

GOVERNMENT OF PUNJAB
DEPARTMENT OF FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS
(FOOD DISTRIBUTION BRANCH)

ORDER

The April 22nd, 2016

No. 2FD(188)-2016/834.—Whereas the Governor of Punjab is of the opinion that it is necessary and expedient so to do for maintaining supplies and securing availability and distribution of essential commodity, namely, foodgrains under the Targeted Public Distribution System;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with Government of India, Department of Food & Public Distribution, Order GSR No.213(E) dated 20th March 2015 and in supersession of the Punjab Public Distribution System (Licensing and Control) Order, 2003 dated 14th February 2003, except as respects things done or omitted to be done before such supersession and save as otherwise provided hereunder, the Governor of Punjab is pleased to make the following Order, namely:

1. Short title, and commencement.—

1. This Order may be called the Punjab Targeted Public Distribution System (Licensing & Control) Order, 2016.
2. It extends to the whole of the State of Punjab.
3. It shall come into force on and with effect from the date of its publication in the Official Gazette:

2. Definitions.—In this Order,

- a. "Act" means the Essential Commodities Act, 1955 (10 of 1955);
- b. "allocation month/ months" means the month/ months for which foodgrains are allocated by Central Government and the State Governments for distribution under the Targeted Public Distribution System;
- c. "Annexure" means an Annexure appended to this Order;
- d. "Appellate Authority" means an authority appointed as such by the State Government under sub-clause (1) of clause 17 of this Order;
- e. "Antyodaya Anna Yojana" means the scheme by the said name launched by the Central Government on the 25th day of December, 2000 and as modified from time to time;
- f. "Antyodaya households" means those households identified by the State Government to receive foodgrains under the Antyodaya Anna Yojana;
- g. "authorised agency" means the concerned Department of State Government or a body corporate or a company owned by it or a co-operative;
- h. "Corporation" means the Food Corporation of India constituted under the Food Corporations Act, 1964 (37 of 1964);
- i. "designated authority" means any officer not below the rank of Food and Civil Supplies Inspector in the State Government;
- j. "fair price shop owner" means a person and includes a cooperative society or a body corporate or a company of a State Government or a Gram Panchayat or any other body in whose name a shop has been licensed to distribute essential commodities under the Targeted Public Distribution System;

- k. "Food Security Act" means the National Food Security Act, 2013 (20 of 2013);
- l. "local authority" includes a panchayat, municipality, district board, cantonment board, town planning authority or any other body, by whatever name called, which is authorised under the Constitution or any other law for the time being in force for self-governance or any other authority or body vested with the control and management of civic services, within a specified local area;
- m. "Social audit" means the process in which people collectively monitor and evaluate the planning and implementation of Targeted Public Distribution System;
- n. "State Government" means the Government of Punjab in the Department of Food, Civil Supplies & Consumer Affairs.
- o. "Vigilance Committee" means a committee constituted to regularly supervise the functioning of Targeted Public Distribution System in the State;
- p. words and expressions not defined in this Order but defined in the Act, or the Food Security Act 2013, shall have the meaning respectively assigned to them in those Acts.

3. Identification of eligible households.—

1. The percentage coverage of eligible households under the Food Security Act in rural and urban areas respectively for receiving subsidised foodgrains under the Targeted Public Distribution System shall be as determined by the Government of India.
2. The ceiling on coverage of number of persons belonging to eligible households for receiving subsidised foodgrains under the Targeted Public Distribution System, determined by the Government of India, shall be under the following two categories—
 - i. Antyodaya households;
 - ii. remaining to be covered under Priority Households category to be identified by State Government as per criteria to be evolved by the State Government subject to the other provisions of this Order.
3. The number of Antyodaya households shall not exceed the number of Antyodaya households in the State as accepted by the Government of India.
4. The State Government shall prepare and notify the guidelines for identification of priority households in the rural and urban areas, with special focus on coverage of all the vulnerable or needy sections of the society, and display the guidelines in the public domain including on the State web portal.
5. For the purpose of allocation of subsidised foodgrains under Targeted Public Distribution System by the Central Government, there shall be no increase in the State-wise number of persons covered under Targeted Public Distribution System till the data from the next population Census, after the commencement of this Order, becomes available.
6. The list of eligible households shall be drawn up by the designated authority in respect of area under their jurisdiction.
7. The State Government shall get the provisional list of eligible households displayed in the public domain including the office of the local authority and on the State web portal, showing the category-wise lists of eligible households and their members.
8. The State Government shall use the list of persons as compiled during Census of India by the Registrar General and Census Commissioner or voters list notified by Election Commission of India

or Socio Economic and Caste Census data or any other authentic source of data to cross-check and verify the list of eligible households and their members.

