



# RAJASTHAN HOUSING BOARD

## Business Rules for e-auction(Forward)

**RAJASTHAN HOUSING BOARD**, hereby referred to as **RHB**, has decided to sell its properties through online forward e-auction mode. RHB has made arrangements for forward e-auction, e-payment integrated gateway, bidder management etc. to expedite online e-auction of surplus properties.

### Definitions

1. **Lessor / Auctioneer:** Lessor/Auctioneer referred in these conditions of e-Auction is the RHB through their officers.
2. **Auction Committee:** A committee constituted by RHB for Auction.
3. **Service Provider:** An agency appointed as service provider to facilitate e-auction on internet by RHB. They are expected to facilitate organize and conduct e-auction and are considered as third party, not particularly interested in the property being sold for and on behalf of RHB.
4. **Bidder:** Any person representing as an Individual or Proprietor or as a Partner of registered Partnership firm or as a duly authorized representative of any Company registered under the Companies Act, 1956 or of any legal entity, who has paid the Earnest Money Deposit (EMD) and complied with other terms and conditions mentioned herein or as may be specified through separate publication shall be considered as a Bidder.
5. **Successful Bidder:** At the end of the Forward e-auction, RHB will decide upon the highest bidder based on the highest bid placed for the property under e-auction and subsequent acceptance of RHB. The decision of competent authority of RHB will be final & binding on all the bidders.
6. **Earnest Money Deposit (EMD):** As per publication/auction advertisement for the particular e-auction the money deposited by the bidder for participation in bidding.
7. **Bidding Currency:** Bidding will be conducted in Indian National Rupees (INR) only.
8. **H-1 Price:** It is the highest value placed in the bid at any point of time during the auction for the property. It will be visible to all the bidders on the screen and the bidders can bid an amount of "**H-1 price/ incremental value or in multiples of incremental value**" only.
9. **Incremental value:** Incremental value will be decided by RHB. Minimum Bid increment shall be available to the Bidders at the start of the auction. The bidder can bid higher than the Highest Bid (H-1 Price) at any point of time in the auction by an increment, multiples of the minimum bid increment or at least of minimum bid increment plus multiple of bid increment. The minimum increment value will be

.....1.....

displayed against each property on the bidding screen of all participating bidders. The software will not accept any bid other than the multiple of increment value.

10. **MBP** : It refers to the "Minimum Bid Price" which shall be decided by the RHB and shall be visible to all the bidders on their screens. The bid will trigger off from this price and no bidder can start bidding below this amount.

**1. Participation in e-auction:**

Online participation request will be received by bidder as per advertisement made in print media, electronic media and website of RHB.

**2. Procedure for registration with RHB for purchase of property through e-auction :**

1. Create user Login with a valid e-mail ID on RHB portal. To validate the e-mail account, a mail will be sent to the Bidders for verification.
2. To confirm your account bidder need to click the verification link on first time login.
3. The buyer first registers and pays Rs. 300.00 + 18% GST (Rs. 354.00) for registration with RHB for purchase of property through e-auction.

3. **Earnest Money:** The bidder will have to deposit Earnest Money Deposit (EMD) as per publication/auction advertisement for the particular e-auction or information available on Rajasthan Housing Board Official Website. The EMD Shall be Adjusted in 15% amount to be deposited by highest bidder within 72 hours after the e-auction subject to clearance of the same by RHB. In case online of internet banking amount will be transferred (in real time) within 30 minutes and In case of RTGS/NEFT EMD shall be accepted 24 hours before bid/e-auction. Earnest Money will be non-transferable to the other bidder or for any other property to be purchased by the same bidder.

4. **Contact Persons:** RHB will nominate nodal officers who will coordinate for responding to bidder's queries regarding e-auction as mentioned below:

S.No	Issues	Contact Person
1.	Auction Process	Deputy Housing Commissioner (Concerned Circle)
2.	Land Title, Location & Revenue Record	Deputy Housing Commissioner (Concerned Circle)
3.	Information Technology (IT) Support	Joint Director (System Analyst)
4.	For Normal Queries	Helpdesk/ Nodal officer of Area

.....2 .....

