

Annexure - I



Phoenix ARC Private Limited

Regd. Office: Dani Corporate Park, 5th Floor, 158, C.S.T Road, Kalina, Santacruz (E), Mumbai-400098
 Telephone: 022- 6741 2314, Fax: 022- 6741 2313
CIN: U67190MH2007PTC168303
Email: info@phoenixarc.co.in
Website: www.phoenixarc.co.in (<http://phoenixarc.co.in/saleauction.php?id=Mzcx>)

PUBLIC NOTICE FOR ONLINE E – AUCTION

In exercise of the powers under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) read with Rules 8 & 9 of Security Interest (Enforcement) Rules, 2002 (RULES) and pursuant to the possession of the Secured Asset of the Borrowers/Guarantors mentioned hereunder vested with the Authorised Officer under the said SARFAESI Act and RULES for recovery of the secured debts, the Authorised Officer has decided to sell the Secured Assets by auction sale.

Notice is hereby given to the public in general and to the Borrowers and Guarantors in particular, that the below mentioned property mortgaged to Phoenix ARC Private Limited acting in capacity as Trustee of Phoenix Trust FY12-1 Scheme A (Phoenix) (pursuant to assignment of debts by The Karur Vysya Bank Limited in favour of Phoenix vide Assignment Agreement dated 30.05.2011) will be sold on "**AS IS WHERE IS**" basis and "**AS IS WHAT IS**" condition, by way of "**online e-auction**" for recovery of dues and further interest, charges and costs etc. as detailed below in terms of the provisions of SARFAESI Act read with Rules 8 & 9 of Security Interest (Enforcement) Rules, 2002 through website <https://phoenixarc.auctiontiger.net>

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| Name of the Borrowers | 1. M/s. M.M. Nagalingam Nadar Company 2. M/s. M.M. Nagalingam Nadar Sons |
| Name of the Guarantors | ND Muthaiah Rajasabhai, DM Nagalingam Selvakumar, DM Sankaralingam Roopkumar, Late Smt. Annai Jeyabharathi, EM Vaikundasamy, Vasantha Devi, V. Muthukannabiran, D. Gangeswari Ammal, Ummaah Selvakumar, Ponmalar Roopakumar, Kabeer, M. Jegadeeswari, M. Damodaran, Navitha, S. Mohammed Jaffer Khan, S. Mohammed Fareed Khan, M/s. Global Polybags Industries Private Limited |
| Amount due as on the date of SARFAESI Notice i.e., 29.11.2012 | 1. M/s. M.M. Nagalingam Nadar Company: Rs. 44,96,74,970/- (Rupees Forty-Four Crores Ninety-Six Lacs Seventy-Four Thousand Nine Hundred and Seventy Only) as on 14.08.2012 along with future interest at the contractual rate on the aforesaid amount with effect from 15.08.2012 together with further interests and other charges thereon as per the Recovery Certificate dated 24.05.2005 in DRC No. 1901 in OA No. 441/2003 till the date of actual payment. 2. M/s. M.M. Nagalingam Nadar Sons: Rs. 9,17,69,915/- (Rupees Nine Crores Seventeen Lacs Sixty-Nine Thousand Nine Hundred and Fifteen Only) as on 14.08.2012 along with future interest at the contractual rate on the aforesaid amount with effect from 15.08.2012 together with further interests and other charges thereon as per the Recovery Certificate dated 30.05.2005 in DRC No. 1903 in OA No. 97/2004 till the date of actual payment. Total Amount: Rs. 54,14,44,885/- as on 14.08.2012 |
| Physical Possession taken under SARFAESI Act, 2002 | 25.11.2014 (Twenty-Fifth November Two Thousand and Fourteen) |
| Date of Inspection | 18.03.2019 (Eighteenth March Two Thousand and Nineteen) Monday <u>between 12:00 Noon to 2:00 PM</u> |
| Earnest Money Deposit | EMD Amount: Rs. 67,50,000/- (Rupees Sixty-Seven Lakhs and Fifty Thousand Only) The Earnest Money has to be deposited by way of RTGS Favouring "PHOENIX TRUST FY12-1 SCHEME A", Current Account No.: 06312010001002, Kotak Mahindra Bank Limited, Branch: Kalina, Mumbai, IFSC Code: KKBK0000631 |
| Date of submission of Bid (E- Auction) | 20.03.2019 (Twenty March Two Thousand and Nineteen) Wednesday <u>before 3:30 PM</u> |
| Reserve Price | Rs.6,75,00,000/- (Rupees Six Crores Seventy-Five Lakhs Only) |
| Bid Increment | Rs. 25,000/- & in such multiples |
| Date of E-Auction | 22.03.2019 (Twenty-Second March Two Thousand and Nineteen) Friday <u>between 11:00 AM to 12:00 Noon</u> |

