



CLASIS LAW

Newsletter

March 2018

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Welcome to the March Edition of the Clasis Law Newsletter

This edition brings to our readers a featured article titled “White Paper: India’s Voyage to Formulation of Data Protection Law”.

In India, while we still evaluate the pros and cons of possible data breach and privacy issues with Aadhaar, the misuse of personal data belonging of 50 million Facebook users by the British data analysis firm Cambridge Analytica during the last US election, without their permission, has flared the debate over illicit data harvesting techniques and its profound impact. India is in the nascent stage of improvising its data protection laws to catch up with the digital technology however, the need for immediate and stringent data privacy laws is indisputable. In order to draft better data protection laws in India, the Government of India constituted an expert Committee in August 2017 to examine issues related to data protection, recommend methods to address them, and draft a data protection law. In our article we have discussed the highlights of the White Paper on a Data Protection Framework for India released by the Committee on November 27, 2017.

We continue to highlight certain key judgements passed by the Hon’ble Court as well as changes in Corporate and Commercial laws and updates on Projects and Intellectual Property.

Your inputs and feedback are always welcome and we look forward to our interactions with you.

“Clasis Law’s Head of Pan India Operations & Corporate Practice, Vineet Aneja is recognized as one of India’s Most Trusted Corporate Lawyers by ICCA, 2017”

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White Paper: India's Voyage to Formulation of Data Protection Law

Electronic data is now most of the most important commodity and consequently protection of such data has become a big challenge. Even the Supreme Court in one of its judgment's, in the matter of *Justice K S Puttuswamy vs. Union of India*¹, has recognised 'right to privacy' as a fundamental right.

While there are laws on data protection in India, these are scattered. Even the primary legislation concerning disclosure and use of personal sensitive data, being the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011 (the 'Rules'), have failed to address the concerns of privacy on many accounts. For example, the Rules have limited applicability, do not provide for comprehensive definitions of sensitive personal data and fail to cover government authorities and data stored in servers of major service providers and websites outside India

The lack of adequate legal framework was more so felt in the country in a recent case wherein WhatsApp new privacy policy to share details of messaging app users with its parent Facebook was challenged. The Delhi High Court in India while rejecting the petition against WhatsApp, directed Whatsapp to delete the data, until 25 September, 2016. However, it allowed sharing of data under the new policy. It is pertinent to note that Facebook has been involved in EU-wide investigation over a similar issue relating to its privacy policies. Recently, the courts in Germany have taken a more stringent stance than India and Facebook's default privacy settings and use of personal data were termed illegal by the German courts in similar case filed against Facebook in Germany.

In wake of increasing number of cybercrimes, security threats and data thefts in India, on 31 July, 2017 the government constituted a 10 member committee of experts headed by former Supreme Court justice B.N. Srikrishna (the 'Committee') to study various issues relating to data protection and make specific suggestions on the principles to be considered for data protection as well as suggest a draft Data Protection Bill.

On 27 November, 2017 the Committee released a white paper (the 'White Paper') which posed a number of questions. The White Paper deliberates upon possible scope, limitations and exemptions under the legal framework, and discusses definitions of personal data and sensitive data, informed consent, aspects like cross border flow of data, data breaches, data controller, processor, data audit, data protection impact assessments as well as enforcement and accountability models. Some of the noteworthy comments and observations made by the Committee as set out below:

1. The Committee has proposed seven principles on which the data protection laws in India must be based: (i) the law should be flexible and account for changing technologies, (ii) the law must apply to all entities including government, (iii) consent should be genuine, informed, and meaningful, (iv) processing of data should only be for the purpose for which it is sought, (v) entities controlling the data should be accountable for any data processing, (vi) enforcement of the data protection framework should be by a high-powered statutory authority, and (vii) penalties should be adequate to discourage any wrongful acts.
2. The White Paper calls for categorization of data of personal identifiable data. As per the Committee the sensitivity of the data has to be considered in light of with other types of information. For instance, an email address taken in isolation, is not sensitive.
3. The Committee recommends that data protection framework should apply to collection and processing of personal data of Indian residents and citizens by both public and private entities within India and should also extend to data stored outside India. However, extraterritorial applicability and jurisdiction will be a major challenge.
4. While the Committee has discussed the importance of free and informed consent along with individual participation rights at length, it has also considered other grounds to allow processing of certain personal data.

