

PUBLIC ACCOUNTS COMMITTEE

1975—76

TWENTY-THIRD REPORT

(FIFTH ASSEMBLY)

Report of the Public Accounts Committee on the Report of the Comptroller and Auditor General of India for the year 1970-71, Appropriation Accounts, 1970-71 and Finance Accounts, 1970-71 of the Government of Assam relating to Appointment, Labour, Supply, Fishery, Home (Jails), Forest, Law, Industries, Development (P & C. D.), Animal Husbandry and Veterinary, Health (excluding Public Health Engineering), Co-operation, Transport, Education, Tribal Areas, Public Works (R&B), Revenue, Agriculture, Relief and Rehabilitation and Public Health Engineering Departments



ASSAM

ASSEMBLY SECRETARIAT, DISPUR, GAUHATI—6

September, 1976

Presented to the House on the 15th September, 1976

CONTENTS

	Pages
1. Composition of the Public Accounts Committee	i
2. Introduction	ii
3. Appointment	1—4
4. Labour	4
5. Supply	5
6. Fishery	6—11
7. Home (Jails)	11—13
8. Forest	13—21
9. Law	22—23
10. Industries	23
11. Development (P. & C. D.)	23—38
12. Animal Husbandry and Veterinary	39—43
13. Health (excluding Public Health Engineering)	44—51
14. Co-operation	52—53
15. Transport	53—62
16. Education	62—69
17. Tribal Areas	70
18. Public Works (R & B)	70—79
19. Revenue	79—136
20. Agriculture	136
21. Relief and Rehabilitation	137
22. Public Health Engineering	137—144

PART II

Pages

23. Summary of Recommendations, Remarks and Observations made by the Committee on the Report of the Comptroller and Auditor General of India for the year 1970-71, Appropriation Accounts, 1970-71 and Finance Accounts, 1970-71.	147—172
24. Appendices—	
(i) Annexure I (List of Officers who were examined and time devoted in each Department.	173—175
(ii) Annexure II (W. T. Message)	176
(iii) Annexure III (Letter No.A/272/18, dated 18th February, 1970).	177—178
(iv) Annexure IV (Letter No.PDDA/PAC/47/74/17, dated 1st July, 1974).	179—180

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE
(1975-76)

CHAIRMAN :

Shri Promode Chandra Gogoi

MEMBERS :

Shri Romesh Mohan Kouli

Shri Subhankar Singha

Shri Chandra Bahadur Chetri

Shri Pushpadhar Chaliha

Shri Manabendra Nath Sarma

Shri Rajendra Nath Phukan

Shri Hashimuddin Ahmed

Shri Ambarish Chandra Lahari

SECRETARIAT :

Shri P. D. Barua, Secretary

Shri N. Deuri Bora, Under Secretary.

Shri Bimal Goswami, Committee Officer.

Report of the Public Accounts Committee on the Report of the Comptroller and Auditor General of India for the year 1970-71, Appropriation Accounts, 1970-71 and Finance Accounts, 1970-71 of the Government of Assam.

INTRODUCTION

1. Shri Promode Chandra Gogoi, Chairman, Public Accounts Committee having been authorised by the Committee to submit this Report on their behalf, present the Twenty-third Report on the Report of the Comptroller and Auditor General of India for the year 1970-71, Appropriation Accounts, 1970-71 and Finance Accounts, 1970-71 of the Government of Assam relating to Appointment, Labour, Supply, Fishery, Home (Jails), Forest, Law, Industries, Development (P & C. D.), Animal Husbandry and Veterinary, Health (excluding Public Health Engineering), Co-operation, Transport, Education, Tribal Areas, Public Works (R & B), Revenue, Agriculture, Relief and Rehabilitation and Public Health Engineering Departments.

2. The Report and Accounts were laid on the table of the House on 4th March, 1974.

3. The present Committee which was constituted by the House under Rule 242 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly began to function from the 8th September, 1975. The Report and Accounts mentioned in Paragraph 2 above were examined by the previous Committee at its meetings held on 12th June, 26th July and 17th August, 1974 and also examined by the present Committee at its meeting held on 6th May, 9th, 11th, and 12th June, 22nd, 23rd, 26th, 27th and 28th July, 16th, 17th and 24th August, 1976.

4. A list of officers examined and time taken for examination has been appended to this Report as Annexure I at pages 173-175.

5. The examination of the Report and Accounts was conducted in accordance with the relevant rules of the Assembly. The Committee considered the draft Report and finalised its Report at its meeting held on 26th August, 10th, 11th and 14th September, 1976.

6. A statement showing the Summary of Observations and recommendations together with the comments of the Committee is given in Part II of the Report.

7. The Committee places on record its appreciation of the assistance rendered to it in the examination of the Report and Accounts by Shri R. C. Suri, I. A. & A. S., the then Accountant General, Assam and Shri D. Jerath I. A. & A. S., Accountant General, Assam, and Meghalaya etc. and his staff. The Committee also expresses its thanks to the officers of the Departments concerned for the co-operation extended to the Committee in giving information during the course of its examination.

Dated Dispur :
The 14th Sept. 1976.

P. C. GOGOI,
Chairman,
Public Accounts Committee.

APPOINTMENT DEPARTMENT

Paragraph 26 at page 38—Suspected misappropriation

1.1. Verification of cash (12th April, 1971) in the office of the Deputy Commissioner, Dibrugarh, conducted immediately after the death of the Nazir on 11th April, 1971 (appointed to the post in November, 1970) disclosed shortage of cash of Rs. 1.45 lakhs. The amount is alleged to have been misappropriated. Non-observance of rules about maintenance of accounts of cash had, *prima facie*, rendered the misappropriation possible. Between November 1970 and April 1971 physical verification of cash was done only twice.

1.2. Rule 95 of the Assam Financial Rules stipulates that each entry in the cash book should be verified daily by the head of the office or by an officer authorised by him and approved by Government. The head of the office is also required to undertake periodical check atleast once in three months to see that the actual cash corresponds with the book balance.

1.3. The Committee wanted to know whether these requirements of rule were complied with; the official witness replied that in this case, it was apparently not. On being questioned as to why cash and entries were not verified by any competent officer in the Deputy Commissioner's office; the official witness stated that the information of the Government was that the Deputy Commissioner had authorised an officer who did not do the job well. On being asked as to whether any explanation had been called for from this officer; the official witness replied that more than one officer were involved in this. The Deputy Commissioner had been asked to give a report but the report had not yet been forthcoming. In reply to a question, the official witness stated that in fact, more than one officer had been transferred since that period. Now having failed to get any reply from the Deputy Commissioner, the Government asked the Commissioner of Plains Division to send a report.

1.4. The Committee then asked the Secretary Appointment, to give a written reply on the following points and the Government in their letter No. ABP.118/76/50, dated 12th July, 1976 furnished as follows :—

Points on which the information
called for by the Committee
on 9th June 1976

Replies of the Appointment
Department

1. Why the officer authorised
by Deputy Commissioner
did not check the Cash
Book regularly ?

Shri C. R. Samadar for period
from 1st April 1967 to 29th
October 1969, Shri B. K.
Pandit for the period from 30th
October 1969 to 7th July 1970,
and Shri S. H. Rahman for the

Points on which the information
called for by the Committee
on 9th June 1976

Report of the Appointment
Department

period from 8th July 1970 to 10th April 1971 were Nazareth Officer. It reveals from replies to Special Audit Note to the Accountant General, Assam, Shillong that Nazareth Officer carried on test checks of the entries in the Cash Book upto a certain percentage only.

2. Why the Deputy Commissioner did not submit the report called for by Government on the Special Audit Note of the Accountant General?

Replies to the Audit Note for period from 1st April 1969 to 10th April 1971 was submitted by the Deputy Commissioner, Dibrugarh to the Commissioner of Plains Division, Assam, Gauhati vide his No.DPE 145/75/1, dated 13th August 1975 for information and onward transmission to the Accountant General, Assam, Shillong. A copy of Deputy Commissioner's letter along with a copy of Audit Reply was also forwarded to the Accountant General, Assam, Shillong and Secretary to the Government of Assam, Finance (A. P. F.) Department vide Deputy Commissioner's Memo No.DPE.145/75/1-A, dated 13th August 1975. The Deputy Commissioner stated in his aforesaid letter to the Commissioner of Plains Division Assam, Gauhati that the delay in submitting the reply was due to non-availability of connected records easily.

3. Responsibility to be fixed on each individual officer.

Criminal cases against Shri P. R. Sarkar, Ex-Nazir (since dismissed) and Shri Monoranjan Barua, Jarikarak have been instituted. A civil suit No.67 of 1973 against the legal heirs of Late J. N. Chakraborty and another civil suit No. 70 of 1973 against Sri P. R. Sarkar (since dismissed) have been filed and responsibility is likely to be fixed by the Court itself.

Points on which the information
furnished by the Committee on
9th June, 1976

Replies of the Appointment Department

4. The attempts made to recover the amounts misappropriated.

Civil Suits as stated above for recovery of the defalcated amount are pending in the Court for replies by the defendants. The Deputy Commissioner, Dibrugarh has reported to Appointment Department on 11th June, 1974 that a total of 7 (seven) bighas, 2 (two) kathas, 10 (ten) lessas of land with one Assam Type House valued at Rs. 1,07,800.00 (Rupees one lakh seven thousand and eight hundred) only belonging to Late J. N. Chakraborty and 13 (thirteen) bighas, 9 (nine) lessas of land valued at Rs. 9,163.00 (Rupees nine thousand one hundred and sixty-three) belonging to Shri P. R. Sarkar (since dismissed) have already been attached before Judgment in money suit No. 67/73.

5. Latest position of the case:

A Departmental proceedings was drawn up against Sri P. R. Sarkar (Ex Nazir) and he has been dismissed from service with effect from 24th December, 1974. Shri J. N. Chakraborty, who was Nazir expired on 11th April, 1971. 3 (three) other Assistant Nazirs and 3 (three) Jarikaraks were also dismissed.

1.5. The Government in their letter No. ABP 11/76/84, dated 13th August, 1976 furnished a statement showing the exact date of filing of criminal cases and civil suits, etc., against the 4 Assistant Nazirs, 4 Jarikaraks and one Supervisory Assistant who were dismissed from service. These persons were serving under the establishment of the Deputy Commissioner, Dibrugarh. The amount of money misappropriated/defalcated comes roughly to Rs. 2,11,020.47. It has been stated that all the nine persons involved were dismissed from services.

RECOMMENDATION

1.6. It is clear from the fact stated that there is apparently lack of supervision on the part of officers in-charge of cash. In spite of clear cut provision in the Rules that each entry in the cash book should be verified daily by the Head of the office or officer authorised by him and approved by Government, the requirements of the Rules were not complied with.

1.7. The Committee recommends that responsibility should be fixed on the officers in-charge of cash for whose lack of supervision and negligence the Nazirs and others could misappropriate/defalcate such a huge amount of money. The Committee also recommends that steps should be taken to realise the amount of money misappropriated / defalcated.

1.8. The action taken should be intimated to the Committee within three months from the date of presentation of this Report before the House.

LABOUR DEPARTMENT

Paragraph 15 (a) (7) at page 20

2.1. Number and name of grant	Total grant	Expenditure	Excess
40—Labour and Employment I—Labour			
O. 13,84,000			
S. 1,43,285	15,27,285	15,74,238	46,953

2.2. Excess occurred mainly under "B (a) (b)—Board of Labour Welfare" (expenditure Rs. 2.40 lakhs provision; Rs. 1.95 lakhs) and was mainly due to payment of arrears of *ad-hoc* dearness allowance.

2.3. The Committee enquired as to when was the *ad-hoc* dearness allowance sanctioned and when it was paid; the official witness stated that this was sanctioned in March, 1970 at the rate of Rs. 20. for employees drawing pay upto Rs. 600.

2.4. On a query as to whether this excess could not be met by obtaining supplementary demand, the official witness stated that one supplementary Grant was taken in March, 1971, but notwithstanding this, the expenditure of Rs. 46 953 remained uncovered.

RECOMMENDATION

2.5. The Committee recommends that the Government should exercise more effective control over the expenditure in future. Subject to this, the Committee recommends regularisation of the excess expenditure.

SUPPLY DEPARTMENT

Paragraph 15 (a) (14) at page 22 read with Appendix II Sl. C at page 103

3.1, Number and name of grant	Total grant	Expenditure	Excess
14. 69—Miscellaneous— Charges—IV—Expenditure on Issue of Free Ration and Rice Concession.			
O. 9,00,200			
S. 11,20,600	20,20,800	25,93,265	5,72,465

3.2 Excess occurred under "B—Losses on supply of food-stuffs to Government servants and others at concessional prices expenditure in connection with Mizo Hills disturbances—Handling and transport charges of food stuffs—Sixth Schedule part 'A' Areas" (expenditure Rs. 25.93 lakhs; provision; Rs. 20.21 lakhs); reasons for excess are awaited.

3.3. On a question being asked as to why the actual requirement of funds could not be assessed correctly and whether the Department maintain any control register to watch progress of expenditure from time to time; the official witness replied that this expenditure relates to the expenditure on handling and transport for supply of food stuff to Mjzoram District which were to be met from the provision under 71—Miscellaneous. In the month of July, 1970 it was decided that this expenditure be booked from this head of account. In this particular year there was no provision in this head of account for meeting the expenditure on Handling and Transport. But there was a proposal from the Deputy Commissioner, Cachar to provide about Rs. 50 lakhs for this expenditure. The Department moved the Finance Department to obtain the fund from the Contingency Fund and as there was not sufficient fund in the Contingency Fund, the Finance could agree only to a total of Rs. 11,20,600 from the Contingency Fund, and this amount was provided. The Deputy Commissioner, Cachar meanwhile sent another message to the effect that he had to incur certain urgent expenditure, and so an additional amount of Rs. 19 lakhs should be provided. But as there was no money in the Contingency Fund, the Supply Department could not be provided with further amounts to meet the demand. The extra expenditure had to be incurred under compelling circumstances because the Deputy Commissioner had to make arrangement with the Air-Force to drop food-stuff for which he made necessary arrangements with the contractors and the contractors would not work unless paid for. There was neither time nor provision to regularise the expenditure during that particular year.

3.4. On a query as to why the reasons for excess was not intimated to the Accountant General, the official witness stated that by the time the Audit detected the excess expenditure, the year was over.

RECOMMENDATION

3.5. In view of the circumstances explained by the Government, the Committee recommends regularisation of the excess expenditure.

FISHERY DEPARTMENT

Paragraph 56 at page 59—Misappropriation

4.1. Fishery Revenue amounting to Rs. 18,615 (in 11 cases) collected in January 1967 by the Bakijai Branch of Deputy Commissioner, Kamrup was not credited to Government account and was misappropriated. The case was under Police investigation (April 1969).

4.2. As these cases were not referred to Bakijai, collection of fishery revenue by Bakijai Branch in these cases was irregular.

4.3. The cases were reported to Government (May 1969); comments are awaited (January 1972).

4.4. In June, 1972, Government stated that one Lower Division Assistant was suspended for the misappropriation of Rs. 18,615 and that Police investigation was completed and the case was subjudice.

4.5. The Committee wanted to know which of the four criminal cases covers fishery revenue and the Secretary, Fishery stated that the fishery revenue was covered in session case No. 3 (Kg) 73 in which the Assistant concerned was convicted.

RECOMMENDATION

4.6. The misappropriation of Rs. 18,615.00 was facilitated due to lack of adequate supervision on the collection and deposit of Government money. The Committee recommends that responsibility should be fixed on the supervising officer for whose negligence the Government had to incur a loss to the public ex-chequer.

4.7. The action taken may be intimated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 57 at page 59—Unauthorised settlement of Fishery by a non-official Organisation.

5.1. Two Fisheries of Nowgong District, reserved by Government as Fish sanctuaries, were settled by a non-Government Committee during the years 1956-57 to 1968-69 for Rs. 35,200. This amount was not, however, deposited into Government Account.

5.2. The case was reported to Government (November 1968); comments are awaited (January 1972).

5.3. The Committee then enquired as to whether the Government had enquired the circumstances under which Defalu-Nadi and Bohanga Beel Fisheries were settled by a non-Government Committee? The official witness stated that strictly speaking, the Fishery Department does not come into the picture as per Fishery Rule. The very definition of the Fisheries would show that the Fishery Department would be concerned with Fisheries which were declared as such. These Fisheries were not declared fisheries. Even then only after a reference was made to the Government by the Deputy Commissioner these waters were declared as Fishery in October, 1971.

5.4. This particular Audit Paragraph was referred to the Government in January, 1972 and the Secretary Fishery had given certain directions to the Department for taking further action in the matter, such as—whether this non-official organisation actually existed and whether the amount realised was in fact utilised for this non-official organisation. If this was actually utilised then it would be a case for regularisation.

5.5. The Committee then asked the Department to furnish a written statement as to whether the non-official organisation actually existed and whether the amount realised was utilised for the non-official organisation.

5.6. The Government in their letter No. V.F.F. 117/76/91, dated 12th July, 1976 informed the Committee that the non-official organisation is still in existence and the amount realised was utilised for the non-official organisation. The W. T. message dated 16th June 1976 sent by the Additional Deputy Commissioner, Nowgong is given below:—

5.7. "Matter enquired into through Sub Deputy Collector, Kaliabor Circle(.) It is learnt that the entire amount of Rupees thirty-five thousand two hundred was utilised by the Burapahar Unnayan Committee for improvement of public institutions(.) The Committee is still in existence with new President(.) The former President died of motor accident(.) Copy of Sub-Deputy Collector's report and report in original confirming utilisation of the entire amount from the President, Burapahar Unnayan Committee being sent with post copy."

5.8. The copies referred to above are appended to this report as Annexure II at page 176.

5.9. The Sub-Committee of the Public Accounts Committee in their sitting on 29th July, 1976 examined the written statement furnished by the Government. The Sub-Committee wanted further information as to whether the Burapahar Unnayan Committee was registered and if so what is its registration number and whether its accounts were duly audited by the Government auditors.

5.10. The Government in their letter No. FVV. 117/76/120, dated 13th August, 1976 stated that the Burapahar Unnayan Committee is not a registered Committee and its accounts were not audited by Government auditors.

RECOMMENDATION

5.11. The Committee is constrained to know how and under what rule an unregistered Committee like the Burapahar Unnayan Committee is empowered to settle fisheries without proper authority. The Committee recommends that the Burapahar Unnayan Committee should be immediately audited by the Government auditors and the Government should examine as to whether audited accounts of the Committee exhibits the amount of money spent under different heads referred to in the report dated 14th June, 1976 submitted by the President, Burapahar Unnayan Committee.

Paragraph 58 at pages 59-60—Loss of revenue in settlement of fisheries—

6.1. Under the rules no fishery can be settled except by auction; the State Government may, however, invite tenders instead of conducting auction sales. The rules also provide that the State Government may not settle a fishery on the highest bidder but on a Co-operative Society of actual fishermen of protected Communities (or individual fisherman of a protected Community) if the society or individual is prepared to pay the amount of the highest bid/offer, less a rebate of upto 10 per cent in the case of Cooperative society and $7\frac{1}{2}$ per cent in the case of an individual. In the following cases fisheries were settled otherwise than in accordance with these rules:—

6.2. (i) The Brahmaputra Fishery Mahal (Parts III, IV and V) in Lakhimpur District was directly settled for three years spells 1961-64 and 1967-70 with a Co-operative Society of fishermen of protected Communities at annual rates of Rs. 37,000 Rs. 37,000 and Rs. 45,000 as against the rates of Rs. 60,000 and Rs. 60,000 Rs. 80,000 offered by an individual. This resulted in loss of revenue of Rs. 1,83,000 after taking into consideration the maximum rebate of ten per cent admissible to the society.

6.3. The mahal was also settled with the same society during 1970-73 at Rs. 54,000.

6.4. (ii) Korai beel Fishery of Darrang District was settled with a Fishery Co-operative Society, the lowest bidder, for the period April 1966 to March 1969 for Rs. 51,001 rejecting five higher bids (the highest being Rs. 45,500) without assigning any reason. This resulted in loss of Rs. 43,497 to Government.

6.5. On a query as to why these fisheries were settled with the Co-operative Societies without observing the provisions of rules and thereby incurring losses to Government; the Secretary fishery replied that there are two parts viz., (1) Brahmaputra Fishery Mahal and (2) Korai Beel Fishery of the Darrang District. So far as the first part is concerned, it was not a case of settlement by the Deputy Commissioner but it was a case of direct settlement, the question of percentage as referred to does not come in. The matter of percentage would come in only during settlement by the Deputy Commissioner. Here it was a case of direct settlement by the Government and therefore the loss as worked out is perhaps not applicable. There was no loss as such.

6.6. On being asked as to why direct settlement was made in this case; the official witness replied that the Government policy as it appeared was to see that the class of people dealing with fish trade get proper treatment and proper encouragement and for this reason Government had resorted to giving direct settlement and the latest thinking had been to formalise it by framing rules.

6.7. The Committee then asked the Secretary, Fishery to furnish certain information and the Secretary, Fishery in his letter No. VFF.117/76/97, dated 12th July, 1976 has furnished the following information :

1. The Brahmaputra Fishery Mahal was settled with the only Co-operative Society of Fishermen.
2. The information as to whether the Society is a defaulter is being collected from the Deputy Commissioner, Dibrugarh who reported that it would take some time as the old records are to be consulted.
3. There is no appeal against the settlement of Koraibeel Fishery of Darrang and the Society was not in arrears.

RECOMMENDATION

6.8. As per rule, the Government is empowered to give settlement of Fisheries to Co-operative Societies of Fishermen of protected communities taking into consideration the maximum rebate of ten per cent admissible to Society and 7½ per cent in the case of an individual if the Society or individual is prepared to pay the amount of the highest bid/offer. In these cases, the Government has violated the rules made by themselves. The Committee considers this as serious lapse on the part of Government and recommends that Government should refrain from giving such wrongful settlement with flagrant violation of rules and entailing loss to the Government.

Paragraph 75 at page 96 read with Appendix IX at page 117

7.1. This paragraph brings out that at the end of 31st March, 1971 (position as on 30th September 1974), 103 Inspection Reports involving 258 paras were outstanding.

7.2. The Committee asked the official witness to furnish a written note on this Paragraph. The Department in their letter No. VFF. 117/76/116, dated 5th August, 1976 furnished a written note which is as follows :

7.3. "Out of 258 paras from 103 Inspection notes, replies to 114 paras of 38 Inspection notes have been furnished and therefore there are 144 paras against 65 Inspection note now outstanding for final settlement. For the other paras now outstanding various information are required to be collected from the District Officers as well as from Government, etc. But the cases being old such information are not easily available. However every effort is being made to dispose of the outstanding paras at the earliest possible date.

RECOMMENDATION

7.4. The Committee is not satisfied that the objections are outstanding to be settled from a long time. The oldest one is of 1960-61. The Committee therefore recommends that early steps be taken to settle the objections.

Appropriation Accounts, 1970-71

Grant No. 31 at page 60

8.1. The grant closed with a saving of Rs. 15.63 lakhs. Provision of Rs. 0.85 lakh under charged appropriation had remained entirely unutilised.

8.2. The Committee opined that the saving in the noted grant was attributed mainly to non-implementation of schemes and therefore asked the official witness to furnish a written statement as to what were the schemes which could not be implemented and what were the reasons for saving of the entire provision in the charged appropriation; why could not the saving be surrendered.

8.3. The Government furnished the following statement in their letter No. FVV. 117/76/97, dated 12th July 1976.

"Out of the total Budget provision of Rs. 44.74 lakhs a sum of Rs. 11.70 lakhs only could be surrendered during the year although there was actual savings of Rs. 15.63 lakhs due to the various reasons as stated below:—

(i) Rs. 7.63 lakhs had to be surrendered due to reduction of plan allocation and restriction of expenditure by Planning and Development Department of the Government of Assam. Hence this was actually not saving but a reduction of plan ceiling.

(ii) Rs. 3.98 lakhs had to be surrendered from the provision made for implementation of the following schemes :

(a) Marketing and Transport of Fisheries, (b) Applied Nutrition Programme, (c) Applied Research, (d) Training in Fisheries (e) Survey of Fisheries and Statistics, (f) Development of Riverine Fisheries, (g) Facilities to Indian Council of Agricultural Research for investigation and culture of Air breathing fish as these schemes could not be fully implemented as was proposed earlier due to various short comings. Therefore there was less expenditure under these schemes than anticipated earlier.

(iii) Rs. 0.09 lakh which was provided for training of officers could not be utilised as no trainee could be sent for training during the year due to no-receipt of approval from Government.

iv. There was further saving of Rs. 3.93 lakhs as stated below :

(a) Rs. 3.24 lakhs were saving from the provision under beel fisheries scheme. This was due to delay in preparing the project report, Plan and estimates of different beels for want of required engineering staff and other facilities for carrying proper survey works. Saving of Rs. 0.64 lakh was also attributed mainly due to inability of the firm to supply of vehicles proposed to be purchased under the scheme in time for the survey works,

- (b) Rs. 0.69 lakhs was saving from the provision under assistance to pisciculturists in Hills districts due to less demands from the pisciculturists in the Hill Districts as was anticipated.

3.4. A sum of Rs. 0.85 lakhs under charged appropriation was obtained for payment of decretal cost. Since the payment was to be made through the Deputy Commissioner, Kamrup, he was requested to submit Book Transfer Bill for adjustment of the expenditure. No Book Transfer Bill could be received in time and as a result the amount could not be utilised. The amount, further, could not be surrendered since no information was made available at the time of surrender of fund.

RECOMMENDATION

8.5. The Committee is not happy over the reasons given for saving both under voted and charged sections and feels that there is scope for effecting stricter control over the expenditure so that no money is unnecessarily retained by the Department thereby depriving others from implementing more important schemes of social value.

8.6. The Committee therefore recommends that the Government should obtain in future only funds they would be able to spend and properly utilise during a financial year.

HOME (JAILS) DEPARTMENT

Paragraph 15 (a) (3) at page 19

Number & name of grant	Total grant	Expenditure	Excess
(1)	(2)	(3)	(4)
9.1. 12—General Administration III- Commissioners and District Administration.			
O. 1,29,96,400			
S. 1,86,079	1,31,82,479	1,38,42,404	6,59,925

Excess was the net result of excesses under certain group heads and savings under others. Excess occurred mainly under "E. 1 (a)—General Establishment—General" (Expenditures Rs. 41.88 lakhs ; provision : Rs. 38.28 lakhs) and "E 3—Other Establishment—General" (Expenditure : Rs. 18.62 lakhs ; provision : Rs. 14.67 lakhs)—"Sixth Sche-

dule (Part A) Areas" (expenditure : Rs. 33.24 lakhs ; provision : Rs. 0.72 lakh). Excess of Rs. 8.14 lakhs was mainly due to drawal of arrears of pay and allowances, increase of staff for creation of new offices at Tinsukia and Dhemaji, increase in tour expenses of officers in connection with flood relief and law and order situation, payment of arrear bills and increase in tour expenses of process servers in connection with Census, 1971. Reasons for the remaining excess of Rs. 32.52 lakhs are awaited.

9.2. The Committee asked the official witness to furnish reason for the excess expenditure of Rs. 6,59,925. The official witness stated that the figures were not correct and on reconciliation with the Accountant General the excess stood at Rs. 8,14,543 which was due to the following reasons :—

9.3. During 1970-71 there were huge floods in Assam due to which the district administration incurred extra expenditure. There was also disturbances in the neighbouring country due to which some of the districts in the border areas were affected very much and they had to incur excess expenditure. One new administrative unit was contemplated for which some advance action was taken and expenditure incurred. Another unit at Dhemaji was opened due to which also expenditure had to be incurred.

9.4. The official witness also stated that a part of the grant was controlled by the Tribal Areas Department and as such further reconciliation with them was needed.

9.5. The Secretary, Tribal Areas Department was examined on 11th June, 1976 in this connection and he stated that the required information has since been furnished by them to General Administration Department. On checking up the matter with Audit it was found that there was an excess expenditure of Rs. 8,14,544 under the heads concerning General Administration Department which was partly off-set by saving under heads controlled by the Tribal Areas Department. The net excess under the grant requiring regularisation by the Legislature, therefore, stood at Rs. 6,59,925 as brought out in the Audit Report.

RECOMMENDATION

9.6. The Committee recommends regularisation of the excess expenditure in view of the reasons stated by the Government.

Paragraph 15 (a) (5) at Page 20.

Number & name of grant	Total grant	Expenditure	Excess
(1)	(2)	(3)	(4)
16—Jails—			
O. 60,37,900			
S. 5,83,255	66,21,155	66,96,432	75,277

10.1. Excess occurred mainly under "B—District Jails—General" (expenditure : Rs. 50.97 lakhs ; provision : Rs. 49.73 lakhs). Excess was mainly due to maintenance of larger number of prisoners in Jails.

10.2 The Committee wanted to know the reason about the excess expenditure from the official witness who stated that the Jail Department, during that year, moved for a Supplementary Demand for Rs. 15,75,880 as Jail population consistently kept on going up. This would have required about Rs. 15 lakhs more but Government could sanction an additional amount of Rs. 5,83,255. The extra amount was needed for certain expenditure on items like food etc. The excess expenditure is 1.5% of the Budget.

RECOMMENDATION

10.3. The Committee recommends regularisation of the excess expenditure in view of reasons stated by the Department.

FOREST DEPARTMENT

Paragraph 4 at page 3 (Arrear in collection of Revenue)

11.1. This paragraph brings out that at the end of 31st March, 1971, forest revenues for Rs. 1.38 crores were outstanding for realisation.

11.2. The Committee wanted to know the present position of outstanding forest revenue. The Secretary, Forest stated that in the year 1970-71 an amount of Rs. 3.69 crores was realised and against that the arrear revenue was Rs. 1.38 crores on 31st March, 1971. Since then the revenue figures has progressively increased and by stages from that year it has come to Rs. 5.17 crores on 31st March, 1975. The arrear which was Rs. 1.38 crores has also gone up but it is more or less a stable figure and which has gone upto round about Rs. 1.64 or Rs. 1.63 crores. The Government is taking all possible steps to reduce the dues but the reduction has not been possible due to variety of factors. In this connection, the Government like to bring to your notice the position from a different angle. Now, if the amount of current revenue falling in arrear is less than the arrear of the preceding year, which is realised, then only arrear position will progressively come down. In the year 1973-74 Rs. 55 lakhs was realised. In 1972-73 another Rs. 55 lakhs was realised, in 1971-72 Rs. 37 lakhs was realised in 1970-71 Rs. 44 lakhs was realised. But in all those years an amount had fallen into arrears.

11.3. On a query as to whether the Department made any analysis of the matter to find out the causes of failure in collection of arrear revenue, the official witness stated that there are many cases which are lying with the Hon'ble High Court for judgment. These are appeal cases pending with the High Court and therefore there is delay and consequently there is accumulation of heavy arrears.

11.4. The Committee thereafter asked the Government to give a written statement on the following points:—

- (i) Cases lying before the Hon'ble High Court ;
- (ii) Cases lying with the Bakijai proceedings ;
- (iii) Cases pending with the Department ; and
- (iv) A comprehensive note regarding the action taken by the Department when the mahaldars fail to deposit the kist money.

11.5. The Government in their letter No. FRM 50/74/200, dated 30th August, 1976 furnished the following informations:—

1. Position of arrear Forest Revenue

The latest position of arrear revenue as on 31st March, 1975 was Rs. 163.63 lakhs. But after analysing the outstanding dues which have accrued on various grounds, such as difference of sale value, non-payment of kists etc., it appears that the outstanding under the item "difference of sale value" has accrued as a result of risk sale against the original tenderer either for non-implementation of settlement order or for defaulting payment and is, therefore not linked up with any actual removal of Forests Produce. This being so, outstanding under this item "difference of sale value" were not taken into the outstanding Form 7 of this Department by many Divisional Forest Officers.

As per recent report, the total outstanding revenue including the amount involved under "difference of sale value" as on 31st March, 1975 has now come to Rs. 177.07 lakhs.

The analysis of the above outstanding of Rs. 177.07 lakhs as on 31st March, 1975 are shown below:—

(a) Broad classification of outstanding :

(i) Difference of sale value involving 441 cases.	Rs. 22.77 lakhs
(ii) Non-payment of kists involving 3036 cases.	Rs. 134.12 lakhs
(iii) Other miscellaneous outstanding involving 612 cases.	Rs. 20.18 lakhs
	<hr/> Total—Rs. 177.07 lakhs

(b) Steps taken for realisation of the outstanding :

(i) Bakijai cases filed 1456 Nos of the above,	Rs. 69.15 lakhs
Bakijai cases finalised 174 Nos. and	Rs. 8.64 lakhs
Bakijai cases under appeal 30 Nos.	Rs. 107.92 lakhs

11.6. It will appear from the above that Rs. 22.77 lakhs represent the "difference of sale value" which has accrued as a result of risk sale against the original successful tenderers who have either failed to implement the settlement or defaulted payment. In a number of instances the Gauhati High Court has struck off Bakijai proceedings initiated by this Department for realisation of dues on account of (i) Difference of sale value of Coupes and Mahals and (ii) short collection of the minimum stipulated quantity of Forest produce as per agreement, (in cases of such short collection full tendered amount is payable notwithstanding the short collection.)

11.7. The next item of the outstanding dues of Rs. 134.12 lakhs as shown above relates to non-payment of kists and this includes cases upto 31st March, 1975 and although a major part of this outstanding is usually recovered immediately after the close of the financial year, fresh accumulation, however, continue to occur in the next financial year in fresh cases and this continues further each year.

11.8. However, against the outstanding of Rs. 177.07 lakhs as on 31st March, 1975 an amount of Rs. 53.47 lakhs has been realised during 1975-76 reducing the outstanding to Rs. (177.07 lakhs—53.47 lakhs) = Rs. 123.60 lakhs as on 31st March, 1976. Out of this outstanding amount of Rs. 123.60 lakhs, an amount of Rs. 22.77 lakhs as shown above relates to "difference of sale value" for which no Forest produce has been actually removed, and therefore, cannot be strictly treated as a real outstanding.

11.9. Thus if Rs. 22.77 lakhs is excluded the outstanding remaining to be realised would come to Rs. (123.60—22.77) = Rs. 100.83 lakhs only.

11.10. Other outstanding are of miscellaneous nature, such as royalty royalty monopoly fee bill on short collection (i.e. if minimum stipulated quantity is not extracted even then full tender value is payable) and royalty bill for stone and stands payable by C.P.W.D. etc. which represent an amount to Rs. 20.18 lakhs. Some of the outstanding are very old ones and whereabouts of the contractor concerned could not be traced out inspite of best efforts made by the Department. In such cases write off proposals are under scrutiny under the different competent authority.

11.11. As already mentioned above 1456 Bakijai cases have been filed involving an amount of Rs. 69.14 lakhs of which 174 cases involving an amount of Rs. 8.64 lakhs have been since finalised this includes cases struck off by Bakijai Officers and also cases for which realisation have made through Bakijai proceedings.

11.12. 30 Bakijai cases of 1456 cases filed by the Department are now held under appeal. Out of this 24 cases involving an amount of Rs. 3,77,784.22 are with Department, of which 22 cases are under examination with Government and 2 cases are with C.F.U.A.C., 4 cases involving an amount of Rs. 2,09,048.35 are with High Court and 2 cases involving an amount of Rs. 5100 and Rs. 6522.50 respectively were pending with the Board of Revenue. Both the cases with the Assam Board of Revenue have since been dismissed on 29th September, 1975 and 8th August, 1975 respectively and realisation of the outstanding is in progress.

11.13. No case is stayed by the Bakijai Officers unless and until a stay order in this respect is issued from the Higher Competent authority, such as the Hon'ble High Court etc. No such case has come to the notice of this Department and no report has been submitted by the Divisional Forest Officers in this regard.

11.14. Dosseirs of all cases involving Rs. 50,000 and above have been prepared and the divisionwise break up of the cases and the amount involved are given below :—

Name of Divisions	No. of cases	Amount involved Rs.
1. North Kamrup Division	1	66,072.00
2. Haultugaon Division	3	{ 89,587.82
		{ 72,379.32
		88,495.28
3. Doom Dooma Division	1	1,85,040.00
4. Lakhimpur Division	1	2,68,665.00
5. Cachar Division	1	59,974.00
6. Dibrugarh Division	3	{ 1,33,805.60
		{ 71,740.00
		{ 1,81,317.00

11.15. Necessary steps have been taken to obtain Dosseirs of each cases involving Rs. 25,000 and above but below Rs. 50,000 and this will be submitted to the Committee as soon as received.

A comprehensive note regarding the action taken by the Department when the Mahaldars fails to deposit kist money.

11.16. As regards steps taken by the Department when the Mahaldars fails to pay the due kists, it may be stated that if the Mahaldars fails to deposit 1st kist money along with the security deposit, this Department do not issue final work Order and the event of the Mahaldars ultimate failure to pay the 1st kist, the Mahal is put to resale at the risk of the Mahaldar and (ii) in case where the Mahaldar fails to pay the subsequent kists, further release of Forest produce is stopped and on failure to pay the kists within reasonable period, the agreement is cancelled and Security forfeited and the Mahal is put to re-sale for the residual amount, provided that there is sufficient time to work the Mahal within the agreement period. If the

Agreement in the meantime expires, though the balance trees of Forest produce remain in the Coupe or Mahal, yet the entire arrear dues of the coupe or Mahal is shown as outstanding against the Coupe holder or Mahaldar as per terms of the Agreement. The remaining trees of the coupe or the Mahal produce is sold afresh but the amount thus realised is not shown against previous outstanding dues and thus the outstanding of the Department is shown at the inflated figure, though most of the Forest produce is not taken by the Coupe holder or Mahaldar.

RECOMMENDATION

11-17 The Committee is surprised to find a huge amount of money outstanding to be realised in different stages. Leaving aside the outstanding cases lying before the honourable High Court on which the Government cannot lay their hand, Rs. 446.82 lakhs is outstanding to be realised from the various heads as detailed below as on 31st March, 1975.

