

KOGTA FINANCIAL (INDIA) LIMITED

DOCUMENT PRESERVATION POLICY
Extract of Policy on Compliance Function

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Policy Owner: Chief Compliance Officer		
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ANNEXURE – IV DOCUMENT PRESERVATION POLICY

1. Regulatory Requirement

This policy on Document Preservation Policy (“Policy”) of the Company is framed considering the requirements as prescribed under the Companies Act, 2013 (“Act”) read with the Rules made there under and the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015, as amended from time to time (“SEBI LODR”) and circulars /guidelines /master directions issued by Reserve Bank of India (RBI) and other applicable laws/guidelines/circulars, wherever applicable (hereinafter referred to as “Applicable Law”).

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.

Thus, this Policy is framed with an objective of classifying records, registers, returns etc. for the purpose of such maintenance and preservation as prescribed under Applicable Law.

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.
- **“Authorized Person”** means any person duly authorized by the Board.
- **“Books of Account”** as per Section 2(13) of the Act 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 Act and also 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.

- **“Preservation”** means to keep in good order and to prevent from being altered, damaged or destroyed.

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 and preserved by the respective department(s) at centralized Locations i.e. corporate or registered office. Electronic version(s) of records are to be maintained within the company's centralized electronic record software database, as per IT Policy of the Company.

The respective Functional/ Departmental heads of the Company shall be responsible for maintenance and preservation of documents in respect of the areas of functions/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 form and electronic form, the authenticity with reference to the physical form should be considered for every purpose.

6. Document Preservation Schedule

- I. The Documents shall be preserved under following categories:
 - a) Documents whose preservation shall be permanent in nature.
 - b) Documents with preservation period of not less than eight (8) years after completion of the relevant transactions.
 - c) Documents with preservation period specified by statutory authorities under Applicable Law.
- II. The Company may keep documents specified in clause 7(I) in electronic mode as may be permitted by Applicable Law.
- III. Documents whose preservation shall be permanent in nature.

The documents of a permanent nature (listed in Appendix - 1) which shall be maintained and preserved permanently by the Company subject to the modifications, amendments, additions, deletions or any changes made therein from time to time.

Provided that all such modifications, amendments, additions, deletions in the documents shall also be preserved permanently by the Company.

- IV. Documents with preservation period of not less than eight (8) years after completion of the relevant transactions

The documents to be maintained and preserved for a specified time period after completion of the relevant transactions (listed in Appendix - 2) which shall be preserved by the Company for the term not less than eight years after completion of the relevant transactions subject to the modifications, amendments, additions, deletions or any changes made therein from time to time.

Provided that all such modifications, amendments, additions or deletions in the documents shall also be preserved for a term not less than eight years.

V. Documents with preservation period specified by statutory authorities under Applicable Law:

- a) Information in Website: Disclosures made by the Company to the stock exchanges shall be hosted on the website of the Company for a minimum period of five (5) years under SEBI LODR. Upon completion of five (5) years period such disclosures could be removed from the website of the Company under this Policy of the Company.
- b) Specified Orders: Notwithstanding anything contained in this Policy, if a higher period of retention of documents is stated in any Act / Statute or prescribed by Statutory Authorities in the form of orders, direction or otherwise, such higher period becomes applicable.

7. General exception to preservation schedule

If there are reasons to believe, or the Company informs the employee concerned, that Company records are relevant for potential litigation (i.e., a dispute that could result in litigation), then the employee must preserve those records until the Legal or Respective Department determines that the records are no longer needed.

8. Disposal of Documents

Documents which are not in the nature of permanent retention shall be destroyed, in accordance to the document disposal procedure of the Company, after the expiration of the relevant or prescribed preservation period under Applicable Law, by the Functional Head / Department Head in whose custody the Documents are stored after the prior approval of the Chief Financial Officer 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 Functional Head / Department Head.

Process for File Destruction of Rejected/Cancelled Loan Cases

All rejected loan files or cancelled loan files to be dealt as under:

- A. Physical loan files to be kept under branch custody for a period of maximum sixty days from rejection/cancellation date.
- B. Necessary clause to be incorporated in Loan Application Form confirming that all documents kept in rejected/cancelled loan files shall be automatically destroyed by Company after a period of sixty days from loan rejection/cancellation. Documents once submitted to Company shall not be returned to customer in case of loan rejection/cancellation.

Note: Original property papers, if obtained from customer, to be mandatorily returned to customer within 7 working days from rejection/cancellation of loan application with necessary acknowledgement in place.