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| Mode of Auction Description of the Secured Assets being auctioned | Online E-Auction 1. All that piece and parcel of land having an extent of 1 Acre 52.062 Cents lying at Old Survey Nos. 8797A, 8797B, 8798, 8799, 8800, 8804B, 8801/1, 8802/4 & 8799; Resurvey No. 23 in Block No. 61, Asraman, Village Kollam East, Taluka Kollam, Kollam with all super structures such as well, buildings, open spaces, trees with rights and easements including the compound wall on the east and including the boat jetty popularly known as “Nagalingam Visam Oil Mills Building” owned by Mr. N.D. Muthaihrajasabai as per Partition Deed No.939/1997; Bounded by: North- Devaswom Office Building, East- Road, South- Residency, West- Ashtamudi Lake. 2. All the piece and parcels of land having an extent of 27 Cents lying at Old Survey Nos. 8778,8802,8801,8797 A, 8798,8799,8800, 8804 & 8099A, Resurvey No.23 in Block No.6, Village Kollam East, Taluka Kollam, Kollam-Owned by D.M.Nagalinga Selvakumar and D.M.Sankaralinga Roopkumar as per Sale Deed No.1075/1998 SRO Kollam: Bounded by North: Residency Property, East: Kayal: South: Devaswom Property, West: Road |
| Encumbrances | Kindly note over and above the aforesaid dues payable to Phoenix, it has come to the knowledge of the Authorized Officer that the following claims are also payable by Mr. N.D. Muthaihrajasabai: (a) Labour dues of Rs.12,24,079/- (Rupees Twelve Lakhs Twenty Four Thousand and Seventy Nine Only); (b) Kerala State Electricity Board dues of Rs.5,74,364/- (Rupees Five Lakhs Seventy Four Thousand Three Hundred Sixty Four Only); & (c) BSNL dues of Rs.62,978/- (Rupees Sixty-Two Thousand Nine Hundred Seventy Eight Only) as on 22 nd March, 2018 Please note the dues mentioned herein are to be separately paid/borne by the auction purchaser and is not part of the sale price |

Terms and Conditions of E- Auction:

1. The auction sale is being conducted by the Authorised Officer under the provisions of SARFAESI Act with the aid and through e-auction mode. Auction/Bidding shall be only through “Online Electronic Mode” through the website <https://phoenixarc.auctiontiger.net> M/s. e-Procurement Technologies Ltd is the service provider to arrange platform for e-auction.
2. The Auction is conducted as per the terms and conditions set out herein and the **further Terms and Conditions stipulated in the Bid document** and as per the procedure set out therein. Bidders may go through the website of Phoenix, <http://phoenixarc.co.in/saleauction.php?id=Mzcx> and website of the service provider, <https://phoenixarc.auctiontiger.net> for bid documents, the details of the secured asset put up for auction / obtaining the bid form etc.
3. The bidders may participate in the e-auction quoting/bidding from their own offices/place of their choice. Internet connectivity shall have to be arranged by each bidder himself/itself. The Authorised Officer/Phoenix/service provider shall not be held responsible for the internet connectivity, network problems, system crash down, power failure etc.
4. For details, help, procedure and online training on e-auction, prospective bidders may contact, **Mr. Tilak Maratha** of M/s. e-Procurement Technologies Ltd, Contact Number: +91-079-61200546/079-40005434/04/40, Mobile: 6351896832, Email ID: tilak@auctiontiger.net and support@auctiontiger.net.
5. The e-auction will be conducted on the date and time mentioned hereinabove, when the secured assets mentioned above will be sold on “**as is where is**” basis & “**as is what it is**” condition.
6. All the intending purchasers/bidders are required to register their name in the portal mentioned above as <https://phoenixarc.auctiontiger.net> and get user ID and password free of cost to participate in the e-auction on the date and time aforesaid.
7. For participating in the e-auction, intending purchasers/bidders will have to submit the details of payment of refundable Earnest Money Deposit of 10% of the reserve price of the secured asset along with copies of the PANCARD, Board Resolutions in case of company and Address Proof on or before **20.03.2019 (Wednesday) before 3:30 PM. Intending purchasers/bidders are required to submit EMD for the above mentioned Secured Asset.**
8. The successful purchaser/bidder shall deposit the 25% (inclusive of EMD) of his/her/its offer by way of RTGS to the account mentioned herein above on or before 18:30 hours on **22.03.2019 (Friday)**, which deposit will have to be confirmed by Phoenix, failing which the sale will be deemed to have been failed and the EMD of the said successful bidder shall be forfeited.
9. The EMD of all other bidders who did not succeed in the e-auction will be refunded by Phoenix within 48 working hours of the closure of the e-auction. The EMD will not carry any interest.
10. The balance amount of purchase consideration shall be payable by the successful purchaser/bidder **on or before the fifteenth day** from the date of confirmation of sale of the said secured asset by the Authorised Officer/Secured Creditor or such extended period as may be agreed upon in writing by the Authorised Officer at his/her discretion. In case of default, all amounts deposited till then shall be liable to be forfeited.

