FUNDGUARD SERVICES IFSC LLP

GIFT City, GIFT IFSC, Gandhinagar

Registered Distributor under the IFSCA Capital Market Intermediaries (CMI) Framework

POLICY ON HANDLING OF COMPLAINTS AND GRIEVANCE REDRESSAL

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1. Introduction

Fundguard Services IFSC LLP (“Company” / “Fundguard”), a limited liability partnership registered under the Limited Liability Partnership Act, 2008 and operating as a standalone IFSC unit in GIFT City, GIFT IFSC, Gandhinagar, is a Registered Distributor under the International Financial Services Centres Authority (“IFSCA”) Capital Market Intermediaries (“CMI”) framework. The Company is engaged in the distribution of Capital Market Products and Services, in accordance with the applicable IFSCA regulations, circulars and guidelines governing CMIs.

The Company is required to abide by the IFSCA Circular dated December 02, 2024 on “Complaint Handling and Grievance Redressal by Regulated Entities in the IFSC” (“IFSCA Circular”) and shall redress all Consumer complaints in a fair, transparent and timely manner.

While the Company's primary client focus is Non-Retail and Professional Consumers (including NRI and HNI clients), the Company recognises that Retail Consumers may, from time to time, be onboarded indirectly — for instance, where a family member, including a minor child, of an existing client is onboarded for an SIP or similar investment as part of a family account relationship. Accordingly, this Policy applies the full set of requirements prescribed under the IFSCA Circular for entities dealing with Retail Consumers, in addition to the General Provisions applicable to all Consumers, so that the Company remains compliant regardless of the classification of the Consumer involved in a given complaint.

2. Definitions

(I) “Complaint”:

IFSCA has not prescribed a specific definition of the term “complaint”. For the purposes of this Policy, the relevant parts of the definition provided under the Consumer Protection Act, 2019 have accordingly been adopted, as set out below:

“Complaint” means any allegation, made in writing or reduced to writing by the Complaint Redressal Officer pursuant to Section 5 of this Policy, by a complainant that indicates:

- an unfair trade practice or a restrictive trade practice has been adopted by the Company;
- the services hired or availed of, or agreed to be hired or availed of, by the complainant suffer from a deficiency in any respect; or
- the Company has charged, for the services mentioned in the complaint, a price in excess of the price (i) fixed by or under any law for the time being in force; or (ii) agreed between the parties.

The term “deficiency” means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by or under any law for the time being in force, or which has been undertaken to be performed in pursuance of a contract or otherwise in relation to any service.

The term “complainant” means a Consumer who makes a complaint under this Policy.

Exceptions: An indicative list of matters not considered as a 'Complaint' under the IFSCA Circular is set out at Annexure A to this Policy.

(II) “Complaint Redressal Officer” or “CRO”: means the Compliance Officer of the Company, designated to handle complaints received from its Consumers, as appointed by resolution of the Designated Partners of the Company from time to time.

(III) “Complaint Redressal Appellate Officer” or “CRAO”: means the senior-level Designated Partner of the Company designated to handle appeals against the decisions of the CRO, as appointed by resolution of the Designated Partners of the Company from time to time.

(IV) “Consumer”: shall have the same meaning as assigned to “Client” or “Customer” under clause 1.3.11 of the IFSCA (Anti Money Laundering, Counter-Terrorist Financing and Know Your Customer) Guidelines, 2022.

(V) “Grievance”: shall be deemed to mean a Complaint for the purposes of this Policy.

(VI) “Designated Partner”: shall mean a designated partner of the Company as defined under the Limited Liability Partnership Act, 2008.

(VII) “Retail Consumer”: means a Consumer of the Company other than a Non-Retail Consumer or a Professional Consumer, as those terms are used in the IFSCA Circular — including, without limitation, an individual family member (including a minor, through a guardian) of an existing client who is onboarded by the Company for an SIP or similar investment.

(VIII) “Non-Retail Consumer” / “Professional Consumer”: shall have the meaning assigned under the IFSCA Circular, and shall, unless the context otherwise requires, comprise the majority of the Company's client base.

(IX) “Complaint Channel”: means any mode through which a Consumer may lodge a complaint with the Company, being the Company's website, registered email address, official WhatsApp Business number, and telephone/call line, each as identified in Section 5 of this Policy.