5. **Auction Committee** : Auction committee for auction procedure to be operated/ adopted is constituted as under :-

**1- For Circles in Jaipur :**

- (a) Chief Estate Manager or his representative of rank not below than Estate Manager,
- (b) Financial Advisor or his representative of rank not below than Accounts Officer,
- (c) Concerned Dy. Housing Commissioner - Organizer

**2- For Circles out of Jaipur :**

- (a) Addl. Chief Engineer or his representative of rank not below Dy. Housing Commissioner,
- (b) Concerned Dy. Housing Commissioner - Organizer
- (c) Account Officer (Recovery)
- (d) Representative of District Collector.

**Procedure of Forward Auctioning :**

1. RHB will declare its Minimum Bid Price (MBP) which shall be visible to all the bidders at the start of the forward auction.
2. The Minimum Bid Price of property in online forward auction is open to all the participating bidders. Any bidder can start bidding in the online forward auction from this Price onwards only. Hence, the first online bid that comes in the system during the online Forward auction must be equal or more than the auction's MBP or absolute multiples of incremental value.
3. The onwards bidding will have to be higher than the H1 rate as quoted and displayed on screen by one increment value or higher than the H1 rate by multiples of the increment value.
4. The bid increment amount/value shall be specified by RHB which the e-bidders can view on their bidding screen. The bid can be placed only of the start price+ incremental value or in multiples of incremental value.
5. Online Forward Auction shall be open for a specified period as per publication issued by RHB for each property. The closing time and date of auction may be extended at any time.
6. RHB reserves the rights to cancel the highest bid in any condition what so ever. The Notice for such cancellation shall be duly notified on the e-auction portal.
7. Allow Auto extension(s) for 5 Minutes with unlimited auto extension limit is available in e-auction.

.....3 .....

8. The minimum bid increment shall be available on screen to the Bidders at the start of the e-auction. The bidder can view the same by clicking on the relevant details at the start of the auction.
9. During Forward Auction, if no bid is received within the specified time or bid is cancelled as per point number 6 above, RHB, at its own discretion, may decide to re-invite the bid / scrap the e-auction process / proceed with conventional mode of auctioning.
10. The bids will be taken as an offer to purchase the property on lease basis on terms & conditions attached with the property. Bids once made by a Bidder, cannot be cancelled / withdrawn by the Bidder and the Bidder shall be bound by the bid quoted, failing which the Earnest Money will be forfeited.
11. Bidders will be able to view the following on their screen along with the necessary fields in the Forward Auction.
  - Opening MBP & Minimum Bid Price.
  - Leading (highest) Bid in the e-Auction.
  - Bid Placed by the bidder himself.
  - Rank of bidder in the e-auction.
12. The Bidder must read the terms and conditions of the e-auction very carefully for participating in bidding process.
13. RHB will respond to all queries relating to the e-auction processes and rules on the telephone numbers given or through mail as per the publication/ auction advertisement.
14. RHB reserves the right to modify/ amend the terms and conditions and intimate the same prior to commencement of e-auction or while the auction is in progress.

### **Earnest Money Deposit Payment, Its Refund and Forfeiture :**

1. The Bidder will have to deposit Earnest Money Deposit (EMD) as per publication/ auction advertisement for the particular e-auction. The EMD amount shall have to be deposited within the time limit as notified and shall be subject to clearance of the same by RHB in online internet banking amount will be transferred within 30 Min and In case of RTGS/NEFT EMD shall be accepted 24 hours before bid/e-auction.
2. Delay in deposit of EMD will not be entertained and the bidder shall not be eligible for participation.
3. The EMD paid before the start of e-Auction within the specified period is adjustable in the Bid amount if and when the property is finally allotted to that highest / successful bidder.

.....4 .....

