

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE COMMISSIONER, FOOD SUPPLIES AND CONSUMER AFFAIRS
K-BLOCK, VIKAS BHAWAN: 1 P ESTATE: NEW DELHI-110002

NO.F.AC(C)/F&S/2014/ 1460-65 DATED 10/2/14
SUSPENSION ORDER-CUM-SHOW CAUSE NOTICE

Whereas public distribution system is regulated under essential commodities Act 1955(10 of 1955).

And whereas the authorization of FPS is regulated under clause 6 & 7 of Delhi Specific Article (Regulation and Distribution) Order, 1981.

And whereas the FPS holder is bound to regulate the FPS as per terms & conditions laid down in the said Act and order and various guidelines issued from time to time by the competent authority.

And whereas a complaint was received regarding diversion of SFA's of public distribution system for selling in black marketing and It was reported by Shri Jagat Singh, ASI that two tempo van are taken into custody, one no. DL 1LR-8101 is found empty and tempo van no. DL1LP-4894 loaded with 48 Bags (Kutta). To verify allegations of the complainant 10 Bags (Jute Bags) are opened on the spot (at P.S. Lahori Gate) and emptied which were containing Wheat and then got inverted/ turned inside out to check PDS mark, it is found that on one Bag it got marked of PDS 9109, on other 4 Bags, Black mark was visible.

And whereas a FIR has been lodged against FPS 9109 M/s. Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 in Police Station Lahori Gate, Delhi. (FIR No.28 Dated 01.02.2014).

And whereas a team consisting of inspectors and FSO circle-22, Food & Supply Department, GNCT of Delhi, visited the business premises of FPS no. 9109, M/s. Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 on 31.01.2014 at 12:40PM and found closed. The said FPS was opened in the presence of complainant Shri Ashok Kumr, Shri Jagat Singh, ASI, Shri Devender Kumar Garg S/o Shri Subhash Garg proprietor of M/s. Shree Shakti Traders FPS 9109 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 display.
- 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 31.01.2014 and also no permission taken for station leave.
- 7) No cash memo was produced.
- 8) No information regarding change of bags (Kutta) in respect of hand stitched bags.
- 9) The pattern of stitching of bags (wheat) found in DL 1LP 4894 was same as the pattern of Hand Stitched bags found during the inspection of FPS 9109, M/s. Shree Shakti Traders.
- 10) In daily sale register (loose 36 pages) SFA's are shown issued but signature of card holder not taken against a number of ration cards. Such cases are cross marked by the inspecting team and relationship with card holder not mentioned in any case.

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- 11) No display of SFA's stock balance.
- 12) As per sale register 20 kg wheat and 05 kg rice issued to the APL card holders (except 37 card holders as mentioned against date 30.01.2014, who have issued no rice). But the allocation entitlement is 18 kg. wheat and 04 kg rice for APL stamped ration card.
- 13) As per stock register the opening balance as on 01.01.2014 was nil for wheat and rice. Total stock received during the month was 358.92 quintal wheat and 79.76 quintal rice. The distributed quantity of wheat shown was 323.20 and rice was 78.95 till 30.01.2014. The opening balance as on 31.02.2014 as per stock register was 35.72 quintal wheat and 0.81 quintal rice.
- 14) During physical verification two types of wheat bags found in the FPS one type was machine stitched bags (total 29) and the other was hand stitched (by sutli-total 36).
- 15) Stock variation found as under:-

S.No.	Details	APL Wheat (in Qt.)	APL Rice (In Qtl.)
1.	Opening balane of stock as on 01.01.2014	NIL	NIL
2.	Received during the month	358.92	79.76
3.	Total of (Col.1 & 2)	358.92	79.76
4.	Sale upto 30.01.2014	323.20	78.95
5.	Book Balance	35.72	0.81
6.	Actual physical stock	33.12.100 (33 Qtl. 12 Kg 100 gms)	0.58.500 (58 kg 500 gms)
7.	Variation	2.59.900 (2 Qtl. 59 kg 900 gms)	0.22.500 (22 kg 500 gms)

Total variation of wheat & Rice - 2.82.400 (2 Qtl. 82 Kg 40 gms). No admissible shortage is claimed.