11. For inspection of property or more information, the prospective bidders may contact Mahesh Malunjar / Ajit Kewin, at abovementioned address or at mahesh.m@phoenixarc.co.in / ajit.kewin@phoenixarc.co.in (email) or on 09920381684/7506994818 / 09619866780 (Mobile).
12. It shall be the sole responsibility of the intending bidders to inspect, verify and satisfy themselves about the secured asset encumbrances, title of property put on auction and claims/rights/dues affecting the secured assets, including the statutory dues and specifications before submitting the bid.
13. The particulars specified in the auction notice published in the newspapers have been stated to the best of the information of the undersigned; however, undersigned shall not be responsible / liable for any error, misstatement or omission.
14. At any stage of the auction, the Authorised Officer may accept/reject/modify/cancel the bid/offer or post-pone the auction without assigning any reason thereof and without any prior notice. At any stage of the auction, the Authorised Officer may accept/reject/modify/cancel the bid/offer or post-pone the auction without assigning any reason thereof and without any prior notice.
15. In the event, the auction scheduled hereinabove fails for any reason whatsoever, Phoenix has the right to sell the secured asset by any methods under the provisions of Rule 8(5) of the Security Interest (Enforcement) Rules, 2002 and SARFAESI Act, 2002.
16. The successful purchaser/bidder shall bear all statutory dues, taxes, fees payable, stamp duty, registration fees, etc. that is required to be paid in order to get the property conveyed/delivered in his/her/its favour as per the applicable law.
17. The payment of all statutory/non-statutory dues, taxes, rates, assessments, charges, fees etc. owing to anybody shall be the sole responsibility of the successful bidder only.
18. The successful purchaser/bidder shall be solely responsible for any cost / expenses / fees / charges etc. payable to the authorities towards the transfer of the rights in its / his / her favour.
19. The borrower/guarantors/owners/mortgagors, who are liable for the said outstanding dues, shall treat this Sale Notice as a notice under Rule 8(6) of the Security Interest (Enforcement) Rules, about the holding of abovementioned auction sale.

Place: **Kollam**
Date: **01.03.2019**

Sd/-
Authorised Officer
Phoenix ARC Private Limited
Phoenix Trust FY12-1 Scheme A



Phoenix ARC Private Limited

Regd. Office: Dani Corporate Park, 5th Floor, 158, C.S.T Road, Kalina, Santacruz (E), Mumbai-400098
Telephone: 022- 6741 2314, **Fax:** 022- 6741 2313
CIN: U67190MH2007PTC168303
Email: info@phoenixarc.co.in
Website: www.phoenixarc.co.in (<http://phoenixarc.co.in/saleauction.php?id=Mzcx>)

TENDER DOCUMENT FOR E-AUCTION

Whereas Phoenix ARC Private Limited, Trustee of Phoenix Trust FY12-1 Scheme A (“Phoenix”) acting through its Authorised Officer, in exercise of its powers under The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI ACT, 2002) has decided to sell through **e-Auction** the secured assets mentioned in the Sale Notice **ANNEXURE - I** for realization of the secured debts due to Phoenix amounting to total of **Rs. 54,14,44,885/- (Rupees Fifty-Four Crores Fourteen Lacs Forty-Four Thousand Eight Hundred and Eighty-Five Only)** as on **14.08.2012** along with future interest, cost, charges and expenses from 14th August 2012 onwards till the date of realization in terms of the Demand Notices dated 29.11.2012 issued under Section 13(2) of the SARFAESI Act, 2002 from the Borrowers i.e. **M/s. M.M. Nagalingam Nadar Company** and **M/s. M.M. Nagalingam Nadar Sons**, Mortgagors and the Guarantors jointly and/or severally. As stated in the Sale Notice, the sale shall be subject to the terms and conditions prescribed herein and the SARFAESI Act & the rules thereunder:

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| Auctioneer Name | Phoenix ARC Private Limited Trustee of Phoenix Trust FY12-1 Scheme A Dani Corporate Park, 5 th Floor, 158, C.S.T Road, Kalina, Santacruz (E), Mumbai - 400 098 |
| Auction held with the aid by | M/s. E-Procurement Technologies Ltd (Auction Tiger)- (“Service Provider”) B 705, Wall Street-II, Opp. Orient Club, Near Gujarat College, Ellis Bridge, Ahmedabad – 380 006 Help Line No: 6351896832 / 18001035342 / +91-079-61200546 / 079-40005434/04/40 Help Line e-mail ID: support@auctiontiger.net |
| Auction Schedule | Date of Auction: - As per Sale Notice (Mentioned in Annexure – I) Timings - As per Sale Notice (Mentioned in Annexure – I) Auction Website: - https://phoenixarc.auctiontiger.net |
| Annexure | <ol style="list-style-type: none">1) Sale Notice – Annexure I2) Terms & conditions of e-Auction – Annexure II3) Details of Bidder (Annexure – III)4) Declaration by Bidder (Annexure – IV)5) Confirmation by Bidder Regarding Receipt of Training (Annexure – V)6) Price Confirmation Letter by H1 Bidder (Annexure – VI) |
| Special Instructions | <u>Bidding in the last minutes and seconds should be avoided in the bidder’s own interest. Neither the Service Provider nor Phoenix will be responsible for any lapses / failure on the part of the bidder, in such cases.</u> |

Annexure – II

E-Auction bid Terms and Conditions

1. Computerized e-Auction shall be conducted by Service Provider on behalf of Phoenix, on pre-specified date, while the bidders shall participate from their own offices / place of their choice. Internet connectivity and other paraphernalia requirements shall have to be ensured by bidders themselves. Please note that failure of Internet connectivity (due to any reason whatsoever it may be) shall be the sole responsibility of bidders and neither Phoenix nor the Service Provider shall be responsible for these unforeseen circumstances. *In order to ward-off such contingent situation, bidders are requested to make all the necessary arrangements / alternatives whatever required so that they are able to circumvent such situation and still be able to participate in the e-Auction successfully. However, the bidders are requested not to wait till the last moment to quote their bids to avoid any such complex situations.*
2. The Service Provider shall arrange to train the bidder(s), without any cost. The Service Provider shall acquaint bidder regarding the bidding process, functions and e-Auction rules. All the bidders required to ensure that compliance regarding receipt of training before start of bid process.
3. **Material for Bid:** Sale of secured assets (Immovable & Movables) by Phoenix under SARFAESI Act, 2002.
4. **Type of Auction:** E-Auction.
5. **Bidding Currency & Unit of Measurement:** Bidding will be conducted in Indian Rupees (INR) Only.
6. **Starting (Opening) Price / Bid Increment:** The opening price of the auction and the bid Increment value shall be as per Sale Notice and available to the bidders on their bidding screen.
7. **Bid Price:** The bidder has to quote the total price for each of the item.
8. **Terms & Conditions for Sale of Secured Assets:** The E-Auction is being held on “AS IS WHERE IS” basis and “AS IS WHAT IS” condition.
9. **For other terms and conditions, please see the Sale e-auction notice published by Phoenix.**

