

THE WAREHOUSING (DEVELOPMENT AND REGULATION) REGISTRATION OF WAREHOUSES RULES, 2017¹

In exercise of the powers conferred by clauses (a), (b) and (c) of sub-section (2) of section 50 of the Warehousing (Development and Regulation) Act, 2007 (37 of 2007) and in supersession of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2010, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for better and effective regulation and supervision of registered warehouses, namely:—

CHAPTER 1

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context requires otherwise,—

(a) “Act” means the Warehousing (Development and Regulation) Act, 2007 (37 of 2007);

(b) “affiliate” means—

(i) applicant’s key managerial persons or any of their relatives who are key managerial persons;

(ii) a company in which the applicant or any of its key managerial persons is a member or director;

(iii) any person on whose advice, directions or instructions the applicant or any of its key managerial persons is authorised to act, except where the advice, directions or instructions are given in a professional capacity;

(iv) if the applicant is an individual, a relative of the applicant;

(v) if the applicant is a company, any company which is—

(1) a holding, subsidiary or an associate company of the applicant; or

(2) a subsidiary of a holding company to which the applicant is also a subsidiary;

(c) “applicant” means a person or a warehouseman who makes an application for registration or renewal or modification to the Authority under rule 4 or rule 13;

1. *Vide* G.S.R. 165(E), dated 23rd February, 2017, published in the Gazette of India, Extra-Pt. II, Sec. 3(i), No. 133, dated 23rd February, 2017.

2. Came into force on 23-2-2017.

- (d) "associate company" in relation to another company, means a company in which that other company has control of at least twenty per cent of total share capital, or of business decisions under an agreement, but which is not a subsidiary of the company having such influence and includes a joint venture company;
- (e) "effective control" means the ability of an applicant or a warehouseman to demonstrate physical possession and complete operational control with respect to a warehouse concerned through document specified in the First Schedule;
- (f) "external person" means a person, including an inspection agency, who is,—
- (i) independent of the Authority;
 - (ii) not an applicant or a warehouseman, or a relative or an affiliate of an applicant or a warehouseman; and
 - (iii) assigned, by the Authority, the responsibility of performing any functions under these rules, regulations, guidelines or circulars made under the Act;
- (g) "holding company", in relation to one or more other companies, means a company of which such companies are subsidiary companies;
- (h) "key managerial person", in relation to an applicant or a warehouseman, means,—
- (i) if the applicant is a partnership firm, each of the partners mentioned in its registered partnership firm deed;
 - (ii) if the applicant is a trust, the settler of the trust and each member of the board of trustees;
 - (iii) if the applicant is a society, the president, secretary and treasurer of the society and each member of its governing body;
 - (iv) if the applicant is a company,—
 - (A) the Chief Executive Officer or the Managing Director;
 - (B) the Company Secretary;
 - (C) a Director; and
 - (D) the Chief Financial Officer;
- (i) "net worth" means,—
- (i) for a company, the aggregate value of the paid-up share capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure not written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write-back of depreciation and amalgamation;
 - (ii) for a partnership firm, individual, society or sole proprietorship, the aggregate value of paid up capital and the free reserves;

- (j) "noticee" means a person to whom a show cause notice or an order is issued;
- (k) "registered warehouse" means a warehouse in respect of which a certificate of registration has been issued to the warehouseman by the Authority for carrying out the warehousing business;
- (l) "relative" means a person who bears any of the following relationships with an individual, if,—
 - (i) he is a member of the same Hindu Undivided Family;
 - (ii) they are husband or wife;
 - (iii) related by affinity or consanguinity within the specified degree as determined under any law for the time being in force, or individuals in a step or adoptive relationship within such specified degree;
- (m) "show cause notice" means a written or electronic notice issued by the Authority which,—
 - (i) states the action that the Authority proposes to take;
 - (ii) states the causes requiring the proposed action; and
 - (iii) provides the time limit within which such notice shall be replied to;
- (n) "standard operating procedure" means information covering the processes, actions and responsibilities with regard to the aspects prescribed under rule 21;
- (o) "subsidiary" in relation to any other company (that is to say the holding company), means a company in which the holding company directly or indirectly through another subsidiary—
 - (i) controls the composition of the board of directors, such control being implied in cases where the company by exercise of some power exercisable by it at its discretion can appoint or remove all or a majority of the directors; or
 - (ii) exercises or controls more than one-half of the total share capital either on its own or together with one or more of its subsidiary companies;
- (p) "warehouse concerned" means the warehouse in respect of which an application of registration is made by an applicant.

(2) The words and expressions used herein but not defined shall have the meaning assigned to them in the Act.

CHAPTER 2

COMMENCEMENT OF WAREHOUSING BUSINESS

3. Registration with Authority.—(1) The Authority shall grant a certificate of registration under sub-section (3) of section 4 of the Act to a person with respect to a warehouse, if,—

- (a) a person has submitted an application under rule 4; and

(b) the Authority is satisfied that the person has fulfilled the requirements as specified in these rules.

(2) A person having its warehouse registered as a warehouseman may make an application for registration of more warehouses.

CHAPTER 3

PROCESS OF APPLICATION FOR REGISTRATION

4. Filing of application.—(1) A person desirous of commencing or carrying on the business of maintaining warehouse issuing negotiable warehouse receipt may make an application for registration of the warehouse to the Authority in accordance with these rules in the Form appended in the Second Schedule.

(2) An applicant may submit an application in respect of one or more warehouses, either owned by him, or under his effective control.

(3) The applicant may submit the application to the Authority in electronically or in such manner as may be specified by the Authority.

(4) An application shall be treated as complete if,—

(a) the application is submitted in the form and manner specified under sub-rule (1);

(b) the application contains all documents specified under rules 15, 16, 17, 18 and 21; and

(c) the application is accompanied with the fees as specified in rule 5.

(5) The Authority may call for additional information from the applicant or warehouseman if it considers necessary to ascertain the eligibility of the applicant under these rules.

5. Fees for application.—The applicant shall pay a non-refundable application fee to the Authority as specified in the Third Schedule.

6. Acknowledgment of application.—(1) The Authority shall send an acknowledgement to the applicant within three working days of receipt of the application for registration.

(2) Mere receipt of the application for registration or issuance of an acknowledgement by the Authority under sub-rule (1) shall not bind the Authority to issue a certificate of registration to the applicant.

CHAPTER 4

PROCESS FOR EXAMINATION OF APPLICATION AND REGISTRATION

7. Examination of application.—(1) The Authority shall examine the application for registration of a warehouse, within ten working days of its receipt, so as to determine as to whether—

(a) the application is complete, as per the requirement of sub-rule (4) of rule 4; and

(b) the applicant fulfils the eligibility requirements stated under rules 15, 16, 17, 18 and 21.

