

GOVERNMENT OF ODISHA

OFFICE OF THE DEPUTY DIRECTOR OF MINES, JAJPUR CIRCLE, JAJPUR,  
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[Tender reference Number 5010 Dated 16.12.2024]

Tender Document for e-Auction of  
Dumped Moorum Site

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## **1. Important Information**

- 1.1. This E-Auction/Tender Document has been issued pursuant to notification of an area with the intent to carry out e-auction of dumped minor mineral (moorum) Site as mentioned in the (Annexure –I) pursuant to the Act and the rules framed thereunder. All information provided in this E-Auction/Tender Document should be read together with the Act and the rules framed thereunder. In the event of a conflict between this E-Auction/Tender Document and the Act or the rules, the Act or the rules (as amended from time to time), as the case may be, shall prevail.
- 1.2. The information contained in this E-Auction/Tender Document or subsequently provided to Bidder(s), whether in documentary or any other form by or on behalf of the Competent Authority or any of its employees or advisors, is provided to Bidder(s) on the terms and conditions set out in this E-Auction/Tender Document.
- 1.3. The purpose of this E-Auction/Tender Document is to provide interested parties with information that may be useful to them in making their bids pursuant to this E-Auction/Tender Document. This E-Auction/Tender Document includes statements which reflect various assumptions and assessments arrived at by the competent authority in relation to the dumped moorum Site and information collated from various Sites, some of which may depend upon interpretation of Applicable Law.
- 1.4. The assumptions, assessments, statements and information contained in the E-Auction/Tender Document may not be complete or adequate. Each Bidder should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this E-Auction/Tender Document.
- 1.5. The Competent Authority shall have no liability or responsibility to any person, including any Bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this E-Auction/Tender Document or otherwise. The Competent Authority also accepts no liability of any nature howsoever caused arising from reliance of any Bidder upon the statements contained in this E-Auction/Tender Document.
- 1.6. The Competent Authority may in its 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/Tender Document.
- 1.7. The issue of this E-Auction/Tender Document does not imply that the Competent Authority is bound to select a Bidder as Selected Bidder for the dumped moorum Site and the State Government reserves the right to reject all or any of the Bidders or bids without assigning any reason whatsoever.
- 1.8. Each Bidder shall bear all its costs associated with or relating to the preparation and submission of its bid.
- 1.9. It shall be deemed that by submitting a bid, the Bidder has undertaken a complete and careful review of the E-Auction/Tender Document and unconditionally and irrevocably accepted the terms and risks thereof.
- 1.10. In case the day of completion of any requirement is falling due on a public holiday, the day of completion shall be deemed to be due on the next successive working day. The expression “public holiday” includes Saturday, Sunday and any other day declared to be a public holiday by the Central Government or the State Government, as the case may be.
- 1.11. Bidder shall be responsible for any problem at the Bidder's end which may cause inconvenience or prevent the Bidder from bidding in e-auction, such as, but not limited to, failure of electricity, loss of internet connection, any trouble with Bidder's computer, etc.
- 1.12. This Tender Document is not chargeable.

## **2. Introduction**

- 2.1. In exercise of powers conferred by Section 15 of the Act, the State Government has notified the 'Odisha Minor Mineral Concession Rules, 2016', as amended from time to time. The Bidders are encouraged to acquaint themselves with the updated Act and the rules made thereunder.
- 2.2. This Tender Document is being issued by the Competent Authority for e-auction of dumped moorum Site under the Odisha Minor Mineral Concession Rules, 2016, as amended from time to time.
- 2.3. The e-auction would be conducted in accordance with the Odisha Minor Mineral Concession Rules, 2016, as amended from time to time and any other order or notification issued by the State Government pursuant thereto and as per the terms and conditions of the Tender Document.

**3. The Site details**

- 3.1. The information regarding the dumped moorum Site is included in a separate “Information Memorandum” attached along with this Tender Document as **Annexure-I**.
- 3.2. Bidders are strongly encouraged to review the Information Memorandum.