Procedure of e-Auctioning

- i. **e-Form Submission**
All interested bidders need to fill online form available on e-Auction domain with necessary details.
- ii. **Online e-Auction:**
 - Phoenix will declare its **Opening Price (OP)**, which shall be visible to all bidders during the start of the e-Auction. Please note that the Reserve price of an item in online e-Auction is open to all the participating bidders. Any bidder can start bidding, in the online e-Auction, from the above Reserve price. Hence, the first online bid that comes in the system during the online e-Auction shall be above the auction's Reserve price, by one increment and in multiples of increment specified in the sale notice. The second online bid and onwards will have to be higher than the H1 rate by one increment value, or higher than the H1 rate by multiples of the increment value.
 - The “**Bid Increase Amount**” has been fixed in respect of the secured assets which the bidders can view on their bidding screen and the bidders will have to increase the bid amount in the multiple of “**Bid Increase Amount**” as stipulated in the Sale Notice.
 - Online Auction shall be open for **1 hour**. If a bidder places a bid in the last 5 minutes of closing of the e-Auction and if that bid gets accepted, then the auction's duration shall automatically get extended for another 5 minutes, from the time that bid comes in. Please note that the auto-extension shall be **Unlimited** and will take place only if a valid bid comes in last 5 minutes of closing. If valid bid is not received, the auto-extension will not take place even if that bid might have come in the last 5 minutes. In case, there is no bid in the last 5 minutes of closing of e-Auction, the auction shall get closed automatically without any extension. *However, bidders are advised not to wait till the last minute or last few seconds to enter their bid during the auto-extension period to avoid complications related with internet connectivity, network problems, system crash down, power failure, etc.*
10. Successful Bidder shall be required to submit the final prices quoted during the e-Auction as per Annexure – VI after the completion of e - Auction, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of auction. During e-Auction, if no bid is received within the specified time, Phoenix at its discretion may decide to revise Opening price / scrap the e-Auction process / proceed with conventional mode of tendering.
11. The bid once submitted, cannot be cancelled / withdrawn and the bidder shall be bound to buy the secured asset(s) at the final bid price. **The failure on part of bidder to comply with any of the terms and conditions of the e-auction notice and Tender Document will result in forfeiture of the amount paid by the defaulting bidder.**
12. The bidders will be able to view the following on their screen along with the necessary fields in the E Auction:
E Auction:

- a. Leading Bid in the Auction (H1 – Highest Rate)
 - b. Bid placed by bidder
 - c. Opening Price & Minimum Increment Value.
 - d. The bid rank of bidder in the auction.
13. The decision regarding declaration of successful bidder shall be finalized by the Authorized Officer of Phoenix.
 14. At any stage of the auction, the Authorised Officer may accept/reject/modify/cancel the bid/offer or post-pone the auction without assigning any reason thereof and without any prior notice.
 15. Phoenix / Service Provider shall not have any liability towards bidders for any interruption or delay in access to the site irrespective of the cause.
 16. The bidders are required to submit acceptance of the terms & conditions and modality of e-Auction given above before participating in the E-Auction.
 17. At the end of the E-Auction, the Authorised Officer of Phoenix will evaluate all the bids submitted and thereafter declare the highest bidder in the auction sale. The decision of the Authorised Officer shall be final & binding on all the bidders.
 18. To the best knowledge and information to the Authorised officer, the known encumbrance that exists on the Secured Assets are the sales tax claims, employment provident fund claims and property taxes. However, the intending bidders should make their own independent enquiries regarding the other encumbrances, title of property/ies put on auction and claims/rights/dues affecting the secured assets, including the statutory dues, etc. prior to submitting their bid. The auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of Phoenix. The secured asset is being sold with all the existing and future encumbrances whether known or unknown to Phoenix. The Authorised Officer of Phoenix shall not be responsible in any way for any third-party claims/rights/dues.
 19. It shall be the responsibility of the bidders to inspect and satisfy themselves about the secured assets and specification before submitting the bid.
 20. The particulars specified in the auction notice published in the newspapers and annexed herein as **ANNEXURE I**, have been stated to the best of the information of the undersigned; however, the undersigned shall not be responsible / liable for any error, mis-statement or omission.
 21. The inspection of secured asset put on auction will be permitted to interested bidders at sites on the day and time mentioned in the Sale Notice.
 22. The EMD shall be payable through RTGS in the **Current Account: 06312010001002**; Kotak Mahindra Bank Limited, Kalina Branch; **Name of the A/C.: Phoenix Trust FY12-1 Scheme A, IFSC Code: KKBK0000631**.
***Please note that the Cheques / Demand Draft shall not be accepted as EMD amount on or before the last date mentioned in the Sale E-Auction notice published and released in the newspaper which is annexed herewith as ANNEXURE-I and register their name at "<https://phoenixarc.auctiontiger.net>" and get user ID and Password free of cost and get training on e-Auction from the Service Provider, by contacting on Helpline No. +91-079-61200546/079-40005434/04/40, Mobile: 6351896832 and e-mail ID: support@auctiontiger.net. After deposit of EMD as mentioned in para (vi) above, the intending purchaser/ bidder is required to get the copies of following documents uploaded in the website before last date of submission of the bid(s) (as mentioned in the public auction notice published in the newspapers and copy of which is attached as ANNEXURE-I)**
- (Kindly take note that minimum offer amount cannot be less than the reserve price mentioned in the public auction notice published in the newspapers and copy of which is attached as ANNEXURE-I.)**
1. Copy of the RTGS challan;
 2. Copy of PAN card;
 3. Board Resolution (in case of Company/partnership firm/Trust)
 4. Proof of identification (KYC) viz. attested copy of Voter ID Card/ Driving License/ Passport etc.
 5. Copy of proof of address, without which the bid is liable to be rejected.
23. The E-Auction will take place through web portal "<https://phoenixarc.auctiontiger.net>" on the time specified in the Sale E- Auction notice published in the newspaper and as per **ANNEXURE- I** attached herewith.
 24. The bid/s shall be accompanied by an Earnest Money Deposit (EMD) equal to 10% of the Reserve Price, by RTGS. **The secured asset shall not be sold below the reserve price.**
 25. Conditional bids if any may be treated as invalid. **Please note that after submission of the bid/s, no correspondence regarding any change in the bid shall be entertained.**
 26. If the dues of Phoenix together with all costs, charges and expenses incurred by it or part thereof as may be acceptable to Phoenix are tendered by or on behalf of the borrower or guarantor/s at any time on or before the date fixed for sale, the sale of assets may be cancelled.
 27. The auction is by way of inter-se bidding amongst the bidders and the bidders shall increase the bid amount for the item in the multiple of amount mentioned against the secured assets under column "**Bid Increment Amount**" in **ANNEXURE-I**. The inter-se bidding amongst the bidders shall commence online exactly on the date & time specified in the Sale Notice annexed as **ANNEXURE-I**.
 28. The EMD of unsuccessful bidders will be refunded to their respective A/c No. shared in e-Auction Portal <https://phoenixarc.auctiontiger.net> online within 48 working hours of the completion of the