3. Applicability

This Policy applies to all complaints received from Consumers of the Company, whether classified as Retail, Non-Retail or Professional Consumers, in connection with the distribution and related services provided by the Company in the IFSC. Given the possibility of indirect Retail Consumer onboarding referred to in Section 1 above, no complaint received by the Company shall be excluded from the protections of this Policy on the ground that the complainant's Consumer classification was not verified at the time of onboarding.

4. Appointment of Complaint Redressal Officers

a. Complaint Redressal Officer (“CRO”)

The Compliance Officer of the Company shall act as the CRO and shall be responsible for handling complaints received from Consumers through any Complaint Channel. The CRO shall be appointed by resolution of the Designated Partners of the Company, and the name and contact details of the person so appointed shall be maintained in the Company's internal records and disclosed on its website in accordance with Section 13 below.

The Company shall ensure that the CRO has sufficient authority to resolve complaints, or has access to other officials with the necessary authority, to handle complaints in a fair and impartial manner.

b. Complaint Redressal Appellate Officer (“CRAO”)

A Designated Partner of the Company shall act as the CRAO and shall be responsible for handling appeals of Consumers against decisions taken by the CRO. The CRAO shall, so far as possible, be a Designated Partner without an ongoing client-facing or transaction-execution role in the ordinary course of the Company's business, so as to preserve independence for the purposes of hearing appeals. The CRAO shall be appointed by resolution of the Designated Partners of the Company, and the name and contact details of the person so appointed shall be maintained in the Company's internal records and disclosed on its website in accordance with Section 13 below.

5. Channels for Lodging a Complaint

A Consumer may lodge a complaint with the Company through any of the following channels:

- the Company's website, at the dedicated ‘Complaint Handling and Grievance Redressal’ page/section;
- email to the CRO's registered email address;

- the Company's official WhatsApp Business number;
- a telephone call to the CRO or any partner of the Company;
- a written letter addressed to the Company's registered office in GIFT City; or
- in person, at the Company's office.

Where a complaint is received by call or on WhatsApp, the CRO (or the partner who received it, if not the CRO) shall reduce the substance of the complaint to writing and enter it into the Complaint Register (Annexure B) within 1 (one) working day of receipt, and shall, where practicable, confirm the recorded substance back to the complainant in writing (by WhatsApp or email) to avoid any dispute as to what was actually complained of. The timelines in Section 6 below run from the date of receipt of the complaint through any channel, not from the date it is reduced to writing.

6. Mechanism for Handling of Complaints and Grievance Redressal

(i) Complaint Handling Procedure

Upon receipt of a complaint through any Complaint Channel, the following procedure shall be followed:

- Logging: The complaint shall be entered into the Complaint Register (Annexure B) with a unique Complaint Reference Number, regardless of the channel through which it was received.
- Assessment: The CRO shall assess the complaint and decide whether to accept or reject it.
- Acceptance: If accepted, the CRO shall inform the complainant in writing within 3 (three) working days.
- Rejection: If rejected, the CRO shall inform the complainant in writing within 5 (five) working days, providing the reasons for rejection.
- Resolution: The CRO shall examine and process the complaint in a fair, transparent, professional and impartial manner.
- Additional Information: The Company may seek additional information from the complainant for processing the complaint.
- Timeline: The Company shall dispose of the complaint preferably within 15 (fifteen) days, but ordinarily not later than 30 (thirty) days, from the date of acceptance.

(ii) Appeal Mechanism

- Appeal by complainant: If a complainant is not satisfied with either the rejection of a complaint or the resolution provided by the Company, the complainant may file an appeal with the CRAO within 21 (twenty-one) days from receipt of the CRO's decision.
- Disposition of appeal: The CRAO shall dispose of the appeal within a period of 30 (thirty) days.

(iii) Complaint before the IFSCA

Where a complainant is not satisfied with the decision of the Company and has exhausted the Company's appellate mechanism, the complainant may file a complaint before IFSCA.

(iv) Filing a Complaint with the IFSCA

To file a complaint with IFSCA, the complainant is required to email grievance-redressal@ifsca.gov.in, preferably within 21 (twenty-one) days from receipt of the decision from the Company.

