Newsletter

May 2017

Contents

Welcome to the May edition of the Clasis Law newsletter.

This edition brings to our readers a featured article on "Corporate Compliances: Necessity and Implication".

Companies Act of India sets out the compliances/processes to be observed by a company, its senior officers, directors during the functioning of a company and fines in case of oversights. This article highlights the importance of complying with the statutory requirements prescribed under the Companies Act of India.

We continue to highlight certain key judgements passed by the Hon'ble Supreme Court of India as well as changes in Corporate and Commercial matters, and updates in Projects, Energy and Natural Resources, IP sector and Banking and Project Finance.

Your inputs and feedback are always welcome and we look forward to our interactions with you.

Corporate Compliances: Necessity and Implication

The Companies Act of India (**"Act"**) is the primary legislation which governs the functioning of the companies established in India during their lifecycle. The secretarial compliances refer to a list of periodic and event based compliances dictated by the Act to be adhered to by the companies incorporated in India. Failure to adhere to these compliances can become a costly exercise for a company that can generally be avoided.

The Act casts an obligation on the directors, company secretary and other senior officers of a company to comply with the various provisions of the Act, such as convening of periodic board and shareholders meetings, manner of maintaining statutory records of the company, making event based and periodic filings in prescribed e-forms with the Ministry of Corporate Affairs, Government of India (**"MCA"**), appointment of various officers and directors on breach of specified thresholds under the Act, all times having a registered office.

Secretarial standards

With a view to strengthen the corporate governance practices and achieve improved compliance level in companies, thus leading to confidence building in minds of investors resulting in increased flow of capital in India, the Act imposes an obligation on companies to observe secretarial standards regarding general and board meetings as specified by the Institute of Company Secretaries of India.

The secretarial standard on the meeting of the Board of Directors (**"SS 1"**) and General Meeting (**"SS 2"**) approved by the MCA and notified by the Institute of Company Secretaries of India bestows greater responsibility on the directors and company secretaries to ensure compliance of the processes for conducting a meeting of the Board of Directors and the shareholders.

SS 1 seeks to ensure that a healthy and transparent procedure is followed for convening a board meeting by an authorised person, sufficient advance notice is given to the directors, the agenda contains adequate details of the proposals, board members are given proper opportunity to take an objective view on the matters to be discussed, necessary discussion follows at the meeting and recording of decisions is made objectively by drawing up proper minutes of the business transacted at the meetings. SS 2 on general meetings is meant to ensure that members of a company receive the notice of a general meeting in time, it contains particulars required by a member to decide whether or not to support a resolution, he has proper opportunity to attend the meeting, vote with or without attending the meeting physically either in favour of or against the resolution, such votes are counted properly for declaration of the voting results, the meeting is conducted in a fair manner, proceedings at the meeting are recorded objectively in the minutes of the meeting and the minutes form a part of the permanent records of the company.

Penalties under the Act

Any contravention of the provisions of the Act, including the secretarial standards, attracts penalties, which have been categorically prescribed by the Act, on the company concerned and its officers in default. The penalties may be either civil or criminal in nature or both. For instance, failure to maintain a statutory register namely; register of member may attract penalty of INR 50,000 which may extend to INR 300,000 and with a further continuing penalty of INR 1,000 for the tenure during which the default continues or failure to properly prepare and sign the board's report entails a penalty of INR 50,000 which may extend to INR 2,500,000 on the company and the concerned officers of the company would be liable to a penalty varying from INR 50,000 to INR 500,000 or imprisonment of maximum 3 (three) years or both. Similarly, the Act prescribes penalties for each of the non-compliances which may have severe ramifications on the company and its officers.

It has been a trend that considering these compliances of being a matter of routine nature not much heed is paid towards ensuring their strict adherence by the officials of companies. However, doing so under the new regime, with the Act and the secretarial standards in effect may be catastrophic for companies in India. The strictness with which the courts view the responsibility and the sacredness of the trust reposed in the directors and its authorized persons has been emphasized in many cases.

