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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**  
**Department of Food and Supplies**  
**11A, Mirza Galib Street, Kolkata-700 087.**

No.2347-FS/Sectt/Food/4P-09/2012

Kolkata, the 8th August, 2013.

Whereas the Governor is of the opinion that it is necessary and expedient so to do for maintaining supplies and securing availability and distribution of essential commodities under the Public Distribution System;

Now, therefore, in exercise of the power conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Government of India, Ministry of Consumer Affairs, Food & Public Distribution ( Department of Food & Public Distribution ) Order No.G.S.R.630(E) dated 31st August, 2001, the Governor is pleased hereby to make the following Order, namely :-

**ORDER****PART I****Preliminary**

**1. Short Title & Commencement:**— (a) This Order may be called **The West Bengal Public Distribution System (Maintenance & Control ) Order, 2013.**

- (b) It extends to the whole of West Bengal except the areas where the West Bengal Urban Public Distribution System (Maintenance & Control) Order, 2013 is in force.
- (c) It shall come into force on the date of publication in the Official Gazette.

**2. Definitions :**—In this Order, unless the context otherwise requires, —

- (a) “Act” means the Essential Commodities Act, 1955 (10 of 1955);
- (b) “Above Poverty Line (APL) Families” means those families who have been issued Above Poverty Line ration cards by the Department of Food and Supplies, Government of West Bengal, for issue of public distribution commodities along with certain other specified items of daily use under the Public Distribution System;

- (c) **“Antyodaya Anna Yojana (AAY) Families”** means those poorest families from amongst the Below Poverty Line (BPL) families identified as such by the concerned authority under the Government of West Bengal and to whom Antyodaya Anna Yojana (AAY) ration cards have been issued for distribution of public distribution commodities under the Antyodaya Anna Yojana (AAY) Scheme along with certain other specified items of daily use under the Public Distribution System ;
- (d) **“Appellate Authority”** means the authority appointed by the State Government to exercise the powers of the Appellate Authority under this Order ;
- (e) **“Annapurna beneficiaries”** means persons identified as such by the concerned authority of the Govt. of West Bengal and to whom Annapurna Ration Cards have been issued for distribution of foodgrains of specified quantity on monthly basis under the Annapurna Scheme.
- (f) **“Below Poverty Line (BPL) families”** means those families who have been identified by the concerned authority under the Government of West Bengal and to whom BPL ration cards have been issued for distribution of public distribution commodities under BPL scheme along with other specified items of daily use under Public Distribution System ;
- (g) **“Collector”** in relation to a district means the District Magistrate and includes an officer not below the rank of SDO as may be authorized by the Collector ;
- (h) **“Dealer”** or "Fair Price Shop Owner" means a person and includes association of persons or a registered Co-operative Society or a corporation or a company or a registered Self Help Group or any other legally constituted body in whose name a shop has been licensed to distribute and sell public distribution commodities to ration card holders under the Public Distribution System by an order issued under Part III ;
- (i) **“Director”** means the Director of District Distribution, Procurement and Supply, Department of Food and Supplies, Government of West Bengal and includes an Officer not below the rank of Assistant Director in the said Directorate authorized by the said Director in writing to perform all or any of the functions of the Director under this Order ;
- (j) **“Distributor”** means a person and includes a association of persons or a registered Co-operative Society or a Corporation or a company or a registered Self Help Group or any other legally constituted body in whose name a distributorship has been licensed to distribute and sell public distribution commodities to the Fair Price Shops under the Public Distribution System by an order issued under Part III ;
- (k) **“Essential Commodities”** means essential commodities as defined under Section 2A of the Essential Commodities Act, 1955.
- (l) **“Fair Price Shop”** means a shop engaged and licensed under this Control Order for distribution of public distribution commodities against ration documents.
- (m) **“Family members”** means spouse, dependent parents, dependent sons and daughters for the purpose of considering engagement as Dealers / Distributors on compassionate ground.
- (n) **“Holder of the ration card”** means & includes a person whose name, age and other particulars as may be required by the State Government are included in a ration card ;
- (o) **“Licensee”** means a Distributor or a fair price shop owner or any other person or establishment holding a valid licence granted under this Order;
- (p) **“Licensing Authority”** means the District Controller (F&S) in case of a Distributor and the Sub-divisional Controller (F&S) in case of "Dealer" or "Fair Price Shop Owner" within their jurisdiction.
- (q) **“Monitoring / Vigilance Committees”** shall mean and include several Committees constituted from time to time by the Government of West Bengal in the Food & Supplies Department.
- (r) **“Market price”** of a public distribution commodity means the Economic cost of the commodity as determined by the Government of India once in each year.

- (s) **“Notification”** means notification published in the Official Gazette ;
- (t) **“Place of Business”** means a place in the shop-cum-godown of FPS owners and in an office in the approved godown or in an office adjacent to the approved godown of distributors where books of accounts are kept.
- (u) **“Public distribution commodity”** means such commodities from the list of essential commodities as may be declared to be public distribution commodity by the State Government and distributed from fair price shops, licensed under this Order; rice and wheat including fortified atta resulted from wheat being crushed and fortified by iron, vitamin and folic acid are declared as Public Distribution Commodities under the provisions of this Order.
- (v) **“Public Distribution System”** means a system for distribution of public distribution commodities to the holders of ration documents through the fair price shops ;
- (w) **“Ration document”** means an individual ration card including a family ration card, or a ration permit, or any other documents issued by the authority under Food and Supplies Department, Government of West Bengal, for the purchase of public distribution commodities and other commodities of daily use as specified by the Government from time to time, from the fair price shops.
- (x) **“Ration Card Issuing Authority”** means Sub-divisional Controller of Food and Supplies, Government of West Bengal and includes an officer not below the rank of a Sub-Inspector of Food and Supplies Department having jurisdiction.
- (y) **“State Government”** means the Government of West Bengal in the Department of Food and Supplies.
- (aa) **“Vigilance Squad”** means squad formed by the State Government or by the Director or by the licensing authority for the purpose of close surveillance over the functioning of Dealers and Distributors.
- (ab) **“Welfare schemes”** means such schemes as are launched by the Govt. of India from time to time like Mid-Day Meal, Annapurna Yojana etc., where dealers and distributors are required to function in the process of lifting and distributing foodgrains for the beneficiaries.

Unless the context otherwise requires words and explanation used in this Order and not defined shall have the same meaning as assigned in the Act.

## PART II

### Issue of Ration Card

3. **Entitlement** – Every bonafide citizen of India or every family having resided ordinarily in the State of West Bengal in the areas excluding the areas covered by Urban Public Distribution System (Maintenance & Control) Order, 2013 and having no ration card anywhere will be entitled to have a ration card to be issued by the authority under the Food and Supplies Department, Government of West Bengal, for any one of the categories such as APL & BPL (including AAY and Annapurna) so as to enable the holder of the card to draw public distribution commodities from a Fair Price Shop.

#### 4. Procedure for issue of ration card –

- a) Any person or any family having no ration card anywhere may apply to the Inspector or Sub-Inspector of Food and Supplies having jurisdiction in Form 1 for getting ration card and the Inspector or Sub-Inspector, after causing an enquiry in regard to the particulars furnished by the applicant and having been satisfied with the correctness of the information furnished by the said applicant will issue a ration card with the approval of the concerned Sub-divisional Controller, Food & Supplies, within one month from the date of receipt of the application. However, if the Inspector or Sub-Inspector does not find the application suitable for issue of ration card he shall refuse to issue ration cards to any or all members of the family for whom ration card has been applied for, after recording the reasons of rejection in writing with intimation to the applicant within the stipulated period for issue of ration card.

b) **BPL, AAY and Annapurna ration cards :**

BPL, AAY and Annapurna ration card shall be issued on the basis of identification made by the local bodies, i.e. Panchayats, Municipalities or such other bodies as approved by a well-defined competent authority determined by Government of West Bengal.

c) **Issue of Distinctive Ration Cards :** Distinctive Ration Card shall be issued to APL, BPL, AAY and Annapurna category.

**5. Appeal against refusal of ration card** – An applicant having denied a ration card shall be at liberty to appeal against such denial to the District Controller, Food and Supplies and the concerned District Controller, Food and Supplies, after examination and also after giving a personal hearing to the applicant shall dispose of the said appeal within fifteen days from the date of filing of such appeal.

**6. Validity of ration card** – Ration Card so issued shall remain valid till the holder of the ration card resides at the given address for which ration card has been issued or his / her death.

**7. Surrender of ration Card** – In the event of change of residence from one place to another outside the jurisdiction of ration card issuing authority or from this State to any other State in the country or outside the country, the holder of the ration card shall surrender his/her ration card to the issuing authority along with an application stating therein the reason for such surrender and the issuing authority shall issue a surrender certificate in Form "A" to the applicant after cancellation of the ration card. The cancelled ration cards shall be attached to the surrender certificate. In case the ration card is a family ration card and surrender certificate is issued for some member / members, the family card shall be cancelled and fresh individual ration card will be issued to remaining individual members. Simultaneously with the issue of surrender certificate intimation of surrender of card shall be given to the concerned FPS owner to ensure safeguard against unauthorized drawal of ration.

In the event of death, it is obligatory on the part of the legal representatives of the deceased Card Holder to surrender the ration card of the deceased to the Issuing Authority within thirty days from the death of the deceased card holder against acknowledgement.

Date of death of a ration card holder shall normally be reported by any member of this deceased's family. Even if not so reported the Ration Card issuing Authority shall act on a monthly statement of death cases to be forwarded to him/her by the death registration certificate issuing authority of local bodies i.e. Municipality / Corporation / Panchayat / Cantonment Board / Notified area as the case may be.

**8. Issue of safe custody slip** :- If a ration card holder deposits his/her ration card to the ration card issuing authority for his/her leaving the area for a considerable period, the said authority shall issue a safe-custody slip on an application made by him/her, preserve the card and intimate the dealer accordingly and return the same to the card holder on being so requested by him/her. In such case card will not be invalid.

**9. Cancellation of Ration cards** :- In the event of death of the holder of Ration Card, or change of residence by any holder of ration card without giving any information to the concerned ration card issuing authority, or ration card issued in a fraudulent manner, the issuing authority shall forthwith cancel the ration card so issued after recording the reasons for such cancellation.

Where a person is found to obtain a ration card in a fraudulent manner by furnishing false documents / certificate or by impersonation or in any other fraudulent manner, the issuing authority besides cancelling the said card, if already issued, shall lodge an FIR with the local police station against the person or person(s) found to obtain or assisting to obtain a ration card in a fraudulent manner for taking necessary action against the concerned person in accordance with the relevant provisions of the Indian Penal Code.

**10. Suspension of ration card for long absence or for non-drawal of ration commodities for a period of exceeding eight weeks** – (a) If a ration card holder is found absent from his recorded residence for a period of more than eight weeks consecutively or if he fails to draw any public distribution commodity from the fair price shop for a period exceeding consecutive eight weeks, the issuing authority shall place the said ration card under suspension with an intimation to the fair price shop.

- (b) If a ration card holder fails to produce his / her ration card on demand by an Inspecting Officer forthwith, the ration card shall be suspended with immediate effect by the officer, who, following suspension, will report it to the card issuing authority.

