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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE COMM: FOOD SUPPLIES AND CONSUMER AFFAIRS
K- BLOCK, VIKAS BHAWAN, INDRA PRASHTA ESTATE, NEW DELHI-110002

DRAFT RULES ON DPDS (T&A) RULES 2023

NOTIFICATION

Dated, 10th July, 2023

No. F.3(85)/F&S/Social Audit/P&C/2017/ 362 The following draft of rules, the Delhi Public Distribution System (Transparency and Accountability) Rules, 2023, the Lt. Governor of National Capital Territory of Delhi proposes to make in exercise of the powers conferred by clause (h) and (i) of sub-section (2) of Section 40 read with Section 24, 27 and 28 of the National Food Security Act, 2013 (No. 20 of 2013), is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft shall be taken into consideration after expiry of the period of thirty days from the date on which the copies of this notification as published in the Delhi Gazette are made available to the public.

Any objection and suggestion received from any person with respect of the said rules, within the expiry of the period, so specified, will be considered by the Government of National Capital Territory of Delhi.

Objection and Suggestions, if any may be sent to the Special Commissioner, Government of National Capital Territory of Delhi, Department of Food, Supplies and Consumer Affairs, K-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002.

CHAPTER-I

1. **Short title, extent and commencement.** - (1) These rules shall be called the Delhi Public Distribution System (Transparency and Accountability) Rules, 2023
(2) It extends to the National Capital Territory of Delhi.
(3) It shall come into force from the date of its publication in the Official Gazette.

2. **Definitions:** - (1) In these rules, unless the context otherwise requires,-

(a) **"Authorized Body"** means the:-

District Magistrate(s) of respective Revenue Districts.

(b) **"Central Act"** means the National Food Security Act, 2013 (No.20 of 2013);

(c) **"Central Government"** means the Government of India;

(d) **"Commissioner"** means the Commissioner, Food, Supplies and Consumer Affairs, National Capital Territory of Delhi;

(e) **"Local Authority"** means District Magistrate(s) of respective Revenue Districts.

(f) **"Social audit"** means the process in which the people collectively monitor and evaluate the planning and implementation of the scheme under Targeted Public Distribution System and National Food Security Act;

(g) **"State Food Commission"** means the Delhi State Food Commission formed by the State Government for implementation of provisions of Section 16 of the Central Act;

(h) **"State Government"** means the Lieutenant Governor Government of National Capital Territory of Delhi appointed under article 239 and designated as such under article 239AA of the Constitution of India.

(i) Word and expression used herein but not defined shall have the same meaning as respectively assigned to them in the National Food Security Act, 2013 (No. 20 of 2013), the Essential Commodities Act, 1955 (No. 10 of 1955) and the Rules made there under.

CHAPTER-II

Transparency and Accountability

3 Disclosure of records of Public Distribution System:-

(1) Public Distribution System related important records such as:-

- (i) copies of the Central Act and the Control Orders;
- (ii) Information regarding implementation of Public Distribution System (available at "NFSA" websites fsd.delhi.gov.in, nfs.delhigovt.nic.in & epos.delhi.gov.in.)
- (iii) Issuance of ration cards (number of issuance month wise and year wise and number of cancellation thereof);
- (iv) District-wise and Circle-wise information of Fair Price Shops;
- (v) District-wise, Circle-wise, Fair Price Shop-wise ration card report;
- (vi) Monthly report of allocation, delivery and distribution of ration commodities.

shall be placed in the public domain. These documents can be inspected and copies can be provided under the provisions of the Right to Information Act, 2005 (No.22 of 2005).

(2) The following actions need to be taken in order to maintain Transparency and Accountability, namely:-

(a) National Food Security Act Website- Important information of Public Distribution System such as ration cards, District and circle wise FPS information, allocation delivery and distribution of food commodities, with reference to the provisions of the Central Act shall be displayed at "NFSA" websites fsd.delhi.gov.in, nfs.delhigovt.nic.in & epos.delhi.gov.in. There shall be provision for lodging of complaints and suggestions by the general public in the website and also to register the mobile numbers to obtain information regarding distribution of ration commodities in the Fair Price Shops under Public Distribution System. In addition, the following information of the department shall also be displayed on the website, namely:-

- (i) District-wise & Circle-wise Fair Price Shop (address, phone no. & GPS coordinates);