Actions by the authorities

It has recently been observed that the authorities have become more vigilant towards secretarial compliances and are suo motto initiating prosecution on the companies and the officers of the companies who are in default basis the information available with them. There have been instances where the companies and its concerned officers have been penalised heavily by the authorities on account of violation of the provisions of the Act. The authorities are not taking a lenient view even in case of non-compliances which are not of grave nature and have been penalising them strictly with the fine as prescribed under the Act. Recently, the MCA has issued notices to about a quarter million companies in India who are not carrying on any business or operations over the last 2 (two) financial years and have failed to obtain dormant status from the Registrar of Companies. As per norms, the names of these companies would be struck off and the entities would be dissolved after providing them an opportunity of hearing. Since, the Indian Government is focussed towards developing a regime of self-governance; the aforesaid steps are being taken to develop a compliance based approach in functioning of companies in India.

Conclusion

Considering, the increased focus of authorities on compliance under the Act and the extent of liabilities which a company or its directors/ officers may incur on account of contravention of the provisions of the Act, it has become imperative on the part of the companies and their directors/ officers to focus on corporate compliances in true letter and spirit. Adopting a post-mortem approach by companies in dealing with the corporate compliances may prove fatal for their financial as well as regulatory health. The need and importance of corporate compliances can best be conveyed with the following quotation of Benjamin Franklin: *"A little neglect may breed great mischief – for the want of a nail, the shoe was lost; for the want of a shoe, the horse was lost; for the want of a horse, the rider was lost; and for want of a rider, the battle was lost."*

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Legal alerts

Execution of preliminary decree for partition is not barred by Limitation: Supreme Court of India

The Hon'ble Supreme Court of India (**"Court"**) in a recent judgment *of Venu vs. Ponnusamy* Reddiary through LRS & Anr, Civil Appeal No. 4187/2008, dated April 27, 2017, was posed with a question relating to the limitation for execution of preliminary decree for partition.

In the present case, the application for execution of the decree was filed on October 03, 1989 viz., thirty (30) years after the passing of the preliminary decree. The application had been filed in the form of appointment of a Court Commissioner so as to carry out the preliminary decree which had been passed on November 23, 1959.

The counsel appearing on behalf of the Appellant (Judgment Debtor) argued that since the application had been filed for appointment of Court Commissioner, it ought to be governed by the provisions of Article 137 (Any other application for which no period of limitation is provided elsewhere in this Division) of the Limitation Act, 1963 (**"Act"**). On the contrary, the counsel appearing on behalf of the Respondent (Decree Holder) contended that in substance the application has been filed for final decree proceedings and the cost of the final proceedings has been paid and only then the preliminary decree is executed. Therefore the application for execution of preliminary decree for partition could not be said to be barred by limitation.

While adjudicating upon the point of law, the Supreme Court analyzed the various judgments passed by different High Courts on this issue. The Court discussed the judgment passed by the High Court of Calcutta titled *Bhusan Chandra Mondal vs. Chhabimoni Dasi, AIR 1848 CALCUTTA 363*, wherein the High Court had categorically held that after the preliminary decree in a suit for partition has been passed, it is the usual practice for the plaintiff to make an application for the appointment of the commissioner but such an application is not hit by any limitation under the Act. The Supreme Court also considered a similar view that had been adopted by a single judge of the High Court of Kerala in *Laxmi & Ors vs. A. Sankappa Alwa & Ors, AIR 1989 KERALA 289* and by the Single Judge of High Court of Punjab & Haryana in *Naresh Kumar & Anr. vs. Smt. Kailsh Devi & Ors, AIR 1999 Punjab.* Reliance has also been placed by the Court upon the decision of High Court of Madras in *Ramanathan Chetty vs. Alagappa Chetty, AIR 1930 Mad. 528*, in which it was held that until final decree is passed in a partition suit, limitation will not come into play because the suit continues, till the final decree is passed.

