



**MPPSC**

**ADPO**

**Madhya Pradesh Public Service Commission (MPPSC)**

**Volume - 7**

**(Section - B)**

**The Food Safety and Standards Act, The Madhya Pradesh Excise Act,  
The Madhya Pradesh Rajya Suraksha Adhinyam, 1990, The Madhya  
Pradesh Lok Sewaon Ke Pradan Ki Guarantee, The Madhya Pradesh  
Govansh Vadh Pratishedh Adhinyam**



S.No.	Chapter Name	Page No.
<b>The Food Safety and Standards Act, 2006</b>		
1.	Introduction	1
2.	CHAPTER I - Preliminary (Sections 1-3)	2
3.	CHAPTER II - Food Safety and Standards Authority of India (Sections 4-17)	8
4.	CHAPTER III - General Principles of Food Safety (Sections 18)	30
5.	CHAPTER IV - General Provisions as to Articles of Food (Sections 19-24)	34
6.	CHAPTER V - Provisions Relating to Import (Section 25)	39
7.	CHAPTER VI - Special Responsibilities as to Food Safety (Sections 26-28)	39
8.	CHAPTER VII - Enforcement of the Act (Sections 29-42)	41
9.	CHAPTER VIII - Analysis of Food (Sections 43-47)	52
10.	CHAPTER IX - Offences and Penalties (Sections 48-67)	55
11.	CHAPTER X - Adjudication and Food Safety Appellate Tribunal (Sections 68-80)	65
12.	CHAPTER XI - Finance, Accounts, Audit and Reports (Sections 81-84)	75
13.	CHAPTER XII – Miscellaneous (Sections 85-101)	77
<b>The Madhya Pradesh Excise Act, 1915</b>		
14.	CHAPTER I - Preliminary (Sections 1-7)	1
15.	CHAPTER III - Import, Export and Transport (Sections 8-12)	93
16.	CHAPTER IV - Manufacture, Possession and Sale (Sections 13-24)	95
17.	CHAPTER V - Duties and Fees (Sections 25-27A)	104
18.	CHAPTER VI - Licences, Permits and Passes (Sections 28-33A)	108
19.	CHAPTER VII - Offences and Penalty (Sections 34-49)	114
20.	CHAPTER VIII - A Penalty for Offences Against Life (Sections 49A-49B)	139
21.	CHAPTER IX - Detention, Investigation and Trial of Offences (Sections 50-61A)	141
22.	CHAPTER X - A Special Provisions for Scheduled Areas (Sections 61B-61F)	152
23.	CHAPTER XI – Miscellaneous (Sections 62-69)	156

<b>The Madhya Pradesh Rajya Suraksha Adhiniyam, 1990</b>		
24.	CHAPTER I - Preliminary (Sections 1)	163
25.	CHAPTER II – Restriction of Movements and Actions of Persons (Section 2-3)	163
26.	CHAPTER III – Dispersal of Anti-Social Elements and Previous Convict (Sections 4-19)	164
27.	CHAPTER IV – Control of Anti - Social Activities (Sections 20-21)	175
28.	CHAPTER V - Public Safety and Order (Sections 22-24)	176
29.	CHAPTER VI - Access to Certain Places and Areas (Sections 25-28)	179
30.	CHAPTER VII - Supplemental (Sections 29-35)	183
<b>The Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee</b>		
31.	Section 1 - 1. Short title, extent and commencement	186
32.	Section 2 - Definitions	186
33.	Section 3 - Notification of services, designated officers, first appeal officers, second appellate authority and stipulated time limits	187
34.	Section 4 - Right to obtain service within stipulated time limit	187
35.	Section 5 - Providing services in stipulated time limit	188
36.	Section 6 - Appeal	188
37.	Section 7 - Penalty	189
38.	Section 8 - Revision	190
39.	Section 9 - Protection of action taken in good faith	190
40.	Section 10 - Powers to make rules	191
41.	Section 11 - Power to remove difficulties	191
<b>The Madhya Pradesh Govansh Vadh Pratishedh Adhiniyam, 2004</b>		
42.	Section 1 - Short title, extent and commencement.	193
43.	Section 2 - Definitions.	193
44.	Section 3 - Appointment of Veterinary Officer.	194
45.	Section 4 - Prohibition of slaughter of cow progeny.	194
46.	Section 5 - Prohibition on possession and transport of beef.	194
47.	Section 6 - Prohibition on transport of cow progeny for slaughter.	194
48.	Section 6A - Prohibition of export of cow progeny and grant of permit.	194
49.	Section 6B - Prohibition of transporting cow progeny via Madhya pradesh and grant of transit permit.	195

