

Government of Punjab
Department of Mines & Geology

Auction Notice

Notice No 14/6A Dated 13/04/2023

WHEREAS the State of Punjab has formulated and approved the Punjab State Minor Mineral Policy, 2023 under the Punjab Minor Mineral Rules, 2013 [**the 2013 Rules**] formulated by the State Government under the Mines and Minerals (Development & Regulations) Act, 1957[**the 1957 Act**].

WHEREAS, the present notice is being issued for allotment of contracts of commercial mining sites/cluster-XXII in district Pathankot mentioned in the attached **Annexure 1**. The Schedule is mentioned below:

SCHEDULE

Activity	Date	Time
Start date for Registration of Bidders and upload of documents/EMD payment	13-04-2023	05:00 PM
Pre-Bid Meeting	20-04-2023	11:00 AM
Last date for upload of Documents / EMD payment	04-05-2023	12:00 PM
Technical Bid evaluation	04-05-2023	4:00 PM
Opening of Financial Bid	11-05-2023	12:00 PM

• **Place of Pre Bid meeting:**

Executive Engineer/Pathankot,
Drainage -Cum- Mining and Geology Division,
WRD, Punjab. @ Madhopur,145024.

• **Punjab State Minor Mineral Policy, 2023**

All the terms and conditions of the Punjab State Minor Mineral Policy, 2023 (Annexure 2) shall be the binding instructions for this auction notice. Further, in addition to terms and conditions of the Policy 2023, following terms and conditions are mentioned below:

Additional Terms & Conditions for the Auction:

1. Submission of Bid/ Participation:

- a. Each bid shall be submitted online through e-procurement website www.eproc.punjab.gov.in of Punjab Govt.

- b. To participate in the e-auction, prospective bidders shall have to get themselves registered with the e-Procurement portal (<http://www.eproc.punjab.gov.in>) and obtain user ID and password. Class 3 Digital Signature Certificate is mandatory for participating in the e-auction process.

2. Fees, EMD, Undertaking, Documents:

- a. The prospective bidder shall deposit the application fee (non refundable) for participation in E-auction and EMD through a designated bank account which must be in his/her name (or company/firm) only. The bidder shall give the details of this designated bank account in his undertaking.
- b. Prospective bidder shall deposit the EMD on the e-procurement website through e-payment gateway as described in the **Annexure 1** for mining site(s)/cluster(s), he/she plans to bid for. In case, the EMD deposited is less than the prescribed value or if prospective bidder deposits EMD from the bank accounts other than his designated bank account, then his/her technical bid shall be rejected.
- c. Every bidder shall also deposit processing fees, as applicable, on the e-procurement website www.eproc.punjab.gov.in. This amount shall be nonrefundable.
- d. Prospective bidder shall upload the following documents:
 - i. MS Excel undertaking (**Annexure 3**) shall be uploaded by prospective bidder on the e-procurement web site www.eproc.punjab.gov.in. This undertaking shall be downloaded from the e-procurement website only. If the undertaking is not uploaded as per requisite pro forma or giving incomplete information or upload the blank undertaking by any bidder, then his/her technical bid shall be rejected.
 - ii. An undertaking that he shall ensure the presence of Site Manager(s) and Software professional(s) for each cluster.
 - iii. Copies of Audited Final Accounts (Balance Sheet and Profit and Loss Account)/ Income tax returns for last three years to verify turnover, along with Statement of designated bank account duly signed by the bank
 - iv. Copy of PAN card
 - v. Copy of Aadhar Card
 - vi. Undertaking that Applicant/Firm is not defaulter in the payment of any dues of State Government/Govt. of India and he is not in legal dispute with the State Government as regards payment of any dues

