### Volume 12 Issue 4





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Electronic access to Securities Information Electronic access to Securities Information and execution of Secured Transactions



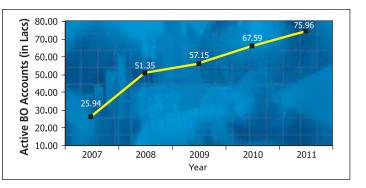
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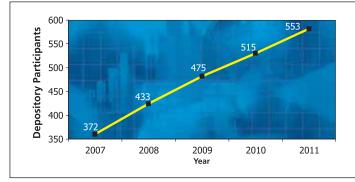


### **CDSL TODAY**

### **Beneficial Owners**

During the last 12 months, the number of active BO accounts with CDSL has increased from 67.59 lakh as on June 30, 2010 to 75.96 lakh as on June 30, 2011, which indicates growth of 12.38%.



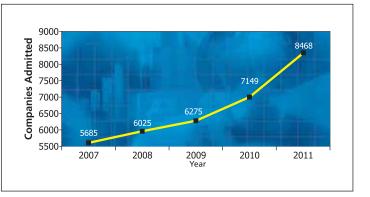


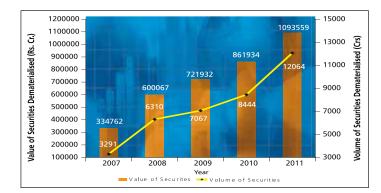
### **Depository Participants**

As on June 30, 2011, CDSL has 553 DPs offering DP services from over 10000 locations across the country. These DPs comprise of CMs, Banks, NBFCs, Custodians, Clearing Houses/ Corporations and Regional Stock Exchanges.

### **Companies Admitted**

The securities of almost all listed companies have been admitted with CDSL for demat. Further, a large number of Private Limited and unlisted companies are also admitted with CDSL. As on June 30, 2011, the securities of 8468 companies have been admitted for demat with CDSL.





### **Securities Dematerialised**

During the last 12 months, the volume of securities under custody has increased by 42.87% and the value of securities has increased by 26.87% respectively.



### WHAT's NEW ?

### GREEN INITIATIVE IN CORPORATE GOVERNANCE BY MCA

The Ministry of Corporate Affairs (MCA) has adopted a 'Green Initiative in Corporate Governance' by allowing corporates to comply in the paperless mode after taking into account various sections of the Information Technology Act, 2000.

MCA vide its circular no. 17/2011 dated 21.04.2011 has directed that a company is deemed to have complied with section 53 of The Companies Act, 1956 if documents/ notices have been serviced through electronic mode via email provided that an advance opportunity is given to its members to register their email ids and change the same whenever necessary. MCA has also directed vide its circular no.18/2011 dated 29.04.2011, that a company would have complied with section 219(1) of Companies Act, if it sends copy of balance sheet etc. by electronic mail to the registered email address of its members, subject to aforementioned conditions.

### INCREASED FILE SIZE FOR UPLOADS THROUGH EASIEST

CDSL's internet-based facility 'easiest' permits Beneficial Owners (BOs) / Clearing Members (CMs) to submit any type of transaction i.e. On-market, Off-market, Inter DP, Early payin etc. online, thus, obviating the need to visit the DP's office to submit Delivery Instruction Slips (DIS). The instruction can be submitted by entering a single transaction at a time or by uploading a batch file of transactions.

CDSL is pleased to announce that the existing limit of about 5000 records per upload file, with maximum acceptable file size of about 560 KB has now been increased, to about **20000 records** per file with a maximum acceptable file size of **2210 KB**. These enhanced limits in file size are available for all types of uploads.

### STATEMENT OF ACCOUNTS IN ELECTRONIC FORM

BOs can avail the receipt of the statement of accounts electronically if their DPs are providing such a service. BOs who wish to avail this facility are required to inform their respective DPs about their affirmation in writing either separately or as a part of the account opening form.

BOs should also provide the e-mail id on which the e-statement is to be sent. If a separate e-mail id is not

mentioned along with the declaration, then the e-statement will be sent to the sole / first holder's email id mentioned in the Account Opening Form.

### EXEMPTION FROM SENDING QUARTERLY STATEMENTS TO BOS WITH NO TRANSACTIONS AND BALANCE

CDSL via communiqué no. 2494 has exempted its DPs from sending quarterly statements to BOs where there are no balances so long as the following conditions are fulfilled:

- The BO is informed about the above discontinuation till the time there is a transaction or securities in such demat accounts.
- KYC and PAN requirements are complied.
- Annual Maintenance Charges are waived for such accounts.
- Any other information which is required to be sent to such BOs will be communicated separately.
- The internal auditor of the DP shall comment in its Internal Audit Report on compliance of the above requirements.