50.	Section 7 - Strengthening of institutions.	195
51.	Section 8 - Levy of charges.	195
52.	Section 9 - Penalties.	196
53.	Section 10 - Offences to be cognizable and non-bailable.	196
54.	Section 11 - Power of entry, inspection, search and seizure.	196
55.	Section 11A - Appeal against order of confiscation.	198
56.	Section 11B - Revision before Court of Sessions against order of Appellate Authority.	201
57.	Section 12 - Rehabilitation.	201
58.	Section 12A - Maintenance of seized cow progeny.	202
59.	Section 13 - Protection of action taken in good faith.	202
60.	Section 13A - Burden of proof on accused.	202
61.	Section 14 - Officers exercising powers under this Act deemed to be public servants.	202
62.	Section 15 - Act to have overriding effect.	203
63.	Section 16 - Power to remove difficulty.	203
64.	Section 17 - Power to make Rules.	203
<b>The Madhya Pradesh Vishesh Nyayalaya Adhiniyam, 2011</b>		
65.	CHAPTER – I Preliminary (Sections 1-2)	204
66.	CHAPTER – II Establishment of Special Courts (Sections 3-12)	206
67.	CHAPTER – III Confiscation of Property (Sections 13-26)	211

# The Food Safety and Standards Act, 2006

➤ **Object and purpose of the Act:**

The **Food Safety and Standards Act, 2006** was enacted to **consolidate all food-related laws** and to establish the **Food Safety and Standards Authority of India (FSSAI)**. Its objective is to **lay down science-based food standards** and **regulate the manufacture, storage, distribution, sale, and import of food**, so as to ensure the **availability of safe and wholesome food for human consumption**, along with matters connected or incidental to it.

➤ **Constitutional basis:**

The Act is based on **Article 246 of the Constitution read with the Concurrent List**, especially **Entry 18 (adulteration of foodstuffs)** and **Entry 33 (trade and commerce in foodstuffs)** of the Seventh Schedule, and is supported by **Article 47 (Directive Principle)** which obligates the State to improve **public health and nutrition**.

➤ **Why the Food Safety and Standards Act, 2006 was enacted:**

- ✓ To **replace multiple scattered and overlapping food laws** with a **single, comprehensive legal framework**.
- ✓ To **remove confusion and jurisdictional overlap** caused by different authorities regulating different food-related matters.
- ✓ To **strengthen enforcement mechanisms** relating to food safety.
- ✓ To **establish the Food Safety and Standards Authority of India (FSSAI)** as the **single apex regulatory body**.
- ✓ To **lay down science-based food standards**.
- ✓ To **regulate manufacture, storage, distribution, sale, and import of food**.
- ✓ To **ensure availability of safe and wholesome food** for human consumption.
- ✓ To bring **uniformity, consistency, and improved public health protection** across the country.

➤ **Act No.:** 34 of 2006

➤ **Date of Assent:** 23<sup>rd</sup> August, 2006

➤ **Date of Come into force:**

➤ **No. of Chapters:** XII & **Sections:** 101

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➤ **Schedules:** 2

➤ **Amendments:** The Food Safety and Standards (Amendment) Act, 2008 (13 of 2008) (w.e.f. 7-2-2008)

The Jan Vishwas (Amendment of Provisions) Act, 2023 No. 18 Of 2023 (w.e.f. 7-11-2023)

## Chapter I Preliminary

### 1. Short title, extent and commencement.

This section explains the official name of the Act, where it applies, and how it is brought into force.

1. **Short title:** The Act is called the **Food Safety and Standards Act, 2006**.
2. **Extent:** It **extends to the whole of India**, meaning it applies uniformly across the country.
3. **Commencement:** The Act comes into force on such date(s) as the **Central Government may notify in the Official Gazette**. Different provisions of the Act may **commence on different dates**.

### 2. Declaration as to expediency of control by the Union.

Parliament **declares** that it is **necessary in the public interest** for the **Union (Central Government)** to control the **food industry**.

- ✓ This declaration provides the **constitutional basis** for Central legislation on food safety and standards.
- ✓ It brings the food industry under **Union control** to ensure **uniform regulation across India**.
- ✓ The objective is to protect **public health**, ensure **safe and wholesome food**, and avoid **fragmented State-wise regulation**.
- ✓ It enables the Central Government to frame **common standards, rules, and regulations** applicable nationwide.

**Article 249 / Article 246 read with Entry 52 of List I (Union List)** of the Seventh Schedule, which allows Parliament to legislate on industries declared by law to be under Union control in the public interest.

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### 3. Definitions.

This section explains important terms used throughout the Act so there is no confusion about their meaning.

