



സീവിൽ സപ്ലൈസ് കമ്മീഷണറുടെ കാര്യാലയം
പബ്ലിക് ഓഫീസ്, തിരുവനന്തപുരം
ഫോൺ : 0471-2320578



നോട്ടീസ്

ദേശീയ ഭക്ഷ്യ ഭദ്രത നിയമം 2013 നെ അടിസ്ഥാനപ്പെടുത്തി പരിഷ്കരിച്ച കേരള റേഷനിംഗ് ഓർഡറിന്റെ കരട് പരിശോധനയ്ക്കും നിർദ്ദേശങ്ങൾക്കുമായി പ്രസിദ്ധീകരിക്കുന്നു. നിർദ്ദേശങ്ങൾ 15 ദിവസത്തിനകം

krosuggestions@gmail.com എന്ന വിലാസത്തിൽ അറിയിക്കേണ്ടതാണ്.

ഒപ്പ്/-

റേഷനിംഗ് കൺട്രോളർ



GOVERNMENT OF KERALA
Food and Civil Supplies (B) Department

NOTIFICATION

G.O(P) No... /2019/F&CSD. Dated, Thiruvananthapuram · th, 2019.

....th, 1194.

In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with Clause 9 of the Targeted Public Distribution System (Control) Order, 2015 issued by the Government of India in the Ministry of Consumer Affairs, Food and Public Distribution published as G.S.R 213 (E) in the Gazette of India Extraordinary Part II Section 3, sub-section (I) dated 20th March, 2015 and in supersession of the Kerala Rationing Order, 1966, except as respects things done or omitted to be done before such supersession and save as otherwise provided hereunder, the State Government hereby makes the following Order, namely:

CHAPTER - 1
PRELIMINARY

1. Short title, extent and commencement.-(i) This Order may be called the Kerala Targeted Public Distribution System (Control) Order, 2019.

(ii) It shall extend to the whole of the State of Kerala.

(iii) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.-(1) In this Order, unless the context otherwise requires,-

(a) “**Act**” means the Essential Commodities Act, 1955 (Central Act 10 of 1955);

(b) “**Commissioner**” means the Commissioner of Civil Supplies and includes the Director of Civil Supplies;

(c) “**Controller**” means the Controller of Rationing;

(d) “**Director**” means the Director of Civil Supplies;

(e) “**District Collector**” means Collector and District Magistrate of a revenue District;

(f) “**District Supply Officer**” means an officer appointed as such by Government for each district;

(g) “**Fair Price Shop owner**” means a person and includes a cooperative society or a body corporate or a company of a State Government or a Gram Panchayat or any other body in whose name a shop has been licensed to distribute essential commodities under the Targeted Public Distribution System;

(h) “**Food Security Act**” means the National Food Security Act, 2013 (Central Act 20 of 2013);

(i) “**Godown**” means a designated depot of the Central Government for the purpose of storage of food grains and its supply to intermediate godowns or fair price shops and establishments;

(j) “**Government**” means the Government of Kerala;

(k) “**Household**” as defined in the rules;

(l) “**Intermediate Godown**” means a depot established under the State Government or the Authorized Agency of the State Government for the purpose of storage of food grains allocated by the Central Government under the Targeted Public Distribution System and its supply to fair price shops and establishments;

(m) “**Licensed premises**” means a building or any portion of a building which is being used as a Fair Price Shop for the storage and distribution of food grains;

(n) “**Local Authority**” includes a Panchayath, Municipality, Corporation or any other local body by whatever name called, which is

authorized by the Constitution or any other law for the time being in force for self governance or any other authority or body vested with the control and management of civic services, within a specified local area;

(o) **“Rationing Inspector”** means any officer appointed as such by the Commissioner;

(p) **“Rationing area”** means any area in which this Order is in force;

(q) **“Rationing area of an Officer”** means any area in which such Officer can employ his administrative jurisdiction;

(r) **“Rules”** means the Kerala Food Security Rules,2018;

(s) **“State”** means State of Kerala;

(t) **“Taluk Supply Officer”** means any officer appointed as such by the Commissioner and includes a City Rationing Officer;

(2) The words and expressions not defined in this Order, but defined in the Act or Food Security Act or various Central/State rules/Orders issued under the Act or Food Security Act shall have the meaning respectively assigned to them in those Acts, Rules or Orders.

CHAPTER -II

RATION CARDS

3. Issuance of ration cards .-(1) The Government shall issue ration card to the following categories of households :-

(i) eligible households, which includes:-

(a) the households identified under the Antyodaya Anna Yojana as per the criteria prescribed by the Central Government;

(b) the priority households identified in accordance with the inclusion and exclusion criteria prescribed by the State Government;

(ii) General/Non-priority households, which includes:-

(a) such number of households among the non-priority households satisfying the criteria as decided by the Government named as Non-priority (Subsidy) Households;

(b) Non-priority (Non-Subsidy) Households .

(2) Following shall be the colours of ration card of different categories of households.

- (a) Antyodaya household –yellow
- (b) Priority household - pink
- (c) Non-priority (Subsidy) –blue
- (d) Non-priority household(non-subsidy) –white

(3) State–Priority households .- If in any case, any of the members in a non-priority (non-subsidy) household/ non-priority (subsidy) household gets affected by any of the disease as specified in the inclusion criteria as provided in rule 7 of the Rules, such household shall be considered as state-priority household and shall be eligible for the benefits available to priority households for treatment purposes. Entry to that effect will be made in their ration card and they shall get entitlements as may be decided by the Government from time to time.

(4) Ration cards shall contain its number, the address of the household, name, age, monthly income of the head of the household and the members included therein and their relation with the head of household and number of the Fair Price Shop in which the ration card holder is registered, the particulars of the issuing authority and such other details as may be decided by the State Government or Commissioner from time to time.

(5) Specific card or permit may be issued to establishments for availing food grains, if any, decided to be distributed to them under the Food Security Act or any specific scheme by the Central/State Government.

4. Eligibility for ration cards.- In order to be eligible for getting a ration card of the appropriate type as provided in this Order, the head of the household or member of the household shall satisfy the following conditions:-

- (i) be a citizen of India; and
- (ii) be a resident of the State;
- (iii) shall not be included in any ration card anywhere else in India;
- (iv) or, other conditions ,if any, specified by the State Government or Commissioner from time to time:

Provided that the State Government may also issue a ration card to a household or a person residing in the State by virtue of that household or person being granted the status of a refugee and is allowed the entitlement of benefits on humanitarian grounds by the Central Government:

Provided further that a ration card may be issued to a person, even if the house of such applicant does not bear a number duly assigned by the local authority having jurisdiction over the rationed area in which the applicant resides. In such cases, the applicant may produce a certificate from the Secretary of the local authority concerned, to the effect that he is a permanent resident of the rationed area.:

Provided also that a ration card may be issued to a person who does not have a house of his own/homeless, if the applicant produces a certificate to that effect from the Secretary of the local authority concerned:

5. Taluk Supply Officer to be the designated authority.- (1) The Taluk Supply Officer is authorized to receive, register, acknowledge and process the application for issuance of ration card or modification in the ration card within his rationing area.

(2) The Taluk Supply Officer may, on receipt of such application and after such enquiry as he considers necessary shall issue or modify the ration card.

6. Application for ration card and other ration card related services.-(1) An application for a new ration card or modification in the existing ration card or various ration card related services shall be in **Form 'A-1 to A-12' at Annexure-I** and may be presented directly by the head of the household with photograph to the Taluk Supply Officer of the rationing area concerned or through online.

(2) In order to obtain a new ration card, the applicant shall produce a certificate from the competent rationing authority of the rationing area concerned, be it within the State or outside the State, to the effect that he is not included in a ration card or he has been officially excluded from the ration card in which his name was included.

(3) Modification in the existing ration card may be made on account of shifting of residence, birth or death, change in category of beneficiary, corrections in the details mentioned in the card or any other such reasons.

(4) In the case of shifting of household from one rationing area to another rationing area, the head of the household shall file an application to the Taluk Supply Officer of the new area for getting ration card for the new area

and the Taluk Supply Officer shall issue the ration card for the new area after due verification.

(5) Where there is an addition to the members of the household the head of the household may apply to the Taluk Supply Officer concerned.

(6) If any ration card is defaced, lost or destroyed, the head of the household concerned shall file an application before the Taluk Supply Officer of the rationing area supported by a self declaration. The Taluk Supply Officer, after making such enquiry as he may think fit, shall issue a duplicate ration card in place thereof, on payment of the value of the duplicate ration card as fixed by the Government from time to time:

Provided that if a lost ration card is subsequently found, the applicant who received a duplicate ration card on this account shall return the ration card thus retrieved forthwith to the Officer by whom it was issued.

