# CATALOGUE AND PROCESS FOR INDUSTRIAL PLOT ALLOTMENT THROUGH E-AUCTION

**Uttar Pradesh State Industrial Development Authority**

**Plot Number: A-11**
**Industrial Area: CDF Chherut**

**Regional Office: Aligarh**

## ALLOTMENT OF PLOTS BY UPSIDA THROUGH E-AUCTION

## https://upsida.mjunction.in

### Auction reference no: 2020/A-11/CDFChherut/ 4508.40sqmtr/October

### Important dates (dates are to be calculated excluding Saturdays and Sundays)

| | |
|---|---|
| Date of advertisement & notice on UPSIDA/m-junction Portal | **19th October** |
| Beginning date for bidder registration, payment & allocation of Catalog Downloading Fee from e-wallet by bidder, uploading documents, online submission of required documents and deposition / allocation of EMD & Application Processing Fee from e-wallet by bidder. | **19th October** |
| Last date for uploading documents, online submission of required documents and deposition / allocation of Earnest Money & Application Processing Fee from e-wallet by bidder. | **3rd November** |
| Last date for Scrutiny and approval/rejection with reason of applications & documents submitted by bidders to be done by UPSIDA in the e-auction portal. Automated communication of status and objections by e-auction portal to bidder(s) for submission of clarification. | **6th November** |
| Last date for bidders to submit clarification (without submission of additional documents) through the e-auction portal | **10th November** |
| Last date for acceptance/rejection by UPSIDA of clarification submitted by rejected bidder. | **12th November** |
| Last date for online intimation to bidder regarding status of their applications | **12th November** |
| Auction starts on (only technically qualified bidders) | **13th November at 1:00 PM** |
| Online Intimation from mjunction to H1 bidder at the end of all Auction Rounds | **13th November** |
| Refund of EMD to un-qualified bidders. | **19th November** |
| Last date for online payment and allocation of balance EMD based on H1 bid from the e-wallet by the H1 bidder | **19th November** |
| Closure of Auction AND publishing round wise Audit Trail of Auction | **25rd November** |
| Approval of H1 bidder and allotment of plots by UPSIDA after confirmation of EMD payment and release of allotment letter by UPSIDA. | Within 7 days from closure of auction |
| Payment of Reservation Money to UPSIDA | Within 30 days from the date of issue of allotment letter. |

**Auction Start date and time: 13th November at 1:00 PM**

**Contact information**

For information regarding the **e-auction process**: Helpdesk by Service Provider
**(033)66031778, (033)44091778**
upsida.helpdesk@mjunction.in
(Monday to Friday **10AM to 5PM**)

**Process for Industrial Land Allotment through e-auction**

## Plot Advertisement

**PLOT MANIFEST**

- Plot number : A-11
- Name of Industrial area : CDF Chherut
- Plot area (Sq. m.): 4508.40
- Whether corner plot (Y/N) - N
- Whether located on 30 Meter wide road or having access to 2 or more roads (Y/N) - N
- Premises Use : Industrial
- Lease period : 90 years
- Plot dimensions : As per site plan enclosed
- Minimum Reserve lease Premium rate including location charges, if any (per sq. mtr) : 3400.00
- Maximum permissible FAR: 0.70
- Maximum permissible ground coverage : 55 %
- Value of existing construction on the land : 0
- Maximum Height Permissible (Meter) : None
- Lease Premium payment schedule : As per terms & conditions detailed in catalog
- Plot details and site plan are appended as Annexure-I

(1)The plot will be advertised on the online portal (http://www.onlineupsidc.com/, https://upsida.mjunction.in) for submission of applications for the entire period till the auction is closed. The interested applicants can submit the application for land allotment through e-auction with the required documents and payments of EMD and Application Processing Fee as per the specified dates. The scrutiny process will be completed within 3 days from the last date of submission of documents by the bidders.

## Online Submission of documents for participation in e-auction:

(1) The interested bidders shall get himself registered on auction web site and obtain user ID and password. This is a one-time activity may be done at any point of time irrespective of the release of advertisement. To do this,

a. the bidder has to fill up the online registration form available on https://upsida.mjunction.in/
b. Upload scanned copies of the PAN and cancelled cheque in the registration form and submit the online registration form
c. After verification of the PAN & cancelled cheque information provided with the documents uploaded, mjunction's helpdesk will trigger a system generated e-mail from the e-auction portal with the bidder's login credentials to the e-auction system.
d. It is the responsibility of the bidder to ensure that the contact details (person, mobile and email) are that of the authorised signatory.

(2) The registered bidder has to make payment and allocate from their e-wallet a non-refundable Catalog Downloading Fee of Rs. 500/- + 18% GST (total Rs. 590/- inclusive of taxes) to be able to download the Auction Catalog for a particular plot. Document uploading and further actions can be performed by the bidder only after the Catalog Downloading Fee for that auction has been paid and allocated from their e-wallet. Only the bidder IDs who have paid the Catalog Downloading Fee will be allowed to proceed further.

(3) The registered bidder has to upload and submit all documents mentioned below required for applying for allotment of the Plot/Property and deposit Non-Refundable Application Processing

Fee of Rs.2000 + 18% GST (total Rs.2360/- inclusive of taxes) and submit scanned signed Application Form as per **Annexure-II.**

a. This application processing fees shall be deposited along with EMD.
b. All documents are mandatorily required to be uploaded by the applicant in the e-auction portal. Without uploading each of the mandatory documents, the bidder is not allowed to proceed further. Only PDF files upto 10 MB is allowed
c. The bidder will not be allowed to make payment of Application Processing Fee and EMD until all documents are uploaded and submitted.
d. It is to be noted that for Catalog Downloading Fee and Application Processing Fee it is not sufficient to make payment to e-wallet, the bidder has to allocate the funds from the e-wallet within the stipulated timelines to be considered as having made the payment.

