न्याय सूत्र

July 2026
Edition 1.2

RBI | FEMA

RBI Compounds FEMA Violations by Apollo Hospitals for Rs. 17.76 Crore:

The RBI has settled (compounded) several alleged FEMA violations by Apollo Hospitals Enterprises Ltd and five of its directors, ending proceedings that began with an Enforcement Directorate complaint. The violations exceeded ₹2,400 crore in value and mainly involved:

- Foreign investment in a prohibited retail trading sector, and FDI received without the required government approval.
- Foreign investment in a prohobited retail trading sector, and FDI received without the required government approval.
- After the ED's no-objection, the company paid ₹17.76 crore to settle, and each director paid ₹18 lakh.

Source:https://www.rbi.org.in/Scripts/NotificationUser.aspx

RBI Issues Operating Framework for Outward Remittance by Non-Bank Entities:

The RBI has allowed Authorised Dealer (Category-I) Banks to process cross-border outward remittances for non-trade purposes through third-party online platforms such as websites, software and mobile applications.

The aim is to bring better structure and oversight to such remittances. The circular also removes the earlier Paragraph 10 of the Master Direction (Miscellaneous) issued under FEMA, 1999.

Source: https://www.rbi.org.in/Scripts/BS_CircularIndexDisplay.aspx?Id=13449

Reporting of FCNR(B) Deposits, ECB and OFCB Mobilised under RBI's Swap Facility:

By circular dated June 19, 2026, the RBI has directed Authorised Dealer (Categor-I) banks to port, by 6 p.m. each day, all FCNR(B) deposits, External Commercial Borrowings and Overseas Foreign Currency Borrowings raised under its Swap Facility.

A NIL report must be filed on days with no such transactions, except on Saturdays and holidays. The direction was issued under Sections 10(4), 11(1) and 11(2) of FEMA, 1999.

Source: https://www.rbi.org.in/Scripts/NotificationUser.aspx

FPIs Pump Record Funds into G-Secs Following Tax and Investment-Route Reforms:

In early June 2026, the Government made it cheaper and easier for foreign investors to buy Indian Government Securities (G-Secs). An ordinance dated June 5, 2026 removed the tax foreign investors earlier paid on interest and capital gains from these bonds, while the RBI eased several investment restrictions.

This drew record foreign inflows within days, pushing the benchmark 10-year bond yield down from about 7.02% to 6.91%. Lower yields reduce the Government's borrowing costs and support the rupee, though such inflows can reverse quickly if global conditions change.
Source:https://www.pib.gov.in/PressReleasePage.aspx?PRID=2269719

FCRA 2.0 Portal and e-OCI Card Launched by Union Home Minister Amit Shah:

Union Home Minister Shri Amit Shah launched the FCRA 2.0 Portal and e-OCI Card in New Delhi on June 30, 2026. The FCRA 2.0 Portal digitalises all major processes including applications, renewals, and annual returns for around 14,500 active FCRA organisations. It eliminates physical document submission through features like e-Sign authentication, OCR-based document analysis, and Aadhaar-based verification, hosted securely on MeghRaj Government Cloud.

The e-OCI Card transforms OCI services for over 50 lakh cardholders through a fully digital system eliminating the need for physical presence. Applicants can now complete the entire OCI process online, from application submission to downloading the digitally generated card after approval. The new system also removes the requirement of re-issuing the OCI booklet upon receiving a new passport after the age of 20 years.
Source:https://www.pib.gov.in/PressReleasePage.aspx?PRID=2279410®=48&lang=1

FATF June 2026 Plenary: Two Jurisdictions Enter Increased Monitoring as Two Graduate Following Compliance Milestones:

The FATF concluded its June 2026 Plenary by adding Iraq and Bosnia and Herzegovina to its Grey List due to strategic AML/CFT deficiencies. Meanwhile, Algeria and Namibia were successfully removed after demonstrating significant progress in addressing financial crime compliance gaps. The changes reflect FATF's ongoing monitoring of jurisdictions' efforts to strengthen their anti-money laundering and counter-terrorism financing frameworks.