(7) No ration card shall be delivered to any person unless such person or any adult member of his household to whom the card is tendered on his behalf signs or affixes his marks or thumb impression in token of receipt of such card as required by the Officer delivering such card and on receipt of the prescribed fee.

(8) The Taluk Supply Officer may transfer a ration card registered with a Fair Price Shop to any other Fair Price Shop either on application by the ration card holder or in the interest of administration and after conducting such enquiry as he considers necessary.

(9) The application for ration card and ration card related services and the service delivery may be made exclusively through online as and when it is notified by the Commissioner of Civil Supplies.

7. Time limit for issuing ration cards.—The Taluk supply Officer shall, after necessary checks and verification and after inclusion of data in the Ration Card Management System, issue a ration card within the time limit specified in the notification published in Gazette no.4.dated 22nd January 2013 in part III, Vol.2 issued under the Kerala State Right to Service Act, 2012 as amended from time to time .

8. Receipt of entitled food grains by ration card holders.—(1) The ration card holder or any member of the household included in the ration card shall draw his entitled quantity of food grains from a fair price shop in which his name is registered, on payment of the price, if any, fixed by the State

Government and after verifying his identity through the point of sale device or such other instruments installed in the fair price shop:

Provided that in the case of a card holder who is bedridden or who is above sixty five years of age, or who is differently-abled or who is not in a position to visit the fair price shop for himself and have no other adult member between the age of sixteen and sixty five years listed in such ration card, such person can nominate any other person to be his proxy to draw the food grains provided the proxy fulfills the following conditions:-

(i) the proxy must be a ration card holder tagged to the same fair price shop;

(ii) food grains shall be issued only after proper authentication:

(iii) no fair price shop owner or his family or agent shall be allowed to act as a proxy .

(2) Food grains shall be obtained from a fair price shop owner only by means of a ration card.

(3) No member of a household in a rationed card shall receive his entitled portion of food grains from a fair price shop, if such a member is a non-resident of the State.

9. Portability.- (1)The Commissioner, District Collector, Controller of Rationing, District Supply Officer or Taluk Supply Officer as the case may be, may, by Order, direct that any ration card holder shall draw food grains from any particular fair price shop.

(2)The Government or The Commissioner may, by Order, permit portability which enables those ration card holders whose names are included in the Ration Card Management System and identified with the Aadhar Data, to draw the food grains from a fair price shop of their choice, through Aadhar / OTP authentication.

10. Duties and responsibilities of ration card holders.- Following shall be the duties and responsibilities of the ration card holders:-

(i) No person shall obtain or attempt to obtain a ration card by furnishing false information.

(ii) Any person who has received more than one ration card or who knows or has reason to believe that he is included in more than one household for which a ration card has been issued shall forthwith report the fact to the Taluk Supply Officer of the area in which he resides.

(iii) No person shall willfully alter or destroy, deface any of the entries on the ration card. If the holder of a ration card finds that some other person has, without lawful authority to do so, made an alteration on the ration card affecting its validity or the quantity or the kind of food grains obtainable on it, the holder of such ration card shall forthwith report the fact to the Taluk Supply Officer concerned:

Explanation:- For the purpose of this clause any alteration by electronic means shall also amount to alteration.

(iv) No person, not being a member of the household for which the card has been issued shall hold or use the ration card of another person.

(v) When any person is in possession of a ration card and such possession is not authorized by virtue of this Order, he shall forthwith deliver the same to the officer in charge of the nearest Taluk Supply Office.

(vi) Ration card holder, shall not transfer or pledge his ration card to any other person.-

(vii) No person shall forge or alter ration card to illegally obtain any food grains.

(viii) Every ration card issued under this Order shall be the property of the Government but the person to whom it is issued under the provisions of this Order shall be responsible for its safe custody.

(ix) Every holder of a ration card, or in the event of his or her death, the senior member of the household, not being a minor and in the absence of any such member, other member of his household shall inform in writing to the Taluk Supply Officer in charge of the rationing area, the death of a member of the household. Such notice shall be given within 30 days from the date of death of the member of the household. On receipt of such notice the Taluk Supply Officer may, after making such enquiries shall revise and reissue the ration card:

(x) Every holder of a ration card shall notify in writing any change in his/her address to the Taluk Supply Officer having jurisdiction over the area in which he/she intends to reside. Such notice may be given by any member of the household on behalf of the head of the household within 30 days from the date on which the change of address takes place.

(xi) Every holder of a ration card who leaves for permanently his rationed area with all the members of his household, shall surrender his card to the Taluk Supply Officer before he leaves such area:

Provided that once the portability of ration card is permitted, the surrender of the ration card is not required if he is not leaving the territory of the State.

(xii) Ration card holder if denied of his entitlement by the fair price shop owner shall forthwith report the matter to the Rationing Inspector/Taluk Supply officer or the District Grievance Redressal Officer concerned, as the case may be, who in turn shall take action as provided in the Rules or this Order.

(xiii) The diversion or substitution or the violation of any of the provisions of this Order by the fair price shop owner, or any other person, if any, noticed by the ration card holder may be reported to any of the officers of the Civil Supplies Department not below the rank of Rationing inspector who in turn shall take action as provided in the Rules or this Order.

(xiv) shall comply with any lawful directions issued by the Commissioner or the Government with regard to a ration card .

(xv) such other duties and responsibilities as may be specified by the State Government or Commissioner from time to time.

11. Action against fraud by ineligible beneficiaries .— (1) If any person coming under the exclusion criteria notified by the State Government obtains a ration card meant for eligible households by providing false information, the following actions shall be initiated against such person, namely,—

(a) Criminal proceedings under the Section 9 of the Act ;

(b) In case of employees of Central /State Government, Public Sector Undertakings, Co-operative sector, Government aided autonomous bodies and local bodies, departmental disciplinary proceeding against such employees;

(c) suspension or cancellation of ration card;

(d) recovery of the loss sustained by Government, at the rate decided by State Government from time to time.

12.Ration card data in the digitized database.- (1)The State Government or Commissioner shall maintain ration card data in the digitized database namely Ration Card Management System and ensure that the issue of a new ration card and modification in the existing ration card is undertaken through such system so that the database is automatically updated.

(2) Changes in the Ration Card Management System in the case of a particular ration card holder must be reflected in the physical copy of the

ration card held by him. It shall be the responsibility of the Taluk Supply Officer to ensure the same.

13. Display of list of ration card holders.- The list of ration card holders shall be displayed on the web portal of Civil Supplies Department and on the notice boards of the local authority concerned at the time of review, and fair price shops on all occasions:

Provided that the list of the ration card holders kept at the Office of the Taluk Supply Officer shall be open for public inspection free of charge.

14. Elimination of bogus ration cards and bogus members in the ration card.- The Civil Supplies Department shall conduct regular checking of ration cards to weed out ineligible and bogus ration cards and bogus members in ration cards. This shall be a continuous exercise and the State Government shall organize special drives during the months of January to March every year to eliminate bogus and ineligible ration cards as well as bogus members in the ration cards. The District Supply Officer, Taluk Supply Officer and Rationing Inspector shall be the responsible officers under this clause in the district, taluk and firka respectively.

15. Validity of ration card.- A ration card shall be valid from the date of issue until it is surrendered by the person to whom it is issued or cancelled or suspended by a competent authority.

16. Temporary ration card.-(1) If in any case the issuance of ration card as provided in clause 7 gets delayed even after inclusion of the data of the particular household in the RCMS, due to unforeseen circumstances, the Taluk Supply Officer may issue a temporary ration card to the head of the household to facilitate the distribution of his food grains till the new ration card is issued.

(2) A temporary ration card shall bear an inscription that it is temporary. Space shall be provided in it for six months.

17. Power to add to, amend, vary, suspend or revoke the ration card .-(1)The Commissioner or the District Collector or any Officer of the Civil Supplies Department not below the rank of the Taluk Supply Officer may at any time whether at the request of the person to whom any ration card has been issued or *suo motu*, after making such enquiry as may be deemed necessary and after giving the person an opportunity of being heard and for reasons to be recorded in writing, add to, amend, vary, suspend, cancel or revoke the ration card. Where any ration card is revoked, any person in

possession of it shall forthwith surrender the same to the Commissioner or District Collector or the other officer as the case may be.

(2) Contravention of item (i) to (vii) of clause 10 may entail cancellation of ration card.

(3) When a ration card is cancelled it shall be effected by the Taluk Supply Officer in ink whether by means of a dye or stamp or otherwise or by means of indelible pencil, and shall upon such cancellation cease to be available for lawful use.

CHAPTER -III RATION PERMITS

18. Ration permits.-(1) For the purpose of obtaining any food grains, the District Supply Officer may issue ration permit in the form given at **Form 'B' at Annexure II** to establishments such as welfare institutions, hostels and other institutions recognized by the Government, for the purpose, if any.