- auction. The bidders will not be entitled to claim any interest, costs, expenses and any other charges (if any).
29. The Authorised Officer of Phoenix is not bound to accept the highest offer and the Authorised Officer of Phoenix has absolute right to accept or reject any or all offer(s) or adjourn/postpone/cancel the auction, at any stage of auction, without assigning any reason thereof.
 30. The successful bidder shall deposit 25% (inclusive of EMD) of its/his offer by way of RTGS to the account mentioned in the Sale Notice annexed as ANNEXURE – I, on or before 15.30 hours on the date mentioned in the Sale Notice, which deposit will be confirmed by Phoenix, failing which the sale would be deemed to have failed, and the EMD of the said successful bidder shall be forfeited. The balance amount of the purchase consideration is payable on or before 15th day from the date of confirmation of the sale of the secured asset or such extended period as may be agreed upon in writing by the Authorised Officer at his/her discretion. In case of failure to deposit the balance amount within prescribed period, the amount deposited by the defaulting bidder shall be forfeited and the defaulting bidder shall neither have claim on the secured asset nor on any part of the sum for which may it be subsequently sold.
 31. The successful purchaser/bidder shall bear the statutory dues, taxes, fees payable, stamp duty, registration fees, etc. that is required to be paid in order to get the property conveyed/delivered in his/her/its favour as per the applicable law.
 32. The payment of all statutory/non-statutory dues, taxes, rates, assessments, charges, fees etc. owing to anybody shall be the sole responsibility of successful bidder only.
 33. In case of any dispute arises as to the validity of the bid(s), amount of bid, EMD or as to the eligibility of the bidder, authority of the person representing the bidder, the interpretation and decision of the Authorised Officer shall be final. In such an eventuality, Authorised Officer of Phoenix shall in its sole discretion be entitled to call off the sale and put the secured assets to sale once again on any date and at such time.
 34. The sale certificate shall be issued on the receipt of entire sale consideration. Sale Certificate shall be issued by Authorised Officer of Phoenix in the name of the successful bidder only. The Authorised Officer may however consider the issuance of sale certificate in favour of the nominee of the successful bidder only upon being satisfied of the authenticity and the rationale for the same. Addition/deletion of name of any persons / institution shall not be possible. Compliance of all formalities and payment of the required fees as desired by the Government for transfer/delivery of the secured asset/s sold will be completely borne by the successful Bidder.

Other Terms & Conditions for Sale of Secured Asset

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.
2. The bidder shall not divulge either his bid or any other exclusive details of Phoenix or to any other party.
3. The Service Provider / Phoenix shall not have any liability to the bidders for any interruption or delay in access to the site irrespective of the cause.
4. The Service Provider / Phoenix are not responsible for any damages, including damages that result from, but are not limited to negligence. The Service Provider 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.