9. The State Government shall prescribe the detailed procedure for finalisation of the list of eligible households covering, inter-alia, aspects like the process of drawing up of draft list, putting the draft list in the public domain including reading out of the list in meetings of the Gram Sabha or equivalent body in urban areas, inviting objections, disposal of objections, appeals and so on.
10. The head of the local authority and the designated authority shall jointly verify and certify the final list of eligible households and the local authority shall pass a resolution adopting the final list of the eligible households.
11. The final list of the eligible households shall be displayed in the public domain including office of the local authority and on the State web portal, showing the category-wise names of eligible households and their members.
12. The State Government shall regularly review the list of the eligible households for the purpose of deletion of ineligible households or inclusion of eligible households.
13. During the review, the State Government shall take into account, inter-alia, the increase in the number of eligible households or their members due to migration in to the State, birth, marriage, change in social and economic status and the decrease in the number of eligible households or their members due to migration outside the State, death, marriage, change in social or economic status:

Provided that the total number of eligible households after the review shall not exceed the ceilings prescribed in sub clause (2).

4. Ration Cards.—

1. The State Government shall issue ration cards to the eligible households as mentioned in the final list specified under sub-clause (12) of clause 3:

Provided that while issuing ration cards to the eligible households, the State Government shall ensure that the coverage of the number of eligible households is not merely done with a view to exhaust the State-wise ceiling of number of eligible households.

2. The State Government shall issue a ration card only to a citizen of India who is resident of the State and who fulfills the conditions for getting a ration card as may be prescribed by the State Government.

Provided that the State Government may also issue a ration card to a household or a person residing in the State by virtue of the household or person being granted the status of a refugee and is allowed the entitlement of benefits on humanitarian grounds by the Central or State Government.

3. The State Government shall ensure that a ration card, whether paper based or a smart card, is issued for use under the Targeted Public Distribution System or schemes mentioned in the Food Security Act or a specific scheme of the State Government for distribution of essential commodities.
4. While issuing a smart card, the State Government shall ensure that an electronic device for reading the smart card is installed at the fair price shop.
5. The State Government shall issue separate and distinct ration cards to the Antyodaya households and the priority households.
6. Ration card shall not be used as a document of identity or proof of residence.
7. The State Government shall prescribe a suitable form of application for new ration card and modification in the existing ration card.

8. Any modification referred to in sub-clause (7) may be on account of shifting of residence, birth or death, change in category of beneficiary, corrections in the details mentioned in the card or any other such reason. However, before making any addition of new member e.g. in case of marriage, the State Government may ensure that the family is still eligible as per the criteria prescribed by the State Government.
9. The form referred to in sub-clause (7) may include requisite details including Aadhaar number, bank account details, and mobile telephone number.
10. The State Government shall retain all the information under this clause in the software prepared by State and/or National Informatics Centre or as per the fields and standards prescribed by the Central/ State Government.
11. The State Government shall maintain the ration card data in the digitized database and ensure that issue of a new ration card and modification in the existing ration card is undertaken through the software programme so that the database is automatically updated.
12. The State Government shall designate the authority and office for receiving, registering, acknowledging and processing of application for issuance of ration card or modification in the ration card.
13. The State Government may also prescribe the procedure for receiving the application through online mechanism including the use of e-service centres, kiosks.
14. The designated authority shall issue a ration card to an eligible applicant within a reasonable time not exceeding one month of the date of receipt of the application after necessary checks and verification.
15. The State Government shall issue a ration card in replacement of existing ration card only when the existing ration card is lost or becomes unfit for use on account of being damaged or mutilated or is exhausted fully or where there are requests for modification in the ration cards.
16. The details of the services relating to the ration cards and time frame for delivery of services shall be notified by the State Government and displayed in the public domain including on the State web portal.
17. The list of the ration card holders shall be displayed in the public domain including in the office of the local authority and on the State web portal, showing the category-wise names of the eligible households and their members.
18. The State Government shall make all endeavours to eliminate bogus or ineligible ration cards as a continuous exercise.
19. The State Government shall organise an annual special drive before the end of every financial year for the elimination of bogus or ineligible ration cards.
20. The State Government shall submit a report of ration cards deleted or cancelled on quarterly basis to the Central Government in the format at Annexure-I.

5. Scale of issue and issue price.—

The Central Government shall make available foodgrains from the Central Pool to the State Governments for distribution under the Targeted Public Distribution System to eligible households at such scales and prices as specified under Food Security Act, 2013.

6. Delivery of foodgrains.—

1. The Corporation shall ensure physical delivery of foodgrains of prescribed quality specifications upto designated depots in each State for distribution under the Targeted Public Distribution System, as per the allocation made by the Central Government, within seven working days of the receipt of payment from the State Government.

2. In case of States opting for decentralised procurement, the foodgrains for distribution under Targeted Public Distribution System shall be released by the States as per the allocation made by the Central Government out of the quantity of foodgrains procured and stored for the Central Pool by the State Government or its agencies and in case of any shortfall, the Corporation shall provide the balance quantity of foodgrains at the designated depots in the manner as prescribed in sub-clause (1).
3. The State Government shall deposit the cost of foodgrains to the Corporation in advance during the month preceding the allocation month so that the foodgrains are lifted from the Corporation as per the time prescribed in sub-clause (9) of clause 7.

