

KOGTA FINANCIAL (INDIA) LIMITED

DOCUMENT RETENTION POLICY

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1. Introduction to the company

Kogta Financial (I) Ltd (hereinafter referred as ‘the company’) is a Non-Banking Financial Company (‘NBFC’) having valid Certificate of Registration with Reserve Bank of India (‘RBI’) vide registration no. B.10.00086 dated December 08, 1998 under current RBI classification as Asset Finance Company – Non Deposit taking (‘AFC-ND’).

2. About the Policy

The purpose of this Policy is to ensure that necessary records and documents of the company are adequately protected and maintained. This Policy contains guidelines for identifying documents that need to be maintained, the period of retention of such documents and the authorized person/department responsible to maintain documents. This Policy aims to provide efficient and systematic control on the periodicity of maintenance of documents. This Policy applies to all departments and business functions of the Company. It not only covers the various aspects on preservation of the documents, but also beneficial for the safe disposal/destruction of the documents and keeping a record of the same.

3. Definitions

- **“Act”** means the Companies Act, 2013, Rules framed thereunder and any amendments thereto.
- **“Applicable Law”** means any law, rules, circulars, guidelines or standards under which the preservation of the Documents has been prescribed.
- **“Board”** means the Board of directors of the Company or its Committee.
- **“Authorised Person”** means any person duly authorised by the Board.
- **“Books of Account”** as per Section 2(13) of the Companies Act 2013 includes records maintained in respect of—
 - (i) all sums of money received and expended by a company and matters in relation to which the receipts and expenditure take place;
 - (ii) all sales and purchases of goods and services by the company;
 - (iii) the assets and liabilities of the company; and
 - (iv) the items of cost as may be prescribed under section 148 in the case of a company which belongs to any class of companies specified under that section;
- **“Document”** as per section 2(36) of the Companies Act 2013 includes papers, notes, agreements, notices, agenda, circulars, advertisements, declarations, forms, minutes, registers, correspondences, challan or any other record required under or in order to

comply with the requirements of any applicable law, whether issued, sent, received or kept in pursuance of the Act or under any other law for the time being in force or otherwise, maintained on paper or in electronic form.

- **“Electronic Form”** means any contemporaneous electronic device such as computer, laptop, compact disc, floppy disc, space on electronic cloud, or any other form of storage and retrieval device, considered feasible, whether the same is in possession or control of the Company or otherwise the Company has control over access to it.
- **“Electronic Record(s)”** means the electronic record as defined under clause (t) of sub-section (1) of section 2 of the Information Technology Act, 2000.

The words and phrases used in this Policy and not defined here shall derive their meaning from the Applicable Law.

4. Roles and Responsibilities

All records in physical form are to be maintained by the respective department(s) at centralized locations; corporate and registered office. Electronic version(s) of records are to be maintained within the company’s centralized electronic record software database, which is maintained by the IT Department.

The respective Functional/ Departmental heads of the Company shall be responsible for maintenance and retention of documents in respect of the areas of operations falling under the charge of each of them, in terms of this Policy

5. Authenticity

Where a document is being maintained both in physical electronic form, the authenticity with reference to the physical form should be considered for every purpose.

6. Document Preservation Schedule

Records Under the Companies Act, 2013

The Company shall maintain all records as per the Companies Act, 2013 for not less than 8 (Eight) years from the end of the relevant financial year which are not of permanent nature.

Records under Direct Tax

Tax records includes, but are not limited to Documents concerning tax assessment, tax filings, tax returns, proof of deductions, appeal preferred against any claim made by the relevant tax Authorities. Tax Records shall be maintained for a period of 8 or for a period of

8 (Eight) Years after a final Order has been received with respect to any matter which was preferred for Appeal, as the case may be.

Records under Indirect Tax

Books and records should be maintained for 6 years from the last date of filing of the annual return (31st December) for that year.

Records under The Prevention of Money Laundering (Amendment) Act, 2009 (PMLA, 2009).

In terms of Sub-Section 2(a) of Section 12 of The Prevention of Money Laundering (Amendment) Act, 2009 (PMLA, 2009), the records referred to in clause (a) of Sub-Section (1) of Section 12 shall be maintained for a period of ten years from the date of transaction between the clients and the banking company, financial institution and intermediary and in terms of Sub-Section 2(b) of Section 12 of the Act *ibid*, the records referred to in clause (c) of Sub-Section (1) of Section 12 shall be maintained for a period of ten years from the date of cessation of transaction between the clients and the banking company, financial institution and intermediary.

Records under RBI directions of DNBS(PD). CC 164/03.10.042/ 2009- 10 dated November 13, 2009

Records pertaining to the identification of the customer and his address (e.g. copies of documents like passports, identity cards, driving licenses, PAN card, utility bills etc.) obtained while opening the account and during the course of business relationship, would continue to be preserved for at least ten years after the business relationship is ended

7. Disposal of Documents

Documents, which are not in the nature of permanent retention shall be destroyed after the relevant or prescribed period by the Authorized Person in whose custody the Documents are stored after the prior approval of the CFO or Company Secretary of the Company. Electronic documents shall be removed after the expiry of prescribed retention period from all identified electronic repositories.