(2) The Authority may, if it finds that the applicant does not fulfill the requirements stated under sub-rule (4) of rule 4 or rule 15, 16, 17, 18 or 21, reject an application before a communication for physical inspection is issued.

(3) where the Authority has issued a communication for physical inspection under rule 8, it may reject the application on the basis of the examination of the inspection report.

(4) The Authority shall not reject an application unless it follows the procedure provided under rule 11.

8. Inspection of warehouse.—(1) The Authority may, by itself or through an external person, conduct a physical inspection of the warehouse.

(2) The Authority shall require a physical inspection of the warehouse listed in the application by sending a written or electronic communication to such effect to the applicant.

(3) The written or electronic communication under sub-rule (2) shall include the details of—

(a) the warehouse to be inspected;

(b) if external person has been assigned to perform the physical inspection, details of such external person; and

(c) any other details as may be required to be communicated to the applicant.

(4) The Authority, through guidelines, shall specify the procedure for empanelment of the external person to conduct inspections.

(5) The Authority shall, by order, specify the amount of inspection fee and the manner of payment of such fee to the external person for carrying out the inspection of the warehouse and warehouseman, as the case may be.

9. Process of physical inspection for registration.—(1) The Authority or the external person shall conduct the physical inspection and collect information of physical parameters of the warehouse as per the requirements under rule 20 and any other requirement specified by the Authority, to the satisfaction of the Authority, and submit an inspection report to the Authority in such form as may be determined by the Authority through guidelines from time to time.

(2) The external person shall complete the physical inspection of the warehouse of the applicant within twenty-one working days of issuance of letter by the Authority.

(3) The Authority shall send a copy of the inspection report to the applicant within ten working days of the date of receipt of the physical inspection report from the external person.

10. Examination of physical inspection report.—(1) The Authority shall, within ten working days, examine the inspection report submitted under rule 9.

(2) If the Authority is satisfied on the basis of application and the physical inspection report, that the warehouse does not meet the eligibility criteria under these rules, it shall reject the application, subject to the provisions of rule 11.

11. Process for rejection of application.—(1) The Authority shall issue a notice to the applicant if it proposes to reject its application.

(2) The notice shall provide at least fifteen working days to such applicant to make representations to the Authority.

(3) The opportunity to make representations to the Authority under sub-rule (2) shall include a hearing before the concerned officer of the Authority, either in person or through written or electronic communication, as required in the notice.

(4) The Authority may allow an applicant to whom a notice has been issued, reasonable time as specified by the Authority to undertake corrective measures, and to revise its application, so that the applicant may meet the eligibility criteria as provided under these rules.

(5) If the Authority deems that an additional inspection of the warehouse is required to satisfy itself with respect to such corrective measures, it may cause a second physical inspection that shall be conducted at the cost of the applicant.

(6) If the applicant has been given time for corrective measures under this rule, and fails to satisfy the Authority about the corrective measures undertaken, the Authority shall reject the application.

(7) If the applicant has failed to reply to the notice within the period specified under sub-rule (2), the Authority shall,—

(a) reject the application; or

(b) allow additional time for replying to the notice.

(8) The Authority, after following the procedure provided under sub-rule (6) or clause (a) of sub-rule (7), shall issue an order to the applicant stating reasons for rejecting the application, which shall also include details of the specific discrepancies between the application and the eligibility requirements under sub-rule (4) of rule 4 or rule 15, 16, 17, 18, 20 or 21.

12. Grant of certificate of registration.—(1) If the Authority is satisfied that the applicant meets the eligibility requirements under these rules, it shall issue a written or electronic communication to the applicant asking it to submit the security deposit in accordance with rule 19 within a period of twenty-one working days.

(2) If the applicant fails to submit the security deposit within the period specified under sub-rule (1), the application shall be deemed to have been rejected.

Provided that the Authority may, if it is satisfied that the applicant was prevented by sufficient cause from submitting the security deposit within the said twenty-one working days, allow him to submit the security deposit.

(3) If the applicant submits the security deposit in accordance with rule 19, the Authority shall issue a certificate of registration to the applicant in respect of the warehouse to the applicant within five working days in the form specified in the Fourth Schedule.

(4) The certificate of registration issued under sub-rule (3) shall be valid for a period of five years from the date of issuance of the certificate, subject to the

maintenance of ownership or continuous effective control over the warehouse concerned by the warehouseman.

(5) After the grant of certificate of registration under this rule, the applicant shall be a warehouseman in respect of the warehouse, and be entitled to conduct the warehousing business from the date of issuance of the certificate of registration.

13. Renewal and modification of registration.—(1) A warehouseman may submit an application for renewal or modification of the certificate of registration of warehouse in the form appended in the Second Schedule.

(2) The application for the renewal shall be submitted at least three months prior to the expiry of its registration.

(3) An application for renewal shall be accompanied with the fee as specified under the Third Schedule.

(4) In case there is no change in any information specified in the application form for the warehouseman and the warehouse for which renewal is sought, the applicant shall send a letter confirming the same to the Authority.

(5) In case of change in any information specified in the application form pertaining to the warehouseman or the warehouse for which renewal is sought, an application for renewal shall be submitted in the form specified in the Second Schedule.

(6) The certificate of registration, renewal or modification shall be in the form provided in the Fourth Schedule.

(7) The Authority may reject an application for the renewal of registration of a warehouse, if,—

(a) inspection or audit of the warehouse has revealed violations of the provisions of the Act, rules, regulations or any notification issued thereunder or guidelines issued by the Authority; or

(b) the Authority has determined, in a manner to be specified by guidelines that, the warehouseman has not resolved disputes efficaciously, or that there are significant outstanding disputes with holders regarding delivery of goods in respect of such warehouse.

(8) The Authority may conduct or may engage an external person to conduct inspection of warehouse in respect of which renewal of registration is sought if,—

(a) inspection of the warehouse has not been conducted within one year preceding the date of application for renewal; or

(b) inspection or audits of the warehouse has revealed violations of the Act, rules, regulations, or any notifications issued thereunder or guidelines issued by the Authority; or

(c) there have been disputes with holders regarding delivery of goods in respect of such warehouse.

(9) The provisions of rules 8 to 11 shall apply to an inspection under this rule.

(10) If the Authority is satisfied that the applicant meets the eligibility requirements under these rules, it shall issue a certificate of renewal of registration to the warehouseman in respect of the warehouse within five working days after receipt of application or the inspection report, as the case may be, in the form as specified in the Fourth Schedule.

(11) Modification of the certificate of registration in this rule shall be permitted for the following, namely:—

- (a) errors in the certificate of registration; and
- (b) a change in the goods to be stored in the warehouse.

14. Surrender of the certificate of registration.—(1) If a warehouseman wishes to surrender his registration to conduct warehousing business in respect of one or more registered warehouses, he may make a request for such surrender to the Authority in such manner as may be specified by the Authority.