In light of the principle of law laid down by the aforementioned judgments, the Supreme Court held that a preliminary decree for partition crystallizes the rights of parties for seeking partition to the extent declared; the equities remain to be worked out in the final decree proceedings. Till the time the partition is carried out and final decree is passed, there is no question of any limitation running against the right to claim partition as per the preliminary decree. No limitation has been prescribed for moving an application for seeking appointment of a Commissioner. As such, it would not be barred by limitation, and the lis continues till the time the preliminary decree culminates in to a final decree.

Accordingly, the Appeal was dismissed by the Supreme Court.

Aircon Beibars FE v. Heligo Charters Pvt. Ltd. *decided on 28.04.2017 in Comm Arbitration Petition (L) No. 208 of 2017.*

Recently, the Hon'ble Bombay High Court in ***Aircon Beibars FZE v. Heligo Charters Pvt. Ltd.*** passed on 28 April 2017, allowed an application under Section 9 of the Arbitration And Conciliation Act, 1996 (As Amended) (**'Act'**) where the seat of arbitration was Singapore and the arbitration was conducted in accordance with the rules of the Singapore International Arbitration Centre ("**SIAC**").

Brief Facts:

- Aircon Beibars FZE ('**Petitioner'**) and Heligo Charters Pvt. Ltd. ('**Respondent**') entered into a contract for the sale of a helicopter by the Petitioner to the Respondent;
- Subsequently, certain disputes arose between the parties and they contested the arbitration proceedings. It is pertinent to mention that the seat of arbitration was Singapore and the arbitration was conducted in accordance with the Rules of the Singapore International Arbitration Centre;
- Thereafter, an award in the sum of USD 7 million (approximately) was passed in favour of the Petitioner;
- The Petitioner preferred an application under Section 9 of the Act seeking restraint on the Respondent's property (the second helicopter owned by the Respondent) *inter-alia* on the ground that the Respondent has no other substantial/real asset other than the one in respect of which restraint is sought. Further, there is real apprehension that the Respondent may remove the said helicopter from the jurisdiction of the Court or may encumber or alienate the same in order to prevent the same from being proceeded against in enforcement of the Award;
- The Petitioner invoked the jurisdiction of the Court on the basis that the asset in respect of which restraint was being sought was within the jurisdiction of the Court.

Arguments advanced

1. Section 9 of the Act has no application to a foreign award already made and which is governed by Part II of the Act. In view of the seat of arbitration as Singapore and the use of the phrase *subject to an agreement to the contrary* in proviso to Section 2(2) of the Act[1], the operation of Section 9 would be excluded in Part II proceedings;
2. Section 9 cannot be invoked until the foreign award is made enforceable i.e. until it passes through the discipline and rigour of Section 48 of the Act. It was submitted that Section 2(2)'s proviso allowed Section 9 to be invoked only during the period between the time when a foreign award being made enforceable under Section 48 and it being put into execution;
3. A holder of a foreign award is not permitted to prefer a Section 9 application till he has obtained an order of enforceability under Section 48 of the Act. The reason for the aforesaid is the words *is enforceable and recognized and not would be enforceable and recognized* as appearing in Section 2(2) of the Act.

Observations and Conclusion

- The proviso to Section 2(2) of the Act is in relation to foreign awards and any exclusion of a provision thereof must be specifically stated in the Agreement.
- In case Section 9 is allowed to be invoked only between the time when a foreign award being made enforceable under Section 48 and it being put into execution, the Respondent's only remaining asset in India could be dissipated between the time of passing of foreign award and until an order is made under Section 48.
- Relying upon Report No. 246 of the Law Commission, the Hon'ble Court observed that proviso to Section 2(2) of the Act has made Section 9 a transitory provision pending the process contemplated by Section 48 of the Act with an intention to ensure that the Court can protect and asset from being dissipated or diverted.

