

**OFFICE OF THE COMMISSIONER / APPELLATE AUTHORITY  
DEPARTMENT OF FOOD SUPPLIES AND CONSUMERS AFFAIRS  
GOVT. OF NCT OF DELHI,  
ROOM No.101 ,1<sup>ST</sup> FLOOR, K-BLOCK, VIKAS BHAWAN, I.P.ESTATE,  
NEW DELHI-110002.**

No.PS/COMM./AA/FPS Appeal/F&S/2021/ 330-333

Dated: 16/09/2021

**Appeal No. 42/2019**

**M/s. Om Prakash Ramesh chand,  
FPS No. 6116, C-19 (Sadar Bazar)**

**Shri Ramesh Chand, (Prop.)**

**.....Appellant**

**Vs**

**The Assistant Commissioner (Central)  
Deptt. of Food Supplies & Consumer Affairs,  
Delhi .**

**.....Respondent**

**ORDER**

The instant Appeal has been filed by **Sh. Ramesh Chand, Prop. M/s. Om Prakash Ramesh Chand, FPS No. 6116, C-19 (Sadar Bazar)** under Clause 6 (6) of Delhi Specified Articles (Regulation of Distribution) Order, 1981 against Order dated 06.08.2018 passed by Assistant Commissioner (Central).

Shri Rajesh Shakkarwal, Assistant Commissioner (Central)/Respondent present.

None present for appellant.

The Case was called and heard at length.

The FPS No. 6116 titled **M/s. Om Prakash Ramesh Chand, FPS No. 6116, Circle-19 (Sadar Bazar)** was inspected on 15.06.2019 at 3.10 P.M. and following discrepancies were found by the inspecting team:-

1. Net Stock Variation of 31 Kg. (Wheat-16 Kg + Rice 15 Kg) Short.
2. Mandatory information boards (i) Licence details of FPS (ii) Vigilance Committee were not found displayed.

A show cause notice was issued to the applicant and after found reply unsatisfactory, the Licensing Authority forfeited security of Rs. 10,000/- in favour of Department and directed to licensee to deposit the security of Rs.10,000/-.

Aggrieved with the decision of Licensing Authority, the petitioner filed the present appeal with the plea that the variation found was less than the admissible shortage which was not considered. Secondly he pleaded that the licence detail of FPS was mentioned on four or five available boards and as regards board of Vigilance Committee he was not aware about it. Now

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the board was installed in the FPS. He further requested to waive off the penalty which was imposed on him by the Licensing Authority.

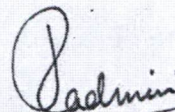
The Assistant Commissioner (Central) opposed the plea of the petitioner and contended that the FPS holder is bound to comply with terms and conditions as laid down in the provision contained in Delhi Public Distribution System (Control) Order 2001 and Delhi Specified Articles (Regulation of Distribution) Order, 1981. The appellant failed to act upon as per terms and conditions hence, violated the instructions and guidelines issued time to time. The Respondent justified the penalty imposed on petitioner and requested to dismiss the appeal.

After examining contentions of both the parties, examining their written submissions and perusing other relevant records placed before me, it is noted that the Appellant acted in an irresponsible manner by not installing the relevant boards and violated terms and conditions of the license. It is needless to say that inadequate attention to the functioning of an FPS results in great inconvenience to the eligible beneficiaries which is not acceptable.

Therefore, considering the above facts, it is not possible to provide relief to the petitioner as appealed in his application. Hence, Order dated 06.08.2019 passed by Assistant Commissioner (Central) is upheld and the appeal is accordingly dismissed.

The appeal is disposed of.

Parties be informed accordingly.

  
(PADMINI SINGLA) 16/09/2021

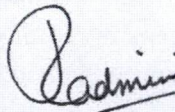
COMMISSIONER (F&S)/APPELLATE AUTHORITY

No.PA/COMM./AA/FPS Appeal/F&S/2021/ 330-333

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Copy to :-

1. The Assistant Commissioner (Central), F&S Deptt. GNCT of Delhi
2. Sh. Ramesh Chand, Prop. M/s. Om Prakash Ramesh Chand (FPS No. -6116), C-19 through Asstt. Commissioner (Central).
3. Sh. Ramesh Chand, Prop. M/s. Om Prakash Ramesh Chand (FPS No. -6116), C-19 R/o 192, Vivekanand Puri, Delhi - 110007.
- ✓ 4. SSA (IT), F&S Deptt., K-Block, Vikas Bhawan, Delhi with the direction to upload the order on Departmental website.

  
(PADMINI SINGLA) 16/09/2021

COMMISSIONER (F&S)/APPELLATE AUTHORITY