¹K.S. Puttaswamy (Retired) and Anr. v. Union of India & Ors., (2015) 8 SCC 735



5. With respect to principal of 'Purpose Specification' for collection of personal data, the Committee recognizes challenges posed by emerging technologies such as big data, artificial intelligence and the internet of things. Nevertheless, the network of devices enabling transfer of data may have facilitated data mining to the benefit of consumers however it simply cannot be traded with the right to privacy.
6. The White Paper also suggests setting up on a data protection authority, along the lines of the Information Commissioners or Privacy Commissioners found in other jurisdictions, with three main objectives of (i) monitor, investigate and enforce the laws, (ii) set the standards and (iii) generate awareness in an increasingly digitized society.
7. Some of the interesting questions raised by the Committee in its White Paper relate to: (i) territorial applicability of the law, (ii) scope and definition of personal and sensitive data, (iii) individual participation rights and consent required to monitor one own data, (iv) on extent to which the law should apply to cross border flow of data , (v) activities that should be exempted from data protection laws, (vi) definition of data controller and processor, (vii) process and need for data localization and (viii) regulatory measures that should be implemented in the law to ensure compliance by foreign entities. Upon receiving Industry comments and answers on the said questions, the Committee will proceed to formulate a bill on data protection.
8. Lastly, the Committee in its report has only briefly touched upon the much contentious issue of 'Aadhaar' and noted that while the Aadhaar Act, 2016 including regulations made thereunder do impose an obligation to have a security policy and adopt necessary measures to keep personal information of the Indian citizen secure, they have raised concern over purpose and coercive manner in which personal data is collected by the State and made mandatory for availing most services through a range of cognate laws.

To sum up the above, the Committee has called for enactment of a comprehensive data protection law. Upon receiving the comments from the public on the White Paper, the Committee will proceed to formulate a bill on data protection laws.

Conclusions

Amid all controversies and debates concerning use/theft of data, it is vital that every person should be able to understand and regulate use of their personal information and any consent to share such personal information should be autonomous and consciously perceived. While regulators across US, the EU and China already have comprehensive legal framework to address the concerns data protection and privacy, India is lagging behind. Changes in the present data protection law will surely have significance impact on the IT industry however, data protection laws in India need to urgently correspond with the change in technology and provide requisite infrastructure for optimal growth of Digital India.

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Legal Alerts

Cabinet Approves The Arbitration & Conciliation (Amendment) Bill, 2018

The Arbitrations in India had been facing insurmountable challenges and therefore, an amendment was carried out by the Arbitration & Conciliation (Amendment Act), 2015 ("Amendment Act, 2015") in the Arbitration and Conciliation Act, 1996 ("Arbitration Act, 1996").

The Amendment Act, 2015 introduced significant changes in the Arbitration Act, 1996 and was brought into force with an intent to make arbitration process user friendly and a more preferred mode of settlement of disputes by making it cost effective and ensuring speedy disposal.

However, with the passage of time, it was noticed that the Amendment Act, 2015 had its own limitations and it failed to address certain issues such as interference of the Indian Courts in the arbitration proceedings pursuant to arbitrations invoked prior to October 23, 2015 and lacking effectiveness in comparison with the institutional arbitrations such as LCIA, SIAC ICC etc.

Therefore, a need was felt to reconsider the arbitration law and accordingly, a High Level Committee ("HLC") under the Chairmanship of Justice B.H. Srikrishna, Retired Judge, Supreme Court of India, was constituted by the Central Government. The HLC submitted its Report on July 30, 2017.

Proposed Amendments

Basis the recommendations of the HLC, various amendments have been proposed by way of The Arbitration & Conciliation (Amendment) Bill, 2018 ("Amendment Bill"). The aim of the Amendment Bill is to encourage institutional arbitration in India and to make India a center of intensive Alternative Dispute Resolution (ADR) mechanism. Following are the amendments/key highlights proposed by the Amendment Bill:-

- (a) Speedy appointment of arbitrators through designated arbitral institutions by the Supreme Court or the High Court, as the case may be, without having any requirement to approach the Indian Courts in this regard. This provision would ensure that there is no interference by the Indian Courts as far as appointment of an arbitrator is concerned, as the parties may not be required to knock the doors of the Courts seeking appointment of the arbitrators.
- (b) Creation of an independent body namely the Arbitration Council of India (ACI) which shall be presided over by a Judge of the Supreme Court or Chief Justice or Judge of any High Court or any eminent person and the members would include an eminent academician etc. besides other eminent person. ACI shall grade arbitral institution and accredit arbitrators by laying down norms

and take all such steps as may be necessary to promote and encourage arbitration, conciliation, mediation and other ADR Mechanism. The ACI shall also make policies and guidelines for the establishment, operation and maintenance of uniform professional standards in respect of all matters relating to arbitration and ADR mechanism.

