

केस का सं० ओर तारिख	आदेश ओर पदाधिकार	आदेश पर की गई कार्रवाई के बारे में टिप्पणी, तारिख के साथ
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IN THE COURT OF THE ADJUDICATING OFFICER – CUM – DEPUTY  
COMMISSIONER, RANCHI

F.S.S. Case No.-27/2017-18

State

Through Sri L.B. Singh

Food Safety Officer,

AMCO Office, Sadar Hospital Campus, Ranchi ..... Complainant

-Versus-

Sri Prabhu Nath Prasad

Son of Late Ramu Saw

M/s Saran Sweets J.P. Market

Dhurwa, Ranchi – 834004 ..... Accused

ORDER

Present proceeding has been initiated upon the application for adjudication submitted vide Memo No.-04 dated 05.01.2018 by the Food Safety Officer, Ranchi and countersigned by the Designate Officer, Ranchi, wherein and whereunder they have prayed to summon the accused persons to stand trial and be punished U/s 52 of the Food Safety and Standard Act, 2006.

As per the application for adjudication, the complainant is appointed as Food Safety Officer under the provisions of the Food Safety and Standard Act, 2006 and is presently posted in Ranchi and employed to collect samples of food for analysis. On 24.10.2017 at 02:30 PM, the Complainant inspected the shop of the accused no.-1, where he found that the accused no.-1 was selling of food in the shop. The complainant intended to take the

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Ray

केस का सं० ओर तारिख	आदेश ओर पदाधिकारी का हस्ताक्षर	आदेश पर की गई के बारे में टिप्पणी, त. के साथ
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sample of Pera for the purpose of analysis and issued notice to the accused under Form V(A) intimating his intention. The complainant then purchased 200 grms X4 Packets of Pera for the purpose of analysis on payment of a price of Rs.150/- (Rupees One Hundred Fifty Only) and thereafter the complainant divided the sample of the food into four parts in packets container and sealed in prescribed manner and wrapped the sample packets with paper slips, duly signed by the Designated Officer bearing serial and Code RAN/1581 and took the signature of the accused on the paper slip and wrapper of the sample packets and thereafter the complainant prepared memorandum in form VI and sent part of the sealed sample alongwith Form VI to Food Analyst for analysis and the remaining parts of the same alongwith Form VI were submitted with the Designated Officer.

As per the report of the Food Analyst bearing Report No.-CM:410/FSSAI/2017, it has been opined that sample in question taken for analysis i.e. Pera is misbranded U/s 3 (zf) (A) (i) of FS&S Act as it contains other fat instead of milk fat and also the sample in question contained starch as an extraneous matter according to declared ingredients.

On the last date even on repeated call, no one appeared on behalf of the accused to argue on behalf accused, hence the case was fixed for passing final order.

Having gone through the record and on perusal of report I find that, the sample in question is misbranded U/s 3 (zf) (A) (i) of FS&S Act as it contains other fat instead of milk fat and also the sample in question contained starch as an extraneous matter according to declared ingredients and so the Accused persons are guilty of Offence U/s 52 of the FSS Act, 2006, hence taking into



क्र. सं०  
दि. तारिख

आदेश ओर पदाधिकारी का हस्ताक्षर

आदेश पर की गई कार्रवाई  
के बारे में टिप्पणी, तारिख  
के साथ

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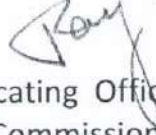
consideration the amount of gain and unfair advantage, made as a result of the contravention of the provisions of the Act of 2006 by the accused, this proceeding is concluded with a fine of Rs.20,000/- (Rupees Twenty Thousand Only)

Let demand notice be issued upon the accused for recovery of the said penalty in the name of Adjudication Officer-Cum-Deputy Commissioner, Ranchi through Demand Draft and in case the accused fails to deposit the penalty within the time stipulated in the demand notice, the authority concern shall recover the penalty by instituting certificate case under the Bihar Public Demand Recovery Act against the accused as provided U/s 96 of the Food Safety & Standard Act of 2006 and till then the license (if any) of the defaulter shall remain suspended. Further the Designated Officer shall also ensure that, as per Section 31 of the Act of 2006, the accused shall not commence or carry on any food business during the suspension of the Food License of the Accused

Communicate this order to the Food Safety Officer and Designated Officer for information and needful.

Dictated and corrected by me

  
Adjudicating Officer – Cum –  
Deputy Commissioner, Ranchi

  
Adjudicating Officer – Cum –  
Deputy Commissioner, Ranchi