

MANUPATRA WEEKLY WRAP

9th - 14th March 2026



Case Laws

CIVIL

Koshy Abraham vs. Shaji & Ors., Dated: 11.03.2026 (MANU/KE/0513/2026; 2026:KER:20267)

The Kerala High Court observed that under Section 73 of the CPC, a **decree holder with a charged decree ranks above unsecured decree holders, including in cases where court auction sales under Order XXI Rule 90 are contested**. The judgment was delivered by a Division Bench in an appeal challenging the dismissal of a set-aside application for an execution sale at Thodupuzha Sub Court.

Gobind Singh & Ors. vs. Union of India & Ors., Dated: 09.03.2026 (MANU/SC/0205/2026; 2026 INSC 211)

The Supreme Court observed that under Order XLI Rule 27 of the Civil Procedure Code, parties do not have a vested right to introduce additional evidence during appeal. The Court stated that **allowing such evidence lies solely at the discretion of the appellate court**, which must ensure that the statutory conditions are fulfilled before granting permission. The bench clarified that parties cannot insist on producing new evidence at the appellate stage as a matter of entitlement.

Kerala High Court:

Decree holders with charged decree have precedence over unsecured decree holders under Section 73 of Code of Civil Procedure.

Supreme Court:

Additional evidence cannot be produced in appeal as matter of right under Order XLI Rule 27 CPC.

Calcutta High Court:

Unfounded allegations against husband, including attempt to kill child, amount to mental cruelty

Supreme Court:

Life support can be withdrawn in cases of passive euthanasia, marking the first such approval for a patient in a vegetative condition.

Delhi High Court: Setting aside or modifying trial court's order should not be seen as casting doubt on integrity of presiding judge.

J&K and Ladakh High Court:

Offence of defamation may arise not only from intent to damage reputation but also when people know that imputation is likely to harm it.

Delhi High Court: Accused cannot be blamed for giving smart or evasive replies during questioning; it is interrogator's responsibility to be shrewder to extract information.

Pintu Mahata vs. Swarnalata Mahata, Dated: 09.03.2026 (MANU/WB/0509/2026)

The Calcutta High Court has stated that **making baseless and irresponsible allegations against a spouse**, including accusations of extramarital affairs or grave criminal acts without proof, **amounts to mental cruelty and can justify the dissolution of marriage**. The Division Bench allowed the husband's appeal and set aside the trial court's order that had dismissed his divorce petition.

CONSTITUTION

Harish Rana vs. Union of India & Ors., Dated: 11.03.2026 (MANU/SC/0222/2026; 2026 INSC 222)

The Supreme Court allowed the **withdrawal of life support for the first time in India**, applying the principles of its 2018 Common Cause judgment affirming the **right to die with dignity**. A bench granted the father's request to discontinue treatment for his son, who had been in a permanent vegetative state for 13 years following a fall.

CRIMINAL

Sanjay Kumar Sain vs. State of NCT of Delhi, Dated: 13.03.2026 (MANU/DE/1717/2026; 2026:DHC:2128)

According to the Delhi High Court, the **modification or reversal of a trial court's decision by an appellate court does not reflect on the integrity or competence of the presiding judge** unless the higher court specifically records such observations. The court explained that such review forms a routine part of the judicial process within the court hierarchy.

Sanjay Gupta & Anr. vs. Prem Kumar, Dated: 13.03.2026 (MANU/JK/0117/2026)

The J&K and Ladakh High Court observed that **defamation under Section 499 of the Ranbir Penal Code (RPC) is not limited to cases of intent to harm**. The Court held that the provision also applies when a person publishes an imputation knowing, or having reason to believe, that it may damage another's reputation. The court made this observation while partly allowing a petition to quash a criminal defamation complaint related to a newspaper publication.

Ravjeet Singh vs. Central Bureau of Investigation, Dated: 12.03.2026 (MANU/DE/1700/2026; 2026:DHC:2071)

The Delhi High Court held that smart replies by an accused do not amount to obstruction of interrogation. The court emphasized that **interrogators must outsmart the accused to extract information**, in observations made while granting anticipatory bail to Ravjeet Singh in a CBI probe.

Supreme Court: Failure to prove specific acts of each member of unlawful assembly is not fatal to criminal case under Section 149 IPC.

Bombay High Court: Failing to examine forensic experts whose reports are relied upon undermines validity of trial.

Supreme Court: Public servant convicted for bribery cannot claim acquittal simply because co-accused was acquitted for lack of evidence of conspiracy.

Supreme Court: Person acquitted of heinous crime can be denied police recruitment only if acquittal was due to benefit of doubt

Supreme Court: Mere disagreements with daughter-in-law cannot be treated as cruelty or dowry-related offenses.

Dablu etc. vs. State of Madhya Pradesh, Dated: 11.03.2026 (MANU/SC/0215/2026; 2026 INSC 224)

The Supreme Court observed that members of an unlawful assembly can be held liable under Section 149 IPC **even if there is no eyewitness evidence of each committing the act**, and accordingly upheld the murder convictions and life sentences of four individuals. The court dismissed appeals based on the argument that independent witnesses did not see them directly causing harm.

State of Maharashtra vs. Tejas @ Dada Mahipati Dalvi & Ors., Dated: 10.03.2026 (MANU/MH/2458/2026; 2026:BHC-AS:11660-DB)

The Bombay High Court observed that not summoning and examining forensic experts, despite relying on their reports, vitiates the trial and represents a failure of justice. The Court stated that the **judicial process must actively pursue the truth, even when the prosecution fails in its duties** and the accused has not demonstrated awareness.