#### **4. Eligibility**

- 4.1. The eligibility for participating in the auction shall be determined as per the terms and conditions of eligibility for participating in the auction as provided in the rules.
- 4.2. The following eligibility conditions are required for participating in auction for dumped moorum Site.
- (i) A person, who is an Indian national or company as defined in clause (20) of Section 2 of the Companies Act, 2013, (18 of 2013) or partnership firm as defined in Section 4 of the Indian Partnership Act, 1932, shall be eligible to participate in the auction process.
- Explanation: - For the purpose of this rule, a person shall be deemed to be an Indian national, -*
- (a) in the case of a partnership firm, only if all the partners of the partnership firm are citizens of India: and*
- (b) in the case of an individual, only if he is a citizen of India*
- (ii) The bidder shall submit either the Income Tax Return of previous financial year (certified by a Chartered Accountant) showing annual income for an amount not less than the amount of minimum additional charge and the royalty together payable for the total dumped moorum resource or submit a Bank guarantee valid for a period of eighteen months for the amount not less than the amount of minimum additional charge and the royalty together payable for the total dumped moorum resource.
- 4.3. Only one application from one member/family/company/firm shall be allowed to participate in the e-auction of each Minor Mineral Site.
- 4.4. The eligibility conditions shall be used only for the purposes of determination of eligibility for participating in the e-auction. The Selected Bidder shall be decided solely on the basis of the outcome of e-auction.

## 5. Site Visit and Pre-Bid Conference

- 5.1.1. Site visit would commence on publication of notice inviting Tender (NIT) and would end on Bid Due Date.
- 5.1.2. Intending bidders shall be eligible to visit the dumped moorum Site. The site visit to the Mineral Block shall be conducted with prior notice to the Competent Authority either through an application or through the following e-mail address (ddmjajpur.mm@gov.in). The email should clearly bear the following subject line: “Site Visit for \_\_\_\_\_ dumped moorum Site”.
- 5.1.3. During such period, the intending bidders may undertake the site visit to the dumped moorum Site at their cost and risk to ascertain for themselves the site conditions, location, communication, climate, availability of power, and any other matter considered relevant by them.
- 5.1.4. In the event an intending bidder undertakes a site visit, then such intending bidder shall be liable towards any loss or damage caused to the site and/or the person(s) having surface rights over the concerned lands, on account of any act of commission or omission of such intending bidder or its employees, authorised representatives, agents, advisors, etc.

### 5.2. *Pre-Bid Conference*

- 5.2.1. Intending bidders may seek clarifications or request further information regarding this E-Auction/Tender Document.
- 5.2.2. Any queries or requests for additional information concerning this E-Auction/Tender Document may be sent in .doc, .docx, .xls, .xlsx format only to the Competent Authority by e-mail.
- 5.2.3. The email should clearly bear the following subject line: “Queries/Request for Additional Information: E-Auction/Tender Document for “\_\_\_\_\_ dumped moorum Site”.
- 5.2.4. Each query should contain complete details of facts, information and Applicable Law relevant to the query and also the particulars of the person posing the query. The Competent Authority reserves the right not to answer any query, including any query which is incomplete or anonymous.
- 5.2.5. The queries should be e-mailed on or before the date specified in the timeline for receiving queries.
- 5.2.6. The Competent Authority shall endeavour to respond to the queries within the period specified in the timeline for auction.
- 5.2.7. The Competent Authority shall publish the queries for which response has been provided on the MSTC portal, without identifying the Site of queries.
- 5.2.8. Pre-bid conference(s) of the intending bidders shall be convened on the designated date as mentioned in the timeline at a time and place specified by the Controlling Authority. The Controlling Authority may, at its sole discretion, choose to convene the pre-bid conference through virtual mode (or a hybrid of virtual and physical modes) subject to such conditions as may be notified separately by the Controlling Authority.

