

BHARAT SANCHAR NIGAM LIMITED
[A GOVT. OF INDIA ENTERPRISE]

Regd. Office: Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janpath, New Delhi-110001

Dated: 13.12.2021

REPLY TO PRE-BID QUERIES

Subject: Request for Proposal (RFP) document issued by BSNL for the sale of land parcel at BSNL Regional Telecom Training Center at Gachibowli, Ranga reddy district, Hyderabad, Telangana – 500032

Ref: Event No.21867 on MSTC e-tender site-

<https://www.mstcecommerce.com/auctionhome/dipamam/index.jsp>

The various pre-bid queries received regarding the above subject and the reply/clarification against each is given below-

(A) Queries raised by Mr. Dhruva J Sen, General Manager – BD & Liaison, Phoenix Mills Group-

SN	Query	Clarification
(I)	Bid and Development Feasibility:	
1.	<p>The CBRE Dossier encloses a plan of the said Land, upon perusal of the same there appears to be a 12-meter-wide approach road to enter the Land from a public road known as the 'Old Bombay Road' ("Access Road"). In this regard, please clarify:</p> <p>a) Whether this Access Road is subject to any road-widening and if yes, whether the size or location of this Access Road might undergo any changes which could affect the measurement of the said Land.</p> <p>b) If size / location of the Access Road is to change, please share the new size / location, along with details of the same being demarcated on a plan.</p> <p>c) Whether any other persons shall be using the Access Road or have any easementary rights with respect to the Access Road. If yes, please provide relevant documents / clarifications in this regard.</p> <p>d) As per the National Building Code 2016 (followed by HMDA), for construction of commercial development, minimum means of access required is basis the depth of property, the table of NBC norms in this regard is as below:</p> <p>(i) up to 200 m length - 12m width access</p> <p>(ii) up to 400m length -15m width access</p> <p>(iii) up to 600m length-18m width access</p> <p>(iv) above 600 m -24m width access</p> <p>for construction of commercial development, on the proposed land, the depth of the property may be interpreted as 313 mtrs or 420 mtrs, therefore to utilize maximum plot potential based on old Mumbai highway road is a minimum of 15 to 18 meters access road is required . Please clarify whether BSNL shall increase the access road width to up to 18 Mtrs? Please also indicate the timelines</p>	<p>(a), (b), (c) & (d)-</p> <p>The land parcel offered for sale consists of a 10.01 acre portion in regular shape and a 12 metre wide strip of land connecting the Old Bombay Highway Road. The 12m wide strip is abutting the existing 40 feet public road (Urdu University approach road). It is upto the purchaser to use the 12 metre wide strip as a private approach road or for any other purpose.</p> <p>The shape and size of the land parcel offered for sale is final as per the layout plan attached in RFP. There is no proposal to change the size & location.</p> <p>The bidders are expected to carry out their own due diligence in respect of permissible development norms and submit their bid accordingly.</p> <p>(e) There is no access from the outer ring road as of today.</p>

