NOTICE FOR e-AUCTION

e-AUCTION Notice No- KMDA/ESTATE UNIT/ 02 of 2019-20  Dt: 30.05.2019

KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY, (KMDA), a Statutory Authority under the Department of Urban Development & Municipal Affairs, Govt. of West Bengal, invites online offers from eligible Corporate bodies registered under the Companies Act or Limited Liability Partnership Firms or a Registered Trust/Registered Society having average turnover of at least Rs. 1.00 (One) crores during the last three financial years ending on 31/03/2018 for allotment of, land with 2 (Two) storied structure at 162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road) on 'Lease HOLD' basis for 99 years for educational purpose, as per terms & conditions as stated in the following pages of this notice, through e-auction process to be conducted in the e-Auction Portal https://eauction.gov.in of National Informatics Centre, Government of India as described fully herein below:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Premises No.</th>
<th>Total land area</th>
<th>Total covered area of building</th>
<th>E-Auction ID</th>
<th>E-Auction Date</th>
<th>E-Auction Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road)</td>
<td>261.983 Sqm.</td>
<td>Ground Floor - 119.583 Sqm, 1st Floor - 119.582 Sqm</td>
<td>02.07.2019</td>
<td>10:30hrs to 15:30hrs</td>
<td></td>
</tr>
</tbody>
</table>

There should be at least three eligible bidders, who have deposited EMD, to start the e-auction process. In absence of the same the instant e-auction would be treated as cancelled.

The allotment will be made to the bidder bidding the highest bid in such e-auction process provided that the highest bid so obtained is higher than the minimum Reserve Price fixed for the plot. Any change in land use pattern other than as specified will not be allowed.

There is no Application or Processing Fee except EMD.

Earnest Money (EMD) for participation in the e-auction for this plots is Rs. 5, 00, 000/- (Five Lacs) only and is to be deposited within 12:00 Hrs of 24.06.2019 for THE SAID PREMISES through RTGS in KMDA's Account with Bank of India, Unnayan Bhavan branch, details of which are given herein after.

Bidders are also requested to note that only digitally signed Bids shall be accepted in the E-Auction. Hence they should equip themselves with Indian Digital Signature Certificates before the date of E-Auction. E-Auction will be started on 02.07.2019 from 10:30 hours onwards upto 15:30 hrs to Auto- Extension. KMDA, however, reserves the right to cancel the E-Auction at any stage prior to the signing of the Lease Deed, KMDA shall not be liable to pay to any bidder for any loss that they may incur due to such cancellation.

It is notified for information of the Bidders that the instant offer is subject to the scrutiny / and approval of the Government of West Bengal.
INTRODUCTION ABOUT KMDA

Role of KMDA

KMDA, established in 1970 under Presidential Ordinance and later sanctified under the KMDA Act of 1972, functioned essentially as a development agency with the specific purpose of carrying out major infrastructure development in KMA. With the enactment of West Bengal Town and Country (Planning & Development) Act in 1979, KMDA was designated as the statutory planning and development authority for KMA. Between 1976 and 1981 KMDA functioned as an overarching development authority in KMA, as most of the units of local self-government in KMA were under suspension with no elected representation in place. It is only with the State Government’s avowed policy of decentralised planning and development across the urban and rural areas of the State that elected representation was installed in all the urban local bodies of the State including those in KMA. KMDA has been working in tandem with the elected ULBs towards the overall development of KMA. The process of decentralised planning and development had taken a further stride following the enactment of West Bengal Metropolitan Planning Committee (WBMPC) Act in 1994 in line with the 74th Constitutional Amendment Act of 1992. Following the provisions of WBMPC Act of 1994, Kolkata Metropolitan Planning Committee (KMPC) had been established in KMA towards the end of 2002. Of the 60-member KMPC, 40 are elected from amongst the local elected representatives. The WBMPC Act provides for preparation of a Draft Development Plan for KMA by KMPC having regard to the plans prepared by the individual units of local self-government. The Act further mandates that KMPC should co-ordinate all the development activities undertaken by the different agencies of the State and Central Governments within the geographical boundaries of KMA to ensure conformity of developmental actions to the development plans. KMDA has become the Technical Secretariat of KMPC. KMDA has always been sensitive to the needs of carrying out urban development on ground. To accelerate the process of urban infrastructure development, KMDA has been the pioneer in enlisting private sector participation by invoking the paradigm of public-private partnership in development and management of urban development projects. Above all, with the evolution of functions of KMDA over more than 40 years, KMDA has become an epitome for urban planning and development in KMA.

Broad functional domains of KMDA

As already mentioned, KMDA’s functional domains broadly extend over three areas, namely, (a) regulatory functions; (b) planning for development and (c) project implementation. Besides these major functional areas, KMDA is also engaged in providing consultancy services and implementing projects on behalf of other public sector departments and agencies.

