

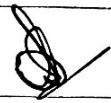




MINUTES OF THE DEPARTMENTAL BID COMMITTEE OF ASSAM SEEDS CORPORATION LTD. HELD ON 25/07/2019 AT 12:00 NOON IN THE CONFERENCE HALL OF DIRECTOR OF AGRICULTURE, ASSAM, KHANAPARA, GUWAHATI-22.

SL. NO.	MEMBERS PRESENT	DESIGNATION		SIGNATURE
1.	Sri Manoj Kumar, IAS	Director of Agriculture, Assam	Chairman	
2.	Sri Kulendra Talukdar, ACS	Managing Director, ASC Ltd	Member	
3.	Dr. Pranab Kr. Mahanta	Director of Horticulture & FP, Assam	Member	
4.	Sri Anal Malla Buzarbaruah	Dy. Director of Agriculture, Assam	Member Secretary	
5.	Sri Bani Kanta Bargohain	Sr. F.A Agriculture Department	Member	

Special Invitee: Dr. Nandi Ray, G.M(M&T), ASC Ltd.

The Chairman, Departmental Bid Committee presided over the meeting.

Leave of absence was allowed to Sri Nabanit Saikia, Sr. FAO, Directorate of Agriculture, Assam and Sri Pranjal Baruah, Procurement Management Executive, APART.

An urgent meeting was called by the Member Secretary of Bid Committee to discuss in regard to the judgement of the Hon'ble High Court Order in respect of W.P. (C) 4798/2019 Green Vison -vs- The State of Assam and others.

Discussion on the judgement of the Hon'ble Gauhati High Court in respect of W.P. (C) 4798/2019 dated 19/07/2019:

The G.M (M&T) placed the writ petition and the judgement of Hon'ble Gauhati High Court dated 9/07/2019 in the meeting. As per the writ petition the allegation of the petitioner is that ".....
Despite being the lowest valid bidder, the Respondent Authorities did not consider and notify the petitioner as L1 bidder although the hybrid varieties of vegetable seeds offered by the petitioner along with the prices were duly accepted by the respondent authorities and it got qualified at the time of opening of the technical and price bid..... The usual norm is that once particular variety is accepted, the same need to be notified as L1.....The respondent authorities arbitrarily decided to notify the bidders of their choice as L1 bidder who quoted much higher rates as compared to that of the petitioner and who quoted rates identical to one another." After going through the minutes and the claim of the bidder/ petitioner, it is made clear that the concept of L1 comes only when there are multiple bidders for a particular variety and the term L1 is indicative only. And in the minutes dated 01/07/2019 the table showing the varieties for which there is only one bidder i.e. single bid for each variety and the accepted price comes under the heading "Responsive Price (Rs.)" and not as L1 price. Under the head "Responsive Price (Rs)" there are 494 varieties including the varieties quoted by the petitioner with one rate for one proprietary variety. It reveals that there is no second bid for the same variety. Hence, mentioning of the term L1 price which applies in that case where there is more than one price i.e. L1, L2, and L3 does not arise for the accepted price of the single bidder. Moreover, the ground of receiving single bid under Hybrid seeds is already mentioned in the minutes dated 01/07/2019 at page no. 7. The concept of quoting L1 price shall be clear from rates mentioned in the table showing accepted L1 price under Group C Hybrid Vegetable Seeds in the minutes dated 01/07/2019 where there is more than one bidder for

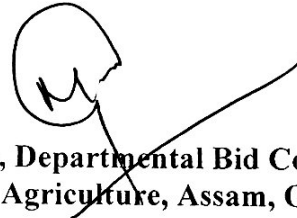
a particular variety. Among multiple bidders for a particular variety the bidder who has quoted lowest i.e. L1 price is mentioned under this table at page no 22 to 26 of the minutes dated 01/07/2019 and there are 173 varieties under this table.

Hence, using of same nomenclature "L1" for both the table cannot be accepted as the first table is showing accepted price for those varieties where there is only one bidder and the other table is showing L1 price for a particular variety where there are more than one bidder for a particular variety.

