



GOVERNMENT OF KERALA

Abstract

Information Technology Department – Implementation of e-Tendering/e-Procurement System in all Government Departments/PSUs/Boards – Refund of pending L1 EMD settled with Treasury – Clarification - Orders issued

INFORMATION TECHNOLOGY (B) DEPARTMENT

G.O.(Ms)No.16/2014/ITD.

Dated, Thiruvananthapuram, 27-03-14.

Read: 1) G.O(Ms) NO.11/13/ITD dated 10.4.2013.
2) G.O(P) No.50/2014/Fin dated 07.02.2014.
3) G.O(P) No.104/2014/Fin dated 14.03.2014.

ORDER

Government have approved process flow document for online payment system of e-Procurement as per G.O read as first paper above. In the Government Order read as second paper above certain clarifications have been issued regarding refund of EMD of successful bidders during acceptance of bids through e-tendering system. As per the existing procedure, the L1 EMD amount is remitted to Treasury along with tender document fees for all tenders of Government departments. The L1 EMD remitted to Treasury, through e-Procurement system, was to be refunded manually through Treasury after a bidder executes the Work Agreement and submits required Security Deposit.

2. It has been noticed that there was a considerable delay in the process of refund of L1 bidder's EMD even after the bidder had executed the agreement along with submission of required Security Deposit. Due to this delay in refund, L1 EMD already being with the Treasury, the contractors have approached Hon'ble courts for speedy refund of the same. This issue was discussed in the meeting convened by Secretary IT on 3.3.2014 with the officials of Treasury, NIC, PWD etc and decided to clear all pending L1 EMD immediately

3. In the circumstances Government are pleased to order that stakeholders involved in the e-tendering process shall take following action immediately for speedy refund of L1 EMD pending with Treasury:

- 1) In case of L1 EMD refund, department shall issue an Office Proceedings addressing to District Treasury, Trivandrum, Bidder etc with following details:
 - o Bidder Details
 - o Tender Details
 - o EMD amount and Treasury Sequence No. & Date
 - o Tender Fee amount and Treasury Sequence No. & Date

- o Amount to be refunded
 - o TR 65 form (The refund amount in the Office Proceeding should match the amount mentioned in the attached TR 65 form).
- 2) Department shall forward the Office Proceedings with TR 65 form with a covering letter requesting District Treasury Officer, Thiruvananthapuram to process the refund directly to the bidder's bank account through respective SBT branches.
 - 3) SBT will have to arrange for collecting the refund Payment order cheque (POC) from District Treasury, Thiruvananthapuram and to credit the amount to the respective bidders account.
 - 4) The General Manager, SBT shall issue a Circular to all their Branches for complying the above procedure.
 - 5) All Tender Inviting Authorities (TIA) should intimate KSITM on monthly basis about number of cases settled in respect of the pending L1 EMD cases following above process.
 - 6) All departments concerned should comply with the court judgments in this regard with in the time limit prescribed therein. It is the primary duty of the departments to avoid any possible contempt of court proceedings.

BY ORDER OF THE GOVERNOR
K.S Srinivas
Secretary to Government

To

The Director, Kerala State IT Mission, Thiruvananthapuram. (He is requested to provide copies of this GO to all concerned at once)
 Chief Engineer, (Admn), Public Works Department, Thiruvananthapuram.
 State Informatics Officer, NIC, Thiruvananthapuram.
 General Manager, SBT Head office, Poojappura, Thiruvananthapuram.
 The Principal Accountant General (Audit) & A&E Kerala, Thiruvananthapuram, Finance Department.
 Web & New Media, Information & Public Relations Department.
 Stock File / Office Copy.

Forwarded By Order

[Handwritten Signature]

Section Officer

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