

NAGAR PARISHAD JASALMER
E-AUCTION BIDDING GUIDELINES

Nagar Parishad, JAISALMER, as decided to e-auction the assets of taken over units through online forward e-auction mode. The guidelines of e-auction are as under :

1. DEFINITIONS:

(i) Auctioneer: Auctioneer referred in these conditions of e-auction is NP, JAISALMER through their officers.

(ii) Auction Committee: A Committee constituted by NP, JAISALMER for approval of Bids. (iii) Bidder: Any person representing as an individual or Proprietor or as a Partner of registered Partnership firm or as a duly authorized representative of any company registered under the Companies Act or of any legal entity, who has been registered with the auctioneer and who has paid the Earnest Money Deposited (EMD) & Participation fee and complied with other terms and conditions mentioned herein or as may be specified through separate publication, shall be considered as a Bidder.

(iiiv) Successful Bidder : At the end of the Forward Auction, NP, JAISALMER will decide upon the winner based on the highest bid placed for the assets under auction and subsequent acceptance of NP, JAISALMER. The decision of NP, JAISALMER E-Auction Committee will be final & binding on all the bidders.

(iv) Registration : The bidder is required to be registered on NP, JAISALMER website www.nagarparishadjaisalmer.org before participating in e-auction.

(v) Assets : Asset means Land, Building, Plant and Machinery or any other misc. assets of the unit “as is where is and whatever there is” basis.

(vi) Earnest Money Deposit (EMD) : The bidder will have to deposit prescribed earnest money for each unit for the particular e-auction. The earnest money is to be deposited online through NP, JAISALMER Payment Gateway.

(Vii) Bidding Currency : Bidding will be conducted in Indian Rupee (INR) only.

(viii) H1 Price : It is highest value placed in the bid at prescribed point of time during the auction for the asset. It will be visible to all the bidders on the screen and bidders can bid an amount of “H1price plus incremental value” only. The incremental value shall be decided by the Corporation from time to time. The minimum incremental value will be displayed against each asset on the bidding screen of all participating bidders. The software will not accept any bid other than the multiple of incremental value.

(iX) Bid Start Price (BSP) : It refers to the “Bid Start Price” which shall be decided by the NP, JAISALMER and shall be visible to all the bidders on their screens during the start of the e-auction. The bid will trigger off from this price and no bidder can start bidding below this price.

2. PARTICIPATION/APPLICATION PROCESS :

(i) Registration of Bidder: The bidder can apply for registration on NP, JAISALMER website www.nagarparishadjaisalmer.org. After registration, an auto generated User ID & Password shall be sent on registered mobile number & E-mail ID of the user.

(ii) Participation in e-auction:

a. For Online Participation in e-auction, bidder can view the advertisement as well as the relevant information published in Print Media/Website of NP, JAISALMER.

b. The registered bidder shall also be required to upload requisite KYC documents.

c. Contact Person: NP, JAISALMER will nominate Nodal Officer who will coordinate for responding to bidder’s queries regarding auction.

3. PROCEDURE OF FORWARD E-AUCTION:

(i) NP, JAISALMER will declare its bid start price (BSP) which shall be visible to all the bidders at the start of the forward auction.

(ii) The Bid start price (BSP) of assets in online forward auction is open to all the participating bidders. Any bidder can start bidding, in the online forward auction from this price onwards only. Hence, the first online bid that comes in the system during the online forward auction shall be higher than the auction’s BSP by one increment or absolute multiples of increment.

(iii) The onwards bidding will have to be higher than the H1 rate as quoted and displayed on screen by one increment value or higher than the H1 rate by multiples of the increment value.

(iv) Online Forward Auction shall be open for a specified period as per publication issued by NP, JAISALMER for each asset/unit. The closing time and date of auction may be extended at any time. There will be unlimited extension of 5 minutes duration each, if any valid bid is received in last 5 minutes of the close of Eauction. The bidder(s) are cautioned not to wait till the last minutes or last few seconds to enter their bid to avoid complications related to internet connectivity, network problems, system crash down, power failure, etc.

(v) NP, JAISALMER E-auction committee reserves rights to cancel the highest bid in any condition what so ever. The Notice for such cancellation shall be only notified on the e-auction portal.

(vi) The minimum bid increment value shall be available on screen to the bidders. The bidder can view the same by clicking on the relevant details at the start of the auction.

