

Regd.

From

The Director of Agriculture-cum-
Appellate Authority, Haryana
Krishi Bhawan, Sector-21, Panchkula.

To

Deputy Director of Agriculture,
Faridabad

Memo No. 428 /Legal Cell
Dated, Panchkula the :- 28/9/15

**Subject :- Appeal – M/s The Unchagaon PACS Ltd., Sale point at
Village: Ferozepur Kalan, District Faridabad for Renewal of
Fertilizer Licence No. 2046**

.....
The above cited appeal (against order dated 15-07-2015
passed by DDA, Faridabad) has been decided by the Competent
Authority. The copy of the order is being sent to you for necessary
action.

Encl. As above.


24/9/15.


Asstt. Distt. Attorney,
for Director of Agriculture-cum-
Appellate Authority, Haryana.

Regd.

Endst. No. 429 /DDA(Legal), Dated, Panchkula the : 28/9/15

A copy is forwarded to **M/s The Unchagaon PACS Ltd., Sale
point at Village: Ferozepur Kalan, District Faridabad** for information.

Encls: As above.


24/9/15.

Asstt. Distt. Attorney,
for Director of Agriculture-cum-
Appellate Authority, Haryana.

CC:

Programme

BEFORE THE DIRECTOR AGRICULTURE, HARYANA
EXERCISING THE POWERS OF APPELLATE AUTHORITY UNDER THE
FERTILIZER (CONTROL) ORDER, 1985

M/s The Unchagaon PACS Ltd.,
Sale point at Village: Ferozpur Kalan
Distt. Faridabad

.... Appellant

Versus

Deputy Director of Agriculture, Faridabad

... Respondent

ORDER

The appellant has filed the present appeal against the impugned order dated 15.07.2015 passed by the Notified Authority-cum-Deputy Director of Agriculture, Faridabad whereby the renewal of Fertilizer Licence No. 2046 was declined.

Briefly, the facts of the case are that the appellant is holder of Fertilizer Licence No. 2046 which was valid upto 30.01.2015. The appellant applied for renewal of the said Fertilizer Licence on 15.07.2015. As per clause 11(3) of Fertilizer (Control) Order, 1985, the holder of Fertilizer Licence is required to apply for renewal before the expiry of the Fertilizer Licence or within one month from the date of expiry of the validity period. The appellant neither applied for renewal of Fertilizer Licence before the expiry of validity period nor within one month from the date of expiry of validity period, consequently, the renewal of the said license was declined by the respondent. Hence, the present appeal.

Sh. Birender Sharma, Salesman appeared on behalf of the appellant. He has admitted that the license could not be got renewed in time due to recovery season and busy in the sale of fertilizer.

I have heard both the parties and perused the relevant record.

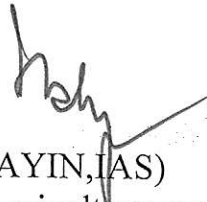
Admittedly, the appellant could not apply for renewal of the Fertilizer Licence No. 2046 before the expiry of the validity period or within one month from the date of expiry of the validity period due to recovery season and busy in the sale of fertilizer. The explanation given by the appellant does not appears to be genuine and sustainable, however, after taking a lenient view the delay is condoned.

In view of the above, I, M.Shayin, IAS, Director of Agriculture, Haryana exercising the Powers of Appellate Authority under The Fertilizer (Control) Order, 1985, accept the present appeal and set aside the impugned order dated 15.07.2015. The appellant is warned to be careful in future and maintain punctuality in renewing his letter of authorization within the stipulated period.

I order accordingly.

Dated:08/09/2015

Place: Panchkula


(M.SHAYIN, IAS)
Director of Agriculture-cum-
Appellate Authority, Haryana.