

TERMS & CONDITIONS FOR AUCTION OF Hospital/Nursing Home SITE

ELIGIBILITY CRITERIA TO PARTICIPATE IN THE AUCTION:-

- 1) The Nursing Home Sites will be allotted on freehold basis through auction.
- 2) Sale of site(s) by auction is subject to the provisions of the Punjab Regional and Town Planning and Development Act, 1995 and rules/regulations framed there under from time to time.
- 3) An individual shall be a qualified doctor possessing a MBBS degree and having at least three (3) years experience in the medical profession or have engaged qualified doctors with specialization in relevant field and having experience of minimum three years.
- 4) A firm have as its major partner (s) holding at least 50% share of the firm, qualified doctor(s) holding a MBBS degree and having at least three (3) years experience in the medical profession or have engaged qualified doctors with specialization in relevant field and having experience of minimum three years.
- 5) A society or Trust shall be a non profit, charitable organization whose income is exempted from tax under the Income Tax Act. It shall either have as its major contributors with over 50% contribution qualified doctor (s) possessing a MBBS degree and having at least three (3) years experience in the medical profession or it shall have on its rolls (with an employment contract of the last three years duration) at least one qualified doctor with a MBBS degree and possessing at least three years experience in the medical profession. Such society or trust shall have experience of running a hospital for at least three years.
- 6) The participant shall require to deposited participation fee equal to 5% of the total reserve price (Refundable/Adjustable).
- 7) 15% of the highest bid amount (after adjusting the participation fee) shall be deposited at the time of fall of hammer or within one additional calendar day as the presiding office, may permit.
- 8) 10% of the highest bid amount shall be deposited within 30 days from the date of auction. This period shall be extendable up to 3 months (only in respect of hardship cases on the written subject to the confirmation by the Chairman, BDA who shall consider the auction record in its entirety, including the objections, if any, received, along with comments of Presiding Officer and Chief Administrator, BDA thereon before confirming or rejecting bid.
- 9) Balance 75% payment shall be deposited in four yearly equal installments with interest at a rate 12% per annum or as determined by the Authority. The first installment shall fall due after one year from the date of auction.
- 10) Rebate of 5% will be will be given on balance 75% of the bid shall be allowed in case the same is deposited in Lumsum by the allottee within 60 days from the date of issue of formal allotment letter.
- 11) In the event of fallout to deposit the balance of 15% amount at the time of fall of hammer or as directed by presiding officer, the participation fee shall be forfeited without any notice and the property in question shall be offered again through re-auction, a fresh advertisement.
- 12) There shall be no supper limit on the number of properties that a Trust or a Society can bid for and successfully purchase in one station or different stations provided that the requisite participation money/earnest money had been deposited for each property separately. However in case of an unsuccessful attempt, the earnest money shall be made early transferable to the next property being auctioned. No Trust/Society is eligible for participation in the auction unless the prescribed participation fee and attested copy of the registration certificate, Trust Deed or Memorandum of association or the Rule and Regulations, as the case may be, are deposited alongwith the application for participation in the auction.
- 13) In no case a bid less than the reserve price shall be accepted.
- 14) The Presiding Officer reserves the right to accept or reject the highest bid or withdraw the site from auction without assigning any reason, even if the bid is higher than the reserve price. The acceptance of the final bid by the Presiding Officer shall be subject acceptance of the final bid may by the presiding officer shall be subject to the confirmation by the Chairman, BDA who shall consider the auction record in its entirety, including the objections, if any, received, along with comments of Presiding officer and Chief Administrator, BDA thereon before confirming or rejection bid.
- 15) In case the highest bid is not accepted, the amount deposited shall be refunded in full without any interest.
- 16) BDA will issue the detailed allotment letter to the successful bidder after the confirmation of auction proceedings by the Chairman, BDA and execution of necessary agreement by the Successful Bidders.
- 17) No separate notice will be sent for the payment of yearly installments. Payment shall be made in accordance with the schedule to be mentioned in the allotment letter.
- 18) In case the installment is not paid by the due date, then without prejudice to any action under section 45 of the Punjab Regional and Town Planning and Development Act, 1995 allottee shall be liable to pay penalty on the amount due, at the following rates for the delayed period:-

1	If the delay is upto one year	Normal applicable rate of interest +3% p.a. for the delayed period
2.	If the delay is upto 2 years	Normal applicable rate of interest +4% p.a. for the delayed period
3.	If the delay is upto 3 years or more	Normal applicable rate of interest +5% p.a. for the delayed period

- 19) The possession of the site will be given within 90 (Ninety) days from the date of issue of allotment letter. In case the allottee falls to take possession of the site within the stipulated period, it shall be deemed to have been handed over on the due date. The allottee shall be allowed to undertake construction after the possessing of site is given subject to the sanction of the building plans. . The entire project will have to be completed within three years in a phased manner from the date of taking possession of land by the institution.
- 20) After the completion of all required formalities by the institution, the possession of land shall be handed over within three months w.e.f the date of issue of allotment letter to the institution, on the applicaion made by the institution.
 - a) All development and construction will be done as per the regulations, by laws and Zoning restrictions applicable to the area and as indicated by the Authority to the allottee.
 - b) All the development and building plans will have to be got approved in advance from the Authority and development will be done only as per the approved plans. However, to ensure that delays in the grant of approvals of any kind to the allottee do not cause undue delays on the execution of the project, the Authority will issue all required approvals promptly.
 - c) The entire project will have to be completed within three yearly in phased manner from the date of talking possession of land by the institution.