(vii) During forward auction, if no bid is received within the specified time or bid is cancelled as per point number

(viii) above, NP, JAISALMER, at its own discretion, may decide to re-invite the bid/scrap the e-auction process/proceed with conventional mode of auctioning.

(ix) The bids will be taken as an offer to purchase the assets/unit on terms & conditions attached with the assets/unit. Bids once made by a bidder, cannot be cancelled/withdrawn by the bidder and the bidder shall be bound by the bid quoted, failing which the earnest money will be forfeited.

(x) Bidders will be able to view the following on their screen alongwith the necessary fields in the Forward Auction.

- Opening BSP (Bid Start Price) & Minimum Incremental Value.
- Leading (highest) Bid in the e-auction.
- Bid placed by the bidder himself.
- Rank of bidder in the e-auction.

(xi) The concerned contact person will respond to all queries relating to the eauction processes and rules on the telephone numbers given or through mail as per the publication/auction advertisement.

(xii) NP, JAISALMER reserves the right to modify/amend the terms and conditions and intimate the same prior to commencement of e-auction or while the auction is in progress.

4. EARNEST MONEY DEPOSIT PAYMENT, ITS REFUND :

(i) The intending bidder(s) have to deposit prescribed earnest money (EMD) for the particular e-auction online through NP, JAISALMER Payment Gatewaybefore participating in e-auction.

(ii) The EMD amount shall have to be deposited within the time limit as notified and shall be subject to clearance of the same by NP, JAISALMER.

(iii) Delay in deposit of EMD will not be entertained and the bidder shall not be eligible for participation.

(iv) *The EMD of the successful bidder is adjustable in the bid amount, if and when his highest bid is approved by the competent committee of NP, JAISALMER.*

(v) *The EMD of the unsuccessful bidders will be refunded without any interest, cost or claim after the closure of the e-auction or the extended period as decided by the NP, JAISALMER.*

(vi) *The refund of EMD of unsuccessful bidders shall be made in the same bank account which is specified by the bidder in the e-auction form at the time of registration. NP, JAISALMER shall not be responsible if incorrect/incomplete bank details are furnished by the bidder in any manner.*

(vii) *Earnest money deposited will be non transferable to the other bidder or any other asset/unit to be purchased by the same bidder.*

5. BID CONFIRMATION – AND BALANCE PAYMENTS:

(i) *The highest bid will be considered only on subject to confirmation basis. After closure of the e-auction the competent committee of NP, JAISALMER will approve the successful/highest bidder online, whose highest bid is accepted, through an e-mail/SMS after the completion of each auction. The confirmation of auction will be done only after approval by competent committee of NP, JAISALMER. The terms and conditions of payments by the highest bidder are mentioned in e-auction bidding terms & conditions.*

(ii) *All payments shall be accepted online through NP, JAISALMER Payment Gateway.*

KYC COMPLIANCE:

During online registration for KYC compliance the bidders will have to upload following documents:

Features List of valid KYC Documents Individuals ☑ *Legal name and any other names used (i) Passport (ii) *PAN Card (iii) Voter's Identity Card (iv) Driving License (v) Identity Card (vi) *Aadhar Card *Mandatory Address (i) Utility bill like telephone, electricity (not older than 3 months) (ii) Bank account statement/pass book (iii) Passport (iv) Letter from employer (Subject to satisfaction of the Corporation) (v) Latest rent/leave & license agreement etc.*

(Any one) Companies ☑ *Name of the Company, Principal place of business* ☑ *Address of the company* ☑ *Identity of signatories (i) Certificate of incorporation and Memorandum & Articles of Association (ii) Resolution of the Board of Directors to open an account and identification of those who have authority to operate the account. (iii) Power of Attorney granted to its managers, officers of employees to transact business on its behalf (iv) PAN 6 card of Company (v) Any other officially valid document establishing proof of existence and address of the entity to the satisfaction of the Corporation (vi) Any officially valid documents to*

