

ਵਲੋਂ

ਮੁੱਖ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ,
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭ ਤੇ ਮ ਸ਼ਾਖਾ,
ਪਟਿਆਲਾ।

ਵੱਲ

ਮੁੱਖ ਇੰਜੀਨੀਅਰ ਕੁਆਲਟੀ ਕੰਟਰੋਲ ਕਮ-ਮੁੱਖ ਚੌਕਸੀ ਅਫਸਰ, ਪੰਜਾਬ।
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭ ਤੇ ਮ ਸ਼ਾਖਾ, ਇੰਡਸਟਰੀਅਲ ਏਰੀਆ, ਫੇਜ਼-1,
ਸਾਹਿਬਜ਼ਾਦਾ ਅਜੀਤ ਸਿੰਘ ਨਗਰ, ਮੋਹਾਲੀ।

ਸਾਰੇ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰਜ਼,
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭਵਨ ਤੇ ਮਾਰਗ ਸ਼ਾਖਾ, ਪੰਜਾਬ।

ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ, ਰਿਸਰਚ ਲੈਬਾਰਟਰੀ,
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭਵਨ ਤੇ ਮਾਰਗ ਸ਼ਾਖਾ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ।

ਭੋ: ਪ੍ਰਾਪਤੀ ਅਫਸਰ, ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭਵਨ ਤੇ ਮਾਰਗ ਸ਼ਾਖਾ, ਜਲੰਧਰ।

ਮਿਲਖ ਅਫਸਰ, ਕਮ-ਡਾਇਰੈਕਟਰ ਲੈਡ ਰਿਕਾਰਡ, ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭਵਨ ਤੇ ਮਾਰਗ
ਸ਼ਾਖਾ, ਪਟਿਆਲਾ।

ਮੀਮੋ ਨੰ:

1066-1090 /ਜਨਰਲ

ਮਿਤੀ: 2-2-18

ਵਿਸ਼ਾ:-

CWP No.27532 of 2017-Shajrana Co-operative I& C Society Ltd. Vs State of Punjab & Ors- Policy regarding payment to Contractors.

ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ..... Department of Finance

(FE-IV Branch) Chd.

ਵਲੋਂ ਪ੍ਰਾਪਤ ਹੋਏ ਪੱਤਰ ਨੰ: 10/12/2017-2 Fe4/1151555/1

ਮਿਤੀ 23/01/2018 ਦੀ ਕਾਪੀ ਸੂਚਨਾ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜ ਕੇ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸਰਕਾਰ ਵਲੋਂ ਜਾਰੀ ਕੀਤੀ ਗਈਆਂ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ-ਪਾਲਣਾਂ ਕੀਤੀ ਜਾਵੇ ਜੀ।

ਨੱਥੀ/ਉਪਰੋਕਤ ਅਨੁਸਾਰ।

ਸੁਪਰਡੰਟ (ਜਨਰਲ)

ਵਾ: ਮੁੱਖ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ,
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭ ਤੇ ਮ ਸ਼ਾਖਾ,
ਪਟਿਆਲਾ।

ਪਿੱਠ ਅੰਕਣ ਨੰ:

1091-1104 /ਜਨਰਲ

ਮਿਤੀ: 2-2-18

ਉਪਰੋਕਤ ਦੀ ਇੱਕ ਪੜ੍ਹਤ ਮੁੱਖ ਦਫਤਰ ਵਿੱਚ ਤੈਨਾਤ ਸਮੂਹ ਆਫੀਸਰ ਸਾਹਿਬਾਨ ਸਮੇਤ ਇਸ ਦਫਤਰ ਦੇ ਭਾਗ ਮੁੱਖੀਆਂ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਨੱਥੀ/ਉਪਰੋਕਤ ਅਨੁਸਾਰ।

ਸੁਪਰਡੰਟ (ਜਨਰਲ)

ਵਾ: ਮੁੱਖ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ,
ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭ ਤੇ ਮ ਸ਼ਾਖਾ,
ਪਟਿਆਲਾ।

* Mail copy sent to all CEs/SEs/EEs.

