

**File No. 2/9-7/2024-25
(Part)**



DAMAN MUNICIPAL COUNCIL

TENDER DOCUMENT FOR 5th AUCTION OF
SHOPS ON RENT OF DAMAN MUNICIPAL COUNCIL

Year 2024-25.

Schedule of 5th Auction of Shops of Daman Municipal Council.

1	Name of tender	5 th auction of shops of Daman Municipal Council.
2	Minimum rent limit	As per Point No.9
3	Start date of offline registration for participating in auction on https://dmcdaman.in	Date: 10/09/2024
4	End date of offline registration for participating in auction on https://dmcdaman.in	Date : 25/09/2024
5	Earnest Money Deposit.	Rs. 50000:00 in F.D.R
6	Last date for submission of mandatory documents with EMD & auction fee in form of DD.	Upto 24/09/2024 4.00 P.M.
7	List of mandatory documents	The bidder is required to attach the identity proof and address proof, EMD, Passport & Declaration.
8	Cost of offer documents	Free of cost
9	E-Auction of Shops:-	<u>Shops at Fish Market, Shopping Complex at Char Rasta, Nani Daman., Daman:-</u> Shop No. 1 (F-1) Shop No. 3 to 4 (F-3 to F-4) Shop No. 6 to 8 (F-6 to F-8) Shop No. 1 to 9 (S-9) <u>Shops at Fish Market, Shopping Complex & Vegetable Market,at Near PWD. Office Complex, Moti Daman.</u> Shop No. 1 to 4 (F-1 to F-4) Shop No. 6 to 13 (F-6 to F-13) Shop No. 1 to 11 (S-1 to S-11) Shop No. 12 to 28 (S-12 to S-28) Shop No. 30 to 32 (S-30 to S-32)

(Any change in above schedule will be notified only on NIC Website <http://ddd.gov.in> and dmcdaman.in)

TERMS AND CONDITIONS OF AUCTION FOR ALLOTMENT OF SHOPS ON RENTAL BASIS.

1. To participate in this auction, the bidder shall register himself in Daman Municipal Council Office by giving all the required details and paying registration fee if any after agreeing upon various terms and conditions.

2. **Procedures for allotting shops to the bidders:**

The Chief Officer, Daman Municipal Council shall have right to withdraw any shop or shops from the auction. He may accept or reject any bid/offer or may stop any bidder at any stage of auction from bidding without assigning any reason thereof. No appeal against above action by the Department shall be entertained. Person intending to participate in auction process shall have to pay EMD in FDR form for the **amount Rs. 50,000/-** and auction fee **Rs.5000/-**(Rs. Five Thousand only.) The auction fee shall be deposited with Daman Municipal Council before the start of auction process.

1. The EMD, identity proof, Address proof, Pan Card, Indian Passport, declaration, Bank Details, and all auction related documents shall be submitted in physical, in DMC office in single sealed envelope. The envelope shall only subscribe/title "**Auction of shops of Daman Municipal Council**". If bid amount is disclosed in any physical documents of auction the bidder will be disqualified. EMD is refundable in case the participant doesn't win any bid. If the highest bidder doesn't submit Security Deposit corresponding to two month rent within 2 weeks, the EMD will be forfeited and the bidder shall be blacklisted to participate in any further bids.

The officers superintending the auction of shops shall conduct the auction of any shop/shops in the following manner:

- a) The auction shall be conducted by taking bids Offline, in between the auction start time and end time, the time will duly be advertised in the newspaper as well as <https://ddd.gov.in> and dmcdaman.in

- b) The auction will start from the minimum limit of rent set for each shop by the committee at **point no.09**.
- c) The bid shall be submitted from the minimum limit set for shops.
- d) The bidder shall submit his account details like account number, IFSC code etc. at the time of registration.
- e) The bids will be valid only when the EMD and auction Fees are submitted.
- f) The shops will be handed over to the highest bidder. In case of the highest bidder is disqualify for any reason the shop may be licensed to next highest bidder.
- g) A single bidder can bid for maximum 2 shops, only.
- h) If the bids by bidders for a particular shop is same, then the shop shall be allotted to bidder who has not been allotted any other shop in the present bid or who does not already hold any shop in his or her name. If this fails then both the bidders will be called together and a draw will be conducted through chits, each chit will have the bidders name along with Shop No. in it, thereafter whichever chit is opened with any of either name, the shop will be given to him/her.
- i) If the documents required for bidding are not submitted the bid will be rejected and shall go to next highest bidder.

