Market (Investment Advisory) from NISM of a duration not less than one year or a professional qualification by obtaining a CFA Charter from the CFA Institute;”

2. SEBI (Research Analysts) (Amendment) Regulations, 2021

Securities and Exchange Board of India [vide notification SEBI/LAD-NRO/GN/2021/09 dated March 16, 2021](#) has issued Securities and Exchange Board of India (Research Analysts) (Amendment) Regulations, 2021 to renumber clause (iii) of sub-regulation (1) of regulation 7 as clause (vi). before the clause so renumbered, the following clause shall be inserted, namely, -

“(iii) a professional qualification by completing a Post Graduate Program in the Securities Market (Research Analysis) from NISM of a duration not less than one year; or”

3. SEBI (Portfolio Managers) (Amendment) Regulations, 2021

Securities and exchange Board of India [vide notification SEBI/LAD-NRO/GN/2021/10 dated March 16, 2021](#) has issued SEBI (Portfolio Managers) (Amendment) Regulations, 2021 in order to amend various clauses in the SEBI (Portfolio Managers) Regulations, 2020.

4. SEBI advises registered entities including MIIs to comply with TRAI's TCCCP Regulations, 2018

Securities and Exchange Board of India [vide press release PR No.14/2021 dated March 23, 2021](#) has advised registered entities including MIIs (which use bulk SMS for providing their services to the investors) to comply with TRAI's TCCCP Regulations, 2018

5. SEBI issued decisions of SEBI Board Meeting on various vital subject matters

Securities and Exchange Board of India [vide press release PR NO. 15/2021 dated March 25, 2021](#) informed about the decision taken in the SEBI Board Meeting held on March 25, 2021. The matters on which decision were taken are listed as under:

- a. Review of framework of Innovators Growth platform (IGP) under SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018
- b. Business Responsibility and Sustainability Reporting by listed entities
- c. Amendment to SEBI (Alternative Investment Funds) Regulations, 2012
- d. Review of regulatory framework for reclassification of promoter/ promoter group entities
- e. Review of the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015
- f. Applicability, constitution, and role of the Risk Management Committee
- g. Review of disclosures in respect of analyst/ institutional investor meets by listed entity
- h. Review of SEBI (Delisting of Equity Shares) Regulations, 2009
- i. Amendment to SEBI (Portfolio Managers) Regulations, 2020
- j. Online payment of application fee, registration fee, renewal fee and annual fees by Intermediaries
- k. Budget Estimates for the Financial Year (FY) 2021-22

III. INSURANCE

1. Insurance (Amendment) Act, 2021, the Bill:

[Bill to amend the Insurance Act, 1938 by Insurance \(Amendment\) Act, 2021 has been introduced in the Rajya Sabha on March 15, 2021.](#) Following amendments has been prescribed in the Insurance (Amendment) Act, 2021:

Amendment to Section 2 (7A), for sub-clause(b) the following sub-clause shall be substituted, namely: —

"(b) in which the aggregate holdings of equity shares by foreign investors including portfolio investors, do not exceed seventy-four per cent. of the paid-up equity capital of such Indian insurance company, and the foreign investment in which shall be subject to such conditions and manner, as may be prescribed;"

A. **Section 27 Investment of asset:** In sub-section (7), the Explanation shall be omitted.

B. **Section 114 Power of Central Government to make rules:** in sub-section (2), for clause (aaa), the following clause shall be substituted, namely: —
"(aaa) the conditions and manner of foreign investment under sub-clause (b) of clause (7A) of section 2;"

2. IRDAI has issued modified guidelines on product filing in health insurance business

Insurance Regulatory and Development Authority of India [vide circular IRDAI/HLT/REG/CIR/049/ 03/2021 date March 16, 2021](#) has modified guidelines on product filing in health insurance business. The following norms are specified in the modified guidelines:

- A. Additional norms on modification of health products (including PA and Travel)
- B. Norms on Presentation of Policy Contract

3. IRDAI vide press release has clarified about the hospitalization charges in case of adverse reaction to covid-19 vaccination.

