

## E-AUCTION PROCESS INFORMATION DOCUMENT

Invitation for Bids for E-Auction of Assets of **B. D. Motors Limited** (in Liquidation) under the provisions of the Insolvency and Bankruptcy Code, 2016 (“Code”) in terms of the Order of the National Company Law Tribunal, Kolkata Bench, I (“NCLT”) dated 6<sup>th</sup> January, 2022.

### **Date of Public Announcement**

27<sup>th</sup> February 2023

### **Date of E-Auction**

20<sup>th</sup> March 2023

### **Issued by:**

**Bimal Kanti Choudhury**

Liquidator

IBBI Regn.No : IBBI/IPA-001/IP-P01028/2017-2018/11682

### **B. D. Motors Limited**

(A Company under Liquidation Process *vide* NCLT’s Order dated 6<sup>th</sup> January, 2022)

### **Registered Office of the Company:**

“Diamond Prestige”41A, AJC Bose Road,  
1<sup>st</sup> Floor, Room No. 115, Kolkata - 700017

**Email ID: [ipbdmotors@gmail.com](mailto:ipbdmotors@gmail.com)**

### **Address for Correspondence:**

**Bimal Kanti Choudhury**

**Liquidator of B. D. Motors Limited**

**Address: 77A/50 Raja S.C.Mallick Road, 8 S.P.B. Block**

**Kolkata-700092**

**Contact No.: 9831522717**

1. This E-Auction Process Information Document is issued only for the Interested Bidders.
2. Terms and Conditions, deadlines etc. for participating in the E-Auction are provided in the E-Auction Process Information Document. As there is no functional website for B. D. Motors Limited (in Liquidation), the timelines, notifications, updates, and other details for the E-Auction Process are available from the Liquidator.
3. Bidders desirous to submit their Bid must submit their Bids on E-Auction Portal [www.right2vote.in/eauction](http://www.right2vote.in/eauction)

## DISCLAIMER

1. *This E-Auction Process Information Document is issued by Bimal Kanti Choudhury, the Liquidator appointed by the NCLT, Kolkata Bench, in the matter of B.D.Motors Limited (in Liquidation) for general information purposes only.*
2. *The purpose of this document is to lay out the process for submitting the E-Auction Bids for the Assets of B.D.Motors Limited (in Liquidation) (the “Company” or “Corporate Debtor”)in accordance with the Insolvency and Bankruptcy Code, 2016 and The Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016(‘IBC’).*
3. *This document is not a statutory document, and it has not been approved or registered with any regulatory or statutory authority of Government of India or any State Government. Nothing herein or in materials relating to the E-Auction Process Information Documents should be construed as legal, financial, accounting, regulatory or tax advice by the Liquidator.*
4. *It is to be noted that no information being provided in this E-Auction Process Information Document, is claimed to be comprehensive. Independent due diligence of the intended users of this document or the bidders is highly recommended.*
5. *This E-Auction Process Information Document and the information contained herein or disclosed should not be printed, reproduced, transmitted, sold, distributed, or published by the recipient, without prior written approval from the Liquidator.*
6. *Neither the Liquidator, nor his Partners, Legal Associates, etc. shall be liable for any damages, whether direct or indirect, including loss of revenue or profits that may arise from or in connection with the use of this E-Auction Process Information Document, including for the E-Auction Participant not being selected as a Successful Auction Participant or on account of any decision taken by the Liquidator.*
7. *Further, apart from the provisions set out in this E-Auction Process Information Document, the E-Auction process applicant shall be responsible for fully satisfying the requirements and provisions of the Insolvency and Bankruptcy Code 2016 and of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations 2016 as well as all laws in force that are or may be applicable to the applicant.*

8. *It is to be noted that by procuring a copy of this E-Auction Process Information Document, the recipient accepts the terms of this disclaimer, which forms an integral part of this E-Auction Process Information Document and part of all the other terms and conditions of this E-Auction Process Information Document.*
9. *Under no circumstances shall the E-Auction Participant make any contact, direct or indirect, by any mode whatsoever, with the Company until the Liquidator gives his written permission.*
10. *The Property and Assets of the Company consisting of Land, Buildings, movables like Plant and Machinery, etc. situated at Durgapur, West Bengal, and also the investments and the current assets including loans & advances ,trade receivables, etc. are proposed to be sold on “As is where is” basis ,“As is what is” basis, “Whatever there is” basis and “No recourse” basis and the proposed sale of the assets of the Company does not entail transfer of any other title, except the title which the Company had on its assets at Durgapur and the investment and the current assets like loans & advances and trade receivables as on the date of transfer. The Liquidator does not take or assume any responsibility for any shortfall or defect or shortcoming in the moveable/immoveable assets of the Company offered for auction.*
11. *The E-Auction Participant shall bear all its costs and charges associated with or relating to the preparation and submission of its bid including but not limited to Physical and Electronic preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the Liquidator, or any other costs incurred in connection with or relating to its bid.*
12. *This E-Auction Process Information Document is neither an agreement nor an offer by the Liquidator to the Prospective Bidders or any other person. The objective of this E-Auction Process Information Document is to provide interested parties with information that may be useful to them in making their bids. It may be noted that the assumptions, assessments, statements, and information contained in the E-Auction Process Information Document may not be complete, accurate, adequate, or correct. Each Bidder should, therefore, conduct its own due-diligence, investigations and analysis and should also check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements, and the information contained in this E-Auction Process Information Document and may get independent advice from appropriate sources.*

*13. Information provided in this E-Auction Process Information Document to the Bidder(s) has been collected and collated from several sources. The information given by no means claims to be an exhaustive account of statutory requirements and should not be regarded as complete. The Liquidator accepts no liability or responsibility for the authenticity, accuracy or otherwise for any statement or information contained in the E-Auction Process Information Document.*

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## 6. INFORMATION MUST BE READ BEFORE BIDDING