3. The Eligibility criteria for the Lessee:-

For commercial shop are as Under:-

The lessee should be **Indian National** and **ordinary citizen of Daman**, and must submit the below mentioned documents:-

- (i) Indian Passport (Affidavit in case of not having Passport)
- (ii) Pan Card
- (iii) Aadhar Card
- (iv) Declaration

Non Resident Indians (NRI) and the Indian Citizens having working Visa on Passport shall not be eligible to participate in Auction.

4. The EMD of any unsuccessful bidder will be returned at the close of the auction on production of a stamped receipt and EMD of the Successful bidder shall be refunded after Security deposit at the time of final payment made by the bidder. **No bidder shall be permitted to retract the bid.** In the event of dispute between the bidders, the dispute shall be decided by the Chief Officer. His decision in this respect shall be final and binding on all persons offering bids at the auction. The bids offered in any other manner except hereto before mentioned shall not be considered. In case of failure of the bidder to pay either rent or in case of retraction, EMD shall be summarily forfeited and the shop may be allotted to next highest bidder or may be put in another auction at the discretion of the authority.
5. Participants must submit self-declaration of type of business after winning the auction and in case of change of his/her business he/she shall take written permission of Daman Municipal Council before doing business.
6. Participant of auction may offer his highest monthly rent from minimum limit set on point No.09 for particular shop he/she is willing to keep on rent. Participant can apply for each shop. Any participant is entitled to get not more than two (2) shop.
Subleasing is not allowed. The Lease is non Transferable. If any case of Subleasing/ Subletting is found the lease shall be terminated immediately.
Any participant is entitled to get not more than two (2) shops. Maximum 2 shops can be taken by the members of a single family. For the purpose of this, family shall include husband or Wife, as the case may be, dependent parents and unmarried children.
7. These shops will be allotted initially for the period of three (3) years on rental basis. However after three years period the same shops will be

allotted as decided by the Council. The cost of registration of the lease of shops shall be borne by the bidder.

8. The rent of shops will be increased by 5% every year.

9. The minimum rent of each shop is mentioned below:

Fish Market, Shopping Complex & Vegetable Market, Moti Daman		
Shop Numbers	Area in Sq. Mtrs.	Rent/ Month in Rs.
Shop No. 1(F-1)	12.88	9204:00
Shop No. 2 (F-2)	13.11	9369:00
Shop No. 3 (F-3)	13.11	9369:00
Shop No. 4 (F-4)	13.11	9369:00
Shop No. 6 (F-6)	13.11	9369:00
Shop No. 7 (F-7)	13.11	9369:00
Shop No. 8 (F-8)	13.11	9369:00
Shop No. 9 (F-9)	13.11	9369:00
Shop No. 10 (F-10)	13.11	9369:00
Shop No. 11 (F-11)	13.11	9369:00
Shop No. 12(F-12)	13.11	9369:00
Shop No. 13 (F-13)	13.11	9369:00
Shop No. 1(S-1)	14.42	10301:00
Shop No. 2(S-2)	12.56	8972:00
Shop No. 3(S-3)	13.49	9637:00
Shop No. 4(S-4)	15.39	10998:00
Shop No. 5(S-5)	15.39	10998:00
Shop No. 6(S-6)	15.39	10998:00
Shop No. 7(S-7)	15.39	10998:00
Shop No. 8(S-8)	15.39	10998:00
Shop No. 9(S-9)	15.39	10998:00
Shop No. 10(S-10)	13.02	9304:00
Shop No. 11 (S-11)	13.02	9304:00
Shop No. 12(S-12)	13.02	9304:00
Shop No. 13(S-13)	13.02	9304:00
Shop No. 14 (S-14)	21.23	15174:00
Shop No. 15 (S-15)	22.35	15972:00
Shop No. 16 (S-16)	19.24	13748:00
Shop No. 17 (S-17)	19.24	13748:00
Shop No. 18 (S-18)	19.24	13748:00
Shop No. 19 (S-19)	19.24	13748:00
Shop No. 20 (S-20)	19.24	13748:00
Shop No. 21 (S-21)	19.24	13748:00
Shop No. 22 (S-22)	19.24	13748:00
Shop No. 23 (S-23)	18.90	13506:00