Insurance Regulatory and Development Authority of India [vide press release dated March 18, 2021](#) has clarified that in the event of hospitalization following adverse reaction to covid-19 vaccination, hospitalization is covered under the health insurance policies subject to the specific terms and conditions of the policy.

4. IRDAI instructed all insurance companies to facilitate vaccination against COVID-19 for their policyholders

Insurance Regulatory and Development Authority of India [vide press release dated March 19, 2021](#) has instructed all insurance companies to facilitate vaccination against COVID-19 for their policyholders [through a communication dated March 3, 2021](#).

5. IRDAI used circular on Health Insurance Claims Settlement

Insurance Regulatory and Development Authority of India [vide circular no IRDAI/HLT/CIR/MISC/053/03/2021 dated March 19, 2021](#) has issued circular with reference to Health Insurance Claims Settlement asking all the insurer to provide clear and transparent communication at various stages of claim processing.

6. IRDAI has extended the timeline of dispensing physical signatures on proposal forms till September 30, 2021 for life Insurer

Insurance Regulatory and Development Authority of India [vide circular IRDAI/Life/Cir/Misc/055/03/2021 dated March 23, 2021](#) has extended the dispensing of physical signature on proposals form, for the business solicited by Individual Agents and Insurance Intermediaries, under all products, till 30th September 2021.

7. IRDAI has extended the timeline for issuance of electronic policies for life Insurer

Insurance Regulatory and Development Authority of India [vide circular IRDAI/Life/Cir/Misc/056/03/2021 dated March 23, 2021](#) has extended exemption granted [vide circular Ref: IRDAI/Life/Cir/Misc/207/08/2020 dated 4th August 2020](#) to all Life Insurers from the requirement to issue policy document, copy of proposal form in physical form , till 30th September 2021.

8. IRDAI extended tenure of Corona Kavach Policy & Corona Rakshak Policy

Insurance Regulatory and Development Authority of India vide press release dated March 24, 2021 permitted all general and health insurance companies to offer “Corona Kavach Policy” and “Corona Rakshak Policy” up to 30.9.2021.

9. IRDAI extend timeline w.r.t issuance of electronic policies and dispensing with physical documents in respect of all general & health insurers.

Insurance Regulatory and Development Authority of [India vide circular IRDAI/HLT/REG/CIR/062/03/2021 dated March 24 2021](#) has extended the timelines on (a) Issuance of Electronic Policies and (b) dispensing with physical documents and wet signature on the proposal form in respect of health insurance policies till 30th September 2021.

10. IRDAI has extended timeline for offering short term Covid specific health insurance policies

Insurance Regulatory and Development Authority of India [vide press release dated March 24, 2021](#) permitted all general and health insurance companies to offer “Corona Kavach Policy” and “Corona Rakshak Policy” up to 30.9.2021.

11. IRDAI has modified guidelines on Standard Personal Accident Insurance product

Insurance Regulatory and Development Authority of India [vide circular IRDAI/HLT/REG/CIR/058/03/2021 dated March 23, 2021](#) has issued circular for all general & standalone Health Insurer w.r.t Modification of Guidelines on Standard Personal Accident Insurance product

IV. RESERVE BANK OF INDIA(RBI)

1. RBI issued data format for furnishing of credit information to Credit Information Companies and other Regulatory Measures.

Reserve Bank of India [vide notification RBI/2020-21/106 DoR.FIN.REC.46/20.16.056/2020-21 dated March 12,2021](#) has modified data format for furnishing of credit information to Credit Information Companies (CICs). The modifications are being made to enable banks/AIFIs/NBFCs to report the information relating to restructured loans to CICs as envisaged in [circular DOR.No.BP.BC.3/21.04.048/2020-21 dated August 6, 2020](#), on the Resolution Framework for COVID-19 related stress. The time limit of two months from the date of this circular has been given by the RBI to Banks, Non-Banking Financial Institute (including Housing Finance Companies), All-India Financial Institutions to make necessary modification to their systems and commence reporting to Credit Information Companies (CICs) as per modified formats.

