



EMS LIMITED

CIN: L45205DL2010PLC211609

Regd. Office: 701, DLF Tower A, Jasola, New Delhi, Delhi, India-110025

Phone: 0120-4235555, 4235559

POLICY FOR PRESERVATION OF DOCUMENTS

1. PREAMBLE:

- (i) This Policy (hereinafter referred to as “Policy”) shall be called “Policy for Preservation of Documents” of **EMS LIMITED (“the Company”)**.
- (ii) This policy has been framed in compliance with the provision of Regulation 9 of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (hereinafter referred to as “Listing Regulations”) which requires every Listed Company to have a policy on preservation of documents approved by its Board of Directors.

2. Objective of the Policy

- (i) The documents of the Company either in physical or in electronic form are important assets of the Company (hereinafter referred to as “**Documents**”). Preservation of Documents is an important component of many of the laws which an organization must adhere to in order to ensure compliance of various legal requirements. Therefore, the objective of this Policy is to provide a framework for preservation of documents maintained by the Company under various applicable laws.
- (ii) This policy shall apply to all documents relating to the Company, both in physical form as well as electronic form.

3. Classification of Document and its maintenance

The Documents are broadly classified into the following categories:

- a) **Permanent Documents:** Certain Documents of the Company are required to be retained permanently under the applicable laws to the Company.
- b) **Documents to be preserved for a period of not less than 8 (eight) years:** Certain Documents of the Company are required to be retained for a period of not less than 8 (eight) years under the applicable laws to the Company.

The Policy requires the Company to maintain the Documents in physical form or electronic form or in both permanently or for specified period of time, as may be applicable. A Document may mean and include, but not limited to documents such as memorandums, contracts, agreements minutes of meetings (Board, Committee or General Meetings), auditor’s reports, employee records, court/tribunal orders, tax returns/assessments, etc. It also includes, but without limitation to documents like emails or messages.

4. Provisions with regard to the Preservation of Documents

The Company from time to time is required to retain certain Documents in order to ensure the legal compliance, and also to accomplish other objectives. Such Documents can be preserved either permanently or for specific period of time. Documents that bear special consideration and minimum retention period are identified in below schedule:

4.1 Documents Retention Schedule

- a) **Documents as per the Companies Act, 2013 (the Act) and Listing Regulations:** The Company shall maintain all the statutory Documents as per the applicable provisions of the Act read with the rules made thereunder. Further, the Company shall maintain all the records as per the Listing Regulations for not less than 8 (eight) years.

Documents pertaining to minutes of meetings of board of directors, committees of the board and shareholders, financial statements, audit reports and all statutory registers/records, as prescribed under applicable laws and rules shall be preserved for such period as provided in the respective laws and regulations. Any Document where preservation period is not prescribed under any applicable laws shall be preserved for a period of not less than 8 (eight) years.

- b) **Taxation Documents:** Taxation documents include, but not limited to documents concerning tax assessment, tax filings, tax returns, proof of deductions, appeals preferred against any claim made by the relevant tax authorities. Tax documents shall be maintained for a period of not less than eight (8) years or for a period of not less than 8 (eight) years after a final order has been received with respect to any matter, as the case may be.
- c) **Employment /Personnel Record:** The Company is required to keep records or Documents relating to recruitment, employment and personnel information, performance review, action taken by or against any employee, complaints by or against any employee. These Documents relating to employment or personnel information shall be retained for a period of not less than 8 (eight) years.
- d) **Press Releases:** Press Release shall include, but shall not be limited to, any intimation given to the press regarding financial results, profits, meetings of the Board, general meetings, and overall performance of the Company. The Company shall retain all documents relating to Press Releases not less than 8 (eight) years.
- e) **Legal Documents:** Legal Documents shall include, but shall not be limited to contracts, agreements, legal opinions, pleadings, orders passed by any court or tribunal, judgments, interim orders, documents relating to cases pending in any court or tribunal or any other authority empowered to give a decision on any matter, awards, and documents relating to property matters.

A contract shall be preserved for a period of not less than 8 (eight) years or for not less than eight (8) years after the expiry of the term of the contract, whichever is longer.