Shop No. 24 (S-24)	13.68	9776:00
Shop No. 25 (S-25)	20.70	14793:00
Shop No. 26 (S-26)	10.50	7504:00
Shop No. 27 (S-27)	20.44	14607:00
Shop No. 28 (S-28)	16.10	11505:00
Shop No. 30 (S-30)	15.70	11220:00
Shop No. 31 (S-31)	13.14	9390:00
Shop No. 32 (S-32)	20.16	14407:00

Fish Market, Shopping Complex, Nani Daman

Shop Numbers	Area in Sq. Mtrs.	Rent/ Month in Rs.
Shop No. 1 (F-1)	13.34	9533:00
Shop No. 3 (F-3)	13.34	9533:00
Shop No. 4 (F-4)	13.34	9533:00
Shop No. 6 (F-6)	13.34	9533:00
Shop No. 7 (F-7)	13.34	9533:00
Shop No. 8 (F-8)	13.34	9533:00
Shop No. 1 (S-1)	13.34	9533:00
Shop No. 2 (S-2)	13.34	9533:00
Shop No. 3 (S-3)	13.34	9533:00
Shop No. 4 (S-4)	13.34	9533:00
Shop No. 5 (S-5)	13.34	9533:00
Shop No. 6 (S-6)	13.34	9533:00
Shop No. 7 (S-7)	13.34	9533:00
Shop No. 8 (S-8)	13.34	9533:00
Shop S-9	399.50	285491:00

Minimum increase in bid shall be Rs.500/-

The service charge as applicable time to time shall have to be paid by the tenants separately. Such service charges shall be collected by the Council from the tenant's along with the rent and in turn shall pay to the concern authority.

- 10.** Total **15** numbers of shops available at Nani Daman i.e. First Floor (F-1, F-3, F-4, F-6 F-7 & F-8), Second Floor (S-1 to S-9) at Fish Market, Shopping Complex, Nani Daman and Total **43** numbers of shops available at Moti Daman i.e. First Floor (F-1 to F-4 & F-6 to F-13) & Second Floor (S-1 to S-28 & S-30 to S-32) Fish Market, Shopping Complex & Vegetable Market, Moti Daman each shop have their numbers in front. The fees for participating in auction is

Rs.5000/- (Non-Refundable) through Cash/Cheque payment, which shall be submitted during registration for bidding.

11. The highest bidder must deposit **two month rent as Security Deposit** through D.D. or Online transfer in favour of Chief Officer, Daman Municipal Council, immediately otherwise his allotment will be cancelled and amount of earnest money deposited by him will be forfeited and the same shop will be given through auction again.
12. The amount of two month rent in case of (**as listed at point No.11**) will be permanently deposited with Daman Municipal Council on account of any damage to the property of DMC or non-payment of rent.
13. The Daman Municipal Council will allot the common toilet to NGO/Private agency for running it on “pay and use” basis, this common toilet shall be utilized by the tenants on “pay and use” basis. No separate toilet or urinal will be allowed in shop as well as in open space. In addition to rent **Rs.500** per month per shop shall be paid by each shop to NGO/agency and this toilet shall be kept open for public use.
14. The rent deed/agreement shall be executed only after the payment of deposit within stipulated period.
15. The allotment of shop to the eligible and successful bidder shall be given by the Chief Officer on full payment of amount of deposit to the council and on execution of agreement/rent deed on proper stamp paper costing Rs.100/- (Rs. One hundred only) in prescribed format. The cost of stamp paper and other incidental charges shall have to be borne by the successful bidder/allottee.