identify the signatories (vii) Certificate of commencement of business (viii) BRN Partnership firms ☐Legal name and address ☐Identity of all partners And their addresses ☐Identity of signatories (i) Registration certificate, if registered (ii) Partnership deed (iii) Power of attorney granted to a partner or an employee of the firm to transact business on its behalf (iv) Any officially valid documents identifying the partners and the persons holding the Power of Attorney and their addresses (v) Proof of existence & proof of address of the firm (vi) BRN No. etc. (vii) PAN card of Firm or PAN Card of all partners. Trusts & foundations ☐Identity of trustees, settlers, beneficiaries & signatories. ☐Identity and address of the founder, the managers/directors and the beneficiaries. ☐Identity of signatories (i) Certificate of registration, if registered (ii) Trust deed (iii) Power of attorney granted to transact business on its behalf (iv) Any officially valid documents to identifying the trustees, settlers, beneficiaries and those holding power attorney founders/managers/directors and their addresses. (v) Resolution of the managing body of the foundation/association (vi) Any officially valid document establishing the proof of existence and proof of address of the entity to the satisfaction of the Corporation. (vii) BRN (viii) PAN card of Trust.

6. INSPECTION OF ASSETS :

- i. The assets/units are being auctioned on “AS IS WHERE IS AND WHATEVER THERE IS BASIS.”
- ii. The bidder is advised to visit and examine the assets at his own cost and be first satisfied before participating in the Auction process.
- iii. It shall be the responsibility of the bidder(s) to inspect and satisfy themselves about the factual position of the assets and its measurement before submitted the bid.
- iii. Any conditional bid(s) shall be treated as invalid. Please note that after submission of the bid(s), no correspondence regarding any change in the bid shall be entertained.
- iv JAISALMER is not bound to accept the highest offer/bid and NP, JAISALMER has absolute right to accept or reject any or all offer(s) or adjourn/postpone/cancel the e-auction without assigning any reason thereof. This sale/e-auction is subject to approval by the competent authority of NP, JAISALMER. Highest bid received in the auction shall be put up before the competent authority for approval of the sale by NP, JAISALMER. Subsequent to approval of the sale by the competent authority the bid shall be approved online and intimation will be sent to the successful bidder through e-mail/SMS.
- v. The acceptance or rejection of the e-auction by the Corporation or methodology adopted by the Corporation for the sale of asset(s) on e-auction

platform shall not become a cause of action or ground to initiate legal action before any court of law for obtaining any order, Injunction, Direction etc from Hon'ble Court to stay the proceedings.

Vi. The Bidder shall not involve himself or any of his representatives in price manipulation of any kind directly or indirectly by communicating with other bidders which shall otherwise make him ineligible.

vii. NP, JAISALMER shall not have any liability towards the bidders for any interruption or delay in access to the site irrespective of the cause. Please note that failure of internet connectivity (due to any reason whatsoever it may be) shall be sole responsibility of bidder(s) and NP, JAISALMER shall not be responsible for such unforeseen circumstances. In order to ward-off such contingent situation, bidder(s) are requested to make all the necessary arrangements/alternatives whatever required so that they are able to circumvent such situation and still be able to participate in the e-auction successfully. The bidder(s) are requested not to wait till the last moment to quote their bids to avoid any such mishaps.

viii. The bidder is required to study e-auction bidding guidelines and the E-auction Bidding Terms & Conditions and be satisfied before participating in the auction process.

ix. The e-auction bidding rules and the terms & conditions shall form the integrated part of the auction documents and the bidder would be responsible to comply the same. The bidder is also required to accept these rules and the terms & conditions before participating in the bidding process.

x. If there is any dispute on interpretation of any of the provisions, the same must be brought into the notice of NP, JAISALMER in writing at least 3 days before scheduled start auction date. The decision of NP, JAISALMER shall be final and binding.

OTHER IMPORTANT E-AUCTION TERMS & CONDITIONS

- *Earnest money: Every bidder shall be required before being permitted to bid in auction to deposit an earnest money (in short EMD) @ 2% of the bid start price of the plot .*
- *Bid shall be acceptable in Increment of Rs. 20000/- for Residential plot and Rs 25000/- for Commercial Plot.*
- *Auto Extension is available if more bid is getting in last 5 Minutes.*