- (a) **Adulterant:** Any substance used or capable of being used to make food **unsafe, sub-standard, misbranded, or containing extraneous matter.**
- (b) **Advertisement:** Any form of **audio or visual publicity** made through print, electronic media, internet, labels, wrappers, invoices, notices, etc., to promote or describe food.
- (c) **Chairperson:** The **Chairperson of the Food Safety and Standards Authority of India (FSSAI).**
- (d) **Claim:** Any statement or representation suggesting that food has **specific qualities**, such as origin, nutrition, composition, nature, or processing.
- (e) **Commissioner of Food Safety:** The officer appointed under **Section 30** to enforce the Act at the **State level.**
- (f) **Consumer:** Individuals or families who **purchase or receive food for personal use**, not for commercial resale.
- (g) **Contaminant:** Any substance present in food due to **production, processing, packaging, transport, storage, or environmental factors**, whether intentionally added or not. It **does not include extraneous matter** like insect fragments or rodent hair.
- (h) **Designated Officer:** An officer appointed under **Section 36** to supervise food safety administration in a specified area.
- (i) **Extraneous matter:** Foreign matter entering food during manufacturing or processing which **does not make the food unsafe.**
- (j) **Food:** Any substance intended for **human consumption**, whether processed or unprocessed.  
Includes:
- ✓ Primary food
  - ✓ Genetically modified food
  - ✓ Infant food
  - ✓ Packaged drinking water
  - ✓ Alcoholic drinks
  - ✓ Chewing gum
  - ✓ Water used in food preparation

Excludes:

- 
- ✓ Animal feed
  - ✓ Live animals (unless processed)
  - ✓ Unharvested plants
  - ✓ Drugs, medicines, cosmetics
  - ✓ Narcotic or psychotropic substances

The Central Government may declare **any other article as food** by notification.

- (k) Food additive:** A substance added to food for **technological purposes** (such as preservation, colouring, flavouring), which becomes part of the food. Does **not include contaminants** or substances added solely for nutrition.
- (l) Food Analyst:** An analyst appointed under **Section 45** to test and analyse food samples.
- (m) Food Authority:** The **Food Safety and Standards Authority of India (FSSAI)** established under **Section 4**.
- (n) Food business:** Any activity related to **manufacture, processing, packaging, storage, transport, distribution, import, or sale of food**, whether profit-making or not.
- (o) Food business operator (FBO):** The person who **owns or carries on a food business** and is responsible for **compliance with the Act**.
- (p) Food laboratory:** A laboratory established or recognised by the Government and **accredited**, and approved under **Section 43**.
- (q) Food safety:** The assurance that food is **safe and suitable for human consumption**.
- (r) Food safety audit:** An **independent and systematic examination** of food safety measures to check compliance and effectiveness.
- (s) Food Safety Management System (FSMS):** Implementation of **GMP, GHP, HACCP**, and other prescribed practices to ensure food safety.
- (t) Food Safety Officer:** An officer appointed under **Section 37** to enforce food safety laws.
- (u) Hazard:** Any **biological, chemical, or physical agent** in food that may cause **harm to health**.
- (v) Import:** Bringing any article of food into India **by land, sea, or air**.
- (w) Improvement notice:** A **formal notice issued under Section 32** directing a food business operator to **rectify violations or deficiencies** relating to food safety.
- (x) Infant food / Infant milk substitute:** These terms have the **same meanings as given in the Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992**, ensuring uniform regulation of infant nutrition.
- (y) Ingredient:** Any substance used in making food, **including food additives**, which remains present in the final product, even if **chemically modified**.

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- (z) **Label:** Any written, printed, graphic, or pictorial matter **affixed to or appearing on a food package**, including tags, wrappers, inserts, or markings that describe the product.
- (za) **Licence:** A **licence granted under Section 31** authorising a person to operate a food business.
- (zb) **Local area:** Any **urban or rural area notified by the Commissioner of Food Safety** for enforcement purposes under the Act.
- (zc) **Manufacture:** Any **process or treatment** that converts ingredients into food, including **incidental or ancillary processes**.
- (zd) **Manufacturer:** A person who **produces food for sale**, or who **packs, labels, or relabels food obtained from others** for sale.
- (ze) **Member:** Includes **full-time members, part-time members, and the Chairperson** of the Food Authority.
- (zf) **Misbranded food**
- Food is **misbranded** if it misleads or deceives consumers in any of the following ways:
- (A) False or misleading representation**
- Food is sold or advertised with **false, misleading, or deceptive claims**.
  - Sold under the **name of another food article**.
  - Shown as made by a **fictitious person or company**.
- (B) Deceptive packaging**
- Food imitates or substitutes another food **without clear disclosure**.
  - Package or label contains **false or misleading statements** about ingredients.
  - Food is falsely claimed to be from a **particular place or country**.
- (C) Improper or incomplete labelling**
- Contains **artificial flavouring, colouring, or preservatives** without proper declaration.
  - Sold for **special dietary use** without required nutritional information.
  - Mandatory particulars are **not clearly or correctly stated** as required by the Act.
- (zg) **Notification:** A **notification published in the Official Gazette**, giving it legal effect.
- (zh) **Package:** Any **pre-packed container** such as a box, bottle, tin, pouch, wrapper, bag, or similar item used for packing food.
- (zi) **Premises:** Any place where food is **manufactured, stored, or sold**, including shops, hotels, restaurants, canteens, airline food services, vehicles, or vessels.