(2) While disposing a request under this rule, the Authority may require the warehouseman to satisfy it with respect to the following factors—

- (a) the warehouseman has no pending obligations to deliver goods in respect of which it has issued negotiable warehouse receipts from such registered warehouse; and
- (b) there are no pending disputes in relation to the goods deposited in the registered warehouse in respect of which a request has been made.

(3) The Authority may call for information from such warehouseman in such form and manner as may be determined by it from time to time.

(4) The Authority may accept the surrender of registration if it is satisfied that the requirements under this rule have been met.

(5) If the Authority accepts the surrender of registration, it shall inform the warehouseman, and all other stakeholders in the manner as may be specified by it from time to time.

(6) If the warehouseman continues to conduct the warehousing business from other warehouses after the surrender of the certificate of registration of one or more warehouses, the Authority shall return the security deposit only in respect of such warehouse whose certificate of registration has been surrendered.

(7) The warehouseman shall not issue any negotiable warehouse receipt from the registered warehouse in respect of which it requests surrender, on and from the date of submitting the request under this rule, and until it receives a rejection order under this rule.

CHAPTER 5

ELIGIBILITY REQUIREMENTS FOR REGISTRATION OF A WAREHOUSE

15. Identity of applicant.—(1) Every application shall be accompanied by necessary documents to establish the identity of the applicant as per the Fifth Schedule.

(2) Every application shall be accompanied by necessary documents to demonstrate that the applicant is in—

- (a) ownership of the warehouse stated in the application as mentioned in the Sixth Schedule; or
- (b) effective control of the warehouse stated in the application as per the First Schedule.

16. Fit and proper person.—(1) The Authority shall examine whether the applicant is a fit and proper person.

(2) The Authority shall consider the applicant a fit and proper person if the applicant satisfies all of the following requirements—

- (a) the applicant, or any of its key managerial persons, has not been convicted by any court for any offence at any time in the preceding five years;
- (b) the applicant, or any of its key managerial persons, has not been declared as an insolvent by any court;
- (c) the applicant, or any of its key managerial persons, has not been declared to be of unsound mind by any court;
- (d) if the applicant is a person other than an individual, the documents mentioned in the Fifth Schedule should state that one of the objectives of the entity is to carry out the warehousing business;
- (e) the applicant or its affiliates are not assigned, by the Authority to carry out any other function under the Act; and
- (f) the applicant submits an undertaking to the effect that all the local laws have been complied with for carrying out the business of warehousing with respect to the warehouse.

17. Insurance.—(1) The applicant or warehouseman shall have insurance coverage for the risks specified under this rule, in the manner as may be specified by the Authority from time to time.

(2) The insurance coverage of the applicant or warehouseman with respect to the goods deposited in the warehouse, must be against at least—

- (a) fire;
- (b) flood;
- (c) burglary;
- (d) misappropriation; and
- (e) riots and strikes.

(3) If the warehouse is located in an area notified as a disturbed area by the Central Government or any other area specified by the Authority by guidelines, the applicant shall be required to have the insurance coverage against terrorism.

(4) The Authority may, by guidelines, specify additional requirements for insurance, including additional risks and the manner of coverage that a warehouseman may be required to take.

(5) The Authority may require a warehouseman to provide periodic information regarding the insurance coverage required under this rule.

(6) The applicant and warehouseman shall submit copies of all insurance policies to the Authority to exhibit compliance with the insurance requirements under this rule.

18. Minimum net worth.—(1) The applicant shall meet the minimum net worth requirements as stated in the Seventh Schedule on the basis of the sum total of the capacity of the warehouses concerned and all registered warehouses belonging to the applicant.

(2) The warehouseman shall maintain the minimum net worth requirements as specified in the Seventh Schedule at all times during the period of registration.

(3) The applicant shall provide evidence of compliance with net worth requirements periodically to the Authority.

(4) The Authority may, by guidelines, state the periodic interval at which a warehouseman shall provide evidence of compliance in respect of net worth requirements.

(5) The applicant shall submit one of the following documents to the Authority to exhibit compliance with the net-worth requirements—

- (a) audited balance sheet for the last financial year;
- (b) provisional net worth certificate issued by applicant's statutory auditor, provided that an audited balance sheet of the last financial year is submitted within a period of twelve months;
- (c) in case of persons not subject to audit, balance sheet certified by a chartered accountant.

19. Security deposit.—(1) The Authority, in consultation with all the stake holders, shall, by notification in the Official Gazette, specify the amount and the manner of the security deposit to be furnished by the applicant or the warehouseman but the warehouseman shall not increase charges payable by the depositors within the period of validity of negotiable warehouse receipts issued to them.

(2) An applicant shall submit and maintain a security deposit to be held by the Authority during the period of registration of the warehouse.

(3) The warehouseman shall ensure that the amount of the security deposit furnished is in compliance with these rules at all times, or at such periodic intervals as the Authority may specify from time to time.

(4) When an applicant or a warehouseman furnishes or updates the security deposit, the Authority shall issue an acknowledgement of receipt of such deposit.

(5) The warehouseman may furnish, at his option, a joint security deposit for more than one warehouse.

(6) The Authority shall maintain complete records regarding the security deposit provided by the applicant or the warehouseman.

(7) The Authority may, at its discretion, adjust the security deposit already furnished by the warehouseman, against the amounts required to be furnished as security deposit in these rules.

(8) The Authority may allow any entity created under an Act of Parliament or of State legislature to provide, instead of the security deposit, an indemnity bond of the amount required as security deposit.

(9) If the Authority allows the submission of an indemnity bond, it shall specify the form of such indemnity bond.

(10) An entity allowed by the Authority to submit an indemnity bond shall submit, along with its application for registration, a resolution from its board of directors authorising the furnishing of such indemnity bond.

(11) The Authority shall refund the security deposit in respect of a warehouse, if—

- (a) an application for renewal of registration of the warehouse has been rejected and if the Authority is satisfied that the warehouseman has discharged his obligations as per the requirements of these rules;
- (b) a warehouseman surrenders his certificate of registration, and the Authority accepts such surrender; or
- (c) the certificate of registration of a warehouse is cancelled, and the Authority is satisfied that the warehouseman has discharged his obligations as per the requirements of these rules.

20. Infrastructure requirements for a warehouse.—(1) The applicant shall demonstrate the compliance of the warehouse with the infrastructure requirements as specified by the Authority from time to time.

(2) The Authority shall specify the manner in which an applicant shall be required to comply with the requirements set out under this rule.

(3) The Authority may conduct or cause to be conducted a physical inspection of the warehouse to satisfy itself that the information submitted under this rule is correct.

(4) The Authority may not grant a certificate of registration in respect of a warehouse concerned unless it is satisfied that the warehouse concerned meets the requirements under this rule.

21. Standard operating procedure.—(1) An applicant shall not be granted a certificate of registration in respect of a warehouse unless he submits standard operating procedures in respect of all the warehouses.

