

**POWER SYSTEM OPERATION CORPORATION LIMITED**  
**POLICY ON MAINTENANCE & PRESERVATION OF DOCUMENTS**

**1. PREAMBLE**

The Public Record Act, 1993 aims to regulate the management, administration and preservation of records of various departments of Central Government/ Public Sector Undertaking and commissions or committees constituted by the Central Government. As such, the Public Record Act, 1993 is also applicable to POSOCO.

This policy shall be governed by the provisions of the Public Record Act 1993 and the Public Record Rules, 1997 framed thereunder, the Companies Act, 2013 and other applicable laws for the time being in force including rules and regulations made thereunder.

**2. OBJECTIVE**

This policy inter alia provides for preservation of documents so that records are kept no longer than the period necessary for the proper conduct of Company business. This policy shall cover all business records of the Company, including written, printed and recorded matter and electronic forms of records. This shall also ensure the systematic disposal / destruction of Company's records which are not current or have outlived their administrative usefulness. Effort shall also be made to convert physical documents to electronic form for long term archival and usage.

**3. DEFINITIONS**

- a) **Applicable Law:** "Applicable Law" means any law, rules, regulations, circulars, guidelines or standards applicable on the Company under which any guideline / provision with regard to the preservation of the Documents has been prescribed.
- b) **'Board of Directors' or 'Board'** means the Board of Directors of Power System Operation Corporation Ltd.
- c) **Company:** "Company" means Power System Operation Corporation Ltd. or POSOCO Ltd.
- d) **Document(s):** "Document(s)" includes summons, notices, requisitions, orders, declarations, forms and registers, whether issued, sent or kept in pursuance of this Act or under any other law for the time being in force or otherwise, maintained on paper or in electronic form as defined in Section 2 (36) of the Companies Act, 2013. In addition, documents shall also include Operational and Other Records required to be maintained for compliance with applicable Regulations.

- e) **Electronic Form:** “Electronic Form” means maintenance of documents in 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.
- f) **Electronic Records** means as defined in Information Technology Act as amended from time.
- g) **Policy :** Policy means the Policy for Preservation of documents.
- h) **Preservation:** “Preservation” means to keep in good order and to prevent them from being altered, damaged or destroyed.
- i) **“Records”** in relation to this policy includes accounting records, books or papers and books and papers as defined in sub-section 12 of section 2, books of accounts as defined in sub-section 13 of section 2 of the Companies Act, 2013, statutory and other documents of material significance whether covered under this Policy or not.

#### **4. LOCATION OF RECORDS**

As mandated by the Companies Act, 2013 or under any other statute, certain records shall be located at the registered office of the Company. The records under the jurisdiction of RLDCs/ NLDC shall be located at the concerned RLDC / NLDC. The records for which no specific place has been specified under any statute shall be maintained at the corporate office of the Company or at any other place as may be approved by the Board, from time to time.

#### **5. ACCESS AND AUTHENTICITY**

The preservation of the records of the Company is vital in order to ensure all current and future access to the records. Preservation also ensures the authenticity of records.

Since the records are maintained at different levels and departments in the Company, therefore Functional Heads should be authorized to ensure the preservation and access to the Records under their jurisdiction.

#### **6. PRESERVATION OF DOCUMENTS / RECORDS**

- I. All statutory records required to be maintained under any law shall be preserved for the period, if any, prescribed there under.
- II. Documents mentioned under the schedule prescribed in the National Archives under the provisions of the Public Record Act, 1993 and rules made thereunder, shall be preserved for period given in the schedule.
- III. If any direction has been received from any authority for maintenance of certain records for specified period, those records shall be maintained for specified period.
- IV. Documents, in respect of which no minimum maintenance timeline is stipulated under any of the laws or under the schedule prescribed by National Archives of India, shall be preserved for such period as may be decided by the concerned head of

Department in consultation with Head of Law and Vigilance Department. Information in this regard shall be submitted to the Head of RLDC / NLDC / concerned Director at CC.

- V. In view of the circumstances resulting due to COVID-19 Pandemic, the retention of Documents could be in electronic mode or a combination of physical as well as electronic mode as deemed proper and expedient.<sup>^</sup>

An Illustrative list of the life span of some of the documents is given in **Annex-I** which forms part of the Policy.

## **7. CUSTODY OF DOCUMENTS**

All documents shall be under the custody of concerned functional head(s).

## **8. ARCHIVAL POLICY**

The policy applies to documents / information hosted on the website of the company including events/information required to be disclosed on website under any of the applicable Rules / Regulations. The disclosure of material events shall be hosted and retained on the Company's website for the period, if any, specified in any Act / Regulation or 3 years, whichever is lower. Routine / non – material items may be kept on the website for a maximum period of 3 months. Thereafter depending upon the nature, materiality, impact and relevance of the material event/ information, the disclosure of such material event:

a) can continue to remain hosted on the Company's website for a longer period of time on the advice of concerned functional head to IT Department; or

b) can be removed from the website; or

c) can be archived for the period specified by the Functional Head.

## **9. RECORD RETENTION SCHEDULE**

All Files / Registers shall be maintained on financial year basis. All live as well as old records shall be reviewed periodically, at least once in a financial year by the concerned group in charge, preferably in April of the following year. The Company shall maintain a register of preservation and disposal of records in the custody of the Head of the concerned RLDC / NLDC / Functional Head at CC, wherein the brief particulars of the records preserved and/or removed from the location after the expiry of its preservation period shall be entered. The register of preservation and disposal of records shall contain the following columns:

- a) Item Number;
- b) Brief Particulars of the records preserved/ disposed of;
- c) Date of creation of the record;
- d) Whether preserved permanently or not;
- e) Date of removal from the register and;
- f) Mode of destruction

This register of preservation and disposal of records **Annex-II** shall be maintained permanently by the respective Heads of Department either in physical or electronic form.

