



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ಜೂನ್ 13, 2016 (ಜ್ಯೇಷ್ಠ 23, ಶಕ ವರ್ಷ 1938)	ನಂ. 818
Part-IVA	Bengaluru, Monday, June 13, 2016 (Jyeshtha 23, Shaka Varsha 1938)	No. 818

## FOOD, CIVIL SUPPLIES CONSUMER AFFAIRS AND LEGAL METROLOGY SECRETARIAT NOTIFICATION

No. FCS 17 RPR 2011(1), Bengaluru, Dated: 10.06.2016

Whereas, the draft of the Karnataka Essential Commodities Public Distribution System (Control) Order 2016 was published as required by sub-section (5) of section 24 under Chapter 9 i.e. Obligations of the State Government for Food Security under National Food Security Act 2013, in Notification No. FCS 17 RPR 2011, Bengaluru, Dated: 07.05.2016 in part IVA of Extraordinary Karnataka Gazette Dated 07.05.2016 inviting objections and suggestions from persons likely to be affected thereby within 15 days from the date of publication of draft in the Official Gazette.

Whereas, the said Gazette was made available to the public on 07.05.2016.

And whereas objections and suggestions received from the public have been examined and suitable changes made in the draft and wherever these are accepted suitable changes are incorporated.

Now, therefore, in exercise of the powers conferred by sub-section (5) of section 24 of National Food Security Act 2013, the Government of Karnataka makes the following rules namely:

### RULES

**1 Title, extent and commencement:** (1) This order may be called the Karnataka Essential Commodities Public Distribution System (Control) Order 2016.

(2) It extends to the whole of the State of Karnataka.

(3) It shall come into force from the date of their publication in the Official Gazette.

**2 Definitions** - In this order, unless the context otherwise requires:-

(a) 'Act' means, the Essential Commodities Act, 1955 (Central Act 10 of 1955)

(b) 'Appellate Authority' means, any Officer or Officers appointed by the State Government to exercise the powers of the appellate authority under this order regarding appeal or revision or both.

(c) 'Authorized Dealer' means a person, a firm, a Corporation, an association of persons or a Co-Operative Society or any other institutions authorized as an agent by the Government or by an authority authorized by the Government in that behalf to be a wholesale dealer engaged in the purchase of essential commodities and sale of these essential commodities to the fair price depots for distribution to ration card holders or to be a Fair Price Depot.

(d) 'Authorized Agency' means any agency selected through due process to be transporter engaged in the transportation of PDS commodities.

(e) 'Authorized Authority' means the Deputy Commissioner of the District concerned in the rural, urban and the informal rationing areas in the district concerned (except Bangalore informal

Rationing Area) and the Additional Director (PD) for the area comprised in “Bangalore Informal Rationing Area”.

- (f) ‘Authorization’ means an authorization issued under clause 3 of this order.
- (g) ‘Fair Price Depot’ means a depot, which is authorized to distribute the essential commodities under the public distribution system to the ration cardholders.
- (h) ‘Deputy Commissioner’ means a Deputy Commissioner of the Revenue District concerned.
- (i) ‘Commissioner’ means Commissioner of Food Civil Supplies and Consumer Affairs Department in the State of Karnataka.
- (j) ‘Additional Director (PD)’ means Additional Director (PD) of Food Civil Supplies and Consumer Affairs Department.
- (k) ‘Essential commodities’ means essential commodities as defined under the Essential Commodities Act 1955, and meant for Public Distribution System by the State or Central Government or any other authority authorized in that behalf by such Government .
- (l) ‘Form’ means a form appended to this order.
- (m) ‘Public Distribution System’ means a scheme of distribution system through which the State Government distributes the essential commodities specified in the schedule appended to this order to the ration cardholders through the fair price depots at a fair price fixed by the Government.
- (n) ‘Government’ means the Government of Karnataka.
- (o) ‘Ration Card’ means a document issued to a person by a competent authority to enable such person to obtain from an authorized dealer the essential commodities to the extent specified therein and includes permit issued by the competent authority for any of such commodities.
- (p) ‘Designated authority’ means any officer not below the rank of Food, Civil Supplies and Consumer Affairs Inspector in the state government.
- (q) “Antyodaya Anna Yojna” means the scheme by the said name launched by Central government on the 25<sup>th</sup> day of December 2000; and as modified from time to time.
- (r) the words and expressions not defined here but defined in the Essential Commodities Act, 1955, or the National Food Security Act 2013, or any other relevant Act shall have the meaning respectively assigned to them under those Acts.

**3. Issue of authorization:** (1) ‘The Authorized Authority may issue authorization to any person to be an Authorized Dealer/Agency to obtain and supply essential commodities issued under the Public Distribution System in respect of the areas specified therein’.