**11. Revalidation of suspended ration card** – If a ration card holder applies for revalidation of his / her card which had been placed under suspension by the issuing authority, the said issuing authority if satisfied after consideration of the prayer for such revalidation may arrange for revalidation of the card within seven days from the date of receipt of such application.

**12. Change of address, age, name, surname, head of the family in ration card** – In the event of any change of address, age, name, surname, head of the family, the holder of the ration card shall apply to the Sub-Inspector / Inspector of Food and Supplies Department in Form-2. The Sub-Inspector / Inspector after making such enquiry as he may think fit, allow the changes as prayed for by the holder.

**13. Re-issue and replacement of mutilated, defaced, lost card, etc.** – On surrender of mutilated and defaced ration card or reporting of loss of ration card, along with the prescribed fee as may be specified by notification, a fresh ration card against the mutilated, defaced or lost card shall be issued. Application shall be made in Form-3.

**14. Introduction of new format of ration card** – Government shall have the power to introduce individual Ration Card or Family Ration card or any Identity Card for the consumers for the drawal of Public Distribution Commodities from Fair Price Shops by issuing notification separately. The Government shall also have the power to introduce Photo Ration Card / digitised Bar Coded ration card / general / or in any shape and form for better management of Public Distribution System. In the event of introduction of new cards in any form, the existing ration cards shall automatically be cancelled.

**15. Power of the State Government to make addition or alteration or amendment or refusal** :- Whenever in the opinion of the State Government, it is necessary or expedient so to do in the interest of the public, the State Government, may, add to, amend, vary or rescind any ration card after giving the ration card holder an opportunity of being heard and in every such case the ration card holder shall be bound to surrender the same for endorsement or cancellation.

### PART III

#### **Distribution of Public Distribution Commodities ; engagement of Dealers & Distributors and Monitoring.**

**16. Submission of indents** :- Every dealer shall submit an indent to the S.C.F.S/Inspector/Sub-Inspector of Food and Supplies Department indicating his requirement and closing stock in Form B and the said Inspector shall make allotment of public distribution commodities for taking delivery from the authorized agencies engaged in distribution of essential commodities under the Public Distribution System.

**17. Lifting of public distribution commodities**:- Every dealer after having allotment of public distribution commodities as may be made by the allotting authorities separately for APL, BPL, Antyodaya Anna Yojana and Annapurna shall take delivery of the allotted stock within 48 hours of such allotment from the concerned Distributor through door-step delivery system, wherever introduced/to be introduced. While making an allotment, the allotting authority shall consider the weekly or fortnightly requirements of the concerned dealer on the basis of number of ration cards and scales of distribution of public distribution commodities as may be fixed by the State Government from time to time and balance stock in hand.

**18. Distribution of public distribution commodities against ration cards** :- Every Dealer shall arrange for distribution of public distribution commodities between 7.30 a.m. to 11.30 a.m. in the morning and between 4 p.m. to 6 p.m. in the evening against the ration cards and shall not deny the distribution of public distribution commodities to any ration card holder, who presents the ration card during the working hours on any distribution day.

*Explanation - Distribution day means Tuesday to Saturday and morning Session on Sunday.*

**19. Duties and responsibilities of dealers:--**

- 1) **Easily identifiable location of the shop:--** Every dealer shall arrange conspicuous display of a glowing signboard of suitable size and format in front of his/her shop as prescribed by the State Government.
- 2) **Display of BPL, AAY and Annapurna list:--** Every dealer shall display list of BPL, AAY and Annapurna beneficiaries in a conspicuous place of the shop so that it becomes visible and clearly legible for any visitor to the shop.
- 3) **Registration and authentication of Ration Cards:--** On presentation of a card for registration, a dealer shall enter the particulars of the Ration Card in the Ration Card register, post a folio No. in the Ration Card in accordance with page no and serial no. of entry of Ration Card, detach the counterfoil from the Card and return the Ration Card to its holder. The Ration Card having thus been registered, the dealer shall not refuse distribution of food grains to him/ her from the following week. The dealer shall produce the detached counterfoil before the ration card issuing authority for authentication of Registration.
- 4) **Maintenance of a Notice Board:--** Every dealer shall maintain a Notice Board to be displayed at a conspicuous place of the shop within easy and clear view of the Ration Card holder containing the following details:--
  - a) Date
  - b) Registration Position
  - c) Opening Balance of Available Commodities
  - d) Scale of Distribution and retail price of each commodity
  - e) Name of the authority for redressal of grievances/ Lodging of complaints
  - f) Opening and Closing hours of the shop.
  - g) Information on the availability of the complaint Book in the form "Complaint Books are available here for registering complaint".
- 5) **Display of sample Jar/ Bottles :--** Every dealer shall display samples of commodities on sale in different Jars/ Polythin Bags at shop counter for inspection by the Card holders. As and when a new bag is opened for sale, the sample should be changed to represent the stock of the new bag.
- 6) **Maintenance of stock for distribution to Ration Card holders:--** Every dealer shall maintain adequate stock of all varieties of public distribution commodities and some specified articles of daily use for distribution to Ration Card holders. He/ She shall be responsible for timely replenishment of stock against indents passed by the Inspector. In case of delay or shortfall in supply for reason beyond his/ her control, a dealer shall report it to the Inspector for replenishment by inter-shop transfer or by any other means as may be decided by the Inspector. Every dealer shall ensure the quality of Public Distribution commodity during the time of obtaining its delivery from the authorised agencies. A dealer shall issue all stocks strictly in order of priority of receipts i.e. "First in - First Out " basis.
- 7) **Regulation for storage and sale:**
  - a) A dealer shall not store or sell any commodity outside the selected Public Distribution commodities as allotted to him/her, provided that a dealer may be permitted to store and/or sell such other articles at such price and in such quantities and in such manner as may be directed by the Central/ State Government under different schemes including welfare schemes to be operated separately and not forming a part of this Order.
  - b) A dealer shall not store any Public Distribution Commodity in any place outside the shop-cum-godowns as endorsed in the licence without previous written permission of the licensing authority. Notwithstanding this provision, if a dealer is compelled to change the place of storage of the Public distribution Commodities temporarily due to any natural calamities, he/ she shall report the matter to the licensing authority within the next working day. For permanent shifting of shop-cum- godown, written permission of the concerned District Controller, Food & Supplies is required.

- 8) **Calibration of weighing devices:**— Every dealer shall get his/her weighing devices calibrated by the competent authority of the government periodically and shall keep the calibration certificate in the shop premises for production on demand before the authorized officials. The dealer shall be responsible for correct weight and measure of the public distribution commodities, delivered to the holders of ration documents.
- 9) **Physical verification of stock:**— Every dealer shall extend all sorts of co-operation to the authorised officials for arranging physical certification of stock. Under any circumstances he/ she shall have to arrange for sufficient number of labourers for weighing of the stock so that even minimum delay is avoided. For this purpose, the dealer shall make available a big scale with suitable weight stones of appropriate denominations.
- 10) **Issue of Cash Memo:**— A dealer shall issue cash memo in duplicate for every transaction stating the number of units served, quantity and commodity supplied, prices charged for each item and total prices charged. The original copy of the cash memo shall be given to the holder of ration document while the duplicate copy shall be retained in the cash Memo book. The dealer shall not charge any excess price over the issue price fixed by the State Government from time to time.
- 11) **Prompt Distribution:**— Every dealer shall serve ration promptly without any undue delay and causing inconvenience to the Ration Card holders for which a dealer shall arrange space for convenient standing of the rationees below a suitable shade.
- 12) **Maintenance and preservation of different registers:**— Every dealer should maintain proper books of accounts including Ration Card register, Daily Stock Register, Daily Sales Registers, Indent Register, non- Drawal Register, Register of Blank cash Memo books, Inspection book and Complaint book of 200 pages each serially numbered and such other registers as the Director may prescribe. All Such registers and books are to be duly certified by an official of F & S Deptt. not below the rank of Sub- Inspector and shall be maintained and preserved at the shop premises as permanent records for a period of not less than two years from the date of closure of the registers so that they are readily available for inspection on demand. Duplicate carbon copies of each memo shall also be preserved for the same period in a chronological order. The dealer shall maintain Daily Sales Register preferably as and when sale proceeds but under no circumstances shall be allowed to fall arrear even for a day.
- 13) **Safe storage of Stock :**— Every dealer shall ensure the storage of Public distribution commodities in proper and hygienic manner and shall take quality maintenance measures including rodent control ones to ensure safe and proper storage of stocks.
- 14) **Withholding of stock from sale :**— The dealer shall not sell any stock of bad or doubtful quality to the holders of ration documents.
- 15) **Non-Possession of ration document :**—No dealer shall retain any ration document including ration card in his/her shop except under specified instruction of the concerned Sub-Divisional Controller or his authorized officials. Any such ration document left behind by a person shall be deposited forthwith with the concerned Sub-Divisional Controller or his authorized officials.
- 16) **Obedience to the instructions of the Director:**— Every dealer shall abide by the instructions as may be issued from time to time by Director or by any other officers authorised by him/her in this behalf, including the licensing authority.
- 17) **Social Audit:**— Every dealer shall be subjected to social audit to be conducted by formal and informal institutions as prescribed by the State Govt.
- 18) **Lodging of FIR:**— If a crowd is assembled in front of a F.P.S where inspection is in progress, the dealer shall lodge an FIR with local Police Station, stating his/her apprehension of breach of peace.

**20. Engagement of Dealer :-**

(i) In the event of –

a) resignation of any dealer ;

Or

b) death or incapacitation of the existing individual dealer on medical ground, unless any of his / her family members is found suitable for engagement on Compassionate ground as per Sub-Clause (vi) ;

Or

c) dissolution of firm formed by a group of people ;

Or

d) cancellation of licence issued to a dealer for any reason whatsoever ;

Or

e) (in the case of private limited company) the transfer of majority shareholding of that company in favour of the third party i.e. other than promoters / Directors of that company ;

the resultant vacancy has to be notified by the Sub-divisional Controller, Food and Supplies with prior approval of the department.

(ii) If it appears necessary for the District Administration to declare a new vacancy for catering to the need of consumers in any particular area, the vacancy has to be declared with the approval of Department. In that case the Sub-divisional Controller, Food and Supplies shall submit the proposal of any vacancy of dealer to the concerned District Controller (F&S), who in turn, will send it to the Director of DDP&S. The Director, DDP&S, will examine the proposal, if necessary, make re-enquiry and send the proposal to the Department for approval. After obtaining approval of the State Government, the Sub-divisional Controller, Food and Supplies shall declare such vacancy stating the eligibility criteria through notice in the office notice board and official Gazette notification / advertisement in a local as well as in a widely circulated daily news paper. The last date of receiving applications shall be thirty days from the date of notification of the vacancy.

