

FAC-89

COMMITTEE ON PUBLIC ACCOUNTS

(1986-88)

THIRTY-NINTH REPORT

(EIGHTH ASSEMBLY)



**REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS
ON THE REPORTS OF THE COMPTROLLER AND
AUDITOR GENERAL OF INDIA FOR THE YEARS
1974-75 (Civil), 1975-76 (Civil), 1976-77 (Civil),
1977-78 (Civil), 1978-79 (Civil), 1979-80
(Civil), 1980-81 (Civil), AND 1981-
82 (Civil), PERTAINING TO
THE HOME DEPARTMENT
GOVERNMENT OF ASSAM**

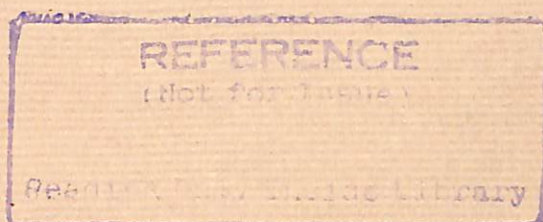
Presented to the House on 16-3-88

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

DISPUR : GUWAHATI-781006

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COMPOSITION OF THE COMMITTEE
(1986-88)

CHAIRMAN :

Shri Abdul Muqtadir Choudhury

MEMBERS :

1. Shri Joy Prakash Tewari
2. Shri Sirajul Haque Choudhury
3. Shri Amrit Lal Basumatari
4. Shri Rashidul Haque
5. Shri Binai Khungur Basumatari
6. Shri Durga Das Boro
7. Shri Gunin Hazarika
8. Shri Ganesh Kutum
9. Shri Padma Nath Koiri
10. Shri Abul Hussain Sarkar

SECRETARIAT :

1. Dr. P. N. Hazarika—Secretary
2. Shri D. Talukdar—Special Officer.
3. Dr. K. N. Baisya—Under Secretary.
4. Shri J. D. Neog—Committee Officer.

INTRODUCTION

1. I, Shri Abdul Muqtadir Choudhury, Chairman of the Committee on Public Accounts, having been authorised to submit the Report on their behalf present this Thirty-ninth Report of the Committee on Public Accounts relating the Home Department.

2. The Reports of the Comptroller and Auditor General of India for the years 1974-75 (Civil), 1975-76 (Civil), 1976-77 (Civil), 1977-78 (Civil), 1978-79 (Civil), 1979-80 (Civil), 1980-81 (Civil) and 1981-82 (Civil) were laid on the table of the House on 7th December 1976, 31st October 1977, 21st February 1979, 29th March 1981, 22nd March 1983, 27th February 1984 and 12th March 1984 respectively.

3. The Reports of the Comptroller and Auditor General of India for the years under report were considered by the out going * Committee on Public Accounts of the Seventh Assembly in its sitting held on 28th and 29th May 1985. The present Committee scrutinised the written parawise memorandum submitted by the Home Department and persued all the relevant records and proceedings for formulating observations/recommendations. The Committee also took the oral evidence of the departmental witness where it felt necessary.

4. The Committee has considered the draft report and adopted the same in its sitting held on 9th, March, 1988.

5. The Committee places on records their appreciation to the strenuous works done by the outgoing Committee on Public Accounts for obtaining various records, information and clarifications pertaining to the audit paras contained in the above reports relating to the Home Department. The Committee also wishes to express their thanks to the representative of the Government in the Home Department for their kind co-operation in furnishing the relevant information/clarifications to the Committee.

6. The Committee also places on records their appreciation for the valuable assistance rendered by the Accountant General, Assam and other officers and staff of the Accountant General, Assam.

DISPUR :
The 9th March, 1988

Abdul Muqtadir Choudhury,
Chairman,
Committee on Public Accounts.

OUTSTANDING ADVANCES

(Audit para 3.10 of Report of C. & A. G. of India 1974-75 p. 77-78)

1.1. Between 1971-72 and 1974-75, the Inspector General of Police (IGP) entrusted construction of 33 departmental buildings in various parts of Assam to the Assam Government Construction Corporation Ltd. (AGCC). No agreement was executed in respect of 21 works till February 1976. The agreement in respect of the remaining 12 works inter alia provided that (i) drawing and design of buildings would be furnished by I.G.P. to the AGCC. (ii) The IGP would pay mutually agreed amounts as advances within 15 days of the signing of agreements to the AGCC, (ii) the AGCC would submit monthly running accounts bills supported by measurement for the works done for adjustment of advances paid and for payment of dues, if any, and (iv) the final bills would be submitted by the AGCC within 3 months from the date of completion of the work.

1.2. The IGP paid Rs.2,76.30 lakhs to the AGCC during 1971-72 to 1975-76 being 90% of advance of the entire estimated value of the above works. The works were to be completed within 6 to 18 months from the dates of agreements in respect of 12 buildings for which agreements were finalised and from the dates of handing over clear sites in respect of others. Of the works entrusted to the AGCC, 16 were completed and handed over to the IGP, 10 were in progress and 7 had not been started till February 1976 for want of site and non-receipt of drawings and designs. The audit has brought that a sum of Rs.104.13 lakhs had been paid to these 7 works in April, 1974 (Rs.60.77 lakhs) and May 1975 (Rs.43.36 lakhs).

1.3. The written memorandum submitted by the Department before the Committee revealed that an amount of Rs. 387 lakhs was deposited to the AGCC as advance for construction of residential buildings and other office complexes for the State Police Department, out of the advances, the AGCC completed about 80 projects as sanctioned by the department and submitted final bills for works completed leaving a balance of Rs. 15 lakhs in the Corporation as saving for the work not executed by them due to unavoidable administrative reason".

1.4. When the Committee enquired as to the present position of outstanding advances, the Commissioner and Secretary to the Government of Assam, Home Department stated before the Committee, "The Police mess is being constructed by the AGCC. The money which is lying with the AGCC has been utilised for constructing the mess, work of which has already been started."

1.5. To a query by the Committee about the total amount of advances and their break up, the IGP informed the Committee that an amount of Rs.3.87 crores was paid to AGCC as advance. Against the advances which had been given to the AGCC in 1972, 1973 and 1974, all the buildings in the complex No.1 and Complex No.2 had been constructed by the AGCC but no yearwise details about the advances as required by the Committee was furnished by the Department intime. When the Committee enquired about the production of utilisation certificate for the works so far completed the departmental witnesses could not produce the same before the Committee during the course of examination.

1.6. The Committee therefore feels that the department should ensure utilisation of the balance of Rs.15 lakhs by the Assam Government Construction Corporation so that construction of the Police House Complexes soon completed. The Committee also urges upon the Government to obtain the utilisation of fund from the AGCC in respect of works already completed accounted against the advance money paid to them.

1.7. The Committee therefore recommends that no advances should be given to the contractor/or any agency against any works before approval of design, plan and estimates, and finalisation of clear site for starting of the work of the project. The Committee further recommends that responsibility should be fixed on the person/persons for whose fault huge amount had been paid in advance without any work. An action taken report should be furnished to the Committee within three months from the date of presentation of this report.

ESTABLISHMENT OF FIRE SERVICE :

(Audit para 3.11 of the Report of C. & A.G. of India, 1974-75)

2.1. For four fire stations at Naharkatia, Chandmari, Bongai-gain and Tihu 16 water tenders valuing Rs.15.66 lakhs were required. In March 1974 an amount of Rs.7.25 lakhs was paid in advance by the I.G.P. to a firm for supply of 16 numbers of chesis as per terms and conditions. But the fire stations were not functioning for wants of water tenders while adjusted advance of Rs.5.44 lakhs with the firm and unspent cash of Rs.6.26 lakhs with the I.G.P. remained idle.

2.2. Audit has also revealed that idle employment of drivers and firemen long before receipt of water tender resulted in avoidable expenditure of Rs.2.82 lakhs.

2.3. In a written memorandum submitted before the Committee the Department stated that it was a fact that fire fighting equipments purchased earlier at a cost of Rs.7.28 lakhs were utilised after two months from the date of purchase of the equipments to the new fire stations. It further stated that these equipments were not lying idle as the same were utilised for existing fire stations till the functioning of the new fire stations.

2.4. During the oral examination the Committee wanted to know as to what were the position of the 16 water tenders, whether these were received first and works completed after appointment of operators and other staff.

2.5. In tendering the evidence before the Committee the Departmental witness stated before the Committee that :

"Tenders were received from two different firms giving different rates of tenders. We had received all the tenders gradually over a period of time."