4. The EMD of the un-successful bidders will be returned without any interest, cost or claim after the closure of the e-auction or the extended period as decided by RHB.
5. The refund of EMD of unsuccessful bidders shall be deposited in the same bank account which is specified by the bidder at the time of registration. RHB shall not be responsible if incorrect / incomplete Bank details are furnished by the bidder in any manner.
6. Earnest Money will be non-transferable to the other Bidder or any other property to be purchased by the same Bidder.

### **Sanction of highest bid :**

Auction committee is authorized for sanctioning of highest bid in case the bid received is higher than minimum start price and committee deems it fit / justified the bid in all respect upto the limit of bid amount of Rs. 50.00 lacs at the spot, but in case of single bid, proposals are required to be submitted to head office with clear recommendation for sanction/rejection of the bid by auction committee. DHC, ACE & CE concern for sanction / rejection by Housing Commissioner.

In case the bid amount is more than Rs. 50.00 lacs, bid proposals in prescribed proformas are to be submitted to head office with clear recommendation on justification for sanction / rejection by the competent authorities as under :-

- |   |                        |
|---|------------------------|
| (i) For bid amount above Rs. 50.00 lacs but upto Rs. 5.00 Crores    | - Housing Commissioner |
| (ii) For bid amount above Rs. 5.00 Crores but upto Rs. 20.00 Crores | - Chairman             |
| (iii) Above Rs. 20.00 Crores  | - Board                |

### **Property Bid Confirmation – Cost And Balance Payments**

1. The HIGHEST BID will be taken only on Subject to confirmation basis. After the closure of the e-auction, RHB will intimate the successful / highest bidder through a "Confirmation of Auction Cum Allotment Letter" whose highest bid is accepted by the RHB through an e-mail / registered post after the completion of each auction.
2. The Highest / Successful bidder (H 1) shall have to pay the final Bid Amount and any other charges, relevant taxes, levies etc. as applicable within the stipulated time as per the Confirmation of Auction Cum Demand Letter. In case of failure to pay the required Bid Amount within the stipulated time, the entire EMD amount(highest bidder will have to deposit 15% of bid value in 72 hours adjusting the EMD, otherwise EMD Deposited shall be forfeited), deposited by the Bidder will be substantively forfeited and RHB shall have the absolute right to re-auction such property immediately in the next auction without any further intimation to the successful bidder.

.....5 .....

- As per Income Tax Proviso 191-1A a Transferee (Purchaser) is responsible to deposit 0.75% TDS (As per Press Release of Ministry of Finance, Department of Revenue Dated 13th May 2020) of Immovable property whose cost is Rs 50 Lacs or more than 50 Lacs applicable upto 31.03.2021 after that prevailing rate of Income Tax department.

#### 4. Participation Fee, EMD and Timeline

Estimated Value of Property (BSP X Area)	Participation Fee (Nonrefundable) (INR)	EMD (INR)
Upto 10 Crore	Rs. 354.00	2% of MBV
Above 10 Crore	Rs. 354.00	2% of MBV or 50 Lac whichever is higher

#### 5. Payment schedule

Timeline
EMD amount Deposit i.e. 2% of Minimum Bid Value (Through RTGS/NEFT/Online) will begin 5 days before beginning of bid/e-auction and will be accepted latest till 6 hours before the closure of bid/e-auction. In case of RTGS/NEFT EMD shall be accepted 24 hours before bid/e-auction.
15% of highest bid amount within 72 hrs. as mentioned in the acceptance of bid. (2% EMD deposited will be adjusted in this)
Balance 35% of total demand (with lease and other miscellaneous charges, GST etc.) within 240 days from issuance of confirmation of auction cum demand
Balance 50% of total demand (with lease and other miscellaneous charges, GST etc.) within 360 days from issuance of confirmation of auction cum demand
<b>Successful bidder will be given a discount of 2% on depositing the total amount (with lease and other miscellaneous charges, GST etc.) within 15 days from issuance of demand letter.</b>

- EMD amount for unsuccessful bidders will be refundable within 72 hrs.

