

BY FAX

GOVERNMENT OF ODISHA
FOOD SUPPLIES AND CONSUMER WELFARE DEPARTMENT

No. 9948 / dated, Bhubaneswar the
09-17-10-45 /16

12.05.16

From
Sri Madhusudan Padhi, IAS
Principal Secretary to Government
To
All Collectors

Sub:- Issue relating to smooth operation of Fair Price Shops managed by Gram Panchayats.

Madam/Sir,

The Gram Panchayats are being given preference for appointment and grant of license as retailer in pursuance to the recommendations of Justice Wadhwa Committee appointed by Hon'ble Supreme Court of India. This has been done to have a better responsible and accountable Public Distribution System in the State. Besides, the State Government have taken decision in para 4(6) of the OPDS Control Order, 2016 that the private retailers of the State shall be replaced by institutional retailers within two years of issue of Control Order i.e. by 31st March, 2018. Following decisions have been taken at Government level for smooth operation of the PDS in the State with involvement of Gram Panchayats in operation of Fair Price Shops.

1. Issue of FPS license to Gram Panchayat (GPs).

As enshrined in Para 3(1) of the OPDS (Control) Order, 2016, the Gram Panchayat running Fair Price Shop needs to be issued with license by the Licensing Authority specified for the purpose. Since, the Gram Panchayat is an institutional body, all documentations are required to be executed by it's Executive Head. Therefore, the license for running Fair Price Shop under Public Distribution System shall be issued in favour of the Executive Officer of the said Gram Panchayat. This instructions was issued vide letter No.10322 dt.12.05.2008. The same is being reiterated now. As Sarpanch is head of the GPLAC, he/she should not be personally involved in PDS operation. But she/he has power of supervision monitoring & vigilance for smooth operation of PDS in the Gram Panchayat.

2. Guidelines for Jogan Sahayak.

In order to have smooth management of Fair Price Shop run by GPs or other institutions, engagement of Jogan Sahayak on contractual basis has been allowed vide this Department Letter No.7040 dt.21.04.2012. The Jogan Sahayak engaged in operation of the Public Distribution System in the Gram Panchayat or other institutions are required to perform their duties as given below:-

- a. The Jogan Sahayak will remain in charge of Fair Price Shops exclusively run by the GP or other institutions. He will report to Panchayat Executive Officer.
- b. The Jogan Sahayak will maintain all records and registers relating to Fair Price Shops and prepare all information required for the same.
- c. The Jogan Sahayak will be in charge of the stock and store of PDS materials and will be answerable for inspection by GP Authorities as well as Government Officials.
- d. The Jogan Sahayak will handle PDS materials and distribute the same to the beneficiaries keeping in view the Government guidelines issued from time to time.
- e. The Jogan Sahayak will deposit daily sale proceeds in the nearest Bank with knowledge of the Executive Officer of the GP or other institution and make DD or operate the Bank Module for deposit of cost of PDS items with OSCSC (food grains) and SKO wholesaler (Kerosene).
- f. The Jogan Sahayak will work under the direct supervision of the Executive Officer of the GP. The PDS Bank Account will be operated jointly by the PEO & Jogan Sahayak. Existing PDS Bank Accounts may be modified accordingly.
- g. The Jogan Sahayak will be accountable to the GP for any sort of lapses in PDS operation.

3. Action against Gram Panchayat in case of irregularities.

The provisions of OPDS (Control) Order, 2016 are also applicable to GP running Fair Price Shops as being a retailer. Action under section 7 of EC Act can also be taken against the erring Gram Panchayats as per instructions issued vide this Department Letter No.8669 dt.11.05.2007 (copy enclosed).

4. Issue of appointment orders to Jogan Sahayak.

Appointment to the selected candidate as per the merit list approved by the concerned Collector is to be issued by the concerned Sarapanch of the GP. In case of declination by the concerned Sarapanch to issue the appointment order without any justification, the **Panchayat Executive Officer of the concerned GP may issue the appointment order to the selected candidate after one month of publication of the select list.** Concerned BDO is to ensure the same.

5. Non lifting of PDS materials by the Gram Panchayat.

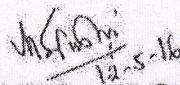
In case the Gram Panchayat failed to lift PDS materials within the stipulated time, then action would be taken against the GP as like in case of private retailers under the provisions of the OPDS (Control) Order, 2016 and EC Act, 1955. In addition Departmental proceedings against the Executive Officer of the Gram Panchayat will be initiated on the ground of negligence in duties.

6. Additional Centres for Distribution within GP.

In order to make available the PDS material to the ration card holder within an accessible distance i.e. three to four kilometres from their place of residence, the Gram Panchayat running Fair Price Shops may open second or third sub-centres within the Panchayat area as per the modalities enumerated in Department instructions issued vide Letter No.8599 dt.12.04.2005.

This order has the approval of Hon'ble Chief Minister vide UOR -631/CM dated 04.05.2010.

Yours faithfully


Principal Secretary to Government