THE INSTITUTE OF Company Secretaries of India
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament

NORTHERN INDIA REGIONAL COUNCIL

# CORRIGENDUM

The last date for submission of "EXPRESSION OFINTEREST (EOI) FOR PURCHASE OF INSTITUTIONAL/ COMMERCIAL" has been extended up to February 18,2015 by 3.00PM due to administrative reasons and date of opening the offers shall be on February 19,2015 at 3.30PM at ICSI-NIRC building, 4, Prasad Nagar Institutional Area, New Delhi 110 005.

Other terms & conditions of "EXPRESSION OF INTEREST (EOI) FOR PURCHASE OF INSTITUTIONAL/ COMMERCIAL" forNorthern India Regional Council of the Institute of Company Secretaries of India,dated January 9, 2015 will remain same.

The bidders may take note the above changes.

Date: 30th January, 2015 Chairman, NIRC of ICSI

THE INSTITUTE OF Company Secretaries of India
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament

NORTHERN INDIA REGIONAL COUNCIL

**EXPRESSION OF INTEREST (EOI) FOR PURCHASE OF INSTITUTIONAL /COMMERCIAL PREMISES**

Expression of Interests are invited for purchase of building/built up floor(s) at Nehru Place/Naraina, New Delhi or nearby location with total built up area of 600-700 Sq.mtrs. from owners/builders having clear and absolute title with approved building plans by Government authorities. Interested parties may send their EOIin sealed envelope mentioning "**EXPRESSION OF INTEREST FOR PURCHASE OF OFFICE PREMISES"**to Regional Director, Northern India Regional Council of the Institute of Company Secretaries of India, ICSI-NIRC building, 4, Prasad Nagar Institutional Area, New Delhi 110 005 as per the attached format.

Chairman, NIRC-ICSI

**INVITATION OF EXPRESSION OF INTEREST FOR PURCHASE OFINSTITUTIONAL/COMMERCIAL PREMISESFOR**

# Northern India Regional Council of the Institute of Company Secretaries of India

**EOI NO: ICSI/INFRA/NIRC of ICSI/2015DATED :9th January , 2015**

# Northern India Regional Council of the Institute of Company Secretaries of India

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NIRC OF ICSI, ICSI-NIRC building, 4, Prasad Nagar Institutional Area, New Delhi 110 005

## NOTICE OF EXPRESSION OF INTEREST (EOI)

**Dated :9th January, 2015**

**Subject** **Invitation of expression for purchase of Institutional/Commercial Premises at Nehru Place/Naraina, New Delhi or nearby location covering area of 600-700 Sq.mtrs.**

The Institute of Company Secretaries of India (ICSI), a statutory body setup under an Act of Parliament, i.e., the Company Secretaries Act, 1980 invites EOIs from the interested premises owners / Developers having clear and absolute title for sale of their premises.

| | | |
|---|---|---|
| 1. | Name of the work | Purchase of Commercial Premises |
| 2. | Cost of EOI document | Rs . 500/- (Rs. Five Hundred) (Non Refundable) |
| 3. | EMD | Rs. 1,00,000/- (Rs. One Lakh) (Refundable) |
| 4. | Mode of Payment of EOI document and EMD | To be deposited in the form of Demand Draft/Pay Order drawn in favour of "**The Institute of Company Secretaries of India" payable at New Delhi** |
| 5. | Availability of EOI document | On ICSI's website i.e. www.icsi.edu , www.icsi.edu/niro w.e.f. 9th January, 2015 |
| 6. | Last date of submission of EOI | **29th January, 2015 up to 03:00 PM** |
| 7. | Date of opening of EOI's | **30th January, 2015 at 02:30 PM** |
| 8. | Place of submission / opening of EOI's | The Chairman, NIRC of ICSI, ICSI-NIRC Building, 4 Prasad Nagar Institutional Area, |
| 9. | Mode of submission of EOI documents | May be submitted by hand or through post/courier so as to reach before the due date & time |

Complete EOI document is available on ICSI website i.e.www.icsi.edu ,www.icsi.edu/niro and same can be downloaded.