- d) No extension shall be allowed beyond the period of three years except in exceptional case where extension can be given for another two years for reasons to be recorded in writing, on payment of extension fee subject to such terms and conditions as may be determined by the Govt/Authority from time to time. In case of non completion of the project in time the allotment shall be liable for cancellation and the entire amount deposited shall be forfeited in favour of BDA.
- e) PUDA's/BDA building controls will be applicable for the construction on the site.
- 21) The sites shall continue to vest in the Bathinda Development Authority, Bathinda until the entire consideration money together with interest or any other amount due, if any, to the Authority on account of sale of such site, is paid in full to the Bathinda Development Authority, Bathinda.
 - 22) The site shall be made freely transferable to similar Trusts and Societies registers under the relevant Act subject to the payment of a transfer fee equivalent to 9% (nine) of the total value of the auctioned gross amount to BDA.
 - 23) Full prescribed transfer fee shall be charged, if the majority of Trustees/Directors/Board members are being changed.
 - 24) The plot/building shall be used only for the purpose for which the site is allotted and shall be strictly in accordance with the plans approved by BDA. No obnoxious trade shall be carried out on the site.
 - 25) The allottee shall have no right to transfer by way of sale, gift, mortgage or otherwise, site or any of its rights, title or interest therein the said plot except with the prior permission of the Chief Administrator which may be granted subject to payment of such fee/charges, as may be determined from time to time.
 - 26) No fragmentation/sub-division of the site and change of land use shall be permitted.
 - 27) On payment of the entire consideration money together with interest due to the Bathinda Development Authority, Bathinda on account of sale of the site the allottee shall have to execute a Deed of Conveyance in the specified form and in such manner as may be directed by the Estate Officer, BDA within three months from the payment of entire consideration money together with interest or any other amount due to BDA on account of transfer of the land.
 - 28) The allottee shall have to pay all general and local taxes, rates, fees and charges imposed or assessed on the said plot/buildings by the competent authority. This shall include maintenance charges in respect of infrastructure facilities and other facilities as determined by the Bathinda Development Authority, Bathinda or by the Municipal Corporation or Municipal Committee or any other statutory authority, as the case may be.
 - 29) The site is offered on "as is where is" basis and the Authority will not be responsible for leveling the site or removing the structures/if any, thereon.
 - 30) The exact size of the site and its dimensions are subject to variation as per actual measurement at the time of delivery of possession of the site. In case the actual area exceeds the area offered, the bidder would be required to deposit the additional price for the excess area proportionately as per auction price.
 - 31) The Competent Authority may, by its officers and representative at all reasonable time in reasonable manner after 24 (twenty four) hours notice in writing, enter in and upon any part of the plot/building erected thereon for the purpose of ascertaining that the allottee has duly performed and observed the conditions to be observed under prevalent rules, Acts and regulations as amended from time to time.
 - 32) The Competent Authority shall have the full rights powers and authority at all time, to do through its officers and representatives all acts and thing, which may be necessary and expedient for the purpose of enforcing compliance with all or any of the terms, conditions and reservations imposed and to recover from the allottee as first charge upon the said site, the cost of doing all or any such act and things and all costs incurred in connection therewith or in any way relating therewith.
 - 33) The display of advertisement on the walls of the site or at site or on the structures erected thereon in whatsoever manner shall be subject to the orders and other instructions as may be issued by the Competent Authority from time to time.
 - 34) BDA reserves the right to modify and change the lay-out plan without assigning any reasons.
 - 35) No interest will be paid for any amount whatsoever deposited with BDA.
 - 36) The allottee shall create a barrier free environment in the building for persons with disabilities under the provisions of "The Persons with Disabilities" (Equal Opportunities Protection of Rights and Full Participation) Act, 1995.
 - 37) Site shall be properly landscaped and maintained by the allottee, Landscaping shall be in accordance with the landscape plan got approved as part of the building plan.
 - 38) Subject to the provisions of the Act, all the disputes and/or differences which may arise in any manner touching or concerning this allotment shall be referred to the Sole Arbitrator, Chief Administrator, Bathinda Development Authority, Bathinda or any person appointed/nominated by him in this behalf. The award of such Arbitrator shall be final and binding on the parties. Arbitration shall be governed by the Arbitration & Conciliation Act, 1996, as amended from time to time.

ESTATE OFFICER