	<p>within which the same will be achieved. Or, Alternatively, will BSNL consider auctioning in full or part of the remaining portion of 30 Acres land parcel, to circumvent the issue?</p> <p>e) Is there an access from Outer ring road to the proposed property?</p>	
2.	<p>Right of Assignment</p> <p>a) Whether a winning bidder has right to assign to its Affiliate / subsidiary company?</p> <p>b) On the net worth criteria, would BSNL consider the net worth of the parent company and allow assignment to its Affiliate / subsidiary company</p> <p>c) Is there any minimum number of bidders necessary to qualify this transaction?</p>	<p>a) The Registration of land will happen in the name of successful bidder.</p> <p>b) The Definition of net worth is given in the RFP document and it will be considered as per the same.</p> <p>c) There is no condition regarding minimum number of bidders in the RFP.</p>
(II)	Legal Queries	
1	<p>The details given to us show that the said Land admeasuring 10.96 acres is part of a larger land admeasuring approximately 40 acres. In this regard:</p> <p>a) Please clarify whether the said Land will be formally sub-divided from the larger land prior to the proposed sale. If yes, has an application already been made for the same, please share a copy.</p> <p>b) The copy of the revenue records for the said Land are as on 2014-15, please share updated revenue records for the Land.</p> <p>c) Please also share a copy of the 'Bifurcated Katha' for the said Land.</p> <p>d) The state portal of land records does not presently reflect Survey No. 91, please clarify the reason for the same.</p> <p>e) The lands in Sy No.91 are classified as prohibited lands, has the application for reclassification of proposed land been made by BSNL? What are the tentative timelines to obtain such approval?</p>	<p>(a) The application for sub-division of land will be made to the concerned authorities after the acceptance of bid. However liasoning and all other works with revenue authorities will be done by the successful bidder</p> <p>(b) All the documents available with BSNL shall be provided in the Virtual Data Room*.</p> <p>(c) Bifurcation of the Katha will be done after acceptance of the bid.</p> <p>(d) As per Pahani / Adangal of 2014-15, the survey number for the land is 91.</p> <p>(e) No such application has been made.</p>
2	<p>We have been provided with a copy of a letter dated 16th February 1979 addressed by the Tahsildar to the Revenue Divisional Officer which refers to the said Land being handed over to the Divisional Engineer of Tele-communications, Hyderabad on 16th February 1979. In this regard,</p> <p>a) Please share a copy of the map enclosed to the said letter.</p> <p>b) There is a reference to unauthorised structures and a well situated on some portion of the larger land, please clarify which structures and well are being referred to. Please clarify whether these unauthorised structures still exist on the said Land or any portion thereof.</p>	<p>a) All the documents available with BSNL shall be provided in the Virtual Data Room*.</p> <p>b) No unauthorised structures exists as on date on the said land.</p>
3	<p>We have been provided with a copy of a letter dated 26th February 1980 addressed by the Collector and District Magistrate, Ranga Reddy, State of Andhra</p>	<p>All the documents available with BSNL shall be provided in the Virtual Data Room*. As per the RFP, the bidders may</p>

	<p>Pradesh to Collector and District Magistrate, Ranga Reddy. In this regard:</p> <p>a) Please share a copy of the CLR's ref no. _4/4560/78 dated 15th January 1979.</p> <p>b) Please share a copy of Tahsildar Hyderabad West Letter dated 11th June 1979 bearing reference no. B2/863/79.</p> <p>c) Please share a copy of RDO Hyderabad West letter dated 30th June 1979 bearing reference no. Lr. No. D/4791/79.</p> <p>d) Copies of the public notices issued by the Tahsildar, Rajendranagar Taluk with respect to the Land.</p> <p>e) Please share a copy of the GO Ms. 1409 Revenue Department dated 19th August 1978.</p> <p>f) Please share a copy of GO Ms. No. 1147 dated 18th October 1966.</p> <p>g) Please share a copy of GO Ms. No. 518 dated 28th May 1974.</p> <p>h) Please share a copy of GO Ms. No. 73 dated 20th January 1975.</p> <p>i) Please share a copy of the Government Memo dated 25th November 1978.</p> <p>j) The letter states that prior permission of the State Government ought to have been taken at the time of transfer of the Land, however the same could not have been done at the time of handing over possession of the Land to the Telecom Department. Please clarify whether this constituted a breach of any of the terms and conditions of the grant in favour of the Telecom Department.</p> <p>k) Have any notices been received by the Telecom Department alleging breaches or making any claims due to any defaults of the Telecom Department with respect to the said Land. If yes, please share copies of the same.</p> <p>l) It is stated that possession of the said Land was handed over to the Telecom Department sometime in the year 1980, please share copies of the Panchama / possession letter / writing evidencing handing over possession to the Telecom Department.</p>	<p>carry out their own due diligence in respect of the Said Property.</p>
4	<p>We have been provided with a copy of an order dated 25th June 1981 passed by the Government of Andhra Pradesh, in this regard:</p> <p>a) Please share a clear legible copy of the Order as the copy made available to us is unclear.</p> <p>b) Please share a copy the Application dated 17th</p>	<p>All the documents available with BSNL shall be provided in the Virtual Data Room*. As per the RFP, the bidders may carry out their own due diligence in</p>