Central Bureau of Investigation vs. Baljeet Singh, Dated: 10.03.2026 (MANU/SC/0220/2026; 2026 INSC 221)

The Supreme Court observed that a public servant can be held guilty under the Prevention of Corruption Act, 1988 for personally taking a bribe **even if co-accused are acquitted and the conspiracy charges under Section 120B IPC do not hold**. A bench set aside the acquittal of an Income Tax Inspector by the Rajasthan High Court for this reason.

The State of Madhya Pradesh & Ors. vs. Rajkumar Yadav, Dated: 10.03.2026 (MANU/SC/0224/2026; 2026 INSC 225)

The Supreme Court observed that an acquittal based on the benefit of doubt does not automatically entitle a candidate to public service. The Court noted that **mere involvement in an offence or conduct showing moral turpitude may be relevant** in assessing a person's fitness for the post. The bench restored the MP Police Screening Committee's decision declaring the respondent unfit for service due to involvement in kidnapping and rape of a minor.

Dr. Sushil Kumar Purbey & Anr. vs. The State of Bihar & Ors., Dated: 09.03.2026 (MANU/SC/0206/2026; 2026 INSC 212)

The Supreme Court dismissed criminal proceedings against a woman's parents-in-law in a dowry harassment case, noting that the allegations against them were vague and largely repetitive. The Court explained that the only accusation that they **quarreled with the woman does not, by itself, amount to domestic cruelty under Section 498A IPC** or constitute dowry harassment under Sections 3 and 4 of the Dowry Prohibition Act.

Supreme Court: NCLAT bench can be constituted with majority of technical members.

Bombay High Court: Importers must obtain Central Drugs Standard Control Organisation (CDSCO) registration for cosmetics even if goods are intended only for warehousing and subsequent re-export.

Supreme Court: Call detail records are inadmissible without Section 65 certificate under Evidence Act.

Supreme Court: Confirmation of auction sale does not prevent courts from examining valuation of reserve price

COMPANY

Pannalal Bhansali vs. Bharti Telecom Ltd. & Ors., Dated: 10.03.2026 (MANU/SC/0211/2026; 2026 INSC 213)

The Supreme Court ruled that a National Company Law Appellate Tribunal (NCLAT) order cannot be deemed illegal simply because the bench had a majority of technical members. The Court clarified that **the current statutory framework does not require judicial members to outnumber technical members**. The observation was made by a bench while dismissing appeals by minority investors challenging Bharti Telecom Limited's capital reduction scheme.

CUSTOMS

Glamstone Cosmetics Pvt. Ltd. vs. Union of India & Ors., Dated: 09.03.2026 (MANU/MH/2273/2026; 2026:BHC-AS:11564-DB)

The Bombay High Court ruled that importing cosmetics into India requires **mandatory Central Drugs Standard Control Organisation (CDSCO) registration**, even if the goods are only for warehousing and later re-export. The Court noted that bringing goods into India constitutes "import" under the Customs Act and the Drugs and Cosmetics Act, making regulatory compliance obligatory regardless of whether the products are intended for domestic sale or export.

EVIDENCE

Pooranmal vs. The State of Rajasthan & Anr., Dated: 10.03.2026 (MANU/SC/0213/2026; 2026 INSC 217)

The Supreme Court set aside a murder conviction, holding that **Call Detail Records are not admissible in evidence without the mandatory Section 65-B** certificate under the Indian Evidence Act. A bench noted that since the prosecution failed to produce the required certificate, the CDRs were inadmissible. The Court set aside the Rajasthan High Court's judgment that had upheld the conviction.

PROPERTY

Om Sakthi Sekar vs. V. Sukumar & Ors., Dated: 13.03.2026 (MANU/SC/0227/2026; 2026 INSC 237)

The Supreme Court held that even after an auction sale is concluded, **courts may review the valuation of the auctioned property when questions are raised** about the adequacy of valuation or the fairness of the reserve price. The court observed that while confirmed court sales and bona fide purchasers deserve protection, such protection is not unconditional, and judicial oversight can be invoked to ensure that the property fetches its maximum value during recovery proceedings.

Supreme Court: Public servants cannot be dismissed without departmental enquiry unless sufficient cause is clearly established.

Supreme Court: Parental income by itself is not sufficient to assess candidate's eligibility under the OBC creamy layer category.

Gujarat High Court: Power distribution company cannot blame deceased for negligence in case where death occurred after touching hanging live wire.

SERVICE

Manohar Lal vs. Commissioner of Police & Ors., Dated: 12.03.2026
(MANU/SC/0225/2026; 2026 INSC 234)

Supreme Court held that a government servant cannot be dismissed without a departmental enquiry based solely on the assumption that such an enquiry is impractical. The Court emphasized that any decision to bypass the **enquiry must be supported by concrete material.**

Union of India & Ors. vs. Rohith Nathan & Another, Etc., Dated: 11.03.2026
(MANU/SC/0216/2026; 2026 INSC 230)

In a significant ruling, the Supreme Court held that **Other Backward Classes (OBC) creamy layer status cannot be determined solely by parental income;** the posts and positions held by the parents must also be considered. A bench dismissed appeals by the Union of India and granted relief to several UPSC candidates who were wrongly classified as part of the creamy layer despite clearing the Civil Service Examinations.