(2) The applicant may submit the same standard operating procedures in respect of more than one or all warehouses.

(3) The standard operating procedures shall provide for the following aspects—

- (a) procedure for deposit and delivery of goods;
- (b) procedure for weighing, sampling of goods to be deposited as per industry standards;

- (c) procedure for verification of quality of goods and communication to depositor;
- (d) procedure for maintaining details of persons who may act as authorised representatives of the warehouseman for issuing negotiable warehouse receipt;
- (e) procedure for ensuring the safety of the goods from fire, theft, burglary, etc.;
- (f) procedure for scientific storage of goods, including stacking;
- (g) procedure for clear identification of stored goods up to the lowest common factor (for example lot size);
- (h) procedure for determining losses caused due to fire, flood, burglary, misappropriation, fraud, negligence and force majeure events;
- (i) procedure for internal verification of stock;
- (j) procedure for grievance redressal; and
- (k) roles and responsibilities of employees (including outsourced employees).

(4) The standard operating procedure shall meet such minimum requirements in regard to the matters specified under sub-rule (3), as may be specified by guidelines by the Authority.

CHAPTER 6

PERFORMANCE REQUIREMENTS FOR WAREHOUSEMAN

22. Compliance with registration requirements.—(1) A warehouseman shall at all times comply with—

- (a) the requirement of maintaining effective control of the warehouse as required under clause (b) of sub-rule (2) of rule 15;
- (b) the requirement of being a fit and proper person as per the criteria as stated in rule 16;
- (c) the insurance requirements as stated in rule 17;
- (d) the minimum net worth requirements as stated in sub-rule (1) of rule 18;
- (e) the security deposit requirements as stated in rule 19;
- (f) infrastructure requirements as required under rule 20; and
- (g) compliance with its standard operating procedure in accordance with rule 21.

(2) Every warehouseman shall put in place appropriate internal systems and controls to monitor its compliance with the requirements under this rule.

23. Compliance with standard operating procedure.—(1) A warehouseman shall comply with its standard operating procedure submitted under rule 21 in respect of registered a warehouse at all times.

(2) A warehouseman shall ensure that it takes measures to monitor its internal compliance with the standard operating procedure.

(3) A warehouseman may modify, update or revise the standard operating procedure in respect of registered warehouse at any time, except when the Authority has directed the warehouseman of an inspection or investigation.

(4) The warehouseman shall submit the standard operating procedure that is modified, updated or revised to the Authority immediately after such modification, updation or revision.

(5) Any modification, updation or revision of standard operating procedure shall have no effect, unless it has been submitted to the Authority.

(6) The Authority may reject any modification, updation or revision, unless it meets the minimum standards provided under sub-rule (4) of rule 21.

(7) The Authority may specify the form and manner of modification, updation or revision of the standard operating procedure.

24. Know your depositor requirements.—(1) The Authority may from time to time, specify—

(a) the persons responsible, which may include the warehouseman, for collecting the documents to be submitted by the depositor for proving his identity and address before he can deposit goods with the warehouseman, and for the opening of any accounts or maintaining any records of the goods deposited against the name of such depositor; and

(b) the manner in which such information shall be collected, and any other relevant requirements for depositors and persons responsible for collecting such information.

(2) The list of documents that may be accepted as proof of the identity and the address of the depositor shall be such as are specified in the Eighth Schedule.

(3) The Authority may, by guidelines, specify the form and manner of collecting such information, and allow for additional documents or information that shall be regarded as acceptable proof of identity and address of a depositor.

25. General obligations of a warehouseman.—In the conduct of its warehousing business, a warehouseman shall—

(a) issue a negotiable warehouse receipt only in respect of such goods that have been specified by the Authority from time to time;

(b) deliver the goods referred to in a negotiable warehouse receipt, to the holder of the negotiable warehouse receipt on demand made by the holder after satisfying the warehousing lien;

(c) ensure that the negotiable warehouse receipt holder, on receiving the goods from the warehouseman, acknowledges the receipt of the goods in a form and manner required by the Authority;

(d) take necessary actions to maintain the quality and quantity of goods stored in the warehouse;

(e) maintain and record a complete and accurate set of records and accounts of all transactions pertaining to the operation of a registered

warehouse as per the requirements that the Authority may specify from time to time;

- (f) ensure that the physical inventory tallies exactly with the record;
- (g) maintain effective control of all registered warehouse storage space;
- (h) provide necessary assistance in the execution of inspections and audits by the Authority;
- (i) resolve grievances efficaciously;
- (j) not differentiate among depositors regarding use of and access to a warehouse;
- (k) not store goods belonging to itself in a registered warehouse; and
- (l) not sell, remove or dispose of the goods deposited in a registered warehouse except as permitted under the Act.

26. Information contained in warehouse receipts.—A warehouseman must ensure that all warehouse receipts issued by it, negotiable or otherwise, comply with the requirements of section 11 of the Act and the rules, regulations and notifications made thereunder.

27. Mandatory registration with e-negotiable warehouse receipt repository.—(1) With effect from such date as may be specified by the Authority, no warehouseman shall issue any negotiable warehouse receipts in physical form, and shall register with one or more repositories registered with the Authority for issuing negotiable warehouse receipts in electronic form.

(2) The Authority shall provide sufficient time to the warehouseman to comply with the requirements of this rule.

28. Disclosure of information.—(1) A warehouseman shall make a written disclosure to the Authority of any of the following events, namely:—

- (a) any change in the key managerial persons of the warehouseman, within fifteen days of such change;
- (b) any change in the ownership or capital structure of the warehouseman, within fifteen days of such change;
- (c) any change in the net worth of the warehouseman, on a quarterly basis;
- (d) the occurrence of any of the events stated in sub-rule (2) of rule 17, within fifteen days of such event;
- (e) the initiation of a dispute in relation to the goods deposited in a warehouse or the negotiable warehouse receipt issued in relation to the deposited goods, immediately upon the initiation of the dispute; and
- (f) any change in location or capacity of the warehouses managed by the warehouseman, whether registered with the Authority or not, immediately on the occurrence of such change.

(2) The Authority may, by order, require the warehouseman to make any additional disclosures and stipulate the form and manner in which a disclosure is required to be made.

29. Submission of information regarding warehouse receipts.—(1) A warehouseman shall submit monthly reports to the Authority in such form and manner, including in electronic form, as may be specified by the Authority in this behalf.

(2) The monthly reports to be submitted under this rule shall contain the following details of warehouse receipts in respect of the preceding month, namely:—

- (a) the total number of warehouse receipts (negotiable and non-negotiable) issued, redeemed, or cancelled;
- (b) the total number of un-issued negotiable warehouse receipts in his possession, if any;
- (c) the commodity wise stock position of all goods against which the warehouseman has issued warehouse receipts (negotiable and non-negotiable);
- (d) the aggregate market value of all goods against which the warehouseman has issued warehouse receipts (negotiable and non-negotiable) as on the last day of the preceding month; and
- (e) the negotiable warehouse receipts pledged with banks and financial institutions;

(3) The Authority may require additional information regarding the negotiable warehouse receipts issued by the warehouseman, or the goods stored by the warehouseman in registered warehouses.

