

# KALPA COMMERCIAL LIMITED

## DOCUMENT RETENTION POLICY

### **Reasons for Policy**

The corporate information of KALPA COMMERCIAL LIMITED is important to how it conducts business and manages employees. The policy was adopted at the meeting held on 10<sup>th</sup> November 2021.

Federal and state law requires KALPA COMMERCIAL LIMITED to retain certain records, usually for a specific amount of time. The accidental or intentional destruction of these records during their specified retention periods could result in the following consequences for KALPA COMMERCIAL LIMITED and/or its employees:

- Fines and penalties.
- Loss of rights.
- Obstruction of justice charges.
- Inference of spoliation of evidence and spoliation tort claims.
- Contempt of court charges.
- Serious disadvantages in litigation.

KALPA COMMERCIAL LIMITED must retain certain records because they contain information that:

- Serves as KALPA COMMERCIAL LIMITED as corporate memory.
- Has enduring business value (for example, it provides a record of a business transaction, evidences KALPA COMMERCIAL LIMITED rights or obligations, protects KALPA COMMERCIAL LIMITED legal interests or ensures operational continuity).
- Must be kept to satisfy legal, accounting or other regulatory requirements.

KALPA COMMERCIAL LIMITED prohibits the inappropriate destruction of any records, files, documents, samples and other forms of information. This policy is in accordance with the Sarbanes-Oxley Act of 2002, under which it is a crime to change, conceal, falsify or destroy any record with the intent to impede or obstruct any official or government proceeding. Therefore, this policy is part of a company-wide system for the review, retention and destruction of records KALPA COMMERCIAL LIMITED creates or receives in connection with the business it conducts.

### **Types of Documents**

This policy explains the differences among records, disposable information and confidential information belonging to others.

**Records.** A record is any type of information created, received or transmitted in the transaction of KALPA COMMERCIAL LIMITED business, regardless of physical format. Examples of where the various types of information are located are:

- Appointment books and calendars.
- Audio and video recordings.
- Computer programs.
- Contracts.

- Electronic files.
- E-mails.
- Handwritten notes.
- Invoices.
- Letters and other correspondence.
- Magnetic tape.
- Memory in cell phones and PDAs.
- Online postings, such as on Facebook, Twitter, Instagram, Snapchat, Vine and other sites.
- Performance reviews.
- Test samples.
- Voicemails.

Therefore, any paper records and electronic files, including any records of donations made online, that are part of any of the categories listed in the Records Retention Schedule contained in the Appendix to this policy, must be retained for the amount of time indicated in the Records Retention Schedule. A record must not be retained beyond the period indicated in the Record Retention Schedule, unless a valid business reason (or a litigation hold or other special situation) calls for its continued retention. If you are unsure whether to retain a certain record, contact the Records Management Officer or the Legal Department.

**Disposable Information.** Disposable information consists of data that may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose and/or data that may be safely destroyed because it is not a record as defined by this policy. Examples may include:

- Duplicates of originals that have not been annotated.
- Preliminary drafts of letters, memoranda, reports, worksheets and informal notes that do not represent significant steps or decisions in the preparation of an official record.
- Books, periodicals, manuals, training binders and other printed materials obtained from sources outside of KALPA COMMERCIAL LIMITED and retained primarily for reference purposes.
- Spam and junk mail.

**Confidential Information Belonging to Others.** Any confidential information that an employee may have obtained from a source outside of KALPA COMMERCIAL LIMITED, such as a previous employer, must not, so long as such information remains confidential, be disclosed to or used by KALPA COMMERCIAL LIMITED. Unsolicited confidential information submitted to KALPA COMMERCIAL LIMITED should be refused, returned to the sender where possible and deleted, if received via the internet.

### **Mandatory Compliance**

**Responsibility of All Employees.** KALPA COMMERCIAL LIMITED strives to comply with the laws, rules and regulations by which it is governed and with recognized compliance practices. All company employees must comply with this policy, the Records Retention Schedule and any litigation hold communications. Failure to do so may subject KALPA COMMERCIAL LIMITED, its employees and contract staff to serious civil and/or criminal liability. An employee's failure to comply with this policy may result in disciplinary sanctions, including suspension or termination.

**Reporting Policy Violations.** KALPA COMMERCIAL LIMITED is committed to enforcing this policy as it applies to all forms of records. The effectiveness of KALPA COMMERCIAL LIMITED efforts, however, depends largely on employees. If you feel that you or someone else may have violated this policy,

you should report the incident immediately to your supervisor. If you are not comfortable bringing the matter up with your immediate supervisor, or do not believe the supervisor has dealt with the matter properly, you should raise the matter with the [Records Management Officer/manager at the next level above your direct supervisor]. If employees do not report inappropriate conduct, KALPA COMMERCIAL LIMITED may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action. No one will be subject to and KALPA COMMERCIAL LIMITED prohibits, any form of discipline, reprisal, intimidation or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim or cooperating in related investigations.

### **Records Management Department and Records Management Officer**

The Records Management Department is responsible for identifying the documents that KALPA COMMERCIAL LIMITED must or should retain, and determining, in collaboration with the Legal Department, the proper period of retention. It also arranges for the proper storage and retrieval of records, coordinating with outside vendors where appropriate. Additionally, the Records Management Department handles the destruction of records whose retention period has expired.