1. This E-Auction Process Information Document has been issued for the purpose of carrying out electronic auction (**E-Auction**) of the assets of B.D.Motors Limited (in liquidation) (the “**Company**” or “ **Corporate Debtor**”) under the provisions of the Insolvency and Bankruptcy Code, 2016 and the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016 (**Liquidation Process Regulations**).
2. The information provided in this E-Auction Process Information Document should be read together with the provisions of the Code and the Liquidation Process Regulations. In the event of a conflict between this E-Auction Process Information Document and the Code or the Liquidation Process Regulations, the provisions of the Code or the Liquidation Process Regulations, as the case may be, shall always prevail.
3. The information contained in this E-Auction Process Information Document or subsequently provided to Bidder(s), whether verbally or in documentary or any other form by or on behalf of the Liquidator, is provided to Bidder(s) on the terms and conditions as set out in this E-Auction Process Information Document.
4. The Liquidator may, in his absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this E-Auction Process Information Document.
5. The issuance of this E-Auction Process Information Document does not imply that the Liquidator is bound to select a Bidder or to appoint the Highest Bidder as Successful Bidder for the assets of the company put up for auction and the Liquidator reserves the right to reject all or any of the Bidders or bids without assigning any reason whatsoever.
6. Right2Vote Infotech Private Limited, Address: B406, Hill Side, Raheja Vihar, Chandivali, Mumbai - 400072 (**E-Auction Service Provider**) has been appointed as the E-Auction Service Provider. The sale of the Assets and the Properties of the Company shall be undertaken by the E-Auction Service Provider for and on behalf of the Seller through an E-auction platform provided on the website portal of the E-Auction Service Provider (**Platform**). Other details with respect to the E-auction are as

Follows:

<b>Type of Bid</b>	<b>E-Auction</b>
Seller	Bimal Kanti Choudhury (Liquidator for B. D Motors Limited)
Website of E-Auction Service provider	<a href="http://www.right2vote.in/eauction">www.right2vote.in/eauction</a>
Service Provider	Right2Vote Infotech Private Limited Address: B406, Hill Side, Raheja Vihar, Chandivali, Mumbai – 400072
Annexures and Formats	Format A: Format for letter for submission of EMD by Associate Company  Annexure I : Affidavit and Undertaking Annexure II : Bid form along with the terms and conditions (to be duly filled in and signed and stamped by the Bidder and uploaded) Annexure III : Declaration by the Bidder (to be duly filled in and signed, stamped by the Bidder and uploaded along with the Bid form) Annexure IV: Terms & Condition of the E-auction Annexure V: Asset Information Sheet
Special Instructions	Please note that bidding is a serious matter and last-minute bidding may lead to unnecessary lapses. Neither the E-Auction Service Provider nor the Liquidator will be responsible for any lapses on the part of the Bidders.

All the terms and conditions with respect to the sale of the assets and properties of the company put up for auction shall be governed by the directions of the Liquidator, NCLT and in accordance with the provisions of applicable laws. As mandated by the NCLT, the Liquidator shall exercise all rights with respect to sale of the Assets and Properties and it would be open to the Liquidator to appoint such experts, professionals, or other persons, as the Liquidator might think necessary to enable the sale of the assets.

The Annexures to this E-Auction Process Information Document shall form an integral part hereof and this E-Auction Process Information Document shall always be read in conjunction with the Annexures appended hereto.

The title document relating to the properties offered for sale may be available for inspection on request to be made to the Liquidator at [ipbdmotors@gmail.com](mailto:ipbdmotors@gmail.com). Such an inspection, if allowed by the Liquidator, will be done, on such date and time as may be decided by the Liquidator.



## 7. KEYDEFINITIONS

“Adjudicating Authority” or “NCLT” shall mean the Hon’ble Kolkata Bench of the National Company Law Tribunal;

“Applicable Laws” shall mean, all the applicable laws, codes, regulations, rules, guidelines, circulars, re-enactments, revisions, applications and adaptations thereto, judgments, decrees, injunctions, writs and orders of any court, arbitrator or governmental agency or authority, rules, regulations, orders and interpretations of any governmental authority, court or statutory or other body applicable for such transactions including but not limited to the IBC, Liquidation Regulations, Companies Act, 1956 / 2013 (as applicable), Competition Act, 2002, Transfer of Property Act, 1882, Sale of Goods Act, 1930, Foreign Exchange Management Act, 1999, whether in effect as of the date of this E-Auction Process Information Document or thereafter and each as amended from time to time;

“**Bid**” means, any bid submitted by the Bidders as required in terms of this E-Auction Process Information Document and in accordance with the provisions of IBC read together with the Liquidation Process Regulations and the Applicable Laws;

“**Control**” shall mean a person holding more than 26% (twenty-six percent) of the voting share capital in a company or the ability to appoint majority of the directors on the board of another company or the ability of a company to direct or cause direction of the management and policies of another company, whether by operation of law or by contract or otherwise;

“**E-Auction Process Participant**” or “**Bidder**” mean, person or persons who submits a bid as per the E-Auction Process Information Document; and shall include a Qualified Bidder or the Successful Bidder, as the case may be, and as the context requires;

“**E-Auction Process Information Document**” means this document including all the appendices hereto, for the purposes of setting out the process for submission of a bid and selection of Successful Bid in accordance with the provisions of the IBC and shall include all supplements, modifications, amendments, alterations, or clarifications thereto issued in accordance with the terms hereof;

“**IBC**” shall mean Insolvency and Bankruptcy Code, 2016 and the related rules and regulations issued there under, as amended from time to time;

“**Liquidation Process Regulations**” means, the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations 2016 as amended from time to time;

“**Liquidator**” means an insolvency professional appointed as a liquidator in accordance with section 34 of the IBC;

“**Person**” shall mean an individual, a partnership firm, an association, a corporation, a limited company, a trust, a body corporate, bank or financial institution or any other body, whether in corporate or not;

“**Qualified Bidder(s)**” shall mean a Bidder who fulfils the eligibility criteria listed out in the E-Auction Process Information Document;

“**Successful Bidder**” or “**Successful E-Auction Process Participant**” means, the Qualified Bidder whose bid is approved and who is declared successful by the Liquidator at the end of the determined auction phase.;

## 8. INTRODUCTION

- a. The Company's Liquidation Process has been initiated under the provisions of the IBC and the Liquidation Process Regulations by an order of the NCLT with effect from 6<sup>th</sup> January, 2022. As per the said order, Sri Bimal Kanti Choudhury has been appointed as the Liquidator.
- b. It is the endeavour of the Liquidator to sell the assets and properties comprising the liquidation estate of the Company in the manner specified under Regulation 32 of the Liquidation Process Regulations, any other rules, regulations, orders, circulars, directions or notifications or the like, issued pursuant to or under the IBC or the Liquidation Process Regulations, as the case may be, and as per directions, if any, of the NCLT in respect of the liquidation process of the Company and in the manner specified in this E-Auction Process Information Document.
- c. The E-Auction would be conducted in the manner specified in the Schedule I, as provided under Regulation 33 of the Liquidation Process Regulations, any other rules, regulations, orders, circulars, directions or notifications or the like, issued pursuant to or under the IBC or the Liquidation Process Regulations, as the case may be, and as per directions, if any, of the NCLT in respect of the liquidation process of the Company and in the manner specified in this E-Auction Process Information Document.
- d. The E-Auction Participants are advised to make themselves acquainted with the provisions of the IBC and the Liquidation Process Regulations and any other rules, regulations, orders, circulars, directions or notifications or the like, issued pursuant to or under the IBC or the Liquidation Process Regulations, as the case may be.

