



सत्यमेव जयते

**DIRECTORATE OF AGRICULTURE & FARMERS  
WELFARE, JAMMU**

(Government of J&K UT)

**Tender Document For e-Auction of Unserviceable  
Agriculture Machinery/ Agricultural Implements/  
Scrap and Unusable Gunny Bags on “ As is Where is  
Basis ”**

**February, 2022**

(Complete e-auction document is available on e-auction website  
<https://eauction.gov.in>. Corrigendum, if any, shall only be available on above  
websites)

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# Section I

## NOTICE INVITING AUCTION TIME SCHEDULE AND KEY DETAILS

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**UNION TERRITORY OF JAMMU AND KASHMIR, DIRECTORATE OF  
AGRICULTURE & FARMERS WELFARE, TALAB TILLO, JAMMU**

**DETAILED NOTICE INVITING e-AUCTION(DNIA)**

**Sub: e-Auction of Unserviceable Agriculture Machinery/ Agricultural Implements/ Scrap and Unusable Gunny Bags.**

**e-Auction of Unserviceable Agriculture Machinery/ Agricultural Implements/ Scrap and Unusable Gunny Bags** will be held on **28/02/2022 (10:30 AM to 5:50 PM)** through the portal <https://eauction.gov.in>. The interested bidders/firms are required to go through Detailed Notice Inviting Auction (DNIA)

The interested bidders/firms can download the **DNIA** Schedule and then participate in the online e-Auction through <https://eauction.gov.in> portal by paying Auction fee Rs. 1000/- (One Thousand only) as Demand Draft drawn in favour of Accounts Officer, Directorate of Agriculture & Farmers Welfare, Jammu. The stocks can be physically inspected by interested bidders/firms on any working day from **10:30 A.M to 3:30 P.M** at various locations as per the commodity details mentioned hereunder. **The gross volume of auctionable scrap is about 768 Quintals approximately and 40,000 Gunny bags.**

The details of e-Auction & the Terms and Conditions can be downloaded from <https://eauction.gov.in> and is also available at the official website: [www.diragriammu.nic.in](http://www.diragriammu.nic.in).

**Commodity Details for Auction**

The details of stocks for e-Auction of **Unserviceable Agriculture Machinery/ Agricultural Implements/ Scrap and Unusable Gunny Bags** proposed by Joint Director Agriculture (Inputs), Jammu vide no. FS-16-1/2021-22/2645-46, dated 25-01-2022, along with Survey report and recommended Basic Selling Price submitted by the Survey and Price Evaluation Committee vide no: CAOJ/Auction/2021-22/6756-62, dated 11-01-2022, is given as under:

S. No	Particulars	Quantity (No/Qtls.)	Location
1.	Combine Harvester	1/60 Qtls	Chinore
2.	Tractor	1/17 Qtls	Chinore
3.	Cultivator/Tiller	4/4.80 Qtls	Chinore
4.	Bund Maker	1/1.00 Qtls	Chinore
5.	Disc Plough	3/4.50 Qtls	Chinore
6.	Offset Disc Harrow	4/6.00 Qtls	Chinore
7.	Zero Tiller cum Seed Drill	2/1.20 Qtls	Chinore
8.	Multi crop planter	1/1.50 Qtls	Chinore
9.	Potato Planter	1/0.80 Qtls	Chinore
10.	Potato Digger	1/0.50 Qtls	Chinore
11.	Triphali	1/0.50 Qtls	Chinore
12.	Diesel Engine Honda Pump	1/1.50 Qtls	Chinore
13.	Generator Set 20 KVA	1/1.50 Qtls	Chinore
14.	Nozzle Testing Machine	1/0.80 Qtls	Chinore
15.	Diesel Engine Water Pump	15/10.00 Qtls	Chinore
16.	Tractor Trolley	1/5.00 Qtls	Chinore
17.	Car Washer Pump	1/0.36 Qtls	Chinore
18.	Welding Set	1/0.50 Qtls	Chinore
19.	Scrap	100.00 Qtls	Chinore
A	Total	217.46 Qtl	Chinore

1.	Combine Harvester	1/60.00 Qtl	Chakrohi
2.	Drill Machine	1/1.50 Qtl	Chakrohi
3.	Tractor	7/109.00 Qtl	Chakrohi
4.	Cultivator/Tiller	8/9.60 Qtl	Chakrohi
5.	Disc Plough	6/6.00 Qtl	Chakrohi
6.	Offset Disc Harrow	3/4.50 Qtl	Chakrohi
7.	Seed Drill	2/1.00 Qtl	Chakrohi
8.	Tractor Trolley	1/5.00 Qtl	Chakrohi
9.	Diesel Engine Honda Pump	1/1.50 Qtl	Chakrohi
10.	Generator Set Diesel	1/1.50 Qtl	Chakrohi
B	Total	199.60 Qtl	Chakrohi
1.	CAO Jammu Scrap	50.00 Qtl	Bikram Chowk
C	Total	50.00 Qtl	
1.	Seed Processing Plant	300.00 Qtl	SPP Talab Tillo
D	Total	300.00 Qtl	
1.	Agronomist	0.50 Qtl	Talab Tillo
E	Total	0.50 Qtl	
1.	Gunny Bags (50 kg capacity each)	40000 bags.	SPP Talab Tillo
F	Total	40000 bags.	
	Grand Total A+B+C+D+E	767.56 Qtl and 40000 bags.	

