

CHAPTER I

PERFORMANCE AUDITS

This Chapter contains three Performance Audits on “Modernisation of Police Force in Gujarat”, “Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (Amended Act, 2006) and Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960” and “National Rural Health Mission”.

HOME DEPARTMENT

1.1 Modernisation of Police Force in Gujarat

Highlights

Modernization of Police Force Scheme approved by Government of India aimed at providing additional infrastructure to enhance the efficiency and effectiveness of the State Police Force. Perspective plan for Modernization of Police Force was not prepared by Government of Gujarat; Annual Action Plan was submitted late to GOI every year. Vehicles were purchased against GOI instructions, allotted to ineligible officers and in lieu of condemned vehicles. POLNET installed by GOI was not properly utilized. Automated Finger Print Identification System was not optimally utilized. Many completed accommodations were not allotted. State Level Empowered Committee did not meet even once to monitor implementation of the Scheme after its formation.

State Government did not prepare perspective plans and there were delays ranging between 14 and 128 days in submission of Annual Action Plans

(Paragraphs 1.1.8.1 and 1.1.8.2)

Against the funds provided, the under utilization ranged between five and 68 per cent

(Paragraph 1.1.9.1)

DG & IGP purchased vehicles costing Rs.2.75 crore not approved in the Annual Action Plan. Contrary to scheme guidelines 119 vehicles purchased were utilized by district police officers instead of allotting them to police stations, out posts etc. DG&IGP allotted 2167 vehicles in place of condemned vehicles which was not permissible under MoPF scheme

(Paragraphs 1.1.10.2 and 1.1.10.3)

Shortage of modern weapons ranged between 20 and 78 per cent and of ammunition ranged between 17 and 100 per cent. Against sanctioned strength of 64 personnel in Anti Terrorist Squad, the men in position were only 39 (61 per cent). Weapons approved in AAPs were not supplied by GOI though the grant of Rs.6.15 crore was deducted from the funds allotted to GOG

(Paragraphs 1.1.11.1, 1.1.11.2, 1.1.11.4 and 1.1.11.5)

POLNET System installed at a cost of Rs.4.47 crore to integrate communication network of police department was almost non functional since installation due to poor quality of equipments and poor complaint redressal by Bharat Electronics Limited (supplier)

(Paragraph 1.1.12.1)

Under Mega City component, unspent amount during three years of its implementation from 2006-07 to 2008-09 was 67 per cent

(Paragraph 1.1.14.1)

The project of installing Digital Radio Trunking System in the City of Ahmedabad could not be completed even after three years of its approval despite allotment of Rs.10.01 crore

(Paragraph 1.1.14.3)

Automatic Finger Print Identification System purchased at the cost of Rs.1.87 crore was not optimally utilized

(Paragraph 1.1.15.1)

There was cost overrun of Rs.1.23 crore in construction of residential buildings at Police Head Quarters, Sahibaug, Ahmedabad

(Paragraph 1.1.16.1)

Construction of Training-Cum-Store Complex for Home Guards could not be commenced even after five years of providing grant to GSPHCL due to non availability of land

(Paragraph 1.1.16.2)

There was Rs.33.78 crore savings in completed residential and non residential works which was neither reported to GOI nor any new works taken up

(Paragraph 1.1.16.4)

Despite Honorable Supreme Court's direction in September 2006, State Government did not make functional the State Security Commission, Police Establishment Board and State/District Police Complaint Authorities

(Paragraph 1.1.17.1)

There was average 24 per cent shortage of man power in various cadres of the police department

(Paragraph 1.1.17.2)

MoPF Scheme was not monitored by State Level Empowered Committee

(Paragraph 1.1.20)

1.1.1 Introduction

The Scheme of Modernisation of Police Forces (MoPF) was launched (1969-70) by the Ministry of Home Affairs, Government of India (GOI) for modernising police forces in the country to enable them to effectively face the emerging challenges to internal security. A revised scheme involving substantial outlay of Central assistance was launched by the GOI in February 2001 for a period of ten year starting from 2000-01. The basic objectives of the scheme were to meet the deficiencies in the State Police Forces as identified by the Bureau of Police Research and Development (BPR&D)¹ and to achieve planned development and modernisation of the State Police Forces with latest technology.

1.1.2 Organizational Set Up

Police force functions under the Home Department of the State Government headed by Additional Chief Secretary (ACS) who is responsible for implementation and monitoring of the scheme (**Appendix I**). The Director General and Inspector General of Police (DG & IGP) is the head of the Police Department. Deputy Inspector General (DIG) (Police Modernisation) is in direct charge of Modernisation Programme. The Directorate of Forensic Science (DFS), Gandhinagar, Managing Director, Gujarat State Police Housing Corporation Limited (GSPHCL), Gandhinagar, Commissioner of Police (CP), Ahmedabad and Commandant General, Home Guards, Ahmedabad are responsible for formulation and implementation of the scheme. A State Level Empowered Committee (SLEC) has been set up (February 2007) under the Chairmanship of the State Chief Secretary for speedy sanction of Annual Action Plans (AAPs) and for proper monitoring of the implementation of the scheme.

¹ BPR&D is a research and development organization positioned to guide a policy of Modernization of police force. It sets norms and standards for each aspects of the policing.

1.1.3 Scheme Objectives

The main objectives of the scheme were to:

- ✍ meet the deficiencies in the various aspects of police administration,
- ✍ reduce the dependence of the State Government on the Army and Central Para Military Forces,
- ✍ provide infrastructure like vehicles, modern weaponry, communication equipments, etc. at police station level,
- ✍ strengthen forensic science laboratories for reducing delays in submission of analytical reports to expedite finalization of crime cases and
- ✍ construct residential and non-residential buildings.

1.1.4 Audit Coverage

The performance review of the Scheme covered the period 2003-04 to 2008-09. Records in the offices of ACS (Home), DG&IGP, DFS, and MD, GSPHCL at Gandhinagar, Commandant General, Home guards at Ahmedabad, two Police Training Institutes², 12³ out of 25 District Superintendents of Police and two⁴ out of four Commissioners of Police along with police stations thereunder, involved in the implementation of the scheme were test checked in field audit conducted between February and June 2008 and January and April 2009. The Commissionerates/districts were selected on the basis of their geographical location.

1.1.5 Audit objectives

The audit objectives were to assess whether:

- ✍ The deficiencies identified by the Bureau of Police Research and Development (BPR&D) were met in a time bound manner,
- ✍ Annual Action Plans (AAPs) were in accordance with the perspective plans(PP) and the fund flow was timely and adequate and optimally utilized,
- ✍ State Police forces were adequately trained so as to reduce the dependence on Army and Para-Military forces; facilities for training were created,
- ✍ Sufficient infrastructure like vehicles, modern weaponry and communication equipments were provided to augment operational efficiency at Police Stations and Forensic Science Laboratories were modernized,

² Police Training Academy, Karai and Police Training School, Vadodara

³ Ahmedabad Rural, Dahod, Gandhinagar, Godhra, Jamnagar, Kachchh, Mehsana, Porbandar, Rajkot Rural, Sabarkantha, Surat Rural, Vadodara Rural

⁴ Ahmedabad and Surat

- ✍ Required residential and non-residential buildings were constructed and
- ✍ Implementation/progress of the Scheme was effectively monitored and adequate internal control mechanism exists in the Police Department for proper control of expenditure and management of assets created.

1.1.6 Audit criteria

The main sources of audit criteria adopted for the performance audit were the following:

- ✍ BPR&D study report of the year 2000-01,
- ✍ Circulars/ instructions issued by the GOI for implementation of the scheme,
- ✍ Minutes of the meetings of High Powered Committee in GOI and
- ✍ Approved Annual Plans (AAPs).

1.1.7 Audit Methodology

The performance audit commenced with an entry conference (March 2008) with the ACS, Home Department wherein the audit methodology, scope, objectives and criteria were explained. ACS gave an overview of the scheme.

Audit collected data from the DG&IGP and the field offices, issued audit enquiries to elicit information, scrutinized files/records, held discussions with the officers and visited selected offices to assess the implementation of various components of the scheme.

After the conclusion of field audit, an exit conference was held with the team of the department headed by ACS, Home Department in April 2009, where the draft audit findings and recommendations were discussed at length.

Audit Findings

1.1.8.1 Non Formulation of perspective plan

As per the GOI guidelines, State Government was to submit to GOI, a five year perspective plan starting from 2000-01 for its police force (2000-05 and 2005-10). The annual action plans were to flow from the perspective plan. The Annual Action Plans (AAPs) formulated by the State Police Force had to be scrutinized by the SLEC before sending it for approval of the High Powered Committee (HPC) of the GOI for allocation of funds to the State Government.

State Government did not prepare perspective plan and there were delays ranging between 14 and 128 days in submission of Annual Action Plans

Though DG&IGP prepared perspective plans for 2000-05 and 2006-11, these were not scrutinized by SLEC as it was not formed till February 2007. The plans prepared by DG&IGP were not submitted to GOG. On audit enquiry, department replied (April 2008) that though the perspective plans were prepared, due to their incomplete shape and insufficient information they were not submitted to GOG for its approval. This was further confirmed by the Office of DG & IGP in April 2009. Reply is not acceptable as mandated requirement of GOI was not adhered to and further, in the absence of five-year perspective plan from which annual requirement plan should have flowed, department had adopted an ad-hoc approach towards planning.

1.1.8.2 Delay in submission/approval of Annual plan

State Government was to submit AAP every year by due dates as specified by GOI. Details of due dates, dates of submission of AAP by the State Government and dates of approval by the GOI during the period of audit are given in Table 1.

Table - 1

Table showing delay in submission of Annual Action Plan

Sr. No.	Year	Due date for submission of Annual Action Plan to GOI	Actual date of submission of Annual Action Plan	Date of approval of the Annual Action Plan by the GOI	Delay by GOG (Days)	Time taken by GOI for approval (Days)
1	2003-04	15.05.2003	20.09.2003	17.12.2003	128	88
2	2004-05	15.06.2004	10.09.2004	29.11.2004	87	80
3	2005-06	15.05.2005	22.06.2005	19.09.2005	38	89
4	2006-07	05.05.2006	08.08.2006	07.09.2006	95	30
5	2007-08	30.04.2007	14.05.2007	13.11.2007	14	183
6	2008-09	31.12.2007	22-04-2008	14.08.2008	113	114

GOG did not submit AAP to the GOI by the due dates in any of the years covered under Performance Audit. The delay ranged from 14 to 128 days. Consequently, the approval of the AAP by GOI was also delayed. GOI took between 30 (2006-07) and 183 days (2007-08) for approving the plans. Therefore, the implementing agencies were left with insufficient time to utilize the funds in the same year, which resulted in unspent balance every year thus affecting timely implementation of the plans. Department, while accepting the delays, stated (July 2009) that for MoPF 2008-09 plan details of all districts/units were collected and plan prepared. Changes to the plan were suggested by DGP and High Powered Committee which met in New Delhi in February 2008. Hence there was delay in finalizing the plan. The reply was not acceptable as preparations should have commenced at the earliest to prepare AAPs as it was an annual exercise. AAPs should ideally have been a subset of perspective plan. Absence of a cogent comprehensive perspective plan thus affected the formulation of AAP in time.

1.1.9 Financial Management

The size of Annual Plan for the State was fixed at Rs. 100 crore. GOI, however, did not approve plans to that extent and fixed the plan ceiling each

year and asked GOG to submit a plan within that ceiling. Central share was 60 *per cent* of the approved AAP during the period from 2003-04 to 2004-05 and 75 *per cent* from 2005-06 onwards.

Details of approved plan size, share of GOI and GOG with reference to the approved plan and funds released by GOI and GOG and expenditure incurred under the scheme (2003-09) is given in Table 2.

Table - 2**(Rs. in crore)**

Year	Approved Plan	Share of		Funds released			Expenditure	Percentage expenditure to Approved Plan	Excess(+) Savings(-)
		GOI	GOG	GOI	GOG	Total			
2003-04	98.35	59.01	39.34	42.21	60.51	102.72	90.93	92	(-) 11.79
2004-05	100.25	60.15	40.10	39.54	51.35	90.89	90.22	90	(-)0.67
2005-06	92.35	69.26	23.09	39.84	72.39	112.23	88.18	95	(-)24.05
2006-07	49.33	37.00	12.33	45.52	12.34	57.86	43.05	87	(-)14.81
2007-08	53.33	40.00	13.33	48.97 ⁵	19.83	68.80	31.50	59	(-)37.30
2008-09	53.33	40.00	13.33	40.00 ⁶	19.94	59.94	42.43	80	(-)17.51
Total	446.94	305.42	141.52	256.08	236.36	492.44	386.31	86	(-)106.13

Though GOI was committed to give Rs.305.42 crore during 2003-09, the amount released to the State Government was only Rs.256.08 crore resulting in shortfall in Central assistance by Rs.49.34 crore (16 *per cent*). On the other hand, GOG, against their share of Rs.141.52 crore, had released Rs.236.36 crore (167 *per cent*). GOI acknowledged (March 2004) the performance of State Government in utilizing the funds but assigned reason for short release of Central assistance to low utilization of funds by States as a whole. Further, there was a steady decline of funds for the Scheme by Finance Ministry, Government of India resulting in less availability of funds for States. GOG utilized more than 80 *per cent* of funds every year during the audit period except in the year 2007-08 where the expenditure was 59 *per cent* of approved plan. Reasons for this were low utilization under Mega City component as the amount provided under Digital Radio Trunking System (Rs.7.90 crore) and other items could not be utilized by CP, Ahmedabad due to non-finalization of purchase procedure in time.

Though the utilization of funds by GOG averaged 86 *per cent* of approved plan, reduction in plan size from Rs.100 crore to Rs.49.33 crore during 2006-07 and to Rs.53.33 crore during 2007-09 affected scheme implementation and delayed timely over coming of infrastructural deficiencies identified by BPR&D.

1.1.9.1 Short utilization of funds

State Government could not utilize the annual allocation of funds within the financial year under the various components of the scheme. The percentage of under utilization ranged from five *per cent* to 68 *per cent* (**Appendix II**).

⁵ This includes allotment of Rs.2.05 crore by GOI on 31 March 2008 as an additional grant

⁶ GOI allotted Rs.8 crore in March 2009 as an additional grant

Audit scrutiny revealed that-

Against the funds provided, under utilization ranged between five and 68 per cent

During 2003-04 to 2008-09, department utilized more than 80 per cent funds under mobility, weaponry, training and Home Guards component, above 50 per cent in respect of Intelligence, Equipments and Computerization and less than 50 per cent in communication. Overall utilization of funds was 66 per cent. GOG replied (July 2009) that before purchase, procedures like tender, demonstration, advertisement etc. are to be observed. It was stated that it takes a long time for tendering and even after that technical or commercial bids are to be opened. On account of these procedures considerable delay occurs and items cannot be purchased within time limit. The fact remains that the procedures are well established and the department should have taken appropriate steps to complete the procedures in time. Owing to short utilization during the scheme year, the grant on items approved in plan of earlier years was carried over and utilized in subsequent years. The grant sanctioned in plans approved during the period 2001-06 was spent in the year 2007-08.

1.1.9.2 Revalidated grant not utilized for earlier approved components

GOG proposed (June 2007) revalidation of unspent balance of Rs.15.85 crore for the period 2001-06. This was based on a list of 124 items planned but not purchased during the years from 2001 to 2006 compiled by the Office of DGP. These items were identified as no longer required by Gujarat Police. The unspent amount consisted of various items under different components (**Appendix III**) such as mobility, weaponry, communication, intelligence, equipment and proposed new items under mobility and communication. GOI accorded its approval for revalidation (December 2007) and GOG utilized the amount accordingly (January 2008).

This indicates that requirement of items proposed under AAPs of earlier years was not prioritized which led to change in items during revalidation.

1.1.9.3 Utilization of Grant for items not approved in AAP

Under the instructions issued by GOI (February 2001), funds released for a particular item shall not be diverted by the State Government for any other item without obtaining specific sanction from the Ministry (MHA). Audit noticed that Rs.6.74 crore unspent balance for the year 2006-07 was revalidated by GOI (December 2007). Out of this, the department utilized Rs.2.24 crore under Mega City component for purchase of PCR vans which were not approved in the AAP. Further, DG&IGP had spent Rs.1.71 crore⁷ on the approved items leaving a balance amount of Rs.2.79 crore which was not utilized till date (March 2009). Therefore, diversion of the funds for purchase of items not in approved AAP was contrary to GOI instructions.

⁷ Bomb disposal vehicles

1.1.9.4 Revalidated grant for Forensic Science Laboratory not transferred to FSL

GOI while approving (December 2007) revalidation of unutilized grant for the period 2001-06 and 2006-07, revalidated Rs.3.83 crore⁸ for FSL. The amount was utilized by DG&IGP on purchase of vehicles and communication equipments instead of transferring it to FSL. DG&IGP replied (January 2009) that the revalidated grant was for DG&IGP office only; hence not transferred to FSL. Reply was not acceptable as the GOI while approving the revalidation of unspent grant specifically mentioned the share of FSL as Rs.3.83 crore. Thus, the grant revalidated for FSL was irregularly utilized for purposes other than intended.

1.1.10 Mobility

Mobility is vital for efficient and effective performance of police force. BPR&D in its study report stated that mobility deficiency is nil when a well equipped police force has the ability to move the entire police force at once. Based on this concept, the BPR&D prescribed scales for various types of operational vehicles such as Heavy/Medium/Light Vehicles and Motor Cycles required for Police Stations (PS), District Armed Reserve (DAR) and State Reserve Police (SRP), which are the guiding factors in procurement of vehicles. The requirement and availability of vehicles vis-a-vis BPR&D norms is given in Table 3.

Table - 3

Type of Vehicles (1)	Requirement as per BPR&D norms as on 1 January 1998 (2)	Vehicles available as on 1 April 2003 (3)	Vehicles purchased during 2003-09 (4)	Total (5)	Vehicles condemned 2003-09 (6)	Total Vehicles available as on 31 March 2009 (7)	Shortage (2)-(7) (8)	Percentage of shortage against BPR&D norms (9)
Light Motor Vehicles	1773	880	1002	1882	569	1313	460	26
Motor Cycles	2918	1875	2517	4392	1081	3311	(-) 393	-
Others ⁹	1752	1651	628	2279	517	1762	(-) 10	-
Total	6443	4406	4147	8553	2167	6386	57	-

The analysis of above table indicate that against the requirement of 1773 light motor vehicles, only 1313 (74 per cent) were available as on 31 March 2009. Even after 10 years of BPR&D study report, the shortage in light motor vehicles could not be overcome.

1.1.10.1 Shortage of vehicles at police stations

MoPF is meant to provide field vehicles required for basic policing. BPR&D prescribed norms of two four-wheelers (light motor vehicles) and three two-wheelers (motor cycles) at every Police Station (PS) to meet the requirement

⁸ Automatic Dessotometer, Explosive Detection Kit, System of analysis of physically damaged hard drive, Tensile testing machine with computers, GC-MS-HS, HPTLC, Automatic Moisture Balance, Twin Video Comparator, 42" Plasama T.V, Creation of new infrastructural facilities in the existing buildings at Gandhinagar, Surat & Ahmedabad by GSPHCL

⁹ Prison Vans, Buses, Open trucks, Water tankers etc.

of mobility of police force. Scrutiny of records of selected districts revealed that out of 198 PSs test checked, 145 PSs (73 per cent) and 109 PSs (55 per cent) did not have the required number of four-wheelers and two-wheelers respectively (**Appendix IV**). On further analysis it was found that out of 145 PSs, 138 PSs (95 per cent) had only one four wheeler and seven PSs (5 per cent) did not have any four-wheeler. Out of 109 PSs, 36 PSs (33 per cent) had only two two-wheelers, 57 PSs (52 per cent) had one two-wheeler and 16 PSs (15 per cent) had no two-wheeler. Thus, the minimum requirement of vehicles at police stations as prescribed by BPR&D was not fulfilled thus impacting the operational efficiency of the police force.

1.1.10.2 Irregular purchase and allotment of vehicles

Contrary to scheme guidelines 119 vehicles were allotted to officers instead of allotting them to police stations

While approving AAPs, GOI insisted on purchase of soft top vehicles for utilization at police stations and outposts for operational purposes. GOI, while approving Annual Action plan (2007-08), directed (November 2007) State Government not to purchase vehicles like Tavera and Indigo from the grant because they did not increase the operational efficiency of the police. However, 55 Tavera cars valued at Rs.2.75 crore were purchased (November 2007) by DG&IGP from the grant revalidated during 2007-08. DG&IGP office justified (June 2008) the purchase stating that 'Tavera Cars' were purchased considering them as 'Jeeps'. GOG further replied (July 2009) that 55 vehicles were purchased in the Jeep category, which were distributed to the districts/units and to officers, such as SP and DSP, who were also doing operational duties. However, the fact remained that 119 vehicles purchased under MoPF were allotted to officers, contrary to scheme guidelines, (**Appendix V**) which resulted in shortage of four wheelers at police stations.

Utilization of funds available under MoPF to procure vehicles for use of officers instead of meeting the requirement of police stations/outposts resulted in non availability of required number of vehicles for operational purposes and was in violation of condition governing allotment of funds under MoPF.

1.1.10.3 Replacement of condemned vehicles

2167 vehicles were allotted in place of condemned vehicles

The MoPF scheme being principally meant for creation of infrastructure and capital assets, did not permit replacement of old condemned vehicles, as scheme is meant to increase the existing fleet of vehicles. Audit scrutiny however revealed that out of 4147 vehicles purchased (2003-09), 2167 vehicles (52 per cent) were used to replace condemned vehicles in contravention of GOI instructions. DG&IGP accepted (April 2009) that since State Government did not provide any additional grant for mobility, vehicles purchased under MoPF were allotted in place of condemned vehicles. Further, GOG replied (July 2009) that as per GOI letter of 2001, vehicles in place of condemned ones were purchased and distributed. From the year 2008-09, vehicles have been issued as new vehicles as per audit instructions. Reply of Government was not acceptable as scheme aims at providing additional infrastructure to police department and replacement of condemned vehicles was not permissible under MoPF scheme. Vehicles brought from MoPF funds to replace condemned vehicles defeated the objective of increasing the existing fleet of vehicles, in police department.

1.1.11 Weaponry

To meet the challenges of terrorists and criminals, equipped with high tech and latest weapons, upgradation of weaponry is of utmost importance for the police force. Gujarat Police had acute shortage of modern weapons. Out of total 74577 weapons available (March 2009) with the police, .303 rifles were 46357 in number (62 *per cent*) and .410 muskets were 8805 in number (12 *per cent*) which were old and archaic and these two sets of weaponry formed a major portion (74 *per cent*) of the total weaponry. GOG replied (July 2009) that BPR&D norms were decided in January 2001 and modern weapons such as INSAS 5.56 rifles and 7.62 SLR were initially approved under MoPF during 2005-06 onwards and these weapons have been obtained from ordnance factories in 2007 and 2008. It was also stated that purchase of 10,000 numbers of INSAS 5.56 rifles to replace .303 rifles is part of MoPF proposal for 2009-10.

However, the fact remains that one of the main objectives of MoPF scheme of equipping police with modern weapons for bringing improvement in preparedness and striking capability of force was not achieved even after lapse of 8 years of the scheme.

1.1.11.1 Shortage of modern weapons with Gujarat Police

Shortage of modern weaponry ranged between 20 and 78 *per cent*

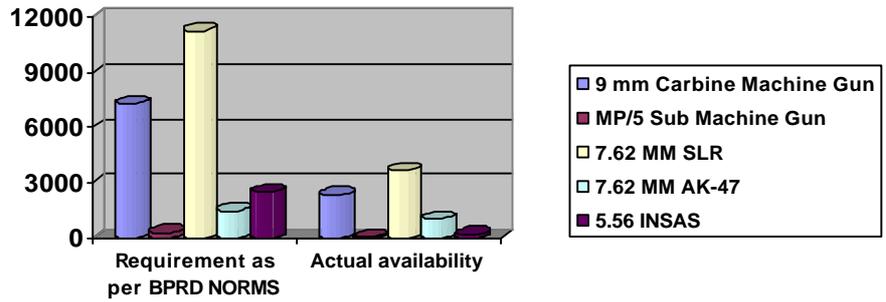
Under MoPF scheme State Government procures modern weaponry every year. Audit observed that there was a huge shortage of modern weapons (March 2009) ranging between 78 *per cent* in case of MP/5 Sub Machine Gun and 20 *per cent* in case of INSAS, the overall shortage was 60 *per cent* as shown in Table 4.

