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NATIONAL SEEDS CORPORATION LIMITED  
(A GOVERNMENT OF INDIA UNDERTAKING)  
CIN: U74899DL1963GOI003913  
"BEEJ BHAVAN" PUSA COMPLEX  
NEW DELHI-110 012

"SPEED POST"

No.: ATR/Board Decision/Mktg/  
NSC/ 2018-19/185

Dated: 31 December, 2018

OFFICE ORDER

Sub:- Blacklisting of M/s. Care India, 372, Saheed Nagar,  
Bhubneshwar- 751007 (Odisha)

**WHEREAS** National Seeds Corporation Ltd. (NSC), a Wholly Owned Government of India Undertaking under the Ministry of Agriculture and Farmers Welfare, Government of India incorporated under the Companies Act, 1956 engaged in the Production and Marketing of Seeds of various varieties of crops for distribution to the Government of India, State Governments, State Seeds Corporations, Distributors, Dealers and Farmers. It is an Apex Level Sole Public Sector Undertaking in the Seed Sector. The seeds of NSC are warmly welcomed by the farmers into the market due to its quality, timely supply, reasonability in price, suitability to the soil and climatic conditions and enable the farmers to multiply NSC seeds and produce high volume grains for feeding the millions of the Country.

**AND WHEREAS** M/s. Care India (CARE) situated at 372, Saheed Nagar, Bhubaneswar, placed a Purchase Order No. PN/FC/Orissa Cyclone (P.O.) on 27.11.1999 in favour of NSC for supply of Paddy and various vegetable seeds including Chillies.

**AND WHEREAS** the seeds were duly supplied by the Regional Office Calcutta (Kolkata), NSC to CARE at its Regional Office situated at Bhubneshwar vide Bill no. 6152 dated 30.06.2000 amounting Rs. 10,54,130/-. The supply includes seeds of Bhindi -PK of Rs. 1,40,140/-, seeds of Brinjal -AK for Rs. 1,14,940/-, seeds of Chillies-PJ for Rs. 2,29,050/-, seeds of Ridgegourd -PN for Rs. 2,03,000/-, seeds of Dolichos -DEP of Rs. 3,00,000/- and seeds of Amranthus -CO2 for Rs. 67,000/-.

**AND WHEREAS** as per the terms and conditions of the sale and purchase, CARE deposited 25% of the cost of seeds amounting to Rs. 2,64,000/- in advance at the time of placing the order which was received by the Corporation on 30.06.2000 and the balance was to be paid by CARE after delivery of seeds by NSC.

**AND WHEREAS** full payment for seeds in this regard was not received by NSC and request was made to CARE in this regard and upon which payment of Rs. 5,30,330/- was made to NSC as against the balance amount of Rs. 7,59,380/-. As such an amount of Rs. 2,29,050/- remains

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outstanding in the Books of Accounts of Regional office Kolkata of NSC on account of supply of 1018 Kgs of Chillies seed @Rs. 225/- per kg.

**AND WHEREAS** a request letter dated 18.02.2010 was served by Chief Internal Auditor, NSC to CARE in response to which a reply dated 08.03.2010 was received by NSC. In the letter CARE denied its liability by claiming that Chillies Seeds supplied by NSC were of poor quality which as a matter of fact was never communicated to the Corporation and no such complaint and proof of poor quality were given by CARE to NSC.

**AND WHEREAS** NSC served a Legal Notice through its counsel dated 19.05.2010 on CARE by Registered A/D demanding outstanding amount with interest but neither reply nor outstanding amount has been received from CARE to NSC.

**AND WHEREAS** NSC filed a Civil Suit on 11.11.2010 for recovery of sum of Rs. 4,50,000/- comprising outstanding amount of Rs. 2,29,050/- and interest thereon in the District Court, Saket, New Delhi against CARE.

**AND WHEREAS** after proceedings of 6 years, the Learned Court vide its judgment dated 31.03.2016 did not express any opinion with regard to limitation, but held that it has no jurisdiction to try and entertain the suit as no course of action arose within its jurisdiction.

**AND WHEREAS** Board of directors in their 277<sup>th</sup> meeting held on 30.06.2018 while considering Agenda Item No. 20 were compelled to pass a resolution for writing off the outstanding amount of Rs. 2,29,050/- due from CARE and inter alia also resolved to issue a Notice for Blacklisting of CARE for its action and to place the name of CARE as Blacklisted party on the Website of the Corporation after issuing Show Cause Notice to CARE in compliance of Legal formalities.

**AND WHEREAS** as such a Show Cause Notice dated 08.10.2018 was issued to CARE to Show Cause the reasons, if any for not blacklisting CARE from participating in the future Tenders and debar to put bids in the routine business of NSC.

**AND WHEREAS** no reply to the said Show Cause Notice is received by NSC therefore a reminder dated 26.11.2018 in this regard was again issued by NSC to CARE in the interest of Natural Justice, for which also no reply has been received as of now.

**AND WHEREAS** as stated above, NSC enjoys a high degree of goodwill, image, reputation among the Farmers, State Governments and Central Government who are the regular Customers of the Seeds produced and supplied by NSC. The faith and business confidence of NSC over CARE due to conduct and behavior of CARE has been badly damaged and NSC does not want to keep such party as one of the prospective dealer of seeds of NSC in future by participating in the Tenders to be published by NSC. Therefore, the circumstances as brought out above have been found justifiable to the wisdom of the Competent Authority of National Seeds Corporation Ltd. that continuing the business relations with CARE will not be in the interest of public as NSC is being Wholly Owned Government of

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India Undertaking and financial loss to the Corporation because of untimely and non payment of supply of the seeds to NSC results in financial loss to the Government of India.

**NOW THEREFORE**, it is hereby ordered that National Seeds Corporation Ltd. do hereby blacklist M/s. CARE India (CARE) ffrom participating in future routine business and Tenders which may be published by NSC.

Yours sincerely,



(Mohd. Raquim)

Company Secretary

मो. राक़िम/ MOHD. RAQUIM  
कम्पनी सचिव/ Company Secretary  
राष्ट्रीय बीज निगम लिमिटेड/ NSC Limited  
बीज भवन, पुसा/ Beej Bhawan, Pusa  
नई दिल्ली/ New Delhi - 110072

1. M/s. Care India, 372, Saheed Nagar, Bhubneshwar, Odisha.
2. Marketing Division, NSC, New Delhi and all the Units of NSC for information please.
- ✓ 3. Head IT Division, NSC, New Delhi with a request to upload this order on the Website of NSC.
4. Notice Board.