

E-AUCTION OF ROUGH DIAMONDS

E-AUCTION OF ABOUT 30162 CARATS OF ROUGH DIAMONDS FROM PANNA MINE

Venue For Inspection	1.NMDC Limited , Diamond Mining Project, Majhgawan, Panna, MP Phone No. 07732-271234/271248 (Nearest Railway station –SATNA/JHANSI) (Nearest Airport- Khajuraho).
EMD for participation in Inspection & E-auction	Rs. 2,00,000/- refundable
EMD/ Registration for Inspection & E-auction	From 11.00 Hrs on 21/09/2020 to 15:00 Hrs on 22/09/2020 for Panna by M/s MSTC Limited . Contact Person : Shri Dhananjay Kumar, Mobile No. 9650554645
Date of Inspection	From 24/09/2020 onwards at Panna on appointment basis.
Date of E-auction by M/s MSTC Limited.	On 12/10/2020 & 13/10/2020. The time and scheduled will be communicated to registered buyers by service provider M/s MSTC Limited
Declaration of allotment	On 13/10/2020 and 14/10/2020 by M/s MSTC Limited.
Date and Time of Sealing of Sold Lots	The date & time will be mentioned in the allotment letter issued to the successful bidder.

अपरिष्कृत हीरे की ई-नीलामी

हीरा खनन परियोजना पन्ना में पन्ना खानों से
अपरिष्कृत हीरे की लगभग 30162 कैरेट की ई-नीलामी

निरीक्षण /नीलामी के लिए स्थान	1.एनएमडीसी लिमिटेड, हीरा खनन परियोजना, मझगवां, पन्ना, म.प्र. दूरभाष सं. 07732-271234/271248 (नजदीकी रेलवे स्टेशन – सतना/ झांसी) नजदीकी हवाईअड्डा – खजुराहो) .
निरीक्षण/ ई-नीलामी में सहभागिता के लिए बयाना राशि	रुपए 2,00,000/ प्रतिदेय
निरीक्षण/ ई-नीलामी के लिए बयाना राशि/ पंजीकरण	21/09/2020 11.00 बजे से 22/09/2020 15:00 बजे तक पन्ना के लिए मेसर्स एमएसटी लिमिटेड द्वारा और (संपर्क व्यक्ति: श्री धनंजय कुमार मोबाइल नंबर 9650554645)
निरीक्षण की दिनांक	नियुक्ति के आधार पर पन्ना में दिनांक 24/09/2020 से ।
मेसर्स एमएसटीसी लिमिटेड द्वारा ई-नीलामी की तारीख	दिनांक 12/10/2020 एवं दिनांक 13/10/2020 को समय-सारणी सेवा प्रदाता मेसर्स एमएसटीसी लिमिटेड द्वारा पंजीकृत क्रेताओं को सूचित की जाएगी।
आबंटन की घोषणा	मेसर्स एमएसटीसी लिमिटेड द्वारा दिनांक 13/10/2020 एवं 14/10/2020 को।
बिके हुए ढेर की सीलबंदी की तारीख एवं समय	सफल बोलीदाता को जारी आबंटन पत्र में तारीख एवं समय उल्लेख किया जाएगा।

E-AUCTION OF ROUGH DIAMONDS

NMDC, a Government of India Enterprise, with its corporate office at Hyderabad, Telangana State, is conducting E-AUCTION of about 30162 Carats of Rough Diamonds at its Diamond Mining Project, Majgawan, Panna, Madhya Pradesh. M/s MSTC Limited is service provider for the Inspection & E-auction of rough diamonds. The details of Terms and Conditions are as given below.

