

MINISTRY OF CORPORATE AFFAIRS (MCA)
Notifications pursuant to COVID-19

Ministry of Corporate Affairs vide its various General Circulars, Notifications, Clarifications comes out with various series of necessary measures to address the COVID-19 threat and economic disruptions caused by it for the Corporates in their normal working which are as follows:

- I. Ministry of Corporate Affairs vide its Notification dated 24th March, 2020 provides the relief/relaxation to the Companies to conduct the physical Board Meeting for the matters enumerated under Rule 4 of Companies (Meetings of Board and its Powers) Rules, 2014 (i.e matters not to be dealt with in a meeting through video conferencing or other audio visual means), further pursuant to this notification now Companies can transact the following matters specified in the Rule 4 through video conferencing or other audio visual means.

The matters are as follows:

- (i) the approval of the annual financial statements;
- (ii) the approval of the Board's report;
- (iii) the approval of the prospectus;
- (iv) the Audit Committee Meetings for consideration of financial statement including consolidated financial statement if any, to be approved by the board under Section 134(1) of the Act; and
- (v) the approval of the matter relating to amalgamation, merger, demerger, acquisition and takeover.

However the catching point in this notification is that this relief/relaxation is provided till 30th June, 2020 only, which means for transacting above specified matters there is no need of conducting physical Board Meeting as like earlier.

For the detailed reading of original notification you may click on the below given hyperlink:

http://www.mca.gov.in/Ministry/pdf/Rules_19032020.pdf

- II. Ministry of Corporate Affairs while working pro-actively has prescribed all the Companies to file "Companies Affirmation of Readiness towards COVID-19 Form" a simple web form with minimum fields and which can be filed from anywhere which also not required any DSC and does not involve payment of any fee. Companies/LLPs were advised to file the form w.e.f 23rd March 2020 onwards at the earliest convenience.

For the detailed reading of form you may click on the below given hyperlink:

http://www.mca.gov.in/Ministry/pdf/Car_22032020.pdf

- III. Ministry of Corporate Affairs while keeping in view the impact of COVID-19 to the nation and measuring its threat to the general public has comes out with the Clarification/ General Circular No. 10/2020 dated 23.03.2020 clarified that spending of allocated CSR Funds of the Companies for COVID-19 is eligible for the CSR Activity done by the Companies. Also, the allocated CSR funds of the Companies may be spent for various activities related to COVID-19 under item nos. (i) and (xii) of Schedule VII of Companies Act, 2013 relating to promoting health care including preventive health care and sanitation and disaster management. It is also clarified through this notification that General Circular No. 21/2014 dated

18.06.2014 in this regard, item in Schedule VII are broad based and may be interpreted liberally for this purpose.

For the detailed reading of original notification you may click on the below given hyperlink:

http://www.mca.gov.in/Ministry/pdf/Covid_23032020.pdf

- IV. Ministry of Corporate Affairs vide its General Circular No. 11/2020 dated 24th March, 2020, implemented following special measures under the Companies Act, 2013 and Limited Liability Partnership Act, 2008 for Companies and Limited Liability Partnerships (LLPs) in India by reducing their compliance, financial burden and other risks and enable them to focus on taking necessary measures to address the COVID-19 threat and economic disruptions caused by it.:

Key Highlights

- No additional fees shall be charged for late filing during a moratorium period from 01st April, 2020 to 30th September, 2020, in respect of any document, return, statement etc., required to be filed in the MCA-21 Registry, irrespective of its due date. This will not only reduce the compliance burden, including financial burden of companies/ LLPs at large, but also enable long-standing noncompliant companies/ LLPs to make a “fresh start”. The Circular specifying detailed requirements in this regard will be issued separately.
- The mandatory requirement of holding meetings of the Board of the companies within the intervals of 120 days provided in Section 173 of the Companies Act, 2013 stands extended by a period of 60 days till next two quarters i.e., till 30th September, 2020. Accordingly, as a one-time relaxation, the gap between two consecutive meetings of the Board may extend to 180 days till the next two quarters, instead of 120 days as required in the Companies Act, 2013.