Under provisions of the West Bengal Town and Country (Planning & Development) Act 1979, KMDA has to prepare existing Land Use Maps and Registers (LUMRs) for different zones within KMA to be able to prepare Land Use and Development Control Plans for those sub-areas. KMDA has to follow the process of preparation of LUMRs and LUDPAs as laid down in the Act itself. Adoption of the statutory planning documents is preceded by publication of the documents for public inspection, invitation of public objection, hearing of public objection and incorporation of the necessary modifications in these documents. The LUDPAs provide for regulatory measures, enforcement of which would lead to obtaining an environment-friendly, urban growth—subject to protection and conservation of exhaustible natural resources and heritage. As the process of official adoption of LUDPAs usually takes a longer time, Development Control Regulation (DCRs) are often drafted and enforced to prevent unregulated and haphazard use and development of land, as an interim measure. In most cases, the responsibility of enforcement of LUDPAs and DCR are delegated to the units of local self-government. KMDA, however, retains the enforcement power to itself in selected areas/zones.

KMDA is engaged in carrying out different levels of planning exercise right from perspective plan to formulation of investment programme. KMDA keeps on updating the perspective plan and sectoral development plans to take into account the changing physical, social and other contexts. KMDA does these exercises at periodic intervals. Whereas the perspective plan sets out the broad goals and objectives and puts forward a 'vision' to be achieved over a longer period of time, the sectoral master or development plans set out the norms and standards of infrastructure, services, the projected requirement of such infrastructure and services, the strategies to be adopted for achieving the projected requirement and an indicative requirement of funds for the purpose. KMDA is in the process of updating the visioning exercise into 'Vision 2035'. KMDA strives to ensure that the project-level interventions conform to the long-term plans.
THE OFFER

KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY (KMDA), a Statutory Authority under the Department of Urban Development & Municipal Affairs, Govt. of West Bengal, invites on-line offers from eligible Corporate bodies registered under the Companies Act or Limited Liability Partnership Firms or a Registered Trust/Registered Society having average turnover of at least Rs. 1.00 (One) crores during the last three financial years ending on 31/03/2018 for allotment of, land with 2 (Two) storied structure at 162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road) on 'Lease-Hold' basis for 99 years for educational purpose, as per terms & conditions as stated in the following pages of this notice, through e-auction process to be conducted in the e-Auction Portal https://e-auction.gov.in of National Informatics Centre, Government of India as described fully herein below: E-Auction will be held as per the schedule mentioned above from 10.30 hrs. onwards upto 15.30 hrs. subject to auto extension.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Premises No.</th>
<th>Total land area</th>
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<tbody>
<tr>
<td>1.</td>
<td>162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road)</td>
<td>261.883 Sqm.</td>
<td>Ground Floor - 145.905 Sqm, 1st Floor - 119.587 Sqm</td>
<td>02.07.2019</td>
<td>10:30hrs to 15:30hrs</td>
<td></td>
</tr>
</tbody>
</table>

(as in the lay out plan of as annexed hereto)

TERMS & CONDITIONS

1) The Bidder should be a sole single legal entity. No consortium or Joint Venture is allowed.

2) No Bidder shall be represented by any Broker or agent.

3) E-auction bids are invited for getting allotment of above mentioned plot on lease hold basis for 99 years on 'As Is Where Is', 'Caveat emptor' and 'No Complaint' basis only. KMDA however reserves the right to cancel the E-Auction at any stage prior to the execution of the Lease Deed. KMDA shall not be liable to pay any compensation to any Bidder for any loss that they may incur due to such cancellation.

4) The Successful Bidder will have to pay the Lease Rent will be @ Rs. 414/- plus service tax as applicable per Kot she per annum.

5) No change of use other than the purpose of the instant allotment is allowed.

6) The word SUCCESSFUL BIDDER wherever appearing means, the highest bidder whose rate has been higher than the reserve price for the said plot and accepted by KMDA with the approval of the State Government.

7) This e-auction is governed by the TERMS & CONDITIONS as contained herein and in accordance with the conditions for e-auction through the portal of the National Informatics Centre (NIC), Government of India as well as the general financial norms of the Government of West Bengal.

8) E-auction opening time, closing time, inspection schedule and other dates & times mentioned in the e-auction notice may be treated as (IST) Indian Standard Time only.

9) The Bidders who are interested to get allotment of the above plot through e-auction should get themselves registered with NIC for participating in this e-auction process, payment of EMD for Rs. 5,00,000/- (Rupees Five Lacs) only and uploading the documents by 12:00 hrs. of 24.06.2019positively for THE SAID plot. Bidders are also requested to note that only digitally signed bids shall be accepted in the e-auction. Hence, they should equip themselves with Indian Digital Signature Certificates before such registration.