2.6. However the written memorandum submitted before the Committee stated that Government sanctioned for creation of post of firemen and drivers and set a condition for utilisation of drivers only and no condition was set for entertainment for firemen. It was a fact, that the drivers were recruited almost a year before the water tenders were received. However the orders for supply of water tender were placed to the firm concerned on 22nd February 1974. In that case, the recruitment of drivers and firemen between 1st March 1974 did not seem to be irregular. Moreover the newly appointed drivers were to undergo training for a period of at least 9 months before posting to the fire station. No extra expenditure seem to be incurred for the purpose.

2.7. When the Committee wanted to have a detailed report regarding the receipt of tenders and allotment of works the Commissioner could not furnish the information at the moment clarifying all these but assured the Committee to furnish a detailed statement covering the points. Considering the nature of expenditure involved the Committee observes that the department should engage the personnels well in time after the completion of fire station to avoid irregular expenditure.

2.8. The Committee also feels that the Department should while tendering evidence before the Committee bring all the relevant records so as to come to a decision for formulating the views by the Committee.

CONSTRUCTION OF STAFF QUARTERS :

(Audit para 3.12, Report of C & A G of India, 1974-75, p.80-82)

3.1. (a) In December 1972, the IGP approved the construction by the Police Department 48 staff quarters in 6 blocks at an estimated cost of Rs.9.14 lakhs at Guwahati for married constables. The entire construction was completed in March, 1974 at a cost of Rs.11.88 lakhs.

3.2. In this connection, the audit has brought out the following objections :—

- (i) No Government sanction for the construction was obtained. The tenders were invited unit wise which kept the expenditure within the financial powers of Rs.0.20 lakh delegated to the Inspector General of Police in each case.
- (ii) In response to the tender notice only two tenders were received. The tender notice was not widely circulated. The last date of opening the tender was 21st November 1972, it was published in the Assam Gazette in its two issues on the 8th and 15th November 1972 and in two dailies on the 21st and 22nd November 1972.
- (iii) No estimate for the entire work was prepared. The estimates for one reinforced cement concrete unit and one Assam type unit framed by an Assistant Engineer in the office of the Inspector General of Police at the Public Works Department Schedule of Rates for 1971-72 were used as a standard for all blocks irrespective of the work involved.
- (iv) The rates to be quoted by tenderers were to be indicated both in figures as well, as in words to avoid any possible manipulation. Both the tenderers quoted their rates only in figures and there were, also some overwritings in some cases. The Deputy Inspector General of Police did not also make any written observation to that effect while accepting these tenders.

(v) The accepted rates for 24 BWG thickness galvanised ridging including supply and fixing was Rs. 126 per running metre and for $\frac{1}{2}$ inch hexmesh wire netting in covers with fire first class local wood frame, etc., Rs. 110 per square metre. The estimated rates for these two items were Rs. 16.05 per running metre and Rs. 11.55 per square metre, the percentage variation between the estimated rates and the accepted rates being 685 and 852 respectively. It was noticed in Audit that the rates of these two items were over-written in the tender of the contractor. These rates were also altered in the other tender received. It was also noticed that the Inspector General of Police invited tenders for construction of another set of quarters at Guwahati in 1973-74. All the twelve tenderers (including the two tenderers for construction of 6 blocks) quoted Rs. 20. per running metre for the first item and Rs. 14 to Rs. 30. per square metre for the second item.

(vi) The agreement with the contractor provided for roofing with galvanised cast iron sheet at Rs.45 per square metre. The galvanised sheets were to be arranged by the contractor. He was however, allowed to do the work with aluminium sheets instead of galvanised cast iron sheets on the ground that the latter were not available. The Deputy Inspector General of Police had ordered (June 1973) recovery of the difference of cost on the basis of controlled prices of galvanised cast iron sheets (Rs. 315 per bundle containing 180 square feet) and aluminium sheets (Rs.302.40 per bundle containing 180 square feet). Nevertheless, the contractor was paid for this item of work at the original rate.

(vii) The internal electrification work including service connection in 6 blocks was to be done by the contractor at Rs.9,600 per block. The work of service connection was got done by another agency at Rs.0.22 lakh but the contractor was paid in full without any reduction in rate for the item of work not done.

3.3. The departmental written memorandum furnished before the Committee stated that :

(1) As the expenditure of Rs.0.20 lakh was incurred within the delegation of financial power of I.G.P., Assam, no separate Government sanction were obtained.

(ii) It was the sole intention of this Department to widely circulate the tender notice of the construction work in question. Hence necessary instructions were issued to Government Press and the Editor's of two dailies to publish the same well ahead of the last date fixed for the opening of the tender. But they didnot publish the same in the proper time due to the reason best known to them.

(iii) As the constructions were done departmentally the estimate also was framed by our departmental Assistant Engineer with due consultation with the P.W.D. and on the basis of the P.W.D. Scheduled of rates as a standard for all Blocks.

(iv) Every possible steps were taken to avoid any manipulation of litigation while accepting the rates quoted by the tenderers. No over writtings were noticed at that time while accepting the same. However this had been noted for future guidance.

(v) The payment of 24 B.W.G.thickness galvanised ridging including supply and fixing were made to the contractor as per estimated rate prepared by the Assistant Engineer of this Department and actual work done by the contrac-tor. The sanction was also accorded for the purpose as per estimate. There was no scope to manipulate the rates by over writing etc. as the payment was made on the basis of estimates and sanction aswell as actual work done. No extra expenditure was involved for the variation of rates said to have been noticed by the audit. However all concerned had been instructed to avoid such over writing in the tenders in future.

(vi) The agreement was made with the contractor to provide galvanised sheets. As the same was not available in the market he was allowed to use aluminium sheets instead of galvanised sheets. The amount was drawn earlier at rate the original G. Sheets. But at the time of payment amounting of Rs.12,390.35 being the difference cost of G.C.I. Sheets and aluminium sheets were deducted and remaining amounts was paid to the contractor by Commandant, 5th A.P.Bn., as per order of I.G.P., Assam:

(vii) The internal electrification work was done by the contractor to whom construction of the Blocks were entrusted as per agreement. But it is duty of the Electricity Board to make service connection to the building concerned. A separate estimated were prepared by A.S.E.B. which were accepted by this Department and

payment to the A.S.E.B. were also made accordingly. The cost of service connection were included in the original estimate, but the payments for the service connection were made to A.S.E.B. and not to the contractor.

3.4. (b) In January, 1974, the I.G.P. approved the construction of 68 staff quarters at an estimated cost of Rs. 14 lakhs by the Police Department. The Audit has brought out that the approval of construction was given by the Police Department instead of by the P. W. D. Moreover, no measurement book containing measurement of the work done was made available to the audit in December, 1974. The works were due for completion by June, 1974 but no information of completion of the work were received by the audit till March, 1976.

3.5. According to the departmental memorandum furnished before the Committee during the time of examination, it was stated that an amount of Rs.18.94 lakhs was drawn by the DIG (S.B) for construction of 30 units of Assam Type and 32 units of RCC quarters, 20 numbers of Assam Types S.I.'s quarters which were done departmentally. The amount was drawn in the running bill at the fag end of the financial year 1973-74 and kept in hand till the works were completed. The amount was practically disbursed to the contractor after completion of the work.

3.6. In reply to a query as to why no estimates was prepared before, and why the I.G.P. took the authority as regards the engineering work the I.G.P. stated before the Committee during evidence ;

"But I.G.P. did this in consultation with P.W.D."

3.7. In a further query as regards the limitation in the matter of delegation of Financial power and the authority of Executive Engineer, the Commissioner and Secretary, Home stated to the Committee :—

"The department is taking up works upto Rs.50,000.00. The department was to take up the work expeditiously and at cheaper cost and in a record time so it has to take the assistance of available Assistant Engineer."

3.8. The Committee observes that there should not be any violation of the existing financial rules and orders of the Govern-

ment. The Committee feels that the Assistant Engineer had acted beyond his authority without taking the assistance of the Executive Engineer.

3.9. The Committee therefore expresses its serious doubts on the rates of tenders and payment made thereon on actual work or on works as per estimates or estimated rates. The Committee observes that the Department had violated all these norms in complying with the financial rules.

3.10. The Committee also expresses its dissatisfaction over the splitting of total works valued Rs. 9.00 lakhs.

RECOMMENDATION :

3.11. The Committee therefore recommends that a thorough probe should be made into all the affairs about overwriting in the tenders and splitting of the works of the project just to bring this estimated cost within this limit of financial power of the I.G.P. A report together with action taken thereon should be furnished to the Committee within three months from the date of presentation of this report to the House. Responsibility should also be fixed to the officer/officers found at fault.