This would help DPs to retain BOs who are currently inactive, without incurring the cost of sending transaction statements.

#### CLARIFICATION REGARDING DROP BOX CENTRES

Over the last decade, the number of DPs with CDSL has increased to 553. These DPs service investors through over 10000 service centres located across India. There are some service centres where DPs have provided drop box facility for BOs to deliver documents, without having any personal interaction / contact and no acknowledgment is given for documents submitted. DPs are advised to note that the requirement of trained personnel will not be applicable to such drop box centres.

## CLARIFICATION ON PROOF OF BANK DETAILS TO BE OBTAINED BY BANK DP

Currently, a BO desiring to open a demat account with a Bank DP, has to also produce proof of Bank details along with the other documents to the DP, in spite of having a Bank account with that DP. CDSL has recently amended its Operating Instructions and a BO need not submit proof of Bank details, if the BO has relationship



with the Bank and provides the same account details in the demat account.

Bank DPs and BOs may take note of the same.

### PRECAUTIONS WHILE ACCEPTING DIS AND EXECUTING TRANSACTIONS

CDSL has incorporated certain changes in its Operating Instructions relating to precautions to be taken while accepting DIS and executing high value transactions as well as transactions in Dormant Accounts. Presently, a DIS having transactions with value more than Rs. 5 lakhs has to be verified by a senior official of the DP. As per the latest amendment, such DIS should be checked and countersigned by another employee of the DP as two step verification. Similarly, If a DIS is received from an account, which is dormant i.e. not operated for six months or more or any such period specified by CDSL from time to time, the DP should verify the same with the accountholder independently, before executing the instruction. The authorized official of the DP verifying such transaction with the accountholder shall record the details of the process, date, time, etc. of the verification on the instruction slip under his / her signature. Moreover, such DIS should be checked and countersigned by another employee of the DP as two step verification. DPs are advised to take note of the same.

### DOCUMENTS REQUIRED TO BE SUBMITTED BY THE INVESTOR WHILE OPENING AN ACCOUNT

With regard to the documents required to be submitted by the Investor while opening an HUF / Corporate / NRI / Clearing Member / Bank account and documents to be obtained for updation of change in address for Corporate/ Clearing Member / Bank account, CDSL has amended its Operating Instructions as under:

- In case of HUF accounts, the proof of identity documents will have to be obtained for the Karta. The address of the karta or the HUF entity may be updated on the system on collecting relevant documents.
- In case of Corporate account (domestic or foreign) / Clearing Member (CM) account / Bank account, DPs may accept a) Residence Telephone bills (Bill date not more than two months old) or b) Electricity bills (Bill date not more than two months old) as proof of address.
- In the case of an NRI A/c without repatriation, proof of Indian address need not be obtained.

### UPDATION OF CHANGE IN ADDRESS OF CORPORATE / CLEARING MEMBER / BANK DEMAT ACCOUNT

In order to update change in address of a demat account held in the name of a Corporate / Clearing Member / Bank, a request letter duly signed by authorized signatories, along with any of the below mentioned documents should be submitted to the DP:

- Proof of address evidenced by documents registered with registering authority
- Bank statement
- Agreement for sale or leave and license greement
- Acknowledged copy of Income Tax returns
- Telephone bills (Bill date not more than two months old)
- Electricity bills (Bill date not more than two months old)

### TRANSFER OF SECURITIES THAT ARE UNDER 'LOCK IN' OR 'INACTIVE'

In case of account closures due to shifting of accounts or transmission within same DP or from one CDSL DP to another, only free balances would be transferred. Securities under lock-in or inactive securities would not be transferred.

The process given below should be followed for transfer of such securities:

### In Case of Shifting of Account

- BOs should submit a copy of the Client Master Report [CMR], with stamp and signature of the DP where the new account is opened.
- DP shall verify if the account holder/s name/s, status and sub-status in the new account and existing account are same and in the same order.
- DP shall, then, send a request in a format prescribed by CDSL to the concerned Issuer / RTA along with self-attested copies of the CMR of the existing and the new account for execution of corporate action to effect the transfer of securities. A copy of the request letter should be forwarded to CDSL.
- Based on the request received from the DP, Issuer / RTA shall submit a Corporate Action Information Form in the prescribed format to CDSL.