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- (zj) Prescribed:** As laid down by **rules made by the Central or State Government** under this Act.
- (zk) Primary food:** Food obtained directly from **agriculture, horticulture, animal husbandry, dairying, or aquaculture** in its natural form, after it leaves the hands of a **farmer or fisherman**.
- (zl) Prohibition order:** An **order issued under Section 33** restricting or stopping food business operations for safety reasons.
- (zm) Risk:** The **likelihood and seriousness of adverse health effects** caused by a food hazard.
- (zn) Risk analysis:** comprehensive process consisting of **risk assessment, risk management, and risk communication**.
- (zo) Risk assessment:** A **scientific evaluation** involving:
1. Hazard identification
  2. Hazard characterisation
  3. Exposure assessment
  4. Risk characterisation
- (zp) Risk communication:** The **exchange of information and opinions** about food risks among authorities, consumers, industry, experts, and other stakeholders.
- (zq) Risk management:** The process of **evaluating policy options** and selecting appropriate measures to protect consumer health and promote fair trade, based on risk assessment.
- (zr) Sale:** Includes **selling, offering, exposing, possessing, or attempting to sell food**, whether wholesale or retail, for money, credit, exchange, or even for analysis.
- (zs) Sample:** A **food sample taken under the Act or its rules and regulations** for testing or analysis.
- (zt) Specified by regulations:** As specified by **regulations made by the Food Authority (FSSAI)**.
- (zu) Standard:** The **food standards notified by the Food Authority** for various food articles.
- (zv) State Government:** In relation to a **Union Territory**, means the **Administrator appointed by the President under Article 239** of the Constitution.
- (zw) Substance:** Any **natural or artificial matter**, whether solid, liquid, gas, or vapour.
- (zx) Sub-standard food:** Food that **does not meet prescribed standards** but is **not unsafe for consumption**.
- (zy) Tribunal:** The **Food Safety Appellate Tribunal** established under **Section 70** of the Act.
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(zz) – “**Unsafe food**”: **Unsafe food** means any food article whose **nature, substance, or quality is affected in a way that makes it harmful to health**. A food article is considered unsafe if it becomes injurious due to any of the following reasons:

- i. **Poisonous substances**: The food itself or its **packaging** contains poisonous or harmful substances, wholly or partly.
- ii. **Filthy or decomposed matter**: The food contains **filthy, putrid, rotten, decomposed, or diseased animal or vegetable matter**.
- iii. **Harmful substances or unhygienic processing**: The food is unsafe due to **unhygienic preparation** or the presence of **harmful substances**.
- iv. **Substitution**: Replacement of food, wholly or partly, with an **inferior or cheaper substance**.
- v. **Unauthorised additives**: Addition of any **non-permitted substance or ingredient**, directly or indirectly.
- vi. **Abstraction of constituents**: Removal, wholly or partly, of any **essential constituent** of the food.
- vii. **Misleading appearance**: The food is **coloured, flavoured, coated, powdered, or polished** to hide defects or make it appear more valuable than it actually is.
- viii. **Unauthorised colours or preservatives**  
Presence of **colouring matter or preservatives** not permitted or not specified under the regulations.
- ix. **Infestation**: Food that is **infected or infested with worms, insects, or weevils**.
- x. **Insanitary conditions**: Food **prepared, packed, or stored under unhygienic or insanitary conditions**.
- xi. **Misbranded, sub-standard, or extraneous matter**: Food that is **misbranded, sub-standard, or contains foreign matter**.
- xii. **Excess contaminants**: Presence of **pesticides or other contaminants** beyond the limits prescribed by regulations.

(2) **Interpretation clause**: If this Act refers to any law **not in force in the State of Jammu and Kashmir**, it shall be interpreted as referring to the **corresponding law applicable in that State**, if such law exists.

## Chapter II

### Food Safety and Standards Authority of India

#### 4. Establishment of Food Safety and Standards Authority of India.

This section creates and legally defines the **Food Safety and Standards Authority of India (FSSAI)**.

##### (1) Establishment by Central Government

- ✓ The **Central Government**, through an **official notification**, establishes a statutory body called the **Food Safety and Standards Authority of India**.
- ✓ FSSAI is empowered to:
  - **Exercise powers** given under the Act, and
  - **Perform functions** assigned under the Act.
- ✓ FSSAI is not a private body; it is a **statutory authority** created by law to regulate food safety across India.