- (ii) District-wise, Circle-wise and Fair Price Shop-wise number of ration cards (number of FPS along with number of ration cards);
- (iii) District –wise and Fair Price Shop-wise monthly allocation;
- (iv) Detailed information of Fair Price Shop-wise ration cards (FPS wise details of number of ration cards & details of beneficiaries attached);
- (v) Annual distribution of food grain;
- (vi) Commodity wise entitlement and rates of food grains under the Central Act;
- (vii) Monthly status of Allocation/Delivery and Distribution of Specified Food Articles on real time basis;
- (viii) Rules and Acts of the Department and
- (ix) Other information of the Department as specified by the Commissioner, Food, Supplies and Consumer Affairs from time to time.
- (x) Providing good quality foodgrains to the beneficiaries in timely manner

(b) Social Audit:- In order to ensure transparency in the Planning and implementation of Public Distribution System, the State Government shall conduct or cause to be conducted, periodic social audit on the functioning of Fair Price Shops, Targeted Public Distribution System and other Welfare Schemes and shall make available all records to the general public on the websites of the Department i.e. fsd.delhi.gov.in, nfs.delhigovt.nic.in & epos.delhi.gov.in as well as hard copies will also make available.

Social Audit shall be done in accordance with the following procedure, namely: -

- (i) District Magistrate gives notice for a social audit meeting at least 30 days before mentioning date, time, venue and agenda of the meeting in simple language.
- (ii) The FSI of the concerned circle/Member Secretary of vigilance committee at FPS level will coordinate with the District Magistrate of respective Revenue District for conduct of social audit of Fair Prices Shops in its jurisdictions. Records related to allocation and distribution of ration commodities under Public Distribution System, Fair Price Shops wise to be provided by the FPS owner to the District

Magistrate at least 15 days before the conduct of meeting. The concerned FSI should make all relevant records available to District Magistrate at least 15 days before the meeting and all other information sought by the District Magistrate.

- (iii) The concerned FSI should also make available all the reports of Vigilance Committee at Fair Price Shop level, duly compiled, containing the information regarding availability and distribution of foodgrains to the beneficiaries to District Magistrate at least 15 days before the meeting.
- (iv) Documents of last six months shall be submitted by Fair Price Shop Owner and concerned Food Inspector for social audit to Authorized Body in respect of Fair Price Shops decided on random basis by the Authorized Body.
- (v) District Magistrate(s) of respective Revenue Districts shall conduct Social Audit of Fair Price Shops in its jurisdiction. Circle Food Supply Inspector shall be facilitator and convener of the Social Audit meetings.
- (vi) The meeting of Social Audit to begin with address by the District Magistrate as to why it has been convened, how ward residence can participate and the follow up. The District Magistrate to ask people about their review/feedback/grievances related to PDS and accordingly seek responses from the officials/FPS owner during the meeting conducted for Social Audit.
- (vii) The Meeting of Social Audit by the authorized body shall compulsorily be conducted at least once in six months. The meeting should be minuted and videographed. The ward residence should be given the opportunity to object to any inaccurate contents of the reports during the meeting.
- (viii) After audit of documents at ward's meeting of local authority, the report along with recommendation shall be submitted by the District Magistrate to the Commissioner, Food, Supplies & Consumer Affairs, Delhi who shall forward the District Magistrates report to Zonal Assistant Commissioner, Food & Supplies, Delhi through Special/Additional/Joint Commissioner, Food & Supplies. (Commissioner (F&S) convene meeting chaired by Minister in-charge to study the report and adopt recommendations along with ZACs.)
- (ix) Zonal Assistant Commissioner, Department of Food and Supply, shall initiate appropriate action on the recommendations in the Social Audit Reports and submit Action Taken Reports through Special/Additional/Joint Commissioner, Department of Food & Supply to Commissioner, Food Supplies & Consumer Affairs, Delhi for further necessary action.

(x) After examination of the social audit reports, Commissioner, Food, Supplies & Consumer Affairs, Delhi shall take appropriate action to address the issues arising from the audit and Action taken on the social audit report shall place before the Minister in-charge. The action taken report to be placed in the public domain (website of the Department (fsd.delhi.gov.in, nfs.delhigovt.nic.in & epos.delhi.gov.in))

4. **Exemption:-** For smooth functioning of Public Distribution System, the State Government, by keeping consistence with Targeted Public Distribution System (Control) Order, 2015 issued by the Central Government, may grant an exemption from all or any of the provisions of these Rules and may revoke or suspend such exemption at any time.
5. **Protection of the action taken under these Rules: -** No suit, prosecution, or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this rule.
6. **Powers to issue orders for compliance of instructions: -**The State Government or the Commissioner may issue necessary orders / instructions, from time to time, to ensure compliance of various provisions of these Rules and for the transparency, accountability and implementation of innovations in Public Distribution System.

By order and in the name of
Lt. Governor of the National Capital Territory of Delhi,


(Dr. Dilraj Kaur)
SECRETARY-CUM-COMMISSIONER
FOOD, SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Dated, 10/7/2023. 2023