IRREGULAR PAYMENT

(Audit para 3.14 Report of C& A.G. of India, 1975-76, Page 44-45)

4.1. The work of construction of one reservoir and installation of two hand pumps at Kathal was allotted to a contractor by the Commandant, 6th Assam Police Battalion on 13th March 1975 with the stipulation that the work should be completed by 25th March, 1975 Rs.030 lakh were drawn on 31st March, 1975 and shown to have been paid to the contractor on 28th April, 1975 on the basis of the measurement book and certificates of completion of works recorded on the bills by a sub-ordinate Engineer and Assistant Commandant. The audit has brought that the work had not commenced till April, 1976 due to the contractor's expressing his inability to execute the works. Further, the amount drawn and shown to have been disbursed to the contractor was actually kept in the unit Fund till 29th July, 1975.

4.2. The departmental written memorandum furnished to the Committee stated that the work in question was duly completed in August, 1977 and the payments to the contractor were also finalised after completion of the work.

4.3. The Committee during the course of its examination noticed seriously about the irregular payment and was not satisfied with the mode of payment made to the contractor. To a query as to the nature or irregular payment the departmental witnesses who were tendering evidences before the Committee assured that:—

“this type of irregularity would never be repeated.”

4.4. The Committee therefore observes that the department should avoid keeping the fund already drawn for a specific work in Unit fund or other deposit without utilization.

ALLEGED LOSS OF CASH

(Audit para 3. 15, Report C & A.G. of India, 1975-76 P.45)

5.1. The Audit had pointed out that the Superintendent of Police, Silchar had been keeping undisbursed cash of his office in a kit box in the strong room of the Police Reserve Magazine. According to the rules, money in the custody of a department should be kept in strong treasure chests and secured by two locks of different patterns. On 10th January 1976, the said office reported to the Inspector General of Police that out of the money kept in the kit box, Rs.21,096 were missing and that an Armed Branch Inspector and a Constable allegedly responsible for the shortage had been suspended. A test check (June-July 1976) of the accounts disclosed that the amount misappropriated was Rs.21,583. A police case was registered (January 1976) against the concerned persons; further development were awaited (March 1977).

5.2. In a written memorandum the department stated that the accused (A.B.I.) was sent to face the trial in the court of law. But the accused was acquitted by the trying Session Judge No. 1 of Silchar Court and the Department appealed the case in the Hon. High Court, Guwahati vide Appeal Case No. 24/78, dated 7th September 1978. The department was waiting the High Court's orders.

5.3. It appeared to the Committee that a police case was registered in January 1976 against the person responsible for alleged loss of cash. But the Department it appeared did not take any appropriate departmental action to recover the loss of Government money. From the written memorandum it appeared that the Department appealed to the Hon. High Court of Guwahati against the order of Session Judge No.1 of Silchar Court in 7th September, 1978. But no

attempt had been made to pursue the case in order to obtain a judgement from the Hon. High Court which clearly showed ineffectiveness of the Department.

5.4. The Committee therefore feels that the case should be pursued vigorously and result obtained thereof should be intimated to the Committee immediately. The Committee also observes that the Departmental proceedings should be initiated without delay if not already drawn up and action taken should be intimated to the Committee.

IRREGULAR TRANSACTIONS

(Audit para 3.16, Report of C & A.G. of India, 1975-76 p. 45-46)

6.1. The S. P. Kamrup entrusted 27 items of works to different contractors for a total sum of Rs. 3.70 lakhs inbetween July, 1974 and December, 1974 with the stipulation that the work would be completed between July, 1974 and January 1975. Rs.3.70 lakhs were drawn (November, 1974 to January 1975) by the S.P. on the basis of the certificates of varification of quantities and completion of works recorded by a Sub-ordinate Engineer on the bills, which was shown in the cash book as paid to the contractor on the dates of drawal after obtaining payees receipts. The audit has brought that after adjustment of Rs.0.07 lakh as income-tax payable by the contractor, the remaining Rs.3.63 lakhs were kept in the State Bank of India after opening a personal account in favour of the S.P. without proper sanction to do so and, that apart, leaving a balance of Rs.4.98 lakhs. The particulars of the charges to which he deposits and withdrawals pertained, except Rs.3.63 lakhs mentioned above were also not made available to the audit.

6.2. The departmental written memorandum furnished to the Committee stated that as per report of the S.P., Kamrup, dated 22nd January 1977 that 27 items of works referred to above had duly been completed and the amount drawn for the purpose had fully been paid to the contractors concerned and the State Bank account had already been closed.

6.3. During the course of examination, the departmental witness (I.G.P.) while tendering evidence before the Committee submitted that "We had instructed the officer not to open any personal Bank Account" to keep the Government money to the private fund in any bank in future.

6.4. The Committee is constrained to note that the Department had violated the norms of financial rules by keeping

the money in the private account of the S.P. which was highly irregular. The Committee therefore recommends that an enquiry should be conducted to ascertain as to how and why the Government money was kept in the private account of the S.P.

AVOIDABLE EXPENDITURE

(Audit para 3.17 Report C & A.G. of India, 1975-76, P.46)

7.1. The I.G.P. accepted in April 1975 the rates from the same contractor of Rs.900.00 on 29th April and Rs.1075.00 on 30th April, per 100 liters for supply of mustered oil during 1975-76 to the Superintendent of Police, Nagaon and the Commandant, 8th Assam Police Battalion, Barhampur respectively and the Commandant, 8th Assam that during 1975-76, the contractor supplied 12,568.737 litres of mustard oil to the 8th Assam Police Battalion at Barhampur. Compared with reference to at the rate of Rs.902 per 100 litres (including transportation charges of Rs.2) for supply at Barhampur, the purchase would show an extra expenditure of Rs.0.22 lakh.

7.2. The departmental written memorandum furnished to the Committee stated that the lowest rates of the particular tender had to be accepted as per recommendation of the Ration Board constituted by the I.G.P. Assam. In this instant case also the lowest rates for Nagaon District was accepted. The rate accepted for a particular commodity included cost of transportation and other allied expenditure. While accepting a tender as per observation of audit, the recommendation of the Ration Board appeared final and had to be accepted in the interest of economy.

7.3. During the course of examination as to whether there were different Boards for different district, the departmental witness stated before the Committee that in that particular year "we had fixed only one rate for the whole district and we were taking care of the matter."

7.4. The Committee wanted to know as to whether there were different amounts paid by different districts for same commodity, the departmental witness stated that — "It is no longer there. Now tenders are invited as per norms of the Board."

7.5. The Committee however expresses its dissatisfaction over the action of the Government and suggests that feasibility of constituting a Central Ration Board for all the Police Districts should be examined and proper publicity for inviting tenders for all the articles required for all police Districts should be given in future. Action taken in this regard should be intimated to the Committee within three months.

PURCHASE OF SUB-STANDARD MASTERIALS

(Audit para 3.22 Report of C.&A.G. of India, 1976-77, P. 72-73)

8.1. In December 1974, the Inspector General of Police placed tenders on firm for supply of 6.962 kilograms of woolen yarn at Rs.56.75 per kilogram for knitting jerseys and socks. The yarn was to be supplied to 14 police units located in different parts of the State

8.2. A test-check (April-July 1976) of these 14 units indicated that in 6 units yarn supplied by the firm was not of the approved quality. Because of the variation in quality of the yarn supplied, there was an extra consumption of yarn (compared to approved scale) varying from 32 to 39 per cent in knitting jerseys, which resulted in an extra expenditure of Rs.0.37 lakh as under :—

Unit (1)	Percentage of extra consumption (2)	Extra expen- diture (in rupees) (3)
(1) 1st Assam Police Battalion Dergaon.	38	11,808
(2) Superintendent of Police, Cachar.	34	9,534
(3) Police Training College, Dergaon	35	9,498
(4) Superintendent of Police, Jorhat	32	3,262
(5) 3rd Assam Police Batta- lion, Titabar	39	2,261
(6) 6th Assam Police Batta- lion, Kathal	36	630
		<u>36,993</u>

8.3. In the absence of any approved scale for consumption of yarn for knitting socks, similar extra expenditure in their case could not be worked out.

8.4. The departmental written memorandum submitted to the Committee stated that the quality of yarn supplied to one Assam Police Battalion (6th A.P.) and one District only slightly varied within 5% from the approved counter samples and for remaining other units the supply was made according to the approved counter sample and the above variation was within the permissible ranges of 5% accepted by the Board. The Committee wanted to know as to whether the scale of consumption of wool for socks have been laid down, the departmental witness stated that—

"We shall indicate the scale for socks".

8.5. The Committee observes that in the absence of laid down scale for knitting socks and jersies it is difficult to assess the actual consumption. The Committee therefore recommends that actual scale for knitting socks and jersies should be prescribed and the work should be entrusted to co-operative societies or public undertakings in future.