ICSI shall not be liable for any postal delays what so ever in receipt of EOI documents and EOI received after the stipulated date and time shall not be entertained. EOIs submitted without EMD and Cost of EOI document will summarily rejected.

Priority would be given to flats belonging to Public Sector units / Govt. Departments / Public Financial Institutions. No Brokers please.

The ICSI reserves the right to have negotiations with any or all, accept or reject any or all the EOIs or annul this process at any time without assigning any reason whatsoever.

**Chairman,**
**NIRC of ICSI**

**A. INSTRUCTIONS TO THE APPLICANTS**

**Submission of EOI**

The EOI is to be submitted in two separate sealed envelopes and both the envelopes are to be placed in another envelope. This outer envelope superscripted as "**EXPRESSION OF INTEREST FOR PURCHASE OF INSTITUTIONAL/COMMERCIAL PREMISES**" should be duly sealed and delivered at the following address before the scheduled date and time i.e. **29th January, 2015 up to 03:00 PM.**

**The Chairman**
**NIRC of ICSI**
ICSI-NIRC Building
4, Prasad Nagar Institutional Area
New Delhi 110 005

**Envelope-I super scribed as "Technical inputs" for Sale of Building/Built up floor shall contain the followings:**

1. Earnest Money Deposit **(EMD)**
2. Cost of EOI document.
3. Acceptance letter for un-conditional acceptance of the terms and conditions of EOI as per Performa given in this document at (**ANNEXURE - I).**
4. Brief profile of the applicant / ownerof the premises showing the following;
   - Name of the owner(s) of the premises/Directors of the Company with brief organization chart.
   - Memorandum and Article of Association in case of a company
5. Confirmation by the applicant (on the format placed at (**ANNEXURE - II)** duly signed and stamped by the owner(s)/authorized person.
6. Complete EOI document as downloaded from website, Corrigendum / Addendum, if any, duly filled in, signed and stamped on each page by applicant.
7. Copy of power of attorney/partnership deed/Board resolution, duly attested by Notary Public Authorizing the person who signs & submit the EOI.
8. Any other information as required to be submitted along with the EOI.
9. Copy of documents as per check list (**ANNEXURE - III)**
10. Present status of the premises
11. Organisational Structure **(Annexure IV)**
12. Technical inputs **(Annexure V)**

**Envelope-II** super scribed as **"Financial offer"** for **PURCHASE OF COMMERCIAL PREMISES** shall contain the price bid only.

1 The EOIs received after the due date and time shall not be considered and shall be returned to the applicant unopened.

2 ICSI shall not be responsible for any postal or other delays and applicant should take care to ensure the submission of EOIs at place before due date and time.

3 All alterations, erasure(s) & or over-writings, if any, should be duly authenticated by the person signing the EOI.

4 All Performa forming part of EOI documents has to be duly filled- in, signed and stamped by the applicant.

5 An applicant can submit any number of EOI, but each EOI must be in a separate envelope accompanied with requisite amount of EMD and Cost of EOI document for each case.

6 Applicant who has any query about this proposal may send their queries through e-mail i.e.**niro@icsi.edu.**

7 Opening of EOIs : The sealed offers/EOIs will be opened by the Institute on **30th January, 2015 up to 2:30 PM** in the premises of the Institute at ICSI-NIRC Building, 4 Prasad Nagar Institutional Area, New Delhi 110 005. If the applicants wish to remain present, their representatives may attend the same.

8 Legal Due-diligence of premises offered for sale shall be got done by ICSI.

9 The premises owners are required to clarify the observations raised by the agency carrying out the legal Due-diligence on behalf of ICSI within specified time.

10 The rates offered by the premises owner shall initially remain valid for a period of 90 days. The validity of offers may require extension of time with the consent of the owner.

11 Mere submission of offers/ EOIs will not be treated as acceptance/selection of the offer. The premises will be selected based on evaluation of offers considering various factors as mentioned in the technical information/ criteria of evaluation. Further, the applicants may note that ICSI is not bound to purchase premises from the shortlisted offers.

12 EMD of the unsuccessful applicants shall be refunded without any interest after finalization of the proposal/ short listing. EMD of the successful applicant will be adjusted in the total consideration without any interest.

