

Chapter 2 Performance Audit

This Chapter presents performance audit of the Preservation of Monuments and upkeep of Museums, Implementation of the Juvenile Justice (Care and Protection of Children) Act and Development of Sports and Physical Education in Rajasthan.

Art, Literature, Culture and Archaeology Department

2.1 Preservation of Monuments and upkeep of Museums

Highlights

Rajasthan is replete with historical sites, some preserved, others languishing for want of a policy, resources and attention. A review of the performance of the Department of Archaeology and Museums (A&M) during 2004-09 revealed that it had carried out commendable work, such as opening of the 700 feet long historical tunnel of Amber Mahal, Jaipur, restoration of the 5777 meter long City Wall of Jodhpur and restoration and development works of the Albert Hall Museum, Jaipur. However, the review brought forth certain deficiencies:

The Department does not have a long-term policy to guide the executives in planning and executing preservation works as envisaged in its objectives. Government has not constituted an Advisory Board for expert guidance on preservation and upkeep of historical monuments.

(Paragraph 2.1.4)

During 2004-09, under-utilisation of funds ranged between 10 per cent and 41 per cent. Large amount of Central grants remained unutilised. User charges were not levied for all the monuments, nor reviewed periodically.

(Paragraphs 2.1.4.1, 2.1.4.2 and 2.1.4.6)

Commercial activities were allowed in violation of rules, which resulted in modification of the original shape and structure of protected monuments. The Department was unable to check the defacement of the monuments.

(Paragraphs 2.1.5.3 and 2.1.5.4)

The Chandrawati Art Gallery, Abu Road, constructed in March 2006 was not opened to visitors as of September 2009. Lack of watch and ward resulted in defacement of Hawa Mahal.

(Paragraphs 2.1.6.1 and 2.1.6.2)

At the Government Museum, Jodhpur, only 809 antiquities had been displayed without descriptive boards and 6,978 antiquities were lying in the store. Physical verification of artifacts at Ganga Government Museum, Bikaner and Sardar Government Museum, Jodhpur was perfunctory, while at Albert Hall, Jaipur, it was conducted partly.

(Paragraphs 2.1.6.3 and 2.1.6.4)

Monitoring system for preservation and maintenance of monuments and museums was non-existent. Preservation works of Gagron Fort, Hawa Mahal and Jantar Mantar remained incomplete, while the work of Town Hall Museum at Jaipur did not even start.

(Paragraphs 2.1.5.6, 2.1.5.7 and 2.1.7)

2.1.1 Introduction

The Archaeology and Museums (A&M) Department was formed by integrating the archaeological departments of the princely States in Rajasthan in 1950. Under the Rajasthan Monuments, Archaeological Sites and Antiquities Act (Act), 1961, the Government of Rajasthan (GoR) framed the Rajasthan Monuments, Archaeological Sites and Antiquities Rules, 1968 (State Rules, 1968). The main function of the Department is to declare such sites and monuments as 'protected'¹, maintain² their original shape and structure, explore scattered antiquities, strengthening, development, preservation of museums and monuments, publication and communication through mass media of art and sculpture for the use of general public. The Ministry of Tourism and Culture, Government of India (GoI), under Centrally Sponsored Schemes³ (CSS) and GoR allocate funds for this purpose. There are 18 Government museums, two art galleries, 293 protected monuments and 47 protected sites situated in 28 districts⁴.

2.1.2 Organisation

The Principal Secretary, Art, Literature, Culture and Archaeology (A&C) Department is the administrative head under whose control the Director, Archaeology and Museum, looks after the protection of monuments and museums with the assistance of one Deputy Director. There are 14 Superintendents, one in each of the seven Circles (Ajmer, Bharatpur, Bikaner, Jaipur, Jodhpur, Kota and Udaipur) covering 28 districts of Rajasthan, four in the Directorate, Jaipur, one each in Government Central Museum (Albert Hall) Jaipur, Government Museum at Amber Mahal and *Jyotish Yantralaya* at

