

**Terms and Conditions for Intermediaries for Engagement of Services for Marketing & Identification of Buyers for Properties on sale [Annexure of properties along with copy of advertisements in Times of India (Mumbai) and Hindustan Times (Delhi) dated 11.12.2018 enclosed]**

1. SICOM Ltd. proposes to conduct the sale of properties on “**As is where is what is and without recourse**” basis under SARFAESI Act /SFC Act as applicable. The details of properties offered for sale are enclosed as Annexure to this document.
2. The sale of properties is being conducted through Swiss challenge method which will involve two rounds of bidding as under:
  - a) The consultant shall initially bring an offer from interested buyer along with EMD of 1% of the offer price by way of DD/Pay order drawn on any scheduled commercial bank.
  - b) Based on the highest offer, SICOM Ltd at its sole discretion shall decide the reserve price and the terms and conditions of auction of the property.
  - c) The consultant will be informed by SICOM regarding the offer brought by him being considered for setting the reserve price for auction.
  - d) Only after the additional EMD of 4% of the offer price is obtained from the prospective buyer, the reserve price would be considered as having been determined and SICOM Ltd. will then go ahead with the auction process.
  - e) If for any reason the highest offeror fails to submit the additional 4% EMD within the timeline as specified, SICOM Ltd would reserve the right to approach the second highest offeror/ third highest offeror and so on, in order of preference and negotiate with him to match up to the highest offer. Thereby a negotiated offer amount would be reached. If the offeror is able to submit the additional 4% EMD within two working days from the time of conclusion of negotiation, then the negotiated offer amount would be the reserve price and this offeror would have the right of first refusal.
  - f) Public bids will be invited based on the reserve price so determined.
  - g) The buyer whose offer is the highest and is fixed as the reserve price, shall be entitled to right of first refusal in the subsequent auction.
  - h) All bidders who wish to participate in the auction will have to furnish EMD of 10% of the Reserve Price. Accordingly, the bidder on the basis of whose offer, the reserve price has been fixed will have to furnish EMD of 5% of the reserve price in addition to the 5% already furnished as a part of the process of fixing the Reserve Price. (Thus, the total EMD would be 10% of the reserve price).

- i) 1% EMD of all other parties whose offers are below reserve price would be returned prior to auction and therefore they will be required to furnish EMD of 10% of the reserve price if they wish to participate in the auction.
  - j) In case the party who has given the highest offer which is set as reserve price, does not participate in the auction, the EMD of 5% (1%+4%) furnished by the party will be forfeited.
  - k) If in the auction, a bid higher than the reserve price is received, then the buyer with highest offer on the basis of which the reserve price was decided, would be entitled to match/ better the highest bid, in terms of his right of first refusal. However, if he does not exercise this option, his EMD of 10% (1%+4%+ 5%) will be returned provided he has participated in the auction.
3. SICOM Ltd. shall also be free to identify a buyer on its own or engage any other agency (ies) for the said assignment.
  4. The consultant shall forward in writing an Expression of Interest for taking up the assignment for marketing any/ all of the enclosed properties, consequent upon which, the documents as desired relating to the respective property/ ies could be shared with you.
  5. The Fees payable to you for the assignment shall be as under:

**Stage I: Offer Stage**

In case the offer submitted by the party referred by you is fixed as the reserve price and provided the party furnishes additional EMD @4% of the offer price, then you would be entitled for fees @1%(plus GST) of the offer price provided the auction of the relevant property is concluded by SICOM Ltd and SICOM Ltd receives the entire purchase consideration from the successful bidder irrespective of whether the party identified by you or any other party is declared as the successful bidder.

**Stage II: Auction Stage**

In case the final purchase consideration paid by the successful bidder is in excess of the reserve price, then you shall be entitled for additional fees @3% (plus GST) of the amount in excess of the reserve price, provided the successful bidder is the party referred by you at Stage I,( Offer Stage).