The EMD deposited by the applicant/premises owners for sale of premises shall be liable for forfeiture in the following events & reasons:

(a) If the premises owner fail to get the No Objection Certificate (NOC), if any, from the respective local bodies of the local authority in respect of transfer of license/development rights in favor of ICSI within stipulated period only.
(b) If the premises owner increases the quoted rates during the negotiations or at any stage.
(c) If the Title of property is defective & the premises owner fails to rectify within time period given of pointing out the anomaly (ies) by the Law Firm / ICSI.
(d) If the premises owner withdraws the submitted EOI.
(e) If the premises owner after submission of EOI, imposes Condition(s). (Conditional offers are not acceptable).
(f) Non-fulfillment of any or all of the conditions by the premises owners.

13 The owner of the premises should preferably submit EOI directly; else, EOI must accompany an authorization letter duly issued by the premises owner in favour of the Person/agency submitting the EOI.

14 If group of individuals own the premises then preferably all the authorized representatives of such companies/ individuals should sign the EOI documents. An authorization letter in favour of the persons signing on behalf of a company/ individual must accompany the EOI. In case only one person is signing on behalf of all the companies/individual then all such companies/individual shall issue an authorization letter in favour of person signing the EOI dully attested by Notary Public.

15 ICSI reserves the right to negotiate (through single or multiple rounds of negotiations) the price/rate with any or shortlisted or all the intending applicants.

16 The unilaterally revised offer/rates received from the applicants, after conclusion of the process of negotiations, shall not be entertained under any circumstances.

17 Conditional bids shall be rejected.

18 Canvassing in any form will automatically disqualify the offer.

**CRITERIA FOR SELECTION OF PREMISES:**

The following criteria, with or without modifications, shall be adopted for short listing of premises.

(a) The location, ambiance, approach roads, distances to public amenities
(b) Landmark building/Layout of each floor
(c) Title of the premises
(d) Statutory compliance (sanction of building plan by local authority, completion/occupancy certificate, NOC for fire and other related activities as required by authority)
(e) Facilities available in building
(f) Present status (finishing/vacant/occupied by tenants, etc.)
(g) Age of the building
(h) Construction quality

The property should be situated in institutional/commercial area in specified locations with congenial and proximity to public amenities.

The properties will be shortlisted based on the above factors with gradation/marks to be decided by ICSI.

The applicants/ bidders may submit a brief write-up in support of their offers along with the EOI on the above lines.

**GENERAL TERMS & CONDITIONS**

## Procedure for Selection of premises

1. ICSI shall open & scrutinize the EOIs submitted by the intending Developers/ premises owners/authorised representative taking into consideration the selection criteria.
2. The representatives of ICSI shall visit the site for physical verification, location & observe the status of premises as well as whole building/tower. ICSI subsequently may carry out due diligence or other verifications for its satisfaction, for which all assistance shall have to be provided by the applicant/ premises owner(s) including ownership documents and chain of documents.
3. The application(s) not accompanied by the documents as per the check-list (**Annexure-III),** is/are liable to be rejected.
4. The ICSI reserves the right to accept or reject any or all the applications, or Negotiate for reduction in the quoted price with any or all the applicants or annul this process at any time without assigning any reason for whatsoever reasons.
5. ICSI is not bound to give reasons for rejection of any of the EOI.
6. The decision ICSI in this matter shall be final & binding on all the applicants.
7. ICSI shall issue LOI in the name of premises owner on approval of proposal by the Council of ICSI.
8. ICSI shall enter into an Agreement to purchase on receipt of clear due diligence report and settlement of all terms & conditions.
9. Subsequently a sale deed shall be executed on fulfilment of other conditions the Agreement to purchase.
10. The stamp duty and registration charges payable on the Instrument of Transfer/Transfer Deed/Deed of Conveyance and any other documents towards the purchase of premises shall be borne by ICSI.
11. All the pending dues prior to purchase will be borne by the premises Owner(s).
12. ICSI will release payment in stages as detailed herein after.

## TERMS & CONDITIONS OF PAYMENT

13. ICSI will make payment to the premises owner(s) based upon agreed price
14. ICSI shall release payment in following stages :

**Stage-I :**

25% (Twenty Five percent) of agreed cost will be released on execution of Agreement for sale of premises..

