

WDRA (REGISTRATION OF ACCREDITATION AGENCY) REGULATIONS, 2011

qmo-33004/99 NO. D.L.330DW Che Gazette of India No. 13) PART 16, 2012* 2', 1933 NEW DUM, MONDAY, JANUARY 2012TAUSA 2', 1933 28 2011 w.«fi. 2007 (2007 37) 35 (2) (u) 51 3trt 2011 t I (2) (i) 2007 37) (ii) (lii) 24 (1) (31/20 i 2 [PAR 3(i)) (2) . EXIRAORDNARY 2 3. 2010 5. 4 30)) Gi) t, (iii) (2) at— 15 10. — k 11. — THÉGÄZETTE OF INDIA : EnRAORD[NARY [PART n--.,Sff. 2. (1) 12. — 14. — LIFT. j m!STRYOF CONSUMER AFFAß, AND PUBLIC DISTRtBUT10N of Food and Public NOTIFICATION Nu Ddhi, 28t1 Decemb% 2011 GS.R. exMdse of powers conferred dause (b) of sub (2) of secöon 35 Sl Of and R.sladon) 2007 (37 of 2007), and Regulatory in wiå Wnhowir* approval of tie Central hereW m*es tte Mmety — CHAPTER t PRELIMINARY *ort tide, enont ummencement.- (1) These regulatf0M may be cakd the Development and Regulatory Authority (Rqistration of Accreditation Regulaöons, 2011. (2) Tthey shall come into force on the date of their publication in the Official Gazette. DeRnidox. - In these regulations, unless tte context otherwise requires, - (i) means Warehousing (Development and Regulation) Act, 2007 (37 of 2007); (lii "applicant" means the person maki:z an to the Authority for seekirw as an aÜeditation *ncy under äe Aar ruks and ewe (iii) " Authority" means The Waretwusitz and R%ulatory Audtoriw mnsituted under sub-section (1) of section 24 of be Act. ('v) "Form" means the form appended to these regulations; (v) *registration" means registration granted under these and (vi) "Rules" means the Warehousing and Regulation) Registration of Accreditation Rules, 2010. (2) The words and expressions used in these regulations and not defined, but defined in the Act and the rules shall have the same meanings respectively assigned to them in the Act or rules as the case may be

CHAPTER 11 ACCREDITATION AGENCIES 3. R%istration of Accreditation Agencies.- The ethority may register such entities for the purpose of acting as accreditation agency under the Act, rules and regulations, that have sufficient experience as in the rules in the field of research, development, treining, inspection or accreditation of warehouses

CHAPTER 111 PROCEDURE FOR REGISTRATION Process of Registration.- (1) The Authority shall examine with due diligence atl the relevant 4. information as prescribed in the Act and the Warehousing (Development and Regulation) Registration of Accreditation Agencies Rules, 2010, for the grant of registration certificate to the accreditation agency. 5. 6. (2) (2) The Authority may, for sufficient reasons to be recorded in writing, refuse to grant the registration to any applicant and shatt furnish him with a copy of the order so passed. (3) Any application submitted under regulation 4 which is not complete in all respects and does not conform to the instructions specified in the form, shali be rejected. Renewal of Registration. — Any registered accreditation agency desirous of renewal of such registration, may make an application in duplicate to the Authority in the stipulated form at least three months before the expiry of the period of registration. Issue of Duplicate Registration Certificate.- (1) The duplicate registration certificate shall be issued on receipt of request made in the form prescribed by the Authority against the original certificate, if it is lost, torn, damaged, defaced or mutilated. A registration certificate, which is torn, damaged, defaced or mutilated, shall be surrendered by accreditation agency to the Authority on issue of duplicate certificate. ur : IRAORDNARY 11—SFC. (3) The »plicaöon for Issue of a dupkne *tration shall be accompmled the fee of rupees five hundred throuö bank cheque of any nationalised bank in fmur of Dra* and Disbursing Officer,. Warehousing and Rewkt0ß/ ALRhorthy, payable in New Debi, as prescdbed in the sub•ruk (3) Of rule 10 of the Wes. OWTER PROCEDURE FOR REGtSTRATtON, SUSPENSION, CANCEU.ATEN OR REVOCATION OF REGSTRATON 7. Cettfiate of W.stration- The Alåority shall, after satisfying that the applicant fulfils the qualifications and requirements, grant the certificate of registration to any applicant within a period of me month from the date of receipt of applicatbn in Form prescribed in the Rules. 8. Su.exion, oncenation nd Rmadon of registratbn frat has been granted under section 5 of the k•t, shall subject to the following conditions, namely:- The accreditation agency has made an application to be declared an insolvent; (ii) (iii) (W) The amreditation agency has failed to carry out any orders issued by the Authority; The acredttation *ncy has committed a fraudulent act; The accred&ation agency has in any other manner become incompetent to conduct accreditation of warehouses as required under the Act; and The accreditation .ncy has failed to comply wtt' any of the conditions provided In the rules of registration or any provision of the Act or rules and regulaöons made there under. (2) 9. The Authority may modiW, from time to time, suitable regulations governing the suspension, cancellation and rewcation of reistration

of a warehouse. Procedure for Suspension, Cancellation or Withdrawal.- (1) Before the order of suspension or cancellation or revocation of registration, the Authority shall give notice to accreditation agency stating the ground on which it is proposed to suspend, cancel or the registration and call upon him to show cause as to why the proposed action should not be taken. (2) (3) (4) The accreditation agency shall respond to the suspension notice issued under sub- regulation (1) above in writing to the Authority, within 15 days of receipt of the notice, failing which decision shall be taken on the basis of available material. After considering the submission made by the accreditation agency, the Authority shall pass such orders as it may deem fit. The person by the order of suspension, cancellation or revocation of certificate of registration, may place an appeal to the Appellate Authority as prescribed under the Act. Voluntary Surrender of Certificate of Registration.-No accreditation agency shall be allowed to voluntarily surrender its certificate of registration till the pendency of his request for such cancellation with the Authority. 7 12. 12. 13. (1) (2) 14. CHAPTER Miscellaneous Return of Certificate of Registration. When the of registration expires or is suspended or cancelled or revoked, the accreditation agency shall cease to operate and function as an accreditation agency under the Act; and shall return the registration certificate forthwith and not later than Seven (7) days of such suspension, cancellation or revocation. Provided that it shall not prevent the accreditation agency from being bound to satisfy its obligations to the Authority in relation to any accreditation activity pending inter alia, furnishing of reports, submission of documents etc. No Compensation for Suspension, Cancellation or Revocation of Registration. Where registration of any accreditation agency is suspended, or revoked under the provisions of these regulations, the Authority shall not be liable for any compensation, or refund of fee or deposit paid to the accreditation agency. Publication Granting of Registration, Suspension and of Withdrawal and list of Accreditation The names and addresses of registered accreditation agencies under the Act shall be notified from time to time and would also be provided on the website of the Authority. Subsequent suspension or revocation of the registration shall also be notified and the information thereof, would also be provided separately on the website of the Authority. Appeals. Any person aggrieved by an order of the Authority made under this Act, or any rules or the regulations made thereunder may prefer an appeal to the Appellate Authority within sixty days from the date of such order: Provided that an appeal may be admitted after the expiry of the said period of sixty days but not beyond a total period of ninety days if the appellant satisfies the Appellate Authority that he had sufficient cause for not preferring the appeal within the said period. [F. No. WDRN6/A&F/2011] Ms. YATINDER PRASAD, Director