Explanation.1- For the purpose of this clause,-

(i) “Welfare Institutions” means residential establishments intended for orphans, destitute or such other persons recognized by Social Justice Department or Women and Child Development Department of Kerala or registered with Orphanage Control Board of Kerala.

(ii) “Hostels” means hostels or boarding institutions coming under the ‘Welfare Institutions & Hostels Scheme’ of Department of Food and Public Distribution, Ministry Of Consumer Affairs, Food and Public Distribution, Government of India vide Office Memorandum No.9-5/2014-BP-II dated 1st September 2017 as amended from time to time and such other institutions included under the Scheme by the State Government;

(iii) “Institutions” means such other institutions as decided by the Government from time to time, on the basis of the recommendation of District Collector and that are not covered under TPDS or under any other Welfare Scheme of Central or State Government

Explanation.2. - “Authorized Establishment Proprietor” means a person in charge of the establishment to whom a permit has been issued under the provisions of sub-clause (1) above and shall include a person in charge of an establishment under the control of the State or Central Government

(2) The quantity and price of food grains obtainable by an authorized establishment proprietor shall be decided by the Government from time to time.

19. Application for ration permit .-Any person requiring ration permit under sub-clause (1) above may apply to the District Supply Officer of the District concerned in form given at **Form 'C' at Annexure.III** The District Supply Officer may make or cause to be made, such enquiry as he deems fit, for verification of the information furnished by the applicant and issue ration permit in the name of the authorized establishment proprietor, on payment of fee specified by Government.

20. Validity of ration permit.-A ration permit shall be valid for a period of one year from the date of issue.

21. Renewal of ration permit .- (1) Every application for renewal of ration permit shall be made before the District Supply Officer, along with the original copy of the ration permit at least forty five days before the date of expiry of such permit. The application for renewal of ration permit shall be in form given at **Form 'D' at Annexure IV** along with a renewal fee specified by Government:

Provided that such officer may admit application for renewal of ration permit after its expiry but within a period of thirty days if he or she is satisfied that the applicant was prevented by sufficient cause from filing the application in time.

(2) The District Supply Officer shall dispose an application for renewal of ration permit before the date of its expiry, after making necessary enquiry as he may deem fit.

22. Duties and responsibilities of authorized establishment proprietor.- (1) The authorized establishment proprietor shall be responsible for drawing the food grains as per the ration permit and the ration permit shall be used only for the purpose for which it is issued. If the establishment is run by a board or a body responsible for the management, each and every member of such body shall be responsible for the proper use of the ration permit and for the storage and usage of the food grains and maintenance of proper registers and accounts regarding the usage of the food grains. They shall be proceeded under the Essential Commodities Act 1955 for any violations.

(2) No authorized establishment proprietor shall obtain any food grains on the permit unless he is registered with any fair price shop or with an

intermediate godown specified in the permit or as directed by the Taluk Supply Officer from time to time.

(3) No person shall obtain or attempt to obtain a ration permit by furnishing false information.

(4) Every authorized establishment proprietor shall, in respect of the establishment maintain a regular, accurate and daily account of each food grains obtained and the number of persons supplied with food for consumption in the premises of the establishment or elsewhere, in such form given at **Form 'E-' at Annexure V.**

(5) An authorized establishment proprietor shall obey all general or special directions given from time to time by the Government or by any Officer of the Civil Supplies Department not below the rank of Rationing Inspector.

(6) When an establishment remains closed due to any cause for more than seven days the authorized establishment proprietor shall inform the matter to the Officer who issued the ration permit. Such notice shall be given within seven days from the date of such closing. No food grains shall be drawn on the ration permit during the period the establishment remains closed.

(7) The provisions under clause 10, wherever relevant, shall apply mutatis mutandis to ration permits issued.

23. Inspection.- (1) Regular one round inspections of all the establishments within a firka shall be conducted by the Rationing Inspector once in a month. The Taluk Supply Officer shall inspect thirty percent of the total establishments within a Taluk and the District Supply Officer shall inspect minimum twenty percent of the total establishments within a district once in every month without fail.

(2) Every authorized establishment proprietor shall give all reasonable facilities at all time to the District Collector or any officer of the Civil Supplies Department not below the rank of the Rationing Inspector to inspect the stock of the food grains in the establishment and the accounts relating to the establishment and make a report of the findings.

24. Power to amend, vary, suspend or revoke the ration permit .- On receipt of a report from any of the officers referred to in clause 23 above or on inspection of the stock or accounts of an establishment, if the District Collector or any officer of the Civil Supplies Department not below the rank of a Taluk Supply Officer find any irregularities in the accounts or detects non-

compliance with any of the directions issued by competent authorities, he may, after giving the authorized establishment proprietor an opportunity of being heard and for reasons to be recorded in writing amend, vary, suspend or cancel the permit or recover loss, if any, sustained by Government, calculated as the difference in prices between the economic cost of the food grains as may be decided by the State/Central Government and at the rate at which food grains were obtained. He may also suspend the permit granted to the establishment pending enquiry.

25. Special Permit.- The Government or Commissioner may, on application and after such enquiry as may be considered necessary, issue special permits in public interest for Government purpose for obtaining food grains. Application for Special Permit shall be given in such forms given at Form 'F' at Annexure VI. Such applications shall specify the purpose for which the special permits is applied for and the quantity of food grains required. The permit shall indicate the quantity and price of food grains permitted to be purchased, and from where it is to be purchased and the period of its validity. The special permit shall be surrendered to the intermediate godown in charge or to the fair price shop owner at the time of drawal of food grains.

CHAPTER-1V

LICENSING OF FAIR PRICE SHOPS

26. Licence and Licensing Authority-(1) No person/self help group/ women activity groups/women collectives/ co-operatives/ or any other body as may be decided by Government from time to time shall carry on the operation of a fair price shop in any rationed area unless the shop has been licensed in his/its name under and in accordance with a licence issued in that behalf by the Licensing Authority:

Provided that all Authorized Retail Distributors existing under the Kerala Rationing Order 1966, on the date of coming into force of this Order shall be deemed to be licensed as fair price shop owner under this Order, if such licensee is willing to apply for the licence specified under this Order within 3 months from the date of coming into force of this Order.

(2) The District Supply Officer shall be the licensing authority to issue licence to fair price shops under the provisions of this Order.

27. Priority in allotment of fair price shop - The priorities in allotment of fair price shops shall be as follows:-

- (i) Self-help Groups/women activity groups/women collectives;
- (ii) Panchayaths;
- (iii) Co-operative societies;
- (iv) Ex-service men.
- (v) Educated unemployed persons;

28. Eligibility for grant of licence to individual applicants.- (1) In order to be licenced as a fair price shop owner, a person,

(i) should have attained 21 years of age as on the 1st day of January in which year the application is made.

(ii) should not be above 60 years of age as on the 1st day of January in which year the application is made.

(iii) should have passed 10th Standard conducted by the Board of Public Examinations, Kerala or equivalent.

(iv) should be physically and mentally capable of acting as a fair price shop owner.

(v) should be residing in the ward of the local authority in which the fair price shop situates for a period of three years preceding the date of application:

Provided that if the shop is notified for Scheduled Caste/Scheduled Tribe reserved category, the applicant need only be a resident of the local authority concerned.

(2) In case of parity in eligibility conditions among individual applicants, senior in age among them shall be given priority.

29. Disqualifications for getting a fair price shop licence for individual applicants.- No fair price shop licence shall be granted to a person if,-

(i) he is convicted by a Court of Law for the contravention of any of the orders issued under the Essential Commodities Act 1955 or the provisions of Food Safety and Standards Act, 2006 or any other offence involving moral turpitude.

(ii) he is a full-time/part-time employee of government or a salaried employee of public/private/co-operative sector establishments or who receives honorarium from Government for any permanent assignment.

(iii) any other member of the household is a fair price shop owner.

30. Eligibility for grant of licence to self help groups/women activity groups/women collectives.-

(i) should be a unit/group recognised under schemes of State or Central Government.

(ii) should have area of operation within the local authority in which the fair price shop situates, preferably in the ward in which the fair price shop situates.

31. Eligibility for grant of licence to co-operative societies.-

(i) should be a Society registered under the Kerala Co-operative Societies Act,1969.

(ii) should have activities relating to agriculture promotion, public distribution system, consumer activities, distribution of agriculture commodities, marketing of agriculture produce, public welfare or related activities as one of its objects enumerated in bye-laws:

Provided societies formed exclusively for the benefit of women and for persons belonging to Scheduled Castes or Scheduled Tribes may also be considered eligible to apply against reservation vacancies of the said categories.