- 15% of the highest bid amount shall be deposited online, whereas balance demand amount as per allotment letter shall be deposited through offline (Cash/DD/Cheque) or online payment (NEFT/RTGS) in the designated account of RHB mentioned in allotment letter.

#### 7. Bid Cancellation :

- In case 15% of highest bid amount is not deposited within the stipulated time the bid shall be automatically cancelled and EMD amount deposited by the bidder shall be forfeited.

.....6.....

- In case the balance 35% of the total demand is not deposited within the stipulated time the bid shall be automatically cancelled and amount whatever deposited by the bidder as 15% of the highest bid amount shall be forfeited.
  - In case the balance 50% of the total demand is not deposited within the stipulated time the bid shall be automatically cancelled and amount whatever deposited by the bidder as 15% of the highest bid amount shall be forfeited and 35% of total demand paid earlier will be refunded without interest.
8. In case of failure to pay the balance amount within stipulated period, the bid automatically cancelled can be regularized if the bidder apply for time extension after depositing processing fee i.e. @ 1% of the balance amount & tax as applicable, the competent authority for condoning delayed days are as mentioned against each :-
- |  |                                    |
|--|------------------------------------|
| From automatically cancellation to 60 days | - Dy. Housing Commissioner concern |
| thereafter from 61 to 90 days              | - Housing Commissioner             |
| 91 to 120 days                             | - Chairman                         |
| 121 to 210 days                            | - Board                            |
| 211 to 330 days                            | - Govt. of Rajasthan               |
- After permission / sanction for regularization of cancelled bid, demand amount plus interest thereon @12% per annum from the date of bid acceptance shall be depositable by the bidder. After extended as above, if the bidder fails to deposit balance amount, the entire amount deposited by the successful bidder will be forfeited and the RHB shall have the rights to re-auction such property without any further intimation to the successful bidder.
9. The successful bidder will also have to deposit Lease amount towards the property for one year in advance along with the other amounts as per the Confirmation of e-auction Cum Demand Letter. However, the period of such lease shall be effective from the date of Possession.
10. **The recovery of lease money for commercial plot will be done from the date of possession. First Five year@2.5% lease money, thereafter will be recovered@5.00%, but in case of one time lease is deposited in first 5 years, it will be charged@5%.**
11. The ancillary service charges, other charges and taxes as applicable will also be leviable on the property as per the directions of the State Government / RHB issued from time to time.
12. Any other charges, if any, shall also be payable as per the terms and conditions specified in the publication/ e-auction advertisement.

.....7 .....

13. Buyer has to deposit all amounts towards cost of Land and other charges as per payment schedule, failing which the amounts deposited in totality shall be forfeited without any claim or recourse by the buyer under any circumstance.

### KYC Compliance

1. During online participation of Bid for KYC compliance the bidders will have to upload following documents:-

Features	List of valid KYC Documents
<b>Individuals</b> ➤ Legal name and any other names used	(i) Passport (ii) PAN Card (iii) Voter's Identity Card (iv) Driving License (v) Identity Card (subject to the Company's satisfaction) etc. (vi) Aadhar Card
Address	(i) Utility Bill like telephone, electricity (not older than 3 months) (ii) Bank account statement /Pass Book (iii) Ration Card (iv) Letter from employer (Subject to satisfaction of the Company) (v) Latest Rent / Leave & license agreement etc.
<b>Companies</b> ➤ Name of the Company, Principal place of business ➤ Address of the company ➤ Identity of signatories	(i) Certificate of incorporation and Memorandum & Articles of Association (ii) Resolution of the Board of Directors to open an account and identification of those who have authority to operate the account (iii) Power of Attorney granted to its managers, officers or employees to transact business on its behalf (iv) PAN card or copy of PAN allotment letter (v) Any other officially valid document establishing proof of existence and address of the entity to the satisfaction of the Company (vi) Any officially valid document to identify the signatories (vii) Certificate of Commencement of Business etc
<b>Partnership firms</b> ➤ Legal name and address ➤ Identity of all partners and their addresses ➤ Identity of signatories	(i) Registration certificate, if registered (ii) Partnership Deed (iii) Power of Attorney granted to a partner or an employee of the firm to transact business on its behalf (iv) Any officially valid document identifying the partners and the persons holding the Power of Attorney and their addresses (v) Proof of existence & proof of address of the firm etc.
<b>Trusts &amp; foundations</b> ➤ Identity of trustees, settlers, beneficiaries & signatories ➤ Identity and addresses of the founder, the managers / Directors and the	(i) Certificate of registration, if registered (ii) Trust Deed (iii) Power of Attorney granted to transact business on its behalf (iv) Any officially valid document to identify the trustees, settlers, beneficiaries and those holding Power of Attorney,