Documents relating to any property owned by the Company shall be preserved perpetually. Other property Documents shall be preserved for a period of not less than eight (8) years or for a period of 8 (eight) years after the rights and obligations in relation to such property cease to exist, whichever is longer.

Orders passed by any court or tribunal or any authority or judgment, which are final in nature and cannot be superseded shall be preserved permanently. Interim orders shall be preserved till a final order is received or for a period of not less than 8 (eight) years, whichever is longer.

Pleadings shall be preserved for a period of 8 (eight) years or till the subject matter is disposed of, whichever is longer.

- f) **Marketing and Sales Documents:** The Company shall preserve all marketing and sales related documents for a period of not less than 8 (eight) years.
- g) **Intellectual Property Rights Documents and Licenses:** Intellectual property Rights documents shall include, but not be limited to copyrights, trademarks, patents, and industrial designs. Intellectual property rights documents that are owned by the Company shall be preserved by the Company permanently.

Licenses obtained by the Company shall be preserved till the time the validity of the License and for a period of not less than 8 (eight) years thereafter, whichever is longer. Licenses that are required to be persevered for longer period shall be decided on case-to-case basis.

4.2 Documents Maintenance and Storage

All Documents shall be maintained, either in physical form or electronic form or both, by the respective departments of the Company, to which such Document pertains. All electronic versions of the Documents are maintained within the Company's centralized electronic record software database, which is maintained in line with policy of the IT Services department of the Company.

4.3 Disposal of Records

The destruction and disposal of Documents shall be done in compliance with the provisions prescribed under the applicable laws and keeping in view this Policy of the Company. All the Documents containing information of a confidential or sensitive nature on paper, card, or electronic media must be securely destroyed when it is no longer required.

4.4 Hold On record destruction and deletion

If a lawsuit or other proceeding involving the Company is reasonably foreseeable, all destruction of any possibly relevant documents, including e-mail, must cease immediately. Documents relating to the lawsuit or potential legal issue will then be retained and organized under the supervision of the General Counsel's Office.

4.5 Electronic Documents including emails

All electronic communication systems as well as all communications and stored information transmitted, received, or contained on the Company's information systems are the property of the Company. Such communication and information shall be preserved in accordance with the policy of the Company in respect thereof, which shall be in consonance with this Policy.

5. Custody of the Documents

Custody of the Documents Subject to the Applicable Law, the custody of the documents shall be with the Authorised Person. Where the Authorised Person tender's resignation or is transferred from one location to another, such Person shall hand over all the relevant Documents, lock and key, access control or password, other storage devices or such other Documents and devices in his possession under the Policy. The Board may authorize such other person as it may deem fit as the Authorised Person.

6. Policy Enforcement

The employees of the Company shall strictly comply with this Policy. Each Head of the Function /department shall lay down process for maintenance of Documents pertaining to the respective Function/department in compliance of this Policy.

If an employee has reasons to believe, or the Company informs the employee concerned, that Company Documents are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then the employee must preserve those Documents until the Legal department determines that the Documents are no longer needed. This exception supersedes any previously or subsequently established destruction schedule for those Documents. If an employee(s) believe that exception may apply or have any question regarding the possible applicability of that exception, he/she may contact the General Counsel & Company Secretary.

While minimum retention periods are suggested in regard to certain Documents, the retention of the Documents not included in the above schedules shall be determined by the Head of the Function/Department, in line with the policy that governs those Documents or by the application of the general guidelines affecting such Documents, as well as any other pertinent factors.

7. General

Where the terms of this Policy differ from any existing or newly enacted law, rule, regulation or standard governing the Company, the law, rule, regulation or standard will take precedence over this Policy and procedures until such time as this Policy is changed to conform to the law, rule, regulation or standard.

8. Compliance

Failure to comply with this Policy may result in disciplinary action. Questions about this Policy should be referred to the office of the General Counsel & Company Secretary who is in charge of administering, enforcing and updating this Policy.

9. Amendments

The Company may amend the Policy as and when it deems necessary either

pursuant to any change in law or otherwise. The Company shall be free to devise and implement any supplementary or other policies and guidelines in respect hereof for better implementation of this Policy.
