

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CIVIL SUPPLIES – Selection and appointment of Fair Price Shop Dealers under the Andhra Pradesh State Targeted Public Distribution System (Control) Order, 2018 – Guidelines – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (CS.I) DEPARTMENT
G.O.MS.No. 32 Dated: 03-12-2018
Read the following:

1. G.O.Ms.No.21, CAF & CS (CS.I) Department, dated:19-05- 2008.
2. G.O.Ms.No.4, CAF & CS (CS.I) Department, dated:19-02- 2011.
3. G.O.Ms.No.15, CAF & CS (CS.I) Department, dated:01-08- 2018.
4. G.O.Ms.No.27, CAF & CS (CS.I) Department, dated:29-10- 2018

ORDER:

In the reference second read above, Government issued guidelines for selection and appointment of Fair Price Shop Dealers under the Andhra Pradesh State Public Distribution System (Control) Order, 2008.

2. In the reference 3rd read above read with reference 4th read above, Government issued A.P. State Targeted Public Distribution System (Control) Order, 2018 in supersession of A.P. State Public Distribution System (Control) Order, 2008.

3. The Commissioner of Civil Supplies has sent draft guidelines for selection and appointment of Fair Price Shop Dealers and to issue authorization to such Fair Shops under Clause 7 of the Andhra Pradesh State Targeted Public Distribution System (Control) Order, 2018.

4. After Careful examination of the matter and in supersession of the orders issued in the reference 2nd read above, the Government hereby issue the revised guidelines for selection and appointment of the F.P. Shop Dealers under the A.P. State Targeted Public Distribution System (Control) Order, 2018 as indicated in the Annexure.

5. These guidelines shall come into force with immediate effect.

6. The Commissioner, Civil Supplies Department shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
EX. OFFICIO PRL. SECRETARY TO GOVERNMENT

To
The Commissioner, Civil Supplies Department, Gollapudi, Andhra Pradesh,
Vijayawada.
The Director of Civil Supplies, Hyderabad.
All Collectors in A.P. All Joint Collectors (CS).
All the D.S.O., in A.P.
Copy to
P.S. to Minister (FCS)

// Forwarded by Order //

SECTION OFFICER

REVISED GUIDELINES FOR SELECTION AND APPONTMENT ETC. OF FAIR PRICE SHOP DEALERS UNDER THE ANDHRA PRADESH STATE TARGETED PUBLIC DISTRIBUTION SYSTEM (CONTROL) ORDER, 2018.

I. NOTIFICATION OF VACANCIES OF FAIR PRICE SHOPS :-

1) All vacancies of Fair Price Shops shall be notified through print media on 1st of every month by the Appointing Authority and invite the Applications from the candidates for consideration to be appointed as Fair Price Shops by issue of authorisation. The following time schedule shall be followed:

Notification shall be issued on : 1st of every month
Written test shall be conducted on : 15th of the month
Oral interview shall be conducted on : 16th of the month

Appointment order : On the same day, after oral interview.

In case, any of the date will fall on holiday, next working day shall be considered for the purpose.

2) The notification shall be affixed on the notice Boards of the offices of Collector, Joint Collector, **District Grievance Redressal Officer**, District Supply Officer, Revenue Divisional Officer, Tahsildar concerned and on the notice board of the Gram Panchayat, Municipal Corporation, Municipal, Ward office concerned and also at a conspicuous place in the village/ ward in which the Fair Price Shop is to be located. The appointing Authority may also publicise the notification inviting applications by beat of drum in the village concerned or through public announcement system in the village or town. The appointing authority shall send a copy of each of the notification to the following namely:

- i. The Sarpanch of the Panchayat / Ward Member of Municipality / Councilor of Municipal corporation in which the fair price shop is to be located / notified;
- ii. All the members of Vigilance Committees residing in the area/locality in which the FPS is located.
- iii. The members of the Vigilance Committees to the fair price shop; and
- iv. The Member of Legislative Assembly and Member of Parliament in whose constituency the fair price shop vacancy is notified and filled up.
- v. The Member of Legislative Council residing in the area in which, FP shop is located.