EXTRA EXPENDITURE

(3.23 Report of the Comptroller and Auditor General of India, 1976-77 p. 73)

9.1. The D.I.G.(C) entered into an agreement with a firm in April, 1974 for supply and erection of 20 steel towers without inviting tenders and agreed to the rate (i) Rs. 26,500.00 per tower, if 100 bags of cement and 800 K.G. of M.S. rod for every two towers were supplied by the Government, and (ii) Rs. 30,000.00 per tower, if the cement and rod were not issued. The above rate was agreed to on the ground that the same firm had erected two towers of the same specification as in Assam for the Oil India Limited at the above rate. The firm erected 18 towers upto November, 1977. Cement and steel were not issued departmentally and the firm was paid Rs. 5.40 lakhs which included Rs. 0.63 lakh in lieu of cement and steel. Audit pointed out that Oil India Limited issued 100 bags of cement and 800 kilograms of mild steel rods for 2 towers and not for 1 tower as was agreed to by the Department which had resulted extra payment of Rs. 0.31 lakh to the firm. Besides that the Department requested the firm in October, 1975 to refund Rs. 0.15 lakh being the cost of cement not required for the work. However the department had not asked for any refund from the firm for the cost of mild steel rods not required for the work.

9.2. In a written Memorandum and during the course of oral evidence, the Departmental witness stated before the Committee that the Department did not supply the cement and steel and therefore no extra amount of Rs. 31,000.00 was paid to the firm.

9.3. To a query by the Committee as to why no refund of unused materials supplied to the contractors had been asked, the Departmental witness could not adduce any reason for not asking refund as in the case of cost of cement.

9.4. The Committee can not but express its anxiety for not taking up prompt action in the matter of asking refund from the firm for unused materials. The Committee therefore feels that the Department should initiate action right now to get appropriate refund from the firm for extra payment made and for unused materials supplied to the firm.

AVOIDABLE EXPENDITURE

(3-1 Report of C&A. G. 1977-78, P-30)

10.1. In July, 1974 the D.I.G. (C.I.D.) Police hired a tabulator from a private company at a monthly rent of Rs. 3,215-00 for mechanising maintenance of crime statistics and the work of crime record office at Criminal Investigation Department headquarters. The tabulator was installed in July, 1974 and Rs. 2.27 lakhs were paid to the company as hire charges upto March, 1979. The Audit has revealed that the tabulator had not been put to use since installation (March, 1979). The State Crime Record Office stated in May, 1978 that no tabulation work could be done as no specific work or direction had been given by the higher authority.

10.2. The departmental written memorandum furnished to the Committee stated that it was seen from the record that the machine was hired from a private company at a monthly rent of Rs. 3,215.00 for mechanising the maintenance of crime statistics and the work of crime record office at headquarters and was returned on 30-8-82, the shifting of the machine, delay in getting power line connection and non-availability of newly designed input forms and code book made considerable hindrance in proceeding with the work. But the purpose for which the machines were acquired could mostly be achieved. Moreover, the sorter tabulator machines were utilised for imparting training to the staff. They were not wasted except for the period from June, 1979 till they were returned.

10.3. In reply to a query by the Committee as to what was the reason for such wasteful expenditure for keeping the hired tabulator machine for a long period, the I.G.P. stated before the Committee :

"The tabulator machine was used by us, for which particular training was given to our people, but ultimately it could not be used longer though it was retained. And in its place a computer machine was sanctioned by the Central Government and was purchased by us. Now that computer had been brought the machines were brought to its full use."

10.4. The Committee is constrained to note that there was wasteful expenditure due to non-utilization of hired tabulator machines at an exorbitant rent as admitted by the Departmental witness.

10.5. The Committee therefore recommends that responsibility should be fixed on the person/persons on whose fault Government had to incur such a heavy loss.

AVOIDABLE EXPENDITURE

(Audit Para 3.3 of Report of C&A G of India, 1978-79)

11.1 The I.G.P. paid the decretal amount of Rs. 1.23 lakhs in August, 1978 to the member, Motor Accident Tribunal, Kamrup following an ex-parte judgement made by it in December, 1975 in favour of a person who had been knocked down by a fire brigade vehicle in April, 1972 and had sustained serious injury. The Tribunal granted extension of time for 5 times to the Government out the Government did not file any written statement to contest the case which was filed in May, 1972. The Tribunal finally decided the case ex-parte in December, 1975 against the Government for Rs. 1.16 lakhs from the date of submission of the case. The payment of the decretal amount was further delayed till August, 1978 and the Government had to pay total interest charges of Rs. 0.31 lakh on the decretal amount. The Audit has brought that the compensation for injury sustained in April, 1972, was thus paid in August, 1978 only. The reasons for delay at various stages were not on record or stated anywhere.

11.2 In a Written Memorandum, the Department informed the Committee that the I.G.P. Assam vide his D.O. No. G/XXX VIII. 2/76/49 dt. 25-10-79 under signature of D.I.G. (A) had submitted replies to the specific points raised by Accountant General. Since then no further communication from Accountant General on this subject had been received by this office.

11.3 During the course of oral examination the Committee wanted to know as to who was responsible for not filing Affidavit (Written statement) to the Tribunal and thus made the Tribunal to pronounce ex-parte decision resulting loss of an unavoidable expenditure over 1 lakh, the Departmental witness appearing before the Committee could not furnish a reply. However the Committee vide letter No. LAPAC.8/85/5108 dated 21-3-86 asked the Home Department to furnish the present position with regard to the fixation of responsibility on the official who refused to attend the Tribunal and filed the affidavit, the Home Department in a written statement furnished vide letter No. HMA.578/81/209 dated 19-4-86 intimated as follows :—

"In respect of para 3.3 at page 27 of Comptroller and Auditor General of India's Report 1978-79, the matter is being examined and necessary reply will be furnished."

11.4 However no further action taken reply was sent to the Committee in this regards. It is quite evident from the above reply that the Government has not pursued the case as it required which abundantly proves serious lapses on the part of the person/persons entrusted to deal with the matter.

11.5. The Committee expresses its displeasure for not taking any appropriate action and recommends that a thorough inquiry should be instituted and responsibility should be fixed on the person/persons found guilty for sustaining avoidable loss to Government money. Action taken in this regards should be intimated to the Committee within three months from the date of presentation of this report.

EXTRA EXPENDITURE :

(Para 3.4. of Report of C&A G of India, 1978-79 Page 27)

12.1. For supply of Group 'D' ration during 1978-79 in N.C. Hills, the I.G.P. (acting) on the recommendation of the Ration Committee constituted by him rejected the lowest tender (and accepted that of the next higher tender,— on the ground that the rates quoted therein were too low when compared to the accepted rates for supply at Diphu during the same year. The lowest tenderer was the same supplier of Group 'D' ration of previous year against whom there was no complaint on the record. The Audit has brought that the lowest quotation for N.C. Hills was only 6 per cent below the accepted rate for Diphu for onion, potato and meat and actually higher for fresh vegetables for 1978-79 on the other hand, in the previous year (for the same estimated quantity of group 'D' rations as for 1978-79), the accepted rates for N.C.Hills had been 11 per cent lower than the accepted rates for Diphu. Thereby the rejection of lowest tender entailed an extra expenditure of Rs. 0.46 lakh.

12.2. In a Written Memorandum, the Department informed the Committee that the ration Board carefully examined, the rates quoted by namely Md. Sharif, Rudrajit Laisram and K.B. Agarwal and found that lowest quoted by Md. Sharif, Haflong, when compared to the accepted rates of Diphu, the rates quoted by Md. Sharif became rather too low and as such in-workable. The Board felt that in settling the contract at those rates would invariably adversely effect in the continuity of supply in the off season in a district like N.C. Hills with its perennial disadvantages of high cost of transportation. The Board therefore, rejected his rates as fictitious rates under clause 4(d) of tender Notice, and recommended the rates quoted by the second lowest tender Shri Rudrajit Laisram for acceptance.

12.3. The Board compared the rates of N.C. Hills District with the rates of Diphu on the ground that the both Districts are Hills District and hence the comparison with Cachar District does not arise as the Cachar is plain District. Number of total quantity of fresh ration supplied in N.C. Hills District during 1978-79 as follows:

Onion- 26821 Kgs.
 Potato- 53745 Kgs.
 Meat in Hoof-53745 Kgs. and
 Vegetables fresh- 92557 Kgs.

12.4 After perusal of the written replies the committee during the course of oral examination wanted to know as to when lowest tender was not accepted, could you tell us the reason for not accepting it and recommending for nonacceptance. In reply to the clarification sought, the Commissioner Home stated that it was now very difficult for us to find what was the actual ground. But certain rates were not workable. The witness also assured the Committee to furnish the recommendation of the Ration Committee.

