

PREFACE

Infrastructure is the cornerstone of development of any country. The current Indian economy has a sizeable dependence on infrastructure as a vehicle of growth. Infrastructure-based sectors such as roads, highways, and ports, along with the power and real estate sectors have witnessed growing demand for capital in recent times. A significant boost is required to the infrastructure sector for the growth and development in the country.

Investments are permitted from foreign institutions, banks, body corporates, portfolio investors in the real estate sector. There is huge demand in Infrastructure sector having small and large numbers of players. Small players are unable to deliver quality products due to lack of access to the funds. Investors who are looking for structured system have a limited exit options so transactions are taking place at a slower pace. Small investors have also started investing and therefore safeguarding interest of all the stakeholders is the pre-requisite for any regulator. Hence, it was felt that infrastructure is a unique sector requiring special structures and concessions keeping in mind the nature of assets and importance of the sector to the economy

To bridge the gap and support the segment, the Government of India through SEBI brought in Infrastructure Investment Trusts (InvITs) Regulations, 2014 and proactively promoting and popularising InvITs in India. The same Regulations have been amended recently and have made way for stronger governance mechanisms by way of stipulating submissions of Secretarial Compliance Report given by Practicing Company Secretary on an annual basis and that of a Compliance Report on Corporate Governance on a quarterly basis signed by the Compliance Officer.

This publication titled *“Frequently Asked Questions on SEBI (Infrastructure Investment Trusts) Regulations, 2014”* currently in its second edition (with its First edition published as the e-version by WIRC of the ICSI in the year 2022), aims to answer various questions on the subject enabling professionals to provide appropriate guidance on the matter and dispense with the new responsibilities being shouldered by them post amendment to the best of their abilities. It will also help the industry in taking informed decisions

and understanding the nuances of setting up, management and compliance system of a InvIT.

I commend the dedicated efforts put in by CS Abhishek Omprakash Lakhota, Mumbai for his valuable time in writing and revising the manuscript of this publication in the light of subsequent amendments made by SEBI in the years 2022 and 2023. I would like to place on record my sincere appreciation for the efforts put in by Mr. Mahesh Airan, Assistant Director, ICSI for reviewing and value addition to these FAQs under the guidance of CS Pawan G Chandak, Central Council Member and Chairman, Professional Research and Publication Committee, CS Asish Mohan, Secretary and CS Lakshmi Arun, Director, Directorate of Academics, ICSI.

I am confident that the publication will prove to be immensely beneficial to the stakeholders.

Place: New Delhi

Date: March 20, 2023

CS Manish Gupta

President

The Institute of Company Secretaries of India