**Stage-II :**

Balance payment (after adjusting above payments under stage I), along with the EMD deposited with the EOI, of the agreed cost will be released at the time of execution of Sale Deed in favour of ICSI and compliance of all other terms & conditions of this document (this shall be treated as due date of payment).

15. The purchaser (ICSI) shall make payment of total consideration as per above mentioned stages subject to applicable tax deducted at source and ICSI will issue TDS certificate within a reasonable time.

16. **ICSI shall release payment** by cheque/RTGS, to the Companies/Owners of premises. In case the premises owners are desirous of receiving payment through RTGS mode then they are requested to furnish requisite details.

17. **ICSI will not pay any brokerage to any person/Agent/Real Estate consultant for the proposed transaction/deal.**

18. The Agreement to Sell shall be signed only if the due diligence report is positive or on compliance of the anomalies, if any, to the satisfaction of the law firm appointed by ICSI. The fee to such Law Firm shall be paid by ICSI only.

**ARBITRATION:**

19. In case of any dispute or difference arising in relation to meaning or interpretation of the agreement, the authorised official of the Institute and the seller will address the disputes/ differences for mutual resolution and failing which the matter shall be referred to the sole arbitration of Secretary, The Institute of Company Secretaries of India or his nominee. The provisions of the Arbitration and Conciliation Act, 1996 will be applicable to the arbitration proceedings. The venue of the arbitration shall be at New Delhi. The cost of the Arbitration proceedings shall be shared equally by both the parties. The decision / award of the arbitrator shall be final and binding.

**Jurisdiction:**

20. All disputes arising out of this agreement are subject to the jurisdiction of Courts in New Delhi.

**ANNEXURE- I**

**ACCEPTANCE LETTER TO BE SUBMITTED BY THE APPLICANT / AUTHORISED REPRESENTATIVE OF COMPANY / INDIVIDUAL**
**(PREFERABLY ON LETTER HEAD OF THE COMPANY/EXISTING/INDIVIDUAL OWNING PREMISES FLATS**)

To

**The Chairman**
**NIRC of ICSI**
ICSI-NIRC Building, 4, Prasad Nagar Institutional Area
New Delhi 110 005

Sir,

Sub "**EOI AND PRICE BID" FOR PURCHASE OF INSTITUTIONAL /COMMERCIAL PREMISES AT _____ in response to your advertisement vide EOI No.: ICSI/Infra/(NIRC of ICSI)/2015 dated 9th January, 2015**

I/We have downloaded the document for submission of EOI for purchase of Institutional /Commercial Premises from the official website of ICSI. I/We hereby unconditionally accept the EOI conditions in its entirety for the sale of premises. I/We understand that ICSI intends to purchase building/built up floor after due diligence of the offered site/location & related documents in the manner ICSI may deem fit.

The contents of EOI document (Instructions to Applicant) have been noted wherein it is clarified that after unconditionally accepting the EOI condition in its entirety, it is not permissible to put any remark(s)/condition(s) (except unconditional rebate on price, if any) in the EOI enclosed in the respective Envelope and the same has been followed in the present case.

In case any provision of the EOI document is found violated at any time after opening Envelope, I/We agree that the EOI shall be summarily rejected and ICSI shall, without prejudice to any other right or remedy be at liberty to forfeit the full said earnest money absolutely. I/We have also noted & accept the other circumstances or events or failure to perform in accordance with the terms of the EOI, which may call for forfeiture of EMD submitted by us.

The required earnest money deposit (EMD) and Cost of EOI document is enclosed herewith.

The required confirmation is as per format (ANNEXURE-II) is enclosed herewith.