## 9. AN OVERVIEW OF THE COMPANY

### ***Brief Background:***

B. D. Motors Limited is a closely held company having registered office at "Diamond Prestige" 41A, AJC Bose Road, 1<sup>st</sup> Floor, Room No. 115, Kolkata-700017, West Bengal. The NCLT, Kolkata, ordered the company to be liquidated on 6<sup>th</sup> January 2022 and appointed Sri Bimal Kanti Choudhury, the undersigned, as the Liquidator. Presently the company has no activity other than holding some movable and immovable assets.

## 10. ELIGIBILITY

An E-Auction Process Applicant shall not be eligible to submit a bid for purchase of assets of the Company if he falls under the ineligibility criteria as set out in Section 29A of the IBC (as amended from time to time).

A careful reading of Section 29-A of the IBC states that a person shall not be eligible to submit a bid, if such person, or any other person acting jointly or in concert with such person—

- a) Is an un-discharged insolvent;
- b) Is a willful defaulter in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949;
- c) Has an account, or an account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as non-performing asset in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act 1949 and at least a period of one year has lapsed from the date of such classification till the date of commencement of the liquidation process of the corporate debtor;

Provided that the person shall be eligible to submit a bid if such person makes payment of all overdue amounts with interest thereon and charges relating to non- performing asset accounts before submission of bid;

- d) Has been convicted for any offence punishable with imprisonment for two years or more;
- e) Is disqualified to act as a director under the Companies Act, 2013;
- f) Is prohibited by the Securities and Exchange Board of India from trading in securities;
- g) Has been a promoter or in the management control of a corporate debtor in which a preferential transaction, undervalued transaction, extortionate credit transaction or fraudulent transaction has taken place and in respect of which an order has been made by the Adjudicating Authority under this Code;
- h) Has executed an enforceable guarantee in favour of a creditor in respect of a corporate debtor against which an application for insolvency resolution made by such creditor has been admitted under this Code;

- i) Has been subject to any disability, corresponding to clauses (a) to (h), under any law in a jurisdiction outside India; or
- j) Has a connected person not eligible under clauses (a) to (i)

Explanation—For the purposes of this clause, the expression “connected person” means

- i. Any person who is the promoter or in the management or control of the e-auction process applicant; or
- ii. Any person who shall be the promoter or in management or control of the assets of the Company pursuant to sale thereof as part of the liquidation process of the Company; or
- iii. The holding company, subsidiary company, associate company or related Party of a person referred to in clauses (i) and (ii)

Provided that nothing in clause (iii) of this Explanation shall apply to—

- a. A scheduled bank; or
- b. an asset reconstruction company registered with the Reserve Bank of India under section 3 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002; or
- c. an Alternate Investment Fund registered with the Securities and Exchange Board of India.”

## **11. DOCUMENTS REQUIRED TO BE SUBMITTED TO ASCERTAIN ELIGIBILITY OF THE BIDDER**

The E-Auction Process Applicant or the Bidder would need to submit the following forms, documents, and authorizations as part of the Auction Plan by the bidder(s):

- a. Ownership Structure and Composition of the E-Auction Applicant / Bidder, Proof of Identity, Current Address Proof, PAN card, Valid e-mail ID, Land line and Mobile Phone number

- b. Authorization to the Signatory (in case the bidder is a legal entity)
- c. Affidavit and Undertaking by the E-Auction Process Applicant (through Authorized Signatory, in case the bidder is a legal entity). The Format for the Affidavit and Undertaking is attached vide **Annexure I**
- d. An eligible bidder will need to submit the duly filled, signed and stamped **Bid Application Form** attached vide **Annexure II**, and duly filled, signed and stamped **Declaration by Bidders** attached vide **Annexure III**.

Please note that only the eligible bidders will gain access to documentation, additional information required for due diligence, after due submission of the required bid form and declaration form. Further, if needed, site visits for only eligible bidders may also be coordinated by the Liquidator.

*Further, it should be noted that at any stage of the E-Auction process, the liquidator may ask for any documents from the prospective bidders to evaluate their eligibility. The liquidator, at his discretion, may disqualify the prospective bidder for non-submission of the requested documents.*

## **12. PHYSICAL VERIFICATION AND SITE VISIT**

Eligible Bidders may request the Liquidator to arrange for physical verification and site visit of the Property and Assets of the Company situated at Durgapur. Upon receipt of such a request, the Liquidator may first arrange a discussion meeting in Kolkata on or before 14<sup>th</sup> March 2023. The Liquidator reserves the right not to arrange such a discussion meeting for any reason whatsoever, irrespective of the request of the Eligible Bidder.

The Liquidator may coordinate a site visit for Eligible Bidders on the appointed date prior to submission of the bids, on request for such a visit by the Eligible Bidders. The Liquidator will communicate, in advance, to such Eligible Bidder, all the relevant details, terms and conditions, if any, with respect to such Site Visit. The Liquidator reserves the right to not arrange a site visit for any reason whatsoever, irrespective of the request of the Eligible Bidder.

### 13. DUE DILIGENCE

The Liquidator shall endeavour to provide necessary assistance, facilitating the carrying on of due diligence by interested Bidders. The information and documents shall be provided by the Liquidator in good faith.

The properties and assets of the Company put up for auction are proposed to be sold on “As is where is basis”, “As is what is basis”, “Whatever there is basis” and “No recourse basis” and the proposed sale of the assets of the Company does not entail transfer of any title, except the title which the Company has on its assets at Durgapur and on Investments and the Current Assets including the Loans & Advances and the Trade Receivables, as on the date of transfer. All local taxes/ maintenance fee/ electricity/ water charges/ annual lease rentals/ unearned income in case of leasehold properties, etc., either outstanding as on date or yet to fall due in respect of the relevant asset or any other dues in relation to the property at Durgapur , shall be borne by the successful bidder.