**LOT WISE DETAIL, AUCTION START PRICE, INCREMNTAL VALUE & EMD**

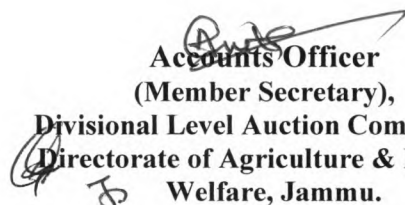
Lot No.	Particulars	Quantity (Qtls.)	Proposed rate (Rs/qtls or Rs/bag)	Auction Base Price (ABP)(Rs.)	Incremental Value (Rs.) @ 1% approx	EMD (Rs.) @ 10% approx
lot No. 1	Combine Harvester / Tractor (Chinore)	77.00	2500.00	192500.00	1925.00	19250.00
Lot No. 2	Agriculture Implements/ Scrap (Chinore)	140.46	2500.00	351150.00	3512.00	35115.00
Lot No. 3	Scrap (SPP, Talab Tillo Jammu)	300.00	2500.00	750000.00	7500.00	75000.00
lot No. 4	Combine Harvester / Tractor /Drill Machine (Chakroi)	170.50	2500.00	426250.00	4263.00	42625.00
lot No. 5	Agriculture Implements (Chakroi)	29.10	2500.00	72750.00	728.00	7275.00
lot No. 6	Scrap (CAO Bikram Chowk Jammu)	50.00	2500.00	125000.00	1250.00	12500.00
lot No. 7	Scrap (Agronomist Veg Scheme, TalabTillo Jammu)	0.50	2500.00	1250.00	13.00	125.00
lot No. 8	Gunny Bags 50 kg capacity each (SPP, Talab Tillo Jammu)	40000	7.67	306800.00	3068.00	30680.00
	<b>Total</b>	<b>767.56 Qtls 40000 Bags</b>		<b>2225700.00</b>		<b>222570.00</b>

### Time Schedule & Key Dates of the e-Auction

S. No	Critical Dates	Date and Time
1	e-Auction Publish Date	08-02-2022 (01:00 PM)
2	Documents Submission/Payment Start Date	09-02-2022 (10:00 AM)
3	<b>Physical Documents Submission/Payment End Date</b>	<b>25-02-2022 (11.30 AM)</b>
4	<b>Online Documents Submission/Payment End Date</b>	<b>25-02-2022 (11.30 AM)</b>
5	Document/Payment Approval Start Date	25-02-2022 (1:00 PM)
6	Document/Payment Approval End Date	27-02-2022 (06:00 PM)
7	Auction Start Date	28-02-2022 (10:30 AM)
8	Auction End Date	28-02-2022 (05:50 PM)
	<b>Other Key Particulars</b>	<b>Details</b>
9	Type of e-Auction	Forward type
10	Lot Type	Multi-lot
11	Auction Place	<a href="https://eauction.gov.in/">https://eauction.gov.in/</a>
12	Auction Fee (Non – Refundable)	Rs. 1000/- in the form of DD
13	Earnest Money Deposit (EMD) (Refundable)	Yes
14	Payment Instrument	CDR/FDR/Bank Guarantee
15	EMD Exemption allowed	No

Detailed Notice Inviting e-Auction (DNIA) is hereby approved.

No: DAJ/Accts/NIA/2021-22/1488-96 Dated 7/02/2022

  
**Accounts Officer**  
**(Member Secretary),**  
**Divisional Level Auction Committee)**  
**Directorate of Agriculture & Farmers**  
**Welfare, Jammu.**

#### Copy to the following for favour of information:-

1. Director Agriculture & Farmers Welfare, Jammu.
2. Joint Director Agriculture (Inputs), Jammu.
3. Chief Agriculture Officer, Jammu.
4. Agronomist Vegetable Improvement Scheme, Talab Tillo, Jammu.
5. Agriculture Research Engineer, Talab-Tillo Jammu.
6. Farm Manager, Seed Multiplication Farm, Chinore.
7. Farm Manager, Seed Multiplication Farm, Chakrohi.
8. Divisional Seed Certification Officer, Talab-Tillo Jammu.
9. Assistant Agriculture Engineer, Seed Processing Plant, Talab-Tillo Jammu.



## Section II

### TERMS AND CONDITION

#### General Terms and Conditions:

1. Forward e-Auction document consisting of qualification information and eligibility criteria of bidders, specifications and the set of terms and conditions of the contract to be complied by the bidder, is publicly visible in the website "<https://eauction.gov.in/>" and the intending bidder can download the documents from the website.
2. Only those parties would be eligible for participation in e-auction who are registered for sale and purchase of Scrap/Machinery and seed/grain dealers. A proof in this regard shall have to be produced by them to the satisfaction of the Auction Committee.
3. Each firm who intends to participate in the bidding process shall produce & upload a copy of registration of the firm, GST number/NAGA form/TIN number.
4. **Earnest Money Deposit (EMD) & Auction Fee:**
  - a. **Auction Fee: Auction Fee of Rs. 1000/- (One Thousand Only) in the form of Demand Draft payable to Accounts Officer, Directorate of Agriculture & Farmers Welfare, Jammu is mandatory.**
  - b. **EMD: Total EMD of Rs. 222570.00/- (Two Lac Twenty-two Thousand Five Hundred and Seventy only) for lot no - 01 to lot no 08 is required. Individual lot wise EMD amount is reflected in Section-I of detailed NIA.**
  - c. **Mode of Payment of EMD:** CDR/FDR/Bank Guarantee.: Earnest money has to be deposited only by CDR/FDR/Bank Guarantee before Document Submission End Date in favour of "Member Secretary (Accounts Officer), Divisional Level Auction Committee, Directorate of Agriculture & Farmers Welfare, Jammu". Bidder shall have to upload the scanned copies of the EMD along with other required auction documents at <https://eauction.gov.in/> before Document Submission End Date.
  - d. Bidders exempted under specific Government order/ rules from submitting EMD have to furnish scanned copy of the related Governments order/rules in English language, along with the required auction documents in support of their claim exemption.
  - e. **Earnest money shall be released to all unsuccessful Bidders within 30 days after final decision about acceptance of the Highest Price Bid. However, second highest bidders CDR will be released after complete lifting by first bidder.**
  - f. The EMD received in the form of CDR/FDR of the successful bidder will be released only after complete lifting of the auctioned Agriculture **Machinery/Scrap/Gunny Bags** and the G.S.T payment receipt made by the successful bidder on Reverse Charge basis admissible under rules for which the bid is secured.
  - g. Prayer for converting any previous earnest money/security money, if any, to earnest money/security money for the auction under reference shall not be entertained under any circumstances and auction process will be treated as invalid.
  - h. Auction Inviting Authority may forfeit the EMD amount and Cancel the Auction, if the H1 bidder does not appear on the stipulated date & time, after being awarded the auction or in case of violation or breach of any of the terms of contract.
5. **Payment:**
  - a. The successful bidder shall have to deposit 50% of the total value of the stocks secured by him/her in the **Official account of Joint Director Agriculture (Inputs), Jammu in J&K Bank Talab Tillo, Jammu, through RTGS in the Current Account 0321010100001103 having IFSC Code JAKA0TTALOO** within 3 days of the finalization of the bid for issuing of Release Orders. The balance 40% amount has to be deposited within one week prior to issuing of further release orders and the remaining 10% amount is to be deposited before final lifting of material and further in each above deposit an additional tax admissible under Income Tax section 206C 58(1) shall be