(2) No person other than the authorized dealer shall deal in any essential commodity supplied by the Government meant for distribution under Public Distribution System except and in accordance with the terms and conditions specified in the authorization issued in this behalf by the authorized authority ;

Provided that who at the commencement of this Order has entered into an agreement to run a wholesale depot/fair price depot shall carry on business as such wholesale depot/fair price depot without the need for obtaining an authorization freshly under this Order, till the validity of his authorization.

(3) No person or Authorized Agency shall carry on the business of Transportation of PDS commodities without obtaining Authorization issued in this behalf from the Authorized Authority.

Provided that a person Authorized for transportation of PDS commodities on the date of commencement of these orders issued under repealed order may continue to do so, till the expiry of 90 days from date of commencement of these orders, by which time he has to apply for issue of authorization under these orders.

(4) Authorized Authority shall not issue authorization for Transportation of PDS Commodities to any person other than Authorized Agency subject to such terms and conditions specified in this order.

**4 Application for authorization:** (1) The authorized authority shall call for applications by publication of a notice after giving a minimum of thirty days time and publishing the same on the notice board of his office and at the office of the Tahsildar of the Taluk, office of the Taluk Panchayat Samithi, office of the Mandal Panchayat concerned, Town Municipal Council, Municipal Corporation, Range Offices of the Food and Civil Supplies Department concerned, as the case may be.

(2) Every application for an authorization or renewal thereof, shall be made to the authorized authority in Form -‘A’.

(3) Every authorization issued or renewed under this order shall be in Form – 'B' and shall be subject to the conditions specified therein.

Provided that the authorization to Authorized Agency shall be issued for transportation of PDS commodities who are selected through a process specified by the Commissioner.

(4) Every application for Authorization of Authorized Agency shall be made to the Authorized Authority in Form A1 and every Authorization issued or renewed in respect of Authorized Agency shall be in Form A2.

**5 Conditions for Eligibility** – (1) To be eligible for grant of authorization under clause 3, an institution or person should satisfy the following conditions:

(a) should not have been convicted for an offence under the Essential Commodities Act, 1955 nor should a wholesale dealers license or retail dealers license issued to him under any order made under the Essential Commodities Act, 1955 or an authorization issued to him to run a fair price depot have been cancelled;

(b) should be in possession of suitable business premises, with sufficient space to store two months stock of the essential commodities, and should have separate space for storing food grains & kerosene.

(c) should have sufficient funds in a bank account to purchase two month's stocks requirements .

(2) No Authorized Agency shall be eligible for Authorization unless he is capable of Transporting PDS commodities in the vehicles under his disposal well within the time limit imposed in the Authorization or Transit Permits issued to him.

**6 Order of Priority for Grant of authorization:** (1) subject to the provisions of Clause 5, the authorized authority shall follow the following order of priority for granting authorization.

(a) Authorized Wholesale Dealer :-

(i) State Government owned Corporation/Undertakings or Companies

(b) Fair Price Shops :-

(i) State Government owned Corporation/Undertakings or Companies or Gram Panchayats/Urban Local bodies

(ii) (a) PACS (Primary Agricultural Cooperative Society);

(b) The Horticultural Producers Cooperative Marketing and Processing Society Limited (HOPCOMS);

(c) Milk Producers Co-operative Societies sponsored by KMF;

(d) TAPCMS (Taluk Agricultural Primary Agricultural Co-operative Marketing Society or VSSN society;

(iii) Stree Shakthi Groups, located in same village or locality where the fair price shop is to be allotted, recognized by the Women and Child Development Department, Government of Karnataka and which have been in existence for not less than 3 years maintaining a minimum bank balance of Rs.1 lakh continuously for last 1 year as on the date of application as well as satisfying any other additional conditions specified by Commissioner from time to time. Provided that the qualifications for a Self Help Group can be relaxed by the Authorized Authority for special areas as defined in proviso to clause 11 (2) of the Order. Provided that if there are more than one eligible self help groups satisfying the required conditions, then the allotment of fair price shop shall be done through a draw of lots.

(c) "Authorized Agency" in respect of Authorized Agency for Transportation of PDS commodities,-

The priority shall be as follows:-

(i) State Government owned Corporation/Undertakings or Companies;

(ii) Registered Private transporters

**Note:**

(i) Co-operative Society means a Co-operative Society registered under the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959).

(ii) Only such Co-operative Society or Society or Association which is financially sound (as verified from the audited accounts of the last three years) and has been functioning at least for three years prior to the date of consideration of the application shall be eligible to be considered.

2. The authorized authority shall replace the existing dealer if its authorization is cancelled for any reason by granting an authorization to another institution in the order of priority specified under sub-clause (1).