### 14. ASSETS TO BE AUCTIONED AND RESERVE PRICES

<b>Assets</b>	<b>Lot No.</b>	<b>Reserve Price Rs.</b>	<b>EMD Amount Rs.</b>	<b>Bid Incentive Value Rs.</b>
Freehold land and buildings (under the occupation of a litigant who claims to be a tenant and the matter is sub judice before the City Civil Court at Calcutta and the Calcutta High Court) located at Durgapur (Banskopa Area, Near L & T More at Mouza -Bamunara) abutting Kolkata-Delhi Road (NH-02; now part of Golden Quadrilateral) within P.S. Kanksa, covering Plots (2 Nos) within R.S. Dag Nos. 3384,3386,3387 and L R Dag No. 3282, 3284,3285 having L R Khatian No.2015 in JL #85 covering an area of (17 Kattah x 2) =34 kattah, be a little more or less along with facilities which include multistoried car show room with service center coming within Gopalpur Gram Panchayet, PIN-713212, West Bengal, previously used to house a car show room, service center, etc.	Lot No. 1	6,86,00,000	68,60,000	20,00,000

Investments and Current Assets including Loans & Advances and Trade Receivables having a book value of Rs. 2321 lakh. ( Non-Current Investments Rs. 27.68 lakh, Long Term Loans & Advances Rs. 829.60 lakh, Trade Receivables Rs. 1172.23 lakh and Short-Term Loans & Advances Rs. 267.98 lakh)	Lot No. 2	2,50,00,000	25,00,000	10,00,000
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Note: Bidder can bid for any one or both the Lots

**\*Note: GST and other taxes, as applicable, will be charged separately.**

**Please find appended the details of the Assets in Annexure V.**

**It is to be noted that the bidders cannot place a bid at a value below the reserve price. Further, the bidders can increase their Bid by a minimum incremental amount as written above in the last column or multiple thereof.**

#### **15. EARNEST MONEY DEPOSIT(EMD)**

All the E-Auction Process Applicants shall provide, along with or prior to submission of their auction bids, an amount which is equal to the 10% of the reserve price (excluding taxes), as earnest money.

It may be noted that the Bidder may request the Liquidator to permit him (the Bidder) to submit the Earnest Money through its Associate or Associate Company. Such payment of the Earnest Money by an Associate or Associate Company of the Bidder shall be accompanied by a letter in the format set out in **Format A** (Earnest Money by an Associate / Associate Company). Such Associate or Associate Company must also be an Eligible Bidder as per the requirements specified in this E-Auction Process Information Document. Provided that, the Liquidator reserves the right to accept such request at his sole discretion and on such terms and conditions as it may deem fit, including but not limited to requiring such a party to submit any authorization documents or other necessary details / documents.

- a. The Earnest Money Deposit, which would not be bearing any interest, has to be paid by the Bidder on or before 17<sup>th</sup> March 2023 through RTGS /NEFT to the account number of the company as provided under:

<b>Account Number</b>	30814785989
Beneficiary Name	B. D. Motors Ltd. (In Liquidation)
Bank Name	State Bank of India
Branch	SAMB II Kolkata Jeevan Deep Building, 1 <sup>st</sup> Floor, 1 Middleton Street, Kolkata-700071



IFSC Code	SBIN0018192
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- b. The details of any remittance/s in this regard shall be intimated to the Liquidator immediately after the transaction. The entire EMD amount shall be remitted by the Bidder (s) from one bank account only and to be owned by the Bidder.

It should be noted that no interest will be paid to the auction process applicant in relation to such Earnest Money amount.

### **Forfeiture of Earnest Money Deposit from the E-Auction Applicant/Bidder**

It is to be noted that the Earnest Money furnished can be forfeited at any time, upon the occurrence of any of the following events:

1. if there is a breach of any of the conditions under this E-Auction Process Information Document by the Bidder or in case Bidder is found to have made any misrepresentation; or
2. if Bidder is found to be ineligible to submit the bid as per the conditions set out in Section 29 A of the IBC (as amended from time to time) or is found to have made a false or misleading declaration of eligibility as per the conditions set out in Section 29A of the IBC (as amended from time to time); or
3. if the Bidder is identified as the Successful Bidder and it fails to pay 25% of the total consideration within the stipulated time as per the clauses of this E-auction documents after being intimated as successful bidder by the Liquidator.
4. if the Successful Bidder fails to make the complete payment as per the terms of the Letter of Intent issued by the Liquidator.
5. In any of the above event, all the amounts deposited till that date shall be forfeited and the property will be offered to the next highest bidder

### **Set-Off of Earnest Money of the Successful Bidder**

Earnest Money shall be set-off against or used as part of the consideration that the successful bidder proposes to offer in relation to the Company. In case a bidder is not selected as the successful bidder or the auction fails, then the Earnest Money paid by the E-auction process applicant shall be returned (without interest) to it within 10 (Ten) days of the date of closure of auction process.

### **Issuance of Letter of Intent and Transaction Documents**

The Successful Bidder, within a period of 3 days from submission of bid, shall be required to execute a letter of intent (LOI) provided by the Liquidator, the terms of which shall be binding on him.

A sale certificate and / or conveyance document and/ or transfer documents for the relevant asset/assets shall be issued / executed between the Successful Bidder and the Liquidator upon receipt of the entire consideration and execution of the LOI within the stipulated time.

### **Default by Successful Bidder and its Results**

In the event of the Successful Bidder withdrawing his E-Auction, the Liquidator shall have the right to forfeit the Earnest Money furnished by the Successful Bidder.

### **16. DECLARATION OF SUCCESSFUL BIDDER**

The Liquidator at the end of the E-Auction phase, shall declare the successful bidder(s) for the asset offered for E-auction . The successful bidder(s) shall be determined based on highest bid received for the assets by the Liquidator via the E-Auction portal process. In case of any dispute /discrepancy, the Liquidator shall assess the E-Auction process and declare the successful bidder(s) offering maximum value for the auctioned assets. This right to select and declaring the successful bidder(s) shall solely always rest with the Liquidator.

The Liquidator shall endeavour to maximize overall recovery from the sale of Assets of the Company.

### **17. FRAUDULENT AND CORRUPT PRACTICES**

The E-Auction Process Applicant / Bidder shall observe the highest standard of ethics during the E-Auction Process and subsequently during the closure of the E-Auction Process and declaration of successful bidder. Not with standing anything to the contrary contained in this E-Auction Process Information Document, or in the Letter of Intent, the Liquidator shall reject an auction bid, revoke the Letter of Intent, as the case may be, without being liable in any manner whatsoever to the E-Auction Process Applicant, if the Liquidator, at his discretion, determines that the E-Auction process applicant has, directly or indirectly or through an agent, engaged incorrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the E-Auction Process or has, undertaken any action in respect of such process which results in the breach of any Applicable Law including the Prevention of Corruption Act,1988. In such an event, the Liquidator may invoke the Earnest Money, without prejudice to any other right or remedy that may be available to the Liquidator under this E- Auction Process Information Document or Applicable Law.