CHAPTER 7

SUSPENSION OF REGISTRATION

30. Suspension of registration.—(1) The Authority may suspend the registration of a warehouse belonging to a warehouseman for any violation of the provisions of the Act, or rules, regulations or guidelines made or any notifications issued thereunder, after issuing a show cause notice to the warehouseman.

(2) The show cause notice shall include the following details—

- (a) the specific requirements of the Act, or of the rules or regulations made under the Act, that the warehouseman or the warehouse violates;
- (b) the action the warehouseman is required to take to rectify such violation; and
- (c) the time limit within which such corrective action may be taken.

31. Effect of suspension.—(1) The Authority may by order in writing prevent the warehouse from issuance of any negotiable warehouse receipt during the period of suspension in respect of such warehouse.

(2) The warehouseman shall, during the period of suspension of registration of the warehouse, continue to discharge its obligations in respect of negotiable warehouse receipts already issued by it.

(3) The Authority may, during the period of suspension of a warehouse, conduct or cause to be conducted through an external person, an inspection of such warehouse to ensure compliance with the provisions of the Act, rules, regulations and guidelines made and any notification issued thereunder.

32. Revocation of Suspension.—(1) The Authority may revoke the suspension of registration in respect of the warehouse if it is satisfied that the warehouseman has fulfilled the requirements mentioned in the show cause notice issued under sub-rule (2) of rule 30 and shall immediately communicate such decision to the warehouseman.

(2) A warehouseman whose suspension in respect of the warehouses has been revoked, may commence the warehousing business from such warehouse after the revocation of suspension.

CHAPTER 8

CANCELLATION OF REGISTRATION

33. Cancellation of registration.—(1) The Authority may cancel the registration of a warehouse if,—

- (a) the warehouse is in violation of the infrastructure requirements set out in rule 20;
- (b) the warehouseman is no longer able to demonstrate ownership of, or effective control over, the warehouse;
- (c) the warehouseman is no longer a fit and proper person as per rule 16;
- (d) warehouseman violates the net worth requirements under rule 18;
- (e) the warehouseman has been repeatedly suspended for a violation of any of the provisions of these rules;
- (f) the registration of the warehouse has been suspended and the warehouseman fails to comply with the requirements specified in the show-cause notice issued to it under sub-rule (2) of rule 30;
- (g) the warehouseman does not cooperate in any enquiry, inspection or audit conducted by the Authority or external person;
- (h) the warehouseman fails to comply with any corrective action required as a result of any enquiry, inspection or audit conducted by the Authority or external persons; or
- (i) the order suspending the registration of the warehouse has been issued more than once.

(2) The Authority shall not cancel the registration of a warehouse, except after holding an enquiry in accordance with this rule.

(3) The Authority, or the enquiry officer appointed by the Authority, under this rule, shall issue a show cause notice to the warehouseman which includes the following details—

- (a) the specific requirements under the Act or these rules that the warehouseman or the registered warehouse violates;
- (b) the information which would enable the Authority to satisfy itself regarding the violation; and
- (c) the time limit within which the notice must be replied to.

(4) The Authority or the enquiry officer making any enquiry under sub-rule (3) shall allow the warehouseman—

- (a) access to all the material considered in taking the decision to issue a show cause notice;
- (b) access to any material that was collected in the course of any inspection or investigation under the Act used in taking the decision to issue the show cause notice; and
- (c) access to any recorded conclusions or findings that the Authority drew based on material collected during any inspection or investigation under the Act used in taking the decision to issue the show cause notice.

(5) The Authority or the enquiry officer may conduct, or cause to be conducted by an external person, an inspection of such warehouses, to examine the compliance with the provisions of this Act, or rules, regulations or guidelines made or any notifications issued thereunder.

(6) Where an enquiry officer is appointed, such officer shall submit an enquiry report to the Authority after considering all the facts and the submissions made by the warehouseman.

(7) The enquiry report submitted by the enquiry officer under sub-rule (6) shall include the following—

- (a) copy of the show cause notice;
- (b) all material considered in taking the decision to issue the show cause notice;
- (c) copy of all communications and submissions made by the warehouseman to the enquiry officer in respect of the show cause notice;
- (d) copy of all material considered during the investigation;
- (e) findings of the investigation;
- (f) specific violations by the warehouseman under this Act or these rules which make him liable for action; and
- (g) name of the enquiry officer, or official of the Authority if an enquiry officer is not appointed.

(8) The Authority shall issue an order on the basis of the enquiry report or on the basis of all the facts and the submissions made by the warehouseman before it and communicate to the warehouseman.

(9) The order issued by the Authority shall contain the following information, namely:—

- (a) the decision taken by the authority;
 - (b) the materials on which the Authority has relied upon to arrive at such decision;
 - (c) the reasons to take such decision;
 - (d) any right that the applicant may have to get the matter referred to the Appellate Authority; and
 - (e) the procedure of such reference.
- (10) The Authority shall issue an order in respect of each warehouse whose registration is cancelled.

34. Effect of cancellation.—(1) On and from the date of cancellation of the registration of the warehouses, the warehouseman shall,

- (a) cease to conduct the warehousing business in respect of such warehouses; and
 - (b) continue to discharge its obligations in respect of negotiable warehouse receipts issued by it.
- (2) The Authority may prevent the issuance of any negotiable warehouse receipts by a warehouse whose registration has been cancelled.

CHAPTER 9 MISCELLANEOUS

35. Power of Authority in the event of potential loss to negotiable warehouse receipt holders.—(1) If the Authority determines that a warehouseman is not likely to make adequate efforts or has communicated his inability to preserve the quantity and quality of goods against which negotiable warehouse receipts have been issued by either relinquishing custody or control of deposited goods, in any other manner, and such act or omission is likely to cause loss to the quantity and quality of goods against which negotiable warehouse receipts have been issued, the Authority may, for the purpose of preserving the quantity and quality of such goods, immediately take control of and manage, or take control and liquidate the goods, as it may deem fit.

(2) The Authority may act under sub-rule (1) only after the registration of the warehouse,—

- (a) has been suspended; or
 - (b) has been cancelled; or
 - (c) has not been renewed; or
 - (d) has been, or is sought to be, surrendered.
- (3) While acting under sub-rule (1) the Authority may,—
- (a) immediately inform all negotiable warehouse receipt holders of such warehouses, and provide sufficient time for taking delivery of goods;
 - (b) appoint an external person for taking control, management and liquidation of the goods; and

- (c) recover from the warehouseman the costs of any action taken under this rule, and in the event of non-payment the security deposit of the warehouseman may be forfeited.