Finally, the Hon'ble Bombay High Court allowed the Section 9 application of the Petitioner thereby granting and confirmed the ad-interim injunction against the Respondent restraining it from disposing off, alienating, encumbering, parting with the possession or removing its helicopter from the jurisdiction of the Hon'ble Court.

[1]"Provided that subject to an agreement to the contrary, the provisions of sections 9, 27 and clause (a) of sub-section (1) and sub-section (3) of section 37 shall also apply to international commercial arbitration, even if the place of arbitration is outside India, and an arbitral award made or to be made in such place is enforceable and recognized under the provisions of Part II of this Act.".

Corporate and commercial

Limits for investment by FPIs revised

The Securities and Exchange Board of India ("**SEBI**") by its circular dated April 03, 2017 has revised the limits for investment by Foreign Portfolio Investors ("**FPIs**") in Government securities for the April-June 2017 quarter. The revised limits are as follows:

- limit for FPIs in Central Government securities has been enhanced to INR 184,901 cr. The limit for such investments was INR 152,000 cr. till March 31, 2017;
- limit for long term FPIs in Central Government securities has been revised to INR 46,099 cr. The limit for such investments was INR 68,000 cr. till March 31, 2017; and
- limit for investment by all FPIs in State Development Loans (SDL) has been enhanced to INR 27,000 cr. The limit for such investments was INR 21,000 cr. till March 31, 2017.

Section 234 of Companies Act, 2013 notified

The Ministry of Corporate Affairs ("**MCA**") has notified section 234 of the Companies Act, 2013 ("Act") which is to be effective from April 13, 2017, that deals with merger or amalgamation of a company registered in India with a foreign company and vice-versa. The MCA has also notified the associated rule, namely, the Companies (Compromises, Arrangements and Amalgamation) Amendment Rules, 2017 (Rule 25A has been inserted) to provide for the manner in which the merger or amalgamation under section 234 shall take effect.

Section 234 provides that a foreign company, may with the prior approval of the Reserve Bank of India ("**RBI**"), merge into a company registered under the Act or vice versa and the terms and conditions of the scheme of merger may, inter alia, provide, for the payment of consideration to the shareholders of the merging company in cash, or in depository receipts, or partly in cash and partly in depository receipts, as the case may be, as per the scheme to be drawn up for the purpose.

Procedurally, the company (either Indian or foreign company) will first have to obtain approval of the RBI and then apply to National Company Law Tribunal seeking approval of the merger or amalgamation in accordance with section 230, 231 and 232 of the Act.

Foreign Exchange Management (Cross Border Merger) Regulations, 2017

Pursuant to the rules notified by MCA through Companies (Compromises, Arrangements and Amalgamation) Amendment Rules, 2017 on April 13, 2017, the RBI on April 26, 2017 has issued a press release in relation to the draft guidelines on cross border merger transactions i.e. Foreign Exchange Management (Cross Border Merger) Regulations, 2017. Moreover, RBI has also requested the stakeholders and experts to offer their views and comments on the proposed regulations.

RBI fails to intervene patching up of Tata DoCoMo joint venture

In a landmark move, the Delhi High Court on April 28, 2017 has rejected RBI's intervention plea in the Tata-DoCoMo settlement case and has given its consent on the settlement plan earlier presented between Tata Sons and NTT DoCoMo before the Delhi High Court. This may have far reaching consequences as it limits RBI's role in a situation concerning enforcement of an arbitral award where money is sought to be remitted outside India.

Projects, Energy and Natural Resources

Norway desirous of investing in Andhra Pradesh

Norway has expressed its willingness to explore investment opportunities in Andhra Pradesh in a number of sectors including aquaculture, food processing industries, value addition for seafood exports, infrastructure, gas and petroleum, renewable energy, shipbuilding and other associated fields.

Visakhapatnam shaping up as the largest seafood export centre in India with a turnover of over Rs. 7,000 crore and Andhra Pradesh accounting for two-third of India's aquaculture production, Norway has stepped up to explore collaborative opportunities.