- (c) Sub-Section (1) of Section 29-A (Time limit for arbitral award) to be amended by excluding international arbitration from the bounds of timeline and further to provide that the time limit for arbitral award in other arbitrations shall be within 12 months from the completion of the pleadings of the parties. The Amendment Act, 2015 introduced a time limit of 12 months for conclusion of arbitral proceedings including making the award, from the date when an arbitrator enters into reference. However, the arbitrators were finding it difficult to comply with the aforementioned time frame (especially in cases which involved complex issues and the number of claims were high), as subsequent to entering into reference, completion of pleadings were consuming substantial time practically making it difficult to complete the entire process of arbitration and pass an award within 12 months.
- (d) New Sections 42-A and 42-B are proposed to be inserted. Section 42-A provides that the arbitrator and the arbitral institutions shall keep confidentiality of all arbitral proceedings except award, Section 42-B is aimed to grant an immunity to an arbitrator from suit or other legal proceedings for an action or omission done in good faith in the course of arbitration proceedings.
- (e) A new Section 87 has been proposed to clarify that unless parties agree otherwise the Amendment Act, 2015 shall not apply to the following:
 - arbitral proceedings that have commenced before the commencement of the Amendment Act, 2015 i.e. prior to October 23, 2015
 - court proceedings arising out of or in relation to such arbitral proceedings irrespective of whether such court proceedings are commenced prior to or after the commencement of the Amendment Act, 2015

The proposed amendments set out above are as per the press release dated March 7, 2018, from the Press Information Bureau, Government of India, Ministry of Law & Justice. The Union Cabinet, chaired by the Prime Minister, has approved 'The Arbitration & Conciliation (Amendment) Bill, 2018 for introduction in the Parliament.



Corporate and Commercial

Companies (Removal of Difficulties) Order, 2018

On February 21, 2018, the MCA issued a notification in relation to Companies (Removal of Difficulties) Order, 2018. By virtue of this order an independent director re-appointed for second term under sub-section (10) of section 149 shall be removed by the company only by passing a special resolution and after giving him a reasonable opportunity of being heard.

Manner of achieving minimum public shareholding

On February 22, 2018, SEBI with a view to further facilitate listed entities to comply with the minimum public shareholding requirements, the following additional methods are allowed:

- a) Open market sale: Sale of shares held by the promoters/promoter group up to 2% of the total paid-up equity share capital of the listed entity in the open market, subject to five times' average monthly trading volume of the shares of the listed entity;
- b) Qualified Institutions Placement: Allotment of eligible securities through Qualified Institutions Placement in terms of Chapter VIII of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009.

Further, the conditions for open market sale the listed entity shall, at least one trading day prior to every such proposed sale, announce the following details to the stock exchange(s) where its shares are listed:

- (i) the intention of the promoter/promoter group to sell and the purpose of sale;
- (ii) the details of promoter(s)/promoter group, who propose to divest their shareholding;
- (iii) total number of shares and percentage of shareholding proposed to be divested; and
- (iv) the period within which the entire divestment process will be completed.

The listed entity shall also give an undertaking to the recognized stock exchange(s) obtained from the persons belonging to the promoter and promoter group that they shall not buy any shares in the open market on the dates on which the shares are being sold by promoter(s)/promoter group as stated above.

Ombudsman Scheme for Non-Banking Financial Companies, 2018

On February 23, 2018, the RBI, being satisfied that for the purpose of enabling it to promote conducive credit culture

among the Non-Banking Financial Companies ("NBFCs") and to regulate the credit system of the country to its advantage, it is necessary to provide for a system of Ombudsman for redressal of complaints against deficiency in services concerning deposits, loans and advances and other specified matters, directs that the NBFCs, as defined in Section 45-I(f) of the Reserve Bank of India Act, 1934 and registered with the RBI under Section 45-IA of the Reserve Bank of India Act, 1934 which (a) are authorised to accept deposits; or (b) have customer interface, with assets size of one billion rupees or above, as on the date of the audited balance sheet of the previous financial year, or of any such asset size as the RBI may prescribe, will come within the ambit, and should comply with the provisions of the Ombudsman Scheme for Non-Banking Financial Companies, 2018 ("Scheme"). To begin with, the Scheme will be operationalized for all deposit accepting NBFCs and based on the experience gained, the Scheme would be extended to include the remaining identified categories of NBFCs. It is initially being introduced at the four metro centers viz. Chennai, Kolkata, Mumbai and New Delhi for handling complaints from the respective zones, so as to cover the entire country. The Scheme shall come into effect and force from February 23, 2018.

