MONTHLY
NEWSLETTER

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SEPTEMBER 2017

RBI/FEMA

1) CLARIFICATION ON REIMBURSEMENT OF MERCHANT DISCOUNT RATE CHARGES FOR GOVERNMENT TRANSACTIONS

RBI has clarified that the full amount paid to the Government by the customers / through debit / credit cards should be remitted to the concerned Government Ministry / Department. The reimbursement of MDR charges on debit card use (up to Rs. One lakh) can be claimed from RBI separately as per extant guidelines. Deduction of MDR charges from the receipts of government is not permissible at all. MDR charges on debit card transactions above Rs. One lakh and on any credit card transaction are not being absorbed by Government of India and hence will not be reimbursed by RBI. Accordingly, it has been advised that the agency banks should not deduct MDR charges from the receipts of the government in these cases also. - ***[DGBA.GBD.No.505/31.02.007/2017-18, dated 7th September, 2017]***

2) BANKS DIRECTED TO UPDATE EXPORT DATA ON EDPMS

RBI has directed all the Authorised Dealer Category-I banks to update the Export Data Processing and Monitoring System (EDPMS) with data of export proceeds on "as and when realised basis" and, with effect from October 16, 2017 generate Electronic Bank Realisation Certificate (eBRC) only from the data available in EDPMS, to ensure consistency of data in EDPMS and consolidated eBRC. - ***[A. P. (DIR Series) Circular No. 04, dated 15th September, 2017]***

3) REVIEW OF LIMITS FOR INVESTMENT BY FOREIGN PORTFOLIO INVESTORS (FPIS) IN CORPORATE DEBT SECURITIES

Currently, the limit for investment by FPIs in corporate bonds is ☐ 244,323 crore. This includes issuance of Rupee denominated bonds overseas (Masala Bonds) by resident entities of ☐ 44,001 crore (including pipeline). The Masala Bonds are presently reckoned both under Combined Corporate Debt Limit (CCDL) for FPI and External Commercial Borrowings (ECBs). On a review, and to further harmonise norms for Masala Bonds issuance with the ECB guidelines, RBI has made the following changes:

a. With effect from October 3, 2017, Masala bonds will no longer form a part of the limit for FPI investments in corporate bonds. They will form a part of the ECBs and will be monitored accordingly. Eligible Indian entities proposing to issue Masala Bonds may approach Foreign Exchange Department, Reserve Bank of India, Central Office, Mumbai as required in terms of A. P. (DIR Series) Circular No.47 dated June 7, 2017.

b. The amount of ☐ 44,001 crore arising from shifting of Masala bonds will be released for FPI investment in corporate bonds over the next two quarters as specified in Table 1 of the present Circular. ***[A.P. (DIR Series) Circular No. 05, dated 22nd September, 2017]***

Consequently, reporting requirement in terms of paragraph 8 (additional email reporting of RDB transactions for onward reporting to depositories) of A.P. (DIR Series) Circular No. 60 dated April 13, 2016 has been dispensed with. However, it should be noted that the reporting of RDBs will continue as per the extant ECB norms. - ***[A.P. (DIR Series) Circular No. 06, dated 22nd September, 2017]***

4) AMENDMENTS TO MASTER DIRECTION ON FINANCIAL SERVICES PROVIDED BY BANKS: CAPS BANKS' INVESTMENT LIMIT IN DEPOSIT-TAKING NBFCS AT 10%

Considering the suggestions and queries received from SEBI, banks and other stakeholders, RBI has made certain amendments to Master Direction - Reserve Bank of India (Financial Services provided by Banks) Directions, 2016 as follows:

- No bank shall hold more than 10 percent in equity of a deposit taking NBFC, provided this does not apply to a housing finance company.
- No bank to invest more than 10 percent of unit capital of real estate investment trust/infrastructure investment trust subject to overall ceiling of 20 per cent of its net worth.
- No bank to hold more than 20 per cent of the paid up share capital of an investee company engaged in non-financial services.
- No bank to hold over 10 percent of paid up capital of a company not being its unit engaged in non-financial services or 10 percent of bank's paid up capital, reserves, whichever is lower
- No bank to make investment in category III alternative investment fund. - ***[DBR.No.FSD.BC.89/24.01.040/2017-18, dated 25th September, 2017]***

5) REVISION OF LIMITS FOR INVESTMENT BY FOREIGN PORTFOLIO INVESTORS (FPI) IN GOVERNMENT SECURITIES MEDIUM TERM FRAMEWORK FOR THE QUARTER OCT-DEC 2017

The limits for investment by FPIs for the quarter October-December 2017 has been increased by INR 80 billion in Central Government Securities and INR 62 billion in State Development Loans. The revised limits are ineffective from October 3, 2017. - ***[A.P.(DIR Series) Circular No. 7, dated 28th September, 2017]***

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FOREIGN TRADE

1) EXPORT OF PREFERENTIAL QUOTA SUGAR TO USA UNDER TRQ QUOTA

The last date of export of raw sugar to USA under TRQ quota for the US fiscal year 2017 (October 1, 2016 to September 30, 2017) has been extended till 31st October 2017. ***–[Public Notice No. 23/2015-2020, 1st September, 2017, (DGFT)]***

2) ENLISTMENT OF APEDA TO ISSUE GSP CERTIFICATE AND CERTIFICATE OF ORIGIN

Agricultural and Processed Food Products Export Development Authority (APEDA), is enlisted under Appendix 2C and Appendix 2E of FTP, 2015-2020 for issuing GSP certificate and Certificate of Origin

(Non-Preferential). ***–[Public Notice No. 24/2015-2020, 1st September, 2017, (DGFT)]***

3) AMENDMENT IN IMPORT POLICY OF RAW SUGAR

Import of 3 Lakh MT of raw sugar under Exim Code 170114 of Chapter 17 of ITC (HS), 2017—Schedule-1 (Import Policy) is allowed at 25% Customs duty under TRQ. ***–[Notification No. 27/2015-2020, 7th September, 2017, (DGFT)]***

4) REMOVAL OF PROHIBITION ON EXPORT OF PULSES TILL FURTHER ORDERS

Toor Dal, Moong and Urad have been made 'free' for export till further orders. The exporter will have to do prior-registration of contracts with APEDA. ***– [Notification No. 28/2015-2020, 15th September, 2017, (DGFT)]***

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CORPORATE

1) SUPREME COURT HAS ACKNOWLEDGED THAT DISPUTES MAY EXSIST THAT MAY NOT BE ESCALTED TO THE COURT/TRIBUNAL

Supreme Court in the present matter was faced with the interpreting "dispute" and "existence of dispute" for determining the maintainability of an application filed by an Operational Creditor under the Insolvency and Bankruptcy Code (the Code). Kirusa Software, Respondent and Operational Creditor herein issued a demand notice against Mobilox, demanding payment of certain dues. Mobilox in reply stated that that there exists certain serious and *bona fide* disputes between the parties and alleged a breach of the terms of a non-disclosure agreement by the Respondent.

The Respondent had filed an application before the National Company Law Tribunal (NCLT) under Section 9 of the Code for initiation of corporate insolvency resolution process against the corporate debtor, Appellant. This application was rejected as NCLT expanded the scope of "existing dispute" under the Code to also include notice of dispute issued by the corporate debtor. In appeal before the National Company Law Appellate Tribunal (NCLAT), however, an appeal by the corporate debtor was allowed, as the Appellate Tribunal held that notice of dispute by the corporate debtor does not reveal a genuine dispute between the parties.

