

The Jammu and Kashmir Forest Development Corporation
Office of General Manager (S&M) Kashmir

Email: jksfcsaleskashmir@gmail.com

"NOTIFICATION"

It is notified for the information of the public in general and Timber Traders of Jammu and Kashmir Union Territory in particular, that the General Auction Notice for sale of timber through auction by Sales & Marketing Circle Kashmir which was in operation since the year 2010, has been amended/ modified to incorporate such changes as have become necessary on account of various reasons including changes in tax laws.

The revised General Auction Notice has been issued vide this office No. 2501-21/GM/S&M/K dated 31.03.2022 and is available on the official website of JK FDCL www.jksfc.jk.gov.in. The said auction notice shall be operative for timber auctions conducted from 1st of April 2022 onwards.



(M. Ayub Dar)
General Manager (S&M),
J&K FDCL, Kashmir.

No.2522-25/GM/S&M/K

Dated.31.03.2022.

- ✓ 1. Copy submitted to the Managing Director JKFDCL, Jammu for information. This is in reference to approval accorded in the matter conveyed to this office through Chief General Manager (P&P) vide his No. 2849-50/CGM/P&P/FDCL dated 31.03.2022.
2. Copy to Divisional Manager Sales North/ South JKFDCL Srinagar.
3. Copy to Sh. Rajesh Goswami, JAO (I/C, e-Governance Programme) for uploading of General Auction Notice on the Forest Corporation Website.



General Manager (S&M),
JKFDCL, Kashmir.

Jammu and Kashmir Forest Development Corporation Limited
Office of the General Manager (Sales and Marketing) Rambagh Srinagar
Near Zum Zum Complex

In **supersession** of the General Auction Notice issued by the General Manager (S&M) JK SFC/JK FDCL from time to time, it is notified for the information of the public in general and timber merchants/dealers/agents/saw mill owners in particular that the sale of timber/firewood (in round & sawn form) of coniferous & broad leaved species shall be held through "open auctions" in various sale depots strictly in accordance with the following terms and conditions:

General Terms and Conditions:

1. The "**auction calendars**" specifying venue, date and time of auction will be issued and circulated from time to time (preferably on monthly basis) separately. These calendars shall, therefore, be deemed as annexures to this auction notice.
2. **Eligibility for participating in the auction.**
 - a. **PAN Card:** Every bidder shall have to deposit a photocopy of PAN Card before the start of bidding to be able to participate in the auction.
 - b. **Security deposit:** The intending bidder(s) is/are required to deposit a sum of Rs.25,000/= (Rupees twenty-five Thousand only) to become eligible for bidding in the auction.
 - c. **Mode of Security deposit:** The security deposit may be deposited in the shape of FDR/CDR pledged to J&K Forest Development Corporation with the General Manager (S&M) Kashmir Srinagar.
 - d. Security Deposit shall be returned to all unsuccessful bidders except H-1 (Highest bidder), whose Security Deposit shall be returned once he/she deposits 10% down payment/ Earnest Money Deposit (see clause 13(a) below) of the purchased timber. In no case security deposit shall be adjusted against the sale proceeds of the purchased timber.
 - e. Government Departments/PSU's/Autonomous bodies are exempted from Security Deposit.
 - f. If any bidder violates or breaches any of the terms and conditions of the Auction Notice, the security deposit of such bidder shall be forfeited in favour of Forest Development Corporation.
3. Sorted and lotted timber, specifying species, class & quantity of timber stocks will be put to auction. Efforts shall be made to lot the stocks carefully but 100% accuracy of the same cannot be guaranteed. The timber will be auctioned "AS IT IS WHERE IT IS & IN WHATSOEVER CONDITION IT IS".