2. Enforcement of Reserve Bank of India (Amalgamation of Urban Co-operative Banks) Directions, 2020

The Reserve Bank of India (RBI) vide its [notification dated March 23, 2021](#), notified the Reserve Bank of India (Amalgamation of Urban Co-operative Banks) Directions, 2020 using powers conferred under Section 35A and Section 44A read with Section 56 of the Banking Regulation Act,1949, as amended vide Banking Regulation (Amendment) Act, 2020. The provisions shall be effective from March 23, 2021 and shall be applicable to all Primary (Urban) Co-operative Banks.

3. Deferment of applicability of limits on non-centrally cleared derivatives exposures

The Reserve Bank of India (RBI) vide its [notification dated March 23, 2021](#), reviewed its [Circular No.DOR.No.BP.BC.43/21.01.003/2019-20 dated March 23, 2020](#) on Large Exposures Framework (LEF), and decided that non-centrally cleared derivatives exposures will continue to be outside the purview of exposure limits till September 30, 2021.

V. LABOUR

1. Draft Occupational Safety, Health and Working Conditions (Madhya Pradesh) Rules, 2021

The Madhya Pradesh Government [vide Notification No. S. No. 391-37-2021-A-16 dated March 9, 2021](#) issued the draft rules of the Occupational Safety, Health and Working Conditions (Madhya Pradesh) Rules, 2021 under the Occupational Safety, Health and Working Conditions Code, 2020. This draft rule will supersede the following:

- The Madhya Pradesh Building and Other Construction Workers (Regulation of Employment and Condition of Services) Rules, 2002;
- The Madhya Pradesh Factories Rules; 1962
- The Contract Labour (Regulation & Abolition) Madhya Pradesh Rules, 1973;
- The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Madhya Pradesh Rules, 1981.
- The Madhya Pradesh Motor Transport workers Rules 1963

2. Holiday declared for General Election on April 06, 2021 in Puducherry

The Puducherry Government [vide Notification dated March 16, 2021](#) declared April 06, 2021 as a paid holiday for the employees working in the shops, Commercial Establishments and factories in the state of Puducherry for the general elections.

3. Holiday declared for General Elections on April 06, 2021 in Tamil Nadu

The Tamil Nadu Government [vide Notification dated March 16, 2021](#) declared April 06, 2021 as a public holiday in the state of Tamil Nadu for the general elections.

4. Amendment to the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Chhattisgarh rules, 1981

The Chhattisgarh Government [vide Notification dated February 9, 2021](#) issued the amendment to the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Chhattisgarh rules, 1981.

5. Revision of Minimum Wages in Chhattisgarh w.e.f April 1, 2021

The Chhattisgarh Government [vide Notification dated March 18, 2021](#) issued the revised minimum wages to be effective from April 1, 2021.

6. Single window system under various labour laws in Rajasthan

The Labour Department, Rajasthan [vide Notification dated March 24, 2021](#) issued Single window system under various labour laws in Rajasthan. Please refer to the link for further details.

7. Government of Puducherry declared one day paid holiday on April 06, 2021.

Government of Puducherry vide [Order No. Ms.No.16 dated March 22, 2021](#) has declared that the April 06, 2021, shall be a public/paid holiday under negotiable instruments act, 1881, for all government offices/institutions/local bodies/commercial & industrial establishment located in the union territory of Puducherry.

8. Draft of Uttar Pradesh Occupational Safety, Health and Working Condition Code Rules, 2021.

Government of Uttar Pradesh vide [Notified No. 9/2021/584/109\(sa\)2020/ dated March 23, 2021](#) has notified the draft of Uttar Pradesh occupational safety, health and working condition code rules, 2021, these code rules provides the:

- Procedure & Forms for registration of establishments,
- Duties of Employees & Employers,
- Conditions relating to working hours & leaves,
- Special provisions relating to contract labour or Interstate migrant workers,
- Others relating to working conditions.