Paschim Gujarat Vij Co. Ltd. vs. Hasam Mamad Sama & Anr., Dated: 10.03.2026
(MANU/GJ/0616/2026)

The Gujarat High Court dismissed an appeal filed by Paschim Gujarat Vij Co. Ltd. challenging a trial court order that awarded compensation to the family of a man who died after encountering a live wire while walking along a lake embankment. The Court held that the **company could not attribute negligence to the deceased,** particularly when its own wires were hanging loosely at a low height.



News

CIVIL

13.03.2026

The **Supreme Court** has urged the Union Government to review the yellow pea import policy and explore measures to incentivise farmers to shift to pulses, stressing better coordination among ministries and ensuring fair returns for domestic pulse producers.

The **Supreme Court** has granted District Judges the authority to nominate women to the Executive Committees/Governing Bodies of Bar Associations, ensuring 30% female representation. This applies if eligible women are unable to contest elections due to any reason.

12.03.2026

The **Supreme Court** has cautioned that mandating menstrual leave could harm women's careers and directed the Union Government to consider framing a policy on the matter.

The **Supreme Court** has issued a notice on a public interest litigation seeking a ban on the killing of animals in the name of religion.

The Union Government informed the **Supreme Court** that it has decided to uphold the ban on blood donations by transgender persons, gay men, and sex workers.

The **Bombay High Court** Nagpur Bench has issued notices to the Union government, Ministry of Petroleum and Natural Gas, and Confidence Petroleum India Limited in response to a petition by six LPG distributors, claiming insufficient supply of domestic cooking gas cylinders.

11.03.2026

The **Punjab and Haryana High Court** recently expressed concerns over the functioning of the Society for Prevention of Cruelty to Animals (SPCA), Chandigarh, following a report from a court-appointed Local Commissioner highlighting issues such as unpaid staff salaries, poor animal nutrition, and inadequate upkeep.

10.03.2026

The **Supreme Court**, while hearing a plea against discriminatory Muslim inheritance law, declined to intervene judicially and said "UCC is the Answer" indicating that Parliament should enact a Uniform Civil Code to ensure equal inheritance rights for Muslim women.

The **Kerala High Court** has directed the State to set a deadline for departmental remarks to speed up the finalization of the Anti-Ragging Bill.

CRIMINAL

The **Union Government** has lifted the detention of environmental activist Sonam Wangchuk, who was previously held under the National Security Act (NSA). The government stated that the move was aimed at restoring peace and fostering an environment conducive to dialogue in Ladakh.

The **Bombay High Court** has asked the Mumbai Sessions Court to explain why the statement of a Bangladeshi woman, a victim of immoral trafficking, had not been recorded despite a clear order. The woman, who is being cared for by an NGO in India, needs to be repatriated to her country.

The **Madhya Pradesh High Court** has dismissed an FIR against an Army officer accused of sexual intercourse through deceit, stating that the complainant, a highly educated woman working with the Police Department, could not have maintained a 13-year relationship with a married man without consent.

CYBER LAW

The **Supreme Court** has issued a notice on a plea challenging the Digital Personal Data Protection Act, 2023 and its rules. The Court highlighted that data privacy protection has become a global concern and will also address the distinction between public and private data.

EDUCATION

NCERT has issued a public apology for including a chapter on judicial corruption in a Class 8 textbook, a day before the Supreme Court's scheduled hearing in its *suo motu* case on the matter. The Court had earlier issued show-cause notices to the NCERT Director and the School Education Department Secretary for contempt proceedings.

ENVIRONMENT

The **Supreme Court** has taken *suo motu* cognizance of illegal sand mining in the National Chambal Sanctuary, threatening endangered aquatic wildlife, including gharials. The Court cited recent reports highlighting rampant mining in protected areas, forcing gharials to relocate, including areas where the Chief Minister had previously released the species.

14.03.2026

11.02.2026

12.03.2026

10.03.2026

13.03.2026

12.03.2026

FAMILY

The **Karnataka High Court**, while hearing a dowry case, remarked that documents, including photographs of a woman dancing in a nightclub in revealing clothes, should not be used to judge her character. The court emphasized that wearing revealing clothes or dancing in pubs does not make a woman "bad".

PROPERTY

The **Supreme Court** has refused to entertain a petition challenging Section 129 of the Transfer of Property Act, 1882, which exempts gifts (hiba) executed under Mohammedan Law from its provisions.

SERVICE

The **Supreme Court** has ruled that government authorities cannot deny appointments to persons with benchmark disabilities based on outdated job classifications and must adhere to the latest notification under the Rights of Persons with Disabilities Act, 2016.

The **Supreme Court** has dismissed a plea seeking relaxation of age and attempts for Civil Services Examination 2026 candidates, whose last permissible attempt was affected by the Covid-19 pandemic (2020-2021).

12.03.2026

12.03.2026



Notification Updates

Reserve Bank of India

The **Reserve Bank of India (RBI)** has canceled the **Certificate of Registration (CoR)** of **36 Non-Banking Financial Companies (NBFCs)** for failing to comply with regulatory requirements and operational guidelines.

Nine **Non-Banking Financial Companies (NBFCs)** have voluntarily surrendered their **Certificate of Registration (CoR)** to the **Reserve Bank of India (RBI)**, thereby ceasing to operate as regulated financial entities.

