



Phoenix ARC Private Limited

Regd Office : Dani Corporate Park, 5th Floor, 158, C.S.T Road, Kalina, Santacruz (E), Mumbai -400 098, Tel : 022- 6741 2314, Fax : 022- 6741 2313
CIN: U67190MH2007PTC168303; Email: info@phoenixarc.co.in
Website: www.phoenixarc.co.in

ONLINE E- AUCTION SALE OF ASSETS

TENDER DOCUMENT FOR E AUCTION

Whereas Phoenix ARC Private Limited, Trustee of Phoenix Trust FY 15-24 (“**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 Rs.81,25,24,122/- (Rupees Eighty-One Crores Twenty-Five Lakhs Twenty-Four Thousand One Hundred Twenty-Two Only) as on 28.12.2015 with further interest @ 15.50% p.a. thereon from 29.12.2015 along with other charges, expense till the date of realization in terms of the Demand Notice dated 28.12.2015 issued under section 13(2) of the SARFAESI Act, 2002 from the borrower i.e. Rojee Tasha Stampings Private Limited 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:

Auctioneer Name	Phoenix ARC Private Limited Trustee of Phoenix Trust FY 15-24 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: 6351896643 / 9374519724 18001035342/ 91- 07940005434/04/40,07940270587/96/98 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) Details of Mortgaged Immovable Property – Annexure II3) Terms & conditions of e-Auction – Annexure III4) Soft Copy of Auction Notice published in newspapers (Annexure – IV)5) Details of Bidder (Annexure – V)6) Declaration by Bidder (Annexure – VI)7) Confirmation by Bidder Regarding Receipt of Training (Annexure – VII)8) Price Confirmation Letter by H1 Bidder (Annexure – VIII)
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>

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.



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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 – VII 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:
 - 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-poner 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



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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 assets are 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 below as **ANNEXURE IV**, 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: 2111565287**; Kotak Mahindra Bank Limited, Kalina Branch; **Name of the A/C.: Phoenix Trust FY 15-24, 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-IV 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. 91-07940005434/04/40,07940270587/96/98, Mobile:6351896643 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 below as ANNEXURE-IV)**
(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 below as ANNEXURE-I below.)
 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- IV** 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 assets 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 72 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.



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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 FY 15-24

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 –V:** 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 –VI:** 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 – VII:** 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 – VIII:** 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