(iii) Applications for filling up the vacancies as notified in Sub-Clause (ii) hereinbefore shall be invited from Self Help Groups / Registered Co-operative Societies / Semi-Government bodies / individuals / group of individuals as an entity. In case of fresh vacancies preference may be given to Self Help Groups, specially women Self Help Groups. If the applicant be individual(s), he / she / they should be permanent resident of the concerned Sub-division. The applications received in Form C along with annexure I and requisite fee as prescribed in Schedule-A within the stipulated time shall be enquired by the Sub-divisional Controller, Food and Supplies within one month from the last date of receipt of the applications as notified, and the report so prepared shall be sent with his comments to the concerned District Controller, Food and Supplies. The said District Controller, Food and Supplies will forward the same with his comments through the concerned District Magistrate to the Director, DDP&S, within a month from the date of receipt of the report from the Sub-divisional Controller, Food and Supplies. The Director, DDP&S, in turn, will forward the same to the Department with his specific opinion.

Provided that if the Government so desires it may give such opportunities to only Self Help Groups or Co-operative societies or Semi Government bodies or such other public agencies by separate notifications.

(iv) The State Government, if necessary, may arrange for further enquiry into the matter by any competent Officer or by a team of Officers and thereafter shall accord approval selecting the most suitable candidate for filling up the vacancy.

(v) After obtaining Govtment approval, the Sub-divisional Controller, Food and Supplies shall issue an offer letter in Form "D" to the approved candidate / organization with the direction for furnishing recent passport size photograph(s), security deposit and licensing fee as per Clause 21(i) and Schedule-A,



- vi) **Engagement on compassionate grounds :-** In case of vacancy arising out of death or in case of incapacitation on medical ground, subject to satisfaction of the authority, of any existing dealer, such vacancy shall not initially be notified. Prayer of any of the family members of the deceased / incapacitated dealer having no regular means of subsistence, will be considered with preference on compassionate ground provided such prayer along with formal application in Form 'C' along with annexure I with requisite fee is submitted within 60 days from the occurrence of such vacancy.

While applying, the applicant shall have to furnish "No Objection" from other family members in the form of an Affidavit executed before a 1st Class Magistrate except in the following cases :- (a) if the applicant be the spouse of the deceased licensee, (b) if the ex-licensee, because of his / her being incapacitated / infirm has opted for the applicant.

The Sub-divisional Controller, Food and Supplies shall arrange for an enquiry to verify the eligibility of the applicant and submit the report with his opinion to the District Controller, Food and Supplies. While forwarding a case on medical ground the Sub-divisional Controller should satisfy himself / herself on examination of the medical prescription and certificate issued by a Registered Government Medical Practitioner that the ex-licensee was not in a position to run dealership business considering his / her health ground. The District Controller, Food & Supplies, shall forward the same with his comments to the State Government through the Director, DDP&S for necessary approval.

The Sub-divisional Controller, Food and Supplies after having Government approval, shall issue an offer letter in Form D to the approved candidate, directing him / her to furnish recent passport size photograph(s), security deposit and licensing fee as per Clause 21(i) and Schedule-A,

- vii) Dealership run by any individual person shall not be allowed for inclusion of any partner(s). In the case of induction of new partner or substitution or exclusion of an existing partner, in an existing partnership licence, the same may be considered on merit subject to the provision of the Indian Partnership Act 1932 as amended from time to time.

## 21. Issue of License to a dealer, renewal of License etc.

- i) The Sub-divisional Controller, Food & Supplies shall grant a provisional licence to the approved candidate/ organisation who has complied with the terms and conditions as laid down in the offer letter with validity for a maximum period of one year. The licence shall be issued in form 'E' authorising such dealer to carry on trade in public distribution commodities under Public Distribution System and shall be subject to such conditions as are specified therein and such other conditions as the Director or Licensing Authority may prescribe from time to time in the interest of Public Distribution System.
- ii) Every licence issued under clause 21(i) of this Order shall normally be valid for a period of one year from the date of the issue and first renewal will be made upto 31 December next subject to satisfactory performance and confirmation of the dealer and on receipt of an application for renewal in Form F and a renewal fee as mentioned in Schedule-A hereinafter from the licensee. Thereafter every licence may be renewed for successive period of one year on application made in proper form in that behalf to the licensing authority.
- iii) The licence, unless an application for renewal is made within the period of validity, will stand revoked after the expiry of the validity period. In that case, if the licensee prays for renewal of licence within 30 days from the date of expiry, the licensing authority may renew the licence on realization of fine of such amount as may be prescribed by the Government, if it thinks that reasons for non-renewal of the licence was beyond the control of the licensee.
- iv) Apart from the said licence fees, every dealer shall be liable to pay security deposit of an amount as mentioned in Schedule-A through Treasury Challan in T.R. Form No.7 under the Head of Account as prescribed by the Government.
- v) In the event of loss / defacement / damage of the licence granted under this Order, the dealer may apply for a duplicate licence on deposit of a fee as mentioned in Schedule-A hereinafter and the Sub-divisional Controller, Food and Supplies shall arrange for issue of a fresh licence in place thereof after proper enquiry. Thereupon the lost / defaced / damaged licence shall be deemed to be cancelled.

- vi) The Government shall not be liable for payment of any interest for the security deposit.
- vii) All kinds of fees shall be deposited through Treasury Challan in TR Form No.7 under the Head of Account as prescribed by the Government.

**22. Power of the Licensing Authority to refuse, grant, reissue or renewal of licence :-** The Licensing authority may after giving Licensee an opportunity of stating his / her case in writing, and after giving him / her an opportunity of being heard and for reasons to be recorded in writing refuse to grant or re-issue or renew a licence.

**23. Power to enter and inspect premises and to require information, accounts, etc. :-**

With a view to securing the equitable distribution of food grains and other public distribution commodities and for the purpose of securing compliance with the provisions of this Order or any regulation made there under or any direction issued under such order, any official not below the rank of a Sub-Inspector of the Food and Supplies having jurisdiction in the area or a vigilance squad having been duly constituted or any police officer not below the rank of Sub-Inspector of police with prior intimation to the licensing authority and accompanied by an officer not below the rank of Sub-Inspector of F&S Department may -

- (a) enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of public distribution commodities and inspect any such premises and public distribution commodities therein or thereon ;
- (b) require any person to make any statement or furnish any information or to produce any document or article in his / her possession or under his / her control relating to the purchase, sale, distribution or storage of any public distribution commodity and every person so required shall comply with the requirement ;
- (c) require any person to render any account or to produce books of accounts or documents believed to be in his / her possession relating to purchase and sale of public distribution commodities ;
- (d) take or cause to be taken extracts from the copies of any documents relating to the purchase, sale, distribution or storage of public distribution commodities which is produced under sub-clause (b) or sub-clause (c) above or otherwise found in any such premises ;
- (e) test or cause to be tested the correctness of any weight or measure used or believed to be used in any transaction relating to the sale or distribution of public distribution commodities ;
- (f) take or cause to be taken the weight of all or any of the public distribution commodities found in any such premises, prepare weighment chart and chart of physical verification of stock. ;
- (g) inspect and seize any stock of public distribution commodities (including atta/wheat flour) or any document relating to the purchase, sale, distribution or storage of public distribution commodities in respect of which the concerned official has reason to suspect that a contravention of these orders or of any directions issued under such order has been, is being, or is about to be committed.

**24. Power to take action against a licensee for committing irregularities :-**

- (i) If a licensee or his / her agent or any other person acting on his / her behalf contravenes any of the provisions of this order or any of the regulations made thereunder or any of the conditions of his / her licence, or any discrepancy of stocks or in the weighment device is detected, the Sub-divisional Controller, Food and Supplies, shall issue a notice to the concerned Dealer asking for explanation in writing for such contravention & discrepancy and may also place the dealership under suspension till the disposal of the proceedings by the Sub-divisional Controller, Food and Supplies. In case of suspension, the concerned ration card holders shall be tagged temporarily with the neighbouring Dealer for uninterrupted supply of public distribution commodities.
- (ii) The licensing authority after giving the licensee an opportunity of being heard and after recording the reasons thereof, may terminate the licence or may reduce the volume of business through reduction of tagged ration cards and / or impose fine according to the gravity of the offence as annexed in Schedule-A.

In case of imposition of fine the licensee shall have to deposit the fine with the Sub-divisional Controller, Food and Supplies through Treasury Challan in TR Form No.7 under the Head of Account as prescribed by the Government.

Entire proceedings shall be completed within 60 days from the date of issue of the show- cause notice.

**25. Appeal :-** Any dealer or FPS licensee aggrieved by an order of the Sub-divisional Controller, Food and Supplies, denying the issue or renewal of the licence to the fair price shop owner, or cancellation of the licence may prefer an appeal to the District Controller, Food and Supplies concerned within 30 days from the date of receipt of the order of Sub-Divisional Controller, Food and Supplies concerned and on receipt of such appeal District Controller, Food and Supplies concerned shall dispose of the appeal within 60 days from the date of receipt of the appeal petition after giving opportunity of hearing to the appellant. If the FP shop owner is aggrieved or dissatisfied with the order of District Controller, Food and Supplies concerned he may appeal against the order of the District Controller, Food and Supplies concerned to the Director, DDP&S, within thirty days of the date of receipt of the order and the Director shall as far as practicable dispose of the appeal within a period of sixty days from the date of receipt of the appeal after giving the person a reasonable opportunity of being heard.

**26. Engagement of Distributor :-**

(i) In the event of -

a) resignation of any Distributor ;

Or

b) death or incapacitation of the existing Distributor on medical ground, unless any of his / her family members is found suitable for engagement on Compassionate ground as per Sub-Clause (vi).

Or

c) dissolution of firm formed by a group of people;

Or

d) cancellation of licence issued to a Distributor for any reason whatsoever ;

Or

e) (in the case of private limited company) the transfer of majority shareholding of that company in favour of the third party i.e. other than promoters / Directors of that company ;

the resultant vacancy has to be notified by the District Controller, Food and Supplies with prior approval of the department.

(ii) If it appears necessary for the District Administration to declare a new vacancy for better functioning of Public Distribution System in a particular area, the vacancy is to be declared with the approval of Department. In that case the SC F&S shall submit the proposal of any vacancy of Distributor to the concerned District Controller (F&S). The concerned District Controller, Food and Supplies shall send the same to the Director, DDP&S, with the opinion of the concerned District Magistrate. The Director, DDP&S, will examine the proposal, and send it to the Department with his specific views. After obtaining approval of the State Government, the District Controller, Food and Supplies shall declare such vacancy stating the eligibility criteria through notice in the office notice board and official Gazette notification / advertisement in a local as well as a widely circulated daily newspaper. The last date of receiving applications shall be thirty days from the date of notification of the vacancy.

(iii) Applications for filling up the vacancies as notified in Sub-Clause (ii) hereinbefore shall be invited from Self Help Groups / Registered Co-operative Societies / Semi-Government bodies / individuals / group of individuals as an entity. In case of fresh vacancies preference may be given to Self Help Groups, specially women Self Help Groups. If the applicant be individual(s), he / she / they should be permanent resident of the concerned

district. The applications received in Form G along with annexure I & II and requisite fee as prescribed in Schedule-B within the stipulated time shall be enquired by the Sub-divisional Controller, Food and Supplies within one month period from the last date of receipt of the applications as notified, and the report so prepared shall be sent with his comment to the concerned District Controller, Food and Supplies. The said District Controller, Food and Supplies shall forward the same with his comments through the concerned District Magistrate to the Director, DDP&S, within thirty days from the date of receipt of the report from the Sub-divisional Controller, Food and Supplies. The Director, DDP&S, in turn, will forward the same to the Department with his views.