The Non-banking Financial Company - Infrastructure Finance Company (NBFC-IFC), Core Investment Company (CIC), Infrastructure Debt Fund - Non-banking Financial Company (IDFNBF) and an NBFC under liquidation, are excluded from the ambit of the Scheme.

Draft Labour Code on Social Security 2018

On March 1, 2018, the Ministry of Labour and Employment issued the draft Labour Code on Social Security, 2018 ("Code"). The Code aims to simplify, rationalize and consolidate the hitherto fragmented laws into one consolidated law which will be easier in terms of comprehension, implementation and enforcement. The Code requires all (active) workers to be registered under the Universal Registration system envisaged in the Code. The registration will be Aadhaar based and the registration protocols will be decided by the Central Board – for universal applicability and portability of registration. However, actual registration in the field will be performed by Local Bodies (i.e. Gram Panchayats / Municipal bodies), under supervision of the State Boards, in order to provide door-step services. In addition, the Code enables the State Boards to have PPP arrangements to provide facilitation centers for registration services. The Code also requires State Boards to conduct proactive surveys of workforce to facilitate registration. FAQs on the Code have been issued by the Ministry on March 6, 2018.



Projects, Energy and Natural Resources

Rs 1.48 Trillion Allocated For Development of Railways in the Union Budget 2018-19

The Finance Minister Mr. Arun Jaitley while announcing the Union Budget historically allocated Rs 1.48 Trillion towards railways for the fiscal year 2018-19. The Budget will be funded from various sources with the main focus on private investments. Most of this outlay will be spent on capacity expansion and major overhaul plan for the signalling systems and deployment of ETCS-II. With new world-class train sets being manufactured, dedicated freight corridors underway and electrification being taken up as a priority task, Indian Railways is expected to explore other avenues to raise funds.

Kolkata Port Trust signs a Concession Agreement for Setting-up a Liquid Cargo Terminal

The Kolkata Port Trust and M/s Hooghly Oil & Gas Terminal Pvt. Ltd on 15th February 2018 signed a concession agreement for setting up of a liquid cargo terminal in Shalukkhali in Haldia. The jetty will be set up on a public private partnership (PPP) mode with an investment of Rs 172.51 crore for handling LPG, LNG, POL products, edible oil and chemicals. The expected time of completion of the project would be 36 months.

Acquisition of RInfra by Adani transmissions approved by CCI

The deal for the acquisition of Reliance Infrastructure's Mumbai power business by the Adani Transmissions attained the approval of the Competition Commission of India on 12th February 2018. RInfra and Adani Transmission had signed a definitive binding agreement for 100 per cent stake sale of the integrated business of generation, transmission and distribution of power for Mumbai in December 2017 for the total consideration of Rs. 18,800 crore. RInfra will utilize the transaction proceeds to cut its debt of nearly Rs 29,000 crore, thereby becoming debt-free and accumulating up to Rs 3,000 crore cash surplus. The surplus amount would help the company realize its future plans to focus on defence manufacturing, engineering, procurement, and construction businesses.

Bidders shortlisted in the RFQ stage for Vizag Metro Rail

The Amaravati Metro Rail Corporation (AMRC) on 27th February 2018 announced the names of five shortlisted bidders for the 43km-long Vizag Metro Rail (VMR) project. The companies that have been selected in the RFQ which was the first round of bidding are Adani Enterprises Limited, TRIL Urban Transport Private Limited, Shapoorji Pallonji and Company Private Limited, Essel Infraprojects Ltd and IL&FS Rail Ltd that match the eligibility criteria to execute the Visakhapatnam Metro Rail Project as a Public Private Partnership. These short-listed bidders will soon receive a notification of Request for Proposal (RFP), which will be the final invitation to eligible private players for the Rs 8,800 crore project.

