

From:

Director, Food, Civil Supplies &  
Consumer Affairs, HP, Shimla-9

To:

1. Director, Panchayati Raj,  
Himachal Pradesh, Shimla-9

2. All DCs in H.P. [ by e-mail ] Shimla

3. All SDMs in H.P. [through DFSC]

4. All DFSCs in H.P. [by e-mail]

Dated: Shimla-9 16<sup>th</sup> December, 2014

Subject:

Ration card for Indian citizens only – definition thereof

Sir/Madam,

I would like to refer to my earlier letter no.FDS(H)S-13/2005-VI-12870- 12960 dated 24.07.2013 [copy attached] vide which directions and clarifications were given regarding issue of Ration/Consumer cards. Apart from Tibetan refugees to whom ration permits may be issued, all Ration cards are to be issued to Indian citizens only. The matter regarding definition of Indian citizens was raised with Department of Revenue, GoHP, with relation to certain documents like Bonafide Himachali Certificate as well as Agriculturalist Certificate. The matter was also referred to Department of Law, GoHP.

In light of the clarification received from the Govt., the following directions are being issued for your guidance for issue of ration cards:

1. Apart from Tibetan refugees, ration/consumer cards may be issued to Indian citizens only.
2. Where there is confusion whether a person is an Indian citizen or not, the issuing authority (Inspectors in urban areas, and Panchayat secretaries/sahayaks in rural areas) shall demand further proof of citizenship. ONLY passport and Voter ID card issued by Election Commission of India may be considered to be incontrovertible evidence of citizenship. In other words, in case a person cannot produce any of these documents, ration card shall not be issued to such a person by the issuing authority before following the process in Para 3.

3. Where a person claims to be a citizen of India and cannot produce any of the documents quoted above, the case of such a person shall be referred to the SDO(C) concerned, who shall decide the case in accordance with The Citizenship Act, 1955, and other relevant acts/rules/judgments and orders, after affording all tenets of natural justice to the affected parties as part of the adjudicating process. The SDO(C) shall send clear directions to the issuing authority whether the person whose citizenship was referred to him, is a citizen or not. Thereafter, ration/consumer card shall be issued as per Para 1 above by the issuing authority.
4. Where one or more persons in a family are foreign citizens, but the rest are citizens of India, ration card shall be issued to such persons who are citizens of India. Head of family shall be decided as per NFSA 2013 – eldest adult female shall be HoF; in case no adult female is available, any adult male may be HoF.

You are requested to please be guided by these instructions, and also to bring it to the notice of all card issuing authorities, especially panchayat secretaries/sahayaks in all GPs in your district.

Yours faithfully,



Director, Food, Civil Supplies &  
Consumer Affairs, HP, Shimla-9  
Email: [priyatu@yahoo.com](mailto:priyatu@yahoo.com),  
Mob: 09418018822

Encl. (1)

Endst.No.

Dated 16<sup>th</sup> September, 2014

Copy to

1. Principal Secretary (Food, Civil Supplies & Consumer Affairs) to the Govt. of HP, Shimla-2
2. Special Private Secretary to the Hon'ble Minister, Food, Civil Supplies & Consumer Affairs, HP, Shimla-2 for favour of information.
3. Managing Director, H.P. State Civil Supplies Corpn. Ltd, SDA Complex, Kasumpti, Shimla-9.

Director, Food, Civil Supplies &  
Consumer Affairs, HP, Shimla-9

No FDSC/513/2005-SI-12870-12960  
Dated, Shimla, the July 2013 29/7/13 (264)

To,

All Deputy Commissioners [by email],

Director, Panchayati Raj Department [by email],

Director, Urban Development Department [by email],

All SDMs [by email],

All BDOs [by email],

All DFSCs,

Sub: HHC order in CWP 9905/2012 – Ration Cards can be made for Indian Citizens only

Sir/Madam,

In a widely reported case, the Hon'ble High Court of Himachal Pradesh vide a Division Bench judgement in CWP 9905/2012 has given the following order:

1. Ration Cards or Consumer Cards can be made for Indian citizens only.
2. Because Tibetans in India have refugee status, they are also entitled to PDS ration vide the existing system of Temporary permits.
3. As a corollary to 1 above, foreigners, including Gorkhas/Nepalis, are not entitled for either PDS ration or Ration Card.

Copy of the judgment is being sent as email attachment [hardcopies for the DFSCs] for your kind perusal.

It is requested that Ration Cards be issued only as per Himachal Pradesh Specified Articles (Regulation of Distribution) Order, 2003 in light of the clarification given by the HHC [summarized above]. Director, Panchayati Raj, is especially requested to ensure that proper instructions are issued to the Panchayat Secretaries/Sahayaks in all GPs so that no wrong Ration Cards are issued.

Sincerely Yours,



Priyatu Mandal, IAS

Director, Food, Civil Supplies and Consumer Affairs

0 9418018822, priyatu@yahoo.com

No FDS(H)5-13/2005-VI- 21918-22010  
Himachal Pradesh Government  
Food Civil Supplies & Consumer Affairs Department

From -

The Director, Food Civil Supplies &  
Consumer Affairs, HP Shimla-9


To

- 1 All District Controllers,  
Food Civil Supplies & Consumer Affairs in HP
- 2 All Inspectors, Food Civil Supplies &  
Consumer Affairs in HP

Dated Shimla-9 the <sup>21st</sup> December, 2013

Please refer to my previous letter no FDS(H)5-13/2005-VI-12870-12910 dated 24-7-2013 vide which directions regarding ration cards were given [copy attached] subsequent to the High Court judgment

It has been brought to my notice that there is some confusion regarding grant of ration cards to individuals of Nepali or Gorkha origin. It is hereby clarified that the origin of a person is immaterial and only the person's citizenship status is to be verified before grant of ration card. If a person is a holder of a Himachal Agriculturalist certificate duly issued by a competent authority then such a person is an Indian, and hence ration card may be granted to such person. You are advised to act according to clarification.

  
Director Food Civil Supplies &  
Consumer Affairs, HP Shimla-9