7. Conflict of Interest / Escalation Protocol

Where the CRO is or was involved in the subject matter of a complaint, the complaint shall instead be handled directly by the CRAO, acting in the capacity of CRO for that complaint, and any subsequent appeal shall be heard by a Designated Partner of the Company not otherwise involved in the underlying transaction. Where all Designated Partners are, for any reason, involved in or connected to the subject matter of a complaint, the Company shall refer the complaint to an external, independent compliance professional or legal counsel engaged for that purpose, to ensure the complaint is handled fairly and impartially.

8. Maintenance of Records

(i) The Company shall maintain all records relating to the handling of complaints, including:

- Complaints received and processed, through any Complaint Channel;
- Correspondence exchanged with complainants;
- Information and documents examined;
- Outcome of complaints;
- Reasons for rejection of complaints, if any;
- Timelines for processing complaints; and
- Data of all complaints handled, maintained in the Complaint Register at Annexure B.

(ii) The Company shall maintain such records in electronic retrieval form for at least 6 (six) years from the date of disposal of the complaint, and/or for such other period as may be specified by IFSCA from time to time. The Complaint Register shall be maintained as a live electronic document (spreadsheet or equivalent) held by the CRO, with the CRAO having read access at all times, and shall be backed up periodically.

(iii) Where any litigation or legal proceeding relating to a complaint is pending, the relevant records shall be maintained for the period specified at (ii) above, computed from the date of final disposal of such proceeding.

9. Reporting

(i) The Company shall file reports on the handling of complaints in the form and manner specified by IFSCA from time to time.

(ii) If the Company is required to file an annual report for its business activities in the IFSC under applicable law, it shall include therein a section headed “Complaint Handling and Grievance Redressal”, setting out data on all complaints received, resolved, rejected and pending during the year, in a tabular or graphical format.

Where the Company is not required to file such an annual report, it shall annually publish the information regarding complaint handling on its website under the heading 'Complaint Handling and Grievance Redressal'.

10. Role of Compliance Officer

The Compliance Officer shall ensure that the handling and disposal of complaints by the Company is carried out in accordance with the regulatory requirements specified by IFSCA.

11. Role of CRAO / Designated Partner

The CRAO shall periodically review the complaints received by the Company, including a monthly review of the Complaint Register, and shall ensure their redressal within the timelines prescribed under this Policy.

12. Online System for Complaint Handling

Depending on the nature, scale and complexity of its business, together with its size and organisational structure, the Company may opt to develop an online system for addressing complaints. Until such time, the Complaint Register at Annexure B, maintained electronically, shall serve this function.

13. Disclosure

This Policy shall be prominently disclosed on the website of the Company under the heading 'Complaint Handling and Grievance Redressal', along with the Complaint Channels listed in Section 5 above. The name and contact details of the CRO and the CRAO shall be disclosed under this section.

14. Periodicity of Review

This Policy shall be reviewed at least once every financial year, and shall additionally be reviewed whenever there are material changes to the applicable regulatory requirements.

15. General

Notwithstanding anything contained in this Policy, the Company shall comply with any additional requirements on 'Complaint Handling and Grievance Redressal' that may be prescribed under the IFSCA (Capital Market Intermediaries) framework or any other applicable law or regulation, whether existing or arising from any amendment thereto, as applicable to the Company's business activities from time to time.

Any subsequent amendment or modification to the applicable laws or regulations relating to this Policy shall automatically apply to this Policy.

16. Interpretation

All references to applicable laws or regulations in this Policy shall be deemed to include such laws or regulations as amended from time to time, and any orders or judgments passed by the relevant authorities thereunder.

Where the terms of this Policy differ from any existing or newly enacted law, rule, regulation or standard governing the Company's business activities, such law, rule, regulation or standard shall prevail, and the Company shall modify this Policy to conform therewith.

17. Power to Remove Difficulties

In order to remove any difficulty in the application or interpretation of this Policy, the Compliance Officer shall have the power to issue clarifications.

Annexure A – Matters Not Considered as a 'Complaint'

An indicative list of matters not considered as a 'Complaint' is set out below:

- Anonymous complaints (except whistle-blower complaints);
- Incomplete or unspecific complaints;
- Allegations without supporting documents;
- Suggestions or requests seeking guidance/explanation;
- Complaints on matters not relating to the financial products or services provided by the Company;
- Complaints about any unregistered/unregulated activity;
- References in the nature of seeking information or clarification about financial products or services.