imparted to the successful bidder at source on each payment received against the Auctionable materials towards the above official account respectively. No cash shall be accepted in any case. All release orders during the process of disposal shall be issued by the Chairman, Divisional Level Auction Committee. **Final payment maybe deposited after consultation with the Office so that no excess amount is deposited.**

- b. If Highest (H1) bidder / bidders comply with all the norms & regulations and complete the lifting of whole assigned Lots (lots mentioned in the sale order released to a H1 bidder/ bidders) from the specified location within the scheduled time, EMD will be released.

**6. Documents to be upload**

- a. The required documents (as mentioned in Section-III Clause 6 “**List of documents to be scanned and uploaded**”) shall be submitted online on <https://eauction.gov.in> before Document Submission Last Date and **physical submission of any document after the last submission date and time or physical submission of bid will not be entertained & will be summarily rejected.**
- b. The interested bidder must submit valid documents to participate along with the tender documents without which no tender will be accepted.

**7. Bid Language:**

- a. All documents to be uploaded by the Bidder shall be in English language only. In case the Bidder intends to upload a document which is not in English but in any of the other scheduled language in the country, the Bidder shall also submit a Notarized version of the English Translation.

**8. Signing of e-auction:**

- a. Any document submitted online at <https://eauction.gov.in> shall be digitally signed.
- b. Every time a new rate is quoted during bidding process it shall be digitally signed.
- c. Persons signing the auction should state in what capacity he or she is signing the auction (i.e.,) sole Proprietor, or Secretary etc., of the firm. In case of partnership firm, the auction must be signed by all partners. The person signing the auction form or other documents forming part of auction on behalf of another shall produce a proper Power of Attorney duly executed in his favour stating that he had authority to bind such other person in all matters pertaining to the contract. If the person signing subsequently fails to produce the said Power of Attorney within a reasonable time, Chairman Auction Committee, Directorate of Agriculture, Jammu may without prejudice to other civil and criminal remedies cancel the contract and hold the signatory liable for all costs and damages. The Power of Attorney should be signed by all partners in case of partnership concern and in case of firms it should be under the common seal of the company.

**9. Inspection of the Lots/ commodity:**

- a. The intending bidders before participation in auctions may conduct a physical inspection of the quality of the goods offered for sale in location as mentioned in Notice Inviting Auction (Section I) under “Commodity Details”. Stocks can be physically inspected by interested bidders/firms on any working day from **10:30 A.M to 3:30 P.M** at Seed Processing Plant, Agronomist Vegetable Improvement Scheme at Talab Tillo, Jammu, Seed Multiplication Farm Chinore, Seed Multiplication Farm Chakrohi (district Jammu) and Chief Agriculture Office, BikramChowk, Jammu respectively as mentioned in Section-I. Any kind of further request of the physical inspection after due date will not be considered at any circumstances. During the inspection, selection of any material will not be allowed from the lot. Delivery of the Stock will be made to the purchasers from Stores/premises as mentioned above within the time limit that may be given in the Release/Delivery order on accepted auctioned rates. The lots will be sold and delivered on '**As is, where is**' basis.
- b. Thereafter no complaint regarding quantity, quality, type and all the other aspects of stocks etc. against any lot will be entertained. The earnest money will be liable to be forfeited for violation of the terms and condition laid down in the auction notice in any manner. The tenderer must himself/herself be satisfied about quantity, quality, type,



variety and measurement after verification in the pickup/ Lifting location address as mentioned in Section-I before filling the tender.