12.5 The findings of the Ration Board for rejecting the lowest tender of Shri Md. Sarif of Haflong are furnished below :

“Altogether 3(three) valid tenders were received, that is from (i) Shri Rudrajit Laisram of Haflong, (ii) Md. Sharif of Haflong and (iii) M/s K.B. Agarwal of Dimapur. The Board carefully examined rates quoted by the tenderers namely, Md.Sarif when compared with the accepted rates of Diphu, the rates submitted by the above tenderer became rather too low and as such unworkable. The Board felt that in settling the contract at those rates would invariably lead to interruption in the continuity of supply in the off season in the district like N.C. Hills with its perennial disadvantages of high cost of transportation. The Board therefore, rejected his rates as fictitious rates under clause 4(d) of tender notice and recommend the rates quoted by the second lowest tenderer namely, Shri Rudrajit Laisram for acceptance.”

12.6. From the proceedings of the Ration Board, it could be deduced that no convincing reasons for rejecting the lowest tender for supply of potato, onion, meat and vegetables was on record except too low, unworkable and fictitious. The lowest tenderer who supplied the same articles to the same district on previous year without any complaint could have completed the supply continuously had his tender been accepted. The Committee has failed to accept the decision of the Ration Board in offering the contract to the second lowest tender.

12.7. The Committee therefore recommends that an inquiry should be instituted to go ~~deep~~ deep into the matter and action taken report should be submitted to the Committee within three months.

ALLEGED MISAPPROPRIATION

(Audit para 3.5 of Report of C & A G of India 1978-79)

13.1. Audit had disclosed three cases of suspected misappropriation to the tune of Rs.1.07 lakhs in a test check of the accounts of the 1st Assam Police Battalion, Dergaon in November 1978 and March, 1979. In two cases, Rs. 0.18 lakh and Rs.0.05 lakh had been drawn from the treasury in September, 1978. The bills for these amounts had been entered in the bill register and transit register but after encashment the amounts had not been entered in the cash book. In the third case, Rs.0.84 lakh had been drawn from the treasury in October, 1978 by encashment of a duplicate bill which had not been entered in the bill register and the transit register nor in the cash book. Two criminal cases were instituted against the concerned officials (one official of whom, however expired on 29th November, 1978). Further developments were not intimated to audit.

13.2 The alleged misappropriation was facilitated by the failure of the drawing and disbursing officer to verify and account (as required) in the cash book and other registers at the close of the days business the proceeds of the passed bills as also the tokens of the uncashed bills. In the third case the Treasury Officer had not ensured that only bills entered in the transit register and authenticated by the drawing officer under his initial were accepted and that no duplicate bill was accepted against the entry made in the transit register for the original bill.

13.3. The Department in a Written Memorandum intimated the Committee that in the misappropriation cases in respect of 1st Assam Police Battalion, the detailed records were not available in the General Branch of this office.

13.4. When the committee wanted to know the latest position of the case the Departmental witness stated before the Committee that the cases were pending in the C J M Court, Jorhat since 1979. Report was still awaited. The Committee also wanted to know as to how a duplicate bill could be passed in the treasury and how a double drawal could be made without Department taking action to stop payment of duplicate bill, the Inspector General of Police appearing before the Committee during the course of oral evidence stated that we were trying to bring into the book all those responsible, cases were referred to the Jorhat Court against the persons involved. Regarding two cases as at para above since the cases were not finalised nothing could be decided.

13.5 The Committee is constrained to note that the Department has failed to pursue the long pending cases vigorously for their expeditious disposal. Even the persons responsible for double drawal of money in the duplicate bill had not been brought to book and no appropriate action as per existing law was taken against them.

13.6 The Committee therefore recommends that a thorough probe should be instituted into the whole affairs leading to the alleged misappropriation and double payment of Government money. The Committee further recommends to fix responsibility to the person/persons involved into the deal. Action taken on it should be intimated to the Committee within three months from the date of presentation of this report.

DRAWAL OF FUNDS IN ADVANCE OF REQUIREMENTS

(Audit para 2.7 Report of C & A G of India, 1979-80)

14.1. The Audit has brought that in Home (Police) Department instances were noticed where amounts totalling Rs. 13.79 lakhs were drawn long before they were required and were kept in the form of deposit-at call, bank-drafts, cheques, cash etc. Rs.13.72 lakhs continued to remain unutilized till October 1977 and Rs.1.16 lakh was still lying in the bank.

14.2 The written memorandum furnished to the committee stated that the reason was for non payment of Rs.46,800.00 being the enhanced rate 15% cost of materials and labour charge etc. and another 80% due to imposition of enhanced excise duty for which Government had been moved for according sanction on 9th October, 1980.

14.3 When the committee wanted to know as to why Rs.7.22 lakh were drawn in advance and not utilized till October, 1977 and Rs.1.16 lakh was still lying in the bank and what was the justification for keeping the money in the bank, the Departmental witness appearing before the Committee during oral examination stated that we drew the money in the hope that the vehicles would be fabricated in time. Usually it was a practice to draw the required amount by 31st March and kept in Bank Draft to meet the immediate requirements for which works were ordered. To another query by the Committee as to the necessity to keep the money in bank from October, 1979 to 31st March, 1985 and how could the Department draw the Government money seven years advance to the actual date of spending, the Departmental representative deposed before the Committee that there was difficulty in getting money at the appropriate time to effect a purchase, so sometimes we had to draw the money like this in order to get re-imburement from Government of India by 31st March next. The action was of course, highly irregular yet it had to be done.

14.4 The Committee has failed to appreciate the grounds advanced by the witness for drawal of money in advance and keeping it in the bank in the nature of call deposit. Even the Departmental witness admitted during the course of his evidence that the action of drawal of money in advance was highly irregular.

14.5 The Committee therefore recommends that all financial rules should be scrupulously adhered to in the matter of drawal of money in advance and the unutilized money should immediately be returned to the treasury. Appropriate action should be taken against the officer/officers for making departure from the established rules.

PARTIAL IMPLEMENTATION OF A SCHEME

(Audit para 3.10 Report of C & A G of India, 1980-81)

15.1. In October, 1974 the Superintendent of Police, Cachar submitted a scheme for water supply to and drainage for the Police Reserve Line at Silchar at an estimated cost of Rs.1.67 lakhs. In March, 1975 the I.G.P. sanctioned 1.11 lakhs for constructing reservoir, overhead tank and distribution line but omitted from the scheme, pumpset, ringwell and drain. The sanctioned amount of Rs.1.11 lakhs was utilised in 1974-75. The audit has brought that between April, 1977 and January, 1980 Rs. 0.52 lakh were paid to the municipality for supply of water by tanker. Water was also carried by departmental vehicles. This was resulted due to execution of only a part of the scheme which made the scheme in-operative and also resulted in avoidable recurring expenditure.

15.2. The written memorandum submitted to the Committee by the Department stated that the full amount of scheme could not be sanctioned due to paucity of fund during the financial year as a result the scheme remained in-operative. It was also a fact that the remaining works of the above scheme had since been completed supply of water to Police reserve line at Silchar now was in order The recurring expenditure incurred by the department for supply of drinking water to Police personnel of reserve line prior to the completion of the said scheme was an unavoidable item of expenditure which could not be ignored by the Department as the water supply to the police personnel of the police reserve line was a main part of the accommodation for residential purpose.

15.3. When the Committee enquired about the present position of the scheme, the departmental witness (IGP) explained before the Committee that the scheme of water reservoir and overhead tank was inoperative as it was being done purely by the Public Health Engineering. To a query by the Committee as to whether the objection of the Accountant General was met by the department, the departmental representatives stated before the Committee that there was no problem as this scheme was in-operative and the P.H.E. was taking up water supply scheme.

15.4. The Committee feels that partial completion or implementation of scheme should not only entail incurring inavoidable expenditure but also forfeit the purpose for which these projects were earmarked. The Committee therefore recommends that an inquiry should be conducted under what circumstances wasteful expenditure were made for a scheme which remained in-operative. Action taken should be inlimited to the committee within three months fixing responsibility on persons found at fault.

MISAPPROPRIATION, LOSSES ETC.

(Audit para 3.16 Report of C & A.G.India, 1980-81)

16.1 The audit has brought 10 cases of misappropriations, losses etc. of the Government money upto March, 1981 occurred in the Home Department.

16.2. Misappropriation of Government money is so rampant and regular that no Government Department has made any serious attempt to arrest the defects in the system itself.

