

## CHAPTER –VI

### DOCUMENTS THAT ARE HELD BY THE COMPANY OR UNDER ITS CONTROL

RITES Limited maintains documents, which includes all books, records, files, business records & plans, reports, correspondence, documentation in respect of all contracts, agreements, minutes of meetings and other financial & customer data, in paper, electronic or other formats, used or held by the public authority.

General categories of documents held by RITES Limited or under its control are given below:

#### 1. Documentation of Bylaws

The primary documents are the bylaws of the company.

Bylaws documents keep the organisation in control and in regulation. They define the company's purpose, responsibilities, shareholder obligations and rights, annual board meetings and schedule.

It helps design a structure for the business and builds the individual roles for the employees and helps resolve any dispute that takes place and streamlines the decision-making processes.

#### 2. Non-Disclosure Agreement

These documents protect the sensitive information and helps safeguard sensitive information such as clients, customer details and countless other information that the company deems to be sensitive.

While working with clients, contractors, sub-contractors, joint venture partners and employees. This information is very critical to the company and if leaked could cost a fortune.

#### 3. Operating Agreement

An Operating Agreement though not legal document, helps define the process of decision making among key operating authorities. It defines how decisions are made, how meetings are scheduled and the processes.

#### 4. Minutes of Meeting

This document keeps a written record of the happenings of the meeting as well as serves as "institutional memory". This legal document includes information about the nature of the meeting, its attendees, discussions, decisions or actions taken. This document helps resolve any misunderstanding regarding any occurrence of any past meetings. Moreover, it can also be used for future reference.

Minutes of the meeting captures the happenings of a meeting in detail and used as a referring document for the consecutive meetings. The minutes of meeting documents all the proceedings of a board meeting. It captures inputs like date, time, attendees, absentees, the agenda of the meeting, further issues, list of tasks to be performed, next meeting schedule, decisions and suggestions.

## 5. Employment Agreement

Every employee has certain obligations and expectations that they must fulfil for the organisation and vice versa. This agreement sets the ground rules of the relationship between the organisation and the employee.

It also plays a role in dispute resolution between the company and the employee in the event of obstruction of expectation of their working relationship.

## 6. Business Plans

A business plan involves thorough research, analyzing the market, competitors; understand how to target the customers in market. It offers clarity on business, its opportunities and the roadmap.

A business plan encompasses ideas and strategies in a certain framework such that they can be easily presented and appear structured.

A business plan includes the executive summary, company information, product/service information, SWOT analysis, department wise sub-plans, budget, milestones and critical measures.

## 7. Business Reports

Business reports are facts and figures about departments. It includes aspects of business that exist as company data, which, after analysis can derive outcomes and projections. Business reports cover an issue at hand and make use of extensive data analysis to project solutions.

A business report typically gives data like sales figures, marketing plans, number of employees, teams, feasibility reports, safety compliance and more.

This is the business document that comes in handy when pitching to new investors onboard or simply reviewing company's progress. Furthermore, reports are used to evaluate risks and offer workable recommendations.

## 8. Financial Agreement

It assists in determining whether a department has been productive or not, it also helps understand a broad review of the company's performance annually. These reports help in filing taxes or budget proposals. Below are some important financial business documents:

### (a) P&L (Profit & Loss)

Profit & Loss statement, projects revenue and expenses; this statement is prepared for accounting purposes as well as for sharing with shareholders.

### (b) Balance sheet

It documents the company's assets and liabilities. The investors, creditors and shareholders of a company usually refer to the Balance sheets.

They are prepared at the end of the financial year. It is a document that helps analyse the company's growth trajectory.

(c) Projections

Projections are the forecasts based on internal and external accounting data. The expenses, revenues and the overall growth of the business depend upon the projections.

(d) Bank Statement

A bank statement is the official summary of the official bank transactions that occur in every bank account of the company in a given period of time. This gives an understanding of the total transactions in a company and the total income or expense.

(e) Payroll Reports

It contains the details of the payroll of every employee in the company and is used to inform their employment tax liability.

**9. Transactional Documents**

These business documents include receipts, invoices, order forms, transmittal pages, etc. and are a proof in case legal issues that may prop up in the future.

**10. Business Insurance**

Business insurance ideally covers different insurance to keep it sailing through natural disasters, catastrophes, sabotages, death/accident of the employees, theft or other damage etc.

**11. MoUs, Contracts & Agreements**

These documents outline the obligations, legal and operational, debt liability and profit-sharing as well as individual responsibilities of the parties involved.

The agreement essentially keeps all the partners in tandem to the agreed terms of working without any deviation and disagreements.

Various documents held by RITES Limited or under its control under the above categories are given below:

A) Documents pertaining to incorporation, License, etc.

(a) Memorandum & Article of Association

(b) Licenses

B) Documents pertaining Accounts:

(a) Books of Accounts

(b) Annual Reports

(c) Statement of Quarterly Financial Results

(d) Accounts Manual

(e) Documents pertaining to payment of Income Tax, Tax Deducted at Sources, etc.

(f) Vouchers, etc.

- C) Documents pertaining to Company Affairs
  - (a) Statutory registers under the Companies Act, 1956
  - (b) Statutory Registers under other applicable Acts and Rules & Regulations
  - (c) Annual Returns under the Companies Act.
  - (d) Returns & Forms under the Companies Act filed with the Registrar of Companies, etc.
- D) Documents pertaining to Board Meeting & General Meetings
  - (a) Agenda Papers of Board Meetings
  - (b) Minutes Book of meetings of the Board of Directors
  - (c) Agenda papers of Board Sub-Committees
  - (d) Minutes Book of meetings of Board sub-committees
  - (e) Minutes Book of General Meetings of the shareholders etc.
- E) Documents pertaining to Contracts, Works, Procurements & Inventory
  - (a) Contract and Procurement procedure
  - (b) Procedure Manual
  - (c) Tender Documents & Internal Files etc.
- F) Documents pertaining to payment of GST, taxes, etc.
- H) Document pertaining to projects
  - (a) Techno-Economic Feasibility Reports, Transport System Studies, Feasibility Report & copies of documents, surveys, materials considered for preparation & conclusions of the report, structural designs, including the reinforcement details, Detailed Project Reports (DPR), etc. of the Projects.
  - (b) Documents relating to clearance and approval of Competent Authorities.
- I) Agreements, MoUs, Contracts, etc.
- J) Documents pertaining to establishment matters
  - (a) Documents containing details of employees
  - (b) Various internal policies, rules & regulations pertaining establishment matters
  - (c) Annual Confidential Reports of employees.
  - (d) Schedule of Powers
- K) Documents pertaining to operation of Community Development and other welfare scheme.
  - (a) Policy/guidelines on Corporate Social Responsibilities
  - (b) Policy/guidelines for scholarship of wards of employees.
  - (c) Documents, containing information regarding Corporate Social Responsibilities.

- L) Documents pertaining to general administration
  - (a) Land and other property related documents.
  - (b) Advertising policies etc.
- M) Documents pertaining to Legal matters.
  - (a) Petition, complaints, written statements and other documents submitted to Hon'ble Courts, tribunals etc.
  - (b) Orders of the Hon'ble Courts, etc.

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