**10. Selection of H1 Bidder:**

- a. In Multilot e-auction, each lot will be opened for bidding separately at their scheduled Date & Time (as mentioned in Section-I Notice Inviting Auction "Time Schedule and Key Details"). Bidder has to bid for each Lot separately and shall freeze their rate each time by digital signing.
- b. Minimum Increment Price @1% (approx) of the Basic Selling Price/Auction Base Price (ABP) and its multiple are only authorized.
- c. All the participating bidders' identities would be masked by the system in the form of randomly generated numbered ID. After the completion of the bidding process of all the Lots, the successful masked bidder (H1) along with the rank of other masked bidders corresponding to each Lot will be visible to all the bidders on the screen of the e-auction portal.
- d. **The successful Bidder/Bidders selected through e-Auction process will be unmasked and declared by Divisional Level Auction Committee, Directorate of Agriculture, Jammu within 7 (seven) working days from the closure of bidding through issuing Award of Auction (AOA) contract online from e-Auction portal <https://eauction.gov.in>. However, efforts will be made to declare the successful bidder as early as possible, after the Forward e-Auction is over.**

**11. No Bid on a Lot:**

- a. Live e-Auction will not start on scheduled date and time unless there are minimum three bidders. If the bidding of a Lot/ Lots ends with a zero bid, then Divisional Level Auction Committee, Directorate of Agriculture & Farmers Welfare, Jammu reserves the right to take any necessary decision (such as Cancel the Auction/ Re-auction/ Proceed without zero bid Lot etc.) without serving any prior notice and the decision taken by the Chairman will be final.
- b. In case of single bid on a lot(s), Divisional Level Auction Committee of Directorate of Agriculture, Jammu reserves the right to take any necessary decision.

**12. Actual Quantity at time of lifting:**

- a. **The auction of the lots is on 'As is where is' basis. However, the quantities mentioned in the DNIA, Section-I are tentative and may change at the time of lifting. In order to avoid any ambiguity, it is cleared that the H1 Awardee of Auction will pay for the actual quantity of lot lifted according to per unit rate worked out on final H1 accepted bid.**

**13. Liability of the Department after successful auction/ delivery:**

- a. After successful auction/lifting of materials from the designated premises, Directorate of Agriculture & Farmers Welfare, Talab Tillo, Jammu shall not entertain any complaint about the quality & quantity of Lots/ commodity.
- b. Auction is on "As-is Where is" basis. Therefore, no complaints regarding quantity and quality etc. against any of the Lots will be entertained.

**14. Quoting the rate**

- a. The rates shall not include any Tax, GST, Octroi, Excise duty, Terminal Tax or any other taxes and duty. Out-station bidder may acquaint themselves with local obligation of such taxes etc. from the local authorities before they participate in the auction. Payment of GST as applicable shall be made by the purchasers liable under Sub-Section (3) of section (9) of the Central Goods and Tax Act, 2017 under Notification No. 36/2017-Central Tax (Rate) dated 13<sup>th</sup> Oct 2017 on Reverse charge Basis as admissible under rules in addition. In any case, partial rate against any lot shall not be accepted.

**15. Acceptance of Rates:**

Acceptance of rates would be published in <http://eauction.gov.in> and departmental website [www.diragriammu.nic.in](http://www.diragriammu.nic.in). The successful bidder shall have to deposit 50% of the total value of the stocks secured by him/her in **Official account of Joint Director Agriculture (Inputs), Jammu in J&K Bank Talab Tillo, Jammu, through RTGS in the Current Account 0321010100001103 having IFSC Code JAKA0TTALOO, only**

**within 3 days of the finalization of the bid.** The balance 40% amount has to be deposited within one week prior to issuing of release orders and the remaining 10% amount is to be deposited before final lifting of materials and further in each above deposits an additional tax admissible under Income Tax section 206C 58(1) shall be imparted to the successful bidder at source on each payment received against the Auctionable materials towards the above official account respectively, no cash shall be accepted in any case. All release orders during the process of disposal shall be issued by the Chairman, Divisional Level Auction Committee, subject to authentication of quantities lifted as per actual, by the designated Committee. Time would remain an essential factor in this process of conveyance. Failure to abide by the limitations of time would make earnest money/security money liable to forfeiture. In such event and in such cases where it is not adequately justified, the Department reserves the right to dispose-off the produce in any other conventional way deemed proper at the cost, risk and responsibility of the defaulting bidder.

#### **16. Delivery of materials**

- a. The successful bidder/bidders will be delivered /sold materials from lots/location, as noted above within 10 days from the date of issue of delivery order on receipt of full payment of Government dues, and taxes as admissible under rules.
- b. Impose a penalty in form of liquidated damages on account of delay beyond the schedule period for lifting of material subject to maximum 1% value of the contract for each fortnight delay.
- c. No transport, lifting and storage etc. facilities will be provided to the successful bidder from Agriculture Department.
- d. Directorate of Agriculture, Jammu shall not be liable for any claim of any damage or poor quality after the lot left from the godown / premises.
- e. The quantity of auctioned items may vary most probably be on higher side than reflected on the tender papers.
- f. **The auction of the lots is on 'As is where is' basis. However, the quantities mentioned in the DNIA, Section-I are tentative and may change at the time of lifting. In order to avoid any ambiguity, it is cleared that the H1 Awardee of Auction will pay for the actual quantity of lot lifted according to per unit rate worked out on final H1 accepted bid.** In case more quantity is available the successful bidder shall have to deposit the amount involved in advance.
- g. The weight of the Auctionable material shall be authenticated by a separate committee constituted by the chairman (DLAC), which shall be governed to monitor the entire lifting process of the Auctionable quantity.