It means that this extension will be applicable for the board meetings required to be convene during the upcoming two quarters of financial year 2020-21 i.e first Quarter ended June 30th, 2020 and Second Quarter ended September 30th, 2020 of financial year 2020-21 therefore companies are required to calculate 180 days from last board meeting held as per the provision of the Act. However, if the deadline to hold a Board Meeting ends before 31.03.2020 and in that case no company will be eligible to take the benefits of this relaxation.

Further if we read this circular in consonance with the circular dated March 19, 2020 issued by Securities Exchange Board of India (“SEBI”), listed companies may defer its board meeting for the approval of Financial statement and Financial Result for the quarter and year ended March 31st, 2020 till June 30th, 2020 therefore the said relaxation of additional 60 days shall be restricted upto June 30th, 2020 and for the second quarter ended 30th September, 2020 no relaxation been provided by the SEBI as of now.

For Examples:

- (i) ABC Ltd (an unlisted public Company) whose last board Meeting was convened on 31.12.2019 then in normal circumstances next board meeting should have been held on or before 29.04.2020, however after this relaxation this Company may defer this Board Meeting till 28.06.2020 (180 days from last Board Meeting).
- (ii) PQR Ltd (a listed Public Company) whose last board Meeting was convened on 14.02.2020 then in normal circumstances next board meeting for the approval of Financial statement and Financial Result for the quarter and year ended March 31st, 2020 should have been held on or before 15.05.2020, whereas after this relaxation this Company may defer this Board Meeting till June 30th, 2020.
- (iii) XYZ Ltd (an unlisted public Company) whose last board Meeting was convened on 01.12.2019 then in normal circumstances next board meeting should have been held on or before 31.03.2020 and in this case this company will not be eligible to take the benefits of this relaxation.

- The Companies (Auditor's Report) Order, 2020 shall be made applicable from the financial year 2020-21 instead of being applicable from the financial year 2019-20 notified earlier. This will significantly ease the burden on companies & their statutory auditors for the financial year 2019-20. A separate notification has been issued in this regard. Kindly refer http://www.mca.gov.in/Ministry/pdf/Notification_25032020.pdf
- In accordance with Schedule IV of the Companies Act, 2013, the Independent Directors (IDs) are required to hold at least one meeting without the attendance of Non-Independent Directors and members of management during the financial year. For the financial year 2019-20, if the IDs of a Company have not been able to hold such a meeting, the same shall not be viewed as a violation. The IDs, however, may share their views amongst themselves through telephone or e-mail or any other mode of communication, if they deem it to be necessary.
- Requirement under Section 73(2)(c) of Companies Act, 2013 to create the deposit repayment reserve of 20% of deposits maturing during the financial year 2020-21 before 30th April, 2020 shall be allowed to be complied with till 30th June, 2020.
- Requirement under Rule 18 of the Companies (Share Capital & Debentures) Rules, 2014 to invest or deposit at least 15% of amount of debentures maturing in specified methods of investments or deposits before 30th April, 2020, may be complied with till 30th June, 2020.
- Newly incorporated companies are required to file a declaration for Commencement of Business within 180 days from the date of incorporation under Section 10A of the Companies Act, 2013. An additional period of 180 more days is allowed for this compliance.
- Non-compliance of minimum residency in India for a period of at least 182 days by at least one director of every company, under Section 149 of the Companies Act, 2013 shall not be treated as a non-compliance for the financial year 2019-20.

Note: All the benefits/ extension(s) provided in this circular are subject to the other applicable provisions upon the company, circulars issued and to be issued by the other regulators such as SEBI, IRDAI and RBI etc, if applicable upon the company.

For the detailed reading of original notification you may click on the below given hyperlink:

http://mca.gov.in/Ministry/pdf/Circular_25032020.pdf

- V. MCA vides its clarification letter no CSR-05/1/2020-CSR-MCA dated 28.03.2020 clarifies that the Government of India has set up the Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund' (PM CARES Fund) with the primary objective of dealing with any kind of emergency or distress situation such as that posed by COVID 19 pandemic.