30/1/18

No. 10/82/2017-2FE4/1151555/1

**GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE
(FE-IV Branch)**

Dated, Chandigarh the: 23/01/2018

To

All Heads of the Departments,
Commissioners of Divisions,
Registrar, Punjab and Haryana, High Court,
District and Sessions Judges and
Deputy Commissioners in the State.

ਸਰਕਾਰ ਪੰਜਾਬ ਵਿੱਤੀ ਵਿਭਾਗ, ਚੰਡੀਗੜ੍ਹ
ਜ਼ਿਲ੍ਹਾ: ਚੰਡੀਗੜ੍ਹ
ਕਿਸਮ: ਸਰਕਾਰੀ ਖਰਚਾ
ਕਿਸਮ ਨੰ: 32... 2-2-18

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**Subject: CWP No.27532 of 2017-Shajrana Co-operative I.&C Society Ltd.
Vs. State of Punjab & Ors – Policy regarding payment to
contractors.**

In compliance of the order dated 6-12-2017 in CWP No.25732 of 2017, of the Hon'ble High Court, a series of meetings of the officers of the respective departments were convened in the Department of Finance, Government of Punjab. The purpose of the meeting was to gauge the level of pending liabilities in a holistic manner and to devise a mechanism for clearance of pending bills. The current financial situation with over Rs.10,000 Cr of resource gap as per the BE 2017-18 approved by the Vidhan Sabha and over Rs.6000 Cr of pending bills in treasury was kept in view while formulating this policy. The pending current liabilities for various projects for 2017-18 came out to be Rs.1450 Cr. approx for the Department of PWD (B&R), Department of Water Resources and Department of Water Supply & Sanitation. After due deliberation on the issue of the State financial health and the State's pending liabilities, following policy regarding resolution of these pending liabilities has been framed so that the affected contractors need not knock the door of the courts and they get their dues on priority basis and in time bound manner.

The Administrative Departments' priority wise list of works for defraying the pending liabilities has been decided and is as under:

PWD (B&R)

1. Priority –I 100% Centrally Sponsored Schemes
 - a) Head 3054-National Highways
 - b) Head 5054-CRF
 - c) Judicial Court Complexes Head-4059
2. Priority-II 60% Govt. of India funded:-
 - a) PMGSY
3. Priority-III
 - a) NABARD Projects

- b) BRTS Scheme
- 4. Priority-IV Other State funded and deposit works.
 - a) Building works of various departments
 - b) Link roads
 - c) Head 5054-R and B
 - d) PIDB funded projects and schemes
 - e) PRBDB funded projects-PIDB Misc. Works
 - f) Head 3054-SH
 - g) Urban Mission
 - h) Others

WATER SUPPLY AND SANITATION DEPARTMENT

Priority-I Special assistance of Central Plan Scheme on recommendation by NITI Aayog for mitigation of drinking water problems in habitations affected with Arsenic & Fluoride.

Priority-II

- a) World Bank Assisted Punjab RWS&S Improvement Project (EAP)
- b) Swachh Bharat Mission (Gramin)

Priority-III

- a) NRDWP
- b) NABARD Projects

Priority-IV

Other State funded and deposit works

WATER RESOURCES DEPARTMENT

Priority-I:

100% Centrally Sponsored Schemes

- a) Head-FMP-RMABA
- b) Relining of Rajasthan feeder (Punjab Govt. Has no share to pay)
- c) Sirhind feeder (Punjab Govt. Share approximately 42% but since this work is related to lining of Rajasthan feeder. Hence it is placed in category-I.

Priority-II:

- a) ISBIG (GoI : GoP share 60:40)
- b) Schemes with GoI : GoP share 75:25

Priority-III:

- a) Flood protection works (Head FMP) GoI : GoP share (50:50)
- b) Channelization of SAKKI Nala. (Head FMP) GoI : GoP share (50:50)
- c) NABARD Projects

Priority-IV:

Schemes out of State Fund.