Table - 4

Shortage of modern weapons as on 31 March 2009

Type of weapon	Requirement as per BPR&D Norms	Actual availability	Shortage	Shortage in Percentage
9 mm Carbine Machine Gun	7278	2322	4956	68
MP/5 Sub Machine Gun	300	65	235	78
7.62 MM SLR	11233	3672	7561	67
7.62 MM AK-47	1500	1033	467	31
5.56 INSAS Rifle	2500	2000	500	20
Total	22811	9092	13719	60

Availability of Weapons



Modern weapons are the backbone of an effective police force. Police cannot perform effectively and attend to law and order functions on time without adequate modern weapons. Non availability of adequate number of modern weapons would weaken the striking capability of police force considerably.

1.1.11.2 Shortage of ammunition in police department

Shortage of ammunition ranged between 17 and 100 per cent

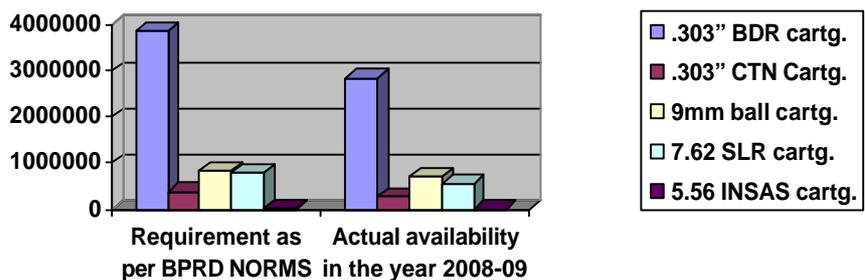
Adequate ammunition for weapons to be used as firepower, for training and regular practice is a necessary requirement. Audit observed that there were huge shortages of ammunition as shown in Table 5.

Table - 5

Shortage of ammunitions as on 31 March 2009

Type of Ammunition	Requirement as per BPR&D Norms	Actual availability in the year 2008-09	Shortage	Percentage shortage
.303" BDR cartg.	3845440	2842346	1003094	26
.303" CTN cartg.	388300	264252	124048	32
9mm ball cartg.	828648	691854	136794	17
7.62 SLR cartg.	801180	551066	250114	31
5.56 INSAS cartg.	200000	0	200000	100

Availability of Ammunitions



The above table indicates that the shortage of ammunition ranged between 17 *per cent* (9mm ball cartg.) and 100 *per cent* (5.56 INSAS cartg.). Department replied (July 2009) that due to shortage of funds ammunitions could not be purchased. It was further stated that the first lot of INSAS rifles were received in 2008 and payment for obtaining necessary cartridges had been made to Ordnance Factory in March 2009 and deliveries were expected shortly.

However, shortage of ammunition compromised on firepower of the police force considerably. Further, as ammunition for 5.56 INSAS rifles, which are used for VVIP security and commando duties could not be purchased along with other weapons due to paucity of funds and consequently the weapons could not be put to use.

1.1.11.3 Non availability of usable gas shells

Gas shells form a very important part of armory of police force as they are used to control the mob without using firepower and causing lethal damage to public life. The life span of long/short range gas shells is three years. Three to seven years old gas shells are used for practice purpose and above seven years are treated as expired. It was seen from the records of test checked districts (2CsP/12 SsP) that eight districts¹⁰ did not have usable gas shells. Further, out of 51953 gas shells (**Appendix VI**) available with the department, 22751 (44 *per cent*) were three to seven years old and 17933 (35 *per cent*) were more than seven years old and hence had expired (March 2009). Department replied (July 2009) that though 9290 gas shells were allotted in 2007-08 and payment for the same was made in April 2008, the allotment was cancelled by BPR&D. It was also stated that out of 4000 numbers allotted in 2008-09, 2800 numbers were received and distributed to district units in April 2009 and 1200 numbers will be obtained shortly. Shortage was mainly due to inability of supplying agency (Border Security Force) to supply the gas shells.

The fact remains that in the absence of usable gas shells police was not properly equipped to meet any eventuality.

1.1.11.4 Working of Anti Terrorist Squad (ATS)

Against sanctioned strength of 64 personnel in Anti Terrorist Squad, men in position were 39 (61 *per cent*)

ATS was formed in 1993 to counter the increasing threat to internal security from terrorist organizations. It has a sanctioned staff of 64 police personnel. However, records revealed that there was a shortage of personnel in various cadres ranging between eight and 100 *per cent* (January 2009) as shown in Table 6.

¹⁰ CP-Ahmedabad, Dahod, Godhra, Jamnagar, Kachchh-Bhuj, Porbandar, Rajkot (Rural), Surat (Rural)

Table - 6

Table showing sanctioned strength and vacancy in Anti Terrorist Squad

Sr. No.	Cadre	Sanctioned Strength	Present Strength	Vacancy	Percentage of vacancy against sanctioned strength	Since When
1	Inspector General (Operation)	1	0	1	100	2008
2	Deputy Inspector General(Operations)	1	2	(-1)	0	
3	Superintendent of Police (Operation)	3	1	2	67	2008
4	Dy. Superintendent of Police	3	3	0	0	
5	Police Inspector	12	11	1	8	2008
6	Police Sub Inspector	18	7	11	61	2005
7	Head Constable	20	9	11	55	2004
8	Armed Police Head Constable	6	6	0	0	
	Total	64	39	25		

No specific counter terrorism training was provided to ATS personnel to meet the threat to internal security effectively.

BPR&D prescribed that head constables, Police Inspectors and Sub-inspectors working in Anti-Terrorist Squad (ATS) should be provided 5.56 INSAS rifles (with sighting equipments). However, it was seen from the records that none of the ATS personnel were issued 5.56 INSAS rifles. On being pointed out in audit, the DG&IGP issued orders (February 2009) for issuance of 64 INSAS rifles. However, as police did not have ammunitions for INSAS rifles, the weapons can not be used till ammunition is procured.

1.1.11.5 Weapons not supplied by GOI

Weapons approved in AAP were not supplied by GOI though the grant of Rs.6.15 crore was deducted from the funds allotted to GOG

Under MoPF scheme, GOI gives its approval for supply of weapons to State Government through Ordnance Factory Board. The grant for supply of weapons is deducted by GOI from the fund allotted under MoPF scheme and is directly paid to the weapons supplying agencies. Scrutiny of records revealed that GOI failed to supply the weapons approved under AAP even though an amount of Rs.6.15 crore was held back. The details are given in Table 7.

Table - 7

Table showing non supply of modern weapons by GOI

Year	Weapons approved in AAP	Quantity sanctioned	Quantity supplied	Weapons not supplied	Grant Retained by GOI (Rs. in Crore)
2003-04	AK-47	600	500	100	0.15
2004-05	Sniper Rifle PSG-1	18	0	18	0.85
	Sniper Rifle PIIK	22	0	22	0.28
	MP-5 SD-3 rifles	22	0	22	0.17
	Night Weapon sight	11	0	11	0.19
2005-06	MP-5	400	0	400	3.40
	Sniper Rifle PSG-1	5	0	5	0.23
2007-08	Gas Gun	100	00	100	0.12
	MP-5	75	0	75	0.64
	Sniper Rifle	8	0	8	0.12
Total					6.15

On being pointed out, Department replied (July 2009), that these weapons were imported by GOI during 2003-04 and 2004-05. In the subsequent years, GOI asked State Government to import these weapons after obtaining its permission. Correspondence had been initiated to obtain permission from GOI for importing these weapons. Reasons for non importing these weapons were not made available to audit. Thus, the acquisition of modern weapons was not completed though funds were available.

1.1.12 Communication

Modern means of communication are the backbone of effective policing. Police requires faster, secure and reliable means of communication. Police in Gujarat uses High Frequency (HF), Very High Frequency (VHF) and Ultra High Frequency (UHF) sets as mode of communication. The department plans to convert entire communication network into UHF based network as VHF sets are found to be unreliable and non secure, as communication on them can be heard on F.M. bands.

1.1.12.1 POLNET

With a view to cope up with deficiency in existing communication system and to meet the emerging requirements, GOI decided (October 2002) to establish a dedicated satellite based integrated Police Communication Network (POLNET) for Police and Para military forces. It aimed at installation of 24 Very Small Aperture Terminal (V-SAT)¹¹ and 434 Multi Access Radio Telephony (MART)¹² in Gujarat to integrate police communication by linking all police stations and dialing system, with voice/fax/data transmission capabilities. Computer network was to be interlinked with National Crime Record Bureau computers at various district headquarters. It envisaged linking the National Capital with all State capitals and further extending the connectivity down to the District Headquarter/Police Station level. The work of execution of “POLNET” project was awarded (November 2002) by GOI to Bharat Electronics Limited (BEL), Ghaziabad. Director of Coordination and Police Wireless (DCPW)¹³ was co-coordinating agency for this. GOI deducted an amount of Rs.4.47¹⁴ crore from GOG’s share while releasing grant under approved AAPs, for payment to BEL.

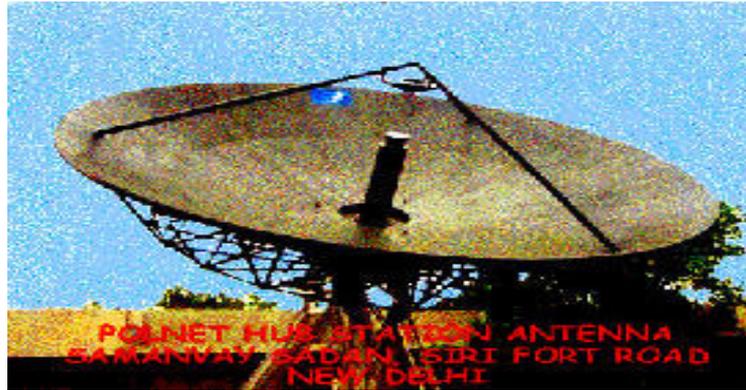
POLNET system installed at a cost of Rs.4.47 crore to integrate communication network was non functional since installation

¹¹ A very small aperture terminal (VSAT) is a two way satellite ground station with a dish antenna. VSATs access satellites in geosynchronous orbit to relay data from small remote earth stations (terminals)

¹² A multiple access radio telephone system is connected to a telecommunication switching system and serves a group of N remote stations through M two-way radio channels (where M is smaller than N)

¹³ Directorate of Coordination and Police Wireless (DCPW), New Delhi is the nodal agency for coordinating and consulting Central as well as State Government for approving communication related matters

¹⁴ Rs.63,63,117 on 23 February 2005, Rs.26,67,262 on 31 March 2005, Rs.7,11,775 on 16 March 2006 and Rs.3,50,00,000 on 30 September 2005



A POLNET HUB STATION ANTENNA

As per terms and conditions of the installation of V-SAT, BEL was to provide inter-alia computer, fax machine, antenna, Base Subscriber Unit (BSU) of MART, at district level and Remote Subscriber Unit (RSU)¹⁵ of MART, antenna and telephone set at police station level. GOG was to provide towers for V-SAT (24), generators, voltage stabilizers, air conditioning machines, tower for each MART unit (434), furniture and batteries with charger.

Audit noticed that:

- ✍ Out of MART 434 Remote Subscribers Units (RSU), 202 RSU could not be installed (July 2009) because these police stations were beyond 'line of sight'¹⁶ (LOS). GOG replied (July 2009) that matter was under correspondence with GOI to utilize these equipments. Remaining 232 RSUs installed at police stations remained non-operational (July 2009) as the technology was obsolete and there was no response from BEL to attend to complaints. This left the objective of integration of police station with the said network unfulfilled.
- ✍ Generator Sets were not provided to POLNET stations by the State Government; consequently the POLNET system could not work beyond 45 minutes in the absence of continuous power supply. GOG replied (July 2009) that all POLNET stations have a 45 minute UPS backup. It was also stated that DCPW New Delhi was requested to provide generator sets instead of UPS. However, the fact remains that POLNET stations do not have a generator backup.
- ✍ For efficient working of the system, dust proof room with temperature between 20 and 30 Celsius was an essential requirement. Records revealed that air conditioners (ACs) had not been provided in 23 districts except at Central Hub, Gandhinagar. While agreeing that the room should be air conditioned as per manual of operations, department replied (July 2009) that the office of MD, GSPHC was requested (March 2005) to procure ACs for various sites. Fact remains that even after four years, AC machines have not been procured.

¹⁵ RSU converts Cable Television frequencies to telephone signals. It operates on a shared facilities basis with the voice communication facilities of the remote subscriber line unit. The architecture eliminates the need for dedicated communication facilities to interconnect the remote subscriber line unit with the central facilities management system

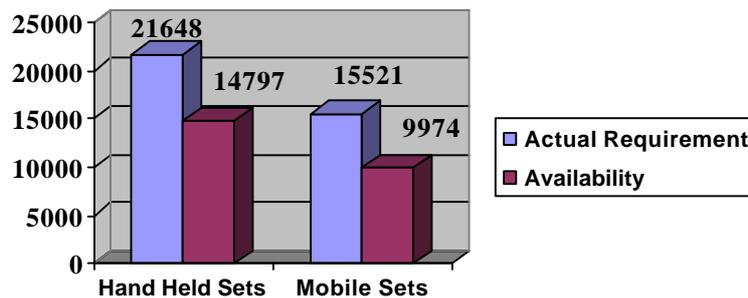
¹⁶ Line of Sight propagation refers to electromagnetic radiation traveling in a straight line. The rays or waves are diffracted, refracted, reflected or absorbed by atmosphere and obstruction with material and generally cannot travel over the horizon or behind obstacles

- ✍ The system at State Police Headquarters at Gandhinagar had completely shut down since August 2008 due to non-functioning of Radio Frequency Modulator (RFM) card. The matter was reported (August 2008) to DCPW, New Delhi and BEL, Ghaziabad. BEL insisted upon entering into Annual Maintenance Contract before replacement of RFM card. The matter was pending (July 2009) with the GOG.

Thus, POLNET remained non-functional due to frequent failures, non response from BEL to redress system failure complaints and obsolete MART technology. Thus, the objective of integrating police communication network could not be achieved and the amount of Rs.4.47 crore paid to BEL by deducting from scheme funds by GOI proved infructuous.

1.1.12.2 Shortage of Communication Equipments

Police uses VHF hand held (HH) and mobile sets as a principal source for inter- district communication. Information provided by ADGP, Communication revealed that Gujarat police had huge shortage (32 per cent of HH sets and 36 per cent Mobile sets) as on 31 March 2009 as shown graphically below:



GOG replied (July 2009) that Hand Held and Mobile sets were used as principal source for inter district police communication. During 2001-2009 4603 VHF Mobile sets and 3351 VHF Hand Held sets were procured. It was also stated that GOG planned to convert VHF communication into secure and reliable mode as Digital Radio Trunking System.

However, the fact remains that the available equipment was far below the requirement. Shortage of communication equipment might result in lack of coordination between different units of police department and could lead to poor response at the time of requirement.

1.1.12.3 Non-operation of Global Positioning System (GPS) based Automatic Vehicle Locator System (AVLS)

Global Positioning System (GPS) based, Automatic Vehicle Locator System (AVLS) envisaged a state of art control room having the facility to monitor every patrol vehicle and effectively centralize traffic and crime monitoring duties. The system was intended to enable the control room to instruct patrolling

vehicle to reach the place of distress call quickly. An amount of Rs.20 lakh was approved under the AAP (2005-06) for purchase of software and hardware. For this system, Geographic Information System (GIS) i.e. digital maps of the cities were to be prepared. The grant of Rs.20 lakh was placed (March 2006) by DG&IGP with Survey of India (SOI), Dehra Dun for the preparation of digital maps of four cities viz. Ahmedabad, Rajkot, Surat and Vadodara. However, SOI failed to supply digital maps of the cities till date (July 2009). The Office of DG&IGP replied (July 2009) that regular followup was being made for obtaining maps of Surat, Vadodara, Ahmedabad and Rajkot from SOI.

Even after lapse of three years, the project has not taken off beyond initial payment of Rs.20 lakh to SOI. Though GOG released payment to SOI, there was no understanding as to the date by which the digital maps were to be supplied by SOI. Failure, to fix a time period for compliance has resulted in non-completion of this project which would otherwise enable the police to respond quickly in case of emergencies.

1.1.12.4 Acute Shortage of Technical Man Power in communication wing

For smooth operation of communication system, adequate, skilled and trained manpower was a necessary requirement. Scrutiny of records revealed that there was acute shortage of man power in the communication wing of police department as of March 2009 as shown in Table 8.

Table - 8

Sanctioned and actual strength in communication wing

Name of the Post	Sanctioned Strength	Actual Strength	Shortage	Percentage
Police Wireless Inspector (PWI)	32	02	30	94
Police Wireless S Inspector(PWSI)	363	204	159	44
Radio Operator(RO)	349	309	40	11
Radio Technician(RT)	101	97	4	4

The shortfall ranged between 94 *per cent* in case of Police Wireless Inspector and four *per cent* in case of Radio Technician. Department while admitting (July 2009) that for smooth operation of communication system, availability of skilled and trained manpower was a necessary requirement, stated that shortages in cadre of wireless inspectors were to be filled up through promotions. However, promotions were held up due to pending court cases and for shortages in post of police wireless sub-inspector and other cadres, recruitment process is under progress.

1.1.13 Equipment

1.1.13.1 Defective planning in purchase of pollution measuring equipments

GOI approved pollution measuring equipments (Rs.30 lakh) in the AAP for the year 2005-06 for measuring pollution emission level of the public vehicles plying on the road. DG&IGP office purchased (March 2006) pollution

measuring equipments¹⁷ amounting to Rs.29.98 lakh. When these equipments were tested (April 2006) by Additional Police Commissioner, Traffic Ahmedabad, they were found to be not giving correct results and consuming considerable time in measuring pollution. GOG subsequently transferred (March 2007) these equipments to Commissioner of Transport stating that these were originally approved for Transport Department as it was then part of Home Department.

Inclusion of such items in AAP was not warranted as the scheme was meant for police force only and though, then under Home Department, Transport Department was not a part of the police force.

1.1.14 Mega City Policing

1.1.14.1 Planning and Financial Management

GOI introduced a new concept of Mega City Policing as a sub-plan under MoPF from the year 2005-06 with a view to enable police to counter specific problems of crime investigation, traffic management, up-gradation of control rooms and installation of digital radio trunking¹⁸ system etc. In Gujarat, Ahmedabad City was covered under Mega City component and grant was received in the year 2006-07.

Table - 9

Grant received and expenditure incurred under Mega City component

(Rupees in crore)

Year	No. of items sanctioned	Grant received	Expenditure incurred	No. of items purchased	Unspent amount	Percentage
2006-07	870	5.01	1.30	24	3.71	74
Additional Grant	--	4.00	3.62	--	0.38	9.5
2007-08	429	12.00	1.47	230	10.53	88
2008-09	486	2.70	1.34	29	1.36	50
Total	1785	23.71	7.73	283	15.98	67

Under Mega City Component there was very little expenditure during last three years

Out of 1785 items¹⁹ approved under AAP during 2006-09, only 283 items were purchased. CP replied (July 2009) that grants of Rs.5.01 crore and Rs.4.00 crore were allotted to Ahmedabad city police on 28 March 2007 and as procurement of most of the items approved were to be done through tendering/DGS&D Rate Contract (RC) before 31 March 2007, due to lack of time the items could not be purchased. However, 500 Bajaj Pulsar motor cycles and 22 Tavera vehicles were purchased from the additional grant of Rs.4 crore. In the year 2007-08, out of grant of Rs.12 crore, 24 vehicles and 200 handheld wireless sets were purchased as per RC/tendering. However,

¹⁷ Four Gas analyzers (8) Rs.12.56 lakh, Five Gas analyzer (3), Rs.12.29 lakh and Diesel smoke meter (1) Rs.5.13 lakh

¹⁸ Traditional radio equipment works on the principle that all parties involved agree on what frequencies they will utilize. Trunking radios constantly renegotiate the frequencies used for conversation. This allows for more efficient utilization of limited frequencies available

¹⁹ 2006-07: Digital radio trunking equipment, Manpacks, Static Wireless Sets, Ultra Violet Lamps, CCTV network, Digital Still Camera, Door Frame Metal Detector, Exploder Dynamo, Finger Print/Palm Print Scanner
2007-08: digital Radio Trunking Equipments, Traffic Help Lines, Variable Signal Messaging
2008-09: UHF Hand Held Sets, Telephonic CDR Analysis Software, Bomb Blanket, Non Linear Junction Detector, Prodder, Under Vehicle Search Mirror, Portable X-ray Scanner-RTVS, Telescopic Mirror, Explosive Detector, Search Light Rechargeable, Hand Held Metal Detector, Electronics Stethoscope, Deep Search Metal Detector, Customized Vehicles for BDDS, hand Free Equipments for hand sets, Porta Hut

other items were not purchased due to non finalization of tender (Digital Radio Trunking System, Automatic Vehicle Locator System) and non finalization of specification (Variable Signal Message). In year 2008-09, out of grant of Rs.2.70 crore, Rs.1.34 crore was spent on purchase of 29 Police Control Room (PCR) vans as per rate contract. Other items were not purchased due to non- finalization of tender procedure in time (UHF Hand Held Transreceiver Set), delay in finalising specifications, market research and survey to publish tender (Telephonic CDR Analysis Software) etc.

Thus, despite availability of funds, the items approved for procurement could not be procured, adversely affecting the objective of Mega City policing.

1.1.14.2 Non purchase of CCTV network

Under Mega City Component of MoPF, purchase of CCTV network for traffic branch of the city of Ahmedabad was approved in the AAP (2006-07) at a cost of Rs.2.20 crore. CP, Ahmedabad could not purchase the system in the year due to delay in allotment of grant (28 March 2007) by the GOG. GOG revalidated the grant for the year 2007-08 and merged the grant of two other items namely Out Board Motor (OBM) Boat (Rs.3 lakh) and explosive detector (Rs.1.40 lakh) enhancing the amount for CCTV to Rs.2.24 crore. CP later requested (January 2008) GOG to change the proposal to purchase PCR vans as the demonstration of the CCTV network by the vendors did not yield satisfactory results. The grant could not be utilized in the year 2007-08. GOG revalidated the grant in the year 2008-09 without obtaining sanction for change from GOI (March 2009) and CP purchased 50 PCR (Maruti Gypsy) vans amounting to Rs.2.24 crore.

Audit scrutiny revealed that out of 50 vehicles only 10 have been issued as PCR vans, 30 to various police units and 10 have not been issued. Reasons for non utilization of all vehicles as PCR were not furnished. The change of item from CCTV to PCR vans by GOG was irregular as GOI's instruction prohibits such change without its prior approval; no reasons were advanced for this.

1.1.14.3 Inordinate delay in purchase of Digital Radio Trunking System

To upgrade Ahmedabad City's communication network into Digital Radio Trunking based TETRA system, GOI sanctioned an amount of Rs.12 lakh in AAP for the year 2006-07 and Rs.6.5 crore in the year 2007-08. Other communication items²⁰ valued Rs.3.39 crore approved for the period 2006-09 were also included in this project (as the features were available with the TETRA system). Thus, taking the total amount to Rs.10.01 crore under this project. Technical bids for the purchase of this system were invited (February 2008) and only one company²¹ qualified in the technical bid. Technical bid was under examination from March to December 2008. Commercial bids for the project were opened (December 2008) and matter was referred to the Secretariat Purchase Committee (SPC) (January 2009).

²⁰ Manpacs (Rs. 40 lakh), Static Wireless Sets (Rs.39 lakh) in the year 2006-07, Traffic Help Line (AVLS) Rs. 1.4 crore in the year 2007-08, UHF Hand Held Trans receiver Rs. 1.20 crore

²¹ M/s Thunderbird Industries (India) Pvt. Ltd.

There was no final decision till July 2009 in this matter. GOG accepted the position (July 2009) and stated that the matter was pending decision in SPC.

Thus, the objective of setting up a reliable communication system through digital radio trunking could not be achieved despite passage of three years and availability of funds to the tune of Rs.10.01 crore.

1.1.14.4 Non installation of Variable Signal Messaging (VSM) System

VSMs are programmable traffic control devices that display messages on boards, erected at strategically important locations of the city. They are used for providing information regarding traffic congestion, weather, traffic routes, speed restrictions, disaster management warnings, social messages etc. An amount of Rs.1.30 crore was approved in the AAP of the year 2007-08 for purchase of VSM system. To establish this system, necessary infrastructure (iron frame to mount the system) was required to be created. Audit scrutiny revealed that there was no preparation by CP, Ahmedabad to create this infrastructure. Joint Commissioner of Police (Traffic) suggested (February 2009) to take help of Ahmedabad Urban Development Authority or Ahmedabad Municipal Corporation for erecting the structures. The system could not be purchased in the year 2007-08 and grant was revalidated for the year 2008-09. The system could not be purchased even in the year 2008-09 as SPC did not meet till March 2009. CP replied (July 2009) that due to non finalization of necessary specification, time taken in market research and survey and lengthy purchase procedure, the system could not be procured.