#### **17. Terms of payment**

- a. "Final Due Amount" (FDA) is the total amount (in Rs) which the H1 Bidder(s) has successfully quoted in lot(s).
- b. The successful H1 bidder/purchasers will deposit the entire Final Due Amount and admissible Taxes as per Rules under the appropriate Head of Accounts. However, once the entire amount has been deposited, any request or claim to refund the Amount in whole or part shall not be entertained under any circumstances.
- c. **FDA shall be deposited in the Official account of Joint Director Agriculture (Inputs), Jammu in J&K Bank Talab Tillo, Jammu, through RTGS in the Current Account 0321010100001103 having IFSC Code JAKA0TTALOO.**

#### **18. No Show of the Winning (H1) Bidder/ Bidders**

- a. In case the selected Highest (H1) bidder/ bidders does not / appear in front of the Chairman, Auction Committee, Directorate of Agriculture & Farmers Welfare, Jammu after awarding the auction to sign the Agreement, then the EMD shall be forfeited and other actions may be initiated including blacklisting the Bidder and re-auction of the goods at the cost of the defaulter, after obtaining legal advice.
- b. In case the selected Highest (H1) bidder/ bidders does not show interest in lifting the goods after signing the Agreement, the EMD should be forfeited and other actions may

be initiated including blacklisting the Bidder and re-auction of the goods at the cost of the defaulter, after obtaining legal advice.

#### **19. Penalty**

- a. In case the selected Highest (H1) bidder(s) does not approach/ appear in front of the Chairman, Divisional Level Auction Committee, Jammu within 5 (five) days from the date of issue of AOA (Award of Auction at <http://eauction.gov.in>) to sign the Agreement, his/her EMD shall be forfeited forthright. Other actions may be initiated including blacklisting the Bidder and re-auction of the goods of the cost of defaulter.
- b. In case the selected Highest (H1) bidder/ bidders does not lift the sold-out stock (whole stock/remaining stock) within 30 (thirty) days after issue of delivery order without a valid reason, the whole Security Deposit shall be forfeited forthright. Other actions may be initiated including blacklisting the Bidder and re- auction of the goods at the cost of the defaulter.
- c. In continuation to the above clause any claim or request from the H1 bidder(s) to lift the whole / remaining sold out stock after 30 (thirty) days from the issue of the Delivery order from the Chairman Auction Committee, Directorate of Agriculture, Jammu shall not be accepted under any circumstances. However, due to Covid-19 pandemic, the Firm will have to represent to Chairman Auction Committee for any relaxation.
- d. In continuation with the previous clause, the H1 Bidder(s) shall also forfeit to Government the value of un-lifted whole / remaining sold out stock (FDA) already paid during signing of the agreement and no request for refund the FDA shall be entertained.
- e. The Auction Committee reserves the right to re-auction the whole / remaining sold out stock which has not been lifted by the H1 Bidder after 30 (thirty) days from the issue of the Delivery order.

#### **20. Right to reject/ accept:**

- a. Divisional Level Auction Committee, Jammu, has every right to accept/ reject any/ all auction with or without assigning any reason. Chairman Auction Committee also has the right to cancel the auction at any stage/ at any point of time with or without assigning any reason.
- b. Chairman Auction Committee reserves the right to accept or reject any bid including the highest H1 rate without assigning any reason.

#### **21. Resolution of Disputes:**

- a. In case of disputes, if any, the decision on the matter of dispute by the Divisional Level Auction Committee Directorate of Agriculture Production & Farmers Welfare, Jammu (UT of JK) shall be the final and binding. It is also provided that the courts at Jammu only will have the jurisdiction to decide the dispute between the Directorate of Agriculture Production & Farmers Welfare, Jammu and other party in respect of the matter arising out of the contract/ acceptance of order. All transaction bills are subject to Jammu jurisdiction.

#### **22. Force Majeure:**

- a. The bidders shall not be responsible for failure or delay in performing their obligations under presents due to force majeure, which shall include natural calamities including epidemic, lightning, earthquake, flood, storm, or other unusual or extreme adverse weather or environmental conditions.
- b. If the circumstances leading to force majeure occur, the affected party shall give notice thereof to the other party i.e. Directorate of Agriculture, Jammu.
- c. The notice shall include full particulars of the nature of Force Majeure event, the effect it is likely to have on the Affected Party's performance of its obligations and the measures which the Affected Party is taking, or proposes to take, to alleviate the impact of the Force Majeure Event and restore the performance of its obligations.
- d. The obligations of the Affected Party shall be suspended to the extent they are affected by the Force Majeure.

#### **23. Base Price**

The base price for each lot is calculated on basis of recommendations of the Survey and Price Evaluation Committee under the Chairmanship of Chief agriculture Officer, Jammu vide letter no. CAOJ/Auction/2021-22/6756-62 dated 11.01.2022 constituted for the purpose and is in detailed notice inviting auction (DNIA) which will be exclusive of applicable GST, IT, SC or any other taxes as per rule.

**24. Transfer / Sublet / Assigning contract to third party**

The successful bidder/buyer shall not sublet, transfer or assign the contract or any part thereof to any third party, without the previous written approval of the Agriculture Production Department, Jammu (Joint Director Agriculture Inputs, Jammu)/Account Officer, Directorate of Agriculture Jammu.

**25. Other terms and conditions**

- a. The quantity (Weight/Number) mentioned in the DNIA is as per book balance/Survey Committee Assessment Report and is as per "As is, where is" basis.
- b. No other terms and conditions beyond the terms and conditions as stipulated in this auction notice will be entertained.
- c. Conditional offers will be deemed to be invalid and will be rejected.
- d. No plea citing misunderstanding or ignorance of conditions put forth subsequent to any confirmation of sale shall be accepted.

**26. Indemnity**

The contractor shall make the Department harmless and shall settle all compensation claims arising as a result of accidents etc during the execution of the contract at his own cost.