**7. Period of authorization and Fees Chargeable:** 1) Every authorization issued under this order, shall be valid for a period of three years from the date of issue and may be renewed for a further period of three years at a time, if the authorized authority is satisfied that the applicant has not committed any offence or irregularity in the distribution of essential commodities during the previous 3 years.

Provided that Authorization issued in respect of Authorized Agency for Transportation of PDS commodity shall be valid for such period less than three years as agreed upon the terms of Authorization.

Provided that nothing at clause (6) shall be applicable to renewals under this section.

2) The fees specified below shall be chargeable, in respect of each authorization, namely:

a) For issue of authorization:

i) Wholesale Dealer - 2000-00

ii) Fair Price Depot - 500-00

iii) Authorized Agency - 5000-00

b) For renewal of authorization applied for before the expiry of the period of authorization:

i) Wholesale Dealer- 1000-00

ii) Fair Price Depot- 250-00

c) For renewal of authorization applied after the expiry of the period of authorization, (but before thirty days after the expiry of said period).

i) Wholesale Dealer- 2000-00

ii) Fair Price Depot- 500-00

d) For issue of duplicate authorization:

i) Wholesale Dealer- 100-00

ii) Fair Price Depot - 50-00

iii) Authorized Agency - 200-00

**8. Replacement of Defaced, Lost or Destroyed authorization:** If the authorization issued under this order is defaced, lost or destroyed an application furnishing true and correct information in such form as may be specified by the Authorized Authority, may be made to it for issue of a duplicate authorization after paying the fees specified in sub-clause (2) of Clause 7 and the Authorized Authority may after making such enquiry as it deems fit, issue a duplicate authorization.

**9. Deposit of Security:** (1) For the due performance of the conditions and subject to which the authorization is granted, every authorized dealer and every fair price depot applying for an authorization shall before the authorization is issued to him, deposit with the Authorizing Authority, a security of the value of-

(i) Fifty Thousand Rupees for authorized wholesale dealer;

(ii) Ten Thousand Rupees for authorized Fair Price Depot;

(iii) Security Deposit prescribed in the terms of transportation agreement signed at the stage of selection for the authorized agency;

Provided that the existing authorized dealers shall be given a period of 90 days from the date of notification of these Orders for remittance of the required security deposit.

(2) The amount of security to be deposited may be in the form of National Savings Certificates or Post Office Savings or Bank Deposit.

(3) Nothing in sub-clause (2) shall apply to the Karnataka Food and Civil Supplies Corporation or Karnataka State Warehousing Corporation or Gram Panchayats /Urban Local Bodies.

**10. Power to Refuse authorization:** (1) The Authorized Authority may, after giving the person affected an opportunity of being heard and for reasons to be recorded by him in writing, refuse to grant or renew an authorization

(2) The Authorized Authority shall refuse to grant or renew an authorization, if-

(a) The applicant is a minor or a lunatic or is unsound mind: or

(b) the applicant is an undischarged insolvent : or

(c) the applicant is not eligible under clause 5 of this Order.

(3) The Authorized Authority shall also refuse to grant or renew authorization, if-

(a) an applicant has already been deprived of authorization due to cancellation of the same on a previous occasion ;

(b) an applicant has applied for both wholesale and retail authorization except in respect of Co-operative Societies.

**11. Assignment of Ration Card:** (1) After sanctioning an authorization to run a fair price depot, the Authorized Authority shall assign to the fair price depot a certain number of ration cards belonging to persons residing near the fair price depot.

(2) The number of ration cards assigned to a fair price depot under sub-clause (1) shall not be less than 500 for a fair price depot in a rural area and not less than 800 for a fair price depot in an urban area:

Provided that the Authorized Authority may, for reasons to be recorded in writing, relax the limit upto 100 cards for a fair price depot in a rural area if the fair price depot is to serve the needs of an isolated settlement or layout where the number of ration cards is below the limit prescribed viz., special areas like tribal hadis/tandas/gollarahatti etc.

(3) The Authorized Authority may, if he considers it necessary, transfer ration cards from one fair price shop to another:-

(a) on the request of ration cardholders.

(b) as a result of reorganization of the jurisdictional area of the shop with permission of commissioner as a part of well defined parameters.

(c) if the number of ration cards in a shop, fall below 75% of the number specified under Clause 11(2), thereby making the shop as economically unviable.

**12. Contravention of Conditions of Authorization:** (1) No authorized dealer or agency under this order or his agent or servant or any other person acting on his behalf, shall contravene any of the terms of conditions of the authorization or the provisions of this order and if any such dealer or agency or his agent or servant or any other person acting on his behalf contravenes any of the said terms of conditions or provisions, then without prejudice to any other action that may be taken against him, his authorization may be cancelled by order in writing by the Authorized Authority in respect of one or more of the essential commodities covered by that authorization :

Provided that no order shall be made under this clause unless the authorized dealer or agency has been given a reasonable opportunity of being heard.