Thus, even after the approval of purchase that was received three years earlier, specifications have not been finalized, as a result of which, the system has not been procured and consequently measures to ease traffic congestion have not been implemented.

1.1.14.5 Non utilization of Crash-Lab System

Crash lab system was not being utilized for its intended purpose of accident analysis as the software loaded in the system was not customized to Indian conditions

Two vehicles purchased (March 2007) at a cost of Rs.10.92 lakh were customized (August 2007) as crash lab at a cost of Rs.44.17 lakh. Crash lab system uses accident analysis software, for reconstructing the accident scene, by feeding geographical location of the accident site and details of vehicles involved in the accident. This was intended to help in investigation of cases. During audit it was observed that the crash software loaded in the system contained information of vehicles in Europe and America instead of India. The software loaded in the system catered to left hand drive (keeping to right side of the road as prevalent in USA). Digital maps of cities where the vehicle was in use, were required, which were also not available. Scrutiny of records of CP, Ahmedabad and Surat (to whom the vehicles were allotted) revealed that the vehicles were utilized for normal patrolling purpose and not for accident analysis. DG&IGP asked (June 2009) the Company²² to take necessary action of rectification in software but these were not rectified till date (July 2009).

²² M/s Integra, NOIDA

It was evident that the system was purchased without judging its suitability. This resulted in wasteful expenditure of Rs.44.17 lakh on purchase of this system.

1.1.14.6 Non purchase of Video Surveillance System

In the AAP (2006-07) an amount of Rs.28 lakh was sanctioned under Mega City Component for the purchase of Video Surveillance System to be mounted on four vehicles. DG&IGP purchased four Maruti Wagon R vehicles (May 2007) at a total cost of Rs.10.64 lakh. However, the surveillance system could not be purchased in the same year. The remaining grant of Rs.17.36 lakh was revalidated in the year 2007-08 but the system was not purchased even in 2007-08. CP Ahmedabad replied (July 2009) that there was no communication from DG &IGP to purchase the system, so it was not purchased.

Non-purchase of this system again highlighted inadequacy of planning for execution of items approved under AAP under Mega City Component. Mega City Component was included to lay special emphasis on city specific problems. Failure to purchase the system negated the purpose of separating this component from MoPF.

1.1.15 Forensic Science Laboratory

Directorate of Forensic Science (DFS) was established in July, 2003 at Gandhinagar with the aim to become the foremost forensic science department of the country in providing prompt and dependable services of international standards to the criminal justice delivery system. DFS has four regional laboratories.²³ There are thirty mobile laboratories in the State each headed by a Scientific Officer to assist the district police in crime scene management by providing forensic expertise at the crime scene.

Grant sanctioned and expenditure by DFDS, Gandhinagar during the period 2003-09 is indicated in Table 10.

Table - 10

(Rupees in crore)

Year	Grant Sanctioned	Expenditure incurred	Unspent Balance	Percentage of expenditure to grant received
2003-04	4.60	4.59	0.01	100
2004-05	6.80	3.87	2.93	57
2005-06	8.90	8.08	0.82	91
2006-07	7.40	7.16	0.24	97
2007-08	8.01	8.01	0	100
2008-09	9.12	9.12	0	100
Total	44.83	40.83	4	91

²³ Ahmedabad, Junagadh, Surat and Vadodara

Analysis of above table revealed that utilization of grant by DFS, Gandhinagar was quite high (above 90 per cent) during 2003-09 except in the year 2004-05 where the GOI restricted the plan size and only Rs.4 crore were allotted to DFS.

1.1.15.1 Non utilization of optimum capacity of Automated Finger Print Identification System

AFIS system purchased at the cost of Rs.1.87 crore was not optimally utilized

DFS, Gandhinagar purchased 25 Automated Finger Print Identification Systems (AFIS) in March 2004 (9 systems)²⁴ and central server at Gandhinagar and (16 systems)²⁵ at a total cost of Rs.1.87²⁶ crore. These systems were to be installed at district level and connected with central server at DFS, Gandhinagar for online verification and identification of finger prints data of criminals. Audit scrutiny (March 2009) revealed that online connectivity in Kachchh-Bhuj district was not available even after five years of purchase of the system. Records revealed that though the FSL officials had entered into correspondence with DSP, Bhuj Kachchh, for provision of telephone connection, there was no progress (July 2009). Further, AFIS system at Anand, Himatnagar and Surendranagar were shifted to DFS Gandhinagar due to vacancies in the post of finger print staff. On being pointed out, Department replied (July 2009) that out of 25 district sites 21 sites have online connectivity. It was also stated that online connectivity was only one of the functions of the system and therefore non-availability of online facility does not interrupt the district AFIS function.

However, the fact remains that in the absence of online connectivity the objective of integrating all district units with DFS, Gandhinagar could not be achieved.

1.1.15.2 Non utilization of Forensic Science infrastructure in investigation by District Police Offices

Forensic science laboratories have been modernized under MoPF scheme for providing scientific assistance to police in investigation of crime cases. Scrutiny of records in the test checked districts revealed that there was almost no utilization of the forensic science infrastructure²⁷ by the Investigating Officers (IO). Further, Police Manual did not provide any direction on the nature of cases requiring reference to FSL. Cases referred to FSL for analysis ranged between 3 and 13 *per cent* of registered cases during any year (**Appendix VII**) indicating that police did not avail of benefits of modernised FSL. In the absence of any binding provision in the Police Manual and directions from the higher authorities, the IOs were left with the discretion to refer or not refer any case to FSL.

²⁴ Ahmedabad city, Bhavnagar, Gandhinagar, Junagadh, Kutch-Bhuj, Mehsana, Nadiad, Rajkot City & Rural, Surat City & Rural, Vadodara City & Rural

²⁵ Ahmedabad Rural, Amreli, Anand, Bharuch, Dahod, Godhra, Himatnagar, Jamnagar, Narmada, Navsari, Palanpur, Patan, Porbandar, Surendranagar, Valsad, Western Railway-Vadodara

²⁶ Rs.1.19 crore for 10 system and Rs.0.68 crore for 16 system

²⁷ Cyber crime investigation system, Computerized automatic fingerprint system, ICP emission spectrograph, Auto distillation apparatus for petroleum products, Quantity blot human DNA identification, Ballistic data acquisition system, FT Raman Spectroscopy system, Automatic viscometer, Integrated Ballistic identification system, DNA Sequencer, Narcotic detection kit, Digital photography imaging workstation etc.

1.1.15.3 Underutilization of Mobile Forensic Science Laboratory (MFSL)

Mobile forensic science laboratories made operational at district level were not optimally utilized by police department

MFSL have been made operational (2003-08) by FSL at each district for visiting the crime scene. These laboratories provide on the spot service to the police department.

Scrutiny of records of FSL and police department revealed that the police department was not utilizing the services of MFSL optimally as detailed in Table 11.

Table - 11

Table showing utilization of MFSL for collecting samples on crime scene

Year ²⁸	2004			2005			2006			2007			2008		
	Cases Registered	Mobile Visit	Per-centage												
Murder	1130	481	43	1062	491	46	1189	600	51	1189	601	51	1109	718	65
Attempt to Murder	465	136	29	451	135	30	471	186	39	494	179	36	486	267	55
Robbery	1126	172	15	963	184	19	977	189	19	1093	195	18	1319	233	18
H.B. Theft	5630	976	17	5135	1012	20	5323	1129	21	4699	1015	22	4831	1532	32
Total	8351	1765	21	7611	1822	24	7960	2104	26	7475	1990	27	7745	2750	36

Above table reflected that visit of MFSL had ranged from 21 per cent (2004) to 36 per cent (2008). During 2008, in all 2750 visits were made by the 30 mobile FSL vehicles (i.e. an average of 92 visits during the year) showing under-utilisation of MFSL which in turn defeated the purpose of operating mobile forensic service at the district level.

1.1.15.4 Pendency of finger prints at Regional Forensic Science Laboratory (RFSL), Ahmedabad

Finger print slips of convicted criminals and finger prints taken from crime scene were sent for matching at RFSL, Ahmedabad. Scrutiny of records revealed that there was huge pendency of cases for verification of fingerprints slips. The pendency of cases increased from 3.05 lakh in the year 2003 to 7.37 lakh in the year 2008 (**Appendix VIII**).

There was huge pendency of finger print slips for analysis at RFSL, Ahmedabad due to shortage of staff

Pendency of cases increased from 70 per cent (2003) to 96 per cent (2008). Deputy Director (RFSL, Ahmedabad) stated (March 2009) that this was due to huge receipt of search slips on account of prohibition cases which were peculiar to Gujarat. Further, there was acute shortage of finger print technical staff. The work of finger print verification was mechanical as well as manual. The reply of Deputy Director was not acceptable as the department had been provided with Automatic Finger Print Identification System. The huge pendency might result in delayed submission of result of fingerprint matching to police department leading to delay in nabbing offenders.

²⁸ Information calendar year wise

1.1.15.5 Shortage of technical manpower at FSL

Without adequate manpower, infrastructure created under the scheme was not optimally utilized for the purpose for which it was created. There was acute shortage of technical manpower in DFS as on 31 March 2009 as shown in Table 12.

Table 12

Sr.No.	Name of Post	Sanctioned Strength	Present Strength	Vacancy	Percentage of vacancy to sanctioned
1	Assistant Director	26	15	11	42
2	Scientific Officer	69	57	12	17
3	Scientific Assistant	86	61	25	29
4	Lab technician	76	40	36	47

Shortage of man power ranged between 17 and 47 *per cent*. GOI advised GOG (2004 & 2006) to fill up the vacant posts in FSLs so that infrastructure created under FSL could be utilized effectively. DFS replied (July 2009) that process of recruitment was on and vacancies would be filled soon.

1.1.16 Gujarat State Police Housing Corporation Limited

The scheme laid special emphasis on construction of residential and non residential buildings with a view to providing better working environment to the police personnel. GSPHCL is the agency for constructing police buildings. DG&IGP prepares a priority list of works to be undertaken under MoPF every year. Based on this list, works are included in the AAP. After approval of AAP, GOI allots its share of funds to GSPHCL directly and GOG releases its matching share.

1.1.16.1 Cost overrun to the tune of Rs.1.23 crore due to re-inviting tenders

There was cost overrun of Rs.1.23 crore in construction of residential buildings at Police Head Quarters

Before planning any construction activity availability of suitable and clear land is the essential requirement. GSPHCL undertook construction of 118 residential buildings²⁹ at Ahmedabad Police Headquarters, Shahibaug (2003-04). Tender was finalized (January 2004) at a cost of Rs.3.30 crore. Audit scrutiny revealed that site selected for construction of quarters was near a protected monument and there were old police quarters which were to be dismantled, on that land. Corporation replied (July 2009) that when tenders were finalized, it was noticed that permission of Archeological Survey of India (ASI) was required. ASI permission was received in May 2004. Further, there were other issues pertaining to title clearance and plan clearance by Ahmedabad Municipal Corporation which took a considerable time and hence the tender was cancelled. Fresh tenders were finalized (January 2007) and the work was awarded at a cost of Rs.4.53 crore and the same was in progress and an expenditure of Rs.3.72 crore was incurred till March 2009.

²⁹ Type B-96; Type C-16 and Type C-6

However, failure to identify suitable and clear site, which was a prerequisite of any construction activity led to delays, ultimately resulting in a cost overrun of Rs.1.23 crore.

1.1.16.2 Non-commencement of works for want of clearance of site

Construction of Training –Cum-Store Complex for Home Guards could not be commenced even after five years of providing grant to GSPHCL due to non availability of land

Police Manual (Volume II Rule 59) provides that land should be acquired first before planning any construction activity. GOI also issued instructions that before releasing any grant for construction activity, land without encumbrance should be available. The work of construction of Training-cum-Store Complex for Home Guards at Ahmedabad was approved under AAP of the year 2003-04 for which Rs.85.00 lakh was placed (March 2004) at the disposal of GSPHCL. However, GSPHCL could not commence the work (March 2009) because Commandant General, Home Guards could not obtain clearance from Archeological Survey of India (ASI) as the land selected was near a protected monument³⁰ and permission of ASI was required to start any construction activity. The clearance from ASI was received (November 2008) and plan was submitted (February 2009) to local body for approval. The funds were lying with the GSPHCL (March 2009). This resulted in blocking of money for five years and depriving the Home Guards of the intended benefits of training-cum-store complex.

1.1.16.3 Non allotment of quarters

The Police Manual stipulates that building site should be on high, dry land having conveniences such as natural drainage, proximity to drinking water and privacy etc. It was seen that GSPHCL completed construction of 112 (16+96) residential quarters at Bhuj (June and October 2006) at a cost of Rs.2.95 crore. However, quarters could not be allotted to police personnel due to non-availability of potable water at the place where the residential buildings were constructed. Water supply was available in January 2009 after Municipal Council laid a water pipeline and buildings were handed over to police department. The provision of water connection should have been a priority because of the topography of Bhuj. The fact remains that the site was selected without taking into consideration the availability of potable water in the area. Thus, due to improper site selection and non initiation of suitable measures in time for potable water, the quarters remained vacant (March 2009) even though construction was completed by October 2006.

1.1.16.4 Savings under MoPF scheme

There was Rs.33.78 crore savings in completed residential and non residential works which was neither reported to GOI nor any new works taken up

During the period 2003-09, GSPHCL received grant of Rs.217.77 crore for construction of 5208 residential and 50 non-residential buildings. GSPHCL completed construction of 4294 residential and 19 non residential buildings³¹ at a total cost of Rs.129.08 crore against estimated cost of Rs. 162.86 crore. Thus, there was savings to the extent of Rs.33.78 crore (**Appendix IX**) in completed projects. The amount saved was not reported to GOI and was invested in interest earning deposits without obtaining specific approval of

³⁰ Ahmed Shah's Mosque

³¹ Only completed works for the year 2003-04 to 2006-07 have been taken as other works are still in progress

GOI. GSPHCL stated (September 2008) that savings would be utilized for taking up of future projects from the priority list of works provided by DG&IGP.

The reply was not acceptable as savings should have been reported to GOI as it has instructed GOG to report physical and financial progress of works regularly. Further no projects were undertaken out of these savings (March 2009). This resulted in savings remaining unreported and unutilized.

1.1.16.5 Booking of unspent balances as expenditure

GSPHCL booked Rs.217.77 crore as expenditure instead of Rs.178.14 crore

Funds amounting to Rs.217.77 crore were placed at the disposal of GSPHCL for housing/ building projects during 2003-09 against which expenditure incurred (March 2009) was Rs.178.14 crore on completed projects as well as on works in progress. GOI had instructed that the funds remaining unspent with the implementing agency should not be treated as expenditure. However, GSPHCL booked the entire amount of Rs.217.77 crore as expenditure. GSPHCL stated (May 2008) that construction activity takes its own time and utilization certificates were issued on the basis of estimated cost of projects to be undertaken.

The reply of GSPHCL was not acceptable as this was contrary to the GOI instructions and violated rules of financial propriety. This inflated the expenditure to the tune of Rs.39.63 crore and presented an incorrect picture of utilization of funds under the scheme.

1.1.17 Police Reforms, human resource and monitoring and internal control

1.1.17.1 Non implementation of Supreme Court directive on police reforms

Supreme Courts directive on Police Reforms were not implemented by State Government

The Honourable Supreme Court (SC) of India directed (September 2006) State Governments to establish, by legislation (i) State Security Commission (ii) Police Establishment Board (iii) State Police Complaint Authority and District Police Complaint authorities by 31 December 2006. GOI while approving AAPs asked State Government to implement police reforms at the earliest as this could make the investment under the MoPF scheme meaningful. GOG established Police Establishment Board in September 2007 and Gujarat State Security Commission, District Police Complaint Authorities, in November 2008 by enacting amendments in Bombay Police Act, 1851. However, these bodies/authorities did not commence work till date (July 2009). GOG replied (July 2009) that meetings of these bodies could not be held due to elections and other administrative reasons.

Reply of Government was not acceptable as these bodies were to start functioning from 1 April 2007. It defeated the objective of the SC directives to make police people friendly and responsible for their duties towards public and accountable for their actions.

1.1.17.2 Human Resource Management

On an average shortage of 24 per cent man power in various cadres of police department

Sufficient and trained manpower is a prerequisite for effective policing. The norms for fixing of strength of police personnel were designed in 1960. Since then the crime scenario had changed considerably. Gujarat police had a total sanctioned strength of 76,780 personnel including State Reserve Police (SRP) (March 2009) against which the actual strength was 58,158. There were huge vacancies ranging between five per cent and 92 per cent in various cadres. The average vacancy in police strength is 24 per cent (**Appendix X**) against the present sanctioned strength. The police–population³² ratio is at 140 per 100,000 (1:714)³³ against sanctioned strength and 105 per 100,000 (1:952) against present strength. The national average is 145 and 117 respectively. The United Nations norm for minimum police strength is about 222 per 100,000 (1:450). Thus the state is far behind in meeting international standards of police population ratio. The police–area³⁴ ratio (Number of police men per 100 square kms) is 30 (present strength) against the national average of 51. After reviewing the 1960 norms of fixing police strength, ADGP (Police Reforms) had recommended (2004) to GOG for change in norms of fixing the strength of police force. As per the recommendation, sanctioned strength of police force should be 97,292³⁵ as per the criteria of the year 1960. As per revised norms recommended by ADGP the present strength of police force should be 2.49³⁶ lakh. GOG stated (July 2009) that Police department was asked to reconsider their proposal taking into consideration the various facilities of latest equipment made available to police.

The reply is not acceptable as the police strength is well below national average as well as international standards prescribed by the UN.

1.1.18 Training

Training is an essential element for an organization to upgrade the skills of its personnel to meet the demands of the current environment. It becomes more important in case of police department as it needs regular updating and innovation to meet the challenges posed by criminals. Gujarat Police has four³⁷ training institutes which cater to the training needs of police personnel. Training includes regular induction course for newly recruited personnel. Apart from this, regular refresher courses and basic commando courses are also conducted. Annual firing practice is also given to constables as well as officers at the place of their posting.

³² Population of the State has been taken as 5.52 crore as per BPR&D statistics

³³ One policeman for 714 people

³⁴ Area of the State is 196022 square kilometers

³⁵ P station 94226, LIB 351, Hqr 2715

³⁶ P station 196281, LIB 861, LCB 1997, Reader 118, Command & Control 20606, Hqr 29247

³⁷ Police Training Academy, Karai, Police Training School, Vadodara, Police College, Junagadh and Police Training Center, Chowki (Sorath), Junagadh

Annual Firing Practice was discontinued between 2003 and 2006

1.1.18.1 Annual firing practice not imparted to police personnel

According to Rule 135 of Gujarat Police Manual Volume I, all armed and unarmed police personnel should be provided musketry training every year either at headquarters or at respective police stations to which they are posted. The number of rounds to be fired during training as per scales / ranks enunciated in police manual is given in Table 13.

Table - 13

Type of Weapon	Rank of trainee	Round to be fired
.303 rifle	Armed Police Constable(PC)/Head Constable(HC)	65
.410 Muskot	Unarmed PC/HC/Women	65
9 mm Carbine/Stane gun	Armed Police/SRP Commando/SRP HC Assistance Sub Inspector(ASI)	15
9mm pistol 38 bore revolver 455 bore revolver 0.38 VIP	Armed ASI and officers in upper rank	60
22 rifle	Every recruit	40

Scrutiny of records revealed that mandatory musketry training was stopped for three years (September 2003-May 2006). Training was re-started in May 2006 but due to shortage of ammunition firing practice was restricted to 20 rounds per person per year. Office of DG&IGP replied (April 2009) that due to shortage of arms and ammunition, the firing practice was discontinued. However, it was further observed in audit that a circular has now been issued (June 2009) mandating firing practice to all police personnel. Inadequate training on fire arms could adversely affect the effectiveness of police force in meeting emergent situations.

1.1.18.2 Infrastructure not provided at Police Academy

GOI approved (2003-04) Rs 7.65 crore for providing necessary infrastructure³⁸ at Police Academy, Karai. However, in nine³⁹ out of 15 works with an estimated cost of Rs.4.50 crore, work had not commenced (March 2009). GSPHCL replied (March 2009) that initially these works were not in priority list so they were not taken up. Now, these works are at various stages of implementation such as drawing, finalization of tenders, etc and work would be completed in one year.

However, the fact remained that even after five years of approval and allotment of grant, non-commencement of works denied requisite training facilities and infrastructure for Police Academy, Karai as envisaged in the plan.

³⁸ Flood rescue school, 200 meter Baffle range, Mounted School, M.T. School, Dog school, Band school, Gym hall, Sports complex, Modern police station building, Wireless school, Gazetted Officer MESS, Indoor firing range, Internal roads and compound, Dispensary, Quarter guard and Magazine Building

³⁹ Flood rescue school (Rs.110 lakh), M.T. School (Rs. 20 lakh), dog school (Rs. 20 lakh), band school (Rs.25 lakh), gym hall (Rs.30 lakh), sports complex (Rs. 150 lakh), wireless school (Rs. 25 lakh), indoor firing range (Rs. 40 lakh), Quarter guard & Magazine building (Rs. 30 lakh)

1.1.19 Absence of Internal Audit Wing

Internal Audit wing examines and evaluates the level of compliance with departmental rules and procedures so as to provide reasonable assurance to the management on the adequacy of the internal control mechanism of the department. It was noticed that there was no separate and independent audit wing in the department. Thus, the absence of an independent internal audit wing denied the management an assurance on the adequacy and effectiveness of prescribed internal control system in the department.

1.1.20 Monitoring and Internal Control

Scheme was not monitored by State Level Empowered Committee

As per the GOI directions, a State Level Empowered Committee (SLEC) was to be set up under the chairmanship of the Chief Secretary in the year 2001 for speedy sanction of AAPs and proper monitoring of their implementation. GOG could set up the Empowered Committee only in February 2007 to monitor the implementation of MoPF. Further, even after formation of the Empowered Committee after delay of six years it had not met even once to overview the implementation of Annual Action Plans. AAPs were finalized only at Principal Secretary/Additional Chief Secretary (Home Department) level. This showed that implementation of the scheme was not monitored by SLEC.

1.1.21 Conclusion

State Government did not prepare Perspective Plans to assess long term requirement of police force. AAPs were not submitted in time. This resulted in delay in approval of AAP by GOI. There were shortages of vehicles at police stations. Replacing condemned vehicles with new ones under MoPF scheme defeated the objective of increasing the existing fleet of vehicles. Absence and shortage of modern weaponry kept the police dependent on old and archaic weapons. AFIS was installed in districts to modernize finger print identification system, but due to shortage of staff in certain districts and non providing telephone connection in one district, its intended benefits did not accrue. There was inadequate planning in site selection resulting in cost over run /non commencement of work. Savings in the completed projects were neither utilized for taking up new works nor reported to GOI. GOG did not implement SC's directives on the police reforms. The sanctioned as well as the present strength of police force lagged far behind the national average. AAPs were not submitted to SLEC for its approval. The implementation of the scheme was neither monitored nor was its impact on modernizing police infrastructure worked out.

1.1.22 Recommendations

- ✍ State Government should prepare perspective plan after assessment of deficiencies, actual requirement with reference to infrastructure i.e. administrative and residential buildings, mobility, weaponry, communication etc. Annual Action plan should flow from these perspective plans and be submitted to GOI in time.

- ✍ New vehicles purchased under the scheme should not be allotted in place of condemned ones as the purpose of the scheme is to augment existing fleet of vehicles and create capital assets. Vehicles meant for police stations, out posts, highway patrolling etc. should not be placed at the disposal of the officers of the district police headquarters.
- ✍ Immediate action is required to address shortage of modern weapons and ammunitions.
- ✍ The existing infrastructure with reference to communication technology need to be upgraded and requisite accessories be procured to utilize them optimally.
- ✍ Police reforms should be implemented in letter and spirit for modernizing the working environment of police department.
- ✍ SLEC should monitor and evaluate the implementation of the scheme on regular basis.

SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

1.2 Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (Amended Act, 2006) and Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960

Highlights

The Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act) was enacted by Government of India (GOI) on 30th December 2000 for providing care, training and rehabilitation for neglected children. GOI amended the Act in August 2006 and prepared model Rules for the amended Act in October 2007. The State Government adopted the model rules framed by GOI in June 2009 pending finalization of the State Rules. The State rules have not been framed so far (August 2009). The State Advisory Board reconstituted in March 2008 had not met (March 2009). To provide for the Supervision and Control of Orphanages and homes for neglected women and orphaned/destitute children who are in need of care and protection, GOI enacted (April 1960) the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960. This Act was implemented in the State from 19 September 1991. In Gujarat, juvenile homes and other child care institutions are run by Government and NGOs. Implementation of the provisions of the relevant Acts/Rules was deficient, resulting in denial of care, protection and welfare to the targeted children.