The Reserve Bank of India has issued **amendments to the Prudential Norms on Capital Adequacy for All India Financial Institutions** to enhance clarity and align with international standards. These amendments include changes to the treatment of counterparty credit risk, computation of capital requirements, and risk weights for clearing members, effective immediately.

The Reserve Bank of India has issued the third amendment to the **Small Finance Banks' Prudential Norms on Capital Adequacy**, aligning guidelines with international standards and providing clarity on counterparty credit risk. The amendment includes updated add-on factors for market-related off-balance sheet items and specific instructions for banks acting as clearing members.

The Reserve Bank of India has issued amendments to the **Non-Banking Financial Companies (Concentration Risk Management) Directions, 2026**, revising the definition of Tier 1 capital for compliance with credit and investment concentration norms. These changes require NBFCs to obtain an external auditor's certificate for capital augmentation and submit it to the RBI. The amendments are effective immediately.

Press Release No.:
2025-2026/2249,
Dated: 11.03.2026,
MANU/RPRL/0154/2026

Press Release No.:
2025-2026/2048,
Dated: 11.03.2026,
MANU/RPRL/0151/2026

Notification No.:
DOR.MRG.REC.No.436/2
1-01-002/2025-2026,
Dated: 10.03.2026,
MANU/RMIC/0083/2026

Notification No.:
DOR.MRG.REC.No.434/2
1-01-002/2025-2026,
Dated: 10.03.2026,
MANU/RMIC/0087/2026

Notification No.:
DOR.CAP.REC.No.417/2
1.01.002/2025-2026,
Dated: 10.03.2026,
MANU/RMIC/0085/2026

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Press Release No. :
2025-2026/2237,
Dated: 09.03.2026,
MANU/RPRL/0146/2026

Notification No. :
SO1259(E), Dated:
11.03.2026,
MANU/REVV/0019/2026

Press Release No. :
16/2026, Dated:
11.03.2026,
MANU/SPRL/0014/2026

Order No. : SO1246(E),
Dated: 10.03.2026,
MANU/EINT/0005/2026

Press Information
Bureau, Dated :
11.03.2026,
MANU/PIBU/0439/2026

Notification No. :
GSR174(E),
Dated: 11.03.2026,
MANU/ENVT/0021/2026

The **Financial Action Task Force** notification from **February 09-13, 2026**, highlighted **high-risk** jurisdictions and **other monitored countries** that have deficiencies in their **anti-money laundering (AML)** and **counter-terrorist financing (CFT)** measures. It identifies nations that either remain non-compliant with FATF standards or are under increased scrutiny for improvements. Financial institutions are urged to apply **enhanced due diligence** when engaging with entities from these countries, which could affect international trade and transactions. The report also outlines recommendations for these countries to strengthen their systems and close regulatory gaps.

Ministry of Finance

The **Narcotic Drugs and Psychotropic Substances (Regulation of Controlled Substances) Amendment Order, 2026**, issued by the Ministry of Finance, amends the 2013 order by adding "2-Bromo-4-Methylpropiofenone" to Schedules A, B, and C. This amendment comes into effect upon its publication in the Official Gazette.

Securities and Exchange Board of India

The Securities and Exchange Board of India has introduced a **lighter NISM certification module for Persons Associated with Research Services** involved in sales and non-core services. This aims to ease compliance while maintaining investor interests, with existing certified individuals not needing immediate recertification

Ministry of Electronics and Information Technology

The **amendment to the Electronics and Information Technology Goods Order, 2021**, introduces an exemption for Highly Specialized Equipment (HSE) from compulsory registration, effective from June 2026. This exemption applies to equipment meeting specific criteria, such as power supply type, current rating, dimensions, or weight, and is limited to less than 100 units per model per year.

India has **implemented legal safeguards to prevent potential harms from AI and related technologies, focusing on protecting children**. These include the IT Act, Digital Personal Data Protection Act, and various guidelines and programs to ensure online safety and responsible AI development. The government also promotes awareness and coordinates efforts to combat cybercrimes, especially those targeting children.

Ministry of Environment, Forest and Climate Change

The **Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2026**, issued by the Ministry of Environment, Forest and Climate Change, amend the 2023 rules to require simultaneous field inspections by higher forest officials for proposals involving more than forty hectares of forest land.

Press Information

Bureau,

Dated: 10.03.2026,
MANU/PIBU/0404/2026

Notification No. :

GSR168(E),

Dated: 10.03.2026,
MANU/NMIC/0056/2026

Press Information

Bureau,

Dated: 10.03.2026,
MANU/PIBU/0406/2026

Press Information

Bureau,

Dated: 10.03.2026,
MANU/PIBU/0409/2026

Notification No. :

GSR164(E),

Dated: 10.03.2026,
MANU/HFAM/0034/2026

Notification No. : RCD-

11003/1/2021-

Regulatory-FSSAI(Part1),

Dated: 11.03.2026,
MANU/HFAM/0036/2026

Ministry of Cooperation

Bharat Taxi, India's first cooperative-led ride-hailing platform, aims to empower drivers and promote inclusive mobility through a zero-commission model. It operates in select cities and plans for nationwide expansion, offering employment opportunities and fostering local economies. Partnerships with various organizations support its development as a citizen-friendly mobility ecosystem.

