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**BROCHURE
CONTAINING
DETAILED TERMS AND CONDITIONS FOR E-AUCTION OF COMMERCIAL SITE
OF**

MARKET COMMITTEE IN THE STATE OF HARYANA

**"On as is where is basis"
THROUGH E-AUCTION**

Start of e-auction	At 10:00 AM on scheduled date and will continue till the bids are received for a particular site
Close of e-auction	No new round for e-auction will start after 6:00 P.M.
Registration	The intending bidder has to register once for all for all properties in different Market Committees by paying a non-refundable fee of Rs.200/- in order to generate user-id and password for e-auction. The registration fee is to be deposited online on https://hsamb.org.in or https://hsamb.procure247.com
Online Registration fee/EMD	All the intended bidders are required to deposit the amount of Earnest Money (EMD) through Debit Card/NEFT/RTGS/Net Banking for e-Auction. The payment of EMD shall be made within the stipulated time and period specified under clause 'C' under the head "HOW TO PARTICIPATE" of this brochure.

PORTAL FOR E-AUCTION: <https://hsamb.org.in> &
<https://hsamb.procure247.com>

HARYANA STATE AGRICULTURAL MARKETING BOARD

Head Office	Plot no C-6, Sector-6, Panchkula.
Field Office	Concerned Market Committee
Web Address	https://hsamb.org.in & https://hsamb.procure247.com
Helpline No.	9824960061
Timing for any query	Technical Support Assistance will be available over telephone (Helpdesk support team shall not be contacted for online bidding on behalf of the bidders). Monday to Friday (09:00 am. to 5:30 pm)- On working days only

**TERMS AND CONDITIONS FOR E-AUCTION OF COMMERCIAL SITES OF
HSAMB/ MARKET COMMITTEES IN THE STATE OF HARYANA**

A. DEFINITIONS:-

1. EMD:- EMD means Earnest Money Deposit in respect of the property for which intending bidder wants to bid.
2. BOARD:- Board means Haryana State Agricultural Marketing Board.
3. LOI:- LOI means Letter of Intent which is to be issued to the successful bidder on making the payment of 10% of the bid amount and approval from the competent authority.
4. MC:- MC means Market Committee.
5. Reserve Price:- Reserve Price means reserve price determined by the Chief Administrator of the Board in respect of specific immovable property developed and owned by the Board or Market Committee.

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B. ELIGIBILITY FOR PARTICIPATION:

1. Any person legally competent to enter into a contract as per Section-11 of Indian Contract Act will be eligible to participate in the auction.
2. Any person, except minor may participate in e-Auction. In case he/she desires to bid on behalf of any other person, he/she will have to produce a valid power of attorney at the time of deposit of EMD. No addition or alteration in the name of the bidder will be allowed at a later stage.
3. The intending bidder shall be required to deposit the earnest money @ Rs. 25,000/- in respect of each booth plot and Rs. 50,000/- for each shop plot before participating in the e-Auction. Anyone intending to bid for more than one plot shall be required to deposit the EMD in multiple of properties he wishes to bid, before participating in e-Auction.
4. The eligibility of licensees of category (ii) for participation in restricted/open auction, as the case may be, shall be determined by the Allotment Committee.
5. No interest shall be payable if the initial deposited EMD or 10% of the bid cost is refunded due to rejection of offer.
6. Any additional information regarding sale of property through e-Auction can be had from the office of the concerned Market Committee, during the office hours on any working day *or* through Query section on e-Auction portal.
7. No bid shall be accepted in the name of any other person(s) unless the names of all the persons making the bid are given and the person making the bid produces a valid legal power of attorney authorizing him to bid on their behalf alongwith a copy of PAN Card and Aadhar Card of the applicant(s)/joint bidder(s).
8. In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution or Authorization in favour of the person making the bid alongwith the certified copy of Memorandum of Association/Articles of Association of Company, Partnership Deed, HUF etc., as the case may be, and that the bidder has the authority to bid and enter into an agreement. A company, firm, partnership, HUF etc. must be registered under relevant provisions of law.
9. The Competent Authority of HSAMB shall reserve to itself the right to accept or reject any bid or withdraw any or all of the properties from



auction or cancel/postpone the e-auction, without assigning any reason thereof.

10. No bid below the reserve price shall be accepted.
11. In the event of default or breach or non-compliance of any of the terms and conditions as indicated above or for furnishing any wrong or incorrect information at any point of time of e-Auction and afterwards, the Competent Authority shall have the right to cancel the bid and forfeit whole or any part of the amount deposited by the bidder.

C DETAIL OF SITES

1. Mandi-wise detail of properties put up in e-Auction is available at Annexure 'II' and layout plans are also available at Annexure 'III'.