1. Difference of sale value	..	Rs.100.83 lakh
2. Non-payment of Kist	.. ..	Rs.134.12 ,,
3. Other Miscellaneous	... ..	Rs. 20.18 ,,
4. Bakijai Cases filed	.. ..	Rs. 69.15 ,,
5. Bakijai cases finalised	.. ..	Rs. 8.64 ,,
6. Bakijai cases under Appeal	..	Rs. 5.98 ,,
7. Cases under process with D. F. O.s		Rs.107.92 ,,
		<hr/>
		Total Rs.446.82 lakhs

11-18 The Committee therefore recommends that vigorous steps be taken to realise the outstanding arrears and responsibility should also be fixed on the officers who fail to realise and also recommends that preparation of Dosseirs of each case be made up-to-date.

11-19 The result of the action taken by the Government be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 59 at page 60—Delay in disposal

12-1 In a Reserved area in Mariani Forest Range, out of 816 trees which were felled illegally by outsiders prior to 12th July 1968, only 540 were seized by the Department, the remaining 276 having been burnt by miscreants. Due to delay in disposal, the timber being exposed to sun and rain deteriorated with the result that 540 trees estimated value of which was Rs. 1.21 lakhs were disposed of (August 1969 onwards) for Rs. 0.51 lakh.

12.2 In January, 1972, the Department stated that due to Naga trouble prevalent in the area, marking of the trees could not be done properly and that even escort was not available. The Committee therefore wanted to know if the Divisional Forest Officer, Sibsagar reported the matter relating to deterioration of the trees to the Government and if so, when and what action was taken by the Government. The official witness stated that this is a very difficult question for me to answer as the Chairman used the words 'to the Government'. Various kind of reports are submitted by the Divisional Forest Officer to the Deputy Commissioner and from him these come to the Government. And if I say 'no' I will take a great risk. But my humble submission is you will kindly appreciate that in the entire boundary between the Assam and Nagaland covering about 10 Reserve Forests, there was a time not too long ago when there was confrontation between armed police battalions of Assam and Nagaland and the Nagas had made much encroachments into the various forest reserves. This matter is not yet fully resolved and the Central Government had to set up one-man Commission (Sundaram Commission) to go into the matter and submit report. Officially I am not aware whether Mr. Sundaram submitted any report. But I was also associated as a member in another Committee which visited Kakadanga Reserve. In the border the Nagas had, in a bid to occupy this area they cut down the forests. The Divisional Forest Officer could not arrange for armed police escort to remove the encroachers. At that time there used to be firing between Assam and Nagaland armed police. It was in those days that there had been illegal felling of trees and the Nagas had set fire to the trees. It is not possible for me to say that the reports had not come to the Government and reports of this nature come to the Government in the Political Department. I got report of the Divisional Forest Officer on the Audit Para which was sent to the Accountant General about this incident.

12.3 The Committee then asked the official witness to furnish a written statement relating to the deterioration of trees which has led to incur a loss of Rs. 51,000 and the circumstances which has led to no response from the tenderers. The Department in their letter No. FRM. 50/74/90, dated 14th July, 1976 furnished the following information :—

12.4 The total value of the trees as assessed was Rs. 1,21,174.89 P. and the value received by auction sale was Rs. 69,892.00. Therefore even by Accountant General's standard the loss of revenue was only Rs. 0.51 lakhs approximately.

12.5 During the period between July, 1968 to December, 1969, 816 trees were felled by Naga encroachers in Desso Valley R. F., Desso R. F. and Tiru Hills R. F. Out of these trees 276 were burnt by them for Jhum cultivation and only 540 trees could be actually marked. As a result, the Department was left with 540 marked trees for disposal. The valuation of the 540 marked trees was fixed as leviable on green trees. The trees were put to sale for three times but no bidder came forward with an offer of more than Rs. 69,892.00. It is worth mentioning

that due to peculiar law and order and security situation in existence neither eviction of armed Naga encroachers nor marking of trees properly was possible in time in the R.Fs bordering Nagaland. When the Department was in a position to auction these trees i. e., more than two years after the incidence of felling, the condition of the trees had deteriorated and none came forward with an offer above Rs. 69,892.00. The Divisional Forest Officer, Sibsagar Division and the C.F., U.A.C. Jorhat sought the Assistance of Deputy Commissioner and Superintendent of Police, Sibsagar for armed forces to evict the encroachers in the month of May, 1968. The same authorities were informed about illegal felling of the trees by Naga armed encroachers in July, 1968 but armed forces were made available to this Department only in March, 1969 for the purpose of eviction in Desso Valley R.F. and no armed forces were made available for eviction in Desso R.F. and Tiru Hills R.F. This Department made all efforts for eviction of encroachers and timely disposal of timber but it was not possible due to peculiar security condition then existing. Even performance of normal duties by the forest officials along the Nagaland border was extremely difficult. The question of deterioration of the trees were duly reported by the Divisional Forest Officer, Sibsagar Division to the C.F., U.A.C. Jorhat. Vide letter No. A/272/18, dated 18th February, 1970 from the D.F.O., Sibsagar Division to the address of Conservator of Forests, Upper Assam Circle, Jorhat appended to the Report as Annexure III at pages 177-178

RECOMMENDATION

12.6 It appeared from the written statement that armed forces were made available in the month of march, 1969 and felled trees were put to auction sale on 15 December 1969 and 17th January 1970 i. e., after a lapse of about nine months. The delay in disposal of the trees has greatly attributed to the deterioration of the trees which has resulted in loss of revenue. The Committee recommends that responsibility should be fixed on the Officer/Officers for whose negligence the delay occurred. The Government should take all possible care and caution to dispose of such matter in shortest possible delay in future so that Government may not incur loss.

Paragraphs 74 and 75 at pages 95-97 Appendix VIII and IX at pages 115 and 116.

13.1 The paragraphs bring out that at the end of 31st March, 1971 position as on 30th September, 1971 the following items/amounts of audit observations were outstanding:—

Audit observations.

No. of items	..	440
Amount	..	Rs. 2.64 lakhs.

Inspection Reports.

No. of reports	---	143
No. of paras	..	1,067

13.2. The Committee asked the Official witness to submit a written note stating the present position of outstanding item and action taken to clear them. The Department furnished the written note in their letter No. FRM. 50/74/90, dated 14th July, 1976 which is as follows :—

13.3 (a) Audit Observation :—Under this item 440 Nos. Audit Observation beginning from 1960-61 involving an amount of Rs. 2.69 lakhs upto September 1971 has been shown by Accountant General at page 115 of the Audit Report for the year 1970-71. Meanwhile objection upto 1965-66 have been cleared. At present there are 198 Nos. of Objection involving Rs. 90,528.00, year-wise break up are shown below :—

Year of objection	No.	Amount. Rs.
1966-67	4	2,378
1967-68	23	5,197
1968-69	28	13,936
1969-70	54	32,597
1970-71	89	36,420
TOTAL	198	90,528

13.4 It will appear from the above that we have able to clear 242 items of objection involving Rs. 1.78 lakhs.

(b) Inspection Reports and Paras—Under the item 143 Inspection Reports involving 1067 paras beginning from 1954-55 has been shown by Accountant General as pending upto 30th September 1971. The present position of the above Inspection Report is 112 Nos. involving 851 paras. It will thus appear that we have been able to clear 31 inspection Report involving 216 paras. Action is being taken to settle up the outstanding cases as early as possible. In this connection it was not possible to submit any report to the Accountant General earlier either by the C.C.F. or by the Government.

RECOMMENDATION

13.5 The Committee recommends that steps should be taken to reduce the outstanding audit observations.

Grant No. 64 at page 114 of the Appropriation Accounts, 1970-71.

14.1. These accounts leaving out that the grant closed with a saving of Rs. 10.65 lakhs. Of the saving, Rs. 5.11 lakhs were surrendered and that too in March, 1971.

14.2 The Committee asked the official witness to submit a written note stating reasons as to why the entire saving could not be surrendered within March, 1971 and also reasons for saving of Rs. 2.70 lakhs

in group head "C(a) Establishment—Sixth Schedule Part A Areas". The Department in their letter No. FRM. 50/74/90, dated 14th July, 1976 submitted a written note which is as follows :—

14.3. Although the total grant was Rs. 5,11,17,720 the total expenditure incurred was Rs. 502,03,254 and not Rs. 5,00,52,317. It will thus appear that there is a difference of Rs. 1,50,937 accruing a total savings of Rs. 9,14,466 and not Rs. 10,65,413.

14.4 Out of the above savings of Rs. 9.14 lakhs an amount of Rs. 5.11 lakhs was surrendered reducing the total saving to Rs. 4.03 lakhs, the reasons for non surrendering/savings are explained below :—

- | | |
|-------------------|--|
| (i) Rs. 1,82,716 | B. Conservancy and Works under Sixth Schedule Areas (non-plan) |
| (ii) Rs. 1,43,074 | C. Establishment under Sixth Schedule Areas (non-plan). |

Total Rs. 3,25,790

This amount has been saved due to non-release of fund to the District Council. With the transfer of power to the District Councils in September, 1970 a question arose whether further release of Non-Plan fund would be necessary to the District Councils for maintenance of staff deputed from State Government and other conservancy works. Therefore, till clarification on this matter, the amount provided for the purpose could not be surrendered.

- | | |
|------------------|---|
| (iii) Rs. 50,000 | B. Conservancy and works under Sixth Schedule Areas (Plan). |
| (iv) Rs. 26,874 | B. Conservancy and works under Sixth Schedule Areas (Plan). |

Total Rs. 76,874

Rs. 50,000 was saved due to Non-receipt of Jeeps for the D. F. O., N. C. Hills and D. C. i/c, Mizo Hills within 31st March for which orders were placed with M/S Walford.

Rs. 26,874 was earmarked for Mizo District Council for purchase of Jeep, duplicator machine and other stores which would not be purchased due to non-receipt of sanction in time. In view of the circumstances stated above the amount could not be surrendered.

RECOMMENDATION

145 It appears that the control over expenditure is lacking. The Committee recommends that the Government should make every endeavour to execute the schemes for which the money is sanctioned.

LAW DEPARTMENT

Paragraph 15 (a) (4) at page 20

Serial Number	Number and name of grant	Total grant Rs.	Expenditure Rs.	Excess Rs.
------------------	-----------------------------	--------------------	--------------------	---------------

4. 15—Administration of Justice—

O.	41,67,700			
S.	87,500	42,55,200	42,83,578	28,378

Reasons for excess are awaited.

15.1 The Committee wanted to know what were the reasons for excess expenditure the official witness stated that according to the record of the Department, the expenditure incurred was Rs. 9,638.00 while the Audit has shown the figure as Rs. 28,378. According to the Budget Manual, Section 145 (b) when the percentage of difference was less than 5% the figures shown by Audit should be accepted and so the Department have accepted the figures. The principal reason for this excess expenditure was payment of Ad-hoc D. A. to officers and staff of different grades.

RECOMMENDATION

15.2. The Committee recommends for regularisation of the excess expenditure.

Paragraphs 74 and 75 at pages 95-96 read with Appendices VIII and IX in items 12 and 25 at pages 115 and 118 respectively outstanding Audit Observation and Inspection Reports.

16.1 The Committee asked the official witness to submit a written note regarding the outstanding audit observation. The Government in their letter No. LJJ. 405/71/48, dated 27th July, 1976 have submitted a note which is as follows—

16.2 "Out of the total outstanding audit objections of 678 nos. as appeared in the Report of the Comptroller and Auditor General of India, 1970-71, a total of 536 nos. of audit objections have already been met. On verification with Accountant General's office as on June, 1976 it has been found that there are total outstanding audit objections of 142 nos. involving Rs. 56,129.69 p.

16.3 Out of the total outstanding Inspection Reports of 38 nos. with 89 paras as appeared in the Report of the Comptroller and Auditor General of India, 1970-71, replies sent in respect of 8 Inspection Reports have been accepted by the Accountant General. Necessary replies in respect of the remaining 20 nos. of Inspection Reports with 56 para have also been sent to Accountant General, Assam for waiving the objections.

16.4 Steps are being taken to settle up the remaining outstanding objections very soon.

RECOMMENDATION

16.5 The Committee recommends that the remaining outstanding Audit observations and Inspection Reports should be settled early.

INDUSTRIES DEPARTMENT

Paragraph 15 (b) (4) at page 23

17.1 Number and name of grant	Total grant	Expenditure	Excess
80—Capital Outlay on Industrial and Economic Development-I Investment in other Commercial and Industrial Undertakings:			
O. ..	—	...	...
S. 3,19,984	3,19,984	7,52,498	4,32,514

Excess occurred under the group head "Indian Oil Refinery" (expenditure : Rs. 7.53 lakhs ; provision : Rs. 3.20 lakhs). Provision of Rs. 3.20 lakhs was made by Supplementary appropriation in March 1971 for payment of compensation as per awards of appellate Courts. Reasons for the final excess are awaited.

17.2 On being asked as to why the actual requirement of funds could not be assessed correctly, the official witness stated that the case was with the Reference Court and the compensation was paid only after it was assessed by the Court. As regards the reason as to why excess was not intimated to the Accountant General, the Secretary stated that the Deputy Commissioner made payment directly as per executive instructions in acquisition manual and thereafter made a reference to the Government in the matter on 23rd February, 1971 for regularisation. As it was too late to obtain for the Supplementary appropriation, the Department could not regularise the same.

RECOMMENDATION

17.3 In view of the circumstances explained the Committee recommends regularisation of the excess expenditure.

DEVELOPMENT (PANCHAYAT AND COMMUNITY DEVELOPMENT) DEPARTMENT

Paragraph 20 at page 32—Suspected misappropriation.

17.31 (a) Bank Drafts for Rs. 8.60 lakhs sent by various Block Development Officers in 1966 towards sale proceeds of potato seeds had not been taken into account in the books of the Director of Panchayats. The amounts are suspected to have been misappropriated between September and November, 1966.

18.2 Further Rs 2,695 received in the Directorate of Panchayats from Mawphlong Development Block (July 1967) are alleged to have been misappropriated. The cashier, suspected to be responsible for both the misappropriations, was placed under suspension in May, 1971.

18.3 The loss was detected in March 1971 ; results of Departmental proceedings are awaited (December, 1972).

18.4. The Committee asked the official witness as to what was the present position of the Cases. The official witness stated that on an investigation the amount involved was found to be Rs. 8320 lakhs. These were account payee drafts which were sent to the Director of Panchayat against which the potatoes were sent. The Nazir was the custodian of these drafts and he should have sent these drafts to the Bank by writing the required chalangis for being credited to the Personal Ledger Account of the Director. This was not done timely. During the shifting of the Capital, a large number of files were bundled up and brought down to Gauhati in which the drafts were lying. The Nazir who was responsible for depositing these drafts to the treasury was put under suspension. The drafts were all account payee drafts and marked "not transferable", and hence the Nazir could not misappropriate the amount.

18.5 On a query as to whether the Government did verify from the State Bank of India whether the drafts were encashed or not ; the official witness stated that the Agent, State Bank of India had intimated that the cases being very old, they would require some time to trace out the records.

18.6 On a comment by the Committee that before the draft para, the Inspection Report of the Accountant General was sent to the Government for information giving them sufficient time to enquire whether these drafts were actually deposited in to the Bank, the official witness replied that there had been lapse on the part of the Government for not expediting the full enquiry and trying to get this money credited into the personal ledger account. The Secretary further stated that the Government had formed a cell to search out the old papers and to find out how many drafts were actually lying undeposited in the old packages and prayed for a little more time to submit a complete report in the matter.

18.7 Thereupon the Committee allowed one months time. Accordingly, the Government in their letter No. PDB. 44/74/Pt/59, dated 15th July, 1976 informed the Committee as below:

18.8. The Department has since traced the drafts, amounting to Rs. 6,04,025.58 paise. In addition to the above Drafts, the Department have also treated two more Drafts, not mentioned in the Audit Report. These two Drafts amount to Rs. 6,828.00 Paise issued in favour of the Director of Panchayat and C. D. The Department has already made a reference to the Branch Manager, State Bank of India, Shillong to get the amounts of these Drafts transferred to the P.L. Account of the Director of Panchayat and C.D. urgently. Their reply is awaited.

RECOMMENDATION

18.9. The facts of the case bring home the chaotic condition obtaining in the office of the Director, Panchayats. There was absolutely no financial control and valuables such as bank drafts valued at more than rupees eight lakhs were left to the Nazir to be disposed of at his whims. The Committee, therefore, recommends that the Government should institute a through enquiry into the whole matter to fix responsibility at different stages including the supervisory officers and ensure that the proceeds of the bank drafts are credited to the Personal Ledger Account of the Director without further delay.

18.10. The Committee further recommends that a register called "Register of Bank drafts" should be introduced in the office in which all particulars of the drafts from the time these are received in the office till these are finally disposed of should be recorded and submitted fortnightly to the Director for his information.

18.11. The action taken should be intimated to the Committee within three months from the date of presentation of this report to the House.

Paragraph 20 (b) at page 32—Suspected misappropriation

19.1. Grants sanctioned by Government for construction of wells during 1967-68 (Rs. 0.29 lakh) and 1968-69 (Rs. 0.45 lakh) were drawn twice; of that Rs. 0.29 lakh drawn in excess were refunded (October 1969). Information about refund of the other amount is awaited (December 1972).

19.2. The Committee wanted to know what was the present position of the case; the official witness stated that the amounts drawn twice had been recovered from the Nazir and deposited into the Shillong treasury on 7th May 1971. He had further stated that departmental proceedings were drawn up against the Nazir who has since been retired.

RECOMMENDATION

19.3. The fact of the case indicates that the amounts were temporarily misappropriated owing to lack of supervision on the part of the officer in-charge of cash. The Committee, therefore, recommends that responsibility on the officers concerned should also be fixed and action taken be intimated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 21 at pages 33—34 Irregular Purchases

20.1. (a) Between August and November 1965 the Director of Panchayats purchased 19,282 quintals of potato seeds for Rs. 15.35 lakh (cost of seeds; Rs. 14.74 lakh; cost of transport; Rs. 0.45 lakh and miscellaneous expenditure Rs. 0.16 lakhs) at rates ranging between Rs. 58 and Rs. 95 per quintal without sanction of Government or calling tender. This resulted in extra expenditure of Rs. 2.39 lakhs as shown below—

Quantity of quinta	Amount ac- tually paid in lakh of rupees	Rate and amount at which this should have been purchased being the rate actually paid for certain purchases during the same period	Extra pay- ment (in lakhs of rupees)
4,819	3.41	Rs. 2.79 lakhs at Rs. 58 per quintal	0.62
4,846	3.90	Rs. 2.89 lakhs at Rs. 59.50 per quintal	1.0
1,009	0.65	Rs. 0.60 lakhs at Rs. 59.50 per quintal	0.05
3,730	3.01	Rs. 2.78 lakhs at Rs. 74.66 per quintal	0.23
4,878	3.77	Rs. 3.29 lakhs at Rs. 67.50 per quintal	0.48
Total 19,282	14.74	... ..	2.39

20.2. Similary 32,483 gunny bags were purchased by the Director for Rs. 0.29 lakh during the same period at Rs. 60 to Rs. 105 per 100 bags. Computed with reference to the lowest rate (Rs. 60 per 100 bags) the extra expenditure was Rs. 0.09 lakh.

20.3. On being questioned as to whether seeds were purchased without sanction from the Government and without calling for tenders; the official witness replied that from the records it was found that 19,22 quintal of seeds were purchased through the Agriculture Department without calling for tenders. The Committee then examined the official witness from Agriculture Department on 28th July, 1976 who stated that the Agriculture Department used to procure potato seeds by inviting tenders. In 1966 the Department invited tenders but it was found that the entire potato trade was in the hands of 2/3 traders and at the time of actual supply they backed out. It was therefore thought better to make direct purchase. Although in the Audit Report it has been mentioned that the Government had to incur loss to the extent of Rs. 2.39 lakhs owing to purchase at varying rates, the position was not exactly the same as the purchases were made at different places and not all at a time. It might be that some quantity were bought at Rs. 58.00 per quintal but it does not necessarily follow that the entire quantity had been procured at the same time. On further query by the Committee the Secretary, Agriculture Department stated that during the period in question no price was fixed by the Government and the market price varied from Rs. 60.00 to Rs. 99.00 per quintal. The Department therefore was of the view that no extra payment was made and no irregularities were committed.

RECOMMENDATION

20.4. The Government appears to have been goaded by the consideration that the entire potato trade was in the hands of 2/3 traders who dictated terms rather than the economics and for that matter the Department decided to purchase potato seeds from the open market from time to time. While resorting to purchase from the open market the Department seems to have ignored the over all higher cost inclusive of cost of transportation, handling and other incidental charges. The Committee therefore feels that the Government would have done well if the purchases were made by calling tenders in conformity with the usual practice.

20.5. The Committee therefore recommends that in future, the Government should not indulge in such deal.

Paragraph 21 (b) at page 33

21.1. In 1966 five Block Development Officers purchased 9,663 quintals of potato seeds for Rs 9.32 lakhs at Rs. 98.50 to Rs. 100 per quintal although the maximum rates approved by the Director ranged between Rs. 92 and Rs. 98 per quintal; no reason was assigned for purchases at higher rates which resulted in extra expenditure of Rs. 0.42 lakh.

21.2. On a query by the Committee as to why Block Development Officers of the five Blocks mentioned in the Audit Report purchased potato seeds at rates higher than the approved rates the official witness stated that the Block Development Officers might have taken the decision themselves for implementing time bound programme. On a further query by the Committee as to whether any explanation was obtained from the concerned Block Development Officers for resorting to purchase at higher rates, the Secretary, Panchayat stated that no records on this was available as the Blocks are now in Meghalaya.

RECOMMENDATION

21.3. The Committee failed to appreciate the justification adduced by the Government. May be that the five blocks in question are in Meghalaya now but the records of the Directorate/Government should indicate whether any explanation was called for and received. It may also be that some of the Block Development Officers concerned are now working in Assam.

21.4. The Committee therefore recommends that the Government may consider the feasibility of obtaining explanation from the officers available with the Government and submit the same for consideration of the Committee within three months from the date of presentation of this Report to the House.

Paragraph 21 (e) (i) & (ii) at pages 33-34

22.1. Proper account of sale proceeds of potato seeds or gunny bags was not maintained. The amount realised by sale could not, therefore, be determined.

22.2. Potato seeds worth Rs. 0.13 lakh had not been received, information about recovery from the supplier is awaited (February 1973).

22.3. On an enquiry by the Committee as to whether any account was drawn up showing how much potatoes were sold and what was the sale proceeds, the official witness stated that these being linked up with Bank Drafts, no account could be drawn up. There were three categories of Bank drafts viz., (i) Drafts in order and deposited in the Personal Ledger account of the Director of Panchayat, (ii) Drafts lying unattended to (iii) Drafts which were returned back to the Block Development Officers for rectification of facts. The Block Development Officers used to send bank drafts of the Director of Panchaats upon which potato seeds used to be sent by the Director of Agriculture. The payment for supplies were made to the Director of Agriculture by the Director of Panchayat. Sending of bank draft being a pre-requisite to despatch of seed the amount paid by the Director of Panchayat to the Director of Agriculture should tally with value of the bank drafts received by the Director of Panchayat from the Block Development Officers. So long as this linking up is not done no account can be drawn up of sale proceeds of potato seeds and gunny bags. On this, the Committee opined that unless the reconciliation is done immediately, all the records may not be available with the lapse of time which may ultimately lead to misappropriation. The Committee, therefore, required the Government to compile and furnish the information regarding the quantities of potatoes, the amount received and the amount yet to be realised together with particulars of the bank-drafts. The information is still awaited.

RECOMMENDATION

22.4. The Committee is unhappy to see the state of affairs in the Department. It seems that no importance was at all attached to the bank drafts received as some of these were left unattended to for years and some others returned to the drawees without making sure that rectified bank drafts have been received back. Besides the Government is not in a position to state also how much amount was received on account of sale of potato seeds and gunny bags and how much was credited to Government. The whole matter requires to be thoroughly investigated to ascertain the actual position and also to fix responsibility on the officials whose negligence resulted in such state of affairs. The Committee, therefore, recommends that the Government should immediately arrange a deeper probe into the matter in consultation with Government of Meghalaya and the results of the probe submitted to the Committee within six months from the date of presentation of the report to the House.

Para 21 (c) (iii) at page 34

23.1. Receipt or distribution of 342 quintals of potatoes (Rs. 0.55 lakh) paid for during November 1966 to September 1968 could not be traced in accounts.

23.2. The Secretary of the Department in his letter No. PDB. 44/74/Pt/59, dated 15th July, 1976 furnished the details of distribution of 342 quintals of potato seeds as below :—

(i) Agamani	...	..	100 quintals
(ii) Bajali	...	...	60 quintals
(iii) Amri	..	..	12 quintals
(iv) Nillip	...	..	20 quintals
(v) Hajo	...	...	100 quintals
(vi) Bihpuria	...	...	20 quintals
(vii) S. D. O., N. Lakhimpur	...	...	30 quintals
TOTAL—			342 quintals

RECOMMENDATION

23.3. The Committee recommends that the Government should intimate the Committee within three months, whether the sale proceeds for the above quantities have been realised and credited to Government.

Paragraph 21 (c) (iv) at page 34

24.1. Out of 188 pumps sets paid for between March and September, 1968, 104 were already mounted on trolleys. Still, for getting these pump sets mounted on trolleys, another order for purchase of 165 trolleys at Rs. 750 per trolley was placed in January 1970 resulting in unnecessary expenditure of Rs. 0.78 lakh on purchase of 404 trolleys. As the cost of pump with trolleys (Rs. 3,600 per set) is less than the cost of the two separately (Rs. 3,450 and Rs. 750 for trolley), purchase of sixty-one sets and trolleys separately resulted in extra expenditure of Rs. 0.37 lakh. Account of receipts and distribution of these pumps and trolleys was not available (February 1973).

24.2. The Secretary in his letter No-PDB.44/74/pt/49, dated 15th July, 1976 stated that the purchase of 165 trolleys has no direct relation to the purchase of 88 pumpsets mentioned in the Audit Report. The Department supplied power pumps to various blocks of which some pumps were supplied with trolleys while others without trolleys. In course of inspection, it came to the notice of the Department that 75% of the pumps supplied without trolleys were lying idle for the reason that the pumps were too heavy for carriage from field to field without trolleys. To make the power pumps with trolleys useful, they had to be mounted on trolleys with wheels for implementation of various programmes. This necessitated purchase of 165 trolleys later on, the distribution of which were as below—

(i) Garo Hills	..	..	..	..	55 Nos.
(ii) Khasi Hills	..	..	..	..	15 „
(iii) Jowai	..	..	..	..	14 „
(iv) Mikir Hills	..	..	..	..	34 „
(v) North Cachar Hills	..	..	..	..	10 „
Total					165 Nos.

RECOMMENDATION

24.3. The Committee feels that the pumps would be too heavy to be carried by manual labour from place to place in the paddy fields should have been foreseen and orders for trolleys placed along with the pump sets originally ordered for. Had that been done the extra expenditure of Rs. 0.37 lakh could have been avoided. The Committee, therefore, recommends that the Government should be more careful so that such avoidable expenditure is not incurred in future.

Paragraph 21 (c) (v) at page 34.

25.1. The Assam Rural Development Fund held in the personal ledger account of the Director disclosed (as on 31st March 1971) discrepancy of Rs. 1.17 lakh with the account maintained in the treasury; the difference has not been reconciled (February 1973). Pass book for the personal ledger account and stock register of cheque books have not (February 1973) been maintained.

RECOMMENDATION

25.2. The Committee recommends that discrepancy of Rs. 1.17 lakh should be investigated and the results of investigation reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 12 at pages 15—16 read with Appendix I at page 110 (Non-receipt of Utilisation Certificates).

26.1. The para indicates that utilisation certificates in respect of grant of Rs. 26.59 lakhs paid by the department upto 31st March 1970 were not furnished by the department till 30th September 1971.

RECOMMENDATION

26.2 The Committee recommends that the wanting utilisation certificates should be furnished immediately if not already done, and compliance reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraphs 74 and 75 at pages 95—97 read with Appendix VIII at page 115, Outstanding Audit Observations and Inspection Reports.

27.1. The paragraphs indicates the position of outstanding audit objections and inspection reports relating to the period upto 1969-70, remaining unsettled upto 31st August 1971. The position in respect of Development (P. & C D.) Department was as follows—

Outstanding	Item No.	Amount
Audit objections (Oldest item dates back to 1958-59)	1,208	Rs. 64.60 lakhs
Outstanding Inspection Reports (Oldest item dates back to 1958-59).	1,259	Rs. 7,975

22.2. Half-yearly reports of outstanding audit objections and inspection reports are forwarded to the heads of Department/administrative department for taking necessary steps to expedite their settlement.

RECOMMENDATION

27.3 The Committee recommends that steps should be taken for early settlement of outstanding audit observation and inspection reports.

Paragraph 62 at pages 66—68 "(A) Misappropriation of money.

28.1. Six cases of misappropriation (Rs. 0.8 lakhs and four other cases of suspected misappropriation (Rs. 0.20 lakh) came to notice during 1970-71. *Prima facie* the misappropriation occurred owing to (i) short deposit of tax/revenue collections and (ii) non-observance of prescribed rules by the drawing and disbursing officers."

28.2. Misappropriations occurred in the Anchalik Panchayats mentioned below—

		Rs.
(i)	Baska A. P.	935.00
(ii)	Baskhetri A. P.	500.00
(iii)	Lanka A. P.	450.00
(iv)	Sidhichisung A. P.	3,719.00
(v)	Narayanpur A. P.	507.17
		1,377.50
(vi)	Chaper Saikacha A. P.	564 50
Total		Rs. 8,053.17
		i.e., Rs. 0.08 lakh.

Suspected cases of misappropriation

	Rs.
(i) Lahirighat A. P.	2,565.92
	2,785.00
(ii) Bajali A. P.	3,000.00
	2,500.00
	716.68
(iii) Naboicha A. P.	50.00
(iv) Central Jorhat A. P.	2,786.00
	19,657.37
	or 0.20 lakh

28.3. On being asked by the Committee to state the latest position of the misappropriation cases, the Director of Panchayat and Community Development in his letter No. PDDA/PAC/47/74/17, dated 1st July, 1974 furnished a statement showing the latest position of the cases which is appended to the Report as Annexure IV at Pages 179-180.

RECOMMENDATION

28.4 The Committee notes with regret that though the cases are quite old their finalisation remained yet to be completed. The Committee recommends that all the pending cases be finalised and the result communicated to the Committee within six months from the date of presentation of this Report before the House.

Paragraph 62 (b) at page 66 outstanding Revenue

29.1. Collection of Rs. 9.77 lakhs were not realised in 26 Anchalik Panchayats for five years or more.

29.2. The Committee enquired as to what is the present position of revenue in arrears in all the Anchalik Panchayats; how and why could not the revenue be realised by the Anchalik Panchayats as and when fell due; the official witness stated that Government have already sent a statement to the Accountant General's office showing the latest position of misappropriation occurred in the Anchalik Panchayats.

RECOMMENDATION

29.3 The Committee is not happy to see that a huge amount of money is still outstanding to be realised. The Committee could not but come to the conclusion that due to lack of supervision of accounts of the Anchalik Panchayat such misappropriation could take place. The Committee recommends that Government should find out ways and means so that such occurrence can be nipped in the bud.

Paragraph 62 (C) at page 66 – Outstanding agriculture loan

30.1 Realisation of Rs. 7.23 lakhs disbursed between 1967-68 and 1971-72 as agricultural loan in five Anchalik Panchayats are outstanding

The details of the outstanding agricultural loan are given below :—

				Rs.
1. Agomoni	..	..	A. P.	26,365.00
2. Nadua	...	..	A. P.	93,420.00
3. Narayanpur	..	...	A. P.	17,749.00
4. Dotoma	..	...	A. P.	7,000.00
5. Chouduar	...	..	A. P.	76,327.00
6. Kalaigaon Chapai	...	...	A. P.	3,944.00
7. Sipajhar	..	..	A. P.	18,609.00
8. Biswanath Charali	...	..	A. P.	16,000.00
9. South Salmar	...	...	A. P.	25,189.00
10. Dotma	..	..	A. P.	2,46,359.00
11. Lahirighat	...	..	A. P.	1,91,677.00
				<hr/>
				7,22,539.00

Say Rs. 7.23 Lakhs.

31.2. The Committee wanted to know what was the present position of recovery of the outstanding agricultural loan; the official witness stated that out of the total outstanding of Rs. 7.23 lakhs an amount of Rs. 1.85 lakh has so far been realised from the blocks. In spite of repeated efforts the Government could not realise the loan from the blocks.

RECOMMENDATION

30.2 Realisation of loan is apparantly very small as Government could realise only about one seventh of the total loan.

30.3 The Committee recommends that vigorous steps should be taken to realise all the outstanding loan within the shortest possible time and the action taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 62 (D) at page 66—Outstanding sale proceeds

31.1. Value of seeds, fertiliser and pesticides, etc. worth Rs. 2.59 lakhs sold by 22 Anchalik Panchayats to villagers and cultivators remained unrealised (31st March 1971) for five years or more.

31.2. The Committee asked the official witness as to what is the present position of outstanding sale proceeds and what steps have been taken for their realisation, the official witness stated that out of the total amount of Rs. 2.59 lakhs, only Rs. 4,943 have been realised from three blocks and the rest is yet to be realised. The Government have now decided to settle up this matter in consultation with the Mahkuma Parishad as it was the fund of the Anchalik Panchayats.

RECOMMENDATION

31.3 The Committee recommends that Government should make every endeavour to realise the amount of money outstanding from the rest of the Anchalik Panchayat. The balance of outstanding amount arrived at as a result of consultation with the Mahkuma Parishad should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 62 (E) at page 66

32.1. Grants sanctioned by Government from time to time for utilisation within a specified period were neither utilised fully nor refunded into treasury Rupees 23.39 lakhs were lying unutilised with 25 panchayats. Grants (Rs. 1.45 lakhs) received from Government were diverted and utilised for other purposes in five panchayats.

Name of the Anchalik Panchayat.					Amount Rs.
(1)	Lapar	...	..	A. P.	12,437.00
(2)	Dotma	..	..	A. P.	200,00.00
(3)	Kalaigaon Chepali	..	...	A. P.	28,854.00
(4)	Udharbond	...	...	A. P.	44,294.00 | 65,775.00 |
(5)	Manachar	..	...	A. P.	3,000.00

(6)	Agamani	..	..	A. P.	..	1,44,725.00
(7)	Hapjan	..	..	A. P.	..	79,167.00
(8)	Narayanpur	..	..	A. P.	..	1,94,672.00
(9)	Batadravan	..	..	A. P.	..	26,589.00
(10)	Kaliabori	..	..	A. P.	..	7,500.00
(11)	Jorhat	..	..	A. P.	..	40,930.00
(12)	Jorhat East	..	..	A. P.	..	53,609.00
(13)	Lanllan	..	..	A. P.	..	93,000.00
						30,786.00
						59,412.00
(14)	Borkhetri	..	..	A. P.	..	1,39,282.00
(15)	Gouripur	..	..	A. P.	..	3,34,500.00
(16)	Salchepra	..	..	A. P.	..	92,386.00
(17)	Dhemaji	..	..	A. P.	..	11,266.00
(18)	South Karimganj	..	..	A. P.	..	10,989.00
						17,427.00
(19)	Central Jorhat	..	..	A. P.	..	94,395.00
						32,000.00
(20)	Nowbaicha	..	..	A. P.	..	3,802.00
(21)	Begali	..	..	A. P.	..	1,59,161.00
(22)	Norshingpur	..	..	A. P.	..	13,409.00
(23)	Baska	..	..	A. P.	..	28,380.00
(24)	Lahirighat	..	..	A. P.	..	2,91,000.00
(25)	Udalguri	..	..	A. P.	..	2,06,476.00
						23,39,123.00

Unauthorised diversion of Grants:—

Name of the Anchalik Panchayat.						Amount Rs.
1.	Murhoy Selak	..	..	A. P.	..	48,969.00
2.	Udhanband	..	..	A. P.	..	19,586.95
3.	Dotma	..	..	A. P.	..	28,754.94
4.	Katigaon	..	..	A. P.	..	46,262.59
5.	South Karimganj	..	..	A. P.	..	1,500.00
						1,45,073.43

i. e., Rs. 1.45 lakhs.

32.2. The Committee wanted to know as to what was the present position, the official witness stated that out of the total amount of Rs. 23.39 lakhs, only Rs. 0.62 lakh have been refunded and the rest are yet to be refunded. Although the Government have issued instructions repeatedly very little has come to the public accounts.

32.3. On a query as to how many blocks have so far refunded the amount the official witness replied that out of 25 Blocks, only 5 Blocks have so far refunded the amount. On being questioned as to what action Government propose to take since the 20 Blocks are refusing to refund the unutilised amount inspite of repeated instructions the official witness stated that the Government have decided to take up the matter with the Mahkuma Parishads for a decision in this matter.

32.4. On a query as to who authorised the diversion of grants, whether Government asked these five Blocks to explain the reason for which these diversion took place, the official witness stated that all these five blocks have been asked to explain under whose authority diversion of grants was made. The explanations are awaited (27th July, 1974)

RECOMMENDATION

32.5 The Committee considers non-refund of unutilised Government money by the Anchalik Panchayats to be very bad practice and bad precedent specially when the Government is in need of money for other development programme of social value.

32.6 The Committee recommends that the practice of unauthorised diversion of grant should be stopped forthwith and the money should be utilised for the purpose for which it has been sanctioned. Steps should also be taken to realise/refund the unutilised amount from the respective Anchalik Panchayats.

32.7 The steps taken by Government should be intimated to the Committee within three months from the date of presentation of this Report to the House.

paragraph 62 (F) at page 67—wasteful expenditure.

33.1. Total expenditure of Rs. 1.33 lakhs incurred in eleven Panchayats proved wasteful mainly due to (i) abandonment of schemes subsequently, (ii) pay and allowances of staff remaining without work and (iii) purchase of defective agricultural implements which could not be used, etc.

