

SARJOO SAHAKARI CHINI MILLS LTD..
BELRAYAN, LAKHIMPUR KHERI-262906.

E-Mail: kscm.belrayan@gmail.com

**COMPETITIVE e-AUCTION FOR SALE OF DRU DRY DISEASED OBSTRUCTING
TREES STANDING/FALLEN IN AREA OF MILL SOCIETY FROM SARJOO SAHAKARI
CHINI MILLS LTD. BELRAYAN IN UTTAR PRADESH**

e-Auction REFERENCE : **57/GM/2022-23 Dated 10/04/2023**

**LAST DATE AND TIME FOR
SUBMISSION OF DOCUMENTS FOR
E-AUCTION** : **15/04/2023– 05:00 P.M.**

**DATE AND TIME
OF LIVE ON LINE e-AUCTION** : **17/04/2023 FROM 10:00 A.M TO
5:00 PM**

PLACE OF OPENING OF e-Auction : **SARJOO SAHAKARI CHINI MILLS LTD.
Belrayan, Lakhimpur Kheri -262906**

ADDRESS FOR COMMUNICATION : **General Manager
SARJOO SAHAKARI CHINI MILLS LTD.
Belrayan, Lakhimpur Kheri -262906**

e-Auction EMD : **Rs. 10000.00 (Ten Thousand Only)**

This Document Contains --16 **Pages**

It will be the responsibility of the e-Participants to check website <https://eauction.gov.in> for any amendment through corrigendum in the e-Auction document. In case of any amendment, e-Participants will have to incorporate the amendments in their e-Auction accordingly.

Document Processing /Cost + 18% GST : **Rs 500.00**

SARJOO SAHAKARI CHINI MILLS LTD..
BELRAYAN, LAKHIMPUR KHERI-
262906.

e-Auction Notice

SSCM/54/GM/2023-24

Date: 10/04/2023

Online E-Auctions are invited for sale of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY, from Sarjoo Sahakari Chini Mills Ltd.. Belrayan, Lakhimpur Kheri -262906,U.P. E-Auction can be uploaded up to 05:00 P.M on 15/04/2023.

S.NO.	Particulars	Start Date and Time	End Date and Time
1.	Document upload time	15/04/2023 10:00 AM	15/04/2023 05:00 PM
2.	Technical Evaluation	17/04/2023 10:00 AM	17/04/2023 05:00 PM
3.	Auction Start	18/04/2023 10:00 AM	18/04/2023 05:00 PM

The e-Auction EMD is Rs.10000 (Ten Thousand). for sale of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY.

The details for submission of e-Auctions will be available on the e-auction portal <http://eauction.gov.in> and also on Federation website www.upsugarfed.org from 14/03/2023 at 05.00 P.M. The Factory reserves the right to cancel any or all the e-Auctions without assigning any reason. The decision of the General Manager shall be the final and binding.

इस निविदा के संबंध में सभी संशोधन, स्पष्टीकरण, शुद्धिपत्र, परिशिष्ट, समय वृद्धि आदि को केवल <http://eauction.gov.in> एवं www.upsugarfed.org पर ही दिया जायेगा। निविदादाता अद्यतन जानकारी के लिए नियमित रूप से इन वेबसाइट्स का पढ़ते रहे।

GENERAL MANAGER

INVITATION FOR e-Auction

Online e-Auction are invited for sale of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY UP and outside state from buyers.

1. Participants are advised to study the Auction Document carefully. Submission of e-Auction against this Auction shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the Auction Document with full understanding of its implications.
2. The Auction document is available at website <http://eauction.gov.in> or Federation's website www.upsugarfed.org from 14/04/2023 at 05:00 AM. Interested Participants may view, download the e-Auction document, seek clarification and submit their e-Auction online up to the date and time mentioned in the table below:

S.NO.	Particulars	Start Date and Time	End Date and Time
1.	Document upload time	15/04/2023 10:00 AM	15/04/2023 05:00 PM
2.	Technical Evaluation	17/04/2023 10:00 AM	17/04/2023 05:00 PM
3.	Auction Start	18/04/2023 10:00 AM	18/04/2023 05:00 PM