# Section III

## INSTRUCTION TO BIDDERS

### 1) Registration & Enrolment of DSC

- a) The Bidder shall enroll himself / herself in the e-auction portal <https://eauction.gov.in/> and obtain User ID and Password for bidding.
- b) To participate in the e-auction, the bidder shall also have a valid Class 3 Digital Signature certificate (DSC), obtained from either of the certifying authorities, enlisted by **Controller of Certifying Authorities (CCA)** at <http://cca.gov.in>. Existing Class 2 DSC which has already been registered in the auction portal <https://eauction.gov.in/> will remain functional as it is. But any new enrolment of DSC in the auction portal <https://eauction.gov.in/> shall be done with a valid Class 3 Digital Signature certificate (DSC) mandatorily.

### 2) Firms Eligible to Bid:

The Firms who:

- a) Satisfy the pre-qualification criteria as fixed under this NIA (Notice Inviting Auction)/ DNIA (Detailed Notice Inviting Auction) and in case any bidder is not found satisfying any of such criteria as fixed, his/her bid will be summarily rejected. The bidder shall furnish all the Technical and Financial particulars in the PDF of 100 dpi resolution.
- b) Are not blacklisted or debarred or suspended by the Government for whatever the reason, prohibiting them not to continue in the contracting business.
- c) Have complied with the eligibility criteria specified in the NIA are the eligible bidders.

### 3) Disqualified / Debarred / Suspended / Blacklisted criteria:

- a) Furnished false/ fabricated particulars in the forms, statements and / Annexures submitted in proof of the qualification requirements and/or
- b) Not turned up for entering into agreement, when called upon after awarding H1 for the auction.
- c) Record of poor progress such as abandoning the contract, not properly completing the contract, inordinate delays in completion, litigation history or financial failures etc. and/or
- d) Even while execution of the contract, if found that the contract was awarded to the Bidder based on false/ fake certificates of experience, the Bidder will be blacklisted and necessary action will be taken as per rules.
- e) Any definite attempt of profiteering by any bidder will render himself liable to be debarred permanently from bidding or for such period as the bid accepting authority may decide.

### 4) Cost of Bidding

The bidder shall bear all costs associated with the preparation and submission of the auction document(s) and the auction inviting authority will in no case be responsible and liable for those costs.

### 5) Amendment to Auction Documents

- a. Before the last date for submission of documents, the bid Inviting Officer may modify any of the Contents of the Auction Notice, Auction documents by issuing amendment/ Addendum/corrigendum.
- b. Any addendum/ amendments/ corrigendum issued by the Auction Inviting Officer shall be part of the auction Document and it shall be published in the e-auction portal at <https://eauction.gov.in/>.
- c. However, Directorate of Agriculture, Jammu shall bear no responsibility or liability arising out of non-receipt of the same in time or otherwise. Bidders are requested to visit the website frequently to check whether there are any related Corrigendum(s) or not.

### 6) List of documents to be scanned and uploaded:

- a. Digitally Signed DNIA as a copy of acceptance of all the guidelines.
- b. Auction Fee in the form of Demand Draft amounting to Rs 1000/-
- c. EMD in the form of CDR/FDR/Bankers Cheque/ Bank Guarantee.
- d. Up-to-date Professional Tax Clearance certificate, PAN Card, GST Registration, Income Tax Return of last 3 Financial Years.

- e. Registration proof of the firm/ Agency dealing in the sale & purchase of Machinery/ Scrap/grains stocks.
- f. Authorization from the Principal firm, if the bidder is an authorized dealer.
- g. Copy of duly filled, signed and scanned Annexure-I, Annexure-II.
- h. Valid power of attorney along with scanned copy of duly filled Annexure-III (only for partnership firms).

**Note 1:** If any of the documents contain multiple pages, bidder shall scan and submit all the pages of the related documents in a single PDF file. Missing of any pages in any documents will be considered as an invalid document and the related bidder shall be treated as disqualified/rejected. Any attempt to submit the missing pages physically will not be accepted processed.

**Note 2:** If any of the above mentioned documents is not applicable for a particular Bidder, than he / she shall prepare a PDF document containing the remark as “Not Applicable” with Name and Address of the bidders and upload the same in the upload supporting document section, in e-Auction Portal <http://eauction.gov.in>.

**7) Submission of documents**

- a. On publication of the auction, bidder shall download the DNIA and all the work items from website as mentioned in the DNIA and minutely go through the instructions/terms conditions/critical dates/eligibility criteria of the DNIA.
- b. All the documents mention in the Section-III Clause 6 (**List of the documents to be scanned and uploaded**) must be submitted online at <https://eauction.gov.in>/after digitally signing before Document Submission last Date & Time. Any failure to submit the required documents (as specified in Section-III clause 6 “List of documents to be scanned and uploaded”) before ‘Document Submission last Date & Time’ will not be entertained and will be summarily rejected.
- c. Bidder shall have to scan all the required documents mentioned in this DNIA into PDF format of 100 dpi resolution, for uploading as part of Bid.
- d. If any of the certificates/documents furnished by the Bidder, found to be false/ fabricated/ bogus, the bidder will be liable to blacklisted and their E.M.D. will be forfeited.
- e. All documents have to be digitally signed by the authorized signatory of the bidding party.