33.2. The Committee enquired as to whether Government did investigate into the cases of wasteful expenditure the official witness stated that out of 11 Blocks replies from 5 Blocks were received. The wasteful expenditure was mainly on account of entertainment of Road Mahurir when there was practically no work, huge entertainment was made.

RECOMMENDATION

33.3 The Committee is not satisfied with the steps taken by the administration to collect the information from the District offices and defaulting Anchalik Panchayats.

33.4 The Committee, therefore, recommends that a thorough enquiry should be conducted into the whole affairs of wasteful expenditure with the following terms of reference :

- (i) Why were the schemes abandoned ;
- (ii) Whether technical viability of the schemes examined before sanction ;
- (iii) When was it detected that the Agricultural impliments were defective ;
- (iv) Whether the impliments received in good condition if so, how defects crept in ;
- (v) If these were not in good condition at the time of receipt how could these be accepted and payment made.

33.5 The Report of the enquiry should be submitted to the committee within three months from the date of presentation of the Report to the House.

Paragraph 62 (G) at page 67—Unused equipment.

34.1. Seven power pumps (Rs. 0.31 lakh) purchased by Dotma Anchalik Panchayat during 1962 and six power pumps (Rs. 0.18 lakh) purchased by Borkhetri Anchalik Panchayat during 1961-62 and agricultural implements (Rs. 0.09 lakh) purchased by South Salmara Anchalik Panchayat during 1965-66 were lying unused.

34.2. The Committee wanted to know the present position of the pumps and agricultural implements lying unused : the official witness stated that seven pumps in Dotma and other pumps in Barkhetri Blocks were handed over to the Agriculture Department. A general instruction to all the Block Development officers was issued to hand over the pumps to the Agriculture Department for using it in the Rabi campaign in 1973.

RECOMMENDATION

34.3 The pumps and agricultural impliments were purchased in 1962 and materials were handed over to the Agriculture Department in 1973 i.e. after a lapse of about 10 years. It is surprising to note that the pumps and agricultural impliments costing Rs. 0.53 lakh were kept unused for so many years and it was not known whether the pumps and equipments could be used subsequently.

34.4 The Committee recommends that responsibility should be fixed on the officer / officers in whose instance these materials were purchased when these were kept idle for so many years. The reasons as to why these could not be put to use prior to 1973 should be investigated by a high ranking officer and the result of the enquiry submitted to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 62 (H) at page 67—Tractor/ferry service.

35.1. Between 1968-69 and 1970-71 receipts from hire of tractors fell short of running cost by Rs. 1.47 lakhs in nine panchayats.

35.2. During 1965-66 to 1968-69 loss of Rs. 0.63 lakh was sustained on account of running of ferry service in one panchayat.

35.3. The Committee asked the official witness to apprise the present position of the pumps and agricultural implements lying unused. The official witness stated that in 9 blocks the recovery of hire charges for tractor has fallen short of their maintenance cost. The Government have received reply from 3 blocks. They said that the charges recovered were short of operation costs.

35.4. From the evidence tendered by the official witness it transpired that the tractors are lying in Blocks unutilised but the repairing charges were being paid. In Dhemaaji there is a difference of Rs. 50 lakhs between the cost of operation and charges recovered.

35.5. As regards the ferry services the official witness stated that there was no proper ferry service in those blocks but the block had one boat which was meant for the block staff moving from place to place and when there was no recognised ferry at that time they used to allow people to avail the ferry services with nominal charges. Later on Government started regular service and then Anchalik Panchayat had started ferry services every where and cash transactions were maintained properly.

RECOMMENDATION

35.6 The Committee recommends that investigation should be made and responsibility fixed as to why these tractors were purchased when these are kept unutilised.

35.7 Action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT

Paragraph 27 at page 39—Suspected misappropriation

36.1(a) Rupees 34,650 drawn during 1967-68 and 1968-69 by the Deputy Director, Animal Husbandry and Veterinary (Hills), and remitted by bank drafts (encashed subsequently) were not accounted for by the Sub-divisional Animal Husbandry and Veterinary Officer, Haflong (December, 1970).

36.2. The Committee wanted to know the latest position of the case, the official witness stated that proceedings against the person concerned had been drawn up only on the 31st May, 1976. As to the reason for delay in drawing up proceedings the Secretary of the Department asked for a little time to look into the papers and to submit a report. This was granted by the Committee and accordingly the Government in their letter No. VFV.132/72/56, dated 12th July, 1976 furnished the following written statement :—

36.3. On receipt of the draft para from the Accountant General, Assam regarding "suspected misappropriation" of Government money to the extent of Rs. 34,650.00 by the Sub-Divisional Animal Husbandry and Veterinary Officer, Haflong, the matter was enquired into by the Joint Director of Animal Husbandry and Veterinary Department as well as by the Internal Auditor of the Department. Proposal was submitted to Government by the Director of Animal Husbandry and Veterinary Department vide his letter No. LA/90-21/71/5934, dated 23rd December 1971 with the report of the Joint Director and internal Auditor suggesting to register a case with the Haflong Police for thorough investigation. On perusal of the report it was observed by the Department that prima facie a clear case of misappropriation was established and it was decided to take departmental action against Dr. Ao and the question of handing over the case of Police or not was kept pending for decision at that time as Dr. Ao was serving as Sub-Divisional Animal Husbandry and Veterinary Officer, Saiha, Mizoram. Government of Mizoram was therefore moved to place back the services of Dr. Ao at the disposal of the State Government in the letter No. VFV.132/72/1 dated 19th May 1972. On his services having been replaced at the disposal of State Government. Dr. Ao was posted as lecturer, School of Animal Husbandry and Veterinary Science, Ghungoor, Silchar vide Notification No. VFV.1/72/74/44, dated 21st September 1972.

36.4. Government decision to draw up departmental proceedings only against Dr. Ao was communicated to Director of Animal Husbandry and Veterinary Department in the letter No. VFV.132/72/4, dated 14th December 1972 and the Director was asked to submit the draft charges to Government for necessary action. The question of handing over the case to Police or not was also considered but it appears that there was some confusion about the need to refer to police for any further investigation into the matter as the department was already satisfied that

there was evidence of a prema-facie case. Accordingly only the question of departmental proceedings was taken up. It is unfortunate that the draft charges also could not be issued in time due to changes of hands in the table and could be finalised only recently. Now the departmental proceedings have been issued to Dr. A. A. L. Ao vide this Department letter No. 132/72/44, dated 31st May 1976. It is expected that Government will be able to take a final decision in the matter before long. The question whether the facts would justify criminal prosecution will be again considered on conclusion of the proceedings if the findings so warrant. The reasons for delay in serving the proceedings is also being looked into.

RECOMMENDATION

36.5 The Committee was not happy over the manner in which the case was dealt with by the Government. Even though the services of the then Sub-divisional Animal Husbandry and Veterinary Officer was placed at the disposal of the State Government by the Mizoram Government as far back as in September 1972, Government took about four years in drawing up departmental proceedings against the officer. The Committee therefore recommends that responsibility on the officer whose apathy resulted in delay in drawing up proceedings should be fixed and compliance reported to the Committee. The Committee further recommends that the departmental action against Dr. Ao, should be finalised without any further delay. The Government should also report to the Committee about realisation/recovery of Rs. 34.650.

36.6 Compliance with the above recommendations should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 27(b) at page 39 —Suspected misappropriation

37.1. (b) Rupees 3,000 were drawn (31st March 1970) by the Manager, Live Stock Farm, Kaliapani, for carrying pigs from Gauhati to Kaliapani on 26th, 27th and 28th March 1970 and shown as disbursed (4th April 1970), but no pigs were received in the farm from Gauhati on those days.

37.2. On a query by the Committee the official witness stated that the pigs were to be received from Mysore and the amount was drawn in order to avoid lapse of fund but letter on it took some time and the pigs were received on 3rd October 1970. The Secretary also stated that the amount of Rs. 3,000 was refunded in the Treasury on 4th January 1971.

RECOMMENDATION

37.3 The Committee was not satisfied with the explanation furnished by the Government. No money can be drawn from the treasury unless it is required for immediate disbursement. As it appears, the amount drawn on 31st March 1970 was shown as

disbursed on 4th April 1970 and refunded to treasury on 4th January 1971. Evidently the amount was not required for immediate disbursement.

37.4 The amount was drawn for carrying pigs from Gauhati to Kaliapani. The disbursement of the amount on 4th April 1970 indicates that the carriage contractor was paid before actual carriage which was not in conformity with the financial rules framed by the Government.

37.5 The Committee, therefore, recommends that the officer concerned should be cautioned to be more careful in future and refrain from committing such type of financial irregularities.

Paragraph 27(b)—Sub-para at page 39—Suspected misappropriation

38.1 Rupees 3,981 realised by the farm (1969-70) on account of sale proceeds of farm products were not taken into Government accounts (December 1971).

38.2 The Committee wanted to know why Rs. 3,981 realised by the farm (1969-70) on account of sale proceeds of farm products were not accounted for, the official witness stated that during 1969-70, 26,232 litres of milk were sold for Rs. 29,380.54 and the entire amount was credited to the Government. He further stated that Rs. 3,981 represented value of 4,567 litres of milk actually consumed by calves as feed milk. Besides 432 litres of colostal milk was also not sold but utilised in calf feeding.

RECOMMENDATION

38.3. The Committee feels that proper account of milk utilised in feeding of calves was not maintained and recommends that in future milk utilised for feeding the calves should also be properly accounted for.

Paragraph 28 at page 39

39.1 Between November 1960 and December 1970, eight cattle poultry farms sold farm products and poultry-cum cattle feed valued Rs. 2.87 lakhs on credit to Government servants (Rs. 2.46 lakhs) and private parties (Rs. 0.41 lakh). Of the outstanding dues, Rs. 1.00 lakh only were realised up to March 1972.

39.2 The Committee wanted to know the present position of recovery of credit sales. The official witness stated that out of the amount shown in the Audit Report, Rs. 43,527.79 P. remain to be recovered yet. Some of this debtors are B. D. O's and other Government servants and private parties.

RECOMMENDATION

39.3 The Committee noticed that farm product and poultry-cum-cattle feed were being sold on credit contrary to rules. It is interesting to note that Rs. 43,527.79 P. pertaining to sales effected during 1960 to December, 1970 remain yet to be recovered. Notwithstanding this, no action was taken by the Government for recovery of the amount either from the debtors or from the officials responsible for unauthorised credit sale. The Committee therefore, recommends that such unauthorised credit sale should be stopped forthwith and the outstanding amount recovered either from the debtors or in case of bad debt from the officials responsible for credit sale and the fact of recovery reported to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 18 at page 30—Drawal of money in advance of requirement.

40.1 The financial rules of Government require that no money should be withdrawn from the treasury unless it is required for immediate disbursement.

40.2 In paragraph 17 of the report for the year 1969-70 mention was made of certain cases of drawal of money in advance of requirement by various departments. Some further cases pertaining to 1970-71 and earlier years are mentioned below—

40.3 (1) On 30th March 1968 the Deputy Director, Silchar, drew Rs. 2.68 lakhs for meeting expenses on dairying and egg and poultry production schemes sanctioned in that month and converted the entire amount as a deposit at call on 1st April 1968. Of the amount, Rs. 0.63 lakh have not so far (September 1972) been utilised or refunded to treasury.

40.4 (2) In seven offices Rs. 7.06 lakhs were drawn on 31st March 1970 of which Rs. 3.64 lakhs were disbursed during April 1970 to June 1970; Rs. 0.16 lakhs were kept in deposit at-call with the Sate Bank of India and the balance of Rs. 3.26 lakhs was kept in hand till June 1970 (in some cases November 1970).

40.5 The matter was reported to the department between May 1970 and December, 1970; reply is awaited (March 1972).

40.6 The Committee wanted to know the latest position of utilisation of the amounts and the designation of the officers who drew the amount of Rs. 7.06 lakhs. The official witness stated that out of Rs. 2.68 lakhs drawn on 30th March 1968, Rs. 2.05 lakhs were utilised by July 1971 and the balance refunded to Treasury on 16th March 1972. Rs. 7.06 lakhs were drawn by the following officers—

- | | |
|---|---------------------|
| (1) Diary Development Officer, Gauhati | Rs. 2,39,857. 14 P. |
| (2) Assistant Diary Development Officer | Rs. 2,40,834. 07 P. |

(3) Asstt. Research Officer, Khanapara	Rs. 15,995. 40 P.
(4) District Animal Husbandry & Veterinary Officer, Shillong	Rs. 1,11,254. 01 P.
(5) District Animal Husbandry and Veterinary Officer, Jorhat	Rs. 70,668.63 P.
(6) District Animal Husbandry and Veterinary Officer, Gauhati.	Rs. 26,907.00
	<hr/> Rs. 7,05,516.25

40.7 The entire amount excepting Rs. 37,653.12 P. was stated to have been utilised by the Government. The Official witness could not however state when the schemes for which the above amounts were drawn, were sanctioned by the Government.

RECOMMENDATION

40.8 The Committee noticed that Rs. 0.63 lakh was refunded on 16th March 1972 though the amount proved surplus after July 1971. The Committee, therefore, recommends that any amount not required for utilisation should be refunded in future without delay.

Paragraphs 74 and 75 at pages 95 to 97 Outstanding Audit Observations and Inspection Reports;

41.1 As per Audit Report 2,710 items of Audit observations involving Rs. 1.47.08 lakhs were outstanding for settlement since 1960-61. Besides 1,710 paragraphs contained in 364 inspection reports also remained to be settled since 1960-61.

RECOMMENDATION

41.2 The Committee recommends that prompt action should be taken for early settlement of outstanding audit observations and inspection reports.

HEALTH DEPARTMENT (EXCLUDING PUBLIC HEALTH ENGINEERING)

Paragraph 24 at page 35—Purchase of medicine.

42.1 The following medicines were purchased (March 1969 to June 1970) by the Director of Health Services, Assam and the Joint Director of Health Services, Gauhati, from a firm not approved by the purchase Board, at rates higher than those settled with approved firms.

Sl. No.	Name of medicines	Purchased by	Quantities purchased	Rate Approved	Rate paid
1.	Sulphaguanidine tablets	Director of Health Services	2,10,000 tablets	12,00 per 1000	16,00 per 1000
		Joint Director of Health Services	15,00,000 tablets		-do-
2.	Sulphadimidine tablets	Director of Health Services	1,05,000	25.50 per 1000	32,00 per 1000
		Joint Director of Health Services	1,20,000 tablets		-do-
			2,25,000 tablets		
3.	Isoniazid tablets	Director of Health Services	4,89,000 tablets	10,50 per 1000	24,10 per 1000
4.	Diethylcarbamazine tablets	-Do-	10,000 tablets	2.50 per 100	17.50 per 50
5.	Streptomycin	-Do-	75,000 tablets	6.37 per 10 vials	3.35 per 5 Vials
6.	Multivitamin tablets	-Do-	1,50,000 tablets	26.00 per 1000	35.00 per 1000
7.	Multivitamin tablets	Joint Director of Health Services	8,00,000 tablets	26,00 per 1000	35.00 per 1000
			9,50,000 tablets		-Do-
7.	Analgin tablets	Director of Health Services	90,000 tablets	5,30 per 100	120.00 per 1000
8.	Tetracycline	Joint Director of Health Services	20,000 capsules	37.00 per 100	50.00 per 100

The purchases resulted in extra expenditure of Rs. 41,490.

Government stated in August 1972 that there was no specific prior approval of Government allowing purchase of medicines from Government of India undertakings without approval of the Purchase Board.

42.2 It was stated by Government earlier (August 1971) that initially purchases from M/S. Barua Trade Agencies, were made at trade rates as it was not known that there were separate hospital rates for the products of Indian Drugs and Pharmaceutical Ltd. and that the difference between the trade rates and hospital rates for the products already purchased was being realised from the firm.

42.3 The Committee wanted to know how the Director of Health Services could purchase medicines at higher rates without the approval of the Purchase Board the official witness stated that it was an irregularity committed in violation of the Rules.

The Committee wanted to know :—

42.4 (1) Why the directorate purchased from a particular firm which was not approved by the Purchase Board, and

42.5 (2) Whether explanations were called for from the Director and the Joint Director responsible from these purchases, and if so, what action has been taken against these officers. The Committee asked the official witness to furnish a written statement covering the above points. The Government in their letter No. HLA. 281/74/85, dt. 9th July, 1976 furnished the following information ;—

42.6 A Purchase Board exists in the Directorate of Health services to make purchase of medicines and other stores required by it. The Board scrutinises and approves the rates of all the Stores to be purchased for institutions and offices under Health and Family Planning Department except the Stores which are indented directly from the Government medical stores Depot the Government of India. The Board functions as envisaged under Sl. 5 (1) of the Schedule (2) of the D.F.P. Rules-1960 and follow the general principles laid down in the Assam Preferential Stores Purchase Rules, 1972, framed by the Government of Assam, to the extent applicable. After the approval of rates by the Purchase Board, the Director of Health Services and other officer make purchases of the requirements as per delegation of financial powers. As per delegation of Financial Powers the Director of Health Services is competent to purchase stores to unlimited extent at the rate approved by the Purchase Board and the District Health Officer can purchase to the extent of Rs. 500/ at a time at the rate approved by the Purchase Board.

42.7 Health Department formulated draft guidelines to be followed by the Director of Health Services for the purchase of medicines in the year 1972. These draft guidelines have not yet been formally approved by the Government. In the absence of the guidelines for the purchases, purchases are made by the D. H. S. through the approved rate of the Purchase Board and subject to the powers delegated under Financial rules regarding the purchase of stores and existence of budget provision and observing financial propriety and Government instructions, if any.

42.8 During 1969-70 the Director of Health Services, Assam and the Joint Director of Health Services, Gauhati purchased the I. D. P. L. Drugs from M/S Barua Trade Agency who are the approved dealer of I. D. P. L. products. In 1966, the Government directed the D. H. S. to purchase the surgical instruments manufactured by I. D. P. L., a Government of India undertaking.

42.9 The I. D. P. L. subsequently started manufacturing drugs also. The D. H. S. by analogy of Government approval for the purchase in the case of surgical instruments, ordered for purchase of I. D. P. L. medicine products without reference to the Purchase Board.

42.10 The purchase of I. D. P. L. medicine products at a rate not approved by the Purchase Board came to the notice of the Government when the draft para was initiated by the Accountant General, Assam.

42.11 As the drugs were purchased from a Government undertaking from their approved dealers, the Government did not suspect any foul play in the matter. Though the personal explanation of the Director of Health Services and the Joint Director of Health Services was not called for, the Government looked into the matter and found that M/S. Barua and Trade Agencies got some over payments by supplying the drugs at trade rates instead of hospital rates. whole of this over payment will be recovered from the outstanding bills of the firm pending with Governments of Meghalaya and Assam. The then Director of Health Services had since retired and hence no formal explanation was called for from him. The Joint Director of Health Services, Gauhati made purchase of IDPL medicines on the authority issued by Director of Health Services and so no explanation was called for from him.

RECOMMENDATION

42.12 The Committee is of opinion that the Director of Health Services had exceeded his powers in the matter on the following three counts:—

1 Purchase was made without the approval of the purchase Board.

2 Purchases were made at trade rates rather than at hospital rates.

3 Authorised the Joint Director of Health Services to purchase medicines at higher rates

42.13 The Committee therefore recommends that the Government should consider taking action against the then Director of Health Services, if possible at this stage. The Government should also examine whether apart from the Director of Health Services any other officer was in any way involved in this case and if so, whether responsibility therefor can be fixed. The results of the examination should be reported to the Committee within three months from the date of presentation of the Report to the House.

42.14 The Committee further recommends that the amount of Rs. 41,490 should be recovered from the supplying farm immediately and the fact of recovery reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 29 at page 39 read with item No. 9 of Appendix IV at Page 108

43.1 Of the total number of 20 cases of misappropriation of Government money amounting to Rs. 4.30 lakhs reported during the period from September 1970 to August 1971 one case involving Rs. 21,945 relate to Health Department.

43.2 The case is one of missing of 4 new jeep tyres from N. M. E. P. Unit at Nowgong detected in 1967. The store keeper prevented detection of this fact earlier by not completing the entries of the Stock register and absenting himself from duty whenever any date was fixed for him to complete the register. Due to non-completion of the register, no stock varification could be conducted from 1966 till 1st February 1967. The store keeper who was absenting from 2nd February 1967 was placed under suspension and a police case was instituted against him (9th February 1967). The State Malariologist stated in August, 1970 that there was lack of supervision on the part of Unit Officer and the Assistant Unit Officer (who had since retired), N. M. E. P., Nowgong unit.

43.3 The Committee wanted to know the present position of the case the official witness stated that after a series of departmental enquiries it was found that three officers were involved.

1. The first officer was the Store keeper who has been removed from service.

2. The Second officer was the Assistant Unit Officer who has retired in the meanwhile.

3. The third officer who was also involved in this case is being proceeded against. A complaint has also been lodged with the police. The police wanted certain information which were supplied to them. We are also examining the case whether through a civil suit the money can be realised.

43.4 On an enquiry by the Committee the official witness stated that though the misappropriation took place in 1967 the case was reported to Police only on 21st March 1975 i. e., after 9 years of the happening. The Department in their written statement sent under their letter No. HLA 281/74/85, dated 9th July 1976 also informed the Committee as below:—

43.5 The Departmental proceedings against Shri A. K. Bora, Store Keeper, has been completed and he has been removed from the service. The Department will make enquiry about the physical assets of Shri A. K. Bora and after taking Legal advice, will file Civil Suit if it is found feasible and if Shri A. K. Bora has got sufficient assets and property.

43.6 The Departmental proceedings against Shri T. Konwar has not been completed. The charges against him have been framed and the Government is awaiting his written statement to take further action under Assam Services (Discipline and Appeal Rules), 1964.

RECOMMENDATION

43.7 The Committee is constrained to note that the misappropriation case involving a huge amount was not pursued very seriously by the Department in as much as they took about nine years in reporting the case even to the police. It is all the more regrettable to note that ever now, (11th June 1976), after more than nine years of detection of the case, the Department could not complete the departmental investigation against all the persons concerned, one of whom has meanwhile retired.

43.8 The Committee therefore recommends that responsibility should be fixed on the officer/officers whose fault has/have resulted in inordinate delay in completion of Departmental investigation thereby offering scope for some of the evidences becoming extinct.

43.9 The Committee also recommends that the Departmental enquiry should be completed without any further delay and that the responsibility of the Supervising Officer whose lack of supervision facilitated the misappropriation should also be fixed and compliance with all the recommendations reported to the Committee within three months from the date of presentation of the Report to the House.

Paragraphs 74-75 at pages 95-97 read with Appendix VIII and IX at pages 115-119 Outstanding Audit Observations and Inspection Reports.

44.1 The paragraphs bring out the position of outstanding audit observations and inspection reports raised upto 31st March 1971 but not settled upto 30th September, 1971. The position was as follows:—

	Health (Medical)		Health (Public Health)	
	Item Nos.	Amount (In Lakhs of rupees)	Item Nos.	Amount (In Lakhs of rupees)
Outstanding Audit Observations	2,106	223.56	423	31.91
	Health (Medical)		Health (Public Health)	
	No. of Report	Paras	Item Nos.	Amount (In lakhs of rupees)
Inspection Reports		148	669	166 444

44.2 On an enquiry by the Committee as to the reasons for delay in settlement of outstanding audit observation and Inspection Reports the Department stated that the settlement of the above.

observation and reports require examination of original records in the various District offices and obtaining clarification from those officers. This takes time in settlement of objections and reports though high priority is given to this work.

RECOMMENDATION

44.3. The Committee while appreciating the view point of the Government recommends early settlement of all outstanding audit observations and reports.

Grant No. 27 at pages 46-52 of the Appropriation Accounts, 1970-71.

45.1. The Grant closed with a saving of Rs. 57,20,877 (Provision : Original : Rs. 5,04,97,800, supplementary Rs. 27,15,841 : expenditure : Rs. 4,74,92,764) of which Rs. 27,49,000 was surrendered in March 1971.

Note 3 (XIV)—Page 50

III—Centrally Sponsored Schemes

(15) Establishment of rural and urban family Welfare Planning Centres and opening of sub-centres.

45.2. There occurred a saving of Rs. 5.71 lakhs under the above group head (provision : Rs. 10.27 lakhs, expenditure : Rs. 4.56 lakhs). The saving was due to late sanctioning of 99 sub-centres by Government and consequent non-appointment of staff for those centres.

Note 3 (XV)—Page 51

III—Centrally Sponsored Schemes.

(16) Establishment of rural family Welfare Centre at primary health centres and family Welfare Centres.

45.3. A total saving of Rs. 12.23 lakhs (provision : Rs. 14.00 lakhs ; expenditure Rs. 1.77 lakhs) was occurred under the above group head. The saving was due to non-appointment of staff for 99 sub-centres due to late sanctioning of these centres by Government.

Note 4 (1)—Page 53

C.—Expenditure in connection with epidemic diseases (a) Malaria.

45.4. A saving of Rs. 7.53 lakhs was occurred under the above group head and was due to less requirement of funds than anticipated at the time of preparation of budget estimates ?

Note 4 (III)—Page 54**III—Centrally Sponsored Scheme****A.4.—Public Health Establishment Malaria
Eradication Programme (Materials
and equipments)**

45.5. Add amount transferred from 124—Capital Outlay, etc. General and Sixth Schedule Areas

45.6. The entire provision of Rs. 10 lakhs (Rs. 13 lakhs under General and Rs. 6 lakhs under Sixth Schedule Areas) remained unutilised.

Note 5—at Page 52

45.7. The note indicates that despite saving under the group heads mentioned in notes 3 and 4 there were uncovered expenses under the group heads (1) B—Hospital and Dispensaries (a) Ordinary dispensaries—Sixth Schedule (Part A) Areas (Rs. 5.82 lakhs), (2) II—Other State Plan Schemes B—Hospital and dispensaries (f) Establishment of Primary Health Centers (Rs. 2.44 lakhs), (3) II—Other State Plan Schemes—C.3—Grant for medical purposes (f) Grants to patient suffering from T. B., Cancer, etc.—Sixth Schedule (Part A) Areas (Rs. 1.79 lakhs). Grants No. 28—Public Health—Public Health (Pages 53–56).

45.8. The Grant closed with a saving of Rs. 29,63,616 (provision : Original Rs. 2,24,28,800, supplementary Rs. 15,93,000; expenditure : Rs. 2,10,58,184) of which Rs. 12,45,696 was surrendered in March 1971.

45.9. On an enquiry by the Committee whether any control register is maintained to watch the flow of expenditure for effective control of the grant, the official witness stated that the same was not maintained prior to 1973–74.

45.10. On being asked by the Committee to state the reasons for considerable savings under various heads; the Government in a written statement submitted under their letter No. HLA. 281/74/85, dated 9th July, 1976 the relevant portion of which is given below :—

Reason for supplementary Grant :—

45.11. The supplementary grant of Rs. 27.15 lakhs was moved under "normal". But the substantial savings amounting to Rs. 53.09 lakhs occurred under Centrally Sponsored Family Planning Plan Programme.

45.12. Under "normal", there was a saving of Rs. 4.18 lakhs only. Thus the total savings under "29—Medical" comes to Rs. 57.20 lakhs. The savings under "III Centrally Sponsored Scheme" cannot be reappropriated from the Plan provision to normal. So the provision for meeting likely expenditure under "normal" had to be provided through supplementary demand when there was need of additional funds not provided under the original grant. So the supplementary demand of Rs. 27.15 lakhs was necessary to meet expenditure under the appropriate head.

Reason for non-surrender of savings :—

45.13. The Supplementary Demand was obtained in the last month on the financial year *i. e.*, March, 1971. So the actual expenditure under Centrally Sponsored Scheme could not be anticipated properly and the savings could not be surrendered in time.

45.14. The general reasons for substantial savings under Centrally Sponsored Scheme F. P. are as follows :—

(i) The R. F. W. P. Centres require the position of doctors in the P. H. C.s. There was dearth of Doctors. So, there was substantial savings on account of the pay and allowances of the doctors.

(ii) The vehicles for F. P. Programme were not received from the Government of India. So there was savings on account of pay and allowances of drivers. The medical stores purchased from Medical Store, Government of India were met by the Centre and so there was savings on account of less expenditure on medicines for F. P. Programme.

(iii) There were few applications through District Family Planning Bureau for grants to be given to the voluntary organisations.

(iv) The offset Press of family Planning could not start functioning during the year. Moreover there was less expenditure on publicity as the publicity was done only during the dry season.

(v) The State Health Transport Organisation could not start functioning as the question of forming a pool budget for all the vehicles for Health Department could not be finalised. This subject remained under correspondence with the Government of India.

(vi) The Lady Health Visitors Training Centre could not be established for want of accommodation.

(vii) The R. F. P. Centres which were sanctioned in October, 1970 could not be established with staff and equipments for want of accommodation. The P. W. D. could not construct these sub-centres within the financial year.

RECOMMENDATION

45.15 The Committee hopes that with the introduction of the control register the Department will be able to exercise better control over expenditure and surrender the entire savings before the close of the Financial year.

CO-OPERATION DEPARTMENT

Paragraph 19 at Page 32—Loss of cash

46.1. Between February 1966 and October 1969, Rs. 0.32 lakh were alleged to have been defalcated in the office of the Registrar of Co-operative Societies by the cashier by making false entries in the cash book. The case was detected in March 1970; departmental proceedings and police investigation are in progress (December 1972).

46.2. During local audit of the Registrar's office between February 1966 and October 1969, discrepancies between cash book and treasury draws were pointed out along with several other irregularities in the maintenance of cash book; replies thereto were not furnished by the Department.

46.3. The Committee asked the official witness as to whether the enquiry had been completed and if so, what was the result. The Secretary, Co-operation replied in the affirmative and stated that an amount of Rs. 31,868.45 paise was involved in this case. The enquiry revealed that the amount had been mixed up with amount of Rs. 8,95.45 and there was a temporary misappropriation of Rs. 1,076.52. The balance amount of Rs. 21,796.46 was a genuine expenditure but it was not properly accounted for. Officers found responsible for the misappropriation and temporary misappropriation were dismissed from service and the Department is obtaining legal advice about the recovery of the amount misappropriated. That was the result of the departmental proceedings. Police investigations are, however, still continuing. The Department is making correspondence with the Meghalaya Police who are investigating the case.

46.4. It also transpired from evidence that the person at fault was dismissed on 26th February, 1974 and the Department is seeking opinion of Legal Remembrancer recently (June 1976) to realise the amount of losses incurred due to misappropriation.

RECOMMENDATION

46.5 It is really unfortunate that the recovery of defalcated amount which was detected in March, 1970 has not yet been finally recovered. The Committee therefore recommends that immediate steps should be taken to realise the amount and the result of the action taken should be intimated to the Committee within one month from the date of presentation of the Report to the House.

Paragraphs 74-75 at pages 95-97 read with Appendix VIII and IX at pages 116-119.

47.1. The paragraphs indicate the position of outstanding audit observations and inspection reports relating to the period upto 1970-71 remaining unsettled at the end of September 1971.

47.2. The position in respect of Co-operation Department was as follows :—

	No. of items	Amount
Outstanding Audit objection	834	Rs. 447.09 lakhs
(oldest item dates back to 1955-56)		
	No. of reports	No. of paragraphs
Outstanding Inspection Reports	107	446
(Oldest item dates back to 1956-57)		

47.3. Half yearly reports of outstanding audit objections and inspection reports are forwarded to Heads of department/administrative department for taking necessary steps to expedite their settlement.

47.4. The Committee asked as to the present position of outstanding audit observations and inspection, reports, the official witness stated that 834 audit observation involving in Rs. 4,47.07 lakhs and 446 paragraph of 107 inspection reports remained to be settled yet.

RECOMMENDATION

47.5 The Committee recommends that prompt action should be taken for early settlement of the outstanding audit observation and inspection reports.

TRANSPORT DEPARTMENT

Paragraph 61 at pages 64 to 65—Motor Vehicle Tax

48.1. Taxes on motor vehicles in Assam are levied and collected under the Assam Motor Vehicles Taxation Act, 1936 as amended from time to time and the rules issued thereunder. The basis of taxation of motor vehicles is the laden weight for goods vehicles, passenger capacity for contract and carriages and unladen weight for other vehicles.

48.2. Fees for registration of vehicles, grant of permits, fitness certificates and licenses are levied and collected under the Motor Vehicles Act, 1939 (Central Act) and the rules framed thereunder by the State Government.

48.3. This para brings out cases of under-assessment of motor vehicle tax in Dibrugarh and Tezpur totalling Rs. 2.43 lakhs. The under-assessment is on four counts :—

(i) Due to assessment in lesser pay loads than these applicable under the amendment Act (Rs. 0.48 lakhs).

48.4. The Motor Vehicles Act was amended in 1956 and the amended Act was brought into force from 15th January 1959. In November 1959, the Government of India decided that the maximum safe laden weight (registered laden weight, transport vehicles other than motor cars was

to be 12½ and 25 per cent above the gross vehicle weight certified by the manufacturers in case of vehicles marketed before and from 1953 onwards respectively. The intention of allowing higher registered laden weight than the gross vehicle weight certified by the manufacturers was to enable the available transport vehicles to be utilised more intensively. In May 1959, the Government of India advised the State Governments that after coming into force of the amended Act from 15th January 1959, old provisions of the Act in this regard ceased to exist and asked them to (a) revise the registered laden weight of all the vehicles already registered without further delay and (b) the State Governments should issue the relevant notifications.

48.5. The Assam Government issued a notification to this effect on the 17th February 1959 but no mention of date of effect was made. The effect was not given from 15th January 1959 as advised by the Government of India. In February 1960, the Commissioner advised the District Transport Officers to give effect to the decision regarding revised laden weight from the date of revision and not from 15th January 1959.

48.6. Actually it was found in the office of Gauhati District Transport Officer that new basis of determining the registered laden weight was applied from different dates—from 1st April 1960, 1st April 1961 or 1st April, 1962.

48.7 In May, 1962, the Government asked the District Transport Officers to give effect positively from 1st April 1962 and that further instructions would be issued regarding the period prior to 1st April 1962.

48.8. The Committee enquired as to whether the Government have taken final decision in regard to the period between 15th January, 1959 and 1st April, 1962 and whether the decision has been intimated to the District Transport Officers for implementation and if so, whether the District Transport Officers have reviewed cases of under assessment and what is the tax realisable and not realised; the Secretary, Transport stated that no decision in the matter has been taken till now (22nd July, 1976) and it would be difficult to realise the tax retrospectively. But the Government will take decision in the matter.

RECOMMENDATION

48.9 The revised rates of vehicle taxes were given effect to three different dates viz. from 1st April 1960, 1st April 1961 and 1st April 1962 but the field officers i.e. D.T.Os of the Department continued to make under assessment of Taxes. The Government after a lapse of about 15 years failed to take final decision in regard to the period between 15th January, 1959 and 1st April, 1962 for which cases of under assessment of taxes could not be reviewed and this has resulted in a huge loss of Government revenue.

48.10 The Committee recommends that Government should take final decision within three months. Steps should also be taken to ascertain the amount of tax realisable.

48.11 The Government should also intimate to the Committee the action taken on cases of under assessment which occurred even after 1st April, 1962.

48.12 The result of the action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 61 (ii) at page 65

491. The Assam Motor Vehicles Taxation Act was amended from 1st April 1956 to 1st April 1963 and 1st April 1966. Under these amendments the rate of taxes on different categories of vehicles were enhanced. Scrutiny of the combined registers maintained in the office of the D.T.Os, Dibrugarh and Tezpur upto February-March 1971 show that the enhanced rates of taxes were not levied in a large number of cases particularly on trailers and tractors and the total of these under assessments detected in audit came to Rs. 86000. The Department was, therefore advised that the combined Registers of these two offices should be thoroughly reviewed to find out other cases of similar under-assessments.

49.2. The Committee observed that in the inspection report, all the details of the case and the reason was given; and that was issued in June, 1971 with a copy to the Secretary, Transport. It mentioned the date from which the Act was amended, and gave the details of the cases.

49.3. The Committee asked the official witness to furnish a written reply and the Government in their letter No. TMV. 360/74, dated 24th July, 1976 furnished as follows:—

	Amount realised (Up-to-date)	
	Dibrugarh	Tezpur
1. Due to assessment on lesser pay loads than those applicable under amended Act after revision was given effect to..	Rs. 1046.00	Rs. 9188.00
2. Due to assessment at old rates instead of revised ones in force, from 1st April 1956, 2nd April, 1963, and 1st April 1966 (Mostly in the case of Tractors and Trailors)	...Rs. 11,937.00	Rs. 24,221.00
3. Due to assessment of Tax on private carriers (Truckt) as Tractors.	...Rs. 75,000.00	..
4. Due to non-revision of weight of vehicle with effect from the date the new act came into force.	...	Rs. 1,500.00

49.4. On being questioned as to what was the difficulty in realising the taxes when the owners are in the State and their registration could be cancelled for non-payment of taxes, the official witness replied that the Government must catch hold of the vehicles physically. While the vehicles were being checked on the roads by the enforcement staff they were made to pay the taxes but where Government could not easily find out the vehicles, it was difficult to realise the tax.

49.5. On a query as to whether Government can explain the reason why District Transport Officers wrongly under assessed the taxes and to the extent of Rs. 86,000 although the Act was amended, the official witness stated that it was mostly because the records were not kept properly and the under assessment Rs. 86,000 was due to mistake.

RECOMMENDATION

49.6 The Committee is not satisfied with the position of realisation of arrears. It is not astonishing to see how the taxes for later periods were realised without realising the arrears of Rs. 3.71 lakhs.

49.7 The Committee recommends that an enquiry Committee be constituted to go into the details (1) Under assessment of taxes and realisation of arrears (2) Grant of exemption of taxes irregularly to certain Department/Organisation resulting in loss of Government revenue for the period from February 1955 to December, 1970.

49.8 The Committee also recommends that responsibility should be fixed on the delinquent officers due to whose negligence the Government had to incur such a huge loss.