(iii) Shall have area of operation within the local authority in which the fair price shop situates, preferably in the ward in which the fair price shop situates.

32. General eligibility criteria.-

(i) should possess or able to provide a strong and spacious building having capacity to store food grains requirement of two months at 14 sq.ft per 10 quintal basis together with separate working space of 40 Sq.Ft and kerosene storage space @ 5 Sq.Ft per barrel. The building should have direct public access equipped with electric connection for installing computer and electronic point of sale machine.

(ii) should be solvent to the tune of Rs. 1,00,000/- (Rupees One lakh only) and the solvency certificate in the form of Treasury Fixed Deposit Certificate should be duly pledged in the name of the licensing authority:

Provided that the applicant from the category of Scheduled Caste/Scheduled Tribe/ Self Help Groups/Women Activity Groups/Women Collectives need only to furnish a solvency to the tune of Rs 50,000/-(Rupees Fifty thousand only):

Provided further that the existing Authorized Retail Distributors who are licensed under the Kerala Rationing Order ,1966 shall furnish the remaining solvency amount to reach the solvency specified in sub-clause 2 above as and when they apply for the licence as provided under proviso to clause 26,

33.Reservation.- (1) Out of total number of permanent authorized fair price shop owners licensed under this order in the area of each District Supply Officer, eight percent shall be reserved for candidate belonging to scheduled castes and two percent to those belonging to scheduled tribes, five percent to persons with disability and twenty percent for women candidates:

Provided that vacancies filled by nomination/compassionate ground provided in clause 37 (1) to (4) shall not be reckoned for such reservation.

Provided further that, if the Scheduled Tribe population in the Panchayats/Municipality/ Corporation ward where a fair price shop owner shop is to be reserved for scheduled Caste or scheduled tribes is less than 1% of the population of that Panchayats/Municipality/Corporation Ward as per the 2011 census that vacancy shall be carried forward until a vacancy of Fair price shop arises in the District in any other Panchayats/Municipality/Corporation ward where the scheduled tribe population is more than 1% of the total population.

Provided also that if qualified candidates from among persons with disability are not available for issuing license such vacancy shall also be filled up by other reserved categories.

Explanation:- i. For the purpose of this clause, person with disability means a person defined as such under the Rights Of Persons With Disabilities Act, 2016 (No.49 of 2016) and who is capable of running a Fair Price Shop

ii. The self help groups / women activity groups/women collectives/ co-operatives/ or any other body as may be decided by Government from time shall be deemed to belong to in that class (such as scheduled caste, scheduled tribe, physically handicapped and general) in which more than 2/3rd of the members of the managing committee of such self help groups or cooperative societies, belong to, for the purpose of determination of their reservation status.

(2) Notwithstanding anything contained in this order, until the limits prescribed in sub- clause (1) are reached, Government shall by order direct that all vacancies arised before or after the date commencement of this order, will be notified for reserved categories only.

34. Procedure for issue of licence and licence fee .-(1) When a vacancy of fair price shop owner arises by way of cancellation of existing licence or surrender of existing licence or expiry of licence or sanctioning of fresh fair price shop, the Licensing Authority shall, within one week of arising of such vacancy, invite application, by publishing notice in three local dailies having wide circulation and also in the notice boards of Village and Panchayats in the local area of such fair price shop.

(2) The individuals, **in form 'G' given at Annexure VII** and self help groups/women activity groups/women collectives/co-operatives in **in form 'H' given at Annexure VIII**, shall submit the applications within thirty days from the date of such publication. The application in respect of self help groups / women activity groups/women collectives/ co-operatives/ or any other body as may be decided by Government from time shall be submitted by the Chief Executive Officer with due approval of the Managing Committee.

(3) If no application is received during the period specified in sub-clause(2),the Licensing Authority shall in no way extend the period of receipt of application but shall republish the notice in the manner specified in sub-clause(1) above.

(4) Subject to clause 27 to 33, the Licensing Authority, shall after examining the applications and conducting necessary enquiry, shall select the applicant found to be eligible for issuing licence, within 30 days from the last date appointed for the receipt of applications. The applicant selected for issuing licence shall be given notice by the licensing authority to remit Rs.1000/-(Rupees thousand only) as licence fee through treasury challan or in the manner specified by the Commissioner from time to time, within ten days of the receipt of notice. After remitting the licence fee the Licensing Authority shall issue licence to applicant thus selected. The licence shall be issued in **form 'I' given at Annexure IX**.

(5) The fair price shop licence for a self help group/ women activity groups/women collectives/cooperative societies shall be issued in the name of its Chief Executive Officer and its operation shall be made by their Managing Committee.

(6) After the issue of the licence under sub-clause (4) the fair price shop owner shall distribute food grains in accordance with this Order and directions issued by the Government from time to time in such area as are specified in the licence.

35. Security Deposit .- (1) Every selected applicant shall, before a licence is issued to him, deposit an amount of 5000/-(Rupees five thousand only) as security deposit by way of treasury challan or in the manner specified by the Commissioner from time to time for the due performance of his work.

Provided further that the existing Authorized Retail Distributors under Kerala Rationing Order 1966 shall furnish the remaining security amount to reach the security deposit specified in sub-clause (1) as and when they apply for the licence as provided under proviso to clause 26.

36. Issue of licence provisionally .-(1) In the event of delay in issuing licence to a fair price shop or when the licence of a Fair price shop owner is suspended pending enquiry, the Licensing authority, after publishing a notice inviting applications in his notice board, on such terms and conditions as he may deem fit, may, issue licence provisionally to a person/ self help group/ women activity groups/women collectives/cooperative societies in respect of any area, for a specified period not exceeding three months without observing the formalities specified under this order:

Provided that no person shall be given licence provisionally for more than two times consecutively for a particular fair price shop

(2) The person granted licence provisionally shall have no right to continue as such beyond the period for which he is licensed and shall not also have any preferential claims for getting licence of a fair price shop.

(3) Application for getting licence provisionally shall be made to the Licensing Authority in the form given at **Form 'G' or Form 'H'** itself as the case may be.

(4) The licence shall be issued provisionally after remitting a fee of Rs.1000/-(Rupees one thousand only) through treasury challan or in the manner specified by the Commissioner from time to time.

(5) The provisional licensee shall, before the issuance of provisional license, deposit an amount of 5000/-(Rupees five thousand only) as security

deposit by way of treasury challan or in the manner specified by the Commissioner from time to time and shall furnish solvency certificate to the tune of Rs. 50,000/- (Rupees Fifty thousand only) in the form of Treasury Fixed Deposit Certificate duly pledged in the name of the licensing authority within one month from the date of issuance of provisional licence.

37. Licence by Nomination/Compassionate Ground .-

(1) The existing Authorized Retail Distributors under Kerala Rationing Order, 1966, who have obtained the licence provided under proviso to clause 26, in the event of his being incapable of running the ration business owing to old age or illness or in the event of death, may nominate his/her family member as the next licensee of such fair price shop by producing Family Membership Certificate issued by Village Officer. The willingness of the nominee shall also be produced along with nomination. Nomination shall be exercised in **form 'J' given at Annexure X.**

(2) If the nomination is made in the event of one being incapable of running the ration business owing to old age or illness, the Licensing Authority after verification of the Family Membership Certificate, and medical certificate from a registered medical practitioner in this regard and after conducting necessary enquiry, may grant licence provisionally to the nominee without insisting on the production of proof of financial stability. Such licence shall not be made permanent during the lifetime of the original licensee.

(3) If the nomination is made in the event of one's death, the nominee shall be granted licence provisionally, forthwith on the death of the fair price shop owner, without insisting on the production of proof of financial stability, legal heirship certificate etc. Such licence shall be made permanent only on the production of proof of financial stability by way of solvency certificate as provided under sub-clause(2) of clause 32 within three months and legal heirship certificate issued by the Authority concerned within six months and after conducting necessary enquiry, as the Licensing Authority may deem necessary, as to the fulfillment of eligibility conditions specified in clauses 28,29 and 31. If the nominee fails to furnish the solvency certificate and legal heirship certificate within such period, the provisional licence shall be cancelled by the licensing Authority.

(4) If the fair price shop owner dies without exercising nomination as provided in sub-clause (1) above, the Licensing Authority on compassionate

ground shall grant licence provisionally to any of the legal heirs of the deceased, nominated jointly by all the other legal heirs. Such licence shall be made permanent only on the production of proof of financial stability by way of solvency certificate as provided under sub-clause(2) of clause 32 within three months and legal heir ship certificate issued by the Authority concerned within six months and after conducting necessary enquiry as the Licensing Authority may deem necessary, as to the fulfillment of eligibility conditions specified in clauses 28,29 and 31. The application in this regard shall be entertained only if the legal heir submits the application within one month from the date of death :

Provided that in the case of disputes regarding heir ship or in the event of disagreement among legal heirs either before or after granting the permanent licence, the Licensing Authority may cancel the provisional/permanent licence, as the case may be, and call for applications and issue fresh licence as provided for under these Order.