Major audit findings are as under:

Child Welfare Committee in two districts were not constituted in the State as required under the amended Juvenile Justice Act, 2006.

(Paragraph 1.2.8.1)

In violation of the provision in the Act, juvenile in conflict with law and the children in need of care and protection were being kept in the same premises, exposing the innocent children to delinquent juveniles.

(Paragraph 1.2.9.3)

In 12 districts, absence of agency for in-country adoption resulted in failure to protect the best interest of the children.

(Paragraph 1.2.9.5)

In four CWCs delays exceeding six months in finalization of cases resulted in children being denied formal education and training. Similarly in seven JJBs 6531 cases were pending for more than four months resulting in delay in rehabilitation of the delinquents.

(Paragraph 1.2.9.7)

Basic facilities were lacking in 11 homes.

(Paragraph 1.2.9.8)

There were only two Superintendents cum Probation Officers against 61 required for the 35 Government homes in the State.

(Paragraph 1.2.13.1)

Due to shortage of staff/non-availability of Probation Officers, no follow-up action was carried out. As such, the impact of rehabilitation of children after discharge remained un-assessed.

(Paragraph 1.2.13.2)

1.2.1 Introduction

Children constitute the principal asset of any country and their development is the best way to develop national human resources. A lot more has to be done for the health, nutrition and education of children and their protection is most important as they are vulnerable to exploitation and abuse.

The Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act) was enacted by Government of India (GOI) on 30th December 2000 for providing care, training and rehabilitation for neglected children. The Juvenile Justice Act, 2000 was amended by Government of India as the Juvenile Justice (Care and Protection of Children) Amendment Act, (Amended Act, 2006) and came into effect from 23 August 2006. GOI modified (October 2007) the Model Rules of the JJ Act earlier introduced in June 2001. The State Government adopted the Model Rules framed by GOI only in June 2009 pending finalization of rules by the State. Till date Government of Gujarat has not framed their own rules for implementation of the Act. For rehabilitation of orphans and destitute children, NGOs are running destitute homes under the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 (O&OCH Act). The various Acts and Rules pertaining to children are listed in **Appendix XI**.

1.2.2 Organizational Set-up

The Secretary, Social Justice and Empowerment Department is responsible for implementation of the Acts and framing of rules thereunder at State level. The Director of Social Defence (DSD) administers the provisions of the Acts/Rules in the State. DSD runs Observation Homes, Children Homes, Special Homes and After Care Homes meant for children under the JJ Act. He is assisted by Deputy Directors, Assistant Directors, District Social Defence Officers (DSDOs) and the Superintendents of the respective homes. The Director is also responsible temporarily under Section 31 (2) of the O&OCH Act, 1960 to issue certificate for recognition and inspection of orphanages and other charitable homes under both the Acts. An organization chart of the Directorate is given in **Appendix XII**.

As of February 2009, 70 institutions under JJ Act and 86 institutions under O&OCH Act were functioning in the State for rendering various services to children as shown in Table 1.

Table – 1

Name of Act	No. of institutions functioning under		
	Government	NGOs	Total
JJ Act	38	32	70
O&OCH Act	0	86	86
Total	38	118	156

1.2.3 System of providing services to the children

1.2.3.1 Child care services provided under Juvenile Justice Act

There are two categories of children as per Juvenile Justice Act, 2000 viz. children in need of care and protection and children in conflict with law.

Children in need of care and protection are produced before Child Welfare Committee (CWC) by any Police Officer, any public servant, Childline (an organization), social worker, public spirited citizen and by the children on their own and are kept in the Reception Unit pending inquiry by CWC. After inquiry a child is either reintegrated with the family or is sent to a Children Home for rehabilitation.

Children in conflict with law are produced before the Juvenile Justice Board (JJB) by Police and are kept in Observation Homes or released on bail pending inquiry. After inquiry, the child is either acquitted or kept in a Special Home for rehabilitation. Children discharged from Children Homes/Special Homes are sent to “After Care Organizations” for facilitating their restoration in the society including employment generation and vocational training.

1.2.3.2 Child care services provided by orphanages and other charitable homes run by NGOs

Government declared 32 institutions run by voluntary organizations or NGOs as fit institutions⁴⁰ for providing services to juveniles in conflict with law and children in need of care and protection.

For rehabilitation of orphans and destitute children, NGOs are running destitute homes.

Various institutions established under the Directorate under both the Acts are given in **Appendix XIII**.

1.2.4 Audit Objectives

The performance audit was conducted to assess the following –

⁴⁰ Fit institution means a Governmental or a registered NGO or a Voluntary organization prepared to own the responsibility of a child and such organization as found fit by the competent authority

- ✍ the mechanism for enforcing the provisions of the Acts and Rules relating to children including the institutions run by NGOs.
- ✍ method adopted for admission of children to various institutions.
- ✍ adequacy of institutions as compared to the estimated number of targeted children and quality of services provided.
- ✍ quality (including adequacy of manpower) of the existing monitoring system.

1.2.5 Audit Criteria

The following criteria were adopted to achieve the audit objectives –

- ✍ Government policy and provisions of Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006 and Rules relating to the original and Amended Acts.
- ✍ Government policy and provisions of Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 and Rules relating to the Act.
- ✍ Manual and Resolutions of the Social Defence Department.

1.2.6 Audit Methodology and Scope of audit

Records for the period 2004-05 to 2008-09 relating to implementation of JJ Act and O&OCH Act maintained in the Social Justice and Empowerment Department, the Directorate of Social Defence, Gujarat State at Gandhinagar and six⁴¹ out of 26 District Social Defence Offices in the State were test checked between November 2008 and April 2009. The selection of the districts was based on the expenditure incurred and number of institutions in the districts. Further, records in 18 out of 38 Government institutions and 15 out of 32 institutions run by NGOs in the State in the six selected districts were scrutinized. Records of three institutions⁴² out of 12 in the State which received Government grant under the O&OCH Act in the selected districts were also scrutinized. Details are given in **Appendix XIV**.

The audit objectives were discussed with the Principal Secretary to Government, Social Justice and Empowerment Department in an entry conference on 9 March 2009.

An exit conference was held on 03 July 2009 in which the audit conclusions were discussed with the Secretary, Social Justice and Empowerment Department.

⁴¹ (1) Ahmedabad (2) Bharuch (3) Jamnagar (4) Rajkot (5) Surat and (6) Vadodara

⁴² (1) Kasturba Stree Vikas Gruh, Jamnagar, (2) Shri Kanta Stree Vikas Gruh, Rajkot and (3) Shri Kathiawad Nirashrit Balashram, Rajkot

Audit findings

1.2.7 Financial Management

1.2.7.1 Funds provided and expenditure incurred

The budget allotment and expenditure incurred under the two Acts for the years 2004-05 to 2008-09 is given in Table 2.

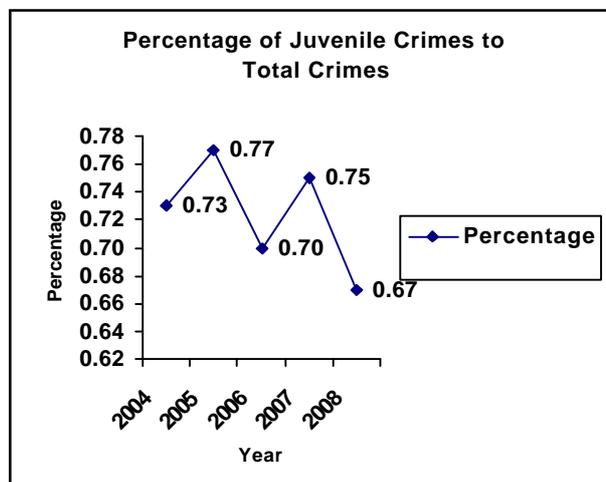
Table – 2

(Rs. in crore)

Year	JJ Act			O&OCH Act	
	Allotment	Expenditure	Saving (%)	Allotment	Expenditure
2004-05	3.90	3.90	Nil	1.22	1.22
2005-06	4.09	3.78	0.31 (8%)	0.62	0.62
2006-07	5.05	4.82	0.23 (5%)	1.03	1.03
2007-08	4.66	4.65	0.01	0.69	0.69
2008-09	5.59	5.59	Nil	1.00	1.00
Total	23.29	22.74		4.56	4.56

The state was able to spend the money as per allocation every year with very minor saving in 2 years.

1.2.8 Juvenile delinquency



The data compiled by the State Crime Records Bureau (SCRB) revealed that the share of crime committed by juveniles in the State during the years 2004-08 as a percentage of the total crimes in the State was 0.73, 0.77, 0.70, 0.75 and 0.67 respectively as shown in the graph. (Details are given in **Appendix XV(A)**).

During the period 2004-08 the average percentage of juveniles who indulged in theft were 18.99 per cent, followed by violation of the Prohibition Act 13.58 per cent, gambling 3.25 per cent causing hurt 10.68 per cent, burglary 6.59 per cent, rioting 5.23 per cent, cruelty by husband or relative 1.67 per cent, murder 1.41 per cent, rape 0.71 per cent, kidnapping 1.09 per cent and other crimes 36.79 per cent. (Details in **Appendix XV(B)**).

The data compiled by SCRB on the juveniles apprehended in the State during the years 2004 to 2008 revealed that the percentage of juveniles apprehended (**Appendix XV(C)**) in the age group of 16 to 18 years ranged between 58

and 65 *per cent* of the total juveniles apprehended. This indicated that the juveniles apprehended in the age group of 16 to 18 years needed specific rehabilitation under the programme.

As per the records of SCRB, of the total juveniles apprehended during the years 2004-08, six *per cent* were let off after advice or admonition, 20 *per cent* were placed under care of parents/guardian, five *per cent* were sent to fit institutions, six *per cent* were sent to special homes, four *per cent* were fined and 11 *per cent* were either acquitted or their cases disposed off. In the remaining 48 *per cent* (6634⁴³ cases) relating to the years 2004-08 decisions were pending.

1.2.8.1 Inadequacy of institutions

No CWC was functioning in Dahod and Tapi districts in the State

Section 6 of the Amended Act, 2006 (August 2006) requires that the Juvenile Justice Board (JJB) be formed in each district within a period of one year from the date of commencement of the Amended Act, by notification in the official gazette in order to exercise powers to adjudicate and dispose of cases of juveniles in conflict with law. As of February 2009, three out of 26 JJBs are yet to be constituted in Anand, Dahod and Tapi districts. Similarly, Section 16 of the Amended Act requires establishment of CWC in each district within one year from the date of commencement of the Amended Act for exercising the powers and discharging duties in relation to children in need of care and protection. However as against the requirement of 26 CWCs, 24 CWCs were functioning in the State and CWC in Dahod and Tapi districts were yet to be constituted. The Director stated (July 2009) that, JJBs in the remaining three districts were constituted between 2 March 2009 and 27 July 2009 and CWCs in Dahod and Tapi districts would be constituted soon.

1.2.8.2 Capacity utilization in the institutions

The details of the sanctioned capacity and actual capacity utilized for children during 2005-06 to 2008-09, in the existing child care institutions under control of Government and NGOs are given in **Appendix XVI**.

Scrutiny of details of the sanctioned capacity and the actual capacity utilized for children in the existing child care institutions under the control of Government and NGOs revealed that as against the total sanctioned capacity of 3970 children⁴⁴ in 70 institutions (142 homes including 23 Shelter Homes⁴⁵) the actual capacity utilized was of 4044 children in 2008-09. Further, against the sanctioned capacity, Government Homes utilized 83 *per cent* while NGO run institutions utilized 120 *per cent* of its capacity.

⁴³ 1106 cases (2004), 1254 cases (2005), 1235 cases (2006), 1553 cases (2007) and 1486 cases (2008)

⁴⁴ Government run institutions 1935 and NGO runs institutions 2035

⁴⁵ Institutions under JJ Act are functioning as one or more types of home i.e. Observation Home, Children Home, After Care Home and Shelter Home within the same premises of the institution

1.2.9 Implementation of JJ Act and Rules

1.2.9.1 State Advisory Board (SAB)

As per Section 62 of JJ Act, the State Government may constitute a SAB to advise the Government on matters relating to the establishment and maintenance of homes, mobilization of resources, provision of facilities for education, training and rehabilitation of children in need of care and protection and juveniles in conflict with law and co-ordination among the various official and non-official agencies concerned. SAB shall consist of such persons as the State Government may think fit and shall include eminent social workers, representatives of voluntary organizations in the field of child welfare, corporate sector, academician, medical professionals and the department concerned of the State Government. State Rules also stipulate constitution of State Advisory Board, District Advisory Board and City Advisory Board as necessary.

Scrutiny of records and information furnished by the Directorate revealed that SAB was established by Government in May 2001, but no meeting was held during its tenure of two years. During the period May 2003 to February 2008 no SAB was in existence for which reasons were not furnished by DSD though called for (July 2009). SAB was again re-constituted by Government in March 2008 stipulating that the Board would meet at least once in a year. However no non-official member was included in SAB and no meeting has been held (January 2009). Thus SAB was not functional and objective of its constitution was not achieved.

1.2.9.2 Rules not framed

JJ Act was amended (August 2006) and titled as the Juvenile Justice (Care and Protection of children) Amendment Act, 2006 for which GOI framed model rules in October 2007. However, Government adopted the GOI Model Rules 2007 only in June 2009 till the finalization its own rules by the State.

Deficiencies in the implementation of the Act/Rules are mentioned in the following paragraphs.

1.2.9.3 Mixing of Children of various age groups

- ✍ The State Rules, 2003 notified under JJ Act, 2000 and GOI Model Rules, 2007 require that each observation home and special home should establish and maintain exclusive living premises for housing different age group of children preferably 7-11 years, 12-16 years and 16-18 years, giving due consideration to physical and mental status and the nature of offence committed. However in four⁴⁶ observation homes run by NGOs and one observation home and one special home for girls run by Government at Rajkot selected for test check, children of all age groups from 7 to 18 years were put together. The Superintendents of all the test checked homes attributed (April 2009) shortage of space in the homes as the reason for juveniles of all age groups being together.

⁴⁶ (1) Ahmedabad (2) Bharuch (3) Surat and (4) Vadodara

Children in need of care and protection and children in conflict with law were kept in same premises in seven observation homes

As per Section 8 of the JJ Act, 2000, observation homes in every district or a group of districts are required for the temporary reception of any juvenile in conflict with law during pendency of any inquiry against them under the Act. Whereas, as per Section 34, children's homes in every district or group of districts are established for reception of children in need of care and protection during the pendency of any inquiry and subsequently for their care, treatment, education, training, development, and rehabilitation. According to the Model Rules framed by GOI homes for juveniles in conflict with law and children in need of care and protection shall function from separate premises.

Audit scrutiny of records in DSD revealed that Government notified (October 2002 and January 2004) 25 observation homes in the State as "Children Homes". In seven⁴⁷ institutions visited during audit, the juveniles in conflict with law and children in need of care and protection were kept together in the same premises. As a result innocent children in need of care and protection were mixed up with juveniles committing crime.

The Director stated (April 2009) that proposal for keeping both types of children in separate premises was submitted to Government (November 2008) on which decision was awaited (April 2009). Secretary to GOG stated (July 2009) that the matter was under consideration to keep them separately.

The National Human Rights Commission (NHRC) visited observation home, Ahmedabad in March 2007 and observed that children facing criminal charges under Prevention of Terrorism Act (POTA) were being kept with the children in need of care and protection. The Secretary, observation home reported (March 2008) to Government that 11 children (out of 21) were involved in serious crime. Of them, four were of more than 20 years of age (including one of 29 years of age) and urged Government to transfer the custody of the above juveniles to a place of safety as per Section 16(1) of the J.J. Act. However Government had not yet provided for the transfer (July 2009).

1.2.9.4 Non-observance of procedure for admission and release of children

The State Rules specify that when any person/organization authorized receives a child in need of care and protection, they may produce the child before the CWC with the report of the circumstances under which the child came to their notice. Children above three years of age, shall be produced before the committee within 24 hours of such admission, excluding the journey time. In respect of children under three years of age, the organization shall send a written report along with the photograph, within 48 hours of

⁴⁷ Observation Home at (1) Ahmedabad (2) Bharuch (3) Chhota Udepur (4) Rajkot (5) Surat (6) Vadodara and (7) Special Home for Girls, Rajkot

admission, excluding the transition/journey time. After completion of inquiry, CWC will make an order to place the child in a children home for specified period. No juvenile/child shall be allowed to stay in the institution after expiry of the period of stay as ordered by the competent authority.

Test check of records of three⁴⁸ NGO run children homes revealed that 498 children were admitted and 90 children were released during the period 2004-05 to 2008-09 without orders from CWC for admission and release of children. Two⁴⁹ institutions stated (February/April 2009) that they had not followed the procedure due to ignorance of rules and non receipt of instructions in this regard from the DSDO/DSD. The reply given by the institutions is not acceptable as all the institutions registered under the Act have to follow the prescribed procedure for admission and release of children.

On being pointed out, Director stated (July 2009) that copies of the relevant orders and circulars were being sent to every institution. However he agreed to obtain clarification from the concerned DSDO for non-observance of prescribed procedure.

This indicated lack of monitoring by the Directorate.

1.2.9.5 Adoption of children

State Government has not recognized all the State run homes as adoption agencies as required in JJ Rules

A family is the best option to provide care and protection for children. Adoption shall be the first alternative for rehabilitation and social re-integration of children who are orphaned, abandoned, neglected and abused. For monitoring and control over the procedure for in-country and inter-country adoption, State Government created (May 2003) a State Adoption Cell at Gandhinagar. The State Government had recognized 19 adoption agencies in 14 districts for in-country adoption (**Appendix XVII**).

As per provisions in the State JJ Rules, 2003 all the Children Homes or State run homes established should be recognized as adoption agencies for in-country adoption. However State Government had not issued orders authorizing all the homes to undertake adoption as recognized agencies. No facility for adoption was therefore available in the remaining 12⁵⁰ districts (February 2009). The children in such homes were thus deprived of the opportunity to get rehabilitated within a supportive family. The Director stated (July 2009) that as per the requirement of rules, circular was issued to call for applications from the willing institutions of the remaining districts. However, the fact remains that in 12 districts there was no delivery system to carry forward child welfare programme of adoption.

⁴⁸(1) Shreyas Bal Vikas Ghatak, Ahmedabad Admitted – 11 and Released – 19, (2) Sultan Ahmed Muslim Yatimkhana Ahmedabad Admitted–414, (3) Mahajan Anath Balashram, Surat Admitted–73 and released–71

⁴⁹ (1) Shreyas Bal Vikas Ghatak, Ahmedabad, (2) Mahajan Anath Balashram, Surat

⁵⁰ (1) Ahwa, (2) Amreli, (3) Anand, (4) Dahod, (5) Gandhinagar, (6) Junagadh, (7) Mehsana, (8) Narmada, (9) Patan, (10) Porbandar, (11) Tapi, (12) Valsad

1.2.9.6 Non observance of the provisions of guidelines on adoption

As per the provisions in the Gujarat JJ Rules, 2003, the guidelines on adoption issued by the Central Adoption Resource Authority⁵¹ (CARA) and the Supreme Court judgments from time to time are to be applied for adoption. Audit scrutiny of records of seven out of ten⁵² adoption agencies in six districts revealed as follows:

- ✍ As per CARA guidelines, the prospective adoptive parent(s) may take the child on pre-adoption foster care signing a foster care affidavit only when a case is filed in the court. The State Government has to see that cases of children placed in pre-adoption foster care have been legalized within six months of such placement. Scrutiny of adoption records in six⁵³ adoption agencies revealed that in respect of children given in Foster Care between May 2004 and September 2008 court orders for adoption were pending in 66 cases beyond the stipulated period for periods ranging between one month and 53 months. This period included delay between one month and 32 months in 50 cases by adoption agencies in filing of cases in the court. One agency⁵⁴ had no records regarding date of admission of 16 cases in the court. Further, no follow-up reports for these children as required under CARA guidelines were available (July 2009) with DSD, who agreed to obtain the same from the agencies.
- ✍ As per CARA guidelines, after the Home Study Report (HSR⁵⁵) prepared by the Social Worker of the State Government was approved and accepted by the adoption agency, a child will be shown to the prospective parents. The agency will take care to match the child with the description if any, desired by the parent (s). After successful matching, the agency will file a petition in the court and place the child for pre-adoption foster care to the prospective adoptive parents. Contrary to above in Shishu Gruh Khanpur, Ahmedabad, six children were given in Foster Care (between June 2006 and June 2007) without preparing HSRs in five cases and in the remaining case the HSR was prepared after the child was given in foster care by the agency (February 2009). Similarly, Mahipatram Roopram Ashram in Ahmedabad had given 23 abandoned children between May 2004 and May 2008 in Foster Care to adoptive parents though HSR and other required documents were not available with them. Agency

⁵¹ CARA is an autonomous body under the Ministry of Social Justice and Empowerment, GOI

⁵² (1) Kathiawad Nirashrit Balashram, Rajkot, (2) Shishu Gruh, (Observation home), Ahmedabad, (3) Mahipatram Roopram Ashram, Ahmedabad, (4) Missionaries of Charities, Ahmedabad, (5) Shishu Gruh (State home for Women), Odhav, Ahmedabad, (6) Shishu Gruh (State Home for Women), Vadodara, (7) Shishu Gruh (Lady Reception Centre), Bharuch, (8) Shishu Gruh (State Home for Women), Surat, (9) Mahajan Anath Balashram, Surat, (10) Kastrurba Stri Vikas Gruh, Jamnagar

⁵³ (1) Kathiawad Nirashrit Balashram, Rajkot – 19, (2) Shishu Gruh, (Observation home), Ahmedabad – 8, (3) Mahipatram Roopram Ashram, Ahmedabad –16, (4) Shishu Gruh (State Home for Women), Vadodara – 12, (5) Shishu Gruh (State Home for Women), Surat – 5, (6) Kastrurba Stri Vikas Gruh, Jamnagar – 6

⁵⁴ Mahipatram Roopram Ashram, Ahmedabad

⁵⁵ HSR – It contains details of the adoptive couples social status and family background, description of home, standard of living, relationship with spouse and family members, health details, economic status, clear police record, necessary documents; such as medical certificate, marriage certificate, proof of income, age, financial etc. are annexed to HSR

replied that the placement was made as per the orders issued by the Chairman CWC and President JJB (between 10 May 2004 and 3 May 2008).

- ✍ The procedure for making a child legally free for adoption by CWC requires a minimum period of two months from the date of admission of the child. Nine children in Shishu Gruh (State Home for Women) Surat and one child in Shishu Gruh Khanpur, Ahmedabad were given in Foster Care (between December 2004 and October 2008) to adoptive parents before completion of the prescribed period of two months. While the adoption agency at Surat replied (April 2009) that in all cases orders were given by the CWC, the agency at Ahmedabad stated that the order was signed by Chairman, CWC. The reply is not acceptable as at least two months period was required for completing the inquiry as mentioned in the State Rules.
- ✍ CARA guidelines specified that siblings/twins/triplets should not be separated. However, Shishu Gruh (State Home for Women) Ahmedabad had separated siblings (December 2006).
- ✍ An abandoned child shall be legally free for adoption only when the order is signed by at least two members of the CWC. Contrary to the above, 76 children were given for adoption between 2004-05 and 2008-09 by three⁵⁶ adoption agencies under orders signed only by the Chairman CWC in violation of the provisions of Section 41(5) of the Act. The Superintendents State Home for Women in Vadodara, Bharuch and Surat stated that henceforth provisions under the rules would be followed.

Non-observance of the guidelines for adoption can result in failure in ensuring the interests of the children are protected and all the adoptions legally processed. Absence of adoption agency in all the districts indicated that Government was not encouraging in-country adoption of destitute and orphaned children. On being pointed out, DSD replied (July 2009) that clarifications would be obtained from the concerned agencies.

