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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 & Supplies

11A, Mirza Galib Street, Kolkata - 700 087

NOTIFICATION

No. 3537-FS./Sectt/Food/4P-09/2012—Kolkata, the 18th December, 2018.— WHEREAS it has been considered necessary to amend the West Bengal Public Distribution System (Maintenance & Control) Order, 2013 (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) 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, with an immediate effect, the following amendment in the said Control Order, namely:—

Amendments

In the said Control Order, in clause 26,—

(1) for sub-clauses (ii), (iii) and (iv), *substitute* the following sub-clauses :—

- "(ii) If it appears necessary for the District Administration to declare a new vacancy of Distributor for better functioning of Public Distribution System in a particular area, the concerned Sub-Divisional Controller, Food and Supplies, shall submit the proposal of such vacancy to the concerned District Controller, Food and Supplies, who in turns shall send the same to the Director with the opinion of the concerned District Magistrate. The Director shall examine the proposal, and send it to the State Government with his specific views for consideration.
- (iia) On receipt of the approval of the vacancy under sub-clause (i) or sub-clause (ii), the concerned District Controller, Food and Supplies shall publish the vacancy notice in the *Official Gazette* inviting the application from Self Help Groups / Registered Co-operative Societies / Semi-Government bodies / individuals / group of individuals as an entity thereof specifying the eligibility criteria and the last date of receiving application. The District Controller, Food and Supplies shall simultaneously publish an indicative advertisement of the said vacancy for information to the General Public in at least two local newspapers

having circulation in the district concerned and in one widely circulated dailies having circulation throughout the State of West Bengal.

Explanation.— The last date of receipt of the application shall be thirty days from the date of publication of vacancy notice.

Explanation II.— The crucial date for determining the last date of application shall be the date of publication of the notification in the *Official Gazette* or the date of publication of the indicative advertisement in the newspaper, whichever is later.

- (iii) On receipt of the application in Form G alongwith Annexure I & II and requisite fee as prescribed in Schedule B against the vacancy notice, the concerned District Controller, Food and Supplies, shall process the case within fifteen days from the last date of the application and cause an enquiry through the concerned Sub-Divisional Controller, Food and Supplies to verify the eligibility of the applicant. The Sub-Divisional Controller, Food & Supplies shall submit his enquiry report to the District Controller, Food and Supplies within thirty days from the date of enquiry. On receipt of the enquiry report, the District Controller, Food and Supplies shall forward the report alongwith his opinion to the Director through the District Magistrate within fifteen days. The Director, in turn, will forward the same to the State Government within fifteen days with his views:

Provided that the State Government may, if considers necessary, cause further enquiry into the matter by a competent officer or by a team of officer before granting approval of engagement.

- (iv) Notwithstanding anything contained in sub-clause (iii), if the State Government deems it necessary in the exigency of public interest to expedite the process of engagement of Distributor, it may, by an order, take up under its control the engagement of the Distributor at any stage of processing of application and if necessary cause the enquiry referred to in sub-clause (iii) by the enquiry committee comprising of an officer or group of officers of the Food & Supplies Department duly authorized in this behalf and the concerned Sub-Divisional Controller, Food & Supplies and on receipt of the report under sub-clause (iii) or this sub-clause, as the case may be, grant approval for engagement of the most suitable candidate for filling up the vacancy.";

(2) in sub-clause (vi), for the words "having no regular means of subsistence", *substitute* the words "having no regular means of income".

2. These amendments shall also apply to all the pending cases of engagement of Distributor.

By order of the Governor,

MANOJKUMARAGARWAL

*Principal Secy. to the Govt. of West Bengal
& Food Commissioner,
Department of Food & Supplies.*