.....8 .....



<p>beneficiaries</p> <p>➤ Identity of signatories</p>	<p>founders/ managers/ directors and their addresses.</p> <p>(v) Resolution of the managing body of the foundation/ association (vi) Any officially valid document establishing the proof of existence and proof of address of the entity to the satisfaction of the Company.</p>
---	---

## Payment Mode

1. The EMD, Cost of Land / Property and any other charges payable to RHB can be deposited in prescribed dedicated bank account **of HDFC Bank A/c No 50100356266150 ifsc code HDFC0000644** by any of the following modes:-

- **Online Payment facility, NEFT/ RTGS**

2. The realization of amount will be **effective only after it is credited in RHB Account.**

## Inspection of Land / Property

1. Land / Property will be auctioned on "AS IS WHERE IS BASIS".
2. The bidder is advised to visit and examine the Land / Property at his own cost and be satisfied before participating in the e-auction process. No claim what so ever will be entertained once the Land / Property is auctioned.

## Terms & Conditions

### A. General :

1. The Bidder shall not involve himself or any of his representatives in Price manipulation of any kind directly or indirectly by communicating with other bidders which shall otherwise make him ineligible.
2. Land will be sold on the basis of Annual Leasehold of which the period will be of 99 years.
3. The Bidder shall not divulge either his Bids or any other exclusive details of RAJASTHAN HOUSING BOARD or to any other party.
4. The decision of competent authority of RAJASTHAN HOUSING BOARD shall be final and binding on all the Bidders.
5. RAJASTHAN HOUSING BOARD shall not have any liability towards the Bidders for any interruption or delay in access to the site irrespective of the cause.
6. RAJASTHAN HOUSING BOARD is not responsible for any damages what so ever, including damages on account of any negligence on their part.

.....9 .....

7. RAJASTHAN HOUSING BOARD will not be held responsible for consequential damages, including but not limited to systems problems, inability to use the system, loss of electronic information etc.
8. The bidder is bound to complete construction within a span of 2 years from the date of possession of commercial / residential plot / plinth level residential plot / Skelton structure.
9. Closing time of bid shall be 6 PM of last day .

### **B. Property Specific:**

1. The Bidder is required to study the property specific terms & conditions for the proposed Property / Land scheduled for e-auction and be satisfied before participating in the e-auction process.
2. The property specific terms & conditions shall form the integrated part of the e-auction document and the bidder would be responsible to comply the same. The bidder is also required to sign these terms & conditions and submit along with Price Confirmation Letter.
3. The prevailing provisions of Rajasthan Housing Board Disposal of Property Rules 1970, other relevant Rules, Byelaws, Guidelines, Circulars and Orders of Government of Rajasthan and/or RHB will also be applicable and binding on the Bidders besides the provisions mentioned in this document. If there is any difference in the provisions contained in this document and the above mentioned rules and regulations, the provisions of this document will have the overriding effect to that extent only.
4. If there is any dispute on interpretation of any of the provisions, the same must be brought into the notice of RHB in writing be for at least 3 days of scheduled start e-auction date. The decision of RHB shall be final and binding.
5. The bidder must participate in the e-auction process only after being fully satisfied.

### **C. Dispute Resolution:**

Any disputes arising out of this e-auction shall be subjected to Jurisdiction of Jaipur, Rajasthan.

\*\*\*\*\*

.....10 .....