(5) The provisions of sub-clauses (1) to (4) shall be applicable only to Authorized Retail Distributors existing under the Kerala Rationing Order 1966, on the date of coming into force of this Order and shall not be available to fresh licences issued after the coming into force of this Order.

(6) A person who gets fair price shop licence under sub-clauses (1) to (4) after the coming into force of this Order, shall not be permitted to exercise further nomination or his legal heirs shall not be permitted to avail licence on compassionate ground.

38. Term of licence.- Every license issued under this Order shall, unless cancelled earlier, be valid for a period of two year or part thereof and expire on the 31st day of March of the second succeeding year:

Explanation:— ‘Year’ means the financial year commencing on the 1st day of April and ending on the 31st day of March of the succeeding year.

39. Renewal of Licence:- (1) Every application for renewal of licence shall be made before the licensing authority, along with the original copy of the licence at least forty five days before the date of expiry of such licence. The application for renewal of licence shall be in **in form 'K' given at Annexure XI** and a renewal fee of Rs.500/-(Rupees five hundred only) shall be deposited through treasury challan or in the manner specified by the Commissioner from time to time.

(2) Licensing Authority shall dispose an application for renewal of licence before the date of expiry of the license:

Provided that where an application for renewal of a licence has been received by the Licensing Authority within the specified period and not rejected or returned to the applicant, the validity of licence shall not be deemed to have been expired until disposal of the application.

(3) No fresh licence granted after the coming into force of this order shall be renewed once the licensee attains 62 years of age.

(4) If a fair price shop owner desires to surrender the licence before the expiry of its term, he may give one month's prior notice to the Licensing Authority and surrender his licence after obtaining the permission of Licensing Authority in writing.

40. Power to cancel/ refuse Licence. — The Licensing Authority may cancel or refuse to renew any licence, if,—

(a) it is of the opinion that the performance of the fair price shop owner in distributing food grains to the entitled households is not satisfactory;

(b) the fair price shop owner has acted in contravention of any provision of the Act or Food Security Act or any order issued there under or terms and conditions of licence;

41. Duplicate copy of a licence. - If a licence is distorted, lost, or destroyed, this shall be informed by the fair price shop owner to the licensing authority immediately by presenting an application supported by notarized affidavit to the effect that it is distorted, lost, or destroyed, with a fee of double amount of licensing fee, deposited through treasury challan or in the manner specified by the Commissioner from time to time. A duplicate copy of the licence shall be issued by the licensing authority after necessary verification.

42. Duties and responsibilities of a fair price shop owner.- (1) The fair price shop owner shall,-

(i) on demand and on offer of price specified and on production of the ration document and on inscription of the issued quantity on the column specified for the purpose in the ration document, supply to the card holder or a proxy, the food grains not exceeding the quantity or part thereof.

(ii) issue cash bills for sale noting the number of ration document, name of the ration document holder and such other particulars as are specified by the Commissioner from time to time. He shall not realize any

price or any charges in excess of what is fixed by the Commissioner by way of transportation charges, handling charges or any other charges from the ration card holders or permit holders

(iii) behave with the ration card holders cordially and with due courtesy;

(iv) maintain electronic weighing machines duly verified in accordance with the provisions of Legal Metrology Act, 2009 (Central Act 1 of 2009) and the rules issued there under and to keep verification certificate in the business premises;

(v) comply with all directions given from time to time by the District Collector or any officer of the Civil Supplies Department not below the rank of Rationing inspector or any other authority under the Food Security Act for the implementation of Targeted Public Distribution System;

(vi) store and sell food grains only at the place specified in the licence;

(vii) distribute food grains as per the working period specified in clause 44;

(viii) prepare and submit to the Taluk Supply Officer, a register in duplicate in form 'L' given at Annexure XII including electronic form as may be decided by the Commissioner showing serially the number of ration documents registered with him, the names and addresses of such ration document holders and the quantity sanctioned for each ration document. He shall specify in the register separately the number of persons and the quantity sanctioned on ration permits registered with him in respect of each food grains. The Taluk Supply Officer shall, after checking and initialing the entries in the register, return one copy of the register to the fair price shop owner;

(ix) The register must be submitted to the Taluk Supply Officer by the fair price shop owner and got attested whenever there is any change in the number of ration documents or permit or quantity sanctioned;

(x) submit to the Taluk Supply Officer on 1st working day of every month or any other day as decided by the Commissioner, an indent in duplicate stating the total number of ration documents and permits registered with his shop, and the quantity sanctioned and monthly requirement, the sales of the previous month and the quantity requirement for the subsequent month.

(xi) maintain regular, accurate and daily accounts of each food grains delivered to him in form 'M-1 and M-2' given at Annexure XIII either in books, or in such electronic form as may be decided by the Commissioner.

Every fair price shop owner shall keep and maintain in good condition the aforesaid accounts for a period of three years and shall produce the accounts for such period or any part there of before the District Collector or any officer of the Civil Supplies Department not below the rank of the Rationing Inspector when required to do so in writing;

(xii) maintain the licensed premises always hygienic and the stock shall be released First in First Out method;

(xiii) arrange the stock in such a manner that an officer inspecting stock can assess the stock easily;

(xiv) make available sufficient space in the fair price shop for keeping stock for sale of at least two months;

(xv) furnish account of the actual distribution of food grains and the balance stock at the end of the month to the rationing inspector concerned with a copy to the Gram Panchayat/ local municipal body;

(xvi) remit the cost of food grains as directed by the Taluk Supply officer;

(xvii) furnish within fourteen days from the date of receipt of the request from a ration card holder ,copy of records kept at fair price shop by receiving Rs,2/- per page or the actual cost of copying whichever is lesser;

(xviii) inform the ration card holders attached to him about the arrival of the stocks at his shop and ensure actual delivery of food grains to the actual beneficiaries;

(xix) undergo trainings as directed by the Commissioner from time to time;

(xx) provide necessary cooperation in inspection and supervision conducted by the designated/authorized officers;

(xxi) provide necessary cooperation to the social audit personnel;

(xxii) report the details of bogus cards or ineligible cards registered with his shop, to any officer of and above the rank of rationing inspector;

(xxiii)display at easily visible space, the samples of food grains being supplied under the targeted public distribution system through the fair price shop;

(xxiv)display the name board as may be specified by the Commissioner;

(xxv) display copy of licence at a prominent place in the shop;

(xxvi) display up to date information on a notice board at a prominent place in the shop on a daily basis regarding—

- a) list of priority and Antyodaya beneficiaries;
- b) list of all ration card holders attached to the shop;
- c) entitlement of food grains;
- d) scale of issue;
- e) retail issue price;
- f) timings of opening and closing of the fair price shop;
- g) stocks of food grains received during the month;
- h) opening and closing stock of food grains;
- i) the details of authority for redressal of grievances/lodging complaints with respect to quality and quantity of food grains under the Targeted Public Distribution system; and
- j) toll-free help line number.

(2) Without prejudice to the forgoing duties, the fair price shop owner shall not, under any circumstances,—

- (i) retain the ration card after the supply of food grains;
- (ii) make false entry in the ration card register, stock register, sale register etc. or any other official record;
- (iii) deny the ration card holder the supply as per his entitlement of the food grains, if it is in stock;
- (iv) engage in black marketing or diversion or substitution of food grains to the open market;
- (v) handover or sublet such fair price shops to other unauthorized person or organization;
- (vi) deal in open market rice, wheat, sugar, Atta and kerosene other than that supplied by the Kerala State Civil Supplies Corporation or any other food grains specified by the Commissioner;
- (vii) keep the records relating to the fair price shop at any place other than the licensed business premises;
- (viii) cause deliberate degradation or disruption or damage etc. to the electronic point of sale machines installed at the shop;
- (ix) cause deliberate degradation or damage etc. to the food grains delivered;
- (x) distribute damaged food grains.

(3) In the case of a self help group/women activity group/women collective/co-operative, if the Chief Executive Officer in whose name licence is issued is changed in any circumstances, the same shall be reported in writing

to the Licensing Authority within fifteen days of the change and the licence shall be modified accordingly.

(4) The manual keeping or submission of registers/ reports as provided under clause (1) above is required only in cases where there is disruption in the automated system or as an when directed by the Commissioner.