10) It is notified for information of the Bidders that the instant offer is subject to the scrutiny and approval of the Government of West Bengal a bidder may participate in the e-auction on payment of EMD of Rs. 5,00,000/-, but the unsuccessful bidder will not be allowed the refund of such EMD till the e-auction for THE SAID PLOT are completed.

11) There should be at least three eligible bidders, who have deposited EMD, to start the e-auction process against a particular E-Auction ID. In absence of the same the instant e-auction would be treated as cancelled.
KMDA formulates short-term action plans based on intense priorities between different sectors of infrastructure, between zones of KMA and between economic groups of beneficiaries. Based on short-term action plans, KMDA undertakes preparation of project reports towards execution of the same by adopting a competitive tendering process. A large number of projects have so far been executed by KMDA covering different sectors of infrastructure, such as, water supply, sewerage and drainage, traffic and transportation, township and area development, housing and slum improvement, commercial complexes, parks and playground and so on and so forth. It should be very pertinent to note that in design of interventions, the urban poor have always received priority attention. KMDA's interventions have not confined to development of physical infrastructure alone and have extended to cover the fields of health and community development especially of the urban poor. Notwithstanding the mandates laid down in the WBT&CP Act and WBMPC Act, KMDA willy-nilly has to operate and maintain some infrastructure facilities, especially those trans-municipal in nature.

KMDA has been designated as the nodal agency for implementation of the Government of India sponsored Jawaharlal Nehru National Urban Renewal Mission (JnNURM) for Kolkata and Asansol urban areas. KMDA would also function as one of the executing agencies for JnNURM projects in KMA.

KMDA has been approached by different government department/agencies for planning, designing and implementing certain projects that require specialized skills. This has happened because of the credibility that KMDA has achieved over the long years of its existence. KMDA is provided with the funds for implementing the projects on turnkey basis and is allowed to retain service charges at mutually acceptable rates. In KMDA parlance, these are called 'deposit works'. KMDA has also extended consultancy services to government departments and agencies in specific areas. Introduction of Geographic Information System (GIS) in municipal functioning has been one of the prime areas where KMDA has provided a great deal of consultancy services to ULBs.
12) It is notified for the information of the bidders that the instant offer is subject to the scrutiny and approval of the Government of West Bengal.

13) The Bidders who are interested to get allotment of the above plot through e-auction should get themselves registered with NIC for participating in this e-auction process at least 10 (ten) days before commencement of e-auctions.

14) Bidders are also requested to note that only digitally signed bids shall be accepted in the e-auction. Hence, they should equip themselves with Indian Digital Signature Certificates before such registration.

15) **Eligibility Condition for Bidders**

Bidder should be Corporate bodies registered under the Companies Act or Limited Liability Partnership Firms or a Registered Trust/Registered Society having average turnover of at least Rs. 1.00 (One) crores during the last three financial years ending on 31/03/2018. There should be at least three eligible bidders, who have deposited EMD, to start the E-Auction process. In absence of the same the instant E-Auction would be treated as cancelled.

16) **REGISTRATION:**

All those who wish to participate in the e-auction and who fulfill the eligibility conditions as stated above shall have to register with the Government e-auction website [https://eauction.gov.in](https://eauction.gov.in). No fees are required to be paid for such registration as "Bidder". Once registered the bidder is not required to register again for each and every e-auction in this site. However, after such Registration a bidder has to enter the particular e-auction ID system for participating in the particular e-auction. This shall involve filling upon online form and submission of necessary documents with KMDA. All documents pertaining to this E-Auction must be uploaded online by 12:00 hours of 24.06.2019. Under intimation to the person of KMDA as stated above. On receipt of all documents online and payment of EMD the bidder’s registration shall be activated by KMDA and only thereafter a bidder can log into and participate in the e-bidding process. Participation in this e-auction is not possible without a valid registration.

**In case there is any amendment/corrugendum in this document, the same will be uploaded in the website [https://eauction.gov.in](https://eauction.gov.in). Bidders are advised to consult such amendments/corrugendum, if any, before such e-auction.**

E-auction bidding process will take place through web portal on 02.07.2019 at 10:30hrs onwards. The Bidder should have valid Class II or Class III Digital Signature Certificates (DSC) obtained from any Indian Certifying Authority. In case of requirement of DSC, interested Bidders should go to [https://eauction.gov.in](https://eauction.gov.in).