- under the 2013 Rules or any previous mining contract and has not been convicted in any criminal offence by a competent court of law.
- vii. An undertaking that he has read and agrees with the terms of this E-auction notice and the conditions set out therein.
- e. On the date of verification of documents uploaded by the bidder, his eligibility to participate in the bidding process shall be ascertained. The ineligible/blacklisted agency/contractor/firm shall not be allowed to participate in the bidding process.
- f. The documents must be submitted by individual/proprietor, society, partnership firm and company as applicable to the entity. In the event of delay in submission of aforesaid documents or submission of incorrect documents the bidder shall be solely responsible. For delay in user ID activation, all bidders are advised to register well in advance to avoid last-minute delays. For more details regarding registration process kindly refer to registration guidelines on the e-procurement website www.eproc.punjab.gov.in.
- g. The prospective bidder may contact customer care of www.eproc.punjab.gov.in at telephone numbers **0120-4001002, 0120-4001005, 0120-6277787, 0172-2970263, 022-27560266** and **0172-2970284** for any technical queries related to participation and submission of the bids.

3. Process of Bidding:

- a. The E-auction for award of mining rights shall be conducted site wise/cluster for the mining areas there under, through **e-auction** process where every interested prospective bidder can bid.
- b. During E-auction if any bidder violates any rules, then he/she will not be allowed to participate in the e-auction and his EMD shall be forfeited. If Director decides that the violation is serious then he may prohibit the bidder to participate in e-auction for upto 3 years.
- c. The Director/mining reserves the rights to cancel any bid given by the bidder, to annul the bidding process and reject all or any of the bids at any time or to exclude any mining site(s)/cluster from the auction and this being in the realm of contract, there shall be no obligation to communicate such reasons to any bidder.
- d. Tenders of clusters shall be called by the Executive Engineer-cum-District Mining Officer, Pathankot on the e-procurement portal. However, in case a situation of draw of lots arises than the same shall be held at Head Office level under Director Mining. The time and place shall be intimated well in time to all the H1 bidders.

4. Pre-Bid Meeting:

- a. The Bidder or his official representative is invited to attend a pre-bid meeting which will take place at the address, venue, time and date as indicated above.
- b. The purpose of the meeting will be to clarify issues and to answer questions on any matter that may be raised at that stage.
- c. The bidder is requested to submit any questions in writing to reach the department not later than 3 days before the meeting.
- d. Minutes of the meeting, including the text of the questions raised (without identifying the source of enquiry) and the responses given will be uploaded on the e-procurement web site www.eproc.punjab.gov.in. Any modification of the auction notice, which may become necessary as a result of the pre-bid meetings shall be made by the department exclusively through the issue of an Addendum/Corrigendum pursuant to clause 5 and not through the minutes of the pre-bid meeting.
- e. Non-attendance of any bidder at the pre-bid meeting will not be a cause for disqualification of a bidder.

5. Amendment of Auction Notice

- a. Before the deadline for submission of bids, the department may modify the auction notice by issuing addenda/corrigenda.
- b. Any addendum/corrigendum thus issued shall be part of the auction notice and shall be uploaded on the e-procurement web site www.eproc.punjab.gov.in
- c. To give prospective bidders reasonable time in which to take an addendum/corrigendum into account in preparing their bids, the department may, at his discretion, extend as necessary the deadline for submission of bids.

6. Site Visit/Selection of Mining Areas:

- a. The prospective bidder at his own level and expenses can visit the mining areas (**Annexure 1**) to satisfy himself as to the feasibility of conducting mining operations in the areas located in the said mining site(s)/cluster and also satisfy himself regarding quantity of minor mineral to be extracted from the mining site(s) he plans to bid for.
- b. The department shall not be responsible in future for non-availability of material on the mining site(s)/cluster as per the auction notice, if the same is not brought into notice of the department by the bidder before submission of his/her bid.

- c. The successful bidder shall have to apply for transfer the Environmental Clearance (EC) EC at his/her name from the competent authority.
- d. The department will not be responsible for any reduction in Annual Concession Quantity by SEIAA or any other regulatory authority for any cluster. No relaxation will be given on account of Annual Concession Value due the said mentioned reason.