(2) If the Authorized Authority is satisfied that *prima facie* the conditions of the authorization or the provisions of this order are contravened, he may, notwithstanding anything in sub-clause (1), suspend the authorization pending enquiry for cancellation of authorization.

“Provided that the enquiry shall be completed within 90 days from the date of suspension of the shop and that in case of cancellation of the authorization of the Fair Price Shop, new authorization shall be issued within 60 days of cancellation”.

**13. Prohibition of Transfer of Authorization:** No authorized dealer shall assign or transfer his authorization to any other person by and no person shall carry on business as a transferee or otherwise on behalf of any such authorized dealer.

“Provided that the authorized authority may order for such transfer in the event of the death of the authorized dealer before 60 yrs of age, to the spouse or son or unmarried daughter, in case he or she is above 18yrs and less than 30yrs (or 40 yrs for unmarried daughters) of age having passed 10<sup>th</sup> standard and has applied for transfer within 90 days of the death of the authorized dealer, with the prior approval of the Commissioner for a maximum period of 3 years viz., the period of validity of a fresh authorization”.

**14. Maintenance of Accounts, Display of Prices and Stocks, Issue of Cash Memo or Invoice, withhold of Stocks from Sale, etc :** The provision of the Karnataka Essential Commodities (Maintenance of Accounts, Display of Prices and Stocks) Order, 1981 shall mutatis mutandis apply to every authorized dealer under this order. Provided that the commissioner may notify maintenance of all or part of such accounts electronically.

**15. Forfeiture of Security Deposit :** (1) Without prejudice to the provisions of Clause 10, if the Authorized Authority is satisfied that the authorized dealer has contravened any of the terms or conditions of the authorization or the provisions of this Order and that a forfeiture of his Security Deposit is called for, he may, after giving the authorized dealer a reasonable opportunity of being heard, by order forfeit the whole or any part of the security deposited by him and communicate a copy of the order to the authorized dealer.

(2) The authorized dealer shall, if the amount of security at any time falls short of the amount specified in Clause 8, forthwith deposit further security to make up that amount on being required by the Authorized Authority to do so.

- (3) Upon the compliance by the authorized dealer with all the obligations under the authorization, the amount of security or such part thereof, which is not forfeited as aforesaid shall be returned to the authorized dealer after the termination of authorization.

**16. Issue of Directions:** (1) The Government and the Commissioner may, in order to secure better compliance with the provisions of this order, issue directions from time to time to authorized dealers and to the Authorized or Appellate Authority.

- (2) Every authorized dealer authorized dealers or agencies and every Authority to whom any order or direction is issued by Government or the Commissioner or an authority empowered under this order shall comply with such order or direction.

**17. Appeal and Revision :** The appellate authority may, on its own motion or on an application made by an aggrieved person, filed by him within 30 days of the date of receipt of an order or decision of the authorized authority, take up for appeal or revision any enquiry or proceedings of the authorized authority exercising or failing to exercise the powers under this Order, to issue or renew an authorization or suspending or revoking suspension of an authorization or forfeiting the security of the authorized dealer, for the purpose of satisfying itself as to the legality or propriety of any decision or order passed by the authorized authority and may pass such orders thereon as it thinks fit.

Provided that the Appellate Authority may entertain an appeal or revision after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing or taking it within that period.

- (2) No such appeal or revision shall be disposed of unless the aggrieved person has been given a reasonable opportunity of being heard.
- (3) Pending the disposal of an appeal or revision the Appellate Authority may direct that the order under appeal or revision shall not take effect until the appeal or revision is disposed of.

**18. Prohibition of unauthorized sale of food grains and essential commodities issued through Public Distribution System:** (1) No person other than the authorized dealer shall purchase or sell or store or offer for sale of food grains in any quantity of any food grains or essential commodities issued to the authorized dealer for distribution under public distribution system.

- (2) No authorized dealer shall sell or offer for sale of food grains and other essential commodities at a price exceeding the price fixed by the Government.
- (3) No authorized wholesale dealer shall distribute food grains or other essential commodities issued under public distribution system to any person other than fair price depots and no fair price depot shall sell any essential commodity issued under public distribution system to any person other than a ration card holder attached to the fair price depot.