6. Any other person who wishes to engage and offer his services during the Stage II process i.e. after the auction is announced, should submit the bid papers along with the requisite EMD and a confirmation in a sealed envelope from the bidder that he has approached him as the intermediary.  
Such an intermediary, shall be entitled to fees @1% (plus GST), if the bid brought by him is declared as the successful bid after the auction provided that SICOM Ltd receives the full purchase consideration from the successful bidder.

7. The time schedule for completion of the sale process is given below, which may be taken note of and adhered to since no further extension will be made in the schedule:-

Sr. No.	Particulars	Last Date
1	Submission of Offer along with 1% EMD up to 3.00 p.m. on	28.12.2018
2	Intimation to buyer regarding consideration of offer for reserve price/ rejection of offer	29.12.2018
3	Payment of additional 4% EMD by successful bidder	03.01.2019
4	Release of auction advertisement along with terms and conditions of auction	Within 24 hours from date of receipt of additional 4% EMD

8. In case of any stay on sale of the property, or if the sale of property does not take place for any other reason whatsoever no fees / charges shall be payable by SICOM Ltd to anybody.
9. SICOM Ltd reserves the right to cancel the auction process at any point without assigning any reason.
10. SICOM Ltd reserves the right of rejecting/cancelling/not considering any particular offer or offers without assigning any reasons and decision of SICOM Ltd shall be final and binding on all parties.
11. SICOM Ltd shall not be liable to pay any charges of whatsoever nature including any out of pocket expenses incurred by you for the marketing of the property and/ or identifying prospective buyer and you will be entitled to a fee as per the structure given in clause 4 above.
12. The jurisdiction for any dispute arising under the terms of this engagement shall be the Courts/ Tribunal at Mumbai.
13. For further details/ enquiries kindly contact:

Shri. Rajendra Bhosale	Cont: 02266572724/ 9833546349	Email: <a href="mailto:rbhosale@sicomindia.com">rbhosale@sicomindia.com</a>
Shri. Omkar Vedak	Cont: 02266572748/ 9323554697	Email: <a href="mailto:ovedak@sicomindia.com">ovedak@sicomindia.com</a>

## Annexure

### Properties available for sale/ auction

Sr No	Name of the Borrower	Total Dues - as on 31.10.2018 (Rs. in crs)	Details and Nature of Security
1	UNITECH LTD	52.51	Exclusive first charge on Land <b>admeasuring 4.78 Acres</b> , bearing Khewat No.62, Khata No.92, Mustatil No.7, Killa No.3/2[3-17] comprising of 3 Bigha 17 Biswas and Kila No.4[3-16] comprising of 3 Bigha 16 Biswas, total area of 7 Bigha 13 Biswas situated at Village Tikri, Sector 48, Tehsil & District Gurgaon, Haryana
2	MVL Ltd	90.59	Entire 1st floor of MVL iPark <b>admeasuring 15991.868 sq ft.</b> , built up area Sector 15(ii), near 32nd mile stone, situated in Revenue village Silokhara, Tehsil & Dist. Gurgaon, Haryana
3	HI-POINT INVESTMENT AND FINANCE PRIVATE LIMITED	137.73	Land <b>admeasuring 6.78 Acres</b> located at Arazi Plot no 76 and 3 Khata no. 91 and 102, Village -Sanhkol, Tehsil - Bahadurgarh, District- Jhajjaar, Haryana.
4	KEMROCK AGRITECH PVT. LTD.	46.99	Industrial Non-agricultural Land <b>admeasuring 76,906 Sq.mt.</b> and <b>building admeasuring 1366 sq. mtrs</b> (built up) bearing Revenue Survey Nos. 133, 150, 178/1, 180/1, 186, 249, 250, 252, 253, 254, 255, 256, 257, 258, 261, 262, 263 and 303 alongwith the installed Plant and Machinery located at Vadodara-Halol State Highway SH-87, Village-Asoj, Taluka-Vaghodia, District-Vadodara - 391510 .
5	AJANTA INFRASTRUCTURE LTD.	94.20	Exclusive charge by way of mortgage on: 1) NA land admeasuring 20,000 Sq. mtrs. at Plot No. E-28/1 MIDC Area Chikalthana, Aurangabad 2) NA land admeasuring 17,000 Sq. mtrs. at Plot No. E- 36/1 MIDC Area, Chikalthana, Aurangabad
6	KAMLA LANDMARC CONSTRUCTIONS PVT LTD	48.17	Exclusive first charge on 1. BRAHANS BUSINESS PARK: Unit No. 101 <b>admeasuring 3388 sq. ft.</b> on the first floor and Unit No. 704 <b>admeasuring 2975 sq. ft.</b> on the seventh floor in the building known as "Brahans Business Park" situated at Mulgaon, Mahakali Caves Road, Andheri (East) being Plot No. 16(A) of TPLO Scheme of 1457 of 2-5-21964 and 7-8-1968 forming a part of the survey no. 88, Hissa no. 1, C.S. No. 46(Part) along with all the appurtenance thereto.  2. Basement <b>admeasuring 3472 sq ft</b> and 14th Floor admeasuring 2042 sq ft at Kamla Hub, CTS No 35, S. No 287 situated at N.S. Raod, Gulmohor Lane, J.V. P.D. Scheme Juhu, Vile Parle, Mumbai

