

**Terms and Conditions of payment in case of e-auction of assets of taken over units under SFC Act 1951, SARFAESI Act, IBC Act 2016 or any other applicable law**

- i) The intending bidder(s) have to deposit participation fees (Rs 1000/-+ applicable GST for each assets) and earnest money deposit as mentioned in the e-auction notice online through payment gateway before participating in e-auction.
- ii) In case of sale of land & building only, the offer shall be made only on **cash down payment basis**.
- iii) The highest bidder in the auction will have to deposit with RIICO, 10% of the bid amount + applicable GST, including earnest money earlier deposited, within seven(7) working days of close of bid , failing which the bid shall not be considered, earnest money deposited shall be forfeited and the second/ subsequent higher bidder in the auction shall be given the same chance.
- iv) **The successful bidder(s) shall be required to submit their offers on cash down payment basis only, where sale of asset is done under the provisions of SARFAESI Act or IBC 2016.** The bidder(s) shall deposit entire agreed sale consideration along with GST (after adjusting the 10% of bid amount + applicable GST already deposited) within 30 days from the date of issue of offer for sale. In case bidder(s) fails to deposit the entire down payment within the stipulated period of 30 days, the amount earlier deposited by the bidder(s) shall be forfeited.

v) And/or

The offers can be made either on cash down basis or on deferred payment basis where the assets are sold under the provisions of SFC Act 1951 or as applicable under any other applicable Act. In case of cash down basis, the successful bidder will have to make payment of entire gross amount ( i.e. full bid amount + applicable GST, on the bid amount after adjusting the 10% of gross amount already deposited) within 30 days of date of issue of letter of offer for sale.

- vi) In case of offer on deferred payment basis, the successful bidder will have to make payment as follows:-

The bidder shall deposit 25% of the agreed sale consideration + applicable GST, if any, on entire sale consideration amount (after adjusting the 10% of

gross amount already deposited) within 30 days from the date of issue of letter of offer for sale. In case the bidder fails to accept the letter of offer for sale and/or deposit the 25% down payment + full amount of GST, if applicable, within the stipulated period of 30 days, the 10% of gross amount already deposited by the bidder shall be forfeited.

The balance 75% of the agreed sale consideration shall be paid by the bidder in five (5) years in 20 equal quarterly installments with a moratorium period not exceeding 12 months from the date of deposition of 25% down payment.

The balance 75% of the sale consideration (i.e. deferred portion of sale consideration) shall attract interest at the prevailing term lending rate on the date of auction (at present % p.a.) compounded on quarterly rests basis from the date of taking over the possession of the fixed assets or after 30 days from the date of issue of letter of offer for sale, whichever is earlier.

In case of default in repayment of interest and/or principal on the due dates, liquidated damages @ 2% p.a. shall also be charged. In addition, the Corporation shall have right to initiate legal action under section 29 and other provisions of the SFC Act, 1951, SARFAESI Act 2002, IBC 2016 or any other applicable acts, etc. The bidder shall also be eligible for rebate on timely payment as per the prevailing policy of the Corporation.

vi) The successful bidder after depositing the due payments, shall within 30 days from the date of executing the Agreement to Sale /Conveyance Deed / Sale Deed and other legal documents, take over the possession of the fixed assets. In case of failure to do so the successful bidder/purchaser shall be liable for security and other related expenses.

***b-2) In case of e-auction of assets of other department, the payment terms shall be as decided by the concerned department.***