SECURITIES AND EXCHANGE BOARD OF INDIA

SEBI Board Meeting, 2026 Key Decisions:

At its 214th Board Meeting held on 19th June 2026, SEBI approved several market reforms. The major decisions are summarised below:

- **Transmission of securities:** A fast-track process for small claims, with higher simplified-paperwork limits of ₹10 lakh (physical) and ₹30 lakh (demat).
- **Open market buy-backs**: The stock-exchange buy-back route returns from August 1, 2026, with a 66 working-day window.
- **GARUDA, faster launch for AIF schemes:** It is being proposed that a Green-Channel mechanism, cutting the scheme launch timeline to ten working days and exempting Accredited-Investor-only schemes and Angel Funds from filing their Private Placement Memorandum through a merchant banker.
- **Capacity Building Fund transfer:** SEBI has proposed moving the fund from NABARD to the Social Stock Exchange Capacity Building Foundation (SSE-CBF).
- **SDI and Security Receipts Regulations:** SEBI has proposed aligning the listed securitisation framework with the RBI regime, allowing single-asset securitisation.
- **EEAC theme and Code of Conduct:** SEBI has proposed an independent review of the SME Capital Raising framework for FY 2026-27 and a new Code of Conduct for SEBI Members,2026.

SEBI Signs Memorandum of Understanding with FIU-India:

SEBI has signed a Memorandum of Understanding with the Financial Intelligence Unit India (FIU-India), Ministry of Finance, to share data and cooperate in enforcing the Prevention of Money Laundering Act, 2002.

The MoU adopts the Egmont Group principles for information exchange and helps both bodies fight fraud in the securities market.

SEBI Extends Compliance Timelines for Merchant Bankers:

On June 11, 2026, SEBI extended key deadlines under its January 2026 Merchant Bankers Circular. Merchant bankers now have until December 31, 2026 to move specified activities into Separate Business Units.

The higher net-worth and liquid net-worth requirements now apply from March 31, 2027 (Phase I) and March 31, 2028 (Phase II). All other duties, including NISM certification, remain unchanged.

IFSCA (Listing) Regulations, 2024 have been benchmarked against leading global jurisdictions and are founded on the core objectives of promoting ease of doing business, ensuring investor protection, and fostering market efficiency, integrity, fairness and transparency.

Benefits to Investors:

- Trading in foreign currency.
- Extended trading hours.
- Tax benefits available in the IFSC.
- The Direct and Dual Listing Scheme enables Indian public companies to raise foreign-currency capital from global investors while retaining access to domestic markets.
- Domestic mutual funds are eligible to participate.
- Retail Indian investors can participate through the Liberalised Remittance Scheme (LRS).

Parameter	IFSCA (Listing) Regulations, 2024	SEBI ICDR (Main Board)
Regulatory model	Unified single-window regulator consolidating the powers of RBI, SEBI, IRDAI and PFRDA in the IFSC.	Sectoral regulator for the domestic securities market.
Who can list	Companies incorporated in India, in an IFSC, or in a FATF-compliant foreign jurisdictions. Supranational/multilateral/statutory institutions, municipalities or similar bodies and entities offering sovereign debt securities can list their debt securities.	Primarily governs listing of Indian companies on domestic stock exchanges, however foreign companies incorporated outside India are also permitted to access Indian capital markets through the issuance of Indian Depository Receipts (IDRs).
Eligibility	Any one test that is: 1. Revenue ≥ USD 20 mn, 2. Pre-Tax Profit ≥ USD 1 mn, or 3. Post-Issue Market Cap ≥ USD 25 mn. No mandatory multi-year profit record.	Profitability route, meeting all three of: 1. Net Tangible Assets ≥ ₹3 cr, and 2. Net Worth ≥ ₹1 cr in each of three years, and 3. And Average Operating Profit ≥ ₹15 cr. And alternatively, the QIB route with 75% allotted to QIBs.
Pricing method	Issuer's choice of fixed price or book building.	1. Book-building (Price Discovery) for IPOs and non-compliant issuers; 2. Fixed price otherwise.
Review of offer document	Mandatory: Draft offer document hosted for public comments before issue opens, for issue size > USD 50mn. Exemption: Issue size USD 50mn or less, exempt from public comments and observation letter.	Mandatory: The draft offer document before the issue.
Time period for issuance	The issue must open within 12 months of IFSCA observations. No observation is needed for issues of USD 50 mn or less.	The issue must open within 12 months of SEBI observations.
Disclosures and accounts	Material, true and adequate disclosures. Financials not older than 135 days, under IFRS, US GAAP, Ind AS or home-jurisdiction standards.	Detailed ICDR disclosures, with financials primarily under Ind AS.
Fund-raising currency	USD, EUR, JPY, GBP, CAD, AUD, CHF, HKD, SGD, AED and RUB	INR (Indian Rupee)
Minimum public shareholding	10% of post-issue capital for foreign companies. Indian companies follow the SCRR.	25% of post-issue capital, uniform for domestic listed companies.
Lock-in period	Pre-issue shareholding of promoters and controlling shareholders is locked up for 180 days from the date of allotment in the IPO.	The minimum promoter's contribution shall be locked in for a period of 3 years. Excess and other pre-issue capital is locked in for 6 months.
Monitoring agency	Optional, appointed only if the issuer chooses.	Mandatory above the prescribed issue size.
Listing and process time	T+8	T+3.