16. Further, internal agreement between two shopkeepers can be done. A shopkeeper can merge two shops (can extend their shops) with having mutual understanding between both and by having prior permission from Chief Officer, Daman Municipal Council, and may run the shop accordingly. The shopkeeper while leaving the shop must repair and make the shop as it was. If he is doesn't than the deposit amount will be forfeited. For this merging charges of Rs. **30,000/-** shall be paid to DMC.
17. Transfer of shop by the allottee/shop-holder/tenant is not allowed. The Lease is non Transferable. If any case of Subleasing/ Subletting is found the lease shall be terminated immediately.
In the event of death of the allottee/tenant or dissolution of the firm, the title may be transferred on monthly rent to the legal heirs or successors, in such case the transfer fees and other incidental charges shall be recovered from legal heir-successors. The final decision shall be taken by the Chief Officer.
18. The shop-holder/allottee/tenant or his/her servant can make changes in electrical wiring, fittings, wastewater connection etc. carried out by the Municipal Council with prior permission of the Chief Officer, Daman Municipal Council, Daman. The shop-holder/allottee/tenant or his/her servant can extend the shop with permission of Chief Officer, Daman Municipal Council, Daman and with permission of the other shop-holder. If at any time it is found that due to structural changes made which directly or indirectly is effecting the stability of the building, the said deed shall be cancelled immediately and the shop- holder/allottee/tenant will be prosecuted and the shop impounded with risk and cost of the defaulter shop-holder/allottee concerned.
19. The shop-holder/allottee/tenant shall have to pay himself any electrical bill, telephone bill, water bill, charges on account of fire safety and security of article within the shop, any other charges

leviable by the Council and Government. The Daman Municipal Council will not be responsible for any kind of such payment in any circumstances. The tenants shall be solely responsible for discontinuation of any service due to nonpayment of bills etc.

- 20.** The shop-holder/allottee shall compulsory install fire safety equipment in the shop.
- 21.** The shop-holder/allottee shall not utilize any additional common space other than the allotted area of shop. The encroachment in service passage, staircase area and other open space shall not be allowed.
- 22.** The allottee shall compulsorily avail Commercial License from the Municipal Council. The allottee shall utilize the shop allotted to him/her only for the purpose mentioned by him/her in his/her online Commercial License application/allotment order for allotment of shop. If any time the allottee intends to change the use prior permission of the Chief Officer, Daman Municipal Council has to be obtained. However, under no circumstances, the sale of articles that are objectionable, prohibited or injurious would be permitted.
- 23.** If the allottee, after handing over the possession of the shop, desires to surrender the shop in less than 12 months from the date of allotment, the rent of 1 year will be deducted from deposit paid by the allottee
- 24.** The allottee/shop-holder/tenant under any circumstances shall not be allowed to indulge into any kind of criminal activities, gambling etc. in the allotted premises and shall not use the shop and its surrounding area for following works and sale:
 - i. Workshop or any business which required electrical motor more than 1 HP capacity.
 - ii. Any kind of manufacturing unit.

- iii. Any kind of explosive articles including crackers, etc.
 - iv. Sale and storage of objectionable, prohibited and injurious articles.
 - v. Sale and storage of explosive and injurious chemicals.
 - vi. Any articles generating bad odour and creating environmental Pollution.
 - vii. Any kind of automobile garage, cycle store or its maintenance, repairing etc.
 - viii. For Residential purpose.
 - ix. To display or exhibit pictures, posters statues or other articles which are repugnant to the morale are of indecent, immoral or other improper character.
 - x. To display or exhibit any advertisement or placard or put up a hoarding part of the interior or exterior other than those permitted expressly in writing by Daman Municipal Council, Daman.
 - xi. To keep any animals or conveyance in or outside the shop/premises.
 - xii. The selling of Tobacco & Tobacco related product and intoxicated materials shall be prohibited
- 25.** The Application form described with the type and nature of business/shop which is proposed to be established. If it is found that any time the nature of business/shop is violating the conditions **No.(24)** above, and/or found to be reasonably objectionable which may harm and/or bring nuisance of any kind to the area, the shop will be closed/allotment will be cancelled forthwith after giving sufficient opportunity to be heard. The order of Chief Officer, DMC, Daman will be binding to all.
- 26.** The shop-holder/allottee shall maintain the premise including open space in good condition and healthy environment.
- 27.** The Chief Officer, Daman Municipal Council or its authorized agents reserve the right to inspect the shop at any time without giving due notice to the allottee/shop-holder.

