

U.P. State Food Commission Rules, 2015

UTTAR PRADESH

India

U.P. State Food Commission Rules, 2015

Rule U-P-STATE-FOOD-COMMISSION-RULES-2015 of 2015

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U.P. State Food Commission Rules, 2015 Published vide Notification No. 2740/29-6-2015-115 Sa-14, dated 16.11.2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 16.11.2015, pp. 6-11 No. 2740/29-6-2015-115 Sa-14. - In exercise of the powers under Section 40 of the National Food Security Act, 2013 (Act No. 20 of 2013) read with Section 16 of the said Act, the Governor is pleased to make the following rules for the constitution of State Food Commission after considering the objections and suggestions received in pursuance of Government Notification No. 464/XXIX-6-2015-115 Sa-14, dated February 9, 2015 issued for inviting objection and suggestions as required under Section 40 of the said Act.

1. Short title and commencement.

(1) These rules may be called the Uttar Pradesh State Food Commission Rules, 2015. (2) They shall come into force on the date of their publication in the Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires, -(a) "Act" means the National Food Security Act, 2013 (Act No. 20 of 2013); (b) "Commission" means the State Food Commission constituted for the State of Uttar Pradesh under Section 16 of the Act subject to the provisions of these rules; (c) "Commissioner" means the Food Commissioner, Uttar Pradesh; (d) "Governor" means the Governor of Uttar Pradesh; (e) "Principal Secretary" means the Principal Secretary/Secretary of the Department of the Food and Civil Supplies, Uttar Pradesh Government. (2) Words and expression not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Constitution of State Food Commission.

(1)As required by Section 16 of the Act, the State Government shall, by notification, constitute a State Food Commission for the State of Uttar Pradesh. The Commission shall consist of -(a)a Chairperson;(b)five other Members; and(c)Member-Secretary who shall be an officer of the State Government not below the rank of Joint Secretary to the Government:Provided that there shall be at least two women, whether Chairperson, Member or Member-Secretary:Provided further that there shall be one person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member-Secretary.(2)The Chairperson and Members of the Commission shall be appointed by the Governor on the recommendations of the Selection Committee constituted under sub-rule (6).(3)No person shall be eligible to be appointed as the Chairperson or Member of the Commission, if he has -(a)not completed the age of forty-five years;(b)been an un-discharged insolvent;(c)been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude;(d)been declared of unsound mind by a competent court of law.(4)The Chairperson shall be appointed from amongst persons, -(a)who are or have been members of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having worked for at least three years in matters relating to, either separately or taking together, food security, policy making and administration in the field of agriculture, food and civil supplies, nutrition, health or any allied field; or(b)of eminence in public life with wide knowledge and at least five years experience of working in agriculture, law human rights, social service, management, nutrition, health, food policy or public administration; or(c)who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.Explanation. - For the purposes of these rules a person is said to have a person record of work if he has received any State, National or International award in the respective field or worked for at least two years for an organization receiving such award, for its work in that field.(5)The Members shall be appointed from amongst persons, -(a)who are or have been member of the All India Services or any other civil services of the Union or State or holding a civil post under the Union or State having worked for at least who two years in matters relating to, either separately or taking together, food security, policy making and administration in the field of agriculture, food and civil supplies, nutrition, health or any allied field; or(b)of eminence in public life with wide knowledge and at least three years experience of working in agriculture, law human rights, social service, management, nutrition, health, food policy or public administration; or(c)who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.Explanation. - A person is said to have a proven record of work if he has received any State, National or International award in the related field or have worked for at least two years for an organization receiving such award, for its work in the related field.(6)The Selection Committee shall consist of the following members -(i)Minister-in-charge of the Food and Civil Supplies Department as Chairperson;(ii)Nominee of the Chief Minister, Uttar Pradesh as Member;(iii)Principal Secretary/Secretary of the Food and Civil Supplies Department as Member;(iv)Principal Secretary of the Law Department as Member; and(v)Food Commissioner, Uttar Pradesh as Member-Secretary.(7)The Selection Committee shall follow the following procedure -(a)The Selection Committee will invite applications from the interested persons through an advertisement published in at least two newspapers of repute having wide circulation in State of Uttar Pradesh of which at least one shall be in Hindi language;(b)The Selection Committee may call for such records

and enquiry as it may deem fit from any of the State authorities for evaluation of a candidate: Provided that different nature of records and enquiry may be required in case of different persons; (c) The Selection Committee will assess the candidates in light of qualifications under sub-rules (4) and (5) and enquiry conducted under clause (b); (d) The Selection Committee will recommend the panel of three applicants for every post, and forward all related documents and its detailed observations for consideration by the Governor; (e) If the number of applications received are three or less but not less than two, the Selection Committee may, after satisfying itself of applicants eligibility, forward the panel to the State Government; (f) The Governor may appoint any applicant as Chairperson or Members from the panel; (g) The State Government may, if it is not satisfied with the panel presented, return the panel to the Selection Committee recommending reconsideration of one or more existing applications or with a direction for inviting fresh or additional applications; (h) If adequate number of applications are not received, or the Selection Committee is of the opinion that adequate eligible candidates are not available to constitute a valid panel, it may again call for applications accordingly, as per clause (a). (8) The Chairperson and the Members of the Commission shall hold office, for a term not exceeding five years from the date on which he enters upon his office; he may not be removed earlier in a manner otherwise provided for in the Act or in these rules. The Chairperson or a Member who has not been removed from office in his/her tenure, shall be eligible for reappointment for another term: Provided that no person shall hold office as the Chairperson or a Member after he has attained the age of sixty-five years. (9) The State Government shall initiate the selection process for Chairperson and Members at least six months in advance before the expiry of the term of Selection Committee. (10) Save as otherwise provided in sub-rule (2), the Chairperson and Members shall be paid the salary as mentioned in Schedule A appended to these rules: Provided that where the Chairperson or a Member is a retired Government Officer or official from Union Territory Administration, Semi-Government bodies, public sector undertaking, recognized research institution, the salary payable together with the pension or pensionary value of the terminal benefits, or both, received by him shall not exceed salary payable in this sub-rule. (11) The Chairperson and every Member shall receive dearness allowance on their pay at the rates admissible to the officers of the State Government. (12) The other terms and conditions of service of the Chairperson and members shall be such as provided under sub-rule (5).