The Supreme Court held that once an operational creditor has filed an Application, which is otherwise procedurally complete, the Adjudicating Authority has to consider- 1) whether there is an "operational debt", as defined under the Code, which exceeds Rs. 100,000/-; 2) whether the documentary evidence furnished with the application shows that the aforesaid debt is due and payable and has not yet been paid; and 3) whether there is existence of a dispute between the parties or record of the pendency of a suit or arbitration proceeding filed before the receipt of the demand notice of the unpaid operational debt in relation to such dispute. To decide on the issue of existence of dispute, Supreme Court held that the Adjudicating Authority must see whether there is a plausible contention which requires further investigation and that the "dispute" is not a patently feeble argument or an assertion of fact unsupported by evidence. Accordingly, appeal before the Supreme Court was allowed and Order of NCLAT was set aside. ***– [Mobilox Innovations Private Limited v. Kirusa Software Private Limited, Civil Appeal No. 9405 of 2017, 21st September, 2017, (Supreme Court of India)]***

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SECURITIES

1) TO QUALIFY FOR EXEMPTION FROM SAST REGULATION FROM MAKING OPEN OFFER ON ACQUISITION, THE TRANSFEROR AND THE TRANSFEREE HAVE TO HOLD AT LEAST 5% OF THE SHARES OF THE TARGET COMPANY FOR AT LEAST THREE YEARS PRIOR TO ACQUISITION.

The appeal before the Securities Appellate Tribunal arises out of monetary penalty levied against the Appellants for alleged violation of SEBI (Substantial Acquisition of Shares and Takeover) Regulation, 1997. The Appellants (part of A.K. Bajoria Group) increased their shareholding in the Company (WIL) from 50.46% to 60.46% without making an open offer in violation of SAST Regulations. The Appellants argued that the violation occurred due to mis-interpretation of law and was without any malafide intention. The Appellant also contended that acquisition was by three promoter group companies, and was in the nature of inter se transfer of shares between different corporates in the promoter group and consequently there was no requirement to make an open offer. Further, trading of the scrip was suspended on the Calcutta Stock Exchange and no open offer could be made, and also SEBI had no jurisdiction as the Company had been delisted and was no longer a listed entity under the purview of SEBI.

The Tribunal rejected the contention that the Company was beyond purview of SEBI, as it was a listed entity when the obligation to make an open offer arose on acquisition of shares. The Tribunal also noted that the requirement of making open offer is not exempted because the acquisition was not an inter se transfer amongst the promoters. Prior to acquisition, the Appellant (though a part of A.K Bajoria group) was not a shareholder in the Company controlled by A.K. Bajoria group, and therefore the said acquisition cannot be termed as inter se transfer of shares between different entities forming part of promoter group. To qualify for the exemption, the transferor and the transferee have to hold at least 5% of the shares of the Company for at least three years prior to proposed acquisition. Further, the Tribunal agreed with the argument made by the SEBI that when there is an inter se transfer among shareholders, then the total shareholding must remain the same. However, in the case in hand, the promoter shareholding increased from 50.46% to 60.46%. Accordingly, the appeal was dismissed and penalty was sustained. ***–[Mega Resources Limited v. SEBI, 7th September, 2017, (SAT)]***

2) SCHEME OF ARRANGEMENT BY LISTED ENTITIES

SEBI Circular dated 10th March 2017 lays down the framework for schemes of arrangement by listed entities and relaxation under Rule 19(7) of the Securities Contracts (Regulation) Rules, 1957. To align provisions of this Circular with provisions of SCRR, it has been decided to amend the provision of the Annexure to the 10th March 2017 SEBI Circular. Accordingly, at least 25% of the post-scheme paid-up share capital of the transferee entity shall comprise of shares allotted to the public shareholders in the transferor entity. If the entity does not comply with the above requirement, it may satisfy the following conditions:- (i) the entity has a valuation in excess of Rs.1600 crore as per the valuation report; (ii) the value of post-scheme shareholding of public shareholders of the listed entity in the transferee entity is not less than Rs.400 crore; (iii) at least ten percent of the post-scheme paid up share capital of the transferee entity comprises of shares allotted to

the public shareholders of the transferor entity; and (iv) the entity shall increase the public shareholding to at least 25% within a period of one year from the date of listing of its securities and an undertaking to this effect is incorporated in the scheme. ***–[CFD/DIL3/CIR/2017/105, 21st September, 2017 (SEBI)]***

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COMPETITION

1) CCI FINES ENTITIES FOR BID RIGGING IN COMPLAINT FILED BY WESTERN COALFIELDS LIMITED.