Further as per the clarification letter, Item no. (viii) of the Schedule VII of the Companies Act, 2013, which enumerates activities that may be undertaken by Companies in discharge of their CSR obligations, inter alia provides that contribution to any fund set up by the Central Government for socio-economic development and relief qualifies as CSR expenditure. The PM-CARES Fund has been set up to provide relief to those affected by any kind of emergency or distress situation. Accordingly, it was also clarified that **any contribution made to the PM CARES Fund shall qualify as CSR expenditure under the Companies Act 2013.**

For the detailed reading of original notification you may click on the below given hyperlink:

http://www.mca.gov.in/Ministry/pdf/Circular_29032020.pdf

- VI. Ministry of Corporate Affairs vide its LLP settlement scheme ('scheme'), 2020 through general circular no. 13/2020, modification dated 30.03.2020 has decided to support and enable Limited Liability Partnerships (LLPs) to focus on taking measures for COVID 19 threat and to reduce their compliance burden modifies the erstwhile general circular no. 06/2020 dated 04.03.2020.

This scheme is a onetime relaxation in additional fees to the defaulting LLPs who have defaulted in filing Form 3 (LLP Agreement and changes therein), Form 8 (Statement of Account & Solvency), Form 11 (Annual Return of LLP) and any other statutory filings due to which records available in the electronic registry are not updated and to make good their default by filing pending documents and to serve as a compliant LLP in future.

As part of Government's constant efforts to promote ease of doing business, the above scheme was modified as per the below stated points:

- Now the scheme shall come into force w.e.f 1st April, 2020 upto 30th September, 2020.
- Any belated document or return not filed till 31st August, 2020 can be filed by 30th September, 2020.
- No additional shall be payable for filing any belated documents under this scheme.
- After making the default good within the above timelines, LLPs have to take an immunity certificate from the Registrar so that no prosecution by the Registrar shall be taken.
- After 30th September, 2020, the Registrar shall take necessary action under the LLP Act, 2008 against the LLPs which have not availed this Scheme and continues to be a defaulter in filing of statutory documents or returns.

For the detailed reading of original notification you may click on the below given hyperlink:

http://mca.gov.in/Ministry/pdf/Circular13_30032020.pdf

- VII. Ministry of Corporate Affairs vide its Companies Fresh Start Scheme ('scheme'), 2020 through general circular no. 12/2020, dated 30.03.2020 has decided to support the defaulting Companies by giving a onetime relaxation in additional fees to the defaulting Companies who have defaulted in filing statutory forms with the Ministry. The scheme shall come into force from 1st April, 2020 and will continue till 30th September, 2020. Any belated document or return not filed for any year can be filed by 30th September, 2020 without any payment of additional fee. After making the default good, defaulter Companies have to take the Immunity Certificate within 6 months from the closure of the scheme from the authority, so that no prosecution or proceeding shall be initiated in respect of penalty imposed against the defaulter Company by the authority.

For the detailed reading of original notification you may click on the below given hyperlink:

http://mca.gov.in/Ministry/pdf/Circular12_30032020.pdf

**SECURITIES AND EXCHANGE BOARD OF INDIA (SEBI)
Notifications pursuant to COVID-19**

In consonance with the MCA measures to address the COVID-19 threat SEBI has also provides various reliefs and relaxation for the listed Companies to limit spread of COVID-19 in India. Following are the summary of various notifications and circulars of the SEBI in this regard:

I. SEBI vide circular no. SEBI/HO/CFD/CMD1/CIR/P/2020/38 dated March 19, 2020

Accordingly, SEBI has decided to grant the relaxations from compliance stipulations specified under the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 ('LODR') to listed entities as the COVID 19 virus has hit populations around the world and has resulted in many restrictions, including free movement of people, thereby hampering businesses and day to day functioning of companies.

