

## PROCEDURE FOR HANDLING APPEALS

- Appeals may be made by any interested party on any decision taken by EMTAC in respect of Product Certification regarding the granting, withdrawal, renewal, suspension or cancellation of a Licence, redressal of complaints/disputes, provided the said party has been directly affected by the decision.
- The appellant should prefer the appeal in a prescribed format to the CEO of EMTAC within 90 days from the date of the decision along with a fee of INR1000/- in the form of a Demand Draft drawn in favour of EMTAC LABORATORIES PRIVATE LIMITED, Payable in Hyderabad. (payment can also be made by bank transfer to EMTAC's account)
- The appeal shall, inter alia, include the following
  - a.) Subject matter of the appeal.
  - b.) Establish the appellant's connection with the matter
  - c.) Remedial measure sought by the appellant.
- The CEO will acknowledge the receipt of the Appeal to the appellant within 7 days.
- The CEO will do a preliminary investigation of the facts and in cases where the appeal can be resolved on basis of existing principles and guidelines, shall take a decision and inform the appellant accordingly within 15 days from the receipt of the Appeal.
- In cases where the CEO is of the opinion that the appeal deserves further deliberations, he shall expeditiously put up the matter for the consideration of the CAB.
- In either case the appellant shall be offered an opportunity of a personal hearing in all cases where the decision is likely to go against the appeal.
- The CAB shall consider the case keeping in view
  - a.) Principles of natural justice.
  - b.) Reputation of EMTAC.
  - c.) Integrity of the Certification programme.
- Where the Appeal is against a decision of the CAB, it shall be dealt with by a specially constituted Appeals committee whose members will be persons of repute and will not have any connection to the activities of either the appellant or EMTAC.
- The appellant may attend the hearing or send a representative or not attend as deemed fit. The hearing will consider the information and evidence from the appellant and from Licensee regarding the decision and make judgement based on this information or evidence, being free to call for further evidence should it be required.
- The Appeals Committee shall make a judgement and the Secretary of the Committee shall record the judgement and notify the Appellant and CAB in writing of the verdict within one month of the filing of the appeal.

- To ensure that there is no conflict of interest, EMTAC shall not involve personnel who have provided consultancy for a client or been employed by a client to review or approve the resolution of a complaint or appeal within 2 years following the end of the consultancy or employment.
- The Appeals Committee verdict shall be final.
- EMTAC shall send copy of the decision to each of the parties concerned.
- The details of the verdict shall be entered in Appeals Status Register by EMTAC.
- EMTAC will review the verdict and decide if any corrective action is required in EMTAC's Certification Process. This process shall be completed within 30 days from the date of final verdict of the Appeals Committee