	<p>November 1978 made by the General manager of Telecommunications seeking allotment of land.</p> <p>c) Please share a copy of letter dated 16th April 1980 addressed by Commissioner of Land Revenue.</p> <p>d) Please share a copy of letter dated 3rd May 1980</p> <p>e) Please share a copy of DO dated 17th November 1978 of the General Manager, Telecommunications.</p> <p>f) Please share copies of receipts evidencing payment of the entire consideration by the Telecom Department with respect to the Land. The consideration had been fixed at the rate of 2-12 per square yard.</p> <p>g) Please share a copy of letter dated 28th March 1981 issued by the Financial Department.</p>	respect of the Said Property.
5	At the time of the all party discussion held on 3 rd December 2021, it was stated that the format of the sale deed / transfer deed which has been approved by BSNL will be shared. Please share a copy of the same.	The format of draft sale deed shall be provided in the Virtual Data Room.
6	We have been provided with a copy of a letter dated 20 th February 2015 bearing reference no. B/557/2014 addressed by the Revenue Department of the Government of Telangana which refers to (i) letter dated 19 th November 2014 addressed by Asst. General Manager (Lands); and (ii) letter dated 3 rd December 2014 bearing reference no. Lr. No. D1/3324/14, please share copies of the same.	All the documents available with BSNL shall be provided in the Virtual Data Room*. As per the RFP, the bidders may carry out their own due diligence in respect of the Said Property.
7	Please clarify whether a survey of the said Land will be carried out by the competent government authorities prior to conclusion of the transfer in favour of the proposed bidder. Please also clarify whether the said Land will be fenced / will a boundary wall be constructed demarcating the said Land from the larger land.	As per Clause 8.30 of the RFP, a process of measurement will be conducted by Revenue & Stamps Department, Government of Telangana at the cost of Successful Bidder in the presence of representatives of BSNL and Successful Bidder. The land will be demarcated by fencing at the time of handing over to the successful bidder.
8	We have been provided with a copy of an Encumbrance Certificate dated 31 st October 2019 issued by the Government of Telangana, showing 'NIL EC' for the period of 1 st January 1990 to 30 th October 2019. Please share an updated Encumbrance Certificate	All the documents available with BSNL shall be provided in the Virtual Data Room*. As per the RFP, the bidders may carry out their own due diligence in respect of the Said Property.
9	It appears that the said Land is assessed for property tax as Door No. 2-54/6, please share copies of the bills and receipts for the last 3 years showing due payment of the taxes by BSNL	BSNL will clear all property tax dues upto the date of handing over before handing over possession of site. All the documents available with BSNL shall be provided in the Virtual Data Room.
10	Please clarify the nature of the taxes / charges, like electricity or water payable by BSNL with respect to the said Land, please share copies of the bills and receipts for the last 3 years showing due payment of the same by BSNL	BSNL will clear all dues upto the date of handing over before handing over possession of site. All the documents available with BSNL shall be provided in the Virtual Data Room*.