Provided that those notifications where exams are conducted for authorization of vacant Fair Price Shop based on earlier guidelines, the authorization of Fair Price Shop shall be concluded immediately, before going fresh notification as per the revised guidelines..

3) In the notification inviting applications for selection of candidates for fair price shops, it shall be specifically mentioned whether the fair price shop for which applications have been invited is reserved for Scheduled Castes / Scheduled Tribes / Backward classes/physically handicapped / women, so that the persons eligible alone shall apply. Application received from other than the category persons shall not be considered for the FP shops which was specifically reserved for.

4) The Appointing authority i.e., Joint Collector shall notify for all the Fair Price shop vacancies as per roster. The vacancies reserved for SC, ST, BC, PHC shall be filled by the respective category candidates only.

5) The Committee for selection of FP shop dealers (Annexure-II of the A.P. State Targeted Public Distribution System (Control) Order 2018), shall select the candidate and recommend the appointing authority for appointment as fair price shop dealers.

6) The Member-Convenor of the Committee (DSO) shall assist the appointing authority in the process of selection candidates for FP shop dealerships, such as, fixation of roster points, issue of notification, selection of dealers etc.

7) Notification for filling up of vacancies of the FP Shop shall contain the details of the FP Shop indicating whether it is reserved for any category like SC/ST/BC/PHC as shown in the foregoing paras

II. WRITTEN TEST, INTERVIEW AND SELECTION:-

A written test shall be conducted on the existing e-PDS, SCM, e-PoS, use of e-PoS cum e-Weighing scales etc., and the records to be maintained by the Fair Price Shop dealer, to know whether the applicant is aware of the functioning of the Public Distribution System in the State and whether he can function effectively in the implementation of the PDS and other general issues. Total marks for written examination and viva voce shall be 100 and the **selected candidate shall get a minimum of 40 marks** as indicated in the foregoing paras.

The written examination shall be for 80 marks. After the test is conducted, th qualified candidates **who score 30 marks and above out of 80 marks** shall be called for viva voce interview on the date as indicated at guideline No.1.1, by the Selection Committee. The ratio between the vacancy proposed to be filled and the candidates to be invited for interview shall be 1:5. However if the candidates qualified in the written test is less than 5, the Committee may confine the ratio to the exact number of qualified candidates in the written test. **In case no candidate is qualified in the written test, the appointing authority shall again notify the vacancy.** If the qualified candidates in the written test are more than 5, it shall be restricted to 5 only based on the marks from highest in the descending order.

The Member-Convenor of the Committee shall cause service of letters calling upon all the eligible applicants for an interview duly indicating the date, time and venue of interviews. Selection shall be made on the basis of interviews conducted by the Selection Committee purely on merit to be determined on the basis of the minimum general educational qualifications and other criteria indicated in the foregoing paras and in the Andhra Pradesh State Targeted Public Distribution System (Control) Order 2018.

The viva - voce interview shall be for 20 marks. After the interview is completed, the list of the candidates qualified based on the written test and the viva voce shall be prepared by the Committee and recommend to the Appointing Authority for appointment the candidate as a dealer for fair price shop notified. List of qualified candidates shall be displayed on the notice board in the office of the appointing authority. The candidate who secure the highest marks shall be declared eligible for appointment after due verification of the antecedents and other process as prescribed in this order.

III. VERIFICATION OF ANTECEDENTS :-

The appointing authority shall verify the antecedents of the selected candidates. The appointing Authority shall also get clearance report from the concerned, about any punishment or involvement of the selected candidates in any case under various laws or under any of the orders issued under the Essential Commodities Act, 1955 or his / her relationship with any business or ex-dealers or Government employees etc.

IV. ELIGIBILITY :-

Any unemployed person , public institutions, S.H.Gs which are run exclusively by women, Co-operative societies, Girijan Cooperative Societies shall be eligible for appointment as fair price shop dealers.