For the purposes of this Clause, the following terms shall have the meaning hereinafter respectively assigned to them:

**“Coercive practice”** shall mean impairing or harming, or threatening to impair or harm, directly or indirectly, any person or property to influence any person’s participation or action in the auction Process;

**“corrupt practice”** shall mean

- i. the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the auction Process (for avoidance of doubt, offering of employment to or employing or engaging in any manner whatsoever, directly or indirectly, any official of the Liquidator or the Company, who is or has been associated or dealt in any manner, directly or indirectly with the auction Process or arising there from, before or after the execution thereof, at any time prior to the expiry of 1(one) year from the date such official resigns or retires from or otherwise ceases to be in the service of the Liquidator or the Company, shall be deemed to constitute influencing the actions of a person connected with the auction Process);or
- ii. engaging in any manner whatsoever, during the auction Process or thereafter, any person in respect of any matter relating to the Company, who at any time has been or is a legal, financial or technical adviser of the Liquidator or the Company, in relation to any matter concerning the auction process;

**“fraudulent practice”** shall mean a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the auction Process;

**“restrictive practice”** shall mean forming a cartel or arriving at any understanding or arrangement among the auction process Applicants with the objective of restricting or manipulating a full and fair competition in the auction Process; and **“undesirable practice”** shall mean (i) establishing contact with any person connected with or employed or engaged by the liquidator with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the auction Process; or (ii) having a Conflict of Interest.

*The Bidder shall not involve himself or any of his representatives in price manipulation of any kind directly or indirectly by communicating with other Bidders.*

*The Bidder shall not divulge either his bid or any other details provided to him by the Liquidator or during the due diligence process in respect of the asset to any other party. Prior to conducting due diligence / site visits, the Liquidator may require the Bidder to execute confidentiality agreement with the Company / Liquidator.*

## **18. COSTS, EXPENSES AND TAX IMPLICATIONS**

The auction process applicant shall be responsible for all the costs incurred by it on account of its participation in the auction process, including any costs associated with participation in the discussion meeting (if any), site visit, etc. The Liquidator shall not be responsible in any way for such costs, regardless of the conduct or outcome of the auction Process.

It is hereby clarified that the E-Auction Process Applicant shall make its own arrangements including accommodation for the discussion meeting (if organised) or site visit and all costs and expenses incurred in that relation shall be borne by the E-Auction Process Applicant.

The E-Auction Process Applicant shall not be entitled to receive any reimbursement of any expenses which may have been incurred while carrying out the due diligence, search of title to the assets and matters incidental thereto or for any purpose in connection with the E-Auction Process.

It is to be noted that all taxes applicable (including stamp duty implications and registration charges) on sale of assets would be borne by the successful bidder:

- a. The sale of land & buildings attracts stamp duty, registration charges etc. as per relevant laws.
- b. The successful bidder shall bear all the necessary expenses like applicable stamp duties /additional stamp duty/ transfer charges, fees, etc. for transfer of property(ies) in his / her name.
- c. The Successful Bidder shall bear the applicable mutation fee and all the dues of land development agencies, local and municipal taxes, assessment charges, etc. in respect of the properties put on E-Auction.
- d. The purchaser has to bear the cess or other applicable tax i.e. GST, TDS etc.
- e. Legal expenses including fees of advocate/s, if any, for participation in the auction process and transferring and registration of the assets in the name of the Successful Bidder shall be exclusively borne by the Successful Bidder himself.

*The intending bidders are advised to make their own independent inquiries regarding the encumbrances on the property including the disputed tenancy rights of the present occupier vis-a-vis the rights & claims of the liquidator, statutory liabilities, arrears of property tax, any other dues, etc. in respect of the said Durgapur Unit.*

*It is expressly stated that the Liquidator does not take or assume any responsibility for any dues or otherwise, of the Company, including such dues, if any, which may affect transfer*

*of the liquidation assets in the name of the Successful Bidder and such dues, if any, will have to be borne / paid by the Successful Bidder.*

*The E-Auction process applicant shall be responsible for fully satisfying the requirements of the IBC and the related Regulations as well as all Applicable Laws that are relevant for the sale process. The Successful Bidder shall be responsible for obtaining requisite regulatory or statutory or third-party approvals, no-objections, permission, or consents, if any, that are or maybe required under Applicable Law for purchasing the relevant assets.*

*In case any liability or claim is attached to the Durgapur Unit/Property and has fallen due for payment, the Liquidator may, depending on the nature of such liability or claim, require the Successful Bidder to clear the same before registration.*

## **19. GOVERNING LAW AND JURISDICTION**

This E-Auction Process Information Document, the auction process and the other documents pursuant to the E-Auction Process Information Document shall be governed by the laws of IBBI and any dispute arising out of or in relation to the E-Auction Process Information Document or the E-Auction Process shall be subject to the exclusive jurisdiction of the Adjudicating Authority, courts and tribunals at Kolkata, India.

## **20. TIME TABLE**

The following timetable shall apply to the E-Auction Process Information Document. The timetable may be amended by the Liquidator through issuance of an addendum to the E-Auction Process Information Document.

Sl. No	Event	Time line
1.	Date of publication of Sale Notice & E-auction Process Document	27.02.2023
2.	Opening of Auction Portal and this E-Auction Process Information Document made available on the websites as per Terms and Conditions	27.02.2023
3.	Last date of submission of application to participate in the auction & eligibility documents by the prospective bidder	13.03.2023
4.	Inspection of property & consultation for due diligence (on or before)	14.03.2023
5.	Declaration of name of Qualified Bidder/s	15.03.2023
6.	Submission of earnest money deposit (EMD) by the Qualified Bidder/s (on or before)	17.03.2023
7.	Date and Time of Auction	20.03.2023 From 12 to 14 Hrs.

		(IST) with unlimited extension of 5 minutes each
8.	Announcement of Successful Bidder	20.03.2023
9.	Letter of Intent to be issued to successful bidder	21.03.2023
10.	Unconditional Acceptance & Signing the Letter of Intent (LOI)	22.03.2023
11.	Payment of 25 % of total consideration by successful bidder	24.03.2023
12.	Return of EMD for unsuccessful bidders	30.03.2023
13.	Payment of balance consideration by successful bidder	Before 19.04.2023

*\*Please note that access to documentation, additional information and site visits will be granted only once the bidder submits the bid form and declaration form proving his eligibility to participate in the bidding process.*

**Note—**

***In case the final sale consideration is not paid within the timeline i.e. 19.04.2023, the Liquidator shall forfeit EMD and cancel the Sale.***

#### FORMAT A

#### **EARNEST MONEY AMOUNT PAYMENT BY AN ASSOCIATE COMPANY**

To

Mr. Bimal Kanti Choudhury

Liquidator—B. D. Motors Limited

Having its Communication Address: 77A/50 Raja S.C. Mallick Road, 8 S.P.B.Block, Kolkata-700092

**(“Liquidator”)**

[Copy to:]

[Insert name of the Bidder with address]

Dear Sir,

**Sub:** Payment of the amounts of Earnest Money on behalf of the Bidder in relation to the auction of assets of – B. D. Motors Limited.