##### (2) Body Corporate Status

- ✓ FSSAI is declared a **body corporate**, meaning:
  - It has a **separate legal personality** distinct from the government.
  - It enjoys **perpetual succession** (it continues to exist despite changes in members).
  - It has a **common seal** (official stamp for legal documents).
- ✓ It has the legal capacity to:
  - Acquire, hold, and dispose of **movable and immovable property**.
  - **Enter into contracts**.
  - **Sue and be sued** in its own name.
- ✓ FSSAI can function independently in legal and financial matters, similar to a company or corporation.

##### (3) Head Office: The **head office of FSSAI shall be at Delhi**.

- ✓ Delhi is fixed as the central administrative headquarters of the Authority.

##### (4): **Other Offices:** FSSAI may establish **regional or other offices anywhere in India** as required.

- ✓ This allows decentralisation so that food safety regulation can be effectively implemented across the country.

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## **5. Composition of Food Authority and qualifications for appointment of its chairperson and other Members.**

This section explains the composition (structure), representation, and qualifications for appointment of the Chairperson and Members of the Food Safety and Standards Authority of India (FSSAI).

### **(1) Composition of the Food Authority**

- ✓ The Food Authority consists of:
  - **One Chairperson**
  - **Twenty-two Members**
- ✓ **One-third of the total Members must be women**, ensuring gender representation.

**Categories of Members:**

#### **(a) Government representatives (Ex officio Members)**

- **Seven Members**, not below the rank of **Joint Secretary to the Government of India**.
- They represent the following Ministries/Departments:
  1. Agriculture
  2. Commerce
  3. Consumer Affairs
  4. Food Processing
  5. Health
  6. Legislative Affairs
  7. Small Scale Industries
- These are **ex officio members**, meaning they are members by virtue of their official position.

#### **(b) Food industry representatives**

- **Two Members from the food industry**
- Out of these:
  - ☞ **One must be from small-scale industries**

#### **(c) Consumer organisations**

- **Two Members representing consumer organisations**
- This ensures consumer interests are protected.

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**(d) Experts in food science**

- **Three eminent food technologists or scientists**
- They provide technical and scientific expertise.

**(e) State and Union Territory representatives**

- **Five Members**, appointed:
  - ☞ **By rotation** [*Rotation means taking turns in a fixed order for a limited period of time.*]
  - ☞ **Every three years**
  - ☞ **One from each Zone** as specified in the First Schedule
- They represent **States and Union Territories**, ensuring federal participation.

**(f) Farmers' organisations**

- **Two Members representing farmers' organisations**
- They protect the interests of food producers.

**(g) Retailers' organisations**

- **One Member representing retailers' organisations**
- They represent the last link in the food supply chain.

**(2) Principles of appointment**

- ✓ The Chairperson and Members must be appointed in a manner that ensures:
  - **High standards of competence**
  - **Wide range of relevant expertise**
  - **Broad geographical representation across India**

**(3): Qualification of the Chairperson**

- ✓ The Chairperson shall be appointed by the Central Government from:
  - Persons of **eminence in food science, or**
  - Senior administrators associated with the subject
- ✓ Such person must be:
  - **Holding or have held a post not below the rank of Secretary to the Government of India**

**(4) Selection Committee**

- ✓ The Chairperson and Members (including part-time Members), **except ex officio Members**, are appointed:
  - By the Central Government
  - **On the recommendation of a Selection Committee**

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## (5) Restriction on Chairperson

- ✓ The Chairperson **shall not hold any other office**
- ✓ This ensures:
  - Full-time dedication
  - Independence of the Authority
  - No conflict of interest

## 6. Selection Committee for selection of Chairperson and Members of Food Authority.

This section explains the constitution, composition, and time-bound procedure of the Selection Committee responsible for selecting the Chairperson and non-ex officio Members of the Food Safety and Standards Authority of India (FSSAI).

### (1) Constitution and composition of Selection Committee

- ✓ The **Central Government** shall constitute a **Selection Committee** to select:
  - The **Chairperson**, and
  - **Members other than ex officio Members** of the Food Authority.

#### Members of the Selection Committee:

- a. **Cabinet Secretary** – Chairperson
- b. **Secretary of the Ministry/Department administering this Act** – Convener and Member
- c. **Secretaries of the Ministries/Departments dealing with:**
  - Health
  - Legislative Affairs
  - Personnel
  - Members
- d. **Chairman, Public Enterprises Selection Board (PESB)** – Member
- e. **One eminent food technologist**, nominated by the Central Government – Member

#### Explanation to clause (e):

- ✓ The food technologist must be a person holding the post of **Director or Head** of a **national research or technical institution**.