TERMS & CONDITIONS OF E-AUCTION

1.0 REGISTRATION FOR E-AUCTION:

1.1 Customers intending to participate in the inspection & e-auction are required to register themselves with M/s MSTC Limited. M/s MSTC Limited will not charge any amount in the form of registration fee from prospective customers for participating in the inspection & e-auction. The interested customers should comply with M/s MSTC Limited requirements. M/s MSTC Limited, shall have the discretion to deny registration to any person and this shall not be questioned. Also during the course of inspection, any customer or customers who is/are found to be acting overtly or covertly against the ultimate interests of the NMDC, then NMDC will have the authority to cancel his/her/their Identity Card issued by M/s MSTC Limited and no dispute shall be entertained in this regard. **Participant is advised to declare the address of their place of business / State (place of supply) to which the successful bidder will take the diamonds after payment. Proof of such address in the form of GST registration Certificate shall be furnished. GST will be levied by NMDC based on the declaration given by the bidder above. NMDC shall not be responsible if the diamonds are moved to any other location by the bidder other than the declared as above.**

1.2 Prospective bidders need not pay Registration charges to M/s MSTC Limited for this inspection & e-auction.

The following officials of M/s MSTC Limited, shall be contacted for Registration and necessary training for participation in the inspection & e-auction.

Name	Query Type	Contact
Shri Dhananjay Kumar, MT	Registration	+91 9650554645
Smt R Purushottam, ADDL. GM (BM)	Bidding & Technical Queries	+ 918884406412
Shri B Teja, JCA	Bidding & Technical Queries	+91 6281048513

1.3 **EMAIL ADDRESS OF BUYERS:**

BUYERS/Customers shall provide their valid/active email address, failing which Buyers/Customers shall be responsible / liable for non-compliance of payment or any other instruction issued by M/s MSTC Limited /NMDC to the buyers / customers by email.

2.0 **INSPECTION OF DIAMONDS:**

2.1 The diamonds will be displayed to interested buyers/customers on schedule date of inspection from 24/09/2020 onwards between 9.30 AM to 5.00 PM on appointment basis at Panna

2.2 The customers need to register themselves before participation in the inspection and e-auction. The customers interested to participate in the inspection & e-auction will be require to deposit refundable EMD of Rs 2,000,00 /- along with the required details to be furnished in the **Application Format** provided in the e-auction portal of M/s MSTC Limited for issue of Identity Card on or before 22/09/2020 for Panna. The customers can participate in the inspection at Panna only as per information furnished by him in Application Format provided in the e-auction portal of M/s MSTC Limited.

2.3 Remittance of EMD shall be by RTGS/ NEFT in favour of M/s MSTC Limited account on behalf of NMDC Ltd as per detail provided by M/s MSTC Limited.

2.4 The registered customer can also authorize another person including him to attend the inspection if he desire. Such authorization / intimation shall be done on the letter head duly signed by the registered customer along with passport size photo of the person to the M/s MSTC Limited and valid for inspection only. Customers are required to ensure that the EMD and duly filled **Application Format** shall be submitted before the specified time and date.

2.5 After validation of EMD, M/s MSTC Limited shall issue Identity Cards to the registered customer along with another person authorized by him on the basis which they will be permitted for inspection of rough diamonds. The registered customer along with another person authorized by him shall carry Identity card issued by the M/s MSTC Limited for inspection. The lots of rough diamonds will be displayed to the registered customers on schedule date of inspection as per the procedure laid down in approved SOP.

2.6 M/s MSTC Limited will depute their marketing officials to Panna prior & during the inspection period to train the customers (bidders) at site.

2.7 The registered customers can bring rough diamond planning machine and permitted to use only for inspection of Gem Individual rough diamonds. However, additional time will not be given and inspection has to be completed within normal allowed period.

2.8 However, the discretion to give permission for inspection to any person/ firm lies with NMDC and NMDC can refuse to give permission for inspection to any person or firm without assigning any reasons.

3.0 EMD AMOUNT:

3.1 A refundable amount of Rs.2,00,000/- towards EMD will be collected by the M/s MSTC Limited from the interested customers who are willing to participate in the inspection & e-auction sale of rough diamonds.

3.2 On receipt of intimation from NMDC Ltd regarding allotment of sold lots to successful bidders, M/s MSTC Limited shall send the PRE BID EMDs of successful bidders to NMDC Ltd immediately and return the PRE BID EMDs of unsuccessful bidders. The EMD amount will be refunded to successful bidder by NMDC after payment of security deposit i.e. 20% of the sale value in the designated account of NMDC limited.