A. The timelines for certain filings as required under the provisions of the LODR are extended, as follows:

S.No.	Regulation and associated filing	Filing	Relaxation w.r.t. the Quarter / Financial Year ending March 31, 2020		
		Due within	Due Date	Extended date	Period of relaxation
1	Regulation 7(3) relating to compliance certificate on share transfer facility	One month of the end of each half of the financial year	April 30, 2020	May 31, 2020	1 month
2	Regulation 13(3) relating to Statement of Investor complaints	21 days from the end of each quarter	April 21, 2020	May 15, 2020	3 weeks (appx.)
3	Regulation 24A read with circular No CIR/CFD/CMD1/27/2019 dated February 8, 2019 relating to Secretarial Compliance report	60 days from the end of the financial year	May 30, 2020	June 30, 2020	1 month
4	Regulation 27(2) relating to Corporate Governance report	15 days from the end of the quarter	April 15, 2020	May 15, 2020	1 month
5	Regulation 31 relating to Shareholding Pattern	21 days from the end of the quarter	April 21, 2020	May 15, 2020	3 weeks (appx.)
6	Regulation 33 relating to Financial Results	45 days from the end of the quarter for quarterly results	May 15, 2020	June 30, 2020	45 days
		60 days from the end of Financial Year for Annual Financial Results	May 30, 2020	June 30, 2020	1 month

B. Relaxation of time gap between two board / Audit Committee meetings:

Regulatory provision	Relaxation
Regulation 17(2): The board of directors shall meet at least four times a year, with a maximum time gap of one hundred and twenty days between any two meetings.	The board of directors and Audit Committee of the listed entity are exempted from observing the maximum stipulated time gap between two meetings for the meetings held or proposed to be held between the period December 1, 2019 and June 30, 2020.
Regulation 18(2)(a): The audit committee shall meet at least four times in a year and not more than one hundred and twenty days shall elapse between two meetings.	However the board of directors / Audit Committee shall ensure that they meet atleast four times a year, as stipulated under regulations 17(2) and 18(2)(a) of the LODR.

Kindly refer the below link for more details:

<https://www.sebi.gov.in/legal/circulars/mar-2020/relaxation-from-compliance-with-certain-provisions-of-the-sebi-listing-obligations-and-disclosure-requirements-regulations-2015-due-to-the-covid-19-virus-pandemic-46360.html>

II. SEBI vide circular no. SEBI/HO/CD/CMD1/CIR/P/2020/41 dated March 23, 2020

SEBI has provided certain relaxations by providing extension of timelines to listed entities which have listed their specified securities and Non-Convertible Debentures (NCDs), Non-Convertible Redeemable Preference Shares (NCRPS), Municipal Debt Securities (MDS) and Commercial Papers (CPs) in continuation of the Circular No.: SEBI/HO/CFD/CMD1/CIR/P/2020/38 dated March 19, 2020.

Companies proposing to make public issue of debt securities are required to give the audited financials in the offer document and for issuers, which intend to list their Commercial Papers, which are not older than 6 months from the date of prospectus and submit its latest audited financials which should not be older than six month respectively, are allowed to disclose unaudited financials with limited review report, instead of audited financials, for the stub period.

In order to enable issuers who intend/propose to list their NCD/NCRPS/CPs, it has been decided to grant the following relaxations in timelines:

Particulars	Available Audited financials	Date for issuance	Extended date for issuance	Period of relaxation
Cut-off date for issuance of NCDs/NCRPS/CPs	As on September 30, 2019	On or before March 31, 2020	On or before May 31, 2020	60 Days

A. The timelines for certain filings as required under the provisions of the LODR and aforesaid circulars are extended, as follows:

S.No.	Regulation and associated filing	Filing	Relaxation w.r.t. the Half Year / Financial Year ending March 31, 2020
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		Due within	Due Date	Extended date	Period of relaxation
1	Large Corporate-Initial Disclosure and Annual Disclosure (SEBI Circular HO/DDHS/CIR/P/2018/144 dated November 26, 2018)	Initial Disclosure - within 30 days from the beginning of Financial year	April 30, 2020	June 30, 2020	60 Days
		Annual Disclosure - within 45 days from the end of Financial year	May 15, 2020	June 30, 2020	45 Days
Non-Convertible Debentures (NCDs) / Non-Convertible Redeemable Preference Shares (NCRPS)					
2	Regulation 52 (1) and (2) relating to Financial Results	45 days from the end of the Half Year	May 15, 2020	June 30, 2020	45 Days
		60 days from the end of Financial Year for Annual Financial Results	May 30, 2020	June 30, 2020	30 Days
3	Common obligations prescribed under Chapter-III of SEBI (LODR) Regulations, 2015	Timelines as prescribed in SEBI Circular no. SEBI/HO/CD/CMD1/ CIR/P/2020/38 dated March 19, 2020			
Commercial Papers (CPs)					
4	Financial Results	45 days from the end of the Half Year	May 15, 2020	June 30, 2020	45 Days
		60 days from the end of Financial Year for Annual Financial Results	May 30, 2020	June 30, 2020	30 Days

