



104th Monthly Newsletter – August 2022

Quiz

Q-1 Is the presence of Auditors (Statutory & Secretarial) mandatory in the Annual General Meeting held via Video Conferencing (VC) & Other Audio-Visual Means (OAVM)?

- a. Yes
- b. No

Q-2 Can the companies hold the General meetings in a hybrid mode i.e. physical as well as video conferencing?

- a. Yes
- b. No

Q-3 Is a Whole-time Director considered to be an employee under section 186 of the Companies Act, 2013 for the purpose of giving loans or advances by the companies to their employees?

- a. Yes
- b. No

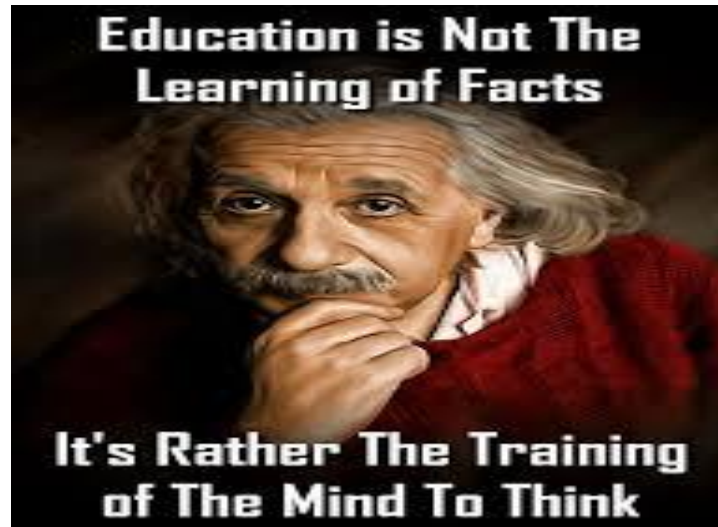
Q-4. Will providing a corporate guarantee to the bank by the holding company for a loan availed by its subsidiary company attract the provisions of Section 188 of the Companies Act, 2013?

- a. Yes
- b. No

Q-5. Can a loan raised for the purpose of financial expenditure of a capital nature be considered to be a temporary loan for the purpose of section 180(1)(c) of the Companies Act, 2013?

- a. Yes
- b. No

(Ans 1-a, 2-a, 3-a, 4-b, 5-b)



Important Days in the Month of September

Nutrition Week (1-7 September)

National nutrition week is celebrated from 1 to 7 September Annually. The purpose of the celebration is to spread awareness about good nutrition and a healthy lifestyle. This year the theme of National Nutrition Week 2021 is "Feeding smart right from start". In 2018 Govt of India launched "POSHAN ABHIYAN" to educate people about nutrition and health.



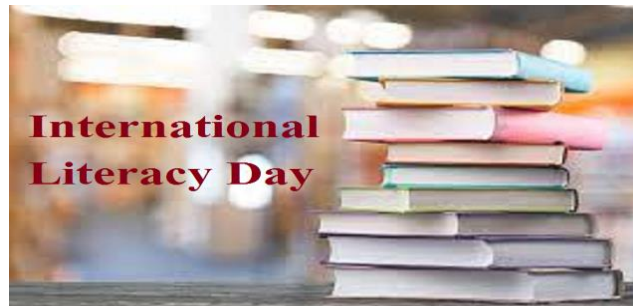
Teachers' Day (Dr. Radhakrishnan's birthday) - 5 September

Since 1962, India has been celebrating National Teachers Day every year on the birth anniversary of Bharat Ratna awardee Dr. S Radhakrishnan. He was the first vice president and second president of Free India.



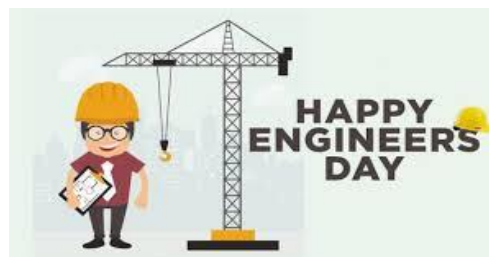
International Literacy Day - 8 September

International Literacy Day is observed globally on 8th September every year. Since 1967, International Literacy Day (ILD) celebrations have taken place annually around the world to remind the public of the importance of literacy as a matter of dignity and human rights, and to advance the literacy agenda toward a more literate and sustainable society. As per the UNESCO Report, by 2060 India will achieve universal literacy.



Engineer's Day - 15 September

Engineer's Day is celebrated annually on 15 September. This day is celebrated since 1968 to recognize the contribution of engineers to the development of the country. In India, this day is celebrated every year to commemorate the birth anniversary of engineering pioneer and Bharat Ratna Awardee, Sir M. Vishweshvaraya.