43. Point of Sale (PoS) device transactions.-

(i) the fair price shop owners shall distribute food grains only through point of sale device, after verifying the identity of the ration card holder;

(ii) The fair price shop owners shall maintain point of sale device in accordance with the direction of the Government/Commissioner from time to time and report the errors at the earliest for rectification;

(iii) The fair price shop owners shall not cause deliberate degradation or disruption or damage etc. to the electronic point of sale device installed at their shop;

(iv) where transactions may fail due to system errors, the ARD owner shall contact the technical helpline at the earliest, not exceeding one hour and inform the matter to the rationing inspector concerned, within the above-mentioned time frame.

(v) The unauthenticated transactions made through point of sale machines in any circumstances shall be entered in a separate register kept for the purpose in the **form 'N' given at Annexure XIV.**

(vi) The fair price shop owners shall provide necessary co-operation in maintenance, repair, inspection and supervision of the automated system installed by the Department;

(vii) If it is proved that deliberate attempt has been made to cause physical damage to the device or to manipulate reports generated out of it, disciplinary action shall be initiated against such fair price shop owner which shall lead to cancellation of appointment and recovery of loss thus caused to the Government. This shall be in addition to and not in derogation of the penal provisions under the Information Technology Act, 2000 and Prevention of Damage to Public Property Act, 1984 and Indian Penal Code.

44. Working Period- (1) A fair price shop shall be kept open every day in a week from 9 a.m to 1 p.m and from 4 p.m to 8 p.m except on public holidays and sundays.

45. Change in a fair price shop's business place.- (1) No fair price shop owner shall change his business place without the prior sanction of the licensing authority. If a fair price shop owner wants to change his business place described in his licence, he shall submit to the Licensing Authority a written application for this purpose stating reasons and identification details of the proposed place of change in the **form 'O' given at Annexure XV**:

Provided that the proposed business place shall be within the limit of area specified in his licence.

(2) The Licensing Authority shall take a decision accepting or rejecting the application within a one month from the date of its receipt. If the request is accepted, the Licensing Authority shall order for necessary changes in the licence and in the office's licence register.

46. Supply of copies of records.-(1) Any ration document holder desirous of obtaining copy of extracts from the records of a fair price shop owner may make a written request and the copy of requested records shall be provided to the applicant within fourteen days from the date of receipt of the request by receiving payment of Rs.2/- (rupees two only) per page or the actual cost of copying whichever is lesser.

(2) Any ration document holder who was not provided with the extracts as requested under sub-clause (1) may file a complaint to the Taluk Supply Officer. The Taluk Supply Officer shall ensure that the copy is furnished within two weeks from the date of filing the complaint. He may hear the parties if necessary.

(3) Non-supply of entitled records shall be considered as a contravention of this Order and entail disciplinary action provided in clause 49.

(4) Every Fair Price Owner shall keep all the records related to the fair price shop safe at least for three years, and he may destroy these records with the permission of the Taluk Supply Officer.

47. Revision of issue price.- Whenever the existing issue price of food grains is revised either upward or downward, the stock of the food grains with the fair price shop owner as on the beginning of the day from which the revised issue price will come into force should be assessed by the fair price shop owner and intimated to the Taluk Supply Officer or any other officer authorized by the Government for the purpose. In the case of revision of price upward, differential cost on the quantity of food grains so held in stock should

be remitted to the State. Similarly in the case of revision of price downward, a refund claim for the differential cost shall be submitted by the fair price shop owner to Taluk Supply Officer or any other officer authorized by the Government for the purpose.

48. Inspection:- 1) Every fair price shop owner shall give all reasonable facilities at all times to the District Collector or any officer of the Civil Supplies Department not below the rank of Rationing Inspector or any audit officer attached to the Civil Supplies Department or State Food Commission or District Grievance Redressal Officer or Chief Executive of the local body concerned or any person authorized by the Vigilance Committee or any Officer authorized by the Government/ State Food Commission/Commissioner/District Collector to inspect the stock and/or accounts in the shop.

(2) Regular one round inspections of all the fair price shops within a firka shall be conducted by the Rationing Inspector concerned once in a month. The Taluk Supply Officer shall inspect minimum thirty number of fair price shops within a Taluk and the District Supply Officer shall inspect minimum twenty number of fair price shops within a district once in every month without fail. Failure to conduct statutory inspections shall be a ground for disciplinary action. District Supply Officer shall submit a monthly report of inspections conducted by the officials in his district to the Commissioner in a format prescribed by the Commissioner

(3) The Officers conducting inspections shall mark the details of their inspection in the register maintained in the fair price shop **form 'P' given at Annexure XVI**. The inspection and supervision system available in the fair price shop automation system shall also be utilized by the Inspecting authorities. The irregularities found if any during inspections shall be reported to the authority higher to the Inspecting Authority.

(4) A report generated under the system of information technology shall be considered as an electronic record and disciplinary action shall be initiated against such fair price shop owner or employee who knowingly or intentionally destroys or distorts or manipulates such record. This shall be in addition to and not in derogation of the penal provisions under the Indian penal code and Information Technology Act,2000.

49. Disciplinary Action.- 1) If the District Collector or any officer of the Civil Supplies Department not below the rank of a Taluk Supply Officer, on receipt of the report from any of the officers referred to sub-clause (1) and (2) of clause 48 or on receipt of a complaint from a ration card holder or from his own inspection of the stocks and accounts in a shop finds contravention of conditions of licence or non-compliance with any of the directions issued by the Competent Authorities or contravention of the provisions of this Order or any Order issued under section 3 of the Essential Commodities Act, 1955 (Central Act, 10 of 1955) or National Food Security Act, 2013 or Rules or Orders issued thereunder or on finding shortage or excess in the quantity of food grains or any other irregularities relating to accounts, he may for reasons to be recorded in writing, amend, vary, suspend or cancel his license in addition to forfeiture of security deposit as specified by Commissioner from time to time.

Provided that except for suspension, the fair price shop owner shall be given an opportunity for stating his case and an opportunity of being heard in person:

Provided further that the power of cancellation of licence shall be exercised only by the Licensing Authority or a higher Authority.

(2) Proceedings relating to disciplinary action provided under sub-clause (1) above shall be concluded within three months.

(3) Notwithstanding anything contained in this clause, any of the Officers mentioned in sub clause (1) may order realization of economic cost of the quantity of food grains found short or in excess or of any quantity of food grains misappropriated by falsification of accounts or otherwise and recover sums collected in excess, if any, from the ration card holders or sums gained by the fair price shop owner due to incorrect fixation of price or any defect in calculation.

Explanation.- For the purpose of this clause 'Economic Cost' means the cost of food grains fixed as such by the Central/State Government from time to time.

(4) The total amount assessed under sub-clause (3) or any other amount found due to Government by virtue of the licence or the Order shall be informed to the licensee in default through a written notice. If the defaulter fails to remit the amount within 7 days of the receipt of notice, such amount

shall be recovered firstly from the fair price shop owner's margin and then from the security deposit and thereafter from the solvency furnished by the fair price shop owner. The remaining balance if any, shall be recovered under the provisions of the Kerala Revenue Recovery Act, 1968 (Act 15 of 1968) or in such other manner as the Government may specify for this purpose. The quantum of liability of the fair price shop owner shall be adjudicated by the Government or Commissioner or District Collector or any officer of the Civil Supplies Department not below the rank of a Taluk Supply Officer after giving him an opportunity of being heard.

(5) It shall be open to the Officers referred to in sub-clause (1) while passing an order under that sub-clause to take into account for purposes of deciding upon the nature of punishment to be imposed, the previous irregularities established against the fair price shop owner for which action has been taken against him:

Provided that any such proposed action under this clause shall be communicated to the fair price shop owner.

(6) Notwithstanding anything contained in any other provisions of this Order, the District Collector or any officer of the Civil Supplies Department not below the rank of a District Supply Officer, may after giving the fair price shop owner an opportunity of stating his case and for reasons to be recorded in writing, amend, vary, suspend or cancel his licence, if such officer is of the opinion that in the interest of general public it is necessary or expedient to do so. In every such case the fair price shop owner shall surrender on demand to the District Collector or such other officer the licence for endorsement or cancellation as the case may be.

(7) When licence issued to a fair price shop owner is cancelled or suspended, under this clause, the stock of food grains available with him at the time of such cancellation or suspension shall be disposed of in accordance with the direction of the Officer ordering such cancellation or suspension.