36. Power to require information and communicate electronically.—The Authority may, by order in writing or electronically, require any report or information from the applicant, warehouseman and any other person.

37. Transition provisions.—(1) Subject to the provisions of this rule, the registration of a warehouse registered prior to the commencement of these rules shall continue to be valid for its remaining period of registration.

(2) Warehouse registered with the Authority prior to the commencement of these rules shall have to comply with the requirements stated in rules 22, 23, 24, 25, 26, 27, 28 and 29 within six months from such commencement.

(3) A warehouseman registered with the Authority in respect of one or more warehouses prior to the commencement of these rules shall, within thirty days of such commencement, furnish to the Authority—

(a) the name of his employer who is the owner of the warehousing business, if the warehouse is owned by such owner;

(b) the name of his employer who is the owner of the warehousing business, if the warehouse has been hired or leased by such owner; or

(c) a declaration that he is the owner of the warehousing business, if the warehouseman is the owner of the warehousing business.

(4) The owner of the warehousing business shall also furnish—

(a) a declaration of the warehouseman confirming that he is the owner of the warehousing business, and that the details furnished by the warehouseman under this rule are true and correct; and

(b) a declaration that he shall comply with the requirements of these rules within the stipulated time.

(5) A declaration from the owner of the warehousing business shall not be required under sub-rule (4) if such person is the warehouseman prior to the commencement of these rules.

(6) The registration of a warehouse registered with the Authority prior to the commencement of these rules shall lapse automatically, if the owner of the warehousing business fails to comply with the requirements under this rule.

THE FIRST SCHEDULE

[See rules 2(1)(e) and 15(2)(b)]

DOCUMENTS TO DEMONSTRATE EFFECTIVE CONTROL OF WAREHOUSE CONCERNED BY APPLICANT

The applicant must submit any one of the following documents to exhibit effective control over the warehouse concerned—

- (1) a copy of the lease deed or rent agreement in respect of the warehouse concerned, or any other document evidencing a lease or rent, in favour of the applicant;

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- (2) in case of sub-lease, a copy of the lease deed indicating that sub-leasing is permitted, and a copy of the sub-lease deed. The lease deed must permit a sub-lease with effective control over the warehouse concerned;
- (3) a revenue sharing agreement in respect of the warehouse concerned, with clear responsibility of the applicant to manage and operate the warehouse;
- (4) no objection certificate from the municipal corporation/panchayat/local body, as the case may be, for carrying out the business of warehousing in favour of the applicant on land owned by the municipal corporation/panchayat/local body;
- (5) copy of lease document from the concerned Agricultural Produce Marketing Committee or Board indicating lawful possession of land/warehouse in favour of the applicant; or
- (6) copy of the allotment letter by respective State Government indicating lawful possession of land/warehouse, in favour of the applicant.

THE SECOND SCHEDULE

[See rules 4(1) and 13(1)]

APPLICATION FOR THE REGISTRATION/RENEWAL OF
REGISTRATION OF WAREHOUSE

Recent passport size
Photo of the applicant
or authorized
representative of the
applicant, who signs
the application form

To

The Warehousing Development and Regulatory Authority

.....

..... New Delhi-110016

Subject: Application for registration/renewal of registration of Warehouse(s) at.....

..... Tehsil/Taluka..... District.....

Dear Sirs,

I/we..... (Name) working as..... (designation)
in.....(name of the organization) having its registered
office at..... request for grant of registration/renewal of registration
for carrying on the business of warehousing and accordingly submit the following
information. (strike

I. Information concerning the applicant:

1.	Name of the applicant*	
2.	Address of the applicant (please attach proof of address)	
3.	E-mail	
4.	Phone number with STD code Mobile number	
5.	Whether the application is in respect of an existing warehouseman? If yes, please mention the warehouseman identification number given in any earlier certificate of registration obtained	

6.	Type of entity (Company/PSU/Partnership firm/ Cooperative Society/Society/Trust/Individual)	
7.	<p>Please furnish a copy of the identity proof of the applicant (refer the Fifth Schedule of Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017)</p> <p>(If the application is in respect of entity other than a natural person (individual), one of the documents attached should state that one of the objectives of the entity is to carry on the warehousing business</p>	
8.	<p>If the application is submitted by an authorised representative of the applicant (other than a natural person/individual), please indicate the address, e-mail and phone/mobile numbers of the authorised representative and attach copy of the proof of address as per serial number 1 of the Fifth Schedule of Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017 and any one of the following documents:</p> <p>(i) power of attorney;</p> <p>(ii) board resolution authorising the representative;</p> <p>(iii) board resolution in favour of the person providing a letter of authorisation in favour of the authorised representative; or,</p> <p>(iv) a letter of authorization from the governing body of the trust, society, partnership firm, as the case may be (the governing body shall be the body constituted by such organisation under its registered incorporation documents).</p>	
9.	<p>Details of Insurance Policies covering the warehouse applied (as per rule 17 of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017) Please attach photocopies of the insurance policies.</p>	
10.	<p>Net-worth of the entity for the previous financial year. (Please attach proof as per rule 18(5) of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017)</p>	
11.	<p>Please attach one set of Standard Operating Procedure as per rule 21 of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017)</p>	
12.	<p>Number of warehouse(s) for which registration is applied for</p>	

(Note.—In case the application is with respect to an existing warehouseman and there is no change in serial number 1-11 only serial number 1, 5 and 12 would need to be filled. However, in case of any change in any of the particulars listed at serial number 1-11, the same shall also be provided.)

II. Information pertaining to the Warehouse for which registration is sought:
(to be submitted separately for each warehouse)

1. Name of Warehouse.....
2. Details of the warehouse:

i.	Complete address of the Warehouse with PIN code Telephone-land line with STD code, Mobile & Fax number	
ii.	Year of construction of the Warehouse	
iii.	Whether Warehouse/Silo is constructed as per BIS/CWC/FCI Standards? If so, please specify.	
iv.	Whether the warehouse (cold storage) is constructed is as per NHB/NHM/SHM/NCCD/MoFPI/APEDA/ State Government norms? If so, please specify.	
v.	Number of godowns or storage units**	
vi.	Total capacity of the warehouse (MT)	
vii.	Dimensions of the godown(s)/storage units** (length x breadth x height)/(diameter x height in case of bins) in meters	
viii.	Plinth height of the godown(s)/Storage Units**	
ix.	Whether the Warehouse is Owned/hired/leased (attach documentary proof as per the Sixth and First Schedule of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017 as applicable)	
x.	If hired/leased, state duration of hiring/lease	
xi.	Name of the jurisdictional Police Station and distance from the Warehouse	
xii.	Distance from the nearest Fire Station (Name of Fire Station)	
xiii.	Number of entry and exit points for the warehouse and number of Security guards employed.	
xiv.	Whether the warehouse is bound by a compound wall/barbed wire fencing	
xv.	Details of the Security arrangements. Please provide details of number of security guards deployed	
xvi.	Details of fire safety arrangements (number & type of fire extinguishers, fire buckets, water arrangements, fire safety alarms and any other measures etc.) (attach a list)	
xvii.	Equipments for weighing goods present in the warehouse (attach a list)	
xviii.	Is a lorry weighbridge available in the warehouse? if so, please state its capacity, make, date of installation and date of last stamping.	

