



GOVERNMENT OF NCT OF DELHI
IN THE COURT OF DR NAVLENDRA KUMAR SINGH, ADJUDICATING OFFICER/
ADDITIONAL DISTRICT MAGISTRATE (NORTH DISTRICT)
1, KRIPA NARAIN MARG, DELHI-110054

No.ADM/N/PFA/2014/3129-30

Dated: 8.7.2015

IN THE MATTER OF:

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

...APPLICANT

Vs.

1. SHRI RAVI SAINI, S/O SHRI JAI KISHORE SAINI,
M/s APNI RASOI (A UNIT OF AUR ENTERPRISES),
F-18, VIJAY NAGAR,
OPP. NDPL, SINGLE STOREY OPP. NDPL,
DELHI-110009
R/O WZ-124, 2ND FLOOR,
SHASTRI NAGAR, DELHI-110052

...PROPRIETOR/FBO

2. ALSO AT:
B-102/1, SHASTRI NAGAR,
ASHOK VIHAR, DELHI-110052

...PROPRIETOR

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, 8th Floor, Mayur Bhawan, Behind Super Bazar, Connaught Place, New Delhi-110001 filed an application dated 8.12.2014 for adjudicating the offence for violation of Section 26(1) & 26(2)(ii) of the Food Safety and Standards Act, 2006 read with section 3(1)(zx) of The Food Safety and Standards Act, 2006. The violations are punishable under section 51 of the Food Safety and Standards Act, 2006.

Ms. Usha Kiran, Food Safety Officer in the application submitted that on 5.5.2014 at about 4:00 PM she purchase the sample of "Paneer" an article of food for analysis under the

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provisions of Food Safety & Standards Act/Rules/Regulations from Shri Ravi Saini, FBO/Manager at the premises of M/s Apni Rasoi (a unit of AUR Enterprises), F-18, Vijay Nagar, Opp. NDPL, Delhi-110009.

The Food Safety Officer sealed the "Paneer" after offering/paying sample price of Rs.220/- 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, panchnama and acknowledgement obtained 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 substandard vide Food Analyst Report number FSS/356/2014, dated 20.5.2014. The report of Food Analyst is as Follows:-

"The sample is substandard because milk fat of dried matter is less than the prescribed minimum limit of 50% and butyrefractometer reading exceeds the prescribed maximum limit of 43.0."

After the receipt of Food Analyst report the Designated Officer (North) vide letter No.F.02/DO-12/4621/2014/1308-09, dated 27.5.2014 forwarded the report to the respondents in respect of food sample of "Paneer" and provided an opportunity to file an appeal u/s 46 (4) of the Food Safety & Standards Act, 2006 read with Rule 2.4.6 of the Food Safety & Standards Rules, 2011 within the stipulated time of 30 days.

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