 Issuers / RTAs shall submit a request letter for submission of corporate action file to CDSL after which the RTA shall debit the old account and credit the new account.

#### In Case of Transmission:

In case of transmission, DP shall verify all the documents necessary for transmission and forward the request to the concerned Issuer / RTA for execution of corporate action to effect the transfer. The subsequent procedure is the same as for shifting in account.

#### **NEW DPs ADMITTED**

DPID	DP NAME			
12071000	Latin Manharlal Securities Private Limited			
12071100	Ideal Stock Broking Private Limited			
12071200	KNA Share Brokers Private Limited			
12071300	A C Agarwal Share Brokers Private Limited			
12071400	MI Stock Broking Private Limited			
12071500	HDIL Securities Private Limited			
12071600	Prithvi Finmart Private Limited			
12071700	Arham Share Consultants Private Limited			
12071800	Korp Securities Limited			
12071900	Reliable Stocks and Shares (India) Limited			

#### CHANGE IN NAME OF DP

Subsequent to the merger of The Bank of Rajasthan Limited (BORL) into ICICI Bank Limited, the DP business of BORL under DPID (17600) has been transferred to ICICI Bank Ltd.

DPs and BOs are advised to note that SEBI has accorded its approval for the change in name of the following DP:

DPID OLD NAME		OLD NAME	NEW NAME	
	17600	The Bank of	ICICI Bank Limited	
		Rajasthan Limited		

### WITHDRAWAL OF DEPOSITORY PARTICIPANT OF CDSL

DPs and BOs are advised to note that following DPs have ceased to be Depository Participant of CDSL:

- Malti Securities Private Limited (MSPL) [DPID 12015700]
- Som Datt Securities Limited (SDSL) [DPID 12031200]
- The Royal Bank of Scotland N.V. [DPID 16017200]

BOs holding accounts with the aforementioned DP are advised to take necessary steps to transfer their securities to another account with a DP of their choice.

#### INVESTOR AWARENESS PROGRAMMES (IAPs)

During May - June 2011, CDSL conducted **26 IAPs** in various cities / towns across India in Association with BSE Investor Protection Fund, Dalal Street Investment Journal and leading newspapers such as Maharashtra Times, Loksatta, Sakaal, Deshdoot. DPs such as Reliance Securities Limited, IL&FS Securities Limited, FRR Shares and Securities Limited, Asit C Mehta Investment Interrmediates Limited, The Shamrao Vithal Co-operative Bank Limited and social welfare organisations such as Acharya Atre Katta etc. also participated in making these IAPs a grand success.

Some IAPs scheduled by CDSL in the month of July 2011 are as follows:

SR. NO.	DATE	CITY	IN ASSOCIATION WITH
1	02.07.2011	Vashi	BSE, Asit C Mehta Investment Interrmediates Limited and Sakaal
2	07.07.2011	Pune	BSE, Asit C Mehta Investment Interrmediates Limited and Maharashtra Times
3	09.07.2011	Thane	BSE, Asit C Mehta Investment Interrmediates Limited and Sakaal
4	16.07.2011	Dhule	BSE, SBI - Mutual Fund and Deshdoot



Mr. C S Thakur, Head-Investor Education, CDSL addressing the audience at an IAP conducted jointly with Maharastra Times on 20.05.2011 at Pune.



Mr. Ajit Manjure addressing the audience at an IAP conducted at Bhiwandi on 19.06.2011.



### **KNOWLEDGE CENTRE** e-Voting - Make Every Vote Count

### Q1. What is e-Voting?

**Ans.** Presently, holders of a security can vote on resolutions proposed by companies without being physically present at the meeting by sending their votes through post. e-Voting is a mechanism through which Companies can allow their security holders to cast their votes electronically any-where and at any-time during the period of voting using the system provided by CDSL.

## Q2. How does the Company use e-Voting for resolutions requiring Postal Ballot?

### Ans.

- 1. The company desiring to use the e-Voting system has to sign the agreement and accept the terms and conditions for usage of the e-Voting system with CDSL. The agreement is of a perpetual nature.
- After signing the agreement, the company will give a letter, authorizing its Registrar & Transfer Agents (RTA) to carry out all operations on behalf of the company with CDSL for activities pertaining to e-Voting.
- 3. User-ids and passwords having the maker and checker privileges would be generated and sent to the Company or the RTA.
- 4. The Company itself or through its Registrar and Transfer Agent [RTA] will setup the e-Voting schedule on the e-Voting website <u>www.evotingindia.com</u>, upload the resolutions on which voting is required and generate the Electronic Voting Sequence Number (EVSN).
- 5. The resolutions which are to be passed through Postal Ballot will have to be setup by the Company through its RTA. The company will provide to CDSL a letter giving the details of the same.
- 6. The company will provide the details of the Scrutinizer to CDSL. CDSL will then generate loginid for the Scrutinizer for each EVSN.