-
1. see the glossary at page 175
 2. "maintain" includes the fencing, covering in, repairing, restoring and cleaning of an ancient or historical monument, an archaeological site or an antiquity or the doing of any act which may be necessary for the preservation, protection, upkeep or regulation of such monument, site or antiquity, or for securing convenient access thereto;
 3. Promotion and Strengthening of regional and local museums, Hadoti Region Tourist Circuit (HRTC) development scheme, Destination Development (DD) scheme and National Capital Region Tourist Circuit (NCRTC)
 4. In the remaining five districts (Sawaimadhopur, Jhunjhunu, Churu, Hanumangarh and Banswara), no monuments, museums, art galleries and protected sites were identified.

Jaipur. Apart from this, there are 14 curators of museums and seven custodians are responsible for maintenance, protection and renovation of five museums (including one proposed museum), one art-gallery and Amber Mahal. In the Directorate, there are one Executive Engineer and three Assistant Engineers for execution and technical supervision of works, which are carried out by contractors.

Two societies were set up for conservation and preservation works: (i) Amber Development and Management Authority (ADMA) Society for Amber Mahal Complex⁵, headed by the Chief Secretary, GoR, and (ii) Rajasthan State Museum and Monument Management and Development Society (RSMMDMS) for other monuments and museums in the State, headed by the Principal Secretary, A&C Department, GoR. The details are in *Appendix 2.1*.

2.1.3 Aim and scope of audit

The review was undertaken to assess whether the Department executed the works of preservation, protection, upkeep, maintenance of monuments and museums within the policy framework and good financial management, and in tune with its objectives. The review has discussed:

- the existing policy framework for preservation of monuments and museums and the Department's functioning with respect to maintenance and preservation of monuments, museums and antiquities.
- the Department's financial administration with regard to release and utilization of budget allocations for earmarked preservation works, levy and periodic review of user charges and adherence to financial rules.
- creation of a security mechanism and monitoring system.

Audit conclusions were drawn after test-check of records, analysis of the available data, response to questionnaires, and joint physical verification of monuments/sites. Category-wise names of test-checked monuments and museums are given in *Appendix 2.2*. Audit also scrutinized the records, available in the Directorate, in respect of seven CSS-funded monuments⁶.

The audit findings were shared with the Principal Secretary, A&C Department, Rajasthan.

Audit findings

2.1.4 Planning and Funding

A long-term policy and an integrated approach are vital for preservation of the monuments and maintenance of the museums as well as for efficient utilization of funds. According to the information furnished by the Department

5. Amber Mahal, Hathi Stand, Kesar Kyari, Maota, Pariyon ka Bagh, Jaleb Chowk, Fort wall and properties of Amber Mahal etc.

6. **Jhalawar:** Gagron Fort; **Dholpur:** Shergarh Fort, Bari Fort, Muchkund and Talabshahi Mahal; **Bharatpur:** Kaama Mahal and **Baran:** Kakoni Temple.

(May 2009) the preservation work was being undertaken on priority in view of dilapidated condition of structures, local demand and the assessed need, and available budget for the proposals given by the Circle Offices. Audit observed that in the absence of a laid down policy framework, the approach to prioritization and execution of preservation and restoration works had been *ad hoc*. Government stated (September 2009) that as a part of long-term policy the proposals for Twelfth and Thirteenth Finance Commission were prepared for execution of works. The fact remains that the Department does not have a declared long-term preservation policy (September 2009).

Further, under Section 30 of the Act, for the purpose of advising the State Government in the matter of the preservation, maintenance, upkeep, protection, acquisition, regulation and control of ancient or historical monuments, archaeological sites and antiquities, the State Government may constitute an Advisory Board⁷. Government, however, has not constituted an Advisory Board as of September 2009. Government stated (September 2009) that formation of Advisory Board was not mandatory as per the Act. By not constituting the Advisory Board, the Department was deprived of expert guidance.

