



# Central Depository Services (India) Limited

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## COMMUNIQUÉ TO DEPOSITORY PARTICIPANTS

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CDSL/L&CS/DP/POLCY/2023/336

June 08, 2023

### AMENDMENT TO CDSL BYE LAWS

DPs are hereby informed that amendment has been carried out in CDSL Bye Laws with respect to market trade settlements and validation of non-pay in instructions pursuant to SEBI Circular dated September 19, 2022 and SEBI Master Circular dated February 5, 2021, respectively.

The said amendment to CDSL Bye Laws has been enclosed as “Annexure A” to this **communiqué**.

DPs are advised to note that the attached amendments will come into effect immediately.

Queries regarding this communiqué may be addressed to CDSL – (Legal) (022) 2305-8564. Emails may be sent to: [legalteam@cdslindia.com](mailto:legalteam@cdslindia.com)

Sd/-

**Nilay Shah**

**Group Company Secretary & Head Legal**

***Encl:A/a***

## ANNEXURE A

Clause	Existing provision	Amended provision
<b>CDSL Bye Laws</b>		
7.1.1.	<p>In respect of Market Trades, CDSL shall debit and/or credit the account of the Beneficial Owner and/or to <sup>161</sup><i>[such accounts as may be specified in the Operating Instructions for the Clearing Corporation/Settlement Procedures]</i> as the case may be, strictly in accordance with the advice issued by the Clearing Corporation on confirmation of payment.</p> <p><sup>161</sup> Amended vide SEBI letter no. MRD/VSS/RV/2665/2004 dated 09.02.2004</p>	<p>In respect of Market Trades, CDSL shall debit and/or credit the account of the Beneficial Owner and/or to <sup>161</sup><i>[such accounts as may be specified in the Operating Instructions for the Clearing Corporation/Settlement Procedures]</i> as the case may be, strictly in accordance with the advice issued by the Clearing Corporation on confirmation of payment.<sup>162</sup><b><i>[Prior to giving effect to an instruction received from a Beneficial Owner, CDSL shall validate the instruction details with obligations details received from the Clearing Corporation. The validation of such instructions shall be in accordance with the directions issued by SEBI from time to time or as per operation instructions of CDSL.]</i></b></p> <p><sup>161</sup> Amended vide SEBI letter no. MRD/VSS/RV/2665/2004 dated 09.02.2004</p> <p><sup>162</sup>Amended vide SEBI letter no. SEBI/HO/MRD/MRD-RAC 2/ P/ OW/ 2023/ 22866/1 dated 05.06.2023</p>
7.2.1	<p>In respect of Off Market Trades, CDSL shall debit and/or credit the account of the Beneficial Owner entitled to such credit or debit, as the case may be, after receipt of confirmation from the delivering Beneficial Owner and the receiving Beneficial Owner through their respective participants confirming the details of securities.<sup>163</sup></p>	<p>In respect of Off Market Trades, CDSL shall debit and/or credit the account of the Beneficial Owner entitled to such credit or debit, as the case may be, after receipt of confirmation from the delivering Beneficial Owner and the receiving Beneficial Owner through their respective participants confirming the details of securities.<sup>163</sup> <b><i>[The Depository Participants shall enter such instructions received by the Beneficial Owner in the depository system either on the same day or the next day of the instructions</i></b></p>

Clause	Existing provision	Amended provision
	<p><sup>163</sup>Amended vide SEBI's letter no. MRD/DP/PP-OW/19886/10 dated 15.09.2010, the words "and the receipt of payment in respect thereof" were deleted.</p>	<p><b><i>received.]</i></b><sup>164</sup></p> <p><sup>163</sup>Amended vide SEBI's letter no. MRD/DP/PP-OW/19886/10 dated 15.09.2010, the words "and the receipt of payment in respect thereof" were deleted.</p> <p><sup>164</sup>Amended vide SEBI's letter no. SEBI/HO/MRD/MRD-RAC-2/P/OW/2023/23417/1 dated 08.06. 2023</p>