Ministry of Parliamentary Affairs

The Voluntary Aadhaar-Based Access Control for the Lok Sabha Secretariat's Smart Visitor Management System under **Rule 5 of the Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules, 2020** aims to enhance security and streamline visitor access to the Lok Sabha premises.

Ministry of Chemicals and Fertilizers

The Government of India has **prioritized natural gas supply for fertilizer production** to ensure uninterrupted domestic production and timely availability for farmers, despite global supply chain disruptions. Fertilizer plants are guaranteed at least 70% of their average natural gas consumption, and robust reserves have been established to support the upcoming Kharif season.

Ministry of Home Affairs

The **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023** introduces provisions for using audio-video electronic means for recording evidence and conducting trials, inquiries, and proceedings electronically. The government has developed the **Nyaya-Shruti application to facilitate virtual appearances through video conferencing**.

Ministry of Health and Family Welfare

The **Drugs (... Amendment) Rules, 2026 [Draft]** propose updates to the existing regulatory framework governing the manufacture, sale, and distribution of drugs in India. The amendments aim to address emerging issues related to drug safety, quality control, and the regulation of new pharmaceutical products and technologies. Key changes include stricter guidelines for clinical trials, improved oversight on the approval process for drugs, and enhanced mechanisms to combat counterfeit drugs.

The Ministry of Health and Family Welfare mandates that milk producers and vendors, excluding members of dairy cooperative societies, must register with the FSSAI to prevent milk adulteration. Enforcement authorities are instructed to ensure compliance, inspect milk storage conditions, and undertake special registration drives.

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**Press Information
Bureau,
Dated: 10.03.2026,
MANU/PIBU/0422/2026**

**Press Information
Bureau,
Dated : 11.03.2026,
MANU/PIBU/0440/2026**

**Press Information
Bureau,
Dated : 11.03.2026,
MANU/PIBU/0431/2026**

**Press Information
Bureau,
Dated : 12.03.2026,
MANU/PIBU/0458/2026**

**Notification No. :
GSR169(E),
Dated: 10.03.2026,
MANU/DCAF/0012/2026**

Cabinet

The Cabinet has approved **changes in the FDI policy for investments** from countries sharing a land border with India, aiming to facilitate greater FDI inflows, especially in critical sectors like manufacturing of electronic components and solar cells. The amendments include a 60-day decision timeline for investment approvals and a definition for 'Beneficial Owner' to streamline processes and enhance ease of doing business. These changes are expected to boost India's competitiveness as an investment destination and support economic growth.

Ministry of Road Transport & Highways

The **PM-RAHAT scheme** provides cashless treatment for road accident victims, covering up to INR. 1.5 lakh per victim for a maximum of 7 days. It integrates digital platforms for accident reporting and treatment management, ensuring timely medical care and reimbursement through the Motor Vehicle Accident Fund. The scheme includes a structured grievance redressal mechanism and is monitored at district, state, and national levels.

Department of Atomic Energy

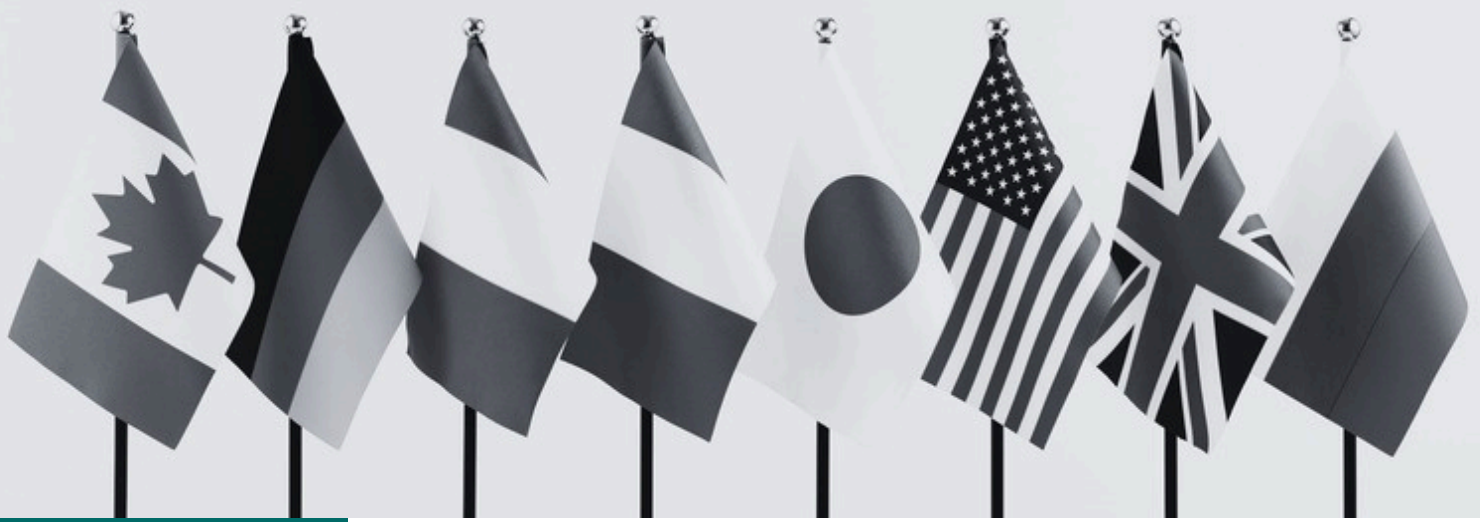
The **zero customs duty on imports** for nuclear power projects aims to reduce project and electricity costs, making them more viable and encouraging private participation. It will expedite equipment delivery and support the goal of achieving 100 GW nuclear energy capacity by 2047, contributing to clean energy transition.

