

8668  
02/08/14.

(2.63)

Government of Himachal Pradesh  
Food, Civil Supplies and Consumer Affairs Department

No. FDS-F(10)-06/2012-Shimla

Dated : Shimla - 02 2<sup>nd</sup> August, 2014

**NOTIFICATION**

The Governor of Himachal Pradesh is pleased to notify the following guidelines for opening of new Fair Price Shops, in supersession of all previous orders, instructions and guidelines for the allotment of Fair Price Shops, in order to provide easy access to the Fair Price Shops to the citizens of the state, in compliance of section 12(2)(e), section 24(5)(c), section 40(2)(i) of the National Food Security Act, 2013, and in compliance of HP Specified Articles (Regulation of Distribution) Order, 2003:

1. A Fair Price Shop (FPS) is generally to be opened for a population of 1,500 or above, and in tribal, remote and inaccessible/ sub-cadre areas as defined by the Govt. of Himachal Pradesh, these norms can be relaxed up to a population of 1,000 or 150 ration cards, whichever is less, but the population of existing FPS should not come down below the above prescribed limit. The norms should also be such that no consumer shall generally have to travel a distance of more than 3 kilometres to the nearest FPS. The distance will be certified by the Public Distribution Committee (PDC), headed by the Deputy Commissioner of the district concerned. The PDC shall forward only such cases to the Director Food, Civil Supplies & Consumer Affairs, H.P., Shimla for relaxation from the Government of H.P. that have population coverage of less than 1,500 or 1,000 as the case may be. More than one fair price shop may be opened in any place without distance clause if the existing as well as proposed FPS shall both have population coverage of 1,500 or above, or 1,000 and above, as the case may be.
2. Independent Kerosene Oil depots will henceforth not be permitted and Kerosene Oil depots will be a part of the regular FPS.
3. All applications for opening of a FPS shall be considered in principle by the PDC which will consider the proposal on the enclosed Performa (Annexure-A). In case no relaxation is required, the PDC may issue notice for opening the proposed FPS at its own level. Where relaxation is required, PDC shall issue notice for opening the proposed FPS only after such relaxation has been received by the PDC. The PDC shall ensure that the notice is given wide publicity by way of affixation at the Panchayat Ghar/Municipal Committee Office /Nagar Parishad office. The notice may also be affixed in /outside the campus of a Govt. School within the area of proposed FPS, and also affixed on other community buildings such as Mahila Mandal Bhawan /Yuvak Mandal Bhawan etc. The notice may also be fixed on the notice board in the offices of the SDM, BDO, District Controller FCS&CA and Inspector FCS&CA. Publicity, if needed, may also be done by the beat of drums in any area (by way of *mumadi*). Whenever any new FPS is opened, it is to be advertised in at least one vernacular daily Hindi newspaper having wide circulation in the area concerned.
4. At least three weeks time will be given for submission of applications. The applications received within the given time shall be considered and approved by the PDC only after the expiration of the given time.

J2

... 2 .....

2/8/14

The order of preference of allotment of FPS shall be as under:-

1. **First Priority:** Ekal Nari (as defined by the Department of Women and Child Development, Govt. of HP), widows raising children on their own, Mahila Mandals, Co-operatives of women, or other collectives of women, physically handicapped persons (as defined in the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995) capable of efficiently handling the FPS operations
2. **Second Priority:** Ex-Servicemen/unemployed educated person with no family member in regular employment
3. **Third Priority:** Gram Panchayat
4. **Fourth Priority:** Cooperative Society.

6. The PDC shall maintain the record of allotment of FPS. The Depot Holder should have minimum qualification of Matriculation from a recognized Board/ University. In case of Individual applicant, the procedure of selection will be as under:-

- |                     |          |
|---------------------|----------|
| 1. Matriculation    | 5 marks. |
| 2. Higher Education | 2 marks. |
| 3. Same Ward        | 3 marks. |
| 4. SC/ST/OBC/BPL    | 3 marks. |

In case of tie, preference will be given to the applicant having higher percentage in the examination of Matriculation.

(Salesman of the Cooperative Societies/Self Help groups should possess minimum qualification of matriculation from recognized Board/university).

Provided that these qualifications shall be applicable for the new FPS and not for the existing holders of FPS.

7. The PDC must, before considering the applications, clearly state whether the norms are met or not. If the norms of population, i.e. 1,500/1,000, or distance, i.e. 3 kilometers, are not met and a second shop is sought to be opened, then even before recommending the case for relaxation, the PDC must give specific reasons for recommending relaxation.

8. Whenever any new FPS is proposed to be opened by splitting the consumers of any existing FPS, or any other mechanism affecting the consumer card count of any FPS, opportunity of being heard shall be given to all such affected persons. However, no such opportunity may be given where the population norm of the existing as well as the proposed FPS is independently being fulfilled.

9. A branch may be opened by the existing FPS holder in the area by splitting of existing consumer cards of the existing FPS to provide easier access to the consumers, with the prior permission of the PDC, subject to the condition that the branch shall also function like the general FPS one working day in a week. On this day the existing main FPS may remain closed.