- *Urban Assessment for residential, institutional and Group Housing plots @ 2.5% on Residential Reserve Price , and for Commercial plots @ 5%, shall be payable of residential reserve price per year.*
- *Lease hold and free hold will be given to Allottee as per rules.*
- *Property is being sold on "as is where is" basis:*
- *Area of plot can be increased or decreased as per actual site conditions.*
- *The bidders are expected to kindly visit the site of proposed plot before participation in the bid process*
- *Nagar Parishad Jaisalmer Auction committee reserves the right to accept or reject the highest bid, which shall be final and binding.*
- *Terms & Conditions of NP Jaisalmer shall apply.*
- *EMD and Demand Notes Payable only through Online mode available on Portal.*
- *Auction shall be held by an Auction Committee constituted by the Municipality.*
- *The Conditions of bidding shall be displayed on the website/portal of municipality/ Department before the commencement of auction. Provided that the auction shall not be cancelled merely on account of participation by the single prospective bidder*
- *Every bidder shall be required before being permitted to bid in auction to deposit an earnest money (in short EMD) @ 2% of the bid start price of the plot which shall be refunded to him at the close of the bid or adjusted against premium in case of successful bidder.*
- *In case auction fails and no person participates in the bid due to higher Bid Start Price, the Bid Start Price shall be re-fixed by the Municipality or a Committee authorized by the Municipality in this behalf. The Bid Start Price shall be revised after taking into the consideration of unsuccessful auction attempts and prevailing market trends.*
- *Proceeding shall be drawn up stating the name of every bidder and the amount for which he bids.*
- *The highest bidder shall be required to deposit 15% amount of his bid within three working days from the date of auction. In case of failure to deposit the said amount within prescribed time limit, the EMD deposited by the bidder shall be forfeited and auction of land shall automatically stand cancelled.*

- *The bid shall be subject to the sanction or rejection within 5 working days from the date of auction and demand note shall be issued within 2 days from the date of sanction of the bid.*
- *The bid shall be subject to the sanction of the Chairperson of the Municipality in whom the rights are reserved to accept or reject any bid without assigning any reason thereof:
Provided that if there arise difference of opinion between the Chairperson and the Chief Municipal Officer regarding acceptance or rejection of the bid, the matter shall be referred by the Chief Municipal Officer to the State Government within 15 days from the date of auction.*
- *After acceptance of the Bid the successful bidder shall deposit 35% of the Bid amount within 120 days from the date of Auction. If bidder fails to deposit 35% amount within 120 days, after expiry of above period bidder may deposit due amount in next 60 days or within extended time period as per provisions of clause (l) along with interest at the rate of 15% on remaining amount from the date of auction.*
- *Successful bidder shall deposit remaining 50% of the Bid amount within 180 days from the date of Auction. If bidder fails to deposit 50% amount within 180 days, after expiry of above period bidder may deposit due amount in next 90 days along with interest at the rate of 15% on remaining amount from the date of auction.
(m) If the successful bidder deposit the full amount within 15 days from the date of demand note, he will get 1% rebate of the bid amount.*
- *A person who has been allotted a plot at fixed rates shall not transfer the plot before the expiry of ten years from the date of allotment.*

Provided that if an Allottee intends to transfer his plot within ten years from the date of allotment he shall have to pay levy at the rate prescribed as under:-

<i>S.N</i>	<i>Period from the date of allotment</i>	<i>Levy</i>
<i>1</i>	<i>0 to 5 years</i>	<i>10% of prevailing reserve price.</i>
<i>2</i>	<i>more than 5 years and upto 10 years</i>	<i>5% of prevailing reserve price.</i>

- *A person who has been allotted a plot at fixed rates fails to construct one dwelling unit within five years from the date on which possession of land so allotted is handed over to him such allotment shall automatically stand cancelled and the allottee shall not be eligible for allotment of a plot in future: Provided that such automatic cancellation may be regularized by withdrawing the such automatic cancellation, if the allottee is prepared to pay the levy at following rates*

<i>S.N.</i>	<i>Period from the date of possession handed over</i>	<i>Levy</i>
<i>1</i>	<i>2</i>	<i>3</i>
<i>1.</i>	<i>0 to 5 years</i>	<i>Nil</i>
<i>2.</i>	<i>after 5 years and upto 10 years</i>	<i>1% per year of prevailing reserve price</i>
<i>3.</i>	<i>after completion of 10 year, the Board shall issue a notice to the allottee/ lessee to complete the construction within a period of six month.</i>	<i>2% per year of the prevailing reserve price for the period beyond 10 years including the notice period.</i>
<i>4.</i>	<i>after completion of notice period</i>	<i>lease shall automatically stand canceled.</i>