7. Provisional Acceptance, Award of Concession:

- a. The provisional acceptance shall be issued by the Government in the name of successful bidder. The successful bidder shall deposit @ 35% of annual concession value as first installment from his designated account within 2 banking days from the date of issue of provisional acceptance, through designated bank account by RTGS/NEFT in the account of Executive Engineer-cum-District Mining Officer, Pathankotas given in **Annexure 4.**
- b. If the successful bidder does not deposit the requisite amount within the stipulated time (within 2 banking days, upto 5.00 pm after issuance of provisional acceptance) then the EMD deposited by him will be forfeited and he will be prohibited to participate in the coming e-auction for next 3 years.
- c. In case, the successful bidder fails to deposit Security amount within 2 working days, up to 5.00 pm after issuance of provisional acceptance, the earnest money deposit shall be forfeited and he will be prohibited to participate in the coming E-auction for the next 3 years.
- d. The EMD of the unsuccessful bidder shall be refunded within 7 banking days of provisional acceptance of the bid. This amount shall be refunded to the designated accounts through which the bidder remitted the EMD.
- d. The concessionaire shall deposit Environment Performance Guarantee @ Rs.15,000/- per acre within 30 days from the date of execution of concession agreement with the Executive Engineer-cum-District Mining Officer, Pathankot in shape of FD/Cash/DD/BankGuarantee having validity of 6 months over the concession period.
- e. In addition to the annual concession value, the concessionaire shall deposit the quarterly land owner compensation in the bank account of Central Government/State Government/Panchayat/Private landowners @ Rs. 50/- per tonne through cheque as per the extraction done. The same shall be informed to the Executive Engineer-cum-District Mining Officer, Pathankot while producing the evidence. In case of violation, the concession shall be cancelled as per the 2013 Rules (as amended) and the concessionaire shall be blacklisted for a period of three years.

- f. The concessionaire shall be bound to deposit T.D.S under Section 206-C(IC) of the Finance Act, 2004 (as amended). Every concessionaire shall be bound to supply the Pan Number (for Income Tax) and GST Number (for GST) to the concerned District Mining Officer.

8. Award of Concession and Signing of Agreement –

- a. After completion of E-auction, the payment of 1st installment and security amount should be paid by the successful bidder only through this designated bank account and he/she will not be allowed to deposit any amount from any account other than his/her designated bank account. In case, if successful bidder deposits the said amount from the other account instead of his/her own account, the same shall be forfeited and the bid shall be cancelled.
- b. The bank account details of Executive Engineer-cum-District Mining Officer, Pathankot, in which 1st installment amount and security amount is to be deposited by successful bidder, is mentioned in **Annexure 4**.
- c. In case, the successful bidder fails to execute and register the concession agreement within 15 days from date of issuance of provisional acceptance, the provisional acceptance of the bidder shall be cancelled and his first installment and Security deposit shall be forfeited and the bidder shall be blacklisted for 3 years and the fresh auction of mining cluster shall be held.

9. Site regulatory measures:

- a. The successful bidder/contractor shall be bound to install boundary pillars for demarcation and fix the bench marks for regulation of depth of excavation at mining site(s) at his own expenses;
- b. The successful bidder/contractor can start the excavation from the mining site(s) only after the execution of concession agreement and obtaining all necessary statutory and non-statutory clearances and installing electronic weigh bridge. It shall be ensured by the concessionaire that the weighbridge installed at each mining site must be able to measure the full weight of all types/sizes of vehicles/carriers used for transporting excavated material from the mining site.
- c. The concessionaire shall put up notice board at the pit head of mining site(s) showing concession details like khasra Nos., quarry map, per annum quantity allowed, timing allowed for mining activity, concession period etc. and contact detail of Deputy Commissioner, Pathankot, Executive Engineer-cum-District Mining Officer, Pathankot, and concessionaire etc. so that any person can give complaint if any.