(4) Registered Bidder should be the authorised signatory of the legal entity applying for the land allotment through e-auction. The authorization letter should be uploaded failing which application shall be treated ineligible.

(5) Following Self Attested Documents are required to be submitted by bidder for e-Auction of industrial plots:

**i. Documents:**

- Filled application form (as per Annexure-II)
- Project Report including investment details and means of finance, Tentative layout plan of covered/open area, Project completion schedule, Employment generation . The project report should be specific to the industrial sectors as mentioned in annexure – II , as per plot type **.**
- Proposed capital investment as per project appraisal by recognized financial institution duly certified by Chartered Accountant.*(Only for the projects with capital investment exceeding INR 25 Crores.)*

Documents listed below as per constitution of applicant:

| Applicant | ► Mandatory documents |
|---|---|
| Individuals | ► PAN and Aadhar Card<br>► Copy of cancelled cheque for details of account in case of refund of EMD<br>► Certificate from the Chartered Accountant with UDIN number stating that the Net worth of applicant is positive |
| Partnership firm | ► Partnership deed<br>► PAN Card of the firm.<br>► PAN/Aadhar Card of all the Partners.<br>► Power of attorney by all the partners for authorized signatory for participation in allotment process through e-auction.<br>► PAN/Aadhar Card of authorized signatory<br>► Copy of cancelled cheque for details of account in case of refund of EMD<br>► Certificate from the Chartered Accountant with UDIN number stating that the Net worth of applicant is positive |
| Companies | ► Certificate of Incorporation, Memorandum of Association & Article of Association issued by Registrar of Companies<br>► Shareholding patterns & list of shareholders duly verified by CA/CS.<br>► Board resolution for authorized signatory for participation in allotment process through e-auction.<br>► PAN/CIN of the company<br>► PAN/Aadhar card of authorized signatory<br>► Copy of cancelled cheque for details of account in case of refund of EMD |

| | |
|---|---|
| Trust & Societies | ► Copy of deed/byelaws of Trust/Society.<br>► Certificate of registration.<br>► PAN of Trust/Society<br>► Power of attorney of authorized signatory by the managing body of Trust/Society for participation in bidder process through e-auction.<br>► PAN/Aadhar Card of authorized signatory<br>► Copy of cancelled cheque for details of account in case of refund of EMD |

The bidder is required to agree to all terms and conditions of the catalog against which they are uploading documents. Doing so would also mean that they :

a. Certify that the documents uploaded and the information contained therein is true to the best of their knowledge and belief.

b. Certify that they have re-checked all the documents after uploading them as draft and they are satisfied that all of them are correctly uploaded.

c. Understand that once the documents are submitted online, they will not be allowed further to add/remove/modify/change the documents at any later stage during the auction process.

d. Agree to take full responsibility in case any document is found incorrect/incomplete in any manner, and UPSIDA & mjunction services limited shall not be responsible for the same in any manner.

**Mega projects:**

A defined in IIEPP 2017 of UP Govt. and as amended time to time.

For Such Mega project, Priority Allotment Fees will be charged **from H1 buyer** as mentioned below.

| Proposed Investment by Buyer | Priority Allotment Fee in Rs. (Excluding Taxes) |
|---|---|
| Upto 100 Crore | 2,00,000 |
| Between 100 Crore & 300 Crore | 5,00,000 |
| More than 300 Crore | 10,00,000 |

Demand for this priority allotment fee will be raised in allotment letter to winning bidder & it is required to be paid by the winning bidder along with reservation money within 30 days from the date of allotment letter. In case of default after declaration of H-1 bidder the amount of priority allotment fees shall be deducted from the refundable amount if any.

a) For Mega Projects, in addition to above mentioned priority allotment fees, **H1 buyer** needs to pay total processing fee of Rs. 50,000 /- +18% GST. Processing fees will be charged in two parts; Rs. 2,000 /- + 18% GST at the time of registration and remaining Rs. 48,000 /- + 18% GST along with the priority allotment fees.

## 2. Roll Over of Catalogue

I. A catalogue will be aborted and rolled over for republication if

a) Number of technically qualified buyers in the catalogue are less than 3 .
b) Number of bids from unique bidders received in the Round 1 of the auction are less than 3

II. For the type of catalogues as mentioned in the I (a) & I(b) above, Such Roll over can happen maximum 2 times if none of the technically qualified buyer was Mega project type buyer. Roll over number will be mentioned in the page 2 of the catalogue along with **Auction reference no.**

III. Such catalogue will proceed for auction if the number of qualified buyers remains less than 3 even in the second Roll over.

IV. However, if any technically qualified buyer is a Mega project, Updated catalog will be created and E-auction will proceed for auction even irrespective of number of technically qualified buyers or Number of bids in the Round 1.

V. If any catalogue is rolled over, all interested buyer will have to complete the entire process again including submission of Catalogue fee + Processing fee, Submission of EMD, submission of required document etc.

VI. A Roll over catalogue will be published on Day 4 of the completion of the previous auction (excluding Saturday Sunday and public Holidays). Roll over number will be mentioned in the page 2 of the catalogue along with **Auction reference no.**

VII. In case of roll over EMD of all buyers will be refunded.

VIII. No Separate newspaper advertisement will be published for Roll over catalogues.

Note: Updation of catalogue where any Mega Project Buyer was technically qualified

For such updated catalogues, buyers who were technically qualified in the initial catalogue, will only be eligible to participate. If any new buyer applies in such catalogue they will not be allowed to participate in auction process and will be out rightly rejected by UPSIDA.

## Investment criteria –

For plots situated in Noida and Greater Noida region Minimum Rs. 7 Cr Per Acre and in other areas Rs. 2 Cr Per Acre investment is required, Any proposal below the above mentioned Investment will be rejected.