(j)	Contact officer	Name: Mr. LUKMAN KHAN (AE Civil) (M:) 9411673019
(k)	Cost of e-Auction document	Rs 500.00 (Rs Five Hundred Only) +GST18% (Non-refundable)
(l)	e-Auction Earnest Money	Rs 10000.00 (Rupees Ten Thousand Only)
(m)	Earnest Money	Earnest Money & Auction Fee Deposited in Favour of SARJOO SAHAKARI CHINI MILLS LTD.. through RTGS/NEFT/NET BANKING. TheDetails are as under. <u>Name of Benificary-</u> Sarjoo Sahakari Chini Mills Ltd. <u>Bank Account No .:-</u> 21359621649 <u>IFSC Code No .:-</u> IDIB00B72 <u>Name of Bank Branch .:-</u> Indian Bank, Belrayan, Lakhimpur Kheri.

3. The Participants need to submit the proof/cost of e-Auction document/processing as stated in the above table in through **RTGS / NEFT/ NET BANKING** in favour of SARJOO SAHAKARI CHINI MILLS LTD.. BELRAYAN (herein after referred as Sarjoo Sahakari Chini Mills Ltd.. payable at BELRAYAN. The scanned copy of the **RTGS / NEFT/ NET BANKING** must be enclosed.
4. All e-Auction must be accompanied by e-Auction Earnest Money Deposit (EMD) in the form of **RTGS / NEFT/ NET BANKING**, drawn in favour of SARJOO SAHAKARI CHINI MILLS LTD.. BELRAYAN The scanned copy of the **e-Auction EMD** must be uploaded along with the e-Auction before opening of technical e-Auction Bid. No Interest would be payable on e-Auction (Earnest Money) deposited with the Factory.

5. The Factory reserves the right to cancel any or all the e-Auction/annul the e-Auction process without assigning any reason thereof. The decision of Mill will be final and binding.
6. In the event of date specified for e-Auction opening being declared a holiday for Factory's office then the due date for opening of e-Auction shall be the following working day at the appointed time and place.
7. All the required documents should be uploaded by the e-Participant electronically in the PDF format. The required electronic documents for each document label of Technical (Fee details, Qualification details, e-Auction Form) schedules/packets can be clubbed together to make single different files for each label.

SECTION I: INSTRUCTIONS TO PARTICIPANTS (ITP)

(A)

THE AUCTION DOCUMENT

1-Cost of e-Auction

- 1) The Participant shall bear all costs associated with the preparation and submission of its e-Auction and SARJOO SAHAKARI CHINI MILLS LTD.. BELRAYAN here in after referred to as "the Seller", will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the e-Auction process.
- 2) This Auction document is available on the web site <http://eAuction.gov.in> and www.upsugarfed.org to enable the Participants to view, download the e-Auction document and submit e-Auction online up to the last date and time mentioned in e-Auction notice/e-Auction document against this e-Auction. The Participants shall have to pay e-Auction document fee of **Rs 590.00 (Rupees Five Hundred Ninty Only) inclusive GST** through **RTGS/ NEFT/ NET BANKING** payable in favour of SARJOO SAHAKARI CHINI MILLS LTD.. BELRAYAN. The scanned copy of the **RTGS / NEFT/ NET BANKING** must be uploaded along with the e-Auction before opening of the technical e-Auction. This e-Auction document fee of Rs. 590.00 will be non-refundable.
- 3) The price of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY (ex-Sugar Mill). The rates should be quoted net and other taxes and duties shall be payable by the buyer as applicable / prevailing at the time of lifting of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY
(a) Rate of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY (Rs. per quintal). The rates should be quoted net and other taxes and duties shall be payable by the buyer as applicable / prevailing at the time of lifting of material.
- 4) **e-Auction Currencies**
Prices shall be quoted in Indian Rupees only.
- 5) **e-Auction Earnest Money Deposit (EMD)**
The Participant shall furnish, as part of its e-Auction, an e-Auction EMD of Rs 10000.00(Ten Thousand Only) in the form of **RTGS/NEFT/NET BANKING**, in favour of SARJOO SAHAKARI CHINI MILLS LTD.. BELRAYAN. The scanned copy of the e-auction EMD must be submitted along with the e-Auction and the original should reach the Seller's office at BELRAYAN before opening of technical e-Auction.