10. Before opening any FPS, the financial viability of the proposed as well as the existing FPS shall be considered, especially with regard to the profit margins allowed by the Govt. from time to time. It must be kept in mind that operation of the FPS is a legal mandate and a public service, and persons purely driven by the profit motive should not normally apply.

11. Where relaxation is required, the case shall be sent by the PDC with full justification. The case shall be examined at the level of the Director, who shall then send the case to the Govt. with his recommendation.

12. In case the FPS is being proposed to be given to the legal heir of any holder due to the death of the holder, the detailed case with justification shall be sent to the Director. The Director shall forward the case to the Govt. for approval with his recommendation.

14. Every Gram Panchayat shall have at least one FPS regardless of the criteria given in these guidelines.

By order.

K. Sanjay Murthy  
Principal Secretary (FCSCA) to the  
Government of Himachal Pradesh.

Dated. Shimla-171001, the 2<sup>nd</sup> August, 2014

Endst. No.: As above

A copy is forwarded to:

1. The Special Private Secretary to the Hon'ble FCSCA Minister.
2. The Registrar, Co-operative Societies, HP, Shimla-171007.
3. The Director, FCS & CA, Shimla-171009.
4. The Director, DR and PR.
5. All the DCs
6. All the DFSCs
7. The Controller, Printing and Stationary, HP Shimla, for publication in the Rajpatra

M. Mahajan  
(Meera Mahajan)  
Deputy Secretary (F, CS & CA) to the  
Government of Himachal Pradesh.  
Phone No. 0177-2624646

JD  
2/8/14

Proposal for opening of new Fair Price Shop

1.	Name of Place with complete address ( Where the new Fair Price Shop is to be opened )			
2.	Whether tribal/inaccessible / sub-cadre areas			
3.	Name of Gram Panchayat			
a)	Number of ration cards in the Panchayat. (Report of the Panchayat Secretary/Panchayat Sahayak/G.P. President to be attached with case file)	Particulars	No. of Ration Cards	Population
		1.APL		
		2.AAY		
		3.Priority Households		
		4. Annapurna		
		5 BPL		
		6.Temporary Cards		
		Total		
4.	Name of the existing FPS from which the ration cards has been bifurcated.			
Detail of Ration cards of the existing FPS		Detail of Ration Cards of proposed FPS		Detail of R/ Cards of existing FPS <u>AFTER</u> bifurcation
APL		APL		APL

5.	AAV		AAV		AAV	
	P/H		P/H		P/H	
	APY		APY		APY	
	BPL		BPL		BPL	
	Tem.		Tem		Tem.	
	Total		Total		Total	
6.	Distance of the proposed FPS from the consumers (village)					
7.	Distance of the existing FPS from consumers (village)					

8.	Recommendation of Department of Food, Civil Supplies & Consumer Affairs				
	(With reason)				
	1	Inspector FCS&CA of the circle			
2	District Controller, FCS&CA of the Distt.				

9.	Recommendation by the Chairperson of the Public Distribution System Committee	

No. Khadya (Ni) 8-7/FFS/main-VI- 14259-88  
Food, Civil Supplies & Consumer Affairs,  
Himachal Pradesh, Shimla-9

From:

Director,  
Food Civil Supplies & Consumer Affairs,  
Himachal Pradesh, Shimla-171009

To

1. All the Deputy Commissioner,  
Himachal Pradesh.
2. The Managing Director,  
HP State Civil Supplies Corporation Ltd.,  
Shimla-171009.
3. The Sub-Divisional Officer (Civil),  
Dodra-Kawar, Kaza, Pangi, Bharmour, (HP)
4. All the Distt. Controller,  
Food Civil Supplies & Consumer Affairs, HP

Sub:  
Sir,

**New guidelines for operating and opening of new Fair Price Shops.** Dt: 5-08-2014

I am forwarding to you a copy of the guidelines on the subject above as notified by the Govt (notification number: FDS-F(10)-06/2012-Shimla dated 2<sup>nd</sup> August, 2014). This is a major departure from the various instructions in operation till now. We have also made some effort to consolidate all instructions related to operation of and opening of new Fair Price Shop.

At the same time, we are providing you some clarification on some points:

1. Para 6: Where an applicant is both BPL as well as SC/ST, only 3 marks would be awarded.
2. Para 8: Affected person means one who is financially affected; in other words, the owner of the existing FFS.
3. Para 14: May be treated as Para 13, as there is a typing error.


I am also making a presentation on the applicability of these rules on 7<sup>th</sup> August 2014 at 4:00 PM where all the DFSCs are participating. Any further query may be directed at them.

Yours faithfully,

Encls (05)

Enclst. No. 14289

A copy is forwarded to the Principal Secretary (FCS&CA) to the GoHP, Shimla 171002 for information please.

  
Director, Food Civil Supplies and  
Consumer Affairs, HP, Shimla-09  
Dated: 5<sup>th</sup> August, 2014

  
Director, Food Civil Supplies and  
Consumer Affairs, HP, Shimla-09