

**OFFICE OF THE COMMISSIONER / APPELLATE AUTHORITY
DEPARTMENT OF FOOD SUPPLIES AND CONSUMERS AFFAIRS
GOVT. OF NCT OF DELHI,
ROOM No.101 ,1ST FLOOR, K-BLOCK, VIKAS BHAWAN, I.P.ESTATE,
NEW DELHI-110002.**

No.PA/COMM./AA/FPS Appeal/F&S/2019/ 934-936

Dated: 9/9/2019

APPEAL NO. 28/2019

In the matter of :

M/s. Sant Store,
FPS No. 8378, Circle -25, H-33, Kriti Nagar, Delhi.
Smt. Arti Arora

V/s

Appellant

The Assistant Commissioner (Central)
Deptt. of Food Supplies & Consumer Affairs,
Delhi.

Respondent

ORDER

Whereas, Ms. Arti Arora, the licensee/proprietor of M/s Sant Store, FPS No. 8378, Circle -25, resigned from the authorization of FPS No. 8378 vide application dated 18.01.2019 on grounds of frequent illness and consequent inability to ensure smooth functioning of the FPS. Subsequently the application for resignation of license was duly accepted by the Respondent vide Order dated 01/02/2019.

And whereas, the Proprietor of FPS Ms. Arti Arora filed the present Appeal dated: 24/04/2019 under Delhi Specified Articles (Regulation of Distribution) Order, 1981 against the Order of acceptance of resignation passed by the Respondent.

Accordingly, the case was called and both the parties were heard. The Appellant submitted that she wishes to withdraw her application for resignation of license as now she is fit to run the FPS smoothly. She has submitted Medical Fitness Certificate in support of her cause.

The Respondent contended that resignation was accepted as the licensee on her free will submitted her resignation due her inability to manage the functioning of the FPS on account of her repeated illness.

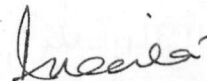
After hearing contentions of both parties, examining their written submissions and perusing other relevant records placed before me, it is noted that the Appellant has on her own admitted that she frequently remains ill and as such is not in a condition to run the Fair Price Shop. Certain provisions have been laid down by the Department to address issues pertaining to ill health of licensees which the Appellant chose not to exercise. On her free will she relinquished the license/authorization of Fair Price Shop.

In her application for resignation the Appellant who is 59 years of age has submitted that she frequently remains ill. There is therefore no certainty that such a situation will not arise again at a later date. Needless to mention inadequate attention to the functioning of an FPS due to ill health or repeated linking and delinking of ration cards to different Fair Price Shops on account of resignation/cancellation of Fair Price Shop results in great inconvenience to the beneficiaries.

Therefore, considering the admission of the Appellant of frequent illness and inability to run the FPS and keeping in view the larger public interest it is not possible to allow the restoration of the authorization relinquished by the licensee.

The Order of AC (Central) dated 01/02/2019 is upheld and the Appeal is accordingly disposed off.

Parties be informed accordingly.



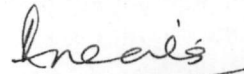
(ANKITA MISHRA BUNDELA)
COMMISSIONER (F&S)/APPELLATE AUTHORITY

No.PA/COMM./AA/FPS Appeal/F&S/2019/

Dated:

Copy to :-

1. The Assistant Commissioner (Central), F&S Deptt., GNCT of Delhi.
2. M/s. Sant Store, FPS No.8378, Circle-25, Moti Nagar, Delhi through AC (Central).
3. Smt. Arti Arora, Prop. of M/s. Sant Store, FPS No. 8378, ,H.No.H-33, Kirti Nagar, New Delhi-110015.



(ANKITA MISHRA BUNDELA)
COMMISSIONER (F&S)/APPELLATE AUTHORITY