xix.	If a weighbridge is not available in the warehouse, please state name of the owner & address of the nearby weighbridge to be used for weighment. State its capacity, make, date of last stamping and its distance from the warehouse
xx.	Equipments for assaying of goods available in the warehouse (attach a list)
xxi.	Whether all the local laws have been complied with for carrying out the business of warehousing
xxii.	Please provide details of staff at the Warehouse

Name	Designation	Educational Qualifications	Details of experience in warehousing

xxiii.	Goods stored/proposed to be stored for which NWRs to be issued		
xxiv.	Details of the Registration fee submitted in favour of Warehousing Development and Regulatory Authority (as per rule 5 and the Third Schedule of the Warehousing (Development and Regulation) Registration of Warehouses Rules 2017)		Amount Rs..... Demand Draft No.... Date..... In case of on line payment, UTR/ transaction number Name of the Bank.....

* Company/PSU/Partnership firm/Cooperative Society/Society/Trust/Individual

** Chamber in cold storage, bins in case of Silo

DECLARATION:

1. I/We declare to be authorized representatives of the organization to apply for registration of Warehouse.
2. I/We hereby solemnly declare that I/we or any of the key managerial persons, has not been convicted by a court for any offence at any time in the preceding five years.
3. I/We hereby solemnly declare that I/we or any of the key managerial persons, has not been declared an undischarged insolvent by any court.
4. I/We hereby solemnly declare that I/we or any of the key managerial persons, has not been declared to be of unsound mind by any court.
5. I/We hereby solemnly declare that I/we or any of the affiliates are not assigned, by the Authority to carry out any other function under the Act.
6. I/We hereby solemnly declare that one of the objectives of the entity is to carry out the warehousing business and undertake that all the local laws have been complied with for carrying out the business of warehousing with respect to the warehouse concerned.

7. I/We hereby solemnly declare that the warehouse specified above is suitable for carrying on the business of warehousing and that it is in good condition and having all the requirements as per rule 20 of the Warehousing (Development and Regulation) Registration of Warehouses Rules 2017.
8. I/We hereby undertake to ensure compliance of the Warehousing (Development and Regulation) Registration of Warehouses Rules 2017 for disclosure of information (Rule 28) and ensure submission of monthly information on warehouse receipts (Rule 29).
9. I/We agree to abide by the terms and conditions of the registration.
10. I/we undertake that the required amount of Security Deposit will be paid, if the WDRA decides to register the warehouse concerned.
11. I/We hereby solemnly declare to extend all cooperation to the Authority or to an external person engaged by the Authority to conduct physical inspections/any other inspection of the warehouse under my/our effective control.
12. I/We hereby solemnly declare that all information herein given is true to the best of my/our knowledge and that in case it proves to be untrue; I/We undertake to indemnify person or persons concerned in this business against any loss arising out of such false or untrue information and cancellation of registration.

Signature

Name in full.....

Designation.....

Date.....

Place.....

Enclosures: As per application & check list

Address.....

Note.—

In case of online application for registration:—

- (a) In case of entities other than natural person (individual), Class-III Digital Signature Certificate (DSC) of the authorised representative shall be attached. In case of natural person (individual) Class-III Digital Signature Certificate (DSC) or AADHAR based One Time Password (OTP) verification through AADHAR registered mobile number shall be required.
- (b) In case of information with respect to serial number xvi, xvii and xx details shall be provided as per the data entry format of the online application for registration.

Checklist of documents to be attached with the application for registration/renewal of registration of Warehouse

Sl. No.	Document attached	Attached
1.	Application in prescribed form affixing the photograph of individual/authorised representative	Yes/ No
2.	Applicant's proof of identity as required at Fifth Schedule of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017	Yes/ No
3.	Standard Operating Procedures	Yes/No
4.	Document in support of net-worth as required under Rule 18(5) of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017	Yes/ No

1	2	3
5.	Copy of Insurance policies as prescribed under Rule 17 of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017	Yes/No
6.	Lay out Plan of the warehouse(s)	Yes/No
7.	Basic Data Sheet in case of warehouse (cold storage)	Yes/No
8.	Proof about technical standards under which warehouse (cold storage) constructed	Yes/No
9.	List of equipments for assaying goods	Yes/No
10.	List of equipments for weighing goods	Yes/No
11.	Fire Safety arrangements	Yes/No
12.	If warehouse is owned: Copy of the Records of Rights or registered title deed in respect land on which warehouse concerned is located as per the Sixth Schedule of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017	Yes/No
13.	Document to demonstrate effective control over the Warehouse, any of the following (as per the First Schedule of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017): (i) lease deed or rent agreement, (ii) sub-lease agreement and lease deed indicating that sub-leasing is permitted, (iii) revenue sharing agreement, (iv) NOC from Municipal Corporation/Panchayat/local body (as the case may be), (v) lease agreement from concerned APMC, (vi) copy of allotment letter from State Government. For each warehouse listed in the application separately.	Yes/No
14.	D.D or copy of Bank transaction slip in support of payment of registration fee	Yes/No
15.	Existing/previous registration Certificate (In case of renewal)	Yes/No

THE THIRD SCHEDULE

[See rules 4, 13(4)]

APPLICATION FEES FOR REGISTRATION AND RENEWAL WITH THE AUTHORITY

Unit of registration	Fee
Each warehouse with a capacity of 10,000 Ton or less	Rs. 20,000
Each warehouse with a capacity of more than 10,000 Ton but less than or equal to 25,000 Ton	Rs. 25,000
Each warehouse with a capacity of more than 25,000 Ton	Rs. 30,000

Where the applicant/warehouseman is a Farmer Producer Organisation or a Co-operative, the fee shall be Rs. 5,000 per warehouse.

THE FOURTH SCHEDULE

[See rules 12(3) and 13(2) and (10)]

WAREHOUSE REGISTRATION OR RENEWAL CERTIFICATE

(under section 4 of the Warehousing (Development and Regulation) Act, 2007)

Registration number

Valid from..... to.....

