



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

118

**CWP-6738-2025 (O&M)
Decided on : 17.03.2025**

**FOOD SUPPLY INSPECTORS WELFARE ASSOCIATION, PUNJAB
AND OTHERS**

. . . Petitioners

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. D. S. Patwalia, Senior Advocate with
Mr. Kannan Malik, Advocate and
Ms. Sehar Navjeet Singh, Advocate
for the petitioners.

Mr. TPS Chawla, Sr. DAG, Punjab
assisted by Dr. Anjuman Bhaskar,
Additional Director Food & Civil Supplies, Punjab.

Ms. Suman Jain, Advocate and
Mr. Rishabh Jain, Advocate for FCI.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge of the petitioners is to the letter dated 03.06.2008 (Annexure P-5) under which the petitioners have been charged for the recovery of loss of interest payable to respondent-State due to non-submission/non-verification of documents by the officials of respondent No. 4-FCI.

2. Learned senior counsel appearing on behalf of the petitioners submits that the petitioners are working with various procurement agencies of the State of Punjab, which procure the commodities like wheat/paddy/rice on behalf of the Food Corporation of India (hereinafter referred as FCI). Learned Senior counsel for the petitioners submits that the wheat/paddy/rice procured from the farmers is stored in the warehouse of the procurement



agencies and as and when, any demand of such commodities is raised by the FCI, the particular procurement agency fulfills the said demand.

3. Learned senior counsel for the petitioners submits that the petitioners assist in the procurement of the wheat/paddy/rice as well as the dispatch of the wheat/paddy/rice on the asking of the FCI. Learned senior counsel for the petitioners submits that whenever any commodity (wheat/paddy/rice) is transported on the asking of the FCI, the bill with regard to the said commodity is to be raised by the particular procurement agency to the FCI, so that, the amount payable by the FCI qua the said transfer of the commodity could be adjusted/reimbursed from the FCI.

4. Learned senior counsel for the petitioners submits that before dispatching the wheat/paddy/rice as the case may be, the same is verified with regard to the grade/quality by the FCI and then, the weight of the wheat/paddy/rice being transported is also recorded, and after verification, the verified documents are to be signed by the FCI on the basis of which, the claim for reimbursement of the dispatched commodities is to be raised by the procurement agency. Learned Senior counsel for the petitioners submits that the FCI does not counter sign the quality as well as the weight slips on the spot, which causes concern for members of the petitioner No. 1-union while forwarding the said documents to the authority concerned of the procurement agency for raising the claim for reimbursement from the FCI and delay occurs.

5. Learned senior counsel for the petitioners submits that seven days time has been fixed in the letter dated 03.06.2008 (Annexure P5) to prepare the documents for reimbursement of the amount from the FCI, which is causing prejudice as, the FCI authorities does not countersign the



documents within the prescribed time period of seven days and the members of the petitioner No. 1 union have been made accountable and are being issued charge-sheet and the recovery orders.

Learned senior counsel for the petitioners submits that the procurement agencies where the petitioners are working, should be directed to frame clear instructions as to what should be done in case, the FCI authorities does not countersign the weight slips or the quality slips on the basis of which the verified documents are to be sent to the competent authority of the procurement agency so as to raise the claim against the FCI within the period of seven days granted. Learned senior counsel for the petitioners further submits that the respondent-department knows about the difficulties being faced by the field staff, but, all the actions are being taken against the field staff/petitioners despite due diligence and no fault being committed by them while performing their duties.

6. Notice of motion.

7. Mr. TPS Chawla, Sr. DAG, Punjab assisted by Dr. Anjuman Bhaskar, Additional Director Food & Civil Supplies, Punjab and Ms. Suman Jain, Advocate accept notice on behalf of the respondents-State and respondent- FCI respectively.

