

**POLICY ON PRESERVATION OF DOCUMENTS**

**[In Accordance with regulation 9 of SEBI (Listing Obligations and Disclosure Requirement), 2015]**

**[w.e.f from December 23, 2022]**

## **1. PREAMBLE**

The Securities and Exchange Board of India (“the SEBI”) has issued notified SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“SEBI (LODR) Regulations”) vide notification no. SEBI/LAD/NRO/GN/2015- 16/013, dated 2nd September, 2015, which was effective from 2nd December, 2015 (90 days from the publication in official gazette. As per Regulation 9 of SEBI (LODR) Regulations, every listed entity to have a policy on Preservation of Documents/records maintained by the entity either in Physical Mode or Electronic Mode.

The Companies Act, 2013 (“Act”) and the Rules (“Rules”) framed under the Act contain provisions for maintenance of various documents including registers and records by the Companies; the place at which such documents are to be maintained and the period for preserving such documents.

## **2. SCOPE**

This policy shall govern the maintenance and preservation of documents by our Company as per applicable statutory and regulatory requirements.

## **3. OBJECTIVES OF THE POLICY**

The main objective of this policy is to ensure that all the statutory documents/records are preserved in compliance with the Regulations and as per Policy framed in compliance with the Regulations so as to ensure that the documents/records are available in good order and to prevent from being altered, damaged or destroyed and also readily available as and when required by the Company to meet its legal obligation. Some documents/records no longer needed, those are discarded after following the due process for discarding such documents/records.

The major objectives of the policy are:

- a) Identification of statutory registers and other records of the Company which are required to be preserved.
- b) Identification and categorization of the statutory registers and other records to be maintained either for eight years or permanently.
- c) Decide whether the statutory records and documents are to be preserved in physical form or in electronic form.
- d) After completion of 8 years, for the statutory records and documents which are to be preserved for 8 years, which are to be disposed off as per the guidelines of this Policy or as decided by the Board of Directors at that time.

- e) To provide support to employees of the Company in understanding their obligations in retaining and preserving the documents and records.

#### **4. DEFINITIONS**

1. **“Act”** means the Companies Act , 2013, Rules framed thereunder and any amendments thereto from time to time;
2. **"Board of Directors"** or **"Board"**, means the collective Board of Directors of the company;
3. **“Company”, “This Company”, “The Company”, “Company”** wherever occur in the policy shall mean “Landmark Cars Limited”.
4. **“Current ”** means running matter or whatever is at present in course of passage.
5. **“Documents”** refers to papers, records, files, tapes, notes, agreements, notices, agenda, circulars, advertisements, declarations, forms, minutes, registers, correspondences challans, CDs, DVDs, electronic storage devices, audio/video recordings 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.
6. **“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.
7. **“Maintenance”** means keeping Documents/records, either in Physical or in Electronic Form.
8. **“Policy”** or **“This Policy”** means, “Policy on Preservation of Documents.”
9. **“Preservation”** means to keep in good order and to prevent from being altered, damaged or destroyed.

10. “**Regulations**” means Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 and any amendments thereto;

## **5. INTERPRETATION**

Terms that have not been defined in this Policy shall have the same meaning assigned to them in the Companies Act, 2013 and Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015.

## **6. GUIDELINES**

As per Regulation 9 of SEBI (LODR) Regulations, every listed entity shall have a policy for preservation of documents, approved by its Board of Directors, classifying them in at least two categories as follows –

- a. Documents whose preservation shall be permanent in nature;
- b. Documents with preservation period of not less than eight years after completion of the relevant transactions.

Accordingly, the company has by way of this policy provided following criteria for preservation of documents:

- a) Documents that needs to be preserved and retained permanently;
- b) Documents that need to be preserved and retained for a period of 8 years as specified under the Companies Act, 2013 or SEBI (LODR) Regulations.
- c) Documents that need to be preserved and retained for such period as prescribed under any statute or regulation as applicable to the Company.
- d) Where there is no such requirement as per applicable law, then for such period as the documents pertains to a specific matter, Board of Directors of the Company decided upon presentation of proposal by such departmental head.

An indicative list of the Documents and the time-frame of their preservation is provided in **Annexure- I**.

## **7. MODES OF PRESERVATION**

The Documents may be preserved in

- a) Physical form; or
- b) Electronic Form.

The officials/Departmental heads of the Company are responsible to preserve the documents and records who are generally expected to observe the compliance of statutory requirements as per applicable law.