The applicant shall be financially sound to lift the allotted scheduled commodities by the authority without leaving any commodities uplifted due to financial constraints.

V. MINIMUM GENERAL EDUCATIONAL QUALIFICATIONS:-

A pass in Intermediate examination conducted by the Board of Intermediate, shall be the minimum general education required for selection and appointment of a fair price shop dealer.

Where, no candidate with the minimum general educational qualification is applied for the vacancy, the candidates, who appeared and failed in Board of Intermediate examination shall be considered."

VI. AGE LIMIT :-

The candidates applying for a fair price shop shall have completed 18 years of age and shall not have crossed 40 years of age on the date of application.

VII. RESERVATIONS:-

- a) **Reservations similar to Rule 22 (2) (E) (e) of the A.P. State and Subordinate Service Rules, 1996 shall be observed while making appointments,**
- b) The appointing authority shall maintain the percentage of reservation prescribed by the Government at divisional / circle level on overall basis of the strength of the fair price shops in the Revenue Division/Circle concerned. Reservations provided shall be followed treating the entire Revenue Division / circle as a unit.
- c) **The roster point of existing fair price shops shall not be altered, in case, such FP shop falls vacant subsequently.**
- d) **Existing Fair Price shop dealers shall not be disturbed while fixing the roster.**
- e) **In case of newly created fair price shops in SC/ST habitations, roster point shall be fixed to the respective community only.**
- f) **In case, no eligible person applied and selected for the shops reserved for SC and ST community, the vacancy shall be renotified by the appointing authorities again.**
- g) **In case, in the renotification also, no eligible person is applied and selected, again notification shall be issued to the vacancy permitting the same community persons resided with in the jurisdiction of the Mandal.**
- h) **In respect of institutions which are indicated in the National Food Security Act, 2013, community of the member who applied for and run the Fair price shop shall be considered for the said FP shop reserved for.**

VIII. RESIDENCE :-

- a. The candidate shall be a resident of the Gram Panchayat or the Municipal limits of the town, as the case may be, in which the shop is to be located.
- b. Persons applying for F.P. Shops reserved for Physically Handicapped shall be residents of the Mandal Concerned. However on appointment they shall shift the place of residence to the place where the F.P. Shop is situated in that Mandal. Preference shall however be given to the persons who are the residents within the concerned gram Panchayat limits or the concerned Municipal Limits of the town.

- c. In case of persons applying for F.P. Shops reserved for SC and ST categories as per guideline No.7.7, they shall be residents of the Mandal concerned. However on appointment he /she shall shift the place of their residence to the Village / place where the F.P. Shop for which he / she was selected.

IX. PREFERENCE AND PRIORITIES :-

- i. Preference shall be given to the resident of the revenue village or hamlet in which the shop is to be located or the ward in a Municipality where the shop is to be located;
- ii. Preference shall be given to the candidates belonging to families of freedom fighters, if they apply; and
- iii. Preference shall be given to the institutions which are indicated in the NFS Act, 2013, viz., DWCRA groups.
- iv. "Preference shall be given to the hawkers/NRs having license under the APPP(L&RS) Rules 1980, for selection and appointment as F.P. Shop dealer, while filling up the existing or new F.P. Shop vacancy. All Requisite qualifications and guidelines issued by Government from time to time shall be applicable to those hawkers/NRs while converting to F.P. Shop dealer subject to fulfilling the conditions of appointment of fair price shop dealers by the N.R./ Hawkers who are otherwise eligible for appointment.