The bidder has to obtain user ID and Password free of cost and can get training for e-auction from NIC. Guidelines to Bidders on the operations of Electronic Auction System can be obtained from [https://eauction.gov.in](https://eauction.gov.in). The bidders interested in participating in the above Auction, using the Electronic Auction System are required to create User ID. Agencies / Bidders who are interested in participating KMDA’s e-auction are requested to contact the representatives of NIC for registration, computer setting and clarification on e-auction. The duly filled bid as instructed is to be submitted online on.

**There is no Application or Processing Fee except EMD payment.**

17) **DOCUMENTS TO BE FurnISHED AT THE TIME OF SUBMISSION OF BID:**

   a. Identity & particulars of the Bidder as in the Proforma attached hereto (Annexure -A) & (Annexure -B)

   b. Valid incorporation / Registration Certificate.

   c. Memorandum of Association / Registered Deed of the Trust / Society.

   d. Statement of Annual Accounts / Annual Report for the last three years upto 31/03/2018 (Audited).

   e. Power of Attorney in the proforma as in this document (Annexure -C).

   f. Pan Card of the Applicant.

Such Documents are required to be uploaded online on or before the specified end time for submission of such documents i.e., by 12:00 hrs of 24.06.2019 in respect of e-Auction Id, for getting access to the live e-Auction field on the day of e-auction. The Bidders can upload a single document of a compressed file containing multiple documents (i.e. scan copy of EMD particulars, and all other documents) against this NTA. However, the highest bidder shall have to send the copy of the documents with original power of Attorney and Annexure A & B to this Office within two days of completion of bidding process.
18) **USE & PROTECTION OF USER ID, PASSWORD AND DIGITAL SIGNATURE CERTIFICATE:**

The bidders are advised to keep their User ID and Password secret and not share these with anyone to prevent misuse or abuse of the same. The bidders are also advised to change their passwords regularly. NIC/KMDA shall not be responsible for any misuse/abuse/unauthorized use of the password of any bidder and no representation in this regard from any bidder shall be entertained by NIC/KMDA. A bid recorded in this e-auction against any password will be deemed to have been submitted by the owner of the password only. Bidders shall require Class II or Class III Digital Signature Certificate (DSC) to participate in this e-auction. The bidder shall have to set the parameters of his computer so that the DSC is operational. NIC/KMDA shall not be responsible for any malfunctioning or non-functioning of any bidder’s computer either on account of DSC or for any other reason. Bids submitted by a bidder after signing with his/her DSC signifies non-repudiation by the bidder. Thus, a bidder after submitting a bid, cannot disown it. A bidder shall be fully and solely responsible for the bid recorded against his/her name to be identified by the set of User ID, Password and DSC.

19) **BIDDING METHODOLOGY:**

On the day of the e-auction, which will be started on the scheduled date 02.07.2019 from 10:30 hrs onwards upto 15.30 hrs subject to auto extension, the bidder has to visit the Government e-auction website https://eauction.gov.in and click on the link for KMDA e-auctions. He/she has to login with his/her User ID and Password. In the next page, the bidder has to click on the link “View Live e-auctions” and click on the link with the e-auction number for this e-auction. The bidder shall be required to sign his acceptance of e-auction terms and conditions with his DSC and then only the bidder can have access to the bidding area. The bidding for the plot shall be in whole Rupee in nearest crores. Thus to bid an amount of Rs. 1,00,000 (one lakh), a bidder needs to type 000000 in the space provided for bidding and click on the ‘Bid’ button. On clicking the ‘Bid’ button, the bid has to be signed by the bidder with his DSC.

**CAUTION IN SUBMISSION OF BID:**

The bidder shall be solely responsible for all consequences arising out of the bid submitted by him (including any wrongful bidding by him) and no complaint representation will be entertained by NIC/KMDA in this regard. Hence bidders must be careful to check the Bid Amount/No. of Zeros /No. of Digits/Unit of Measurement etc.) rectify their bid if required before submitting their bid into the live e-auction floor by clicking the ‘Bid’ Button.

20) **EARNEST MONEY DEPOSIT (EMD):**

1) All intending Bidders have to deposit Earnest Money Deposit (EMD) of Rs. 5,00,000/- (five lakh) only on or before 12:00 hrs. of 24.06.2019 for the e-auction ID.