- B. The timelines for certain filings as required under the provisions of the ILDM Regulations and SEBI circular nos. CIR/IMD/DF1/ 60 /2017 dated June 19, 2017 and SEBI/HO/DDHS/CIR/P/134/2019 dated November 13, 2019 are extended, as follows:

S. No	Regulation and associated filing	Filing	Relaxation w.r.t. the Half Year / Financial Year ending March 31, 2020		
		Due within	Due Date	Extended date	Period of relaxation
1	Investor Grievance Report as per Municipal Bond-	within 30 working days from end of Half Year	April 30, 2020	June 30, 2020	60 Days
2	Financial Results	60 days from the end of Financial Year for Annual Financial Results	May 30, 2020	June 30, 2020	30 Days
3	Accounts maintained by Issuers under ILDM Regulations	45 days from end of quarter	May 15, 2020	June 30, 2020	45 Days

Kindly refer below link for more details-

<https://www.sebi.gov.in/legal/circulars/mar-2020/relaxation-from-compliance-with-certain-provisions-of-the-sebi-listing-obligations-and-disclosure-requirements-regulations-2015-and-certain-sebi-circulars-due-to-the-covid-19-virus-pandemic-cont-46395.html>

III. SEBI vide circular no. SEBI/HO/CFD/CMD1/CIR/P/2020/48 dated March 26 2020

SEBI vide circular no. SEBI/HO/CFD/CMD1/CIR/P/2020/38 dated March 19, 2020 had provided relaxation from compliance with certain provisions of the LODR. It has been decided to grant the following further relaxations from the LODR:

A. Filings

S.No	Regulation and associated filing	Filing	Relaxation w.r.t. the Quarter / Half-year Financial Year ending March 31, 2020		
			Due within	Due Date	Extended date
1	Regulation 40(9) relating to Certificate from Practicing Company Secretary on timely issue of share certificates	One month of the end of each half of the financial year	April 30, 2020	May 31, 2020	1 month
2	Regulation 44(5) relating to holding of AGM by top 100 listed entities by market capitalization for FY 19-20	Within a period of 5 months from the date of closing of the financial year	August 21, 2020	September 30, 2020	1 month

B. Conduct of Committee meetings –Nomination and Remuneration Committee, Stakeholders Relationship Committee and Risk Management Committee

S.No	Regulation and associated filing	Frequency	Relaxation w.r.t. the Quarter / Half-year Financial Year ending March 31, 2020		
			Due Date	Extended date	Period of relaxation
1	Regulation 19(3A)- The nomination and remuneration committee shall meet at least once in a year	Yearly	March 31, 2020	June 30, 2020	3 month
2	Regulation 20(3A)- The Stakeholders Relationship committee shall meet at least once in a year.				
3	Regulation 21(3A)- The Risk Management Committee shall meet at least once in a year.				

- C. Relaxation of the operation of the SEBI circular on Standard Operating Procedure dated January 22, 2020.

SEBI vide circular no. SEBI/HO/CFD/CMD/CIR/P/2020/12 dated January 22, 2020 issued the Standard Operating Procedure (SoP) on imposition of fines and other enforcement actions for non-compliances with provisions of the LODR, the effective date of operation of which is for compliance periods ending on or after March 31, 2020. The said circular dated January 22, 2020 shall now come into force with effect from compliance periods ending on or after June 30, 2020. It may be noted that the SoP circular dated May 03, 2018 would be applicable till such date.

- D. Publication of advertisements in the newspapers:

Regulation 47 of the LODR requires publishing, in the newspapers, information such as notice of the board meeting, financial results etc. However, some newspapers are not bringing their print versions for a limited period or some newspapers that are still printing are not accepting a 'e-copy' of the information to be published which acts as a challenge in ensuring compliance with this regulation. Hence, it has been decided to exempt publication of advertisements in newspapers as required under regulation 47 for all events scheduled till May 15, 2020.

