



# Central Depository Services (India) Limited

Convenient ⊕ Dependable ⊕ Secure

## COMMUNIQUÉ TO DEPOSITORY PARTICIPANTS

CDSL/L&CS/DP/POLCY/2021/78

February 19, 2021

### AMENDMENT TO BYE LAWS

DPs are hereby informed that the following amendment has been carried out in CDSL Bye Laws and Annexure B to the Bye Laws (Agreement between CDSL and DP):

Clause	Existing provision	Amended provision
<b>CDSL Bye Laws</b>		
5.3.14.	<p>Subject to the provisions of any other law, every participant shall preserve for a period of five years, all original documents such as account opening <sup>89</sup>[document / form containing an acknowledgement of a beneficial owner of receipt of Rights and Obligations document,] dematerialisation request forms, rematerialisation request forms and instructions received from Beneficial Owners.</p> <p><sup>89</sup>Inserted vide SEBI's letter no. MRD/DP/OW/7090/2014 dated 06.03.2014.</p>	<p>Subject to the provisions of any other law, every participant shall preserve for a <sup>90</sup><b>minimum</b> period of <b>eight</b> years, all original documents <b>and records in accordance with the SEBI (Depositories and Participants) Regulations, 2018 (as amended from time to time), including</b> account opening forms, agreements with Beneficial Owners, <sup>91</sup>[document / form containing an acknowledgement of a beneficial owner of receipt of Rights and Obligations document,] dematerialisation request forms, rematerialisation request forms and instructions received from Beneficial Owners.</p> <p><sup>90</sup>Amended vide SEBI's letter no. MRD2DDAP/OW/2021/3695/1 dated 10.02.2021.</p> <p><sup>91</sup>Inserted vide SEBI's letter no. MRD/DP/OW/7090/2014 dated 06.03.2014.</p>
16.2.9.	<p>Subject to the provisions of any other law, the participant shall preserve records and documents for a minimum period of five years. <sup>188</sup>[Provided that the participant shall preserve and maintain the documents, both in physical and electronic form, copies of which have been taken by Central Bureau of Investigation, Police or any other enforcement agency during course of any investigation or enquiry conducted by them till the trial is completed.]</p>	<p>Subject to the provisions of any other law, the participant shall preserve records and documents for a <sup>190</sup>minimum period of <b>eight</b> years <b>in accordance with the SEBI (Depositories and Participants) Regulations, 2018 (as amended from time to time)</b>. <sup>191</sup>[Provided that the participant shall preserve and maintain <sup>192</sup><b>respective original forms of</b> documents, both in physical and electronic form, copies of which have been taken by Central Bureau of Investigation, Police or any other enforcement agency during course of any investigation or enquiry conducted by them, till the trial is completed.]</p> <p><sup>190</sup>Amended vide SEBI's letter no. MRD2DDAP/OW/2021/3695/1 dated 10.02.2021.</p>



# Central Depository Services (India) Limited

Convenient ⊕ Dependable ⊕ Secure

## COMMUNIQUÉ TO DEPOSITORY PARTICIPANTS

Clause	Existing provision	Amended provision
	<sup>188</sup> Inserted vide SEBI letter no. MRD/CDSL/VM/60542/06 dated 17.02.2006	<sup>191</sup> Inserted vide SEBI letter no. MRD/CDSL/VM/60542/06 dated 17.02.2006 <sup>192</sup> Amended vide SEBI's letter no. MRD2DDAP/OW/2021/3695/1 dated 10.02.2021.
<b>Annexure B to CDSL Bye Laws (Agreement between CDSL and DP)</b>		
8.1.7.	The Participant shall preserve for a minimum period of five years, all original documents such as account opening forms, agreements with beneficial owners and instructions received from beneficial owners, as also copies of dematerialization request forms and rematerialization request forms.	<sup>10</sup> <b>[Subject to the provisions of any other law,</b> the Participant shall preserve for a minimum period of <b>eight</b> years, all original documents <b>and records in accordance with the SEBI (Depositories and Participants) Regulations, 2018 (as amended from time to time), including</b> account opening forms, agreements with beneficial owners and instructions received from beneficial owners, as also copies of dematerialization request forms and rematerialization request forms.  <sup>10</sup> Amended vide SEBI's letter no. MRD2DDAP/OW/2021/3695/1 dated 10.02.2021.

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

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

**Amita Paunikar**  
VP-Legal & Company Secretary