2.1.4.1 Financial Management

Funds were allocated under CSS, State Plan, Eleventh Finance Commission (EFC) and Twelfth Finance Commission (TFC) for preservation, renovation and maintenance of monuments and museums in the State. Year-wise position of allocation of funds and expenditure incurred against under the State Plan, CSS⁸ and grants received under EFC and TFC during 2004-09 is as under:

Table 1: Allocation of funds and expenditure

Year	State Plan		CSS		EFC/TFC		Total		
	Allo-cation	Expen-diture	Allo-cation	Expen-diture	Allo-cation	Expen-diture	Allo-cation	Expen-diture	Excess(+) Saving(-)
2004-05	3.66	3.08	-	-	7.98 (EFC)	7.43	11.64	10.51	(-) 1.13 (10%)
2005-06	3.83	2.33	0.19	0.03	-	-	4.02	2.36	(-) 1.66 (41%)
2006-07	6.02	4.65	-	-	3.50 (TFC)	1.49	9.52	6.14	(-) 3.38 (35%)
2007-08	5.85	5.82	-	-	25.50(TFC)	16.77	31.35	22.59	(-) 8.76 (28%)
2008-09	3.75	3.75	-	0.02	13.64(TFC)	14.36	17.39	18.13	(+) 0.74 (4%)
Total	23.11	19.63	0.19	0.05	50.62	40.05	73.92	59.73	(-) 14.19 (19%)

(Source: A&M Department)

7. see the glossary at page 175.

8. "Promotion and Strengthening of regional and local museums" under which funds are released to the A&M department through the budget. The funds were to be shared on 80:20 basis between Centre and State Government.

It would be seen that underutilization of funds ranged from 10 *per cent* to 41 *per cent*. Out of Rs 25.50 crore allocated (2007-08) under TFC Rs 8.73 crore could not be utilised. Government stated (September 2009) that works of Rs 5 crore of Town Hall, Jaipur could not be taken up and saving of Rs 3.73 crore was related to ongoing works of other museums, monuments, libraries and heritage zones.

Out of Rs 13.64 crore allotted under TFC (2008-09), Rs 26 lakh for the projects of preservation of monuments and excavation work were not utilised (March 2009). The Department stated that excavation work could not be carried out as the post of Excavation Officer was lying vacant since July 2006.

The funds were also released by GoI under three other schemes during 2004-09, not routed through the State budget. These schemes were: Hadoti Region Tourist Circuit Development Scheme (HRTC)⁹, Destination Development Scheme (DD)¹⁰ and National Capital Region Tourist Circuit Scheme (NCRTC)¹¹.

2.1.4.2 CSS grant for promotion and strengthening of museums

CSS grant of Rs 14.40 lakh remained unutilised

The Ministry of Culture, GoI, sanctioned (January 2005) non-recurring grant of Rs 20 lakh for Government Museum, Mount Abu and released the first installment of Rs 15 lakh (75 *per cent*) for renovation/repair and modernisation of galleries, publication, conservation of laboratory, purchase of equipment, documentation and museum library, for utilisation by December 2006. The Department utilised Rs 2.03 lakh during 2005-06, leaving an unutilised balance of Rs 12.97 lakh as on March 2009. The Principal Secretary, GoR, stated (September 2009) that expenditure in the Mount Abu Museum could not be made due to the ban on construction activities. GoI did not revalidate the grant.

Similarly, Rs 3.75 lakh was released out of Rs 5 lakh sanctioned (January 2005) for Government Museum, Pali. Of this, Rs 2.32 lakh was utilized leaving an unutilized balance of Rs 1.43 lakh.

Thus, the Department could utilize only Rs 4.35 lakh within the stipulated period, out of sanctioned amount of Rs 25 lakh.