Thanking you,

Yours faithfully,
Signature of applicant

Name with seal

**ANNEXURE-II**

**CONFIRMATION BY THE APPLICANT**

(Preferably on the letter-head)

**TO WHOM SO EVER IT MAY CONCERN**

I, _____ s/o _____, and r/o _____) on behalf of _____ (Name of thecompany, if applicable), that have submitted its **EXPRESSION OF INTEREST FOR PURCHASE OF INSTITUTIONAL /COMMERCIAL PREMISES** at _____ (Location) confirms that;

1. The offered building/built up floor stand mutated in the name of me /us /said company.
2. The offered building/built up floor have a clear title and there is no dispute of any kind on this premises.
3. The said building/built up floor fall under the approved Master Plan of local Authority
4. The building/built up floor are free from all kind of encumbrances.
5. The property is freehold/leasehold.
6. In case of the leasehold the lease period starting from _____ is _____ years.
7. We further confirm that;

A) We, have not taken any loan on the offered premises

OR

We had taken a loan, against the offered premises, amounting toRs._____ from _____ (Name/addressof the financial institution), which stands cleared as on date.

OR

We have taken a loan, against the offered premises, amounting toRs._____ from _____ (Name/address ofthe financial institution), out of which an amount of Rs. _____ isoutstanding as on date.

(Please attach a certificate from the financial institution confirming the outstanding amount)

(B)No charge has been created on the said offered premises through Registrar ofCompanies (ROC)/ in anyone's favour.

OR

A charge amounting to Rs. _____ was created in favour of _____ through ROC, which stand cleared as on date.

OR

A charge amounting to Rs. _____ has been / was created in favour of_____ through ROCwhich is still in force.

(C) No third party lien or interest has been created on the offered premises.

OR

Third party lien or interest had been created on the offered premises which hasbeen cleared as on date.

OR

Third party lien or interest has been created on the offered premises which is still in force (submit details as

applicable).

Signature of the owner / Authorized representative

**ANNEXURE- III**

**CHECK LIST OF DOCUMENTS**

(Please put "tick" as applicable)

| SL. NO. | DESCRIPTION | YES | NO | NA |
|---|---|---|---|---|
| 1. | Location plan of the building/built up floor where the building/tower has been constructed w.r.t. the existing adjoining areas, Approach road, NH, Railway station, Bus stand, Markets etc.(Preferably on Google map). Location of the plot marked on Master Plan/City Plan of that area | | | |
| 2. | Location of the plot marked on the approved Master Plan/ CityPlan of the area. | | | |
| 3. | Title documents of the building/built up floor (sale deed / lease deed / mutationpapers / allotment letter etc.) | | | |
| 4. | Memorandum of Articles of Associations. | | | |
| 5. | EMD and Cost of documents. | | | |
| 6. | Acceptance letter (as per **Annexure I).** | | | |
| 7. | Confirmation by the applicant (as per **Annexure- II**) | | | |
| 8. | FORM as **Annexure IV** dully filled in. | | | |
| 9. | Price bid form duly filled and signed | | | |
| 10. | Copy of the sanctioned plan of layout | | | |
| 11. | Commencement/completion/occupancy certificate issued by the local authority | | | |
| 12. | NOC from Society | | | |
| 13. | NOC for fire | | | |
| 14. | Any other document/information the application may like to submit | | | |

Signature _____

Name _____

Seal _____

**Annexure IV**

**ORGANIZATIONAL STRUCTURE**

| | | |
|---|---|---|
| 1 | Name and address of applicant with Telephone No., Mobile No., Fax No.& E-Mail | |
| 2 | Legal status of the applicant<br>(attach copies of original documents defining the legal status)<br>(a) A Proprietary Firm.<br>(b) A firm in Partnership.<br>(c) A Limited Company (Private or Public) orCorporation.<br>(d) Individual | |
| 3 | Name of Directors/ Partners with theiraddresses, Telephone numbers, Fax, Email. | 1.<br>2.<br>3. |
| 4 | Name & Designation of individualsauthorized to act for the Organization. | 1.<br>2.<br>3. |
| 5 | Name / Designation Tel No of the person tocontact in case of any clarification by ICSI | Name _____<br>Designation _____<br>Tel No. _____ |
| 6 | Has the applicant or any constituent partnerin case of partnership firm, ever beenconvicted by a court of law? If so, givedetails. Also the details of court case going on may be provided. | |
| 7 | Other details:<br>a) PAN<br>b) Service Tax Reg. No.<br>(Copies to be enclosed) | |
| 8 | Any other information considered necessarybut not included above. | |
| | | Signature and Seal of Applicant |

Note: In "other details" if any of the registration/clearance is not applicable/exempted/not available shall submit anaffidavit/undertaking stating that the same will be obtained before participating in tender/award of work.