Ministry of Communications

5G services have been rolled out across all states and UTs in India, with 99.9% district coverage and over 5.23 lakh 5G base stations installed. The government is promoting 5G use cases in various sectors and fostering an indigenous 5G ecosystem, while **also preparing for 6G technology** development through initiatives like the Bharat 6G Vision and Telecom Technology Development Fund.

Ministry of Corporate Affairs

The **Companies (Accounting Standards) Amendment Rules, 2026**, introduced by the Ministry of Corporate Affairs, amends the 2021 rules to incorporate provisions related to the OECD's Pillar Two model rules on international tax reform. These amendments require enterprises to disclose information about their exposure to Pillar Two income taxes, with specific exceptions and guidelines for reporting.



International Updates

AUSTRALIA

Banking

Australian Securities and Investments Commission updates guidance on managing conflicts of interest

The **Australian Securities and Investments Commission (ASIC)** has revised **Regulatory Guide 181 – Australian Financial Services Licensing: Managing Conflicts of Interest**, replacing the earlier framework issued in **2004**. The updated guidance emphasises stronger **corporate governance, internal compliance frameworks, and day to day conflict monitoring** for entities holding an **Australian Financial Services licence**. The regulator stated that the changes reflect developments in law, regulatory experience, and insights gathered from surveillance activities in **private market operations**. During consultation in **2025**, ASIC received **26 industry submissions**, most supporting clearer regulatory expectations.

Company & Commercial

Federal Court decision in *ASIC v Bekier* clarifies duties of executives, general counsel and directors

The **Federal Court of Australia** delivered an extensive judgment in **Australian Securities and Investments Commission v Bekier (Liability Judgment) [2026] Federal Court of Australia 196**, concerning governance failures at **The Star Entertainment Group Limited**. The Court held that the **Chief Executive Officer and General Counsel**, who also served as company secretary, breached their **statutory duty of care under section 180(1) of the Corporations Act 2001 (Commonwealth)**. However, the Court rejected claims against the **seven non executive directors**, finding no evidence of negligence on their part. Justice Lee emphasised that senior executives must ensure **material compliance risks and regulatory issues are fully disclosed to the board**, while general counsel cannot rely solely on reporting structures when serious legal concerns arise.

Patent

High Court to examine scope of patent term extensions for pharmaceutical formulation patents

The **High Court of Australia** has granted special leave to appeal the decision of the **Full Federal Court in Otsuka Pharmaceutical Company Limited v Sun Pharma ANZ Pty Ltd [2025] Federal Court of Australia Full Court 161**, a case concerning **patent term extensions for pharmaceutical formulations**. The dispute centres on Otsuka's patent relating to **controlled release injectable formulations of aripiprazole**, marketed as **Abilify Maintena**, and whether it qualifies for an extension under the **Patents Act 1990 (Commonwealth)**. Under the statute, patents may receive up to **five additional years of protection beyond the standard twenty year term** if they disclose a **pharmaceutical substance per se or one produced using recombinant Deoxyribonucleic Acid technology**. The Full Federal Court previously restricted the availability of such extensions for formulation patents.

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CHINA

International Trade

China introduces dual use export control measures targeting Japanese entities

China's **Ministry of Commerce** has issued **Announcement Number Eleven and Announcement Number Twelve**, imposing new restrictions on the export of **dual use items originating in the People's Republic of China** to certain Japanese entities. Announcement Eleven introduces a **Control List mechanism** under **Article 28 of the Regulations of the People's Republic of China on Export Control of Dual Use Items**, prohibiting the supply of controlled items to listed entities unless exceptional licences are granted. The restriction applies not only to Chinese exporters but also to **foreign individuals and corporations outside China**, giving the measure **extra territorial reach**.

Corporate Finance

Shenzhen releases new measures to strengthen attraction of foreign investment

The **Shenzhen Municipal Government** has introduced the **Implementation Measures for Further Enhancing the Attraction and Utilization of Foreign Investment** for a period of **three years**. The policy framework aims to enhance Shenzhen's position as an international business hub by improving the **investment environment and regulatory incentives for foreign funded enterprises**. The measures prioritise investment in sectors such as **advanced manufacturing, biotechnology, innovation technology and modern services**. Foreign companies are encouraged to establish **regional headquarters, research and development centres, and innovation platforms** within designated industrial clusters.

Healthcare and Life Sciences

CSPC Pharmaceutical receives approval to start clinical trials of biosimilar emicizumab

The **National Medical Products Administration of China** has authorised **CSPC Pharmaceutical Group Limited** to commence **clinical trials of SYS6053**, a biosimilar version of **emicizumab**, which is marketed internationally as **Hemlibra** for the treatment of **Haemophilia A**. Emicizumab is a **bispecific humanised monoclonal antibody** designed to prevent bleeding episodes in patients with haemophilia, including those with **Factor Eight inhibitors**. CSPC stated that its biosimilar candidate demonstrated strong **similarity in safety, efficacy and pharmaceutical quality** during non clinical research. The original medicine was first approved by the **United States Food and Drug Administration in November 2017** and later by the **European Medicines Agency in February 2018**. Biosimilar development remains complex due to the antibody's advanced structure, and no biosimilar has yet received approval globally. The patent for Hemlibra is expected to expire around **2032**, potentially opening opportunities for competitive biosimilar products.