2.1.4.3 Digitization of ancient manuscripts

Release of excess funds of Rs 2.74 crore for digitization

The Department sanctioned (December 2007) TFC grant of Rs 68 lakh to the Director, Oriental Research Centre (ORC), Jodhpur for digitization of ancient records of historical importance. The ORC, Jodhpur, further transferred Rs 68 lakh (January-March 2008) to RajComp (a State agency in the field of Information Technology) on the basis of its proforma invoice of Rs 5 per page for digitization of 13.60 lakh pages of manuscripts. RajComp floated a tender and work order was issued (May 2008) to M/s Nine Stars Information Technology Ltd., New Delhi, at the rate of Re. 0.55 per page for digitization

9. Allocation: Rs 0.95 crore, expenditure: Rs 0.46 crore.

10. Allocation: Rs 17.35 crore, expenditure Rs 7.34 crore.

11. Allocation: Rs 1.14 crore, expenditure: Rs 1.20 crore.

and Re. 0.15 per page for e-cataloging work of 13.60 lakh pages, amounting to Rs 9.52 lakh. Audit observed that there was a huge difference between the rates offered by RajComp, in its proforma invoice, and the rates of work order issued by them. The ORC, Jodhpur did not assure the reasonableness of rates before transferring the amount to RajComp, resulting in excess release of Rs 58.48 lakh to RajComp.

Similarly, the Department sanctioned TFC grant of Rs 2.34 crore during 2007-09 to the Archives Department, Bikaner. The Archives Department, Bikaner, transferred the amount to RajComp in December 2007 (Rs 1.11 crore) and November 2008 (Rs 1.23 crore) on the basis of the proforma invoice of Rs 5 per page for digitization of 25 lakh pages of ancient records. RajComp, in the same manner as above, allotted the work of 26.35 lakh pages (May 2008) to the same firm at Re. 0.70 per page, amounting to Rs 18.45 lakh. It was observed that even after the issue of the work order of Rs 18.45 lakh for total work in May 2008 by RajComp, the Archives Department further transferred an amount of Rs 1.23 crore (November 2008), without taking note of excess release of Rs 0.93 crore made earlier.

2.1.4.4 Amber Mahal Development Fund

The Constitution of ADMA provides that Amber Mahal Development Fund would be created by ADMA for protection, upkeep, maintenance and development activities of Amber Mahal. The Fund was to be created from financial aid and income received from various sources. But no such Fund was created. Government stated (September 2009) that the fund was not created as development and preservation work was carried out by finances provided by GoR and GoI. The reply was not acceptable because the funds were provided by GoR and GoI only for specific projects/works, whereas the Amber Mahal Development Fund was to be created for general maintenance, protection and upkeep of the monuments.

Irregularities in the award of contract

Further, before 2008-09, Nagar Nigam, Jaipur undertook the cleaning of Amber Mahal. However, tenders for comprehensive cleaning of the entire Amber Palace area were floated in February 2008. Two firms submitted bids for 2008-09. One did not furnish relevant documents and its tender was not considered fit. The single tender (M/s IL&FS Property Management), quoted at Rs.19,40,136 per month, was opened. On negotiation (29 March 2008), the amount was reduced and approved for Rs 10 lakh per month plus service tax, and work order was issued in April 2008. ADMA made a payment of Rs 1.46 crore to the firm for the period April 2008 to April 2009 and the period of contract was extended up to May 2009.

On inviting the tenders for 2009-10, the financial bid of six out of seven participating firms were opened, including the firm approved for 2008-09 (M/s IL&FS Property Management, New Delhi) which now entered the fray with a bid of Rs 7,40,000 per month. The tender was approved (June 2009) by ADMA at Rs 4,69,500 (including service tax) per month for 2009-10. Thus, without enquiring about the market rates and reasonableness of proposed rates, higher rates had been approved in 2008-09, resulting in an avoidable loss of Rs 0.85 crore. ADMA stated that revised tenders were not floated as the

Tender Committee and the Chief Executive Officer had approved the rate, after negotiating with the bidder.

2.1.4.5 Museum and Monument Fund

The constitution of RSMMDMS also provides that Museum and Monument Fund would be created for raising financial assistance from various sources for safety, conservation, upkeep and related research-oriented activities. However, no Fund was created (September 2009). Government replied (September 2009) that the Fund would be created as per the mandate of the society in the future.