**19. Powers of Entry, Search, Seizure, etc. :** (1) The Commissioner of Food Civil Supplies and Consumer Affairs Department, the Additional Director, the Joint Directors of Food Civil Supplies and Consumer Affairs Department or the Tahsildar of a taluk, the Authorized Authority or any other officer of the Department of Food Civil Supplies and Consumer Affairs not below the rank of a Food Inspector within their jurisdiction may with such assistance, if any, as he thinks fit and if he has reason to believe that there is or has been any contravention of the provisions of this order or with a view to securing compliance with this order or to satisfying himself that there is or has been any contravention of the order or with a view to securing information which he has reason to believe would help in detection or prevention of contravention of provisions of this order or diversion of PDS commodities:

- (a) require the owner, occupier or any other person in charge of any place, premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order or of the conditions of any authorization issued there under has been, is being or is about to be committed or with a view to securing information which he has reason to believe would help in detection or prevention of contravention of provisions of this order or diversion of PDS commodities, to produce any books, accounts or other documents showing transactions relating to such contraventions :
- (b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order or of the conditions of any authorization issued there under has been, is being or is about to be committed or with a view to securing information which he has reason to believe would help in detection or prevention of contravention of provisions of this order or diversion of PDS commodities;
- (c) take or cause to be taken extracts from or copies of any documents showing transactions relating to such contraventions or with a view to securing information which he has reason to

believe would help in detection or prevention of contravention of provisions of this order or diversion of PDS commodities which are produced before him ;

- (d) search, seize and remove books, accounts and other documents and stocks of essential commodity and the animals vehicles, vessels or other conveyance used in carrying the said essential commodities in contravention of the provisions of this order, or of the conditions of the authorization issued there under or with a view to securing information which he has reason to believe would help in detection or prevention of contravention of provisions of this order or diversion of PDS commodities and thereafter take or authorize the taking of all measures necessary for securing the production of stocks, of essential commodity and the animals, vehicles, vessels or other conveyance so seized, in a Court for their safe custody pending such production.
- (2) The provisions of section 100 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) relating to search and seizure shall so far may be, apply to searches and seizures under this clause.

**20. Power to call for and Examine Records :** The Government may suo motu or on any application made to it by an aggrieved person, at any time call for and examine the record of any enquiry or proceedings of any officer exercising or failing to exercise the powers under this order to suspend or cancel any authorization issued for the purpose of satisfying itself as to the legality or the propriety of any decision or order passed by such officer and as to the regularity of the proceedings of such officer may pass such order thereon as it thinks fit. Provided that the State Government shall not pass any order under this clause which adversely affects any person unless such person has been given a reasonable opportunity of being heard.

**20A Power to relax :** The State Government shall have the powers to relax any of the provisions contained in this order in public interest.

**21. Repeal and Savings:**

The Karnataka Essential Commodities Public Distribution System (Control) Order 1992 is hereby repealed.

**Provided that such repeal shall affect:**

- (a) the previous operation of the said orders or anything duty done or suffered there under: or
- (b) any right, privilege, application or liability acquire, accrued or incurred under the said orders; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said order; or
- (d) any investigation, legal proceedings or remedy in respect of any such right, privilege, application, liability, penalty, forfeiture or punishment as aforesaid: and any such investigation, legal proceeding or remedy may be instituted continued, or enforced and any such penalty, forfeiture or punishment may be imposed as if the said orders have not been repealed.

**FORM 'A'**

**[See Clause 4(2)]**

**The Karnataka Essential Commodities (Public Distribution System)  
Control Order, 2016**

Application for an authorized wholesale dealer /fair price depot

1. Name of the applicant.
2. Address of the applicant.
3. Which category does the applicant belong:
  - To Wholesale Dealer
    - a) Karnataka Food and Civil Supplies Corporation
    - b) State Warehousing Corporation
  - To Retail Dealer
    - a) Karnataka Food and Civil Supplies Corporation
    - b) i) PACS (Primary Agricultural Cooperative Society)

- ii) The Horticultural Producers Cooperative Marketing and Processing Society Limited (HOPCOMS)
- iii) Milk Producers Cooperative Societies sponsored by KMF
- iv) TAPCMS (Taluk Agricultural Primary Cooperative Marketing Society) or VSSN Society
- v) The concerned Gram Panchayat or Urban Local Body
- c) Stree Shakti Groups recognized by Women and Child Development Department or Co-operation Department or Rural Development Department
- d) Self Help Group recognized by Women and Child Development Department or Co-operation Department or Rural Development Department