7. Lifting of foodgrains by State.—

1. The State Government shall lift foodgrains from the designated depots of the Corporation through its authorised agency.
2. The State Government shall, on getting allocation of foodgrains from the Central Government, issue allocation orders authorising their agencies to lift foodgrains from the Corporation and such order among others shall specify.
 - i. number of cards and units;
 - ii. balance in hand; and
 - iii. allocation made for each month in respect of a fair price shop.
3. While making allocation to the fair price shop, the designated authority shall take into account the balance stock, if any, lying undistributed with the fair price shop owner for the subsequent allocations.
4. The designated authority shall ensure that one copy of the allocation order made to the fair price shop is delivered to the local authority, vigilance committees, and any other body nominated by the State Government for monitoring the functioning of the fair price shop.
5. The State Government shall ensure that the allocation order depicting the stocks of foodgrains allotted during the months to the fair price shops is displayed on the public domain including on the State web portal.
6. Before taking delivery of foodgrains from the Corporation, an officer of the State Government not below the rank of Food and Civil Supplies Inspector and an officer of the Corporation shall jointly inspect the stocks of foodgrains intended for issue to ensure that the stocks conform to the prescribed quality specifications.
7. After the joint inspection, the Corporation shall issue to the State Government, before dispatch of foodgrains from godown, one stack-wise sealed sample jointly drawn for display at the fair price shop and a duplicate sealed sample drawn shall be kept with the Corporation for future reference:

Provided that in case the authorised agency of the State Government takes delivery of foodgrains from the Corporation and stores the foodgrains in an intermediate godown before delivering them to the fair price shop dealers, the authorised agency shall follow the procedure under this sub-clause at that intermediate godown:

Provided further that where decentralised procurement of foodgrains is in operation in the State, the authorised agency of the State Government shall follow the procedure under this sub-clause.

8. The quantity of the samples to be drawn, retention period of the samples and disposal of the samples shall be as per the instructions issued by the Central Government from time to time.

9. The State Government shall ensure the lifting of foodgrains from the Corporation by the last day of the month preceding the allocation month.
10. The extension of time for lifting of foodgrains from the Corporation may be considered by the Central Government or the Corporation only in very rare and deserving cases as per the instructions issued by the Central Government.
11. The State Government shall devise suitable mechanism for transportation of foodgrains from the Corporation godown to the intermediate godown and the door-step delivery of the foodgrains to the fair price shop:

Provided that the State Government may also transport foodgrains directly to the fair price shop from the Corporation godown and ensure its door-step delivery to the fair price shop.
12. The State Government shall furnish a report on quarterly basis to the Central Government regarding door-step delivery in the format at Annexure-II.
13. The State Government shall exercise necessary checks to ensure that full quantity and the same quality of foodgrains as lifted by them reaches their godowns and in turn at the fair price shop.

8. Distribution of foodgrains by State.—

1. The allocation of foodgrains made by the Central Government under the Targeted Public Distribution System to the State Government shall be used for distribution as per the provisions of the Food Security Act and not for any other purpose.
2. The State Government shall furnish an utilisation certificate every year in the format as at Annexure-III.
3. The State Government shall ensure, through the authorised agency, physical delivery of foodgrains to the fair price shop by end of the month preceding the allocation month and in any case not later than the first week of the allocation month.
4. The State Government shall obtain a monthly certificate, including through electronic platform, confirming delivery of allocated foodgrains to the fair price shop and their distribution to eligible households during the allocation month.
5. The monthly certificate shall be given by the fair price shop owner and two or more persons as may be authorised by the State Government such as head of the local authority, Executive Officer, Secretary of the local authority, members from the vigilance committees, women's self help group among others.
6. State Government can distribute upto six months ration under Targeted Public Distribution System, in one go, as per the conditions laid down by the Government of India.

9. Licensing and regulation of fair price shops.—

1. The State Government shall issue an order under section 3 of the Act, but not inconsistent with this Order, for regulating the sale and distribution of the essential commodities.
2. The licences/fresh licences to the fair price shop owners shall be issued under this order and the order issued by the State Government shall be notified and displayed on web portal.
3. The designated authority appointed by the State Government shall issue the licences to the fair price shop owners. The agreement shall be executed in the form and manner as specified in SCHEDULE-I.
4. The State Government shall accord preference to public institutions or public bodies such as panchayats, self help groups, cooperative societies in licensing of fair price shops and management of fair price shops by women or their collectives.