(8) In case of suspension or cancellation of the licence, the District Supply Officer/Taluk Supply Officer shall make alternative arrangements for ensuring uninterrupted supply of food grains to the eligible households:

Provided that in case of cancellation of the licence of the fair price shop owner, new licence shall be issued within three months from the date of cancellation;

(9) Notwithstanding anything contained in this Order, where a fair price shop owner has been convicted by a Court of law in respect of contravention of any of the provisions of this Order or any Order made under section 3 of the essential commodities Act, 1955 (Central Act, 10 of 1955) or National Food Security Act or Rules issued there under or any other offence involving moral turpitude, the District Supply Officer may, by order in writing, cancel his license;

(10) The District Supply Officer shall furnish a monthly report of fair price shop licences suspended, restored, cancelled, expired and surrendered in his district to the Commissioner and a consolidated annual report in this regard on or before 30th of April every year. The format for reporting will be as decided by Commissioner

50. Payment of margin to the fair price shop owner –(1) It shall be the responsibility of the Taluk Supply Officer to ensure the payment of margin money at the rates decided by the Government from time to time to the fair price shop owner on or before the last day of succeeding month . The deliberate failure to disburse margin to the fair price shop owner shall lead to disciplinary proceedings against such officer. The margin shall be limited to the actual transactions to actual beneficiaries made through point of sale device.

(2) If the fair price shop owner intentionally fails to deliver entitled food grains to the beneficiaries, the food security allowance under the Food Security Allowance Rules, 2015 calculated in such cases shall be deducted from the security deposit of such fair price shop owner or the commission amount due to him.

51. Viability.– Subject to the conditions to be fixed, the Government may permit diversification of commodities and services other than those distributed under targeted public distribution system at the fair price shops to improve the viability of the fair price shop operations.

CHAPTER-V

LIFTING, MOVEMENT, STORAGE AND DELIVERY OF FOOD GRAINS

52.Authorised Agency.-Kerala State Civil Supplies Corporation(SUPPLYCO) shall be the Authorised Agency to lift food grains from the godowns and to store the food grains in intermediate godown and to organise Intra-State movement for delivery of the allocated food grains at the door-step of each fair price shop.

53.Lifting.-(1) The Director, on getting allocation of food grains from the Central Government, issue allocation orders either manually or through the Supply-Chain Management System (SCMS) to the District Supply Officers concerned who in turn shall arrange lifting of food grains from the godown through the Authorised Agency;

(2) The Taluk Supply Officer shall ensure that one copy of the allocation order pertaining to a fair price shop received through SCMS is delivered to the local authority, vigilance committees of the rationing area concerned and any other body nominated by the State Government for monitoring the functioning of the fair price shop;

(3) The Civil Supplies Department shall ensure that the allocation order depicting the stocks of food grains allotted during the month to the fair price shops is displayed on the public domain including on the portal of the Civil Supplies Department;

(4) Before taking delivery of food grains from the godown, District Supply Officer or an officer duly authorized by him and an Officer of the Food Corporation of India (FCI) shall jointly inspect the stocks of food grains intended for issue to ensure that the stocks conform to the prescribed quality specifications;

(5) After the joint inspection, the FCI shall issue to the District Supply Officer or to the officer duly authorized by him, before dispatch of food grains from godown, one stack-wise sealed sample jointly drawn for display at the intermediary godown and a duplicate sealed sample drawn shall be kept with the FCI for future reference;

(6) The quantity of the samples to be drawn, retention period of the samples and disposal of the samples shall be as per the instructions issued by the Central Government from time to time;

(7) The Authorised Agency shall ensure the lifting of food grains from the godown by the last day of the month preceding the allocation month;

(8) In the case of Custom Milled Rice to be lifted from the Mill owners, the Authorised Agency shall comply with all the procedures specified in clause (1) to (7) above.

Explanation.- ‘Custom Milled Rice’ means the rice processed out of the paddy procured through the designated agencies of Government under decentralized procurement scheme of Central Government.

54. Transportation.- (1) The Authorised Agency shall devise suitable mechanism for transportation of food grains from the godown to the intermediate godown and the door-step delivery of the food grains to the fair price shop:

Provided that the Authorised Agency may also transport food grains directly from the godown to the fair price shop and ensure its door-step delivery at the fair price shop.

(2) Authorised Agency shall arrange adequate number of vehicles for transportation purpose.

(3) Authorised Agency shall devise suitable mechanism to track the vehicles involved in transportation of food grains so as to prevent substitution or adulteration or diversion or theft of stocks.

55. Door-step delivery.-(1) In order to ensure that full quantity and the same quality of food grains as lifted by the Authorised Agency reaches the intermediate godowns and in turn at the fair price shop, Authorised Agency shall;

(i) issue sealed sample of each variety of food grains to the fair price shop, at the time of door step delivery, for displaying at the shops.

(ii) ensure weighment of food grains at the intermediate godowns.

(iii) issue weighment slip to the fair price shop owner at the time of door-step delivery. Weighment slip shall contain the details as to variety of food grains, net weight, number of bags, loose grains issued, if any, etc.

(2) The Authorised Agency shall ensure physical delivery of food grains to the fair price shop by the first week of the allocation month and in any case not later than the second week of the allocation month.

(3) On delivery of the food grains, the receipt shall be obtained from the fair price shop owner either manually or electronically and the Officer in charge of the intermediate godown shall acknowledge the same and keep it for future reference.

(4) The Taluk Supply Officer/Rationing Inspector shall obtain monthly certificate, including through electronic platform, from the fair price shop owner confirming delivery of allocated food grains to the fair price shop and their distribution to eligible households during the allocation month.

(5) The monthly certificate **form 'Q' given at Annexure XVII** shall be given by the fair price shop owner certified by the head of the local authority/ Secretary of the local authority/ members of the vigilance committees at the fair price shop level.

(6) Distribution of the food grains to the fair price shops shall be made only according to the Allocation Order generated or issued through SCMS by Taluk Supply Officer and any modification in the Allocation Order shall require the permission of the Taluk Supply Officer who issued such order.

(7) The Government may issue Instructions from time to time for the smooth functioning of the door step delivery.

56. Intermediate godowns.-(1) Intermediate godowns shall be maintained in the following manner,-

(i) The stocks of food grains shall be stored and stacked safely and scientifically.

(ii) Measures should be taken to ensure safe storage of food grains and to prevent it from insect infestation, bird infestation and rodent infestation.

(iii) Steps should be taken to keep the food grains away from chemicals, pesticides or poisonous substances. Inspection shall be made monthly by the Quality Controller of Authorised Agency to ensure the same.

(iv) Whenever infestation of any kind is noticed at any time, immediate scientific curative treatment should be taken to control the same.

(v) The criteria specified by the Food Safety and Standards Authority of India for storage of food grains shall be followed scrupulously in each intermediate godown.

(vi) The intermediate godowns shall put in place adequate number of weighing and measuring instruments and fire fighting arrangements having the necessary technical and legal requirements.

(vii) Necessary security measures such as, protecting entrance and exit Points from unauthorized access, monitoring and registering of details of all the vehicles/personnel entering or exiting the premises of intermediate godown, locking of access points and proper manning, employee identification system shall be put in place.

(viii) FIFO (First in First Out) system should be followed to prevent any deterioration due to longer storage.

(ix) Registers containing allotment, Releasing Order, day to day-truck sheet, item details, vehicle number, quantity, destination, status of delivery, etc. shall be maintained.

(x) Name board and Stock board in form 'R' given at Annexure XVIII shall be displayed in each and every intermediate godown.

(xi) Comply with the directions issued by the Central/State Government in this regard.

(2) The Officer in charge of godown shall be responsible for ensuring the requirements mentioned in sub-clauses (i) to (xi) above.

(3) The District Supply Officer and Taluk Supply Officer/Regional Manager/Assistant Manager, SUPPLYCO in their respective jurisdictions shall reconcile either manually or electronically the statement of Authorised Agency regarding commodity wise lifting and distribution of physical stock with that of the records of FCI including release order and allocation orders issued by Director and keep it certified by the District Supply Officer.

(4) The working time of the intermediate godown shall be as specified by the Government from time to time.

(5) The Government shall make information available to the public about various storage points/godowns from where the food grains are lifted and sent to the fair price shops.

57. Inspection of intermediate godowns.- (1) The Quality Controller of Authorised Agency shall conduct periodic inspection once a month on the quality of stocks at intermediate godown, including the Custom Milled Rice and should record the details of inspection in the register kept for the purpose. Inspection of Custom Milled Rice shall be done before accounting it into the stocks and if such item does not meet the quality standards it shall be returned.

(2) Regular verification of stocks (counting of stocks) of the intermediate godown shall be conducted by the Taluk Supply Officer in consultation with the Assistant Manager, SUPPLYCO, in addition to the surprise inspection that may be conducted at any time. The verifications shall be done at the end of each quarter or as per the directions of State Government. Non inspection of stocks as directed by government shall invite major disciplinary action against the Taluk Supply Officer and Assistant Manager concerned.