India is considering Setting-Up Infrastructure Banks to plug the funding gap

India is considering turning to the private sector to help close in on the perpetual capital shortage for funding infrastructure projects.

With commercial banks already stretched to capacity and saddled with massive non-performing loans and credit growth plunging at decade lows, lenders have been unforthcoming to invest in projects that involve a long waiting period before returns start trickling in.

It is in this background that the Reserve Bank of India (RBI) is proposing to offer licences to private companies to set up infrastructure banks. This could help finance $1.5 trillion in roads, ports, power and other projects over the course of next 10 years.

Specialized banks could cater to the wholesale and long-term financing needs of the growing economy and possibly fill the gap in long-term financing.

NITI Aayog to provide support to states for developing difficult infrastructure projects

The NITI Aayog has decided to offer support services to states in projects where they find it difficult to attract private investment.

In addition to offering advice and guidance to the states for infrastructure projects, the policy think-tank would also hand-hold them in executing the projects so as to improve the investor confidence.

So far 18 states have submitted proposals for the initiative and the NITI Aayog has up till now short-listed 40 projects.

The short-listed projects are the ones where land is either not a problem or where most of the land has already been acquired. It is reported that the Aayog would further screen the proposed projects and would finally select 10 projects from 10 states which have the potential for Public-Private Partnership (PPP). The projects would be finalised by July after which detailed project reports would be prepared and bidding process would start.

Little work has been done in the eastern part of India, especially the north-eastern states hence this is an opportunity for the north eastern states to derive benefits from the Center's initiative.

The Aayog has decided to take up those projects which have potential for partnership but where private players don't show interest for some reason or the other.

Among the states which have pitched their projects include Assam, Nagaland, Manipur, Sikkim, Madhya Pradesh, Haryana, Rajasthan, Gujarat, Maharashtra and Delhi.

IP update

Sunil Mittal v. Darzi On Call

The Plaintiffs, Mr. Sunil Mittal and Darzi (India) LLP, proprietors of registered mark 'The Darzi: The Suit People, 1981' filed a suit for trademark infringement seeking injunction restraining the defendant "Darzi on Call" from using the word 'Darzi'. On October 5, 2016, the Hon'ble Delhi High Court restrained the Defendant from using the word 'Darzi', on the ground that the letter D of the defendant's mark was deceptively similar to that of Plaintiffs' trademark. Subsequently, however, the Hon'ble Court on December 7, 2016, passed an ad-interim order allowing the Defendant to use a stylized alphabet 'D', without the word 'Darzi'.

While the defendant contended that the word 'Darzi' is descriptive of the services, particularly in Delhi and therefore, cannot be used as a trade mark, the Hon'ble Court disagreed and held that the test was not only of whether a word is understood at a particular place, but also whether it is generally used at that place as descriptive of the services rendered. The Court concluded that while 'Darzi' was used in the spoken language as descriptive of the occupation of a tailor, it was not used to designate the service of tailoring.

The Court further went on to make a point that the Defendant was estopped from making arguments of 'Darzi' being generic, as they themselves had applied for a trademark containing the same word. Relying on *In Info Edge (India) Pvt. Ltd. v. Shailesh Gupta*, the Hon'ble Court reiterated that if a particular product is being marketed at a particular place under a particular descriptive name and has gained a reputation thereunder then that name will be protected against descriptive use from competing products.

Another argument made by defendant was that the marks were label and not individual word marks. Reasoning that "what has to be applied is the test of human beings and not a test as laid down in the law books in relation to a different society", the Hon'ble Court dismissed the argument noting that essential feature of both marks was the word 'Darzi', and other aspects such as 'on call' for the Defendants and 'the suit people' for the Plaintiffs was not a differentiating factor of recall for the trademark. The court said that human interaction has to be taken into consideration when judging similarity between two marks. Consequently, the Hon'ble Court was of the opinion that the Plaintiffs had made out a prima facie case for infringement and were rightfully granted the interim injunction vide order dated 5th Oct and clarified on 7th Dec 2016.

