



GOVERNMENT OF NCT OF DELHI  
IN THE COURT OF SHRI SOM NAIDU, ADJUDICATING OFFICER/  
ADDITIONAL DISTRICT MAGISTRATE (NORTH DISTRICT)  
1, KRIPA NARAIN MARG, DELHI-110054

No.ADM/N/PFA/2014/2860-63

Dated: 12.5.2015

IN THE MATTER OF:

1. USHA KIRAN, FOOD SAFETY OFFICER,  
DEPARTMENT OF FOOD SAFETY,  
GOVT. OF NCT OF DELHI,  
8<sup>TH</sup> FLOOR, MAYUR BHAWAN, BEHIND SUPER BAZAR,  
CONNAUGHT PLACE, NEW DELHI-110001

...APPLICANT

Vs.

1. SHRI DILIP KUMAR,  
M/s GUJRATI NAMKIN BHANDAR,  
N-129/7, KHILONA BAGH,  
PARTAP BAGH, NEAR KIRPAL BAGH,  
NEW DELHI-110009  
R/O N-129/7, KHILONA BAGH,  
PARTAP BAGH, NEAR KIRPAL BAGH,  
NEW DELHI-110009

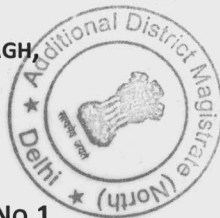
...FBO/INCHARGE

2. SHRI BABU LAL PATEL,  
M/s GUJRATI NAMKIN BHANDAR,  
N-129/7, KHILONA BAGH,  
PARTAP BAGH, NEAR KIRPAL BAGH,  
NEW DELHI-110009

...PROPRIETOR

3. SHRI MAN MOHAN SHARMA,  
M/s SALTY FOOD PRODUCTS,  
WZ-413B, SHRI NAGAR, GALI No.1,  
DELHI-110034

...PROPRIETOR OF SUPPLIER-CUM-MANUFACTURING FIRM



ORDER

(UNDER RULE 3.1.2 OF FOOD SAFETY & STANDARDS RULES, 2011)

Ms. Usha Kiran, Food Safety Officer, Department of Food Safety, GNCT of Delhi, 8<sup>th</sup> Floor, Mayur Bhawan, Behind Super Bazar, Connaught Place, New Delhi-110001 filed an application dated 12.6.2013 for adjudicating the offence for violation of 26(2)(ii) of the Food

Safety and Standards Act, 2006 read with section 3(1)(zf) of The Food Safety and Standards Act, 2006. The violations are punishable under section 52 of the Food Safety and Standards Act, 2006.

Ms. Usha Kiran, Food Safety Officer in the application submitted that on 4.3.2013 at about 3:00 PM she purchase the sample of "Badam Cookies" an article of food for analysis under the provisions of Food Safety & Standards Act/Rules/Regulations from Shri Dilip Kumar, FBO/Manager at the premises of M/s Gujrati Namkin Bhandar, N-129/7, Khillona Bagh, Partap Bagh, Near Kirpal Bagh, New Delhi-110009.

The Food Safety Officer sealed the "Badam Cookies" after paying sample price of Rs.480/- to the Food Business Operator and the four sample packets were fastened, sealed and obtained the signatures as per the procedure contained under the Food Safety & Standards Act/Rules/Regulations.

The Food Safety Officer also prepared notice in form VA and the panchnama and obtained the acknowledgement from the Food Business Operator.

The sealed sample packets were sent separately with a copy of memo in form VI to the Food Analyst, Delhi and also to the Designated Officer.

As per the provision, an opportunity was given to the Food Business Operator for sending the fourth packet for analysis to NADL accredited Laboratory under section 47(1)(c)(3) and 2.4.5 of the rule.

The Food Analyst analyzed the sample and reported the sample to be misbranded vide Food Analyst Report number FSS/172/2013, dated 11.3.2013. The report of Food Analyst is as Follows:-

"The sample is misbranded because there is violation of Regulation No.2.2.2.5(c) of the Food Safety & Standards (Packaging & Labelling) Regulation, 2011."