5. The licences to the fair price shop owners shall be issued keeping in view the viability of the fair price shop.
6. The State Government shall ensure that the number of ration card holders attached to a fair price shop are reasonable, the fair price shop is so located that the consumer or ration card holder does not have to face difficulty to reach the fair price shop and that proper coverage is ensured in hilly, desert, tribal and such other areas difficult to access.
7. The State Government shall fix an amount as the fair price shop owner's margin, which shall be periodically reviewed for ensuring sustained viability of the fair price shop operations.
8. The State Government shall put in place a mechanism to ensure the release of fair price shop owner's margin without any delay.
9. The State Government shall allow sale of commodities other than the foodgrains distributed under the Targeted Public Distribution System at the fair price shop to improve the viability of the fair price shop operations.
10. The State Government shall have right to transfer the license to any eligible person from the family of the licensee in case of demise of the licensee or in case of 100% percent disability of the licensee.
11. State Government may allow the Ration Depot holders, whose age is 55 year and above/ handicapped or terminally ill/ infirm, to keep a helper for running the ration depots.

10. Operation of fair price shops.—

1. The fair price shop owner shall disburse foodgrains to the ration card holder as per his entitlement under the Targeted Public Distribution System.
2. The ration card holder may draw his full entitlement of foodgrains in more than one installment.
3. The fair price shop owner shall not retain the ration cards after the supply of the foodgrains.
4. The licence issued by the State Government to the fair price shop owner shall lay down the duties and responsibilities of the fair price shop owner, which shall include, inter alia,
 - i. sale of foodgrains as per the entitlement of ration card holders under the Targeted Public Distribution System at the prescribed retail issue price;
 - ii. display of information on a notice board at a prominent place in the shop on daily basis regarding,
 - a. entitlement of foodgrains,
 - b. scale of issue,
 - c. retail issue prices,
 - d. timings of opening and closing of the fair price shop including lunch break, if any,
 - e. stock of foodgrains received during the month,
 - f. opening and closing stock of foodgrains,
 - g. the mechanism including authority for redressal of grievances with respect to quality and quantity of foodgrains under the Targeted Public Distribution System
 - h. toll-free helpline number;
 - iii. maintenance of the records of ration card holders, e.g. stock register, issue or sale register shall be in the form prescribed by the State Government including in the electronic format in a progressive manner;

- iv. display of samples of foodgrains being supplied through the fair price shop;
 - v. production of books and records relating to the allotment and distribution of foodgrains to the inspecting agency and furnishing of such information as may be called for by the designated authority;
 - vi. accounts of the actual distribution of foodgrains and the balance stock at the end of the month, at the fair price shop, shall be sent to the designated authority of the State Government with a copy to the local authority;
 - vii. opening and closing of the fair price shop as per the prescribed timings displayed on the notice board.
5. Any ration card holder desirous of obtaining extracts from the records of a fair price shop owner may make a written request to the owner along with the deposit of the fees specified by the State Government. The fair price shop owner shall provide such extracts of records to the ration card holder within fourteen days from the date of receipt of a request and the fee specified by the State Government:

Provided that the State Government may prescribe the period for which the records are to be kept for providing it to the ration card holder by the fair price shop owner.

- 6. The State Government shall prescribe the procedure to be followed by the designated authority in cases where the fair price shop owner does not provide the records in the manner referred in sub-clause (5) to the ration card holder in the stipulated period and the designated authority in each case shall ensure that the records are provided to the ration card holder without any undue delay.
- 7. The designated authority shall take prompt action in respect of violation of any condition of licence including any irregularity committed by the fair price shop owner, which may include suspension or cancellation of the fair price shop owner's licence or registration of criminal case against the offender.
- 8. The State Government shall prescribe the maximum period within which proceedings relating to enquiry into irregularities committed by the fair price shop owner shall be concluded, resulting in any action as under sub-clause (7).
- 9. In case of suspension or cancellation of the licence, the State Government shall make alternative arrangements for ensuring uninterrupted supply of foodgrains to the eligible households.

Provided that in case of cancellation of the licence of the fair price shop owner, new licence shall be issued within a month of cancellation.

- 10. The State Government shall furnish complete information on action taken against a fair price shop owner under this clause annually to the Central Government in the format at Annexure-IV.

11. Monitoring.—

- 1. The State Government shall ensure regular inspections of fair price shops not less than once in three months by the designated authority. The State Government shall issue orders specifying the inspection schedule, list of check points and the authority responsible for ensuring compliance with the said orders.
- 2. The State Government shall ensure that stocks of foodgrains under the Targeted Public Distribution System, as issued from the Corporation godowns, are not replaced or tampered with during storage, transit or any other stage till delivery to the ration card holder.
- 3. Any authority or any person authorised by it in this behalf or any other person, who is engaged in

the distribution and handling of foodgrains under the Targeted Public Distribution System, shall not indulge in substitution or adulteration or diversion or theft of stocks at any stage till delivery to the ration card holder.