- 5.2.9.1 A maximum of 2 (two) representatives of each intending bidder shall be allowed to participate on submission of duly issued authority letter from the intending bidder and identity documents. It is expressly clarified that no queries may be submitted beyond the last date for receipt of queries as indicated in the time line of this E-Auction/Tender Document.
- 5.2.9. The Competent Authority shall endeavour to provide clarifications and such further information, as it may, in its sole discretion, consider appropriate for facilitating a fair, transparent and competitive E-Auction/Tender process.
- 5.2.10. The Controlling Authority may also on its own motion, if deemed necessary, issue interpretations and clarifications to all intending bidders. All clarifications and interpretations issued by the Controlling Authority shall be deemed to be part of the E-Auction/Tender Document. Provided, however, that any non-written clarifications and information provided by the Controlling Authority or its representatives in any manner whatsoever shall not in any way or manner be binding on the Controlling Authority.

## **6. Registration for e-auction**

### **MSTC registration process:**

Bidders shall have to visit MSTC website (<https://www.mstcecommerce.com>) for one time registration in the MSTC web-portal. Bidders will be prompted to validate their Mobile no and Email id for authentication. Once successfully registered, bidders will receive an email and will be prompted to deposit the registration fee of 1000/- + Applicable GST (Currently Rs 180/-) for activation of login id. Once the registration fee is paid, bidders are to ensure to upload signed bank mandate form/cancelled cheque for verification of bank details and IFSC code.

### **Bidders to follow the detailed guideline of registration available in the MSTC portal.**

#### **(a) Non-refundable Application fees vide Treasury Challan:**

A non-refundable application fee of Rs. 1000/- Shall be deducted from the bidder's available Pre-BID EMD wallet for participation in a particular event.

#### **(b) Earnest Money Deposit (EMD):**

Earnest Money Deposit (EMD), calculated as per rule, shall be deducted from the bidder's available Pre-BID EMD wallet for participation in a particular event. The earnest money shall be a fixed amount calculated on the basis of factors as mentioned in Odisha Minor Mineral Concession Rules, 2016.

#### **(c) Documents to be uploaded by bidder for participation in e-Auction through online:**

The intending applicant shall submit the technical bid for grant of dumped moorum site(s) as notified to be auctioned by the Competent Authority in the format of 'Application Form' using the online electronic auction platform adopted by the Government along with the following documents and particulars, stated hereunder:

- (i) An affidavit stating that no mining due payable under the Act and the rules made thereunder, is outstanding against the applicant;
- (ii) An affidavit stating that none other than him/her in the family is

participating in the bidding process of the particular dumped moorum site and if contrary is observed, the sale if any, shall be rendered infructuous forfeiting the deposits made thereunder without affording any further scope of notice or hearing;

- (iii) Income Tax Return of previous financial year showing annual income for amount not less than the amount of additional charge offered and the royalty payable for the total dumped moorum resource or Bank guarantee valid for a period of eighteen months for the amount not less than the amount as above;

**(d) Offline Submission:**

- I. All the above original documents along with proof of application fees of Rs.1000/- and proof of EMD has to be submitted off-line through sealed cover to the competent authority before the CLOSING DATE & TIME FOR TECHNICAL EVALUATION;
- II. The seal cover shall be superscripted **Tender no.** and Date-, Name of the Site and Site code and to be sent through courier/ RP/ Speed Post.
- III. The Bidder should submit one bid for one Site in a single envelope only.

