

GOVERNMENT OF MANIPUR
FINANCE DEPARTMENT
(Resources Section)

OFFICE MEMORANDUM

Imphal, the 7th January, 2009.

Subject:- Formulation of guidelines for payment of admitted outstanding dues arising out of contractual works.


No 12/4/2008-FR: The matter regarding non-payment of admitted outstanding dues arising out of execution of contractual works has been under consideration of the government for some time in the past. The Government, after considering the matter in pursuance of the Order and Judgement of the Hon'ble High Court dated 29-09-2008 passed in connection with (1) W.P.(C) No.6252/2007(Ghy)/W.P.(C) No.235/07(Imphal), (2) W.P.(C) No.6251/2007(Ghy)/W.P.(C) No.239/07 (Imphal), (3) W.P.(C) No.2277/2008(Ghy)/W.P.(C) No.421/08(Imphal) & (4) W.P.(C) No.2278/2008(Ghy)/W.P.(C) No.418/08(Imphal) has decided that the following guidelines/news should be followed for discharge of committed liabilities for the contractors:-

- (i) The Departments shall prepare a Division-wise list of contractors to whom money is admitted to be due on account of authorized contract works executed and completed satisfactorily.
- (ii) The lists shall provide (a) name of work, (b) name of agency, (c) sanctioned estimate, (d) work order No. & date, (e) date of commencement of execution of work, (f) date of completion of works, (g) date of submission of claims.
- (iii) Such lists will be prepared by every Department and Divisions (in Engineering Departments) in strict chronological order on the basis of the date on which payment is due.
- (iv) In drawing the aforesaid list, the names of the contractors may be arranged under the relevant Heads of Accounts that may be involved.
- (v) The authorized work should be within the Funds available under the Departmental Budget for the particular Heads of Accounts during the financial year concerned in which relevant Orders were issued by the competent authority.
- (vi) The claims of "Registered Contractors" only shall be entertained.
- (vii) The funds available for discharge of pending liabilities will be earmarked within the Head of Account separately in consultation with the Finance Department.
- (viii) *For refund of "Security Deposits" the claims will have to be certified as admitted liability by the Head of Departments/Chief Engineer concerned and he shall prepare division-wise list of contractors to whom money is due for the works executed and completed satisfactorily providing:-*
(a) Name of works; (b) Name of Agency; (c) Sanctioned amount; (d) Work Order No. & date; (e) Date of completion of the works; (f) Amount deducted as Security Deposit from the cheque drawal authority(CDA) allocated by Finance Department and details of Head of Account under which the same was deposited.

2. Further, the Government has also decided that the following Principles need to be additionally incorporated while discharging admitted liabilities:-

- (i) All claims will have to be certified as admitted liability by the Head of Department/Chief Engineer concerned.
- (ii) Any claim will be entertained only if it is lodged before competent authorities within a period of 3(three) years from the date of payment becoming due.
- (iii) The liabilities will be disposed of on a first come first served basis.

3. This is circulated for information and compliance of all concerned.


(K. Radhakumar Singh),
Addl. Secretary (Fin), Govt. of Manipur.

Imphal, the 7th January, 2009.

Memo No.12/4/2008-FR

Copy to :-

1. The Secretary to the Governor of Manipur Raj Bhavan, Imphal.
2. The P.S. to Chief Secretary, Government of Manipur, Imphal.
3. The Principal Secretary(PHE), Government of Manipur, Imphal.
4. The Principal Secretary(For & Env't.), Govt. of Manipur, Imphal.
5. The Commissioner(Works), Govt. of Manipur, Imphal.
6. The Commissioner(IFC), Govt. of Manipur, Imphal.
7. The Commissioner(MI), Govt. of Manipur, Imphal.
8. The Commissioner(Power), Govt. of Manipur, Imphal.
9. The Principal Chief Conservator of Forests, Manipur, Imphal.
10. The Chief Engineer(PWD/Power/IFCD/PHED/MID), Manipur, Imphal.
11. Guard File