Kindly refer below link for more details-

<https://www.sebi.gov.in/legal/circulars/mar-2020/-further-relaxations-from-compliance-with-certain-provisions-of-the-sebi-listing-obligations-and-disclosure-requirements-regulations-2015-lodr-and-the-sebi-circular-dated-january-22-2020-relatin-46436.html>

IV. SEBI vide circular no. SEBI/HO/CFD/DCR1/CIR/P/2020/49 dated March 27, 2020

SEBI granted the relaxations from compliance stipulations specified under the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (SAST Regulations).

The disclosure filings under Regulations 30(1), 30(2) and 31(4) of the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (SAST Regulations), require the shareholders to compile, collate, and disseminate information of their consolidated shareholding as on March 31, 2020, to the company and the stock exchanges within seven working days from the end of the financial year. It has therefore been decided to extend the due date of filing disclosures, in terms of Regulations 30(1), 30(2) and 31(4) of the SAST Regulations for the financial year ending March 31, 2020 to June 01, 2020.

Kindly refer below link for more details-

<https://www.sebi.gov.in/legal/circulars/mar-2020/relaxation-from-compliance-with-certain-provisions-of-the-sast-regulations-2011-due-to-the-covid-19-pandemic-46442.html>

Insurance Regulatory and Development Authority of India (IRDAI) Notifications pursuant to COVID-19

In view of Covid-19 pandemic, Government of India has initiated various measures including enforcement of lock-down in various areas. Similar steps are also initiated by IRDAI which are in the interest of operation of affairs of insurance companies pertaining to their submissions which are as follows:

- I. **Vide Press release dated 23-03-2020**, in the interest of smooth operation of affairs of insurance industry, IRDAI has permitted following relaxations:
- a. In case of life insurance policies, Insurers have been asked to enhance the grace period by additional 30 days if desired by the policyholders.
 - b. In case of health insurance policies, the insurers may condone delay in renewal up to 30 days without deeming such condonation as a break in policy. However, insurers are requested to contact the policyholders well in advance so as not to have a discontinuance in coverage.
 - c. In case of Board meetings of insurers, the meetings due till 30th June, 2020 may be held through video – conferencing or other audio-visual means in accordance with Rule 3 of the Companies (Meetings of Boards and its Powers) Rules, 2014 as amended on 19th March, 2020.
 - d. In case of submission of monthly returns for the month of March, 2020 by insurers and insurance intermediaries, additional time of 15 days will be allowed. Similarly, in case of quarterly returns, an additional period upto one month will be permitted.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4073&flag=1

II. **IRDAI vide circular IRDAI/Life/Cir/Misc/072/03/2020 dated 23-03-2020**

Following directions are being issued under Section 34(1)(a) of the Insurance Act, 1938-

Functioning of offices:

- (i) Safety and well-being of employees and policyholders is to be treated as top priority and necessary arrangements are to be made.
- (ii) The instructions of Central and State Government may be followed scrupulously.
- (iii) Wherever the offices are not functioning fully/partially, the policyholders may be notified by SMS, E-mail and/or press release in addition to suitable display in branch office.
- (iv) The website of Life insurers shall be updated with all the information including list of offices not functioning and alternate arrangements for policyholder servicing, contact phone numbers, if any, for emergency needs.

Grace period for the payment of premiums:

For premiums due in the month of March, 2020, the grace period shall be extended by one more month in the areas where lockdown has been declared by state government.

Claim payments with regard to COVID-19:

- (i) Any claims received may be settled expeditiously.
- (ii) Information to be provided in the respective websites about admissibility or otherwise of COVID-19 death claims, for all products covering the contracts already issued.
- (iii) Specific information, product wise, related to any health insurance contracts already issued, regarding admissibility or otherwise of COVID-19 claims to be provided in the website.

