

**HARYANA LAND RECLAMATION & DEVELOPMENT CORPORATION LTD.**

**PANCHKULA (HARYANA)**

(A State Govt. Undertaking)

**REGISTERED OFFICE:**  
Bay No.1-2, Sector 4,  
Panchkula (Haryana)



Tel: 0172-2568938

E.mail. [mdhrdc@gmail.com](mailto:mdhrdc@gmail.com)

[ctohlrdc@gmail.com](mailto:ctohlrdc@gmail.com)

E-office - 3297868  
Date - 11/4/24

**ORDER**

This order is being passed in compliance of directions issued by Hon'ble Punjab & Haryana High Court vide order dated 27.03.2023 in CWP No. 22516 of 2022 titled Krishi Vikas Sahakari Samiti Ltd Vs Haryana Land Reclamation and Development Corp. Ltd & anothers. The operating part of the order is reproduced here under:-

"Learned Counsel appearing for respondent No. 1 submits that in view of subsequent events that have occurred and the issues taken by the petitioner in the reply would be taken up by the authorities and a fresh order would be passed by taking all facts and aspects into consideration in detail. He submits that the authorities would not be influenced by its previous order and would take an independent decision in the matter, taking all aspects into consideration, afresh. Learned Counsel for respondent No. 1 further submits that while doing so, the authorities would give the petitioner an opportunity to file a fresh reply as well as an opportunity of hearing before passing the order and the exercise would be undertaken and completed by the respondents expeditiously, in accordance with law."

Before passing the orders, it is prudent to discuss facts of the matter in hand as under:-

HLRDC invited e-tender No. HLRDC/183(18)2020/AO(P)/291 from the manufacturers and suppliers to meet out the requirement of the agricultural inputs of HLRDC sale points and Department of Agriculture and Farmers Welfare for supply of agri. inputs including Chlorpyriphos 20% EC on consignment and FOR basis. E-tender for Chlorpyriphos 20% EC was opened on 08.05.2020 by the committee and the rate of M/s Krishi Vikas Sahakari Samiti Limited, Jaipur (Chlorpyriphos 20% EC) offered was negotiated on 26.05.2020 being the L<sub>1</sub> and finalized. The finalized rates as per the terms and conditions of supply order was also conveyed to the M/s Krishi Vikas Sahakari Samiti Limited, Jaipur (hereinafter referred as KVSSL) for supply of various pesticides vide letter No. HLRDC/AO(P)/2020/256-G dated 26.05.2020.

After the receipt of the supply of Chlorpyriphos 20% EC, it was found that M/s KVSSL, Jaipur had supplied the Chlorpyriphos 20% EC manufactured by M/s Insecticides India Limited for which M/s KVSSL, Jaipur was neither authorized nor entitled to supply the pesticides of M/s Insecticides India Limited (IIL). He also supplied some quantity of its own manufactured Chlorpyriphos 20% EC to the Department of

*am*

DSA  
for  
2/4/24

EA-11

Programmer

Please upload in the

same on

official web site

At  
03/04/2024

Prag.

Agriculture through HLRDC for control of locust pest in different districts i.e. Palwal, Fatehabad, Sonipat, Panipat, Hisar, Sirsa, Jhajjar and Narnaul. Two samples of Chlorpyrifos 20% EC bearing batch No. KVSSL-02 were found severely misbranded i.e. one at Sonipat and other at Palwal. Viewing the gravity of the offence, as per the directions contained in the Memo No. PA/DGA/687/2020 dated 04.07.2020 of Director General Agriculture and Farmers Welfare, Haryana for taking necessary action regarding stoppage of supply of the said insecticides of the firm in the State and also to initiate action for blacklisting the said manufacturing firm beside registration of FIR as per relevant law. Keeping in view the content of Non-Standard Chlorpyrifos of 0.00% at Sonipat and 9.45% at Palwal as against 20%, HLRDC cancelled the contract of M/s KVSSL, Jaipur vide letter dated HLRDC/AO(P)/2020/667 dated 07.07.2020 and also issued the Show Cause Notice bearing memo No. HLRDC/AO(P)/2020/681 dated 07.07.2020 for blacklisting M/s KVSSL, Jaipur for unauthorized supply and also for supply of spurious/non-standard Chlorpyrifos 20% EC as M/s KVSSL, Jaipur has also violated the terms and conditions of the e-tender and played deceitful act and tried to mislead the authorities for supplying of Chlorpyrifos 20% EC of the firm i.e. M/s Insecticides India Limited without having valid endorsement of the marketing company i.e. M/s KVSSL, Jaipur in the licence of the manufacturer.

As per the direction on CJM, Court, Sonipat that referee sample was got analyzed from the Central Insecticides Laboratory (CIL), Faridabad and was found to be standard as per analysis report dated 24.08.2020 issued by the Central Insecticides Laboratory (CIL), Faridabad. The criminal complaint filed by A&FW, Department in Police Station; Kharkhoda was cancelled on the basis of closure report. Further, the complaint and summoning order dated 08.10.2020 for the sample drawn from Palwal centre were set aside by the court of ASJ, Palwal in the case registered by A&FW Department. Further, Illaqua Magistrate was directed to pass fresh order. Subsequently, this order was passed on 19.04.2023 to dismiss the complaint filed against the society for violation of Insecticides Act, 1968.