Explanation.—For the purpose of this clause,

- i. “diversion” means unauthorised movement or delivery of foodgrains released from godowns but not reaching the intended beneficiaries under the Targeted Public Distribution System.
 - ii. “substitution” means replacement of foodgrains released from godowns with the same articles of inferior quality for distribution to the intended beneficiaries under the Targeted Public Distribution System.
4. The State Government shall set up vigilance committees for the Targeted Public Distribution System at the State, District, Block and fair price shop levels as per the provisions of the Food Security Act to perform functions as specified in the said Act.
 5. Meetings of the vigilance committees shall be held at least once every quarter at all levels and the date and periodicity of the meeting shall be notified by the State Government and given wide publicity.
 6. The State Government shall send a report annually to the Central Government on the functioning of vigilance committees in the format at Annexure-V.
 7. The number of meetings held by the vigilance committees shall be displayed on the State web portal and the action taken on issues discussed in meetings of vigilance committees shall be reviewed in the next meeting.
 8. The State Government shall notify an internal grievance redressal mechanism which shall include toll free call centres and use of State web portal.
 9. The State Government shall give wide publicity to the up-to-date details of the Grievance Redressal Officer such as name, telephone number including mobile number, office address and the grievance redressal mechanism.
 10. The State Government shall appoint District Grievance Redressal Officers as per the provisions of the Food Security Act for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to distribution of entitled foodgrains under Targeted Public Distribution System.
 11. An appeal against the order of the District Grievance Redressal Officer shall be preferred before the State Food Commission constituted under section 16 of the Food Security Act, 2013.
 12. The State Government shall furnish a report on quarterly basis to the Central Government regarding the handling of grievances in the format at Annexure- VI.
 13. The State Government shall issue and adopt a Citizen’s Charter as stipulated under law or based on the model Citizen’s Charter issued by the Central Government.
 14. The State Government shall prescribe a system of periodic reporting, including through electronic platform, at various levels within the State regarding the functioning of fair price shops.
 15. The State Government shall ensure monitoring of the end-to-end operations of the Targeted Public Distribution System through the electronic platform.

Explanation.—For the purpose of this sub-clause “end-to-end operations” shall include activities relating to digitisation of beneficiary, ration cards, and other databases; computerisation of supply-chain management; setting up of transparency portal, grievance redressal mechanism and fair price shop automation.

16. The State Government shall take necessary steps to educate the ration card holders regarding their rights and privileges by the use of electronic and print media as well as display boards outside the fair price shops.

12. Transparency and accountability.—

1. All Targeted Public Distribution System related records shall be placed in the public domain and kept open for inspection to the public in the manner as may be prescribed by the State Government.
2. Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of Targeted Public Distribution System, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government.
3. The State or Central Government may, if it considers necessary, conduct or cause to be conducted social audit through independent agencies having experience in conduct of such audits.

13. Penalty.—

If any person contravenes any of the provisions of this Order he shall be liable to punishment under section 7 of the Act.

14. Power of search and seizure:-

1. Any officer of the State Government not below the rank of Inspector Food & Supplies, authorized by the State Government, shall be competent to inspect or summon such records or documents as may be considered by him necessary for examination and take extracts or copies of any records or documents produced before him.
2. If the officer referred to in sub-clause (1) has reasons to believe on receipt of a complaint or otherwise that there has been any contravention of the provisions of this Order or with a view to securing compliance with this Order, he may enter, inspect or search the fair price shop or any premises relevant to transactions of business of the fair price shop.
3. The officer referred to in sub-clause (1) may also search, seize or remove such books of accounts or stocks of foodgrains where such authority has reason to believe that these have been used or will be used in contravention of the provisions of this Order.
4. The officer referred to in sub-clause (1) conducting search and seizure under sub-clause (3) shall inform the State Government or any other officer authorised by it in this behalf, the details of the search conducted and the stocks of foodgrains so seized by them under that clause.
5. The provisions of section 100 of the Code of Criminal Procedure 1973, relating to search and seizure shall so far as may be, apply to search and seizure under this Order.

15. Cancellation or suspension of licence –

1. If a licensee/ fair price owner or his agent or servant or any person acting on his behalf contravenes any of the terms or conditions of his licence or any provision of this Order, then, without prejudice to any action that may be taken against him the District Magistrate may by an order in writing cancel or suspend the licence with regard to that commodity in respect of which contravention has been made.

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity to defend his case.

Provided further that the licensing authority may suspend a license without giving a reasonable opportunity to defend his case to the licensee, for a period not exceeding ninety days during the

pendency or in contemplation of the proceedings for cancellation of his license.

2. Every Fair Price shop owner/ licensee whose license has been cancelled or suspended or hasn't been renewed, shall dispose of his stocks of essential commodities issued to him/ her within such time and to such person and in such manner, at such prices, as may be specified by the District Magistrate.

16. Forfeiture of security deposit –

1. If the District Magistrate is satisfied that the Fair Price shop owner/ licensee has contravened any of the conditions of the licence and that a forfeiture of his security deposit is called for, he, may without prejudice to any other action that may be taken against him, after giving the licensee a reasonable opportunity to defend his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him /her, as the case may be, in respect of which contravention has been made and communicate a copy of the order to the licensee.
2. The licensee shall, if the amount of security at any time falls short of the amount specified, forthwith deposit further security to make up that amount on being required by the District Magistrate to do so.
3. Upon due compliance by the licensee with all obligations of the licence, the amount of security or such part thereof as is not forfeited as aforesaid shall be returned to the licensee after the termination of the licence.