4. **Inspection of timber lot(s):** - The intending bidder(s) are advised to physically inspect the lot(s) at least one day prior to auction. Divisional Manager concerned and their depot staff will facilitate the inspection. The intending bidder must satisfy himself/herself about the lot(s) he/she intends to purchase after thorough inspection. Any discrepancy in the lots may be brought into the notice of Divisional Manager concerned, for further necessary action as deemed appropriate.
5. **Re-measurement of Lot(s):** - In case of any doubt, re-measurement of timber lot(s) can be requested by the successful bidder within 4 days of auction and before issuance of bill. If the variation is up to 3% in volume of the lot(s), no change will be made in the measurement. If the variation is more than 3%, the volume of shortfall detected will be accounted for in the bill.
6. **BID:** The bid submitted shall be in Indian Rupees and shall be inclusive of **GST (Goods and Services Tax) as applicable**. **Principal bid amount** shall be the bid amount as reduced by the element of GST and the bid shall be issued for such reduced amount which shall constitute the consideration for the sale.
7. **TCS:** TCS as applicable under section 206-C of Income Tax Act-1961 shall be charged on the amount payable by the buyer. However, the tax shall be collected at the higher rates from "**specified persons**" under section 206 CCA of the Income Tax Act if applicable.
8. Successful bidders are advised to deposit their self-declaration on prescribed format with the General Manager (Sales and Marketing) J&K Forest Development Corporation at Srinagar. In the absence of self-declaration, the buyer will be treated as "**specified person**" and tax will be collected at higher rate as provided under section 206 CCA.
9. Neither correction in terms of quality/classification of sold lots nor replacement will be considered by the Forest Development Corporation under any circumstances.
10. The GM Sales (Chairman Auction Committee), J&K FDC, without assigning any reason may reject any final bid placed in the auction.
11. **Duration of Bid:** - Bid once offered shall remain open for 21 days from the date of auction. However, the General Manager (S&M) may extend the bid validity for making payment by three days under exceptional circumstances for reasons to be recorded in writing.
12. **Authorization of bid:** - The auctioning authority i.e. General Manager (S&M) Sales Circle Srinagar shall have right to check whether any particular bidder is duly and properly authorized by the firm/sole proprietor for whom he/she is bidding and reserves the right to allow/reject participation in the bidding process.
13. **Payment of Sale proceeds (cost price of timber and other taxes), mode of payment/ Lifting of timber and Rebate etc.**
 - a) **Down Payment:** The successful bidder(s) (**H-1**) shall deposit the down payment @ 10% of value of lot(s) purchased in the auction sale within two (2) working days of the auction through draft in favour of J&K Forest Development Corporation. However, in case of "Clearance Sale", the down payment shall be 25% of purchase value. Online payment may be made (**NEFT/RTGS**) into

the official Account of Divisional Manager concerned Sales Division as reflected in **Table-1** below. If the highest bidder(s) (H-1) does not deposit or fails to deposit the down payment @ 10% (or 25% as the case may be) of value of lot(s) purchased within two (2) working days of auction, the Security Deposit of the bidder with the Forest Development Corporation shall be forfeited in favour of Jammu & Kashmir Forest Development Corporation.

- b) **Full and Final Payment:** The successful bidder(s) (H-1) shall make the balance payment along with taxes as applicable through draft in favour of J&K Forest Development Corporation, or by NEFT/RTGS into the below mentioned official Account No's of Divisional Manager concerned.

Table – 1

Sale Division	Bank Account No.	IFSC	Name of the Bank
Sales North Division	0392010200000034	JAKA0SOLINA	J&K Bank Solina
Sales South Division	0392010200000035	JAKA0SOLINA	J&K Bank Solina

- c) **Payment period and rebate:** The successful bidder/purchaser shall have to pay the price of the timber purchased by him in the auction within 21 days from the date of auction. However, if the entire payment of the sold lot of timber is made within 15 days from the date of the auction, rebate/discount shall be allowed on the **principal bid amount** at the following rates:

i	If payment is made within 15 days from the date of auction.	4 % Rebate
ii	If payment is made from 16 th day to 21 st Day of auction date.	No Rebate
iii	On 22 nd day, the bid shall be treated as cancelled and down payment/EMD forfeited.	-
iv	In case of Clearance Sale, no Rebate or part lifting of the stocks shall be allowed.	-
Note: The amount transferred through NEFT/RTGS must get credited into the respective accounts on or before the last date for which the rebate is allowed. No rebate will be given if the amount gets credited into the respective account after the last date.		

14. **Forfeiture:** - If the highest bidder(s) (H-1) does not deposit or fails to deposit the balance sale proceeds (**cost of timber purchased + Taxes**) within the prescribed period of 21 days, the down payment @ 10% (or 25% as the case may be) of value of lot(s) purchased shall be forfeited in favour of Jammu & Kashmir Forest Development Corporation.
15. In case the last date by which any payment is to be made to the J&K FDC happens to be a Gazetted Holiday or Bank Holiday, the date shall automatically stand extended to the next working day.
16. **Lifting/Extension in Lifting Period:** - The successful bidder shall be allowed to lift the purchased timber only against Release Order to be issued by the Divisional Manager concerned after receipt of full payment. The purchaser shall lift the paid for timber within 30 days from the date of auction which may be extended upto 35 days by the General Manager (S&M) Kashmir for reasons to be recorded in writing and on

payment of ground rent @ fifty paise per cft per day. In case the purchaser fails to lift the entire or part of the released timber within 35 days for any reason, the same may be allowed to be kept in the depots for further 10 days on payment of ground rent @ rupee one per cft per day by the Managing Director on the recommendations of General Manager (S&M) Kashmir. Beyond this the timber along with the payment whatever made, shall be liable to be forfeited in favour of the J&K Forest Development Corporation.