3.3 PRE-BID EMD payment shall be made only through RTGS in favour of "M/s MSTC Limited". EMD shall be deposited to M/s MSTC Limited account on behalf of NMDC Ltd., through RTGS / NEFT as per details mentioned below:-

We are hereby submitting an EMD of Rs._____ By NEFT/ RTGS vide UTR No.:_____ dated

Beneficiary Name	MSTC LIMITED
Bank Name	INDUSIND BANK LTD
Branch	SECUNDERABAD
Account No	Explained below *
IFSC Code	INDB0000004

*The Bidders who wish to bid in this e-auction should submit Pre-Bid EMD through e-Payment Gateway only as detailed below:

Click on Pre-bid for seller -> choose Payment Type Option As Pre-Bid EMD From The Drop Down Menu -> select seller as NMDC Limited From The Drop Down Menu ->Select RTGS/NEFT ->Enter Required details -> click print to Generate Challan and should remit from the bidder's registered bank with MSTC.

The bidder(s) must compulsorily intimate the details of payment made through e-mail to dkumar@mstcindia.co.in, giving the following details :-

(1) MSTC e-auction number (2) Name of buyer (3) Buyer registration number (4) UTR/Transaction ref no (5)Date of transfer (6) Name of bank (7) Name of branch (8) City.

3.4 In case successful bidder does not deposit the security deposit i.e. 20% of sale value in the designated account of NMDC Ltd within the stipulated time, then the EMD shall be forfeited.

4.0 CONTACT PERSON OF SELLER / STOCK-HOLDER

Rajiv Bagde, DGM (Coml), M/s. NMDC Ltd, having address at 5th Floor, Commercial Department, “ Khanij Bhavan” , 10-3-311/A, Castle Hills, Masab Tank, Hyderabad-500028, Mobile No. +91- 9490759607 or Project Manager, Diamond Mining Project, NMDC Limited, Majhgawan, Panna, MP(07732-271234) who is the Owner / Seller / Stockholder of Goods or Shri Anurag Choubey, DGM (Coml), Panna at mobile no. +91-9490491738. M/s MSTC Limited will be hereinafter referred to as MSTC Limited (Contact Person Shri Dhananjay Kumar, @ +9650554645).

5.0 CAUTION

5.1 The sale shall be governed by the item list / catalogue number wise list & Terms and Conditions (TC) displayed on the auction platform post logging in also attached herewith in Annexure A, already accepted by the Bidder at the time of inspection & e-Auction Registration with M/s MSTC Limited. The item List and TERMS & CONDITION displayed under “View Forthcoming Auctions” on M/s MSTC Limited e-Auction Website are tentative and subject to change at M/s MSTC Limited sole discretion before the start of e-Auction. Bidders should therefore download the item list and TERMS & CONDITIONS displayed in the auction platform after they log in and accept the catalogue online for their record purpose, if required. Participation in the e-Auction will be deemed to imply that the Bidder has made himself thoroughly aware of and accepted the TC, BSTC (Buyer Specific Terms and Conditions). In case of any conflict between the TC and BSTC, the TC shall prevail. M/s MSTC Limited, shall have the right to issue addendum to the TC or BSTC to clarify, amend, modify, supplement or delete any of the conditions, clauses or items stated therein and the Addendum, so issued shall form a part of the original TC.

5.2 M/s MSTC Limited / NMDC reserve the right to forfeit any amount / money lying with M/s MSTC Limited / NMDC from the successful Bidder who defaults in making the due payments against the e-Auction.

6.0 e-AUCTION

- 6.1 During Live Auction, only brief Lot / item details shall be shown under “Catalogue No.” on the Auction Floor where Bidders are required to bid. The complete “item Details” can be seen by the Bidders by clicking on the respective item hyperlink. and it shall be the responsibility of the Bidders to see the “item Details” and refer his inspection notes before bidding and no representation / complaint in this regard shall be entertained by M/s MSTC Limited / NMDC from the Bidders.
- 6.2 The bid price will be of rate per carat i.e. Rs/carat. Each incremental bid in the auction shall be higher than the earlier bid by a minimum of Rs.200/- (Rupees Two Hundreds) for the lot of Gem category diamonds, whereas Rs. 50/- (Rupees Fifty) for Off-color and Dark Brown category diamonds. **After the acceptance of bid by the system, further change in quoted rate will not be possible.** The Bidder shall be solely responsible for all consequences arising out of the bid submitted by him (including any wrongful bidding by him) and no complaint / representation shall be entertained by M/s MSTC Limited / NMDC in this regard. Hence Bidders must be careful to check (the Bid Amount/ No. of “0”/ No. of Digits/etc.) and rectify their bid (if required) before submitting their Bid into the live e-Auction floor by clicking the “**Bid and confirmation**” Button.