49.9. Action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 61 (iii) at pages 64-65

50.1. The Assam Motor Vehicles Taxation Act classifies the vehicles into different categories and prescribes different rates of taxes for each category. This para brings out under assessment of tax amounting to Rs. 1.07 lakhs in the office of the D.T.O., Dibrugarh due to wrong classification of truck as tractors. These vehicles belonged to the Oil India and a Tea Estate. In the case of vehicles belonging to Tea Estate the under assessment was to the extent of Rs. 7,850; the balance being in respect of vehicles of the Oil India. In case of 3 vehicles of the Oil India where the under assessed tax was Rs. 74,949, the tax was correctly assessed from 1970-71 but for the period prior to 1970-71 (December 1969 to March 1970) correct tax was not realised. In the case of another vehicle of the Oil India registered in 1964, the tax was realised as tractor even though the vehicle was fitted with steel body with drilling equipment and as such it should have been registered as private carrier. The tractor has been defined under the Indian Motor Vehicles Act as "motor vehicle which is not

in itself constructed to carry any load other than equipments used for the purpose of propulsion but excludes road roller". According to this definition the vehicle which is fitted with steel body to carry other equipments cannot be classed as tractor.

50.2 The Committee asked the official witness why Government failed to assess and realise the tax correctly and wanted to know the present position of realisation of under assessed tax. In reply, the official witness stated that the D.T.Os have realised Rs. 75,000 out of Rs. 1 lakh 6 thousand. So far as the remaining amount is concerned these relate to vehicles of Oil India who preferred an appeal to the Deputy Commissioner, and Deputy Commissioner has given judgment that they are not to pay taxes at enhanced rate.

RECOMMENDATION

50.3 The Committee recommends that Government should make every endeavour to assess the taxes correctly. Responsibility may be fixed on the Officer who has irregularly exempted the taxes.

Paragraph 61 (a) (iv) at page 64

51.1 Rule 40 of the Assam Motor Vehicles Rules, 1940 provided that the Registration authority can, if the owners so desired, assign a weight less than the maximum load weight limited to the maximum of that weight and the registered laden weight and tax should be levied on that basis. With the amendment of the Motor Vehicles Taxation Act in 1956, this concession was no longer admissible from 1st April, 1956. However, in the course of test audit in the office of the D.T.O., Tezpur in April 1971 it was noticed that the vehicle which had been previously registered with lower capacity, the registration, for these were not revised from 1st April 1956 and the concession of lower tax on lower capacity was allowed to continue till 1st April 1960. This has resulted in loss of revenue in a good number of cases. In respect of a few vehicles, loss of revenue was Rs. 12,569.

51.2 The Committee wanted to know whether responsibility had been fixed on the officers for failure to review all the cases of under-assessment the official witness replied that this was not done.

RECOMMENDATION

51.3 The Committee recommends that Department should take immediate steps to review all cases of under assessment of tax in the State and the arrear of taxes due to be realised. The responsibility should be fixed on officer/officers for under assessment of taxes.

51.4 The Government should intimate the Committee the total amount of arrear collected and arrear (1) due to be collected due to assessment of lesser pay loads than those applicable under amended Act after revision was given effect to (2) due to assessment at old rates instead of revised ones in force from 1st April, 1956 (3) due to non-revision of weight of vehicles w.e.f. the date the new Act came into force.

51.5 The action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 61 (b) at page 65

52.1 This para brings out the deficiencies like (a) non-maintenance of proper records, (b) incorrect procedure being followed, lack of records, irregular exemptions, etc. These deficiencies were found during the course of test audit of the records of the District Transport Officers at Dibrugarh and Tezpur in February to April 1971. In respect of each of the points noticed by audit details of specific cases were mentioned in the Inspection Reports on those offices.

52.2 The Committee asked the official witness as to what action was taken to remove the deficiencies/commission/lack of records, etc., pointed out by audit, the official witness stated that the Department did not have separate records for each of these items for which additional staff was required. In their letter No. TMV. 360/74, dated 24th July, 1976 Government informed the Committee as follows:—

Amount realised (Upto date)

Gauhati

1. Taxes for later periods were realised without realising the arrears (Rs. 3.71 lakhs)	Rs. 1,12,366.00
2. Exemption from tax was allowed... irregularly to certain departments/organisations resulting in loss of Rs. 0.80 lakhs (February 1955 to December 1970).	Rs. 80,000.00

RECOMMENDATION

52.3. The Committee does not see any justification that Government machinery will not function properly for inadequacy of staff for a particular branch of work. The staff were requisitioned or proper working of Bakijai section of the D.T.Os Office.

52.4 The Committee recommends that responsibility should be fixed on the District Transport Officers for non-maintenance of proper records for which Government had to incur a heavy loss. The Committee should be apprised of the progress made after the sanction of staff to the offices of the District Transport officers.

Paragraph 61 (c) (i) at page 65

53.1 This para brings out non-realisation of arrears of motor vehicles tax though tax for the later periods were realised. Amount not thus realised in the office of D.T.O., Gauhati was Rs. 3.71 lakhs.

53.2 The Commissioner of Transport issued instructions to all the D.T.Os in April 1965 that tax for the current quarters should not be accepted unless the previous dues were cleared. In spite of these instru-

ctions these arrears were not realised at the time of accepting the current taxes. Even the demand for tax was not made by the D.T.O. in most of the cases.

The relevant provisions of the Assam Motor Vehicles Taxation Act under which tax is levied are :—

- Section 4— No owner of a vehicle can ply the vehicle without payment of tax.
- Section 5— Tax is payable in advance of the year or quarter.
- Section 15— Non-payment is an offence. Penalties/fines can be levied.
- Section 16— Recovery of arrears can be made through Bakijai proceedings.
- Section 19— Offences can be compounded—D. T. O. can also suspend the certificate of registration.

53.3 The Committee wanted to know the present position of recovery of these arrears, how much and in how many cases arrear tax has been realised; the official witness replied that an amount of Rs. 1,12,566.00 arrears has been realised and the Deputy Commissioner, Kamrup has remitted Rs. 2,955.00 arrears on appeal. As regards the balance amount of arrear demand notices have been issued and Bakijai cases have been started. Taxes have been realised from 1971-72 to 1975-76.

53.4 On a query as to whether responsibility has been fixed for the lapses in not realising the arrears at the time of realising the current tax violating the instructions of the Commissioner and provisions of Act; the official witness replied that there is a balance of Rs.1 lakh 90 thousand only and Bakijai proceedings have been started.

53.5 The Committee then asked the official witness to submit a written note regarding the District Transport Officers becoming Bakijai Officers and taking of charge from the Deputy Commissioner without properly equipped. The Government in their letter No. TMV. 360/74/195, dated 9th August, 1976 furnished the following information :—

53.6 The Bakijai work was entrusted to the District Transport officers on the initiative of Transport Department with a view to improve the position of realisation of arrear taxes and accordingly the revenue Department issued notification declaring all the District Transport Officers as Bakijai Officers in their respective jurisdiction for the purpose of realisation of arrear M. V. Tax under M. V. Act on 23rd November 1970. On receipt of the above notification Finance Department was moved for necessary staff on 21st July 1971 and after several correspondences with Finance, Finance only gave their concurrence on 6th July 1976 for creation of the staff required for the purpose. Due to insufficient staff, arrear taxes through Bakijai process could not be made to the desired expectation. However all possible steps are being taken to improve the position.

RECOMMENDATION

53.7 The Committee is not satisfied with the progress of realisation of arrear taxes. At the initiative of Transport Department, the Revenue Department declared the District Transport Officers as Bakijai officers with effect from 23rd November, 1970 and the Transport Department on 21st July 1971 i.e., after about nine months moved for staff to which sanction was accorded by the Finance Department on 6th July 1976 after several correspondence.

53.8 The Committee therefore recommends that vigorous steps be taken to realise the arrears of taxes. Responsibility should be fixed on the officers for whose fault realisation of current taxes were done ignoring the arrears taxes in violation of executive instructions and existing rules.

The steps taken may be intimated to the Committee within three months from the date of placement of the Report to the House.

Paragraph 61 (c) (ii) at page 65

54.1 This mentions the cases where departments/organisations were granted exemptions irregularly resulting in loss of Rs. 0.80 lakh during the period from February 1955 to December, 1970. The Departments/Organisations are :—

	Rupees in Lakh
Diary Development Officer, Town Milk Supply, Gauhati	0.47
Assam State Electricity Board	0.03
Assam State Social Welfare Board	0.04
Gauhati Development Authority	0.14
North Frontier Railways	0.12
	<hr/> 0.80

54.2 Under Rule 34 of the Assam Motor Vehicles Taxation Rules, 1936 motor vehicles (other than vehicles used for the carriage of goods or of passengers for hire) owned and exclusively used by or on behalf of any Department of the Central or State Government are totally exempt. Similarly vehicles of any local authority (municipal boards, etc.) are exempt.

54.3 The Commissioner of Transport in April 1963 directed D.T.O., Gauhati that vehicles of Dairy Development Officer carrying milk were taxable, but even after this, exemption was irregularly allowed.

Other institutions/organisations/boards are not exempt from tax.

54.4 The Committee wanted to know why the exemptions were irregularly granted resulting in loss of Rs. 0.80 lakhs during the period from February 1955 to December, 1970 the official witness stated that the entire amount has been realised. Now, the taxes are collected regularly.

RECOMMENDATION

54.5 The Committee feels happy with the action taken though be late.

Paragraph 61 (c) (iii) at page 65

55.1 This brings out the non-realisation of tax/registration fee of Rs. 49.40 lakhs from the erstwhile Assam State Transport Organisation/Transport Corporation.

55.2 In June 1970, the Government decided that thereafter all vehicles of the Corporation be registered at Gauhati instead of Shillong. Arrears relate to years 1967-68, 1968-69, 1969-70. Records were transferred by the D.T.O., Shillong to D.T.O., Gauhati.

14 vehicles of the Corporation were registered at Gauhati during 1970-71 without realisation of registration fee.

55.3 The Committee asked the official witness to apprise the latest position of the realisation of arrear taxes; the official witness replied that during the period when the Corporation was not formed the arrear was Rs. 34.57 lakhs and arrear after the Corporation was formed stands at Rs. 20.82 lakhs, the bulk it has been cleared up except the cost involved in Mizo Hills operation. The figures relating to Mizo Hills could not be reconciled as the papers are not available.

55.4 In a query as to how the vehicles could be registered without payment and whether these vehicles belonged to Corporation; the official witness replied that this was a highly irregular thing. Nobody in the Department could apprise the Government about the incident, and these vehicles belong to the Corporation. Actually during those two years no tax has been paid as the Corporation has incurred loss.

55.5 On being questioned as to whether it is permissible to register the vehicles without realising the tax; the official witness stated that it was a very big mistake and it could never be done.

RECOMMENDATION

55.6 The Committee recommends that there should be through probe into the matter and responsibility should be fixed on the officers concerned due to whose fault 14 vehicles of the Corporation were registered without realisation of registration fee and thereby incurring a loss of Rs. 49.40 lakhs.

55.7 The action taken by the Government may be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 61(c) (iv) at page 65

56.1 This para brings out the refund of Rs. 3,489 in respect of non-transport vehicles transferred to other States which was not permissible under the Act.

56.2 Rule 28A of the Assam Motor Vehicles Taxation Rules says that refund of tax paid in respect of a motor vehicle transferred to any other State is not permissible. Refund in respect of 17 vehicles transferred to other States was irregularly allowed.

56.3 The Committee wanted to know as to what action has been taken against the persons responsible for irregular refund and whether grant of such irregular refund has been stopped, the official witness stated that this has happened during the tenure of Shri B. K. Singh, D. T. O. There are other cases against him also and for those cases he has been put under suspension and proceedings were drawn against him. For this specific instance no action was taken.

56.4 On a query as to when the proceedings were drawn up against this officer and what is the present position, the official witness stated that proceedings were drawn up on 19th January 1973 and the case was referred to State Enquiry Officer on 4th May, 1974. The Government propose to take action as soon as report from the Enquiry Officer is available.

RECOMMENDATION

56.5 In spite of clear cut rules that refund of tax paid in respect of a motor vehicle transferred to any other State is not permissible why in respect of 17 vehicles transferred to other States was irregularly allowed. The Committee therefore recommends that responsibility be fixed on the officer/officers who allowed the refund and money realised from the persons at fault.

56.6. The action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraphs 74 and 75 at pages 95-97

57.1 The Committee enquired as to what were the reasons for delay in settlement of outstanding audit objections and inspection reports the official witness stated that bulk of these objections relate to the Corporation. The total amount involved was Rs. 129 lakhs. All told about Rs. 75.35 have been cleared. Another Rs. 54.62 lakhs is still outstanding.

RECOMMENDATION

57.2 The Committee is not satisfied with the progress of settlement of outstanding Audit Objections and Inspection Reports. The Committee recommends that Government should endeavour to settle up the matter early.

EDUCATION DEPARTMENT

Paragraph 12 at pages 15-16 read with Appendix I at page 101-Utilisation Certificates.

58.1 The paragraph indicates that 167 certificates involving Rs. 252.03 lakhs in respect of grants-in-aid paid by the Department upto 31st March 1971 had not been furnished by the department till the end of September, 1971.

58.2 The Committee asked the official witness to submit a written statement regarding the latest position. The Government in their letter No. ESS.64/74/82, dated 28th June, 1976 stated that during the period under review 283 utilisation certificates involving an amount of Rs. 376.98 lakhs were submitted. There are 283 outstanding utilisation certificates involving an amount of Rs. 3.76 lakhs. The Government further informed that necessary steps have already been taken by the Directorate for submission of pending utilisation certificates within three months.

RECOMMENDATION

58.3 The Committee recommends that all the outstanding utilisation certificates should be submitted within three months as assured. The Committee also recommends that the Department should keep a watch over the utilisation of grants sanctioned to the various organisations and institutions so that these are spent for the purpose for which the grants were sanctioned.

Paragraph 18 (3) at page 31—Drawal of amount in Express orders.

59.1 According to rules, grant sanctioned by Government can be drawn only on specific authority from the Accountant General in each case; the Treasury Officer nevertheless can act on express order from Government without any authority from Audit and in the absence of urgency such express order also should be routed through Audits. On 31st March 1971, the Director of Public Instructions drew grant of Rs. 12.49 lakhs sanctioned by seventeen express orders of Government (30th March 1971 and 31st March 1971) to various educational institutions which were not routed through Audit. Of these Rs. 6.69 lakhs were disbursed between April and June 1971; information about disbursement of the remaining amount is awaited (March 1972).

59.2 The Committee enquired how is that every year the Deptt. resorted to issue of the express orders and whether the situation justify this type of orders; the official witness stated that the Government is trying to avoid such situation which generally happens because of various inherent difficulties in the system. Proposals used to come late in the year and the actual drawal had to be quite after at the end of the year. The Government is trying to clear out all the sanctions by July-August so that this situation does not arise.

59.3 On being questioned as to why the balance amount of Rs. 5.80 lakhs could not be disbursed till June, 1971, the official witness replied that the records show that the entire amount drawn by the Department was completely disbursed by September, 1971.

59.4 In course of examination, the Committee raised several points but the official witness could not reply to those points and agreed to send a written statement. The Government in their letter No. ESS/64/74/82, dated 28th June, 1976 furnished a written reply on those points which is as follows:—

59.5 A statement showing the particulars of the amount drawn under sanctions issued as "Express Orders" is at Annexure II. It would appear that out of 19 cases in 14 cases sanctions were issued on 31st March 1971 and in the remaining 5 cases on 30th March 1971. As per provisions of S. O. 48 of the Treasury Rules, Grants-in-aid sanctioned by the State Government could be drawn only on an authority issued by the Accountant General. As it was not practically possible to arrange drawal after obtaining the A. G.s. authority within such a short time, the Government agreed to treat those sanctions as Express Orders and allowed by D. P. I. without Accountant General's authority under T. R. 17. The delay in issuing Government sanction is due to the fact that proposals were received very late. From the records available it appears that out of 19 cases in as many as 11 cases proposal were submitted by diversion from Plan Savings and additional allocation of fund made from overall Plan Savings, which was known only towards the close of the Financial year. All proposals for diversion from Plan Savings and Re-appropriations required the approval of the Planning and Development Department and also concurrence of Finance Department. Hence, processing of the cases, necessarily took time.

59.6 The Director of Public Instruction was not required to call for or receive any proposals from his field officers in connection with sanction in the aforesaid cases of Express Orders. The dates of disbursement were not intimated to the Accountant General as this was not the procedure when the dates of disbursement are verified at the time of local audit.

59.7 It would appear from the statement that the earliest proposal made and the Director of Public Instruction is dated 4th November 1970 and the latest is dated 24th March, 1971.

RECOMMENDATION

59.8 The Committee is not happy with the explanation furnished by the Government for issue of the express orders as the very proposal for grants are taken up by the office of the Director of Public Instructions very late. As it appears, an assessment of possible saving is made towards the end of the year and the amount is drawn under express orders only to avoid lapse of funds. The Committee therefore, recommends that Government should take steps to gear up the administration of the office of the Director of Public Instructions so that funds provided in the budget are utilised in a phased manner keeping in view the actual necessity and without waiting for the year to come almost to an end.

Paragraph 22 at Page 34—Alleged Fraudulent Drawal

60.1 In March 1971, Rs. 28,000, Rs. 26,000 and Rs. 9,200 were drawn by quoting on the bills three sanctions for grants. When the copies of the sanctions were asked for by Audit (August-September 1971) the grantee and the countersigning authority denied knowledge of drawal and countersignature. The Director of Public Instructions reported in September 1971 that the drawals appeared to be a case of forgery and that a case has been registered with the police. Further developments are awaited (February 1973).

60.2. The Committee wanted to know the present position of the case and after prolonged examination of the official witness asked the Government to submit a written statement. The Government in their letter No. ESS.64/74/82, dated 28th June 1976 submitted a written statement, the relevant portion of which is given below:—

60.3. The matter is now pending with the State Enquiry Officer and further action will be taken on receipt of the report on the Director or Forensic Science Laboratory Gauhati who has been reminded.

60.4. From the report of the F. A. O., D. P. I's. office and that of the Director of Accounts Assam it would appear that this was a case of alleged forgery. The Police has seized the Bills drawn on forged signature. The Advice list is in the safe custody of the Director of Accounts. From the facts and circumstances of the case it is difficult to say whether any other member of the staff in the Inspectorate is responsible but action is being taken to get the writing of the advice lists examined by Forensic Expert and appropriate action will be taken, if any, member of the staff is suspected to have been involved.

RECOMMENDATION

60.5 The Committee recommends that responsibility should be fixed and the amount realised from the person/persons responsible immediately on receipt of the Reports of the State Inquiry Officer and the Director of Forensic Science Laboratory.

Paragraph 23 at page 34—Defalcation.

"Defalcation:— The cash book of the Pincipal, Assam Engineering College, Gauhati, showed remittance of Rs. 52,612.26 (3rd November 1970) to the treasury. The bank and treasury records, however, showed receipt of Rs. 2,612.26 only. The difference (Rs. 50,000) was found to have been misappropriated by interpolation. The matter was reported to Government (July 1971); reply is awaited (February 1973)".

61.1. The Committee wanted to know the present position of Departmental and police investigation, the Official witness stated that the man who was found to be guilty has been convicted- R. I. for six months on the first count and 5 years R. I. and also a fine of Rs. 2,000 in default to further R. I. of another six months.

61.2. On a query as to whether the case was finally decided or it has gone to the High Court, the official witness stated that an appeal has been filed in the Hon'ble High Court by the person concerned.

RECOMMENDATION

61.3 The Committee recommends that further development of the case be reported to the Committee within three months from the date of presentation of the report to the House.

Paragraphs 74 and 75 at pages 95-97 read with Appendix VIII and IX at pages 115-119 Outstanding Audit Observation and Inspection Report.

62.1. These paragraphs bring out the position of outstanding audit observations and Inspection Reports raised upto 31st March, 1971 but were not settled upto 30th September 1971. The position was as follows:—

Outstanding audit observations.	Education (General)		Education (Technical)	
	Item Nos.	Amount (In lakhs of rupees)	Item Nos.	Amount (In lakhs of rupees)
	(1)	(2)	(3)	(4)
	2943	1,99.82	289	11.34

Outstanding Inspection Reports.	Education (General)		Education (Technical)		Education (Elementary)		Education (National Cadet Corps)	
	No. of Reports	Paras	No. of Reports	Paras	No. of Reports	Paras	No. of Reports	Paras
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	343	1302	21	101	121	477	103	209

62.2. The Committee asked official witness to furnish a written statement on this para. The Government in their letter No. ESS. 64/74/82, dated 28th June, 1976 furnished a written statement the relevant portion of which is given below:—

62.3. "During the period under review in the Report 2120 Audit Objections were settled. The latest position is in 1969-70, number of outstanding objections is 5068 involving an amount of Rs. 1,79 lakhs and in 1970-71 the number of outstanding objections is 2948 involving an amount of Rs. 1.99 lakhs. Due to follow up action by the Directorate of Public Instruction the position has improved.

62.4. During the period under review 14 Inspection Reports involving 553 paras were settled.

RECOMMENDATION

62.5 The Committee recommends that follow up action should be taken to settle the outstanding Audit Observation and Inspection Reports immediately.

Grant No. 25 at pages 33-43 of the Appropriation Accounts, 1970-71 Education (General)

63.1. The Grant closed with a saving of Rs. 97,44,888 (total provision Rs. 21,17,91,293 ; expenditure : Rs. 24,56,17,005) of which only Rs. 84,376 was surrendered on 31st March, 1971.

63.2. In the following cases, there was uncovered excesses in spite of saving in the grant ; reasons therefor, awaited.

Serial No.	Group head	Total Actual grant expenditure Excess (In lakhs of rupees)		
(1)	(2)	(3)		
(I)	Normal			
	B.2-Direct grant to Non-Government Secondary Schools.			
	General			
	O. 4,70.00	5,30.00	5,37.78	+ 7.78
	S. 60.00			
(II)	C—Primary			
	I—Government Primary Schools Sixth Schedule (Part A) Areas.			
	O. 0.05	0.06	1.31	+ 1.25
	S. 0.01			
(III)	A—General			
	3—Scholarships			
	General			
	O. 97.11	1,30.51	1,35.90	+ 5.39
	S. 33.40			
(IV)	F—General			
	(4) Miscellaneous General			
	O. 74.53			
	S. 2.57			
	R. 0.84	76.26	79.05	+ 2.79
	Sixth Scheduled (Part A) Areas.	3.91	5.28	+ 1.37

63.3. The Committee asked the official witness to furnish a written statement showing the reasons for excess expenditure. The Government in their letter No. ESS. 64/74/82, dated 28th June, 1976 furnished the following reasons :—

63.4. 1. The excess expenditure of Rs. 7.78 lakhs under sub head B-2-Direct Grant to Non-Government Secondary Schools in General Areas is due to payment of arrears to teachers of M. E. and H. E. Schools as a result of fixation of pay under revised scale 1964 for which no provision was made earlier. The quantum of grant payable in each case is worked out by the subordinate officers under proper fixation of pay under the rules. Hence the requirement of fund for the purpose could not be assessed earlier.

63.5. The excess expenditure of Rs. 1.25 lakhs under sub-head C-Primary 1-Government Primary, Schools sixth Schedule (Part A) Areas relates to expenditure of District Council Mikir Hills which was received by the Accountant General and not taken into account by the Department while computing the total expenditure against it. No information was received by the Department.

63.6. The excess expenditure of Rs. 5.39 lakhs under sub-head F—General 3-Scholarships is partly due to wrong debit by the Department in expenditure on plan scheme to non-plan heads and partly due to increased number of scholarships granted under certain schemes where the number of scholarships is unlimited and the assessment of requirement of fund for the purpose is not possible.

63.7. The excess expenditure of Rs. 1.37 lakhs under sub-head-Miscellaneous General areas relates to N. C. C. Scheme was for payment of *Ad-hoc* D. A. sanctioned by the Government.

63.8. The excess in sixth schedule areas was due to the fact that the Budget for Shillong Municipal and Cantonment areas was initially dropped by Government as a result of separate administrative unit as Meghalaya although the subject Education within the Cantonment and Shillong Municipal areas continued to be remained under administrative control of Government of Assam.

RECOMMENDATION

63.9 From the statement furnished by the Government it transpired that there is no control at all over the expenditure. The Budget provisions were made without any basis and estimates prepared without basing on the accepted schemes and resources available. These have resulted in huge amount of savings due to non-implementation of schemes and excess expenditure due to want of provision in the Budget.

63.10 The Committee therefore, recommends that the Department should maintain necessary control Register to watch the flow of expenditure so that such thing may not occur in future. Responsibility should be fixed on the officer or officers due to whose negligence the schemes could not be implemented.

**Grant No. 71 at page 129 of the Appropriation-Accounts, 1970-71
Miscellaneous—IV—Advanced Technical Training and Scholarships**

64.1. The grant closed with a saving of Rs. 2,30,081 (provision Rs. 484,000 expenditure Rs. 2,53,919) of the saving of Rs. 2,30,081 (48 per cent of the provision) Rs. 12,458 was surrendered and that too in March 1971.

64.2. Bulk of the savings (Rs. 1.42 lakhs) occurred under 'B-charges on scholarships incurred in other countries-Scholarship (provision: Rs. 3.72 lakhs; expenditure : Rs. 2.30 lakhs).

Note 2 (II) page 45 group head

(1)	Total Actual grant expenditure (In lakhs of rupees) (2)	Excess Saving (3)
Development Schemes Fourth Five Year Plan-II-Other- State plan Schemes-3 Government Professional Colleges (b) Development of Engineering College Jorhat.		

O. 2.04

R. 1.52

0.52

0.49

0.03

Saving was mainly due to non-receipt of stores (Rs. 1.01 lakhs) and non-finalisation of schemes for re-organisation of degree courses (Rs. 0.50 lakh).

Note—2 (III) page 45

3. Establishment of Junior Technical School at Sibsagar

O. 4.44

R. 3.13

1.31

1.32

+ 0.01

Saving was due to non-finalisation of the report of Evaluation Committee for continuance of Junior Technical School, Sibsagar.

RECOMMENDATION

64.3 The Committee is not happy as the Government failed to implement the schemes. The responsibility should be fixed on the officer/officers due to whose negligence the schemes could not be finalised.

64.4 The action taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.

TRIBAL AREAS DEPARTMENT

Paragraph 15 (a) (13) at page 22—

Number and name of grant	Total grant Rs.	Expenditure Rs.	Excess Rs.
67—Miscellaneous charges II—Donations for Charitable purposes, etc.			
O. 88,90,200			
S. 91,55,730	1,80,45,930	1,93,42,919	12,96,989

65.1. Excess occurred mainly under "H-Grants-in-aid contributions-(VII) Grants-in-aid to District Councils-Expenditure in connection with Mizo Hills disturbances-Sixth Schedule Part 'A' Areas" (expenditure : Rs. 8.40 lakhs ; provision : Rs. 0.63 lakh) and "J-Miscellaneous and Unforeseen Charges ; Expenditure in connection with Mizo Hills disturbances Sixth Schedule Part 'A' Areas" (expenditure : Rs. 1,37.79 lakhs ; provision : Rs. 1,26,19 lakhs) Reasons for excess are awaited. Excess was counter-balanced by saving under other group heads within the grant.

65.2. The Committee wanted to know what were the reasons for the excess expenditure the official witness replied that from the information available from various other sources, it appears that the excess occurred due to the abnormal situation. It was difficult to strictly adhere to the Rules because the Deputy Commissioner at that time had to operate in a very difficult situation and the normal machinery of administration was not functioning there. For these circumstances the excess had occurred.

RECOMMENDATION

65.3 Subject to maintenance of control over expenditure, the Committee recommends regularisation of excess expenditure.

PUBLIC WORKS (ROADS & BUILDINGS) DEPARTMENT

Paragraph 30 at page 40 read with Appendix V and VI at pages 109 and 111 Expenditure incurred without, or in excess of, detailed estimate.

66.1. Ordinarily no new work may be commenced or any liability incurred thereon till its detailed estimate is sanctioned. A revised estimate is required to be prepared when the sanctioned estimate is likely to be exceeded by more than 5 per cent.

66.2. Rupees 4,08.95 lakhs were spent on forty-eight works (exceeding rupees three lakhs in each case and not mentioned in earlier Reports) up to March 1971, the detailed estimates of which had not

been sanctioned. On twenty-eight other works expenditure was incurred in excess of 5 per cent of their sanctioned estimates up to March 1971, the excess being Rs. 1,07.26 lakhs. Department-wise details are given below : particulars of the individual works on which expenditure over rupees ten lakhs was incurred without estimates and expenditure exceeding the estimates by over rupees five lakhs and also in excess of 5 per cent of the estimates are mentioned in Appendices V and VI.

Department	Want of estimate		Excess over estimate	
	Number of works	Expenditure up to March 1971	Number of Works	Amount of Excess up to March 1971
(1)	(2)	(3)	(4)	(5)
(In lakhs of rupees)				
Roads and Buildings Wing	4	24.31	9	32.08
Flood Control and Irrigation Wing.	15	1,27.29	15	54.57
Brahmaputra Flood Control Commission.	28	2,40.18	4	20.61
Public Health (Engineering Branch).	1	17.17	..	..
Total—	48	4,08.95	28	1,07.26

66.3. The Committee wanted to know the reasons for which the works were executed without sanction of the detailed estimates or in excess of the sanctioned estimates, the official witness stated that there were four cases where works were done without sanction of estimate. It is not that estimates were not prepared. In fact estimates were prepared but formal sanction to these could not be accorded before commencement of work for want of certain clarifications.

66.4. On a query as to why it was necessary to exceed the sanctioned estimate in respect of certain cases, the Secretary, Public Works Department stated that there were 9 cases pertaining to his Department. The excess expenditure was mainly due to high establishment cost, cost of maintenance of Sub-ways and construction of some diversions not provided in the original estimate.

RECOMMENDATION

66.5 The Committee recommends that in future estimates should be prepared more realistically and no works should be done without sanction of detailed estimate or in excess of sanctioned estimate.

Paragraph 31 at page 40 Rejection of lowest tender.

67.1. Lump-sum tender notice for construction of a bridge over river Madura (Cachar district) was issued by the Additional Chief Engineer in August 1969. The value of the work was Rs. 5.60 lakhs. Four tenders were received. The lowest offer of Rs. 4.50 lakhs by Assam Government Construction Corporation Limited was rejected and the work was allotted (November 1969) to the second lowest tenderer at its quoted amount of Rs. 5.50 lakhs although both the offers were for the same design. Reasons for rejection of the lowest tender are not on record. Rejection of the lowest tender entailed extra expenditure of Rs. 0.91 lakh up to June 1971. The work is still in progress (February 1973).

The matter was reported to Government in September 1971; reply is awaited (December 1972).

67.2. The Committee wanted to know when both the offers were for the same design, what were the reasons for non-acceptance of the lowest offer of Assam Government Construction Corporation Ltd., the Secretary stated that the Assam Government Construction Corporation had 4 other works in their hand at that time but they were not doing well and hence no bridges were given to Assam Government Construction Corporation after 1968. In view of above the Department had to select another contractor.

67.3. To a query as to whether any attempt was made to give the Contract at the lowest rate, the Secretary stated that it was tried but the rate of Assam Government Construction Corporation being 18% below.

67.4. The estimated cost, the contractor did not agree to accept the work at that rate. As to the reason for delay and completion of the work, the Secretary stated that this was due to non-availability of materials like cement, steel, etc., and shortage of fund. The penal clause for delay was stated to have not been invoked as supply of cement, steel, etc., was the responsibility of the department.

67.5. In explaining why additional expenditure was made, the Secretary said that there were two reasons, one being the increase in depth of well which cost Rs. 28,000 and the other for using sal timber in place of local timber which cost extra Rs. 18,000 and also there had to be some wash bearing which cost Rs. 3,000.

RECOMMENDATION

67.6 The Committee was not satisfied with the explanation furnished by the Government for awarding the contract to a higher tenderer. The Assam Government Construction Corporation being a State Government Undertaking, the matter needed to be examined and discussed with the Corporation in greater detail before ignoring their offer. The Committee, therefore, recommends that the circumstances and justification for awarding the contract at

higher rate involving extra expenditure of Rs. 0.91 lakh should be investigated by the Government thoroughly and the results of investigation reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 32 at page 41 Bridge over Rukmi River

68.1. Earthwork in filling for construction of approaches to the bridge over Rukmi river was entrusted to a contractor in January 1961. The contract mentioned the rate at which payment for earthwork was to be made and did not state how much earthwork was to be done. (in October 1969 it was estimated that 17,175 cubic metres of earthwork would be needed). During 1962-63, the contractor was paid for 5,493 cubic metres of earthwork. Owing to delay in completion of the bridge, the contract for earthwork in bridge was rescinded in July 1965 and in March 1968 it was allotted afresh to four other contractors. Up to July 1969, 10,673 cubic metres of further earthwork were executed through the other contractors. Meanwhile, the bridge was completed (December 1968) but could not be opened for traffic as approaches were not complete. The approaches were completed in May 1970 after executing 8,593 cubic metres more of earthwork. Thus, in all 24,759 cubic metres of earthwork were actually executed on the approaches against the estimated 17,175 cubic metres. The Executive Engineer stated (October 1969) that the further 7,584 cubic metres of earthwork were necessary to complete the approaches because there was no indication at site that 16,166 cubic metres of earthwork done on earlier occasions and paid for was actually executed to the full extent. The expenditure for execution of the extra earthwork was Rs.0.42 lakh.

68.2. The Committee enquired whether the estimated quantity of earthwork to be executed was not worked out before framing the detailed estimate. The official witness replied that although it was done it was wrongly considered and calculated. A slope of 1:1½ originally considered was found questionable which was subsequently changed to 1:2 which involved the extra expenditure. Two parking places had also to be provided which were not originally contemplated in the estimate. The Committee then wanted to know the action taken on the report of the Executive Engineer in October, 1969 expressing doubts regarding earthwork done and paid for and also whether any investigation was done by higher officer. The official witness replied that no investigation was done.

RECOMMENDATION

68.3. The Committee was distressed to note that a serious case like this was not investigated by the Department to find out whether the entire work paid for was actually executed especially when the report of the Executive Engineer indicated to the contrary. The Committee, therefore, recommends that the case should be investigated thoroughly by the Government to fix responsibility on the officer directly responsible for the work as also the officer who did not care to take any action on the report of the Executive

Engineer. The results of investigation and action taken against the officers should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 33 at page 41 Construction of approaches to railway over bridge.

69.1. A contract for construction by November 1967 of approaches to the railway overbridge at Dr. B. Baruah Road, Gauhati, was awarded in March 1967 for the lump sum amount of Rs. 3.93 lakhs. As the work was not completed till April 1969 the contract was cancelled (7th May 1969) after work of the value of Rs. 2.71 lakhs (Rs. 2.09 lakhs paid) had been done; execution of the unfinished portion of the work was allotted for the lump sum amount of Rs. 4.03 lakhs to another firm by negotiation in May 1969; it was completed in October 1969. Rupees 3.98 lakhs were recoverable from the defaulting contractor (Rs. 2.71 lakhs due to extra expenditure incurred on getting the work completed by another contractor, Rs. 0.51 lakh for materials, Rs. 0.37 lakh due to defective girders, and Rs. 0.39 lakh towards liquidated damages) against which the contractor had a claim for Rs. 0.62 lakh for value of work done. (in June 1969 the contractor had filed a claim for Rs. 2.16 lakhs for work done and material supplied). The validity of the bank guarantee furnished by the contractor as security having expired (3rd May 1969) the claim preferred (7th May, 1969) by the Executive Engineer, Gauhati Eastern Division for liquidated damages was not honoured by the bank.

Information about settlement and recovery of the dues is awaited (February 1973).

69.2. The Committee wanted to know the present position of the claim of Rs. 2.16 lakhs filed by the first contractor together with the grounds on which the claims were filed, the official witness stated that the firm had gone to the Court in 1971 and the Court has, as learnt from the Government Pleader, suggested for arbitration. In reply to a query as to whether the Department has filed any claim against the contractor, the official witness replied in the negative. The Committee then wanted to know whether any attempt was made to recover Rs. 3.98 lakhs from the contractor, the official witness replied in the negative. In reply to another query as to whether responsibility of the Executive Engineer had been fixed for failure to inform the contractor that the remaining portion of the work would be done at the risk and cost of the contractor, the official witness replied in the negative. The Committee then pointed out that the Chief Engineer instructed the Executive Engineer to make the firm liable for payment of liquidated damages on 18th April, 1969 but the claim was not preferred by the Executive Engineer by 3rd May 1969 i.e., within the period of validity of the bank guarantee and wanted to know whether any action was taken against the Executive Engineer for his lapse. The official witness stated that explanation of the Executive Engineer was called for which was received on 3rd February, 1975 but no further action was taken against the officer.

RECOMMENDATION

69.3. The Committee was unhappy over the dismal state of affairs in which this contract was handled by the Public Works Department. No action was at all taken for recovery of Government dues from the defaulting contractor inspite of instructions from the higher authority and the higher authority also did not view this lapse seriously. The Committee, therefore, recommends that the whole matter should be thoroughly investigated and responsibility for lapses at various levels fixed immediately. The results of investigation and action taken against the officers should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 50 (a) and (b) at page 52 Short Delivery of Stores

70.1. (a) In August 1968 the Subdivisional Officer, Stores and Transport Subdivision, Gauhati, reported that 1818 bags of cement worth Rs. 0.20 lakh, entrusted to a contractor for carriage after they were unloaded from the railways (between May 1965 and March 1967), had not been delivered by him. According to the terms of the contract, Rs. 0.45 lakh were recoverable from the contractor towards the cost of cement (at double the rate) including storage and supervision charges.

(b) The Executive Engineer, Haflong Division, reported to the Superintending Engineer, Diphu Circle, in June 1970 that the carriage contractor appointed to transport 70 tonnes mild steel rods from Gauhati East Division in March-April 1969 had not delivered 11 tonnes worth Rs. 0.10 lakh. Rupees 0.24 lakh were recoverable from the defaulting contractor on that account including storage and supervision charges.

In both the cases information about recovery is awaited (February 1973).