Fedral Express Corporation v. Fedex Securities Ltd. & Ors.

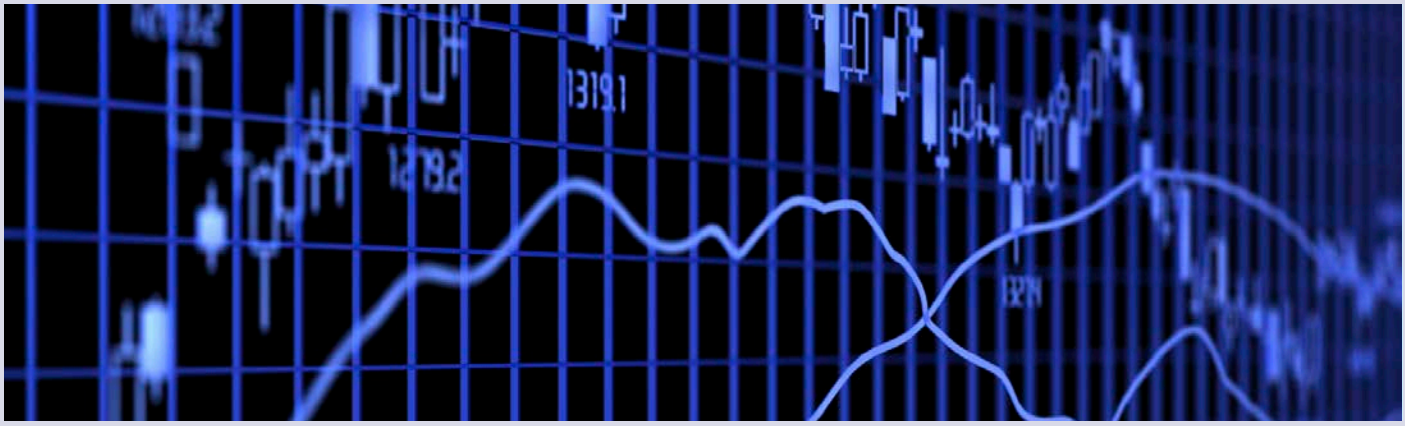
The Delhi High Court, in case of *Federal Express Corporation v. Fedex Securities Ltd and Ors.* allowed the defendants' application for return of plaint under Order VII Rule 10 CPC for lack of territorial jurisdiction.

The Plaintiff, a US based company popularly known as FedEx, filed a suit for trademark infringement before the Delhi High Court, against three Indian companies providing financial and equity services to Indian corporate houses, claiming infringement of their trademark 'FEDEX'. Even though all the three defendants had their registered offices and principle place of business in Mumbai, the Plaintiff attempted to invoke jurisdiction of the Delhi High Court under Section 20 of the CPC - primarily on the grounds that (i) the defendants advertise their offer all over India including in Delhi through their website, www.fedsec.in; (ii) that the defendants are acting as managers/merchant bankers etc for various entities and servicing clients in Delhi; and (iii) that the defendants have been appearing in prominent national dailies, as well as their offers to public in capacity of merchant bankers for their clients have been published inter alia in Delhi edition of national dailies, and thus were "carrying on business" in Delhi. The Plaintiff further stated that by virtue of it having a branch office as well as a number of other offices in Delhi, it was entitled to invoke jurisdiction of the Delhi High Court under Section 134 of the Trade Marks Act, as well.

However, perusing the documents submitted along with the plaint, the Hon'ble Court noted that none of the said documents evinced that the defendants worked for gain in Delhi and rather, claimed their place of business to be Mumbai. Reinstating the principle "that trivial part of the cause of action having arisen in place cannot be decisive factor for invoking jurisdiction", the Hon'ble Court agreed with the defendants' submissions that mere existence of a passive website, in the absence of any evidence of a commercial transaction having being entered into by the defendants with any user of their website within Delhi, could not be held to establish accrual of the cause of action, even in part, in Delhi and therefore, the Plaintiff could not invoke jurisdiction of the Delhi High Court. Additionally, disentitling the Plaintiff to any equitable relief, the Hon'ble Court held the Plaintiff guilty of suppressing relevant and material facts for its failure to disclose the existence of its registered office in Mumbai.