Provided that if the Government so desires it may give such opportunities to only Self Help Groups or Co-operative societies or Semi Government bodies or such other public agencies by separate notifications.

- iv) The State Government, if necessary, may arrange for further enquiry into the matter by any competent Officer or by a team of Officers and thereafter shall accord approval selecting the most suitable candidate/organisation for filling up the vacancy.
- v) After obtaining government approval District Controller, Food and Supplies shall issue an offer letter in form 'H' to the approved candidate / organization with the direction for furnishing recent passport size photograph(s), security deposit and licensing fee as per Clause 27(i) and Schedule-B,
- vi) **Engagement on compassionate grounds** :—In case of vacancy arising out of death or incapacitation on medical ground of any existing distributor, such vacancy shall not initially be notified. Prayer of any of the family members of the deceased / incapacitated distributor having no regular means of subsistence, will be considered with preference on compassionate ground provided such prayer along with formal application in Form 'G' along with the annexure I & II and requisite fee is submitted within 60 days from the occurrence of such vacancy. However, the applicant should be capable of running the Distributorship smoothly.

While applying, the applicant shall have to furnish "No Objection" from other family members in the form an Affidavit executed before a 1st Class Magistrate except in the following cases :- (a) if the applicant be the spouse of the deceased licensee, (b) if the ex-licensee, because of his / her being incapacitated / infirm has opted for the applicant.

The District Controller, Food and Supplies shall arrange for an enquiry to verify the eligibility of the applicant and submit the report with his opinion to the Director, DDP&S. While forwarding a case on medical ground the District Controller should satisfy himself / herself on examination of the medical prescription and certificate issued by a Registered Government Medical Practitioner that the ex-licensee is not in a position to run distributorship business considering his / her health ground. The Director, DDP&S, shall send the same with his comments to the Department for necessary approval. The District Controller, Food and Supplies after having Government approval, shall issue an offer letter to the approved candidate, directing him/her to furnish recent passport size photograph(s), security deposit and licensing fee as per Clause 27(i) and Schedule-B,

- vii) Distributorship run by any individual person shall not be allowed for inclusion of any partner(s). In the case of induction of a new partner or substitution or exclusion of an existing partner, in an existing partnership licence, the same may be considered on merit subject to the provision of the Indian Partnership Act 1932 as amended from time to time.

#### 27. Issue of Licence to a Distributor, Renewal of licence etc. :-

- (i) The District Controller, Food and Supplies shall grant a licence to the approved candidate/organization in Form-I on compliance of what has been laid down in the offer letter provisionally for a maximum period of one year from the date of issue, authorizing such Distributor to carry on trade as per provisions of the order.
- (ii) Every licence issued under clause 27 (i) of this order shall be renewed upto 31st December next subject to satisfactory performance and confirmation of the distributor and on receipt of an application for renewal in Form J and a renewal fee as mentioned in Schedule-B hereinafter from the licensee. Thereafter every licence shall be renewed for successive periods of one year on application made in proper form in that behalf to the licensing authority.
- (iii) The licence, unless an application for renewal is made within the period of validity, will stand revoked after the expiry of the validity period. In that case, if the licensee prays for renewal of licence within 30 days from the

date of expiry, the licensing authority may renew the licence on realization of fine of such amount as may be prescribed by the Government, if the licensing authority thinks that reasons for non-renewal of the licence was beyond the control of the licensee.

- (iv) Apart from the said licence fees, every Distributor shall be liable to pay Security deposit as well for such amount as mentioned in Schedule-B through Treasury Challan in T.R. Form No.7 under the Head of Account as prescribed by the Government.
- (v) In the event of loss / defacement / damage of the licence granted under this Order, the Distributor may apply for a duplicate licence on deposit of a fee as mentioned in Schedule-B hereinafter and the District Controller, Food and Supplies shall arrange for issue of a fresh licence in place thereof after proper enquiry. Thereupon the lost / defaced / damaged licence shall be deemed to be cancelled.
- (vi) All kinds of fees shall be deposited through Treasury Challan in TR Form No.7 under the Head of Account, as prescribed by the Government.
- (vii) Government shall not be liable for payment of any interest for the security deposit.

**28. Power of the Licensing Authority to refuse, grant, reissue or renewal of licence :**

The Licensing authority may, after giving the Licensee an opportunity of stating his / her case in writing, and after giving him / her an opportunity of being heard and for reasons to be recorded in writing refuse to grant or reissue or renew a licence.

**29. Duties and Responsibilities of a distributor.**

**1) Boards to be maintained by the distributor:**

- a) **Sign Board-** The distributor shall display a glow sign board of suitable size as prescribed by Govt at a conspicuous place in front of his/her place of business/godown. It shall contain certain inscriptions as prescribed the State Government.
- b) **Board indicating stock position :-** The distributor shall maintain a Board in each of the approved godowns indicating the daily stock positions of different commodities in the following form:-
  - i) Dated \_\_\_\_\_
  - ii) Name of commodities \_\_\_\_\_
  - iii) Quantity \_\_\_\_\_ Bags Qtl.Kg. & Gram.
- c) The distributor shall maintain a rate-board indicating the following particulars.
  - i) Date
  - ii) Name of the commodities
  - iii) Distributor's sale price per quintal.

**2) Submission of indents and obtain delivery order :-**

Every distributor shall submit an indent to the concerned Sub-Divisional Controller, Food & Supplies indicating his requirement and closing stock in Form B and the said Sub-Divisional Controller, Food & Supplies shall make allotment of public distribution commodities for taking delivery from the authorized agencies engaged in distribution of essential commodities under the Public Distribution System, after obtaining delivery order from concerned District Controller, Food & Supplies on depositing necessary banking instruments of required amount.

**3) Maintenance of stock for supply to the dealers:-**

Every distributor shall maintain adequate stock of all varieties of public distribution commodities for supply to the dealers in accordance with the indents passed by the Inspector, Food & Supplies. He / She shall be responsible for timely replenishment of stock against indents passed by the SCF&S and delivery Orders issued by the concerned District Controller, Food & Supplies. In case of delay or shortfall in lifting of stocks for reasons beyond his/ her control, a distributor shall report it to the concerned District Controller, Food & Supplies for replenishment of stock by way of inter godown transfer or by any other means as may be decided by the District Controller, Food & Supplies in this behalf.

Every distributor shall ensure quality of public distribution commodity during the time of taking delivery from the authorized agencies. Every distributor shall keep the stock of each commodity separately and neatly arranged for easy identification. There should be alleys in between the stocks of different commodities. He / She shall attach small Stack Boards to each stock to indicate the quantity both in bags and in weight, pertaining to the stock. Every distributor shall issue all stocks in order of priority of receipts i.e. "first in, first out" basis to prevent deterioration of stock on account of idle storage.

4) **Regulation for storage and sale:—**

- a) A distributor shall not store or sell any commodity other than the public distribution commodities provided that a distributor may be permitted to stock and/or sell other articles to dealers only at such prices and in such quantities and in such manner as may be directed by the Central/ State government under different schemes including welfare schemes to be operated separately not forming a part of this Order.
- b) A distributor shall not store any public distribution commodity in any place other than the godown(s) as endorsed in the license without prior written permission of the licensing authority. Notwithstanding this provision, if a distributor is compelled to store public distribution commodities in any other godown due to any natural calamity, he/ she shall report the matter to the licensing authority within the next working day. For permanent shifting of any godown, written permission of the Director of DDP&S is required.

5) **Physical verification of stock:—** A distributor shall render all facilities for physical verification of stocks of public distribution commodities on demand by the inspecting officers in this behalf. Under all circumstances, he/ she shall have to arrange sufficient number of labourers for weighment of the stocks with the help of a big scale with suitable weight stones of appropriate denominations, so that even minimum delay is avoided. The big scale shall be kept in his/her godown.

6) **Calibration and maintenance of weighing devices:—** Every distributor shall get his/her weighing devices duly calibrated by the competent authority of the Government of West Bengal and shall keep the calibration certificate in his/ her place of business for production on demand before the Inspecting officers.

Every Distributor shall maintain at least one scale for each godown with pointer with two sets of standard weights of all available denominations for weighment of commodities to the dealers.

7) **Issue of cash Memos:—** Every distributor shall issue cash Memos in duplicate for every transaction of public distribution commodities with the following particulars

- (a) Dealer's address (b) commodity (c) quantity (d) rate i.e. prices charged (e) total amount realised.

The original cash Memo shall be issued to the dealer receiving delivery and the duplicate copy to be retained by the distributor. The cash Memo shall also bear the signature of the person taking delivery of stock, name and number of the distributor, printed serial number and the seal of the distributor in both original and duplicate.

8) **Maintenance and preservation of different registers :—**Every distributor shall maintain proper books of accounts including Daily Stock Register, Daily Sales Register, Indent Register, Register of blank cash memo books, Inspection book of 200 pages serially numbered and such other registers as the Director may prescribe. All such registers are to be duly certified by an official of F&S Deptt not below the rank of Sub-Inspector and shall be maintained at the place of business as permanent records for a period of two years at least from the date of closure of the registers so that that are readily available for inspection on demand. Duplicate copies of cash memo shall also be preserved for the same period in a chronological manner.

The distributor shall maintain Daily Sales Register preferably as and when sale proceeds but under no circumstances shall be allowed to fall arrear even for a day.

9) **Safe storage of stock :—** Every distributor shall ensure safe storage of public distribution commodities in proper and hygienic manner and shall take quality maintenance measures including rodent control ones to ensure safe and proper storage of stocks.

- 10) **Withholding of stock from sale:**— The distributor shall not sell any stock of bad and doubtful quality to the dealers.
- 11) **Obedience to instructions of the Director:**— Every distributor shall abide by the instruction as may be issued from time to time by the director or by any other officer authorised by him/ her in this behalf, including the licensing authority.
- 12) **Lodging of FIR:**— If a crowd is assembled in front of place of business or godowns where inspection is in progress, the distributor shall lodge an FIR with local Police Station, stating his/her apprehension of breach of peace.

**30. Power to enter and inspect premises and to require information, accounts, etc. :—**

With a view to securing the equitable distribution of food grains and other public distribution commodities and for the purpose of securing compliance with the provisions of this Order or any regulation made thereunder or any direction issued under such order, any official not below the rank of a Sub-Inspector of the Food and Supplies Department having jurisdiction in the area or a vigilance squad having been duly constituted or any police officer not below the rank of Sub-Inspector of police with prior intimation to the licensing authority and accompanied by an officer not below the rank of Sub-Inspector of F&S Department may -

- (a) enter any premises used or believed to be used for the sale, distribution or storage for sale or distribution of public distribution commodities and inspect any such premises and public distribution commodities therein or thereon ;
- (b) require any person to make any statement or furnish any information or to produce any document or article in his / her possession or under his / her control relating to the purchase, sale, distribution or storage of any public distribution commodity and every person so required shall comply with the requirement ;
- (c) require any person to render any account or to produce books of accounts or documents believed to be in his / her possession relating to purchase and sale of public distribution commodities ;
- (d) take or cause to be taken extracts from the copies of any document relating to the purchase, sale, distribution or storage of public distribution commodities which is produced under sub-clause(b) or sub-clause (c) above or otherwise found in any such premises ;
- (e) test or cause to be tested the correctness of any weight or measure used or believed to be used in any transaction relating to the sale or distribution of public distribution commodities ;
- (f) take or cause to be taken the weight of all or any of the public distribution commodities found in any such premises, prepare weighment chart and chart of physical verification of stock ;
- (g) inspect and seize any stock of public distribution commodities (including atta/wheat flour) or any document relating to the purchase, sale, distribution or storage of public distribution commodities in respect of which the concerned official has reason to suspect that a contravention of these orders or of any directions issued under such order has been, is being, or is about to be committed.

