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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF FOOD SUPPLIES & CONSUMER AFFAIRS
K-BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI-110002.
(POLICY BRANCH)

F.5 (7)/P&C/Misc./P.file/2019/402-408

Dated: 30-4-2019

CIRCULAR

The policy for issue of License of Fair Price Shop has been issued vide Order no. F.5 (7)/ P&C/Misc./P.File/1071-1075 Dated: 27/07/2015. As per the Order, the eligible applicants will be called for interview before the Selection Committee, constituted as under:

1. District Magistrate – Chairperson
2. Assistant Commissioner of the concerned District
3. Assistant Commissioner Link Officer of the concerned District

Further, the Selection Committee will design its own marking scheme in accordance with the guidelines to select the best candidate and recommend allotment of FPS license.

On the directions of Hon'ble High Court, Delhi in the WP (C) 2756/2017 while considering the appeal of Sarika Yadav vs. Food and Supplies Department regarding recommendation of the Selection Committee for allotment of FPS, it was found that the Selection Committee's marking scheme failed to objectively take into the account the various guiding principles and criterion enumerated in the Delhi Specified Articles (Regulation of Distribution) Order, 1981 and subsequent Department Orders for consideration of applications for recommending issue of license for FPS. Accordingly, the recommendation of Selection Committee for issue of license for FPS in the notified area of Village Rithala was set aside by Commissioner (F&S) and the case remanded back to the Selection Committee for reconsideration in accordance with Rules in place.

Clause 3 (6) of Delhi Specified Articles (Regulation of Distribution) Order, 1981 deals with issue of authorization to wholesalers and Fair Price Shop holders which states that every application for the issue of an authorization shall be considered having due regard to:-

1. The need for authorized wholesalers or Fair Price Shops in the area or locality in which the business premises of the applicant are situated;
2. The suitability of the premises for proper storage and sale of specified articles;
3. The suitability of the applicant in view of his past record of dealings in essential commodities and other business, if any, being carried on by him or his near relations in the same premises or in the same area or locality or elsewhere in the Union Territory of Delhi.
4. The financial position and capacity of the applicant in performing the functions of an authorized wholesaler or a Fair Price Shop holder as the case may be.
5. Any other factor considered relevant to the grant of an authorization under this order.

DJS

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Accordingly, in order to ensure fair and objective assessment of applications, the Selection Committee constituted for the purpose of recommending the issue of FPS license on the basis of interview of the eligible applications shall necessarily include all the criterion laid down under clause 3 (6) of Delhi Specified Articles (Regulation of Distribution) Order, 1981 while drawing the marking scheme for evaluating the applications.

This issues with the prior approval of Commissioner, F&S.

DSS
30-4-19
(Desh Raj Singh)

Assistant Commissioner (Policy)

F.5 (7)/P&C/Misc./P.file/2019/402-408

Dated: 30-4-2019

To:

1. All District Magistrates (Revenue), Revenue Department, 5, Sham Nath Marg, Delhi-34
2. All Zonal Assistant Commissioners, Department of F&S
3. SA (IT), Deptt, of Food Supplies & Consumer Affairs, Delhi with the request to Upload the circular on department's website and necessary action.

Copy for information to:-

1. PS to Hon'ble Minister (F&S) for kind information of Minister
2. PS to Commissioner, F&S
3. PS to Special Commissioners, F&S.
4. Guard file.

DSS
(Desh Raj Singh)
Assistant Commissioner (Policy)