

Regd.

From

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

To

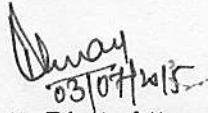
Deputy Director of Agriculture,
Hisar

Memo No. 322 /Legal Cell
Dated, Panchkula the :- 3/7/15

**Subject :- Appeal – M/s The Rakhi Shahpur PACS Ltd., for Renewal
of Fert. Licence No. RL-2500**

The above cited appeal (against order dated 04.05.2015
passed by DDA, ^{HISAR} ~~SISWA~~) has been decided by the Competent Authority.
The copy of the order is being sent to you for necessary action.

Encl. As above.

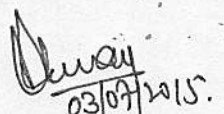

03/07/15
Asstt. Distt. Attorney,
for Director of Agriculture-cum-
Appellate Authority, Haryana.

Regd.

Endst. No. 323 /DDA(Legal), Dated, Panchkula the : 3/7/15

A copy is forwarded to **M/s The Rakhi Shahpur PACS Ltd.,
Sale point at Rakhi Shahpur P.O. Rakhi Shahpur, Distt: Hisar** for
information.

Encls: As above.


03/07/15
Asstt. Distt. Attorney,
for Director of Agriculture-cum-
Appellate Authority, Haryana.

CC:

Programmer

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

M/s The Rakhi Shahpur PACS Ltd.,
Sale Point at Rakhi Shahpur
Distt. Hisar

.... Appellant

Versus

Deputy Director of Agriculture, Hisar

... Respondent

Present :

1. Sh. Krishan Kumar, Secretary on behalf of the appellant.
2. Sh. Ravinder Yadav, ADO (PP) on behalf of the respondent.

ORDER

The appellant has filed the present appeal against the impugned order dated 04.05.2015 passed by the Notified Authority-cum-Deputy Director of Agriculture, Hisar whereby the renewal of Fertilizer Licence No. RL-2500 was declined.

Briefly, the facts of the case are that the appellant is holder of Fertilizer Licence No. RL-2500 which was valid upto 28.12.2014. The appellant applied for renewal of the said Fertilizer Licence on 28.04.2015. 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. Ravinder Yadav, ADO (PP) appeared on behalf of the respondent. He submitted that the appellant has not applied for the renewal of his licence in prescribed period as envisaged in Fertilizer (Control) Order, 1985. He further submitted that the appellant deserves no sympathy and appeal is liable to be dismissed.

Sh. Krishan Kumar, Secretary appeared on behalf of the appellant. He has admitted that the license could not be got renewed in time due to retirement of manager.

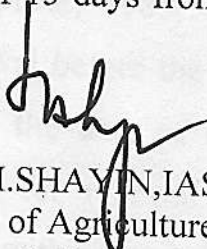
I have heard both the parties and perused the relevant record.

Admittedly, the appellant could not apply for renewal of the Fertilizer Licence No. RL-2500 before the expiry of the validity period or within one month from the date of expiry of the validity period due to retirement of manager. The explanation given by the appellant does not appear 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 04.05.2015 subject to the payment of penalty of Rs. 2000/- (Rupees two thousand only) within a period of 15 days from the receipt of the copy of this order.

I order accordingly.

Dated:02/07/2015
Place: Panchkula


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