D. HOW TO PARTICIPATE:

1. It will be the sole responsibility of the bidder/participant to make arrangements for compatible computer terminal and internet connection etc. of sufficient speed to enable him/her to participate in the e-auction process.
2. The intending bidder who wants to participate in the e-Auction process will have to register himself and obtain user ID and password on the e-auction portal, i.e., www.hsamb.org.in & www.hsamb.procure247.com/hsamb/ by depositing Rs.200/- towards non-refundable Registration fee for participation in the e-auction. After the registration, he/she will deposit Earnest Money (EMD) online by either generating challan through RTGS/NEFT before forty eighty hours from scheduled date and time of e-auction or through Debit Card/Net-Banking upto 9:00 am on the scheduled date of e-auction, as detailed in **Annexure-I**.
3. The intending bidders must ensure that the aforesaid amounts are remitted and verified back on e-Auction portal as specified above so as to be eligible for participating in the e-Auction. In case of registration, challan generation and remittance of the aforementioned amounts after the stipulated time for any reason whatsoever, HSAMB will not be liable for non-participation/ automatic rejection of bidder by e-Auction portal.
4. The 1st round of e-Auction will start at 10:00 AM on scheduled date and will end after thirty minutes. However, in case any bid is received within last 10 minutes before closure of first thirty minutes, then the time for closure would be extended automatically by five minutes in addition to



auction ending time reflecting on the e-auction portal, so that sufficient opportunity is made available to the persons participating in the bidding process. The process of the time extension of five minutes will continue till no further bid is received in the last such extension and there will be no limit of such time extension of five minutes each.

5. The bid for a group of similarly situated properties in same Mandi of same size and reserve price will be floated in one group. The highest bidder (H_1) will have to select and submit his preference for a particular property within 10 minutes of closure of that round. If H_1 bidder fails to select the property within the stipulated time of 10 minutes, the system will randomly select one site from the available shop/booth plots in the group and the same will be allotted to the H_1 bidder.
6. In the subsequent rounds of bidding, the 2nd highest bid i.e. (H_2) of the previous successful round will become reserve price for this round and the bidding will start from this reserve price. All the eligible bidders will have the option to outbid the said price within 20 minutes of start of subsequent round. In case of outbid, the closing time of said round will be extended automatically by 05 minutes. However, in case no bid is received within stipulated time, the subsequent rounds will start with the bid amount of H_3 and so on of subsequent rounds. This process of starting the next round with bid amount of H_2 , H_3 , H_4 and so on of the subsequent rounds will depends on the number of properties in a group.
7. No fresh new round of e-auction will start after 6:00 P.M. of that date of e-auction.
8. The Earnest Money (EMD) of the unsuccessful bidders (except H_1 of each property) will be refunded by the system automatically on the closing of the auction. Regarding acceptance and rejection of H_1 bid Competent Authority shall take the decision within **thirty working days** after date of e-auction.
9. The minimum bid incremental value will be as below:-

Sr. No.	Reserve price (in Rs.)	Minimum bid incremental value (in Rs.)	
		During initial time provided	During each extended round
1	Less than or equal to Rs. 50 lacs	10,000	20,000
2	Less than or equal to Rs.1 crore but more than Rs.50 lac	25,000	35,000

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3	Less than or equal to Rs. 5 crore but more than Rs. 1 crores	50,000	1,00,000
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E. PAYMENT TERMS:

1. The highest bidder shall be required to remit an amount equivalent to 10 % of his/her quoted bid amount within forty-eight hours succeeding to final bid closing day by way of online payment via RTGS/NEFT/Net-Banking on e-Auction portal. The link will be visible only to Highest (H₁) Bidder. In case the highest bidder fails to deposit the said amount as specified above, his bid shall stand automatically rejected and the EMD deposited by him for participation in the e-auction shall stand forfeited in favour of Market Committee. No further communication in this regard shall be issued separately.
2. In addition to the above said payment of 10% of the quoted bid amount, the highest bidder shall be required to furnish the below mentioned documents:
 - a. Self-certified copy of PAN, Aadhar card and passport sized photo of applicant(s)/authorized signatory.
 - b. In case of bid on behalf of any other person, he/she will have to produce a valid power of attorney.
 - c. In the case of bid on behalf of a firm or company or an association etc., the bidder shall furnish the certified copies of Board Resolution/Authorization in favor of the person making the bid along with the certified copy of Memorandum of Association/Articles of Association of Company, partnership Deed, HUF etc as the case may be and that the bidder has the authority to bid and enter into an agreement on its behalf.
3. The above said documents would be required to be sent by the bidder(s) to the concerned Market Committee within forty eight (48) hours of close of e-auction and concerned Market Committee shall receive the said documents alongwith original challan & bank payment receipt to its satisfaction.
4. After the approval of the Chief Administrator, a Letter of Intent (LoI) shall be issued to the highest bidder by Secretary-cum-E.O., Market Committee concerned and henceforth he shall be called successful bidder. The successful bidder shall be bound to deposit the fifteen per



cent of the bid amount within thirty days from the date of issuance of Letter of Intent. In case he fails to deposit the fifteen percent amount within the stipulated period, the Letter of Intent shall be lapsed and the whole deposited amount, including earnest money, shall be forfeited.

