

# AKANSHA RATHI & ASSOCIATES (ARACS)

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Friday, April 3, 2026

74<sup>th</sup> Edition



## Key Updates

- FEMA (pg 3)
- MCA (pg 4-5)
- SEBI (pg 6-7)
- Case Law (pg 8 - 9)
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Company Law | POSH Consultant | Trademark Registration | Foreign Direct Investment | Drafting of Funding Agreements | Insolvency

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## FEMA

- Revised guidelines on investments from countries sharing land border with India (LBC)

## SEBI

- Securities Contract Regulation Amendment, 2026

## MCA

- Advisory for Stakeholders for Name Reservation and Incorporation of Company and LLP
- FAQs by MCA on Revamped DIR 3 KYC Framework

## Case Law

- CS has a right to resign.
- Under the PoSH Act accused has a right of fair defence.

## Income Tax Rules

- Registration to become simpler for charitable trusts

# Revised guidelines on investments from countries sharing land border with India (LBC)



## FEMA

- 60-day approval timeline for FDI in key manufacturing sectors (e.g., electronics, capital goods, solar cells); auto route for non-controlling (<10%) stakes with Beneficial Owner (BO) clarity under PMLA rules.
- Definition of BO provided—test of BO to be applied at Investor entity level
- Non-controlling LBC beneficial Ownership upto 10% allowed under approval route subject to sectoral caps
- Effective immediately

[Click here for Order](#)



# NAME RESERVATION & INCORPORATION

OF COMPANY &amp; LLP



— Name Approval Rules | Incorporation Requirements | Legal Compliance —

## MCA

- Proposed company/LLP names must be unique, avoiding resemblances to existing entities, trademarks, or struck-off names (2-20 year restrictions), with NOCs required for restricted words like "Bank" or "Insurance"—even minor similarities lead to rejection.
- Secure recent registered office proofs (utility bills <2 months, notarized leases/NOCs matching SPICe+/FiLLiP exactly), align NIC codes with objects, and follow apostille rules for foreign signatories based on address/signing location.
- For Section 8/OPC/LLPs, restrict objects (no NBFC/micro-finance/dividends), ensure approved DINs, consistent capital details, untampered documents, and RUN/FiLLiP approval even for minor name changes

[Click here for advisory](#)

# Advisory for Stakeholders for Name Reservation and Incorporation of Company and LLP



सत्यमेव जयते

**M** MINISTRY OF  
**C** CORPORATE  
**A** AFFAIRS

GOVERNMENT OF INDIA

# FAQs by MCA on Revamped DIR 3 KYC Framework

**DIR-3**

**K Y C**

## **MCA**

- Revised DIR-3 KYC Web form to be filed once every three financial years, with mandatory updates within 30 days for any change in personal details
- Effective 31 March 2026 only DIR-3 KYC Web form is available
- New DINs allotted in 25-26- first filing due in April to June 2029
- DIR 3 KYC already filed for 25-26- first filing due in April to June 2028.
- DIN allotted in 25-26 and director updates his details in 27-28- first filing is due in April to June 2029

[Click here for notification](#)





## SEBI

- Government notified the Securities Contracts (Regulation) Amendment Rules, 2026
- Introduces a graded minimum public shareholding framework of 3 years or 5 years from listing based on post issue capital
- Regardless of post-issue capital, at least 2.5% of each class of securities must be offered to the public at the time of listing
- Makes it easier to launch large IPOs.
- Requires companies to gradually increase public shareholding over time.

[Click here for link](#)

# Securities Contracts (Regulation) Amendment Rules, 2026





## SEBI

- Mandatory filing of a detailed draft prospectus at an early stage, ensuring fuller upfront disclosures for investor review
- Compulsory online availability of offer documents, improving accessibility and transparency throughout the issue period
- Enhanced disclosure norms covering risk factors, financials, promoter background, and use of proceeds
- Introduction of a standardised format for prospectuses, enabling easier comparability across issuers
- Streamlined and consistent documentation to reduce regulatory ambiguity and improve review efficiency.

[Click here for link](#)