17. Appeal.—

1. All appeals shall lie before the Director, Food, Civil Supplies & Consumer Affairs, Punjab or any other officer authorized by the Government by issuing a notification in this behalf.

Provided that an appeal pending before an Appellate Authority appointed under the Punjab Public Distribution System (Licensing and Control) Order, 2003 shall be disposed of by such authority as if this Order had not been made:

2. Any person aggrieved by an order of the designated authority denying the issue or renewal of a ration card or cancellation of the ration card may appeal to the Appellate Authority within thirty days of the date of receipt of the order.
3. Any person aggrieved by an order of the designated authority denying the issue or renewal of the licence to the fair price shop owner, or cancellation of the licence may appeal to the Appellate Authority within thirty days of the date of receipt of the order and the Appellate Authority shall, as far as practicable, dispose the appeal within a period of sixty days.

Provided that once an appeal has been disposed of by the Appellate Authority, the time for issue or renewal of the licence of the fair price shop owner by the designated authority referred in sub-clause (9) of clause 10 shall begin from the date of decision of the Appellate Authority on the appeal.

4. No appeal shall be disposed of unless the aggrieved person has been given a reasonable opportunity of being heard.
5. Pending the disposal of an appeal, the Appellate Authority may direct that the order under appeal shall not take effect for such period as the authority may consider necessary for giving a reasonable opportunity to the other party under sub-clause (4) or until the appeal is disposed of, whichever is earlier.

18. Fee-

1. A licence under this order may be granted or renewed for a period of five years at the request in Form

'A' of fair price shop owner and shall unless previously suspended or revoked expire on the 31st March of the year up to which it is granted or renewed following the date of its issue or last renewal.

2. The fee for the grant of licence shall be as under :
 - i. Licence Fee : One thousand rupees only
 - ii. Security : Five thousand rupees only.
3. The fee payable for the renewal shall be one thousand rupees per annum.
4. An application in Form 'A' for the renewal of licence shall be made so as to reach the licensing authority not less than thirty days before the date on which the licence expires.

Provided that the licensing authority may entertain such an application made before the date of the expiry of license, if it is satisfied that the applicant was prevented by sufficient cause from filing the application in time

5. The fee payable for the issue of a duplicate copy of licence shall be one hundred rupees.
6. The licensing authority may, after giving the fair price shop owner concerned an opportunity to defend his case and for reason to be recorded in writing to grant or renew a licence.

Provided further that the Director, Food, Civil Supplies & Consumer Affairs, Punjab may, after imposing a penalty of an amount not exceeding the amount of security specified in clause 8, entertain the application even after the expiry period referred to in the proviso to sub clause (4) but not later than 180 days after the expiry of license, if he is satisfied that the applicant was prevented by sufficient cause from applying for renewal within time.

19. Protection of action taken under order.—

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 in pursuance of this Order.

20. Power of Central Government to give directions.—

The Central Government may give such directions as it may deem necessary to the State Government for execution of all or any of the provisions of this Order.

(RAJ KAMAL CHOWDHARI)
Secretary to Govt. of Punjab
Department of Food, Civil
Supplies & Consumer Affairs.

SCHEDULE-I

{See Clause 9 (3)}

**THE PUNJAB PUBLIC DISTRIBUTION SYSTEM (Licensing & Control), ORDER, 2016
LICENCE FOR REGULATING SALE, STORAGE OF ESSENTIAL COMMODITIES
UNDER THE PUBLIC DISTRIBUTION SYSTEM**

License No. _____

1. Subject to the provisions of the Punjab Public Distribution System (Licensing & Control) Order, 2016 and terms and conditions of this licence M/s _____ is/are hereby authorised to purchase, sale, store of essential commodities under the Public Distribution System.
2. (a) The license/fair price shop owner shall carry on the above said business at the following place _____
(b) Essential commodities in which the aforesaid business of fair price shop to be carried out on shall not be stored at any place other than any of the godown/premises mentioned below: -
Note: If the licence stores his Public Distribution System commodities at any place other than those specified above, he shall give intimation thereof to the Licensing Authority within 24 hours of such storage.
3. Licensee shall, except when specially exempted by the State Government or by the Licensing Authority in this behalf, maintain a register of daily account for each of the Public Distribution System commodities in Paragraph 1 showing correctly: -
 - a. The opening stock on each day;
 - b. The quantities received on each day showing the place from where and source from which received and issued to the consumers on each day;
 - c. The closing stock on each day.
 - d. The licensee shall complete his account for each day onto which they relate, unless prevented by reasonable cause, the burden of proving which shall be upon him.

The licensee shall not contravene the provisions of the Punjab Public Distribution System (Licensing & Control), Order, 2016.

4. No holder of licence issued under this order on his agent or servant or any other person acting on his behalf shall contravene any of the terms & conditions of the licence and if any such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence shall be liable to be cancelled or suspended by an order, in writing of the licence authority.