4. If applicant is a co-operative or registered society give names and addresses of President/Managing Director Secretary.
5. Address and inner dimensions
  - (a) Office
  - (b) Business premises
  - (c) Godowns
6. Is the applicant already dealing in foodgrains or other essential commodities; If so, what capacity
7. Present sources of supply of foodgrains and other essential commodities.
8. Stock of foodgrains and other essential commodities held at the time of application and where stored.
9. Other business being carried on by the applicant in the premises or godowns shown above.
10. Does the applicant hold any other authorization issued by the Food and Civil Supplies Department, Government of Karnataka in the above mentioned premises; If so, give full details.
11. Has the applicant been convicted under the essential Commodities Act; If so, give details thereof.
12. Has any wholesale dealers licence or retails dealers licence issued to the applicant under any order made under the Essential Commodities Act been being cancelled; If so, give details.
13. Has any authorization to run a fair price depot given to the applicant been cancelled; If so, give details.
14. Details of funds held by the applicant in Bank account (enclose copies of the Bank Pass Books)

I/We declare that the above particulars are correct to the best of my/our knowledge and belief and nothing has been concealed therein. I agree that if subsequently it is found that any of the particulars given above are false, the Authorised Authority may cancel or withdraw the authorization granted to me.

I/We have carefully read the provisions of the Karnataka Essential Commodities (Public Distribution System) Control Order, 2016 and shall comply with the provisions of that Order and directions issued thereunder from time to time.

Signature of the Applicant

Date:

To,

.....  
 .....



**FORM 'B'**  
**[See Clause 4(3)]**  
**The Karnataka Essential Commodities (Public Distribution System)**  
**Control Order, 2016**

Authorisation for purchase, sale, storage for sale of foodgrains and other essential commodities as Authorised Wholesale Dealer/Fair Price Depot.

Authorization No.....

Subject to the provisions of the Karnataka Essential commodities (PDS) control Order, 2016 and to the terms and conditions of this authorization, Sri/ M/s ..... is / are hereby authorized to be an authorized wholesale dealer/fair price depot at the place, premises, godowns specified below.

- (i) Business premises;
- (ii) Area allotted for distribution purposes;
- (iii) Particulars of godowns
  - a.
  - b.

**TERMS AND CONDITIONS**

**General**

- (1) No authorized dealer shall store foodgrains and other essential commodities at any place other than those specified in this authorization without prior permission in writing of the Authorised authority.
- (2) No authorized dealer shall refuse to sell foodgrains and other essential commodities during business hours on the presentation to him of a valid permit /indent/ration card to the extent of the amount of foodgrains or other essential commodities due on the permit/indent/ ration card.
- (3) No authorized dealer shall sell foodgrains at a price in excess of that fixed by the State Government shall sell any other essential commodities at a price in excess of that fixed by the Central Government or the State Government.
- (4) No authorized dealer shall sell or hold in stock for sale any commodities similar to foodgrains and other essential commodities except with the permission of State Government of the Authorised authority.
- (5) The authorized dealer shall maintain a stock register in Form 'C' showing correctly, the daily receipt and sale of the each foodgrains and other essential commodities. A daily sale register shall also be maintained in Form 'D' by the authorized wholesale dealer and in Form 'E' by the fair price depot. All books of accounts, permits, voucher etc., shall be kept at the business premises specified in the authorization and shall be made available for inspection whenever required.
- (6) Every authorized dealer shall submit a true monthly stock and sale return in Form 'F' to the authorized officer so as to reach him within five days after the close of the month to which it relates.
- (7) Every authorized dealer shall furnish correctly such information relating to this business, as may be demanded from him by the Authorised authority.
- (8) The authorized dealer shall display the opening balance and prices and the scale of issue per card per unit of each variety of foodgrains and other essential commodities at a conspicuous place at his business premises in bold letters.
- (9) Every authorized dealer shall strictly observe such business hours as may be fixed by the Authorised authority and shall punctually and regularly open his shop or place of business during such hours.

- (10) The authorized dealer shall give all facilities at all reasonable times for inspection of his stocks and accounts at any places of premises by him for sale/ storage of foodgrains and other essential commodities.
- (11) The authorized dealer shall comply with any direction or instructions that may be given to him, the State Government or Authorised authority, relating to source of supply, commission, storage movement, deposit of cost, empty gunny bags, weightment and other matters connected with the receipt, sale, storages, etc., of foodgrains and other essential commodities
- (12) The authorized dealer shall be responsible for keeping the foodgrains and other essential commodities in good condition and shall not adulterate with any other inferior quality.
- (13) The allotment of foodgrains and other essential commodities upto a certain quantity to the authorization holder against and indent will not confer any right on him to claim continuance of such allotment and of such Authorised authority will have the right to cancel or vary an allotment at his discretion without assigning any reason and the authorized dealer shall not be entitled to claim any damages or compensation from Government for such cancellation or variation of allotment.