Submission of pre-bid EMD should be in favour of KMDA, Kolkata, only through RTGS in the following account in BANK OF INDIA, KOLKATA - UNNAYAN BHAVAN Branch before the specified time for submission of such documents online for a particular e-auction ID. PRE-BID EMD in form of DD/DDC shall not be accepted. BANK DETAILS towards PRE-BID EMD for payments through Indian Rupees only:

<table>
<thead>
<tr>
<th>Bank Name &amp; Branch Name</th>
<th>A/C Name</th>
<th>A/C No.</th>
<th>A/C Type</th>
<th>IFSC Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>BANK OF INDIA, UNNAYAN BHAVAN, Kolkata, West Bengal</td>
<td>KMDA</td>
<td>405620110000037</td>
<td>FFD</td>
<td>000004056</td>
</tr>
</tbody>
</table>

Bidders should take utmost care to ensure that the EMD and intimation are made correctly. EMD deposited elsewhere will not be considered for participation in this e-auction. No interest will be payable on the EMD. EMD of the unsuccessful bidders would be returned by KMDA after completion of the bidding process to their BANK ACCOUNT as stated by them in the (Annexure-B) online. The EMD of the Successful Bidder shall be automatically retained. In case the bid is accepted and the bidder refuses/fails to make further payment towards the balance lease premium, the EMD shall be forfeited without prejudice to the rights of KMDA to claim such further damages in this regard without further reference to the bidder.

**BANK TRANSFER CHARGES EITHER WAY WOULD BE ON INTENDING BUYER’S A/C.**

2) **FORFEITURE OF EARNEST MONEY DEPOSIT (EMD):**

The highest bidders shall be notified by email. Hence, bidders are advised to keep their email account active and monitor the same carefully. In case of non-receipt of email, the bidder may contact KMDA. In case the lease premium consideration is not paid as specified in the subsequent paragraphs by the Successful Bidder, the offer of allotment of the particular plot of land to the concerned Successful Bidder would stand cancelled and the Earnest Money Deposit and subsequent payment made, if any, by the Successful Bidder will automatically stand forfeited. In addition to such forfeiture as stated above the defaulting Bidder may not be allowed to take part in any of the bids which may be held by KMDA in future. For the sake of clarity, it is notified that there shall not be any extension of the last date fixed for payment of each of the instalment as
specified in para 23 below. However, in case of last day being holiday, it will be extended automatically to next working day.

21) **BID STARTING PRICE & INCREMENTAL VALUE FOR THE PLOT:**

There is a 'Start Price' for e-bidding for these plots, which is stated below. Start Price of the plot will be mentioned in the e-auction floor at whole figure. Bidders have to bid above floor price. It is, however, made clear that such starting price is not the minimum 'Reserve Price'. The highest bid as may be obtained should be higher than the minimum reserve price fixed for the plot. In case such highest bid is below such reserve price for the plot, the auction will be cancelled. The mode of payment of the Lease Premium shall be through RTGS. GST shall be applicable as per rules and regulations.

<table>
<thead>
<tr>
<th>Sl.</th>
<th>Plot No.</th>
<th>Total Land Area</th>
<th>Total covered area of building</th>
<th>Starting Price</th>
<th>Incremental Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>162B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road)</td>
<td>261.843 Sqm.</td>
<td>Ground Floor - 145.905 Sqm</td>
<td>Rs. 2,50,50,000/-</td>
<td>Rs. 1,00,000/-</td>
</tr>
</tbody>
</table>

22) **Payment Schedule**

<table>
<thead>
<tr>
<th>Sl.</th>
<th>Instalment</th>
<th>Due Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>E.M.D.</td>
<td>Before 12.00 hrs. of 24.06.2019</td>
<td>Rs. 5,00,000/-</td>
</tr>
<tr>
<td>2</td>
<td>1st Instalment of lease premium</td>
<td>Within 1 month from the date of receipt of offer letter issued by KMDA.</td>
<td>45% of lease premium plus GST as applicable after adjustment of E.M.D.</td>
</tr>
<tr>
<td>3</td>
<td>2nd Instalment of lease premium</td>
<td>Within 3 months from the date of receipt of offer letter issued by KMDA.</td>
<td>45% of lease premium plus GST as applicable.</td>
</tr>
<tr>
<td>4</td>
<td>3rd Instalment of lease premium</td>
<td>At the time of possession of shop</td>
<td>10% of lease premium plus GST as applicable.</td>
</tr>
</tbody>
</table>

23) **DEFAULT IN PAYMENT BY THE SUCCESSFUL BIDDER:**

In case the lease premium amount is not paid as per Payment Schedule given above by the Successful Bidder, the offer of allotment of the particular shop of land to the concerned Successful Bidder would stand cancelled and the Earnest Money deposit and subsequent payment made if any by the Successful Bidder will automatically stand forfeited. In addition to such forfeiture of EMD, the defaulting bidder may not be allowed to take part in any e-auctions or any of the auctions which may be held in future on behalf of KMDA. Decision in this regard shall be taken exclusively by KMDA and shall be final and binding on the bidders. For the sake of clarity it is notified that there shall not be any extension of the last date fixed for payment of each of instalment as specified above in the Payment Schedule. However, in case of last day being a holiday, the date will stand extended automatically to the next working day.