- 6) Unsuccessful Participant's e-Auction EMD will be returned upon the written request through **RTGS/NEFT/NET BANKING** as per your bank details.
- 7) The successful Participant's e-Auction EMD will be refunded after the timely Lifting of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY, Gate pass of Mill and satisfactory lifting report from respective factory.
- 8) **Period of Validity of e-Auction**
 - 8.1 e-Auction shall remain valid for lifting of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY for 30 days from the date of issue of sale order in case sale made within State and out side state
 - 8.2 The validity can be extended by the General Manager on reasonable ground with the condition that if the higher rates of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY are received *by Sugar Mill for lifting the balance quantity of extended period.*

(B) e-Auction OPENING AND EVALUATION OF e-Auction

- 9 Evaluation of technical e-Auction and Evaluation Criteria
 - 9.1 The Seller will examine the e-Auction to determine whether they are complete, whether they meet all the conditions of the Contract, whether required e-Auction fee, e-Auction EMD and other required documents have been furnished, whether the documents have been properly digitally signed, and whether the e-Auction are generally in order. Any e-Auction or e-Auction not fulfilling these requirements shall be rejected.
 - 9.2 The Participants shall submit the scanned copies of following as documentary proof for evaluation of their technical e-Auction:-
 - 9.3 The Participant shall upload the copies of the detail of E.M.D. The e-Auction submitted without required documentary proof shall be rejected.
 - 9.4 The Participant shall submit the copies of the Authorisation letter by the General Manager for the authorised person. The e-Auction submitted without required documentary proof shall be rejected.
 - i. Name .
 - ii. Designation - If Company employee
 - iii. List of member of director to be submitted for verification of signature of authorised person if person is not employee of Factory/ Company. The e-Auction submitted without required documentary proof shall be rejected.
 - 9.5 (A) If Participant is a proprietorship firm or registered firm, then copy of registration from Registrar of firms along with partnership deed/GST certificate to be submitted.
OR
 - 9.6 (B) If the Participant is a company then copy of certificate of incorporation issued by the Registrar of companies of the state along with memorandum of article of association.

- 9.7 The Participant shall submit the copies of the details of GST registration and PAN No. self attested. The e-Auction submitted without required documentary proof shall be rejected.
- 9.8 The e-Auction found to be not responsive to and not fulfilling all the conditions of the contract and not meeting Technical Specifications and Qualification Requirements to the satisfaction of Seller shall be rejected and may not subsequently be made responsive by the Participant by correction of the non-conformity. The e- Auction of Participants mentioning any of their conditions which are not mentioned in the e-Auction document or are not in conformity with the conditions of the contract shall be rejected.
- 9.9 It shall be the discretion of the Seller to decide as to whether an e-Auction fulfils the evaluation criterion mentioned in this e-Auction or not.
- 9.10 The Participants are advised not to mix financial Auction documents with the PDF documents submitted for technical Auction. The e-Auction of the Participant having financial Auction document in the technical Auction will out rightly be rejected.
- 9.11 The commercial quotes of the Highest Participant (H-1) shall be eligible for purchase of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY. The Quantity offered by the H-1 shall be first taken into consideration.
- 9.12 The Participants are required to give their maximum rates in the Auctions as well as negotiation can be held with H-1.
- 9.13 In case H-1 offers partial quantity for lifting then balance of the quantity may be allotted to subsequent Participant(s) provided the successful Participant(s) are ready to offer the rates quoted by H-1.
- 9.14 In case H-1 backs out, the Auction shall be cancelled & Auction shall be invited again. H-1 shall however be blacklisted from participating in any future auction of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY in Sugar Factory and are liable for legal action taken by Factory. EMD will be forfeited by the sugar factory in case of purchaser baks out(H-1)

10 Documents Establishing Participant's Qualification

- 10.1 Pursuant to ITP Clause 6, the Participant shall furnish, as part of its Technical e-Auction, documents establishing the **Participant's** qualification to perform the Contract if its e-Auction is accepted. The documentary evidence should be submitted by the **Participant** electronically in the PDF format.

The documentary evidence of Participant's qualification to perform the Contract if its e-Auction is accepted shall be as per Qualification Requirements specified in following table.

