

TBA Bulletin 11

#weekgoneby October 09-16

BFSI- A big week in the BFSI sector as Delhi High Court rules interim moratorium to continue for insolvency proceedings and NCLAT upholds revised threshold for triggering of corporate insolvency.

Tech giant- Google again falls under the legal scanner for arbitrary policies as Jio reaches milestone of subscribers. TikTok rival, Triller going public.

F&B spices up as Amazon initiates legal proceedings against Future Group to stop Jio ball rolling in the e-commerce sector.

Rajya Sabha MP files plea in Supreme Court for regulation of Data Privacy in UPI payment platforms.

Online gaming- Gujarat HC directs State Govt to treat PIL for regulation of gambling.

BFSI

NATIONAL

RBI releases FAQs on Resolution Framework for Covid-18 related stress

- FAQs clarifies that loans that were in default for more than 30 days as on 1 March but where the overdue amount was subsequently repaid will not be eligible for debt recast under the new debt recast window.
- Such accounts are ineligible for resolution under the resolution framework as the resolution framework is applicable only for eligible borrowers which were classified as standard but not in default for more than 30 days as on 1 March, 2020.

Link: <https://tinyurl.com/y5qkn7nw>

Supreme Court of India adjourns Moratorium interest waiver case

- Apex Court adjourned the moratorium interest waiver case to November 2, 2020.
- During its hearing, the apex court welcomed the interest waiver offered by RBI but observed that the court needs to see some concrete results in the form of order of notification issued by the RBI to the banks.

Link: <https://tinyurl.com/y3bcvlqw>

NCLAT upholds revised default threshold of Rs1 crore for trigger of corporate insolvency

- NCLAT in the matter of Madhusudan Tantia vs. Amit Choraria (Company Appeal (AT) (Insolvency) No. 557 of 2020) has upheld the NCLT Kolkata judgment ruling that the revised default threshold of ₹1 crore for trigger of corporate insolvency applies prospectively from March 24.
- NCLAT also ruled the revised default limit would not apply to those applications under the IBC which

were pending for admission on March 24 — when the minimum default limit was raised to ₹1 crore from ₹1 lakh.

Link: <https://tinyurl.com/y6m2ffmm>

Delhi High Court rules interim moratorium shall continue to be in effect in challenge to insolvency proceedings against personal guarantors

- The Delhi High Court has observed that the interim moratorium under Section 96 Insolvency & Bankruptcy Code (IBC) shall continue to be in effect in all cases where an application under Sections 94, 95 has been filed under the code.
- A notice was also issued by the court to SBI & Union Bank of India, in an application moved by Anil Ambani seeking the impleadment of Chinese banks. The High Court has listed the challenge to personal insolvency proceedings for arguments on November 10. (Anil Ambani vs SBI & Ors)

Link: <https://tinyurl.com/y5p8lv77>

Madras High Court rules in favour of advocates to participate in proceedings before banking ombudsman under 2006 RBI scheme

- The Madras High Court has agreed to consider the issue of permissibility of participation of advocates in proceedings before Ombudsman under the Scheme 2006 promulgated by Reserve Bank of India.

Link: <https://tinyurl.com/yx9ozttr>

FINTECH

NATIONAL

Razorpay is the latest fintech unicorn

- Payments gateway Razorpay has raised \$100 million in its latest funding round led by Singapore's sovereign wealth fund GIC and existing investor Sequoia India, joining the exclusive club of start-ups valued at more than a billion dollars. is the fifth Indian fintech firm to achieve 'unicorn' status after online payment gateway BillDesk, Flipkart-owned PhonePe and insurtech startup PolicyBazaar, which were all valued at over \$1 billion in 2018.
- Paytm entered the unicorn club back in 2014 and is the most valuable start-up in the country at \$16 billion.

Link: <https://tinyurl.com/y6xz3z3o>

TECHNOLOGY

NATIONAL

Start-ups to move CCI against Google in view of the tech giants arbitrary policies

- A group of 15 startup founders held a virtual meeting with the Competition Commission of India (CCI) on Saturday to apprise the regulator about Google's anti-competitive policies in India, and the discussion involved Google's recent imposition of its Play Store billing system on Indian developers, as well as the 30% commission the company charges for selling digital goods and services through the

system, they said on the condition of anonymity.

- The founders said that phones with Google's Android operating system (OS) are preloaded with the Play Store app distribution platform, giving it an inherent advantage over rivals.