## Earnest Money Deposit (EMD):

(1) All applicants are required to allocate Earnest Money Deposit (EMD) within the stipulated timelines for their documents to be evaluated for further processing.

(2) The EMD is calculated as 5% of the value of Reserve price of the plot/property being allotted through e-auction initially. At the end of the auction process the EMD will be 5% of the value of the plot/property based on the H1 bid price.

(3) Initial EMD deposited by the bidder is refundable to bidders if in any case they are deemed ineligible in the document scrutiny process or they are not the H1 bidder in the Auction Stage.

(4) Automated refund of Un-qualified & Un-successful bidder will be processed within 3 working days after the closure of auction.

**(5)** It is to be noted that for Earnest Money it is not sufficient to make payment to e-wallet, the bidder has to allocate the funds from the e-wallet within the stipulated timelines to be considered as having made the payment.

**Document scrutiny & clarification:**

(1) Documents will be available for scrutiny in the UPSIDA officer's access to the e-auction platform, immediately after submission of all documents, application fee payment and EMD payment is completed by the bidder. Scrutiny will be conducted by UPSIDA within 3 days of Document Submission deadline.

(2) Upon completion of the scrutiny, each individual bidder will receive an automatic E-mail intimations sent by service provider on registered email ID of the bidders informing them of about approval/rejection of their application after scrutiny with the reasons for rejection.

(3) The applications which have been rejected after scrutiny, such applicants may submit clarification ( maximum 1000 characters ) through e-auction system for reconsideration within 3 days from the date of intimation of reasons of rejection without submitting any additional documents.

(4) Review of application on basis of clarification will be done within 3 days from the last date of submission of clarification and all bidders who had submitted the clarifications will receive e-mail intimations on their registered ID, informing them about the approval/rejection of their application after consideration of their submitted clarification .

**Evaluation criteria for application:**

(1) In case of application for industrial plots following evaluation criteria shall apply:

- Each of the documents listed in the catalogue should be valid and in legible form and signed by the authorized signatory.
- Each of the required documents listed in the catalogue should be uploaded in the portal.
- In case of individuals/partnership firms, net worth shall be positive

***In case the number of approved participants after scrutiny in the Technical Qualification stage is less than 3 the auction process will be aborted on account of "lack of competition" and refund of EMDs to all bidders will be automatically initiated. This will be subject to the roll over conditions as mentioned above.***

***Please note that the decision of UPSIDA in this matter is final and binding for all parties.***

**E-auction stage:**

(1) Bidding process will be done on the basis of lease premium rate

(2) The e-auction process will take place over multiple rounds as per the declared timelines on page 1. Explanation are being divided into two rounds as below:

**a. Round 1**

i. Round 1 shall start from the Reserve Price as defined in the plot details section.

ii. Each qualified bidder from the Technical Qualification stage can place any number of bids in this round.

iii. The round 1 shall start as per the stated timelines and run for a fixed time interval of 60 minutes with no time extension.

iv. At the close of first round, all bidders who have placed a bid shall be allowed to participate in the subsequent round. At the close of first round, if the number of bidders who have placed a bid is less than 3, the auction process will be aborted on account of lack of competition and new e-auction for the plot will be initiated.

v. Bidders who have not placed a bid in any round shall automatically be disqualified from the further auction process.
vi. The results of the round 1 shall be published on the portal along with the information of the starting price and minimum bid increment for the subsequent rounds (i.e. 2, 3, ….n ), and will be visible only to the eligible bidders.
vii. The bids submitted by the bidder will be binding on him/her.

**b. Subsequent rounds (i.e. 2, 3, ….n )**

i. The starting price of the subsequent round shall be the H1 bid in the previous round plus 2% of the H1 bid of the previous round.
ii. The minimum increment of the bids in the prevailing round will be in multiples of 2% of the H1 of the previous round.
iii. Each qualified bidder from the previous round can place any number of bids in a particular subsequent round. The prevailing H1 bid will be visible to all the bidders and each bidder shall be allowed to improve upon their own prevailing H1 bid during the runtime of each round.
iv. Each round shall run for a fixed time interval of 10 minutes with no time extension.
v. At the close of each round, all bidders who have placed a valid bid in the prevailing round shall be allowed to participate in the subsequent rounds.
vi. Bidders who have not placed a single bid in a round shall automatically be disqualified from the further auction process.
vii. The results of each round shall be published on the portal along with the information of the starting price of the next round and minimum bid increment for the subsequent round.
viii. The bids submitted by the bidder will be binding on him/her.

- ***At any stage between the closure of one round and the commencement of the next round, there will be a cooling period of 10 minutes only.***
- ***Bidders are strongly advised to monitor the auction system continuously to ensure that they do not miss out on bidding in any round.***
- ***Please note that all bidders who have not placed a bid in any round shall not be allowed to participate in the subsequent rounds.***

ix. At any subsequent round after the closure of the 1st round, if there are no bids received, the auction process shall be terminated and the last H1 bid of the preceding round will be considered as the provisionally winning bid, subject to approval by UPSIDA.
x. Automated refund of Non-H1 bidders' EMDs will be initiated to their registered bank account details, after the termination of the e-auction process. These refunds will be processed within 3working days after the closure of e-auction and approval of H1 bidder by UPSIDA.