7.0 VALIDITY OF BIDS

- 7.1 All bids shall be valid for a period of 30 (thirty) days from the date of closing of e-Auction, excluding the date of closing. In case the 30th day falls on a Bank holiday such Bids shall be deemed to be automatically extended and valid upto the next working day of Bank.

8.0 SALE RESULT / INTIMATION

- 8.1 All the diamonds put up for sale thorough e-auction shall be sold strictly on “As is where basis”. M/s MSTC Limited / NMDC reserve(s) the right to accept / reject any offer(s) / bid(s) without specifying any reason(s) thereof. Any clarification required may be sought by the Bidders from the NMDC at the time of inspection, and no dispute shall be entertained thereafter.
- 8.2 All sales shall be subject to meeting of Reserve Price (RP) fixed by the NMDC. The information of sold lots will be given by NMDC to successful bidders, through email/Phone/or by Post.
- 8.3 After receiving the information the successful Highest Bidder shall have to pay the prescribed Security Deposit directly to NMDC’s account.

9.0 PAYMENT OF SECURITY DEPOSIT (SD)

- 9.1 **Post-Bid Security Deposit @20% on sale value (exclusive of taxes) has to be paid within three bank working days (The bank in which NMDC has the designated account for e-auction) from date of sale intimation for the payment of security deposit. However security deposit will not be accepted after the date of sealing of sold lots. Non-payment will result in automatic deactivation of Bidder's Password and his EMD will be forfeited.**
- 9.2 **In case the successful bidder do not want to purchase all the allotted lots, the bidder has to inform NMDC about the part purchase of allotted lots in writing citing the reason of part purchase and deposit 20% of sale value of the lots the bidder is willing to buy within three bank working days (The bank in which NMDC has the designated account for e-auction) from date of sale intimation. In such a case the lots for which he paid the security deposit will be allotted to him but entire amount of Rs. 2,00,000/- deposited toward EMD will be forfeited.**
- 9.3 The successful Bidder shall pay SD by DD/RTGS payable to NMDC Ltd or deposit the money to the credit of the NMDC's account at Canara Bank, Panna or any other designated banks as may be notified from time to time (for which a receipt shall be issued to the successful bidder).

10.0 SEALING OF SOLD LOTS

- 10.1 The diamonds or the packet of diamonds, for which the sum representing 20% of sales value have been paid by the purchaser, shall be sealed in an envelope by the NMDC in the presence of the purchaser. The purchaser shall also put his own seal / signature on the packet. In case purchaser is not present at the time of sealing, sealing shall be carried out at his risk and peril. The packet so sealed will be numbered and the number will be mentioned in the money receipt to be issued to the successful purchaser of the particular purchase.

11.0 PAYMENT OF BALANCE SALE VALUE, DUTIES & TAXES.

- 11.1 On receipt of post bid SD from the successful bidder, sale statement shall be issued by the NMDC to him advising to deposit the balance sale value with all applicable 100% of Duties and Taxes to the NMDC's Account No 4114201000003., Canara Bank (Branch code 4114, IFSC code CNRB0004114, contact No. 07732-250261) Panna within 30 days from the date of issue of Sale Intimation / sealing of sold lots. If payment of balance amount is not made within stipulated time as above, the Security Deposit (20% of the sale amount) shall be forfeited, and the Purchaser shall have no right to any claim whatsoever in this regard.

11.2 **Statutory Payments** : GST or any other statutory Duty/Tax/Levy/Charges etc. which are applicable shall be payable by the Buyer as prevailing on the date of actual physical delivery of diamonds. The rates of Duties and Taxes displayed on the e-Auction Website are only indicative and based on the rates prevailing before the commencement of the e-Auction.