- d. The concessionaire shall allow the government employee near the weight machine so that he may check the register of measuring weight etc. by the concessionaire.
- e. The concessionaire shall send details of each measured vehicle electronically to the Department in prescribed form-T and the Department after verification of the said details issue slip electronically in prescribed form-T, which shall be downloaded by concessionaire and shall be used for transit of loaded minor sand mineral. The slips shall be issued only from the departmental web portal i.e. <https://minesandgeology.punjab.gov.in>.
- f. It shall be the responsibility of the concessionaire to level the pits, ditches, restore physical, chemical and biological quality disturbed by the mining to a level acceptable to all concerned simultaneously after carrying out excavation work as per conditions of mine closure plan so that there may not be any untoward incident. The concessionaire must leave the area in such a way that rehabilitation does not become a burden to the society after mining operation is over. It must also aim to create as self-sustained ecosystem.
- n. No excavation work of minor mineral shall be carried out at protected reservoir or any forest area.
- o. The present mode of excavation at each mining site of cluster permitted by SEIAA is already mentioned in **Annexure 1**. Further, the bidder at his own discretion may approach to SEIAA for granting permission to conduct semi mechanized mining operations in the Clusters where initially the permission has been granted manually. The Department shall facilitate such applications of successful bidders/contractors.
- p. The mining operation shall be undertaken in a scientific and systematic manner i.e. mining operation should be consistent with the approved mining plan and guidelines issued by State Environment Impact Assessment Authority.

10. Other mandatory conditions:

- a. The conditions mentioned in the environment Clearance shall be binding on the successful bidder/concessionaire.
- b. The prospective bidder/ Contractor shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981, Environment (Protection) Act, 1986, Punjab Land Security Act, 1900, Indian Forest Act, 1927, Wild Lives (Preservation) Act, 1972, Mines Act, 1952, Mines and Minerals (Regulation and Development) Act, 1957, Forest (Conservation) Act, 1980,

Metalliferous Mines Regulation, 1961, Environment Clearance, Environment Management Plan, and Punjab Minor Mineral Rules, 2013 (as amended) as well as any conditions imposed by the environmental clearances.

- c. The prospective bidder/ contractor shall also comply with the Punjab Minor Mineral Policy 2023, the terms of this auction notice as well as the Form L-1 form (as amended) statutory contract. In case any amendment is made in the 2013 Rules, or any other government rules, instructions, notification, circular are amended and/or issued, during the concession period, the same shall be binding on the contractor and shall be deemed to be part of this document and any contract executed with such contractor.
- d. In the event of violation of any of the above, the contract may be cancelled by giving show cause notice or without giving any such notice in case of any emergency by competent authority and the amount deposited by the bidder/ contractor at the time of auction shall be forfeited.

11. Rights reserved to the State Government:

The bidders and their representatives shall observe the highest standard of ethics during grant of the mining concession. Notwithstanding anything to the contrary contained herein, the Government may reject a bid, withdraw the mining concession, as the case may be, without being liable in any manner whatsoever to the bidder or to the successful bidder, as the case may be. If the Government determine that the bidder or the successful bidder, as the case may be, has, directly or indirectly or through an agent, engaged in any corrupt fraudulent practice, coercive practice, undesirable practice or restrictive practice in the bidding process or subsequent to allotment, in such an event, the Government shall be entitled to forfeit and appropriate the EMD or Performance Security, as the case may be, as damages, without prejudice to any other right or remedy that may be available to the Government under the auction notification and/ or otherwise. However, before taking such an action, opportunity to show cause shall be issued to the affected parties in order to comply with the principles of natural justice.

For any clarification regarding the auction process, the bidders may kindly contact numbers mentioned in **Annexure-4**.

Detailed information regarding e-auction can be downloaded from the e-procurement website www.eproc.punjab.gov.in or can be collected from the office of undersigned.

-Sd-
Executive Engineer-cum-
District Mining Officer,
Pathankot.