16.3. The department in a written memorandum submitted to the Committee stated the present position of Misappropriation cases as on 8-7-82 which was communicated to Accountant General Assam vide letter No.A/XVI-9/80-81/28 dated 8th July 1982 as follows:-

Nature of cases	Amount	Action taken by the Deptt. and its present position.
1. Misappropriation of Government money by Shri Bhakti Das Gupta of Rangia Fire Station.	Rs. 5908.40	The case is charge sheeted and pending trial in the Court showing the accred Shri Dasgupta as absconder as reported by the S.P. Cum-Adviser, State Fire Service Organisation, Assam, Guwahati vide his memo No. E/5406 dated 30-3-81.
2. Defalcated by AB SI Puna Borah of Sibsagar D.E.F.	Rs. 40408.02	Detailed particulars are being collected from the S.P. Sibsagar.
3. Defalcated by Late S.C. Choudhury Hav. 6th A.P. Bn. Kathal.	Rs. 18876.08	Case No.66(7) U/S 409 IPC was registered at Silchar P.S. and it is under investigation.

Nature of cases	Amount	Action taken by the Deptt. and its present position.
4. Defalcated by Shri R.N. Hazarika Acctt.R.T.S. Dergaon.	Rs. 12735.71	The case No.6 (3) 8/U/S 409 IPC was registered at Dergaon P.S. and the case has been treated as special report case vide Sibsagar District S.R.Case No. 108/80, The case is under investigation.
5. Defalcated by S.I. Reba Kanta Tamuli & S.I. Ashok Kr. Sarkar of Rangia G.R.P.S.	Rs. 244.39	As per Govt. instruction vide No.HMP.626/76/39 dated 10th March, 1978 the amount of Rs. 244.39 has already been written of vide I.G.P.'s No. A/XVI/9/77 dated 31st March 1978 and intimated to A.G. under the rferences.
6. Defalcated by Comdt. H.G.Maino Kachari & others.	Rs. 2546.15	A sum of Rs.1274.00 recovered and deposited into Haf-long Treasury vide challan No. 10, dated 9th November 1977 & No. 13 dated 16th November 1977 The balance amount of Rs. 1282. 15 only was written off by D.C., N.C. Hills Haf-long, Shri T.K. Tamuli. This refers to D.C., N.C. Hills Haf-long's letter No. NCH/ HG/ 242/81-82/3, dated 21st April 1981 Hence the case may Kindly be dropped.
7. Misappropriation of Government money in 4th A. Bn.	Rs. 2698.59	The case No. 16(2)76U/S 409 IPC was registered at Dergaon P. S. against ABSI Negendra Nath Borah Another case No. 14(2)76 U/S 302/307/326 IPC was also registered at Golaghat P.S. but both the case have since been returned in F.R. a the case[is true but procution could not be possible as the accured died as reported by the Commt. 4th A.P.Bn. vide his memo No.BN.4/IX-8/79-80/1376 dated 17th February 1982.

Nature of cases	Amount	Action taken by the Deptt. and its present position.
8. Loss of Govern ment money from S.B.I. Panbazar, Guwahati (I.G. P.H.Q)	Rs. 6107.25	The loss of the aforesaid Government money was reported to the Government and as well as to the A. C. Assam and as per Government anction vide Government letter No. HMB. 52/78/21 dated 30th March 1979 the amount was redrawn and disbursed to the actual payees concerned. Govern ment being moved to write off the said amount.
9. Loss of Govern ment money of 10th A.P.Bn.,Kahilipara.	Rs. 27039.59	The case is not subjudice in the Guwahati Cuort as reported by the Commdt. 10th A.P. Bn. vide his memo No.BN10/G/5682, dated 30thSeptember 1981
10 Missing of Govern ment money from strong room of Police Reserve Magazine,Silchar.	Rs. 20,905,79 Rs. 1,37,470.07	The accused a was sent to fact the trial in the court of Law but the accused was accui- tted by the Trying Session. Judge No.1. The Department appealed case in the Honourable High Court Guwahati,vide appeal No. 24/78 dated 7th September 1978 We are awaiting for [Court Orders.

16.4. When the Committee enquired as to whether any attempt was made to arrest the abconder/defaulters involved in defalcation cases and what were the latest position of these misappropriation cases, the departmental witness stated that "Out of the two cases i.e. Shri Prasanna Bora and Shri Bhakti Dasgupta, the latter is an absconder. "Adducing the ground of the I.G.P., the Commissioner, Home, Government of Assam stated that "We had now constituted a Committee to review all the pending cases. Within next 4/5 months all these cases would be reviewed."

16.5 The Committee was not satisfied with the explanation furnished by the departmental witnesses in the misappropriation/defalcation cases and raised a serious doubt as to how the department would recover the loss amount already misappropriated by the defaulting person.

16.6 While tendering evidence before the Committee, the IGP, stated that the loss would be recovered "from their property." When the Committee further enquired as to how long it would take for finalisation of cases and full recovery of amount outstanding against them and what was about the case of H.M. Hazariks which took about 4 years in investigation, the Commissioner, Home assured the Committee that the IGP would be asked to look into these cases so that these would be finalised within three months time.

16.7. The Committee enquired again about the position of the case of Monohar Kachari. In reply to the query, the IGP submitted the Committee that the amount was recovered and deposited into the treasury.

16.8. The DGP in his letter No.A/XVI/5/84/44, dated 24th July 1985 submitted a detailed note to the Government about the latest position of the 10 misappropriation cases which had been enumerated below :

1. Defalcation by S.I.
Reba Kt. Tamuli
and S.I.Akshay Kr.
Sarkar of Rangia
G.R.P.S. Rs. 244.39

As per Government instruction vide No. HMP.626/76/39, dated 10th March 1978 the amount of Rs.244.39 had already been written off vide I.G. P.'s No. A/XVI/9/77/7, dated 31st March 1978 and the A.G. vide their letter No.T M/27-6/67-68/44, dated 20th May 1983 addressed to the Secretary to the Government of Assam, Home (B) Department has since closed the case.

A copy of the A.G.'s Letter No. TM/27-6/67-68/44, dated 20th May 1983 as referred to above is enclosed herewith.

(Annexure-II)

2. Defalcation by
commdt.H.G.Maino
Kachari and others
relating to Home-
Guard Office at
Haflong Rs.2546.15

A sum of Rs. 1274.00 had been recovered from the person at fault and deposited into the Haflong Treasury vide Treasury Challan Nos. 10 dated 9th November 1977 and 13 dated 16th November 1977. The balance amount of Rs. 1272.15 was written off by the D.C.N.C., Hills, Haflong.

In this connection a copy of D.C.N.C. Hills, Haflong's Letter No. N. CH/HG/A--2/81--82/3, dated 21st April 1981 together with copy of the written off order is furnished herewith.

(Annexure -III)

The matter may kindly be taken up with the A.G., Assam for early closing up the case.

3. Mis-appropriation
of Government
Money in 4th A.P.
Bn.Kahilipara- Rs.2690.50

It appears from the Audit En-
facement No.PR/E/10/82-83
according sanction of Family
Pension of the deceased accu-
sed, Nagendra Nath Baruah,
A.B, S.I. that A.G. has already
passed orders for recovery
of the amount of Rs.2690-59
from the D.C, R.G.
(copy of the Audit Enfacement
is enclosed)

(Annexure -IV)

The matter may, therefore, be
taken up with A.G. for dropp-
ing the case.

4. Mis-appropriation
of Government
money By Shri
Bhakti Das Gupta
of Rangia Fire
Service Station.Rs. 5908.40

While the case is subjudice,
the accused, Shri Das Gupta is
absconding.

5. Defalcation by A.B.,
S. I. Purna Baruah
of Sibsagar, D.E.
F. (Jorhat) Rs. 40,408.02

The seizure of the Treasury
Bills from the A.G. Office,
Shillong is still pending. The
C.I.D. is being requested to
cause seizure of the records
and completed the investiga-
tion at their earliest.

6. Defalcation by Shri
S.K. Choudhury,
HAV. 6th A.P.
Bn., Kathal Rs. 18,876. 00

The accused Hav.,Choudhury
has since died although the case
case was referred in F.R.
as true.

The Commandant,6th A.P.Bn.,
Kathal is being asked to report
the probable amount of D.C.
R.G. and Family Pension that
may be due to the legal heir
of the deceased and also to
explore the possibility of reco-
very of the amount from the
D.C.R.G. and Family Pension.

7. Defalcation by
Shri H.N.
Hazarika, Acctt. R.T.S.,
Dergaon. Rs. 12,743.71

Investigation of the case is pen-
ding for want of verification
of the seized documents.
C.I.D. is being asked to com-
plete the verification and submit
their investigation report
expeditiously.

