

OFFICE OF THE ASSISTANT COMMISSIONER (CENTRAL)
FOOD & SUPPLIES DEPARTMENT, M-BLOCK,
VIKAS BHAWAN, IP ESTATE, NEW DELHI 110002.

NO.F.AC/Central/9196/2014/

Dated:

ORDER

Whereas Public Distribution System is regulated under Essential Commodities Act, 1955(10 of 1955).

And whereas the licence of FPS/KOD is regulated under clause 6&7 of Delhi Specific Article (R&D), Order, 1981.

And whereas the FPS holder is bound to regulate the FPS as per terms and conditions laid down in the said Act and the orders and various orders issued by the Competent Authority under the said Act and said orders.

And whereas a team consisting of Inspectors and FSO, Circle-22 Food & Supply Department, GNCT of Delhi visited the business premises of FPS No9109-M/s.Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 on 31.10.2014 at 12.40 PM and found closed. The said FPS was opened in the presence of complainant Shri Ashok Kumar, Shri Jagat Singh, ASI, Shri Devender Kumar Garg S/o Shri Subhash Garg, Prop. Of the said FPS and Department officials. One lock was placed at Shutter of the FPS by the Police also and which was opened by Shri Jagat Singh, ASI for opening the FPS.

And whereas on inspection, the following deficiencies are found by the Inspection Team:-

- 1, No display of details of cards.
2. No display of Licence no.
3. No FPS Board displayed.
4. No opening closing time and weekly closing day.
5. No display of sample. No display of quantity entitled of different food cards. No display of rates of different food grains on different card types.
6. No leave applied by the FPS owner for 31.10.2014 and also no permission taken for Station leave.
- 7.No cash memo was produced.
8. No information regarding change of bags (Katta) in respect of hand stitched bags
9. The pattern of stitching of bags(wheat) found in DL 1LP was same as the patter of Hand stitched bags found during the inspection of FPS No.9109-M/s.Shree Shakti Traders.
10. In daily sake register (loose 36 pages) SFA's are shown issued but signature of card

holders

not taken against a number of ration cards. Such case are cross marked by the Inspecting Team and relationship with card holder not mentioned in any case

- 11.No display of SFA,s stock balance.
12. As per sale register 20 kg. Rice issued to the APL card holder(except 37 card holders as mentioned against date 30.01.2014 have have issued no rice). But the allocation entitlement is 18 Kg wheat and 04 kg.rice for APL stamped ration card
13. The Inspecting Team also found variation 2.82 Qlt. Of Wheat. No admissible shortage is claimed.

And whereas by committing the above discrepancies the licence of the FPS violated the provisions of Delhi Specified Articles (Regulation of Distribution), Control Order, 1981 and Public Distribution System (Control) Order, 2001 and guidelines issued from time to time.

Since the irregularities are serious in nature, it is considered expedient and necessary to place the authorization of the said FPS under suspension. Therefore, in exercise of power conferred upon under clause 4(1) provisions of Delhi Specified Articles (Regulation of Distribution) Control order, 1981, the authorization of FPS No9109-M/s.Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 placed under suspension and the authorization of said FPS was issued Suspension Order-cum-Show Cause Notice No.AC(C)/F&S/2014/1460-65 dated 10/2/2014.

And whereas the Licensee/dealer appeared on the give date and time and submitted his written reply to the said Suspension Order-cum-Show Cause Notice. The undersigned after due consideration of

Suspension Order-cum-Show Cause Notice dated 10/2/2014 based upon the Inspection report dated 31.01.2014

And the reply filed thereby authorization holder of FPS No9109-M/s.Shree Shakti Traders,588, Ground Floor, Shradhanand Marg Market, Delhi-110006, it is noted that charges made by the Inspecting team are serious in nature and recognising the fact that as this is departmental proceedings and no criminal trial, whereby the standard of prove is not that of beyond reasonable doubt but only of preponderance of probability. It is noted that the contrary version of the card holders statement are on record creat the doubt in the eye of law, therefore, the benefit of doubt goes in favour of the Licence.

Since the above irregularities are serious in nature, but the Licence in his defence has stated that the shortcoming noticed by the Inspecting Team is not intentional but committed inadvertently as he has no full knowledge of Rules, Orders and instructions of the department issued from time to time since this is first wrong for which he will sorry. In the interest of Natural Justice the Licence may be given another opportunity to improve his conduct. Therefore, I Dr.Vikram Singhal, Asstt.Commissioner (Central), District Central, Food & Supplies Department, Govt. Of NCT, Delhi in exercise of powers conferred upon me under the provisions of Delhi Specified Articles (Regulation of Distribution) Order, 1981 hereby revoke suspension of FPS No9109-M/s.Shree Shakti Traders,588, Ground Floor, Shradhanand Marg Market, Delhi-110006, and imposed a penalty of Rs.5000/- (Rupees Five thousand only), on the violation regulations under clause 6&7 of Delhi Specific Article (R&D), Order, 1981.

This order is without pre-judice to the final out of criminal proceeding pending in FIR No.28/2014-State Vs. M/s.Shree Shakti Traders

(DR.VIKRAM SINGHAL)
ASSISTANT COMMISSIONER (CENTRAL)

NO.F.AC/Central/9196/2014/ 2159-66

Dated: 10-5-2014

Copy forwarded to the following for information and necessary action:-

- 1 9) PS to Commissioner, Food & Supplies, Govt. Of NCT, Delhi.
- 2 10. PA to Joint Commissioner (Central), F&S, Delhi.
- 3 11. FPS No9109-M/s.Shree Shakti Traders,588, Ground Floor, Shradhanand Marg Market, Delhi-110006,
- 4 12. FSO, Circle-22(Ballimaran).
- 5 13. AC (Distribution/Vigilance),F&S Department.
- 6 14. Sr.General Managar, DSCSC Ltd. Aapoorti Bhawan, Aram Bagh, New Delhi.
- 7 15. System Analyst with the direction to upload the order in the website of the department.
- 8 16. Licence file/Stand Guard file.

(DR.VIKRAM SINGHAL)
ASSISTANT COMMISSIONER (CENTRAL)

324/S.A (IT)
10.6.14

11-6-14
Pls. upload it.
AP(D)