CORPORATE LAW

IBBI (Grievance and Complaint Handling Procedure) (Amendment) Regulations, 2026:

Exercising powers under Section 196, read with Section 240, of the Insolvency and Bankruptcy Code, 2016, the IBBI has amended its grievance and complaint-handling framework to simplify the process and align definitions with the Insolvency and Bankruptcy Code, 2026.

It adds a clear definition of "Service Provider" and moves the complaint-filing format out of the regulations into a separately notified form, so it can be updated more easily.

Source:https://ibbi.gov.in/uploads/legalframwork/568a57173ca869230d134ef0219b4983.pdf

IBBI Notifies Fourth Amendment to CIRP Regulations, 2026:

On June 8, 2026, the IBBI notified the Insolvency Resolution Process for Corporate Persons (Fourth Amendment) Regulations, 2026 (Notification No. IBBI/2026-27/GN/REG153), strengthening creditor participation and cost oversight. The key changes are set out below:

- **Regulation 16-E:** The Resolution Professional must invite the five largest unrelated operational creditors, as non-voting observers, where non-bank creditors hold more than 66% of the voting share.
- **Regulation 31-B:** All CIRP costs incurred and proposed must now be presented to and approved by the Committee of Creditors.
- **Regulation 39:** The CoC must record reasons, including feasibility and expected creditor recoveries, when approving a resolution plan.

Source:
https://ibbi.gov.in/uploads/whatsnew/bfb8f2e9adb053f575ab68fde97099c5.pdf

IRDAI Proposes Transparent Rule-Making Framework:

The IRDAI has released an Exposure Draft of new regulations to make its rule-making more transparent, in line with the Insurance Laws (Amendment) Act, 2025. The draft requires publication of draft regulations along with their statutory basis, regulatory objectives and relevant international practices and prescribes a minimum 21-day consultation period with a published response to stakeholder comments. It also mandates a review of all regulations every three years and provides for consultative committees, while permitting urgent action in the public interest with reasons recorded in writing. Comments are invited until July 8, 2026.

Jindal Poly Films Class Action Ends in Arbitration:

Minority shareholders of Jindal Poly Films Ltd brought a class action under Section 245 of the Companies Act, 2013, alleging that the promoters had transferred company assets to related entities at undervalued prices and caused losses exceeding ₹2,500 crore. On 26 February 2026, the NCLAT held that Section 245 covers concluded and past transactions, especially where the wrongdoing was concealed, and may be invoked for the company's own benefit.

On appeal, the Supreme Court on 8 June 2026 referred the dispute to arbitration before former Chief Justice Manindra Mohan Shrivastava and set aside the NCLT and NCLAT orders, with all contentions left open. The outcome closes this dispute without any ruling on the merits, but affirms that Section 245 is a potent remedy that courts will be slow to reject at the threshold stage.