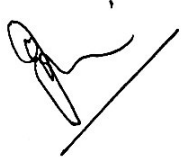
After a threadbare discussion the committee decided to change the nomenclature "**Responsive price (RS.)**" as "**Accepted Price (Rs.)**" in the "Table showing the varieties for which there is only one bidder ie. Single bid for each variety" at page no. 7 of the Minutes dated 01/07/2019. The committee also decided that the single bidders with proprietary product shall submit a patent certificate establishing their proprietorship. And all the responsive bidders quoting for Hybrid vegetable seeds shall submit the Gazette Notification if any to establish whether the varieties are notified for the state of Assam/ India.

The Committee decided to revoke and upload this minutes along with the minutes dated 01/07/2019.






There being no other matter to discuss the meeting ended with a vote of thanks from the Chair.



**Chairman, Departmental Bid Committee
& Director, Agriculture, Assam, Ghy-22**



MINUTES OF THE DEPARTMENTAL BID COMMITTEE OF ASSAM SEEDS CORPORATION LTD. HELD ON 25/07/2019 at 3:00 PM IN THE CONFERENCE HALL OF DIRECTORATE OF AGRICULTURE, ASSAM, KHANAPARA, GUWAHATI-22.

SL. NO.	MEMBERS PRESENT	DESIGNATION		SIGNATURE
1.	Sri Manoj Kumar, IAS	Director of Agriculture, Assam	Chairman	
2.	Sri Kulendra Talukdar, ACS	Managing Director, ASC Ltd	Member	
3.	Dr. Pranab Kr. Mahanta	Director of Horticulture & FP, Assam	Member	
4.	Sri Anal Malla Buzarbaruah	Dy. Director of Agriculture, Assam	Member Secretary	
5.	Sri Bani Kanta Bargohain	Sr. F.A Agriculture Department	Member	

Special Invitee: Dr. Nandi Ray, G.M (M&T), ASC Ltd. Khanapara, Ghy-22

The Chairman, Departmental Bid Committee presided over the meeting.

Leave of absence was allowed to Sri Nabanit Saikia, Sr. FAO Directorate of Agriculture, Assam and Sri Pranjal Baruah, Procurement Management Executive, APART.

A meeting was called by the Member Secretary of Bid Committee to discuss on the representations submitted by the bidders in respect of Group B Hybrid Seeds and Group C Hybrid Vegetable Seeds.

1. Representation submitted by West Bengal Hybrid Seeds and Bio-Tech Pvt. Ltd.

A representation was submitted by West Bengal Hybrid Seeds and Bio-Tech Pvt. Ltd in respect of their rejection of two crops namely Brinjal and Chilly and the ground of rejection was “ **Minimum 10% quantity against each variety not quoted**” After threadbare discussion the committee decided to accept Brinjal and Chilly for all varieties quoted by the bidder as they have quoted the required minimum 30% quantity for that particular crop keeping in view the judgement of Hon'ble Gauhati High Court in a similar matter of M/S Teronpi Enterprise. The variety Sneha under the crop Ridge Gourd quoted by the bidder West Bengal Hybrid Seeds and Bio-Tech Pvt. Ltd. was inadvertently not reflected in the minutes mentioning the rates though it was technically responsive. Therefore, the following rate of variety Sneha, crop Ridgeward and quoted varieties of crop Brinjal and Chilly are made responsive and accepted.

Sl. No.	Bidder	Crop	Variety	Accepted Price (Rs.)
1.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Brinjal	Nirupama	10900.00

2.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Brinjal	Neeta	10900.00
3.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Chilli	Anju	41750.00
4.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Chilli	Anjali	41750.00
5.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Chilli	Abha	41750.00
6.	West Bengal Hybrid Seeds & Biotech Pvt, Ltd	Ridge gourd	Sneha	12250.00

2. **Representation submitted by Nirmal Seeds Pvt. Ltd. :**

As per the representation of Nirmal Seeds Pvt. Ltd. for corrections of the variety NOH-15 reflected as a variety of Sponge gourd in the minute should have come under the variety of the crop Okra. The request is accepted and the inadvertent wrong entry in the minutes reflected at page no. 19, sl. no. 195 (Table) is deleted and corrected entry is added at page no. 8 of the minutes under the crop Okra.