Link: <https://tinyurl.com/yyhbrhwv>

TRAI has revealed that Jio has now become the first telecom operator to have over 40 crore subscribers

- Jio added 35.54 lakh subscribers in July 2020, while Vi (Vodafone Idea) lost 37.26 lakh subscribers, according to data released by telecom regulator TRAI. Bharti Airtel, meanwhile, added 32.6 lakh subscribers, BSNL 3.88 lakh subscribers, and MTLN lost 5,457 subscribers. This makes Reliance Jio the first mobile services provider to cross the 40crore customer mark in India. Total wireless subscribers in India increased from 114 crore at the end of June to 114.4 crore at the end of July registering a monthly growth rate of 0.30 percent.
- The overall telecom subscriber base in India increased marginally from 116 crore in June 2020 to 116.4 crore in July 2020, as per the monthly subscribers

Link: <https://tinyurl.com/y3tburr9>

INTERNATIONAL

TikTok rival Triller explores deal to go public

- Triller Inc, a budding competitor to popular short-video app TikTok, is in

discussions with blank-check acquisition companies about a merger which would take the U.S. social media company public, according to people familiar with the matter.

- Triller's SPAC negotiations are happening alongside discussions with investors about a private fundraising round, led by investment bank UBS Group AG, in which the Los Angeles-based company is seeking to raise around \$250 million.

Link: <https://tinyurl.com/y68l6h86>

Snapchat launches its TikTok rival, Sounds on Snapchat

- Snapchat has launched "Sounds on Snapchat" on iOS, a feature that lets users enhance their Snaps with music from a curated catalogue of both emerging and established artists.
- To power Sounds on Snapchat, the company forged multi-year agreements with major and independent publishers and labels, including Warner Music Group, Merlin (including their independent label members), NMPA, Universal Music Publishing Group, Warner Chappell Music, Kobalt and BMG Music Publishing.

Link: <https://tinyurl.com/y36yj64y>

Zoom will roll out end-to-end encryption for all users this month

- Zoom will be rolling out end-to-end encryption starting next week. Free and paid users will be able to host up to 200 participants in an end-to-

end encryption (E2EE) meeting on the video conferencing platform.

- Zoom said that the feature will be available initially as a technical preview, so that users can provide feedback to the company for the first 30 days. This is Phase 1 of a four-stage process for the end-to-end encryption rollout. Zoom said it plans to start Phase 2 that will include better identity management and end-to-end encryption with single-sign-on integration, in 2021.

Link: <https://tinyurl.com/y2843uj6>

FOOD AND BEVERAGE

NATIONAL

Amazon hits India's Future Group with claim over Reliance deal

- Amazon.com initiated proceedings against Future Group at the Singapore International Arbitration Centre to block the sale of its retail operations. The move may be an attempt to prevent Reliance from expanding its grip on India's e-commerce market. The retailer is working with Facebook on an e-commerce venture. Amazon, last year acquired a 49% stake in Future Coupons Ltd, the promoter entity which owns a 7.3% interest in Future Retail, the operator of more than 1,500 stores in India including grocery chain Big Bazaar.
- Amazon's investment in Future Group came with contractual rights that include a right of first refusal and a non-compete-like pact. The e-commerce firm, in its legal notice, cited a contract arrangement that included "a restricted list" of

companies Future was not supposed to enter deals with.

Link: <https://tinyurl.com/y2y5rlrl>

DATA PRIVACY

NATIONAL

Supreme Court agrees to hear plea for regulations to ensure data collected on UPI platforms not exploited

- The Supreme Court agreed to hear a petition filed by Rajya Sabha MP Binoy Viswam who has sought a direction to the RBI to frame necessary regulations to ensure that data collected on UPI platforms is not "exploited" or used in any manner other than for processing payments.
- The plea has alleged that this conduct of RBI and NPCI put the sensitive financial data of Indian users at huge risks, especially when these entities have been "continuously accused of abusing dominance and compromising data", among other things.

Link: <https://tinyurl.com/y3g6xg2t>

E-SPORTS AND GAMING

NATIONAL

Gujarat High Court directs State govt to treat PIL for regulation of online gambling as a representation

- The Gujarat HC has observed that the present legal framework in reference to gambling should be regulated to include virtual/ online/ cyber space gambling.

- The Bench of Chief Justice Vikram Nath and Justice JB Pardiwala has directed the State Government to consider a PIL seeking regulation of online gambling as a representation and do the needful in the larger public interest.

Link: <https://tinyurl.com/y2qugw4q>

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