24) **OTHER CONDITIONS:**

24.1 The allotment of shop would be made in favour of a single successful bidder who has quoted highest rate above minimum reserve price and who has been found to have fulfilled all conditions of allotment as stated in these documents. No change/ transfer of allotment to any other entity during such allotment is allowed.

24.2 The allotment would be made on 'leasehold' basis for 99 years for educational purpose.

24.3 The Successful Bidder will have to pay The Lease Rent will be @ Rs. 414/- plus service tax as applicable per kottah/Annunum.

24.4 The shop so offered under Principal use "EDUCATIONAL" (as per provisions of KOLKATA MUNICIPAL CORPORATION Act, 1980), and cannot be used for any other purpose. If at any point of time it is detected that such condition has been violated LESSOR shall have the right to determine the lease and to take back possession of the said plot of land along with structures thereon, if any, on as is where is basis.
24.5 The Successful Bidder has to execute the Deed of Lease with LESSOR for that particular shop and the same would only be used for the purpose as allotted and in case of any violation concerned Planning /Development Authority would take action as per relevant rules.

24.6 During pre-registration stage the LESSEE may take a note of any financial assistance as may be provided by the Reserve Bank of India recognized financial institutions (not NBFC) against the offered plot of land for loan. But the ownership and possession of land shall remain with LESSOR till delivery of possession of the plot to the successful bidder.

24.7 The lessee (the allottee) after registration of the lease document and after taking over possession may be allowed to mortgage the leasehold interest only (and not the demised plot of land itself) on the instant plot under allotment for obtaining loans and/or assistance from any Reserve Bank of India recognized Bank/Financial Institutions, either in full or part, for construction of the building on that particular plot only with the prior written permission of LESSOR.

24.8 However, in case of any default the Reserve Bank of India recognized financial institution (not NBFC) may be allowed to assign the plot to 3rd party with the prior consent of LESSOR on payment of requisite fee at any point of time.

24.9 The lessee is not entitled to transfer/assign his leasehold interest, whether in full or in part, without prior written approval of LESSOR only and on payment of such amount as may be decided by LESSOR on merit only and the assignee shall hold the same on the same terms and conditions as in the original lease and to such other terms and conditions as may be considered to be imposed by the lessor while granting such approval. In case of such assignment of leasehold interest the assignee concerned shall have to obtain fresh lease after expiry of the unexpired period of the lease on payment of such consideration money and annual rent based on the prevailing market value as may then be fixed by the lessor in granting such lease.

24.10 All statutory clearances/ licences/ permissions shall be obtained by the allottee within the time frame as stated herein. All bids shall remain valid for 180 (one hundred eighty) days from the date of closing of e-auction, excluding the date of closing, unless extended further for such period as may be agreed. In case the last day falls on a holiday or remains closed, such bids will be deemed to be automatically extended to be valid up to the next working day.

24.11 It would be deemed that by participating in the bidding process through this e-auction method, the bidder has made a complete and careful examination of the terms and conditions for the instant bid, received all relevant information required for submission of the bid either from KMDA or by its own diligence and understood that it would have no recourse to KMDA, post transfer of leasehold rights of the concerned property.

24.12 By bidding in this e-auction, the bidders confirm that they have thoroughly satisfied themselves of the nature, conditions and quality of the assets and its physical condition and that they have no complaints about the same.

24.13 By bidding in this e-auction, the bidders undertake to abide by these terms and conditions of e-auction and further undertake that on being declared as Successful Bidder, they will make full payment towards lease premium and if they fail to do so they will have no objection to their EMD being fully forfeited by KMDA.

24.14 KMDA reserves the right to cancel the tender / e-auction at any stage prior to the signing of the Lease Deed. KMDA /NIA shall not be liable to pay any compensation to any bidder for any loss that they may incur due to such cancellation.

24.15 It is notified for information of the Bidders that the instant offer is subject to the scrutiny and approval of the State Government.

25) **FORCE MAJEURE:**

LESSOR shall not be liable for any failure or delay in performance due to any cause beyond their control including fires, floods, strikes, go-slow, lock-out, closure, dispute with staff, dislocation of normal working conditions, War, riots, epidemics, political upheavals, Governments actions, civil commotion, breakdown of machinery, shortage of labour acts, demand or otherwise or any other cause or conditions beyond the control of aforesaid causes or not and the existence of such cause or consequence may operate at the sole discretion of LESSOR to extend the time of performance on the part of KMDA by such period as may be necessary to enable LESSOR to effect performance after the cause of delays have ceased to exist. The provisions aforesaid shall not be limited or abrogated by any other terms of the contract whether printed or written.