In light of the bid for assets of B. D. Limited submitted by *[Insert name of the Bidder with address]* in accordance with and subject to the provisions of the E-Auction Process Information Document dated 27<sup>th</sup> February 2023 in relation to the captioned transaction (“**E-Auction Process Information Document**”), issued by the Liquidator,

*[Insert name and address of the Associate Company and address of the head office]* hereby declares and confirms it is *[an/the]* *[Insert relationship of the Associate Company with the Bidder]* of the Bidder (“**Associate Company**”), and the payment of the Earnest Money amount vide *[Insert mode of payment]* (“**Payment**”) is on behalf of the Bidder. The Associate Company acknowledges that such amounts paid as Earnest Money shall be subject to the terms of the Process Information Document and hereby waives any right to claim any refund or adjustment of the amounts of such Payment except in accordance with the terms of the E-Auction Process Information Document.

The Associate Company hereby represents and warrants that payment of amounts on behalf of the Bidder is in compliance with Applicable Law.

Capitalized terms used but not defined in this letter shall have the meanings ascribed to such terms in the E-Auction Process Information Document.

Thanking you,

Yours sincerely,

.....

[Signature and name of the Authorised Officer of the Associate Company]

Rubberstamp/seal of the Associate Company

**ACKNOWLEDGMENT**

We hereby acknowledge and confirm the statements set out above by the Associate Company.

Yours sincerely,

.....

*[Signature and name of the Authorised Officer of the Bidder]*

Rubberstamp/seal of the Bidder



ANNEXURE I  
**AFFIDAVIT AND UNDERTAKING**

Date:

Mr. Bimal Kanti Choudhry

The Liquidator,

B. D. Motors Limited (In liquidation)

Having its communication address at 77A/50 Raja S.C. Mallick Road, 8 S.P. Block, Kolkata-700092

Sub: Disclosure of eligibility under section 29A of the Insolvency and Bankruptcy Code, 2016 and declaration for submitting bid for e-auction.

Dear Sir,

A. I/We hereby submit this declaration under Section 29A of the Insolvency and Bankruptcy Code, 2016 (“Code”):

I/We have understood the provisions of section 29A of the Code. I confirm that neither XYZ Limited nor any person acting jointly with XYZ Limited or any person who is a promoter or in the management or control of XYZ Limited or any person acting jointly with XYZ Limited:

- (a) is a discharged insolvent;
- (b) is a willful defaulter in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949;
- (c) has an account, or an account of a corporate debtor under the management or control of such person or of whom such person is a promoter, classified as non-performing asset in accordance with the guidelines of the Reserve Bank of India issued under the Banking Regulation Act, 1949 or the guidelines of a financial sector regulator issued under any other law for the time being in force and at least a period of one year has lapsed from the date of such classification till the date of commencement of the corporate insolvency resolution process of the corporate debtor;
- (d) has been convicted for any offence punishable with imprisonment: for two years or more under any Act specified under the Twelfth Schedule; for seven years or more under any law for the time being in force;

- (e) is disqualified to act as a director under the Companies Act, 2013;
- (f) is prohibited by the Securities and Exchange Board of India from trading in securities or accessing the securities markets;
- (g) has been a promoter or in the management or control of a corporate debtor in which a preferential transaction, undervalued transaction, extortionate credit transaction or fraudulent transaction has taken place and in respect of which an order has been made by the Adjudicating Authority under this Code;
- (h) has executed a guarantee in favour of a creditor in respect of a corporate debtor against which an application for insolvency resolution made by such creditor has been admitted under this Code;
- (i) is subject to any disability, corresponding to clauses (a) to (h) of Section 29A, under any law in a jurisdiction outside India; or
- (j) has a connected person (as defined in Explanation to Section 29A) who is ineligible under clauses (a) to (i) of Section 29A.

I, therefore, confirm that XYZ Limited is eligible to be bidder in accordance to Section 29A of the Insolvency and Bankruptcy Code, 2016 (“Code”).

I undertake on behalf of XYZ Limited, that during the Liquidation Process, no person who would be considered as Connected Person and is not eligible to submit resolution plan under section 29A of Insolvency and Bankruptcy Code, 2016 and the regulation 38 of IBBI (Insolvency Resolution Process of Corporate Persons) regulations, 2016 shall be engaged in the management and control of corporate debtor.

- B. I declare and undertake that in case XYZ Limited becomes ineligible at any stage during the Liquidation Process, it would inform the Liquidator forth with on becoming ineligible.
- C. I also undertake that in case the XYZ Limited becomes ineligible at any time after submission of the EMD, then the EMD would be forfeited and the same would be deposited in the account of B. D. Motors Limited (In liquidation).
- D. I also further undertake that my winning bid amount will remain binding unless rejected by the Liquidator.

E. I confirm that the said declaration and disclosure is true and correct.

F. I am duly authorised to submit this declaration by virtue of

(DEPONENT)

#### VERIFICATION

I, the deponent above, do hereby solemnly declare and affirm that the above statement given by me is true and correct to the best of my knowledge and belief and nothing stated above is false or misrepresentation or misleading.

(DEPONENT)

ANNEXURE II

**BID Application Form**

**(Please fill up separate Bid application forms for each Lot/property)**

Date:

To

Mr. Bimal Kanti Choudhry

The Liquidator,

B. D. Motors Limited (In liquidation)

Having its communication address at 77A/50 Raja S.C. Mallick Road, 8 S.P.Block, Kolkata-700092

Dear Sir,

I am desirous in participating in the E-Auction announced by you in the newspaper publication dated 27<sup>th</sup> February 2023 .....

.....(name of Newspaper).

I/we have noted the following bank account details of the Corporate Debtor, wherein the EMD and other payments will be made:

Name of the Company	B. D. Motors Ltd (In Liquidation)
Bank Account Number	30814785989
Bank Name	State Bank of India
Branch	SAMB II Kolkata Jeevan Deep Building, 1 <sup>st</sup> Floor 1, Middleton Street, Kolkata-700071
IFSC Code	SBIN0018192

**Details of Bidder**

Name of the Bidder	
Constitution of Bidder	
Contact Person	
Phone No. of Contact Person	
Email ID of the Bidder	
PAN No. of the Bidder	
Address of the Bidder	

Details of Payment made/to be made ( NEFT or RTGS),

UTR No. (For NEFT or RTGS)	
----------------------------	--

**Details of Lot/Asset:**

Sale notice for which EMD deposited/to be deposited (Mention the name of the newspaper & date of sale notice)	
Description of the property/Lot No.	
Reserve Price of the property as per Sale Notice	

I/We/M/s..... also enclose copies of the required KYC documents. We request you to kindly verify the same and arrange with the auction portals for issue of an ID and password for us to enable us to take part in the E-Auction.