1.2.9.7 Delay in finalization of cases

Delays were noticed in finalization of cases relating to both children in need of care and protection (handled by CWCs) and juvenile in conflict with law (handled by JJBs) as discussed in the succeeding paragraphs –

? Delay by CWCs

Each CWC constituted under JJ Act consists of a non official chairman and four members (including at least one woman member and another expert on the matters concerning children). The CWCs are vested with powers of a Metropolitan Magistrate or Judicial Magistrate First Class. The Committees

⁵⁶ (1) State Home for Women, Vadodara – 52, (2) State Home for Women, Bharuch – 22, (3) State Home for Women, Surat – 2

were to meet at least once a week on any fixed day and time in the premises of the notified Children Home for inquiring into the cases of children brought to them. The committee assigns the case of each child to a social worker or case worker or probation officer or superintendent of the institution or any recognized agency for conducting the inquiry and submitting a report containing an individual care and suitable rehabilitation plan.

The Gujarat JJ Rules, 2003 require that inquiry by the CWC be completed within four months unless special circumstances do not permit to do so in the interest of the child.

Scrutiny of relevant records revealed that delays of more than six months were noticed in completing the inquiries during 2004-05 to 2008-09 as given in Table 3.

Table – 3

CWC at	Total no. of cases	No. of cases of delayed	
		6 months to one year	More than one year
Ahmedabad	3407	155	82
Vadodara	1190	00	109
Bharuch	767	94	32
Jamnagar	959	437	291

Records also revealed that in Jamnagar, meetings were held fortnightly by CWC. The delays led to children being kept in reception units for longer period thus denying them formal education/vocational training during the period of delay.

?? Delay in JJBs

Finalization of large number of cases was delayed by JJBs

JJBs deal with cases of juveniles in conflict with law. The Board consists of a Metropolitan Magistrate or a Judicial Magistrate First Class as chairman with two social workers (including one woman social worker) as members having powers conferred under the Criminal Procedure Code, 1973. The Board has to meet as far as possible every day but in no case less than twice in a week. The State Rules require that inquiry including police investigation and trial by the JJB be completed within four months unless special circumstances do not permit to do so in the interest of the child.

Details collected from seven JJBs (two JJBs in Vadodara district) revealed that 6531 cases were pending disposal for more than the prescribed period of four months. The pendency beyond four months upto one year was in 11 to 24 *per cent* cases and for more than one year in 76 to 100 *per cent* cases. The details are given in Table 4.

Table – 4

JJB at	No. of cases pending as of December 2008	Cases pending for more than four months to one year	Percentage	Cases pending for more than one year	Percentage
Ahmedabad	3290	377	11	2913	89
Rajkot	483	115	24	368	76
Vadodara	1087	201	18	886	82
Bharuch	216	29	13	187	87
Jamnagar	301	0	0	301	100
Surat	1154	122	11	1032	89
Total	6531	844	13	5687	87

Scrutiny of records revealed that the JJB met once in a week in all the six districts test checked.

The Presidents JJB Ahmedabad, Jamnagar, Rajkot and Surat attributed (April/ July 2009) the delay mainly to only one sitting of the Board in a week and/ or in most cases accused on bail not being traced and non service of summons to accused and witnesses in time. In JJB Bharuch, delay was reported (March 2009) to be due to heavy work load of civil and criminal cases. The reasons for delays were awaited from JJB Vadodara. Delays resulted in juveniles not being acquitted or transferred to homes for getting proper rehabilitation.

1.2.9.8 Inadequate facilities in the institutions

? Poor Infrastructure

Infrastructure facilities were lacking in 11 homes

As per Rule 17(A) of the Gujarat JJ Rules, 2003 the Superintendent of an institution shall provide sufficient and safe accommodation for class room, workshop, kitchen/grain room, storeroom, play room and medical room, play ground and dormitory having sufficient cross ventilation and sunlight; provided that in case of a dormitory, the minimum standard accommodation per juvenile/child shall be as far as practicable 40 sq. ft. However, poor infrastructure facilities were noticed in seven out of 18 Government institutions and four out of 15 institutions run by NGOs visited in the six selected districts as under -

- ✍ The Juvenile Home for Boys, Bharuch was functioning in a very old and badly damaged rented building situated eight Kms. away from the city on the bank of the river Narmada. The building required major repairs for proper accommodation and was lacking in facilities like bathrooms and sanitation. As of February 2009, 126 children were accommodated in this home. However, against the requirement of 126 cots, only 70 iron cots were available and the remaining 56 children were without cots. Superintendent stated (February 2009) that the matter had been referred to DSD from time to time. Further it was stated that as against the estimated cost of Rs. 2.71 crore

(February 2007), for construction of children home and staff quarters at Bharuch, Government had accorded administrative approval (March 2007) for Rs.90.00 lakh to incur expenditure during the year 2007-08. However, as of March 2009 no construction work had commenced except clearance of site. The Executive Engineer, R&B Division, Bharuch attributed (May 2009) the reasons for delay as mainly due to revision of estimates, finalization of the tender procedure etc.

- ✍ The Observation Home Surat established in 1937 and recognized as children's home (October 2002) by Government was also functioning in an old building with asbestos roof. The accommodation was not adequately safe for inmates as required under the State Rules. On being pointed out, Superintendent stated (March 2009) that plan for new building submitted to Municipal Corporation Surat was approved in August 2009.
- ✍ The main building of Observation Home at Rajkot was damaged in an earthquake (January 2001) and was not in use. There was only one room and dormitory allotted by partitioning of the kitchen for accommodating 40 juveniles. Superintendent stated (July 2009) that a grant of Rs.90.00 lakh was sanctioned (May 2002) under World Bank Programme for reconstruction. However, construction could not be carried out as the case of ownership of the building was pending in the High Court.
- ✍ There were insufficient number of latrines and bathrooms in 10 homes visited as detailed in **Appendix XVIII**.

????Vocational Training

No vocational training facilities were available in eight Government institutions and four institutions run by NGOs

Under the scheme of Prevention and Control of Juvenile Social Maladjustment, GOI stipulated the vocational training to be imparted in the homes established under JJ Act. The State Rules also specified that diversified programme of vocational training be organized in all children/special homes and after care organizations with special reference to employment opportunities available in the community so as to facilitate their rehabilitation. The courses shall be designed on the lines approved by the Technical Department of the Government and trained instructors appointed for imparting training. Vocational training facilities in the community shall also be availed for juveniles/children on a selective basis by providing linkages with welfare institutions, placement agencies and industrial and other production units.

As per information provided by DSD, out of 38 Government homes, vocational training was being provided in 35 homes. Training in tailoring **was being provided in seven**⁵⁷ juvenile/special homes and carpentry and printing in only one juvenile home at Vadodara. In the remaining homes

⁵⁷ (1) Juvenile Home for Boys, Vadodara, (2) Juvenile Home for Boys, Surat, (3) Juvenile Home for Girls, Surat, (4) Juvenile Home for Girls, Ahmedabad, (5) Juvenile Home for Girls, Bharuch, (6) Special Home for Girls, Rajkot, (7) Special Home for Boys, Rajkot

training in weaving, bharat-gunthan (knitting) and caning was imparted through Craft Teacher. Approved training course in tailoring was available only in three⁵⁸ homes. There was no linkage with any welfare institution, placement agency, industrial and production units to create employment opportunities for rehabilitation of the juveniles/children. No management committee for management of institution and monitoring progress of child, their linkages for vocational training and for employment, was constituted in Government homes.

Scrutiny of records in eight⁵⁹ out of 18 Government institutions and four⁶⁰ out of 15 institutions run by NGOs in the six selected districts revealed that there was no vocational training facility. Therefore, the information provided by the Directorate was not authentic as verified/cross checked during field visit. Machinery items remained idle in Special Home for Boys, Rajkot (Rs. 3.73 lakh)⁶¹ for want of instructor and in Juvenile Home for Boys, Vadodara (Rs. 0.97 lakh) for not being in working condition.

Thus, the infrastructure for providing vocational training for rehabilitation of destitute juveniles/children was inadequate.

? **Medical Care**

Inadequate medical facilities in girl's institutions run by Government and NGOs

Rule 17 E of the Gujarat Juvenile Justice Rules, 2003 specified that (i) in case of girl's institution, the Home should have the services of a visiting gynaecologist, (ii) the services of psychologist or psychiatrist, professionally trained social worker and physiotherapist shall be availed of preferably by establishing linkages with child guidance clinics, counselling and Guidance Center, Psychiatric Department or similar agencies and (iii) each Juvenile/Child admitted in any Home shall be medically examined by the Visiting Medical Officer (VMO) of the Home within 24 hours or in special cases within 48 hours.

Audit scrutiny of records in seven⁶² girl's institutions (four run by Government and three by NGOs) out of 12 test checked revealed that since 2004-05, services of visiting gynaecologist as required had not been provided. Further, no arrangement was made for providing of the services of a psychologist or psychiatrist in the Government Homes at Ahmedabad and Rajkot. The post of Visiting Medical Officer (VMO) in Surat had not been filled in by the Government, after resignation of the VMO (April 2008). Besides, in three girl's homes at Rajkot, Bharuch and Surat, no juvenile/child was medically examined by a VMO within 24 hours of admission as required and no medical

⁵⁸ (1) Juvenile Home for Boys, Vadodara, (2) Juvenile Home for Girls, Bharuch, (3) Special Home for Boys, Rajkot

⁵⁹ (1) Juvenile Home for Girls, Ahmedabad, (2) State Home for Women, Ahmedabad, (3) District Shelter Home, Ahmedabad, (4) Observation Home, Chhota Udepur, Vadodara, (5) Juvenile Home for Girls, Bharuch, (6) After Care Hostel, Vadodara, (7) State Home for Men, Rajkot, (8) Observation Home, Jamnagar

⁶⁰ (1) Observation Home, Bharuch, (2) Observation Home, Jambusar, (3) Observation Home, Vadodara and (4) Kanta Stri Vikas Gruh, Rajkot

⁶¹ 74 items : Turner fitter department, 19 items : Scooter Mechanic department, 51 items : Carpentry department and 47 items : Electric department

⁶² (1) Special Home for Girls, Rajkot, (2) Juvenile Home for Girls, Ahmedabad, (3) Juvenile Home for Girls, Bharuch, (4) Juvenile Home for Girls, Surat, (5) Vikas Vidyalaya, Morbi, (6) Kasturba Stri Vikas Gruh, Jamnagar and (7) Vikas Gruh, Ahmedabad

record of the child/juvenile was maintained for 2004-05 to 2007-08. The Superintendents of the seven girl's institutions stated that services of gynaecologist could not be availed of due to non-sanctioning of the post by the Government. However, Superintendents of three⁶³ girl's institutions agreed to carry out medical examination in respect of admitted children within the prescribed time and maintain records.

This indicated that specialized medical attention was not provided to the girls and even the mandatory/routine medical examination was not carried out.

The Secretary to GOG agreed (July 2009) to look into the matter.

? After care Services

The State Rules, 2003, stipulate that the juveniles/children after leaving the special homes/children homes shall be admitted in after care homes provided they are not less than 17 years of age at the time of admission and have no family, so as to encourage them to adapt to society and move smoothly from an institutional based life to normal one. The maximum period of stay will be for a period of three years. The programme under the service includes (i) facilitating employment generation including vocational training, (ii) arranging loan/assistance to set-up entrepreneurial activities and (iii) providing peer counsellor in the homes to help the youth to lead a decent, well behaved life and to keep them away from bad habits such as drug, illicit liquor, tobacco in any form etc.

Government declared (July 2004) 14 homes as after care homes (11 for girls and three for boys) in the State. Scrutiny of records in five⁶⁴ out of seven after care homes test checked revealed that –

- ✍ Separate admission register for inmates admitted for after care was not maintained in the District Shelter Home for Boys at Ahmedabad and Rajkot and in State Home for Women at Bharuch. On being pointed out Superintendent Ahmedabad stated (January 2009) that general register for inmates admitted would be maintained separately.
- ✍ Psychologists were appointed in these homes only in June 2008 and July 2008. However, psychologist had resigned at Rajkot and remained absent from 01 August 2008 at Vadodara.
- ✍ During 2004-05 to 2008-09 loans/assistance was not granted to inmates and no rehabilitation activity was carried out in two boys homes at Ahmedabad and Vadodara and one girls home at Bharuch.

⁶³ (1) Juvenile Home for Girls, Surat, (2) Juvenile Home for Girls, Bharuch and (3) Special Home for Girls, Rajkot

⁶⁴ (1) District Shelter Home, Ahmedabad, (2) District Shelter Home, Rajkot, (3) After Care Hostel, Vadodara (All for boys), (4) State Home for Women, Ahmedabad, (5) Reception Center for Women, Bharuch

✍ In After Care Home at Vadodara, 17 inmates continued to stay after completion of three years and nine inmates were admitted above the age of 21 years in contravention of the rules. In the absence of individual files it could not be ascertained whether these inmates were orphans or otherwise. The Superintendent replied (July 2009) that while the 17 inmates were continued in the home as per the oral instructions of DSDO Vadodara the other nine inmates were admitted by the then Superintendent of the home. Further, it was stated that no inmate was rehabilitated on their release and no stipend was given to them. Further it was assured that provisions of the Gujarat JJ Rules would be followed.

Thus the key objectives of the programme to provide counselling and encouragement to learn a vocation and gradually sustain themselves without state support and move out to stay in a place of their own in mainstream society was not largely achieved in above five Homes.

1.2.9.9 Non-rehabilitation of children of “Anath Kutirs”

Capacity of inmates was increased by only 155 as against target of 1000 inmates, though Rs. 99.78 lakh was provided in the budget in the year 2007-08

To implement the recommendations of the ‘Das Committee’⁶⁵ Government decided (February 2006) to close the Anath Kutir Yojana from 30 April 2006 and merge the same with the GOI Scheme of Prevention and Control of Juveniles Social Maladjustment having identical objectives. Government instructed admitting of the children of Anath Kutirs to the children home/ observation home of the concerned institutions that were running the Anath Kutirs. If the institution had no such home the children were to be transferred to other homes functioning in the same district. As on 30 April 2006 there were 963 children⁶⁶ in 17 Anath Kutirs in nine districts.

In order to accommodate the children of Anath Kutirs in the children homes, Government decided (March 2007) to increase the capacity of the inmates by 1000 in 19 institutions⁶⁷ run by NGOs and provided Rs. 99.78 lakh (Rs.68.68 lakh Plan and Rs.31.10 lakh Non-plan) in the budget under New Items during the year 2007-08 for diet, clothing, bedding, medical facilities and salary of employees recruited.

Audit scrutiny of records in the DSD and information made available revealed that as against the targeted capacity of 1000 inmates, the capacity was increased only by 155 (15.5 per cent) in three⁶⁸ homes (April 2009) after

⁶⁵ Committee appointed (April 1999) to review all schemes of all departments and suggest winding up or amalgamation with other schemes

⁶⁶ Ahmedabad (Kutir – 1, Children – 83), Vadodara (Kutir – 5, Children – 223), Gandhinagar (Kutir – 1, Children – 47), Surendranagar (Kutir – 1, Children – 25), Sabarkantha (Kutir – 2, Children – 231), Banaskantha (Kutir – 1, Children – 110), Rajkot (Kutir – 1, Children – 38), Kutch (Kutir – 3, Children – 23), Jamnagar (Kutir – 2, Children – 183)

⁶⁷ Observation Home (1) Ahmedabad, (2) Nadiad, (3) Vadodara, (4) Jambusar, (5) Rajpipla, (6) Surat, (7) Bharuch, (8) Kathiawad Nirashrit Balashram, Rajkot, (9) Mahila Vikas Mandal, Amreli, (10) Kasturba Stri Vikas Gruh, Jamnagar, (11) Vikas Vidyalaya, Wadhwan, (12) Shishu Mangal, Junagadh, (13) Pancholi Pragati Gruh, Halvad, (14) Vikas Gruh, Paldi, Ahmedabad, (15) Mahipatram Rooram Ashram, Ahmedabad, (16) Vikas Vidyalaya, Morbi, (17) Kanta Stri Vikas Gruh, Rajkot, (18) Tapibai Vikas Gruh, Bhavnagar and (19) L.M. Dhruv Balashram, Surendranagar

⁶⁸ (1) Observation Home, Bharuch – 50, (2) Vikas Vidyalaya, Wadhwan – 50, (3) Kathiawad Nirashrit Balashram, Rajkot – 55

incurring expenditure of only Rs. 6.10 lakh. Audit scrutiny further revealed that the DSD had no information where the 963 children were transferred and whether they were accommodated in the children homes.

Thus, except for providing Rs. 99.78 lakh in the budget for increasing the capacity in children homes, Government had no information about the where about of the 963 children of Anath Kutirs. This showed a serious lack of monitoring and concern about the welfare of the children.

1.2.9.10 Recreation facilities

According to Rule 17(I) of the Gujarat JJ Rules, 2003 adequate importance is to be given to leisure, creativity, playing facilities to children and ensuring a secured environment in homes where the children were lodged.

Audit scrutiny revealed that in all the institutions visited by audit, play ground and recreation facilities such as television, library, games (indoor and outdoor) etc. were provided to the children. However, no Physical Education Teacher was provided in any Home in the State.

1.2.9.11 Inadequate manpower in Government institutions

Shortage of manpower in the cadre of Superintendent and Superintendent cum Probation Officer deprived the children of proper counselling and other institutional services

Under the scheme of Prevention and Control of Juvenile Social Maladjustment, GOI stipulated the staffing pattern in the Observation Homes and Children Homes, established under the JJ Act for socially maladjusted children. According to the staffing pattern, each Observation Home and Children/Special Home should have 23⁶⁹ staff members of different categories.

The staff position as on 01 January 2009 furnished by the DSD revealed that out of the 897 posts sanctioned for the Directorate as a whole, only 488 were filled-in and 409 posts (46 per cent) were vacant. The major vacancies were 81 posts of Probation Officer (86 per cent), 25 posts of Junior Craft Teacher (44 per cent), 22 posts of Junior Clerk/Typist (76 per cent), 27 posts of Junior Clerk (49 per cent) and 29 posts of Guard (48 per cent).

Further, in Government homes, as against 383 posts sanctioned (December 2008) for Government run homes, only 246 persons were in position and 137 posts (36 per cent) were vacant (Details in **Appendix XIX**). The major vacancies were eight posts of Superintendent (42 per cent), 14 posts of Superintendent cum Probation Officer (88 per cent), 8 posts of Case worker/ Probation Officer (100 per cent), 10 posts of Language Teacher (45 per cent), 13 posts of VMO (36 per cent), 10 posts of Craft Teacher (31 per cent), 11 posts of Guard (20 per cent) and 8 posts of Cook (20 per cent).

⁶⁹ Superintendent – 1, Part time Medical Officer- 1, Probation Officer-4, Vocational Instructor – 1, Teacher – 1, UDC- 1, Matron – 1, Typist- 1, Caretakers – 6, Chowkidar – 1, Cook- 1, Helper- 1, Group D – 1 and Sweeper – 2

Superintendent and Probation Officer are the most important functional posts in the home under the JJ Act. The duties of the Superintendent and Probation Officer are mentioned in the **Appendix XX**. The charge of the post of Superintendent/Superintendent cum Probation Officer was handled by either craft teacher or clerks in seven⁷⁰ out of 18 Government institutions scrutinized in the six selected districts that were not qualified and experienced to perform the duties of the post. This resulted in not providing adequate manpower to juvenile/children homes depriving them of proper counselling and other institutional services.

1.2.10 Children escaping from Homes

The State Rules, 2003 stipulated that in the event of escape of a juvenile/child, the officer in-charge of the institution besides conducting immediate search for the missing juvenile/child was to send a report to the DSD after conducting an inquiry. The matter was also to be intimated to the parent/guardian immediately and reported to the police authorities.

In 17 child care institutions out of 33 test checked in the six selected districts, it was revealed that 379 children had escaped from homes run by Government and NGOs during 2004-05 to 2008-09. Audit scrutiny revealed that no action was taken when the children in Juvenile Home for Boys Vadodara had escaped during the years 2004-06, no records detailing the action taken in this regard for the period 2004-07 were available in Juvenile Home for Boys Bharuch. Of these, 269 children (71 *per cent*) were yet to be traced (**Appendix XXI**). Reasons attributed by the officer in-charge of the homes visited for the children escaping were that (i) inmates had failed to adjust to the environment of the home (four homes) (ii) inmates were habitual by nature to escape (two homes) and (iii) shortage of security staff (two homes). Reasons given by the Superintendent Observation Home, Surat were not acceptable as there was no shortage of security staff during 2004-08 as per sanctioned strength. Reasons from State home for women Surat was awaited (July 2009).

1.2.11 Rehabilitation of street children

1.2.11.1 Programme implemented for street children

Street children programme not extended to targeted children in Rajkot

The scheme for welfare of street children as “An integrated Programme for Street Children” was revised on 1 October 1998. Under the revised scheme, the target group of the programme was essentially children without homes and families i.e. street children and children especially vulnerable to abuse and exploitation, such as children of sex-workers and children of pavement dwellers. The revised programme sought to shift the focus to these children from children living in slums who had hitherto been the main beneficiaries of the programme.

Records of a project run by a NGO⁷¹ in Rajkot District revealed that the

⁷⁰ Craft Teacher in (1) Observation Home, Rajkot (2) Observation Home, Chhota Udepur (3) State Home for Women, Vadodara (4) Special Home for Girls, Rajkot (5) Special Home for Boys, Rajkot Clerks in (1) District Shelter Home, Rajkot (2) After Care Hostel, Vadodara

⁷¹ Shri Pujit Rupani Memorial Trust, Rajkot

beneficiary children under the project were from slum areas and having a family. As such, the objectives under the programme were not achieved even though grant of Rs. 27.54 lakh during 2004-05 to 2007-08 was released by GOI to the NGO. Similarly, information received in respect of three NGOs⁷² in Vadodara district revealed that the majority of the children covered under the project were from extremely poor families. Grant of Rs. 57.61 lakh between 2004-05 and 2008-09 was released by GOI to these NGOs. Information regarding implementation of the programme called for from DSDO of Ahmedabad and Surat was awaited (July 2009).

Further, while recommending the projects⁷³ for the years 2007-08 and 2008-09 submitted by NGOs, the Task Force⁷⁴ in the minutes of its meetings held on 13 September 2007 and 24 November 2008 mentioned that benefits of the programme were not being extended to street children as required under the revised scheme.

1.2.11.2 Juvenile Beggary cum Juvenile Crime Eradication Centre (JBCJCC)

JBCJCCs (centre) were established (1985-86) in five⁷⁵ districts in the State to divert the school children in slums in big cities to schools instead of their indulging in gambling, transportation of liquor and other anti-social activities and to involve them in social and constructive activities. The main centre has one or more sub-centres as per the number of children and activities carried out in the sub-centres. The honorary workers were appointed in the sub-centres as per the requirement after obtaining the approval of the DSDO of the district and they are working under the supervision and guidance of the organizer.

The district centres were established with five sanctioned posts of Chief Organizer, three Organizers and one clerk (six sanctioned posts in Ahmedabad). However, no post was occupied at Ahmedabad and the DSDO reported (November 2007) that two sub-centres at Saraspur and Chamanpura were closed as the children were not coming regularly and no activity was being carried out. The honorary workers in these sub-centres were also not coming regularly due to lack of proper management. At the centres at Rajkot and Surat, though one peon at each was available, their services were being utilized in the DSDO offices. Sub-centres in Rajkot, run by honorary workers were closed (2007-08) and honorary workers of sub-centres in Surat were not attending as their salary (Rs. 100 per month) was not paid for 15 months (March 2009). Similarly, in Vadodara one clerk and one peon were available but no post of honorary worker was filled up in the two sub-centres. Director reported (April 2009) that sub-centre at Bhavnagar was also closed. Thus, no activity was carried out in all the five district centres defeating the Government objective of diverting the school aged children from slums to schools.

⁷² (1) Vikas Jyot, Vadodara (Rs. 18.60 lakh), (2) Baroda Citizen Council, Vadodara (Rs. 25.89 lakh), (3) Sahyog Charitable Trust (Rs. 13.12 lakh)

⁷³ 18 projects 2007-08, 15 projects 2008-09

⁷⁴ A committee constituted (January 2006) by the GOG with the Principal Secretary of Social Justice and Empowerment Department as Chairman for sanctioning the proposal for street children project received from NGOs for recommendation to GOI and evaluating the implementation of the project

⁷⁵ (1) Ahmedabad, (2) Bhavnagar, (3) Rajkot, (4) Surat, (5) Vadodara

1.2.12 Juvenile Justice Board (JJB) and Child Welfare Committee (CWC)

JJBs and CWCs are constituted under Section 4 and 29 of JJ Act to deal with cases of children in conflict with law and children in need of care and protection respectively. Following issues were noticed.