CCI was approached by Western Coalfields Limited (the "Informant") alleging SSV Coal, M/s Bimal Kumar Khandelwal, M/s Pravin Transport, M/s Khandelwal Transport, M/s Khandelwal Earth Movers, M/s Khanduja Coal Transport Co., M/s Punya Coal Road Lines, M/s B. Himmatlal Agrawal, M/s Punjab Transport Co., Avaneesh Logistics Private Limited and Carriers Private Limited indulged in bid-rigging in tenders floated for coal and sand transportation, by submitting identical bids at higher rates.

The investigation conducted in the matter found matching bid in four tenders floated by the Informant, where the Respondent entities indulged in price rigging and submitted matching bids. The Respondents were held in violation of Section 3 (3) of the Competition Act and those responsible for running the business of the Respondents, were held individually liable under Section 48 of the Competition Act. A cease and desist order was passed and a total penalty of Rs. 11,81,71,260/- was imposed on ten Respondent entities. ***–[Western Coalfields Limited v. SSV Coal Carriers Private Limited & Others, 14th September, 2017, (CCI)]***

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INDIRECT TAXES

a. CUSTOMS

1) REDUCTION OF BCD ON RAW SUGAR

Notification No.50/2017-Customs dated 30th June, 2017 amended so as to reduce the BCD on raw sugar upto a quantity of 3 lakh MT from 50% to 25% subject to the Tariff Rate Quota Allocation Certificate or license, as the case may be, issued by DGFT. - ***[Notification No. 74/2017-Customs, dated 7th September, 2017]***

2) GOODS IMPORTED FOR ORGANISING FIFA UNDER 17, WORLD CUP, 2017 EXEMPTED FROM DUTY

The CBEC has exempted some specified goods, when imported into India for the purpose of organising the FIFA under 17 World Cup India, 2017, from the whole of the duty of customs leviable thereon and from the whole of the integrated tax leviable thereon, subject to the specified conditions. - ***[Notification No.75/2017-Customs, dated 13th September, 2017]***

3) NOTIFICATION OF THE CUSTOMS AND CENTRAL EXCISE DUTIES DRAWBACK RULES, 2017

The CBEC has notified the Customs and Central Excise Duties Drawback Rules, 2017, applicable w.e.f. 1st Oct., 2017. - ***[Notification No. 88/ 2017-Customs (N.T.), dated 21st September, 2017]***

4) NOTIFICATION OF ALL INDUSTRY DUTY DRAWBACK RATES SCHEDULE FOR 2017-18

The CBEC has notified the Revised Duty Drawback Rates Schedule for 2017-18 applicable w.e.f. 1st October, 2017 in respect of specified exports and subject to the notes and conditions as specified in the present Circular. - ***[Notification No. 89/ 2017-Customs (N.T.), dated 21st September, 2017]***

5) NOTIFICATION OF THE CUSTOMS VALUATION (DETERMINATION OF VALUE OF IMPORTED GOODS) AMENDMENT RULES, 2017

The CBEC has amended the Customs Valuation (Determination of Value of Imported Goods) Rules 2007 *vide* the Customs Valuation (Determination of Value of Imported Goods) Amendment Rules, 2017. The CBEC has also issued a Circular No. 39/2017-Cus dated 26th September, 2017 clarifying the amendments made in the said Rules. The key aspects of the revised valuation guidelines as clarified by the Circular is as below:

- The term 'place of importation' used in CVR 2007 is now defined and means the customs station where the goods are brought for being cleared for home consumption or for being removed for deposit in a warehouse.
- In view of the above definition, the transaction value of imported goods will include cost incurred upto the place of importation.
- Cost of transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation will be included in the transaction value. Therefore, loading, unloading and handling charges associated with the delivery of the imported goods at the place of importation, shall no longer be added to the CIF value of the goods. This is in line with the provisions of WTO agreement relating to valuation on which CVR 2007 is based.
- In case cost of transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation is not ascertainable, then such cost shall be twenty percent of the free on board value of the goods.
- In case where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost of insurance to the place of importation is ascertainable, the cost of transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation shall be twenty percent of such sum.
- Similarly, where the free on board value of the goods is not ascertainable but the sum of free on board value of the goods and the cost transport, loading, unloading and handling charges associated with the delivery of the imported goods to the place of importation is ascertainable, the cost of insurance to the place of importation shall be 1.125 percent of such sum.
- In case imported goods are transhipped to another customs station in India, the cost of insurance, transport, loading, unloading, handling charges associated with such transhipment shall be excluded. Earlier this was limited to cost of transport of goods from port to Inland Container Depot or Container Freight Station. - ***[Notification***

No. 91/2017 - Customs (N.T.), dated 26th September, 2017 & Circular No. 39 / 2017-Customs, dated 26th September, 2017]

6) CLARIFICATIONS REGARDING IMPLEMENTATION OF ELECTRONIC SEALING FOR CONTAINERS BY EXPORTERS UNDER SELF-SEALING PROCEDURE PRESCRIBED BY CIRCULAR 26/2017-CUS DATED 01.07.2017 AND CIRCULAR 36/2017 DATED 28.08.2017

The CBEC had received representations from several trade associations regarding the difficulties faced by exporters in locating vendors of RFID seals. Now, the Board has decided that the date for mandatory self-sealing and use of RFID container seals is deferred to 1st November, 2017. The existing practice may continue till such time. It is also provided that exporters are free to voluntarily adopt the new self-sealing procedure based upon RFID sealing, if readers are in place at the customs station of export from 1st October, 2017. - ***[Circular No. 37/2017-Customs, dated 20th September, 2017]***

b. CENTRAL EXCISE

1) REDUCTION OF EXCISE DUTY RATES ON PETROL AND DIESEL

The CBEC has amended Notification No. 11/2017-Central Excise so as to reduce the excise duty rates on Petrol and Diesel (both unbranded and branded). - ***[Notification No. 22/2017 - Central Excise, dated 3rd October, 2017]***

c. SERVICE TAX

1) CLARIFICATION REGARDING REFLECTION OF TRANSITIONAL CREDIT ARISING OUT OF PAYMENT OF SERVICE TAX ON RCM BASIS AFTER 30TH JUNE 2017 AND BY 5TH/6TH JULY 2017

CBEC has clarified that in cases where service was received before 1st July, 2017 and payment for the value of the service was also made before 1st July, 2017, but the service tax was paid by 5th /6th July, 2017 on reverse charge basis instead of paying the same by 30th June 2017, details of credit should be indicated in Part I of Form ST-3 by filing a revised return. In order to give compliant assessees who had filed their ST-3 return by the due date or some days later, an immediate and viable window to file revised returns, all ST-3 returns for the period 1st April, 2017 to 30th June, 2017 which have been filed upto and inclusive of the 31st day of August 2017, shall be deemed to have been filed on 31st August, 2017. This will give all such assesses some more days to file revised ST-3 if necessitated. Once details of such credit are reflected in the ST-3, the assessee may proceed to fill in the details in Form GST TRAN-1. - ***[Circular No. 207/5/2017 - Service Tax, dated 28th September, 2017]***

d. GST

1) WAIVER OF LATE FEE FOR LATE FILING OF FORM GSTR-3B, FOR THE MONTH OF JULY

The CBEC has waived the late fee payable under Section 47 of the Central Goods and Services Tax Act, 2017, for all registered persons who

failed to furnish the return in FORM GSTR-3B for the month of July, 2017 by the due date. - ***[Notification No.28 /2017 – Central Tax, dated 1st September, 2017]***