- 28.** The Daman Municipal Council shall have the right to alter any terms and conditions in future.
- 29.** The allottee/shop-holder/tenant shall not carry out any illegal activities, anti-social activities, anti-national activities etc. in the premises.
- 30.** The allottee/shop-holder shall be responsible to obtain necessary license, permit or permission required as per law to run the business of such nature and also to pay by himself/herself only any kind of Government/Municipal tax and other tax etc. applicable/levyable to run the business. The shop-holder/allottee shall have to obtain all require statutory and legal permission at his level and at own cost, if necessary to run the business. The Daman Municipal Council shall not be responsible for any such lapse on the part of the shop-holder/allottee.
- 31.** The allottee/tenant shall pay the full amount of rent as well as service charges applicable, by the 10th day of each month and in case of default being made in payment on the due date, the Tenant shall be liable to pay interest @ 18% annum for the period the rent stands unpaid from the due date provided that if the default continues for a period of 2 quarters or more, the Chief Officer, Daman Municipal Council shall also be entitled to evict the tenant lawfully from the premises by terminating his tenancy.
- 32.** Shopkeeper shall himself install the shop board in a uniform pattern as provided by the Daman Municipal Council. In any case shopkeeper shall be given time of 1 month from allotment of shop to begin its commercial activity and rent shall start from the same time.
- 33.** In the event of any dispute or question arising as to the interpretation of any condition, words etc. appearing, herewith it shall be referred to the Chief Officer, DMC and his decision there on shall be final and

binding to both the parties and no claim of any kind of such interpretation will be entertained. However, the appellant authority will be the Collector/Director (Muni. Admin.), Daman. By participating in this tender, the applicant is agreeing to the fact that the dispute shall be sent to an arbitrator appointed by Director (MA) and the decision of Arbitrator shall be final. The Civil Court shall have no objection for the same.

- 34.** The allottee/shop-holder shall not be entitled to get its/their name entered in to the record of the Government and Municipality; the property will remain on the name of the Daman Municipal Council only. Successful tenants have to execute the agreement with the Council for regular payment of rent and for fulfillment of the all above conditions. The allottee shall have to pay the property tax, advertisement tax and all other taxes to the council.

- 35.** At any time, if Council requires any or all shops, in interest of general public or for providing better services to the citizens, the tenants shall be given prior notice of three months period for vacating the premise's and on expiry of such notice period the allottee/tenants shall without any further notice from the Council vacate the premises and handover the peaceful possession of the said shops to Chief Officer in the same good condition as he/she received it from the Council, normal wear & tear being excepted, however, in such cases, the Council shall take all actions for rehabilitation of the affected tenants by allotting the shops available at other places within the area of Council with new terms and conditions and in case if rehabilitation is not possible, the security deposit will be released to the allottee/tenants immediately after taking possession of the shops without interest.

- 36.** After closing of the bid or bidding evaluation and finalization process, If bidder revokes bid, refuse to agree with the bid quoted or try to disobey any clause of the "**Terms and conditions of Offline Auction for allotment of shops on rental basis**" Rs. 1,00,000/- penalty will be imposed and legal action will be initiated on the bidder.

- 37.** Government Servants/Elected representatives and their Immediate Family members are not allowed to participant in the bid.
- 38.** Successful bidders qualified in Online bid No. 2/9-7/2022-23/1247 dated 10/11/2022, No. 2/9-7/2022-23 dated 15/02/2023 and Offline bid No. 2/9-7/2023-24/817 dated 21/07/2023, No.2/9-7/(part)DMC/2024-25/499 DATED 07/06/2024 who have already got 2 shops cannot participate in this bid.



(Dr. Sanjam Singh)

Chief Officer,

Daman Municipal Council

Daman.