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## (2) Time limit for making reference

- ✓ The Central Government must refer vacancies to the Selection Committee:
  - **Within two months** of a vacancy arising due to death, resignation, or removal, or
  - **Three months before** the retirement or completion of term of the Chairperson or Member.
- ✓ Purpose: **To avoid delays and ensure continuity.**

## (3) Time limit for selection

- ✓ The Selection Committee must **finalise the selection within two months** from the date of reference.
- ✓ This ensures a **time-bound appointment process.**

## (4) Recommendation panel

- ✓ For **each vacancy**, the Selection Committee shall recommend: A **panel of two names**
- ✓ The final appointment is made by the **Central Government** from this panel.

## (5) Check for conflict of interest

- ✓ Before recommending anyone as **Chairperson or Member**, the **Selection Committee must ensure** that:
  - The person **does not have any financial or other personal interest**
  - Which may **adversely or prejudicially affect** the performance of their duties

## (6) Validity of appointment

- ✓ An appointment of the **Chairperson or any Member** will **not become invalid**: Simply because there is a **vacancy in the Selection Committee**

## 7. Term of office, salary, allowances and other conditions of service of Chairperson and Members of Food Authority.

This section explains the tenure, re-appointment, age limit, salary, oath, resignation, removal, and post-tenure restrictions of the Chairperson and Members of the Food Safety and Standards Authority of India (FSSAI).

### (1) Term of office and re-appointment

- ✓ The **Chairperson and Members (other than ex officio Members)** shall hold office for:
  - **Three years** from the date they assume office.
- ✓ They are **eligible for re-appointment** for:
  - **One more term of three years.**

**Proviso (age limit):** The **Chairperson cannot continue in office after attaining 65 years of age.**

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## (2) Salary and service conditions

- ✓ The **salary, allowances, and other service conditions** of the Chairperson and Members:
  - Shall be **prescribed by the Central Government**.
- ✓ This allows flexibility in determining pay and conditions through rules.

## (3) Oath of office and secrecy

- ✓ Before taking charge, the Chairperson and every Member must:
  - Take an **oath of office**, and
  - Take an **oath of secrecy**
- ✓ The **form, manner, and authority** for the oath are prescribed by the Central Government.
- ✓ Purpose: To ensure **faithful discharge of duties and confidentiality**.

## (4) Resignation and removal: Despite the fixed term, the Chairperson or any Member may:

- (a) **Resign:** By giving a **written notice of at least three months** to the Central Government.
- (b) **Be removed:** In accordance with the provisions of **Section 8** of the Act.

## (5) Post-tenure restriction:

- ✓ After leaving office, the Chairperson or any Member:
  - **Shall not represent any person**
  - **Before the Food Authority or any State Food Authority**
- ✓ Purpose:
  - To prevent **misuse of influence**
  - To avoid **conflict of interest after retirement**

## 8. Removal of Chairperson and Members of Food Authority.

This section explains the grounds and procedure for removal of the Chairperson or Members of the Food Safety and Standards Authority of India (FSSAI) by the Central Government.

### (1) Grounds for removal

Even though Section 7 provides a fixed tenure, the **Central Government has the power to remove** the Chairperson or any Member **before completion of term** on the following grounds:

#### (a) Insolvency

- ✓ If the person has been **declared insolvent** by a court.

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### (b) Conviction for offence involving moral turpitude

- ✓ If the person is **convicted of an offence** which, in the opinion of the Central Government, involves **moral turpitude**
- ✓ Moral turpitude refers to conduct that is **dishonest, immoral, or unethical**.

### (c) Physical or mental incapacity

- ✓ If the person has become **physically or mentally incapable** of performing the duties of a Member.

### (d) Conflict of interest

- ✓ If the person has acquired **financial or other interests** which may **prejudicially affect** their functions as a Member.

### (e) Abuse of position

- ✓ If the person has **misused or abused their position** in such a manner that: Their continuance in office is **against public interest**.

## (2) Safeguard – Right to be heard

- ✓ A Member **cannot be removed** on grounds mentioned in:
  - Clause (d) (conflict of interest), or
  - Clause (e) (abuse of position)
- ✓ **Unless** the Member has been given a **reasonable opportunity of being heard**.
- ✓ This reflects the principle of **natural justice** (audi alteram partem).

## 9. Officers and other employees of Food Authority.

This section explains the appointment, role, and service conditions of the Chief Executive Officer (CEO) and other officers and employees of the Food Safety and Standards Authority of India (FSSAI).

### (1) Chief Executive Officer (CEO)

- ✓ There shall be a **Chief Executive Officer (CEO)** of the Food Authority.
- ✓ The CEO:
  - Must be **not below the rank of Additional Secretary to the Government of India**.
  - Shall act as the **Member-Secretary** of the Food Authority.
- ✓ The **Central Government** appoints the CEO.