In compliance to the order of Chief Justice, Punjab and Haryana High Court, Chandigarh dated 27.03.2023 wherein it was directed that reply of the petitioner would be taken and fresh order would be passed by taking all facts and aspects into consideration in detail. In compliance to the order of Hon'ble High Court, Chandigarh, the case of spurious/misbranded Chlorpyrifos 20% EC of M/s KVSSL, Jaipur was heard on dated 02.06.2023 by the then Managing Director, HLRDC, who passed order on the file that an enquiry is assigned by the ACS, A&FW and the enquiry report be put up for the better conclusion in the matter, if it is concluded. The Advocate General, Haryana, in his advice given on dated 09.03.2024 has informed that Managing Director of HLRDC, can take the decision in the absence of the inquiry report without awaiting the



completion of inquiry report, if any to be submitted by the inquiry officer. The Managing Director of the corporation, therefore, may take the decision expeditiously himself.

In compliance of order dated 27.03.2023 passed by Hon'ble Punjab and Haryana High Court, M/s Krishi Vikas Sahakari Samiti Limited, Jaipur submitted fresh reply dated 28.04.2023. In view of advice of Advocate General, Haryana, an opportunity of the personal hearing was afforded to M/s KVSSL, Jaipur to present before me on dated 20.03.2024. M/s KVSSL, Jaipur appeared before me for personal hearing on 20.03.2024 along with his legal counsel; the members of constituted committee of HLRDC were also present. During the course of personal hearing, he submitted additional documents in support of his contention which were examined by me. The representative of M/s KVSSL, Jaipur also submitted that the supply of insecticides manufactured by M/s Insecticides India Limited was made in pursuance of the oral telephonic request by the then Managing Director of HLRDC to save crops from locust attack in the State of Haryana, prior to the execution of the contract which was received by the society from HLRDC through email dated 29.05.2020, whereas the supplies were made on 27.05.2020 and 28.05.2020. Thus, the version of the firm for the supply of Chlorpyrifos 20%EC of M/s Insecticides India Limited on the verbal order before receiving the supply order is not tenable/acceptable, because It is clear that M/s KVSSL, Jaipur had supplied the pesticides in violation of the terms and conditions of the e-tender and played a deceitful tactics and try to mislead the authorities for supply of Chlorpyrifos 20% EC of the firm i.e. M/s Insecticides India Limited without having valid endorsement of the marketing company i.e. M/s KVSSL, Jaipur in the licence of the manufacturer of M/s Insecticides India Limited. M/s KVSSL, Jaipur thus has failed to fulfill its commitment of supply of Chlorpyrifos 20% EC as per Indian Insecticides Act, 1968.

The representative of M/s KVSSL, Jaipur further submitted that insecticide manufactured by M/s Insecticides India Limited was purchased @ Rs.282.61 per liter inclusive of GST but it was supplied to HLRDC @ Rs.246.47 at par with the accepted supply rates of M/s KVSSL, Jaipur of Rs. 246.48 of own manufactured brand, at a loss of Rs 36.14 with a view to fight against the locust attack in the State. This plea taken by the firm is not tenable as supply made was against violation of terms and conditions of DNIT and Indian Insecticides Act 1968. Thus, the service rendered by M/s KVSSL, Jaipur has been found objectionable, unsatisfactory committed gross irregularities in the supply of Chlorpyrifos 20% EC of M/s Insecticides India Limited and failed to fulfill its commitment to supply of its own manufactured Chlorpyrifos 20% EC.

2nd

Keeping the above in view it is clear that sample of Sonipat sale point found standard at Central Insecticide Lab (CIL), Faridabad and complaint and criminal FIR filed by the Agriculture Department in Police Station, Kharkhoda has been cancelled. Complaint and summoning order in respect of sample of Palwal district was set aside by the court of ASJ, Palwal and no further appeal was filed by the Agriculture Department against the said order. Thus, case of supply of spurious/misbranded Chlorpyrifos 20%EC both for Sonipat and Palwal districts has become null and void. After considering the relevant record and submission made and documents submitted by M/s KVSSL Jaipur during the personal hearing, I am of the considered view that penalty imposed was bit harsh in comparison of their fault and deserves taking a lenient view. Therefore, the order to the extends of blacklisting the company issued vide Endst No. HLRDC/AO(P)/2022/500 dated 12.05.2022 is hereby revoked. These orders are issued without prejudice to other consequences/outcomes of enquiry report pending against M/s KVSSL Jaipur for supply of Chlorpyrifos 20% EC of M/s Insecticides India Limited.

Place: Panchkula  
Dated: 01.04.2024

  
Managing Director  
Haryana Land Reclamation  
& Development Corporation

No.HLRDC/AO(P)/2024/

Dated:

To

- The Chairman, M/s Krishi Vikas Sahakari Samiti Ltd., T-10, Agrsen Tower, Central Spine, Vidyadhar Nagar, Jaipur, (Rajasthan)

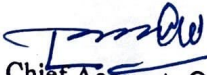
Chief Accounts Officer  
for Managing Director,  
Haryana Land Reclamation  
& Development Corporation

No.HLRDC/AO(P)/2024/ 24-31

Dated: 01.04.2024

A copy of above is forwarded to the following for information please.

- Additional Chief Secretary to Govt. of Haryana, Agriculture & Farmers Welfare Department, New Secretariat Building, Chandigarh.
- Director General Agriculture & Farmers Welfare, Haryana, Krishi Bhawan, Sector-21, Panchkula in supersession to the earlier order No. HLRDC/AO(P)/2022/500 dated 12.05.2022 for further necessary action.
- Director General Supplies & Disposals, Haryana, Sector-16, Panchkula
- All Managing Directors of the Govt. Agencies i.e. Hafed, HSDC, HAIC, Sugarfed etc.
- Accounts Branch, HLRDC, Panchkula.

  
01.4.24  
Chief Accounts Officer  
for Managing Director,  
Haryana Land Reclamation  
& Development Corporation