**c. Post Auction Stage:**

i. UPSIDA reserves the right to accept/reject any bid at any stage, including the highest bid without assigning any reason for the same.

ii. The auction service provider shall send e-mail intimation to the final H1 bidder intimating them about their H1 status and instructing them to make payment of Balance EMD.

iii. The H1 bidder is required to allocate the balance amount of EMD based on bid price after adjustment of previously deposited amount of EMD within 7 days of receipt of the email intimation. This Balance EMD amount is calculated as the **difference between 5% of the value of the plot/property based on the H1 bid in the e-auction process and the EMD amount already paid.**

iv. **In case of non-payment of Balance EMD within the specified period by the final H1 bidder, the plot shall not be offered to the H2 or any other bidder through this auction process. The previously deposited EMD of the final H1 bidder in such cases shall be forfeited and new e-auction for the plot will be initiated.**

v. After confirmation of the payment of Balance EMD amount from the H1 bidder, UPSIDA will process approval of allotment of plots to H1 bidder and issue the allotment letter within 7 working days.

vi. The final H1 bidder is required to deposit Reservation Money within 30 days of issuance of Allotment Letter as per the Terms and Conditions described in this document and allotment letter. The Reservation Money is calculated as 25% of the value of lease premium of plot /value of property (which includes EMD amount already paid) and shall be payable as per UPSIDA's prevailing rules and regulations.

vii. In case the final H1 bidder fails to pay the reservation money within 30 days of issuance of allotment letter, the EMD deposited shall be forfeited and new e-auction for the plot will be initiated.

viii. It is to be noted that for Balance EMD it is not sufficient to make payment to e-wallet, the bidder has to allocate the funds from the e-wallet within the stipulated timelines to be considered as having made the payment.

**Applicable Taxes & TDS:**

i. The bids/prices/values shown/quoted/allocated on the e-auction portal are exclusive of all applicable taxes. ***The final H1 bidder shall be liable to pay all taxes as applicable and UPSIDA/mjunction would not be liable for any taxes in any manner, whatsoever***.

ii. UPSIDA will indicate to the final H1 Bidder the taxes and duties payable for the amounts being collected by UPSIDA as per the prevailing rules and regulations.

- ***Bidders must be extremely careful to avoid any wrong bidding (whether typographical or otherwise). They must check and rectify their bid (if required) before submitting their bid in the live e-auction floor by clicking "Submit Bid" button. The Bidders shall be solely responsible for all consequences arising out of the bid submitted by them (including any wrongful bid submitted by them).***
- ***Bidders must always ensure to keep their e-mail address valid and active. It is the responsibility of the customer to verify the status of their bids and check their e-mails to take necessary action as required within the particular time frame.***
- ***Each property put up for auction shall be deemed to be a separate contract of allotment.***

**IT Credentials of the e-Auction platform**

Technology is the backbone of mjunction with a team of cumulative experience of about 100 years. Different business platforms are in-house developed and maintained by our technology team which gives strength of flexibility.

Key Features

- Certified ISO 27001:2005 – Primary Site & Backup/DR Site
- Certified ISO 9001:2008 (Head Office and Branches)
- Software Engineering Processes - SEI CMMI Level 5 certified
- Adherence to ISMS Standards, Policies, Guidelines
- Biometric/Proximity access to Auction Room & Data Centre
- Multiple ISP level switches (Radware)
- 99.9% Uptime during Auction with Failover System
- Capability to handle 2000 Concurrent Users
- Response Time <5 Seconds
- 3 Tier Architecture, SSL Enabled Portal
- Periodic VA, PT and Application Security Audit by engaging 3rd Party vendors(STQC/Paladion)
- Provision for IP Tracking
- Separate Transaction Password (Sensitive Transactions)
- Anonymous access secured through Captcha
- Protecting Sensitive Data, Database Activity Monitoring
- Encryption of Password
- Encryption of Bidder ID while Storing Bid Data
- Log Shipping – SYSLOG-NG, Server Clock Synchronization using Central NTP Server
- Additionally, m-junction has applied for certification of the platform by STQC on cyber security, infrastructure and auction processes,
- IIT Kanpur has conducted IT security Audit of the platform and integration with bank and it was found that e-auction portal is secured for e-auction process

**Minimum System Specifications for the bidders**

It is recommended that the bidder uses a computer with the following minimum system specifications:

**Resolution**: 1600 x 900, 1366 x 768
**Browser**: Google Chrome 75.x and above, Mozilla Firefox 67.x and above, Internet Explorer 11

## Terms and Conditions of allotment through e-auction

1. Date of issue of allotment letter will be considered as the date of allotment for all future purposes
2. Interest chargeable on the total balance outstanding premium will computed from the date of allotment and payable half yearly on 1st day of January and 1st day of July of each year.
3. The plots shall be Leased for 90 Years.
4. The amount together with the Earnest Money already deposited equal to 5% of the total Lease Premium of the plot at the H1 bidder rate is called EMD for allotment of plot and is payable along with the value of the existing construction as shown in the plot details within 7 days from the date of intimation of auction status to the H1 bidder. If the payments are not made within the stipulated time, the auction process shall automatically stand cancelled and the EMD of H1 bidder will stand forfeited by UPSIDA.
5. Reservation money equal to 10% of the total premium of the plot at the H1 bidder rate over and above the EMD as per clause 4 and subject to adjustment according to the actual measurement of the plot. The reservation money shall be payable within 30 days from the date of allotment. If the payments are not made as stipulated in the ALLOTMENT LETTER within 30 days from the date of allotment, the allotment will automatically stand cancelled and the EMD will stand forfeited to UPSIDA. However, if the area of the allotted plot either exceeds the area as per catalogue or falls short by more than 20%, the EMD will not be forfeited if the allotment of additional land or deficient land is not accepted by bidder within 15 days from allotment, provided intimation is sent in this respect to UPSIDA by bidder within the stipulated date.

   Note –

   The lease premium of plot mentioned above is liable to be increased on account of increased compensation or additional infrastructure development in the area. Such charges shall be payable by the allottee as and when they are applicable and notified by UPSIDA. Intimation by Chief Executive Officer of UPSIDA in this regard shall be final and binding on bidder.
6. The remaining 85% of the Lease Premium of plot has to be paid by the H1 bidder with 1 year moratorium for the principal amount and in 12 equal half-yearly installments, each of which will be due on 1st day of January and 1st Day of July each year, subsequent to the moratorium period .