1.2.12.1 Qualification of members of JJB

As per GOI Model Rules, 2007, the Social Worker to be appointed as a member of the Board should have educational qualification of not less than post graduate degree in social work/health/education/psychology/child development or any other social science discipline. In four⁷⁶ districts, one female member appointed on 17 September 2007 as social worker in each of the four JJBs had educational qualification upto SSC and female member in Jamnagar district was an under graduate. Selection Committee as required under GOI Model Rules 2007 for appointing the members of the JJB or CWC was not constituted in the State. Director stated (January 2009) that Selection Committee was not constituted due to non-finalisation of State Model Rules. Reasons for not considering the educational qualification in appointment of female members in the JJB called for (July 2009) from Government was awaited (August 2009).

1.2.12.2 Infrastructure for JJBs and CWCs

No separate infrastructure available for JJBs and CWCs in the State

Till framing of separate model rules by the State Government, the provisions made in the GOI model rules were to be made applicable. JJB and CWC were sitting in the premises of the Observation Homes with no separate arrangements and other essential facilities. Director stated (March 2009) that as the revised rules which provided for the separate infrastructure facilities for JJBs and CWCs were not framed in the State, no arrangement for separate infrastructure was made.

1.2.12.3 Attendance at meetings by members of the JJB and CWC

As per the JJ Act a minimum of 75 *per cent* attendance of chairperson and members of the JJB/CWC at meetings is necessary during a year. A member of the JJB/CWC shall be terminated after holding inquiry in case of non fulfillment of required attendance. It was observed that a member of the JJB at Rajkot was not attending the sittings since 29 November 2007. In Ahmedabad, no member was appointed by Government in place of a member who had resigned in January 2008. Similarly, in Jamnagar, two members of JJB and Chairman and two members of CWC had not attended any meeting since their establishment (September 2007). Though the fact was reported by the Superintendents of the respective homes between November 2007 and February 2009 to DSD, action remained to be taken (April 2009).

On being pointed out Director stated (March 2009) that report in respect of Rajkot had not been received and in respect of Ahmedabad, Government had been requested to appoint a new member. Reply in respect of Jamnagar was awaited.

⁷⁶ (1) Dang, (2) Navsari, (3) Surendranagar, (4) Valsad

1.2.13 Probation Services

1.2.13.1 Inadequate probationary services

Probation Officers available were too few considering the requirement

Probation is a very significant development in criminal justice system. Probation services helps individuals by restoring them back to their families and society by persuading them to behave in socially acceptable manner and become useful productive members of society. Thus, probation is an alternative to imprisonment in a method of non-institutional community based treatment of offenders.

Probation Officers (POs) are appointed in observation homes, children homes, special homes and after care homes for assistance and guidance in the form of personal supervision. The specified duties of the POs are detailed in **Appendix XX**.

Under the guidelines issued (after enactment of JJ Act, 1986) by GOI for establishment of various homes under JJ Act, four POs are required for an observation home with 50 children and children/special home with 100 children. Thus, for 35⁷⁷ Government institutions (excluding three after care homes) 61 POs were required. However only 29 posts were sanctioned and against this, there were only two Superintendents cum Probation Officers available in Government homes in the State (May 2009).

Scrutiny of records in the office of the Director of Social Defence revealed that as against 95 posts sanctioned for the Directorate as a whole, only 13 posts had been filled in. The vacancy increased further from 41 (August 2001) to 82 (February 2008) due to non appointment of POs by Government even though proposal for recruitment of vacant posts of POs and equivalent cadres was initiated by the Director in 2001. The Director had requested (February 2008) the Government for appointment of 60 POs, however, the appointments were pending (April 2009).

The Director stated (April 2009) that appointment of POs could not be made by Gujarat Subordinate Services Selection Board (GSSSB), Gandhinagar due to work load. Further it was stated that requisition for appointment of 60 POs was sent to GSSSB and procedure for recruitment was in progress. Delay in recruitment and the huge shortage of POs affected the implementation of the provisions of the Act.

According to Rule 85 of Model Rules, of the JJ Act, honorary or voluntary welfare officers and POs could be appointed from voluntary organizations and social workers found fit for the purpose by the competent authority and their services co-opted to augment the existing probation services. Despite shortage of 59 (61-2) POs in the institutions, State Government/DSD had not taken up any initiative for filling up of the vacant posts.

⁷⁷ Observation Home: 16 with 334 children, Children Home: 17 with 750 children and Special Home: 2 with 103 children

1.2.13.2 Follow-up by POs after discharge of children

As per Rule 87 of the Model Rules read with Rule 50(2)(g) of the Gujarat JJ Rules, 2003, the PO was to follow-up juveniles after their release and extend help and guidance to them.

Scrutiny of records in the 23 out of 33 institutions test checked revealed that no follow up action was taken after discharge of children from any of the institutions. Reasons attributed for absence of follow up by Superintendent of the respective institution was mainly shortage of staff/non availability of PO. As no follow up after discharge of children was carried out, the impact of rehabilitation provided to the children remained un-assessed.

1.2.14 Counselling Services

Inadequate professional help for want of Psychologists and Psychiatrists

Children admitted to the Children Homes and Observation Homes are abused and neglected, they need professional help of a counsellor to help them lead a normal life. As per information provided by DSD, no post of psychologist or psychiatrist was sanctioned in Government Homes upto 2006-07. Government decided (March 2007) to avail the services of psychologist and psychiatrist on a fixed pay of Rs. 4500 per month through outsourcing. For this purpose Rs. 28.80 lakh was provided in the budget under “New Items” during 2007-08.

Scrutiny of records in DSD revealed that as against 27 sanctioned posts each of psychologist and psychiatrist, 16 posts of psychologist and two posts of psychiatrist were filled in, leaving vacant posts of 11 and 25 in the respective cadres. Thus, Government objective of providing counselling services to children in Government institutions was not achieved. The Director stated (April 2009) that posts remained vacant due to non-availability of suitable candidates and non-resuming of duty of selected candidates.

1.2.15 Child Protection Units

According to Section 24 of JJ (Amended Act), every State Government is required to constitute a Child Protection Unit for the State and for each district to take up matters relating to children in need of care and protection and juvenile in conflict with law to ensure implementation of the provisions of the Act including the establishment and maintenance of homes, notification of competent authorities in relation to children and their rehabilitation and co-ordination with various official and non-official agencies concerned.

No Child Protection Unit had been constituted at the State and district levels.

1.2.16 Creation of Juvenile Justice Fund

Rule 59 of Gujarat JJ Rules, 2003 stipulates that State Government should create a fund at State level called the Juvenile Justice Fund (JJF) for the welfare and rehabilitation of the child dealt with under the provisions of the JJ Act.

However, no such fund was created by the Government as of February 2009.

Further, Rule 6 of the Gujarat JJ Rules, 2003 specified that the amount realized in case of payment of fines by order of JJB from the parents of the juvenile or the juvenile will be deposited in the JJF. DSD stated (January 2009) that no such punishment was reported to them. However, contrary to the above statement, information furnished by the Department revealed disposal of 177, 187, 43 and 12 cases, during the years 2004-05 to 2007-08 respectively, of punishment by fines. This indicated lack of co-ordination within the branches in the Directorate. Reasons for non-constituting the JJF were not furnished by DSD though called for (July 2009). However, it was stated that proposal for creation of JJF was submitted (November 2008) to Government as “New items” and provision of Rs.25.00 lakh was made in the budget 2009-10.

1.2.17 Social Audit

The State Rules stipulate that State Government monitor and evaluate the functioning of the institutions annually with the help of leading voluntary organizations working with the children, besides autonomous bodies like National Institute of Public Co-operation and Child Development, Indian Council for Child Welfare, Indian Social Institute, Childline India Foundation, National Institute of Social Defence, Social Welfare Boards, recognized schools of social work and the reports be made open to public scrutiny. The Director stated (March 2009) that no such social audit was done. Reasons for non-conducting of social audit was not furnished by the DSD though called for (July 2009) but, it was stated that conducting of social audit was under consideration.

1.2.18 Implementation of O&OCH Act, 1960

To provide for the Supervision and Control of Orphanages and homes for neglected women and orphaned/destitute children who are in need of care and protection, GOI enacted (April 1960) the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960. The O & OCH Act, 1960 came into force in the State with effect from 19 September 1991. The Act empowered the State Government to establish a Board for the control and supervision of such homes in the State. The State Government had not established the Board and all the powers were delegated temporarily to the DSD (February 2004). State Government had also not finalized the Rules (July 2009) under the Act. In the absence of the rules, there were no guidelines for implementation of the provisions of the Act. Reasons for non framing of rules under O&OCH Act, called for (July 2009) from Government was awaited (August 2009).

Government had not finalized the Rules under the Act

There are 86 institutions, all run by NGOs, which are recognised for functioning in the State under the Act. Of these, 12 received Government assistance of Rs. 4.03 crore for carrying out their activities during the period 2004-05 to 2008-09.

1.2.18.1 Functioning of orphanages without certificate of recognition

As per Section 13 of the O&OCH Act, no person shall maintain or conduct any home except under and in accordance with the conditions of the certificate of recognition granted under this Act. In the absence of specific rules for implementation of the Act, the institutions functioning under the Act are inspected by the officers of DSD and DSDO of the concerned districts.

Two⁷⁸ orphanages in Vadodara and Ahmedabad districts run by NGOs were operating without renewal of certificate of recognition. Though orphanage at Ahmedabad district had reminded the DSD for renewal of certificate (between January 2003 and December 2008), the same was not renewed (February 2009).

DSD replied (April 2009) that institution at Vadodara was reluctant to obtain certificate, as it was of the opinion that it was exempted as per the provisions Section 3(A) and 3(C) of the Act. However, DSDO Vadodara was instructed (February 2009) by DSD to conduct inspection and furnish report in this regard. In the case of the institution at Ahmedabad, inspection report of DSDO was awaited (April 2009).

Non renewal of certificate of recognition in the above cases for such a long period reflected lack of supervision and control under the Act.

1.2.19 Monitoring

1.2.19.1 Inspection of Institutions under JJ Act

Inspection of the institutes was not carried out as per the requirement of the State Rules

Rule 30(1) of Gujarat JJ Rules, 2003 specified that every institution shall be inspected at least twice a year. DSD office has an audit wing for inspection of child care institutions under JJ Act, but no separate staff was allotted to that wing. Inspections were conducted by DSDO and other regular staff of DSD office. DSD had not fixed any schedule for inspections, but programme was given by the administration wing of the office from time to time. Inspection committees, as required in Section 35 of JJ Act, 2000 were not constituted.

The details of inspections conducted by the regular staff of DSD and DSDO during the period 2003-04 to 2007-08, as furnished by the department, are as shown in Table 5.

Table – 5

Year	Total no. of inspections to be conducted per year		Actually conducted		Shortfall in conducting inspections (<i>per cent</i>)	
	Govt. institution	NGO run institution	Govt. institution	NGO run institution	Govt. institution	NGO runs institution
2003-04	76	64	25	10	51 (67)	54 (84)
2004-05	76	64	25	20	51 (67)	44 (69)
2005-06	76	64	21	20	55 (72)	44 (69)
2006-07	76	64	23	21	53 (70)	43 (67)
2007-08	76	64	24	20	52 (68)	44 (69)

⁷⁸ (i) Hamara Gruh Yatimkhana, Vadodara (recognition renewed upto 31 December 2004), (ii) Shreyas Bal Vilas Ghatak, Ahmedabad (recognition renewed upto 31 December 1990)

Shortfall in conducting inspection of Government institutions ranged between 67 per cent (2003-04, 2004-05) and 72 per cent (2005-06) and in respect of institutions run by NGOs between 67 per cent (2006-07) and 84 per cent (2003-04). DSD stated (July 2009) that no institution remained un-inspected for more than three years, however the fact could not be ascertained in the absence of inspection register. The details further revealed that all the institutions were not covered annually and DSD could not conduct the mandatory two inspections which were required to be carried out in a year under the Rules.

The pendency of cases in JJBs and CWCs were not reviewed six monthly by the Chief Judicial Magistrate, Chief Metropolitan Magistrate and State Government as required under the amended JJ Act respectively.

1.2.19.2 Inspection of Institutions under O&OCH Act

Inspection of the institutes was not carried out as per the requirement of the State Rules

The details of inspection conducted during the period 2004-05 to 2007-08 as furnished by the DSD were as detailed in Table 6.

Table – 6

Year	Total No. of inspection to be conducted per year	Actually conducted	Shortfall and percentage
2004-05	86	62	24 (28%)
2005-06	86	61	25 (29%)
2006-07	86	32	54 (63%)
2007-08	86	35	51 (59%)

The Director stated (January 2009) that separate staff had not been provided for inspection of homes functioning under O&OCH Act. The inspections were carried out by the officer/inspector whenever they visited the district place. Besides, DSDO also inspected these institutions from time to time.

Other topic of interest

1.2.20 Missing Children Cell

The State level Missing Children Cell under the Inspector General of Police, Gujarat State, Gandhinagar is functioning to maintain permanent data bank of missing children and for tracing them and their safe return to their homes. A State level standing committee under the chairmanship of Additional Secretary (Home) Home Department was constituted (2002-03) to collect details of missing children and take action/review in terms of Supreme Court directives in a writ petition (No. 610/1996). The Director of Social Defence was the Member Secretary of the committee. No periodicity of meetings of the committee were prescribed, however as of March 2009 six⁷⁹ meetings of the committee were held.

The data received from DSD in respect of missing children during the period 2004-05 to 2008-09 (upto January 2009) is given in Table 7.

⁷⁹ (23-04-2003, 29-07-2004, 06-04-2005, 07-03-2006, 22-11-2006 and 16-3-2009)

Table – 7

Year	No. of children missing			No. of children traced			No. of children remained to be traced (per cent)	
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls
2004-05	969	824	1793	847	732	1579	122 (13)	92 (11)
2005-06	992	993	1985	838	827	1665	154 (16)	166 (17)
2006-07	974	1053	2027	503	409	912	471 (48)	644 (61)
2007-08	1077	1327	2404	577	573	1150	500 (46)	754 (57)
2008-09 (upto January 2009)	914	1316	2230	423	481	904	491 (54)	835 (63)

The above details indicated that the number of boys not traced increased from 13 per cent (2004-05) to 54 per cent (2008-09) and 11 per cent (2004-05) to 63 per cent (2008-09) in respect of girls. Further, scrutiny revealed that out of 5692 missing children between October 2006 and January 2009, 1749 are boys (31 per cent) and 2700 girls (47 per cent) in the age group of 13 to 18 years.

The State level Standing Committee (November 2006) expressed concern over the non tracing of missing girl children and expressed the possibility of their being used in immoral trafficking. The Committee also expressed that the police department did not have power to constitute task force to investigate missing children as this duty was entrusted to the woman police unit as an additional duty under the JJ Act, 2000.

The increasing trend in the number of children remaining untraced indicated lack of concern for such children and the likelihood of their being used in immoral trafficking cannot be ruled out.

Action taken by the Government in respect of missing children in the age group of 13-18 years between October 2006 and January 2009 was awaited (July 2009).

1.2.21 Conclusion

Infrastructure for JJBs and CWCs were lacking. CWCs and JJBs were not conducting sittings as per norms, hence there was delay in clearance of the cases referred to them. Juvenile delinquents and innocent children were put-up in the same premises in violation of the provision in the Act. The best interest of child was not protected in certain cases due to delay at various level and non-observance of procedures for adoption. Inadequate infrastructure in certain institutions, poor medical services specially in girl's institutions and inadequate vocational training deprived the children of their basic needs and proper rehabilitation. Of the children who had run away from homes between 2004-05 and 2008-09, 71 per cent remained untraced. Acute shortage of Superintendent, Probation Officer, Psychiatrists and Counsellors resulted in poor follow-up and counselling services. The Child Protection Unit in the State was not constituted. The juvenile beggary cum juvenile crime eradication centres were not functioning.

1.2.22 Recommendations

- ✍ CWCs should be established in each of the districts,
- ✍ CWCs and JJBs should be provided adequate infrastructure and days of sittings should be increased to avoid any delay in finalization of the cases referred to them,
- ✍ Children of different age groups should not be kept together. Further innocent children in need of care and protection should be kept apart from children in conflict with law and juvenile delinquents, juveniles apprehended under POTA should be kept separately in a different home,
- ✍ State Adoption Cell should closely monitor and provide suitable guidance for adoption of children,
- ✍ Adequate infrastructure, medical care and vocational training should be provided to children in the institutions,
- ✍ The required number of Superintendents, Probation Officers and Counsellors should be appointed to improve counselling services and the fixed pay for the post of psychiatrist should be increased;
- ✍ Child Protection Units should be constituted,
- ✍ The Juvenile Beggary cum Juvenile Crime Eradication Centres should be made functional and
- ✍ Missing children should be traced so as to ensure that they are not used in immoral trafficking.

HEALTH AND FAMILY WELFARE DEPARTMENT

1.3 National Rural Health Mission (NRHM)

Highlights

The National Rural Health Mission was launched in April, 2005 in the country to bridge gaps in healthcare facilities, facilitate decentralized planning in the health sector, provide an overarching umbrella to the existing programmes of Health and Family Welfare including Reproductive & Child Health, Vector Borne Disease Control Programme, Tuberculosis, Leprosy, Blindness Control Programmes and Integrated Disease Surveillance Project and also to address the sector wise health issues like sanitation and hygiene, nutrition etc., and advocate convergence with related social sector departments.

Facility survey was not carried out for any Sub Centre in the State till March 2009.

(Paragraph 1.3.7.1)

District Health Action Plans were prepared without preparation of Block and Village level plans

(Paragraph 1.3.7.2)

As of 31 March 2009, funds of Rs.103.77 crore remained unutilised. Untied Fund and Maintenance Grant were not released to any Rogi Kalyan Samities at Community Health Centres during 2005-07 and 2005-09 respectively.

(Paragraph 1.3.8.1 and 1.3.8.2)

Infrastructure provided at health centres was inadequate and critical equipments were found wanting in the Community Health Centres test checked.

(Paragraphs 1.3.9.2 and 1.3.9.2.1)

Vacancies of medical and para-medical staff in Community Health Centres, Primary Health Centres and Sub Centres in the State ranged between 12 and 100 per cent with reference to sanctioned strength and between 16 and 100 per cent with reference to Indian Public Health Standards.

(Paragraph 1.3.10.3)

Printing work of Rs.1.08 crore was got executed without inviting open tenders.

(Paragraph 1.3.11.1)

Medicines worth Rs.1.45 crore were purchased from two de-registered companies.

(Paragraph 1.3.11.2)

Printing work of Rs.1.44 crore was got done by three black listed parties.

(Paragraph 1.3.11.3)

Number of pregnant women registered at any health centre in the State as a whole indicated a decline as of 31 March 2009. Iron Folic Acid was administered during 2008-09 to only 44 per cent of pregnant women registered. The achievement of Institutional Deliveries vis-a-vis the target ranged between 63 and 82 per cent during 2005-09.

(Paragraph 1.3.12.3)

Annual targets for Pulse Polio Immunisation was achieved during the period 2005-09.

(Paragraph 1.3.12.4)

Percentage of vasectomy to the total sterilisations was a meagre 2.92.

(Paragraph 1.3.12.5)

1.3.1 Introduction

The National Rural Health Mission (NRHM) was launched by the Government of India (GOI) on 12 April, 2005 throughout the country with special focus on 18 States. In Gujarat State it was operationalised in August 2005. The key strategy of NRHM was to bridge gaps in healthcare facilities, facilitate decentralized planning in the health sector, provide an overarching umbrella to the existing programmes of Health and Family Welfare including Reproductive & Child Health (RCH)-II, Vector Borne Disease Control Programme, Tuberculosis, Leprosy, Blindness Control Programmes and Integrated Disease Surveillance Project. The Mission envisages increasing expenditure on health, with a focus on primary healthcare, from the current level of 0.9 per cent of GDP to 2-3 per cent of GDP over the mission period (2005-2012).

1.3.2 Organisational Set up

At the State level, NRHM functions under the overall guidance of the State Health Mission (SHM), headed by the Chief Minister. The State Health Society (SHS) a governing body headed by the Chief Secretary of the State, approved the Annual State Action Plan for NRHM and reviewed its implementation. The Principal Secretary, Health and Family Welfare Department (Department) was the head of the Executive Committee of SHS which reviewed the detailed expenditure and implementation, approved proposals from districts and other implementing agencies and executed the

approved State Action Plan including release of funds for programmes at State level. At district level, the Mission was headed by the President of the District Panchayat. The District Health Society (DHS), which is responsible for preparation of Annual District Health Action Plan and its implementation, was headed by the District Collector who was assisted by the Chief District Health Officer, an executive committee headed by District Development Officer and District Programme Committees headed by District Programme Officers for various disease control programmes and Reproductive and Child Health and Family Welfare. The organisational chart is given in **Appendix XXII**.

The implementation of the various disease control programmes was supervised by their respective heads. The various components/ activities of NRHM were implemented through 274 Community Health Centres (CHCs), 1080 Primary Health Centres (PHCs) and 7274 Sub Centres (SCs) in the State.

1.3.3 Mission Objectives

The main objectives were:

- ✍ to provide accessible, affordable, accountable, effective and reliable health-care facilities in the rural areas especially to the poor and vulnerable sections of the population,
- ✍ to involve the community in planning and monitoring,
- ✍ to reduce infant mortality rate, maternal mortality rate and total fertility rate for population stabilization and
- ✍ prevention and control of communicable and non-communicable diseases, including locally endemic diseases.

1.3.4 Audit Objectives

The objectives of the performance audit were to verify whether:

- ✍ planning, monitoring and evaluation procedures at the level of Village, Block, District, State achieved its principal objective of ensuring accessible, effective and reliable healthcare to the rural population,
- ✍ release of funds, utilization of funds released and accounting thereof was adequate,
- ✍ the Mission achieved capacity building and strengthening of physical and human infrastructure at different levels as planned and targeted,
- ✍ the procedures and system of procurement of drugs and services, supplies and logistics management were cost effective, efficient and ensured improved availability of drugs, medicines and services and

- ✍ the performance indicators and targets fixed specially in respect of reproductive and child healthcare, immunization and disease control programmes were achieved.

1.3.5 Audit Criteria

The audit criteria adopted were:

- ✍ GOI guidelines on the scheme and instructions issued from time to time,
- ✍ State Programme Implementation Plan (PIP) approved by Government of India (GOI),
- ✍ Memorandum of Understanding (MOU) between GOI and the State Government and
- ✍ Indian Public Health Standards (IPHS) for up gradation of CHCs, PHCs and SCs.

1.3.6 Audit Methodology and Scope of audit

The performance audit was conducted between April and October 2008 and between February and May 2009 covering the period 2005-06 to 2008-09 by test check of records in SHS, six DHSs (out of 25) along with 18 CHCs (out of 274), 36 PHCs (out of 1080) and 72 SCs (out of 7274) including selected records of Rogi Kalyan Samities at selected CHCs, PHCs and district hospitals in the districts as detailed in **Appendix XXIII**.

Districts were selected using Probability Proportional to Size With Replacement (PPSWR) independently for various regions with size measure as the total amount of grants-in-aid released to the respective District Health Society during the years 2005-08 by the State Health Society.

In each sample district, three CHCs, six PHCs and twelve Sub Centres were selected using Sample Random Selection Without Replacement (SRSWOR).

An entry meeting was held on 10 April 2008 with the Joint Secretary of the Department wherein the audit objectives and criteria were discussed. Exit meeting was held on 09 September 2009 with the Joint Secretary of the Department wherein the audit findings were discussed.

Audit Findings

1.3.7 Defects and shortcomings in system of planning

1.3.7.1 Deficiency in surveying of facilities

Facility survey was not carried out at SC level to identify the deficiencies

NRHM strives for decentralized planning and implementation arrangements to ensure that need-based and community-owned District Health Action Plans become the basis for interventions in the health sector. The districts were

required to prepare Perspective Plan and Annual Action Plans for the Mission period. Household survey and facility survey at the levels of Village, Block and District were to be conducted for comprehensive district planning and assessing the progress of the Mission.

It was observed that Annual Action Plans for 2005-06 and 2006-07 were prepared based on annual household survey conducted at Sub-Centre level without conducting facility survey. Annual Action Plans for 2007-08 and 2008-09 were prepared based on facility survey conducted at PHC and CHC levels only, without conducting facility survey at SC level. In the absence of facility survey at the SC level, the extent of deficiencies in availing facilities and services were not identified. Some of the important deficiencies noticed in the selected SCs are detailed in para 1.3.9.2.

1.3.7.2 Non preparation of Block and Village level Action Plans

DHAPs were prepared without preparation of Block and Village level plans

As per the NRHM framework, village and block level plans were to be prepared, and consolidated into the District Health Action Plan (DHAP) forming the basis for all interventions under the Mission.