8. Loss of Government Money from 10th A.P.Bn., Kahilipara Rs. 27,039.59 The case is pending at Guwahati Court.
9. Missing of Government Money from the Strong Room of Police Reserve Magazine, Silchar Rs. 20,905.89 The Lower Court having acquitted the accused, appeal has been preferred in the High Court by the Department and the result is still awaited.
10. Loss of Government Money from S.B.I., Panbazar relating to D.G.P., Rs. 6107.25. Arrangement is being made to get the amount written off from the competent authority.

16.9. The action against the persons responsible taken by the appropriate authority shown at annexure II, III and IV of this report appears to be inadequate and does not indicate the promptness and effectiveness of the Department in pursuing and finalising the misappropriation cases and awarding deterrent penalty.

16.10. The Committee is constrained to observe that mis-appropriation cases have been piling continuously year after year in the Home Department which is the nodal agency for investigation of all losses of Government money due to misappropriation, defalcation and embezzlement. The Committee also feels that all the mis-appropriation cases should be dealt with timely and finalise the same before they go from bad to worst thereby launching proper action and imposing deterrent penalty according to the established law.

16.11. The Committee therefore recommends that all the pending mis-appropriation and defalcation cases should be finalised without delay fixing responsibility on the person/persons found at fault. Action taken report in this matter should be submitted to the Committee within three months from the date of presentation of this report.

16.12. The Committee would also like to have a copy of the progress report of the Committee constituted by the Government to review all the pending mis-appropriation cases of the Home Department within two months from the date of presentation of this Report.

SUMMARY OF OBSERVATIONS/RECOMMEN-
DATIONS

Sl. No.	Reference to para No.	Observations/Recommendations
1.	1.6	The Committee therefore feels that the department should ensure utilisation of the balance of Rs. 15 lakhs by the Assam Government construction Corporation so that construction of the Police House Complex is completed soon. The Committee also urges upon the Government to obtain the account of utilisation of fund from the AGCC in respect of works already completed against the advance money paid to them.
2.	1.7	The Committee therefore recommends that no advances should be given to the contractor or any agency against any works before approval of design, plan and estimates, and finalization of clear site for starting of the work of the project. The Committee further recommends that responsibility should be fixed on the person/persons for whose fault huge amount had been paid as advance without any work. An action taken report should be furnished to the Committee within three months from the date of presentation of this report to the House.
3.	2.1	As regards construction of four fire Stations at Naharkatiya, Bongaigaon, Chandmari and Tihu 16 Water tenders valuing Rs. 15.66 lakhs were required. In March 1974 an amount of Rs. 7.25 lakhs was paid in advance by the IGP to the firm for supply 16 nos. of chesis as per terms and conditions. But the fire station were no functioning for want of water tenders. While non-adjusted advance of Rs. 5.44 lakhs with the firm and unspent cash Rs. 6.26 lakhs with IGP remained idle.
4.	2.2	Audit has also revealed that employment of drivers and firemen long before receipt of water tenders resulted in avoidable expenditure of Rs.2.82 lakhs.
3.	2.8	The committee also feels that the Department should while tendering evidence before the Committee bring all the relevant records so as to enable formulation of views, the views by the Committee.
4.	3.8	The Committee observes that there would not be any violation of the existing financial rules and orders of the Government. The Committee feels that the Assistant Engineer had acted beyond his authority without taking the assistance of the Executive Engineer.

SUMMARY OF OBSERVATIONS/RECOMMENDATIONS

Sl. No.	Reference to para No.	Observations/ Recommendations
5.	3.9	The committee therefore expresses its serious doubts on the rates of tenders and payment made thereon on actual work or on works as per estimates or estimated rates. the Committee observes that the Department had violated all these norms in complying with the financial rules.
6.	3.10	The committee also expresses its dissatisfaction over the splitting of total works valued Rs.9.00 lakhs.
7.	3.10	The committee therefore recommends that a thorough probe should be made into all the affairs about overwriting in the tenders and splitting of the works of the project. A report together with action taken thereon should be furnished to the Committee within three months from the date of presentation of this report to the House. Responsibility should also be fixed on the Officer/officers found at fault.
8.	4.4	The Committee therefore observes that the department should avoid keeping the fund already drawn for a specific work in unit fund or other deposit with utilisation.
9.	5.4	The Committee therefore feels that the case should be pursued vigorously and result obtained thereof should be intimated to the Committee immediately. The Committee also observes that the Departmental proceedings should be initiated without delay if not already drawn up and action taken should be intimated to the Committee.
10.	6.4	The Committee is constrained to note that the Department had violated the norms of Financial rules by keeping the cost money in the private account of the S.P. which was highly irregular. The Committee therefore recommends that an enquiry should be conducted to ascertain as to how and why the Govt. money was kept in the private account of the S.P.
11.	7.4	The Committee wanted to know as to whether there were different amounts paid by different districts for same commodity, the departmental witness stated that—"It is no longer there. Now tenders are invited as per norms of the Board."

SUMMARY OF OBSERVATIONS/ RECOMMENDATIONS

Sl. No.	Reference to para No	Observations / Recommendations
12.	7.5	The Committee however expresses its dissatisfaction over the action of the Government and suggests that feasibility of constituting a Central Ration Board for all the Police Districts should be examined and proper publicity for inviting tenders for all the articles required for all police Districts should be given in future. Action taken in this regard should be intimated to the Committee only within three months.
13.	8.5	The Committee observes that in the absence of laid down scale for knitting socks and jerseys it is difficult to assess the actual consumption. The Committee therefore recommends that actual scale for knitting socks and jerseys should be prescribed and the work should be entrusted to co-operative societies or public undertakings in future.
14.	9.4	The Committee can not but express its anxiety for not taking up prompt action in the matter of asking for refund from the firm for unused materials. The Committee therefore feels that the Department should initiate action right now to get appropriate refund from the firm for extra payment made and for unused materials supplied to the firm.
15.	10.4	The Committee is constrained to note that there was wasteful expenditure due to non-utilization of hired tabulator machines at an exorbitant rent as admitted by the Departmental witness.
16.	10.5	The Committee therefore recommends that responsibility should be fixed on the person/persons for whose fault Government had to incur such a heavy loss.
17.	11.5	The Committee expresses its displeasure for not taking any appropriate action and recommends that a thorough inquiry should be instituted and responsibility should be fixed on the person/persons found guilty for sustaining avoidable loss to Government-money. Action taken in this regard should be intimated to the Committee within three months from the date of presentation of this report.
18.	12.7	The Committee therefore recommends that an inquiry should be instituted to go into deep into the matter and action taken report should be submitted to the Committee within three months.

SUMMARY OF OBSERVATIONS/RECOMMENDATIONS

- | Sl. No. | Reference to para No. | Observations/Recommendations |
|---------|-----------------------|--|
| 19. | 13.5 | The Committee is constrained to note that the Department has failed to pursue the long pending cases vigorously for their expeditious disposal. Even the persons responsible for double drawal of money in the duplicate bill had not been brought to book and appropriate action as per existing law not taken against them. |
| 20. | 13.6 | The Committee therefore recommends that a thorough probe should be instituted into the whole affairs leading to the alleged misappropriation and double drawal of Government money. The Committee further recommends to fix responsibility on the person/persons involved in the deal. Action taken on it should be intimated to the Committee within three months from the date of presentation of this report. |
| 21. | 14.4 | The Committee failed to appreciate the ground advanced by the witness for drawal of money in advance and keeping it in the bank in the nature of call deposit. Even the Departmental witness admitted during the course of his evidence that the action of drawal of money in advance was highly irregular. |
| 22. | 14.5 | The Committee therefore recommends that all financial rules should be scrupulously adhered to in the matter of drawal of money in advance and the unutilized money should immediately be returned to the treasury. Appropriate action should be taken against the officer/officers for making departure from the established rules. |
| 23. | 15.4 | The Committee feels that partial completion or implementation of scheme not only entailed incurring of unavoidable expenditure but also defeated the purpose for which these projects were earmarked. The Committee therefore recommends that an inquiry should be conducted to find out under what circumstances wasteful expenditure was incurred for a scheme which remained inoperative. Action taken should be intimated to Committee within three months fixing the responsibility on person found at fault. |

SUMMARY OF OBSERVATIONS / RECOMMENDATIONS

Sl. No.	Reference to para No.	Observations / Recommendations
24.	16.10	The Committee is constrained to observe that misappropriation cases have been piling continuously year after year in the Home Department which is the nodal agency for investigation of all loss of Government money due to misappropriation, defalcation and embezzlement. The Committee also feels that all the misappropriation cases should be dealt with timely and finalised before they go from bad to worse thereby launching proper action and imposing deterrent penalty according to the established law.
25.	16.11	The Committee therefore recommends that all the pending misappropriation and defalcation cases should be finalised without delay fixing responsibility on the person / persons found at fault. Action taken report in this matter should be submitted to the Committee within three months from the date of presentation of this report.
26.	16.12	The Committee would also like to have a copy of the Progress Report of the Committee constituted by the Government to review all the pending misappropriation cases of the Home Department within two months from the date of presentation of this Report.