   An interest @ 14% per annum will be charged on the outstanding (balance) premium with effect from the date of allotment and shall be payable along with the installment of premium as per above clauses. A rebate of 2% per annum on payment of interest shall be allowed if the installment is deposited on or before the stipulated date and if there are no arrears of dues. The amount of balance premium and the interest due thereon from time to time shall remain first charge on the land and the building and machinery erected therein till it is (they are) paid in full.
7. The stamp duty, the registration charges and legal expenses involved in the execution of the Lease Deed (format available on upsida.mjunction.in) and other agreements from time to time shall have to be borne by the winning bidder.
8. The H1 bidder has to execute a Lease Deed within 60 days from date of allotment by submitting the following documents:
   a. Valid Udyog Aadhar registration for the item of manufacturing and the plot for which this allotment is made
   b. Payment of outstanding dues of UPSIDA till the date of execution of Lead Deed as mentioned in clauses 3, 4 and 5 of this section
   c. Detailed statement showing shareholders/Director position duly certified by CA
   d. Necessary stamp papers/e-stamp/Bank Guarantee (as per Govt. Order)
   e. Any other formalities/papers as required
9. The H1 bidder has to take over possession of land within 30 days of executing the Lease Deed
10. The H1 bidder shall have to get the maps approved within 90 days of taking possession. The formalities to be done in this regard are available on the website www.onlineupsidc.com

11. The H1 bidder has to start construction within 30 days of approval of the map
12. The H1 bidder has to start production on the plot within the allocated period and intimate UPSIDA of the same. The further time extension shall only be considered on merits and shall entail time extension charges.
13. The plot has been allotted on "as it is where it is" and "no complaint" basis. Site leveling, site development etc. if any, is to be undertaken by the H1 bidder shall be done at their own expense. The H1 bidder has to pay to UPSIDA within 30 days from the date of demand made by UPSIDA, from time to time such recurring fee in the nature of service and/or maintenance charges as determined by UPSIDA under the rules and regulations prevailing at that time. In case of default, the H1 bidder will be liable to pay interest @ 14% p.a. on the amount as per the Demand Notice issued by UPSIDA in this regard.

14. The Plot shall be utilised only for the purpose it has been allotted and industrial unit is to be made functional as defined in the Rules and Regulations of UPSIDA within the time period as applicable/as approved in the allotment letter. Presently the time allowed on the basis of Capital investment is as follows:-

| **Capital Investment in the Project (INR Crores)** | **Period for setting up of industrial unit** |
|---|---|
| Less than or equal to INR 25.00 Crores | 2years from the date of allotment |
| More than INR .25.00 Crores but Less than or equal to INR 50.00 Crores | 3 years from the date of allotment |
| More than INR 50.00 Crores but Less than or equal to INR 100.00 Crores | 4years from the date of allotment |
| More than INR100.00 Crores | 5 years from the date of allotment |

i. Capital investment shall be determined by the capital investment proposed in the industrial project as specified in the Project Appraisal Report .

ii. In case of non-utilization of plot within the period as above by the bidder, Time Extension for setting up the unit may be granted by UPSIDA solely on its discretion as an Enabling Provision on payment of Time Extension Fee at the rate prevailing at the time of grant of Time Extension by UPSIDA within the Rules and Regulations of UPSIDA prevailing at that time.

iii. The transfer of plot, change/addition of industrial project, pledging of Lease Deed for borrowing from Financial Institutions and other services shall be governed by the then prevailing rules and regulations of UPSIDA.

iv. The H1 bidder will adhere and submit to the rules and regulation of the UPSIDA/Concerned Municipality Authority or other authority now existing or hereinafter to exist to insofar as the same relate to the planning standards of the plot, development plan of the area in the Industrial Development Area or so far as they affect the health, safety and convenience of the other inhabitants of the place, and will not release any obnoxious gaseous, liquid or solid effluents from the unit in any case.

v. The H1 bidder will establish at their own cost an appropriate and efficient effluent treatment system/plant and will ensure that it is ready and functional as per the norms and specification expected laid down or stipulated by the state Effluent Board/ U.P. Pollution Control Board and any other authority established by law for the time being in force before the production is commenced in the unit set up on the plot.

vi. Whenever the industrial area is included in the jurisdiction of Municipal Corporation or Board, Cantonment Board, Zila Parishad, Town Area or (any) local bodies (body), the H1 bidder will become liable to pay and discharge all rates, taxes, charges, claims and outgoing chargeable imposed and assessment of every description, which may be assessed, charged, or imposed upon them by the local body and will abide by the laws, rules and direction of the local body.

15. The H1 bidder will make appropriate arrangements at their own cost for proper disposal of waste water produced in their unit.

16. The H1 bidder will have to apply for and obtain power connection from the local agenc0y/U.P. State Electricity Board as the case may be at their end and cost.
17. The allotment will be cancelled if and when any of one of the following mentioned violation happens and further action after cancellation shall be taken up as mentioned in this document:
    a. If the H1 bidder fails to comply to any of the conditions stipulated herein above within the time stipulated above

    **OR**

    b. If the H1 bidder fail to make payment of interest and/or premium on or before the due date(s) mentioned in this document

    **OR**

    c. If the H1 bidder fails to comply to any clause mentioned in this document

    **OR**

    d. If the H1 bidder violates any terms and conditions of allotment letter, Lease Deed executed for the plot or any other rules or regulations of UPSIDA
18. In the event of cancellation of the allotment on account of any default on the H1 bidder's part, the following will stand forfeited to the UPSIDA
    a. Interest @14% per annum from the date of allotment on the total unpaid premium from time to time till the date of cancellation of allotment without allowing rebate in interest, mentioned herein above, irrespective of the fact whether the dues had been paid in time or not.