2) EXTENSION OF THE TIME LIMIT FOR FILING OF RETURNS

i. GSTR-1 (Having turnover of more than One Hundred Crore Rupees) for the month of July, 2017 - to be filed upto 3rd October, 2017;
ii. GSTR-1 (Having turnover of upto One Hundred Crore Rupees) for the month of July, 2017 - to be filed upto 10th October, 2017;
iii. GSTR-2 for the month of July, 2017 - to be filed upto 31st October, 2017;
iv. GSTR-3 for the month of July, 2017 - to be filed upto 10th November, 2017;
v. GSTR-6 for the month of July, 2017 - to be filed upto 13th October, 2017;
vi. GSTR-3B for the month of September, 2017 - to be filed upto 20th October, 2017;
vii. GSTR-3B for the month of October, 2017 - to be filed upto 20th November, 2017;
viii. GSTR-3B for the month of November, 2017 - to be filed upto 20th December, 2017;
ix. GSTR-3B for the month of December, 2017 - to be filed upto 20th January, 2018; - ***[Notification No. 30/2017 – Central Tax, dated 11th September, 2017 & Notification No. 31/2017 – Central Tax, dated 11th September, 2017 & Notification No. 35/2017 – Central Tax, dated 15th September, 2017]***

3) NOTIFICATION OF SECTION 51 OF THE CGST ACT, 2017 FOR TDS

The CBEC has made effective from 18th September, 2017 the Section 51 of the CGST Act, 2017 which prescribes the authority and procedure for 'Tax Deduction at Source'. The tax would be deducted @1% of the payment made to the supplier (the deductee) of taxable goods or services or both, where the total value of such supply, under a contract, exceeds two lakh fifty thousand rupees (excluding the amount of Central tax, State tax, Union Territory tax, Integrated tax and Cess indicated in the invoice). However, no deduction shall be made if the location of the supplier and the place of supply is in a State or Union territory, which is different from the State, or as the case may be, Union Territory of registration of the recipient. - ***[Notification No. 33/2017 – Central Tax, dated 15th September, 2017]***

4) REDUCTION OF CGST RATE ON SPECIFIED SUPPLIES OF WORKS CONTRACT SERVICES

Notification No. 11/2017-CT(R) amended so as to reduce CGST rate on specified supplies of Works Contract Services. - ***[Notification No. 24/2017-Central Tax (Rate), dated 21st September, 2017]***

Similar corresponding Notifications have also been issued under IGST Act and UTGST Act. – ***[Notification No. 24/2017-Integrated Tax (Rate), dated 21st September, 2017 & Notification No. 24/2017-Union Territory Tax (Rate), dated 21st September, 2017]***

5) JOB-WORKERS MAKING INTER-STATE SUPPLY OF SERVICES TO A REGISTERED PERSON EXEMPTED FROM GST REGISTRATION

The CBEC has granted exemption to job-workers making inter-State supply of services to a registered person from the requirement of obtaining GST registration. This exemption however will not be available to job work in relation to jewellery, goldsmiths' and silversmiths' wares as covered under Chapter 71 which do not require e-way bill. - ***[Notification No. 7/2017 – Integrated Tax, dated 14th September, 2017]***

6) PERSONS MAKING INTER-STATE TAXABLE SUPPLIES OF HANDICRAFT GOODS EXEMPTED FROM THE REQUIREMENT OF GST REGISTRATION

The CBEC has exempted specified persons making inter-State taxable supplies of handicraft goods exempted from the requirement of GST registration. - ***[Notification No. 8/2017 – Integrated Tax, dated 14th September, 2017]***

