

GOVT. OF NCT OF DELHI
OFFICE OF THE SPECIAL COMMISSIONER / APPELLATE AUTHORITY
DEPARTMENT OF FOOD, SUPPLIES AND CONSUMERS AFFAIRS
K - BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI - 110002.

No.: Spl.Com./AA/FPS Appeal/F&S/2025/15-18

Dated: 05/01/2026

REVIEW APPEAL NO. 26/2022
APPEAL NO. 01/2020

In the matter of:

M/s Vijay Pal Ramesh Chand
FPS No. 4162, Circle-62 (Shahdara),
B-217, Old Seemapuri,
Delhi - 110 095.

Versus

The Assistant Commissioner (East)
Department of Food Supplies & Consumer Affairs,
GNCT of Delhi.

ORDER

1. This Order shall dispose of the Appeal dated 15-12-2022 filed by the appellant, Sh. Mukesh Kumar of M/s Vijay Pal Ramesh Chand, FPS No. 4162, Circle-62 (Shahdara) for Review of Order of Asstt. Commissioner (East)/Licensing Authority dated 18-10-2019, under Delhi Specified Articles (Regulation of Distribution) Order, 1981 and Targeted Public Distribution System (Control) Order, 2015.
2. The Brief Facts of the case are as under:-
 - i. That the Appellant was the proprietor of the Fair Price Shop No. 4162 which was operating in the name of M/s Vijay Pal Ramesh Chand, FPS No. 4162, Circle-62 (Shahdara) in District East of Food, Supplies & Consumer Affairs Department of GNCT of Delhi.
 - ii. And that an inspection of FPS No. 4162 M/s Vijay Pal Ramesh Chand was conducted by on 06.02.2019. At the time of visit the shop was found closed and the shop was sealed by the Team.

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- iii. And that the Enforcement Branch of the Department deployed the same team vide order dated 01.03.2019 for de-sealing/inspection of the FPS. The team visited on 05.03.2019 and found seal intact. Shri Mukesh Kumar, Prop of FPS was present and one independent witness namely Shri Ramesh Kumar was also present. The Licensee could not produce the Sales Register and Cash Memos to the Team. The Team vide report dated 12.03.2019 submitted the details of Physical Stock of SFAs lying in the business premises and SFAs as per Stock Register available in the FPS. The net variation of 12.98 Qt (Wheat-7.32 Qtls. (Excess), Rice- 5.61 Qtls. (Short) and Sugar-0.05 Qtls. (Short) was reported. corrigendum on variation was issued vide No. F.AC(E)/F&S/2020/355-362 dated 17.03.2020 whereby the actual net variation of 10.55 Qtls. (Wheat-10.49 Qtls Rice 0.06 Qtls. (Short)) of SFAs was calculated.
- iv. And that the shop was suspended vide order dated 27.08.2019 and was cancelled vide order dated 18.10.2019 and a tehrir of FIR was filed by Shri Narain Singh, FSO (C-62) and Smt. Meera Dhingra, FSI (C-62) against FPS Holder in Police Station Old Seema Puri, Delhi-110095 vide DD No. 608 dated 31.08.2019.
- v. And that the Appellant filed an appeal against the Cancellation Order dated 18-10-2019 before the Appellate Authority that was numbered 01/2020.
- vi. And that the Appellate Authority vide its Order dated 30-09-2021 has opined as under -

" ...After hearing contentions of both the parties, examining their written/verbal submissions and perusing other relevant records placed before me, it is noted that crack team constituted by Enforcement Branch of the Department conducted inspection and on physical verification of SFAs lying with the shop a net variation of 10.35 Qtls of SFAs (Wheat-10.49 Qtls+ Rice-0.06 Qtls) (Short) was reported Ample opportunity to explain the reason of variation was offered by the Licensing Authority and the reply filed by the petitioner was found not satisfactory. The past record of Licensee speaks of complaints, some of which were verified by the Licensing Authority and action vide order dated 16.11.2015 was also taken in the past as well.

The variation of SFA's as well as not producing the Cash Memos and Sales Register at the time of inspection to Crack Team is an ample proof of mismanagement of FPS by the FPS holder and grave violation of Delhi Specified Articles (Regulation and Distribution) Order, 1981. No credible documents in support of contention of variation, as adduced by the appellant during hearing of appeal was produced which allows to reconsider the decision of the previous Licensing Authority. As per version of FSO/FSI(C-62), the Appellant did not co-operate to transfer the SFAs to other linked FPSs this could lead disruption in distribution of Specified Food Articles and inconvenience to the beneficiaries which is not acceptable and hence, acted in an irresponsible manner and violated terms and conditions of the license. The FPS



holder has a history of defaults and the same has been proved as the FPS was suspended earlier on 16.11.2015 also which was subsequently revoked on 17.02.2018, it is also noted that as per the terms and conditions of the License the Fair Price Shop holder is responsible for carrying out retail sale of Specified Food Articles in accordance with the directions and instructions issued from time to time regarding purchase, sale and storage of Specified Food Articles. Therefore, I do not see any reason to modify or set aside the order dated 18.10.2019 passed by the Licensing Authority.

In view of above, I am of the opinion that the appeal filed by the petitioner has no merit hence the Cancellation Order dated 18.10.2019 passed by the Assistant Commissioner (East), is hereby upheld accordingly dismissed..."

3. After hearing the contentions, examining their written submissions and perusing other relevant records placed in the case file, it is noted that no new facts have been brought into light by the appellant that has not already been considered. Accordingly, there seem no reason for reviewing the Order already passed on 30-09-2021 in Appeal No. 01/2020.
4. Parties be informed accordingly.


(ARUN KUMAR JHA)
Addl. Commissioner (F&S)/
Appellate Authority

No.: Spl.Com./AA/FPS Appeal/F&S/2025/15-18

Dated: 05/01/2026

Copy to:

1. The Asstt. Commissioner (East), F&S Department, GNCT of Delhi.
2. Sh. Mukesh Kumar of M/s Vijay Pal Ramesh Chand, FPS No. 4162, Circle-62 (Shahdara) through Asstt. Commissioner (East).
3. Sh. Mukesh Kumar of M/s Vijay Pal Ramesh Chand, FPS No. 4162, Circle-62 (Shahdara), G-210/F-3, Dilshad Colony, Delhi - 110 095.
4. SSA (IT), F&S Deptt., K-Block, Vikas Bhawan, New Delhi with the direction to upload the Order on Departmental website.


(ARUN KUMAR JHA)
Addl. Commissioner (F&S)/
Appellate Authority