SI No	Clause	Instrument/ Documents required	Page No.
1	Section 1 A Clause 4	Cost of e-Bid Document RTGS/NEFT/NET BANKING Details Rs. date	
2	Section 1 A Clause 5	Scanned Copy of Cost of e-Bid Document And EMD	
3	Section 1 A Clause 5	e-Bid EMD in RTGS/NEFT/NET BANKING Details Rs. date	
4	Section 1 B Clause 9.4	Authorisation Letter by the Managing Director of the bidder Firm with required information.	
5	Section 1 B Clause 9.5(A)	Copy of Registration from Registrar of Firm Along with partnership deed.	
6	Section 1 B Clause 9.6 B	Copy of Certificate of Incorporation issued by ROC along with memorandum of Article of Association and the names of Directors/Proprietor along with document	
7	Section 1 B Clause 9.7	Copy of GST Registration / PAN No.	
8	SECTION II	Acceptance to the Conditions of Contract	
9	SECTION III(A)	e- Auction Form	
10	SECTION III(B)	Schedule of Auction Quantity	
11	SECTION III (C)	Auction Quantity unit wise offered by the buyer	
12	SECTION III (D)	General Information / Capability Statement	
13	SECTION III (E)	Integrity Pact	
14			

11 Contacting the Seller

- 11.1 Participant shall contact the Seller on any matter relating to his/her e-Auction, from the time of the e-Auction opening to the time the Contract is awarded. If the Participant wishes to bring additional information to the notice of the Seller, he/she can do so in writing.
- 11.2 Any effort by a Participant to influence the Seller in its decisions on e-Auction evaluation, e-Auction comparison or contract award may result in rejection of the Participant's e-Auction.

(C)

AWARD OF CONTRACT

12. Award Criteria

- 12.1 The Sugar Mill will award the contract to the highest Participant (H-1) successfully Participant whose Auction has been determined to be responsive to all the conditions of the contract and meeting the technical specification and qualification.
- 12.2 In case H-1 offers partial quantity (offered) of lifting then balance of the quantity shall be allotted to subsequent Participants provided the successful Participant are ready to offer the rate quoted by H-1.

13 Seller's right to vary Quantities at the Time of Award

- 13.1 The seller reserves the right at the time of contract award to increase or decrease the quantity specified in the schedule or procedure of live Auction as running on eauction.gov.in portal.
- 13.2 If any taxes/duties are increased/ decreased by the Government during the contract period, the same shall be borne by the buyer.

14 Notification of Award

- 14.1 Prior to the expiration of the period of e-Auction validity, the Seller will notify the successful Participant in writing by letter/e-mail/fax, that its e-Auction has been accepted.
- 14.2 The notification of award will constitute the formation of the Contract.

SECTION II: CONDITIONS OF CONTRACT(CC)

QUALITY

The DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY is being sold on the as is where is basis.

In Case of delay in lifting beyond control of the buyer the validity period may be extended after reviewing the situations with necessary documentary evidenced by the General Manager (SARJOO SAHAKARI CHINI MILLS LTD..),

1. EARNEST MONEY

Each Auction shall be accompanied by an earnest money of Rs.10000.00(Rs. Ten Thousand Only) in form of the RTGS / NEFT/ NET BANKING in favour of SARJOO SAHAKARI CHINI MILLS LTD., payable at BELRAYAN. The Auction without earnest money shall be liable to be rejected. No interest shall be payable on the earnest money.

2. PAYMENT

The payment shall be made in advance through RTGS/NEFT/NET BANKING before the lifting. The payment against the cost of DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY should be made in favour of SARJOO SAHAKARI CHINI MILLS LTD..BELRAYAN. and the payment for duties and taxes shall be made through Bank draft in favour of concerned unit.

3. ARBITRATION :

Solely for the purposes of settlement of any dispute arising between the parties out of this agreement, the contractor shall be treated as an agent of the mill and any dispute arising out and between the parties to this agreement shall be referred to arbitration to the Registrar in accordance with Section 70 of the U.P. Cooperative Societies Act, 1965.