**Meaning:** The CEO is the **top executive officer** responsible for day-to-day administration and acts as the link between the Authority and the Government.

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## (2) Other officers and employees

- ✓ The Food Authority may decide:
  - The **number**
  - **Nature**
  - **Categories** of officers and employees required for performing its functions.
- ✓ However, this can be done **only with the approval of the Central Government**.

**Purpose:** To ensure administrative flexibility while maintaining Government oversight.

## (3) Salary and service conditions

- ✓ The **salary, allowances, and other service conditions** of:
  - The CEO,
  - Other officers, and
  - Employees
- ✓ Shall be:
  - **Specified by regulations made by the Food Authority**
  - **With the approval of the Central Government**

## 10. Functions of the Chief Executive Officer.

This section explains the powers, duties, administrative role, financial responsibilities, and reporting functions of the Chief Executive Officer (CEO) of the Food Safety and Standards Authority of India (FSSAI).

### (1) General functions and responsibilities of the CEO

The **CEO is the legal representative** of the Food Authority and is responsible for the following:

**(a) Day-to-day administration:** Manages the **daily functioning** and administration of FSSAI.

#### **(b) Work programmes**

- ✓ Prepares **proposals for work programmes** of FSSAI.
- ✓ This is done **in consultation with the Central Advisory Committee**.

#### **(c) Implementation of decisions**

- ✓ Implements:
  - The **work programmes**, and
  - The **decisions taken by the Food Authority**.

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#### (d) Support to scientific bodies

- ✓ Ensures **scientific, technical, and administrative support** to:
  - The **Scientific Committee**, and
  - The **Scientific Panels**.

#### (e) User-oriented functioning

- ✓ Ensures that FSSAI performs its functions in line with:
  - The **needs of its users**
  - Especially regarding **quality of services** and **time taken** for delivery.

#### (f) Financial management

- ✓ Prepares:
  - The **statement of revenue and expenditure**, and
  - Executes the **budget** of the Food Authority.

#### (g) Liaison with Government

- ✓ Maintains regular contact with:
  - The **Central Government**, and
  - Its **relevant committees**.
- ✓ Ensures continuous **dialogue and coordination**.

### (2) Annual submissions to the Food Authority

Every year, the CEO must submit to the Food Authority for approval:

1. A **general report** on all activities of the previous year
2. **Programmes of work**
3. **Annual accounts** of the previous year
4. **Budget** for the coming year

### (3) Communication and publication

- ✓ After approval by the Food Authority:
  - The CEO shall forward the **general report and programmes** to:
    - ☞ The **Central Government**, and
    - ☞ The **State Governments**
- ✓ These documents shall also be **published** for transparency.

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#### (4) Financial authority and reporting

- ✓ The CEO:
  - Approves **all financial expenditure** of FSSAI.
  - Reports on the **activities of the Authority** to the Central Government.

#### (5) Powers of Commissioner of Food Safety

- ✓ While dealing with food safety matters:
  - The CEO exercises the **powers of the Commissioner of Food Safety**.
- ✓ This gives the CEO **statutory enforcement authority**.

#### (6) Administrative control

- ✓ The CEO has **administrative control** over:
  - Officers, and
  - Other employees of the Food Authority.

### 11. Central Advisory Committee.

This section explains the establishment, composition, role, and functioning of the Central Advisory Committee (CAC) of the Food Safety and Standards Authority of India (FSSAI).

#### (1) Establishment of the Committee

- ✓ The **Food Authority** shall establish a committee called the **Central Advisory Committee**.
- ✓ This is done through an **official notification**.
- ✓ Purpose: To **advise and assist** the Food Authority.

#### (2) Composition of the Central Advisory Committee

The Committee includes representatives from various stakeholder groups:

- ✓ **Two members each** representing:
  - Food industry
  - Agriculture
  - Consumers
  - Relevant research bodies
  - Food laboratories
- ✓ **All Commissioners of Food Safety** (from States/UTs) are members.
- ✓ The **Chairperson of the Scientific Committee** is an **ex officio member**.

**Meaning:** The Committee ensures **technical input, stakeholder participation, and coordination with States**.

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### (3) Invitees to deliberations

- ✓ Representatives from the following **Central Government Ministries/Departments**, government institutions, and recognised farmers' organisations are **invitees**:
  - Agriculture
  - Animal Husbandry and Dairying
  - Biotechnology
  - Commerce and Industry
  - Consumer Affairs
  - Environment and Forests
  - Food Processing Industries
  - Health
  - Panchayati Raj
  - Small Scale Industries
  - Food and Public Distribution

**Invitees can participate in discussions but are not permanent members.**

### (4) Chairperson of the Committee

- ✓ The **Chief Executive Officer (CEO)** of FSSAI is the **ex officio Chairperson** of the Central Advisory Committee.