**8) Evaluation/Approval of documents**

- a. All the documents submitted by the Bidders will be opened and downloaded on ‘Approval Start Date’ and will be sent to the Departmental Auction Scrutinizing Committee (DASC).
- b. During scrutinizing process, if any confusion arises in any of the documents, bidder may be called to bring the original documents and produce the same in front of Departmental Auction Scrutinizing Committee (DASC).
- c. After scrutinizing all the documents, only eligible bidders who fulfil the Forward e-auction terms & conditions would only be allowed to participate in the bidding process. The bidders who are rejected during scrutinizing would not be allowed to participate in the bidding process.
- d. Directorate of Agriculture, Jammu shall announce the evaluation/ approval status before ‘Approval End Date online at <https://eauction.gov.in/>

**9) Auction Properties**

Name of Property	Value
Auction Base Price/Starting Price	As per Survey report and recommended Basic Selling Price submitted by the Survey and Price Evaluation Committee vide no: CAOJ/Auction/2021-22/6756-62 dated 11-01-2022.
Incremental Value	Minimum Increment Price @ 1% of ABP(approx) and its multiple are only authorized as described in DNIA
Elapse Time Interval In Minutes	5
Bid Auto Extension In Minutes	5
Max Seal Percentage	100
Display Bidder Details	Mask



- a) **Auction Start Date & Time and Auction End Date & Time:** - Live auction would be conducted during this period.
- b) **Auction Base Price (ABP)/ Starting Price:** It is the base price which has been set as the starting price of the e-auction. Bidder will not be allowed to quote the rate less than the base price.
- c) **Incremental Value:** It is the minimum value/ amount an auction bid must be raised each time the current highest bid is surpassed.
- d) **Auction Elapse Time in minutes:** It is the time factor in minute(s) before the 'Auction End Time' and acts as a trigger for auto extension of current auction. If a bid is received successfully within these minutes, the auction will be extended by specified time period.
- e) **Auction Bid Auto Extensions in minutes:** The Auction End Time will be extended by this 'Auto Extension Time in Minutes', If a bid is received successfully within 'Elapse Time in Minutes'. Process will continue till no bid is received during the Auction elapse time.
- f) **Max Seal Percentage:** It defines maximum value a bidder can quote in multiples of incremental / detrimental value. In case of **Forward Auction**, in order to displace a standing highest bid and to become "H1", a bidder can offer a minimum bid increment or in multiples of incremental value up to or below Max Seal %.  
*For ex: Current price: - Rs. 49,000 Incremental value: - Rs. 1000 System Defined Maximum Seal %:- 50, in this case a bidder can quote minimum increment amount as Rs 49,000+1000= Rs. 50,000 and maximum increment amount as 49000+24500+1000=74500=74000.*
- g) **Display Bidder Details:** It allows the Auction Inviting Authority to hide the identity of one bidder from another. If Auction Inviting Authority chooses "Show" option, then one bidder can see the identity of another bidder. If Auction Inviting Authority choose "Mask" option, then one bidder cannot see the identity of another bidder, rather one bidder can only see the ID of another Bidder.

#### 10) Period of e-auction:

The bidding session shall open as per the schedule specified in the Section-I NIA "Time Schedule and Key details of the e-auction". The bid will be continued till the last auto extension time gets elapsed and the last quoted bid will be considered as H1 (Highest) price bid. A Bidder can modify the bid 'n' number of times and can quote the higher rate until the last bid data & time/ till elapse of auto extension time.

#### 11) No Bid during e-auction:

During Forward e-auction, if no bid is received within the specified time (Auction Start Date to Auction End Date), bid will be cancelled. Directorate of Agriculture, Jammu, as its own discretion, may decide to re- invite the bid.

#### 12) Electronic Bidding Process Details:

##### 12.1 Commencement of e-auction:

Forward e-Auction shall commence at the time and date indicated in Section-I NIA "Time Schedule and Key details of the e-auction". The bid amount should not be lesser than the reserved price mentioned in Section-III Clause 9 "Auction Properties", the assessed value of the, the Bidder can go on revising the bid amount against each lot and they shall be continued until the offers gets frozen.

##### 12.2 Procedure of Forward e-auction:

- Bidders who have been approved by the Auction Scrutinizing Committee of Directorate of Agriculture and Farmers Welfare, Jammu can only participate in the online live e-auction on Auction Start date & Time.
- The Bidders are required to quote the rate in 'Indian Rupees' only.
- Any of the eligible Bidders approved by the Auction Scrutinizing Committee of Directorate of Agriculture, Jammu can start the bidding in the online forward auction from the base price onwards only.
- The onward bidding shall 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.

- e. The bid Increment amount has been specified in Commodity details of Auction in section I of NIA which the e-bidders can view on their bidding screen. The bid can be placed only of the Base Price + incremental value or in multiples of increment value.
- f. Online Forward Auction shall be open for a specified period (as specified in Section-III Clause 10 Period of e-auction” and Section-I “time schedule and key details”) as per publication by Directorate of Agriculture, Jammu for each lot. The closing time & date of auction cannot be extended at any time. There will be an extension of 5 minutes duration each, if any valid bid is received in last 5 minutes of the close of E-auction. The bidder(s) are cautioned not to wait till the last minutes or last few seconds to enter their bid to avoid complications related to internet connectivity, network problems, system crash down, power failure, etc.
- g. Bidders will be able to view the following on their screen along with the necessary fields in Forward Auction.
  - Opening Auction Start Rate
  - Minimum Incremental Value
  - Leading H1 Bid in the e-auction
  - Bid placed by the bidder himself
  - Rank of bidder in the e-auction
- h. Once H1 rate is frozen in the e-auction portal <https://eauction.gov.in>, it is up to the Auction Committee, Directorate of Agriculture, Jammu to declare the successful Bidder.
- i. Auction Committee of Directorate of Agriculture, Jammu reserves 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 <https://eauction.gov.in>.
- j. The minimum Bid increment shall be available on screen to the Bidders at the start of the e-auction.
- k. 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.

### 12.3 Suspension/ Cancellation/ Postpone during Live e-auction:

Directorate of Agriculture, Jammu reserves the right to do so.

#### a) Suspend Live Bidding:

During Live bidding, any of the Lot/ Lots can be suspended at any point of time. The Lot/ Lots which has been suspended cannot be resumed and all the bids which have been frozen till suspension time will be automatically cancelled.