3. GENERAL CONDITIONS :

1. *The tenderer will have to fill their name and address in the E-Auction.*
2. *Tenderer will be present at the time of opening E-Auction.*
3. *The tenderer will have to upload all their certificate on website.*
4. *Tenderer will have to fill their rates in lum-sum quintal basis.*
5. *Tenderer will have to deposit earnest money through bank draft which should be in favour of Sarjoo Sahakari chini mills Ltd. Belrayn Kheri or RTGS/NEFT.*
6. *E-Action will be rejected in case of non-uploading certificate related above.*
7. *GST registration certificate is also necessary for said E-Auction.*
8. *The decision of under sinned the case of any dispute will be find and valid.*
9. *The work should be completed within one-month period.*
10. *Right to reject any or all the E-Auction without assigning the any reason is reserved with under signature.*

SECTION III: TECHNICAL E-AUCTION

- III (A) e Auction FORM**
- III (B) Schedule of Tender Quantity**
- III (C) Auction Quantity Unit Wise offered by the buyer**
- III (D) GENERAL INFORMATION/CAPABILITY STATEMENT**
- III (E) INTEGRITY PACT**

CHECKLIST

SI No	Clause	Instrument/ Documents required	Page No.
1	Section 1 A Clause 2	Cost of e-Bid Document RTGS/NEFT/NET BANKING Details Rs. date	
2	Section 1 A Clause 2	Scanned Copy of Cost of e-Bid Document And EMD	
3	Section 1 A Clause 2	e-Bid EMD in RTGS/NEFT/NET BANKING Details Rs. date	
4	Section 1 B Clause 9.4	Authorisation Letter by the General Manager of the bidder Firm with required information.	
5	Section 1 B Clause 9.5(A)	Copy of Registration from Registrar of Firm Along with partnership deed.	
6	Section 1 B Clause 9.6 B	Copy of Certificate of Incorporation issued by ROC along with memorandum of Article of Association and the names of Directors/Proprietor along with document	
7	Section 1 B Clause 9.7	Copy of GST Registration / PAN No.	
8	SECTION II	Acceptance to the Conditions of Contract	
9	SECTION III(A)	e- Auction Form	
10	SECTION III (C)	Auction Quantity unit wise offered by the buyer	
11	SECTION III (D)	General Information / Capability Statement	
12	SECTION III (E)	Integrity Pact	
13			
14			

SECTION III(A): e- Auction FORM

Date:.....

IFB No **KCSF/BS/2021-22/01**

To:

The General Manager,

SARJOO SAHAKARI CHINI MILLS
LTD..BELRAYAN,
Saharanpur-247 232

Dear Sir,

Having examined the e-Auction Documents, we, the undersigned, to buy / liftquintals of **DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY** in conformity with the said e-Auction (Section II) of the e-Auction Document and will Lifting **DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY** from your factory in addition to this, required e-Auction /EMD for Rs. 10000.00 (Rupees Ten Thousand only) **DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY i.e. 10000.00** in the form of **RTGS / NEFT/ NET BANKING**, pledged in favour of SARJOO SAHAKARI CHINI MILLS LTD., BELRAYAN, is furnished with this e-Auction form.

We further undertake, if our e-Auction is accepted, to lift **DRY DISEASED OBSTRUCTING TREES STANDING/FALLEN IN AREA OF MILL SOCIETY** in accordance with the lifting validity period.

We agree to e-Auction by this e-Auction for the e-Auction validity period specified in ITB B.1.2.3 and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

This e-Auction, together with your written acceptance thereof and your notification of award shall constitute a binding contract between us. All the terms and conditions of the e-Tender Document are acceptable to us.

We undertake that in competing for (and, if the award is made to us, in executing) the above contract, we will strictly observe the laws against fraud and corruption in force in India namely "Prevention of Corruption Act 1998".

We understand that you are not bound to accept the Highest or any e-Auction you may receive.

Dated this.....day of 2023.

Signature

(in the capacity of)

Duly authorized to sign e-Auction for and on behalf of

Section III (B) Schedule of Auction Quantity

TOTAL AVILABLE QUANTITY AS WHERE IT IS.

Section III (C) Auction Quantity unit wise offered by the buyer

TOTAL AVILABLE QUANTITY AS WHERE IT IS.