Schemes with GoI : GoP share (25:75)

The policy consists of the following stipulations:-

- a. The State feels a sincere responsibility to defray all the pending liabilities due for the work done or being done by various contractors for the State. Thus, no new work shall be started by any Administrative Department until all such pending liabilities are cleared. However if any new work is to be started it shall be out of the Administrative Department's own resources subject to prior approval of the Finance Department.
- b. It is expected that the current pending liabilities amounting to Rs. 1430 Cr. approx shall be cleared by the Finance Department by 31-03-2019, in a gradual and phased manner, on a best effort basis.
- c. The liabilities shall be cleared in a phased manner in accordance with the priority list given above by the respective Administrative Departments. Every Administrative Department shall also ensure that Work seniority is maintained within the priority list given by them.
- d. The Administrative Departments shall submit an updated priority wise list of their pending liabilities in the first week of every month, to the Finance Department.
- e. The Finance Department after scrutinizing the priority wise demand of the Administrative Departments shall release the funds depending upon the financial situation of that month.
- f. The Administrative Departments shall ensure that the dispute resolving mechanism stipulated in the contract/Tender/Agreement for work is adhered to strictly so that contractors do not rush to the Courts for seeking remedy.
- g. In Court Cases where the Hon'ble Courts have issued directions for passing a speaking order, specific speaking order as per such direction/order of the Hon'ble Courts may be passed by the Administrative Departments, mentioning the amount to be paid to the petitioner. It must be ensured that such order for payment has been made in strict accordance with Punjab Financial Rules (PFR) and the instructions of the Finance Department issued from time to time.
- h. While passing the speaking order, it must be mentioned whether proper budget is available with the department and if not the Administrative Department is required to check on the cost enhancements while asking for revised allocations from the Finance Department.
- i. Administrative Departments before making an order for payment, must ensure that all deductions as per the terms of Tender Agreement and/or on account of deficiency in work etc have been made. Moreover, if the work is a subject matter of an enquiry and/or investigation the latest status and the implications of such enquiry/investigation must be considered in accordance with principle of propriety before arriving at the final payable amount.

j. If any bill is pending in any Treasury for payment pertaining to such a Court matter, such matter must be taken up by an officer of a rank of Additional Secretary & above of the concerned Administrative Department with the Finance Department at personal level. Such matter shall be taken up with the Finance Department, at least 10 working days prior to the date of hearing in the Court.

k. In case, the matter pertains to the sanction of additional budget funds, the concerned branch officer of the Finance Department may be contacted at personal level so that the amount may be sanctioned well within time. While moving the case for grant of additional budget funds, the date and amount of administrative sanction & financial sanction must be mentioned. Any difference between the amount already spent & additional funds asked for and the amount of Administrative Financial sanction, must be clearly explained.

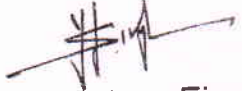
l. A copy of reply already filed by the Administrative Departments in Court Cases in which the Finance Department is also a party, must be sent to the Finance Department for its vetting and approval.

m. It is also the duty of the concerned Administrative Department to process the Court file well in time and to follow up the cases with Finance Department. In case of any delay in processing and follow up of the Court file, the concerned Administrative Department shall be held responsible.

I.D. No. 10/82/17-2FE4/1151555/2-4 Dated: 23/01/2018

A copy of the above is forwarded for information to:-

1. The Chief Secretary,
2. The Financial Commissioners and
3. The Administrative Secretaries to Govt. of Punjab.



o/c Additional Secretary Finance

Endst. No. 10/82/17-2FE4/5-6

Dated: 23/01/2018

A copy of the above is forwarded for information and necessary action to:-

1. The Advocate General, Punjab, Chandigarh
2. The Advocate on record for the State of Punjab.
Supreme Court of India, New Delhi.


o/c Additional Secretary Finance