9. Government of Punjab notified the draft of Industrial Relations (Punjab) Rules, 2021.

Government of Punjab vide [Notified No. GSR/23/CA.35/2020/S.99/2021 dated March 05, 2021](#) has notified the draft of Punjab industrial relations (Punjab) rules, these rules provides the:

- Procedure & Forms for registration of trade union,
- Mechanism to resolve the industrial disputes,
- Conditions relating to standing orders,
- Special provisions relating to Layoff Retrenchment & Closure,
- Forms

10. Holiday declared in the state of West Bengal for elections The West Bengal

Government vide [Notification No. 1000-F\(P2\)/FA/O/2M/74/16\(N.B.\) dated March 12, 2021](#) declared public holiday for elections in various phases on March 27, April 1, April 6, April 10, April 17, April 22, April 26 and April 29.

11. Minimum wages for workers under Minimum Wages Act, 1948

Government of Rajasthan vide [Notification dated March 3, 2021](#) proposes to revise the Minimum wages for workers under Minimum Wages Act, 1948.

Please refer to the link for further details.

12. Rajasthan Third Party Building & other Construction Workers Establishment Inspection Scheme

The Government of Rajasthan vide [Notification dated March 23, 2021](#) hereby declares "The Rajasthan Third Party Building & other Construction Workers Establishment Inspection Scheme" to achieve the Ease of Doing Business and to further simplify the inspection of registered establishments under Building & Other Construction Workers Act, 1996 and rules made there under in the State, for the provisions regarding safety and health measures as mentioned in the Notification.

13. Consumer Price Index (Cost of Living Index) Numbers for the month of February 2021

The Government of Kerala vide its [notification dated March 24, 2021](#) notified the Consumer Price Index (Cost of Living Index) Numbers applicable to Agricultural Labourers and Industrial Workers for the month of February 2021 as ascertained by the Director of Economics & Statistics under Section 2(C) of the Minimum Wages Act, 1948.

14. Government of Assam notified the rate of VDA for Highly Skilled/ Skilled/ Semi Skilled/ Unskilled Workmen's

Government of Assam [vide Notification ACL/43/2004/3542 dated March 17, 2021](#) has notified the rate of VDA to be paid to workman employed by and through contractors or directly employed by principal employer of establishment. The notified rate of VDA shall come into retrospective effect from July 01, 2020 for a period of six months (6 months).

VI. HEALTHCARE

1. Fixation of retail price of different devices and formulations by National Pharmaceutical Pricing Authority

The National Pharmaceutical Pricing Authority [vide Notification No. S.O. 1208\(E\) dated March 15, 2021](#) fixes the retail price, exclusive of goods and services tax, if any, in relation to the formulation and device specified in the Table as provided in the Order with the strength, unit and name of manufacturer & marketing company.

2. Fixation of retail price of different formulations by National Pharmaceutical Pricing Authority

The National Pharmaceutical Pricing Authority [vide Notification No. S.O. 1235\(E\) dated March 17, 2021](#) fixes the retail price, exclusive of goods and services tax, if any, in relation to the formulation and device specified in the Table as provided in the Order with the strength, unit and name of manufacturer & marketing company.

3. NABH Notification for Extension of Validity accreditation/certification of Healthcare Organisations till June 30, 2021

National Accreditation Board for Hospitals & Healthcare Providers [vide Notification No. NABH/Notification/2021/1923 dated March 22, 2021](#) has extended validity of accreditation/certification till June 30, 2021 or till the decision on the renewal application is taken by NABH, whichever is earlier.