It was however, observed that District Health Action Plan was not prepared by consolidating the Block level action plans in any of the four years 2005-06 to 2008-09, in any district in the State as the Block level plans were not prepared in any of the four years.

In the six sampled districts, village level action plan required to be prepared during the years 2007-08 and 2008-09 were not prepared by 2969 (out of 3786) and 2680 (out of 3791) villages respectively (**Appendix XXIV**).

SHS stated that the districts prepared their plans as per demands generated at every level and the requirements raised by the lower levels were consolidated at block level which were taken into consideration while preparing District Health Action Plans. However, these demands were not documented in the form of Block and Village level Action Plans. The reply is not acceptable in the absence of documented evidence.

Non preparation of Village and Block level plans and its merger into the district health action plan led to preparation of a plan which lacked ground level inputs which was one of the essential requirements as per the framework of NRHM.

1.3.7.3 Delay in preparation and approval of annual Programme Implementation Plans (PIP)

Delay in submission of State PIPs for 2007-08 and 2008-09 to GOI was to the extent of 91 and 95 days respectively

As per the framework of NRHM, milestones in the process of preparation of PIP and approval thereof were prescribed. Adherence to these milestones was essential to ensure release of funds and early implementation of programme interventions as envisaged in the PIP. It was, however, observed that milestones prescribed were not adhered to resulting in delays which

consequently had adverse implications on implementation of PIP. The delay in submission and approval of plan is given in Table 1.

Table - 1

Sr. No.	Activity	2007-08			2008-09		
		Due Date	Actual Date	Delay in days	Due Date	Actual Date	Delay in days
1	Approval of plan by Governing body and submission of State PIP to the GOI.	15-12-2006	16-03-2007	91	15-11-2007	18-02-2008	95
2	Appraisal of State PIP by National Programme Co-ordination Committee of GOI.	31-01-2007	19-06-2007	139	15-12-2007	14-03-2008	90
3	Communication of GOI approval of the State PIP	15-02-2007	23-08-2007	189	15-02-2008	01-05-2008	76
4	Communication of the State approval of District Action Plans to the districts.	28-02-2007	11-09-2007	195	28-02-2008	09-06-2008	102

The delays in respect of PIPs for the years 2005-06 and 2006-07 could not be computed for want of information from the department.

1.3.8 Funds Management

1.3.8.1 Non-utilisation of funds

Funds were released by the Central Government to the State through three different channels, i.e. State Finance Department⁸⁰, directly to SHS⁸¹ and directly to the State level disease control societies.⁸²

Funds were provided to SHS on the basis of approved State Programme Implementation Plans (PIPs) by the GOI. The State was required to reflect its requirements in a consolidated PIP containing individual programmes⁸³. During 2005-06 and 2006-07, hundred *per cent* grants were provided to State. From the Eleventh Plan Period (2007-12) State was to contribute 15 *per cent* of the funds required annually. The State contributed Rs.87.88 crore (24 *per cent*) and Rs.75.68 crore (12 *per cent*) of annual action plan during the years 2007-08 and 2008-09 against the requirement of Rs.55 crore and Rs.91.26 crore respectively.

⁸⁰ Under the heads: Direction & Administration, Rural Family Welfare Service, Urban Family Welfare Services, Grants to State Training Institution, Sterilisation Beds, Other funds through state budget

⁸¹ Under the heads: Information, Education, Communication; Reproductive Child Health Flexible Pool; NRHM Additionalities; Routine Immunisation ; Pulse Polio Immunisation ; National TB Control Programme(from financial year 2007-08);Integrated Disease Surveillance Programme(from financial year 2008-09)

⁸² Under the heads: National Vector Borne Disease Control Programme, National TB Control Programme(up to 2006-07); Integrated Disease Surveillance Programme (up to 2007-08); National Leprosy Eradication Programme, National Programme for Control of Blindness, Iodine Deficiency Disorder Disease Control Programme

⁸³ (a) Reproductive Child Health Care (RCH), (b) Additionalities under NRHM, (c) Immunisation, (d) Revised National TB Control Programme (RNTCP), (e) National Vector Borne Disease Control Programme (NVBDCP), (f) Other National Disease Control Programmes (NDCPs) and (g) Inter-sectoral issues

Details of grants received and expenditure incurred by SHS during 2005-09 were as given in Table 2.

Table - 2

(Rs. in crore)

As of 31 March 2009, Rs.103.77 crore remained unutilised

Year	Opening Balance	Grant received from GOI	Grant Received from GOG	Interest and other income	Funds available	Expenditure	Closing Balance
1	2	3	4	5	6	7	8
2005-06	-11.40 ⁸⁴	260.30	0.00	0.36	249.26	127.79	121.47
2006-07	121.47	246.48	0.00	1.42	369.37	215.06	154.31
2007-08	154.31	375.85	87.88	0.58	618.62	370.72	247.90
2008-09	247.90	327.66	75.68	0.67	651.91	548.14	103.77
Total		1210.29	163.56	3.03		1261.71	

The Programme-wise details of grant received and expenditure incurred during 2005-09 are given in **Appendix XXV**.

Scrutiny of the details revealed that there were huge unspent balances as on 31 March 2009 under some heads. Expenditure under the head Direction and Administration was only 69 per cent (Rs.29.45 crore against Rs.42.50 crore), under Urban Family Welfare Services expenditure was 65 per cent (Rs.26.05 crore against Rs.40.26 crore), under the head Pulse Polio Immunisation 80 per cent (Rs.37.40 crore against Rs.46.56 crore) and Other Funds through State budget was NIL against the available funds of Rs.31.25 crore. Under the head NRHM Additionalities as against grant of Rs.383.78 crore received during 2005-09, expenditure incurred was Rs.303.89 crore (79 per cent of available funds). The extent of yearly utilisation varied between one per cent and 70 per cent. Non-utilisation of funds consequently had an adverse effect on achievement of targets at ground level.

SHS stated (September 2009) that reasons for unspent funds under NRHM Additionalities were due to delay in release of funds from SHS to the lower level. Further, due to procedural time taken in constitution of Rogi Kalyan Samities (RKSs) and Village Health and Sanitation Committees (VHSCs), the funds could not be fully utilised. The reply is not acceptable as the annual grants required for RKSs at PHCs and untied fund for SCs and VHSCs worked out to Rs.22.59 crore per annum⁸⁵ (up to 2007-08), which was insignificant as compared to the yearly under utilisation of funds.

SHS further stated that unspent balance of funds under the head Pulse Polio Immunisation was due to cancellation of two rounds of National Immunisation Day and Special National Immunisation Day in 2008-09 by

⁸⁴ Minus balance for the year 2005-06 represents balances lying in erstwhile schemes at the end of 2004-05

⁸⁵ Untied Fund for RKSs at PHCs Rs.2.68 crore (1073xRs.25000)
 Maintenance Grant for RKSs at PHCs Rs.5.37 crore (1073xRs.50000)
 Untied Fund for VHSCs Rs.7.27 crore (7274xRs.10000)
 Untied Fund for Sub-centres Rs.7.27 crore (7274xRs.10000)
 Total Rs.22.59 crore

GOI. Further, due to non-adjustment of advances given to districts on account of non-receipt of utilisation certificates (UCs) and statements of expenditure, the expenditure was shown less. The SHS however, did not furnish the details of the un-adjusted advances and any action taken to obtain UCs.

Reasons for unspent balances in respect of the other heads were not furnished though called for (August 2009).

1.3.8.2 Fund management by Rogi Kalyan Samities

Short/non-release of funds to RKSs and non-utilisation of released funds by RKSs resulted in denial of facilities to the beneficiaries

NRHM strategises to upgrade the CHCs to Indian Public Health Standard (IPHS) to provide sustainable quality health care with accountability and people's participation along with total transparency. To ensure a degree of permanency and sustainability, a management structure called Rogi Kalyan Samities (RKS) has been evolved to be established at PHCs, CHCs and district hospitals. Main functions of the RKS at CHCs and PHCs is to identify and redress the problems faced by the patients, acquiring equipments, furniture, ambulance etc. and its maintenance, improving boarding /lodging arrangements for patients and their attendants, encouraging community participation in maintenance of hospitals etc.

As per scheme guidelines, specified funds⁸⁶ are to be released by SHS to RKSs at CHCs and PHCs in a timely manner to carry out functions devolving on them.

Details of amount of Untied fund and Maintenance grant released to and utilised by the RKSs at CHCs and PHCs in the State during 2005-09 are mentioned in **Appendix XXVI**. Scrutiny of the details revealed that untied fund and maintenance grant were not released to any RKS at CHCs during 2005-07 and 2005-09 respectively. As against the requirement of annual untied fund of Rs. 136.50 lakh to be released to 273 CHCs, Rs.57.50 lakh and Rs.682.50 lakh were released during 2007-08 and 2008-09 respectively. Further, at PHC level though no RKS was formed up to 2006-07, Untied fund and Maintenance grant of Rs.267.05 lakh and Rs.535 lakh were released during 2006-07. The extent of utilisation of Untied fund and Maintenance grant by PHCs during the period 2006-09 was 56 per cent and 45 per cent respectively. As per scheme guidelines, untied funds were meant to meet expenditure for local health activity, while maintenance grant was meant for upkeep of facilities and to ensure quality services at CHCs and PHCs. Due to short release/non-release of funds by the SHS to the implementing units and non-utilisation of allotted funds by RKSs the objectives to be achieved through these funds could not be met, ultimately resulting in denial of facilities to beneficiaries.

⁸⁶ RKS at CHC and PHC -, annual untied grant of Rs.50,000 and Rs.25,000 respectively and annual maintenance grant of Rs. 1 lakh and Rs. 50,000 respectively

1.3.9 Lack of adequate physical infrastructure and facilities

1.3.9.1 Under utilisation of funds for CHC up gradation

**Rupees 40.76 crore
(75 per cent)
provided by GOI for
up gradation of
CHCs to IPHS
remained unutilised**

Government of India released Rs.54.40 crore⁸⁷ for up gradation of CHCs to Indian Public Health Standards (IPHS) under NRHM.

Commissioner of Health instructed (February 2007) Director, Central Medical Stores Organization (CMSO) to purchase equipments⁸⁸ for CHCs as per requisition of CHCs out of the above fund. However records of CMSO revealed that though the rate contracts with firms were finalised by CMSO (March 2007), no equipments were purchased from the said funds. Expenditure of Rs.13.64 crore was incurred on up gradation of 86 CHCs⁸⁹ buildings leaving unspent grant of Rs.40.76 crore (Project Implementation Unit (PIU) at Gandhinagar-Rs.1.36 crore and SHS-Rs.39.40 crore) as on 31 March 2009. Thus, though funds were available for purchase of identified equipments for various CHCs, this was not done. The reasons for under-utilisation of the grant were not furnished by SHS though called for in audit.

1.3.9.2 Inadequate infrastructure at health centres

The framework for implementation of the Mission has set the target of providing certain guaranteed services to public at SC, PHC and CHC levels. To achieve this, the Ministry had come forward with IPHS for different levels of health centres for ensuring availability of facilities. Audit review of availability of facilities at 72 SCs, 36 PHCs and 18 CHCs revealed many deficiencies as indicated in **Appendix XXVII**. A few important deficiencies are highlighted below:

Operation Theatres (OTs)/ minor OTs were not provided in four CHCs and in 27 PHCs, which included nine PHCs where labour room was not available. Also in 57 SCs labour room was not available. However, in two PHCs and six SCs labour rooms were not functional. Separate wards for male and female patients were not provided in five CHCs and 26 PHCs. Separate utilities for men and women were not present in three CHCs and 16 PHCs. In 34 SCs there was no facility for medical waste disposal. Two PHCs and 61 SCs had no telephone connection. Five CHCs and 14 PHCs had no stand by for power supply.

SHS stated that OT was not functional in CHCs at Salaya, Sadra and Vapi as there was no specialist available. OT was not available at Sutrapada CHC as it was functioning in rented building. Reasons for the other deficiencies called for in audit were awaited (August 2009).

⁸⁷ Rs 10 crore in October 2005, Rs 5 crore in April 2006 and Rs 39.40 crore in July 2006

⁸⁸ Operation theatre equipments, labour/ delivery equipments, linen for labour/ delivery, equipments for Wards, basic equipments for all levels, delivery pack, equipments for vacuum extraction or forceps delivery, obstetric laparotomy/caesarean section pack, basic equipments for uterine evacuation, Anaesthesia equipments etc.

⁸⁹ Ahmedabad-4, Amreli-4, Banaskantha-1, Bhavnagar-7, Bharuch-2, Dahod-1, Dangs-1, Gandhinagar-4, Godhra-2, Jamnagar-4, Junagadh-1, Kachchha-1, Kheda-1, Narmada-2, Nadiad-4, Navsari-1, Mehsana-1, Panchmahal-7, Patan-1, Rajkot-2, Sabarkantha-4, Surat-12, Surendranagr-6, Tapi-1, Vadodara-8, Valsad-4

Thus, the guaranteed services to public at SC; PHC and CHC levels as per the frame work of implementation of NRHM were not available.

1.3.9.2.1 Absence of critical equipment in Operation Theatres

Absence of critical equipments in operation theatres deprived the beneficiaries of quality surgical services

The details of non-availability of critical equipments⁹⁰ in the operation theatres in 14 CHCs(out 18 test checked)were as shown in Table 3.

Table - 3

Name of Equipment	Number of CHCs where equipment was available	Number of CHCs where equipment was available but not functional	Number of CHCs where equipment was not available
Boyles apparatus (Anaesthesia machine)	8	1 (Vanthali)	6 ⁹¹
Cardiac Monitor for OT	4	0	10 ⁹²
Ventilator for OT	3	0	11 ⁹³
Vertical High Pressure Sterilizer 2/3 drum capacity	8	1(Bhachau)	6 ⁹⁴
Shadow less lamp pedestal for minor OT	13	0	1 ⁹⁵
Gloves and dusting machines	9	0	5 ⁹⁶
Nitrous oxide cylinder 1780 ltrs. 8 for one Boyles Apparatus	7	2 (Kodinar and Vanthali)	7 ⁹⁷
EMO Machine	0	Not Applicable	All 14 CHCs
Defibrillator for OT	2	0	12 ⁹⁸
Horizontal High Pressure Sterilizer	4	2 (Bhachau and Hansot)	10 ⁹⁹
Shadow less lamp ceiling track mounted	8	0	6 ¹⁰⁰
OT care/fumigation apparatus	8	0	6 ¹⁰¹
Oxygen cylinder 660 ltrs. 10 cylinder for one Boyles apparatus	10	2 (Kodinar and Vanthali)	4 ¹⁰²
Hydraulic operation table	12	0	2 ¹⁰³

⁹⁰ critical equipment means life saving equipment

⁹¹ Dungari, Hansot, Jamkalyanpur, Kodinar, Nardipur, Umalla,

⁹² Dhro1, Dungari, Hansot, Jamkalyanpur, Kodinar, Mundra, Nanapondha, Nardipur, Umalla, Vanthali

⁹³ Dhro1, Dungari, Hansot, Jambusar, Jamkalyanpur, Kodinar, Mundra, Nanapondha, Nardipur, Umalla, Vanthali

⁹⁴ Dungari, Jamkalyanpur, Kodinar, Nanapondha, Nardipur, Vanthali

⁹⁵ Jamkalyanpur

⁹⁶ Bhachau, Jamkalyanpur, Kodinar, Nanapondha, S.H Mandavi

⁹⁷ Bhachau, Dhro1, Dungari, Hansot, Jamkalyanpur, Nardipur, Umalla

⁹⁸ Dhro1, Dungari, Hansot, Jambusar, Jamkalyanpur, Kodinar, Mundra, Nanapondha, Nardipur, S.H Mandavi, Umalla, Vanthali

⁹⁹ Chandkheda, Dhro1, Dungari, Jambusar, Jamkalyanpur, Kodinar, Mundra, Nanapondha, Nardipur, Vanthali

¹⁰⁰ Dhro1, Jamkalyanpur, Kodinar, Nanapondha, Umalla, Vanthali

¹⁰¹ Dhro1, Hansot, Jamkalyanpur, Kodinar, Nardipur, Vanthali

¹⁰² Bhachau, Dhro1, Jamkalyanpur, Umalla

¹⁰³ Jamkalyanpur, Nardipur

SHS stated that details regarding period for which the equipments were not functional, its impact on services and reasons thereof were not available.

Details furnished by four CHCs (Mandavi, Bhachau, Nanapondha and Jambusar) revealed that in the absence of certain critical equipments, the OTs were being partially utilised.

As such, even after four years of implementation of NRHM, OTs were lacking in critical equipments thus depriving the beneficiaries of quality surgical services.

1.3.9.2.2 Lack of Radiological/X-ray services, Blood storage facilities and Emergency services

X-ray facilities were not available at five¹⁰⁴ out of 18 CHCs test checked. In none of the 18 CHCs test checked, blood storage facilities were available. Further, NRHM provided for availability of 24 hours emergency services in each PHC for management of injuries and accidents, first aid, stabilization of patients before referral, dog/snake/scorpion bite cases etc. by posting three staff nurses at PHCs. Out of 36 PHCs audited, 17¹⁰⁵ did not have 24 hour emergency services for treatment.

1.3.9.2.3 Shortcoming in extending of AYUSH services

One of the objectives of the scheme was to mainstream Ayurveda, Yoga, Unani, Siddha and Homeopathy (AYUSH) services through revitalizing of local traditions. The Mission aimed to provide AYUSH services in accordance with the local tradition by providing an AYUSH doctor over and above the medical officers posted at PHCs. In the six sampled districts there was shortage of 71 Medical Officers AYUSH (34 *per cent*) against the sanctioned strength of 210.

SHS stated that the posts were kept vacant in some PHCs as work load of in-door/out-door patients and for other national health programmes was less and that the posts would be filled in on increase in work load. The reply is not acceptable as in the absence of AYUSH Medical Officers the objective to mainstream AYUSH services through re-vitalising of local traditions would not be achieved.

1.3.10 Absence of adequate and skilled human resources

1.3.10.1 Shortfall in engagement and training of ASHAs with respect to norms of NRHM

☞ Engagement of ASHAs

Under NRHM a trained female community health worker called Accredited Social Health Activist (ASHA) was to be provided in each village in the

¹⁰⁴ Bhachau, Dungari, Nanapondha, Sutrapada and Vapi

¹⁰⁵ Aadhoi, Balada, Bhatia, Chhidra, Dabkhal, Jaliadevani, Jaspur, Junakataria, Kajanranchod, Latipur, Mota pondha, Movan, Nani tambadi, Panetha, Ran, Thareli and Vankal

ratio of one per 1000 population (or less for large isolated habitations). The ASHA was expected to act as an interface between the community and the public health system.

As against 31171 ASHAs, required to be engaged in the State as per norms till 31 March 2009, 24782 (80 *per cent*) ASHAs were engaged, leaving a shortfall of 6389 (20 *per cent*) ASHAs. Though the overall shortfall was 20 *per cent*, the vacancies of ASHAs as on 31 August 2009 in Junagadh district was to the extent of 54 *per cent*.¹⁰⁶

SHS stated that earlier the ASHA scheme was implemented in only 11 tribal districts and Junagadh district was not included in tribal area and that the directives to cover the uncovered areas in the State as per norms was given by GOI in August 2008.

The facts remains that the short fall in ASHAs would affect the expected interface between the community and the public health system.

✍ **Training of ASHAs**

Scheme guidelines provide for training of ASHAs for helping to equip them with necessary knowledge and skills. The guidelines provide for Induction training of five Modules¹⁰⁷, as well as periodic trainings for skill enhancement. Out of 24782 ASHAs engaged up to 31 March 2009, only 20229, 14611, 12533 and 11331 ASHAs were provided first, second, third and fourth module training respectively. No ASHA was provided fifth module training.

SHS stated that the fifth module was received from GOI in 2008 and the process of translating it into Gujarati language was in progress. The same would be made available to the districts in 2009-10.

The fact remains that there was shortfall in providing training even in respect of modules one to four.

1.3.10.2 Non-supply of drugs kits to ASHAs

No drug kits were provided to ASHAs

The ASHAs were required to be provided with drug kits containing medicines for minor ailments, oral rehydration solution, contraceptives etc. SHS reported that kit was not provided to any ASHA during the period 2005-09 as it was not purchased due to technical objections by CMSO. In the absence of drug kits no First-Aid could be provided by the ASHAs.

1.3.10.3 Vacancies of Medical and para-medical staff

There was huge shortage of medical and para-medical staff

Details of sanctioned strength and personnel in position as on 31 March 2009 of medical and para-medical staff in the State are shown in **Appendix XXVIII**.

¹⁰⁶ Requirement 1737 and in position-800

¹⁰⁷ Module I- 7 days training programme, Module II, III, IV and V-4 days each training programme

Scrutiny revealed that vacancies of medical and para-medical staff in CHCs, PHCs and SCs in the State ranged between 12 and 100 *per cent* with reference to sanctioned strength and between 16 and 100 *per cent* with reference to Indian Public Health Standards.

SHS stated that the shortage of staff in the State was mainly due to non-availability of qualified persons and in respect of certain cadres such as Nurse and Multi-Purpose Health Worker the posts were to be filled in by the District Panchayats.

Details of vacancies of medical and para-medical staff as on 31 March 2009 in SCs and PHCs in the six sampled districts are given in **Appendix XXIX**. Scrutiny of details revealed that at PHC level, no post of Staff Nurse (Regular) and Nurse Mid Wife were sanctioned or filled in. Further, there was vacancy of 73 *per cent* in respect of contractual appointments of Staff Nurse. The posts of Laboratory Assistant and Pharmacist were vacant to the extent of 56 and 58 *per cent* respectively.

Shortage of man power in critical areas for delivery of health services had adverse consequences particularly in the absence of 174 pharmacists in PHCs in the test checked districts.

1.3.10.4 Increased vacancies in cadre of specialists in CHCs

Non-availability of specialists at CHCs resulted in the populace being deprived of specialised medical attention

As per IPHS, there should be seven specialists¹⁰⁸ in each CHC. Availability of specialists in 266 out of 274 CHCs as furnished by the SHS revealed that the seven specialists were not available in any CHC. While four specialists were available in 22 CHCs, only one specialist was available in 180 CHCs. No specialist was available in 64 CHCs as on 31 March 2009. Number of CHCs without any specialists increased from 49 (March 2008) to 64 (March 2009). The position of availability of specialists in the remaining eight CHCs was not furnished.

SHS stated that open interviews were being held every week for ad-hoc/contractual appointment of specialists but due to shortage of qualified personnel, posts could not be filled in and wherever the post of gynaecologist Class-I was not sanctioned, medical officer was trained for handling delivery services. Further, it was stated that no other plans had been formulated for increasing the capacities.

The fact remains that shortage of specialists resulted in the populace being deprived of specialised medical attention.

¹⁰⁸ 1 General Surgeon, 2 Physician, 3 Obstetrician/Gynaecologist, 4 Paediatrician, 5 Anaesthetist, 6 Public Health Programme Manager and 7 Eye Surgeon

1.3.10.5 Shortfall in training of medical and paramedical staff

There was huge short fall in training of medical and para-medical staff

One of the aims of NRHM was capacity building of human resources through skill up gradation of the medical and support personnel by imparting periodic training to them. Test check revealed non-achievement of targets set for training as mentioned in Table 4.

Table - 4

Cadre of Medical/ Paramedical staff	Target for training during 2005-09	Actual training during 2005-09	Percentage of achievement to target	Short fall	Percentage of shortfall to target
ASHA	20241	9341	46	10900	54
ANM	43800	19697	45	24103	55
Staff Nurse	1000	762	76	238	24
Medical Officer	4606	2667	58	1939	42
Programme Manager	100	95	95	5	05

1.3.11 Inefficiencies and delay in system of procurement**1.3.11.1 Violation of provision of Procurement Guidelines**

Violation of provisions of procurement guidelines resulted in irregular award of printing work of Rs. 1.08 crore

SHS adopted the procurement policy laid down in Procurement Guidelines for Reproductive and Child Health (RCH) - II Project prepared by the GOI for procurement of goods and services for NRHM.

As per provisions in the Procurement Guidelines, the monetary ceiling for each contract prevailing in the State was required to be adopted for purchases under NRHM. State Government procurement policy (September 1997) envisaged that purchases above Rs.2 lakh per annum require inviting of open tenders. Scrutiny of records in SHS, however, revealed that purchases up to Rs.25 lakh were made by inviting quotations and purchases exceeding Rs.25 lakh were made through open tenders. As such, all purchases made and services obtained by SHS for amounts exceeding Rupees Two lakh and up to Rs.25 lakh, by way of quotations were irregular.