7	<b>MW UNITEXX LTD</b>	134.12	Exclusive first charge on Residential Flat admeasuring 616.03 sq. mtrs. (6,631 sq. ft.) carpet area, excluding the fire escape passage, refuge (terrace) /moat / flower beds / service areas admeasuring 615.16 sq. mtrs. (6,621.58 Sq. ft.) forming part of the common areas on the 52nd (South East) level (37th Floor) together with garage/s admeasuring 74.32 sq. mtrs. (800 sq. ft.) built up and godown admeasuring 18.58 sq. mtrs. (200 sq. ft) <b>totally admeasuring 14252.58 sq ft</b> of the building known as "Palais Royale" bearing Plot Nos. 5B and 6, Cadastral Survey Nos. 288 (Part), 289 (Part), 1/1540 (Part), 2/1540 (Part) and 3/1540 (Part) of Lower Parel Division at Ganpatrao Kadam Marg, Worli, Mumbai-400 018
8	<b>KALANI INDUSTRIES PVT LTD</b>	46.30	Exclusive First charge by way of mortgage on 1. Land admeasuring <b>64 Ares (1.58 Acres)</b> at Gat no. 222 of village Gude Panchgani, Taluka Shirala, District Sangli, Maharashtra 2. Land <b>admeasuring 30 Hectares</b> bearing survey nos. 439/499, 442, 478/500, 443/501, 445 and 480/502 at Village Barabag, Patwari Halka Amar Sagar Tehsil, district Jaisalmer, Rajasthan 3. Hypothecation of moveable assets including plant and machinery of wind power projects (windmills) of the company at Jaisalmer (12 Nos of 230 kW) and Gude Panchgani (1 Nos of 1.65 MW)
9	<b>JUPITER BIOSCIENCE LIMITED</b>	96.88	Exclusive first charge by way of mortgage on 1. Open plot <b>admeasuring 1210 sq. yrds</b> in Survey number 91(ward number 9, Block F), Municipal No.8-2-293/91/HE/27 MCH Ward Number-8, Near Jubilee Hills, Shaikpet village and Mandal, Hyderabad Dist, Andhra Pradesh
10	<b>BUL MSK INFRASTRUCTURE PVT. LTD</b>	43.46	Exclusive first charge by way of mortgage on Plot of <b>land admeasuring 32,375 sqmts</b> at Plot no PL-3/1 at the Addl Latur Industrial Area, District Latur, Maharashtra, owned by a group company viz. Swaraj Infrastructure Pvt . Ltd.
	<b>Total</b>	<b>790.95</b>	