Signature _____

Name _____

Seal _____

**Annexure – V**

**TECHNICAL INFORMATION**

| SL NO. | PARTICULARS | INPUTS |
|---|---|---|
| 1. | Details of building/Tower | |
| | (a) type of construction Load Bearing/RCC/Steel | |
| | (b) Type of Foundation (Structure should be designed to take care of earthquake intensity applicable for the area) | |
| | (c) Whether the proposal is for sale of whole building with land or built up floors | |
| | (d) No. of Floors and height of each floor including Basement, if any | |
| | (e) Clear floor height from floor to Ceiling | |
| 2. | Area of premises offered:<br>• Super Built-Up area<br>• Built up area<br>• Carpet area | |
| 3. | **CONSTRUCTION SPECIFICATIONS/ MATERIALS USED** (separate Annexure may be used) | |
| | a. Floor | |
| | b. Internal Walls | |
| | c. External Walls | |
| | d. Doors/Windows | |
| | e. Kitchen | |
| | f. Bathroom | |
| 4. | **AGE / CONDITION OF THE CONSTRUCTION / BUILDING** | |
| | (a) Newly constructed within 2 years (Completion and occupation certificate with | |

| | | |
|---|---|---|
| | date to be enclosed) | |
| | (b) Old construction - Mention year of completion (OC / CC to be enclosed) | |
| | (c) Whether structural stability certificate enclosed (Certificate shall be from Licenced Structural engineer | |
| | (d) Details of internal furnishings including electrical wiring and fittings | |
| 5. | **COMMON FACILITIES PROVIDED (Give details)** | |
| | a. Car Parking space | covered / Open |
| | b. Scooter parking | covered / Open |
| | c. Power / Electricity | Adequate and available / Not available |
| | d. Water supply | Provided / Not provided |
| | • Municipal Corporation/ Borewell | Yes / No |
| | • Overhead Tank | Yes / No |
| | e. Lifts and their nos., if any | Give Capacity |
| | f. Generator for emergency | |
| | g. Anti lightening device | |
| | h. Security arrangement (fire fighting/anti burglary device etc.) | |

Signature _____

Name _____

Seal _____

**PRICE BID FOR EOI**

**The Chairman**
**NIRC of ICSI**
ICSI-NIRC Building, 4, Prasad Nagar Institutional Area
New Delhi 110 005
Sir,

**Sub "EOI AND PRICE BID" FOR PURCHASE OF INSITUTIONAL/COMMERCIAL PREMISES AT NEW DELHI**

**Ref. Advertisement vide EOI No.: ICSI/Infra/ (NIRC of ICSI)/2015 dated 9th January, 2015.**

We are pleased to submit our EOI for the purchase of Commercial Premises as per following details:

| | | |
|---|---|---|
| a) | Locations (address) | |
| b) | Details of the premises offered<br>**(a) Land with building**<br>(i) Land Area in sq. ft.<br>(ii) Total built up area of the building<br>Or<br>**(b) Built Up floor(s)**<br>(i) No. of floors<br>(ii) Total built up area of the floors | |
| c) | Offered rate | |
| d) | Amount inclusive of all charges | |

1. Above quoted rate /amount of the premises inclusive of all charges whatsoever (charges such as car parking area charges, maintenance charges, formation of society and apex body charges, electricity/water/gas connection charges, corpus fund for club house, etc.) but excluding registration and stamp duty charges.

2. ICSI will not make payment for any other charges.

3. The carpet area would mean the useable carpet area at any floor level based on the net finished wall to wall internal room measurement excluding external, internal walls, door jambs, docks, shafts, all partially covered and uncovered balconies, flower beds, common areas. 50% of the area of the fully covered balcony to be included in the carpet area.

4. Applicable tax shall be deducted as per the applicable rules and norms, while making the payment.

Thanking you,

Yours faithfully,

Place

Date

Signature of applicant

Name with seal