**31. Procedure for dealing with the irregularity of distributorship :—**

- a) Every Distributor shall abide by the instructions as may be issued from time to time by an authority not below the rank of Sub-Inspector working in the Department of Food & Supplies. He shall also abide by the terms and conditions of the offer letter and licence as may be issued to him as well as the provisions of this order.
- b) If a Distributor or his authorized agent or employee or any other person acting on his behalf contravenes any of the provisions of this order or any of the regulations made there under or any of the conditions of his licence or any discrepancy is detected on examination of the documents and / or stock of public distribution commodities or weighing devices, the District Controller, Food and Supplies shall issue a notice to the distributor for showing cause in writing of such contravention or discrepancy.

The District Controller, F&S, may also place the licence under suspension till disposal of the proceeding if in the opinion of District Controller, F&S, immediate suspension is necessary in the interest of general public.

In case of suspension the concerned dealers may be tagged temporarily with the neighbouring distributor for uninterrupted supply of public distribution commodities.

- c) On receiving the reply from the distributor, the District Controller, F&S, after giving the licensee an opportunity of being heard and after recording the reasons thereof, may terminate the licence or may reduce the volume of business through reduction of tagged dealers and / or impose a fine according to the gravity of the offence as annexed in Schedule-B hereinafter with the approval of the District Magistrate.

In case of imposition of fine, the licensee shall have to deposit the fine amount with the District Controller, F&S, through Treasury Challan in TR Form No.7 under the Head of Account as prescribed by the Government.

The proceedings drawn against the distributor shall have to be completed by the concerned District Controller, F&S, within sixty days from the date of serving notice asking for show cause.

### **32. Appeal :-**

Any Distributor aggrieved by an order of the District Controller, Food and Supplies, denying the issue or renewal of the licence to the distributor, or cancellation of the licence or imposition of the fine may prefer an appeal to the Director, DDP&S within thirty days of the date of receipt of the order and the Director shall, as far as practicable, dispose of the appeal within a period of sixty days from the date of receipt of the appeal after giving the person a reasonable opportunity of being heard.

If the Distributor concerned is aggrieved or dissatisfied with the order of Director, DDP&S, he may prefer an appeal to the Secretary to the State Government within 30 days from the date of receipt of the order passed by the Director, DDP&S. The Secretary to the Government West Bengal, F&S Department, upon receipt of the appeal will dispose of the same within 60 days after giving opportunity of hearing to the appellants.

### **33. Vigilance & Monitoring Committees:-**

The State Government may constitute Vigilance & Monitoring Committees at various levels. Such committees will discharge their functions as have been assigned to them for monitoring of Public Distribution System in the concerned areas.

### **34. Power to issue regulatory orders for all public distribution commodities :-**

The State Government shall have the power to declare any essential commodity as public Distribution commodity and issue separate orders regulating storage, sale and distribution etc. in respect of such public distribution commodities not covered by the provisions of this order.

### **35. Power to amend, vary or introduce fresh provisions :-**

The State Government may, if it is considered necessary, vary, amend or introduce fresh provisions not inconsistent with the provisions of the Act, and shall notify it in the official Gazette.

**36. Power to introduce distribution of fortified atta in lieu of wheat :-** The State Government may introduce distribution of atta/fortified atta in lieu of wheat, whether in whole or in part, in any or all districts or its parts covered under the provisions of this Order provided that the Government may prescribe procedure and guideline for engagement of flour mills for this purpose.

**37. Power to regulate production of atta :-** The Government may prescribe, by notification, the method of selection of a flour mill/atta chakki to convert wheat into atta/fortified atta for a specified period of time, conversion ratio not being less than 95%.

After issue of necessary notification in this regard, application for converting wheat into atta/fortified atta shall be invited in form 'K' along with affidavit as annexed to this Control Order.

**38. Power to exempt :-**The Government may, if it is considered necessary for avoiding any hardship or for any other just and sufficient reason, exempt any person or class of persons, the operation of all or any of the provisions of this order, either generally or for any specified period, by notification in the official Gazette.



**PART IV****Miscellaneous****39. Computerization of P.D.S. :-**

Notwithstanding anything contained in this order Government has the authority to introduce computerization of PDS, digitization of beneficiaries database including supply chain management, FPS automation in terms of policy of the Government of India / State Government.

**40. (a) Penalty for contravention of this Order :-** If any person/organization/contravenes any provision of this Order he/the organisation shall be liable to punishment under section 7 of the Essential Commodities Act 1955(10 of 1955).

**(b) Procedure for disposal of seized Stocks :-**

Any stock seized from the custody of an FP shop owner or Distributor for contravention of the provisions of this order shall be disposed of as per order of the Collector as per Section 6A of Essential Commodities Act, 1955.

**41. Protection of action taken under Order:-**

No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Order.

**42. Repeal and Savings :-**

West Bengal Public Distribution System (Maintenance and Control) Order, 2003 and subsequent Amendment being no.7044 dated 18.11.2004 are hereby repealed provided, however, such repeal shall not affect any investigation, penalty, imposition of punishment for any offence committed by the licensee against any of the provisions of the Order as if the said order had not been repealed.

**43. Order not to apply in certain cases :-**

Nothing in this Order shall apply to --

- (a) Any State Government or the Central Government.
- (b) The Food Corporation of India.
- (c) The West Bengal Essential Commodities Supply Corporation Limited.

in respect of sale and storage for sale of stock of foodgrains and / or public distribution commodities through Public Distribution System.

By order of the Governor,

ANIL VERMA, IAS  
*Secretary to the Government of West Bengal &  
Food Commissioner  
Department of Food & Supplies*

## Government of West Bengal

## Form-1

## Application for Ration Card

[ Vide Paragraph 4(a) of the WBPDS(M&amp;C) Order, 2013]

Applicant's Name ..... Address: House No .....

Flat No ..... Ward No ..... Street/Road/Lane .....

Para ..... Village/Municipality .....

Post ..... P.S ..... Name of Head of family :-

Sl. No.	Name of the family member for whom Ration Card is required.	Age	Relationship with the head of the family	Name of father/ husband	Occupation	Whether Indian Citizen	Immediately-previous address (if any)	Reason for non-possession of R/Card (in absence of s/ certi.)	F.P. Shop No.desired
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Documents to be attached :(Put Tick on the portion applicabale)

- (1) **Proof of residence** : Municipal/ Panchayat Tax Receipt/Rent Receipt/ Electric Bill/Telephone Bill/Certificate from local elected representative.
- (2) **Proof of age**:Birth Registration Certificate/ School Certificate/ any authorised document indicating the age of member(s).
- (3) **Possession/ non-possession certificate** : Surrender certificate along with cancelled Ration cards indicating possession of Ration Cards in the previous address/ certificatefor non-possession of ration card by a family member from the elected representative of the locality.
- (4) **Proof of Citizenship** : EPIC/AADHAR Card /passport /employment exchange registration card/ any Govt. Licence/ any other relied document which only an Indian Citizen can have.

I solemnly affirm that the above statements are true to my knowledge and belief.

.....  
Signature or L.T.I. of the Applicant

## Counterfoil of Form-I

Received one application from Sri/ Smt .....  
of Address .....

Receipt Sl. No. .... &amp; Date ..... Returnable Date .....

Signature of the Receiving Official

**N.B.**— To obtain or attempt to obtain a ration card by furnishing false information or suppressing any information is an offence under Section 7 of Essential Commodities Act (Act 10 of 1955) and is punishable with imprisonment for a term which may extend up to seven years or fine or both.

(FOR OFFICE USE ONLY)

Report of the Enquiring Officer

Filed on .....

Returnable Date: .....

Signature of the applicant or his/her representative: .....

Sl. No. .... Date .....

(1) Date and time of Enquiry :

(2) Have you met the applicant or his representative during enquiry (Name, Address and relationship with the applicant to be mentioned in case of representative) and obtain his/her Signature ?

Order of the ration card issuing authority :

(3) (a) Whether the members for whom ration cards are required stay in the given address ?

Sl. No. of ration card(s) issued, if any

(b) If Yes, their period of stay in the given address :

Received Ration Card(s)

(4) Whether any local inquiry was held and whether you interacted with other persons of the locality ?

(Name of such persons to be mentioned)

.....

(5) (a) Do you recommend issue of ration card (s) ?

Signature or L.T.I of the Applicant

(b) If No, please mention justification :

or

(6) General remarks, if any :

his/her authorised representative

.....

.....

Signature of the Enquiring Officer

.....

Full Name & Designation of the Enquiring Officer

Government of West Bengal

Form-2

Application for change and correction of ration cards

[ Vide paragraph 13 of the WBPDS (M&C) ORDER,2013]

I, Shri/Smt. .... of (address) ....., apply for the following changes and corrections in the Ration Card/Cards of which the particulars are given below :-

Changes/Corrections applied for :

- (1) Address : From \_\_\_\_\_ to \_\_\_\_\_
- (2) Name/Surname: From \_\_\_\_\_ to \_\_\_\_\_
- (3) Age : From \_\_\_\_\_ to \_\_\_\_\_
- (4) Head of Family : From \_\_\_\_\_ to \_\_\_\_\_

Who is a member of my family and stays with me.

Reason for changes \_\_\_\_\_

Particulars of Ration Cards

Name of holder	Ration Card No.	F.P.S No.	Folio No.

.....  
Signature or L.T.I of the applicant

Counterfoil of Form-2

Received one application from Sri/Smt. .... of  
Address .....  
Receipt Sl. No. .... & Date.....  
Returnable Date .....

.....  
Signature of the Receiving Official

---

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(FOR OFFICE USE ONLY)

Filed on .....

Serial No. ....

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Report of Enquiry Officer

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Order of the Ration Card issuing authority .....

Received the following Ration Cards

.....

Signature of the applicant

.....

Signature of the Delivery Official

## Government of West Bengal

## Form-3

## Application for replacement of mutilated/defaced or lost Ration Card

[Vide Paragraph 12 of the WBPDS(M&amp;C) Order,2013]

Applicant's Name ..... Address: House No .....

Flat No ..... Ward No ..... Street/Road/Lane .....

Para ..... Village/Municipality .....

Post ..... P.S ..... Name of Head of family :-.....

Sl. No.	Name of the family member whom Ration Card is to be replaced	Age	Relationship with the head of the family	Name of father/husband	Reasons	Ration Card No.	F.P.S. No.	Folio No.	General Diary No. of the police station. (in case of lost Card)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

The circumstances under which the Ration Cards were lost, mutilated or defaced.....