Member Secretary, SHS stated that NRHM envisages flexibility and hence broader view of ceiling of Rs.25 lakh for National Shopping (i.e. by inviting three quotations) was adopted. The reply is not acceptable as the provisions of Procurement Guidelines of RCH II clearly prescribe that State Government Rules/Policy be followed for procurement of goods and services under NRHM.

Further, more cases came to light where even contracts and purchases exceeding Rs.25 lakh were awarded without following procedure of open tenders which are discussed below:

Printing works amounting to Rs.1.08 crore for 70,500 Flip Books for ASHAs (Rs.66.27 lakh) and 50,000 Swarnim Gujarat Calendars (Rs.41.50 lakh) were awarded to M/s. Smart Graph Art Advertisement Pvt Ltd Company,

Ahmedabad and M/s. Gujarat Offset Pvt Ltd, Ahmedabad respectively (between December 2008 and March 2009) on quotations instead of inviting open tenders. This resulted in irregular awarding of printing work to the extent of Rs.1.08 crore.

Member Secretary SHS replied (May 2009) that the sanctions for the said works were accorded as per delegation of powers. Further, it was stated that the printer for printing calendar, pamphlets and stickers work relating to Swarnim Gujarat Celebration was fixed by the Department of Sports, Youth and Cultural Activities of Government of Gujarat. The reply is not acceptable since irregular procurement procedure was adopted by SHS. Furthermore, arrangement made by another department for tying up of printing work cannot be a plea for assigning work to the same party since the approved rates were not obtained from that department and only quotations were invited.

1.3.11.2 Purchase of drugs/medicines from de-registered companies

Drugs/medicines amounting to Rs.1.45 crore were procured from two de-registered companies

Scrutiny of records of the CMSO revealed that purchase orders were placed during the years 2006-07 and 2007-08 on two companies which were de-registered by the Director General of Medical Stores (Medical Stores Organisation), GOI. A certificate was given on each bill/invoice that the goods were received as per terms and specifications of contract in acceptable condition. Placement of purchase orders on the de-registered companies resulted in irregular purchase of medicines of Rs.1.45 crore as detailed in Table 5.

Table - 5

(Rs. in crore)

Sr. No.	Name of Company	Date from which permanently deregistered	Cost of medicines/drugs purchased by CMSO during 2006-07 and 2007-08
1	M/s.Micron Pharma, Vapi	24-04-2005	1.22
2	M/s. Jacson Labs (P) Ltd., Amritsar	11-03-2003	0.23
Total			1.45

CMSO stated that the matter of de-registration of the companies was not known to them. The reply is not acceptable as proper care should have been exercised before placement of orders to these de-registered firms.

1.3.11.3 Award of contracts for printing work to black listed parties

Printing work amounting to Rs.1.44 crore was awarded to three blacklisted parties

The Commissioner of Health had black listed (April 2008) 11 parties based on the post procurement review done by SGS Netherland appointed by the World Bank for TB II Project under the Revised National Tuberculosis Control Programme in the State. The instructions were issued to all T.B. officers in the State. However, no instructions were issued to all the branches of SHS.

Scrutiny of records in SHS revealed that printing works (Booklets, Modules, Stickers, Cards etc.) for amounts aggregating Rs.1.44 crore were got executed from three¹⁰⁹ of these 11 black listed parties during 2008-09.

Member Secretary (SHS) stated (May 2009) that the printing works were carried out as per rate contracts and as per RCH II procurement guidelines. Further the black listing of parties was only for RNTCP (TB) programme and on the grounds of small lapses. The reply is not acceptable as proper scrutiny should have been carried out before placement of orders to these black listed parties. Further, barring of black listed parties should have been applied for all branches of SHS.

1.3.12 Performance Indicators

1.3.12.1 Achievement of Infant Mortality Rate, Maternal Mortality Rate and Total Fertility Rate

NRHM has prescribed national targets for reducing Infant Mortality Rate (IMR), Maternal Mortality Rate (MMR), Total Fertility Rate (TFR), Reducing Morbidity and Mortality Rate and Increasing Cure Rate of different endemic diseases covered under various national programmes.

The target of IMR, MMR and TFR and achievement there against in the State are given in Table 6.

Table - 6

Sr. No.	Particular of indicators	Target as per NRHM	Target fixed by State¹¹⁰	Achievement
1	IMR	30 per 1000 live births by the year 2012	30 per 1000 live births by the year 2010	50 as of 2006 ¹¹¹
2	MMR	100 per 100000 live births by the year 2012	100 per 100000 live births by the year 2010	160 as of 2006 ¹¹²
3	TFR	2.1 by the year 2012	2.1 by the year 2010	2.4 as of 2006 ¹¹³

The data indicates that the State was moving towards achievement of the targets prescribed under NRHM.

1.3.12.2 Status of in-patient and out-patient cases

The effect on number of in-patient and out-patient cases is an important indicator to assess the effectiveness of various interventions under the NRHM. As per the information provided by the SHS the overall status of increase/decrease in number of patients coming to health centres for

¹⁰⁹ Dharam Printers, Honey Printers and Pathik Printers

¹¹⁰ No annual targets were prescribed by the State in annual plans

¹¹¹ Source National Family Health Survey-III (2005-06)

¹¹² Source Special Sample Registration Survey (2006)

¹¹³ Source National Family Health Survey-III (2005-06)

out-patient and in-patient services during the years 2005-09 was as shown in Table 7.

Table 7

Name of the Health centre	Year	Total number of units in the State	Out Patient			In Patient		
			Out-door patients	Increase (+)/ Decrease (-) over previous year		In-door patients	Increase (+)/ Decrease (-) over previous year	
				Number	Percentage		Number	Percentage
PHCs	2005-06	1072	11724176			150345		
	2006-07	1072	14245685	2521509	21.51	291616	141271	93.96
	2007-08	1073	12683952	(-)1561733	(-)10.96	207994	(-)83622	(-)28.68
	2008-09	1080	11402500	(-)1281452	(-)10.10	193581	(-)14413	(-)6.93
CHCs	2005-06	272	9620793			957444		
	2006-07	273	10472163	851370	8.85	1115482	158038	16.51
	2007-08	273	9187542	(-)1284621	(-)12.27	1095849	(-)19633	(-)1.76
	2008-09	274	9516646	329104	3.58	1214605	118756	10.84

Details of increase/decrease in out-patients and in-patients during 2005-09 in the six sampled districts are shown in **Appendix XXX**, which revealed that in PHCs out-patients increased during 2005-06 by 33 per cent and decreased by 20, 13 and 10 per cent during the years 2006-07, 2007-08 and 2008-09 respectively as compared to the earlier year. Number of in-patients in PHCs increased by 16, one and 14 per cent during 2006-07, 2007-08 and 2008-09 respectively.

In the CHCs of the six sampled districts, out-patients decreased by five and 18 per cent during 2005-06 and 2007-08 and increased by 19 and six per cent during 2006-07 and 2008-09 and in-patients increased by 22 and eight per cent during 2005-06 and 2008-09 and decreased by one and 10 per cent during 2006-07 and 2007-08.

Thus, it appears that the number of out-patients and in-patients did not show any improvement to indicate the effectiveness of the interventions under NRHM.

1.3.12.3 Maternal health

RCH II project aims to reduce maternal and infant mortality rates to 100 per one lakh and 30 per thousand respectively by 2010. The important services for ensuring maternal health and care inter-alia include antenatal care, institutional delivery, post natal care, referral services etc.

(a) Antenatal care

One of the major aims of the safe motherhood is to register all the pregnant women before they attain 12 weeks of pregnancy and provide them with services, such as, four¹¹⁴ antenatal check-ups, 90 or more Iron Folic Acid tablets, two doses of tetanus toxoid (TT) and advice on the correct diet and vitamin supplements and in case of complications referring them to more specialised gynaecological care.

¹¹⁴ Three antenatal check-ups were being provided in the State

☞ **Registration and checkups**

Status of registration and antenatal check-ups during 2005-09 provided by the State Health Society was as shown in Table 8.

Table 8

Year	Total number of pregnancies	No. of pregnant women registered	No. of registered pregnant women who received three antenatal check-ups (percentage)
2005-06	1480000	1390861	1008594 (73)
2006-07	1471500	1365461	961302 (70)
2007-08	1500800	1370588	952414 (69)
2008-09	1490300	1310964	963285 (73)

Percentage of registered pregnant women who received three antenatal check-ups ranged between 69 and 73. The number of pregnant women registered at any health center indicated a decreasing trend from 13.91 lakh in 2005-06 to 13.11 lakh in 2008-09.

In six test checked districts the average percentage of pregnant women who received three antenatal check-ups varied between 18 and 25 during 2005-09 (**Appendix XXXI**).

☞ **Iron Folic Acid Administration**

There was short fall in Iron Folic Acid administration to pregnant women during 2008-09

Anaemia, haemorrhage, sepsis, toxemia, tetanus and obstructed labour were the main cause of maternal deaths. Anaemia is considered as leading cause of maternal mortality and is an aggravating factor to haemorrhage, sepsis and toxemia. The RCH II programme, therefore, emphasised Iron Folic Acid (IFA) administration for pregnant women. Prophylaxis against nutritional anaemia in a pregnant woman requires a daily dose of large Iron Folic Acid tablets for a period of 100 days. As per information provided by the State Health Society, the details of pregnant women provided with 100 days of IFA tablets were as shown in the Table 9.

Table - 9

Year	No. of pregnant women registered	No. of registered pregnant women who received 100 days of IFA tablets (percentage)
2005-06	1390861	982548 (71)
2006-07	1365461	1351706 (99)
2007-08	1370588	1228915 (90)
2008-09	1310964	577083 (44)

Details of Iron Folic Acid Administration to pregnant women during 2005-09 in the six sampled districts are shown in **Appendix XXXII**. Scrutiny revealed that in Junagadh and Kachchh districts, the percentage of pregnant women who were administered IFA tablets (with reference to the pregnant women

registered) decreased during 2005-09 from 141 to 87 and 93 to 74 respectively. In Gandhinagar district it decreased from 98 to 82 *per cent* during 2006-09. Percentage of IFA administration to pregnant women was 68 in Valsad district during 2006-07 and 2007-08 and in Bharuch district 67 and 48 in 2006-07 and 2007-08 respectively. The IFA administration in the State and in the sampled districts indicated a decline.

☞ *Tetanus Toxoid Immunisation (TTI)*

Two dosages of tetanus toxoid have been prescribed for all pregnant women to immunise the mothers and neonates from tetanus.

As per SHS, 13.24 lakh, 13.06 lakh, 12.64 lakh and 12.02 lakh women were fully immunised from tetanus during the years 2005-06, 2006-07, 2007-08 and 2008-09 against the target of 14.80 lakh, 14.72 lakh, 15.01 lakh and 14.90 lakh respectively. The shortfall in achievement ranged between 11 *per cent* (2005-06 and 2006-07) and 19 *per cent* (2008-09) in the State.

Scrutiny of six sampled districts (**Appendix XXXIII**) revealed that the percentage of pregnant women who were administered TT doses during the years 2005-09 in Jamnagar, Junagadh, Kachchh, Valsad and Bharuch districts ranged between 83 and 93, 91 and 97, 79 and 108, 83 and 102 and 89 and 103 respectively. In respect of Gandhinagar the TTI during 2006-09 ranged between 77 and 91 *per cent*.

(b) **Institutional delivery care**

The achievement of annual targets for Institutional Delivery ranged between 63 and 82 per cent

An important component of the RCH II programme was to encourage mothers to undergo institutional deliveries.

The target of institutional delivery in the State was 11.92 lakh, 12.01 lakh, 11.82 lakh and 10.28 lakh during 2005-06, 2006-07, 2007-08 and 2008-09 respectively. Against the targets set, the total institutional deliveries were 7.54 lakh (63 *per cent*), 8.12 lakh (68 *per cent*), 9.20 lakh (78 *per cent*) and 8.43 lakh (82 *per cent*) during the four years.

The targets and achievements of institutional deliveries during the period 2005-09 in the six sampled districts are detailed in **Appendix XXXIV**. The data revealed that the overall percentage of institutional deliveries increased from 50 *per cent* (2005-06) to 73 *per cent* (2008-09) though the annual targets set were not achieved (except in Bharuch district for 2008-09).

1.3.12.4 Immunisation and child health

Strengthening of services to improve child survival is one of the major components of the RCH II programme. This mainly focuses on preventive aspects such as control of vaccine preventable diseases, diarrhoea, and acute respiratory infection among infants and children under five years of age.

☞ Routine Immunisation

The immunisation of children against six preventable diseases, namely tuberculosis, diphtheria, tetanus, polio and measles has been the cornerstone of routine immunisation under universal immunisation programme.

Scrutiny of targets and achievements of Routine Immunisation during 2005-09 in the State (**Appendix XXXV**) revealed that percentage achievement of full immunisation against the target fell from 88 in 2005-06 to 79 in 2008-09. Similarly, percentage of achievement as against the targets for Diphtheria and Tetanus (DT), Tetanus Toxoid (TT) (16 Years) and TT (10 Years) decreased from 79 to 53, 94 to 54 and 74 to 59 respectively during the period 2005-09, thus increasing the chances of children being vulnerable to these diseases.

The targets and achievements of routine immunisation during the period 2005-09 in the six sampled districts (**Appendix XXXVI**) revealed that the achievement against targets for DT and TT (10 years) during the period 2005-09 decreased from 84 to 63 *per cent* and from 82 to 64 *per cent* respectively.

☞ Pulse Polio Immunisation

The annual targets for Pulse Polio Immunisation was achieved during the period 2005-09

The Pulse Polio Immunisation was launched under RCH II project to eradicate polio and ensure zero transmission by the end of 2008. The year wise details of polio cases in the State were as given in Table 10.

Table - 10

Year	No. of new polio cases	No. of children given polio drops(figures in lakh)		
		Target	Achievement	Percentage of Achievement
2005-06	1	190.73	190.81	100
2006-07	5	482.52	486.17	101
2007-08	0	246.66	248.46	101
2008-09	0	167.38	168.92	101

There was no new case of polio reported during the years 2007-08 and 2008-09 and the achievement of pulse polio immunisation in the State exceeded the target during the years 2005-09. Reasons for higher achievements were stated by SHS to be due to coverage of migrant population from other States and possible inclusion of children above five years of age.

1.3.12.5 Family planning

The RCH II has launched a number of initiatives under the family planning and continued prevailing methods to achieve the goal of population stability through reduction of total fertility rate to replacement level of 2.1 by 2012. Family planning includes terminal method to control total fertility rate and spacing method to improve couple protection ratio.

(a) Terminal method

Vasectomy constituted a meagre 2.92 per cent of the total sterilisations during the period 2005-09

The terminal method of family planning includes vasectomy for male and tubectomy for female. The status of target and achievement in various terminal methods in the State during 2005-09 was as shown in Table 11.

Table - 11

Year	Target	Achievement						
		Vasectomy		Tubectomy		Laparoscopic		Total
		No.	Percent-age	No.	Percent-age	No.	Percent-age	No.
2005-06	327000	1446	0.52	135129	48.20	143759	51.28	280334
2006-07	341000	1032	0.39	129093	48.25	137424	51.36	267549
2007-08	354794	20646	6.66	137678	44.40	151740	48.94	310064
2008-09	350000	11530	3.55	153973	47.36	159604	49.09	325107
Total	1372794	34654	2.92	555873	46.99	592527	50.09	1183054

The proportion of vasectomy to the total sterilisations was only 2.92 *per cent* during the period 2005-09. About 47 *per cent* of sterilisations were tubectomy and this is a manifestation of the gender imbalance that plagues the programme.

The proportion of vasectomy and tubectomy to the total sterilisations in the six sampled districts was only 3 and 26 *per cent* respectively during the period 2005-09 (**Appendix XXXVII**).

(b) Spacing methods

Oral pills, condoms and inter uterine device insertion are the three prevailing spacing methods of family planning to regulate fertility and promote couple protection ratio. The year wise details on target and achievement of use of spacing contraceptives in the State were as shown in Table 12.

Table - 12

Year	Oral pills cycle		IUD insertion		Distribution of condom	
	T	A	T	A	T	A
2005-06	253000	244559	494000	466230	1173000	1004331
2006-07	274300	237472	566000	464484	1159600	1082994
2007-08	288000	296014	592696	494529	1217600	1224263
2008-09	288000	275258	611950	591564	1295951	1197145
Total	1103300	1053303	2264646	2016807	4846151	4508733

Among the total spacing method users (7578843), around 59 *per cent* accounted for condom users and 14 and 27 *per cent* accounted for oral pills and IUD users respectively.

1.3.12.6 National Programme for Control of Blindness (NPCB)

The NPCB aimed to reduce prevalence of blindness cases to 0.8 *per cent* by 2007 through increased cataract surgery (46 lakh by 2012), school eye screening and free distribution of spectacles, collection of donated eyes and creation of donation centres and eye-banks.

(a) Cataract operation performance

Cataract operations performed by Government sector averaged only 9 *per cent* during 2005-09

Cataract operations (catOps) are performed by Government doctors in Government hospitals, by NGOs and private practitioners in clinics and eye camps. Details of cataract surgery performed in the State are as given in Table 13.

Table -13

Year	Performance of catOps in Government sector		Performance of catOps by NGOs		Performance of catOps by private practitioners and others		Total catOps
	Number	Percentage to total	Number	Percentage to total	Number	Percentage to total	
2005-06	55135	10	195757	36	297340	54	548232
2006-07	59010	10	210228	34	341720	56	610958
2007-08	61081	9	233729	36	349579	55	644389
2008-09	55399	7	278811	38	409949	55	744159
Total	230625		918525		1398588		2547738

The government sector achieved only seven to ten *per cent* of the total catOps between 2005-06 and 2008-09.

(b) Refractive error and free distribution of spectacles

The programme envisaged training of teachers in government and government aided schools, for screening refractive errors among students and free distribution of spectacles to the students having refractive errors.

During 2005-06, 2006-07, 2007-08 and 2008-09, 43980, 38297, 75862 and 150832 spectacles were issued against the total detection of 40585, 39574, 82989 and 187412 cases of refractive errors respectively.

The number of free spectacles issued did not correspond to the students having refractive error.

(c) Eye banks

The performance of eye banks in Government and voluntary sectors was as shown in Table 14.

Table -14

Year	No. of eyes			
	Donated	Utilized	Transferred to other bank	Used for research
<i>Government sector</i>				
2005-06	1418	488		930
2006-07	1550	508		1042
2007-08	1484	435		1049
2008-09	1418	448		970
Total	5870	1879 (32 <i>per cent</i>)		3991
<i>Voluntary sector</i>				
2005-06	4431	1562	2630	239
2006-07	4601	1668	2604	329
2007-08	5888	1680	3861	347
2008-09	5050	1597	3135	318
Total	19970	6507	12230	1233
Grand Total	25840	8386	12230	5224

It is evident from the table that the percentage of eyes actually utilised under government sector was 32, which was less than those by voluntary sector.

1.3.12.7 Revised National Tuberculosis Control Programme (RNTCP)

The main objective of the RNTCP was to diagnose as large a number of cases as possible by detecting at least 70 per cent cases and to ensure cure rate of at least 85 per cent of smear positive cases through Direct Observed Treatment Short Course (DOTS).

Targets and achievements under RNTCP

The achievement under RNTCP exceeded the annual targets fixed for detection as well the cure rate of 85 per cent

The year wise details of targets and achievement under the RNTCP regarding sputum examination and case detection are as shown in Table 15.

Table - 15

Year	Sputum examination			Detection of new Sputum Positive Cases		
	Target	Achievement		Target	Achievement	
		No.	Percentage		No.	Percentage
2005-06	328860	348473	106	30688	33601	109
2006-07	333600	347676	104	31136	34856	112
2007-08	338400	385332	114	31584	35375	112
2008-09	342600	388774	113	31976	35405	111

The achievements were higher than the annual targets prescribed during 2005-09.

The cure rate of TB patients ranged between 86 and 87 per cent in the State during 2005-09.

1.3.12.8 National Vector Borne Disease Control Programme (NVBDCP)

The NVBDCP aims to control vector borne diseases by reducing mortality and morbidity due to malaria, filaria, kala azar, dengue, chikungunia and japanese encephalitis in endemic areas through close surveillance, controlling breeding of mosquitoes, sand fly etc. through indoor residual spray of larvicides and insecticides and improved diagnostic and treatment facilities at health centres.

(a) Annual Blood Examination Rate (ABER) and Annual Parasitic Incidence (API) for malaria

The programme stipulated to achieve ABER of 10 per cent and API of less than 0.5 per thousand for the country. The ABER was 19.9, 19.6, 16.4 and 15.35 per cent and API was 3.2, 1.6, 1.2 and 0.87 per 1000 in the State during the years 2005, 2006, 2007 and 2008 respectively.

(b) Incidence of vector borne diseases

Details of mortality due to various vector borne diseases in the State during 2005-08 are given in **Appendix XXXVIII**.

Deaths due to Malaria had decreased substantially during 2005-08. Though the incidences of Dengue had increased substantially during 2008, the number of deaths decreased from 11(2005) to two (2008).

1.3.12.9 National Leprosy Elimination Programme (NLEP)

The NLEP aimed to eliminate leprosy by the end of 11th plan. It also aims to ensure leprosy prevalence rate to less than one per thousand.

Details of total number of new leprosy cases and prevalence rate in the State during 2005-09 were as shown in Table 16.

Table - 16

Year	New cases detected	Prevalence rate
2005-06	6399	0.73
2006-07	7652	0.76
2007-08	7228	0.82
2008-09	7581	0.74

1.3.12.10 National Iodine Deficiency Disorder Control Programme (NIDDCP)

The NIDDCP aims to control iodine deficiency disorder through production and distribution of iodised salt, analysis of salt samples and analysis of urinary iodine excretion etc. Details of salt samples tested and urinary excretions analysed in the State during 2005, 2006, 2007 and 2008 were as shown in Table 17.

Table - 17

Year	Number of salt samples tested	Number of urinary excretions analysed	
		Target	Achievement
2005	693810	480	929
2006	655725	480	262
2007	669253	480	359
2008	774161	480	958

Against the annual target of 480 samples for urine analysis, number of samples analysed were less than the requirement during the years 2006 and 2007.

1.3.13 Monitoring and Evaluation

The Mission Document provided for Health Management Information System (MIS) to be developed up to CHC level, and web-enabled for citizen's scrutiny. Though the State developed a web-based Information System up to PHC/CHC level, however, it was not enabled for citizen's scrutiny. Mission Document provided for external evaluation through Professional bodies/NGOs. The Additional Director at the State Commissionerate stated that RCH programme had been reviewed (July-August 2008) by "Taleem", an external agency. The reply is not acceptable as it was not an evaluation of NRHM.

1.3.14 Conclusion

Village and block level health plans were not prepared as a result of which, these could not be consolidated into the District Health Action Plan as was mandated. Delay in submission and approval of the PIP hampered the implementation of the annual action plan. Facility survey was not carried out for any SC. Operation theatres were not having critical equipments despite passage of four years of NRHM. System of procurement was defective as purchase procedures for inviting open tenders were not followed and purchases made from de-registered and black listed firms. Untied fund and maintenance grant were not released to RKSs at 72 and 273 CHCs during 2005-06 and 2006-07 respectively. There were huge vacancies of para-medical staff. Specialists were not provided to CHCs as per IPHS. The State was moving towards achieving the mile-stone targets for IMR, MMR and TFR. There was decline in the pregnant women registered at any health centres in the State. Iron Folic Acid administration during 2008-09 to pregnant women registered had fallen sharply. The percentage of Vasectomy to total sterilization performed was a meagre 2.92.

1.3.15 Recommendations

- ☞ Facility survey should also be extended to SC level so as to assess gap in infrastructure facilities. Preparation of action plans should be made mandatory at village and block level so as to make District Health Action Plan comprehensive and accurate.
- ☞ Adherence to mile stones prescribed in NRHM in process of approval of programme implementation plan should be strictly ensured and monitored at appropriate level.
- ☞ To strengthen functioning of RKS, timely release of Untied Fund and Maintenance Grant should be ensured so that the ultimate objective of providing services to the beneficiaries is achieved.
- ☞ Gaps in availability of critical facilities and equipment in Operation Theatres and diagnostic services should be bridged at the earliest.
- ☞ Procedure for procurement prescribed under NRHM should be adhered and for this necessary instructions may be issued to all field formations besides regular updating of de-registered and black listed firms and their timely circulation.
- ☞ Women and child health care and family planning programmes require strengthening.
- ☞ Substantial posts of doctors and nurses for providing essential medical services are required to be filled in on priority.

Report was issued to the Secretary to Government of Gujarat, Health and Family Welfare Department (July 2009), reply thereto was awaited.