(3) Taluk Supply Officer shall conduct the periodic inspections once in a month at the intermediate godowns under his jurisdiction and the District Supply Officer shall inspect the godowns under his jurisdiction once in two months

(4) Every officer in-charge of the intermediate godown shall give all reasonable facilities at all times to any officer of the Civil Supplies Department not below the rank of the Taluk Supply Officer or officers of equivalent rank of the Authorised Agency or any officer duly authorized on his behalf by the Government/Commissioner /District Collector or an officer of and above the rank of District Supply Officer to inspect the stock and/or accounts.

(5) Stock variation, if any found during inspection shall be recorded both manually and electronically by the inspecting officer. In case of major variations in the stock, the godown shall be sealed for further verification. The authority to approve the stock variation and finalise the same shall be the District Supply Officer of the district concerned.

(6) The reports of inspection done by the Officers mentioned under this clause shall be submitted to the Director of Civil Supplies/Chairman and Managing Director, SUPPLYCO within one week from the date of inspection.

Issues requiring urgent attention noticed during inspection shall be reported immediately.

58. Accounts.-(1) Authorised Agency shall maintain proper accounts relating to expenses incurred towards lifting, transportation, storage and delivery.

(2) The expenses in this regard incurred in a month shall be informed to the Government through the Commissioner within the 15th day of the succeeding month.

(3) Authorised Agency shall regularly audit the accounts and audited annual accounts shall be given to the Government.

(4) Authorised Agency shall timely furnish to the Government the details specified under sub-rule (6) of rule 10 and rule 11 of the Food Security (Assistance to State Governments) Rules, 2015.

59. Transit and storage losses.- Transit and storage losses may be allowed at the rates fixed by the Government from time to time.

CHAPTER-VI

END-TO-END COMPUTERISATION

60. End to end computerisation.- To modernize and to bring about transparency in the Targeted Public Distribution System the Government shall implement end-to-end computerisation, which inter alia include;

(i) **Ration Card Management System (RCMS)** for digitization of ration cards & beneficiary records and to enable ration document related services and updations through online platform;

(ii) **Fair Price Shop Automation** consisting of installation of electronic Point of Sale (ePoS) devices at Fair Price Shops for distribution of food grains through Aadhaar based authentication and electronic record-keeping of the sale transactions;

(iii) **Supply-chain Management System (SCMS)** which includes computerization of supply chain management, integration with the software of Food Corporation of India, integration with the software of Authorised Agency, online allocation of food grains;

(iv) **Setting up of transparency portals and grievance redressal mechanisms** which includes Toll free number, Exclusive call centre for NFSA related subjects, Grievance redressal software application.

CHAPTER-VII

ENTRY, SEARCH AND SEIZURE

61. Power of entry, search and seizure.-(1)The District Collector or any officer of the Civil Supplies Department not below the rank of a Rationing Inspector, within his jurisdiction or any officer duly authorized on this behalf by the Government/Commissioner/District Collector/or an Officer of and above the rank of District Supply Officer, with a view to securing compliance with the provisions of this Order or has reasons to believe on receipt of a complaint or otherwise that there has been any contravention of the provisions of this Order or to satisfy himself that this Order or any Order relating to Targeted Public Distribution System issued by Central Government or State Government has been complied with, may:-

(i) Enter, inspect ,break open or search any place or premises being made use of or suspected to be made use of by the Authorised Agency, fair price shop owner, transporter, or any other person;

(ii) Stop and search any person or animal, vessel or vehicle or any other conveyance or receptacle engaged or used or intended to be engaged or used for the movement of food grains;

(iii) Inspect any books of account or other documents or any stock of the food grains used or suspected to be used in the course of business by the Authorised Agency, fair price shop owner, transporter, or any other person;

(iv) Seize or remove any such books of accounts or other documents, which in his opinion would be useful for or relevant to any proceedings under the Act or this Order;

(v) Take samples of the food grains and/or seize or remove any of the stocks of the food grains along with packages, coverings, or receptacles in which food grains are found or the animals, vessels, boats or other conveyances used in carrying such food grains for which he has reason to believe that it has been or is being or is about to be used in contravention of this Order and thereafter to take or authorize the taking of all measures

necessary for securing the production of items so seized before the appropriate Court having jurisdiction under the provisions of the Essential Commodities Act, 1955 (10 of 1955) and for their safe custody pending such production.

Explanation: “Appropriate Court” in this sub clause shall means such court as is specified in or under the Essential commodities Act, 1955 in which proceedings would lie for contravention of the provisions of this Order and shall also include the District Collector referred to in section 6A of the Essential Commodities Act, 1955.

(2) Where any of the Officers specified in sub clause (1) conduct any seizure under the said sub-clause, he shall prepare forthwith an inventory of the articles or documents seized and shall also give a receipt for the same.

(3) Any books of accounts or other documents seized under the provisions of this clause shall be returned to the person from whom they were seized within a period not later than sixty days from the date of seizure, after taking copies thereof or extracts there from, if necessary, provided that the person from whom they are so seized, certifies as true such copies or extracts before taking back such books of accounts or other documents.

(4) Every person who is so required by any officer specified in sub-clause (1) shall allow access to the premises, provide facilities to search, hand over such article or articles seized, stop the vehicle, boat or animals, answer truthfully all questions asked of him, give it in writing if so required and produce the documents in his possession or under his control.

(5) The Officer conducting search and seizure under this clause shall inform the District Collector/Government or any other officer authorized by it on this behalf, the details of the search conducted and the stock of food grains or other materials so seized by him.

(6) The provisions of section 100 of the Code of Criminal Procedure 1973, (Central Act 2 of 1974) relating to search and seizure shall, as far as may be, apply to search and seizure under this Order.

CHAPTER- VIII

APPEAL AND REVISION

62. Appeal .-(1) Any person aggrieved by any Original order passed under this Order may within thirty days from the date of receipt of such order, appeal,-

In the case of an order passed by any of the following Officers, the Officers specified against them, as per the following schedule:

Officers issuing Original Orders	Appellate Authority
Taluk Supply Officer/City Rationing Officer/District Supply Officer	District Collector
Deputy Controller/Vigilance Officer/Controller of Rationing	Commissioner of Civil Supplies

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Appellate authority shall dispose the appeal under sub-clause (1) of clause 67 within forty five days of the receipt of the appeal or within such extended period not exceeding a total of sixty days from the date of filing thereof, as the case may be, for reasons to be recorded in writing;

(3) No appeal shall be disposed of unless the aggrieved person has been given a reasonable opportunity of being heard;

(4) Pending the disposal of an appeal, the Appellate Authority may direct that the order under appeal shall not take effect for such period as the authority may consider necessary for giving a reasonable opportunity to the other party or until the appeal is disposed of, whichever is earlier;

(5) The decision of the Appellate authority shall be final and no second appeal shall lie from an order passed in appeal under this Order.

63.Revision by the Government .- The Government may, either suo motu or on application from any person, call for and examine the records of any order passed by the Commissioner or any other subordinate authority under the provisions of this order for the purpose of satisfying itself as to the legality or to the propriety of such order and may pass such interlocutory orders as are

deemed necessary and also pass such final orders in reference to the record as the Government may deem fit:

Provided that no order to the disadvantage of person shall be passed under this clause unless the person concerned is given an opportunity of making any representation which he may wish to make against such order .

CHAPTER-IX MISCELLANEOUS

64. Monitoring.— (1) The Controller of Rationing at the State level, Deputy Controller of Rationing at the zonal level, the District Supply Officer at the District level, Taluk Supply Officer /City Rationing Officer at the Taluk level, Rationing inspector at the firka/city area shall monitor the implementation of the targeted public distribution system in the State.

(2) Review of the operation of the Public Distribution System at the State level shall be conducted by the Government/Commissioner and at the District level by the District Collector once in a month.

(3) The vigilance committees set up at various levels under the rules shall regularly supervise the implementation of all schemes under the Food Security Act and perform other functions as specified in the said Act.

65. Authority to certify the diversion/substitution Officers of Civil Supplies Department and SUPPLYCO appointed for the purpose by the State Government shall certify the genuineness of food grains under TPDS, if in any case such food grains is found to be diverted or substituted. For the purpose, the Committee shall take into consideration the relevant factors such as comparison with samples from godowns/CMR Mills, FCI stencils, bills etc.

66. Protection of action taken under this Order in good faith - No suit, prosecution, other legal proceeding shall lie against any person for anything which is done or intended to be done in good faith in pursuance of this Order.

67. Power of the State Government to give directions - The State Government may, from time to time give such directions as it deem necessary for execution of all or any of the provisions of this Order or of the Targeted Public Distribution System (Control) Order, 2015.

68. Repeal and Savings.-(1) The Kerala Rationing Order, 1966 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Order shall be deemed to be done or taken under this Order.

(3) All the cases against fair price shop owners pending at the commencement of this Order shall be dealt with in accordance with the provisions of the Order under which such cases were initiated.