17. The Managing Director, J&K FDC may, under exceptional circumstances and on the recommendation of Chairman Auction Committee (GM Sales), allow an extension in the period for making payments against purchased timber / lifting of stocks by imposing penalty at his discretion.
18. No rebate shall be allowed against part payment/lifting of the lot(s) and will be applied only at the time of last and final payment for the lot(s).
19. The purchased timber shall be lifted only against a "Release Order" issued by the Divisional Manager concerned.
20. No sawing or conversion of timber is to be permitted in the depot premises under any circumstances what-so-ever.
21. No timber shall be allowed to be removed from the sale depot without the issuance of the proper "Release Order" of the DM concerned as per the J&K FDC rules and without the timber having been marked with export/sale hammer & presentation of the "Release Order" & Challan as per the J&K FDC rules & regulations in force from time to time.
22. All Departmental rules & regulations of the Forest Department, J&K Forest Development Corporation, Income Tax, GST, J&K State Tax Act/rules, or executive orders in force from time to time shall be binding on the successful bidder(s).
23. No application or communication, telegraphic or by post or "Dasti" or any other manner for increasing/decreasing or withdrawing any offer shall be entertained after the fall of hammer/ close of bid.
24. Black-listed persons/parties shall not be allowed to participate in the auction of timber.
25. The GM Sales (Chairman Auction Committee), J&K FDC, shall be at liberty to cancel the sale of any lot(s) even after the conclusion of auction in case foul play is suspected.
26. Any other condition(s) that the J&K FDC may intend to impose for sale and if announced before the commencement of auction shall be binding on all the bidders.
27. Principal of 'One Bid & One Release' shall be followed strictly.
28. All or any dispute arising out of the auction sale or interpretation of any of sale condition contained herein shall be referred to the Managing Director, J&K FDC, whose decision shall be final & binding on the purchaser(s).
29. All legal proceedings, if any, connected with the same, shall be subject to the jurisdiction of the courts situated at Jammu & Kashmir only.

30. The auction sale of timber is subject to such restrictions as may be imposed by the Government of Jammu & Kashmir from time to time.
31. These conditions of the sale shall also form the terms of agreement/deed between the seller (J&K FDC) on "one side" and the buyers on the "other side".
32. The J&K FDC shall not be responsible for any losses happening to the paid for stocks after 21 days of auction on account of fire, floods, earthquakes, other natural calamities, war (whether declared or not), Civil War/State of Insurrection, act of militancy or mob violence. After 21 days of auction, the paid for stocks lying in J&K FDC Sale Depots will be at the risk & responsibility of the purchaser(s).
33. **Arbitration:** All or any dispute arising out of the auction sale or interpretation of any of the sale condition contained herein shall be referred to the Managing Director J&K Forest Development Corporation for appointment of arbitrator whose decision shall be final and binding on both the parties.
34. **Jurisdiction:** - Court proceedings, if any, connected with the sale shall be subject to the jurisdiction of J&K Union Territory courts only.
35. The terms and condition as stipulated in this auction notice shall be binding on the purchaser(s).



M. Ayub Dar
General Manager
JKFDCL Sales & Marketing Kashmir
Srinagar

No: 2501-21 /GM/S&M/K/JKFDCL

Dated: 31.03.2022.

Copy for information and necessary action to the:

- ✓ 1. Managing Director, J&K FDCL Jammu.
- 2. Chief General Manager (P&P) J&K FDCL Jammu.
- 3. Chief Accounts Officer J&K FDCL Jammu.
- 4. All General Managers, J&K FDCL Jammu/Srinagar.
- 5. All Divisional Managers, J&K FDCL Jammu/Srinagar.
- 6. President Timber Association Jammu/Srinagar.



M. Ayub Dar
General Manager
JKFDCL Sales & Marketing Kashmir
Srinagar

31/03/22