



भाण्डागारण विकास और विनियामक प्राधिकरण

भारतसरकार

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Warehousing Development and Regulatory Authority

Government of India

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F. No. WDRA/2018/1-3/Tech-89

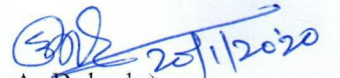
Dated 20.01.2020

Circular

Subject: WDRA instructions regarding renewal of registration after expiry of 90 days period – regarding

The following instructions regarding renewal of registration after expiry of 90 days period are herewith issued to be followed scrupulously by all the warehouses registered with the Authority. Any violation of the instructions shall be liable to penal action by WDRA as per the Act and rules, regulations and guidelines issued there under.

Enclosure: As above.


(Ganesh A. Bakade)
Director (A&F)

To,

All Registered WSPs/All Registered Warehouseman

Copy to:

- i. M/s National Electronic Repository Limited, Mumbai
- ii. M/s CDSL Commodity Repository Limited, Mumbai
- iii. M/s National Clearing Corporation Limited, Mumbai

Warehousing Development and Regulatory Authority

F. No. WDRA/2018/1-3/Tech

Dated 20.01.2020

Instructions regarding renewal of registration after expiry of 90 days period


Rule 13(2) of Warehousing (Development and Regulation) Registration of Warehouse Rules, 2017 issued by the Government provides that 'The application for the renewal shall be submitted at least three months prior to the expiry of its registration.' Thus, the submission of application for renewal of registration by warehouseman is allowed only prior to 90 days of expiry of registration. In case, the renewal application is not submitted within stipulated time, the applicant will have to apply for fresh registration of warehouse and will lose the registration number issued previously.

Concerns have been raised by the repository (NeRL) and Warehouse Service Providers (WSPs) that in cases where registration of the warehouse has not been expired but balance registration period is less than 90 days, and that fresh registration of the same warehouse is approved, in that event, the warehouse will have both the old registration number as well as new registration number.

It was decided that after the fresh registration number is allotted for such warehouses the old registration number will be deactivated. With regard to the valid eNWRs issued against old registration number (which has now been deactivated), it is reiterated that as per provisions of the W(D&R) Act and Rules, in the event of deactivation/expiry/suspension/cancellation of a warehouse registration, the pending eNWRs can only be delivered and no other action like, transfer, trade settlement, pledge etc. can be performed.

The matter has been examined and following instructions are brought out in this regard:

- i. The WSP/Warehouseman will need to apply for renewal of registration three months (90 days) prior to the expiry of registration to ensure to retain the same registration number.
- ii. In case the time limit of 90 days is not adhered and the remaining period of registration is less than 90 days then the warehouseman will need to submit application for fresh registration of that warehouse.
- iii. In order to facilitate fresh registration in case of warehouses which have not adhered to the renewal time schedule of 90 days prior to expiry of registration a provision has been made in registration application to mention the old registration number of the existing warehouse. It is, therefore, mandatory for all such warehouseman to invariably mention the old registration number while applying again for registration instead of renewal.
- iv. Once fresh registration number is issued the old registration number will be deactivated.
- v. The eNWRs issued against the old registration number will be required to be processed and recorded by the warehouseman as delivered and then re-deposited afresh against the new registration number. Though, re-assaying, weighing etc. may not be mandated at this point of time, WSP/Warehouseman shall exercise care to keep the validity of the new eNWR issued as replacement restricted to the balance of shelf life period and the slab for initial and extended validity prescribed by the WDRA.
- vi. The repository shall ensure that their records as well as exchange/clearing corporation records shall be updated accordingly.


(Ganesh A. Bakade)
Director (A&F)