<sup>^</sup> Inserted w.e.f. 25th March, 2020 vide Board Resolution dt. 10.12.2020.

#### **10. EFFECTIVE DATE OF THE POLICY**

The above said Policy is approved by Board in its meeting held on 09.07.2019 and shall be effective from date of the approval.

#### **11. AMENDMENTS TO THE POLICY**

The Policy shall be reviewed at regular intervals, say at least once in every three years. The Chairman and Managing Director is authorized to make such alterations to this Policy as considered appropriate, subject, however, to the condition that such alterations shall be in consonance with the provisions of the Regulation and other applicable laws. The revised Policy shall be placed for information of the Board.

**Illustrative List of the Life span of the some of the Documents**

**A. DOCUMENTS / RECORDS WHICH SHALL BE PRESERVED PERMANENTLY**

1. Agenda Papers pertaining to Annual General Meeting; Extraordinary General Meeting; Board Meeting and Committees thereof.
2. Minutes Book of Annual General Meeting; Extraordinary General Meeting; Board Meeting and Committees thereof; Resolutions passed by Circulations / Postal Ballot.
3. Statutory Registers maintained under the Companies Act, 2013
4. Notices, Orders and other material Communications received from various Government and Other Authorities, like Court cases, CBI cases, Labour Court cases and Arbitration cases, etc.
5. Forms filed with the Registrar of Companies (RoC) as prescribed under the Companies Act, 2013
6. Certificate of Incorporation / Commencement of Business.
7. Memorandum & Articles of Association.
8. License and Permissions, Deed of Indentures, Mutation Certificates, IPRs Certificates or any other document, which the CMD thinks expedient to preserve.
9. Register of Members and Index of Members
10. Agreements made by the Company with External Bodies, like Depositories, etc.
11. Files relating to Premises, for instance, Title Deeds / Lease Deeds of owned Premises / Land and Building, etc. and related Ledger/ Register.
12. Authorisation / Licenses obtained from any Statutory Authority.
13. Policies of the Company framed under various Regulations.
14. Register of Preservation and Disposal of Records.
15. Register of Common Seal.
16. Certificates obtained from various Statutory Authorities
17. Books and documents relating to the issue of share certificates
18. Register u/s 189 (Register of Contracts / Arrangements in which Directors are Interested as per Section 184/188 of the Act).
19. Register of Charges, including modifications thereof, if any (where applicable).

**B. DOCUMENTS / RECORDS WHICH SHALL BE PRESERVED FOR A PERIOD OF NOT LESS THAN EIGHT YEARS AFTER COMPLETION OF RELEVANT TRANSACTION**

1. Financial Statements of the Company and books of accounts of the Company, Directors Report and Auditors Report.
2. Attendance Register for Board / Committee Meetings / General Meetings
3. Office copy of the Notices of General Meeting Notices and related papers.
4. All bills, invoices, and vouchers relevant to any entry in such books of accounts as defined in Section 2(13) of the Companies Act.
5. All ballot papers received during the course of poll conducted in General Meetings.
6. Register of Inter – Corporate Loans and Investments as per Companies Act, 2013, where applicable.

7. Annual Returns as per Companies Act, 2013 and documents and Certificates required to be annexed thereto.
8. Register of Deposits as per Companies Act, 2013
9. Register of Allotment (from the Date of each Allotment) as per Companies Act, 2013
10. Income Tax Returns filed under Income Tax Act, 1961.
11. All Notices in Form MBP-1 received from Directors and KMPs along with any amendment thereto.
12. Copy of newspaper advertisements or publications.
13. All show cause Notice or any other Notice received from any Statutory, Govt. Departments, Judicial or Quasi Judicial Authorities, etc.
14. Store File containing purchase order.
15. Invoices, Meter Data, etc.
16. Projects Documents

## Other Documents

### A. Record Retention Schedule of files relating to RTI application

Sl.	Subjects / records groups	Proposed Retention Period
1.	RTI Cases disposed without attracting any 1 <sup>st</sup> Appeal	3 Years
2.	RTI Cases attracting 1 <sup>st</sup> Appeal	3 Years
3.	RTI Cases attracting 2 <sup>nd</sup> Appeal (without any remarkable decision)	3 Years or till the compliance of CIC orders
4.	RTI Cases attracting 2 <sup>nd</sup> Appeal (involving a remarkable decision)	5 Years
5.	1st Appeal cases files	3 years
6.	2nd Appeal cases files	3 years or till the compliance of CIC orders
7.	Files relating to the administrative aspects of RTI Act, 2005 i.e. implementation, suggestions, guidelines, etc.	3 years

### B. Miscellaneous

1. Register of Renewed and Duplicate Share Certificates (Not less than 30 years)
2. Proof of sending Notice of Board Meetings; Agenda and Notes on Agenda; proof of sending and delivery of circular resolutions along with necessary papers, etc. – Not less than 3 years from the date of event
3. Bid Opening / LOA Register / Electronic Record – 5 years
4. Documents pertaining to REC Mechanism – 15 years / As per CERC Directives
5. Operational Data Records – These shall be preserved in accordance with the CERC (Grid Standards) Regulations, 2010 as amended from time to time. Operational data including equipment and system parameters logged manually and electronically shall be preserved for at least three years (logbook, Message book, code book)
6. Documents of Human Resource Department shall be converted to electronic form and systematic disposal thereof shall be made on a case to case basis.

## Annexure-II

The format of the register of Documents preserved / disposed / destroyed

Item No.	Brief Particulars of the records preserved along with applicable law /	Date of Creation of the Record	Date of Disposal of Document	Whether preserved permanently or not	Initials of the authorised person
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