The new tax “TCS” has been introduced under section 206 C(H) through Finance Act, 2020 which states that “ Every person being seller, who receives any amount as consideration for sale of any goods of the value or aggregate of such value exceeding Fifty lakh rupees in any previous year, other than the goods being exported out of India or goods covered under sub-section (I) or sub-section (IF) or subsection (IG) shall, at the time of receipt of such amount, collect from the buyer, a sum equal to 0.1 percent of the sale exceeding fifty lakh rupees as income tax provided that the buyer has provided PAN number or other Aadhaar number otherwise it will be 1 percent of the sale on non submission of PAN or Aadhaar number .”

3 **Transfer of Title:** On payment of the above sums by the purchaser in the manner aforesaid, the diamond / packet shall be delivered to the Buyer through Bankers. The delivery of the sealed packet to the purchaser shall conclude the transaction and no objection as to the number, quality, value and characteristics and defects of the diamonds shall be entertained and no liability on this behalf shall be accepted by NMDC thereafter. The property in the diamonds shall be deemed to pass on to the purchaser, only after the Buyer has paid the balance amount in full and physical delivery of the diamond is effected to him and until delivery is made, the title of property i.e. diamonds shall continue to vest in NMDC.

11.4 **Disputes and Arbitration:** The purchaser shall be deemed to have purchased the diamonds with full notice as to their number, quality, value and characteristics and defects of the diamonds, and no dispute with regard thereto shall be entertained thereafter.

11.5 In the event of any difference or dispute between the bidder and the NMDC arising out of or in relation to the auction or with regard to the interpretation of the terms and conditions of the auction or any matter incidental thereto (specifically excluding those mentioned at condition 11.4) , the Buyer may represent to Director (Commercial), NMDC, who shall, after giving an opportunity to the Buyer for personal representation, decide such dispute or difference and communicate the decision to the Buyer within 30 days of the date on which the difference or dispute is received by the Director (Commercial), NMDC, Hyderabad.

11.6 If such a decision is not acceptable to the Buyer, or if the difference or dispute is not decided as provided for at condition no. 11.5, the said dispute may be referred to the Sole Arbitrator who would be appointed by the Chairman-cum-Managing Director, NMDC Ltd., and the decision of the said Sole Arbitrator shall be final and binding on all parties. The arbitration

shall be governed by the provisions of the Indian Arbitration Act, 1996 including amendments thereto and the rules and regulations made there under from time to time.

11.7 The venue of the Arbitration shall be Hyderabad, Telangana State.

12. Governing Laws : -

The contract is governed by the Laws of India. The courts at Hyderabad, Telangana State, shall have the exclusive jurisdiction in the matter.

APPLICATION FORMAT

(Application for issue of Identity card for participation in the inspection and e-auction of rough diamonds by NMDC Limited and to be submitted to the Service Provider nominated by NMDC for the said e-auction of rough diamonds)

Please affix recent passport size Photo
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Name of the applicant/Firm:

Postal address of the applicant/firm:.....

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Contact Number:.....

Email Address:.....

Pan No. Card No.(Copy to be attached)

GST Certificate No.(Copy to be attached)

Place Of Inspection: (Select Panna/ Surat)

Place of delivery of rough diamonds (GST purpose)

EMD Payment Details:.....

Bidders :-Bank Account No:.....

Branch Address:.....

Branch Code / IFSC Code :.....

Important:-

1. The registered bidder can also authorize another person including him to attend the inspection if he desire. Such authorization/intimation shall be done on the letter head duly signed by the bidder along with passport size photo of the person to the service provider and authorized person should carry the photo identity card issued by the service provider. It may be noted that he is not authorized bidder for participation in e-auction.
2. Registered bidders are advised that primary mode of communication with them will be through e-mail unless otherwise stipulated in the terms & conditions of e-auction.
3. The above identity card issued to the bidders is valid only for the said inspection & e-auction.
4. The bidders are advised to follow rules of inspection and terms & conditions of e-auction before participation in inspection and e-auctions.

Bidder signature

Service Provider signature & Seal