RECOMMENDATION

70.2 The Committee recommends that further development of the cases should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 51 at pages 52-53 Two Mar Boats

70.1. For quick restoration of lines of communication across rivers Dikrong and Ranganadi (North Trunk Road Division, North Lakhimpur), in the event of bridges being put out of commission during emergency, construction of two 12 ton marboats was technically sanctioned in August 1965 at an estimated cost of Rs. 1.06 lakhs.

70.2. Construction of the marboats was completed by October 1966 (costs Rs. 0.23 lakh), but the diesel engines required from the marboats were procured only in March 1970 (cost: Rs. 0.35 lakh). In November 1970 the Subdivisional officer reported that the marboats lying on the

river banks were not in good condition and needed thorough repairs to make them fit for installation of the engines. In January 1971 the Executive Engineer stated that the marboat at Dikrong had been repaired and was ready for installation of the engine, but the marboat on Ranganadi was still under repair.

71.3. Certain other accessories of the marboats including propelling units stated to have been purchased and transferred by Tezpur Mechanical Division in August 1968 could not be located in North Trunk Road Division North Lakhimpur, and therefore, the cost (Rs. 0.23 lakh) was debited against Tezpur Mechanical Division in June 1971. Further information about the whereabouts of the accessories and launching of the marboats fitted with engines and accessories is awaited (December 1972).

71.4. The Committee wanted to know the latest position of the Marboats and enquired whether both the boats have since been put to service. The official witness replied that out of two boats one was fitted with engine and the other sunk along with the engine which could not be salvaged. The enquiry about the missing of the Marboat was in progress. To a query as to why the engine could not be obtained simultaneously with the construction of the boats, the official witness stated that although the orders were placed earlier, the engines were supplied only in 1969 (boats were constructed in 1966). On being asked to furnish the exact date on which supply order was placed, the official witness replied that this information was not readily available.

71.5. The Committee then wanted to know whether any investigation was made on the loss of accessories, the official witness stated that the Executive Engineer was asked to reconcile it.

RECOMMENDATION

71.6 The Committee recommends that the cases should be investigated by the Government thoroughly and responsibility for loss of one marboat and missing of certain accessories be fixed on the officers concerned. Action taken should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 15 (a) items 9 and 10 at page 21

Serial Number	Number and name of grant	Total grant	Expenditure	Excess
9 57	Public works (Excluding Establishment and Tools and Plant) etc. O. 16,88,86,500	..	..	...
	S. 60,28,463	17,49,14,963	20,86,02,262	3,36,87,299
0 58	Public Works Establishment and Tools and Plant— O. 2,88,97,400	2,88,97,400	3,27,66,138	38,68,738

72.1. The Committee asked the official witness the reason as to why the excess expenditure was incurred over the voted grants the official witness stated that were two reasons the first is due to payment towards pay of the establishment as the provision made earlier was inadequate, the second is payment of *ad-hoc* D. A, for the period from 1st April, 1969 to 31st August, 1969.

72.2. On being questioned as to why these reasons were not intimated to Audit, the official witness stated that the Government did not get details from the District Council for an expenditure of Rs. 20.95 lakhs in time.

RECOMMENDATION

72.3 Their should be some arrangement to get the details of expenditure from the District Council in time. Subject to this, the Committee recommends regularisation of the excess expenditure.

Paragraphs 74-75 at pages 95-97 outstanding Audit observation and Inspection Reports.

73.1. These paras brings out that upto the end of March 1971, there are 27,166 outstanding Audit Observations involving an amount of Rs. 8,67.92 lakhs and 502 outstanding Inspection Reports involving 2,849 paras which were not settled upto 30th September, 1971 have remained to be settled.

73.2. The Committee asked the official witness to furnish a written statement showing the present position and to furnish reason as to why the Government failed to settle the outstanding Audit Observations. The Government in their letter No. ADT. 215/72, dated 10th May, 1976 furnished the following:—

73.3. It has been reported that there were 27,866 nos. of outstanding audit observation involving an amount of Rs. 67,92,000 so far P.W.D. is concerned. Out of the above audit observation, the major amount involved in item wanting vouchers. A Total amount of Rs. 8,19,41,534 against 18,807 nos of wanting vouchers had been reported against P.W.D. of which 15,929 vouchers involving Rs. 7,62,42,288 had already been furnished to Accountant General by the different Divisional Officers leaving a balance of 2,878 nos. involving an amount of Rs. 50,99,246. It may, therefore, be seen that much improvement in the matter of disposal of outstanding audit observations had been achieved.

73.4. In this context it is desirable to attract the latest position of the disposal of audit observation. Upto the year 1974-75 it has been reported by audit that there were 30,417 nos. of wanting vouchers involving Rs. 9,88,14,451. So far this office records are concerned 16,189 nos. of vouchers involving Rs. 5,23,73,351 have already been submitted to the Accountant General by the Divisional Officers leaving a balance of 14,228 nos. of vouchers involving Rs. 4,64,41,100.

RECOMMENDATION

73.5 Considering the arrears of Outstanding Audit Observations and Inspection Reports to be settled, the progress made is not satisfactory.

73.6 The Committee recommends that Government should make every endeavour to furnish the wanting vouchers to audit and settle up the Outstanding objections early.

Grant Numbers 57 and 58 at pages 100 and 109 of the Appropriation Accounts, 1970-71.

	Total grant or appropriation	Actual expenditure	Excess+ Saving—
(1)	(2)	(3)	(4)
Major head 50-Public Works			
Voted:—	Rs.	Rs.	Rs.
Original	16,88,86,500	17,49,14,963	20,86,02,262
Supplementary	60,28,463	...	...
			+3,36,87,299
Amount surrendered during the year (March 1971).	...	...	28,92,425
Charged:—			
Original	87,000	87,000	91,117
Supplementary	...	...	...
Amount surrendered during the year.	...	...	...

74.1. The voted expenditure shown above does not include Rs. 1,25,870 spent from out of an advance from the Contingency Fund in March 1971 but not recouped to the Fund till the close of the year.

Grant No. 58— Public Works Establishment and Tool and Plant

Major head
50-Public Works

Voted:—

Original	2,88,97,400	2,88,97,400	3,27,66,138	+38,68,738
Supplementary	...	...	...	...

Amount surrendered during the year. ... Nil.

Charged :—

Original	21,300	}	21,518	84,434	+62,916
Supplementary	218				

Amount surrendered during the year. ... Nil.

RECOMMENDATION

74.2 The Committee is unhappy to find that there is no budgetary control over the expenditure. However subject to maintenance of adequate records to watch over the flow of expenditure, the Committee recommends regularisation of excess appropriation.

REVENUE DEPARTMENT

Paragraph 4 at page 3 Arrears in collection of Revenue

75.1. The paragraph brings out that as on 31st March 1970 and 31st March 1971 Rs. 3.71 crores and Rs. 3.86 crores being collection of Land Revenue were in arrears.

75.2. The Committee asked the official witness as to how much arrear upto 1970-71 had since been realised; the official witness stated that the position of demand, collection and arrear of land Revenue upto June, 1971 was as follows:—

Demand	...	Rs. 8,09,93,912 Crores.
Collection	.. ..	Rs. 2,55,30,573 Crores.
Balance	.. ..	Rs. 5,49,57,801 Crores.

(Excluding remission both current and arrears)

75.3. The Committee then enquired as to what measures the Government had taken to collect the money lying with the Mouzadars undeposited; the official witness stated that Government had taken up the matter with the district administration already and it was expected that district administration would take all possible steps to get the amount deposited by the Mouzadars without delay. Sometimes these Mouzadar's do not deposit the entire amount collected by them and retain a part for subsequent adjustment against their commission.

75.4. On being asked as to whether it is permissible under the rules to retain a part of the collection, the official witness stated that according to rules and agreements executed with the Government, Mouzadars are required to remit to the Treasury, at least once a month all collection of land revenue and local rates made by them and the departmental officers are to inspect and verify the records of such collection and remittance at least once in every six months.

75.5. The Committee then wanted to know whether the amounts realised by the Momzadars are regularly credited to Government account and if not to state the amount showing district-wise figures of amount collected, deposited to Government accounts and retained by the Mouzadars unauthorisedly. The Secretary stated that as yet (11th June, 1974) the figures were not available. He however stated that upto June 1973, between Rs. 70 and Rs. 80 lakhs were lying with the Mouzadars. In explaining the danger involved in retention of huge amounts by the Mouzadars, the Secretary stated that in September 1970, the Deputy Commissioner, Darrang reported an alleged case of misappropriation by one Mouzadar between 1962-63 and 1968-69 involving Rs. 0.43 lakh.

75.6. On a query by the Committee as to whether the Mauzas or Tansils specially where defalcation were detected were inspected by the S.D.C.'s or other officers as required under the Rules, the Government in their letter No. RLR. 18/74/Pt/211, dated 23rd August, 1976 furnished a statement showing the dates of inspection of 21 Mauzas. It was seen from the statement that the Mauzas were inspected at long intervals contrary to the Rules.

RECOMMENDATION

75.7 The Committee is constrained to note that Government have been attaching very little importance to collection and deposit of Land Revenue, local rates etc. For lack of initiative and drive on the part of the Government, the arrears in collection of revenue have been mounting from year to year as revealed by successive audit Reports. No serious effort whatsoever was made by the Government to ensure that even the collection made by the Mauzadars were credited in full. Such indifference on the part of the Government facilitates misappropriation of Government money, a few instances of which have been brought out in Para 60 of the Report of the Comptroller and Auditor General of India for the year 1970-71.

75.8 The Committee therefore recommends that vigorous steps should be taken by the Government to effect realisation of the arrears with a time bound programme.

75.9 The Committee also recommends that steps should be taken against those Mauzadars who defalcated or misappropriated the revenue collected.

75.10. The action taken by the Government on the above recommendations should be intimated to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 8 (c) at page 11 Loans and Advances by State Government (Arrears in recovery of loan).

75.11 The paragraph brings out the position of arrears in recovery of loans at the end of March 1971. In regard to advances to Cultivators the amount overdue for recovery at the end of March 1971 was Rs. 3.79 crores.

75.12 On being asked by the Committee as to the reasons for arrears in recovery of loans the official witness stated that there are difference between their figures and those indicated in the Audit Report. Asked as to why no action was taken by the Department to reconcile the discrepancies between the two figures the Secretary, Revenue stated that the matter was pending with the Commissioner. He also stated that the Departmental records were not properly maintained by the S. D. O's and Deputy Commissioners. As to the reasons for arrears in the recovery of loans the secretary stated that small amounts given as seed loans is difficult to recover and for that reason the Government have decided to discontinue giving small loans for the purpose of cultivation.

RECOMMENDATION

75.13 The Committee is unhappy to note that proper records of loans given to cultivators and recoveries made thereof have not been maintained by the Department. In the absence of vital records it is but natural that recovery should fall into arrears. The Committee therefore recommends that records in respect of loans and advances given by the Government and recoveries thereof should be brought up-to-date showing the actual position of arrears together with action taken or propose to be taken by the Government, should be submitted to the Committee within three months from the date of presentation of the Report to the House.

Paragraph 9 at page 13 (Acceptance of balances)

76.1 The paragraph indicates that the Departmental officers administering the loans and advances had not Communicated the acceptance of balances outstanding for recovery in their jurisdiction. In regard to Advances to Cultivators' and 'Loans to land-holders and other not abilities' which are administered by Revenue Department 55 Nos. and 14 Nos. acceptances involving Rs. 354.70 lakhs and Rs. 21.45 lakhs were awaited from the department at the end of March 1971. In some cases acceptances have been outstanding since 1959-60.

76.2 On being asked by the Committee as to why acceptances of balances of loans and advances outstanding in the book of Audit office had not been sent since 1959-60. The Secretary stated that the Commissioner had been advised to ensure that these are submitted to Audit office without further delay.

RECOMMENDATION

76.3. The Committee notes with regret that no follow up action was taken by the Government to ensure that the instruction issued

are complied with by the field officers. The Committee therefore recommends that action should be taken by the Government to submit the acceptances of balances to Audit and to reconcile the discrepancy, if any, between the Departmental figures and those in the Audit Office. Action taken should be reported to the Committee within three months of presentation of the Report to the House.

Paragraph 12 at page 15—Utilisation Certificates

77.1 The paragraph brings out the position of outstanding utilisation certificates in respect of grants paid upto 31st March 1970. So far as the Revenue Department is concerned 2 Nos. of certificates involving Rs. 3.00 lakhs in respect of grants issued by the Department during 1967-68 were not furnished to Audit upto 31st August 1970.

77.2 On being asked by the Committee why utilisation certificates concerning Revenue Department were not furnished to Audit, the Secretary, Revenue stated that an officer would be sent to collect the particulars of wanting certificates from Audit Office and to settle the matter early

RECOMMENDATION

77.3 The Committee recommends that the fact of submission of utilisation certificates should be reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 25 at pages 36-38—Land Acquisition.

78.1 A review of land acquisition in Kamrup District (66 cases), Sib-sagar district (54 cases) and Nowgong district (68 cases) during 1960-61 to 1969-70 disclosed the following:—

(a) In Nowgong district—

- (i) in two cases, compensation of Rs. 0.79 lakh was paid to private parties for lands which, according to records, belonged to Government;
- (ii) in one case, Rs. 0.33 lakh were paid to eight persons for land not finally acquired;
- (iii) in one case, payment was made for land in excess of that actually acquired and taken possession of resulting in over-payment of Rs. 0.09 lakh.

(b) Avoidable expenditure—

78.2 Although construction of dyke on the right bank of Kopili (Nowgong) was completed in 1953, proceedings for acquisition of land for it were started in 1969. Had the acquisition been finalised in time, compensation for the land would have been restricted to 40 times, the land revenue under the Act then in force and would have been Rs. 5,629, whereas in 1969 Rs. 1,83,270 were paid on that account

Apart from the compensation for the land, Rs. 1,63,066 were paid as compensation for houses, trees and damages. It was not clear from the records how after nearly 16 years assessment of compensation for the houses and trees was made.

(c) Figures in the Zirat compensation (Kamrup district) register were interpolated resulting in wrongful enhancement of compensation by Rs. 69,356.

(d) Trees, standing crops and house materials for which compensation was paid were not disposed of. In Nowgong district, excepting in rare cases, no Zirat register was maintained. Compensation for acquisition was paid even in case where the Zirats were reported to have been removed either by the owners of the land or other persons. The total compensation paid on this account in the three districts was as follows :—

Kamrup	...	..	...	Rs. 14,45,487
Sibsagar	...	...	...	Rs. 8,20,849
Nowgong	...	...	...	Rs. 9,48,021

(e) Rupees 6,84,870 were paid as compensation in Nowgong district for damage to crops standing on land without assessing the nature and extent of damage.

(f) Wrong calculation of compensation had resulted in excess payment of Rs. 44,433 in Kamrup district.

(g) Money was drawn (against sanctions) in lump in advance of requirement and kept in Revenue Deposit. In Kamrup district alone, the balance of such amounts held in Revenue Deposit on 31st March 1970 was Rs. 36,34,675.

(h) In 219 cases out of 341 reviewed, land award statements and payees' receipts were not furnished to the audit office.

(i) (a) According to Government orders (September 1966) fifty per cent of anticipated compensation can be paid to a title holder whose land is under acquisition before completion of actual assessment and other formalities on advance physical possession of the land by Government and on execution of an indemnity bond by the payee indemnifying Government against claim or damages by any person in the event of a dispute in the title of the land. In two cases advance payment were made (Rs. 40,887) without asking advance possession of land and/or without execution of indemnity bonds by the payees.

(b) In one case (Fire Brigade Station, Nowgong), although advance payment of compensation could be made only after taking possession of the property, Rs. 91,478 were paid in advance (June 1969) and Rs. 350 per month were also paid as rent for the building thereon between June and November 1969.

- (j) (i) The following amounts were drawn by the Collector and paid to the Sub-Deputy Collectors/Land Acquisition officer for disbursement but their disbursement could not be verified as there were no entries in the cash book and payees' receipts:—

Kamrup (Sub-Deputy Collectors) Rs. 11,087 (remitted on 31st March—1970)

Sibsagar (Land Acquisition Officer) Rs. 1,78,475 (Rs. 78,765 remitted between May—1961 and August 1963,

Rs. 26,767 remitted between March 1963 and March 1967,

Rs. 71,681 remitted between March 1963 and October 1964, and

Rs. 1,262 remitted between March 1967 and September 1967).

- (ii) Transactions relating to land acquisition were not passed through the case book and/or bill register.

(k) Rupees 1.53 lakhs were paid to persons other than the claimants/awardees.

(l) In six cases land acquisition proceedings were taken up long after completion of works for which the land was required.

(m) In Nowgong after an award was made by the Deputy Commissioner and the major portion of it paid, the Additional Deputy Commissioner, Nowgong, approved enhancement of compensation to five persons from Rs. 19,250 to Rs. 81,719 in contravention of the rules.

(n) As the patta number was not quoted in the Chittas prepared for the respective land acquisition cases, the validity of the title of the claimants to the lands is not ascertainable. In Nowgong district, compensation of Rs. 19.79 lakhs for patta land was paid without showing the patta number.

The Committee submitted a Questionnaire to official witness to give a written reply and the Government in their letter No. RLR.18/74/644, dated 14th July, 1976 submitted a written reply which is given below —

REPLY ON QUESTIONNAIRE ON PARAGRAPH 25 OF THE REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA FOR THE YEAR 1970-71.

Paragraphs

Questionnaire

Reply of Government

(1)

(2)

(3)

Para 25

Land acquisition :— A review of land acquisition in Kamrup district (66 cases), Sibsagar district (54 cases) and Nowgong district (68 cases) during 1960-61 to 1969-70 disclosed the following :

(a) In Nowgong district—

(i) in two cases, compensation of Rs. 0.79 lakh was paid to private parties for lands which, according to records, belonged to Government ;

(i) What are the various stages of acquisition of land ?

(i) Land in the State is acquired mostly under two Acts, viz. The L. A. Act, 1894 and the Assam Land (Reqn. and Acqn.) Act, 1964. Besides this, there is another Central Act viz. the R. A. I. P. Act, 1952. In short, the various stages under these Acts are describe below :

Under the Land Acquisition Act 1894 when a plot of land is proposed to be acquired for a public purpose, a notification under section 4(i) of the said Act is published intimating Government's intention to acquire the land. This notification empowers the local officer to make necessary survey etc., on the land. If

objection under section 5A of the Act is not filed within specified period draft declaration under section 6 of the Act along with L. A. Estimate is submitted to Revenue through the Requiring Department. The Requiring Department then forward these papers to Government. Revenue Department causes publication of the declaration and instruct the collector to proceed with acquisition under section 7 of the Act. The collector then after giving notice to the pattadars makes award and gives possession of the land to the requiring Department. Any person, who is not satisfied with the award of the Collector may file a reference suit as per Section 18(1) the decision of which, if not challenged, becomes final.

The Assam Land (Requisition and Acquisition) Act, 1964 is to be applied only when the land is required for some specific urgent purposes such as for embankment etc. Under this Act, the land to be acquired is initially requisitioned by Collector by issuing a notice under section 3(1) of the Act and requisition rent is paid for the period of requisition. If no objection against the requisition is filed by the interested persons, the Collector submits draft notice under section 6(1) of the Act along with

(1)

(2)

(3)

L. A. Estimate to Revenue Department through Requiring Department. The requiring Department then forward these papers to Revenue Department and Revenue Department causes publication of this notice under section 6(1). In case of urgency the Collector can acquire a plot of land by issuing a notice under section 9(1) of the Act. In the Act of 1964 price of land is settled according to the market value of land of 5 presenting years and under 1894 Act price of land is assessed on the basis of market value prevalent on the date of issue of notification of the land. As per the Act of 1894, additional compensation @ 15% is admissible which as per the Act of 1964 is not admissible. As per the Act of 1964, after publication of notice either u/s 6(1) or u/s 9(1), the Collector makes award. After the award is made all procedures regarding filing reference cases are like that of the Act of 1894.

The R. A. I. P. Act, 1952 is applicable for acquiring land for central Government purposes. Land under this Act is initially requisitioned and subsequently acquired if considered necessary.

(1)

(2)

(3)

- (ii) How the claim for payment of compensation to private parties in respect of Government land arose? Are not steps taken to verify ownership of land before acquisition starts?
- (iii) What was the basis on which the award for payment of compensation issued?
- (iv) Have the Government investigated the cases of irregular and unauthorised payment of compensation? If so, with what results?
- (i) Was any survey conducted before it was decided to acquire the land? If so, why the dags not verified before issue of orders in form F? Was the land in respect of which no dag number was mentioned of dag number mentioned but not traceable in existence?
- (i) Yes, survey was conducted. Some dags were Sarkari land falling within the alignment of land acquired. But as there were Sarkari lands these were not ultimately acquired. These lands were transferred to the requiring Department. There were however encroachers on these Sarkari lands who built dwelling houses and raised crops for which the payment of compensation was given before evicting them. It appears from the Chitha and statement that dags Nos. were furnished in respect of Sarkari land.

(1)

(2)

3)

(ii) Was the possession of land taken in all cases before payment of compensation? If not, how could the payment be made?

(ii) Yes, in all cases possession was delivered to the Requiring Department before payment.

“(iii) In one case payment was made for land in excess of that actually acquired and taken possession of resulting in over-payment of Rs; 0.09 lakh.”

(i) What was the measurement of land actually acquired? What was the actual requirement of the P. W. D.?

(i) The P. W. D. required 36B-OK-10L of land. The same was accordingly acquired and handed over to them.

(ii) If the total area of land as shown in the acquisition proceeding was acquired why then the possession of the entire area could not be given to the P. W. D.?

(ii), (iii) & (iv) When advance possession of the land was given to the P. W. D. the area of the land was taken to be approximately 33B-2K-19L. But on survey and calculation of areas the actual land to be acquired was found to be 36B-OK-10L. So land was not acquired in excess and no excess payment was made as contemplated in the Audit para.

(iii) How the payment was made in respect of land acquired and taken possession of?

(iv) who is responsible for such over-payment?

Para 25(b)

Avoidable expenditure—

Although construction of the dyke on the right bank of Kopili (Nowgong) was completed in 1953 proceedings for acquisition of land for it were started in 1969. Had

(i) When was the proposal for acquisition of land from Public Works Department received?

(i) Formal proposal for acquisition was received on 15th November, 1967 although the project was completed in 1953 by taking over possession of the land amicably.

(1)

the acquisition been finalised in time, compensation for the land would have been restricted to 40 times the land revenue under the Act then in force and would have been Rs. 5,629, whereas in 1969 Rs. 1,83,270 were paid on that account. Apart from the compensation for the land, Rs. 1,63,066 were paid as compensation for houses, trees and damages. It was not clear from the records how after nearly 16 years assessment of compensation for the houses and trees was made.

(2)

(ii) When the order for acquisition of land was notified in the Gazette? When was the land actually acquired and its possession handed over to P. W.D.?

(iii) What are the reasons for delay in finalisation of the acquisition proceedings?

(3)

(ii) Notice under section 9(1) of the Assam Land (Requisition & Acquisition) Act, 1964 was issued on 15th March, 1969 although formal advance possession was given the E. & D. Department on 9th March, 1968.

(iii) The finalisation of the acquisition proceedings was delayed due to late submission of acquisition proposal by the requiring Department i.e. E. & D. Department.

(iv) When were the lists of Zirats in support of payment of compensation for houses, trees and damages prepared? Where the lists prepared before construction of the Dyke? If not, how could the value of houses, trees as well as extent of damages be assessed on a subsequent date? Was the valuation accepted by the P. W.D.?

(iv) Lists of Zirats were prepared after construction of the embankment was completed. These were prepared on the basis of the Zirats that were available on both sides of the embankment. Zirats which were covered by the embankment could not be traced out and counted. The damage charge has been excluded from the final estimate. The estimate appears to have been accepted by the E. & D. Department.

(1)

Para 25(c)

Figures in Zirat compensation (Kamrup) district registers were interpolated resulting in wrongful enhancement of compensation by Rs. 69,356.

(2)

(i) Have the Government investigated the cases? If so, when and with what results?

(ii) What according to Government made possible the interpolation? Was it due to any lacunae in the rule/order or lack of supervision on the part of the supervisory officers?

(iii) Has responsibility for interpolation been fixed?

(3)

(i), (ii) and (iii) The lists of Zirats in L. A. case Nos. 41/69, 33/68-69, 20/68-69 and 56/69-70 were verified by the representative of the Requiring Department, i.e., by the S.D.O. E. & D. along with the revenue official, i.e., S.D.C. and the over writings and the interpolated entries in the Zirat Lists have been accepted. As such, there was no wrongful enhancement of compensation.

Para 25(d)

Trees, standing crops and house materials for which compensation was paid were not disposed of. In Nowgong district, excepting in rare cases no Zirat register was maintained. Compensation for acquisition was paid even in cases where the Zirats were reported to have been removed either by the owners of the land or other persons. The total compensation paid on this account in the three districts was as follows :

(i) Was any survey conducted before assessing the value of trees, standing crops, and house material, etc., for the purpose of payment of compensation? If so, was the value of trees, standing crops, etc. determined and recorded in all cases? If not, how was the amount of compensation payable determined?

(i) Survey is conducted for assessing the value of Zirats on the acquired land and compensation is paid accordingly.

(1)

(2)

(3)

(ii) What are the reasons for non-disposal of tree-, standing crops, etc. for which compensation was paid?

(ii) & (iii) Possession of the land is handed over to the requiring Department along with the Zirats thereon. Once the possession is handed over to the requiring Department, it is the responsibility of the requiring Department to dispose of the Zirats in the manner suited for purpose and Revenue Department have nothing to do with the same, Government have however, issued instructions to D.C./S.D.Os under their letter No. RLA. 426/69/3, dated 25th October 1969 to undertake joint enumeration of Zirats along with the representatives of P.W.D. (Requiring Department.) Instructions have also been issued to the D.L.R.A.R. under letter No. RLA. 126/74/8, dated 23rd July, 1974 for maintenance of Zirat lists by D.C./S.D. Os

Kamrup	Rs. 14,45,487
Sil sagar	Rs. 8,20,849
Nowgong	Rs. 9,48,021

Para 25 (c)

Rupees 6,84,870 were paid as compensation in Nowgong District for damage to crops standing on land without assessing the nature and extent of damage.

Para 25 (f)

"Wrong calculation of compensation had resulted in excess payment of Rs. 44,433 in Kamrup district."

(i) Did the claimants file specific claims for payment of compensation? If not what was the basis on which the payment of compensation was made?

(ii) Was any enquiry conducted before payment of compensation? If not, why not?

(i) & (ii) In this case, claimants did not claim for damages and the same was paid at a flat and uniform rate illegally. The D.C. has reported that formal proceedings have been drawn up against the person(s) responsible for Committing such irregularity.

(1)

(2)

(3)

The details of the cases are as under:—

i) L. A. Case No. 114/60-61 Al-though an amount of Rs. 1,68,085.15 was already paid to one Shri Manik Choudhury and others for 4 Bigha 1 Katha 7 Lachas of land in the re-vised estimate prepared the amount already paid was shown as Rs. 1,46,167.00. This resulted in excess pay-ment of Rs. 38,713.00 including 15% additional compensation (3289) and interest on Rs. 25,213 for the period from 18th April, 1961 to 20th March, 1970 (Rs. 13,501)

(i) Have the Government investi-gated the circumstances leading to the excess payment through wrong calculation? If so, what are the results of such investigations?

(ii) Is there no system of counter check?

(iii) Is there any prospect of recovery of the the excess payment?

(i), (ii) and (iii)—In this case no excess payment appears to have been made and the calculations made by the Audit party appear to be incorrect. The calculations as done by the D. C., Kamrup is as follows :—

Collector's award.	Area 47B-1K-7L. Rs.
For land	1,41,810.00
For zirat	4,351.00
Additional 15% compensation	1,46,161.00
	21,924.15

Rs. 1,68,085.15 Paid

REFERENCE COURTS AWARD.

Land	...	3,03,255.00
Trees	...	8,000.00

Minus Collector's award ... 3,11,255.00
excluding 15% 1,46,161.00

Additional 15% compen- ... 1,65,094.00
sation on balance amount. 24,764.00

6% interest from 18th ... 1,89,858.10
April, 1961 to 20th ... 1,01,669.00
March, 1970

Rs. 2,91,527.10 paid
to party,

(1)

(ii) L. A. Case No. 141/66-67:- As per award Register an amount of Rs. 1,194 being second instalment of compensation.

Compensation was payable to one Shri Rati Kachari. The figures was cancelled and in its place was inserted Rs. 2,388 which amount was paid to the claimant on 4th October, 1969. The award statement for the 1st instalment, however, showed that he had already been paid Rs. 1,194.00. This resulted in excess payment of Rs. 1,194.00

(iii) L. A. Case No. 27/64.

Out of the total sanctioned amount of Rs. 44,783.74 and amount of Rs. 3,129.44 being 5% establishment charges and 3½% contingency charges required to be credited to Government revenue was not credited. The amount was kept under Revenue Deposit.

(iv) L. A. Case No. 35/65-66.

Although an awardee was actually entitled to an amount of Rs. 17,365 (excluding the capitalised

(2)

(ii) Who cancelled the entry in respect of Rs. 11.94? Was the entry attested by any officer? If so how was the satisfied as to the correctness of the entry? If not, why not?

(iii) Why was the amount of Rs. 3,129.44 not credited to Government revenue? Was any action taken to credit the Government revenue with this amount?

(iv) Who is responsible for excess?

(a) Payment?

(3)

(ii) The excess amount of Rs. 1193.75 paid in this case through mistake has already been recovered from the payee and deposited into the State Bank of India vide Challan No. 22, dated 11th February, 1971.

(iii) The Deputy Commissioner, Kamrup has reported that inspite of best efforts, the records of the case could not be traced out. As such, the objections raised in the Audit para could not be met. Action has been taken to fix responsibility for missing of records.

(iv) (a) and (b) The excess amount paid in this case has since been recovered from the payee and the same has been credited to the head, 029-L. R. on 20th May, 1976.

(1)

value of Government revenue, establishment and contingency charges of Rs. 1,396.12) he was paid Rs. 18,761.12 (including capitalised value of Government revenue etc.). This resulted in excess payment of Rs. 1,396.

Para 25 (g):

Money was drawn (against sanction) in lump in advance of requirement and kept in Revenue Deposit. In Kamrup district alone, the balance of such amounts held in Revenue Deposit on 31st March, 1970 was Rs. 36,34,675.

(2)

(b) What steps have been taken for recovery of the excess payment?

(i) What was the basis on which the amounts were sanctioned?

(ii) What was the expectation at the time of drawal? Was it expected that the entire amount would be required for immediate disbursements? If so, why the expectations could not be fulfilled? If not, were the amounts drawn to avoid lapse of budget provisions?

(iii) Were these amounts subsequently utilised for acquisition of land? What is the present position of this Rs. 36.35 lakhs?

(iv) What are the amounts district-wise which are similarly lying in Revenue Deposit accounts on 31st March, 1974? What are the reasons?

(3)

(i) Amounts were sanctioned on the basis of the estimates.

(ii) On receipt of fund from the requiring authorities the amounts were kept in Revenue Deposit for payment to the parties concerned. The Requiring Department are to place funds for acquisition cost before final acquisition of land. No amount was drawn by the D. C., Kamrup to avoid any lapse of budget provision.

(iii) The amount kept in Revenue Deposit against acquisition cost of land are utilised for the said purpose. Out of Rs. 36.27 lakhs an amount of Rs. 28.50 lakhs were disbursed upto 16th September, 1974 leaving balances of about Rs. 7.77 lakhs.

(iv) Latest district-wise figures being collected. The reasons for keeping the amount in Revenue Deposit are as follows:—

(1) In cases where requiring authority placed fund by Bank draft in favour of the D. C., such amounts were kept in Revenue Deposit for future payment to the awardees.

(1)

(2)

(3)

(2) At the closing of the financial year the undisbursed amount from out of sanctioned amount was kept in Revenue Deposit for future payment to the awardees.

(3) In case of land acquisition for Defence purposes, the Military authority placed lump sum fund for payment as advance to the owners/occupant of the land. In these cases, after making advance payment, the undisbursed amount was kept in Revenue Deposit for future payment to the awardees.

Para 25(h)

In 219 case out of 341 reviewed, Land award statements and payees receipts were not furnished to the audit office.

Of 219 cases, 17 out of 66 cases reviewed pertains to Kamrup, 157 out of 182 cases pertains to Nowgong and 45 out of 93 cases pertains to Jorhat.

(1) Why were the actual payees' receipts not furnished to Audit? Were the receipts obtained in all cases?

(ii) What is the present position of these outstandings?

(1) & (11) Out of the 17 cases relating to Kamrup District, award statements in respect of 16 cases have been submitted to the A. G. by the D. C., Kamrup under his letter No.RQ.74/7504, dt. 16th November 1974. The explanation for the remaining case has also been given therein.

Out of the 45 cases relating to Sibsagar District, it has been reported that award statement and payees' receipt, in respect of 44 cases have already been submitted to A. G. The remaining one case is pending in the High Court, and records are with H. C. Hence receipt could not

(1)

(2)

(3)

Para 25(i)

(a) According to Government orders (September 1966) fifty per cent of anticipated compensation can be paid to a title holder whose land is under acquisition before completion of actual assessment and other formalities on advance physical possession of the land by Government and on execution of an indemnity bond by the payee indemnifying Government against claim or damages by any person in the event of a dispute in the title of the land. In two cases advance payments were made (Rs.40-887) without taking advance possession of land and/or without execution of indemnity bonds by the payees.

- (i) What was the basis on which the advance payment was made?
- (ii) How the interest of Government was safeguarded?
- (iii) When was the possession of land actually taken?

be sent to A. G. The D. C., Nowgong has reported that as some of the relevant records, etc., were seized by Audit and as some of the records are involved in the departmental proceedings against officer and staff, etc., the award statement and payees receipt could not be sent. These will be sent as soon as the record are available with him.

(i) Advance payment of 50% of total acquisition cost is made because of hardship on the patiadars due to delay caused in finalisation of acquisition proceedings. This is done on prayer from patiadars & obtaining indemnity bonds.

(ii) In all cases of advance payment indemnity bonds were taken from the concerned patiadars to safeguard Government interest.

(lii) On 30th May 1968.

(1)

The cases referred to above pertain to Land Acquisition case No. 36 of 1967-68 (Rs.26,887) and Land Acquisition case No.2 of 1968-69 (Rs.14,000) in Nowgong District.

(2)

Para 25 (j)

(b) In one case (Fire Brigade station Nowgong), although advance payment of compensation could be made only after taking possession of the property, Rs.91,478 were paid in advance (June 1969) and Rs.350 per month were also paid as rent for the building thereon between June and November 1969."

(i) How could the claim for payment of rent entertained after taking possession of the property on payment of compensation?

(ii) Was such payment of rent permissible under rules? If not, at whose instance such payment was made?

(iii) Has the amount already paid recovered from the owner or adjusted from his final claim? If so, when?

The building under acquisition was in occupation of the Nowgong Fire Service Station with effect from 1st March 1962 on a monthly rent of Rs.350.

(3)

(i), (ii) and (iii). In this case, although the building was under occupation of the Nowgong Fire Service Station since 1st March 1962 on monthly rental basis Acquisition proceedings was initiated in April, 1969 and 50% advance compensation was paid on 25th June 1969. Payment of rent beyond 25th June is not permissible and D. C. has been asked to adjust arrear rent paid beyond that date.

(1)

(i) The following amounts were drawn by the Collector and paid to the Sub-Deputy Collector/Land Acquisition Officer for disbursement but their disbursement could not be verified as there were no entries in the cash book and payees' receipt :—

Kamrup (Sub-Deputy Collectors).
Rs.11,087 (remitted on 31st March 1970).

Sibsagar (Land Acquisition Officer):

Rs. 1,78,475 (Rs. 78,765 remitted between May 1961 and August 1963).

Rs.26,767 remitted between March, 1963 and March, 1967.

Rs.71,681 remitted between March 1963 and October, 1964, and

Rs.1,262 remitted between March 1967 and September 1967).

(2)

(i) Have the Government investigated the cases? If so, what does the investigation reveal?

(ii) Were the disbursement made in all cases? If so, when? Why were entries not made in the cash book?

(iii) Why were actual payees' receipts not obtained in cases payments were actually made?

(iv) Were there unspent balances? If so, were these balances re-funded into treasury?

(3)

(1),(ii),(iii) & (iv) —

The D.C., Kamrup has reported after verification of Nazarat Cash Book and Land Acquisition Records that the amount of Rs.11,087.00 is not land acquisition compensation sent for disbursement to S. D. Cs. but this amount relates to pay and D.A. of the staff working under the S.D.Cs. of Rangiya and Sonapur.

The D. C., Sibsagar has submitted his report on the following amounts :—

(1) For an amount of Rs.17,580.62 covered by R. V. Nos.23/10-7-63, 26/11-7-63, 39/19-7-63, 54/27-7-63, 63/29-7-73, 1/2-8-63 the A. P. Rs were sent to the A. G. under his letter SJL.756, dated 30th May 65.

(2) Rs.4,686.60 under Repayment Voucher No. 33(a) dated 11th May 1962 was deposited in Treasury to the original sanctioning head *vide* Challan No. 29, dated 11th May 1962 by transfer.

(3) The amount of Rs.4,686.60 under voucher No.28, dated 11th April 1962 was deposited *vide* Chalan No.27(9), dated 11th April 1962.

(3)

(4) An amount of Rs. 33,330.04 being cost of estt. and contingencies, has been deposited into the Treasury vide Challan Nos. 173, 171, 168, 169, 170, 172 all dated 12th May 1961 Nos. 412, 409, 411, 410, all dated 22nd May 1961; Nos. 70, dated 9th November 1961 and No. 500 dated 29th December 1961.

(5) An amount of Rs. 6,293.99, being the capitalised value has been deposited into the Treasury vide Challan Nos. 120(A), 118(A), 119(A), all dated 7th June 1961; No. 160 dated 9th June 1961 and No. 77 (a) dated 9th November 1961.

100

(6) An amount of Rs. 1,11.85 being conversion fee, has been deposited into Treasury vide challan No. 498, dated 29th December 1961.