    **AND**

    b. Use and Occupation charges/Lease Rent from the date of allotment upto the date of cancellation

    **AND**

    c. In the case of constructed sheds allotted by UPSIDA, 2% of the cost of the shed towards depreciation. The Balance amount, if any, out of the deposits made by the H1 bidder till then, after deducting the amount to be forfeited as above, will be refundable. In case the total of the amounts paid is less than the amounts to be forfeited, the H1 bidder shall be liable to pay the difference and the same shall be recoverable by UPSIDA from the winning bidder.

19. In case the allotment is surrendered within the 30 days from the date of allotment, 1% EMD shall be deducted and the balance shall be refunded without any interest.
20. In the event of surrender of the allotment after 30 days the following amount will stand forfeited to the UPSIDA
    i. Interest @ 14% per annum from the date of allotment upto the date of surrender of the allotment on the total balance (unpaid), premium from time to time allowing the rebate (in interest) irrespective of the fact whether the payments were made in time or not

    **AND**

    ii. Use and Occupation charges/Lease Rent from the date of allotment till the date of surrender

    **AND**

    iii. The cost of shed towards depreciation as per prevailing UPSIDA policy, in case of constructed sheds allotted by UPSIDA

    The Balance amount, if any, out of the deposits made by the H1 bidder till the date of surrender after deducting the amounts to be forfeited as above, will be refundable. In case the total of the amounts paid is less than the amount to be forfeited, the H1 bidder shall be liable to pay the difference and the same shall be recoverable by UPSIDA from the H1 bidder.
21. The H1 bidder will not employ in their unit any process generating smoke or fumes or involving use of chimney and any use of fossil fuel in the process which may cause atmospheric pollution and/or would not discharge liquid effluent which may be obnoxious by nature or cause pollution without obtaining necessary approvals from statutory authorities such as UP Pollution Control Board, Fire Department etc. The unit should not involve any significant emission of particles and/or gaseous substance in the air.

22. In employing labor for the industry, skilled, semi-skilled or unskilled, shall give preference to one or two able-bodied persons from the families whose land has been acquired for the purpose of the said Industrial Area.
23. The H1 bidder will be pay use and occupation charges/lease rent at the rate of INR 1/- per square meter per year during the first thirty years, INR 2.5/- per square meter per year during the next thirty years after expiry of the first thirty years and INR 5/- per square meter per year during the next thirty years after the expiry of the first sixty years. Use and occupation charges are payable till the date lease is granted to you where after lease rent will have to be paid and shall be charged as per the rules and regulations of UPSIDA as applicable from time to time.
24. The allottee/lessee will mentioned in the postal address of his correspondence letter invariably the name of UPSIDA Industrial Area.
25. All the payments to UPSIDA should either be online or through Bank Drat/Pay Order in favor of UPSIDA, Payable at Kanpur. No payments in cash or through cheques will be accepted.
26. The H1 bidder will utilize minimum 30% area of the plot by covering it by roof/permanent shed within the above specified period, failing which the allotment of the plot(s) will be liable to be cancelled.
27. It will be the H1 bidder's sole responsibility to get the No Objection Certificate from UPPCB (U.P. Pollution Control Board) and if it is not furnished to UPSIDA, the H1 bidder shall be liable for action according to law and UPSIDA will not be responsible for any of the bidder's acts or omissions which may be in contravention to the U.P. Pollution Control Board rules and environmental laws.
28. Any reconstitution/project change/name change/mortgage without prior approval in writing to UPSIDA shall become liable for cancellation of allotment and voidable at the sole discretion of UPSIDA
29. The H1 bidder shall make all arrangements for rain water harvesting and all other laws framed by the Govt. to protect the environment.
30. If it is found that the H1 bidder has misrepresented the facts or submitted wrong information for getting this allotment, the allotment shall be void and the entire amount deposited by the H1 bidder shall be forfeited.
31. Bid Validity period shall be one year from the date of closure of auction.
32. In case there arises a situation where plot allotment letter is not issued to the H1 bidder after 30 days from the date of closure of the auction, the bidder may apply for a refund of 5% EMD to UPSIDA. mjunction will not be liable to issue refund in such a case

**Arbitration Clause for issue related to online portal and process:**

Dispute or differences arising out or relating to this Agreement shall be resolved ***through amicable mutual discussion.*** Failing such amicable resolution of dispute / differences either of the party may refer the matter to arbitration of a Sole Arbitrator to be appointed by the Managing Director of m-junction services limited (for issues relating to auction process or any other issues related to m-junction). The award of the Arbitrator shall be final, binding and conclusive on the parties hereto**.** The venue for arbitration shall be Kolkata/Kanpur. The Arbitration proceedings will be governed and regulated by the provisions of Indian Arbitration and Conciliation Act, 1996 and the rules framed there under from time to time.

**Arbitration Clause for issue related to online allotment pertaining to UPSIDA:**

Dispute or differences arising out or relating to this Agreement shall be resolved ***through amicable mutual discussion.*** Failing such amicable resolution of dispute / differences either of the party may refer the matter to arbitration of a Sole Arbitrator to be appointed by CEO, UPSIDA (for issues pertaining to UPSIDA). The award of the Arbitrator shall be final, binding and conclusive on the parties hereto**.** The venue for arbitration shall be Kanpur. The Arbitration proceedings will be

governed and regulated by the provisions of Indian Arbitration and Conciliation Act, 1996 and the rules framed there under from time to time.

**Governing Law**:

This Agreement is construed and shall be governed in accordance with the laws of India without giving effect to any principle of conflict of law.

**Jurisdiction**:

The Court at Kanpur shall have exclusive jurisdiction on any of the terms touching upon any subject matter of this agreement.

## DEFINITION OF KEY TERMS

**Auction**

Auction refers to a forum where one/more items of the Seller is stated and the participants (customers) are required to bid up the price to be selected to purchase the said items.

**Online Auction**

Online auctions refer to those auctions conducted through the Internet with the customers (from one or more locations) simultaneously bidding to be selected for purchasing the item/s on Auction. In other words, the venue for the auction is on an Internet website/ platform.