26) **Dispute Resolution:**

The entire bidding process shall be governed by, and construed in accordance with, the laws of India and Courts in Kolkata, India, shall have exclusive jurisdiction overall disputes arising under, pursuant to and/or in connection with the bidding process, the subsequent lease and the entire transaction, to the exclusion of further Courts in the World.
Salient Features & Schedule of Dates:

<table>
<thead>
<tr>
<th>Land Plot No.</th>
<th>162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Area</td>
<td>261.883 Sqm.</td>
</tr>
<tr>
<td>Ground Floor Area</td>
<td>145.905 Sqm.</td>
</tr>
<tr>
<td>1st Floor Area</td>
<td>119.587 Sqm.</td>
</tr>
<tr>
<td>Principal Use</td>
<td>Educational</td>
</tr>
<tr>
<td>EMD</td>
<td>Rs. 5,00,000/- (Five Lakh)</td>
</tr>
<tr>
<td>Starting Price</td>
<td>Rs. 2, 50, 00, 000/- (Two Crore fifty lakh)</td>
</tr>
<tr>
<td>Bid Incremental Value</td>
<td>Rs. 1, 90, 000/- (One lakh)</td>
</tr>
<tr>
<td>Lease Period</td>
<td>99 years</td>
</tr>
</tbody>
</table>

Schedule of dates

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date &amp; Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auction Notice published</td>
<td>30.05.2019-17:00</td>
</tr>
<tr>
<td>Bid Document Submission Start</td>
<td>31.05.2019-11:00</td>
</tr>
<tr>
<td>Bid Document Submission End</td>
<td>24.06.2019-12:00</td>
</tr>
<tr>
<td>Document / Payment Approval Start</td>
<td>24.06.2019-14:00</td>
</tr>
<tr>
<td>Document / Payment Approval End</td>
<td>28.06.2019-17:00</td>
</tr>
<tr>
<td>Auction Start Date</td>
<td>02.07.2019-10:30</td>
</tr>
<tr>
<td>Auction End Date</td>
<td>02.07.2019-15:30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Plot No.</th>
<th>E-AUCTION ID</th>
<th>Document /payment submission end date &amp; time</th>
<th>E-Auction Date</th>
<th>E-Auction Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road)</td>
<td>24.05.2019 at 12:00 hrs.</td>
<td>02.07.2019</td>
<td>10:30hrs. to 15:30hrs.</td>
<td></td>
</tr>
</tbody>
</table>

Bidders are advised to visit the particular e-auction I.D. site for further details.

- Closing of e-auction: The e-auction will be closed at given time. However, if there is any bid within 10 minutes of closing time the closing time shall automatically be extended by the system by 10 minutes and continued to be extended in the same way by 10 minute unless there is no bid within such extended time.
- Contact person of KMDA.

I) Shri Pranik Roy, Addl. Chief Engineer, Housing Sector (Nodal Officer, NIC), KMDA.
e-mail ID rekmda.ce@gmail.com.
Letter of Bid and Intent

(Letter head of the Bidder including full Postal Address, Telephone No., Fax No. and Email ID)

To,
Kolkata Metropolitan Development Authority
Unnayan Bhavan, Premises No.DJ-11, Sector-II, Salt Lake, Kolkata-700091

Date:

Subject: E-Auction for Leasing out of Land with 2 (two) storied structure at 162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road) on leasehold basis for 99 years for "EDUCATIONAL" purpose [e-auction ID: _________]

Ref: Your notice for e-auction issue under No. ________________

Sir,

1. Being duly authorized to represent and act for and on behalf of ________________ (herein the Bidder), and having studied and fully understood all the information provided in the instant e-bidding Document, I, ________________________________, the undersigned hereby intends to participate in the e-bidding process for leasehold allotment of Land with 2 (two) storied structure at 162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road), according to the terms and conditions of the offer made by KMDA, as detailed in the e-bid document.

It is hereby declared that the turnover details of the Applicant during the last three financial years ending on 31.03.2018 are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Turnover (Rupees in Crores)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-2016</td>
<td></td>
</tr>
<tr>
<td>2011-2017</td>
<td></td>
</tr>
<tr>
<td>2012-2018</td>
<td></td>
</tr>
</tbody>
</table>

2. Bids will be quoted online and duly confirmed through the Digital Signature Certificate (DSC). I do hereby enclose the documents as stated above.

3. That the Bidder organization is a non-profit / charitable duly registered organization. KMDA is hereby authorized to conduct any financial investigation to verify the statements, documents and information submitted in connection with the Bid.