(7) An amount of Rs. 3,007.70, being capitalised value has been deposited into the Treasury vide Challan No. 499, dated 29th December, 1961.

(8) An amount of Rs. 860.00 has been paid to the pattadars payment vouchers of which have been sent to A.G. vide letter No. JL. 21/74/142, dated 10th July, 1976.

(3)

- (9) Rs. 1,800.00 was paid to the pattadars concerned, A.P.R.'s of which were sent to A.G. vide D.C., Sibsagar's letter No. SJL. 1788-89, dated 11th December, 1963, but the same has been received back from A.G. vide No. DA. 19/Dep/2-6/61-62/45, dated 25th February, 1964. This was again returned to A.G. vide letter No. J.L. 21/74/142, dated 10th July, 1976 by the D.C., Sibsagar.
- (10) The amount of Rs. 5,787.48 was drawn vide T.V. Nos. 22, 23, dated 19th February, 1963; No. 42, dated 21st February, 1963; No. 77, dated 28th February, 1963 and No. 7, dated 6th March, 1963 and were disbursed to the pattadars concerned.
- (11) An amount of Rs. 673.00 has been paid to the pattadars, A.P.R. of which has been sent to A.G.
- (12) The amount of Rs. 3105.05 drawn against cheque No. 4 dated 30th March, 1963 was deposited by Transfer vide challan No. 950, dated 30th March, 1963.
- (13) The amount of Rs. 19,595.71 drawn vide L.A. Cheque No. 9, dated 3rd November, 1965 was refunded to the requiring Department by transfer vide challan No. 1, dated 6th November, 1965.

(1)

(2)

(3)

(14) Rs. 2619.47 was paid to the Collector, Sibsagar, Jorhat vide L.A. cheque No. 43, dated 13th August, 1963 for adjustment of Bakljai dues of the pattadar.

(15) Amount of Rs. 457.70 drawn vide L.A. Cheque No. 40, dated 6th April, 1966 was paid to the party concerned A. P. Rupees have been sent by the D. C., Sibsagar to A. G. vide his letter No. J.L. 21/74/142, dated 10th July, 1976.

(16) Amount of Rs. 414.78 being court charges was paid to Nazira on 12th March, 1967 vide L. A. Cheque No. 65, dated 12th March, 1967.

(17) Amount of Rs. 673.65 was drawn vide L. A. Cheque No. 14, dated 5th June, 1963 and paid to the party concerned on 6th June, 1963. The A. P. Rupees have been sent by the D. C., Sibsagar to the A.G. vide his letter No. J. L. 21/74/142, dated 10th July, 1976.

(18) Amount of Rs. 19,613.19 p. drawn vide L.A. Cheque No. 8 of 1st October 1964 was duly entered into Nazarat Branch Cash Book dated 7th October 1967.

(1)

(2)

(3)

(19) The amount of Rs. 151/-Rs. 182/- and Rs. 929/- were drawn vide L.A. Cheque No. 22/27-9-67, 61/16-3-67 and 64/12-3-67 respectively are duly entered in the C.B. of Nazarat Branch dated 3rd October, 1967 and 7th April 1967.

(20) Prior to 1955, the practice followed was that immediately after fixing date for payment, the L.A. Cheque was prepared and amount drawn from Treasury and disbursed to the Claimant by the L.A.O. himself. As the amount were not drawn by Nazir, the amounts were not entered in the Nazirat cash Book. However, A. P. Rupees for all the amounts are available. The amount of Rs. 4,956.61 in L.A. case No. 2 of 1958-59 deposited into the Treasury under head "Work Done" by transfer and credit vide challan No. 4, dated 26th March, 1964 and as such this was not shown in the Cash Book.

Para 25 (L)

(ii) Transactions relating to land acquisition were not passed through cash book and/or bill register" transactions pertaining to land acquisition cases?

(i) & (ii). The L.A.O. has been given the power of Collector under the provisions of all the L.A. Acts. He exercises control over acquisition matters including payment of compensation.

(1)

(2)

(3)

The D.C., Kamrup reported that in the Land Acquisition Office at Gauhati, no acquisition compensation was paid to the awardees in cash. The compensation was paid by Land Acquisition Voucher in form "C", against a particular sanction and also by refund voucher against the Revenue Deposit in which sanction and undisbursed amount was kept for future payment. Duplicate counterfoil of "C" form was kept for office record. As no cash transaction of land acquisition compensation was made by that office, no Cash Book or Bill Register was maintained for that purpose.

The D. Cs/S. D. Os have been instructed to maintain a subsidiary Cash Book in L. A. Branch showing all transactions in cash as well as by cheques and vouchers.

Para 25 (M).

"Rupees 1.53 lakhs were paid to persons other than the claimants/awardees".

Of Rs. 1.53 lakhs, Rs. 0.08 lakh relate to payment made to two persons on behalf of 10 persons in Kamrup District, Rs. 1.12 lakhs relate to payments made to persons on behalf of eight

(i) What was the basis on which the payments were made to persons other than the claimants/awardees?

(ii) Did the actual claimants acknowledge receipt of the payments? If not, did they prefer any fresh claims?

(i), (ii) and (iii) The D. C. Kamrup has reported that 50% of compensation in L.A. case No. 38/68-69 was paid through the S.D.C., Rangia. The S.D.C. disbursed some amount of compensation through persons who were authorised by the awardees to receive the amount. In these cases the authorised agents executed the indemnity bonds and received payment on behalf of the awardees. The execution of indemnity

(1)

persons in Nowgong district and Rs. 0.33 lakh relate to payments made to 34 persons on behalf of 34 persons in Sibsagar District.

(2)

(iii) How did the disbursing officers were satisfied as to the genuineness of the persons to whom the payments were made?

(3)

bonds by the authorised agents appears to be illegal. The actual payees' receipts given by the authorised agents instead of by the awardees is also not legal. The S.D.Cs were asked by the D.C. to adopt the correct procedure in making such payment. At the time of final payment actual payees' receipts for the entire compensation paid to each awardee will be obtained and the irregularities so occurred will be rectified.

The D.C., Sibsagar has reported that the amounts of Rs. 14*453,14 and Rs. 18,667 were paid to legal heirs and to persons on behalf of the actual payee after proper identification. No complaint has been received in this regard from any quarter about non-receipt of compensation by the actual payees/claimants.

The D.C., Nowgong reported that in one case an amount of Rs. 95,701.40 was paid to one Shri R. K. Sarma instead of Chabua Tea Estate as compensation for Kelydone T. E., Shri R. K. Sarma, who received the payment on behalf of the Manager, Kelydone T. E. which is a part of the Chabua T. E. was the Head Assistant of the Tea Estate and he was authorised to receive payment on behalf of the

(3)

Tea Estate. There was no complaint from the T. E. that they did not receive the payment. As regards the other cases the D. C., Nowgong has reported that the payment was made to the real owners. He has also stated that from the Chitha and payment sheet it appears that in some cases the names do not tally. But this is due to the reason that one person on behalf of others (who are related to him) received payment. In some cases, owners died and their successors received payment. No complaint was received from any quarter that payment was not made to the real owners.

(2)

(1)

Para 25(L)

"In six cases land acquisition proceedings were taken up long after completion of works for which the land was required."

The Cases referred to above were:—

(1)

(1) Acquisition of land for construction of flood embankment along left bank of Kallong river for Raha to Jagiroad and right bank of Kopili from Azarbari to Railway bridge in village Dehati Pukhuri under Tetalia Mouza (LA case No. 10 of 1969-70) Embankment was completed in 1955-56, whereas acquisition proceedings were finalised in 1970-71.

(2)

(i) What are the reasons for delay in completion of acquisition proceedings?

(ii) Did not the Government pay more compensation towards the value of land due to such delay?

(iii) How was the value of trees, standing crops, etc. in respect of land assessed at a such later stage?

(3)

(i) Both the Deputy Commissioner, Kamrup and Deputy Commissioner, Nowgong reported that in these cases of emergent nature the requiring Department started construction of Dyke and embankment with the consent of the owners prior to formal acquisition of land. In these cases acquisition proceedings were taken on receipt of proposals from the requiring Department after the construction work was completed.

(2) Acquisition of land for FDR to Brahmaputra Dyke (Main) from Ding to Hiloikunda (L. A. case No. 36 of 1967-58). The Dyke was constructed during 1963-64 whereas the preliminary acquisition proceedings were started in 1968.

(3) Acquisition of land for construction of Tributary dyke with right bank of Kopili river for Kasua to Ahatguri in village Kasua.

The project was completed in 1953 whereas acquisition proceedings were finalised in 1969.

(ii) Yes, but this could not be avoided due to the reasons stated above.

(iii) Generally in such cases, value of zirant is assessed on the basis of the zirant available at the time of acquisition. The zirants which are destroyed at the time of construction are not counted.

(3)

(2)

(1)

(4) Acquisition of land at village Athgaon - III for construction of Marginal Embankment on both banks of Puthimari river (L. A. Case No. 85/64-65 .)

(5) Acquisition of land for construction of Gumi-Kalatoli Embankment along the left bank of Brahmaputra at Village Hobuwa Pathar in Pub-Samaria Mauza (L. A Case No. AC/91/69)

Requisition from P.W.D. received in February, 1956. The possession was handed over in October 1969.

(6) Acquisition of land for construction of embankment along the river Puthimari at Village Madhukuchi (Part I) in Mouza Pub-Kachar Mahal. (L. A. Case No. 38/68-69). Embankment was constructed in 1966 whereas possession of land was handed over in March 1969.

Para 25(M)

(1)

"In Nowgong after an award was made by the Deputy Commissioner and the major portion of it paid, the Additional Deputy Commissioner, Nowgong approved enhancement of compensation to five persons from Rs. 19,250 to Rs. 81,719 in contravention of the rules."

Under Rule 69 of the Executive Rules of the Government of Assam when the Collector has made his award he is not competent to amend it or make a supplementary award except in cases of clerical error of calculation.

(2)

(i) Why the Additional Deputy Commissioner approved the enhancement of rates? Is he competent to modify the award of the Deputy Commissioner?

(ii) What is the exact procedure for enhancement of the rates of compensation already fixed? Is it not incumbent on the Additional Deputy Commissioner to refer the matter the Court for a decision?

(iii) Is there no time limit in this regard? If so, were the claimants applied for revision of the rates of compensation within that time limit? If not, how their claims could be entertained?

(3)

(i) (ii) & (iii) In this case a total area of 35B-4K-8L in Ralgaon was acquired from National Highway in 1969. The acquired land was classed before acquisition as follows :—

(1) Lahi	...	12B-8K-4L
(2) Bari	...	22B-2K-4L
(3) Special farming		0B-4K-0L
Total...		35B-4K-8L

This land was divided in to blocks, A, B, C, D, E, and F. Blocks A, B, C, D, are situated to the west of Raha town and Block E and F are situated to the east. The lands of A, B, C, D, blocks are within 6 furlong, and those of blocks E, & F, 3 furlong from Raha town approximately as appeared from the trace map.

(1)

(2)

(3)

The D. C. as Collector fixed Rs. 3,000 per bighas for khet land and Rs. 3,500 per bighas for Basti land. On the basis of these rates detailed estimates were prepared at an appropriate cost of Rs. 2,29,122.44 P. Final sanction came from P. W. D.

All pattadars accepted payment excepting the pattadar of Dag No. 185,183, 129 and 404 measuring 5B-0K-1L. on the ground of under assessment of valuation filing objection petition. In the objection petition the pattadar prayed for referring the matter to appropriate Court for enhancement of valuation. The A. D. C. made a local enquiry and approved the enhancement of bigha rate as suggested by the L. A.O. According to the previous rates fixed by the D. C. the total compensation due to the pattadars in respect of the above 4 dags was Rs 19,250. This came to Rs. 81,719.00 on re-fixation by the A. D. C. Advance payment of 50% of the assessed compensation was paid to the pattadars. The action taken by A. D. C. in this matter is irregular and action is being taken against him.

(1)

Para 25 (N)

"As the patta number was not quoted in the Chithas prepared for the respective land acquisition cases, the validity of the title of the claimants to the lands is not ascertainable. In Nowgong district, compensation of Rs. 19.79 lakhs for patta land was paid without showing the patta number".

(2)

(1) In absence of the patta number being quoted in the "Chitha" prepared for the respective land acquisition cases, how could the authority satisfy itself that the persons to whom compensation for the land was paid actually held the legally valid pattas.

(3)

(1) As patta numbers of A. P. lands are changeable after a year, the number was not quoted by the L. A. Staff. The main reason for non-quotation is attributable to the fact that the payment is generally made long after commencement of L. A. proceedings. During such periods A. P. Nos. are frequently changed giving rise to complication and disputes in making final payment if patta numbers found at the time of service of notice under section 9 is adhered to. As the dag numbers remain in fact with areas and name of patta-dars, title of claimants can be easily verified.

RECOMMENDATION

From the written statement of the Government the following points emerged :—

(1) Though the construction of a dyke on the right bank of Kopili was completed in 1953 the acquisition proceedings were transpired from the evidence tendered by the Official witnesses transpered from the evidence tendered by the Official witnesses that Lands were acquired by the Revenue Department and compensation paid suo-moto without any requisition proposal from the requiring department.

(2) By the time the action for land acquisition was initiated, the Assam Land (Requisition and Acquisition) Act, 1964 came into force under which rate of compensation was substantially increased. Consequently the Government had to incur an avoidable expenditure to the extent of Rs. 1.77 lakhs. Before making payment of compensation for the land acquired it is the duty of the collector to verify the ownership right of pattadars over the land. Rs. 0.79 lakhs was wrongly paid to the encroachers of the Government land.

(3) The Department could not adhere any justification for non-maintenance of zirat register in Nowgong District nor could they furnish any explanation for non-disposal of trees, standing crops and house materials for which huge amounts were paid as compensation.

(4) In Nowgong District Rs. 6.85 lakhs were irregularly paid as compensation for damage to crops without any claim. In Nowgong District house rent of Rs. 350 p.m. was being paid to the owner of the building in which the firebrigade stations were housed notwithstanding advance payment of Rs. 0.91 lakh (June 1969) towards the payment of compensation and taking over possession of land.

(5) Rs. 1.53 lakh was paid to persons other than the claimants/awardees obtaining actual payees receipts and indemnity bond from their Agents which were not legally valid.

6. In Nowgong the Additional D.C. irregularly enhanced the amount of compensation from Rs. 0.91 lakh to Rs. 0.82 lakh in respect of five persons.

The Committee is unhappy to find the distressing condition in which the matter of payment of compensation is being handled by Government. It is evident that there is no control and proper supervision over the processing of various cases for the purpose of payment of compensation. The Committee therefore recommends that all such cases in the State should be thoroughly

investigated by a high powered Committee to fix up responsibility at different levels and the results of the enquiry Reported to the Committee within three months in respect of the above cases and one year in respect of other cases from the date of presentation of this Report to the House.

Paragraph 29 at page 39 read with Serial 1 of Appendix IV at page 108 and Paragraph 60 at pages 60-64 Misappropriation of Government Revenue.

In paragraph 56 of the Report for the year 1969-70 mention was made of thirty-one cases of misappropriation (amount : Rs. 8.20 lakhs) between April 1968 and August 1970. Subsequently upto August 1971 twenty more cases of misappropriation of Government money amounting to Rs. 4.30 lakhs were reported. Some of the major cases have been mentioned individually in paragraphs 20, 21, 22, 26, and 27.

Government moneys amounting to Rs. 13.61 lakhs had been misappropriated or were alleged to have been misappropriated in the following cases :—

(i) (a) According to rules; and under agreements executed with Government mauzadars are required to remit to treasury at least once a month, all collections of land revenue and local rates made by them, and the departmental officers are responsible to inspect and verify the records of such collection and remittance at least once in every six months. The Deputy Commissioner, Darrang, reported (September 1970) that an amount of Rs. 0.43 lakh collected by one mauzadar between 1962-63 and 1968-69 as land revenue and local rates were not deposited till that date. The amount was alleged to have been misappropriated by the mauzadar and he was accordingly placed under suspension from September 1970.

On appeal by the mauzadar the suspension was stayed by Government and the mauzadar was reinstated (December 1970) in his post.

Government stated on 24th August 1971 that a further report received from the Deputy Commissioner (10th August 1971) indicated that a total Rs. 0.65 lakh was misappropriated by the mauzadar upto 1970-71. It was further stated that the order staying the suspension was withdrawn (June 1971) and that the mauzadar had been asked to deposit the entire amount by 16th August 1971. Information regarding recovery of the outstanding collection from the mauzadar and final action taken by the Government is awaited (January 1972).

(b) Test audit of records of various Districts and Subdivisions disclosed that mauzadars failed to remit the receipts in time, and retained heavy balances with them. Accumulation of heavy cash

balances with the mauzadars and laxity in inspection resulted in the following misappropriations to the cases which have already been brought out in para 46 of Audit Report 1970. Departmental inspection of the accounts of mauzadars were also not done regularly.

District/ Subdivision	Number of cases	Amount (In lakhs of rupees)	Remarks
(1)	(2)	(3)	(4)
Nalbari Sub- division.	11	4.26	Rs. 0.38 lakh have since been realised. Two Mauzadars were dismissed and four others had been placed under suspension of which two have subsequently been reinstated (September 1969).
Kamrup District	9	3.44	Three Mauzadars have been sentenced, Security deposit (Rs. 0.02 lakh in cash, Rs. 0.06 lakh in National Saving Certificate and Rs. 1.31 lakhs being value of landed property) pledged by the Mauzadars is, however, yet (February 1970) to be adjusted.
Darrang District	4	1.12	Two Mauzadars placed under suspension (October 1961/ November 1966) were subsequently reinstated (September 1969/January 1969) on condition that they would deposit entire amount within three months from the date of taking over charge. In one case Rs. 18,425 out of Rs 32,703 are, however, yet (May 1970) to be realised; in the other case besides Rs. 12,976 out of Rs. 53,767 on account of previous outstanding amount there has been further accumulation of arrears of Rs.23,018. Action taken against two others is not known.

District/ Sub-divn.	Number of cases	Amount (In lakhs of rupees)	Remarks
(1)	(2)	(3)	(4)
Mangaldoi Subdivision	1	0.13	The misappropriation was detected on 21st November 1969; Mauzadar was placed under suspension on 8th May 1970 but no action was taken thereafter (January 1972).
Do	1	0.81	Misappropriation was detected on 6th August 1966; Mauzadar was suspended on 27th December 1966 and a complaint was lodged with police on 11th February 1967.
Do	1	0.17	Misappropriation was detected on 25th March 1969; disciplinary action had not, however, been taken against the Mauzadar (January 1972).
North Lakhimpur Subdivision.	1	1.61	Misappropriation by the Mauzadar by incorrect to daily collection in the daily collection register as well as in the cash book. A landed property valued Rs. 9,475 had been attached in Bakijai proceedings. The Mauzadar, who was placed under suspension (March 1971), deposited Rs. 0.16 lakh (including cash balance of Rs. 0.11 lakh found with him) during November 1970 to March 1971 against the total outstanding revenue of Rs. 1.72 lakhs leaving a balance of Rs. 1.56 lakhs yet to be realised.

- (ii) According to rules, land revenue collections made by Jarikardars (peons) are required to be deposited in the Tahsil Office along with counterfoils of receipt book immediately after their return from every trip. Collections received in a Tahsil office during the day are required to be remitted to the Treasury either on that day or on the subsequent working day of the Treasury. The counterfoils of the receipt book, the challan and cash book entries are also required to be checked daily by the Tahsildar or any other officer authorised to act on his behalf. Unnecessary retention of cash, non-deposit or short deposit of the

amount of collections by the Jarikardars, alteration of entries in the counterfoils of receipt books/challans, failure to exercise proper supervision and non-observance of rules regarding custody of cash led to the following cases of misappropriation :—

Name of Tahsil	Amount (In lakhs of rupees)	Remarks
(1)	(2)	(3)
1. Sonai (Cachar)	0.50	Four officials were placed under suspension in one case (Rs. 0.10 lakh) which is reportedly under police investigation. Reply from Government in another case (Rs. 0.22 lakh) is awaited (September 1971); balance amount (Rs. 0.18 lakh) is reported to have been stolen from the Office chest on the night of collection.
2. South Salmara (Goalpara).	0.19	A case was instituted against the person concerned in December 1970; further development is awaited.
3. Balijana (Goalpara).	0.08	The official concerned is under suspension since December 1970 and the case is reportedly under departmental investigation.
4. Jaleswar (Goalpara).	0.06	Two officials are under suspension since June 1971 and the matter is reportedly under police investigation.

(iii) Rupees 0.15 lakh representing land revenue of a mauza managed (November 1965 to May 1971) by Government were reported (July 1971) to have been defalcated by five officials. Of these one official had been convicted; another had been acquitted by the Court and cases against three others were under investigation.

The cases had not been reported to audit immediately on detection (July 1966 to July 1970) as required under rules.

Further developments are awaited (December 1971).

- (iv) Rupees 35,396 being land Revenue collected in 1967 and 1968 in Balijana Tahsil of Goalpara District were not deposited into Government account upto June 1969 and were misappropriated. The matter is under investigation ; an Upper Division Assistant suspected to be involved had been placed under suspension (January 1969).

23 Receipt Books received (between June 1964 and March 1966) by the Tahsil are also missing ; amount collected on these Receipt Books is not known.

The case was reported to Government (July 1969) ; comments are awaited (January 1972).

- (v) Physical verification of cash (8th January 1969) of Pathar-kandi Tahsil disclosed shortage of Rs. 4,561. Test check (November 1969) of records of the Tahsil disclosed further misappropriation of Rs. 7,018 representing collection of Land Revenue, recoveries of loan and receipts against Bakijai case not deposited into Government account. Three employees suspected to be involved have been placed under suspension (January 1969 and June 1969).

The case was reported to Government (January 1971) comments are awaited (January 1972).

- (vi) Rs. 2,016 collected (February 1965 to January 1967) by a Mahasirdar, on 5 receipt books, as grazing fee (1955-56 to 1965-66) were not credited to Government account. Besides the amount collected by the Mahasirdar on 3 other receipt books not returned to office was not known (April 1969). The Mahasirdar was placed under suspension (1st June, 1968) and a police case instituted against him ; further developments are awaited.

The case was reported to Government (May 1969) ; comments are awaited (January 1972).

On being asked by the Committee to furnish a written statement showing the latest position of misappropriation cases the Government in their letter No. RLR. 18/74/644, dated 14th July, 1976 furnished the following information :—

(1)

Misappropriation of Government Revenue—Government money amounting to Rs. 13.60 lakhs has been misappropriated or were alleged to have been misappropriated in the following cases :—

Para 60 (i)(a) According to rules, and under agreements executed with Government mouzadars are required to remit treasury, at least once a month, all collections of land revenue and local rates made by them, and the departmental officers responsible to inspect and verify the records of such collection and remittance at least once in every six months. The Deputy Commissioner, Darang, reported (September, 1970) that an amount of Rs. 0.43 lakhs collected by one mouzadar between 1962-63 and 1962-63 and 1968-69 as land revenue and local rates were deposited till that date. The amount was alleged to have been misappropriated by the mouzadar and he was accordingly placed under suspension from September, 1970.

On appeal by the mouzadar the suspension was stayed by Government and the mouzadar was reinstated (Dec/1970) in his post.

Government stated on 24th August, 1971 that a further report received from the Deputy Commissioner (10th August, 1971) indicated that a total sum of Rs. 0.65 lakh was misappropriated by the mouzadar upto 1970-71. It was

(2)

60(i) (a)—Bihaguri Mauza—Shri H. C. Saikia, Mouzadar of Bihaguri Mauza kept a sum of Rs 65,472.92 paise as cash in hand. The Mouzadar was placed under suspension by the D. C. in August 1971. On appeal the Government reinstated him in February, 1972 and allowed him to pay Rs. 5,000. and the balance outstanding amount in 11 equal monthly instalments ending 31st December, 1972. The Mouzadar deposited a sum of Rs 21,459.84 against the cash in hand leaving a balance of Rs. 44,013.08. The mouzadar failed to deposit the instalment. The D. C. requested Government to withdraw the order. In the meantime the mouza was again inspected by the S. D. C. (Sadar) on 25th January, 1973. This time the cash in hand with the mouzadar was Rs. 58,445.57. For realisation of the amount from him through Bakijai proceedings, a certificate case was started against him. The concession given to the mouzadar for payment on instalment basis was also withdrawn in August, 1973.

(1)

further stated that the order staying the suspension was withdrawn (June 1971) and that the mauzadar had been asked to deposit the entire amount by 16th August, 1971. Information regarding recovery of the outstanding collection from the mauzadar and final action taken by the Government is waited (January, 1972).

(2)

The Bakijai Officer attached some movables belonging to the mauzadar. The mauzadar filed a petition before the Commissioner of plains Division praying for time to pay the cash in hand. The Commissioner gave time for one month upto 31st March, 1964 to pay the collected revenue kept in hand. The mauzadar deposited a sum of Rs.25,523.19 against the amount of Bakijai proceedings leaving balance of Rs.324,923.38 upto 20th May 1974. According to the Inspection Report of 31st May 1974 the mauzadar had to pay Rs.20,501.03 out of the cash in hand of Rs.47,808.92 p. The mauzadar was allowed time upto 31st May 1976 to pay the entire amount by the Commissioner of Plains Division. The Mauzadar failed to pay the amount. An inspection was held on 13th June 1976 and it was found that the mauzadar has cash in hand amounting to Rs. 25,010.87 p. The matter is under examination as to how to realise the entire amount from him.

(b) Nalbari Subdivision :

(b) Test audit of records of various Departments and Subdivisions disclosed that mauzadars failed to remit the receipts in time, and retained heavy balances with them. Accumulation of heavy cash balances with the mauzadars and laxity in inspection resulted in the following misappropriations in addition to the cases which have already been brought out in para 46 of Audit Report 1970. Departmental

(1) Baljani—Amount of Rs. 22,176.00 defalcated has been realised.

(2) Pub-Barbhag—Amount of Rs. 15,617.00 defalcated has already been realised.

(3) Dakshin Baska—Amount misappropriated Rs. 47,087.90 p.

(1)

inspections of the accounts of mauzadars were also not done regularly.

Remarks.

District Sub-Dvn. No. of cases. Amount (in lakhs of Rs.).

(1) (2) (3) (4)

Nalbari Sub-Dvn. 11 4.26
Rs. 0.38 lakh have since been realised. Two mauzadars were dismissed and four others had been placed under suspension of which two have subsequently been reinstated (September, 1969).

Kamrup 9 3.44
Three mauzadars have been sentenced. Security deposit (Rs. 0.02 lakh in cash Rs. 0.06 lakh in national saving certificate and Rs. 1.31 lakhs being value of landed property) pledged by the mauzadars is, however, yet February, 1970) to be adjusted.

Darrang District 4 1.2
Two mauzadars placed under suspension (October, 1961 November, 1966) were subsequently re-instated (September 1969 January, 1969) on condition that they would deposit entire amount within three

(2)

The mauzadar was dismissed from service. A criminal case was lodged against the mauzadar but he was acquitted by the court. The D.C., Kamrup has asked the S.D.O., Nalbari to sell the pledged properties of the mauzadar and also to start Bakijai cases against the mauzadar for recovery of the defalcated amount.

(4) **Tihu**—Amount misappropriated Rs. 20,666.00. The mauzadar reduced his excess cash in hand to a permissible limit by depositing the same into the Treasury and by way of adjustment of earned commission due to him.

(5) **Dharmapur**—Amount misappropriated Rs. 12,853.00. The mauzadar cleared the misappropriated amount.

(6) **Khetri Dharmapur**—Amount misappropriated Rs. 17,766.00. The mauzadar cleared the misappropriated amount.

(7) **Paschim Barkhetri**—Amount misappropriated Rs. 43,916.00. The mauzadar reduced his cash in hand to permissible limit.

(8) **Madhyam Baska**—Amount misappropriated Rs. 46,417.55. The mauzadar has been placed under suspension and the departmental proceedings have been drawn up against him for his removal from the mauzadarship. The proceedings have not yet been completed due to non-receipt of report from the Enquiry Officer.

months from the date of taking over charge. In one case is, however, yet (May 1970) to be realised; in the other case besides Rs. 12,976 out of Rs. 53,767 on account of previous outstanding amount there has been further accumulation of arrears of Rs. 23,018. Action taken against two others is not known.

Mangaldoi 1
Sub-division

0.13

The misappropriation was detected on 21st Nov./1969. Mauzadar was placed under suspension on 8th May/1970 but no action was taken thereafter (Jan/1972).

Do 1

0.81

Misappropriation was detected on 6th August, 1966; mauzadar was suspended on 27th Dec/1966 and a complaint was lodged with Police on 11th Feb/1967.

A criminal case under Section 409 of I.P.C. against the mauzadar has been started and the case is under investigation. The case security which was furnished by the mauzadar *vide* N.S.C. for Rs. 6000/- with interest has been adjusted against the amount defalcated. The pledged property was put to sale but for want of bid the property was purchased at Rs. 1 on behalf of the Government. The S.D.O. Nalbari has been asked by the D.C. to start Bakijai and sale case against the mauzadar for recovery of the defalcated amount.

(9) **Paschim Bask.** — Misappropriated amount Rs. 67,827 00. The mauzadar has been placed under suspension and Departmental proceedings have been started against him. The proceedings have not yet been completed. A criminal case under Section 409 I.P.C. was started against him and case has since been disposed of. The Mauzadar has been acquitted. All possible steps are being taken for early disposal of the departmental proceedings against the mauzadar. Pledged property was put to sale but same was stayed.

(2)

(10) **Kumarikata:**—Misappropriated amount Rs 84,990.14 P. A criminal case under Section 499/204 I. P. C. was lodged against the Mauzadar. The police has since completed the investigation. The matter is now under correspondence with the Commissioner of Plains Division for according sanction. Steps are also being taken for disposal of the departmental proceedings against the Mauzadar. The S. D. O., Nalbari has also been asked by the D. C. to take steps for recovery of the defalcated amount.

(11) **Uttar Barkhetri:**—Misappropriated amount Rs. 74,690. The misappropriated amount has been recovered.

(1). **Sonapur**—Amount misappropriated Rs. 57,438.00. An amount of Rs. 31,297.50 has been put to sale for recovery of balance dues. New mauzadar has been appointed.

(2). **Baltola Mauza:**—Amount misappropriated Rs. 98,777.00.

(1)

Misappropriation was detected on 25th March, 1969; disciplinary action had not, however, been taken against the mauzadar (Jan/1972.)

Misappropriation by the Mauzadar by in correct totalling of daily collection in the daily collection register as well as cash book. A landed property valued Rs. 9,475 had been attached in Bakijai proceedings. The mauzadar, who was placed under suspension (March, 1971), deposited Rs. 0.16 lakh (including cash balance of Rs. 0.11 lakh found with him) during Nov/1970 to March, 1971 against the total outstanding revenue of Rs. 1.72 lakhs.

KAMRUP DISTRICT

Leaving a balance of Rs. 1.56 lakhs yet to be realised.

0.17

1

Do.

1.67

1

North
Lakhimpur
Sub-
Division.

The mauzadar was placed under suspension. After deduction of appropriate commission of Rs. 26,000 the amount of misappropriation has been reduced to Rs. 72,445. akijai proceedings have been started against him for recovery of the defalcated amount.

- (3) **Pachim Baska.**—Amount misappropriated Rs 67,827.

The position of the case is shown under item 9 of Nalbari Subdivision.

- (4) **Madhyam Baska.**—Misappropriated amount Rs. 46,418.

123

The position of the case is shown under item No. 8 of Nalbari Subdivision.

- (5) **Pashim Banbhag.**—Misappropriated amount of Rs.14,629.13 P.

The mauzadar was placed under suspension. The S. D. O., Nalbari has been asked by the D. C. to sell the pledged property in auction for recovery of the misappropriated amount and also to start Bakijai proceedings for the recovery of the misappropriated amount.

- (6) **Uttar Bajali Mauza.**—Misappropriated amount Rs, 9305.

(1)

(2)

Departmental proceedings were drawn up against the mauzadar of Utiar Bajali mauza who misappropriated the amount by placing him under suspension. But when the proceedings were going on the mauzadar expired. The S.D.O., Barpeta has been asked to sell the pledged property of the mauzadar in auction for recovery of the misappropriated amount. The deceased mauzadar also suffered imprisonment under section 409 I. P. C.

(7) **Sarukhetri Mauza:—**Misappropriated amount
Rs. 24,182.00.

124

For misappropriating the Government money the mauzadar of Sarukhetri was placed under suspension and departmental proceedings were drawn up against him. A criminal case under Section 409 Cr. P. C. was instituted against the mauzadar and he suffered imprisonment. The S.D. O., Barpeta has been directed to sell pledged property of the mauzadar in auction and to start Bakijai proceedings against the mauzadar for recovery of the misappropriated amount.

(8) **Ruposhi Mauza:—**Misappropriated amount
Rs. 25,344.

For misappropriating Government revenue the mauzadar of Ruposhi mauza was placed under suspension and departmental proceedings were drawn up against him.

A criminal case under section 409 I. P. C. was also instituted against the mauzadar for which he suffered imprisonment. But when the proceedings were going on the mauzadar expired. The S. D. O, Barpeta has been asked to sell the pledged property of the deceased mauzadar for recovery of the misappropriated amount.

(9) **Betbari Mauza**.—Misappropriated amount of Rs. 77,881.35.

For misappropriating Government money the mauzadar of Betbari mauza was placed under suspension. Departmental proceedings were also drawn up against him and a criminal case under section 409 I. P. C. was instituted against him. Now, on an appeal filed by the Mauzadar Government have decided that the mauzadar can be re-instated in his post on conditions that he will deposit Rs. 15,000.00 at a time and the remaining amount in equal monthly instalments @ Rs. 5,000 per month. He would have to deposit current revenue regularly. The mauzadar has agreed to abide by these conditions. But he could not yet been re-instated for non-withdrawal of the criminal case instituted against him which matter is still under consideration.

Darrang District.

1. **Bihaguri Mauza**.—Amount misappropriated Rs. 63,129.49 p.

Comments as against Para 60(I) (a).

2. **Mahabhairab Mauza**:—Amount misappropriated Rs. 83,368'22 p.

The mauzadar defalcated an amount of Rs.53,745'88 in November, 1966 out of which an amount of 43,788'10 was realised leaving a balance of Rs. 9957'78. Subsequently the mauzadar increased his cash in hand to Rs. 74,626'61. Departmental proceedings were drawn up against him and ultimately the mauzadar was dismissed from service on 6th August, 1975. Police has been requested to start Criminal case against the mauzadar. Bakijai proceedings have also been instituted against the mauzadar but no amount has been realised so far. Bakijai case started on 25th February, 1974 and converted into land sale case on 28th August, 1975. Mauzadar lived in joint family and movable property is available for attachment. Land offered as security was put to sale on 19th February, 1976 but fetched no bid. Next date fixed for sale is 14th July 1976.

The Police was asked to start criminal case against the mauzadar on 11th September, 1974 by the D. C. but no reply was received from the S. P. inspite of several reminders. The amount has not been realised as yet.

3. **Behali Mauza**:—Amount misappropriated Rs. 51,128'14 p.

Out of this misappropriated amount a sum of Rs.44,349'63 was realised leaving a balance of Rs.6,778'51. The D. C. reported that balanced amount has not yet been realised.

During the inspection of mauza account by the S. D. C. on 5th September 1973 it was found that the mauzadar retained a sum of Rs. 40,410.56 which increased subsequently and as per final assessment, total cash in hand of the mauzadar comes to Rs. 84,473.23. Out of this latest amount, a sum of Rs. 59,545.00 has been realised by selling the movable and immovable properties of the mauzadar. Necessary steps are being taken for realising the balance amount. The mauzadar is absconding since 29th September, 1974.

(4) **Balipara Mauza:**—Amount misappropriated Rs. 57, 162.47.

As per the latest report of the D. C., Darrang, the mauzadar of Balipara has deposited Rs. 42,858.78 out of the old cash in hand amounting to Rs. 57,718.17. The mauzadar has been granted time upto 30th June 1976 to reduce the cash in hand to the permissible limit.

Mangaldoi Subdivision

(1) **Chinakona Mauza:**—Amount misappropriated Rs. 13,517.51 p.

An amount of Rs. 1,200.00 has been realised. For realisation of the balance amount a land sale case has been started. Notice has been issued for fixing date of sale. The Mauzadar was dismissed from service on 17th December, 1971.

(1)

(2)

(2) Rangamati Mauza.—Amount misappropriated Rs. 78,436.53.

An amount of Rs 5,257.08 has been realised. For realisation of the balance amount. land sale case has been started. On 7th May, 1969 and this is under process prohibitory notice on sale of land has been issued. A criminal case has been instituted against the mauzadar on 11th February, 1967 and the prosecution has been continuing. Date for evidence has been fixed. The mauzadar was dismissed from service on 20th December, 1971.

(3) Sipajhar Mauza:—Amount misappropriated Rs. 56,121.89.

The mauzadar was placed under suspension on 3rd November, 1969 and was dismissed from service on 30th October, 1972. The charge of the mauza has been given to the cousin of the previous mauzadar who undertook all the liabilities of the previous mauzadar. He has deposited Rs. 25,800.00 so far. For realisation of the balance amount of Rs. 30,321.89, a certificate case has been started against the present mauzadar on 21st June, 1973 and the properties have been attached for sale.

North Lakhimpur Subdivision

(1) Laluk Mauza:—Amount misappropriated Rs. 2,32,259.02.

(1)

(ii) According to rules, land revenue collections made by Jarikardars (Peons) are required to be deposited in the Tahsil Office along with counter foils of receipt book immediately after their return from every trip. Collections received in a Tahsil Office during the day are required to be remitted to the Treasury either on that day or on the subsequent working day of Treasury. The counterfoils of the receipt book, the chalan and cash book entries are also required to be checked daily by the Tahsildar or any other Officer authorised to act on his behalf. Unnecessary retention of cash, non-deposit or short deposit of the amount of collections by the jarikardars, alteration of entries in the counterfoils, of receipt books/challans, failure to exercise proper supervision and non-observance of rules regarding custody of cash led to the following cases of misappropriation.