Sd/-
Authorised Officer
Phoenix ARC Private Limited
Trustee of Phoenix Trust FY12-1 Scheme A

N.B.: Bidder(s) will have to go through the ANNEXURES uploaded on the Web Portal (<https://phoenixarc.auctiontiger.net>) and follow the following procedures:

- **Annexure –III:** All the Prospective Bidder(s) will have to –
 - get the printout
 - fill it up and sign
 - upload the scanned copy while submitting the bid
- **Annexure –IV:** All the Prospective Bidder(s) will have to -
 - get the printout
 - fill it up and sign
 - upload the scanned copy while submitting the bid
- **Annexure – V:** Just after receiving Training on e-Auction, Bidder(s) will have to –
 - get the printout
 - fill it up and sign
 - e-mail the scanned copy to the Authorised Officer (e-mail ID mentioned in Sale Notice) with a copy to support@auctiontiger.net
- **Annexure – VI:** Just after the completion of e-Bidding Process, the H1 Bidder will have to –
 - get the printout
 - fill it up and sign
 - e-mail the scanned copy to the Authorised Officer (e-mail ID mentioned in the Sale Notice) with a copy to support@auctiontiger.net

ANNEXURE-III
DETAILS OF BIDDER

(Read carefully the terms and conditions of sale before filling-up and submitting the bid)

1. Name(s) of Bidder (in Capital) :
(In case the bidder is an entity, constitution of such entity and representative capacity supported with authorization to be submitted)
2. Father's/Husband's Name :
3. Postal Address of Bidder(s) :
4. Phone/Cell Number and :
E-mail ID :
5. Bank Account details to which EMD amount to be returned
 - i) Bank Name :
 - ii) Bank A/c. No. :
 - iii) IFSC Code No. :
 - iv) Branch Name :
6. Date of submission of bid :
7. PAN Number :
8. Property Item No. :
9. Whether EMD remitted : Yes/No.
10. EMD remittance details* : Date of remittance _____
: Name of Bank _____
: Branch _____
: A/c. No. _____
: IFSC Code No. _____
12. Bid Amount quoted : _____ (Rupees _____

_____)

I/We declare that I/We have read and understood all the above terms and conditions of auction sale and the auction notice published in the daily newspaper and the tender document which are also available in the website <https://phoenixarc.auctiontiger.net> and shall abide by them. I/We also undertake to improve my/our bid by one bid incremental value notified in the sale notice if I/We am/are the sole successful-bidder.

.....
(Name & Signature of the Bidder)

***Mandatory: Bidders are advised to preserve the EMD Remittance Challan.**

Note: This document is required to be duly filled in and signed by the bidder and thereafter uploaded on the website <https://phoenixarc.auctiontiger.net> during the time of submission of the bid.

ANNEXURE-IV
DECLARATION BY BIDDER (S)

To:
The Authorised Officer,
Phoenix ARC Private Limited
Trustee of Phoenix Trust FY 12-1 Scheme A ("Phoenix"),
Mumbai – 400 098.

Date:

Dear Sir,

1. I/We, the bidder/s do hereby state that, I/We have read the entire terms and conditions of the sale and have understood them fully. I/We, hereby unconditionally agree to abide with and to be bound by the said terms and conditions and agree to take part in the Online Electronic Auction being fully aware that the Sale is on **"AS IS WHERE IS" basis & "AS IS WHAT IS" condition.**
2. I/We declare that the EMD and other deposit towards purchase-price were made by me/us as against my/our offer and that the particulars of remittance given by me/us in the bid form are true and correct.
3. I/We further declare that the information revealed by me/us in the bid document is true and correct to the best of my/our belief. I/We understand and agree that if any of the statement/information revealed by me/us is found to be incorrect and/or untrue, the offer/bid submitted by me/us is liable to be cancelled and in such case, the EMD paid by me/us is liable to be forfeited by the Authorised Officer and that the Authorised Officer will be at liberty to annul the offer made to me/us at any point of time.
4. I/We understand that in the event of me/us being declared as successful bidder by the Authorised Officer in his sole discretion, I/We are unconditionally bound to comply with the Terms and Conditions of Sale. I/We also agree that if my/our bid for purchase of the asset/s is accepted by the Authorised Officer and thereafter if I/We fail to comply or act upon the terms and conditions of the sale or am/are not able to complete the transaction within the time limit specified for any reason whatsoever and/or fail to fulfill any/all of the terms and conditions, the EMD and any other monies paid by me/us along with the bid and thereafter, is/are liable to be forfeited by the Authorised Officer.
5. I/We also agree that in the eventuality of forfeiture of the amount by Authorised Officer, the defaulting bidder shall neither have claim on the property nor on any part of the sum for which it may be subsequently sold.
6. The EMD of all other bidders who did not succeed in the e- auction will be refunded by Phoenix within 48 working hours of the closure of the e-auction. The EMD will not carry any interest. I/we state that I/We have fully understood the terms and conditions of auction and agree to be bound by the same.
7. I also undertake to abide by the additional conditions if announced during the auction including the announcement of correcting and/or additions or deletions of times being offered for sale.