Periodic Reports:

A report every fortnight may be submitted to the Authority giving the details of offices fully/partially closed with duration and steps taken in this regard. Data in respect of claims related to COVID-19 may be maintained separately to be submitted to Authority as and when called for.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/frmwhats_List.aspx

III. IRDAI vide circular IRDA/F & A/CIR/2019-20/481 dated 23-03-2020

As the circular, notification dated 19.03.2020 issued by MCA notifying the Companies (Meeting of Board and its Powers) Amendment Rules, 2020, the relief/relaxation given to the Companies shall be applicable to the all insurers. This circular is in consonance with the MCA notification for enabling the insurers to conduct the Board Meeting via video conferencing.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/frmwhats_List.aspx

IV. Vide Press release dated 27-03-2020, insurers shall continue to charge the rates currently being charged for Motor Third Party Liability Insurance Cover from 1st April, 2020 onwards till further notice. Meaning thereby, premium rates cannot be altered by the insurers till further notice.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/frmwhats_List.aspx

V. Vide Press release dated 28-03-2020, in view of COVID-19 pandemic, it may be difficult for some insurers to file its Board approved Final Re-insurance Programme by 30th April 2020 along with a synopsis of catastrophe modelling report. Thus, IRDAI by giving an extension to the insurers, the above regulatory provisions can be complied on or before 31st May, 2020 for the FY 2020-21.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4079&flag=1

VI. IRDAI vide notification IRDAI/INSP/CIR/MISC/077/03/2020 dated 30-03-2020

In order to meet the challenges on account of the developing situation owing to COVID-19, the IRDAI issues the following instructions:

A. Safety measures:

1. Insurance, being a critical requirement of the population, has been exempted from the lock down. However, insurance companies and other regulated entities are advised to operate their offices with absolutely necessary staff so as to maintain essential insurance services including claims settlement, authorisation for hospitalisation, renewal of insurance policies and such other activities. In all the operating offices, extreme care needs to be taken by all concerned to maintain prescribed hygiene, social distancing etc.
2. To the extent possible, work from home may be adopted by facilitating the same for the staff of insurers, intermediaries and agents.

B. Communication to key stakeholders:

3. Insurers shall prominently display on their website a dedicated help line number for policyholders and another help line number for other stakeholders including agents and intermediaries. Adequate arrangements may be made to service all the policyholders and other stakeholders satisfactorily through these help lines.
4. Insurers shall also display the contact number of the officer who can be approached, if the concerns of any of the policyholders and other stakeholders are not resolved through the dedicated help line numbers.
5. Insurers may also display FAQs for COVID-19 claims on their websites.

C. Monitoring of the situation:

6. Insurers shall put in place a Business Continuity Plan (BCP) which inter alia deals with processes, transactions, reporting and customer services to be handled in a seamless manner to take care of the present situation. A copy of the same may be submitted to the Authority.
7. Insurers shall set up a Crisis Management Committee, comprising of key personnel to monitor the current situation on real time basis and to take appropriate timely decisions on :
 - a. Issues pertaining to safety of staff, policyholders, intermediaries and agents;
 - b. Assessing new challenges that may emerge on a day-to-day basis and measures to mitigate them; and
 - c. Adopting necessary measures to minimize business disruption.

Further, the Crisis Management Committee should provide regular inputs to the Risk Management Committee of the insurer.

8. The Risk Management Committee, with the support of all the key management personnel, shall evaluate all risks including strategic, operational, insurance, liquidity, credit, reputational, market, foreign exchange, reduction in new business, reduction in renewal business, asset liability mismatch, reduction in yield, capital erosion, claims in the wake of present situation and shall devise necessary mitigation measures. Any severe impact on the operations or capital

requirements or solvency margin shall be promptly communicated to the Authority.

9. Cyber risks and data security: Due to enhanced remote working, it is possible that there could be an increase in the number of cyber-attacks on personal computer networks. Therefore, insurers need to take precautionary measures to address such cyber risks and to mitigate such risks as soon as they are identified. Insurers shall also educate their staff, through emails and other modes, of possible cyber risks and the associated safeguards to be taken by the staff while working from home.

D. Products:

10. Insurers are strongly encouraged to devise appropriate insurance products that would provide protection from risks arising out of Covid-19. The Authority is committed to process such product approval applications on a fast track mode.