(3)

(2)

Remarks

Name of Tahsil. Amount (In lakhs of Rupees)

Sonai (Cachar)

Four Officials were placed under suspension in one case (Rs. 0.10 lakh) which is reported under police investigation. Reply from Government in another case is awaited (September 1971); balance amount (Rs. 0.18 lakh) (Rs. 0.22 lakh) is reported to have been stolen from the Office chest on the night of collection.

(2)

An amount of Rs. 1,70,977.77 has been realised so far. The A. G. conducted a special audit on the accounts of the mauza. On this Audit Report some discrepancies were pointed out by the D. C., Lakhimpur and he requested for reconciling the discrepancies. This matter is under examination.

Cachar District.

(1) Sonai Tahsil:—Amount misappropriated Rs. 22,000.00.

One L. D. Assistant, one Bakijai Assistant and 12 process servers involved in this defalcation case. Departmental proceedings were started against the staff. The Head Assistant has been dismissed from Service with effect from 8th August, 1970.

(1)

(2)

and the rest of the staff have been reinstated with punishment of stoppage of increments for five years. Police investigation in criminal case against the ex-Head Assistant has been continuing. Steps for attachment of immoveable property of the Ex-Head Assistant has been frustrated by the co-sharers.

2) Sonai Tahsil :—Amount misappropriated Rs. 10,000-00 and Rs. 18,000-00. One Head Assistant, one Cash Assistant, one Process Server and one Night Chowkidar are involved in these cases. Departmental proceedings against the Head Assistant are in the concluding stage. The proceedings against the process Server and Night-Chowkidar have been finalised. They have been reinstated in the service as they were not found guilty.

The landed properties of the Head Assistant and the cash Assistant have been attached under the orders of the District and Session Judge, Cachar.

Police investigation against the Head Assistant and the cash Assistant have not been completed.

Name of Tahsil	Amount (In lakhs of rupees)	Remarks
(1)	(2)	(3)

Goalpara District :-

South Salmara Tahsil :—Amount misappropriated Rs.16,000.00.

2 South Salmara (Goalpara).	0.19	A case was instituted against the person concerned in December 1970 ; further Development is awaited.
--------------------------------	------	---

In the departmental proceedings drawn up against one U. D. Assistant of South Salmara Tahsil for misappropriating Government money, he was found guilty and as such, he was dismissed from service. The dismissal order has also been confirmed by the Commissioner of Plains Division. In the Criminal case, however, he was acquitted. Steps are being taken for forfeiting his security money amounting to Rs.1000.00 only. Necessary steps are also being taken for filing Civil suit against Ex. U. D. Assistant for realising the misappropriated amount. The Government pleader has been requested to prepare draft plaint for filing Civil suit against Shri K. Rahman.

3. Balijana	0.08	The official concerned is under suspension since December 1970 and the case is reportedly under Departmental investigation
-------------	------	--

Balijana Tahsil :—Amount misappropriated Rs.8,317.71. The amount was misappropriated by the mauza Assistant of Balijana Tahsil who, however, expired on 8th January, 1971 when the departmental proceedings were going on against him. As such, on amount could be recovered from him. Steps are also being taken to file Civil suit against the legal heirs of the Mauza Assistant for realising the misappropriated amount. The Government pleader Dhubri has been requested to prepare draft. Plaint for filing civil suit against the legal heir.

4. Jaleswar 0.06 (1) Two officials are under suspension since June, 1971 and the matter is reported under Police investigation.

(2) **Jaleswar :—Amount misappropriated Rs. 6,203.34.**

The amount misappropriated is Rs. 6,153.34 and not Rs. 6,203.34. This whole amount was misappropriated by one Upper Division Assistant of the Jaleswar Sub-Tahsil. Departmental proceedings were drawn up against him and he was punished with demotion to the rank of L. D. Assit. in the proceedings. The entire amount has however, been recovered from him.

Reply of Government

Paragraph

(iii) Rupees 0.15 lakh representing land revenue of a mauza managed (November 1965 to May 1970) by Government were reported (July, 1971) to have been defalcated by five officials. Of these one officials had been convicted and they had been acquitted by the Court and cases against three others were under investigation.

The cases had not been reported to audit immediately on detection (July 1956 to July, 1970) as required under rules.

Further developments are awaited (December 1971).

(iv) Rupees 35,396 being land Revenue collected in 1967 and 1968 in Balijana Tahsil of Goalpara District were not deposited into Government account upto June, 1969 and were misappropriated. The matter is under investigation; and Upper Division Assistant suspected to be involved had been placed under suspension (January 1969).

(iii) **Sialmari Mauza :—Amount misappropriated Rs. 14,857.34,**

The entire amount was misappropriated by 5 process serving peons. Out of the entire misappropriated amount, Rs. 4,226.78 was misappropriated by 2 process serving Peon which have been realised from them in full. The balance amount of Rs. 10,630.56 is yet to be realised from the remaining 3 Process Serving Peon for which Bakijai and Land sale proceedings have been initiated against them.

Balijana Tahsil :—Amount misappropriated Rs. 92,681.57.

The entire amount was misappropriated by one U.D.A. of the Balijana Tahsil. The incumbent has been placed under suspension on 4th January 1969. In respect of the Departmental proceedings,

(1)

23. Receipt Books received (between June 1964 and March 1966) by the Tashil are also missing; amount collected on these Receipt Books is not known.

The case was reported to Government (July 1969); comments are awaited (January, 1972).

(v) Physical verification of cash (8th January 1969) of Patharkandi Tahsil disclosed shortage of Rs. 4,561. Test check (November 1969) of records of the Tahsil disclosed further misappropriation of Rs. 7,018 representing collection of land revenue, recoveries of loan and receipts against Bakijai cases not deposited into Government account. Three employees suspected to be involved have been placed under suspension (January, 1969 and June, 1969).

The case was reported to Government (January, 1970); comments are awaited (January, 1972).

(2)

the Inquiry Officer has submitted his report which is under scrutiny for issuing 2nd show case Notice. Steps are being taken to finalise the Departmental proceedings within a short period.

The criminal case is under investigation.

Steps are also being taken to start Civil Suit against the incumbent. The Government pleader has been requested to prepare draft plaint.

(v) **Patharkandi Tahsil** :—The entire amount was misappropriated by one Nazir and four Process Servers of Patharkandi Tahsil.

The Nazir has been sentenced with two years rigorous imprisonment and has been fined with Rs. 2,000-00 in default rigorous imprisonment for another six months under Section 409-I.P.C. He has been dismissed from service from June, 1975. Steps are also being taken for attachment of his property for realising misappropriated amount.

Departmental proceedings were drawn up against the four process servers. Of the four Process Servers involved in the Misappropriation, one has been exonerated from the charges, another has been reinstated and transferred to another

(1)

(2)

Tahsil and the another one process Server has been dismissed from service, and the remaining one has been allowed to go on retirement from 31st August 1975. No amount has so far been realised.

(vi) Rs. 2,016 collected (February 1965 to January, 1967) by a Mahasirdar, on 5 receipt books as grazing fee (1955-56 to 1965-66) were not credited to Government Account. Besides, the amount collected by the Mahasirdar on 3 other receipt books not returned to office was not known (April 1969). The Mahasirdar was placed under suspension (1st June, 1968) and a Police case instituted against him; further developments are awaited.

The case was reported to Government (May 1969); comments are awaited (January 1972).

(vi) An amount of Rs. 2016.94 was defaulted by the Mahasirdar, Grazing, Boko Bongaon Group. The Mahasirdar was placed under suspension on 17th April, 1968. A Bakijai case has also been started against him for realising the misappropriated amount. Necessary action under section 29 of the Bengal Public Recovery Demand Act has also been started against him by the Bakijai Officer. A Police case was also instituted against him. The police investigation has not been completed as yet.

RECOMMENDATION

From the details furnished by the Government it is found that though huge amounts of Government Revenue were misappropriated by Mauzadars very lenient view was taken by the Government.

In this connection, reference is also invited to the facts brought out and the recommendations made against Para 4 at page 80 of the Report.

The Committee therefore recommends that all the cases of misappropriation should be finalised immediately.

The action taken by Government be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraphs 74-75 at pages 95-97 read with Appendix VIII and IX at pages 115-119—Outstanding Audit Observation and Inspection on Reports.

The paras bring out the position of outstanding audit objection and inspection reports relating to the period upto 31st March 1971, remaining unsettled upto 30th September 1971.

The position in regard to Revenue Department was as follows:—

Outstanding Audit Observations	No. of items	Amount
Revenue (Land Revenue)	900 (earliest year/1964-65):	Rs. 19.34 lakhs
Revenue (General)	2940 (earliest year/1957-58).	Rs. 4,36.15 lakhs
Outstanding Inspection Reports.	No. of Inspection Reports.	No. of paragraph
Revenue (Land Revenue)	43 (earliest year 1961-62).	104

RECOMMENDATION

The Committee recommends that all the Outstanding Audit Observations/Inspection Reports should be settled at an early date.

Grant No. 61 at pages 113-114 of the Appropriation Accounts, 1970-71. Famine Relief.

The Grant closed with an excess of Rs. 21,75,044 (total provision ; Rs. 1,89,73,825; expenditure Rs. 2,11,48,869). An amount of Rs. 8,25,934 was surrendered in March 1971. In view of the excess over the grant the surrender proved injudicious.

RECOMMENDATION

Subject to maintaining control over the expenditure in future the Committee recommends regularisation of the excess expenditure.

AGRICULTURE DEPARTMENT

Paragraph 12 at pages 15-16—Utilisation Certificates.

The paragraph indicates that 720 numbers of utilisation certificates involving Rs. 245.07 lakhs in respect of grants paid by the Department upto 31st March 1970 had not been furnished to Audit upto September 1971.

RECOMMENDATION

The Committee recommends that the wanting utilisation certificates should be furnished to the Audit office immediately and compliance reported to the Committee within three months from the date of presentation of this Report to the House.

Paragraphs 74-75 at pages 95-97 read with Appendices VII and IX at pages 115-119—Outstanding Audit Observations and Inspection Reports.

The paragraphs indicate the position of outstanding audit observations and inspection reports relating to the period upto 1970-71 remaining unsettled upto 30th September 1971. The position in respect of Agriculture Department was as follows:—

	Item Nos.	Amount
Outstanding audit observations	9807	Rs. 9,88.39 lakhs
(oldest item-dated back as early as 1956-57)		
	No. of outstanding	
	Reports	Paras
Outstanding Inspection Reports	534	2359

Half-yearly reports of outstanding audit observations and inspection reports are forwarded to the heads of departments/administrative departments to take necessary steps to expedite their settlement.

RECOMMENDATION

The Committee recommends that steps should be taken for early settlement of Audit Observations and Inspection Reports.

RELIEF AND REHABILITATION DEPARTMENT

Paragraphs 74-75 at pages 95-97 read with Appendices VIII and XI at pages 115-119. Outstanding Audit Observations and Inspection Reports.

The paragraphs indicate the position of outstanding audit observations and inspection reports relating to the period upto 1970-71 remaining unsettled upto 30th September 1971. The position in respect of Relief and Rehabilitation Department was as follows :—

Outstanding audit Observations	No. of item	Amount
	6,987	Rs. 2,77.29 lakhs

(oldest item dated back as early as 1954-55)

Outstanding inspection reports	No. of reports	No. of paragraphs
	118	434

(oldest item dated back as early as 1957-58)

Half-yearly reports of outstanding audit observations and inspection reports are forwarded to the Heads of department/administrative department for taking necessary steps.

RECOMMENDATION

The Committee recommends that Government should ensure that Outstanding Audit Observations and Inspection Reports are settled without further delay.

PUBLIC HEALTH (ENGINEERING) DEPARTMENT

Paragraph 30 at page 40 read with Appendix V (Serial 13) at page 110—Expenditure incurred without or in excess of detailed estimate.

The paragraph brings out that the Department upto March 1971 spent Rs. 17.17 lakhs in one work viz., construction of Silchar Medical College Building and Water Supply without any estimate.

The Committee wanted to know why the estimate could not be sanctioned earlier; the Departmental witness stated that no technical sanction was given by C. D. H. E. as the work was entrusted to the architect. Administrative Approval was given by the Department in this case.

On a query as to whether *ex-post-facto* technical sanctioned was issued, the official witness stated that only for the water supply schemes the technical sanction had been issued.

RECOMMENDATION

According to rule 230 of the Assam PWD Code no work should be commenced unless a detailed design and estimates have been sanctioned. In this case the Department failed to comply with the requirement of the rules. Such violation of rule does not only speak the inefficiency of the Department but also sets a bad example to others. The Committee could not but express its dissatisfaction to such violation of rules and showing laxity in compliance with the requirements in making unauthorised expenditure. The Committee recommends that the Department should take every care and caution in future so that such thing may not recur.

Paragraph 43 at pages 47-48—Extra expenditure on Local Purchase.

In November 1969, construction of a water treatment plant for Silchar water supply work was allotted to a contractor with the stipulation that mild steel rounds required would be issued by the Department (recovery rate: Rs. 1,040 per tonne). No arrangement were however, made in time for procurement of the steel rounds for supply to the contractor. In October 1970 when the work was well in progress the Executive Engineer called for quotations from six elected local dealers for supply of mild steel round and accepted the lowest rate of Rs. 2,022.30 per tonne against the corresponding Director General of Supplies and Disposals rate Rs 904 34 per tonne F. O. R. nearest rail-head. Although this was objected to (November 1970) by the Chief Engineer, Public Health, on the ground that the rate was high the supply orders were not cancelled. In January, 1971, 29 tonnes of steel rounds (value Rs. 0.59 lakh) were purchased locally. The Executive Engineer admitted (January, 1971) that the rate was high and informed the Chief Engineer that no further purchase would be made.

The Committee wanted to know what was the urgency in going ahead for the purchase in anticipation of sanction of the Chief Engineer. The official witness stated that the stock position as on 21st November, 1970 was only 11.63 tonnes. The total requirement was for 100 tonnes at that time and therefore it was to be purchased.

The Executive Engineer stated that only 4.96 Metric tonnes of rods was issued to the Assam Government Construction Corporation Ltd., and so the Committee wanted to know how does the Government justify purchase of 29 metric tonnes at such high rates, the official witness stated that generally the rods were issued to the contractor as per their requirements. In this case due to some doubts raised about the quality of rods, the supply could not be made in full. But subsequently after the test in the Engineering College, it was found that the rods were of good quality.

On being questioned as to why these materials were purchased at higher rate than that was prescribed the official witness stated that the fact is that the tender was invited and the contract was given to a party by the Executive Engineer. After that another party came forward and said to the Chief Public Health Engineer that they were

in a position to supply the materials at a cheaper rate than the rate at which the contract was given. The offer of this party could not be entertained as they did not submit tender at the appropriate time. The accepted rate was higher than the controlled rate.

In course of evidence it was also found that the order was placed for supply in November, 1970 and supply was received in January, 1971. Even after receipt of the objection from the Chief Public Health Engineer in November, 1970 the orders were not cancelled, instead extension of time was allowed to the party.

RECOMMENDATION

The plea put forward by the Government that due to urgency the materials had to be purchased at higher rates than the controlled rate is not at all convincing. There were ample scope of the Department to go for lower rate by cancelling the selected tenderer as he failed to supply the material in time.

The Committee recommends that the Executive Engineer who appears to be responsible for the entire deal to be brought to book for the loss incurred by the Government.

The action taken should be intimated to the Committee within three months from date of presentation of this Report to the House.

The Public Health Executive Engineer, Silchar purchased (January 1971) 27,583 Kgs. of pig-load at Rs. 7.50 per Kg. (total cost : Rs 2.21 lakhs), without the approval of the Chief Engineer, on the basis of limited tenders enquiry issued (July, 1970) to a few selected firms. Previously, (July, 1969), purchases had been made after inviting tenders by advertisement, at Rs. 5.38 per Kg. Subsequently (February 1971) when quotations were called for again by advertisement the lowest rate quoted was Rs. 5.75. No reason was recorded for purchasing pig-load in January 1971, by limited tender enquiry instead of by advertisement, at rates higher than the prevailing rates by nearly 50 per cent.

Although fresh tenders were available on 10th February, 1971 and it was known that purchase could be made at the much lower rate of Rs. 5.75 per Kg., the purchase orders placed against the previous contracts at the higher rate, the delivery periods prescribed in which had expired, were extended to enable the supplier to complete supplies. Had these orders been cancelled and purchases made at the new rate, Rs. 0.42 lakhs could have been saved.

The Committee asked the official witness to furnish a written note regarding the reasons for low tender. The Government in their letter No. HLB.198/74/109, dated 9th July, 1976 stated that the explanations furnished by the Executive Engineer have not been found fully satisfactory. Hence a thorough enquiry has been ordered into this matter.

RECOMMENDATION

The Committee recommends that the result of the enquiry may be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 45 at page 49 Borhat Water Supply Scheme.

The scheme for providing water to about 5,000 people of Borhat village in Sibsagar District, sanctioned in August 1964 at an estimated cost of Rs. 4.67 lakhs, was designed to draw water from Desang river (from a distance of $2\frac{1}{2}$ miles across the railway line); execution of the scheme commenced in January 1967 when it was anticipated that permission would be received from the railway authorities for laying the water main across the railway line and that an approach road would be constructed by the Public Works Department to the site of the water treatment plant. These anticipations did not materialise and as a result the water main had to be diverted further up through a railway culvert. But in the absence of an approach road (which would have been costly) the water treatment plant could not be constructed at all. Meanwhile, Rs. 4.39 lakhs were spent till September 1969 on the scheme including Rs. 1.57 lakhs on laying of water main.

As the attempt to draw water from the river did not succeed, in February 1970 the Executive Engineer submitted a revised estimate of Rs. 6.95 lakhs which could use ground water from deep tube-well. This proposal had been previously (August 1964) discarded on the ground that the water was unpotable. Government stated in April 1970 that the reason for such changes would be enquired into. Further report is awaited (December 1972).

(b) The contract awarded in January 1967 provided for payment of lump sum of Rs. 0.55 lakh for reinforced cement concrete overhead tank. But actually Rs. 0.72 lakh were paid to the contractor on the basis of detailed measurements resulting in excess payment of Rs. 0.17 lakh. Information about recovery of the excess payment is awaited (December 1972).

Government of India pointed out (June 1969) to the Chief Engineer that the scheme for Rs. 4.57 lakhs was approved (January 1965) subject to certain technical comments and that no compliance report thereto has been received.

Government of India also demanded complete justification for adopting the ground source in preference to the surface source though investigation had revealed presence of excessive iron and traces of oil. Executive Engineer informed in February 1970 that it was considered uneconomical to lift the pipes of the water main already laid as per original scheme and replace them by smaller diameter pipes to utilise as distribution main.

The Executive Engineer informed (August 1972) that the revised estimates of Rs. 6.95 lakhs had to be further revised to Rs. 9.39 lakhs that the estimate was submitted (July 1971) to Chief Public Health Engineer for sanction.

The Executive Engineer further maintained that no expenditure incurred against works done previously in accordance with the original estimate is going to be wasteful.

The Committee wanted to know the present position of the progress of work, the official witness stated that the First phase of the work has been completed. In the revised estimates prepared the Government propose to instal iron eliminator and a little extension work is also to be done.

The Committee further enquired as to whether there was excess payment to the contractor. From the award in January 1967 it appears that there was a Draft for payment of lumpsum of Rs. 55,000 for reinforced concrete work, but actually Rs. 72,000 was paid to the contractor on the basis of detailed measurement resulting in excess payment of Rs. 17,000. After the contract was first awarded, there was a change of contractor. The first contractor submitted designs but could not do the work and then it was given to another contractor on the basis of the same design as submitted by the first contractor. But the original design did not provide for a staircase and so the staircase had been constructed and that was an additional item of work; and this excess expenditure of Rs. 17,000 had been paid for this extra item of staircase which was not included in the original design, on the basis of relevant rates in the original contract.

RECOMMENDATION

The scheme was prepared without examining the technical feasibility of the project in detail. The Committee recommends thorough enquiry into the whole affairs. The result of the enquiry be submitted to the Committee within three months from the date of presentation of this report before the House.

Paragraph 47 at pages 50-51 stock registers and stock verification

The registers of stock in Public Works divisions (or Construction Department following Public Works procedure of accounting) are required to be closed at the end of September each year and reviewed by the Divisional Officers to ensure that stock consists of serviceable and necessary articles and that stores are priced within the prevailing market rates. The stock is also required to be verified periodically by responsible officers.

Out of seventy-two divisions, stock registers of sixty-five divisions had not been closed (September 1971) for the year ending September 1970. Of those, in forty divisions the registers had not been closed for three years and over; information about nineteen divisions is awaited (July 1972).

The Committee wanted to know as to what were the reasons for the arrears, the official witness replied that the Department started physical verification. Earlier this was not done and now it is being done in the different Subdivisions. The Government have

built up the subdivisional stock figures. But the valuation part of the job Government have not been able to do. In the last Public Accounts Committee sitting, it was decided that the Accountant General will send an Accounts Officer to help us to complete the valuation side of the work. When the Accounts Officer comes the Government shall do this work.

RECOMMENDATION

The Committee recommends that vigorous steps should be taken to make all the stock registers up-to-date.

The steps taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraph 49 at page 51/Tools and Plant Accounts

These paras bring out the position of arrear in regard to closure of stock and Tools and Plant Registers.

The following divisions were heavily in regard to closure of stock arrear in registers.

Stock Registers			Tools and Plant Registers		
Serial No.	Name of the Division	Arrear since ending Sept.	Sl. No.	Name of Divn.	Arrear since year ending Sept.
1.	PHE Divn. No. I Gauhati	1959	1.	PHE. Division No. I Gauhati	1965
2.	PHE. Divn. No. II	1962	2.	PHE. Divn. No. II	1962
3.	PHE. Divn. Jorhat	1963	3.	P.H.E. Divn. Jorhat	Not completed at all
4.	PHE. Divn. Aijal	1966	4.	P.H.E. Divn. Aijal	1966
5.	PHE. Divn. Silchar	...	5.	P.H.E. Divn. Silchar	1966

RECOMMENDATION

The Committee recommends that Government should make every endeavour to clear the arrears in regard to closure of stock registers.

The action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Paragraphs 74-75 at pages 95-97 read with Appendix VIII and IX at pages 115-119/Outstanding Audit Observations and Inspection Reports

The paragraphs bring out the position of outstanding audit observations and inspection reports raised upto 31st March 1971 but not settled upto the end of September 1971. The position in respect of Health (Public Health Engineering) was as under:—

Outstanding Audit Observations	Item Nos.	Amount (in lakhs of rupees)
	2753	41.33
	No. of Report	Paragraphs
Inspection Reports	55	278

RECOMMENDATION

The Committee recommends that steps be taken to settle the Outstanding Audit Observations and Inspection Reports early.

Grant No 29 at pages 55-56 of the Appropriation Accounts 1970-71—Public Health-II-Public Health Engineering.

The Expenditure exceeded the Voted Grant by Rs. 28,08,893 (45 per cent of the Voted Grant); the excess requires regularisation. This grant closed with an excess of Rs. 3,51,792 in 1969-70 also. Although the expenditure under grant exceeded the provision an amount of Rs. 2,12,000 was surrendered in March 1971.

Excess occurred mainly under 'Development Schemes Fourth Five Year Plan II-Other State Plan Schemes. B. 3.—Grants for Public Health Purposes. Grants-in-aid for rural water Supply-Sixth Schedule Part A Areas (Rs. 5.91 lakhs) and "Public Health Engineering and National Water Supply and Sanitation (Normal) General (Rs. 24.36 lakhs).

Reasons for excess had not been intimated.

The Committee asked the official witness to furnish reasons for excess expenditure and the Government in their letter No. HLB.198/74/109, dated 9th July, 1976 submitted the following reasons:—

The Stock materials valued at Rs. 26.10 lakhs were issued for works out side the grant (mostly urban water supply scheme) from the stock accounts, but corresponding credit was not effected which would have brought down the expenditure by this amount. Moreover a sum of Rs. 12.06 lakhs was incurred under miscellaneous P. W. Advances. This amount was also spent for maintenance of Urban Water Supply Works. Had the Municipalities cleared their dues to the fullest extent the whole of this expenditure could have been fully adjusted. It is only under suspense that the Public Health Engineering Department exceeded the

Budget provision. In the case of expenditure of their own Department the expenditure was exceeded due to emergency works done in the Mizoram for providing water supply under disturbed conditions. Due to disturbed conditions the Department did not get the full information to move for supplementary demand in time.

The reasons for such excess which are beyond our control are:—

(1) Materials valued at Rs.26.10 lakhs were issued for work outside grant (mostly Urban Water Supply Scheme) from the stock accounts but corresponding credit is not effected which otherwise would have brought down the expenditure by this amount.

(2) In Miscellaneous P. W. D. Advance expenditure is Rs.12.06 lakhs but adjustment is for Rs.5.48 lakhs being a gap of Rs.6.58 lakhs, mostly being the unpaid dues from Municipal Boards, on account of maintenance of the Gauhati and Karimganj Water Supply Schemes.

From the above it will be seen that where real expenditure is concerned the Department is fairly within limit. It is only under "suspense" which is a temporary phase of expenditure, we exceeded the Budget Provision.

The excess expenditure could have easily been avoided had we charged the value of materials worth Rs.26.10 lakhs issued to work outside this grant directly to work instead of routing the same through stock. But as that would have posed difficulties in proper watch and ward of the materials borne in different site accounts, the entire transaction was routed through stock.

Immediately on receipt of communication of the approved budget the Finance Department was intimated about the inadequacy of the Budgetary provisions vide C.P.H.E's letter No. PHE—2/B/69/4785, dated the 24th April 1970.

The excess is relatively small as compared to the total budget provision of Rs. 25.85 lakhs and had occurred in Aizawl Division. During that year, 10 Water Supply Scheme Aizawl (Permanent) Aizawl (Emergency), and 8 Nos. P.P.V Centres, were under progress in Mizo Hills and special measures were taken to provide water supply as quickly as possible to these areas where there were acute scarcity of drinking water. Difficult communication system and disturbed condition delayed timely submission of supplementary demand.

RECOMMENDATION

Subject to maintenance of necessary control register to watch the flow of expenditure, the Committee recommends regularisation of excess expenditure.

PART II

SUMMARY OF

**RECOMMENDATIONS, REMARKS, OBSERVATIONS, ETC. ON
THE REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA FOR THE YEAR 1970-71, APPROPRIATION
ACCOUNTS, 1970-71 AND FINANCE ACCOUNTS, 1970-71**

PART II

SUMMARY OF

RECOMMENDATIONS REMARKS, OBSERVATIONS, MADE
BY THE COMMITTEE ON THE REPORT OF THE
COMPTROLLER AND AUDITOR GENERAL OF
INDIA FOR THE YEAR 1970-71, APPROPRIA-
TION ACCOUNTS, 1970-71 AND FINANCE
ACCOUNTS, 1970-71

Serial No.	Reference	Recommendation
(1)	(2)	(3)

Appointment Department

1 Para 26 at
page 38.

It is clear from the fact stated that there is apparently lack of supervision on the part of officers in-charge of cash. In spite of clear cut provision in the Rules that each entry in the cash book should be verified daily by the Head of the office or officer authorised by him and approved by Government, the requirements of the Rules were not complied with.

The Committee recommends that responsibility should be fixed on the officers in-charge of cash for whose lack of supervision and negligence the Nazirs and others could misappropriate/defalcate such a huge amount of money. The Committee also recommends that steps should be taken to realise the amount of money misappropriated/defalcated.

The action taken should be intimated to the Committee within three months from the date of presentation of this Report before the House.

LABOUR DEPARTMENT

2 Para 15 (a)(7)
at Page 20:

The Committee recommends that the Government should exercise more effective control over the expenditure in future. Subject to this, the Committee recommends regularisation of the excess expenditure.

Serial No.	Reference	Recommendation
(1)	(2)	(3)

SUPPLY DEPARTMENT

- 3 Para 15 (a)(14) In view of the circumstances explained by at page 22 read the Government the Committee recommends with Appendix regularisation of the excess expenditure. II, Sl. 6, at page 103.

FISHERY DEPARTMENT

- 4 Para 56 at The misappropriation of Rs. 18,615.00 was facilitated due to lack of adequate supervision on the collection and deposit of Government money. The Committee recommends that responsibility should be fixed on the supervising officer for whose negligence the Government had to incur a loss to the public exchequer.

The action taken may be intimated to the Committee within three months from the date of presentation of the Report to the House.

- 5 Para 57 at The Committee is constrained to know how and under what rule an unregistered Committee like the Burapahar Unnayan Committee is empowered to settle fisheries without proper authority. The Committee recommends that the Burapahar Unnayan Committee should be immediately audited by the Government auditors and the Government should examine as to whether audited accounts of the Committee exhibits the amount of money spent under different heads referred to in the report, dated 14th June, 1976 submitted by the President, Burapahar Unnayan Committee.

- 6 Para 58 at As per rule, the Government is empowered to give settlement of Fisheries to Co-operative Societies of Fishermen of protected communities taking into consideration the maximum rebate of ten per cent admissible to Society and 7½ per cent in the case of an individual if the Society or individual is prepared to pay the amount of the highest bid/offer. In these cases, the Government has violated the rules made by themselves. The Committee considers this as serious lapse on the part of Government and recommends that Government should refrain from giving such wrongful settlement with flagrant violation of rules and entailing loss to the Government.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
7	Para 75 at page 96 read with Appendix IX at page 117.	The Committee is not satisfied that the objections are outstanding to be settled from a long time. The oldest one is of 1960-61. The Committee therefore recommends that early steps be taken to settle the objections.
8	Grant No; 31 at page 60.	The Committee is not happy over the reasons given for saving both under voted and charged sections and feels that there is scope for effecting stricter control over the expenditure so that no money is unnecessarily retained by the Department thereby depriving others from implementing more important schemes of social value.
		The Committee therefore recommends that the Government should obtain in future only funds they would be able to spend and properly utilise during a financial year.

HOME (JAILS) DEPARTMENT

9	Para 15(a)(3) at page 19.	The Committee recommends regularisation of the excess expenditure in view of reasons stated by the Government.
10	Para 15(a)(5) at page 20.	The Committee recommends regularisation of the excess expenditure in view of reasons stated by the Department.

FOREST DEPARTMENT

11	Para 4 at page 3.	The Committee is surprised to find a huge amount of money outstanding to be realised in different stages. Leaving aside the outstanding cases lying before the Hon'ble High Court on which the Government cannot lay their hand, Rs. 446.82 lakhs is outstanding to be realised from the various heads as detailed below as on 31st March, 1975.
----	-------------------	--

1. Difference of sale value	Rs. 100.83 lakhs
2. Non-payment of Kist	Rs. 134.12
3. Other Miscellaneous	Rs. 20.18

Serial No.	Reference	Recommendation
(1)	(2)	(3)
		4. Bakijai Cases filed Rs. 69.15 Lakhs
		5. Bakijai cases finalised Rs. 8.64
		6. Bakijai cases under Appeal Rs. 5.98
		7. Cases under process with D.F.Os Rs. 107.92
		<hr/> Total — Rs. 446.82 lakhs

The Committee therefore recommends that vigorous steps be taken to realise the outstanding arrears and responsibility should also be fixed on the officers who failed to realise and also recommend that preparation of Dosseirs of each case be made up-to-date.

The result of the action taken by the Government be intimated to the Committee within three months from the date of presentation of this Report to the House.

- 12 Para 59 at page 60 It appeared from the written statement that armed forces were made available in the month of March, 1969 and felled trees were put to auction sale on 15th December, 1969 and 17th January, 1970 i.e., after a lapse of about nine months. The delay in disposal of the trees has greatly attributed to the deterioration of the trees which has resulted in loss of revenue. The Committee therefore recommends that responsibility should be fixed on the Officer/Officers for whose negligence the delay occurred. The Government should take all possible care and caution to dispose of such matter in shortest possible delay in future so that Government may not incur loss.
- 13 Para 74 & 75 at pages 95—97 read with Appendix VIII and IX at pages 115 and 116. The Committee recommends that steps should be taken to reduce the outstanding audit observations.
- 14 Grant No. 64 at page 114. It appears that the control over expenditure is lacking. The Committee recommends that the Government should make every endeavour to execute the schemes for which the money is sanctioned.

Serial No.	Reference	Recommendation
(1)	(2)	(3)

LAW DEPARTMENT

- 15 Para 15(a)(4) The Committee recommends for regularisation of the excess expenditure.
at page 20.
- 16 Para 74 and 75 The Committee recommends that the remaining outstanding Audit Observations and readwith Appendices VIII and IX inspection Reports should be settled early.
in items 12 and 25 at pages.

INDUSTRIES DEPARTMENT

- 17 Para 15 (b)(4) In view of the circumstances explained, the Committee recommends regularisation of the excess expenditure.
at page 23.

DEVELOPMENT (PANCHAYAT AND COMMUNITY DEVELOPMENT) DEPARTMENT

- 18 Para 20 at The facts of the case bring home the chaotic condition obtaining in the office of the Director, Panchayats. There was absolutely no financial control and valuables such as bank drafts valued at more than rupees eight lakhs were left to the Nazir to be disposed of at his whims. The Committee, therefore, recommends that the Government should institute a thorough enquiry into the whole matter to fix responsibility at different stages including the supervisory officers and ensure that the proceeds of the bank drafts are credited to the Personal Ledger Accounts of the Director without further delay.
page 32.

The Committee further recommends that a register called "Register of Bankdrafts" should be introduced in the office in which all particulars of the drafts from the time these are received in the office till these are finally disposed of should be recorded and submitted fortnightly to the Director for his information.

The action taken should be intimated to the Committee within three months from the date of presentation of this report to the House.

Serial Reference
No.

Recommendation

(1) (2)

(3)

19 Para 20 (b)
at page 32.

The fact of the case indicates that the amounts were temporarily misappropriated owing to lack of supervision on the part of the officer in-charge of cash. The Committee, therefore, recommends that responsibility on the officers concerned should also be fixed and action taken be intimated to the Committee within three months from the date of presentation of the Report to the House.

20 Para 21 at
pages 33—34.

The Government appears to have been goaded by the consideration that the entire potato trade was in the hands of 2/3 traders—who dictated terms rather than the economics and for that matter the Department decided to purchase potato seeds from the open market from time to time. While resorting to purchase from the open market the Department seems to have ignored the over all higher cost inclusive of cost of transportation, handling and other incidental charges. The Committee therefore feels that the Government would have done well if the purchases were made by calling tenders in conformity with the usual practice.

The Committee therefore recommends that in future, the Government should not indulge in such deal.

21 Para 21 (b)
at page 33.

The Committee failed to appreciate the justification adduced by the Government. May be that the five blocks in question are in Meghalaya now but the records of the Directorate/Government should indicate whether any explanation was called for and received. It may also be that some of the Block Development Officers concerned are now working in Assam.

The Committee therefore recommends that the Government may consider the feasibility of obtaining explanation from the officers available with the Government and submit the same for consideration of the Committee within three months from the date of presentation of this Report to the House.

Serial Reference
No.

Recommendation

(1) (2)

(3)

- 22 Para 21 (c)(i) & (ii) at page 33—34. The Committee is unhappy to see the state of affairs in the Department. It seems that no importance was at all attached to the bank drafts received as some of these were left unattended to for years and some others returned to the drawees without making sure that rectified bank drafts have been received back. Besides the Government is not in a position to state how much amount was received on account of sale of potato seeds and gunny bags and how much was credited to Government. The whole matter requires to be thoroughly investigated to ascertain the actual position and also to fix responsibility on the officials whose negligence resulted in such state of affairs. The Committee, therefore, recommends that the Government should immediately arrange a deeper probe into the matter in consultation with Government of Meghalaya and the results of the probe submitted to the Committee within six months from the date of presentation of the report to the House.
- 23 Para 21 c)(iii) at page 34. The Committee recommends that the Government should intimate the Committee within three months whether the sale proceeds for the above quantities have been realised and credited to Government.
- 24 Para 21 (c) (iv) at page 34. The Committee feels that the pumps would be too heavy to be carried by manual labour from place to place in the paddy fields should have been foreseen and orders for trolleys placed along with the pump sets originally ordered for. Had that been done the extra expenditure of Rs. 0.37 lakh could have been avoided. The Committee, therefore, recommends that the Government should be more careful so that such avoidable expenditure is not incurred in future.
25. Para 21 (c) (v) at page 34. The Committee recommends that discrepancy of Rs. 1.17 lakh should be investigated and the results of investigation reported to the Committee within three months from the date of presentation of this Report to the House.

Serial Reference No.	Recommendation
(1)	(3)
26. Para 12 at pages 15-16 read with Appendix I at page 110.	The Committee recommends that the wanting utilisation certificates should be furnished immediately if not already done, and compliance reported to the Committee within three months from the date of presentation of this Report to the House.
27. Para 74 and 75 at pages 95-97 read with Appendix VIII	The Committee recommends that steps should be taken for early settlement of outstanding audit observation and inspection reports.
28. Para 62 at pages 66-68	The Committee notes with regret that though the cases are quite old their finalisation remained yet to be completed. The Committee recommends that all the pending cases be finalised and result communicated to the Committee within six months from the date of presentation of this Report before the House.
29. Para 62 (b) at page 66.	The Committee is not happy to see that a huge amount of money is still outstanding to be realised. The Committee could not but come to the conclusion that due to lack of supervision of accounts of the Anchalik Panchayat such misappropriation could take place. The Committee recommends that Government should find out ways and means so that such occurrence can be nipped in the bud.
30. Para 62 (c) at page 66.	Realisation of loan is apparently very small as Government could realise only about one seventh of the total loan. The Committee recommends that vigorous steps should be taken to realise all the outstanding loan within the shortest possible time and the action taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.
31. Para 62 (d) at page 66.	The Committee recommends that Government should make every endeavour to realise the amount of money outstanding from the rest of the Anchalik Panchayat. The balance of outstanding amount arrived at as a result of cinsultation with the Mahkuma Parishad should be intimated to the Committee within three months from the date of presentation of this Report to the House.

