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GOVERNMENT OF NCT OF DELHI
OFFICE OF THE COMMISSIONER: FOOD & SUPPLIES &
CONSUMER AFFAIRS
K-BLOCK, VIKAS BHAWAN, NEW DELHI

CIRCULAR

It has come to notice that some of the Officers (Licensing Authority as well as circle FSOs) of this department are not fully aware with the rules and regulations in force under different subsisting Control Orders issued under the P.C. Act, 1955. For facility of reference, a Ready Reckoner has been prepared which is enclosed herewith for guidance in day-to-day proceedings.

Sd/-
(K.S. MEHRA)

Pr. Secy-cum-Commissioner F&S Department.

All Addl./Joint/Asstt. Commissioners of F&S Department.

U.O.No.3(16)/2005/F&S/P&C/CFS/142

Dated:25/4/05

No.D. 3(16)/2005/F&S/P&C/

Dated:29.4.05

Copy forwarded for information to all the Circle Food & Supplies Officers, F&S department.

[Signature]
(HARISH TYAGI)
FOOD & SUPPLIES OFFICER (P&C)

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GOVERNMENT OF NCT OF DELHI
OFFICE OF THE COMMISSIONER, FOOD & SUPPLIES & CONSUMER
AFFAIRS
K-BLOCK, VIKAS BHAWAN, NEW DELHI

READY RECKONER

DEFAULTS / OFFENCES UNDER DIFFERENT CONTROL ORDERS ISSUED
UNDER ESSENTIAL COMMODITIES ACT, 1995.

Operational Control Orders for Circle/Zonal Offices, at present: -

1. The Delhi Specified Articles (Regulation of Distribution), Order, 1981.
2. The Public Distribution System (Control) Order, 2001.
3. The Delhi Kerosene Oil (Export & Price) Control Order, 1962.

Defaults/Offences made by the PDS Outlet Holders in the above referred Control Orders: -

- Non-display of Authorization at conspicuous place in the business premises.
- Non-maintenance of record of purchase and sales of SFAs.
- Non-availability of record in the business premises.
- Non-display of position of stock of SFAs available in the business premises.
- Non-display of Sale Prices of the SFAs in the business premises.
- Non-availability of Complaint Book at the business premises.
- Non-availability of Inspection Book at the business premises.
- Non-display of entitlement of Scale of issue.
- Non-Display of procedure for making complaints indicating the authority for redressal of grievances of the consumer.
- Non-Display of sample of SFA's as provided by the FCI at prominent space.
- Non-cooperation in production of record to the inspecting team of the competent authority.
- Non-production of Stock register, Sales register, Master register (Ration Card) & Cash Memos to the beneficiaries of the PDS and also furnishing copy of documents on payment of prescribed fee by the department through Licensing Authority.

Defaulters/Offenders should be penalized under clause 4 of the Delhi Specified Articles (Regulation of Distribution), Order, 1981, clause 7 of the Delhi Kerosene Oil (Export & Price) Control Order, 1962 and Clause 9 of the PDS (Control) Order, 2001, by imposing penalty of forfeiture of whole of the security amount by the Licensing Authority just giving a reasonable opportunity of hearing to the PDS Outlet Holders.

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DIRECTIVES OF THE HON'BLE SUPREME COURT OF INDIA:-

In case of the Licensees who do not follow the directions of the Hon'ble Supreme Court of India as given below, the Licensing Authority of the PDS Outlet Holders suspend the License of the defaulters / offenders immediately and a show cause notice for cancellation of License should also be given, under clause 4 of the Delhi Specified Articles (Regulation of Distribution), Order, 1981, clause 6 & 7 of the Delhi Kerosene Oil (Export & Price) Control Order, 1962 Orders and Clause 9 of the PDS (Control) Order, 2001, for cancellation with forfeiture of the whole security amount after giving reasonable opportunity to the Licensee by the Licensing Authority.

1. Functioning of PDS Outlets as per the Schedule prescribed by the department from time to time i.e. 9:00 a.m to 1:00 p.m. & 3:00 p.m to 7:00 p.m.
2. Refusal of SFAs/K.Oil to the Valid Consumer cardholders.
3. Overcharging on sale of SFAs/K.Oil from the valid consumer cardholders.
4. Keep the consumer cards with PDS Outlet holders.
5. Running of PDS Outlets by unauthorized persons/organizations.
6. Black marketing/diversion of SFAs/K.Oil in the open market by the PDS Outlet Holders.

Administrative instructions issued on black marketing/diversion of SFAs/K.Oil in the open market by the PDS Outlet holders vide circular dated 4.7.2003, bearing No. F&S/Enf./2003/944-1035 through the Enforcement Branch.

S.No.	Offences	Action
1	Departmental action should be taken when minor variation of stock of all commodities mainly wheat, rice and sugar is up to 50 Kg. for FPS and 50 Ltrs. for KOD.	Forfeiture of whole security amount.
2	When the variations are more than 50Kg of SFA's in respect of FPS and 50 Ltrs. in respect of KOD.	Immediate suspension of the Authorization/License with Forfeiture of whole security amount.
3	In case the variation are more than 100 Kg. of SFA's in respect of FPS and 100 Ltrs. In respect of KOD.	Immediate suspension of the License with Forfeiture of whole security amount and FRK be lodged.

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The Licensing authority should cancel the License of those PDS Outlet holders who had not deposited Drafts for lifting of SFAs continuous more than 3 months, as per decision taken in Senior Officers meeting held on 1.11.2004 in the chamber of CFS.

All the Licensing Authorities are hereby directed to initiate a special drive against those PDS Outlet holders, whose draft has not been deposited for the last 3 months and process for cancellation of Authorization/License, as per the above-referred decision.

A certificate in this regard should be forwarded to the Personal Branch of CFS through their respective Addl. / Jt. Commissioner, mentioning that no such type of PDS Outlets at present is alive.