3. **Discussion on the rates of Mridul Laskar which were wrongly reflected in the minutes dated 01/07/2019:**

While preparing the Comparative Statement of Hybrid Vegetable Seeds, it came to knowledge of G. M (M& T) that the rates of Mridul Kumar Laskar was wrongly reflected in the minutes dated 01/07/2019. Therefore, the rates are recalculated and are mentioned below:

SL. NO.	Name of the bidder	Crop	Variety	Accepted Price (RS.)
1	M/s MRIDUL KUMAR LASKAR	Ashgourd	Daina	5510.00
2	M/s MRIDUL KUMAR LASKAR	Beet Root	Danish	4810.00
3	M/s MRIDUL KUMAR LASKAR	Bhindi	Ananya Gold 110	4610.00
4	M/s MRIDUL KUMAR LASKAR	Bhindi	Ananya Gold 2001	4010.00
5	M/s MRIDUL KUMAR LASKAR	Bitter Gourd	Tinku	14010.00
6	M/s MRIDUL KUMAR LASKAR	Bitter Gourd	Vinay 55	11010.00
7	M/s MRIDUL KUMAR LASKAR	Brinjal	Maharaja	14010.00
8	M/s MRIDUL KUMAR LASKAR	Brinjal	Pinky	15010.00
9	M/s MRIDUL KUMAR LASKAR	Chilli	Green Tej	42010.00
10	M/s MRIDUL KUMAR LASKAR	Chilli	Radha	40010.00
11	M/s MRIDUL KUMAR LASKAR	Tomato	Abhinandan	65010.00
12	M/s MRIDUL KUMAR LASKAR	Tomato	Gold 5050	40010.00

4. **Fixation of rates of Black gram:**

The General Manager (M&T), ASC Ltd. mentioned that the decision on fixation of rates of blackgram which were kept pending since 29th May 2019 needs to be finalised as the sowing time of blackgram is August. In this regard a letter no. Raja/ASC/19-20/3 (A) dated 11/07/2019 submitted by M/S RAJA Enterprise was placed in the meeting showing their inability to supply black gram seeds from the principal source mentioned in the tender. Further, the firm also tendered for unconditional apology for inconvenience caused. On the basis of the letter submitted the committee decided to reject M/s Raja Enterprise for the crop blackgram. Hence, after having rejected the rate of the firm M/s Raja Enterprise the accepted L1 rate of blackgram variety wise is stated in the table below:

SL. NO.	Name of the bidder	Crop	Variety	Accepted L1 Price (RS.)
1	M/S GARV ENTERPRISE	Blackgram	IPU-02-43	7610.00
2	M/S GARV ENTERPRISE	Blackgram	MASH 114	10800.00
3	M/S GARV ENTERPRISE	Blackgram	PU 31	6310.00

5. **Representation submitted by Farmer's World in regard to Hybrid paddy Variety VNR 2355 Plus:**

A representation was submitted by Farmer's World in regard to Hybrid paddy Variety VNR 2355 Plus stating the following "..... We are Authorised Distributor direct by the Company (Source) and we have submitted all the papers direct by the Company provide us but our quoted price is not appear in your price bid..... one Leisure Lane quoted price for Hybrid Paddy Variety AHR 8283 (VNR 2355 Plus) with the papers of marketing agent which is completely invalid as company directly involved and appointed us as their distributor....."

After going through the representation submitted by Farmer's World, the committee decided to write an email to the company VNR Seeds to confirm under what clause or provision the Company has given marketing right to another company M/s ACSEN HYVEG PVT LTD for sale of the proprietary variety under a different brand name i.e., AHR 8283. The reply of the email shall be placed in the next meeting for further decision on the matter. Till then the committed decided not to place any order/indent for that particular variety.

The Committee decided to revoke and upload this minutes along with the earlier relevant minutes.

There being no other matter to discuss the meeting ended with a vote of thanks from the Chair.


Chairman, Departmental Bid Committee
& Director, Agriculture, Assam, Ghy-22