**Special conditions for Fair Price Depot:**

- (14) The fair price depot shall sell food grains and other essential commodities supplied by the Government from time to time directly to those consumers only whose ration cards are registered at his shop in the assignment register (Form 'G') and to the persons holding special permits issued by the Authorised authority.
- (15) The fair price depot shall record on the ration card in the space provided therein the quantity of food grains and other essential commodities purchased by the ration card holder together with the date of such Purchase and also issue a cash bill in Form 'H' towards the sale of essential commodities to the Ration Card holder in each transaction.
- (16) The fair price depot shall sell the essential commodities to the ration card holders appearing in the Eligibility List provided to them as Form 'J' by the Department and obtain signature of the card holder in this list and return back the same to the concerned Food Inspector after completion of the distribution.
- (17) The fair price depot shall sell the essential commodities to the ration card holders at the rates and at the scales fixed by Government or the Commissioner of Food and Civil Supplies.
- (18) The fair price depot shall be kept open during the working hour fixed by Government or the Commissioner of Food and Civil Supplies.
- (19) No fair price depot shall keep in its possession the ration card of any person other than himself, except by way of *bone fide* collection of ration cards from persons actually present at the shop at a given time, for facility of distribution of foodgrains and other essential commodities to them at that time.
- (20) No fair price depot shall –
  - (a) Assist anyone in preparation or in obtaining any bogus or unauthorized ration card; or
  - (b) Obtain or use any bogus or unauthorized ration card; or
  - (c) Draw or receive or dispose of any foodgrains or other essential commodity by making false entries in the record;
  - (d) Sell the essential commodities to anyone other than the ration card holder attached to the fair price depot.
- (21) The fair price depot shall also maintain an Inspection Book in Form T.

Date:

Signature of the Authority with designation  
Place (Seal)

**FORM 'A 1'**  
**[See Clause 4(4)]**  
**The Karnataka Essential Commodities (Public Distribution System)**  
**Control Order, 2016**

Application for an Authorized Agency

1. Name of the Authorized Agency
2. Office Address of the Authorized Agency
3. Is the applicant already dealing in foodgrains or other essential commodities' transportation; If so, what capacity
4. Other transportation business being carried on by the applicant
5. Does the applicant hold any other authorization issued by the Food and Civil Supplies Department, Government of Karnataka in the above mentioned business, if so, give details
6. Has the applicant been convicted under the Essential Commodities Act; If so, give details thereof.
7. Has any wholesale dealers transportation licence or retails dealers transportation licence issued to the applicant under any order made under the Essential Commodities Act been being cancelled; If so, give details.

I/We declare that the above particulars are correct to the best of my/our knowledge and belief and nothing has been concealed therein. I agree that if subsequently it is found that any of the particulars given above are false, the Authorised Authority may cancel or withdraw the authorization granted to me.

I/We have carefully read the provisions of the Karnataka Essential Commodities (Public Distribution System) Control Order, 2016 and shall comply with the provisions of that Order and directions issued thereunder from time to time.

Signature of the Applicant

Date:

To,

.....  
 .....

**FORM 'A 2'**  
**[See Clause 4(4)]**  
**The Karnataka Essential Commodities (Public Distribution System)**  
**Control Order, 2016**

Authorisation for transportation of foodgrains from FCI to taluk wholesale point/ from taluk wholesale point to fair price shops

Authorization No.....

Subject to the provisions of the Karnataka Essential commodities (PDS) control Order, 2016 and to the terms and conditions of this authorization, Sri/ M/s ..... is / are hereby authorized to be an authorized agency at the office premises specified below.

- (iv) office premises;
- (v) Area allotted for distribution purposes;
- (vi) Particulars of godowns/fair price shops assigned
- (vii) 1) Name of the taluk :
  - a) From FCI wholesale point to taluk wholesale point:
  - 2) Name of the taluk :
    - a) From taluk wholesale point to fair price shop
- (vii) Particulars of vehicles :