INTELLECTUAL PROPERTY LAW

Bombay High Court Recognises Right to Sue Against AI-Generated Content in Preity Zinta Personality Rights Case:

In a significant development for personality rights jurisprudence in India, the Bombay High Court has held that actor Preity Zinta can pursue legal remedies against the unauthorised use of AI-generated content depicting her likeness. Leave to institute the suit was granted by Justice Abhay Ahuja, with Google, Meta and X among the entities arrayed as defendants.

The Court's observations reinforce the growing recognition that artificial-intelligence-generated images and videos may infringe an individual's personality and publicity rights where they falsely portray or commercially exploit a person's identity without consent.

Bombay High Court Cancels 'DUPHACHRIT' Trademark for Being Deceptively Similar to Abbott's 'DUPHA' Family of Marks:

In a significant ruling reinforcing the heightened standard of protection afforded to pharmaceutical trademarks, the Bombay High Court directed the removal of the trademark 'DUPHACHIRT' from the Register of Trademarks. It held the mark to be deceptively similar to Abbott Product Operations AG's well-known family of 'DUPHA' trademarks, including Duphaston and Duphalac, and allowed Abbott's rectification petition.
Abbott demonstrated that it has been using the 'DUPHA' formative marks for pharmaceutical products in India for several decades, with registrations dating back to 1951.

The Court observed that the dominant and essential feature of the impugned mark was the prefix 'DUPHA', which had acquired considerable goodwill and distinctiveness through long, continuous and extensive use by Abbott.

Delhi High Court Cancels 'D-TAN' Trademark, Holds It To Be Deceptive And Non-Deceptive"

In a significant decision on the registrability of descriptive trademarks, the Delhi High Court directed the cancellation of the registered trademark 'D-TAN' held by Visage Beauty and Health Care Pvt. Ltd. The Court held that the mark merely describes the intended purpose of skincare products used for tan removal and lacks the distinctiveness required for trademark protection under the Trade Marks Act, 1999.

The Court allowed a rectification petition filed by Honasa Consumer Limited, the parent company of Mamaearth and Aqualogica. It directed the Registrar of Trademarks to remove the mark from the Register within four weeks.

DISPUTE RESOLUTION

Insurance is a personal contract, and a financier cannot Claim For A Stolen Surrendered Vehicle:

The Supreme Court has held that a vehicle financier cannot claim insurance indemnification for the theft of a vehicle that was surrendered to it by the insured owner. The Court reaffirmed that a contract of insurance is a personal contract solely between the insured and the insurer. A Bench of Justice Sandeep Mehta and Justice Vijay Bishnoi accordingly dismissed the appeal filed by the financier K. Prakashchand.

The borrower, Somashekhar, had surrendered the financed vehicle in December 2003 owing to financial difficulty. The vehicle was thereafter allegedly stolen from the financier's custody and the insurer Oriental Insurance Co. Ltd. repudiated the claim for want of privity. The Court affirmed the National Commission and held that the financier could not be treated as the owner and that the insurer cannot be compelled to indemnify a party outside the insurance contract.

Case: K. Prakashchand v. Oriental Insurance Co. Ltd. | 2026 LiveLaw (SC) 634

Arbitration Clause Cannot Oust a Consumer Forum's Jurisdiction Once a Complaint Is Admitted:

The Supreme Court has held that the mere existence of an arbitration clause cannot bar a consumer forum from adjudicating a dispute on its merits. The Court reinforced that a private contractual clause cannot defeat a statutory consumer remedy. A Bench of Justice Vikram Nath and Justice V. Mohana set aside the concurrent orders of the District Forum, the State Commission and the National Commission that had referred a flat-possession delay dispute to arbitration.

Relying on the Constitution Bench ruling in Emaar MGF Land Ltd. v. Aftab Singh (2019), the Court held that the Consumer Protection Act, 1986 creates a special adjudicatory mechanism. Once a complaint is validly admitted, the consumer cannot be driven out of that forum and the proviso to Section 12(4) expressly bars transfer of an admitted complaint. Allowing the appeal, the Court directed the District Forum to decide the matter on merits within one year.