5. The allottee shall opt to deposit remaining seventy five percent of the bid amount in any of the following manners:- (i) with a rebate of five percent of the said amount, if paid in lump-sum within sixty days from the date of issuance of letter of intent; (ii) without any interest on the said amount, if paid in lump-sum within one hundred twenty days from the date of issue of Letter of Intent.
6. After deposit of total bid amount, the Market Committee shall issue the Allotment Letter to the successful bidder within ten days. In case he fails to deposit the balance seventy five percent of bid amount within one hundred twenty days from the date of issue of Letter of Intent, the Letter of Intent shall cease to have effect from the date of such failure without any further notice and an amount equivalent to ten percent of the total cost of the plot shall be forfeited and the balance amount, if any, will be refunded without interest.
7. All the payments shall be made through online mode via Plot Property Management Portal (PPM) of the Board or through offline mode by generating challan through PPM Portal and depositing the same in the authorized bank using RTGS/NEFT etc.

F. OTHER TERMS & CONDITIONS:

1. The sale of site/building shall be subject to the general terms and conditions as contained in the allotment letter issued under the provisions of HSAMB (Sale of Immovable Property) Rules, 2021, provision of HAPM Act, 1961 and rules/regulations/code/instructions/guidelines as may be applicable therein and amended from time to time.
2. The area, location and no. of the plot given in the respective plan are subject to variation at the time of actual possession.
3. The possession of the plot shall be offered to the purchaser alongwith the allotment letter, if minimum basic facilities i.e. roads, water and electrification as required for construction of the building on the plot are existing. If basic facilities do not exist, then offer of possession



shall be given after providing the said basic facilities. The basic facilities in the seasonal mandi may be such, as may be notified by the Board from time to time.

4. The allottee may construct the shop plot upto second story and the Booth plot upto first story subject to the norms laid down by the Board from time to time. The allottees of shop/booth plots, who intend to construct basement, may seek the permission for same. However, permission to construct the basement/upper storey may be denied being not allowed as per norms for such site or having involved structural safety issues, etc.
5. The allottee may submit the building plan subject to such norms as laid down by the Haryana State Agricultural Marketing Board and shall construct the building as per the approved building plan within a period of two years from the date of offer of possession of the plot and may opt to construct the building as per the standard design issued by the Haryana State Agricultural Marketing Board within said prescribed period of two years. The Board may issue guidelines to specify such norms and to define the procedure for approval of building plan. The construction period of two years may be further extended by the concerned Market Committee upto a maximum period of three years on payment of extension fee @ Rs.10,000/-, Rs.15,000/- and Rs.20,000/- for the first, second and third year of extension, respectively. In the event of failure to do so, the plot shall be resumed by the Market Committee.
6. The transfer of title of plot allotted in open auction or restricted auction, shall not be permitted before a period of five years from the date of allotment of such plot except under special circumstances and with the prior approval of the Chief Administrator of the Board and on payment of such fee, as may be specified by the Board, from time to time.
7. Standard design/Approved plan of the shop may be obtained from Market Committee on payment of fee as may be fixed by the Market Committee from time to time.
8. The covered passage (Verandah) or area earmarked as passage in the building plans in front or at the side of the building shall not be encroached upon or used for any purpose other than public passage.

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9. The officers and officials of the Market Committee and HSAM Board at all reasonable time and in a reasonable manner after six hours prior notice, in writing may enter into any part of the land or shop/booth building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the condition of sale. In the event of breach of non-observation of any of the terms and conditions of sale by the allottee or their legal representative, Market Committee shall have the lawful right to enforce each condition under the appropriate law at the risk and cost of such defaulter.
10. The site shall continue to belong to HSAMB/Market Committee until the entire bid money together with interest and other amount due to HSAMB/Market Committee on account of sale of site is paid and deed of conveyance in favour of successful bidder is executed. The successful bidder shall have no right to transfer the site or create any right/title/interest thereon without prior written permission of the concerned Market Committee even after execution of Deed of Conveyance. Successful bidder may however mortgage or create any right/interest on the site only to secure the loan amount against the plot towards payment of dues of the plot/property with the written permission of the concerned Market Committee.
11. In case of sale of plot by way of open auction or restricted auction, as the case may be, the allottee shall execute the deed of conveyance, after making payment of full price of the plot.
12. The allottee shall bear and pay all expenses in respect of execution and registration of the deed of conveyance including the stamp duty and registration fee payable thereof.
13. The site shall not be used for any purpose other than that for which it has been allotted. No obnoxious activity shall be carried out on the site.
14. The site shall not be sub-divided or fragmented under any circumstances.
15. The HSAMB/MC shall not be responsible for leveling of uneven sites and the sites are being auctioned on 'As is Where is basis'.
16. The Authority shall have full rights, power and authority at all times to do through its officers/officials all acts and things which may be necessary or expedient for the purpose of enforcing, compliance with all or any of the terms, conditions and reservations imposed and to



recover from successful bidder as first charge upon the said land/building, the cost of doing all or any such act and things and all cost incurred in connection therewith or in any way relating thereto.