Provided that no order shall be made by the licensing authority unless the licensee has given reasonable opportunity of stating his case against the proposed cancellation or suspension of his licence.

The licensee if convicted by a court of law in respect of contravention of any order made under section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) relating to essential commodities, the licensing authority may by an order in writing cancel his licence.

Provided that where such conviction is set aside in appeal on revision, the licensing authority shall restore the license to such a person or shall decide on merits.

5. The licensee shall have no right to claim any compensation in respect of stocks of essential commodities if the licence is cancelled or suspended. The stocks of essential commodities lies shall be transferred by the licensing authority to some nearby licensees in the locality keeping in view the difficulties to be faced by consumers/card holders.
6. The Government shall have the right to transfer the license to any eligible person from family of licensee in case of demise of the licensee, or, in case of 100 percent disability of the licensee.
7. The ration cardholder shall not be denied the supply as per entitlement of essential commodities lying in the stock with fair price shop owner under the Public Distribution System.
8. A Fair Price Shop owner shall provide the relevant extract of the record maintained by him to the beneficiary on payment of required fee as per the provisions of the RTI Act 2005 only under proper head of account.
9. The fair price shop owner shall not retain ration cards after the supply of essential commodities.
10. The responsibilities and duties of the fair price shop owner shall include interalia: -
 - 1) Sale of essential commodities as per the entitlement of ration cardholder at the retail issue price fixed by the government under the Public Distribution System.
 - 2) Display of information on a notice board at a prominent place in the shop on daily basis regarding:
 - a. List of Priority Household families and Antyodaya families.
 - b. Entitlement of essential commodities
 - c. Scale of issue
 - d. Retail issue price
 - e. Timing of opening and closing of fair price shop
 - f. Stocks of essential commodities received during the month
 - g. Opening and closing stock of essential commodities
 - h. The authority for redressal of grievances/lodging complaints with respect to quality and quantity of essential commodities under the Public Distribution System.
 - 3) Maintenance of records of ration cardholders under Priority Household and Antyodaya categories, stock register, issue or sale register.
 - 4) Furnishing of copies of specified documents namely ration card register, stock register, sale register to the office of the Gram Panchayats or Nagar Palikas or Nigam Committee or any other body authorised for this purpose.
 - 5) Display of samples of food grains being supplied through the fair price shop.
 - 6) Production of books and records relating to the allotment and distribution of essential commodities to the inspecting agency and furnishing such information as may be called for by the authority.
 - 7) Accountal of the actual distribution of essential commodities and the balance stock at the end of the month to the concerned authority with a copy to the Gram Panchayat.
 - 8) Opening and closing of the fair price shop as per the prescribed timing displayed on the notice board.
11. The licensee shall not contravene the provisions of any law relating to Public Distribution System Commodities for the time being in force.

12. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the consumer price, and scale of distribution of each public Distribution system items held by him for distribution, such price list shall be legibly written in Punjabi language.
13. The licensee shall give all facilities at all reasonable time to the licensing authority or any office authorised by it or the State Government for the inspection of his stocks and accounts at fair price shop godown or other place used by him for his storage, sale etc. of Public Distribution System items and for taking of samples of Public Distribution System items for examinations.
14. The licensee shall comply with any direction that may be given to him by the state Government, Director or the licensing authority in regard to purchase, distribution and storage for distribution and disposal of Public Distribution System items stored by him.
15. The licensee shall take adequate measure to ensure that Public Distribution System items stored by him are maintained in proper condition and that damages to Public Distribution System items due to ground moisture, rain, insects, birds fire or such other cause are avoided.
16. This licensee shall be attached to any application for renewal.
17. This licensee shall be valid up to _____

(Licensing Authority)

FORM 'A'

{See clause 18 (1) and (4)}

THE PUNJAB PUBLIC DISTRIBUTION SYSTEM (Licensing & Control), ORDER, 2016.

Application for grant/renewal of license

1. Applicant's Name _____
2. Father's Name _____
3. Mother's Name _____
4. Applicant's Profession _____
5. Applicant's Address _____
6. Address of applicant's place of business with particulars as to number of house, mohalla, town or village, police station and district _____
7. Complete Address of place where Public Distribution System items are proposed to be stores _____

I declare that I was never convicted by a court of Law in respect of any order made under section 3 of the essential Commodities, 1955.

I further declare that no license in respect of Public Distribution System items issued to me under the Provisions of the Essential Commodities Act, 1955 or any order made there under was ever suspended or cancelled.

I have carefully read the conditions of licence given in Form 'B' appended in The Punjab Public Distribution System (Licensing and Control) Order, 2016 and I agree to abide by them

- (a) I have not previously applied for such licence in any other district for Public Distribution System items.
- (b) I applied for such licence in other district namely _____ for Public Distribution Systems items on _____ and was not granted License.
- (c) If yes, No. of license _____
- (d) I hereby apply for renewal of License no. _____ dated _____

Issued to me on _____

* Strike off clause whichever not applicable.