Case: T.K.A. Padmanabhan v. Abhiyan Cooperative Group Housing Society Ltd. | 2026 LiveLaw (SC) 633

Tata Motors Directed to Replace Defective Harrier SUV or Refund ₹21.4 Lakh:

The District Consumer Disputes Redressal Commission at Kangra in Dharamshala has directed Tata Motors Ltd. and its dealer either to replace a Tata Harrier SUV found to suffer from inherent manufacturing defects with a new and defect-free vehicle or to refund the purchase price of ₹21.40 lakh together with interest. The order was passed on a complaint filed by Dr. Krishan Lal Kapoor.

Ruling in favour of the consumer, the Commission observed that the purchaser of a premium vehicle is entitled to comfort and safety and not to repeated visits to the repair workshop. The decision turns on the established principles of manufacturing defect, deficiency in service and unfair trade practice under consumer protection law.

Case: Dr. Krishan Lal Kapoor v. JKR Motors Pvt. Ltd.

Supreme Court Issues Guidelines to Address Delay in Reserved Judgments:

In Pila Pahan v. State of Jharkhand, the Supreme Court addressed the long delays by High Courts in pronouncing judgments already reserved after hearings. The case arose from criminal appeals that stayed undecided for years, leaving the appellants in custody. Holding that such a delay harms litigants and can violate the right to speedy justice under Article 21, the Court framed comprehensive guidelines for all High Courts.

The Court directed that reserved judgments should ordinarily be delivered within three months, with priority to personal-liberty matters such as bail applications and criminal appeals of persons in custody. It also called for prompt communication of bail and acquittal orders, greater transparency through website disclosure of reservation and pronouncement dates, and monitoring of delayed cases. These steps, the Court said, are intended to improve judicial efficiency, accountability and public confidence in the justice system.

Surveyor's Report Alone Cannot Justify Repudiation of an Insurance Claim and Bajaj Allianz Is Ordered to Pay ₹19.1 Lakh:

The District Consumer Disputes Redressal Commission at Kupwara (President Peerzada Qousar Hussain and Member Ms. Nyla Yaseen) has held Bajaj Allianz General Insurance Company Ltd. liable for the wrongful repudiation of a fire-insurance claim. It was observed that a surveyor's report is an important piece of evidence, but cannot be treated as conclusive. The claim arose from a fire that damaged the garment shop of Showkat Ahmad Mir in Nov, 2024.

The insurer had rejected the ₹20 lakh claim on the allegation that the purchase bills were fabricated and relied solely on the surveyor's report without producing any written statements or documentary evidence in support. The complainant had furnished GST invoices, insurance documents and bank-authenticated stock statements. The Commission held the repudiation to be arbitrary and untenable and directed payment of ₹19,10,350 towards stock loss and ₹20,000 towards litigation costs.

Case: Showkat Ahmad Mir vs Bajaj Allianz General Insurance Company Ltd

Bank Cannot Impose a Lien on a Customer's Account Without Due Process or Evidence and ICICI Bank Is Held Liable:

The District Consumer Disputes Redressal Commission at Kaithal has held ICICI Bank liable for deficiency in service and unfair trade practice for arbitrarily imposing a lien on a customer's savings account without following due procedure or producing any supporting evidence. The complainant, Shaily Sikka, discovered in December 2025 that the lien had reduced her available balance from ₹14,14,006.82 to ₹2,75,993.18.

The bank claimed the lien was precautionary after the remitter of a ₹34,90,000 NEFT transfer disputed the transaction. Yet it produced no complaint record, FIR, cybercrime complaint or investigation report and did not place on record its internal guidelines or any proof of compliance with RBI circulars. Holding that a bank cannot assume the role of a statutory investigating agency without evidentiary support, the Commission directed it to lift the lien and to pay ₹15,000 as compensation and ₹5,000 as costs within 45 days. If the bank fails to comply, interest at 7% per annum would apply.

Case: Shaily Sikka v. ICICI Bank & Anr.

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