X. GUIDELINES TO BE OBSERVED IN TRIBAL AREAS :

- a. Fair Price Shops shall be run through the Daily Requirement Depots of the Girijan Co-operative Corporation wherever they exist.
- b. Where there is no daily requirement Depots, the F.P. Shops shall be entrusted to a part time depot of the Girijan Co-operative manned by Tribal Candidates.
- c. Where neither Daily Requirement Depots nor part time depots are available, the Project Officer, Integrated Tribal Development Agency concerned shall identify suitable tribal beneficiaries and the F.P. Shops shall be entrusted to such tribal candidates only.
- d. The Tribal beneficiaries thus selected by the Project Officer, Integrated Tribal Development Agency shall be provided with Institutional Finance from the A.P. Scheduled Tribes Finance Corporation / Integrated Tribal Development Agency / Girijan Co-operative Corporation or through the Commercial Banks, in which case the Project Officer, Integrated Tribal Development Agency shall arrange the necessary margin money.
- e. The selection of beneficiaries to run the F.P. Shops shall be done by the Project Officer, Integrated Tribal Development Agency concerned and the candidates thus selected will be appointed as F.P. Shop dealers by the appointing authority.

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- f. Immediate action shall be taken to replace all the F.P. Shops which are now being run by non-tribals in Tribal areas.

- g. In respect of those villages where no tribals are residing in tribal areas, the Girijan Co-operative Corporation alone shall run the F.P. Shops through their daily requirement Depots.
- h. In respect of those Villages where tribals do not come forward to take up the F.P. Shop dealership due to lack of finances, the Project Officer, Integrated Tribal Development Agency concerned shall identify suitable tribal beneficiary and provide necessary financial assistance towards working capital as well as security deposit. The Integrated Tribal Development Agency Officials and Mandal Revenue Officer concerned shall be responsible to recover the loan amount from such tribal beneficiaries identified by the Project Officer, integrated Tribal Development Agency.

XI. BANK FINANCE AND RECOVERY :

- i. The amount which is due to the banks against the amount advanced to a F.P. Shop dealer/NR shall be recovered from the legal heirs of the deceased / defaulter F.P. Shop / NR treating it as arrears of Land Revenue and shall be collected by the Tahsildar / Revenue Divisional Officer concerned, who are empowered under the Revenue Recovery Act;
- ii. The deposit made by the Fair Price Shop dealer with Civil Supplies Department, shall not be refunded, without concurrence of the financing institution and the F.P. Shop dealer must be insisted upon to get the monthly demand Drafts from the bank, which has provided loan to him.

XII. GENERAL :-

- i. All individuals holding any Public Office like Sarpanch of Gram Panchayat, President of Mandal Praja Parshad, Chairman of Zilla Praza Parishad, Presidents of Co-operative Societies, Councillors or Chairman of Municipality / Members of Zilla Parishad Territorial Constituency (ZPTC) etc., or holding any office of profit irrespective of the reservation shall not be eligible;
- ii. Every F.P. Shop dealer shall give an undertaking to the appointing authority concerned that he / she shall relinquish the fair price shop dealership if he/she is elected to any public office;
- iii. Close relatives of the employees of the Implementing / Enforcing Departments of Public Distribution System such as Civil Supplies, Revenue, Vigilance & Enforcement, Police, Legal Metrology, Judiciary Departments, Quality Control Cell of GOI etc.; User Departments such as School Education (Primary), Social Welfare, Backward Classes Welfare, Tribal Welfare, Minorities Welfare, Women Development & Child Welfare Departments,

objection to appoint family members or relatives of employees working on contractual basis on consolidated pay like Anganwadi teachers, ANMs, Asha Workers, Vidya Volunteers, outsourcing employees etc.