### **The Terms and Conditions for the authorization of transporters**

- (1) No authorized agency shall transport any commodity similar to the food grains and other essential commodities except with the permission of the State Government or the authorized authority.
- (2) Every authorized agency shall furnish correctly such information relating to his business as may be demanded from him by the authorized authority.
- (3) The authorized agency shall give all the facilities at all reasonable times for inspection of the stocks and accounts.
- (4) The authorized agency shall record details of PDS commodities, date and time of delivery, depot/fair price shop of delivery, allotment month, quantity in bags and weight in quintals, balance for lifting and the time of dispatch of the PDS commodities along with details of the vehicle and the receiving depot/fair price shop.
- (5) The authorized agency shall take reasonable care to ensure that the stocks of PDS commodities of fair average quality and standard received by him from the receiving point are delivered at the delivery point without any deterioration in quality and quantity.
- (6) The authorized agency shall manage the business by himself or through his authorized employees as permitted by the authorized authority.
- (7) The authorized agency shall in no case lease out, transfer or hire, the business to any other person either implicitly or explicitly.
- (8) The authorized agency shall provide identity card to all his employees including driver, helper, manager, clerk and the other staff.
- (9) The authorized agency shall abide by all rules, regulations and instructions of Transport Department, Labour Department, Police, Municipal Authority and other Local Bodies and other relevant statutes.
- (10) The authorized agency shall paint the vehicle engaged under transportation of PDS commodities in specified colour and display information prominently in specified colour and size as per the directions of the authorized authority at his own cost.
- (11) The authorized agency shall furnish true and correct returns fortnightly or at such shorter intervals as prescribed, containing details of receipt, delivery, destination point, quantity delivered etc., to the concerned Officers.
- (12) The authorized agency shall carry transit permit issued at the receiving point of PDS commodities and give a copy of it at the delivering point. It shall be shown to the competent office at the time of inspection.
- (13) The authorized agency shall cover the shortest route for transportation but in case of travel other than the shortest route, he shall obtain prior approval in writing from the authorized authority. Whenever a route map is prescribed, the authorized agency shall travel as per that route only and in case of travel through any other route, he shall obtain prior approval in writing from the authorized authority.
- (14) The authorized agency shall submit the receipts of different check gates located in the route as proof of transportation of stock for release of his bills.
- (15) The authorized agency shall install GPS system in the vehicles used for transportation whenever directed by the authorized authority.
- (16) The authorized agency shall provide adequate dunnage at loading and unloading point and arrange for the collection of sweeping and spillage stock.
- (17) In case of violation of any of the conditions specified above the authorized authority shall be liable for penalty under section 7 of the Act.

Date:  
Place (Seal)

Signature of the Authority with designation

#### **FORM 'C'**

#### **[See Condition No.5]**

#### Stock Register

Date	Opening Balance	Receipt	Total	Issued	Closing Balance	Remarks
1	2	3	4	5	6	7



**FORM 'H'**

[See Condition 15]

Receipt

Sl.No.....

Ration Card No.....

Assignment Register No. ....

Particulars	Rate	Weight	Rs.Ps.
Rice			
Sugar			
Wheat			
Ragi, Jowar			
Palmoil			
Salt			
Kerosene			
Total			

Card holders Signature

FPD owners signature

**FORM 'I'**

[See Condition 15]

Inspection Book

Sl. No.	Date of Birth	Name and designation of Inspecting Officer	Instructions given and signature of Inspecting Officer and Signature of the retailer or person incharge of shop / establishment	Remarks
1	2	3	4	5

**FORM 'J'**

[See Condition 16]

Eligibility List

Sl. No	RC Num	HOH name	Eligible Member	Allotment/Distribution quantity (in Kgs)					Distribu tion Date	Name of the member who has come to receive the entitle- ment	Signature
				Rice	Wheat/ Ragi/ Jowar	Sugar	Palmoil	Salt			
1	2	3	4	5(a)	5(b)	5(c)	5(d)	5(e)	6	7	8

By order and in the name of Governor of Karnataka,

**Archana M.S.**Under Secretary to Government  
Food, Civil Supplies Consumer Affairs  
and Legal Metrology Department

# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ-III	ಬೆಂಗಳೂರು, ಮಂಗಳೂರು, ಜೂನ್ 06, 2017 (ಜ್ಯೇಷ್ಠ 16, ಶಕ ವರ್ಷ 1939)	ನಂ. 473
Part-III	Bengaluru, Tuesday, June 06, 2017 (Jyeshtha 16, Shaka Varsha 1939)	No. 473

**FOOD, CIVIL SUPPLIES CONSUMER AFFAIRS AND LEGAL METROLOGY SECRETARIAT**

**NOTIFICATION**

**No. FCS 17 RPR 2011, Bengaluru, Dated 05.06.2017**

In exercise of the powers conferred by sub-clause (b) of clause 2 of the Karnataka Essential Commodities (Public Distribution System) Control Order 2016 the Government of Karnataka hereby appoints the officers specified in column (2) of the table below to exercise the powers of the Appellate Authority under the said order in the areas and in respect of the class of dealers specified in the corresponding entries in columns (3) and (4) thereof:-

Sl.No.	Officer	Area	Class of Dealer
1.	District Commissioner of Revenue District concerned	Concerned Revenue District	Authorized Dealer (Fair Price Depot, Whole Sale Depot)
2.	Additional Director (Public Distribution) of Food, Civil Supplies and Consumer Affairs Department.	Bengaluru Informal Rationing Area	Authorized Dealer (Fair Price Depot, Whole Sale Depot)

By order and in the name of Governor of Karnataka,

**G.S. PRASANNA KUMAR**

Deputy Secretary to Government  
Food, Civil Supplies Consumer Affairs  
and Legal Metrology Department