4. KMDA and its authorized representatives may contact the following persons for such enquiry as may be required:
   - Name of the Person's: ________________
   - Address: ____________________________
   - Phone/Fax No.: ________________
   - Email: ____________________________

5. This participation in the e-bidding process is made with full understanding that:
   a. KMDA reserves the right to reject or accept any Bid, modify / cancel the bidding process, and/or reject all or any of the Bids.
   b. KMDA shall not be liable for any of the above actions and shall be under no obligation to inform the Bidder of the same.

6. I, the undersigned do hereby declare that the statements made and the information provided herein are complete, true and correct in every aspect.

7. We have read the terms and conditions of the offer detailed in the e-Auction Notice and are willing to abide by them unconditionally.
8. The offer made by us is valid for 180 days from the online Bid Submission Date. We understand that KMDA may require us to extend the validity of the bid for such period as may be determined by KMDA at its discretion.

9. In case our offer is accepted and if we fail to pay the amount in the manner specified by KMDA, the amount of Earnest Money and any further instalments paid by us under this offer shall stand absolutely forfeited by KMDA.

10. The decision of KMDA concerning this transaction shall be final and binding on us.

We hereby declare that the information stated hereinabove is complete and correct and any error or omission therein, accidental or otherwise, will be sufficient justification for KMDA to reject our Bid and/or to cancel the award of Lease, at any point of time.

Yours faithfully.

For and on behalf of

____________________________________________
(Name of Bidder)

Name of the Signatory

Enclosures - Copy of the following documents

1) Identity & particulars of the Applicant as in the Proforma attached herein.
2) Valid Incorporation / Registration Certificate
3) Memorandum of Association/Copy of Trust Deed
4) Annual Accounts for last three years upto 31.03.2018 (Audited).
5) Power of Attorney in the Proforma as in this document (in original).
6) PAN Card of the Applicant-Organization

[Signature]
Annexure – B

Organization Details of the Bidder

1. Particulars of the Bidder:
   a. Name:
   b. Address of the corporate headquarters and its branch office(s), if any, in India (as applicable):
   c. Date of incorporation and/or commencement of business with CIN No (as applicable):
   d. Status of the organization: Trust / Society / Company
      (Please strike out whichever is not applicable)
   e. The following documents are to be provided:

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>i.</td>
<td>Last three F-Y audited Balance Sheet ending on 31.03.2018.</td>
</tr>
<tr>
<td>ii.</td>
<td>Certificate for turnover during last three years</td>
</tr>
<tr>
<td>iii.</td>
<td>Copy of Permanent Account Number Card</td>
</tr>
<tr>
<td>iv.</td>
<td>GST Identification Number</td>
</tr>
</tbody>
</table>

2. Bank Particulars of the Organisation:

Name of Account Holder, Name of Bank & Branch, IFSC Code, A/c no.

3. Details of Authorised Signatory of the Bidder:

   a. Name
   b. Designation (as applicable)
   c. Address
   d. Telephone No. / Fax no.
   e. Email Address

We further acknowledge and agree that:

i. In case our offer is accepted and if we fail to pay the amount in the manner specified by KMDA, the amount of Earnest Money and any further instalments paid by us under this offer shall stand absolutely forfeited by KMDA.

ii. We have read and understood the terms and conditions of the e-auction notice and documents and hereby unequivocally and unconditionally accept the same.

iii. The decision of KMDA concerning this transaction shall be final and binding on us.

We hereby declare that the information stated hereinabove is complete and correct and any error or omission therein, accidental or otherwise, will be sufficient justification for KMDA to reject our bid and/or to cancel the award of sale.

Dated Signature, Full Name & Designation of the Bidder and the Organisation
Annexure - C

FORMAT FOR POWER OF ATTORNEY FOR PARTICIPATION IN THE E- BID

(On a Stamp Paper of relevant value)

POWER OF ATTORNEY

Know all men by these presents, that we
(Name and address of the registered office) do hereby constitute, appoint and authorize
Mr./Mrs.
( Name and address of residence) who is presently employed with us and holding the position of
as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our e-Bid which may be given online through e-auction process for leasehold allotment of plot of land with 2 (Two) storied structure at 162/B/405, Lake Gardens, Kolkata - 700045 (Old No. 160, Prince Anwar Shah Road), including signing
and submission of all documents and providing information in response to KMDA, representing us in all matters before KMDA, and generally dealing with KMDA in all matters in connection with
our said e-Bid in reference to KMDA’s notice for e-auction issue under
 dated
 [e-Auction ID]

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

(Signature of the Executant)

I Accept

(Signature) (Name Title and Address of the Attorney)

To be executed by the Sole Bidder
Mode of execution of this Power of Attorney shall be the standard one as per applicable law on affixation of the Common Seal of the Company.

Addl. Deputy Commissioner
KMDA

[Signature]