11	<p>We have been informed that the said Land comprises 6 blocks / structures i.e. Blocks A, B, C, D, E and F which are currently occupied and used as residential quarters. In this regard, please clarify:</p> <p>a) The number of occupants in possession and occupation of each of the blocks / structures.</p> <p>b) Whether any agreements were executed in favour of each of such occupant/s of the structure, please clarify their rights and share copies of the agreements executed in their favour.</p> <p>c) Whether any approvals / sanctions were taken from the competent authorities with respect to each of such block / structure/s, please share copies of relevant documents/ approvals, for eg.,copy/copies of occupation certificate.</p> <p>d) Please clarify whether any other development permissions with respect to the larger land or any portion thereof, have been applied for, if yes, please share copies of the same.</p> <p>e) Please also clarify whether any change of land user permissions have been applied for and obtained at any time with respect to the said Land. If yes, please share copies of the same.</p>	<p>a) Presently 3 no BSNL employees are staying in staff quarters. All other occupants have already been shifted to other Colonies. The remaining employees are also in process of shifting and vacant possession of structures will be handed over to successful bidder.</p> <p>b) The quarters are allotted to the BSNL employees for residence purpose in the interest of BSNL service.</p> <p>c) Not applicable</p> <p>d) No</p> <p>e) No</p>
12	<p>The CBRE Dossier states that part of Land falls under public & semi-public use and <i>part of the Land falls in the commercial cum offices zone</i>. Please clarify the user along with the extent and measurement of the Land to which such user is applicable.</p>	<p>A very small part of the 12 metre wide strip (extent will be less than 0.5 acres) towards the old Mumbai Highway falls in the commercial cum office zone. However, majority of the land is under Public & Semi Public use.</p>
13	<p>Please clarify whether the Hyderabad Metropolitan Development Authority shall be the sole planning authority with respect to the said Land or whether the Greater Hyderabad Municipal Corporation shall issue the development permissions with respect to the said Land.</p>	<p>As per the prevailing conditions, Greater Hyderabad Municipal Corporation shall issue development permissions with respect to the said land parcel. However, the bidders may carry out their own due diligence in respect of the Said Property and ascertain the same.</p>
14	<p>Bharat Sanchar Nigam Limited was formerly known as the Department of Telecommunications. Please share the details of the change of name to BSNL and copies of any relevant documents in this regard.</p>	<p>Bharat Sanchar Nigam Limited is a PSU under the administrative control of Department of Telecommunications. All the documents available with BSNL shall be provided in the Virtual Data Room*.</p>
15	<p>We have been provided with a copy of a letter dated 5th June 2020 addressed by HMDA to BSNL stating the present user of the said Land. With regard to the same:</p> <p>a) Please clarify whether a separate zonal certificate certifying the zone of the Land has been issued by the competent authority, if yes, please share a copy of the same.</p> <p>b) There is a reference to an application dated 4th June 2020 having been made by BSNL with the HMDA, please share a copy of the same.</p> <p>c) There is a reference to a water body (durgamcheruvu) on Survey No. 91/1, please clarify the present status of this water body and</p>	<p>All the documents available with BSNL shall be provided in the Virtual Data Room*. As per the RFP, the bidders may carry out their own due diligence in respect of the Said Property.</p>