A register of the Documents disposed/ destroyed shall also be maintained. It shall state the brief particulars of the Documents destroyed, date of disposal/destruction and the mode of destruction. The entries in the register shall be authenticated by the Authorized Person.

8. Review

The policy will be reviewed be at yearly intervals or as and when considered necessary by the board.

9. Interpretation

Notwithstanding anything contained in this policy, the Company shall ensure compliance with any additional requirements as may be prescribed under any laws/regulations either existing or arising out of any amendment to such laws/regulations or otherwise and applicable to the Company from time to time.

ANNEXURE I (Indicative Schedule)

Document Category	Document Type	Retention Period
Secretarial Records	Memorandum and Articles of Association	Permanent
Secretarial Records	Certificate of Incorporation	Permanent
Secretarial Records	Minute Books, Shareholder's, Board & Committee Minutes	Permanent
Secretarial Records	Register and Index of Members	Permanent
Secretarial Records	Corporate Filings with Ministry of Corporate Affairs & Other Regulators	Permanent
Secretarial Records	Resolutions passed by circulation	8 Years
Secretarial Records	Attendance Register - Board and Committee Meetings	8 Years
Secretarial Records	Register of investments in securities not held in the name of the Company	Permanent
Secretarial Records	Register of renewed and duplicate certificates	Permanent
Secretarial Records	Register of contracts in which Directors are interested	Permanent
Secretarial Records	Register of Directors, Managing Director, Manager and Secretary	Permanent
Secretarial Records	Register of Directors' Shareholding	Permanent
Secretarial Records	Register of Inter-corporate loans and investments	Permanent
Secretarial Records	Register of transfer/transmission of shares	Permanent
Secretarial Records	Register of Charges	Permanent
Secretarial Records	Notices pertaining to disclosure of Interest by the Directors	8 Years
Secretarial Records	Notice and Agenda of the Board and Committee Meetings	8 Years
Secretarial Records	Register and Index of Debenture Holders	15 Years
Secretarial Records	Engagement letters from Auditors	8 Years
Secretarial Records	RBI Returns and communications	8 Years
(Miscellaneous)	Executed copies of contracts/agreements entered by the Company	5 years after termination
(Miscellaneous)	Protected Disclosures as mentioned in Whistle Blower and Vigil Mechanism Policy	7 Years

(Miscellaneous)	All Documents containing Intellectual Property Rights	Permanent
(Miscellaneous)	Register of the Documents disposed/ destroyed	Permanent

Responsibility: Compliance Department

Accounting Records	Interim/Annual Financial Statements and Audit Report	Permanent
Accounting Records	Bank Statements, Reconciliations & Deposit Slips	8 Years
Accounting Records	Books of accounts along with vouchers, records and papers	8 Years
Accounting Records	General Ledger	Permanent
Accounting Records	Investment Records	8 Years from the Date of Redemption

Responsibility: Accounting department

Customer Records	Loan Files and related documents	10 Years
Customer Records	KYC of customers	10 years

Responsibility: Operation department

HR Records	Employee Personnel Records	5 years after employment ends
HR Records	Payroll Registers	3 years after termination of service of employment
HR Records	Attendance records, application forms, job or promotion records, performance evaluations, termination papers, enquiry related papers	3 years after termination of service of employment
HR Records	Group Insurance Plans – Active Employees	8 years
HR Records	Retirement and pension records	Permanent

Responsibility: HR department

Insurance Records	Property, D&O, Workers' Compensation and General Liability Insurance Policies	Permanent
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Insurance Records	Insurance Policies for the Company	Permanent
Insurance Records	Insurance Claims Records	Permanent

Responsibility: Insurance department

Legal	Case file of all legal actions against clients	Permanent
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Responsibility: Legal department

Management	Strategic Plans	5 Years
Management	Disaster Recovery Plan	5 Years
Management	Policies, Charters, Procedures, Manual, Budgets & Vision Documents	Permanent
Properties	Property deeds and purchase/sale agreements	Permanent
Properties	Property Tax Receipts	Permanent
Properties	Trademarks, Copyrights and Patents	Permanent

Responsibility: Finance department

Taxation	Tax exemption documents & communications	Permanent
Taxation	IT Ruling/ Case Laws	Permanent
Taxation	Excise Returns, Income Tax Returns, Sales Tax/ VAT Returns, Service Tax Return, GST Return	8 Years
Taxation	Documents, Challans and other details/correspondence related to Excise, Income Tax, Sales Tax/ VAT, Service tax	8 Years

Responsibility: Taxation department

ANNEXURE II

The format of the register of Documents disposed/destroyed

Particulars of document along with provision of applicable law	Particulars of document along with provision of applicable law	Particulars of document along with provision of applicable law
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