India's First Defence Corridor to come up between Chennai and Bengaluru

The Defence Minister announced that India's first Industrial Defence Corridor in Tamil Nadu will come up between Chennai and Bengaluru.

This is amongst the many measures to promote the domestic production by public sector, the private sector, and the MSMEs, leading to attain the objective of Make in India. The government has already opened private investment in the defence production including liberalizing in Foreign Direct Investment (FDI).



IP Updates

Madras High Court-No Copyright on Film Title

This is in relation to an appeal filed in the Madras High Court against a decision of Single Judge by M/s Lyca Productions (the “Appellant”) against J. Manimaran & Ors. (together the “Respondents”) wherein the Single Judge had granted an injunction against the Appellant granting copyright protection to the title of a film in favour of J. Manimaran, the Respondent No. 1.

The Respondent No. 1 claimed to be the holder of the title “KARU” for his movie. He submitted to the Court that he had registered the title “KARU” for his movie with the Film and Television Producers Guild of South India (“Guild”). However, it came to the knowledge of the Respondent No. 1 through hoardings and advertisements that a movie with a title “Lycavin Karu” directed by one Vijay is being produced. The Respondent No. 1 claimed that he has started the production of the movie “KARU” and has spent a lot of money in producing his movie. The Respondent No. 1 approached the Single Judge of Madras High Court seeking to restrain the Appellant from releasing its movie “Lycavin Karu” as it violates the copyright of the movie title of the Respondent No. 1, and the Single Judge granted injunction against the release of the movie of the Appellant. This Court has observed that the title “KARU” was registered in the name of M/s. Think Big Studios with M/s. Tamil Film Producer Council (“Council”), a society similar to the Guild, 6 years after the Respondent No. 1 registered the title with the Guild. It was submitted by the Appellant that they have modified the title of movie after obtaining no objection from M/s. Think Big Studios and registered the title of its film as “Lycavin Karu”. The Appellant also stated that the title of the movie of the Appellant is different from the title of the movie of the Respondent No. 1 and there is no similarity between the stories or plot of the movie as the Respondent No. 1’s movie is a thriller and the Appellant’s movie is based on a ghost story. This Court, while discussing the copyright infringement claim of the Appellant, has examined Sections 13, 14 and 16 of the Copyright Act, 1957 and noted that Section 13 and 14 provides protection to visual recordings, sound recordings etc. relating to a cinematography film, however, these sections do not extend protection to the commonly used words and further Section 13 makes it clear that there is no copyright in a title but it is the entire work which is protected by copyright. This Court also relied on the judgement passed by the Supreme Court in *Krishika Lulla and others Vs. Shyam Vithalrao Devkatta* and another, wherein the Supreme Court held that a title does not qualify for being described as work and it is incomplete in itself and refers to work that follows. In *Krishika Lulla and others Vs. Shyam*

Vithalrao Devkatta, the Supreme Court while considering the title “Desi Boyz” observed that the words “Desi” and “Boys” are very common in India and the combination of these words also has a commonly understood expression and therefore, the words were not protectable under applicable intellectual property laws. In the present case, the Court observed that there is no originality in adoption of the title “KARU” the meaning of which is “foetus” and figuratively “concept” and/or “theme”.

The Division Bench of the Court after observing the facts and various precedents vide its order dated 22nd February 2018 set aside the order of the Single Judge. The Court held that earlier registration to the Respondent no. 1 does not confer any right to exclusive use of the title. With respect to the Guild, the Division Bench noted that the Guild is not a registered copyright society under Section 33 of the Copyright Act and therefore is incompetent to administer any right in any work. As the Appellant is not a member of the Guild, the rules of the Guild will not bind the Appellant. Therefore, the Appellant had no contractual obligation to not produce a film with a title same or similar as the Respondent No. 1 as the rules of the Guild cannot be enforced against third parties who are not members of the Guild. If the Appellant was a member of the Guild, the Appellant may have been contractually bound by the internal rules and regulations of the Guild.

The Court observed that the Single Judge appeared to be swayed by the fact that the Appellant was a large production house unlike the Respondent No. 1 and stated that sympathy for a weaker party to litigation cannot outweigh the law pronounced by the court. The Court observed that the Judge ignored that the Appellant had also made huge investments and their movie was slated to be released the next day. The Division Bench accepted that a similar name may cause confusion in the minds of the viewers, but the release of both the films was not simultaneous as the Respondent No. 1’s movie has not been completed. The Division Bench held that in the absence of any statutory or contractual right, the Respondent No. 1 cannot injunct others from using a title and set aside the interim order of the Single Judge.