**7. Bidding Process**

- (a) The Technical Bid shall be evaluated to ascertain compliance of the Bidder with the eligibility conditions and requirements under this E-Auction/Tender Document. While examining the Technical Bids the Technical Committee may consider such parameters as it may deem relevant, including considerations that the Technical Bid:
- (i) is received as per the prescribed formats along with all required documents and information;
  - (ii) is received by the closing date and time for submission of bidders information including any extension thereof;
  - (iii) is submitted electronically in the manner prescribed in (*Technical details regarding online electronic auction*);
  - (iv) contains all the information (complete in all respects) as requested in this E-Auction/Tender Document;
  - (v) does not contain any condition or qualification;
  - (vi) only 1 (one) Technical Bid has been submitted by the Bidder for a particular Site;
  - (vii) is generally considered to be in compliance in terms of any other parameters as may be considered relevant by the Technical Committee.
- (b) Only those Bidders who are found to be eligible in accordance with the terms and conditions of eligibility specified in above Clause and whose Technical Bids meet the requirements under this E-Auction/Tender Document, will be referred to as “**Technically Qualified Bidders**” (TQB).

- (c) The Technically Qualified bidders shall be intimated about their selection vide Email on/after the DATE FOR DECLARATION OF TECHNICALLY QUALIFIED BIDDER (TQB).
- (d) The Competent Authority is not obliged to provide any explanation or clarification on their disqualification to Bidders who fail to qualify as Technically Qualified Bidders.
- (e) The bidders who are selected shall only be eligible for participating and bidding in the online e-Auction platform for quoting the highest additional charges through forward auction.
- (f) The forward auction shall be conducted electronically for a duration of 2 (two) hours commencing from the time as would be notified and the Technically Qualified Bidders shall submit their offer of additional charge, which needs to be in excess of the minimum additional charge notified under any multiple of increment of 10% of the Minimum Additional Charge (MAC) rounded up to the next whole number.
- (g) The closing time of e-auction will be automatically extended upto last bid time, plus 8 (eight) minutes, so that opportunity is given to other bidders for making an improved bid on that mineral block

Provided forward auction shall be conducted subject to the condition that at least two bidders are found technically qualified.

- (h) The technically qualified bidder, who quotes the highest rate of additional charge will be declared as selected bidder:
- (i) The auction process shall be annulled if none of the technically qualified bidders submits an offer of additional charge above the notified minimum additional charge.
- (j) The selected bidder shall be intimated by the Competent Authority within seven days about the selection and terms and conditions of the lease.
- (k) Immediately after compliance of the foregoing provisions by the selected bidder, the earnest money of the unsuccessful bidders shall be refunded and the bank guarantees, if any, furnished by them, shall stand discharged.
- (l) The selected bidder shall also deposit the costs of assessment of the dumped Site before execution of agreement-
- (m) In the event of default by the selected bidder, the Competent Authority may issue intimation to the next highest bidder to meet the highest additional charge offered by highest bidder, who shall then be required to convey his acceptance and to make the security deposit calculated within 7 days of receipt of intimation.
- (n) If the second highest bidder does not convey the acceptance within the time stipulated for such acceptance, the e-auction will be annulled and fresh notice inviting application shall be issued.

## **8. Minimum Additional Charge**

- 8.1. The Minimum Additional Charge (MAC) of the Minor Mineral Sites is mentioned in the **Annexure - I**
  
- 8.2. It is clarified that payment in accordance with the Final Additional Charge shall be required to be made in addition to the payment of royalty, amount for District Mineral Foundation, an amount towards Environment Management Fund, and fees for compensatory afforestation, and any other payments as applicable.

## **9. Grant of application for dumped moorum Site**

- 9.1. The application for dumped moorum Site shall be granted to the Selected Bidder subject to the following:
- 9.1.1. The Selected Bidder shall be considered for grant of application for dumped moorum Site upon fulfilment of following conditions:
- Site visit on compliance with all the terms and conditions of eligibility; on obtaining all consents, approvals, permits, no-objections and the like as may be required under the Applicable Law for commencement of operations of extraction;
- 9.1.2. The Controlling Authority as defined in Schedule-III of the Rule shall have power to cancel the bid duly recording the reasons thereof, if he is not satisfied with the publicity, participation of bidders and amount of additional charge quoted.
- 9.1.3 The Selected Bidder after being granted of dumped moorum Site will be considered as the dumped moorum site holder and will be required to make the payment of the Royalty and other statutory dues as under the OMMC Rules, 2016.