- iv. Candidates shall be required to give the Mulgi / Shop number or the door number of the place of business at the time of submission of application or before the authorization is issued;
- v. Under no circumstances, should the orders issuing authorizations or the orders suspending or cancelling the authorization, forfeiture of security deposit of a F.P. Shop dealer be issued by any officer other than the appointing authority.
- vi. While taking disciplinary action against the F.P. Shop dealers, the appointing authority shall issue speaking orders specifically giving reasons and quoting the relevant rules and provisions under law.
- vii. **When the authorization of a Fair Price Shop dealer / NR is suspended / cancelled or where a F.P. Shop falls vacant, to ensure uninterrupted supply of essential commodities, the cardholders may be requested to draw their commodities from any of the nearby FP shop.**
- viii. However, **if it is not feasible to distribute commodities under portability from the neighbouring F.P. Shop** for want of a shop in the same village or for any other reasons, **the work of such F.P.Shop may be entrusted to any institution indicated in the NFS Act 2013 purely on temporary basis** in order to ensure that there is no hardship to the cardholders in drawing the essential commodities as per their entitlement clearly indicating that such entrustment of distribution on a temporary basis **upto three months only** shall not confer any right at the time of filling up of the vacancy on a regular basis;
- ix. Every candidate appointed as a F.P. Shop dealer shall be required to work for a minimum period of 5(five) years unless the authorization of the F.P. Shop is suspended or cancelled by the Competent Authority. Resignations etc. seeking to relinquish the dealership shall not be accepted within the minimum period of 5(five) years except under special circumstances to be decided by the Competent Authority.
- x. **In case of medical grounds, the appointing authority may grant leave for a period of two months duly making alternative arrangements. Seeking for leave beyond two months shall be treated as resignation for the dealership and the appointing authority shall issue notification for selection and appointment a dealer for the FP shop.**
- xi. The candidate shall be financially sound to lift the PDS stocks required for all the cards that are likely to be registered with the fair price shop. The required finances may be mobilized through institutional finance or the candidate's own finance; and it shall be proved to the satisfaction of the appointing authority.
- xii. The candidate shall not have any adverse antecedents such as criminal cases or any punishments under the Essential commodities Act, 1955 or pendency of cases under the Essential commodities Act, 1955 or cancellation of licenses or punishments or pending charges under the Weights and Measures laws, Marketing laws, Labour laws etc or bad conduct on record as a dealer or as an individual if he had earlier functioned as a F.P. Shop dealer or a retailer dealer in essential commodities in the open market.
- xiii. The candidate shall possess good health and shall not suffer from any contagious or infectious disease or from any other disability making the candidate unfit to run the F.P. Shop himself / herself;
- xiv. The applicant shall personally run the F.P. Shop and not run benami or through an agent. However, women F.P. Shop dealers may take the assistance of their family member(s) whose name or names are to be included in the dealer's supply card. In the absence of the authorized F.P.Shop Dealer, the family members of the F.P.Shop Dealer i.e., Husband / Wife, Son and Unmarried Daughter may be allowed to authenticate with their UID.

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- xv. **In case a woman dealer married and in the event of her leaving the village she must relinquish the F.P. Shop dealership;**

- xvi. F.P. Shop dealership shall not be transferable. An undertaking shall be given by the candidate to the effect that he would lose the right to the F.P. Shop dealership and deposit, if he or she is found to have transferred the F.P. Shop without any order from the competent authority or tries to transfer the F.P. Shop in somebody's name.
- xvii. The candidate shall not have any connections with any other business dealing in the same commodities that are being distributed through PDS either directly or indirectly.
- xviii. In respect of individuals in each category the appointing authority shall take action to ensure institutional finance support from the Scheduled Castes or Backward Classes financial corporations or Women's Welfare Corporations or Physically Handicapped Corporation or Andhra Pradesh Scheduled Tribes Finance Corporation or through other Special Employment Schemes;
- xix. The appointing authority shall verify and ensure that candidates who have already been benefitted under other Government Schemes such as Gramodaya Pathakam, Khadi and Village industries Board etc., are not allotted F.P. Shops dealer ship;
- xx. Every F.P. Shop dealer shall, before lifting the first quota, on appointment as F.P. Shop dealer shall give an undertaking to the appointing authority agreeing to:-
 - a. Sell the essential commodities supplied to him for the Public Distribution on proper weighment and per the instructions of the government from time to time.
 - b. Use weights and measures which are properly stamped by the Legal Metrology Department and get them renewed from time to time as required under the Weights and Measures laws;
 - c. Sell the allotted essential commodities to the cardholders at the rates prescribed by the Government;

B.RAJ SEKHAR
EX. OFFICIO SECRETARY TO GOVERNMENT