Signature:.....

Name:.....

Address:.....

E-mail ID:.....

Note: This document is required to be duly filled in and signed by the bidder and thereafter uploaded in the website <https://phoenixarc.auctiontiger.net> during the time of submission of the bid.

Annexure – V
Confirmation by Bidder Regarding Receipt of Training

To,
The Authorised Officer,
Phoenix ARC Private Limited,
As the Trustee of Phoenix Trust FY 12-1 Scheme A (“Phoenix”)
Mumbai – 400 098.

Sub: **Confirmation regarding receipt of e- Auction Training.**

Dear Sir,

This has reference to the Terms & Conditions for the e-Auction mentioned in the Tender document and available on the website <https://phoenixarc.auctiontiger.net>

I/We confirm that:

- a. I/We have read and understood the Terms and Condition governing the e-Auction as mentioned in Tender Document available on the website <https://phoenixarc.auctiontiger.net> and also e-Auction notice published by Phoenix ARC Private Limited in daily newspapers and unconditionally agree to them.
- b. I/We also confirm that we have taken training on the on-line bidding/auction and confirm that we are fully conversant with the functionality and process.
- c. I/We confirm that bank and **M/S. E-Procurement Technologies Limited (Auction Tiger)** shall not be liable & responsible in any manner whatsoever for my/our failure to access & bid on the e-Auction platform due to loss of internet connectivity, electricity failure, virus attack, problems with the PC, any other unforeseen circumstances etc. before or during the auction event.
- d. We, hereby confirm that we will honour the Bids placed by us during the e-Auction process.

With regards,

Signature of the Bidder:

Name of Bidder:

Date:

Address of Bidder:

Copy to: M/S. E-Procurement Technologies Limited (Auction Tiger), B 705, Wall Street-II, Opp. Orient Club,
Near Gujarat College, Ellis Bridge, Ahmedabad – 380 006, Help Line No: 6351896643 / 9374519724/
18001035342/ 91-07940005434/04/40,07940270587/96/98

Note: This document is required to be duly filled in and signed by the bidder and thereafter sent the scanned copy of that to the Authorised Officer, Phoenix ARC Private Limited , acting in capacity of Trustee for Phoenix Trust FY 12-1 Scheme A mentioned in the Sale Notice just after availing training on e-Auction with a copy to tilak@auctiontiger.net & support@auctiontiger.net

Annexure – VI
Price Confirmation Letter by Bidder(s)

To,
The Authorised Officer,
Phoenix ARC Private Limited,
As the Trustee of Phoenix Trust FY 12-1 Scheme A,
Mumbai – 400 098.

Sub.: Auction Sale vide Sale Notice dated 1st March 2019 - Final bid quoted during e- Auction - **Sale of Property** by Phoenix ARC Private Limited (Trustee of Phoenix Trust FY 12-1 Scheme A)

Dear Sir,

We confirm that we have quoted the highest bid of Rs. _____/- (In Words _____) for the purchase of the Secured Asset/ property mentioned in the Sale Notice in the subject Auction during e-Auction of the said property conducted by The Authorised Officer of M/s. Phoenix ARC Private Limited, through the website of M/s. E-Procurement Technologies Limited (Auction Tiger), on _____.

Yours sincerely,

Signature:

Name of Bidder:

Date:

Copy to: M/S. E-Procurement Technologies Limited (Auction Tiger), B 705, Wall Street-II, Opp. Orient Club, Near Gujarat College, Ellis Bridge, Ahmedabad – 380 006, Help Line No: 6351896643 / 9374519724 /18001035342/ 91-07940005434/04/40,07940270587/96/98

Note: This document is required to be duly filled in and signed by the H1 bidder and thereafter e-mail scanned letter to the Authorised Officer, Phoenix ARC Private Limited mentioned in the Sale Notice & copy to tilak@auctiontiger.net & support@auctiontiger.net, immediately on completion of the bidding.