## **10. Payments by the Selected Bidder**

### **10.1. Environment Management Fund & DMF:**

The lessee shall pay an amount equivalent to 5% of the Royalty as Environment Management Fund and an amount equivalent to 30% of the Royalty to the District Mineral Foundation

### **10.2. Increase in Royalty:**

The rates prescribed in Schedule-I & II of the rules shall be applicable and the same may be modified by the Government. The concerned lessee shall be liable to pay the increased royalty if the revised price is higher than the sanctioned royalty.

## **11. Other Provisions:**

- 11.1. The dumped moorum site holder shall submit monthly online return/report regarding the extraction of minor minerals.
- 11.2 The lessee shall afford reasonable facility for inspection of the dumped moorum Site cum accounts and records pertaining to extraction operation to the Competent Authority and any other Officer authorized by the Government.
- 11.3 The Competent Authority shall have the power to rectify any error or deviation in the present E-Auction/Tender notification.
- 11.4 The dumped moorum Site holder is bound to comply the instructions issued by the Competent Authority for the proper management of minor mineral Sites and in case of exception/abuse, the valid permit will be liable for cancellation.
- 11.5. The Competent Authority reserves the right to cancel the E-Auction/E-Auction/Tender process without assigning any reasons thereof.
- 11.6 All the information regarding the dumped moorum Sites and auctions shall be obtained from the concerned mining office (except holidays) on official working days during the working

hours as stipulated by the Government and the complete information in this regard will be available in the website <https://www.mstcecommerce.com>.

## **12. Fraud and Corrupt Practices**

- 12.1 The Bidders and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the E-Auction/Tender process and subsequent to the grant of the Lease. Notwithstanding anything to the contrary contained herein, the Controlling Authority may reject a bid, or terminate the Permit, as the case maybe, without being liable in any manner whatsoever to the Bidder, Technically Qualified Bidder or the Selected Bidder, as the case may be, if the Controlling Authority determines that the Bidder, Technically Qualified Bidder or Selected Bidder, as the case may be, has, directly or indirectly or through an agent, engaged in Corrupt Practice, Fraudulent Practice, Coercive Practice, Undesirable Practice or Restrictive Practice in the E-Auction/Tender process. In such an event, the Controlling Authority shall be entitled to forfeit and appropriate the entire Earnest Money Deposit and/ or Security Deposit, as the case may be, as damages, without prejudice to any other right or remedy that may be available to the State Government under the E-Auction/E-Auction/Tender Document and/ or otherwise.
- 12.2 Without prejudice if a Bidder, Technically Qualified Bidder or Selected Bidder, as the case maybe, is found by the Controlling Authority to have directly or indirectly or through an agent, engaged or indulged in any Corrupt Practice, Fraudulent Practice, Coercive Practice, Undesirable Practice or Restrictive Practice during the E-Auction/Tender process, or after the execution of lease or grant of the Lease, such Bidder, Technically Qualified Bidder or Selected Bidder shall be debarred by the Controlling Authority from participating in the future auction of mineral block(s)/dumped minor mineral site conducted by the Controlling Authority for 5 (five) years from the date of such debarment.

**13. Time Schedule for auction of dumped moorum site:**

<b>S. No.</b>	<b>Event Description</b>	<b>Estimated Date</b>
1.	Publication of notice inviting E-Auction in 2 (two) daily newspapers, at least one of which shall be a State level and other having wide publicity in the area, where the lease is located, on the electronic auction platform of MSTC	17.12.2024
2	Availability of Tender Documents in MSTC Portal	17.12.2024
3	Starting date of submission of Technical bid online	18.12.2024
4	Training and mock Auction, Road shows for all the bidders by the e-auction platform provider	21.12.2024
5	Last date of receiving queries from bidders [on or before 17:00 hours (IST)]	23.12.2024
6	Pre-bid conference	27.12.2024
7.	Last date for responses to queries by the Competent Authority	30.12.2024
8.	Last date of submission of Technical Bid through online and offline [on or before 17:00 hours (IST)]	03.01.2025
9.	Opening of the Technical Bids	04.01.2025
10.	Date of examination of Technical bids	04.01.2025
11.	Announcement of Technically Qualified Bidders as per the E-Auction/Tender Document	07.01.2025
12.	Conduct of ascending forward electronic auction and submission of Final Price Offer on the electronic auction platform	08.01.2025 to 10.01.2025
13.	Announcement of Selected Bidder	13.01.2025
14.	Intimation to Selected Bidder	13.01.2025
15	Grant of Permit by the Competent Authority	15.01.2025
16	Execution of deed	15.01.2025 to 22.01.2025