I solemnly affirm that the above statements are true to my Knowledge and belief.

.....  
Signature or L.T.I of the applicant

## Counterfoil of Form-3

Received one application from Sri/Smt..... of

Address.....

..... Receipt Sl. No..... &amp; Date..... Returnable Date.....

.....  
Signature of the receiving official

**N.B.-** To obtain or attempt to obtain a ration card by furnishing false information or suppressing any information is an offence under Section 7 of Essential Commodities Act (Act 10 of 1955) and is punishable with imprisonment for a term which may extend up to seven years or fine or both.

(FOR OFFICE USE ONLY)

Filed on .....

Returnable Date.....

Sl. No. ....Date.....

Report of Enquiry Officer

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Order of the Ration Card Issuing Authority.....

Serial No. of the new Ration Card(S) issued in lieu of the

Lost or mutilated/defaced Ration Card(s).....

-----

Received the Ration Cards

-----

Signature or L.T.I. of the applicant or his/her authorised representative.

-----

Signature of the Delivery Official

## FORM - A

[ Vide paragraph 7 of W.B.P.D.S. (M &amp; C) Order, 2013]

Serial No.....

Dated .....

To

The Sub-Divisional Controller, Food &amp; Supplies

Sub-Division.....

District.....

**SURRENDER CERTIFICATE**

The following valid Ration Card(s)/Unit(s) are surrendered due to his/her/their leaving the area and cancelled.

Or

The following Ration Card(s)/Unit(s) suspended previously due to non drawal are surrendered due to his/her/their leaving the area and cancelled. \*

Card-hoder's name and age/unit holder's name and age (if the ration card is a family ration card)	Address	Details of Ration Card/Family * Ration Card in which the unit(s) are included		Date of last drawal of Ration	Whether cancelled Ration Card is enclosed. if not the reasons thereof.
		Ration Card No. and Folio No.	FPS No. and Area Index No.		

.....  
Signature of Dealing Assistant.....  
Signature of Issuing Officer

Copy forwarded to —

1. The Applicant.
2. Area Inspector.
3. Concerned F.P.S. for noting the cancellation and stopping supply of any commodities from the F.P.S.

.....  
Signature of Issuing Officer

\* Strike out the portion which is not applicable.



## GOVERNMENT OF WEST BENGAL

## FORM B

## (Stock Return and Indent Form)

[Vide Paragraph 16 &amp; 29(2) of the W.B.P.D.S (M&amp;C) Order, 2013]

Name of Dealer/Distributor..... Indent for week/fortnight commencing  
 Address ..... from.....,20.....  
 FPS No. /Distributor No..... Stock Return for week/fortnight  
 Block/P.S. .... Commencing from.....,20.....  
 Sub-division.....  
 District .....

No. of Ration Cards attached to the FPS/No. Of dealers attached with the distributor.  
 APL....., BPL....., AAY.....,  
 Total .....

To,  
 The Sub-divisional Controller, F&S, ...../Area Inspector, F&S, .....

Sir,  
 Please allocate public distribution commodities as per requirement given below:---

( Figures in Quintals)

Commodity	Opening Balance of Stock.	Allocation for the week/ fortnight.	Quantity Actually received	Total Quantity (2+4)	Quantity Distributed	Closing Balance of Stock	Requirement
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
APL Rice							
BPL Rice							
AAY Rice							
APL Wheat							
BPL Wheat							
AAY Wheat							
Atta							
Levy Sugar							
Edible Oil							
Pulses							

Dated:.....,20....

Signature of Dealer/Distributor  
 (Full Name)

## GOVERNMENT OF WEST BENGAL

## FORM C

## Form of Application for Dealership

[ Vide paragraph 20(iii), 20(vi), of the W.B.P.D.S.(M&amp;C) Order, 2013]

Self Attested Photograph
--------------------------------

1. Advertisement/ Notification No. with Date :
2. Place of vacancy :
3. Name of the Applicant (in block letters) :
4. Father's name (in case of individuals) :
5. (a) Full residential address of the applicant :
- (b) Permanent address of the applicant :
- (c) Telephone No./Mobile No. :
6. Whether the applicant is a Self Help Group/ Co-op. Society/ Semi-govt. Body :
7. Applicant's Date of Birth :
8. Educational Qualification :
9. Caste Certificate, if applicable :
10. Location of the proposed godown-cum-FPS. :
11. Particulars of the godown-cum-FPS with Plot No., Khatian No., Name of Mouza, Holding No., Road/Lane, Boundary etc (copy of the sanctioned plan to be attached). :
12. Size/Measurement of the godown-cum-FPS with Length, Breadth, Height and Area in Sq.ft. Length of the frontage on the street/lane mentioned at serial No. 11. Nature of possession, Viz. Rental or Ownership :
13. Storage Capacity of the godown in Qtls/MT. :
14. Whether the godown-cum-FPS is pucca or kuchha :
15. Character of the land on which the godown-cum-FPS is situated. :
16. i) Amount of money which can be invested in the business of dealership as capital. :
- ii) Name of the Bank and its branch in which account is maintained :
- iii) Credit Balance as on the date of application :
- iv) Number of hired persons to run the business :
17. Whether the applicant was, at any time convicted by any criminal court, if so particulars [Affidavit sworn in a 1st Class Magistrate Court thereof (in Annexure-I) :
18. Prior experience of business (if any) :
19. Present profession :

20. Does any members of the applicant's family possess FPS on PDS.

If so give details.

21. Whether the applicant(s) is involved in any litigation with any offices under this department or directorate including the office of District Controller & Sub- Divisional Controller, Food & Supplies. If so give Details. :

22. Details of application fee :-

a)Amount :

b)T.R. Challan No. with Date :

c)Name of the Treasury / Bank & Branch :

23. **An applicant for dealership must note that he/she shall have to abide by the following terms & conditions in case he/she is offered a license.**

- N.B. : 1. There has to be adequate space for loading and unloading of stocks as well as for queuing of the rationees under a suitable shade.
2. Installation of Computer for capturing details of Ration Card holders, allotment, lifting and distribution of Public Distribution Commodities.
3. The applicant should have knowledge for both reading and writing of local language prevailing in the area for which the vacancy stands for.
4. The godown offered by the applicant should have sufficient capacity for storage of foodgrains as per two weeks requirement of the ration card holders to be tagged,
5. Land conversion certificate shall be submitted in respect of the shop-cum-godown in the applicant's possessions, In case of hired godown, the record of rights, a registered rent/lease agreement for at least a period of ten years shall be submitted.

.....  
Signature of the Applicant

#### **DECLARATION**

I/We do hereby declare that the above information is true to the best of my/our knowledge and belief, I/We further declare that I/We shall abide by the provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 as well as the condition of licence as may be granted to me/us, I/We agree to submit requisite security deposit and Licence Fee.

Dated, the.....

Place .....

.....  
Signature of the Applicant

**Annex - I**  
**to form 'C' of the**  
**W.B.P.D.S(M & C) Order 2013**

**AFFIDAVIT**

I, Sri....., S/o Sri/Late.....,  
aged about..... years, by religion ....., by occupation .....,  
residing at ....., District ....., State .....,  
do hereby solemnly affirm & declare as follow :-

1. That I am a citizen of India.
2. That I have not been convicted by any Court of India for any offence and sentenced in respect thereof imprisonment, at any time prior to the date of application.
3. That no criminal proceedings in respect of an offence alleged to have been committed by me and pending before any Court of India.
4. That no warrant or summons for appearance, warrant of arrest has been issued against me by any Court under any law for the time being in force.

That the statements made in above paragraphs are true to the best of my knowledge and belief.

Place -

Date -

Deponent

Identified by me

(Advocate)

**Form for "No objection"**

**AFFIDAVIT**

[Section para 20(vi) of West Bengal PDS(M & C) Order, 2013]

I, Sri....., S/o Sri/Late.....  
W/o .....aged about..... years, by religion .....  
by occupation ....., residing at .....  
....., do hereby solemnly affirm & declare as follow :-

- 1. That I am a citizen of India.
- 2. That Sri/Smt. \_\_\_\_\_ S/o \_\_\_\_\_  
is known to me since he/she belongs to the same family.
- 3. That I have got no objection if he/she is engaged as a FPS dealer/distributor in place of \_\_\_\_\_  
and if licence is issued in his/her favour to run the dealership/distributorship.
- 4. That if any objection is raised by me in future about furnishing this 'no objection' that will not stand valid in the eye of law.  
That the statements made in the above paragraphs are true to the best of my knowledge and belief.

Place -

Date -

Deponent

Identified by me

(Advocate)

**GOVERNMENT OF WEST BENGAL**  
**FORM- D**  
**(Offer letter for running FPS/Dealership)**  
[vide Section 20 of PDS (M & C) order, 2013]

To  
Shri /Smt.

**Sub:- Offer Letter for Dealership**

Sir,

With reference to your application dated .....in response to the Food & Supplies Department Notification No. .... Dated.....for functioning as a dealer at .....(location) it is hereby informed that you are being offered to act as a dealer as per terms & conditions stipulated in the West Bengal P.D.S(Maintenance & Control) Order 2013.

You are, therefore, directed to furnish the following documents to proceed further in the matter of issue of provisional licence as per clause 21(i) of West Bengal P.D.S(Maintenance & Control) Order 2013. The following documents should be submitted within 10(ten) days from the date of receipt of this letter, failing which this offer shall be treated as cancelled.

1. Recent Passport size colour photographs in triplicate.
2. Security deposit of Rs. 25000/- in T.R. Form N. 7 under the Head 1456 Civil Supplies, 800 other receipts, 01 Civil supplies, 27 other receipts.
3. Licensing fee of Rs. 10000/- in TR Form No. 7 under the Head 1456 Civil Supplies, 800 other receipts, 01 Civil supplies, 27 other receipts.

Yours faithfully,

**Sub-Divisional Controller, Food & Supplies**

## GOVERNMENT OF WEST BENGAL

## FORM E

## Licence to a Dealer under the West Bengal Public Distribution System (Maintenance &amp; Control)

Order, 2013

[ Vide Paragraph 21 (i) ]

Licence No. ....

F.P.S. No. ....