### (5) Procedure and functioning

- ✓ The Committee shall follow:
  - **Rules of procedure**
  - **Method of transaction of business**
- ✓ These rules are **specified by regulations** made by the Food Authority.

## **12. Functions of Central Advisory Committee.**

This section explains the role, advisory functions, and meeting requirements of the Central Advisory Committee (CAC) of the Food Safety and Standards Authority of India (FSSAI).

### (1) Coordination and cooperation

- ✓ The Central Advisory Committee shall ensure **close cooperation** between:
  - The **Food Authority**, and
  - **Enforcement agencies and organisations** working in the field of food.

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✓ **Purpose:**

- Better **implementation of food safety laws**
- Effective coordination between regulators and enforcement bodies

**(2) Advisory functions**

The Committee shall **advise the Food Authority** on the following matters:

**(a) Work programme**

- ✓ Advises on **performance of duties**, especially while:
  - Preparing proposals for the **work programme** of FSSAI.

**(b) Prioritisation of work:** Helps in deciding **which issues should be addressed first**, based on importance and urgency.

**(c) Identification of risks:** Assists in **identifying potential food safety risks**.

**(d) Pooling of knowledge:** Facilitates **sharing and combining expertise, information, and experience** from different sectors.

**(e) Other prescribed functions:** Performs **additional functions** as may be specified by regulations.

**(3) Meetings of the Committee**

- ✓ The Central Advisory Committee shall meet:
  - At the **invitation of its chairperson**, or
  - On the **request of at least one-third of its members**.
- ✓ It must meet **at least three times every year**.

**13. Scientific Panels.**

This section explains the establishment, composition, scope, and flexibility of Scientific Panels constituted by the Food Safety and Standards Authority of India (FSSAI) for scientific risk assessment and technical advice.

**(1) Establishment of Scientific Panels**

- ✓ The **Food Authority shall establish Scientific Panels**.
- ✓ These panels consist of **independent scientific experts**.
- ✓ Purpose: To provide **objective, expert scientific advice** on food safety matters.

**(2) Participation of stakeholders**

- ✓ The Scientific Panels shall **invite representatives from:**
  - Relevant **food industry**, and
  - **Consumer organisations**

- 
- ✓ They participate in **deliberations** (discussions), ensuring:
    - Practical inputs
    - Transparency
  - ✓ However, the panels remain **expert-driven**.

### (3) Types of Scientific Panels

- ✓ In addition to general panels, the Food Authority may establish **as many panels as necessary**, including panels on:
  - a) Food additives, flavourings, processing aids, and food-contact materials
  - b) Pesticide and antibiotic residues
  - c) Genetically modified organisms (GMOs) and foods
  - d) Functional foods, nutraceuticals, dietetic and similar products
  - e) Biological hazards
  - f) Contaminants in the food chain
  - g) Labelling
  - h) Methods of sampling and analysis

**Purpose:** To cover **all major scientific and technical areas** related to food safety.

### (4) Reconstitution of Scientific Panels

- ✓ The Food Authority may **re-constitute Scientific Panels from time to time** by:
  - Adding new members
  - Removing existing members
  - Changing the name of a panel
- ✓ This allows **flexibility** and adaptation to:
  - New scientific developments
  - Emerging food safety concerns

## 14. Scientific Committee.

This section explains the constitution, role, and powers of the Scientific Committee of the Food Safety and Standards Authority of India (FSSAI), which acts as the apex scientific advisory body.

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### (1) Constitution of the Scientific Committee

- ✓ The **Food Authority shall constitute a Scientific Committee.**
- ✓ It shall consist of:
  - **Chairpersons of all Scientific Panels, and**
  - **Six independent scientific experts who:**
    - ☞ **Do not belong to or are affiliated with any Scientific Panel**
- ✓ Purpose: To ensure **independence, neutrality, and expertise** at the highest scientific level.

### (2) Scientific advisory role and public hearings

- ✓ The Scientific Committee:
  - Provides **scientific opinions** to the Food Authority.
  - Has the power to **organise public hearings**, wherever necessary.
- ✓ This promotes:
  - Transparency
  - Stakeholder participation

### (3) Coordination and consistency

- ✓ The Committee ensures:
  - **Consistency in scientific opinions**
  - Uniformity in:
    - ☞ Working procedures
    - ☞ Methods adopted by different Scientific Panels
- ✓ It also ensures **harmonisation** among Panels.

### (4) Multi-sectoral and residual issues

- ✓ The Scientific Committee gives opinions on:
  - **Multi-sectoral issues** involving more than one Scientific Panel, and
  - Issues **not falling within the competence of any Scientific Panel**
- ✓ This makes it the **final scientific authority** in such matters.

### (5) Formation of working groups

- ✓ Wherever necessary, especially when: A matter does not fall under any Scientific Panel