- 7. The company can then upload the Register of Members (RoM), which contains the details of the security holders holding the securities in physical and demat mode across both depositories, as on the record date in the specified format.
- 8. CDSL will generate the password for each security holder and print the same in a secured manner, for onward mailing to security holders.
- 9. The company will communicate the password (via pin mailer), EVSN and the procedure for e-Voting, along with the notice of the resolution to all the security holders.
- 10. The security holders should log on to <u>www.evotingindia.com</u> during the duration of the Postal Ballot and cast their votes for all the resolutions on the e-Voting System.
- 11. After the voting period is over, the e-Voting system will provide to the scrutinizer, security holder wise details of the voting done in a report along with a summary, for the records of the company.

### Q3. What are the benefits of the e-Voting System?

**Ans.** There are benefits to both categories of participants in the e-Voting System i.e. to Companies and Security holders.

### Benefits to Companies are as follows:

- Administrative costs associated with postal voting will be reduced as there will be no need for verification of signatures and counting of ballot votes. Also, costs associated with storing of physical ballot papers will be saved.
- 2. Counting of votes will be accurate.
- 3. The voting results can be declared immediately after the close of the voting.
- 4. Voting process is faster, transparent and cost efficient.
- 5. This will enable regulators to reduce the time provided for postal ballot.



### Benefits to security holders:

- 1. Ability to take part in the decision making process in the comfort of their homes or offices.
- 2. Can vote easily on any number of resolutions of any number of companies whose securities they hold and eligible to vote.
- 3. Ease of voting no pasting and posting.
- 4. Ample time to vote till the last day.
- 5. No scope for invalid votes.

### Q4. What is the legal framework under which e-Voting is permitted?

**Ans.** Currently, the Companies (Passing of the Resolution by Postal Ballot) Rules, 2001, defines the term "Postal Ballot" as voting by shareholders by postal or electronic mode instead of voting personally by presenting for transacting businesses in a general meeting of the company. Further, the MCA in its circular dated 2<sup>nd</sup> May 2011, has also recognised both the depositories as a system provider for electronic voting for Postal Ballot Resolutions.

### Q5. Does the e-Voting System facilitate voting for only demat account holders in CDSL?

- **Ans.** The e-Voting System facilitates voting in electronic mode for all holders in physical and demat mode as on the record date.
- Q6. Partial voting is permitted in Postal Ballot mechanism. Is the same available in the e-Voting system?
- **Ans.** Yes, a security holder can decide to vote only on some of the resolutions put to vote. The same can be done in e-Voting.

### Q7. Can an investor split the votes within a particular resolution?

**Ans.** Yes, however the company has to decide whether to permit security holders to vote for or against

within a resolution. If available, security holders are permitted to split votes for a resolution upto the total holding only.

# Q8. Can an investor vote partially through the online e-Voting system and partially through the postal ballot facility?

**Ans.** The investor has the option to vote either through the internet or through the postal ballots, on all the resolutions available for voting, but not both. The system will record the votes cast through either of the modes and disallow voting entry of physical votes or electronic voting for security holders.

# Q9. How will the votes be counted if some security holders vote through e-Voting and some vote though postal ballot?

**Ans.** The e-Voting system provides for entry of vote received through postal ballot by the Scrutinizer. The system would collate all the votes received physically and electronically in a consolidated Voting Report.

### Q10. How will the results be made available at the end of the voting period?

**Ans.** The Scrutinizer will be able to download a consolidated report, which includes votes cast by the investor electronically and votes received by the Scrutinizer though Postal Ballot which have been entered in the system. The Voting Report download page contains the instructions for downloading, saving and viewing the report.

### Q11. Is there any User Manual or information pertaining to this facility?

Ans. The manual for security holders to cast their vote on e-Voting and for Companies to set-up e-Voting is available on the website <u>http://www.evotingindia.com</u>. In case of any queries you may contact us on <u>helpdesk.evoting@cdslindia.com</u>.



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