- C. After a lapse of period of sixty days, documents shall be jointly destroyed by Branch Operations Executive (Vehicle Team) and Branch Credit Manager (MSME Team) by keeping a record of files destroyed by them.
- D. It is suggested to fix 05th day of month as common date every month to carry out this activity, if require. Every branch to send its list of destroyed files to Regional Operations Manager who shall collate the same and send collated list to all concerned stakeholders.

Process for Destruction of PDCs: -

Unbanked PDCs/UDCs of customers shall be destroyed by CMS Department within sixty days of NOC given for cleared loan cases.

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.

APPENDIX - 1

Documents whose preservation shall be permanent in nature

Sr. No.	Documents
1	Incorporation Documents along with Memorandum Association and Articles of the Company
2	Minutes of Shareholder's, Board & Committee meetings, resolutions passed by Circulation
3	Register and Index of Members
4	Forms and returns filed with the Registrar of Companies, Ministry of Corporate Affairs, SEBI, Stock Exchange(s) or any other regulatory authority.
5	Books and Papers of Amalgamated Companies [Section 239]. Minutes of all Meetings of the transferor Company, as handed over to the transferee Company
6	Register of investments in securities not held in the name of the Company
7	Register of certificates renewed and duplicate
8	Register of contracts in which Directors are interested
9	Register of Directors, Managing Director, Manager and KMPs
10	Register of Directors' Shareholding
11	Register of Inter-corporate loans and Investments
12	Register of transfer/transmission of shares
13	Register of Charges
14	Record of Private Placement (PAS-5)
15	RBI Returns, acknowledgements and communications
16	All Documents containing Intellectual Property Rights, Trademarks, Copyrights and Patents
17	Register of the Documents disposed/ destroyed
18	Interim/Annual Financial Statements and Audit Report
19	Policies, Charters, Procedures and Manuals
20	Property deeds and purchase / sale Agreements and Property Tax Receipts
21	D&O, Workers' Compensation and General Liability Insurance Policies
22	Records related to Court Cases / Police Cases/ Civil Suits/ Labour Court Cases/ Arbitration Cases
23	Register of Power of attorneys
24	Tax exemption documents
25	Registration Certificates from statutory bodies
26	IT Ruling/ Case Laws/Tax Orders/ Notices
27	Other statutory registers and documents maintained by the Company under various laws applicable to the Company or as prescribed by the Board of Directors from time to time.

APPENDIX - 2

Documents with preservation period of not less than eight years or any lesser period as specified in applicable laws after completion of relevant transaction

Sr. No.	Document Type
1	Attendance Registers of meetings, Register of Proxies
2	Annual Return, report and copies of all certificates and documents required to be annexed thereto
3	Details / statement of unclaimed dividend
4	Disclosures – SEBI (Prohibition of Insider Trading) Regulations, 2015
5	Notices pertaining to disclosure of Interest by the Directors

Sr. No.	Document Type
6	Notice, Agenda and other related papers of the Meetings of Board, Committees & Shareholders.
7	Engagement letters from Auditors
8	Records on CSR Projects (including amount budgeted, spent and balance if any), projects undertaken and progress thereon
9	Protected Disclosures as mentioned in Whistle Blower and Vigil Mechanism Policy
10	Records and documents required for the purpose of maintenance of proper books of accounts and forms the basis of preparation of financial statements & any other information therein like Bank Statements, Bank Reconciliations, Vouchers etc.
11	Tax Returns and Computation details i.e. Excise Returns, Income Tax Returns, Sales Tax/ VAT Returns, Service Tax Return, GST Return
12	Documents, Challans and other details/correspondence related to Excise, Income Tax, Sales Tax/ VAT, Service tax
13	Loan Files, KYCs and related documents
14	Copy of Agreements and documents related to vendor / service provider agreements
15	Sanction letters, Copy of agreements and other Documents related to borrowing
16	Litigation Files
17	Register and Index of Debenture Holders
18	Executed copies of contracts/ agreements entered by the Company
19	Instrument creating Charge or Modification thereof
20	Insurance Policies for the Company and Insurance Claims Records
21	Case file of all legal actions against customer
22	Disaster Recovery Plan
23	Employee Personnel Records and Payroll Registers
24	Attendance records, application forms, job or promotion records, performance evaluations, termination papers, enquiry related papers
25	Other statutory registers and documents maintained by the Company under various laws applicable to the Company or as prescribed by the Board of Directors from time to time.