

The Warehousing (Development and Regulatory) Authority Annual Report and Returns Rules, 2010

UNION OF INDIA

India

The Warehousing (Development and Regulatory) Authority Annual Report and Returns Rules, 2010

Rule

THE-WAREHOUSING-DEVELOPMENT-AND-REGULATORY-AUTHORITY of 2010

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The Warehousing (Development and Regulatory) Authority Annual Report and Returns Rules, 2010 Published vide Notification in the Gazette of India, extra; part 2, Section 3(i), dated 8th November, 2010.

1761.

G.S.R. 894(E), dated 8th November, 2010. - In exercise of the powers conferred by sub-sections (1) and (2) of Section 39 of the Warehousing (Development and Regulation) Act, 2007 (37 of 2007), the Central Government hereby makes the following rules, namely

1. Short title and commencement.

(1) These rules may be called the Warehousing (Development and Regulatory) Authority Annual Report and Returns Rules, 2010. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires, - (a) "Act" means the Warehousing (Development and Regulation) Act, 2007; and (b) "Annexure" means an Annexure appended to these rules. (2) Words and expressions used in these rules but not defined shall have the same meanings respectively assigned to them in the Act.

3. Furnishing of returns.

(1)The Authority shall furnish to the Central Government quarterly returns and statements on the matters specified in Annexure I, including matters as may be specified by the Central Government from time to time.(2)The Authority shall also furnish such returns, statements or particulars in regard to any proposed or existing programme for the promotion and development of the warehousing industry, as the Central Government may direct from time to time.

4. Preparation and submission of Annual Report.

(1)The Authority shall prepare, as soon as may be, after the commencement of each financial year the annual report referred to in sub-section (2) of Section 39 of the Act as specified in Annexure II.(2)The annual report shall contain an account of the activities during the previous financial year, containing, inter alia,(a)a statement of corporate and operational goals and objectives of the Authority;(b)annual targets in physical and financial terms set for various activities in the background of clause (a) together with a brief review of actual performance with reference to those targets;(c)an administrative report on the activities of the Authority during the previous year and the current year and an account of the activities which are likely to be taken up during the next financial year;(d)important changes in the organizational set up of the Authority;(e)report on employ er-employees relations and welfare activities of the Authority; and(f)report on such other miscellaneous matters as deemed fit by the Authority for reporting to the Central Government.(3)The annual report shall, after adoption at a meeting of the Authority, be signed by the Chairperson and authenticated by affixing the common seal of the Authority and the requisite number of copies thereof shall be submitted to the Central Government by the 30th day of September in each calendar year.ANNEXURE IReturns and Statements and Other Particulars Required to be Furnished quarterly by Warehousing Development and Regulatory Authority(See Rule 3)I. Statement of registration of warehouses by Authority.

Sl.No.	Numberof application received for registration	Numberof warehouses registered during the quarter with details	Numberof warehouses pending for registration
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II. Statement of the periodical inspection ow warehouses conducted by the Authority/or its authorized representative to monitor the quality of service provided by the warehouses.

Sl.No.	WarehousesInspection conducted during the quarter with details	Observationsof Authority	Remedialsteps taken
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III. Statement of registration of accreditation agencies by Authority.

Sl.No.	Numberof application received from accreditation agencies	No.of accreditation agencies registered during the quarter withdetails	Numberof applications of accreditation agencies pending for registration
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IV. Statement on the periodical inspection of accreditation agencies conducted by the Authority/or its authorized agent.

Sl.No.	Inspection of accreditation agencies conducted during the quarter with details	Observations of Authority	Remedial steps taken
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V. Return on number of cases filed before the Authority for settlement of disputes and adjudicated upon.

Sl.No.	Number of cases pending in the last quarter	Number of cases received during the quarter	Number of cases disposed of during the quarter	no. of cases pending at the end
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VI. Statements on penalty imposed on warehouses by the Authority for contraventions of the directions of the Authority.

Sl.No.	Name of the warehouses	Details of the directions issued	Penalty imposed
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VII. Statements of penalty imposed on accreditation agencies by the Authority for contraventions of the directions of the Authority.

Sl.No.	Name of the accreditation agencies	Details of the directions issued	Penalty imposed
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ANNEXURE II Form of Annual Report of the Warehousing Development and Regulatory Authority

Part I – Policies and Programmes :

(1) Review of General Economic Environment of the warehousing sector. (2) Review of policies and programmes in respect of- (a) Rural/Urban warehousing activities; (b) Expansion of warehousing activities; (c) Entry of private sector in both basic and value added service; (d) Technical compatibility and effective interconnection between warehouses; (e) Scientific warehousing technology; and (f) Quality of warehousing service.

Part II – Review of working and operation of the Warehousing Development and Regulatory Authority in warehousing sector in respect of-

(a) Rural/Urban warehousing activities; (b) Expansion of warehousing sector; (c) Technical compatibility and effective warehousing services by the warehouses; and (d) Quality of service.

Part III – Data or registrations/renewals etc. of Warehousing Development and Regulatory Authority.

(a)Number of warehouses registered;(b)Number of warehouses registrations renewed;(c)Number of applications rejected;(d)Number of registrations suspended or cancelled;(e)Ensuring compliance of terms and conditions of registration of warehouses;(f)Steps taken to protect the interest of depositors of goods;(Give details of steps taken including the details of cases adjudicated upon)(g)Steps taken to facilitate completion and promote efficiency in the operation of warehousing service so as to facilitate growth in such services;(Give details of steps taken and the results thereof)(h)Settlement of disputes between warehousing service providers and negotiable warehouse receipt holders;(Give details of disputes adjudicated upon)(i)Details of advice rendered to the Central Government in the matter relating to development of warehousing sector and any other matter related to the subject;(Give details of advice rendered and the reaction of the Government thereto).(j)Administrative and financial functions entrusted to the Authority by the Central Government;(Give details regarding performance of delegated functions)(k)Monitoring of the quality of services and details of promotional survey of such services by the warehouses;(Give details of steps taken and the results achieved)(l)Inspection of equipment used in the warehousing sector including grading and pest control services and recommendation made on the type of equipment to be used by the warehouses.(Give details of the inspection made and remedial action taken)

Part IV

Organisational matters of the Warehousing and Development and Regulatory Authority including financial performance. (Details)