## Annexure-I

## Dumped moorum Site Details "Information Memorandum"

SI No	Tahasil	Mouza	Site Name	Mineral	Mineral Type	Khata No	Plot No	Coordinates			Total Moorum resource in Cu m	MAC
								VP	Longitude	Latitude		
1	Danagadi	Rabana	Rabana Moorum Dump - 1	Moorum	Minor Mineral	191 17	2 570	1	86° 02' 34.597''	20° 54' 53.253''	5,17,463	227
								2	86° 02' 16.403''	20° 54' 53.253''		
								3	86° 02' 16.403''	20° 55' 02.016''		
								4	86° 02' 34.597''	20° 55' 02.016''		

**APPLICATION FORM**

APPLICATION FOR DUMPED MINOR MINERAL (MOORUM) SITE NO.1 AT  
VILLAGE RABANA UNDER DANAGADI TAHASIL, JAJPUR DISTRICT

The Competent Authority of Dist. \_\_\_\_\_,

Dated \_\_\_\_\_

I/We submit an application for participating in e-Auction for the following Minor Mineral Site as published in the Tender Document No \_\_\_\_\_ Dt. \_\_\_\_\_

**Site Details**

Dumped Morrum Site No. 1 at village Rabana under Danagadi Tahasil, Jajpur district

1. I/We have paid the Application fee (Non-refundable) of Rs.1000/- for participating in public auction for Dumped Moorum Site No. 1 at village Rabana under Danagadi Tahasil, Jajpur district, Odisha under Rule 48 of Odisha Minor Mineral Concession Rules (Amended), 2016 vide Tender Reference No.....Dt.....in MSTC e commerce portal.
2. The required particulars are given below:
  - i) An affidavit stating that no mining due payable under the Act and Rules made thereunder is outstanding against the applicant.
  - ii) An affidavit stating that none other than him/her in the family is participating in the bidding process of the particular Morrum Site.
  - iii) Proof of payment of Earnest Money (EMD) - Amount in Rs. \_\_\_\_\_ Ref No \_\_\_\_\_ Dated \_\_\_\_\_
  - iv) Income Tax Return of previous financial Year/Bank Guarantee.
  - v) Proof of application fees 1000/-.
3. (i) Name and address of the applicant.....  
(ii) Nationality of the applicant.....  
(iii) Profession of the applicant.....  
(iv) Manner in which the minor mineral raised to be utilized-
  - (a) for manufacturing.....
  - (b) For sale.....
  - (c) Any other purpose.....  
(v) Has the applicant any previous experience in mining? If yes, details should be given.....

(vi) Financial Resources of the applicant.

(a)

(b)

(vii) Total investment in the operations anticipated.....

(viii) Any other particulars which the applicant wishes to furnish:

4. Rate of additional charge (per cubic meter) quoted- (*to be quoted in the Forward Auction*)

I/We hereby declare that the particulars furnished above are correct and undertake to furnish any other details, plan, etc., as may be required by you.

I/We hereby declare that I/We shall abide by the terms and conditions of the tender documents and the provisions of the OMMC Rule-2016

Yours faithfully,

Place.....

Date.....

Signature of the applicant

**N.B:** If the application is signed by an authorized agent of the applicant, the power of attorney should be attached