SECTION III (D) : GENERAL INFORMATION/CAPABILITY STATEMENT (CS)

1. General Information
 - (a) Name and complete mailing address of the Participant

 - (b) Name of authorized Official
 - (c) Phone Nos:
 - (d) Fax:
 - (e) E-Mail:
 - (f) Website:

2. GST Registration and PAN No.
(upload copy of the registration certificate)

3. Status of the company:
Proprietary/Partnership firm or company

4. Whether the Participant is Bonafide User

5. Particulars of the person authorized to sign the e-Auction.

6. Details of e-tender document processing
Cost (Rs. 590/-)

7. Details of Earnest Money Deposit
(Rs.10000.00 Rs. Ten Thousand Only)

**SECTION III (D) : INTEGRITY PACT
TO WHOM IT MAY CONCERN
AFFIDAVIT IN RELATION TO THE E-TENDER FOR DEBAR &
INTEGRITY PACT(IP)**

I (Full Name), aged about, S/O Shri (Full Name), is resident of (Permanent address/present address), is the director/representative/partner of M/s (address of registered office), do hereby solemnly affirm and state on oath as under;

1- I/We state and confirm that I/we or our holding company/subsidiary company have not been convicted by any court of law or indicated or adverse orders passed by a Regulatory Authority or Government of India/State Governments/ Undertakings or any FIR related to economic or criminal offence has been lodged against the directors/senior officials of the Company/Firm/me which would cast a doubt on our ability to manage/deal with the public sector unit or which relates to grave offence that outrages the moral sense of the community.

2 -I/We further state and confirm that in regard to matters relating to security and integrity of the country, I/we have not been charge-sheeted/Black-Listed by any agency of the Government of India/State Governments/Undertakings and/or not been convicted for any offence by any court of law by me/us or by any of our holding/subsidiary company.

3. I/We undertake that in case of any change in the facts and circumstances during the agreement period, such change would attract the provisions of disqualification mentioned in tender document.

4. I/We state and confirm that I/we have not been debarred/disqualified from participating in the tender process of Government of India or State Governments or their instrumentalities.

5- I/We state and confirm that the applicant or in case of a Consortium, any member of the Consortium has made, incorrect, misleading or false misrepresentation in the forms, statements and attachments submitted, whether intentionally or unintentionally be dropped from further consideration.

6- Party has been agreed, accepted and undertaken to use, practice and observe all the best, clean, ethical, honest and legal means and behaviour maintaining complete transparency and fairness in all activities concerning Bidding, Contracting/Rate Contracting and performance thereto.

7. Party shall not use any corrupt practices including fraud, misrepresentation, misleading or forged/false documents, concealing/suppressing facts, undue pressures or influences from anyone (written or verbal/telephonic), bribery, rigging, cartelisation, collusion, collusive bidding, cover bidding, Bid suppression and Market allocation

8. The party hereby agrees that he will not indulge in any such activity and will inform Managing Director, UP Cooperative Sugar Factories Federation Ltd/General Manager of relevant Sugar Mill if any such activity is on.

9. In case of failure or default in terms of this affidavit the officers of Federation/Public Authority will be subjected to actions prescribed under the relevant Servant Conduct Rules/Discipline and Appeal Rules etc.

including penal actions and prosecution, while the Supplier will bear any or a combination of following penalties:

- (a) Cancellation of Contract/Rate Contracts (RCs)
- (b) Cancellation of Registration
- (c) Forfeiture of all securities and performance Bank Guarantees
- (d) Refusal to grant Registration and contracts/RCs for further period of 3 (three) years
- (e) Suspension and/or banning the business dealings for period upto 3 (three) years
- (f) Any other administrative or penal actions as deemed fit.
- (g) Action under IPC/PC Act and other relevant laws of the country.

10. It has been further agreed that the actions as aforesaid except that at 4(g) above will not require any criminal conviction from any court of law or arbitration but will be based on 'No-contest' basis, uponsatisfaction of the MD, UPCSFFL, who will be the competent authority to finally decide the matter on strength of such materials/evidence of default/breach of the terms under this IP.

Deponent

Verification

Iabove named (authorized signatory), do hereby verify the contents of para 1-5 are true to my personal knowledge.

Signed and verified on

Deponent

I identify the deponent who has signed before me.
Advocate