	<p>whether the same falls within the said Land.</p> <p>d) There is a reference to a party residential zone being the user, please clarify which portion of the said Land, if affected, is under residential zone</p>	
16	<p>Please share a list of prior permissions that would be required to conclude the sale and transfer of the said Land by BSNL in favour of such bidder, including from the state government of Telangana</p>	<p>As per clause 7.15 of RFP, After the full payment of sale consideration by the successful Bidder, all the approvals, consents, licenses, permissions required for effectively transferring the Property to the buyer shall be the responsibility of buyer only, provided however, BSNL shall be responsible to provide all the relevant internal approvals/ permissions/ consents on which BSNL has control and necessary authority to Successful Bidder.</p>
17	<p>Please share a copy of the registered sale certificate / grant / writing executed in favour of BSNL transferring the said Land / larger land in their favour. Please also clarify under the statutory provision under which the said transfer was made.</p>	<p>The land was purchased from state Govt vide G O No 1026 dated 25.06.1981</p>
18	<p>Please clarify whether an NOC from the competent authority constituted under the Urban Land (Ceiling and Regulation) Act, 1976 would be required to be obtained since the letter dated 5th June 2020 addressed by HMDA to BSNL (referred above) suggests obtaining an exemption permission. Further, please share copies of all orders / writings obtained (including any Section 20 orders) under the ULC Act with respect to the said Land.</p>	<p>To the best of our knowledge, ULC is not applicable on the said land parcel. However, the bidders are advised to carry out their own due diligence.</p>
19	<p>Please clarify whether the transfer of the said Land by BSNL shall be exclusively governed by the Policy for monetization of Assets of BSNL dated 28th June 2021 or whether there are any other amendments / modifications to the same. If yes, please share copies of the same.</p>	<p>The Policy for monetization of Assets of BSNL dated 28th June 2021 is applicable only for land parcels below the threshold value of Rs.100 cr and hence is not applicable in instant case.</p>
20	<p>With regard to the Policy for monetization of Assets of BSNL dated 28th June 2021 ("Policy"):</p> <p>a) It is stated that sale of assets of BSNL having value over Rs. 100 crores shall be monetized in accordance with the framework set out by the Department of Investment and Public Asset Management ("DIPAM"), however, the same is not set out in the Policy itself. Please share a copy of the framework.</p> <p>b) Please clarify whether there any compliances are to be undertaken by a proposed bidder under the framework set out by DIPAM for eg., Clause 7.3(c) of the Policy states that approval from the Group of Ministers is required to be taken, please clarify whether BSNL would be responsible for obtaining such approval and the timelines within which the same need to be obtained.</p> <p>c) There is a reference to a fair market valuation of the Land having been done, please share a copy of such valuation report with respect to the Land.</p>	<p>The Policy for monetization of Assets of BSNL dated 28th June 2021 is applicable only for land parcels below the threshold value of Rs.100 cr and hence is not applicable in instant case.</p>
21	<p>Are there any restrictive covenant affecting the said Land or any part thereof? If there are any such rights, claims or covenants, please give us full particulars thereof</p>	<p>The Said Property is offered on 'as is where is', 'in present condition as it is' and 'No Complaint Basis'. The bidders may carry out their own due diligence in respect of the Said Property</p>

(B) Mr. Kartik Arun Rao, Associate, Growth & Investment, Yashoda Hospitals Group has raised the following queries vide–

SN	Query	Clarification
1	Can a company "X" participate in the bid if its holding company has a net worth of 100.46 Cr+ or should company X also independently have a Net worth of 100 Cr. (holding company: having 51% stake)	The Bidder must satisfy all the eligibility conditions as per the RFP.
2	If the bidding company does not have a Net worth of 100.46 Cr on its balance sheet but the promoters/shareholders of the company have networth of 100.46 Cr participate in the bid? If yes, should the bidder be an individual or the company can also participate	The Bidder must satisfy all the eligibility conditions as per the RFP.
3	Is GST mandatory for participating in the bid	As per RFP and statutory guidelines.
4	The 12M road on the east being the Primary access to the subject property, the FSI available would be restricted, given the scale of transaction can the land width from Mumbai Highway be extended from 12M approach road to at least 18M? What is the maximum FSI that can be achieved given the current 12M approach road,	The Said Property put for e-Auction is on 'as is where is', 'in present condition as it is' and 'No Complaint Basis'. The bidders are expected to carry out their own due diligence in respect of permissible development norms and submit their bid accordingly.
5	What is the road frontage on the East & west for the 10.01 Ac bit only	The layout plan of site is available at Clause 9 of the RFP. East side- 118.15m; West side-107.6 m
6	Is there any TDR given for the area effected in road widening towards the North? If yes, is it transferrable to the H1 bidder?	No TDR is transferrable to the H1 bidder.
7	Is there any soil test report?	No.
8	Is development of commercial office space permitted in Semi public/public zoning.	The bidders are expected to carry out their own due diligence in respect of permissible development norms.

(C) Query received during pre-bid meeting on 03.12.2021 and not covered above-

SN	Query	Clarification
1	What are the timelines for return of EMD to unsuccessful bidders?	As per point no. 7 of Annexure-1 of the RFP, the EMD without any interest will be paid back within 14 (Fourteen) working days from the declaration of Successful Bidder.

* Subsequent to the receipt of above queries, some more documents related to the subject site are being compiled and shall be uploaded in the Virtual Data Room (VDR) before 17:00 hrs on 15.12.2021. Interested bidders are advised to check the data room at https://bsnl.co.in/opencms/bsnl/BSNL/virtual_dataroom before final submission of their bid.


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