Date:

Signature

Place:

STAMP

## **PART of ANNEXURE II**

### **Terms and Conditions of the E-auction**

**In addition to what is mentioned in the E-Auction Process Information Document, following terms and conditions also apply:**

1. E-Auction is being held on “**AS IS WHERE IS, AS IS WHAT IS, WHAT EVER THERE IS AND NO RECOURSE BASIS**” and will be conducted “On Line”. The auction will be conducted through the approved service provider Right2 Vote Infotech Private Limited, at the web portal [www.right2vote.in/eauction](http://www.right2vote.in/eauction). E\_auction Process document containing E- Auction bid form, Declaration by bidders, General terms and conditions of online auction sales are available on Websites [www.right2vote.in/eauction/primus](http://www.right2vote.in/eauction/primus). Interested bidders can register, bid and receive confirmation of their bid online.
2. The Prospective Bidders should make their own independent inquiries regarding the encumbrances, title of assets put on auction and claims/rights/dues/ affecting the assets, and should conduct their own due- diligence prior to submitting their bid. They are also advised to make their all inquiries regarding the encumbrances on the property including the disputed tenancy rights of the present occupier vis-a-vis the rights & claims of the liquidator, statutory liabilities, arrears of property tax, any other dues, etc. in respect of the said Durgapur Property/Unit.
3. The E-Auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of the Liquidator. The property is being sold with all the existing and future encumbrances /claims /dues /demands whether known or unknown to the Liquidator. The Liquidator shall not be responsible in any of way for any third-party claims/rights/dues.
4. The Prospective Bidders should submit the Request Letter for participation in E-auction, self-attested copies of (i) Proof of identity (KYC) viz. Voter ID card/ Driving License/ Passport etc., (ii) Current Address-Proof for communication, (iii) PAN card of Bidder, (iv) Valid Email ID, (v) contact number (Mobile/Landline) of the bidder etc., to the office of Liquidator by 13<sup>th</sup> March 2023. Scanned copies of the original of these documents can also be submitted to the Email ID of Liquidator.
5. Names of Eligible Bidders will be identified and conveyed by the Liquidator

individually to all the Applicants by 15<sup>th</sup> March 2023.

6. The Liquidator and/or Right2Vote will provide User ID & Password to the Eligible Bidders after submission of EMD and due verification of KYC of the Eligible Bidders.
7. It should be the responsibility of the interested bidders to inspect and satisfy themselves about the property before submission of the bid.
8. Liquidator has the right to demand documents from bidder for the process and in case the documents are not provided, the liquidator may disqualify the bid.
9. The E-Auction / bidding of the assets of B. D. Motors Limited would be conducted on the scheduled Date & Time. The bidder may improve their offering multiple of "Bid Increment Amount" against the property. In case bid is placed in the last 5 minutes of the closing time of the E-auction, the closing time will automatically get extended for 5 minutes.
10. Barring unforeseen circumstances the EMD of unsuccessful bidders shall be refunded within the scheduled time. The EMD shall not bear any interest.
11. In case of Successful Bidders the EMD shall not carry any interest.
12. The Liquidator will intimate through mail to the Successful Bidder, detailing the Total Payable Amount and other Terms and Conditions. The Successful Bidder would have to pay 25% within the time stipulated in this document. Any default in payment of 25% of bid money by the successful bidder would entail forfeiture of EMD already deposited and the property shall be put to re-auction and the defaulting bidder shall have no claim/right in respect of property/amount, what so ever.
13. The Successful Bidder shall bear the registration charges, mutation fee, legal fees for registration of the property , local and municipal taxes, assessment charges, etc. , and any other applicable fees/charges including dues of the security personnel/labor/Liquidator since the inception of CIRP in respect of the properties put on e-Auction.
14. The Liquidator is not bound to accept the highest offer and has the absolute right to accept or reject any or all offer(s) or adjourn/postpone/cancel the E-Auction or withdraw any property or portion thereof from the auction proceedings at any stage

without assigning any reason there for.

15. The sale certificate will be issued and / or transaction / sale documents executed in the name of Successful Bidder(s) / Successful E-Auction Process Applicant(s) only and will not be issued in any other name(s).
16. The sale shall be subject to conditions prescribed under the Insolvency & Bankruptcy Code, 2016, provisions and regulations there under.
17. The decision of the Liquidator on declaration of Successful Bidder shall be final and binding on all the Bidders.



ANNEXURE III  
**Declaration by Bidders**

To,

Bimal Kanti Choudhury

The Liquidator,

B. D. Motors Limited ( In liquidation)

Dear Sir,

1. I / We, the Bidder (s) aforesaid do hereby state that, I / We have read the entire terms and conditions for the sale of assets as specified in the Information Sheet and have understood them fully. I / We hereby unconditionally agree to confirm with and to be bound by the said terms and conditions and agree to take part in the E-auction process.
2. I / We declare that the Earnest Money Deposit (EMD) and the deposit towards purchase-price have been made by me / us as against my/our bid and that the particulars of remittance and all other information given by me/us in the online form is true and correct.
3. I / We further understand and agree that if any of the statement / information revealed by me /us is found to be incorrect and / or untrue, the bid submitted by me / us is liable to be cancelled and in such case, the EMD and / or any monies paid by me / us is liable to be forfeited by the Seller (“Liquidator”) and the Seller will be at liberty to annul the offer made to me/us at any point of time.
4. I / We also agree that after my /our offer given in my /our bid for purchase of property (ies) is accepted by the Seller and if, I / We, fail to accept or act upon the terms and conditions of the sale or am / are not able to complete the transaction within the time limit specified for any reason whatsoever and /or fail to fulfill any / all the terms and conditions of the auction and offer letter, the EMD and other monies paid by me / us along with the online form and thereafter, are liable to be forfeited. The timeline for payment of final sale consideration may be extended by the liquidator, to the extent permissible under the applicable laws and regulations. In case final sale consideration is not paid within timeline, the liquidator shall forfeit EMD.

5. I / We understand that the EMD of all Bidders shall be retained by the Liquidator and returned only after the successful conclusion of the sale of property (ies). I / We, state that I /We, have fully understood the terms and conditions therein and agree to be bound by the same.
  
