

# Info Capsule

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THE INSTITUTE OF  
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भारतीय कम्पनी सचिव संस्थान

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## 1. **SECURITIES AND EXCHANGE BOARD OF INDIA (ISSUE OF CAPITAL AND DISCLOSURE REQUIREMENTS) (SIXTH AMENDMENT) REGULATIONS, 2019 (Dated 26<sup>th</sup> December, 2019) ( No. SEBI/LAD-NRO/GN/2019/47)**

SEBI issued the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) (Sixth Amendment) Regulations, 2019 in exercise of the powers conferred under section 30 of the Securities and Exchange Board of India Act, 1992 (15 of 1992) to further amend the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018.

These regulations shall be applicable to the draft letter of offer, letter of offer and abridged letter of offer filed on or after the date of coming into force of these regulations.

In the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018 –

- I. In regulation 70, after sub-regulation (6), the following sub-regulation shall be inserted, namely,-  
“(7) In the letter of offer and the abridged letter of offer, the issuer shall disclose the process of credit of rights entitlements in the demat account and renunciation thereof.”
- II. Regulation 76 shall be substituted by the following regulation, namely,-  
“**ASBA.**  
**76.** An applicant to the rights issue shall do so only through the ASBA facility, which facility shall be provided by the issuer in the manner specified by the Board: Provided that payment through any other electronic banking mode shall be permitted in respect of an application made for any reserved portion outside the issue period.”
- III. After regulation 77 and before regulation 78, the following regulation shall be inserted, namely,-  
“**Credit of rights entitlements and allotment of specified securities.**  
**77A.** (1) The rights entitlements shall be credited to the demat account of the shareholders before the date of opening of the issue. (2) Allotment of specified securities shall be made in the dematerialised form only.”
- IV. In regulation 84, -
  - A. the word “three” shall be substituted by the word “two”;
  - B. after the words “is situated” and before the words and symbol “, at least”, the words and symbol, “and also give an intimation to the stock exchanges for dissemination on their websites” shall be inserted.
- V. In regulation 87, after the words “thirty days” and before the symbol “.”, the words “and no withdrawal of application shall be permitted after the issue closing date” shall be inserted.

- VI. In regulation 88, the following second proviso shall be inserted, namely,-  
“Provided further that payment of balance money in calls, outside the issue period, may be through electronic banking modes.”
- VII. In Schedule V, in Form A, in the paragraph beginning with the words and symbol “We confirm that:”,-  
A. clause (10) shall be omitted and existing clauses (11), (12) and (13) shall be re-numbered as clauses (10), (11) and (12) respectively;  
B. after clause (12) so re-numbered, the symbols and words “[\*The option to receive physical security certificates in a rights issue shall be available only for a period of six months from the date of coming into force of these regulations.]” shall be omitted.
- VIII. In Schedule VI, in Part B, in clause (5), -  
A. in sub-clause (XVIII),-  
i. in item (1), the words and symbol “issue of certificates/demat credit” shall be substituted by the words “demat credit of securities”;  
ii. in item (2), -  
a. in sub-item (b), para 2. shall be omitted;  
b. in sub-item (e), the words “paid along with application, and particulars of cheque, etc. to be drawn in favour of the issuer’s account” shall be substituted by the words “blocked with SCSB for using ASBA facility”;  
c. in sub-item (f), the words “and shall not utilise the application form for any purpose including renunciation even if it is received subsequently” shall be omitted.  
iii. in item (5),-  
a. the word and symbol “/ refunds” shall be substituted by the words and symbols “/ un-blocking of ASBA/ refunds”;  
b. the word “refund” shall be substituted by the words and symbol “un-blocking of ASBA/refund”  
iv. in item (6), in para c), existing sub-paras (i), (ii) and (iii) shall be re-numbered as sub-paras (ii), (iii) and (iv) and before the sub-para (ii) so re-numbered, the following sub-para shall be inserted, namely,-  
“(i) Unblocking amounts blocked using ASBA facility”
- B. in sub-clause (XIX), in item (f), the words “and to consider them similar to non-ASBA applications while finalizing the basis of allotment” shall be omitted;
- C. in sub-clause (XXIII), item (A) shall be substituted by the following item, namely,-  
“(A) Allotment of specified securities shall be in the dematerialised form.”

The amendment regulation is available at: [https://www.sebi.gov.in/legal/regulations/dec-2019/sebi-issue-of-capital-and-disclosure-requirements-sixth-amendment-regulations-2019\\_45512.html](https://www.sebi.gov.in/legal/regulations/dec-2019/sebi-issue-of-capital-and-disclosure-requirements-sixth-amendment-regulations-2019_45512.html)

**2. SECURITIES AND EXCHANGE BOARD OF INDIA (LISTING OBLIGATIONS AND DISCLOSURE REQUIREMENTS) (FIFTH AMENDMENT) REGULATIONS, 2019 (Dated 26<sup>th</sup> December, 2019) (No. SEBI/LAD-NRO/GN/2019/45 )**

SEBI issued the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) (Fifth Amendment) Regulations, 2019 in exercise of the powers conferred by section 11, sub-section (2) of section 11A and section 30 of the Securities and Exchange Board of India Act, 1992 (15 of 1992) read with section 31 of the Securities Contracts (Regulation) Act, 1956 (42 of 1956) to further amend the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015.

In the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015, -

- I. in regulation 34,-
  - i. in sub-regulation (2), in clause (f), for the words “five hundred” appearing after the word “top” and before the word “listed”, the words “one thousand” shall be substituted.
  - ii. in sub-regulation (2), in clause (f), for the words “five hundred” appearing after the word “top” and before the word “listed”, the words “one thousand” shall be substituted.
- II. in regulation 42, in sub-regulation (2), the following proviso shall be inserted, namely,-  
“Provided that in the case of rights issues, the listed entity shall give notice in advance of atleast three working days (excluding the date of intimation and the record date).”

The amendment regulation is available at: [https://www.sebi.gov.in/legal/regulations/dec-2019/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-fifth-amendment-regulations-2019\\_45511.html](https://www.sebi.gov.in/legal/regulations/dec-2019/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-fifth-amendment-regulations-2019_45511.html)