E. Policy Servicing and Claims:

11. Insurers shall make special efforts to enable the policyholders to pay premium using digital methods by educating them through SMS, emails etc.
12. Claims arising on account of Covid-19 should be processed expeditiously. Insurers are encouraged to adopt simplified / expedited claim procedures for such cases. In addition, other claims should also be processed within the prescribed period by making special efforts.
13. Wherever email addresses of policyholders are available, policy documents may be issued through email within the prescribed period. SMS may also be used to confirm to the policyholders about issue of policy documents. The insurers are encouraged to capture the email and phone number of the prospective customers for intimation of the commencement of the policy and for further policy servicing. As a special case, an additional period of 30 days is allowed for insurers for dispatch of documents for policies issued between 15th March and 30th April 2020.
14. Though the normal response time for policyholder complaint redressal is 15 days, due to the prevailing lockdown situation, an additional 21 days is allowed in respect of all complaints which are received on or after 15th March 2020 and upto 30th April 2020. However, this additional response time is not applicable to complaints pertaining Covid-19 for which the extant timelines will continue to apply.
15. In case insurers have issued travel insurance policies which were/are valid between 22nd March, 2020 and 30th April 2020, an option may be provided to the policyholders to defer the date of travel without any additional charge.
16. The insurers should keep their respective Boards informed of the actions taken by them in dealing with situations arising out of Covid-19.
17. The Authority should be informed immediately in case of any special circumstances affecting the essential business operations of the insurers.
18. The Authority is constantly evaluating emerging impact of COVID-19 on the insurance sector and will issue suitable instructions from time to time as considered necessary.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/whatsNew_Layout.aspx?page=PageNo4081&flag=1

VII. IRDAI vide notification IRDAI/Life/Cir/Misc/079/04/2020 dated 04-04-2020

This circular is issued further to the Covid19 related Instructions vide circular IRDAI/ INSP/ CIR/ MISC/ 077/03/2020 dated 30th March 2020 as an addendum.

*Additional Time allowed for filing Regulatory Returns as at 31.03.2020

- a) Monthly Returns : 15 days
- b) Quarterly, Half-Yearly and Yearly Returns : 30 days
- c) Cyber Security Audit : 30 days

*It may be noted that this time is granted in addition to the time normally available for filing the above returns.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/frmwhats_List.aspx

VIII. IRDAI vide notification IRDA/F&I/CIR/INV/085/04/2020 dated 08-04-2020

The Authority has received representations from industry associations seeking moratorium on repayment of term loans sanctioned by the Insurers, in the context of outbreak of Covid-19. RBI has issued directions dated 27th March, 2020, providing certain moratorium to the borrowers of Term Loans. Considering the cash flow problems faced by the borrowers and in line with the RBI directions, the following instructions are provided by IRDAI:

- a. In respect of term loans, insurers are permitted to grant a moratorium of three months towards payment of installments falling due between 1st March, 2020 and 31st May, 2020. The repayment schedule for such loans and also the residual tenor, will be shifted across the board by three months subsequent to the moratorium period.
- b. Interest shall continue to accrue on the outstanding portion of the term loans during such moratorium period.
- c. The asset classification of term loans which are granted relief as per point no.(a) above shall be determined on the basis of revised due dates and revised repayment schedule.
- d. The rescheduling of payments, including interest, will not qualify as a default for the purpose of reporting of NPAs.
- e. Insurers shall frame Board approved policies to extend above mentioned reliefs to all eligible borrowers.
- f. Concurrent Auditors in their reports for the quarter ending June, 2020 shall confirm that the insurers have complied with the Board Approved policy in granting moratorium.

Kindly refer below link for more details-

https://www.irdai.gov.in/ADMINCMS/cms/frmwhats_List.aspx

Telecom Regulatory Authority of India (TRAI) Notifications pursuant to COVID-19

Considering the spread of Covid-19 pandemic and complete lockdown as decided by Government of India, TRAI vide notification no. RSM/COAI/2020/066 dated 26th March 2020 has decided to grant a relaxation of six weeks from the respective due dates in respect of all monthly and quarterly reports in the larger public interest for the period ending 31st March 2020 to all Telecom service providers.

Kindly refer below link for more details-

https://main.traigov.in/sites/default/files/COAI_01042020.pdf

Suggestions may be sent to rupesh@cacsindia.com

**Dr. S. Chandrasekaran | Senior Partner | Chandrasekaran Associates | Company Secretaries 11-F, Pocket Four |
Mayur Vihar Phase One | Delhi - 110 091 | Tel. +91-11-2271 0514 sankara@cacsindia.com | info@cacsindia.com
| www.cacsindia.com**

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