1. Subject to the provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 and to the terms and conditions of this licence -  
 Shri / Smt. ....  
 son / wife / daughter of .....  
 Or  
 \*Messrs. ....  
 (\*in case of Co-operative Society / Self Help Group / partnership firm etc.)  
 of .....  
 (full address of the applicant )  
 having lawful possession of the godown space at .....  
 is / are hereby authorized to run a fair price shop for distribution of specified essential commodities to the ration card holders under the Public Distribution System.
2. The licensee shall distribute public distribution commodities received through door-step delivery & otherwise to the Ration card holders as per their entitlement at the retail issue prices fixed by the Govt. from time to time and shall issue a cash memo against every sale to the card holders.
3. The licensee shall maintain books of accounts comprising of ration card registers, stock registers, log book or allotment book, daily sale registers and such other registers in his shop as may be prescribed by the Licensing authority and shall produce the same for inspection or verification to any authority authorized by the S.C. F&S / D.C. F&S or State Government..
4. The licensee shall display a notice board / notice boards in a prominent place in the shop indicating - (a) list of BPL and Antyodaya Beneficiaries, (b) entitlement of essential commodities, (c) scale of issue, (d) retail issue prices, (e) timings of opening and closing of the fair price shop, (f) stock of essential commodities received during the week, and (g) opening and closing stock of essential commodities.
5. The licensee shall not store or sale any commodity outside the selected public distribution commodities and such other items of daily use as allotted to him by the authority.
6. The licensee shall observe the specified hours of opening and closure of fair price shops throughout the week except 2nd half of Sunday & Monday.
7. The licensee shall display samples of foodgrains and other public distribution commodities in small pots / polythene bags for inspection by the card holders.
8. The licensee shall submit weekly return of his stocks, receipts and deliveries in prescribed proforma and a monthly list of registered card holders to the authority.
9. The licensee shall abide by any instruction as may be given to him by an authority not below the rank of Sub-Inspector under the Food and Supplies Department.
10. The licensee shall not contravene the provisions of any law relating to essential commodities for the time being in force.
11. The licence will cease to be valid in the event of death or resignation of the licensee or re-constitution / dissolution of a firm formed by a group of people or dissolution of a Co-operative Society / Self Help Group.
12. The licence, unless an application for renewal of the licence is made within the period of validity, will stand revoked after the expiry of the period of validity and in that case the licence may be renewed by the licensing authority on realization of requisite fine within a further period of one month if he thinks that the reason for non-renewal of the licence was beyond the control of the licensee.
13. The licence shall be valid up to .....

Place :

Date :

( Seal)

Signature and designation of the licensing authority

## GOVERNMENT OF WEST BENGAL

## FORM F

Form of Application for Renewal of Licence for Dealership  
[ Vide paragraph 21(ii) of the W.B.P.D.S. (M.& C.) Order, 2013 ]

Self  
Attested  
Photograph

1. (a) Licence No. :
- (b) Date of expiry of the Licence :
2. Name of applicant (in block letters) :
3. Father's Name :
4. (a) Full residential address of the applicant :
- (b) Permanent address of the applicant :
- (c) Telephone No. / Mobile No. :
5. Location of the shop-cum Godown which the  
Applicant/s is/are in lawful possession :
6. Particulars of the shop-cum-godown  
with plot No., Khatian No., name of  
mauza, holding No., boundary, etc. :
7. Measurement of the godown with length,  
breadth and height :
8. Whether any change in the construction of the godown  
has been made during the last one year :
9. Whether any court case /Departmental Proceedings  
/ Criminal Case / Case under E.C. Act, 1955 is  
pending against the applicant (if, details thereof) :
10. Whether the applicant has, during last one year, filed any  
Case against the Government, if so, details. :
11. Whether the applicant is in possession of any other  
Government licence / agency :
12. Details of Licence Renewal Fee:-
- (a) Amount :
- (b) T.R. Challan No. with date :
- (c) Name of the Treasury / Bank & Branch :

.....  
Signature of the Applicant

**DECLARATION**

I/We do hereby declare that the above information is true to the best of my/our knowledge and belief. I/We further declare that I/we shall abide by the provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 as well as the conditions of licence in Form B.

Dated, the .....

Place .....

.....  
Signature of Applicant



**GOVERNMENT OF WEST BENGAL  
FORM G**

**Form of Application for Distributorship**

[ Vide paragraph 26(iii) & 26(vi) of the W.B.P.D.S.(M&C) Order, 2013]

Self  
Attested  
Photograph

1. Advertisement/ Notification No. with Date :
2. Place of vacancy :
3. Name of the Applicant (in block letters) :
4. Father's name (in case of individuals) :
5. (a) Full residential address of the applicant :
- (b) Permanent address of the applicant :
- (c) Telephone No./Mobile No. :
6. Whether the applicant is a Self Help Group/  
Co-op. Society/ Semi-govt. Body :
7. Applicant's Date of Birth :
8. Educational Qualification :
9. Caste Certificate, if applicable :
10. Location of the proposed godown :
11. Particulars of the godown- with Plot No., Khatian  
No., Name of Mouza, Holding No., Road/Lane,  
Boundary etc (copy of the sanctioned plan to be  
attached). :
12. Size/Measurement of the godown with Length,  
Breadth, Height and Area in Sq.ft. Length of the  
frontage on the street/lane mentioned at serial no.11.  
Nature of possession, Viz. Rental or Ownership :
13. Storage Capacity of the godown in Qtls/MT. :
14. Whether the godown is pucca or kuchha :
15. Character of the land on which the godown is situated. :
16. i) Amount of money which can be invested in the  
business of dealership / distributorship as capital. :
- ii) Name of the Bank and its branch in which  
account is maintained :
- iii) Credit Balance as on the date of application :
- iv) Number of own/hired vehicles/boats that the  
applicant(s) intend to use and an undertaking to  
implement the unique colour identification and  
GPS installation as directed by the department  
from time to time (**in Annexure - I**) :
- v) Number of hired persons to run the business :
17. Whether the applicant was, at any time convicted  
by any criminal court, if so particulars [Affidavit  
sworn in a 1st Class Magistrate Court thereof  
(**in Annexure-II**) :

18. Prior experience of business (if any) :
19. Present profession :
20. Does any members of the applicant's family possess :  
FPS or Distributor licence on PDS.  
If so give details.
21. Whether the applicant(s) is involved in any litigation :  
with any offices under this department or directorate  
including the office of District Controller & Sub-  
Divisional Controller, Food & Supplies. If so give  
Details. :
22. Details of application fee :-
- a) Amount :
- b) T.R. Challan No. with Date :
- c) Name of the Treasury / Bank & Branch :
23. **An applicant for distributorship must note that he/she shall have to abide by the following terms & conditions in case he/she is offered a license.**

- N.B. : 1. The standard of godown offered by the applicant(s) shall be in keeping with the norms stipulated by Central Warehousing Corporation. A registration and certification from the Warehousing Development & Regulatory Authority will need to be furnished within 2 months from the date of offer. There has to be adequate space for loading and unloading to be indicated by way of a layout map. The colouring of storage godown shall also be undertaken as per the specification given by the Department.
2. The computerized infrastructure will be placed at the godown for integrated management of entry and exit of foodgrains having seamless on-line connectivity as stipulated by the Department, within a month of the offer.
3. Computerized recording through CCTV and Cameras shall be installed within a month of the offer.
4. Infrastructural arrangements and placement of quality control equipments such as moisture meter, tray, balance etc. shall have to be made at the godown as stipulated in the offer letter, within one month.
5. Land Conversion Certificate shall be submitted. In case of hired godown, the Record of Rights, a registered rent/lease agreement for at least a period of 10 years shall be submitted.
6. An office shall be set up attached to the godown, by the distributor, and both shall be open for inspection by the Department officials at any point of time.
7. Vehicles used for transportation of foodgrains shall have to be brought under unique colour identification and GPS installation.

.....  
Signature of the Applicant

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**DECLARATION**

I/We do hereby declare that the above information is true to the best of my/our knowledge and belief. I/We further declare that I/We shall abide by the provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 as well as the condition of licence as may be granted to me/us. I/We agree to submit requisite security deposit and Licence Fee.

Dated, the .....

Place .....

.....  
Signature of the Applicant

**Annex - I**  
**to form 'G' of the**  
**W.B.P.D.S(M & C) Order 2013**

**Affidavit**

I, Sri..... S/o Sri/Late.....  
 aged about..... years, by religion..... by occupation .....,  
 residing at .....

do hereby solemnly affirm & declare as follow :-

1. That I am a citizen of India
2. That I intend to do a business as Distributor under the Food & Supplies Department.
3. That I have read the terms & conditions narrated in Form A i.e. the application form as advertised vide notification dated ..... and have understood it.
4. That I intend to use & undertake to implement the unique colour coding identification & GPS installation on moving vehicle(s)/boat(s) used for transportation of PDS foodgrains as directed by the Food & Supplies Department from time to time.

Place

Deponent

Date

Identified by me

Advocate

**Annex - II**  
**to form 'G' of the**  
**W.B.P.D.S(M & C) Order 2013**

**Affidavit**

I, Sri....., S/o Sri/Late.....,  
aged about..... years, by religion....., by occupation .....,  
residing at ....., District ....., State .....

do hereby solemnly affirm & declare as follow :-

1. That I am a citizen of India.
2. That I have not been convicted by any Court of India for any offence and sentenced in respect thereof imprisonment, at any time prior to the date of application.
3. That no criminal proceedings in respect of an offence alleged to have been committed by me and pending before any Court of India.
4. That no warrant or summons for appearance, warrant of arrest has been issued against me by any Court under any law for the time being in force.

That the statements made in above paragraphs are true to the best of my knowledge and belief.

Place

Deponent

Date

Identified by me

Advocate

**GOVERNMENT OF WEST BENGAL**  
**FORM - H**  
**(Offer letter for running Distributorship)**  
[vide Section 26 of PDS (M & C) order, 2013]

To  
Shri /Smt.

**Sub:- Offer Letter for Distributorship**

Sir,

With reference to your application dated .....in response to the Food & Supplies Department Notification No. .... Dated..... for functioning as a distributor at .....(location) it is hereby informed that you are being offered to act as a Distributor as per terms & conditions stipulated in the West Bengal P.D.S(Maintenance & Control) Order 2013.

You are, therefore, directed to furnish the following documents to proceed further in the matter of issue of provisional licence as per clause 27(i) of West Bengal PDS Maintenance & Control Order, 2013. The following documents should be submitted within 10(ten) days from the date of receipt of this letter, failing which this offer shall be treated as cancelled.

4. Recent Passport size colour photographs in triplicate.
5. Security deposit of Rs. 1,00,000/- in T.R. Form N. 7 under the Head 1456 Civil Supplies, 800 other receipts, 01 Civil supplies, 27 other receipts.
6. Licensing fee of Rs. 60,000/- in TR Form No. 7 under the Head 1456 Civil Supplies, 800 other receipts, 01 Civil supplies, 27 other receipts.

Yours faithfully,

**District Controller, Food & Supplies**

**GOVERNMENT OF WEST BENGAL  
FORM - I**

**Licence to a Distributor under the West Bengal Public Distribution System (Maintenance & Control) Order, 2013**

[ Vide Paragraph 27 (i) ]

Licence No. ....

1. Subject to the provision of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 and to the terms and conditions of the licence -

Shri / Smt. ....

son / wife / daughter of .....

Or

\*Messrs. ....

( \*in case of Co-operative Society / Self Help Group / company / partnership firm etc.)

of .....

( full address of the applicant )

Having lawful possession of the godown space at .....

is / are hereby authorized to act as Distributor under the Public Distribution System (Maintenance and Control), 2013.