17. All disputes and differences arising out of or in any way touching or concerning this allotment whatsoever shall be referred to the sole arbitration of the Chief Administrator or any other officer appointed by him. It will not be an objection to such appointment that the arbitrator so appointed is a Government officials or an officer of the authority that he had to deal with the matter to which this allotment relates in the course of his duties as such Govt. servant or officer, as the case may be, he has expressed his views on all or any of the matters in disputes or difference. The decision of such arbitrator shall be final and binding on the concerned parties.



Annexure-I

Guideline for Online Payments at e-Auction Portal of Govt. of Haryana

Post registration, bidder shall proceed for bidding by using his Password. Bidder shall proceed to select the event he is interested in. The Bidder would have following options to make payment for tender document fee & EMD:

- A. Debit/Credit Card
- B. Net Banking
- C. RTGS/NEFT

Operative Procedures for Bidder Payments:-


A) Debit/Credit Card

The procedure for paying through Debit Card will be as follows.

- (i) Bidder selects Debit or Credit Card option in e-Auction portal.
- (ii) The e-Auction portal displays the amount and the card charges to be paid by bidder. The portal also displays the total amount to be paid by the bidder.
- (iii) Bidder clicks on "Continue" button
- (iv) The e-Auction portal takes the bidder to Debit Card payment gateway screen.
- (v) Bidder enters card credentials and confirms payment.
- (vi) The gateway verifies the credentials and confirms with "successful" or "failure" message, which is confirmed back to e-Auction portal.
- (vii) The page is automatically routed back to e-Auction portal.
- (viii) The status of the payment is displayed as "successful" in e-Auction portal. The e-Auction portal also generates a receipt for all successful transactions. The bidder can take a print out of the same.
- (ix) The e-Auction portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

B) Net Banking

The procedure for paying through Net Banking will be as follows.

- (i) Bidder selects Net Banking option in e-Auction portal.
 - (ii) The e-Auction portal displays the amount to be paid by bidder.
 - (iii) Bidder clicks on "Continue" button
 - (iv) The e-Auction portal takes the bidder to Net Banking payment gateway screen displaying list of Banks.
 - (v) Bidder chooses his / her Bank
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- (vi) The Net Banking gateway redirects Bidder to the Net Banking page of the selected Bank.
- (vii) Bidder enters his account credentials and confirms payment.
- (viii) The Bank verifies the credentials and confirms with "successful" or "failure" message to the Net Banking gateway which is confirmed back to e-Auction portal.
- (ix) The page is automatically routed back to e-Auction portal.
- (x) The status of the payment is displayed as "successful" in e-Auction portal. The e-Auction portal also generates a receipt for all successful transactions. The bidder can take a print out of the same.
- (xi) The e-Auction portal allows Bidder to process another payment attempt in case payments are not successful for previous attempt.

C) RTGS/ NEFT/OTC

The bidder shall have the option to make the EMD payment via RTGS/ NEFT/OTC. Using this module, bidder would be able to pay from their existing Bank account through RTGS/NEFT. This would offer a wide reach for more than 90,000 bank branches and would enable the bidder to make the payment from almost any bank branch across India.

- i. Bidder shall log into the client e-Auction portal using user id and password as per existing process and selects the RTGS/NEFT payment option.
- ii. Upon doing so, the e-Auction portal shall generate a pre-filled challan. The challan will have all the details that are required by the bidder to make RTGS-NEFT payment.
- iii. Each challan shall therefore include the following details that will be pre-populated:
 - Beneficiary account no: (unique alphanumeric code for e-tendering)
 - Beneficiary IFSC Code:
 - Amount:
 - Beneficiary bank branch:
 - Beneficiary name:
- iv. The Bidder shall be required to take a print of this challan and make the RTGS/NEFT on the basis of the details printed on the challan.



- v. The bidder would remit the funds at least T + 1 day (Transaction + One day) in advance to the last day and make the payment via RTGS / NEFT to the beneficiary account number as mentioned in the challan.
- vi. Post making the payment, the bidder would login to the e-Auction portal and go to the payment page. On clicking the RTGS / NEFT mode of payment, there would be a link for real time validation. On clicking the same, system would do auto validation of the payment made.

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[Signature]
5/7/2021