Delhi High Court's relief to WOODLAND

This relates to an ex-parte order passed by the Single Judge in the Delhi High Court in the matter filed by M/s. Aero Club (the "**Plaintiff**") against Mr. Sahibjeet & Anr (together the "**Defendants**") seeking a decree of injunction against the Defendants from selling counterfeit shoes bearing the Plaintiff's trademark "Woodland", "Tree Device" and "Woodland Label" (the "**Trademark**").

The Plaintiff manufactures, sells and exports footwear, apparel and lifestyle products such as belts, wallets, shoes, and shirts, T-shirts, etc. under the Trademark extensively and continuously for almost 25 years. The Plaintiff is the registered proprietor of the mark WOODLAND and the "Leaf device" used on the heel of the shoe and has filed applications for registration of the other marks which are currently pending before the Trade Marks Registry. The Plaintiff stated that the Tree Device and the Woodland Label are original artistic works within the meaning of Section 2(c) of the Copyright Act, 1957. The Plaintiff through an investigation became aware that a large number of counterfeit products bearing the Plaintiff's Trademarks were being sold in the markets of Delhi in the shop of the Defendant. The Plaintiff stated that the investigator who visited the shop of the Defendant purchased samples of shoes bearing the "WOODLAND" marks which were cheap and of substandard quality. The Plaintiff further stated that adoption and use of the Trademarks by the Defendants is likely to deceive customers into believing that the products are authentic products of the Plaintiff which constitutes infringement and passing off of the Plaintiff's trademark.

In the opinion of the Delhi High Court, the Defendants had no real prospect of defending the claim as they had not entered their appearance and filed their written statement or denied the documents of the Plaintiff. Therefore, the Court vide its order dated 5th February, 2018, granted relief to the Plaintiff.



Recent Events

Knowledge session on Insolvency and Bankruptcy Code, 2016 hosted by Clasis Law 8th March 2018, Mumbai

A roundtable talk was organised on March 8, 2018 at the Mumbai office of Clasis Law jointly with the Indo- French Chamber of Commerce. Mr. Mustafa Motiwala, Head of the Disputes Resolution practice made a presentation on the Insolvency and Bankruptcy Code, 2016 from the perspective of the provisions relating to issuing notices by operational creditors and filing petitions by financial and operational creditors and the process thereafter. The latest judgements and their implications were also discussed.

The event was well attended by members of the Indo-French Chamber of Commerce. A healthy discussion ensued after the presentation over tea.





Recent Events

Holi celebration 1st March 2018

Clasis Law members celebrated Holi with great fervour by spreading colours on each other and feasting on scrumptious snacks at both offices.



Spring is in the Air

Spring brings with it a number of important festivals that are of great cultural and religious significance not just to India but to many other countries globally. Amongst the most celebrated and beautiful festivals are:

Nowruz, Iran

In harmony with the rebirth of nature, Nowruz always begins on the first day of spring marked by the vernal equinox, or Tahvil. Of all the Persian national festivals, the New Year celebrations are at once the most important and the most colorful. This festival embodies a wealth of ancient rites and customs, and is about the only one in Persia which is not confined to the traditions of one particular religious group.



Holi, India

Amongst the major festivals of India, Holi is celebrated with great enthusiasm and fervour in the month of March. People use a variety of coloured powders, water guns and sprays, water balloons etc. to celebrate the festival that marks the arrival of spring, the season of hope while bidding goodbye to winters.

Tulip Festival, Canada

The Canadian Tulip Festival historically takes place in and around Ottawa every spring and is one of the world's largest tulip displays. The festival boasts of close to a million tulips in over a 100 varieties blooming in the National Capital. The festival's origins lie in Canada's role in both liberating the Netherlands and hosting members of the Dutch royal family during the Second World War.



The Bloom of Cherry Blossoms, Japan

After a meticulous forecast, when the blooms finally arrive, it is a time when people indulge in one of the nation's all-time favourite pastimes called hanami which refers to flower appreciation picnics under the blooms. The cherry blossoms, quite literally, symbolise new beginnings, with April 1 being the first day of both the financial and academic year in Japan. The cherry blossoms are not just beautiful pink flowers, they are the floral epitome of Japan's most deep-rooted cultural and philosophical beliefs.

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