The Hon'ble Division Bench, relying on the decision of the Supreme Court in *Satyam Infoway Limited v. Sifynet Solutions Pvt. Ltd(2004) and Uniply Industries Limited v. Unicorn Plywood Pvt. Ltd. and Others (2001)*, noted that inspite of being the prior adopted, the sales and promotional volume of the Plaintiffs, prior to the Defendant's use of the 'Aqua' mark were inconsequential and therefore, AZ Tech had failed in establishing goodwill/reputation in the mark, at the relevant time, i.e. when Intex launched its products in the market under the similar mark – one of the tests for a passing off action. The Division Bench also noted that in the present case of passing off, the Intex would escape liability inasmuch as the added matter, the word mark 'Intex' before the disputed mark, was sufficient to distinguish Intex's products from those of the AZ Tech's.

Further, ruling on the principles of grant of injunction, the Division Bench observed that that "while it is true that a larger company cannot be permitted to run roughshod over a smaller company, who has been in the market and is the senior user of a mark, at the same time, if the senior user and smaller company permits the junior user and larger company to grow rapidly and establish a huge market presence without any action on the part of the senior user, if an injunction were to be granted at a belated stage, it would amount to causing irreparable injury to the junior user (larger company)." The Division Bench, therefore, held that in absence of any reasonable explanation of delay in filing the suit, the balance of convenience, would be in favour of the junior user, that is, Intex.



Banking and Project Finance

SARFAESI Act, 2002 – Requirement of Net Owned Fund ("NOF") for Asset Reconstruction Companies ("ARC")

The Reserve Bank of India ("RBI") has vide its notification dated April 28, 2017, amended the NOF requirement for ARCs. Now, the RBI has fixed the minimum NOF requirement for ARCs at 100 crore with effect from April 28, 2017.

ARCs which are already registered with RBI and not having the revised minimum NOF (as mentioned above) are required to achieve a minimum NOF of Rs. 100 crore latest by March 31, 2019. ARCs are required to submit a certificate from their Statutory Auditors periodically as evidence of compliance thereof.

Banks' investment in units of Real Estate Investment Trust ("REIT") and Infrastructure Investment Trust ("InvIT")

The RBI has vide its notification dated April 18, 2017, permitted banks to participate in REITs and InvITs within the overall ceiling of 20 per cent of their net worth permitted for direct investments in shares, convertible bonds/ debentures, units of equity-oriented mutual funds and exposures to Venture Capital Funds (VCFs) [both registered and unregistered], subject to the compliance of following conditions:

(a) Banks are required to put in place a Board approved policy on exposures to REITs/ InvITs which lays down an internal limit on such investments within the overall exposure limits in respect of the real estate sector and infrastructure sector.

(b) Banks shall not invest more than 10 per cent of the unit capital of an REIT/ InvIT.

(c) Banks should ensure adherence to the prudential guidelines issued by RBI from time to time on Equity investments by Banks, Classification and Valuation of Investment Portfolio, Basel III Capital requirements for Commercial Real Estate Exposures and Large Exposure Framework, as applicable.

Prompt Corrective Action ("PCA") Framework for Banks

The RBI has vide its notification dated April 13, 2017, released revised PCA Framework for Banks. The provisions of the revised PCA Framework for Banks shall be effective from April 01, 2017 based on the financials of the banks for the year ending March 31, 2017. The PCA Framework shall be reviewed after three years.

Change in Bank Rate and Marginal Standing Facility Rate

The Bank Rate has been adjusted by 25 basis points from 6.75 per cent to 6.50 per cent with effect from April 06, 2017. All penal interest rates on shortfall in reserve requirements, which are specifically linked to the Bank Rate, also stand revised as follow:

Item	Revised Rate (Effective from April 06, 2017)
Penal interest rates on shortfalls in reserve requirements (depending on duration of shortfalls)	Bank Rate plus 3.0 percentage points (9.50 per cent) or Bank Rate plus 5.0 percentage points (11.50 per cent).

