

Government of Jammu and Kashmir
Department of Food, Civil Supplies and Consumer Affairs
Civil Secretariat, J & K Jammu

Subject: Opening of Fair Price Shops under Public Distribution System.

Reference:-Assurance given by the Hon'ble Minister, Department of Food, Civil Supplies & Consumer Affairs on the Floor of the House (J&K Legislative Assembly).

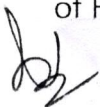
GOVERNMENT ORDER NO. 70 -FCS&CA OF 2018

D A T E D: 12 -03-2018

Whereas, with a view to provide the ration to the rationees at nearest doorstep in terms of rule 5 of 'the Food Security (Assistance to State Governments) Rules, 2015 notified by the Government of India vide GSR 63 (E) dated:17-08-2015, the Department of Food, Civil Supplies and Consumer Affairs vide Government 137-FCS&CA OF 2016 Dated: 04-08-2016 sanctioned various Fair Price Shops for the areas recommended by the field functionaries as per the viability of the areas vis-à-vis demand of the general public at large; and

Whereas, the Department of Food, Civil Supplies and Consumer Affairs vide Government Order No.127- FCS&CA OF 2016 Dated: 04-08-2016 notified a policy in terms of rule 9 of the PDS Control Order, 2015 and in consonance with the relevant provisions of the Essential Commodities Act, 1955 and viz-a-viz National Food Security Act, 2013, for issuance of Fair Price Shop Licence in favour of incumbents who shall apply against sanctioned location of Fair Price Shops; and

Whereas, in continuation to the Government Order No.127- FCS&CA OF 2016 Dated: 04-08-2016 another bearing Government Order No. 352-FCS&CA of 2017 dated:24-08-2017 was issued , by virtue of which a Committee was constituted for grant of FPS Licence.



Now, therefore, with a view to streamline the existing system of Public Distribution System and in supersession of Government Order No. 352-FCS&CA of 2017 dated:-24-08-2017, the following guidelines shall be followed while issuing the Fair Price Shops Licence :-

1. The Director FCS&CA in their respective division shall be the Licensing Authority for issuance of dealership license of Fair Price Shop for distribution of ration among the rationees.
2. The Licensing Authority shall issue the Fair price Shop dealership License on the recommendation of the Selection Committee consisting of the following officers; namely:-
 - a. Director, FCS&CA Jammu/ Kashmir Chairman
 - b. Joint Director FCS&CA Member
 - c. Deputy Director, FCS&CA Jammu/Kashmir Member
 - d. Assistant Director, FCS&CA Concerned. Member Secretary
3. The Licensing Authority shall not issue the Fair Price Shop dealership license, wherein the relaxation in age, qualification is required except with the prior approval of the Administrative Department in this behalf.
4. No Fair Price Shop dealership License shall be issued, unless the application for the said purpose shall be invited by the Licensing Authority for sanction Fair Price Shop location/area after giving wide publicity to the same in the electronic/print media.

Provided that the applicants who have already applied in terms of previous orders shall have no need to apply again.

5. In case more than one applications have been received for sanctioned location of the dealership, the order of preference of all eligible applicants shall be endorsed by the selection committee by taking into account the facts, such as, the applicant is residing nearest to the location; having own space for storage of the foodgrains; fulfilling all requisite condition required under the FPS policy notified vide Government Order No. 127-FCS&CA of 2016 dated: 04.08.2016. Besides, the selection committee shall also take on record the recommendation, if any, made by the concerned legislators;
6. All the Licenses obtained under any of the previous relevant order shall be re-examined/reviewed by the Selection Committee in terms of the law/rules/orders/guidelines in vogue issued in this behalf from time to time within a period of fifteen days and in case, any deficiency found, in that event, the committee shall made its recommendations in this behalf and thereafter, after affording an opportunity of being heard to the licence holder, the Director FCS&CA is at liberty to take appropriate action by issuing a speaking order.



7. The Licenses obtained under any of the previous relevant order in force on the date of coming into force of this order, shall be deemed valid, subject to the condition that the same is certified by the concerned Director, FCS&CA, that the Licence holder is full filling all the codal formalities enumerated under law/rules/orders/guidelines in vogue meant for the public distribution system so far as it pertains to the issuance of licence for Fair Price Shop dealership, and accordingly a certificate to this effect be submitted to the Administrative department within 15 days from issuance of this order.

Provided that there is no need to issue any certificate by the Director, FCS&CA in case of licenses issued prior to the issuance of Government Order No.127- FCS&CA OF 2016 Dated: 04-08-2016.

By order of the Government of Jammu and Kashmir

Sd/-

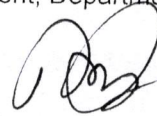
(Mohammad Mehraj-ud-Din Khan)
Commissioner/Secretary to the Government
Department of Food, Civil Supplies &
Consumer Affairs

No. CAPD/Food/203/2010

Dated: -12.03.2018

Copy to the: -

1. Director, Department of FCS&CA, Jammu/Kashmir.
2. Director, Archives and Archeology and Museum, J&K, Jammu.
3. Additional secretary to the Government Department of FCS&CA.
4. Financial advisor/CAO, Department of FCS&CA.
5. Deputy Secretary to Government, Department of FCS&CA.
6. Private Secretary to the Hon'ble Minister for FCS&CA and Tribal Affairs for kind information of Hon'ble Minister .
7. Private Secretary to the Commissioner/Secretary to the Government, Department of FCS&CA for information of Commissioner/Secretary.
8. Government aOrder File (w.2.s.c.)



(Manoj Kumar pandit)
Under Secretary to the Government
Department of Food, Civil Supplies and
Consumer Affairs