



भाण्डागारण विकास और विनियामक प्राधिकरण

भारत सरकार

(एन.सी.यू.आई .भवन) चौथीमंजिल, 3, सिरीइंस्टीट्यूश्लएरिया, अगस्तक्रान्तिमार्ग,
हौज़खास, नईदिल्ली-110016, दूरभाष -:49536496

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, Fax-26515503



F. No. T-30/6/2020-Technical

Date: 07.04.2021

Subject: - Generic Guidelines/Clarification regarding effective control documents for registration of a warehouse with WDRA holding a sub-sub Lease Agreement -reg.

Sub rule 2(b) of Rule 15 of the Warehousing (Development and Regulation) Registration of Warehouses Rules, 2017, inter alia, provides that every application shall be accompanied by necessary documents (enlisted in First Schedule) to demonstrate that the applicant is in effective control of the warehouse stated in the application as per the First Schedule. The First Schedule of the registration rules has listed out various documents to exhibit effective control over the warehouse concerned. One of the documents prescribed under Section (2) of the First Schedule is Sub-Lease. Section (2), inter alia, provides as under:

“(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;”

2. It has been observed that over a period of time, WDRA has been receiving a few number of applications for registration of warehouses, wherein, instead of sub-lease document, a sub-sub-lease document has been attached. The matter has been got examined from legal point of view and it has been noted that the provision of sub-sub-lease document has not been provided in the registration rules of WDRA.

3. It has, therefore, been decided that sub-sub-lease document will not be considered as the document of effective control as sub-sub-lease documents are not legally tenable in terms of registration rules of WDRA.

4. All the applicants may note these generic guidelines for strict compliance to avoid undue delay/rejection of the applications.

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

To,

All Registered WSPs/ All Registered Warehouseman

Copy to:

1. M/s National Electronic Repository Limited, Mumbai
2. M/s CDSL Commodity Repository Limited, Mumbai