1. Name of the warehouseman – (Company, Partnership Firm, Society, Trust, Individual, as applicable)
2. Address of the warehouse
3. Warehouseman Identification Number
4. Number of godowns/storage units (if more than one)
5. Registered capacity of the warehouse
6. Conditions of registration—
 - (a) The warehouseman agrees to comply with all the requirements under the Warehousing (Development and Regulation) Act, 2007 and all rules and regulations made thereunder, as well as any guidelines or requirements issued by WDRA from time to time.
 - (b) Goods for which registration is granted for the purpose of issuing Negotiable Warehouse Receipts—
 - (i)
 - (ii)
 - (iii)
 - (iv)
 - (c) The certificate of registration is valid from to for the aforementioned goods, and only at the location specified in this certificate.
 - (d) This certificate of registration is granted based on the representation of the warehouseman that the information submitted in the application for registration is true and correct. The certificate may be suspended or cancelled if any information is found to be incorrect or untrue.
 - (e) The registration shall not be transferable.
 - (f) The certificate of registration shall be liable to be suspended or cancelled in accordance with the procedure laid out by the Authority for violation of provisions of the Act, rules, regulations, notifications and guidelines/circulars issued by the Authority.
 - (g) If suspended or cancelled, the Authority shall revoke or demand surrender of the certificate of registration, and the warehouseman shall act in compliance of any requirements specified by the Authority regarding revocation or surrender.
 - Signature of Authorised officer.....
 - Seal of the Authority.....
 - Date.....
 - Place.....

THE FIFTH SCHEDULE

(See rule 15)

**PROOF OF IDENTITY AND ADDRESS TO BE SUBMITTED
ALONG WITH APPLICATION FOR REGISTRATION**

The following will be regarded as valid documents to establish the identity and the address of the applicant—

1. If the applicant is a natural person, an attested copy of any one of the documents listed below;
 - (i) Aadhar card;
 - (ii) Permanent Account Number (PAN) card (Only as identity proof);
 - (iii) Driving license;
 - (iv) Passport; or
 - (v) Current passbook of post office/any scheduled bank having photo.
2. If the applicant is a company, an attested copy of its—
 - (i) certificate of incorporation;
 - (ii) memorandum of association;
 - (iii) articles of association; and
 - (iv) PAN card
3. If the applicant is a partnership firm, an attested copy of both of the following must be submitted:
 - (i) partnership firm registered deed/statement of the partnership firm/partnership firm; and
 - (ii) Registration certificate of the partnership firm.
4. If the applicant is a society, an attested copy of both of the following must be submitted—
 - (i) Memorandum of association of the society; and
 - (ii) Registration certificate of the society.
5. If the applicant is a trust, an attested copy of the registered trust deed of the trust must be submitted.

THE SIXTH SCHEDULE

[See rule 15(2)(a)]

**DOCUMENTS TO DEMONSTRATE OWNERSHIP OF
WAREHOUSE CONCERNED BY APPLICANT**

The applicant must submit the following documents to exhibit ownership over the warehouse concerned.

- (a) copy of the record of rights of land on which the warehouse concerned is located; or
- (b) if the record of rights is not available, a registered title deed in respect of the land on which the warehouse concerned is located.

THE SEVENTH SCHEDULE

[See rule 18(1) and (2)]

MINIMUM NET WORTH REQUIREMENTS FOR
REGISTRATION WITH THE AUTHORITY

Storage capacity (in tons)	Net worth (Rupees in crores)
Less than 1,000	0.5
1,001 – 5,000	2.5
5,001 – 10,000	5
10,001 – 25,000	10
25,001 – 75,000	20
75,001 – 1,50,000	30
1,50,001 – 5,00,000	50
5,00,001 and above	100

Where the applicant/warehouseman is a Farmer Producer Organisation or a Co-operative, the net worth should be positive.

THE EIGHTH SCHEDULE

[See rule 24(2)]

DOCUMENTS REQUIRED FOR KNOW YOUR DEPOSITOR PROCESS

(A) The following documents serve as proof of identity of the depositor:

(1) if the depositor is an individual, any one of the following proofs of identity belonging to him will suffice:

- (a) Aadhar Card;
- (b) Permanent Account Number card;
- (c) Driving License;
- (d) Passport;
- (e) Certificate from Gram Panchayat with photo and address;
- (f) Certificate of Photo Identity issued by Village Panchayat or its equivalent authority (for rural areas);
- (g) Address card with photo issued by Department of Posts, Government of India;
- (h) Current passbook of post office/any public sector scheduled bank having photo;
- (i) Kisan Passbook having photo; or
- (j) Voter Identity Card.

(2) if the depositor is a company, its—

- (a) Certificate of incorporation;
- (b) a letter authorising the person depositing the goods as acting on behalf of the company; and
- (c) proof of identity of person authorised in the letter as per para (A)(1).

- (3) If the applicant is a partnership firm, its—
 - (a) document showing registered address of the partnership firm;
 - (b) letter authorising the person depositing the goods as acting on behalf of the partnership firm; and
 - (c) proof of identity of person authorised in the letter as per para (A)(1).
 - (4) If the applicant is a trust, its—
 - (a) document showing registered address of the trust;
 - (b) letter authorising the person depositing the goods as acting on behalf of the trust; and
 - (c) proof of identity of person authorised in the letter as per para (A)(1).
 - (5) If the applicant is a society, its—
 - (a) document showing the registered address of the society;
 - (b) letter authorising the person depositing the goods as acting on behalf of the society; and
 - (c) proof of identity of person authorised in the letter as per para (A)(1).
- (B) Where any document mentioned in this Schedule contains the address of the depositor, it shall also serve as proof of the address of the depositor. In addition, any one of the following documents may be submitted as proof of the depositor's address:—
- (a) Post office Account Statement/Passbook;
 - (b) Bank Statement/Passbook;
 - (c) Ration Card;
 - (d) Government Photo Identity cards/service photo identity card issued by Public Sector Undertaking;
 - (e) Electricity Bill (not older than three months);
 - (f) Water Bill (not older than three months);
 - (g) Telephone (Mobile/Landline) Bill (not older than three months);
 - (h) Property Tax Receipt (not older than three months);
 - (i) Credit Card Statement (not older than three months);
 - (j) Insurance Policy;
 - (k) Arms License;
 - (l) Pensioner Card;
 - (m) Freedom Fighter Card;
 - (n) Central Government Health Scheme/Ex-Servicemen Contributory Health Scheme Card;
 - (o) Certificate of Address having photo issued by Member of Parliament or Member of Legislative Assembly or Gazetted Officer or Tehsildar on Letter head;
 - (p) Income Tax Assessment Order;

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- (q) Vehicle Registration Certificate;
 - (r) Registered Sale/Lease/Rent Agreement;
 - (s) Disability Card/handicapped medical certificate issued by the respective State/UT Governments/Administrations;
 - (t) Gas Connection Bill (not older than three months).
- (C) Any other document as proof of identity and address as the Authority may specify from time to time.
- (D) If the depositor has previously completed a Know Your Depositor process, the requirements of seeking the information required in this Schedule may be dispensed with.

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