Further, the Marginal Standing Facility (MSF) rate has been adjusted at 6.50 per cent.

Liquidity Adjustment Facility ("LAF") – Repo and Reverse Repo Rates

The Repo rate under the LAF remains unchanged at 6.25 per cent. However, the Reverse Repo rate under the LAF now stands adjusted at 6.0 per cent.

Recent events

Clasis Law promotions of the year...

Rahul Beruar	Elevated to Partner
Vikram Bhargava	Elevated to Partner
Priyanka Anand	Elevated to Associate Partner
Neetika Ahuja	Elevated to Associate Partner
Barasha Baruah Pathak	Elevated to Associate Partner
Parul Kashyap	Elevated to Head-Business Development
Nihal Shaikh	Elevated to Senior Associate
Apeksha Amin	Elevated to Senior Associate
Ashmi Mohan	Elevated to Senior Associate
Abhishek Singla	Elevated to Senior Associate
Vikrant Anand	Elevated to Senior Associate
Ramesh Giri	Elevated to Billing Manager
Sahil Kapoor	Elevated to Compliance Manager

Global Legal Confex, 20th April, 2017, New Delhi

Kaveri Kumar, Senior Associate attended the Global Legal Confex. The conference focused on the challenges faced by in-house counsels, the dispute resolution environment in India, data protection laws, preparedness of companies on regulatory matters, and contract management. Inputs were also provided on cross jurisdictional issues and the experience of lawyers in dealing with such situations.

Offbeat

Travel... ...Off The Beaten Track!

Mawlynnong, Meghalaya – Asia's cleanest village and God's own garden

Mawlynnong/Mawlynnong is a village in the East Khasi Hills of Meghalaya, also referred as 'God's own garden' has won the acclaim of being the cleanest village in Asia in 2003. The village known for its cleanliness is located around 90 kms is from Shillong and is a community based eco-tourism initiative.

Kasol, Himachal Pradesh

A destination bestowed with all of nature's blessings, Kasol is known for its Israeli inhabitants, Parvati river, trekking base-camp and Malana. The valley is famous for its pretty as a picture coniferous forests and crystal clear mountain streams. Resplendent in natural beauty, Kasol is fast emerging as a hub for backpackers, trekkers and nature lovers. With pleasant climate all around the year and low population density, this wonderful place is all set to give you an unforgettable experience.

Jawai, Rajasthan

JAWAI is one of India's many untouched destinations, which is magical and is abundant with elements of surprises, in every moment encountered. The landscape is dramatic with the presence of solitary hills, mustard and maize fields, villages and a lake that is a home to many unique migratory birds. Jawai Leopard Camp is the newest and the coolest addition to leopard spotting destinations in India.

Majuli/Majoli, Assam

Majuli or Majoli is a large river island in the Brahmaputra river in Assam. Majuli is also the 1st island district of the country. The island is about 200 kilometres east from the state's largest city — Guwahati, and is accessible by ferries from the town of Jorhat. It is known not only for its majestic origins, but also for its pristine beauty.

Lepchajagat, West Bengal

Lepchajagat is a small village located in wilderness at an altitude of 6,956 ft and only 19kms away from Darjeeling hill town. Lepchajagat is all about dense forested area full with pines, oaks and rhododendrons. And all that is combined with magnificent views of Kanchenjunga peaks, wonderful birdlife and serene tranquility.

Paradip, Odisha

Paradip was known as Paradip Port, but very less people know that it is also a vacation and picnic spot. The beauty of Paradip lies in it being near to the shore of the Bay of Bengal. One can enjoy Oceanic activities in the shimmering water of Paradip beach, which makes it the best vacation spot for aqua-lovers.

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