Patent

BOE and Samsung settle major cross border dispute over OLED patents and trade secrets

After nearly **three years of global litigation**, **BOE Technology Group Company Limited** and **Samsung Display Company Limited** have reached a settlement resolving multiple disputes involving **organic light emitting diode technology patents and alleged trade secret misappropriation**. The conflict began in **December 2022**, when Samsung filed complaints before the **United States International Trade Commission under Section 337 of the Tariff Act of 1930**, claiming that BOE's display panels infringed several patents and that confidential manufacturing information had been misused. BOE responded by initiating counterclaims in China and the United States, including a patent infringement action against Samsung devices such as the **Galaxy Z Fold series**. In **November 2024**, an administrative law judge at the International Trade Commission found infringement of three patents but denied exclusion orders.

Arbitration

Dutch Supreme Court dismisses Antrix cassation challenge in enforcement dispute

Information Technology and Data Protection

Indonesia advances implementation of personal data protection framework and supervisory authority

Company and Commercial

Court of Appeal grants stay to prevent irreversible harm from publication of vexatious litigant order

Employment and Labour

Federal Court rules trade unions do not have absolute immunity from defamatory statements

NETHERLANDS

The **Supreme Court of the Netherlands** issued its order in **Antrix Corporation Limited v Devas Multimedia America Incorporated, Case Number 25/00575 (ECLI:NL:HR:2026:363)**. The case concerned a challenge to the enforcement in the Netherlands of an **arbitral award** involving the parties. Antrix sought cassation against a decision of the **Court of Appeal of The Hague dated 17 December 2024 (ECLI:NL:GHDHA:2024:2384)**. The **Advocate General R. H. de Bock** had earlier recommended that the cassation appeal be declared inadmissible or dismissed. The Supreme Court rejected the complaints raised by Antrix and held that they did not justify setting aside the earlier decision. Relying on **Article 81, paragraph one, of the Judiciary Organization Act**, the Court declined to provide detailed reasoning, noting that the case did not raise issues requiring clarification for the development of the law. The Court therefore **dismissed the cassation appeal and ordered Antrix to pay litigation costs**.

INDONESIA

Indonesia is moving closer to fully operationalising its **Personal Data Protection Law (Law Number 27 of 2022)** through the creation of a dedicated **Data Protection Authority**. Under **Article 58, paragraph five of the Personal Data Protection Law**, the authority must be established through a **Presidential Regulation**, and a draft regulation has now been prepared by the **Ministry of Communication and Digital Affairs**. The draft was released publicly in **February 2026** and is currently awaiting presidential approval. Once enacted, the authority will function as an **independent supervisory body responsible for monitoring compliance and enforcing personal data protection rules**.

MALAYSIA

The **Court of Appeal of Malaysia** in **Lim Jen Lin @ Lim Jen Ling v Petronas Refinery and Petrochemical Corporation Sendirian Berhad and Another [2026] 2 AMR 233** allowed an application to **stay execution of a High Court order** pending appeal. The earlier order had declared the appellant a **vexatious litigant** and directed that the declaration be published in the **Federal Gazette**. The High Court had refused to grant a stay, leading the appellant to challenge that decision. The Court of Appeal held that immediate publication could cause **irreparable reputational harm and serious public consequences**, which justified maintaining the *status quo* until the appeal was determined. In assessing the application, the Court reaffirmed the established principle that **an appeal does not automatically operate as a stay of execution**, and that courts must evaluate the **balance of convenience and risk of injustice** before granting such relief.

The **Federal Court of Malaysia** refused leave to appeal in **National Union of Bank Employees v Mahkamah Perusahaan Malaysia and HSBC Bank Malaysia Berhad, Civil Application Number 08(i)-406-11/2025(W)**, confirming that trade unions do not enjoy absolute immunity from legal scrutiny. The dispute arose when the union made **derogatory and defamatory social media statements** against HSBC Bank during an industrial dispute. The union argued that **Section 22(1) of the Trade Unions Act 1959** provided complete protection from tort liability.

However, the courts held that the question of immunity should be determined **after a full trial and evaluation of evidence**, rather than through an interlocutory application to strike out the claim. The Federal Court therefore declined to interfere with earlier rulings of the **High Court and Court of Appeal**, allowing the trade dispute before the **Industrial Court** to proceed to full adjudication.

NEW ZEALAND

The **Financial Markets Authority of New Zealand** has issued a designation declaring that the **New Zealand dollar denominated stablecoin NZDD**, issued by **ECDD Holdings Limited**, is **not a financial product under the Financial Markets Conduct Act 2013**. The designation took effect on **11 March 2026** and forms part of the regulator's **innovation sandbox programme** designed to support emerging financial technologies. Under the structure of the stablecoin, users receive **one NZDD token for each New Zealand dollar deposited**, with the funds held on **bare trust in a New Zealand registered bank account** for the benefit of token holders. By determining that NZDD does not constitute a regulated financial product, the authority has provided **regulatory clarity for payment stablecoins and digital asset innovation in the country**. The decision is expected to influence the **development of digital payment infrastructure and fintech services in New Zealand**.