Services refer to the Online Auctions conducted by the Service Provider through its website as the venue for the purpose of the Online Auction and also includes the responsibilities narrated under the head "ROLE OF SERVICE PROVIDER" above.

**Award at the Auction**

In a single winner format, only one customer (normally the customer who quotes the highest price) is awarded all the units of the item being auctioned. The customer quoting the highest price is normally allotted the item**.**

**Client**

Client is the individual/business entity who has contracted "Service Provider" to conduct such auction. In case of auction, the purpose would be the genuine intent to sell the selected item/s (Lot) to the customers desiring to buy these items from the Client.

**Customer**

Customer is the individual/business entity participating in the auction, intending to buy the item(s) from the Client. To be become a Customer in the auction, a business entity has to secure client approval for participation and also provide written assent to the General Rules and Regulations.

**Auction Engine**

Auction Engine refers to the software that encapsulates the entire auction environment, processing logic and information flows. "Service Provider" is the sole owner of the auction engine and retains exclusive right over the utilisation of the same.

**Timings of the Online Bid**

All the timings of the Online Bid shall be based on the time indicated by the Server hosting the Auction Engine. It shall be the endeavour of "Service Provider" to ensure that the Server Time reflects as closely as possible the Indian Standard Time (IST) i.e. GMT + 0530 hrs. However, in the event of any deviations between the Server Time and the Indian Standard Time, the functioning of the Auction Engine (Launch, operation, and closure) would be guided by the Server Time. Customers are advised to refresh both the windows of the Auction Module check the exact Server Time (displayed in both the windows).

**Preview Time**

Preview Time refers to the period of time that is provided prior to the commencement of bidding. This is to facilitate approved participants to view the auction details such as item specifications, bidding details and bidding rules. The purpose is also to familiarize participants with the functionality and screens of the auction mechanism. It is not mandatory for "Service Provider" to provide Preview Time

**Start Time.**

Start time refers to the time of commencement of the conduct of the online auction. It signals the commencement of the Price Discovery process through competitive bidding.

**Duration of the Auction.**

It refers to the length of time the price discovery process is allowed to continue by accepting bids from competing customers. The duration of the auction would normally be for a pre-specified period of time. However, the bidding rules may state the conditions when the pre-specified duration may be curtailed/extended. The conditions include:

- Curtailment of auction duration in the event of no bids for a specified period of time (Inactivity Time)
- Automatic scheduling of a new round in case even a single bid is received in a particular round.

**End of the Auction.**

End of the Auction refers to the termination of the auction proceedings signaling an end to the price discovery process.

**Auction Report.**

"Service Provider" would provide an Auction Report to the Client containing a summary of the auction proceedings and outcome. The Auction Report would constitute the official communication from "Service Provider" to the client about the outcome of the Auction.

## Annexure I:

**A**. Plot Details

| | |
|---|---|
| Plot number : | A-11 |
| Name of Industrial area : | CDF Chherut |
| Plot area (Sq. m.): | 4508.40 |
| Whether corner plot (Y/N) | N |
| Whether located on 30 Meter wide road(Y/N) | N |
| Premises Use : | Industrial |
| Lease period : | 90 years |
| Plot dimensions : | As per site plan enclosed |
| Minimum Reserve lease premium rate including location charges, if any (per sq. mtr) : | 3400.00 |
| Valuation of existing construction on plot | 0 |
| EMD Cost 5 % of Plot cost | 766428.00 |
| Maximum permissible FAR: | 0.70 |
| Maximum permissible ground coverage : | 55 % |
| Value of existing construction on the land : | 0 |
| Maximum Height Permissible (Meter) : | None |
| Lease Premium payment schedule : | As per Terms & Conditions detailed in catalog |

**B**. Site Plan

Site Plan duly signed by Executive Engineer and Regional Manager:

upsidc

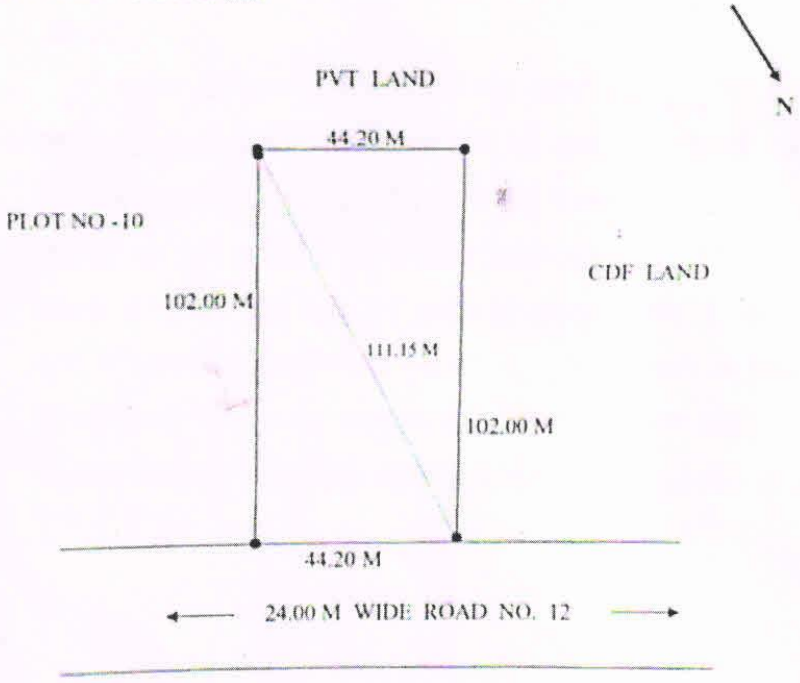
upsidc

**U.P. STATE INDUSTRIAL DEVELOPMENT CORPORATION LTD,**
**CONSTRUCTION DIVISION-IV, ALIGARH**

NAME OF INDUSTRIAL AREA :- **CDF COMPLEX , ALIGARH.**

PLOT No :- ***A - 11*** TOTAL AREA – ***4508.40 SQM***

SCALE – NOT TO SCALE




Jr. Engineer

Asstt. Engineer

Scanned with CamScanner

C. Non-encumbering certificate

उत्तर प्रदेश राज्य औद्योगिक
विकास प्राधिकरण

UPSIDA

खण्डीय कार्यालय :
निर्माण भवन –चतुर्थ,
एच.आई.जी.–39, अवंतिका–I
ए.डी.ए. कालोनी, रामघाट रोड, अलीगढ़
दूरभाष 0571–2743947
फैक्स : 0571–2740694
वेबसाइट : www.upsidc.com
e-mail : epcd4aligarh@gmail.com