4. Medical Termination of Pregnancy (Amendment) Act, 2021

The Ministry of Law and Justice [vide Notification dated March 25, 2021](#) issued the Medical Termination of Pregnancy (Amendment) Act, 2021 to amend the Medical Termination of Pregnancy Act, 1971 which provides for the termination of certain pregnancies by registered medical practitioners. Following are the key amendments:

- Termination of pregnancy: Section 3, Sub-section (2) is being substituted to state that a pregnancy may be terminated within 20 weeks, with the opinion of a registered medical practitioner. Approval of two registered medical practitioners will be required for termination of pregnancies between 20 to 24 weeks, if the registered medical practitioner(s) is/are of the opinion that: (i) continuation of the pregnancy may risk the life of the mother, or cause grave injury to her health, or (ii) there is a substantial risk that the child, if born, would suffer physical or mental abnormalities.
- Protection of privacy of a woman: Insertion of Section 5A which states that no registered medical practitioner will be allowed to reveal the name and other particulars of a woman whose pregnancy has been terminated, except to a person authorised by any law. Anyone who contravenes this provision, will be punishable with imprisonment of up to one year, or with a fine, or both.

VII. HEALTH & SAFETY

1. 2-hour extension in night curfew in 9 worst-hit districts of Punjab

In order to contain the rapid spread of COVID-19, the Government of Punjab vide [order dated March 18, 2021](#), extended the night curfew by 2 hours (i.e., from 9 p.m. to 5 a.m) in the districts of Ludhiana, Jalandhar, Patiala, Mohali, Amritsar, Gurdaspur, Hoshiarpur, Kapurthala and Ropar.

2. New measures to contain the spread of COVID-19 in Sikkim

The Government of Sikkim vide [order dated March 18, 2021](#) imposed restrictions on movement of vehicles at night from 10:30pm to 6:00am. Further, all commercial establishments have been directed to close by 10:00pm. Special drive shall be undertaken to ensure that people follow the standard protocols like social distancing, wearing of masks and frequent use of hand sanitizers.

3. New Covid-19 Restrictions in Rajasthan

The Government of Rajasthan vide [order dated March 21, 2021](#) has imposed night curfew from 11 pm to 5 am in the districts of Ajmer, Bhilwara, Jaipur, Jodhpur, Kota, Udaipur, Sagwara and Kushalgarh. Further, for travelers entering the western state, the government has mandated the passengers to carry a negative RT-PCR test report not older than 72 hours from 25 March. Workers should be called only when they are required at the workplace.

4. Fresh Guidelines to contain COVID-19 in Rajasthan

The Government of Rajasthan vide [order dated March 21, 2021](#) issued fresh guidelines to contain the spread of COVID-19 in the state. These guidelines shall be applicable from March 21, 2021 till March 31, 2021.

5. Fresh Guidelines issued by the Centre to contain COVID-19

The Ministry of Home Affairs, Government of India (MHA) vide [order dated March 23, 2021](#) has issued fresh guidelines to states to curb the spread of COVID-19. Following are some of the Covid-19 rules that shall be effective from April 1, 2021, until further orders by the MHA:

- a) States are directed to ramp up the testing facilities in order to ensure that where the proportion of RT-PCR tests is less, it should be rapidly increased to reach the prescribed level of 70% or more.
- b) There should be no restriction on Inter-State and intra-State movement of persons and goods including those for cross land-border trade under Treaties with neighboring countries. No separate permission/ e-permit will be required for such movements.
- c) State Governments shall take all necessary measures to promote COVID-19 appropriate behavior in workplaces and in public, especially in crowded places.
- d) Frequent sanitization of the entire workplace should be ensured. Work from Home should be followed wherever possible.
- e) For strict enforcement of wearing of face masks, hygiene and social distancing, States may consider administrative actions, including imposition of appropriate fines.
- f) States based on their assessment of the situation may impose local restrictions, at district/ sub-district and city/ ward level.
- g) People above 45 years old will be eligible for vaccination against COVID-19.

VIII. FOOD & SAFETY

1. Acceptance of food and water testing reports from government recognized laboratories for Hygiene Rating

Food Safety Standards Authority of India (FSSAI) vide [Notification dated March 16, 2021](#) has decided that food and water testing reports from government recognized laboratories (other than FSSAI recognized laboratories) will be considered for awarding Hygiene Rating Certificate to food businesses.