2.1.4.6 User charges

As per Section 20A of the Act, 1961, the State Government may, by notification in the official gazette, levy entrance fee in respect of such monuments and at such rates not exceeding Rs 2500 per head. Out of a total 293 monuments, user charges were fixed only for 11 monuments in June 2004. Further, user charges for only eight monuments have been fixed since July 2009. The position with respect to old and new rates of user charges is given in **Appendix 2.3**.

It was observed that an amount of Rs 36.36 crore from seven¹² monuments, out of 11, was received as income from user charges during 2004-2009. The reasons for not levying user charges in remaining monuments were not intimated. Had the user charges been levied for the remaining 285 monuments, the Government could have earned revenue, which could have been utilised for maintenance.

2.1.4.7 Collection and deposit of revenue in society accounts

**Revenue of
Rs 1.80 crore
not deposited
in
Government
account**

According to Rules 5 and 6 of General Financial and Accounts Rules (GF&ARs), all the revenue earned from Government property should be deposited into Government Account.

RSMMDMS, Jaipur, signed eight Memorandum of Understandings (MoUs) (between March 2008 and January 2009) for commercial activities in Jantar Mantar, Hawa Mahal and Albert Hall Campus, and earned Rs 8.74 lakh (**Appendix 2.4**) during 2007-09 from five firms. The amount was deposited in the account of the Society instead of in the Government account. Similarly, ADMA signed MoUs with 20 firms (2006-09) for commercial activities in Amber Mahal and Jantar Mantar and earned Rs 1.71 crore (**Appendix 2.4**) for the period 2007-09 from six out of 20 firms and other sources. Instead of depositing the revenue into Government account, the amount was irregularly deposited in the account of ADMA during 2007-09. ADMA stated that in compliance of the decision of the State Government (April 2009), revenue received was being deposited in the Government account since April 2009.

12. **Amber Mahal** (Rs 22.98 crore), **Albert Hall** (Rs 1.25 crore), **Hawa Mahal** (Rs 1.75 crore), **Nahargarh Fort** (Rs 0.97 crore), **Jantar-Mantar** (Rs 9.25 crore), **Isarlat of Jaipur** (Rs 0.03 crore) and **Patwa Haveli, Jaisalmer** (Rs 0.13 crore).

2.1.5 Preservation works of monuments and museums

Irregular expenditure on ASI protected monuments

Section 2 of the Act stipulates that if Archaeological Survey of India (ASI) has declared an ancient or historical monument protected it cannot be declared so by the State Government. Audit observed that the ASI had declared some monuments as protected and the State Government again declared them so, and incurred expenditure of Rs 66.36 lakh during 2004-09 for their upkeep and preservation as shown below:

Name of monument	ASI protected list serial number	A&M protected serial number	Expenditure (Rupees in lakh)
Devyani Kund Sambher Jaipur (excavated site Sambher)	113	60	41.67
Shergarh Fort Dholpur	87	230	24.69
Total			66.36

Government stated (September 2009) that these monuments would be declared unprotected, in coordination with ASI.

Expenditure on unprotected monuments

Further, preservation works valued Rs 3.83 crore were carried out on 21 unprotected (*Appendix 2.5*) monuments during 2004-09. This included TFC funds of Rs 1.14 crore, meant for other specific monuments. The Department stated (July 2009) that works on some unprotected monuments were carried out due to their importance and dilapidated condition. The Department needs to take coordinated steps for identification and declaration of monuments as protected rather than incurring ad hoc expenditure on maintenance.