ANNEXURE—I

COMPOSITION OF THE COMMITTEE ON
PUBLIC ACCOUNTS

(1983-85)

CHAIRMAN :

Shri Hemen Das.

MEMBERS :

Shri Joy Chandra Bora,

Shri Binoy Kumar Basumatari,

Dr. Tarini Mohan Barooah,

Shri Narad Komar,

Shri Dileswar Tanti,

Shri Sisir Ranjan Das,

Shri Danes Ali,

Shri Siraj Uddin.

ANNEXURE—II

Telegraphic

Address : "ACCOUNTS ASSAM" SHILLONG,

OFFICE OF THE ACCOUNTANT
GENERAL, ASSAM, SHILLONG-793001.

No. TM/27-6/67-68/44

Dated Shillong, the 20-5-85.

To The Secretary to the Government of Assam,
Home (B) Department, Dispur, Guwahati-781006.

Sub :: Discrepancy in the Thana Cash Account of Rangiya G.R.P.S.

Sir,

I am to invite a reference to the correspondence resting with Government Letter No.HMB.231/82/38, dated 17th August 1982 on the subject mentioned above and to state that in view of the position stated in the letter this case may be treated as closed so far this office is concerned.

Yours faithfully,

Sd/-
Accounts Officer,

Memo No. TM/27-6/67-68/45-46, Dated

Copy forwarded to :-

- (i) The Director General of Police, Assam, Guwahati.
- (ii) The Superintendent of Rly. Police, Haflong.

Sd/-
Accounts Officer.

ANNEXURE—III

Copy of letter No.NCH./HG/A-2/811-82/3,dated 21st April 1981 from the Deputy Commissioner, North Cachar Hills, Haflong addressed to the Assistant Inspector General of Police, (A), Assam, Guwahati.

Sub -Misappropriation/Report in the losses of Government money proposed to be incorporated in the report of the C.A. and A.G. for the year 1979-80.

Ref :-Your Memo No.A/XVI/9/80-81/7, dated 18th March 1981

With reference to your letter memo No. cited above, I have the honour to state that out of Rs.2,546.15 (Rupees two thousand five hundred forty-six and paise fifteen), Rs.1274,00 (Rupees one thousand two hundred and seventy-four) only has already been realised from Shri Maino Kachari the then District Commandant, Home Guard and Shri C. S. Deka, the then Havildar, in-charge, Store and deposited into State Bank of India, Haflong by Treasury Challan No. 10, dated 9th November 1977 and Challan No.13 (R), dated 15th November 1977 The balance amount of Rs. 1,272.15 (Rupees one thousand two hundred and seventy, two and paise fifteen) only was written off by the then Deputy Commissioner, N.C.Hills, Haflong, Shri T.K.Kamilla. The Extract Copy of the Order No.NCH/HG/ACCTT-2/77-78/70, dated 27th October 1980 passed by the Deputy Commissioner, N. C. Hills is enclosed herewith for ready reference. The matter was already dropped.

Enclo_s :- As above.

EXTRACT (COPY)

OFFICE OF THE DEPUTY COMMISSIONER : N.C.HILLS:
HAFLONG (HOMEGUARD BRANCH)

O R D E R

No.NCH/HG/ACCTT-2/77-78/70,dated the 27th October 1977 there was a lose of stores of Home Guard Branch, Haflong as found by physical verification of those stores on 6st February 1974 and 21st January 1976. The total bookl purchase value of those stores is Rs.2546.15 (Rupees Two thousand five hundred forty-six and paise fifteen) only. Shri Maino Kachari, Commandant and Shri C. S. Deka, Havildar hold charge of those stores covering therelevant period.

Their explanations regarding the loss were examined. The report of the Sub-Divisional Officer, Haflong on the matter was also considered. It is found that factors, responsible for the loss of these Home Guards Stores whose total purchase book value is Rs.2,546.15 (Rupees two thousand five hundred forty-six and paise fifteen) only are the following.

1. Negligence on the part of Shri C. S. Deka, Havildar who was holding charge of receipt/issue of stores and inadequate supervision by Shri Maino Kachari, the Commandant

2. Location of the Office of Home Guard Branch and that of its Store at different places for want of proper accommodation for some period. Some Stores were kept in verandah for want of accommodation.

Now, of course, since October, 1975 the Home Guard Stores and to Office have been located in one building and Stores kept inside one room.

In connection with the first point, I appreciate that unlike, in other District Home Guard Establishments, which have elaborate Staff, the Commandant, with only one Havildar, had to manage the working of Home Guard Branch here, including the periodic training of Home Guards. Though it is that some additional training instructional staff usually came to assist them during such periodic training, yet the responsibility of administration of stores such as their issue and receipt had to be shouldered by Shri C. S. Deka, Havildar who had also to assist the Commandant in other aspects of the Home Guard training. These hard circumstances under which the Commandant and Havildar had to function need be taken into account while apportioning their responsibility in the matter.

Besides, it is difficult, now to assess what was the value of these stores at that time of their last issue. All of them were not now and many of them were used earlier. Some approximation in assessing the then value of these stores at the time of their last issue is unavoidable. Considering all these circumstances of the case, it will be fair to make Shri Maino Kachari, the Commandant and Shri C. S. Deka, the Havildar to jointly make good to Government an amount of Rs.1274,(Rupees one thousand two hundred and seventy-four) only, it being almost half of the total book purchase value of these stores at Rs.2 546.15. Shri Kachari, the Commandant and Shri C. S. Deka, were jointly responsible for these stores and therefore, they should pay up equally this total amount of Rs.1,274- that is to say that Shri Maino Kachari, the Commandant and Shri C. S. Deka, the Havildar will have to pay up to Government an amount of Rs.637-(Rupees Six hundred thirty seven) only each.

The remaining value of the above, i.e. Rs.1,272.15 Rupees one thousand two hundred seventy-two and paise fifteen) only is allowed to be written off. Sanction is hereby accorded by me, in exercise of my financial powers as Deputy Commissioner under (Item No.24 of Schedule III of D.F.P. Rules, 1960 as amended in Amendment No. 58. Issued under Memo No. FEG. 53/76, dated 23rd September 1976 of Finance Department of State Government

Shri Maino Kachari, the Commandant and Shri C. S. Deka, the Havildar are warned to be careful in future in the administration of Home Guard Stores.

Sd/-T.K.Kamilla,
Deputy Commissioner,
North Cachar,Hills,
Haflong.

Memo No.NCH./HG/Acctt-2-/77-78/70(A), dated the 27th October 1977.

Copy to—

1. The Accountant General, Assam, Meghalaya, Shillong.
2. The Director of Civil Defence and Commandant, General of Home Guards, Assam, Gauhati-3.
3. Shri Maino Kachari, Commandant and Shri C. S. Deka, Havildar, Home Guard Branch for information and necessary action.

Sd/-T.K.Kamilla,
Deputy Commissioner,
North Cachar Hills,
Haflong.

ANNEXURE—IV

OFFICE OF THE ACCOUNTANT GENERAL :: ASSAM ::
MEGHALAYA ARUNACHAL PRADESH AND MIZORAM ::
SHILLONG.

- Audit Enfacement No.PR/E/10/82-83 Dated
1. Name & Designation of the Pensioner : Late Nagendra Nath Baruah ABSI.
 2. Total period of qualifying service that has been admitted for grant of pension/gratuity. : 3-8-15
 3. Amount of superannuation/retiring : ...
invalid/compensation pension that has been admitted and the date from which the pension is admissible.
 4. Amount of DCR Gratuity/terminal gratuity that has been admitted. : ...
 5. Family Pension admissible :
(a) Amount admitted : Rs.60.00 p.m. W.E.F.27-2-77
(b) period of payment : ...
(c) To whom payable : Smt. Jimani Baruah.
 6. Head of account to which the pension/gratuity is chargeble. : 266. Pension etc.
 7. Outstanding amount recovered and the nature of the same. : Rs.2690.59 Mis-appropriate D.C.R.G.
 8. Anticipatory/provisional pension/gratuity, already laid to be adjusted against final payment. : ...
 9. Authorities issued— $\frac{\text{PPO}}{\text{GPO}}$: SF/6322
 10. The service book, IP statement etc. leave account are returned herewith for record in your office. : ...

Attached.
Sd/-
Accounts Officer.

To The Asstt. Inspector General of Police, (A), Assam Guwahati,