PHILIPPINES

The **Securities and Exchange Commission of the Philippines** has introduced the **Hierarchical and Applicable Relations and Beneficial Ownership Registry platform**, commonly referred to as **HARBOR**, to improve transparency in corporate ownership. Implemented under **Securities and Exchange Commission Memorandum Circular Number 15, Series of 2025**, the digital platform requires corporations to **submit beneficial ownership information electronically**. Because of this change, the **General Information Sheet for 2026** will no longer include a beneficial ownership disclosure page. Corporations must report information on the **natural persons who ultimately control or benefit from the company**, including details such as residential address, tax identification number and the nature of control exercised.

SINGAPORE

The **Government of Singapore** has announced that a specialised **Overseas Networks and Expertise Pass (Artificial Intelligence and Technology Track)** will be introduced in **January 2027**. The initiative was announced during the **Committee of Supply Debate on 3 March 2026** by the **Minister for Manpower, Tan See Leng**. The new track is expected to replace the existing **Tech Pass scheme** and will target highly skilled professionals working in advanced technology sectors. Applicants will generally need to demonstrate a **fixed monthly salary of at least thirty thousand Singapore dollars** and prior employment with an established company for **twelve consecutive months** before applying.

Financial Regulation

Financial Markets Authority declares NZDD stablecoin not a financial product

Corporate Governance

Securities and Exchange Commission launches HARBOR system for beneficial ownership reporting

Immigration

Singapore to introduce specialised ONE Pass track for artificial intelligence and technology talent

SOUTH KOREA

The **Supreme Court of Korea**, in **Decision Number 2025Do13231 delivered on 15 January 2026**, clarified the interpretation of offences under the **Unfair Competition Prevention and Trade Secret Protection Act**. The Court ruled that the **acquisition, disclosure and use of trade secrets** are **distinct criminal offences**, even when committed by individuals participating in the same scheme. The case involved defendants accused of misappropriating trade secrets and sharing them through a **network attached storage server in Korea** to facilitate overseas use. Lower courts had treated the transfer of information merely as a step toward the offence of use. However, the Supreme Court held that **transmitting confidential information to a person who did not previously possess it constitutes a separate act of disclosure**, while the recipient's conduct may amount to **independent acquisition of the trade secret**.

THAILAND

The **Securities and Exchange Commission of Thailand** has issued **Notification Number TorJor. 25 of the year 2025, 168**, introducing a revised regulatory framework for **material transactions involving listed companies and their subsidiaries**. The new regulation will take effect on **1 July 2026**, replacing the earlier notification that had governed such transactions since **2008**. The updated rules expand the scope of what qualifies as a material transaction to include **financial assistance arrangements, lending, guarantees and certain lease or business lease agreements** that fall outside the ordinary course of business.

Thailand's **Office of the Consumer Protection Board** has issued new regulatory guidelines governing **advertisements created or altered using artificial intelligence technologies** under the **Consumer Protection Act B.E. 2522 (1979)** and its amendments. The rules address concerns that digitally generated or modified images may **mislead consumers about the true nature or quality of products and services**. Businesses using such techniques must ensure that promotional materials accurately reflect the **size, quantity, composition and characteristics of the actual product being sold**. Advertisements that rely on artificial intelligence or digital editing must also include **clear disclosure labels**, such as statements indicating that the image or video was **created or edited using artificial intelligence**.

USA

In **Barnes v G4S Secure Solutions (USA) Incorporated, Nos. 25-1349 and 25-1351, 2026 Westlaw 296990 (United States Court of Appeals for the Sixth Circuit, 4 February 2026)**, the appellate court reaffirmed that the **Federal Arbitration Act** strongly supports arbitration agreements but does not override **basic contract interpretation principles**. The dispute arose from a **race discrimination class action** brought by a security officer and colleagues working at the **Detroit Renaissance Center**. Although the employment contract contained a broad arbitration clause, it also excluded disputes **involving employees covered by a collective bargaining agreement**.

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Manupatra Weekly Wrap

Trade Secrets

Supreme Court confirms separate criminal liability for acquisition, disclosure and use of trade secrets

Capital Markets

Thai Securities and Exchange Commission issues new rules governing material transactions

Consumer Protection

Thailand issues advertising guidelines for artificial intelligence generated promotional content

Arbitration

United States Court of Appeals stresses that poorly drafted arbitration clauses can defeat enforcement

Banking

Office of the Comptroller of the Currency proposes rules to implement the GENIUS Act for stablecoin issuers

The **Office of the Comptroller of the Currency** has issued a **Notice of Proposed Rulemaking** to implement key provisions of the **Guiding and Establishing National Innovation for United States Stablecoins Act**. The proposal outlines regulatory requirements for entities classified as **Permitted Payment Stablecoin Issuers**, including **capital thresholds, reserve management standards and supervisory compliance obligations**. Newly established institutions would be required to maintain **minimum capital of five million United States dollars during the first three years of operation**, together with sufficient liquid assets to cover **twelve months of operating expenses**. The proposal also restricts issuers from paying **interest or yield on stablecoin holdings** and establishes oversight of **affiliate transactions, internal controls and risk management systems**. If adopted, the rules will significantly shape the **regulatory environment for digital payment stablecoins in the United States financial system**.



AI in Use

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- ✗ Missing important developments hidden in the documents
- ✗ Spending hours arranging everything chronologically

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