2.1.5.1 'Adopt a Monument' scheme

Rs 1.80 crore released for 'Adopt a Monument Scheme' remained unutilised

Realising the potential and value of legacy, the GoR started an 'Adopt a Monument' (AAM) scheme (September 2005) to solicit public-private participation for preservation of the State's rich heritage through preservation, conservation, restoration and management of architectural structures, forts, palaces, buildings, havelis, other monuments, heritage properties and landscapes of great archaeological, cultural or artistic value. The scheme supports commercially viable, revenue sharing options, whereby all investments by the 'adoptee' are recovered and profits/ savings shared with the Government on an agreed pattern. Audit observed that GoR transferred Rs 1.80 crore (October-November 2006) for creation of a revolving fund, into the PD account of the Rajasthan State Museum and Monument Management and Development Society (RSMMDMS). The Department, after almost 19 months of transfer of funds, invited Expression of Interest (July 2008) for 14 monuments under the AAM scheme and received (August and September 2008) two tender bids for Weir Fort, Bharatpur and Kishore Sagar, Jag Mandir, Kota. However, as the technical bids were lacking on several counts, they were rejected by RSMMDMS (October 2008). The RSMMDMS neither utilized Rs 1.80 crore nor remitted the amount in Government account (September 2009). The Department stated that no proposals were pending under the scheme as of July 2009. This shows that while the funds were made available, no concrete action plan was drawn up for their utilization. However, the Department informed (October 2009) that the scheme was cancelled.

2.1.5.2 Delay in execution of works

Preservation works of Amber Mahal Complex

A Project Report on various preservation works of Amber Mahal¹³ was prepared in March 2005 according to which works valued Rs 48.34 crore were to be carried out in three phases to be completed by March 2006, March 2007 and March 2008. Scrutiny revealed that Rs 4.54 crore was released against Rs 16.25 crore required for the works to be executed in phase I. Utilisation of the funds was delayed due to late constitution of ADMA (November 2005) and late deployment of technical staff (November 2006). In November 2007, the sanction of phase I was raised to Rs 18.50 crore against which an expenditure of Rs 21.80 crore was incurred as of September 2009. Government stated (September 2009) that the value of works executed by ADMA was in excess of the amount released to ADMA, so progress was not slow. As per the schedule the preservation works of all the three phases should have been completed by March 2008. Sanction for works related to Phases II and III was issued in November 2007, but these works were yet to be taken up.

- The function of ADMA, as per its Constitution, was the upkeep and maintenance of antiquity of Amber and execution of preservation work of Amber Complex. Records showed that ADMA received Rs 15.98 crore from JDA, Tourism Department, Forest and A&C Department for preservation works related to other projects and executed (2006-09) works of Rs 9.98 crore. On the one hand, it was not covered under the objectives of ADMA, and on the other, by taking up works related to other projects, it did not focus on the execution of the Amber Project.

- Audit observed that the Executive Committee (EC) of the ADMA was required to meet thrice a year to prepare plans to achieve its prime objectives. Only five meetings of EC against 12 required were conducted during 2005-09.

- A work order for Rs 26.04 lakh was issued (December 2007) to a firm for the preservation work at Choor Singh Ki Haveli, Amber. The work was to be completed by June 2008. It was observed that after incurring an expenditure of Rs 3.59 lakh (February 2009), the work was abandoned (May 2008), because the priest living in the Haveli prevented its execution and filed a civil suit (2006). The action of ADMA to start the work without getting the *Haveli* vacated, not only resulted in infructuous expenditure of Rs 3.59 lakh, but has undermined preservation work.

Ad hoc functioning of ADMA

- For the development of tourist facilities at Hathi stand (Amber), work of *Chattaries* of Hathi stand at a cost of Rs 10.51 lakh was allotted (April 2007) to a firm. During inspection (February 2008) of the work, cracks in the roof were noticed. ADMA decided to dismantle the *Chattaries*. Audit observed that the work was left incomplete (March 2009), and the Department had not imposed penalty for the defective work. In another instance, a work order for Rs 0.98 lakh was issued (May 2007) for making a ticket window at Amber. After completion of 60 *per cent* of work, it was stopped on the ground

13. Amber Mahal, Fort wall and temples in premises.

of unsuitable location, and this site was allotted for commercial activity to M/s HPCL (Coca Cola).

2.1.5.3 Destruction of ancient tank at Kesar Kyari, Amber

Audit observed that an 18th century water tank of historical value existed near Maota, supplying water to the fountains of Kesar Kyari in the Amber Mahal Complex. ADMA dismantled the ancient tank for the construction of a viewers' gallery for the light and sound show. ADMA informed (June 2009) that the use of this tank was not possible as water was not available in the Maota water reservoir, and it was, therefore, decided to develop the dilapidated/decayed tank for the visitors' gallery. The action of ADMA was not in consonance with Para 25 of Part I of Conservation Manual of Archaeological Survey of India, which states, "when the authenticity of a monument is destroyed, our first duty is not to renew them but preserve them" and also, "broken or half decayed original work is of infinitely more value than the smartest and most perfect new work".