Place _____

Dated _____

Signature of the Applicant

Annexure-I

Statement on deletion of ineligible or bogus ration cards and inclusion of eligible households for the quarter ending June/Sept/Dec/March [see sub-clause (20) of clause 4]

I. NFSA Implementing States.

Household/ Beneficiary Category	Existing number of ration cards at beginning of the quarter	First Quarter ending June		Second Quarter ending September		Third Quarter ending December		Fourth Quarter ending March		Number of ration cards at the end of quarter/ year
		Number of ration deleted/ cancelled	Number of ration cards issued	Number of ration deleted/ cancelled	Number of ration cards issued	Number of ration deleted/ cancelled	Number of ration cards issued	Number of ration deleted/ cancelled	Number of ration cards issued	
Priority										
Antyodaya Anna Yojana (AAY)										
Others (specify e.g. those covered by tide over allocation)										
Total										

Note: The information shall be furnished within two weeks after the end of every quarter.

Annexure-II

Statement on doorstep delivery to the fair price shops for the quarter ending June/Sept/Dec/March [see sub-clause (12) of clause 7]

Total number of districts in the State: _____

Total number of FPSs in the State: _____

Sr. No.	Name of Agency	Type of Agency	Nos. of districts covered under doorstep delivery by the Agencies	Total number of FPSs covered by the Agency under doorstep delivery
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*As regards the type of agency, please indicate whether State Civil Supplies Corporation or other apex body, Cooperative Societies, Private Agency e.g. wholesalers, LAMPS, PACS etc., or any other agency. In case more than one agency is making door-step delivery in a one district, same may also be indicated.

Note: The information shall be furnished within two weeks after the end of every quarter.

Annexure – III

Format for furnishing annual Utilisation Certificate (UC) on distribution of foodgrains allocated by the Government of India from Central Pool for the period ending 31st March, every year [see sub-clause (2) of clause 8]

Utilisation Certificate for the year _____

This is to certify that during the _____ (year) _____, _____ (quantity) _____ tons of foodgrains were allocated by Government of India for distribution under TPDS/ (additional allocation) and the same were distributed to the beneficiaries as follows, namely:

(figures in tons)

Commodity	Allotment made by the Government of India	Quantity lifted by the State Govt.	Unlifted quantity out of the allotted quantity (col. 2 – col. 3)	Quantity distributed	Balance quantity out of the lifted quantity. (col. 3 – col. 5)	Reasons for unlifted/ undistributed quantity, if any.
1	2	3	4	5	6	7
Rice						
Wheat						
Coarse grains						
Total						

Date _____

Signature _____

Place _____

Name of the officer _____

(to be signed by the Secretary of the Food and Civil Supplies Department of the State Government)

Note: The information shall be furnished on or before 30th June of the next financial year.

Annexure – IV

Annual Statement on monitoring of Targeted Public Distribution System and action taken (for the period ending 31st March, 20) [see sub-clause (10) of clause 10]

(A)

No. of inspections conducted	No. of raids conducted	Nos. of FPS licences				No. of FIRs lodged	No. of persons arrested	Remarks
		Suspended	Restored	Cancelled	Pending for a decision			

(B)

- I. Total number of fair price shops in the State : _____
- II. Total number of fair price shop owners' licenses suspended during the financial year: _____
- III. Out of II above, numbers of fair price shop owners whose license was suspended for a period more than six months: _____

(C)

Details of fair price shop owners whose license suspended for a period of more than six months			
No. of licenses suspended	No. of licenses restored	No. of licenses cancelled	Pending for a decision

Note: The information shall be furnished on or before 30th June of the next financial year.

Annexure – V

Annual Statement on functioning of Vigilance Committees (VCs) (for the period ending 31st March of the year) [see sub-clause (6) of clause 11]

1. Total number of Districts in the State / UT: _____
2. Total number of Tehsils in the State/UT: _____
3. Total number of Blocks in the State / UT: _____
4. Total number of fair price shops in the State / UT: _____

	Total number of Vigilance Committees (VCs) set up	Periodicity of meetings of VCs prescribed by State/T (i.e. monthly/ once in two months/ quarterly)	No. of meetings held during the financial year
State/UT level			
District level			
Tehsil level			
Block level			
FPS level			
Total			

Note: The information shall be furnished on or before 30th June of the next financial year.

Annexure – VI

Statement on handling of grievances (for the quarter ending June/Sept/Dec/March)

[see sub-clause (12) of clause 11]

A. Toll free helpline Number (s): _____**B.** Web address of State Portal for grievance registration and redressal: _____**I. Statement of Grievance Registration and Redressal:**

Location/ Source	Opening Balance of No. of Grievances	No. of Grievances received during the quarter	No. of Grievances disposed during the quarter	Closing Balance of No. of Grievances at the end of the quarter
1	2	3	4	5
Call Centre				
State Portal				
District Grievance Redressal Officer (DGRO)				
Any other source				
Total				

Note: The information shall be furnished within two weeks after end of every quarter.