- 15.) In Daily Sale Register (w.e.f 21.01.2014 to 30.01.2014), Signature of the same customer appeared- at sl. No.11/12, 16/17, 22/23 at page 1 front side; at sl.no.54/55, page 2 front side; sl. No.84/85 page 2 back side; sl. No.93/94,99/100,103/104,111/112 page 3 front side; 119/120,137/138 page 3 back side; sl. No. 174/175 page 4 back side; sl. No. 189/190 page 5 front side; sl. No.337/338 page 8 front side; sl. No. 381/382,390/391 page 9 front side; sl. No. 478/479 page 11 front side; sl. No. 520/521,524/525 page 12 front side; sl. No. 551/552 page 13 front side; sl. No. 692/693 page 16 front side; sl. No. 834/835 page 19 front side; sl. No. 923/924 page 21 front side; sl. No. 959/960, 978/979 page 22 front side; sl. No. 1003/1004, 1015/1016 page 23 front side; sl. No. 1030/1031 page 23 back side; sl. No. 1061/1062,1069/1070 page 24 front side; sl. No. 1080/1081 page 24 back side; sl. No. 1093/1094 page 25 front side; sl. No. 1158/1159 page 26 front side; sl. No. 1312/1313 page 29 front side; sl. No. 1383/1384 page 31 back side; sl. No. 1580/1581 page 36 front side.
- 16.) No signature found in the Daily sale register or less signature/ thumb impression of the customer in Daily sale register- 3 no. less signature against entries made and ration issued shown in sale register at page 1 back side; 3 no. less at page 4 front side; 4 no. less at page 4 back side; 4 no. less at page 7 front side; 3 no. less at page 9 front side; 2 no. less at page 9 back side; 5 no. less at page 10 front side; 4 no. less at page 10 back side; 5 no. less at page 11 front side; 4 no. less at page 12 front side; 5 no. less at page 12 back side; 4 no. less at page 13 front side; 3 no. less at page 13

[Handwritten Signature]

back side; 4 no. less at page 14 back side; 4 no. less at page 15 front side; 3 no. less at page 15 back side; 2 no. less at page 16 front side; 6 no. less at page 16 back side; 3 no. less at page 17 front side; 3 no. less at page 18 front side; 4 no. less at page 18 back side; 3 no. less at page 20 front side; 3 no. less at page 20 back side; 4 no. less at page 21 back side; 13 no. less at page 22 front side; 14 no. less at page 22 back side; 9 no. less at page 23 front side; 14 no. less at page 23 back side; 13 no. less at page 24 front side; 8 no. less at page 24 back side; 11 no. less at page 25 front side; 17 no. less at page 25 back side; 12 no. less at page 26 front side; 15 no. less at page 26 back side; 14 no. less at page 27 front side; 16 no. less at page 27 back side; 16 no. less at page 28 front side; 14 no. less at page 28 back side; 11 no. less at page 29 front side; 15 no. less at page 29 back side; 7 no. less at page 30 front side; 12 no. less at page 30 back side; 15 no. less at page 31 front side; 13 no. less at page 31 back side; 14 no. less at page 32 front side; 9 no. less at page 32 back side; 13 no. less at page 33 front side; 14 no. less at page 33 back side; 6 no. less at page 34 front side; 3 no. less at page 34 back side; 2 no. less at page 35 front side; 1 no. less at page 36 front side; 5 no. less at page 36 back side. (Total no. =414).

Total quantity of wheat issued against such unsigned/less no. of signatures against entries in sale register = 414x20 Kg =8280 Kg (82.8 Qt.) which is the diversion of the SFAs meant for selling under Public Distribution System.

And whereas by committing the above discrepancies the licensee of the FPS violated the provisions of Delhi Specified Articles (Regulation and 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 I, T.N.Meena, Asstt. Commissioner, District Central, Food and Supplies Department, GNCT of Delhi in exercise of power conferred upon me under the clause 4(1) provisions of the Delhi Specified Articles (Regulation of Distribution) control order, 1981 hereby suspend the authorization of FPS no. 9109 M/s. Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 with immediate effect and the FPS holder is also directed to show cause as why the authorization of the said FPS may not be cancelled under the said clause and entire security money forfeited under clause 4(2) of the said Control Order, 1981 for the above lapses. The FPS holder is hereby directed to appear before the undersigned in person or through authorized representative for personal hearing on 18/02/2014 at 2.00P.M. along with his written explanation failing which decision will be taken ex-parte in the circumstances of the case without any further reference.

ASSTT. COMMISSIONER (CENTRAL)

NO.F.AC(C)/F&S/2014/ 1460-65

Dated

10/2/14

Copy forwarded for kind information and necessary action to:-

- 1) Commissioner, F&S Deptt.
- 2) Spl. Commissioner (Central), F&S Deptt.
- 3) A.C. (Distribution), F&S Deptt.
- 4) System Analyst, F&S Deptt.
- 5) The license of FPS 9109 M/s. Shree Shakti Traders, 588, Ground Floor, Shradhanand Marg Market, Delhi-110006 (Through FSO).
- 6) FSO, Circle-22 with the directions to serve the suspension order -cum-show Cause Notice to the license of FPS No. FPS 9109 M/s. Shree Shakti Traders and send the proposal for linking of the food cards of the FPS with nearby other FPSs immediately.

ASSTT. COMMISSIONER (CENTRAL)