7) EXTENSION OF TIME LIMIT FOR SUBMITTING THE DECLARATION IN FORM GST TRAN-1

The CBEC has extended the period for submitting the declaration in FORM GST TRAN-1 till 31st October, 2017. - ***[Order No. 03/2017-GST, dated 21st September, 2017]***

8) EXTENSION OF TIME LIMIT FOR INTIMATION OF DETAILS IN FORM GST CMP-03

The CBEC has extended the period for intimation of details of stock held on the date preceding the date from which the option to pay tax under Section 10 of the Act as exercised in FORM GST CMP-03 till 31st October, 2017. - ***[Order No. 04/2017-GST, dated 29th September, 2017]***

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INTELLECTUAL PROPERTY RIGHTS

1) THE MATTER OF RENEWAL OF THE TRADEMARK IS STRICTLY BETWEEN THE TRADEMARK REGISTRY AND THE REGISTERED PROPRIETOR OF THE TRADEMARK: DELHI HC

The Court while hearing a petition challenging the Order passed by the Registrar of Trademarks renewing the trademark for a period of 10 years in favour of the Respondent, held that the matter of renewal of the trademark is strictly between the Trademark Registry and the registered proprietor of the trademark. The question of any third party right being considered at that stage does not arise, any person aggrieved by registration of a trademark is entitled to file an application for rectification of the register and, since in the present case, the petitioner has already initiated such proceedings, the Court dismissed the present petition. - ***[M/s Epsilon Publishing House Pvt. Ltd. vs UOI & Ors., dated 18th September, 2017 (Delhi HC)]***

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CONSUMER

1) MERCEDES BENZ INDIA ASKED TO PAY FOR FAULTY AIRBAGS

C G Power and Industrial Solutions Limited filed a complaint before the apex consumer Tribunal, after its former managing partner met with an accident while traveling in a Car manufactured by the Respondent company due to faulty frontal air bags.

Despite frontal collision the airbags were not triggered. The Tribunal awarded monetary damages besides also holding that the Respondents indulged in acts of unfair trade practice by not giving complete material information to the buyers with respect to the functioning and triggering of the front airbags provided in the car. ***-[CG Power and Industrial Solutions Limited v. Mercedes Benz- India Private Limited & Ors., 11th September, 2017, (NCDRC)]***

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ENVIRONMENT

1. ENSURE RELIGIOUS PLACES FOLLOW NOISE POLLUTION NORMS: NGT

The NGT directed the Delhi Government and the Delhi Pollution Control Committee (DPCC) to ensure that religious places in East Delhi strictly adhere to the guidelines on noise pollution. NGT asked the DPCC to take appropriate action against the places of worship in case any violation was found by the authorities. - ***[The Times of India, dated 19th September, 2017]***

2. GREEN TRIBUNAL HAS POWER TO HEAR METRO PROJECT PLEA: SC

The Supreme Court held that the NGT's Pune bench has the jurisdiction to hear the application related to the Pune Metro Rail project. The SC was hearing an appeal by the Maharashtra Metro Rail Corporation Limited (MahaMetro) against the NGT, Pune bench's order of August 29, which held that it had a jurisdiction to "entertain, try and dispose of" an application relating to the Metro project. Along with the point of jurisdiction, MahaMetro has raised the issue of Environment Impact Assessment for the project. - ***[The Times of India, dated 19th September, 2017]***

3. NGT DISMISSES PLEA TO REMOVE BAN ON 10-YEAR-OLD DIESEL VEHICLES

The NGT dismissed the Centre's plea seeking modification of their order banning 10-year-old diesel vehicles in Delhi NCR, saying that emissions from diesel vehicles were still quite harmful and equivalent to the emissions of 24 petrol vehicles. The Order means 10-year-old diesel vehicles in Delhi NCR will now have to go off the roads. - ***[The Times of India, dated 15th September, 2017]***

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