

POLICY ON DE-LISTING OF DIRECT SELLER

Overview

For Bhoocare Foodchem Private Limited (The, “Company”) the rules and regulations notified by the authorities in respect to direct selling shall be considered utmost priority to follow.

Therefore, company is taking every possible step to protect the interest of Consumer of the Company and ensures that rights of the consumer must be safeguarded for betterment. Company governing the direct sellers’ actions is making sure that no unfair trade practices shall be followed that would affect the interest of the consumer.

Applicability

This policy shall be applicable in the situations under which if following conditions will not be followed by the direct seller, then it shall result in de-listing of the Direct Seller from the Company.

Objective

A direct seller may be delisted as the result of failing to meet the consumer and company requirements. The main objective associated with de-list direct seller policy is to ensure to follow upon fair practices by the direct seller in order to protect the interest of the consumer in the long run.

Applicable laws

The Consumer Protection (Direct Selling) Rules, 2021, Consumer Protection Act, 2019, Consumer Protection (E-Commerce) Rules, 2020

WHO IS DE-LISTED DIRECT SELLER?

“Delisted Direct Sellers” means List of Direct Sellers maintained by the Company whose authorization is cancelled/suspended by the Management of the company on the following grounds -

Grounds

1. Violation of code of conduct

2. If direct seller indulges in fraudulent activities or sales and shall take reasonable steps to ensure that participants do not indulge in false or misleading representations or any other form of fraud, coercion, harassment, or unconscionable or unlawful means
3. If the direct seller Engage in, or cause or permit, any conduct that is misleading or likely to mislead with regard to any material particulars relating to its direct selling business, or to the goods or services being sold by itself or by the direct seller
4. If the direct seller Indulge in mis-selling/bulk selling of products or services to consumers
5. If the direct seller Use, or cause or permit to be used, any fraudulent, coercive, unconscionable or unlawful means, or cause harassment, for promoting its direct selling business, or for sale of its goods or services
6. If the direct seller Refuse to take back spurious goods or deficient services and refund the consideration paid for goods and services provided
7. If the Direct Seller Charge any entry fee or subscription fee.
8. If the direct seller induces consumers to make a purchase based upon the representation that they can reduce or recover the price by referring prospective customers to the direct sellers for similar purchases.
9. If the direct seller convicted, or bankrupt during the last five years prior to his association with the business of direct selling, or a person of unsound mind.
10. If the direct seller is not been able to delivered the products of the consumer within the specified time period prescribed or other mentioned grounds:
 - If the direct seller indulged in promoting Pyramid Scheme or enroll any person to such scheme or participate in such arrangement in any manner whatsoever in the garb of doing direct selling business.
 - If the direct seller participates in money circulation scheme in the garb of doing direct selling business.
 - If the direct seller is engaged in unfair trade practice as defined in consumer protection act, 2019.
 - If the Direct seller is not operative/working in the company since last two years.
 - If the Direct seller hold any Direct selling code in another Direct selling entity/entities directly or indirectly in own name or through the other dummy person/persons.
 - If the Direct seller defames the goodwill or reputation of the company before the public, consumer, other Direct sellers or another Direct selling entities.

- If any direct seller instigates to other direct sellers against the company.

11. If the direct seller:

- i. visit a consumer's premises without identity card and prior appointment or approval;
- ii. provide any literature to a prospect, which has not been approved by the Company;
- iii. Made any claim in pursuance of a sale , that is not consistent with claims authorized by the Company.
- iv. Engaged in selling product through any E-commerce platform (like Amazon, Flip kart, Snap deal etc.
- v. does not take the necessary registration specified under the Direct Selling Rules, 2021
- vi. On any other ground as decided by the company from time to time.

Impact of such Delisting

1. Delisted Direct Seller shall be barred from the selling or buying the products of the Company (***Bhoocare FoodChem Private Limited***)
2. whose name shall be removed from the register of the Direct Seller of the Company
3. Delisted Direct Seller's name shall be entered in the Register of De-listed Direct sellers.
4. Further the name of such Delisted Direct seller shall also be shown under separate head as De-listed Direct seller on the Company website www.bhoocare.com

Process of De-list of Direct Seller

1. If any direct seller committed any breach of duty mentioned above, then the Company shall serve show cause notice to the concerned direct seller.
2. After providing the show cause notice, the concerned direct seller needs to appear at the Company premises within the time frame work as stated and shall state appropriate reasons in response to the notice received.
3. After giving the opportunity of being heard, if the company satisfy with the reason stated by the concerned direct seller, then at the sole discretion of the company, he can continue as the direct seller, provided the reason should be genuine and must be

Supported by relevant evidence . Otherwise, company shall have full right to cancel/suspend the name from the List of Direct sellers.

4. If the concerned direct seller does not appear at the stated time and fail to provide any evidence in response to the notice, then company shall possess the right to cancel/suspend the name from the List of Direct sellers
5. Further the company shall enter the name of such direct seller in the Register of Delisted Direct sellers and remove the name from the Register of Direct sellers.
6. The company shall publish the name of such delisted direct seller under the separate section on the website company in the name and style of the:-

“LIST OF DE-LISTED DIRECT SELLER”

7. The company shall take upon the reasonable action as per the nature of offence committed by the direct seller and shall be considered authorized to take legal actions required in result thereof.

Notification of Changes

We keep our De-listing Policy under regular review to make sure it is up to date and accurate. Any changes we may make to this Policy in the future will be posted on this page. We recommend that you re-visit this page regularly to check for any updates.

For any additional questions or support, reach out to Bhoocarefoodchempyltd@gmail.com