#### b) Postpone Live Bidding:

During Live bidding, bidding of any of the Lot/ Lots can be postponed at any point of time. In this case all the bids which has already been frozen before postpone date will remain intact and will be reflected again in the rescheduled date & time.

#### c) Cancel Live Bidding:

During Live bidding, any of the Lot/ Lots can be cancelled at any point of time. In this case all the lots will get cancelled and also all the bids which have been frozen till cancellation time will be automatically cancelled.

### 13) Award of Auction:

- a) The successful Bidder/Bidders selected by the Auction Committee, Directorate of Agriculture, Jammu will be declared within 7 working days from the close of bidding through online e-auction portal <https://eauction.gov.in> and [www.diragriammu.nic.in](http://www.diragriammu.nic.in). However, efforts will be made to declare the successful bidder as early as possible after the Forward e-Auction is over.
- b) The EMD of the unsuccessful bidders will be refunded/ returned to the concerned bidders within 30 days after Announcement of Award of Auction.

## **Section IV**

### **ANNEXURES**

#### **Notice Inviting Auction**

#### **Annexure – I**

**To be filled by Bidder- sign, scan in PDF format and Upload the same in the e-auction portal**

### **DECLARATION**

I/we.....,  
have gone through carefully all the Bid conditions referred in the DNIA issued vide \_\_\_\_\_ and solemnly declare that I / we will abide by any penal action such as disqualification or black listing or termination of contract or any other action deemed fit, taken by, the Department against us, if it is found that the statements, documents, certificates produced by us are false / fabricated.

I / we hereby declare that, I / We have not been blacklisted / debarred / Suspended / demoted in any department in Jammu & Kashmir or in any State of India due to any reasons.

**Signature of the Bidder**

## Notice Inviting Auction

Annexure – II

To be filled by Bidder- sign, scan in PDF format and Upload the same in the e-auction portal

### DECLARATIO

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I do hereby declare that I have personally gone through the relevant Detailed Notice Inviting Auction (DNIA) and understood all the clauses, specifications of e-auction items, instruction of the NIA and having been fully satisfied, I have quoted the rate of item.

I accept and shall abide by all the terms, conditions and relevant guidelines mentioned in the DNIA issued vide \_\_\_\_\_

I shall accept any decision taken by the Divisional Level Auction Committee, Directorate of Agriculture, Jammu at any point of time and any corrigendum issued on any Terms, Conditions and relevant guidelines.

This is further to certify that I have suppressed no fact in the auction which could debar me to participate into the auction. If it is revealed after opening of the auction that any fact is suppressed by me, Divisional Level Auction Committee, Directorate of Agriculture, Jammu shall have the right to reject my Bid along with other punitive action against me as per Terms and Conditions of the tender.

I do affirm that all the Terms & Conditions of the NIA are unconditionally accepted by me. I have no objection if any extra Term & Condition, mutually accepted by me and seller is incorporated into the agreement.

**Signature of the Bidder**



**Notice Inviting Auction**

**Annexure – III**

**To be filled by Bidder- signed with seal, Scanned in PDF format & Uploaded in the e-auction portal**

**DECLARATION**

**(Only for partnership firm)**

I ..... hereby declare that the firm on behalf of which I am submitting the bid is a partnership firm with ..... (in number / words), and offer is binding on all partners.

Signature of Authorized Signatory  
(with name, address and seal)

Countersign of other partner(s)  
(Name and Signature)

1

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2

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**Notice Inviting Auction**

Annexure – IV

**Draft Agreement**

**Agreement between Chairman, Joint Director Agriculture (Inputs), Jammu, First Party) and Smt. / Sri / M/s (Second Party)**

Whereas the First party had made proposal vide \_\_\_\_\_, to dispose off ..... lots of Machinery/Scrap/Gunny Bags \_\_\_\_\_ and the Second party submitted auction bid which was accepted by the First Party vide AoA letter No..... dated..... of the O/o the Joint Director Agriculture (Inputs), Directorate of Agriculture, Jammu

Now therefore, The Second Party has received the AoA issued by the JDA(I), Jammu vide letter No..... dated..... for sale of Machinery/Scrap/Gunny Bags in lot(s) No(s) ....., ....., ..... at a cost of Rs..... (in words.....) only

The Second Party shall abide by all terms and conditions mentioned in the auction documents.

The First Party shall handover the commodity auctioned lot wise as per terms and conditions mentioned in the auction documents.

[First Party Sign]

[Second party

Sign] Witnesses:

1

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2

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3

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## Section V

### Glossary

H1	Highest Bidder
NIA	Notice Inviting Auction
DAJ&FW	Directorate of Agriculture & Farmers Welfare, Jammu
Lot	Commodity/ goods for which this e-auction has been invited
Successful Bidder	At the end of Forward Auction, Auction Committee, Directorate of Agriculture & Farmers Welfare, Jammu will decide the successful Bidder, based on the highest bid placed for a Lot under Auction and subsequent acceptance. The decision of Auction Committee, Directorate of Agriculture & Farmers Welfare, Jammu will be final & binding on all the bidders.
EMD	Earnest Money Deposit
Bid	The bidder(s) have to quote the rate for the lot available for e-auction, he / she is interested in
Release Order	Release order to be issued by Joint Director Agriculture (Inputs), Jammu within 10 (ten) days after signing of agreement & depositing of security deposit as well as the lot(s) amount quoted by the H1 Bidder(s).
Final Due Amount (FDA)	It is the total amount (in Rs) which the H1 Bidder has Successfully quoted in lot(s).
JDA(I)	Joint Director Agriculture (Inputs), Jammu
AO	Accounts Officer, Directorate of Agriculture & Farmers Welfare, Jammu