The preservation of documents should be such as to ensure that there is no tampering, alteration, destruction or anything which endangers the content, authenticity, utility or accessibility of the documents and readily available as and when required by the Company.

If a law suit or any other proceeding involving the Company is pending or reasonable foreseeable, the documents relevant to such litigation or proceeding shall be retained and preserved as per the directions of the Court, Tribunal or Adjudicating Authorities. All retention periods under the policy shall be suspended with respect to such documents.

The preserved documents must be accessible at all reasonable times. Access may be controlled by the concerned Authorised Person who is responsible for preservation, so as to ensure integrity of the documents and prohibit unauthorized access and unauthorized usage of such documents.

## **8. RESPONSIBILITY**

The head of department will be responsible for the maintenance, preservation and destruction of records pertaining to the respective departments.

As per Rule 28(1) of Companies (Management and Administration) Rules, 2014, the Managing Director, Company Secretary or any other director or officer of the company as the Board may decide, shall be responsible for the maintenance and security of electronic records.

## **9. DESTRUCTION OF DOCUMENTS**

The documents of the Company which are no longer required as per the time schedule prescribed in the **Annexure I** may be destroyed by respective departmental head.

The concerned officer may direct employees in charge from time to time to destroy the documents which are no longer required as per the documents Preservation Schedule given under **Annexure-I**.

The details of the documents destroyed by the Company shall be recorded in the Register for Disposal of Records to be kept by the departmental head who are disposing of the documents in the format prescribed at “**Annexure-II**”. The entries in the register shall be authenticated by the departmental head.

#### **10. SUSPENSION OF RECORDS DISPOSAL IN THE EVENT OF LITIGATION/CLAIMS**

In the event the Company is served with any notice for documents from any statutory authority or any litigation is commenced by or against the Company, then the disposal of documents including e-mail, which is related to the matter of notice/litigation, etc. shall be suspended until such time the matter is settled or resolved or disposed off. The Company Secretary and Compliance Officer shall immediately inform all employees of the Company for suspension of further disposal of Documents.

#### **11. AMENDMENTS**

The Board may subject to the applicable laws amend any provision(s) or substitute any of the provision(s) with the new provision(s) or replace this policy entirely with a new policy. However, no such amendment or modification shall be inconsistent with the applicable provisions of any law for the time being in force.

#### **12. POLICY REVIEW**

The Board of Directors of the Company shall have the right to review/amend the policy from time to time in compliance of law/regulation in force.

**ANNEXURE – I**  
**Indicative list**

The Documents Preservation Schedule is organized as follows:

o **Section Topics**

- A. Corporate Records
- B. Accounts and Finance
- C. Tax Records
- D. Legal Files and papers
- E. Property Records
- F. Projects Records
- G. Correspondence and Internal Memo
- H. Insurance Records I.
- Personnel Records J.
- Electronic Records

A. Corporate Records		
Sr. No.	Record Type	Preservation period
<b>Documents to be retained permanently</b>		
1	Statutory Registers	Permanent
2	Register of Members	Permanent
3	Index of Members	Permanent
4	Licenses and Permissions	Permanent
5	Statutory Forms except for routine compliance	Permanent
6	Scrutinizers Reports	Permanent
7	Common Seal Register	Permanent
8	Minutes Books of Board, Committees and General Meetings	Permanent
<b>Documents to be retained for a minimum period of 8 years</b>		
9	Annual Returns	8 years from the filing with the Ministry of Corporate Affairs
10	Attendance Registers – Board, Committees and General Meetings	8 Years
11	Office copies of Notice of General Meetings and related papers	8 Years
12	Office copies of Notice, Agenda, Notes on Agenda and other related papers of Board Meeting/Committee Meeting	8 Years

<b>B. Accounts and Finance</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained permanently</b>		
1	Annual Audit Reports and Financial Statements	Permanent
<b>Documents to be retained for a minimum period of 8 years</b>		
2	Books of Accounts, Ledgers and Vouchers	8 years from the end of Financial Year or after completion of Assessment under applicable law, whichever is later.
3	Bank Statements	8 years
4	Investment Records	8 years
<b>Miscellaneous</b>		
5	Annual Plans and Budgets	3 years
6	General Correspondence	2 years

<b>C. Tax Records</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
1	Tax Exemption and Related documents	8 years
2	Payment challans	8 years
3	Excise Records	8 years from the end of the Financial Year of after completion of assessment under the applicable law, whichever is later.
4	Tax Deducted at source Record	8 years from the end of the Financial Year of after completion of assessment under the applicable law, whichever is later.
5	Income Tax Record	8 years from the end of the Financial Year of after completion of assessment under the applicable law, whichever is later.
6	Service Tax Record	8 years from the end of the Financial Year of after completion of assessment under the applicable law, whichever is later.