Serial Reference
No.

Recommendation

(1) (2)

(3)

32. Para 62 (e) at
page 66.

The Committee considers non refund of unutilised Government money by the Anchalik Panchayats to be very bad practice and bad precedent specially when the Government is in need of money for other development programme of social value.

The Committee recommends that the practice of unauthorised diversion of grant should be stopped forthwith and the money should be utilised for the purpose for which it has been sanctioned.. Steps should also be taken to realise/refund the unutilised amount from the respective Anchalik Panchayats.

The steps taken by Government should be intimated to the Committee within three months from the date of presentation of this Report to the House.

33. Para 62 (f) at
page 67.

The Committee is not satisfied with the steps taken by the administration to collect the information from the District offices and defaulting Anchalik Panchayats.

The Committee therefore recommends that a thorough enquiry should be conducted into the whole affairs of wasteful expenditure with the following terms of reference :

- (i) Why were the schemes abandoned ;
- (ii) Whether technical viability of the schemes examined before sanction ;
- (iii) When was it detected that the Agricultural impliments were defective ;
- (iv) Whether the impliments received in good condition if so, how defects crept in ;
- (v) If these were not in good condition at the time of receipt how could these be accepted and payment made.

The Report of the enquiry should be submitted to the Committee within three months from the date of presentation of the Report to the House.

Serial Reference
No.

Recommendation

(1) (2)

(3)

34. Para 62 (g) at
page 67.

The pumps and agricultural implements were purchased in 1962 and materials were handed over to the Agriculture Deptt. in 1973 i.e. after a lapse of about 10 years. It is surprising to note that the pumps and agricultural implements costing Rs. 0.53 lakh were kept unused for so many years and it was not known whether the pumps and equipments could be used subsequently.

The Committee recommends that responsibility should be fixed on the officer/officers in whose instance these materials were purchased when these were kept idle for so many years. The reasons as to why these could not be put to use prior to 1973 should be investigated by a high ranking officer and the result of the enquiry submitted to the Committee within three months from the date of presentation of this Report to the House.

35. Para 62 (h) at
page 67.

The Committee recommends that investigation should be made and responsibility be fixed as to why these tractors were purchased when these are kept unutilised.

Action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT.

36. Para 27 at page
39.

The Committee was not happy over the manner in which the case was dealt with by the Government. Even though the services of the then Sub-divisional Animal Husbandry and Veterinary Officer was placed at the disposal of the State Government by the Mizoram Government as far back as in September 1972, Government took about four years in drawing up departmental proceedings against the officer. The Committee therefore recommends that responsibility on the officer whose apathy resulted in delay in drawing up proceedings should be fixed and compliance reported to

Serial Reference
No.

Recommendation

(1) (2)

(3)

the Committee. The Committee further recommends that the departmental action against Dr. Ao should be finalised without any further delay. The Government should also report to the Committee about realisation/recovery of Rs. 34.650.

Compliance with the above recommendations should be reported to the Committee within three months from the date of presentation of this Report to the House.

37. Para 27 (b) at page 39.

The Committee was not satisfied with the explanation furnished by the Government. No money can be drawn from the treasury unless it is required for immediate disbursement. As it appears, the amount drawn on 31st March, 1970 was shown as disbursed on 4th April, 1970 and refunded to treasury on 4th January 1971. Evidently the amount was not required for immediate disbursement.

The amount was drawn for carrying pigs from Gauhati to Kaliapani. The disbursement of the amount on 4th April, 1970 indicates that the carriage contractor was paid before actual carriage which was not in conformity with the financial rules framed by the Government.

The Committee, therefore, recommends that the officer concerned should be cautioned to be more careful in future and refrain from committing such type of financial irregularities.

38. Para 27 (b) Sub-para at page 39.

The Committee feels that proper account of milk utilised in feeding of calves was not maintained and recommends that in future milk utilised for feeding the calves should also be properly accounted for.

39. Para 28 at page 39.

The Committee noticed that farm product and poultry-cum-cattle feed were being sold on credit contrary to rules. It is interesting to note that Rs. 43,527.79 P. pertaining to sales effected during 1960 to December, 1970 remain yet to be recovered. Notwithstanding this, no action was taken by the Government for re-

Serial Reference
No.

Recommendation

(1) (2)

(3)

covery of the amount either from the debtors or from the officials responsible for unauthorised credit sale. The Committee therefore, recommends that such unauthorised credit sale should be stopped forthwith and the outstanding amount recovered either from the debtors or in case of bad debt from the officials responsible for credit sale and the fact of recovery reported to the Committee within three months from the date of presentation of the Report to the House.

40. Para 18 at page
30

The Committee noticed that Rs. 0.63 lakh was refunded on 16th March 1972 though the amount proved surplus after July 1971. The Committee, therefore, recommends that any amount not required for utilisation should be refunded in future without delay.

41. Paras 74 and 75
at pages 95—97.

The Committee recommends that prompt action should be taken for early settlement of outstanding audit observations and inspection reports.

HEALTH DEPARTMENT (EXCLUDING PUBLIC HEALTH ENGINEERING) DEPARTMENT.

42. Para 24 at page
35.

The Committee is of opinion that the Director of Health Services had exceeded his powers in the matter on the following three counts :—

(1) Purchase was made without the approval of the Purchase Board ;

(2) Purchases were made at trade rates rather than at hospital rates.

(3) Authorised the Joint Director of Health Services to purchase medicines at higher rates.

The Committee therefore, recommends that the Government should consider taking action against the then Director of Health Services, if possible at this stage. The Government should also examine whether apart from the Director of Health Services any other officer was in any way involved in this case and if so, whether responsibility therefor can be fixed. The

Serial Reference
No.

Recommendation

(1) (2)

(3)

results of the examination should be reported to the Committee within three months from the date of presentation of the Report to the House.

The Committee further recommends that the amount of Rs. 41,490 should be recovered from the supplying farm immediately and the fact of recovery reported to the Committee within three months from the date of presentation of this Report to the House.

43. Para 29 at Page 39 read with item No. 9 of Appendix IV at page 108.

The Committee is constrained to note that the misappropriation case involving a huge amount was not pursued very seriously by the Department in as much as they took about nine years in reporting the case even to the police. It is all the more regrettable to note that even now, (11th June 1976), after more than nine years of detection of the case, the Department could not complete the departmental investigation against all the persons concerned, one of whom has meanwhile retired.

The Committee therefore recommends that responsibility should be fixed on the officer/officers whose fault has/have resulted in inordinate delay in completion of Departmental investigation thereby offering scope for some of the evidences becoming extinct.

The Committee also recommends that the Departmental enquiry should be completed without any further delay and that the responsibility of the Supervising Offices whose lack of supervision facilitated the misappropriation should also be fixed and compliance with all the recommendations reported to the Committee within three months from the date of presentation of the Report to the House.

44. Paras 74 & 75 at pages 95-97 read with Appendix VIII and IX at pages 115-119.

The Committee while appreciating the view point of the Government recommends early settlement of all outstanding audit observations and reports.

Serial Reference
No.

Recommendation

(1)

(2)

(3)

45. Grant No. 27 at
pages 46-52.

The Committee hopes that with the introduction of the control register the Department will be able to exercise better control over expenditure and surrender the entire savings before the close of the Financial year.

CO-OPERATION DEPARTMENT

46. Para 19 at page
32.

It is really unfortunate that the recovery of defalcated amount which was detected in March, 1970 has not yet been finally recovered. The Committee therefore recommends that immediate steps should be taken to realise the amount and the result of the action taken should be intimated to the Committee within one month from the date of presentation of the Report to the House.

47. Paras 74-75 at
pages 95-97 read
with Appendix
VIII and IX at
pages 116-119.

The Committee recommends that prompt action should be taken for early settlement of the outstanding audit observation and inspection reports

TRANSPORT DEPARTMENT

48. Para 61 at pages
64-65.

The revised rates of vehicle taxes were given effect to three different dates viz., from 1st April 1960, 1st April 1961 and 1st April 1962 but the field officers i. e. D.T.Os. of the Department continued to make under assessment of Taxes. The Government after a lapse of about 15 years failed to take final decision in regard to the period between 15th January 1959 and 1st April 1962 for which cases of under assessment of taxes could not be reviewed and this has resulted in a huge loss of Government revenue.

The Committee recommends that Government should take final decision within three months. Steps should also be taken to ascertain the amount of tax realisable.

The Government should also intimate to the Committee the action taken on cases of under assessment which occurred even after 1st April 1962.

Serial Reference
No.

Recommendation

(1)

(2)

(3)

The result of the action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.

49. Para 61 (II) at page 65.

The Committee is not satisfied with the position of realisation of arrears. It is also astonishing to see how the taxes for later periods were realised without realising the arrears of Rs. 3.71 lakhs.

The Committee recommends that an enquiry Committee be constituted to go into the details of (1) Under assessment of taxes and realisation of arrears, (2) Grant of exemption of taxes irregularly to certain Department/Organisation resulting in loss of Government revenue for the period from February 1955 to December, 1970.

The Committee also recommends that responsibility should be fixed on the delinquent officers due to whose negligence the Government had to incur such a huge loss.

Action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

50. Para 61 (III) at Pages 64-65.

The Committee recommends that Government should make every endeavour to assess the taxes correctly. Responsibility may be fixed on the officer who has irregularly exempted the taxes.

51. Para 61 (a) (iv) at page 64.

The Committee recommends that Department should take immediate steps to review all cases of under assessment of tax in the State. And the arrear of taxes due to be realised. The responsibility should be fixed on officer/officers for under assessment of taxes.

The Government should intimate the Committee the total amount of arrear collected and arrear (1) due to be collected due to assessment of lesser pay loads than those applicable

Serial Reference
No.

Recommendation

(1) (2)

(3)

under amended Act after revision was given effect to (2) due to assessment at old rates instead of revised ones in force from 1st April, 1956, (3) due to non-revision of weight of vehicles w.e.f. the date the new Act came into force.

The action taken should be intimated to the Committee within three months from the date of presentation of the Report to the House.

52. Para 61 (6) at
page 65.

The Committee does not see any justification that Government machinery will not function properly for inadequacy of staff for a particular branch of work. The staff were requisitioned for proper working of Bakijai section of the D.T.Os Office.

The Committee recommends that responsibility should be fixed on the District Transport Officers for non-maintenance of proper records for which Government had to incur a heavy loss. The Committee should be apprised of the progress made after the sanction of staff to the offices of the District Transport officers.

53. Para 61 (c) (i)
at page 65.

The Committee is not satisfied with the progress of realisation of arrear taxes. At the initiative of Transport Department, the Revenue Department declared the District Transport Officers as Bakijai officers with effect from 23rd November, 1970 and the Transport Department on 21st July 1971 i.e., after about nine months moved for staff to which sanction was accorded by the Finance Department on 6th July 1976 after several correspondence.

.....The Committee, therefore, recommends that vigorous steps be taken to realise the arrears of taxes. Responsibility should be fixed on the officers for whose fault realisation of current taxes were done ignoring the arrears taxes in violation of executive instructions and existing rules.

The steps taken may be intimated to the Committee within three months from the date of placement of the Report to the House.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
54. Para 61 (c) (ii) at page 65.		The Committee feels happy with the action taken though be later.
55. Para 61 (c) (iii) at page 65.		The Committee recommends that there should be thorough probe into the matter and responsibility should be fixed on the officers concerned due to whose fault 14 vehicles of the Corporation were registered without realisation of registration fee and thereby incurring a loss of Rs. 49.40 lakhs.

The action taken by the Government may be intimated to the Committee within three months from the date of presentation of this Report to the House.

56. Para 61 (c) (iv) at page 65, In spite of clear cut rules that refund of tax paid in respect of a motor vehicle transferred to any other State is not permissible why in respect of 17 vehicles transferred to other States was irregularly allowed. The Committee therefore recommends that responsibility be fixed on the officer/officers who allowed the refund and money realised from the persons at fault.

... The action taken should be intimated to the Committee within three months from the date of presentation of this Report to the Houses...

57. Para 74 and 75 at pages 95-97. The Committee is not satisfied with the progress of Settlement of outstanding Audit Objections and Inspection Reports. The Committee recommends that Government should endeavour to settle up the matter early.

EDUCATION DEPARTMENT

58. Para 12 at pages 15-16 read with Appendix I at page 101. The Committee recommends that all the outstanding utilisation certificates should be submitted within three months as assured. The Committee also recommends that the Department should keep a watch over the utilisation of grants sanctioned to the various organisations and institutions so that these are spent for the purpose for which the grants were sanctioned.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
59.	Para 18 (3) at page 31.	The Committee is not happy with the explanation furnished by the Government for issue of the express orders as the very proposal for grants are taken up by the office of the Director of Public Instructions very late. As it appears, an assessment of possible saving is made towards the end of the year and the amount is drawn under express orders only to avoid lapse of funds. The Committee therefore recommends that Government should take steps to gear up the administration of the office of the Director of Public Instructions so that funds provided in the budget are utilised in a phased manner keeping in view the actual necessity and without waiting for the year to come almost to an end.
60.	Para 22 at page 34.	The Committee recommends that responsibility should be fixed and the amount realised from the person/persons responsible immediately on receipt of the Reports of the State Enquiry Officer and the Director of Forensic Science Laboratory.
61.	Para 23 at page 34.	The Committee recommends that further development of the case be reported to the Committee within three months from the date of presentation of the Report to the House.
62.	Paras 74&75 at pages 95-97 read with Appendix viii and ix at pages 115-119.	The Committee recommends that follow up action should be taken to settle the outstanding Audit Observation and Inspection Reports immediately.
63.	Grant No. 25 at pages 33-43.	From the statement furnished by the Government it transpired that there is no control at all over the expenditure. The Budget provisions were made without any basis and estimates prepared without basing on the accepted schemes and resources available. These have resulted in huge amount of savings due to non-implementation of schemes and excess expenditure due to want of provision in the Budget.

The Committee therefore recommends that the Department should maintain necessary control Register to watch the flow of expenditure so that such thing may not occur

Serial No.	Reference	Recommendation
(1)	(2)	(3)
		in future. Responsibility should be fixed on the officer or officers due to whose negligence the schemes could not be implemented.

64. Grant No. 71 at page 129. The Committee is not happy as the Government failed to implement the schemes. The responsibility should be fixed on the officer/officers due to whose negligence the schemes could not be finalised.

The action taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.

TRIBAL AREAS DEPARTMENT

65. Para 15 (a)(13) at page 22. Subject to maintenance of control over expenditure, the Committee recommends regularisation of excess expenditure.

PUBLIC WORKS (ROADS & BUILDINGS) DEPARTMENT

66. Para 30 at page 40 read with Appendix V and VI at pages 109 and III. The Committee recommends that in future estimates should be prepared more realistically and no works should be done without sanction of detailed estimate or in excess of sanctioned estimate.

67. Para 31 at page 40. The Committee was not satisfied with the explanation furnished by the Government for awarding the contract to a higher tenderer. The Assam Government Construction Corporation being a State Government Undertaking, the matter needed to be examined and discussed with the Corporation in greater detail before ignoring their offer. The Committee, therefore, recommends that the circumstances and justification for awarding the Contract at higher rate involving extra expenditure of Rs. 0.91 lakh should be investigated by the Government thoroughly and the results of investigation reported to the Committee within three months from the date of presentation of this Report to the House.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
68. Para 32 at page 41.		<p>The Committee was distressed to note that a serious case like this was not investigated by the Department to find out whether the entire work paid for was actually executed especially when the report of the Executive Engineer indicated to the contrary. The Committee, therefore, recommends that the case should be investigated thoroughly by the Government to fix responsibility on the officer directly responsible for the work as also the officer who did not care to take any action on the report of the Executive Engineer. The results of investigation and action taken against the officer should be reported to the Committee within three months from the date of presentation of this Report to the House.</p>
69. Para 33 at page 41.		<p>The Committee was unhappy over the dismal state of affairs in which this contract was handled by the Public Works Department. No action was at all taken for recovery of Government dues from the defaulting contractor inspite of instructions from the higher authority and the higher authority also did not view this lapse seriously. The Committee, therefore, recommends that the whole matter should be thoroughly investigated and responsibility for lapses at various levels fixed immediately. The results of investigation and action taken against the officers should be reported to the Committee within three months from the date of presentation of this Report to the House.</p>
70. Para 50 (a) and (b) at page 52.		<p>The Committee recommends that further development of the cases should be reported to the Committee within three months from the date of presentation of this Report to the House.</p>
71. Para 51 at pages 52-53.		<p>The Committee recommends that the cases should be investigated by the Government thoroughly and responsibility for loss of one marboat and missing of certain accessories be fixed on the officers concerned. Action taken should be reported to the Committee within three months from the date of presentation of this Report to the House.</p>

Serial No.	Reference	Recommendation
(1)	(2)	(3)
72.	Para 15 (a) Items 9 and 10 at page 21.	There should be some arrangement to get the details of expenditure from the District Council in time. Subject to this, the Committee recommends regularisation of the excess expenditure.
73.	Para 74 and 75 at pages 95-97.	Considering the arrears of Outstanding Audit Observations and Inspection Reports to be settled, the progress made is not satisfactory. The Committee recommends that Government should make every endeavour to furnish the wanting vouchers to audit and settle up the Outstanding objections early.
74.	Grant Nos. 57 and 58 at pages 100 & 109.	The Committee is unhappy to find that there is no budgetary control over the expenditure. However subject to maintenance of adequate records to watch over the flow of expenditure the Committee recommends regularisation of excess appropriation.

REVENUE DEPARTMENT

75.	Para 4 at page 3.	The Committee is constrained to note that Government have been attaching very little importance to collection and deposit of Land Revenue, local rates etc. For lack of initiative and drive on the part of the Government, the arrears in collection of revenue have been mounting from year to year as revealed by successive audit Reports. No serious effort whatsoever was made by the Government to ensure that even the collection made by the Mauzadars were credited in full. Such indifference on the part of the Government facilitates misappropriation of Government money, a few instances of which have been brought out in Para 60 of the Report of the Comptroller and Auditor General of India for the year 1970-71.
-----	-------------------	--

The Committee therefore recommends that vigorous steps should be taken by the Government to effect realisation of the arrears with a time bound programme.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
		<p>The Committee also recommends that steps should be taken against those Mauzadars who defalcated or misappropriated the revenue collected.</p> <p>The action taken by the Government on the above recommendations should be intimated to the Committee within three months from the date of presentation of the Report to the House.</p>
76.	Para 8 (c) at page 11.	<p>The Committee is unhappy to note that proper record of loans given to cultivators and recoveries made thereof have not been maintained by the Department. In the absence of vital records it is but natural that recovery should fall into arrears. The Committee therefore recommends that records in respect of loans and advances given by the Government and recoveries thereof should be brought up-to-date showing the actual position of arrears together with action taken or propose to be taken by the Government, should be submitted to the Committee within three months from the date of presentation of the Report to the House.</p>
77.	Para 9 at page 13.	<p>The Committee notes with regret that no follow up action was taken by the Government to ensure that the instruction issued are complied with by the field officers. The Committee therefore recommends that action should be taken by the Government to submit the acceptances of balances to Audit and to reconcile the discrepancy, if any, between the Departmental figures and those in the Audit Office. Action taken should be Reported to the Committee within three months from the date of presentation of the Report to the House.</p>
78.	Para 12 at page 15.	<p>The Committee recommends that the fact of submission of utilisation certificates should be reported to the Committee within three months from the date of presentation of this Report to the House.</p>

Serial No.	Reference	Recommendation
(1)	(2)	(3)
7 . Para 25 at pages 36-38	From the written statement of the Govern- ment the following points emerged :—	
		<p>(1) Though the construction of a dyke on the right bank of Kopili was completed in 1953 the acquisition proceedings were initiated in 1967, i. e., after a lapse of about fourteen years. It also transpired from the evidence tendered by the official witnesses that lands were acquired by the Revenue Department and compensation paid suo-moto without any requisition proposal from the requiring Department.</p>
		<p>(2) By the time the action for land acquisition was initiated, the Assam Land (Requisition and Acquisition) Act, 1964 came into force under which rate of compensation was substantially increased. Consequently the Government had to incur an avoidable expenditure to the extent of Rs. 1.77 lakhs. Before making payment of compensation for the land acquired it is the duty of the collector to verify the ownership right of pattadars over the land. Rs. 0.79 lakh was wrongly paid to the encroachers of the Government land.</p>
		<p>(3) The Department could not adduce any justification for non-maintenance of Zirat register in Nowgong District nor could they furnish any explanation for non-disposal of trees, standing crops and house materials for which huge amounts were paid as compensation.</p>
		<p>(4) In Nowgong District Rs. 6.85 lakhs were irregularly paid as compensation for damage to crops without any claim. In Nowgong District house rent of Rs. 350 p.m. was being paid to the owner of the building in which the fire brigade station was housed notwithstanding advance payment of Rs. 0.91 lakh (June 1969) towards the payment of compensation and taking over possession of land.</p>
		<p>(5) Rs. 1.53 lakhs was paid to persons other than the claimants/awardees obtaining actual payee receipts and indemnity bond from their Agents which were not legally valid.</p>
		<p>(6) In Nowgong the additional D.C. irregularly enhanced the amount of compensation from Rs. 0.19 lakh to Rs. 0.82 lakh in respect of five persons.</p>

Serial No.	Reference	Recommendation
(1)	(2)	(3)
		<p>The Committee is unhappy to find the distressing condition in which the matter of payment of compensation is being handled by Government. It is evident that there is no control and proper supervision over the processing of various cases for the purpose of payment of compensation. The Committee therefore recommends that all such cases in the State should be thoroughly investigated by a high powered Committee to fix up responsibility at different levels and the results of the enquiry reported to the Committee within three months in respect of the above cases and one year in respect of other cases from the date of presentation of this Report to the House.</p>
80.	<p>Para 29 at page 39 read with Serial 1 of Appendix IV at page 108 and para 60 at pages 60-64.</p>	<p>From the details furnished by the Government it is found that though huge amounts of Government Revenue were misappropriated by Mauzadars very lenient view was taken by the Government.</p> <p>In this connection, reference is also invited to the facts brought out and the recommendations made against Para 4 at Page 80 of the Report.</p> <p>The Committee therefore recommends that all the cases of misappropriation should be finalised immediately.</p> <p>The action taken by Government be intimated to the Committee within three months from the date of presentation of this Report to the House.</p>
81.	<p>Paras 74-75 at pages 95-97 read with Appendix VII and IX at pages 115-119.</p>	<p>The Committee recommends that all the outstanding Audit Observations/Inspection Reports should be settled at an early date.</p>
82.	<p>Grant No. 61 at pages 113-114.</p>	<p>Subject to maintaining control over the expenditure in future the Committee recommends regularisation of the excess expenditure.</p>

Serial No.	Reference	Recommendation
(1)	(2)	3)

AGRICULTURE DEPARTMENT.

- 83 Para 12 at pages 15-16. The Committee recommends that the wanting utilisation certificates should be furnished to the Audit office immediately and compliance reported to the Committee within three months from the date of presentation of this Report to the House.
- 84 Paras 74-75 at pages 95-97 read with Appendix VIII and IX at pages 115-119. The Committee recommends that steps should be taken for early settlement of Audit Observations and Inspection Reports.

RELIEF & REHABILITATION DEPARTMENT

- 85 Paras 74-75 pages 95-97 read with Appendix VIII and IX at pages 115-119. The Committee recommends that Government should ensure that Outstanding Audit Observations and Inspection Reports are settled without further delay.

PUBLIC HEALTH (ENGINEERING) DEPARTMENT.

- 86 Para 30 at page 40 read with Appendix V (Serial 13) at page 110. According to rule 230 of the Assam P.W.D Code no work should be commenced unless a detailed design and estimates have been sanctioned. In this case the Department failed to comply with the requirement of the rules. Such violation of rule does not only speak the inefficiency of the Department but also sets a bad example to others. The Committee could not but expresses its dissatisfaction to such violation of rules and showing laxity in compliance with the requirements in making unauthorised expenditure. The Committee recommends that the Department should take every care and caution in future so that such thing may not recur.
- 87 Para 43 at pages 47-48. The plea put forward by the Government that due to urgency the materials had to be purchased at higher rates than the controlled rate is not at all convincing. There were ample scope of the Department to go for lower rate by cancelling the selected tenderer as he failed to supply the material in time.

Serial No.	Reference	Recommendation
(1)	(2)	(3)
		The Committee recommends that the Executive Engineer who appears to be responsible for the entire deal to be brought to book for the loss incurred by the Government.
		The action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.
88	Para 44 at page 48.	The Committee recommends that the result of the enquiry may be intimated to the Committee within three months from the date of presentation of this Report to the House.
89	Para 45 at page 49.	The scheme was prepared without examining the technical feasibility of the project in detail. The Committee recommends thorough enquiry into the whole affairs. The result of the enquiry be submitted to the Committee within three months from the date of presentation of this report before the House.
90	Para 47 at pages 50-51.	The Committee recommends that vigorous steps should be taken to make all the stock registers up-to-date. The steps taken may be intimated to the Committee within three months from the date of presentation of this Report to the House.
91	Para 49 at page 51.	The Committee recommends that Government should make every endeavour to clear the arrears in regard to closure of stock registers. The action taken should be intimated to the Committee within three months from the date of presentation of this Report to the House.
92	Paras 74-75 at pages 95-97 read with Appendix VIII and IX at pages 115-119.	The Committee recommends that steps be taken to settle the outstanding Audit Observations and Inspection Reports early.
93	Grant No. 29 at pages 55-56.	Subject to maintenance of necessary control register to watch the flow of expenditure, the Committee recommends regularisation of excess expenditure.

ANNEXURE- I

(Reference para 4 at page ii)

List of Officers who were examined by the Public Account Committee

Serial No.	Designation of Officers	Date of examination
(1)	(2)	(3)
1	Secretary to the Government of Assam .. Public Works (R & B) Department.	6th May, 1976.
2	Secretary to the Government of Assam .. Forest Department.	9th June, 1976. 27th July, 1976.
3	Secretary to the Government of Assam .. Fishery Department.	9th June, 1976.
4	Secretary to the Government of Assam .. Appointment Department.	9th June, 1976. 26th July, 1976.
5	Secretary to the Government of Assam .. Health Department.	9th June, 1976.
6	Secretary to the Government of Assam .. (P & C. D.) Department.	17th August, 1974. 9th June, 1976. 28th July, 1976.
7	Secretary to the Government of Assam .. Co-operation Department.	9th June, 1976.
8	Secretary to the Government of Assam .. Education Department.	11th June, 1976.
9	Secretary to the Government of Assam .. Animal Husbandry and Veterinary Department.	11th June, 1976.
10	Secretary to the Government of Assam ... Industries Department.	11th June, 1976.
11	Secretary to the Government of Assam ... Tribal Areas Department.	11th June, 1976.
12	Secretary to the Government of Assam .. Supply Department.	11th June, 1976.

ANNEXURE I (Con'd.)

Serial No. (1)	Designation of Officers (2)	Date of examinations (3)
13	Secretary to the Government of Assam .. Public Health Engineering Department.	11th June 1976 | 27th July 1976
14	Secretary to the Government of Assam .. Labour Department.	11th June 1976
15	Secretary to the Government of Assam .. Home (Jails) Department.	11th June, 1976 | 26th July, 19 6
16	Secretary to the Government of Assam .. Revenue Department.	12th June, 1974 | 26th July, 1974 | 17th August, 1974 | 11th June, 1976 | 16th August, 1976 | 24th August, 1976
17	Secretary to the Government of Assam .. Transport Department.	22nd July, 1976
18	Secretary to the Government of Assam .. Law Department.	23rd July 1976

ANNEXURE I—(Contd.)

Time devoted to each day's meeting

Date (1)	Time of meeting (2)	Total time (3)
6th May, 1976 ...	10.30 hrs. to 13.00 hrs.	2 hrs. 30 min.
9th June, 1976 ..	10.30 hrs. to 11.00 hrs.	30 min.
27th July, 1976 ...	11.00 hrs. to 11.30 hrs.	30 min.
9th June, 1976 ..	11.00 hrs. to 12.00 hrs.	1 hr.
9th June, 1976 ..	12.00 hrs. to 12.30 hrs.	30 min.
26th July, 1976 ..	11.00 hrs. to 11.30 hrs.	30 min.
9th June, 1976 ..	12.30 hrs. to 13.30 hrs.	1 hr.
17th August, 1974 ..	11.00 hrs. to 12.00 hrs.	1 hr.
9th June, 1976 ..	15.00 hrs. to 16.00 hrs.	1 hr.
28th July, 1976 ..	10.30 hrs. to 11.30 hrs.	1 hr.
9th June, 1976 ..	16.00 hrs. to 16.30 hrs.	30 min.
9th June, 1976 ...	10.30 hrs. to 11.45 hrs.	1 hr. 15 min.
11th June, 1976 ..	11.45 hrs. to 12.15 hrs.	30 min.
11th June, 1976 ..	12.15 hrs. to 12.25 hrs.	10 min.
11th June, 1976 ..	12.25 hrs. to 12.45 hrs.	20 min.
11th June, 1976 ..	12.45 hrs. to 13.15 hrs.	30 min.
11th June, 1976 ..	14.30 hrs. to 15.00 hrs.	30 min.
27th July, 1976 ..	10.30 hrs. to 11.30 hrs.	1 hr.
11th June, 1976 ..	15.00 hrs. to 15.30 hrs.	30 min.
26th July, 1976 ..	11.30 hrs. to 12.00 hrs.	30 min.
12th June, 1974 ..	9.30 hrs. to 12.30 hrs.	3 hrs.
26th July, 1974 ..	9.00 hrs. to 12.00 hrs.	3 hrs.
17th August, 1974 ..	9.00 hrs. to 11.00 hrs.	2 hrs.
11th June, 1976 ..	3.45 hrs. to 17.00 hrs.	1 hr. 15 min.
16th August, 1976 ..	11.00 hrs. to 12.30 hrs.	1 hr. 30 min.
24th August, 1976 ..	12.30 hrs. to 13.30 hrs.	1 hr.
22nd July, 1976 ...	10.30 hrs. to 13.00 hrs.	2 hrs. 30 min.
23rd July, 1976 ..	11.00 hrs. to 11.20 hrs.	20 min.
		<hr/> 29 hrs. 50 min.

ANNEXURE II

(Reference Para 5-8 at page 7)

W. T. MESSAGE

16'h June 1976

TO

FISH ASSAM DISPUR

FROM

DEPCOM NOWGONG

NO.N.FE 39/75-76/20 (.) REFERENCE YOUR WT NO 1171614 DATED FOURTEENTH INSTANT (.) MATTER ENQUIRED INTO THROUGH SDC KALIABOR CIRCLE (.) IT IS LEARNED THAT THE ENTIRE AMOUNT OF RUPEES THIRTY FIVE THOUSAND AND TWO HUNDRED WAS UTILISED BY THE BURAPAHAR UNNAYAN COMMITTEE FOR IMPROVEMENT OF PUBLIC INSTITUTIONS (.) THE COMMITTEE IS STILL IN EXISTENCE WITH NEW PRESIDENT (.) THE FORMER PRESIDENT DIED OF MOTOR ACCIDENT (.) COPY OF SDC'S REPORT AND REPORT IN ORIGINAL CONFIRMING UTILISATION OF THE ENTIRE AMOUNT FROM THE PRESIDENT BURAPAHAR UNNAYAN COMMITTEE BEING SENT WITH POST COPY (.)

Memo. No. NRF. 39/75/76/20, Dated Nowgong, the 16th June, 1976. Post copy in confirmation forwarded to the Secretary to the Government of Assam, Fishery Branch, Assam, Dispur. A copy of report of S.D.C., Kaliabor Circle and report dated 14th June 1976 obtained from the Present President (in original) are enclosed herewith.

Sd./-P. C. BORAH,
Additional Deputy Commissioner,
Nowgong.

ANNEXURE III

(Reference para 12.5 at Page 19)

Copy of letter No. A/272/18, dated 18th February 1970 from the Divisional Forest Officer, Sibsagar Division, addressed to the Conservator of Forests, Upper Assam Circle, Jorhat.

Sub:—Disposal of Naga felled trees of Desso Valley R. F.

I have the honour to inform you that the following lots of timbers Naga felled trees of Desso Valley Reserved Forests were put to auction sale on 15th December 1969 by widely circulating the sale notice locally and the bids were received from the different parties but all the bids offered were far below the Government valuation. So my predecessor has ordered the Range Officer, Mariani to re-sale the same after issuing the Sale notice locally and accordingly the Range Officer, Mariani re-auctioned the timbers on 17th January 1970 after widely circulating the sale Notice and the following highest bids were received from the different parties but all the highest bids offered for the lots this time also are found below Government valuation.

The bids offered against the lots were below the first time auction sale except Lot Nos. 9 & 11. As reported by the Range Officer, Mariani the trees are deteriorating and no higher bid can be expected. A copy of Range Officer, Mariani letter Nos. M/3553/15, dated 17th December 1969 and M/61/15, dated 21st January 1970 along with the original bid lists are enclosed herewith. The bid list may kindly be returned when donewith.

As suggested by you to the Chief Conservator of Forests, Assam, Shillong in the last para of your letter No. EG.58/Sib/UAC(g) (con) dated 24th January 1970 for departmental operation of trees of Desso Valley R. F., I am also of the opinion that these trees should have been operated departmentally in view of less offer received in two times sales, in view of the present development in the border situation the departmental operation may be difficult.

Further I am to state that quotation for logging and extraction up to Mariani was called for and the lowest quotation received is Rs. 2.20 paise per cft. Which when the royalty is included will be fairly high with to enable receipt of a sale price to cover the post of departmental extraction. Kindly convey your decision.

ANNEXURE III—(Concl'd)

Lot Nos.	Govt. Valuation	2nd time highest bid received	1st time highest bid received
(1)	(2)	(3)	(4)
1-9	Rs. 14,465.36 p	Rs. 5150.00 by Shri P. R. Ralidas.	Rs. 5100.00 by Shri P. R. Ralidas.
2-10	Rs. 9,814.85 p	Rs. 2450.00 by Shri H. S. Chakravarty.	Rs. 3500.00 by Shri H. S. Chakravarty.
3-11	Rs. 11,079.61 p	Rs. 4220.00 by Shri M. N. Buragohain.	Rs. 4260.00 by Shri M. N. Buragohain.
4-12	Rs. 10,277.90 p	Rs. 4261.00 by Shri K. H. Mozika.	Rs. 3100.00 by Shri K. H. Mozika.

The auction was conducted by the Range Officer, Mariani
Range on 17th January 1970.

ANNEXURE IV

(Reference Para 28.3 at Page 32)

GOVERNMENT OF ASSAM
DIRECTORATE OF PANCHAYAT AND COMMUNITY ASSAM
GAUHATI

NO.PDDA/PAC/47/74/17,

Dated Gauhati, the 1st July, 1974.

From—Shri S. Kalita, I. A. S.,
Director of Panchayat
& Deputy Development
Commissioner, Assam,
Gauhati-8.

To

The Account General, Assam, Meghalaya, Nagaland, etc., Shillong.

Subject:—Meeting of the Public Accounts Committee held on 13th August, 1974 to consider the Report of the C. A. G. for the year 1970-71 Finance Accounts 1970-71 and Appropriation Accounts 1970-71 submission of Materials Thereof.

Sir,

In inviting your attention to the above, I have the honour to state that while examining the Department by the Public Accounts Committee it was suggested by them that the latest position in respect of para 62(A) Misappropriation of money may be intimated to the Accountant General as well as to the Chairman of the Public Accounts Committee. As such a statement showing the position of each case of misappropriations is furnished herewith as desired by the committee.

As regard the misappropriation of Rs.7,600 of Mayang Development Block being the pay and allowances of staff, as mentioned in para 29 Appendix IV of Pages 39 & 108 of the report, it may be mentioned that the entire amount was recovered from Shri Baduram Nath, Ex-Cashier on 14th September, 1970 as reported by the Block Development Officer, Mayang Development Block in his letter No.NDE.36/70/24, dated 3rd November, 1970 (Copy enclosed) and subsequently disbursed to the staff for which the money was originally drawn. Shri Nath was then placed under suspension by the Deputy Commissioner, Nowgaon vide his memo. No.NOE. 36/70/24, dated 3rd November, 1970 subsequently dismissed from service as reported by the Sub-Divisional Planning Officer, Nowgaon in his letter No. NHP.26/70/38, dated 22nd November, 1973 but the police case instituted against him has not yet been finalised.

During the same sittings the committee pointed out that another case of Misappropriation of Government money amounting to Rs.5,072.00 of Mayang Development Block and out of that a sum of Rs.1,070.00 has already been recovered leaving a balance of Rs.4,001.53. This case was linked up with the misappropriation of Rs.7,600. It appears from

ANNEXURE IV—(Concl'd.)

the report of the Block Development Officer, communicated in his letter No.NMAP.18/71/97/12029-33, dated 31st March, 1971 that the same cashier misappropriated another sum of Rs.5,071.53 out of which a sum of Rs.1,070.00 has already been recovered from the then Cashier Shri B. R. Nath who was dismissed from service with effect from 3rd November, 1970 by the Commissioner, Nowgaon as will appear from his letter referred is not known for which the Block Development Officer, Mayang has been asked telegraphically in this Directorate No.PDDA. 147/72/28, dated 14th August, 1974 to intimate the action taken to recover the balance amount of Rs.4,001.53 and also of the resulted police investigation. A reply thereto is still awaited. It this connection your D. O. No. Ref. 1/46(46)72/1240-1242, dated 27th March, 1973 may also kindly be referred to.

Yours faithfully,

Sd/- S. KALITA,
Director of Panchayat
and Deputy Development
Commissioner Assam,
Gauhati-8.

Memo. No.PDDA/PAC/47/74/17-A, Dated Gauhati, the 1st July, 1974.

Copy forwarded to:—

1. The Secretary, to the Government of Assam, Pans & C. D. Department for information.
2. The Examiner, Local Accounts Assam, Gauhati.

Sd/-
Director of Panchayat
and Deputy Development
Commissioner, Assam,
Rehabari, Gauhati-8.

AGP. [(L.A.) 1277/76—500—1-12-76.]