

OFFICE OF THE EXCISE COMMISSIONER,

EXCISE AND TAXATION COMPLEX,
RAILHEAD COMPLEX, JAMMU.

Subject:- Forfeiture of EMD/duties/fee etc –regarding.

Order No. 351-EC of 2022

Dated: 25 -03-2022

1. Whereas, as per Excise Policy 2022-23 issued vide notification No SO 71 dated 22 February 2022, various locations were put on e-auction in UT of J&K for grant of Type-C (JKEL-2).
2. Whereas besides others, the following were also declared successful as H1 bidders for Auction IDs as shown against each:-

S No.	Auction ID	Location	Name of H1 Bidder	Parentage	H1 Bidder Address
City Excise Range North, Jammu					
1	999	JMC Ward 19 (North of Tawi) E	Vishal Handa	Ashok Handa	Village Channi Himmat, Tehsil Bhau, Jammu
2	1010	JMC Ward 19 (North of Tawi) G	Naresh Kumar	Des Raj	Mirpur Ram, Parole, Kathua
3	1023	JMC Ward – 19 (North of Tawi) I	Rakesh Kumar	Kirpal Singh	Village Garnai, Udhampur
4	1032	JMC Ward 24 B	Parmod Kumar Sharma	Pritam Chand Sharma	H.No 43, Sec-5, Channi Himmat, Jammu
5	1062	Village Nagrota B Tehsil Nagrota	Gopal Dass	Jagan Nath	Village Jagti Kandoli, Nagrota
6	1102	JMC Ward 3	Inder Kumar Sehgal	Baiz Nath Sehgal	H.No-05, Sector 1A, Extension, Trikuta Nagar, Jammu
7	1114	JMC Ward 15 D	Rajesh Kumar	Amar Nath	H.No 53, Ward No 10, Vijaypur Samba
8	1121	JMC Ward 15 E	Ashok Kumar	Amar Nath	Near Govt Middle School, Haripur Brahamana, Kathua
9	1218	JMC Ward 1 A	Kuldeep Singh	Parbhat Singh	Village Malpur, Bathera, Bhalwal, Jammu
10	1053	JMC Ward 36	Novjeet Singh	Jung Bahadur Singh	21 Shutra Shahi, Karan Nagar, Srinagar
11	1065	JMC Ward 41B	Bansi Lal	Dhani Ram	Ghou Manhasan, Wasrd No. 7, Jammu
12	1074	JMC Ward 66 B	Rakesh Sharma	Daya Ram	Ward No-04, Lakhampur
13	1075	JMC Ward 75 (Akalpur)	Pyari Lal	Yodh Raj	Bagnoti, Chak Jaralan, Nowshera, Rajouri
City Excise Range South, Jammu					
14	1240	Bishnah TAC, Ward No. 4	Amit Kumar	Hoshiari Lal	Village Siot, Rajouri
15	1095	JMC Ward No. 23 A	Anikate Singh	Balwan Singh	H.No-13B, Gurah Bakshi Nagar, Jammu
16	1254	JMC Ward 20-D	Anita Sharma	Vijay Kumar	Village Siot, Rajouri
17	1033	JMC Ward 56	Bahadur Singh	Prem Chand	Village Banota, R.S Pura, Jammu
18	1132	JMC Ward 46	Raju Singh	Niranjan Singh	H.No 560, L.No 5, Gole Puli, Talab Tillo, Jammu
19	1125	JMC Ward 44-B	Rishabh Gupta	Naresh Gupta	H.No-161, Sec-1C, Sanjay Nagar, Gangyal, Jammu

Excise Range Udhampur-Reasi, HQ at Udhampur					
20	1103	MC Udhampur, Ward 10 C	Rakesh Malhotra	Inderjeet Malhotra	H.No 89 Sec 3. Trikuta Nagar, Jammu
21	1122	Panchayat Jaganoo, Block Jaganoo, Tehsil Udhampur	SubashChander	Daya Krishan	Ser, Jaganoo, Udhampur
Excise Range Doda-Kishtwar-Ramban, HQ at Doda					
22	1195	Karol Panchayat, Tehsil Ramban	Sumit Sharma	Sat Pal Sharma	H.No 147, Sec-C. Sainik Colony, Jammu
Excise Range Samba, HQ at Vijaypur					
23	1086	Vijaypur TAC, Ward 11	Harish Kumar	Madan Mohan Sharma	Kandoli Nagrota, Jammu
Excise Range Kathua					
24	1192	Kathua MC Ward No. 5 B	Punjab Singh	Baldev Singh	Barwal, Kathua
25	1109	Hiranagar TAC Ward No. 1	Sameer Abrol	Vijay Abrol	H.No 38, Malhotra Gali. Purani Mandi, Jammu
26	1200	Panchayat Thein, Block Keerian, Tehsil Kathua	Satish Kumar	Devi Dass	H.No 102, W.No 12. Bishnah, Jammu
Excise Range Rajouri-Poonch, HQ at Rajouri					
27	1133	Poonch MC, Ward No. 11B	Bharat Bhushan	Inder Lal	Hathal, Rajouri
28	1117	Panchayat Taryath, Tehsil Taryath, Rajouri	Raj Kumar Dutta	Ved Prakash Dutta	Lamberi, Nowshera. Rajouri