<b>D. Legal Files and Records</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained permanently</b>		
1	Court Orders	Permanent
<b>Documents to be retained for a minimum period of 8 years</b>		
2	Contracts, Agreements and Related Correspondence (including any proposal that resulted in the contract and other supportive documentation)	8 years after termination or expiration of contracts
<b>Miscellaneous</b>		
3	Legal Memoranda and Opinions including subject matter files	3 years after the close of matter
4	Litigation files	3 year after close of the Litigations
<b>E. Property Records</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained permanently</b>		
1	Original Purchase and Sale Agreements / Deeds	Permanent
2	Property Card, Ownership records issued by Government Authority	Permanent
<b>F. Project</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Miscellaneous</b>		
1	Project Documents and Related correspondence (including any proposal of the Project and its approval )	3 years from the date of completion of the project
<b>G. Correspondence and Internal Memo</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained for a minimum period of 8 years</b>		
1	Those pertaining to non-routine matters or having significant lasting consequences	8 years
<b>Miscellaneous</b>		
2	Correspondence and memoranda pertaining to routine matters and having no significant impact, lasting consequences e.g. <ul style="list-style-type: none"> <li>• Routine letters, notes that require no acknowledgment or follow-up such as inter office memo, letters for transmittal and plans for Meetings;</li> <li>• Letters of general enquiry and replies that complete cycle of correspondence;</li> <li>• Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.</li> </ul>	2 years

<b>H. Insurance Records</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained permanently</b>		
1	Master Policies and related documents	Permanent
<b>Miscellaneous</b>		
2	Insurance Policies for moveable / immoveable assets, vehicles, etc.	2 years from the date of expiry. However, in case of any claims pending in respect of such policies, the same shall be preserved till the settlement of such claims.
3	Inspection / Survey Reports	2 years
4	Claim Records	12 months after settlement of the claims.
<b>I. Personnel Records</b>		
<b>Sr. No.</b>	<b>Record Type</b>	<b>Preservation period</b>
<b>Documents to be retained for a minimum period of 8 years</b>		
1	Payroll Registers	8 years
2	Bonus, Gratuity and other Statutory Records	8 years
3	Time office Records and Leave Cards	8 years
4	Unclaimed Wages Records	8 years
<b>Miscellaneous</b>		
5	Employees Information Records	3 years after separation
<b>J. Electronic Records</b>		
<b>Sr. No.</b>	<b>Records Type and Retention Period</b>	
1.	<b>Electronic Mail :</b>	
	All E-mails from internal and external sources that are important and have significant impact and lasting consequences.	Permanent
	All E-mails from internal and external sources that are not important and have no significant impact and lasting consequences.	2 years
	<ul style="list-style-type: none"> <li>• Staff will not store or transfer the Company related emails on non-work related computers except as necessary or appropriate with due approvals from the Central IT team and the respective Managers.</li> <li>• Staff will take care not to send confidential / proprietary information to outside sources</li> </ul> Any e-mail that the staff deemed vital to the performance of their job should be copied to the staff's specific folder and/or printed and stored in the employee's workplace.	
2.	<b>Electronic Documents including PDF files</b>	
	<ul style="list-style-type: none"> <li>• PDF documents – Can be a maximum period of 5 years. But the said document may be destroyed depending upon the completion</li> </ul>	

	<p>of the job or its use coming to an end.</p> <ul style="list-style-type: none"> <li>• Text/ Formatted files: All word / excel / Power point files may be deleted once every year depending on the importance or lack of it.</li> </ul>
3.	<p>Web page files</p> <ul style="list-style-type: none"> <li>• To be retained for a period of 5 years as specified in the Listing Regulations.</li> <li>• To be archived by the I.T. Department with the support of the service provider for a period of 3 years after the initial period of five years of live page.</li> </ul>

**ANNEXURE – II**

**Specimen format of the register of documents disposed of/destroyed**

<b>Particulars of Document alongwith provision of law</b>	<b>Date and mode of destruction</b>	<b>Signature of the authorised person</b>

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