2. The licensee shall arrange for lifting of the allotted stocks from designated storage place within two days from the date of allocation and shall ensure door-step delivery of those commodities to the Dealers tagged with him.
3. The licensee shall not store or sale any commodity outside the selected public distribution commodities and such other items of daily use as may be allotted to him by the authority.
4. The licensee shall issue a cash memo against every sale of the commodities to the Dealers.
5. The licensee shall arrange for display of a stock board and a rate board at a conspicuous place.
6. The licensee shall maintain books of accounts comprising of stock registers, daily sale registers, indent registers and such other registers as may be prescribed by the Licensing authority and shall produce the same for inspection or verification to any authority authorized by the S.C. F&S / D.C. F&S or State Government.
7. The licensee shall ensure the storage of foodgrains in a hygienic way and shall take adequate quality control measures including rodent control measures.
8. The licensee shall submit weekly / fortnightly return of his stocks, receipts and deliveries in prescribed proforma to the authority.
9. The licensee shall abide by any instruction as may be given to him by an authority not below the rank of Sub-Inspector under the Food and Supplies Department.
10. The licensee shall not contravene the provisions of any law relating to essential commodities for the time being in force.
11. The licence will cease to be valid in the event of death or resignation of the licensee or re-constitution / dissolution of a firm formed by a group of people or dissolution of a Co-operative Society / Self Help Group.
12. The licence, unless an application for renewal of the licence is made within the period of validity, will stand revoked after the expiry of the period of validity and in that case the licence may be renewed by the licensing authority on realization of requisite fine within a further period of one month if he thinks that the reason for non-renewal of the licence was beyond the control of the licensee.
13. Computerized infrastructure to be set up at the godown for integrated management of entry & exit of foodgrains having seamless on line-connectivity.
14. The licence shall be valid up to .....

Place :

Date :

( Seal )

Signature and designation of the licensing authority.

## GOVERNMENT OF WEST BENGAL

## FORM J

## Form of Application for Renewal of Licence for Distributorship

[ Vide paragraph 27(ii) of the W.B.P.D.S. (M.&amp; C.) Order, 2013 ]

Self Attested Photograph
--------------------------------

1. (a) Licence No. :
- (b) Date of expiry of the Licence :
2. Name of applicant (in block letters) :
3. Father's Name :
4. (a) Full residential address of the applicant :
- (b) Permanent address of the applicant :
- (c) Telephone No. / Mobile No. :
5. Location of the Godown which the Applicant/s is/are in lawful possession :
6. Particulars of the Godown with plot No. Khatian No., name of mauza, holding No., boundary, etc. :
7. Measurement of the godown with length, breadth and height :
8. Whether any change in the construction of the godown has been made during the last one year :
9. Whether any court case /Departmental Proceedings / Criminal Case / Case under E.C. Act, 1955 is pending against the applicant (if, details thereof) :
10. Whether any show-cause notice has been issued by the Competent authority during last one year, if so details :
11. Whether the applicant has, during last one year, filed any case against the Govt., if so details. :
12. Whether the applicant has got his own vehicle for carrying Foodgrains under PDS, if yes, how many ? :
- (a) Give the number of the vehicles :
- (b) Whether it/these has/have been brought under the Unique color indentification & GPS installation :
13. Whether the applicant is in possession of any other Govt. licence /Agency. :
14. Details of Licence Renewal Fee:-
- (a) Amount :
- (b) T.R. Challan No. with date :
- (c) Name of the Treasury / Bank & Branch :

.....  
Signature of the Applicant

**DECLARATION**

I/We do hereby declare that the above information is true to the best of my/our knowledge and belief. I/We further declare that I/we shall abide by the provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 as well as the conditions of licence in Form C.

Dated, the .....

Place .....

.....  
Signature of Applicant



## GOVERNMENT OF WEST BENGAL

## FORM - K

## Form of Application for conversion of wheat into atta

[vide paragraph 37 of W.B.P.D.S(M&amp;C), Order, 2013]

Self  
Attested  
Photograph

1. Advertisement/Notification No. with date :
  2. Place of vacancy :
  3. Name of the Applicant (in block letters) :
  4. Father's Name :
  5. (a) Full residential address of the applicant :  
(b) Permanent address of the applicant :  
(c) Telephone No./Mobile No. :
  6. Applicant's date of Birth :
  7. Educational Qualification :
  8. Location of the Flour Mill :
  9. Particulars of the flour mills-with Plot No., Khatian No, Name of Mouza, Holding No., Road/Lane etc. (copy of the sanctioned plan to be attached) :
  10. Size/Measurement of the Flour Mill with milling Capacity :
  11. Whether it is Flour Mill or Chakki Mill :
  12. For how many months the mill has been running (electric bill for last 6 months to be attached) :
  13. Whether there are cleaning machine, dozing machine and automatic online/automatic packaging machine capable of packaging 750 gms. of atta in properly labelled polypacks having thickness above 40 micron. If so, details :
  14. Does the applicant has other Flour Mills If so details :
  15. What are the equipments available for maintaining Quality Control :
  16. Whether the applicant was at any time convicted by any criminal case if so particulars thereon [An affidavit in the prescribed proforma Annexure - I of Form-'D' to be furnished:
  17. Details of applicant fee
    - (a) Amount :
    - (b) T.R. Chalan & Date :
    - (c) Name of Treasury/Bank/Branch :
- N.B.**
1. The mill should be capable of giving atta at an out-trun ratio not less than 95% allowing refraction of 1% of cleaning and 4% for debranning to the maximum. Packaged product should conform to the specification laid down under Food Safety and Standards Act, 2006. (as amended)
  2. Selected Flour Mills/Chakki Mill will have to install dozing machine of their own cost for premixing of the Micro Nutrients to be added in whole meal atta according to the following specifications:
- |            |                      |
|------------|----------------------|
| Vitamin A  | 3.3 Microns per M.T. |
| Folic Acid | 1.5 gms per M.T.     |
| Iron       | 60 gms per M.T.      |
3. Selected Flour Mills/Chakki Mills will enter into an agreement with the DCF&S according to the proforma laid down by the Government.

4. The Flour Mills/Chakki Mills will deliver the packets to the distributors as nominated by the DCF&S for distribution to the consumers.
5. Unlifted fortified atta of the flour mill in a particular month will never be disposed of in the open market but forwarded to the next months and will be adjusted in the following months allotment.
6. Selected Flour Mills/Chakki Mills shall maintain stock of wheat received for crushing and the ingredients used for fortification as well as packaged fortified atta separately to facilitate inspection and quality checking from time to time.
7. The selected Flour Mills/Chakki Mills should clearly indicate the batch no, date of packing and "best use before .....(date)" on the packet of atta.
8. The Mills should also submit valid bank guarantee as prescribed in the agreement in order to cover the difference in the market price and of the issue price of the allotted quantum of wheat.
9. The standard of godown offered by the applicant(s) shall be in keeping with the norms stipulated by Central Warehousing Corporation. A registration and certification from the Warehousing Development & Regulatory Authority will need to be furnished within 2 months from the date of offer. There has to be adequate space for loading and unloading to be indicated by way of a layout map. The colouring of storage godown shall also be undertaken as per the specification given by the Department.
10. The computerized infrastructure will be placed at the godown for integrated management of entry and exit of foodgrains having seamless on-line connectivity as stipulated by the Department, within a month of the offer.
11. Computerized recording through CCTV and Cameras shall be installed within a month of the offer.
12. Infrastructural arrangements and placement of quality control equipments such as moisture meter, tray, balance etc. shall have to be made at the godown as stipulated in the offer letter, within one month.
13. Land Conversion Certificate shall be submitted. In case of hired godown, the Record of Rights, a registered rent/ lease agreement for at least a period of 10 years shall be submitted.
14. An office shall be set up attached to the godown, by the miller/atta chakki owner, and both shall be open for inspection by the Department officials at any reasonable point of time.
15. Vehicles used for transportation of Public Distribution Commodities shall have to be brought under unique colour identification and GPS installation [declaration in the Form of an affidavit in Annexure-II]

[ Name and Signature ]

Annex - I  
to form 'K' of the  
W.B.P.D.S(M & C) Order 2013

**Affidavit**

I, Sri \_\_\_\_\_, S/O Sri/ Late \_\_\_\_\_,  
aged about \_\_\_\_\_ years, by religion - \_\_\_\_\_, by occupation - \_\_\_\_\_,  
residing at \_\_\_\_\_, District \_\_\_\_\_, State \_\_\_\_\_  
do hereby solemnly affirm and declare as follows: -

1. That I am a citizen of India.
2. That I have not been convicted by any Court of India for any offence and sentenced in respect thereof imprisonment, at any time prior to the date of application.
3. That no criminal proceedings in respect of an offence alleged to have been committed by me and pending before any Court of India.
4. That no warrant or summons for appearance, warrant of arrest has been issued against me by any Court under any law for the time being in force.

That the statements made in above paragraphs are true to the best of my knowledge and belief.

Place

Deponent

Date

Identified by me

(Advocate )

**Annex - II**  
**to form 'K' of the**  
**W.B.P.D.S(M & C) Order 2013**

**Affidavit**

I, Sri..... S/o Sri/Late.....  
 aged about..... years, by religion..... by occupation .....,  
 residing at .....,  
 do hereby solemnly affirm & declare as follow :-

1. That I am a citizen of India
2. That I intend to Participate in the work of conversion of wheat into atta (wheat flour) under the Food & Supplies Department.
3. That I have read the terms & conditions narrated in Form K, i.e. the application form as advertised vide notification dated ..... and have understood it.
4. That I intend to use & undertake to implement the unique colour coding identification & GPS installation on moving vehicle(s)/boat(s) used for transportation of PDS foodgrains as directed by the Food & Supplies Department from time to time.

Place

Deponent

Date

Identified by me

(Advocate )

**Schedule - A**

The following amounts are payable by the Dealers/F.P.S owners as per provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013:

Sl. No.	Category/Item	Paragraph	Amount	Remarks
1.	Application Fee	20(iii),(vi)	Rs. 1000/-	
2.	Licence Fee	20(v),20(vi),21(i)	Rs. 10000/-	
3.	Renewal Fee Late fine	21(ii) 21(iii)	Rs. 1000/- Rs. 5000/-	
4.	Security Deposit	20(vi),21(iv) 20(v)	Rs. 25000/-	
5.	Duplicate licence fee	21(v)	Rs. 2000/-	
6.	Penalty/fine	24(ii)		Three times the value arising out of the difference between the market price and the price of purchase by the dealer, subject to a minimum of Rs. 15000/-, in case of any discrepancy in stock of public distribution commodity. For irregularities of any other nature a minimum penalty of Rs. 15000/-

**Schedule - B**

The following amounts are payable by the Distributor as per provisions of the West Bengal Public Distribution System (Maintenance & Control) Order, 2013:

Sl. No.	Category/Item	Paragraph	Amount	Remarks
1.	Application Fee	26(iii) & (vi)	Rs. 5000/-	
2.	Licence Fee	26(v),(vi) & 27(i)	Rs. 60000/-	
3.	Renewal Fee Late fine	27(ii) & 27(iii)	Rs. 5000/- Rs. 25000/-	
4.	Security Deposit	26(v), 26(vi) & 27(iv)	Rs. 1,00,000/-	
5.	Duplicate licence fee	27(v)	Rs. 15,000/-	
6.	Penalty/fine	31(c)		Three times the value arising out of the difference between the market price and the price of purchase by the Distributor, subject to a minimum of Rs. 1,00,000/-, in case of any discrepancy in stock of public distribution commodity.  In case of irregularities of any other nature, a minimum penalty of Rs. 1,00,000/-