8. Learned counsel appearing on behalf of the respondents who is also assisted by Dr. Anjuman Bhaskar, Additional Director Food & Civil Supplies, Punjab submits that initially, three days time was given to the field staff of the procurement agencies to prepare the documents of the dispatched commodities so as to be sent by the procurement agency to the FCI for claiming the amount from the FCI but, as some times the credit has been taken by the procurement agency from the bank, the delay in



preparing the documents as well as subsequent delay in receiving payment from FCI causes the payment of interest on the said credit amount and that is why it is to be ensured that the field staff who helps in procurement and transport of the commodity to FCI, is vigilant and quick enough to send the documents so that the claim is raised from the FCI without any delay and without causing any financial loss to any of the procurement agency.

9. Learned counsel for the State of Punjab further submits that keeping in view the certain inputs from the field staffs, the time limit for submission of dispatch documents was enhanced from three days to seven days by the impugned instructions dated 03.06.2008 (Annexure P-5).

10. Learned State counsel further submits that the procedure which is envisaged for the transportation of the commodity on the asking of the FCI is that the concerned authorities of FCI inspect the commodities at the warehouse of the procurement agency and after verifying the grade and weight of the commodity which has to be transported, the field staff is to send all those dispatch documents to the District office of the procurement agency so as to raise the claim for reimbursement from the FCI.

11. Learned State counsel on instructions further submits that in case there is a delay in verification of the documents by the FCI, the field staff is required to communicate the said act on the part of the FCI to the Assistant District, Food and supplies Officer and to the District Manager of the procurement agency concerned, so that the District Manager can correspond the said issue with the FCI for sending the required documents so that the claim is raised by the procurement agency without any delay so as to save the loss caused to the said procurement agency on account of payment of interest.



12. Learned State counsel submits that in case, the field staff communicate their difficulty that the officers of FCI are not co-operating in sending those documents, along with the proof that they had already brought the said factual averment to the notice of their superiors, the field staff can still send the documents so that, the appropriate action including the raising of the claim is done by the District Office without any further delay and under such circumstances, even if, the documents are received from the field staff without any countersignatures from the FCI authorities, no action will be taken against the field staff.

13. Learned State counsel also submits that the process has only been fixed so as to save the financial loss to the procurement agency and also to raise claim and settle the same with the FCI in a quick time and there is no ulterior motive to cause any harassment to the field staff.

14. Learned counsel for the State further submits that in case of any special circumstance where the field staff is aggrieved due to any inaction on the part of the FCI, even if, any allegation is raised against such field staff and due to explanation of the same is given by the field staff keeping in view the process envisaged, the action will be taken if needed, by due application of mind.

15. Learned Senior counsel for the petitioners submits that keeping in view the statement of the learned State counsel upon instructions, recorded herein above, no further grievance of the petitioners survives in the present petition, hence, the present petition may be disposed of with liberty to the petitioners that in case, any member of the petitioner No. 1-Union, has any grievance with regard to any charge-sheet issued against him, the same will be brought to the notice of the authority concerned for the redressal of the



same by filing the appropriate reply.

16. Ordered accordingly.

17. It may be noticed that the grievance of the field staff as well as procurement agency revolve around the conduct of the officers of the FCI. Once, the FCI authorities inspect the commodity i.e. wheat/paddy/rice which is to be dispatched, at the godown of the procurement agency itself and the weight of the dispatch commodity is weighed in their presence, the said documents needs to be counter-signed by the competent official of the FCI on the spot itself so that, this kind of the grievance of the members of petitioner No. 1 is redressed.

18. Once, the wheat/paddy/rice is dispatched and the grade of the wheat/paddy/rice is also checked, nothing prevents the competent officer of FCI to not counter-sign those documents at the site itself unless and until it is prevented by any unforeseen circumstances.

19. Furthermore, the FCI is directed that henceforth, all the documents with regard to the dispatched of the commodity like wheat/paddy/rice should be counter-signed by the competent officer concerned at the time of the dispatch of the said commodity or within a period of two weeks of receipt of such documents in case same were not countersigned at the time of dispatch of commodities so that, the bills can be raised by the procurement agency immediately and the officials working for the procurement agency are not made accused in any manner for delaying the claim.

20. Upon this, learned counsel on behalf of the FCI submits that the directions given and recorded herein above will be meticulously followed by the FCI so that, no dispute arise henceforth.



21. The present petition is disposed of with the observation given and recorded herein-above. .
22. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

17.03.2025

Riya
Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No