3. Whereas, the clause 2.4.9 of the Excise Policy 2022-23 issued vide notification No SO 71 dated 22 February 2022, is reproduced as under:-

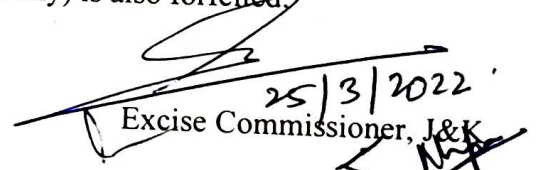
“The successful bidder will be required to deposit an amount equal to 50% of total bid amount under major head 0039 through GRAS/e-collect portal within 05 Bank working days from the date of finalization of bid for a vend and 100% of bid value within 10 Bank working days of finalization of bid.

If the successful bidder fails to comply with the aforesaid condition of payment of bid money in the prescribed period, the earnest money shall stand forfeited. In such a case, the liability of the highest bidder will not be limited only to the extent of earnest money tendered by him in the auction process for a particular location, but any other allotment in which he is a stake holder shall also be cancelled and the respective deposits made in the form of earnest money or security for such other bids also shall be forfeited and he will not be allowed to participate as a stakeholder in any of future allotments. In such cases the location shall be allotted to the next highest bidder, willing to match the bid money quoted by H1 bidder.”

4. Whereas, vide this office letter No. EC/Exc/E-Auction/2022-23/9029-30 dated 23-03-2022, the Deputy Excise Commissioner, Executive Jammu/Kashmir were requested to furnish a list of H1 bidders who have not deposited amount equivalent to 50% of the total bid amount under Major Head 0039 through GRAS/e-collect portal within 05 Bank working days from the date of finalization of bid for a vend in light of the Excise Policy 2022-23 and bid document 2022-23, so that further necessary action can be initiated against the defaulters.

5. Whereas, the Deputy Excise Commissioner Executive Jammu / Kashmir submitted the requisite information vide their letter Nos. DECEJ/e-auction 2022-23-JKEL-2/Exc/10731 dated 24-03-2022 & DEC/K/e-auction 2021-22/2378-81 dated 24-03-2022 respectively. Deputy Excise Commissioner, Executive, Jammu intimated that bidders mentioned at para 2, have failed to submit the 50% of the total bid fee within 05 Bank working days. Deputy Excise Commissioner, Executive Kashmir has intimated that all H1 bidders have deposited the 50% of the bid fee within 05 Bank working days.
6. Whereas, the cases were placed before the committee constituted vide this office Order No 36 EC of 2020 dated 06-06-2020, in its meeting held on 25-03-2022 and the committee vide minutes of the meeting issued vide No. DECAJ/Exc/Acctts/973-79 dated 25-03-2022 has recommended that since these H1 bidders in Jammu Division as indicated above have not deposited 50% of the bid amount within stipulated period, action against them may be initiated in the light of relevant provisions laid down in Excise Policy 2022-23 and bid document issued by the Finance Department vide letter No. FD-ET/04/2022-09/FD dated 25-02-2022.

Now therefore, in view of above and as per clause 2.4.9 of Excise Policy 2022-23 and Clause (VIII) and Clause (XIII) of Bid Document, EMD/duties/fee/security etc. of bidders mentioned at para 2 above is forfeited and they shall not be allowed to participate as stake holders in present as well as in any of the future allotments. Their stake in any other location is also cancelled and EMD or Security for such other bids (if any) is also forfeited.


25/3/2022
Excise Commissioner, J&K
Dated: 25-03-2022

No. EC/Exc/e-auction/2022-23/9096-99

Copy to the:

1. Financial Commissioner (Additional Chief Secretary) Finance Department, J&K for kind information.
2. Deputy Excise Commissioner, Executive Jammu/Kashmir.
3. **Shri Atul Sethi, Liaison Officer of J&K Bank, with the request to kindly furnish the list of H2 bidders of the above mentioned locations to this office by tomorrow (26-03-2022) positively through e-mail.**
4. Excise & Taxation Officers concerned.
5. All concerned.