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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 - 700087

NOTIFICATION

No. 4909-FS./Sectt/Food/4P-09/2012(Part III), – Kolkata, the 6th November, 2023. – WHEREAS it has been considered necessary to amend the West Bengal Public Distribution System (Maintenance & Control) Order, 2013, as subsequently amended (hereinafter referred to as the said Control Order), in the manner hereinafter appearing;

NOW, THEREFORE, in exercise of the power conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Governor is pleased hereby to make, with an immediate effect, the following amendment in the said Control Order, namely :—

Amendment

In clause 20 of the said Control Order :—

(1) for sub-clause (iii), *substitute* the following sub-clause :—

“(iii) Subject to the date schedule mentioned in sub-clause (iia), applications for filling up the vacancies as notified in sub-clause (ii) hereinbefore shall be invited from an individual permanently residing in the concerned sub-division, registered partnership firm, registered co-operative society, Self-Help Group of the Sangha or Mahasangha of Self-Help Group working within a district. On receipt of the application in Form C alongwith Annexure-I, requisite fee as prescribed in Schedule A and corroborating documents as per checklist within the stipulated period, the Sub-divisional Controller, Food and Supplies, shall process the application and get the case enquired into by a competent officer or group of officers and submits the report in digital format. On receipt of the enquiry report, the Sub-divisional Controller, Food and Supplies shall forward all the documents of each applicant together with the report in Form L and Form M to the concerned District Controller, Food and Supplies. The said District Controller, Food and Supplies, shall cause to scrutinize the report of the Sub-divisional Controller vis-a-vis the case of each applicants in his office with due diligence and after satisfying himself regarding accuracy of the report of the Sub-divisional Controller, place the case records of all applicants

before the District Level Fair Price Shop Selection Committee for picking the name of most suitable candidates. The District Level Fair Price Shop Selection Committee shall convene a meeting, take interview of the applicants, consider summarily any objection or complaint received during the processing of the case and after considering all the material facts placed before it, either remand the case back to the DCF&S for enquiry or forward its recommendation with specific observations and remarks thereof to the Director. In the minutes of the meeting, the reason for making any applicants ineligible and grounds for picking the most suitable candidate from amongst the eligible applicants should be mentioned. On receipt of the recommendation from the District Level Fair Price Shop Selection Committee, the Director shall consider the recommendation and also form his own opinion regarding suitability of the recommended candidate by the District Level Fair Price Shop Selection Committee and after being fully satisfied with eligibility, accord approval for grant of FPS license to the most suitable candidate:

Provided that if the State Government so desires, it may, by an order, offer license of Fair Price Shops to the West Bengal Essential Commodities Supply Corporation, a company of the Government, for such areas, in such manner and on such conditions, as it may specify in the order:

Provided further that the State Government may also give such opportunities only to company or corporation of the Government, Self Help Group or the Sangha or Mahasangha of Self Help Group or registered co-operative Society, by separate order.

- (2) in the Table of sub-clause (iia), *omit* sl. No. 5 and the entries relating thereto;
- (3) in sub-clause (iv), for the words "State Government", *substitute* the word "Director";
- (4) in sub-clause (v), for the word "After obtaining Government approval", *substitute* the word "After obtaining the approval of the Director".

By order of the Governor,

PARWEZ AHMAD SIDDIQUI, IAS
*Secretary to the Government of West Bengal,
Department of Food & Supplies.*