2. Re-operationalization of Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2018

Food Safety Standards Authority of India (FSSAI) [vide Notification dated March 19, 2021](#) issued directions under Section 16(5) of the Food Safety and Standards Act, 2006 to re-operationalize the Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2018, w.e.f. February 28, 2021, since the draft regulations notified on November 17, 2020 are still under review and consideration and will like take more time.

3. Enforcement of Food Safety and Standards (Food Products Standards and Food Additives) Second Amendment Regulations, 2021

Food Safety Standards Authority of India (FSSAI) vide [Notification dated March 18, 2021](#) notified the Food Safety and Standards (Food Products Standards and Food Additives) Second Amendment Regulations, 2021 using powers under Section 92(2)(f) read with Section 16 of the Food Safety and Standards Act, 2006. The said amendment has inserted clauses relating to Shea Butter (Clause 12) and Burneo tallow/ Illipe Butter (Clause 13), in regulation 2.2, sub-regulation 2.2.4 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.

4. Revised list of documents required to be submitted for FSSAI registration/ renewal/ modification of license

Food Safety Standards Authority of India (FSSAI) vide [Notification dated March 18, 2021](#) issued a revised list of Kind of Business wise documents to be submitted with application for registration/ renewal/ modification of license. The same has been done to bring **clarity** on the documents to be submitted, dispense documents that are not essentially needed and consolidate the various declarations required.

IX. ENVIRONMENT

1. Madhya Pradesh Government notified the Plastic Waste Management Bye-laws, 2021 of Indore Municipal Corporation.

Government of Madhya Pradesh vide [Notification No. F 1-02/2021/18-3 dated March 22, 2021](#) has notified the plastic waste management bye-laws, 2021 for Indore Municipal Corporation, now all the activities related to plastics shall be governed under the notified bye-laws in city of Indore.

2. Maharashtra Pollution Control Board Incorporated the New Condition in the Consent to Establish/Operate/ Renewal

Maharashtra Pollution Control Board (MPCB) vide [Circular No. MPCB/AS\(T\)/TB-17 dated March 24, 2021](#) has directed to incorporate the new condition in the consent order that 'The industry shall obtain necessary permission for Directorate of Industrial Safety & Health (DISH), now every factory/establishment in state of maharashtra

which stores/handles/process the hazardous chemicals shall obtain the permission from Directorate of Industrial Safety & Health.

3. Lifting of Ban on use of Diesel Generator Sets in Delhi-NCR

The Delhi Pollution Control Board [vide Order dated March 10, 2021](#) has lifted the ban on use of Diesel Generator sets in Delhi and in vicinity towns, i.e., Ghaziabad, Noida, Greater Noida, Faridabad and Gurugram with effect from March 05, 2021 which was imposed [vide direction dated October 13, 2020](#) in Delhi.

X. TAX

1. Form No. 15E notified for making application u/s 195

Central Board of Direct Taxes ('CBDT') vide [Notification No. 18/2021 dated March 16, 2021](#) has inserted new rule 29BA, under Income Tax Rules, 1962 ('IT Rules') and Form no. 15E has been inserted to operationalize the provisions of Section 195(2) of the Income Tax Act, 1961 ('IT Act').

2. New Rules & Forms for registration and approval of trusts, institutions and funds

CBDT has vide [Notification No.19/2021 March 26, 2021](#) has notified new rules and forms in case of trust or institution or fund mentioned under section 10(23), 35, 12A, 80G of the IT Act. The Finance Act, 2020 has rationalization of provisions related to registration and re-registration of such trusts and institutions.

3. Clarifications on provisions of Vivad se Vishwas Act, 2020

CBDT has vide [Circular No. 04/2021 March 23, 2021](#) has clarified that a 'search case', for the purpose of Vivad se Vishwas scheme, shall mean an assessment or reassessment made under section 143(3)/144/147/153A/ 158BC in case of a person referred to in sections 153A or 153C or 158BC or 158BD on basis of search initiated u/s 132 or requisition made u/s 132A.