# Issue of Capital and Disclosure Requirements (Amendment) Regulations, 2026



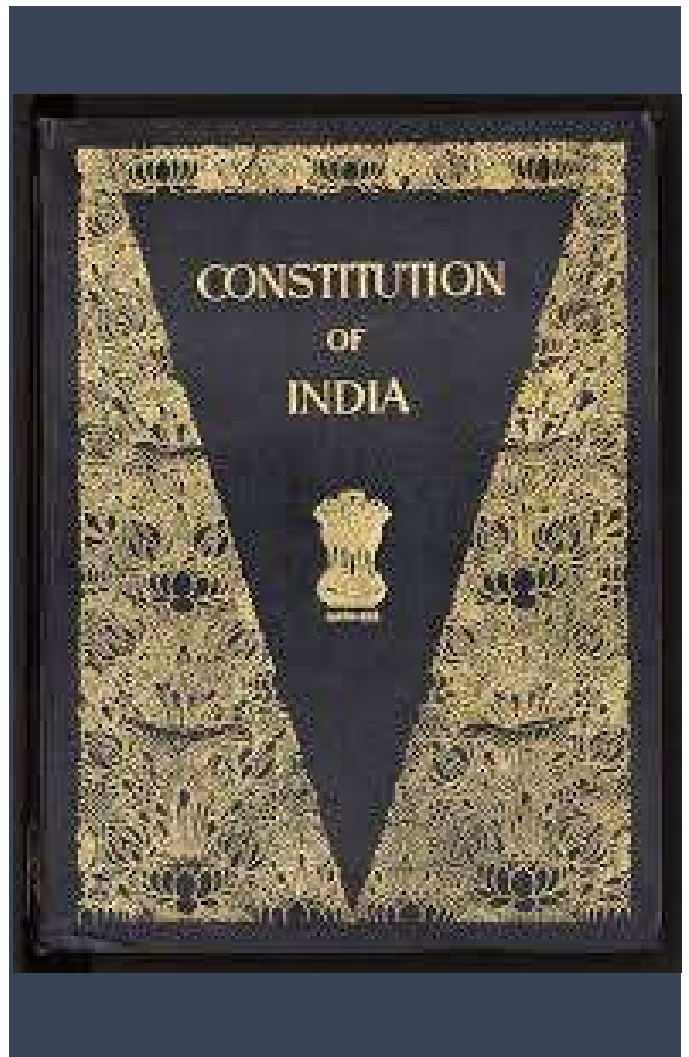
# Company Secretary has right to resign



## Case Law

- The Kerala High Court upheld that a Company Secretary has an absolute right to resign from employment.
- Forcing an employee to continue after resignation amounts to “bonded labour,” violating Article 23 of the Constitution of India.
- It noted that companies must ensure timely statutory filings and compliance once resignation is tendered.
- Resignation becomes effective upon communication except in case of contractual breach or pending disciplinary proceedings.

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# Accused has a right of fair defence

## Case Law

- The Kerala High Court held that the petitioner is entitled to receive copies of all relevant materials relied upon by the respondents to sustain the charges against him.
- contents of the complaint, the identity and address of the aggrieved woman, respondent and witnesses cannot be published
- principles of natural justice to be followed

[Click here for Order](#)

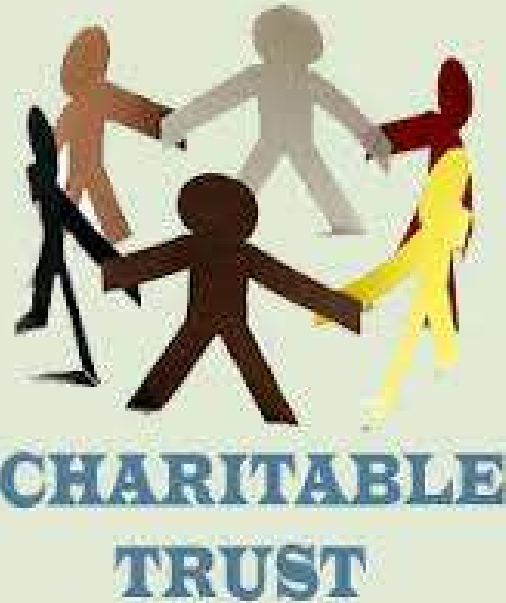




## Income Tax Rules

- A single common form and centralised CPC processing effective 1<sup>st</sup> April 2026
- shorter record retention (6 years from earlier 10 years)
- option to voluntarily surrender unused provisional registrations.
- Existing registrations remain valid, ensuring a smooth and non-disruptive transition to the new tax regime
- Centralised processing centre  
[Click here for Notification](#)

Registration  
to become  
simpler for  
charitable  
trusts



# Insights

- [Click here to read our latest article on Company formation in Gujarat International Finance Tec-City\\_\(GIFT City\).](#)



April 2026						
M	T	W	T	F	S	S
		1	2	3	4	5
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## April 2026

- Disclosure of Interest by Directors – 1<sup>st</sup> April.
- Intimation by director about his/her disqualification u/s 164(1) or 164(2) – 1<sup>st</sup> April.
- Return in respect of outstanding payment to MSME Vendors – 30<sup>th</sup> April (October to March).
- Promoter Encumbrance Declaration – 7<sup>th</sup> April (within 7 working days from FY end)
- CCFS-2026 OPENS – File pending AOC-4, MGT-7/7A, ADT-1 at 10% addl. fees – 15<sup>th</sup> April
- Shareholding Pattern as per Reg. 31(1)(b) and SDD Compliance Certificate (only if non-compliant) – 21<sup>st</sup> April

April 2026						
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27	28	29	30			

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## April 2026

- Integrated Governance Filing (CG Report + Investor Complaints + Reg. 30) – 30<sup>th</sup> April
- RSCR (Share Capital Audit) (PDF & XBRL on BSE LC / NEAPS) – 30<sup>th</sup> April
- PCS Certificate – Reg. 40(9) (Transfer / Transmission / Transposition) – 30<sup>th</sup> April
- Compliance Certificate (RTA + CS Joint Certificate – FY 2025–26) – 30<sup>th</sup> April
- Annual Listing Fees FY 2026–27 – 30<sup>th</sup> April