Commercial activities carried out within monuments

Rule 8(a) of State Rules, 1968 prohibits any person within the protected monument area to do any act, which causes damage to any part of the monument. Audit noticed that ADMA allotted (July 2007 to January 2009) 11 shops inside the Amber Palace after signing MoU, which was in violation of the spirit of State Rules 1968. Many shopkeepers installed air conditioners and applied lamination on walls and floors of the fort. One of the shops was used for kitchen and restaurant. The original look of the palace was modified, undermining historical value. In an earlier case (Para 3.2.11, Audit Report (Civil) for year ended 31 March 1990), the Department had taken 27 years to remove the shopkeepers. However, shops were continued to be allotted inside the Mahal premises.



Café Coffee Shop of Amber Palace



Book Shop of Amber Palace

2.1.5.4 Commercial activities damaged Amber Mahal

- An agreement was entered into (December 2007) by Rajasthan Tourism Development Corporation (RTDC) with M/s Mount Shivalik Industries Ltd. for a restaurant on second and third floor at Jaleb Chowk, Amber. Audit observed that for construction of an elevator to service the restaurant, walls of Amber Mahal were damaged. New mirror work was carried out on the walls and the roof. Besides, installation of AC, ducting and

tiling for the kitchen destroyed the historical value of Amber and violated the spirit of Rule 8(a) of State Rules, 1968. ADMA replied (September 2009) that the walls were not dismantled and it was proposed that the elevator would be constructed in an open space. The fact remains that the works carried out were not in conformity with the Rule 8(a).

2.1.5.5 Construction of VIP lounge

It was observed that by changing the historic shape of old verandahs, the construction of VIP lounge at Jaleb Chowk, Amber, was proposed and nine work orders for Rs 51.40 lakh were issued (April 2008 to February 2009) for various works i.e. tower AC, interior work, wooden beam, wooden doors and furniture, stone/marble flooring, lime plaster with marble chips, stone *jaali*, etc. An expenditure of Rs 12.03 lakh was incurred up to February 2009. ADMA stated (June 2009) that these works were executed under the supervision of Chief Executive Officer, who is equivalent to Principal Secretary, so it was deemed to be with the approval of the Government. The fact remains that the historic look, value and original structure of Amber Mahal was being modified by these works in violation of spirit of Rule 8(a).

2.1.5.6 Delay in completion of preservation work

Incomplete preservation work due to delayed and partial release of funds

- For the preservation, restoration and maintenance work of Gagron Fort in Jhalawar District, funds were sanctioned under two Central schemes by the Ministry of Tourism, GoI.

Under Hadoti Region Tourist Circuit (HRTC) Development Scheme Rs. 0.92 crore was sanctioned and Rs. 0.73 crore (80 *per cent*) were released in February 2005 by the Ministry to RTDC, for completion of the works by February 2007. Similarly, Rs 4.27 crore were sanctioned (January 2006) under Destination Development (DD) Scheme for the work to be completed by January 2009. Out of the Central share of Rs 2.82 crore, the Ministry released (January 2006) Rs 2.25 crore, the balance was to be released in the form of reimbursement on receipt of the utilization certificates of total amount sanctioned.

It was observed that RTDC released Rs 0.23 crore in May 2007 and Rs 0.50 crore in March 2009 under HRTC scheme and the State share of Rs 0.98 crore under DD scheme was not released (July 2009). As a result, the preservation works of Gagron Fort remained incomplete as of September 2009.

- Under DD Scheme, Ministry of Tourism, GoI sanctioned (November 2005) Rs 6.60 crore (State share 30 *per cent*) for the preservation work of Hawa Mahal (34 works) and Jantar Mantar (39 works) (Phase I) and released Rs 3.71 crore to be used by November 2008. The balance GoI share was to be released in the form of reimbursement, on receipt of utilization certificate for the total amount sanctioned for the project.