4. CBDT defers furnishing of GST & GAAR details in Form 3CD till March 31, 2022

CBDT has vide circular numbers 06/2018, 09/2019 and 10/2020 had deferred the reporting of details under clause 30C (pertaining to GAAR) and clause 44 (pertaining to GST) of Form 3CD multiple times. In view of prevailing situation due to COVID-19 pandemic across the country, the board has decided and notified vide [Circular No. 05/2021 dated March 25, 2021](#) that the reporting under clauses 30C and 44 of tax audit report shall be kept in abeyance till March 31, 2022.

5. Extension of waiver of penalty leviable for complying with provisions of Capturing of Dynamic QR Code in GST Invoices

Central Board of Indirect Taxes and Customs (“CBIC”) vide [Notification No. 06/2021 – Central Tax dated March 30, 2021](#) seeks to waive penalty payable for non-compliance of provisions of [Notification No. 14/2020 dated March 21, 2020](#) (Capturing of Dynamic QR Code in GST Invoices)

XI. TRANSPORT

1. Central Motor Vehicles (Fifth Amendment) Rules, 2021

The Ministry of Road Transport and Highways [vide Notification dated March 11, 2021](#) has made/inserted the following rules further to amend the Central Motor Vehicles Rules, 1989 —

- a. These rules may be called as the Central Motor Vehicles (Fifth Amendment) Rules, 2021.
- b. They shall come into force with effect from April 1, 2021.
- c. Rule 127A- Non-Compliance with Standards
- d. Rule 127C- Defective Motor Vehicles and Recall Notice
- e. Rule 127D- Obligations of Manufacturers, Importers or Retrofitters.
- f. Annexure-XII-Procedure for regulating the recall of the motor vehicle.

2. Central Motor Vehicles (.....Amendment) Rules, 2021

The Ministry of Road Transport and Highways [vide Notification dated March 11, 2021](#) has published the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989 for information of all persons likely to be affected thereby. The key additions are as follows:

- a. These rules may be called the Central Motor Vehicles (.....Amendment) Rules, 2021.
- b. Rule 115 K- Requirements for motor vehicles of Categories L,M and N running on anhydrous ethanol or blends of ethanol with gasoline.

The said draft rules shall be taken into consideration after the expiry of 30 days from the date on which the copies of this this notification, as published in the Official Gazette, are made available to the public

Objections and suggestions to these draft rules, if any, may be sent to the Joint Secretary (MVL, Transport & Toll), Ministry of Road Transport and Highways, Transport Bhawan, Parliament Street, New Delhi-110 001 or on the email: comments-morth@gov.in.

3. Aadhar Authentication for various contactless services

The Ministry of Road Transport & Highways [vide Notification dated March 3, 2021](#), encourages Aadhaar authentication for the purpose of usage of digital platforms for various contactless services as mentioned in the Notification.

Key services for which a citizen requires to undergo Aadhaar authentication are as under are as follows:

- a. Application for Temporary Registration of motor vehicle.
- b. Application for Registration of motor vehicle with fully built body.
- c. Application for issue of duplicate Certificate of Registration.
- d. Application for Grant of NOC for Certificate of Registration.
- e. Notice of Transfer of Ownership of motor vehicle.
- f. Application for Transfer of Ownership of motor vehicle.
- g. Intimation of Change of Address in Certificate of Registration.

4. The Central Motor Vehicles (.....Amendment) Rules, 2021

The Ministry of Road Transport and Highways [vide Notification dated March 15, 2021](#) has published the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989 for information of all persons likely to be affected thereby. The key additions are as follows:

- a. These rules may be called as the Central Motor Vehicles (.....Amendment) Rules, 2021.
- b. These rules shall come into force with effect from October 1, 2021.

The fee for Issue of certificates of registration and assignment of new registration mark or renewal of certificate of registration, the fee for Conducting test of a vehicle for grant and renewal of certificate of fitness for motor vehicles older than 15 years and the fee for Grant or renewal of certificate of fitness for motor vehicle (transport) older than 15 years shall be charged as specified in the table in point 3(ii), 3(iii) and 3(iv).

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