क्षेत्रीय प्रबन्धक
उ0प्र0रा0औ0वि0प्र0
तालानगरी, अलीगढ़।

संदर्भ संख्या ५५१ /एसआईडीए/सीडी0–4/औ.क्षे.सीडीएफ दिनॉक 1[illegible]

विषयः–औद्योगिक क्षेत्र सीडीएफ काम्पलैक्स अलीगढ़ में आवंटन हेतु रिक्त भूखण्डों के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक आपके पत्र संख्या 1969/यूपीसीडा/[illegible]एम अलीगढ दिनॉक 29.08.2019 का सन्दर्भ ग्रहण कने का कष्ट करें, जिसके साथ औद्योगिक क्षेत्र सीडीएफ काम्पलेक्स अलीगढ़ में आवंटन हेतु उपलब्ध भूखण्डो की सूची में उल्लिखित भूखण्डो की भूमि यूपीसीडा के कब्जे में विवाद रहित एवं अतिक्रमण से मुक्त होने के सम्बन्ध में सूचना चाही गयी है। तत्क्रम में अवगत कराना है कि आपके द्वारा प्रेषित सूची में उल्लिखित निम्नलिखित भूखण्डों की भूमि यूपीसीडा के कब्जे में विवाद रहित एवं अतिक्रमण से मुक्त है। तद्नुसार अग्रिम कार्यवाही करना चाहें।

**औ0 क्षेत्र सीडीएफ काम्पलैक्स, अलीगढ़** (स्वीकृत लेआउट दि0 09.02.2007)
ए–6 से ए–11,

भवदीय,

अमीन

सहायक प्रबन्धक (सिविल)

वरिष्ठ प्रबन्धक (सिविल)

Regional Manager
U.P. State Industrial Dev. Corp. Ltd.
ALIGARH

**Annexure -II**

# Application form

To
**Uttar Pradesh State Industrial Development Authority**

Dear Sir,

1. I/We wish to participate in the e-auction process for

| | |
|---|---|
| Auction Reference No | **2020/A-11/ CDFChherut /4508.40sqmtr/October** |
| Date of notice/advertisement | 19.10.2020 |
| Plot no | A-11 |
| Industrial area name | CDFChherut |
| Plot area | 4508.40 Sq Mtr |
| Plot type | General Industrial |
| Reserve Price | 3400.00 |

2. I/We have perused all the terms and conditions mentioned in the auction catalog and I/we are render our unconditional agreement to the same.

3. We agree to abide by all the instructions contained in the above indicated Auction notice, your terms and conditions of Sale and General Rules and Regulation Governing conduct of online Auction on the Service provider's platform/ website.

4. I/We understand that my/our bid in an e-selling event would be construed as my/our acceptance to UPSIDA's terms and Conditions of the sale, General Rules & Regulations governing the conduct of Online Auctions on the Service Provider Platform, Auction Notice. I/We understand that if our bid is approved by UPSIDA, I/We are obliged to complete the transaction and abide by all Terms & Conditions mentioned in this auction document.

5. The undersigned is the authorized signatory for the company and is well within his rights and powers bestowed on him by our company to sign this application form and other relevant documents related to the bidding and award process.

6. I/We are aware of the online auction process and would be able to perform all necessary activities on the e-auction system unassisted by UPSIDA/mjunction.

7. I/We agree that I/we shall change the password to access the e-auction system on receipt by me/us and keep it confidential. I/We agree that Service Provider shall not be held responsible in any way for any losses that may be suffered by me /us as a result of disclosure of the password to any other person by me.

8. I/We understand that my/our inability to participate in an e-selling event due to disruption of my /our internet services, or due to bandwidth problems with my/our local internet service providers are beyond the control of the Service Provider and I shall not hold them liable for the same.

9. In the event of any failure on our part to comply with all or any of the Terms & conditions regarding the online forward auction, I/We irrevocably agree that the penal actions as detailed in the auction catalog may be undertaken against me.

10. I/We also agree that UPSIDA is not bound to accept the highest or any bid or to assign any reason for such non-acceptance.

11. UPSIDA shall not be responsible for any consequential, incidental, indirect, punitive, exemplary or special damages of any nature whatsoever, including, without limitation, lost profits or losses or for any damages arising out of or in connection with any malfunctions, delays, loss of profit or interruption of service arising out their supply of material to us, other than all other

12. I/We agree to deposit non- refundable Application Processing Fee of Rs.2000.00 through e-wallet along with the submission of Application Form.

13. Proposed product to be manufactured (to be filled by applicant)

    …….

14. The following persons in our company may be contacted by UPSIDA as and when the need arises during and after the e-auction and award process. I/We further undertake that we will update UPSIDA in case of any change in the persons/their contact details.

| Sl No. | Contact Person & Designation | Contact no (Mobile & Landline) | e-mail ID | Contact Address |
|---|---|---|---|---|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |

Yours faithfully

Signature of Authorized Person

(Name of the person signing)

Date: For M/S

Place: (With Company's Seal)