6. I/We confirm that our participation in the E-auction process, submission of bid or acquisition of the property(ies) pursuant to the provisions of the E-Auction Process Information Document will not conflict with, or result in a breach of, or constitute a default under (i) our constitutional documents; or (ii) any applicable laws; or (iii) any authorization or approval of any government agency or body; or (iv) any judgment, order, injunction, decree, or ruling of any court or governmental authority, domestic or foreign, binding on me /us; or (v) any agreement to which I am / we are a party or by which I am/We are bound.
  
7. The decision taken by the Liquidator with respect to the selection of the Successful bidder and communicated to us shall be binding on me/us.
  
8. I/We also undertake to abide by the additional conditions if announced during the E-auction including any announcement(s) on correction of and / or additions or deletions of any conditions in relation the E-auction
  
9. I/We confirm that the Seller and his employees, shall not be liable and responsible in any manner whatsoever for my/our failure to access and bid on the E-auction portal due to any unforeseen circumstances etc. before or during the auction event.
  
10. I/We hereby confirm that I/we are eligible to purchase the assets of the Company under Section 29A of the Insolvency and Bankruptcy Code,2016.

(Signature with SEAL)

Name:

.....  
 .....

Address:

.....  
 .....  
 .....

Email:.....

Mobile:.....

**ANNEXURE IV**  
**Technical Terms & Conditions of E-auction sale**

1. Intending bidders shall have a valid e-mail ID, valid PAN Card and KYC document to register with the E-Auction Service Provider.
2. Intending bidders have to register with the E-auction service provider.
3. Only upon verification of the Online Form and confirmation of remittance of EMD will the Eligible Bidders be declared and thereafter, permitted to access the Platform for bidding for a particular Property.
4. The Bidder shall be solely responsible for all consequences arising out of the bid submitted by him (including any wrongful bidding) and no complaint/ representation will be entertained in this regard by the Agency/ the Seller. Hence, Bidders are cautioned to be careful to check the bid amount and alter/rectify their bid if required before confirming the bid submitted.
5. Bidders should not disclose their User ID as well as password and other material information relating to the bidding to anyone to safeguard its secrecy.
6. Bidders are advised to change the password immediately on receipt thereof.
7. The Affidavit and Declaration as per the formats set out in ***Annexure I and III*** must be executed in accordance with applicable law and it must be issued in accordance with the constitutional documents of the Bidder, if applicable, after obtaining all corporate approvals as may be required. The extract of constitutional documents and certified copies of the corporate approvals must be closed with the declaration. In case of Bidder being an individual, the declaration must be personally signed by the Bidder. In case the Bidder is not an individual, the declaration must be signed by a person who is in full time employment of the Bidder and duly authorized to sign the same.

8. All the aforementioned documents are required to be uploaded on the portal and the original physical copies thereof shall be provided by the Successful Bidder to the Seller in accordance with the Process Sale Document.
9. All bids placed are legally valid bids and are to be considered as bids from the Bidder himself. Once the bid is placed, the Bidder cannot reduce or withdraw the bid for whatever reason. If done so, the EMD amount shall be forfeited.
10. The highest bid on the auction shall supersede all the previous bids of the respective Bidders. The Bidder with the highest offer/ bid does not get any right to demand acceptance of his bid.
11. After conclusion of the E-auction , the Successful Bidder shall be informed through a message generated automatically by the portal, of the outcome of the E-auction. A separate intimation shall also be sent to the Successful Bidder. Date of sending the e-mail will be considered as the date of receipt of the intimation i.e. Date of Intimation.

Bidders may encounter certain unforeseen problems such as time lag, heavy traffic, and system/ power failure at the Bidder's end. To avoid losing out on bidding because of above-mentioned reasons, it is advised not to wait for the last moment. The Liquidator shall not be responsible if any one is unable to submit bid due to technical snag or otherwise.

**ANNEXURE V****B. D. Motors Limited  
(In Liquidation)****Regd. Office “Diamond Prestige”, 41A, AJC Bose Road,  
1<sup>st</sup> Floor, Room No. 115, Kolkata - 700017****E-Auction**

Sale of Assets under the Insolvency and Bankruptcy Code, 2016

**Date and Time of E-Auction: 20<sup>th</sup> March 2023 from 12:00 to 14.00 Hours****IST with unlimited extension of 5 minutes each**

Sale of (Lot No.1) Land and Buildings at Durgapur, including movables like plant and machinery and (Lot No.2) Investments, Current Assets including Loans & Advances and Trade Receivables, owned by B. D. Motors Limited and forming part of the Liquidation Estate formed by the Liquidator, appointed by the Hon’ble National Company Law Tribunal, Kolkata Bench *vide* Order dated 6<sup>th</sup> January, 2022. The Sale will be done by the undersigned through the E-Auction platform: <https://right2vote.in/eauction>

<b>Assets</b>	<b>Lot No.</b>	<b>Reserve Price Rs.</b>	<b>EMD Amount Rs.</b>	<b>Bid Increment Value Rs.</b>
Freehold land and buildings (under the occupation of a litigant who claims to be a tenant and the matter is sub judice before the City Civil Court at Calcutta and the Calcutta High Court) located at Durgapur (Banskopa Area, Near L & T More at Mouza -Bamunara) abutting Kolkata-Delhi Road (NH-02; now part of Golden Quadrilateral) within P.S. Kanksa, covering Plots (2 Nos) within R.S. Dag Nos. 3384,3386,3387 and L R Dag No. 3282, 3284,3285 having L R Khatian No.2015 in JL #85 covering an area of (17 Kattah x 2) =34 kattah, be a little more or less along with	Lot No. 1	6,86,00,000	68,60,000	20,00,000

facilities which include multistoried car show room with service center coming within Gopalpur Gram Panchayet, PIN-713212, West Bengal, previously used to house a car show room, service center, etc.				
Investments and Current Assets including Loans & Advances and Trade Receivables having a book value of Rs. 2321 lakh. (Non-Current Investments Rs. 27.68 lakh, Long Term Loans & Advances Rs. 829.60 lakh, Trade Receivables Rs. 1172.23 lakh and Short-Term Loans & Advances Rs. 267.98 lakh)	Lot No. 2	2,50,00,000	25,00,000	10,00,000

Note: Bidder can bid for any one or both the Lots

**Bimal Kanti Choudhury**

**Liquidator of B. D. Motors Limited**

(a company under liquidation process vide NCLT, Kolkata, order dated 6<sup>th</sup> January 2022)

**IBBI Regn. No:** IBBI/IPA-001/IP-P01028/2017-2018/11682

77A/50 Raja S.C.Mallick Road, 8 S.P.B.Block, Kolkata-700092

Phone: 9831522717

**Email ID:** [ipbdmotors@gmail.com](mailto:ipbdmotors@gmail.com)

**27<sup>th</sup> February 2023**

**Kolkata**