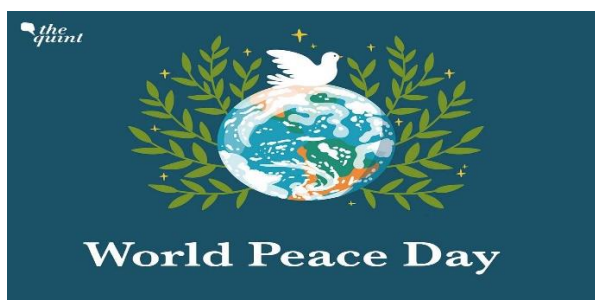
International Day of Democracy - 15 September

International Day of Democracy is observed every year on 15 September. It was declared by a resolution passed by UN General Assembly in 2007. The aim of the day is to encourage governments to strengthen and consolidate democracy.



International Day of Peace - 21 September

International Day of Peace is observed every year on 21 September. The UN General Assembly has declared this as a day devoted to strengthening the ideals of peace, through observing 24 hours of non-violence and cease-fire. Life is better in a world where peace exists and, today, we look to those who have been peacemakers and peacekeepers to learn what we can each do individually to make the world a more peaceful place.



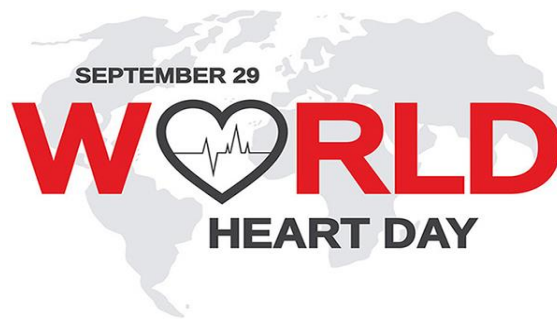
World Tourism Day - 27 September

World Tourism Day has been held on September 27th each year since 1980. With the theme of '***Rethinking Tourism***', the International Tourism Day of 2022 will focus on re-imagining the sector's growth, both in terms of size and relevance. The official World Tourism Day celebration will be held in Bali, Indonesia, on September 27, 2022, and it will highlight the shift towards tourism being recognized as a crucial pillar of development.



World Heart Day - 29 September

World Heart Day is observed on 29 September, every year. The day is observed to spread awareness about Cardio Vascular Diseases (CVD). World Heart Day was initiated by World Heart Foundation. World Heart Day informs people around the globe that CVD, including heart disease and stroke, is the world's leading cause of death claiming 18.6 million lives each year, and highlights the actions that individuals can take to prevent and control CVD. It aims to drive action to educate people that by controlling risk factors such as tobacco use, unhealthy diet and physical inactivity, at least 80% of premature deaths from heart disease and stroke could be avoided.



Legal Maxim which are commonly used

- 1) **Alibi** – At another place, elsewhere.
- 2) **Bona vacantia** – Goods without an owner.
- 3) **Corpus delicti** – The facts and circumstances constituting a crime and Concrete evidence of a crime, such as a corpse (dead body).
- 4) **Doli incapax** – Incapable of crime. Or incapable of forming the intent to commit a crime. Read with section 82 of IPC.
- 5) **Lex non a rege est violanda** – The law must not be violated even by the king.
- 6) **Misnomer** – A wrong or inaccurate name or term
- 7) **Nemo Potest esse tenens et dominus** – Nobody can be both a landlord and a tenant of the same property.
- 8) **Novation** – Transaction in which a new contract is agreed by all parties to replace an existing contract.
- 9) **Obiter dictum** – Things said by the way. It is generally used in law to refer to an opinion or non-necessary remark made by a judge. It does not act as a precedent.
- 10) **Particeps criminis** – A participator in the actual crime/partner in crime.

Legal Words which are commonly used

- 1) **Assistant Attorney General:** An attorney who represents a state agency in civil cases.
- 2) **Bond Review:** A hearing for a judge to decide if the defendant's bond amount needs to be changed.
- 3) **Conditional Discharge:** A disposition, in criminal cases, where the defendant must satisfy certain court-ordered conditions instead of a prison term.
- 4) **Delinquent:** In civil or family cases, failing to pay an amount of money when due: In juvenile cases, a child who violated a law, local ordinance, or an order of the Superior Court.
- 5) **Garnishment:** A court order to collect money or property. For example, a garnishment may be issued to an employer to pay part of an employee's wages to someone else to pay a debt or judgment.
- 6) **Hearsay:** Testimony was given by a witness who tells second or third-hand information.
- 7) **Indigent:** Someone without enough money to either support himself or herself or his or her family. Someone who cannot afford to pay certain fees required by the court.
- 8) **Juvenile Delinquent:** A person under the age of 16 who commits a criminal act.
- 9) **Motion:** Usually, written request to the court in a case. Filed with the clerk's office.
- 10) **Ne Exeat:** A legal paper requesting that a person be required to remain within the jurisdiction of the court (either through incarceration or posting of a bond)