KALPA COMMERCIAL LIMITED has designated Mr. MUKUL JINDAL as the Records Management Officer. The Records Management Officer is head of the Records Management Department and is responsible for:

- Administering the document management program and helping department heads implement it and related best practices.
- Planning, developing and prescribing document disposal policies, systems, standards and procedures.
- Writing straightforward document management procedures to instruct employees on how to comply with this policy.
- Monitoring departmental compliance so that employees know how to follow the document management procedures and the Legal Department has confidence that KALPA COMMERCIAL LIMITED records are controlled.
- Ensuring that senior management is aware of their departments' document management responsibilities.
- Developing and implementing measures to ensure that the Legal Department knows what information KALPA COMMERCIAL LIMITED has and where it is stored, that only authorized users have access to the information, and that KALPA COMMERCIAL LIMITED keeps only the information it needs, thereby efficiently using space.
- Establishing standards for filing and storage equipment and recordkeeping supplies.
- In cooperation with department heads, identifying essential records and establishing a disaster plan for each office and department to ensure maximum availability of KALPA COMMERCIAL LIMITED records in order to reestablish operations quickly and with minimal interruption and expense.
- Developing procedures to ensure the permanent preservation of KALPA COMMERCIAL LIMITED historically valuable records.
- Providing document management advice and assistance to all departments by preparing manuals of procedure and policy and by on-site consultation.
- Determining the practicability of and, if appropriate, establishing a uniform filing system and a forms design and control system.
- Periodically reviewing the records retention schedules and administrative rules issued to determine if KALPA COMMERCIAL LIMITED document management program and its Records Retention Schedule is in compliance with state [and foreign] regulations.
- Distributing to the various department heads information concerning state laws and administrative rules relating to corporate records.
- Explaining to employees their duties relating to the document management program.

- Ensuring that the maintenance, preservation, microfilming, computer disk storage, destruction or other disposition of KALPA COMMERCIAL LIMITED records is carried out in accordance with this policy, the procedures of the document management program and the requirements of federal and state law.
- Planning the timetable for the annual records destruction exercise and the annual records audit, including setting deadlines for responses from departmental staff.
- Maintaining records on the volume of records destroyed under the Records Retention Schedule and the records stored electronically.
- Evaluating the overall effectiveness of the document management program.
- Reporting annually to the Legal Department on the implementation of the document management program in each of KALPA COMMERCIAL LIMITED departments.
- Bringing to the attention of the Legal Department any noncompliance by department heads or other employees with this policy and KALPA COMMERCIAL LIMITED document management program.

### **How to Store and Destroy Records**

**Storage.** KALPA COMMERCIAL LIMITED records must be stored in a safe, secure and accessible manner. Any document and financial files that are essential to KALPA COMMERCIAL LIMITED business operations during an emergency must be duplicated and/or backed up at least once per week and maintained off site.

**Destruction.** KALPA COMMERCIAL LIMITED is responsible for the continuing process of identifying the records that have met their required retention period and supervising their destruction. The destruction of confidential, financial and personnel-related records must be conducted by shredding if possible. Non-confidential records may be destroyed by recycling. The destruction of electronic records must be coordinated with the IT Department.

The destruction of records must stop immediately upon notification from the Legal Department that a litigation hold is to begin because KALPA COMMERCIAL LIMITED may be involved in a lawsuit or an official investigation. Destruction may begin again once the Legal Department lifts the relevant litigation hold.

### **Litigation Holds and Other Special Situations**

KALPA COMMERCIAL LIMITED requires all employees to fully comply with its published records retention schedule and procedures as provided in this policy. All employees should note the following general exception to any stated destruction schedule: If the Legal Department informs that KALPA COMMERCIAL LIMITED records are relevant to current litigation, potential litigation (that is, a dispute that could result in litigation), government investigation, audit or other event, you must preserve and not delete, dispose, destroy or change those records, including e-mails, until the Legal Department determines those records are no longer needed. This exception is referred to as a litigation hold or legal hold, replaces any previously or subsequently established destruction schedule for those records. If you believe this exception may apply, or have any questions regarding whether it may possibly apply, please contact Mr. Mukul Jindal, Wholetime Director.

In addition, suspension of any routine document disposal procedures in connection with certain other types of events, such as the merger of KALPA COMMERCIAL LIMITED with another organization or the replacement of KALPA COMMERCIAL LIMITED information technology systems.

### **Audits and Employee Questions**

**Internal Review and Policy Audits.** The chief financial officer and chief legal officer of KALPA COMMERCIAL LIMITED and the Records Management Officer will periodically review this policy and its procedures with legal counsel [and/or] KALPA COMMERCIAL LIMITED certified public accountant to ensure KALPA COMMERCIAL LIMITED is in full compliance with relevant new or amended regulations. Additionally, KALPA COMMERCIAL LIMITED will regularly audit employee files and computer hard drives to ensure compliance with this policy.

**Questions About the Policy.** Any questions about this policy should be referred to Mr. Mukul Jindal, 9313390500, [mj.mukuljindal@gmail.com](mailto:mj.mukuljindal@gmail.com) , who is in charge of administering, enforcing and updating this policy.

**[Acknowledgment of Receipt and Review**

I, \_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_ (date), I received and read a copy of the [EMPLOYER NAME]'s [NAME OF POLICY][, dated [EDITION DATE]] and understand that it is my responsibility to be familiar with and abide by its terms. [I understand that the information in this Policy is intended to help [EMPLOYER NAME]'s employees to work together effectively on assigned job responsibilities.] This Policy is not promissory and does not set terms or conditions of employment or create an employment contract.]

\_\_\_\_\_

Signature

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Date]