



भांडागारण विकास और विनियामक प्राधिकरण

भारत सरकार

एन सीयू आई भवन, चौथी मंज़िल, 3, सीरी इंस्टीट्यूश्ल एरिया, अगस्त क्रान्ति मार्ग,
हौज़ खास, नईदिल्ली - 110016, दूरभाष - : 49536496, 49092978

Warehousing Development and Regulatory Authority

Government of India

NCUI Building, 4th Floor, 3, Siri Institutional Area, August Kranti Marg,
Hauz Khas, New Delhi - 110016, Tel. No. 49536496, 49092978,

File No A-12011/1/2020-A and F/29

Date: 29.03.2023
06.04

Order

In the matter of Inspecting Officer Mr. Nooruddin of Inspection Agency M/s SSRA & Co. empaneled with WDRA.

1. An audio clip was received in the Authority wherein an incident was reported to the Authority that one of the Inspecting Officer of M/s SSRA & Co., Mr. Nooruddin, was asking for pecuniary benefits from an applicant seeking registration of warehouse with WDRA. In the said audio clip the name of Mr. Nooruddin was heard.
2. Pending investigation in this regard, Competent Authority decided that all inspecting officer of M/s SSRA be made inactive and all allotted in process inspections be withdrawn with immediate effect. M/s SSRA was informed accordingly vide email dated 15.02.2022. A show cause notice F.NO. T-21035(41)/1/2022-A&F/4992 dated 25.02.2022 was issued to M/s SSRA on 25.02.2022.
3. Subsequently, an enquiry officer was appointment by Competent Authority vide office order no A-12011/1/2020-A and F/4949 dated 31.03.2022.
4. The enquiry officer submitted her report dated 07.11.2022. During the course of enquiry, the enquiry officer also sent the audio clip for forensic examination to M/s SIFS INDIA Forensic Lab. The forensic report, signed by Dr. Ranjeet Kr. Singh, Cyber Forensic Expert, SIFS INDIA Forensic Lab, was issued on 2.09.2022. Forensic report indicated that the audio file provided to them is of 2 min 56 secs and genuine. It was reported in forensic examination that there was no evidence of doctoring, alteration and tampering. Forensic report also mentioned that the overall observation of audio clip shows that the audio file was legitimate and there was no digital forgery. The audio file was found to be doctored free. The transcript of the audio clip in forensic report mentioned the name of Mr. Nooruddin.

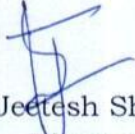
5. In adherence with the Clause 26 (4), (a), (b), & (c) of the Guidelines, enquiry Officer, in order to allow access to M/s SSRA of the documents based on which Show Cause Notice dated 25.02.2022 was issued & further enquiry was undertaken, issued another notice File No. A-12011/1/2020-A and F dated 27.09.2022 to M/s SSRA wherein it was requested to nominate an official to be present before the enquiry officer on 28.09.2022 at 3 pm.
6. Shri Suresh Goel, CEO, M/s SSRA attended the hearing before the enquiry officer. He was shown the forensic examination report and the transcript of the audio recording. After having gone through the transcript, he informed that Mr. Nooruddin has been terminated by SSRA & Co. He was asked to submit his statement in response to the queries raised by the Enquiry officer and proof of termination of Mr. Nooruddin. He submitted his statement on 29.09.2022.
7. Sh. Suresh Goel in his statement submitted the documentary proof of termination of Mr. Nooruddin. In the statement, he also submitted that they are Chartered Accountants Firm for more than 25 years and as Agency with WDRA for more than 10 years. They submitted that they have a zero tolerance policy for unethical practices and activities by any employee, associate and other parties linked to the Agency. Through the letter/statement, he requested to activate the Agency as due to prolonged suspension of the Agency, the livelihood of all IOs associated with M/s SSRA has been suffering. He also requested that M/s SSRA may be activated for carrying out inspections.
8. The enquiry officer after considering the aforesaid facts and the responses received from M/s SSRA has concluded the following:
 - (i) During investigation, it has been found that there is no complaint by any warehouseman against the IO/IA. However, Audio clip has been received and was handed over to Enquiry Officer on 7th April, 2022 through email which formed the basis of investigation.
 - (ii) From the contents of transcript, Voice 1 pertains to Mr Nooruddin and Voice 2 is of Warehouse representative.
 - (iii) It is clear that Mohd. Nooruddin is taking his own name in the conversation and is talking about taking pecuniary benefits of Rs. 6000/- per warehouse for inspection from the warehouse representative.
 - (iv) This is violation of Clause 15 (6) of the WDRA Guidelines on empanelment of inspection agencies and inspection of warehouses, "The inspection agency or its Inspecting Officer shall not accept any pecuniary benefits, gifts, donations or obligations from any warehouseman or any of its employees, workers or agents at any time during the period of empanelment."

9. Thus, the enquiry shows that an act of malfeasance has been done by the Inspecting Officer (IO) who was acting on behalf of the Inspection Agency (IA) M/s SSRA. The IO clearly violated clause 15(6) of Guidelines on empanelment of Inspection Agency and Inspection of Warehouses. This conclusion has been arrived at after following the duly prescribed procedure and forensic examination of the audio clip received in WDRA. It is also pertinent to note that M/s SSRA has terminated the services of the IO which is a pointer towards malfeasance on his part. WDRA conducts regular inspection to its registered warehouses through IAs engaged for this purpose. If IOs acting on behalf of IAs ask for undue considerations to do the inspections then the inspection process will be adversely impacted and the regulatory system will be compromised. Hence, WDRA will have to take action whenever sufficient proof is received about wrongful activities of IOs acting for IAs.
10. The Authority deliberated on the enquiry report and in view of the facts brought out and considering all aspects decided to cancel the empanelment of inspection agency and forfeiture of security deposit of Rs.5 Lakhs.

In view of the facts & circumstances explained hereinabove, the Authority passes the following directions:

- A) That empanelment of M/s SSRA & Co shall be cancelled under Clause 26 of the Guidelines.
- B) As per clause 27 of the Guidelines, M/s SSRA & Co shall:
- 1) On and from the date of cancellation of the empanelment of the inspection agency, the inspection agency shall-
 - a) cease to conduct any inspection on behalf of the Authority; and*
 - b) continue to discharge its obligations in respect of pending inspection reports in respect of the inspections conducted by it,*
 - c) forfeit the security deposit submitted to the Authority.*
- C) The said order is published on the website of the Authority in terms of clause 26(10) of the Guidelines.

D) M/s SSRA & Co. have the right to appeal in terms of Clause 28 of Guidelines as per defined procedure for filing appeal prescribed in Warehousing (Development and Regulation) Appellate Authority Procedure Rules, 2010.


(Jeelesh Sharma)
Director (A&F)

For and on behalf of WDRA

CC:

1. Shri Suresh Goel, Partner and CEO, SSRA & Co., M-13, LGF, South Extension Part 2, New Delhi 110049, Email: suresh@ssraonline.com.
2. PA to Chairman for information.
3. PA to Members for information.
4. PA to JS, WDRA for information.
5. DD(AFC): to process for forfeiting of security deposit.
6. Guard file.