The Department could carry out works valued Rs 3.71 crore (Rs 2.65 crore on 28 works of Hawa Mahal and Rs 1.06 crore on 22 works of Jantar Mantar) till March 2009. As against the State share of Rs 1.96 crore, Rs 0.80 crore was released by State Government up to July 2009 and the remaining Rs 1.16 crore

was not released (September 2009). Owing to slow utilisation of funds, the remaining Central share could not be claimed by the State Government. It was also seen that the A&M Department had written to GoR (October 2006, June and July 2008) but the funds were not received. Thus, six works of Hawa Mahal and 17 works of Jantar Mantar could not be completed.

After approval of tender work order was not issued

- Tenders for two works i.e. the conservation work of Government Museum, Ajmer (Rs 50 lakh), and fixing railing around Chaman Bagichi at Government Museum, Bharatpur (Rs 15 lakh) were opened (9 February 2009) and approved. The work orders to be issued within 70 days of opening of the tender, that is, by 19 April 2009, had not been issued as of September 2009.

The Department attributed (June 2009) it to the delay in official process. Thus, due to slackness of the Department, the works of the museums had not even started despite availability of funds.

2.1.5.7 Non- execution of work at Town Hall Museum, Jaipur

For setting up an art museum of international standards at the Sawai Man Singh Town Hall at Jaipur, GoR made a provision of Rs.16.44 crore¹⁴. An MoU for planning, design, execution and consultancy services was signed (January 2008) between ADMA and a firm¹⁵. It was decided to pay consultancy fee of Rs 1.73 crore at 9.65 per cent of the estimated cost of the project (Rs 18 crore). The schedule of payment of fee is given in *Appendix 2.6*.

However, even after incurring an expenditure of Rs.1.12 crore, work orders for execution were not issued (June 2009), whereas as per MoU, works worth Rs 13.50 crore should have been completed by June 2009. The Department stated that ADMA was the executing agency for the work. The reply was untenable. The Department cannot shy away from its overall responsibility and should monitor progress.

2.1.6 Maintenance and Security of Monuments & Museums

2.1.6.1 Chandrawati Art Gallery, Abu Road

Expenditure of Rs 0.36 crore on art gallery remained unfruitful

Chandrawati Art Gallery, Abu Road, is one of the two declared art galleries for display of excavated antiquities.



Chandrawati Art Gallery, Abu Road

14. 2007-08: Rs 5 crore; 2008-09: Rs.4.85 crore and 2009-10:Rs.6.59 crore.
15. M/s Lord Cultural Resources Planning and Management Inc., Toronto.

The building for the art gallery was constructed in two phases (first Phase in 1998-99 and Second Phase in March 2006), at a cost of Rs 35.94 lakh. The gallery had, however, not been thrown open to visitors as of September 2009. It was observed in joint physical verification that the art gallery had 58 idols on pedestal and 232 idols were scattered in a hall. Toilets were constructed without ensuring availability of water. Electric motor had not been attached with the bore-well for lifting water because there was no electricity connection. The Superintendent, Archaeology and Museum, Jodhpur had informed the Director, A&M, Jaipur (June 2006) that the gallery was not electrified. Scrutiny of records revealed that five ancient idols were stolen on 5 March 2006, which were not recovered as of April 2009. Further, out of sanctioned posts of two monument attendants, only one attendant was deputed at Chandrawati.

The Department stated (May 2009) that electricity connection would be taken after provision of sufficient budget, and gallery thrown open on completion of development. The reply indicated the Department's indifferent attitude.

2.1.6.2 *Hawa Mahal*

Hawa Mahal, built in 1799 by Sawai Pratap Singh, is situated in the heart of Jaipur city. An expenditure of Rs 3.79 crore was incurred on preservation and renovation of the monument during 2004-09 under DD Scheme (CSS), EFC and State Plan¹⁶.



Portion of Hawa Mahal



Dome of Hawa Mahal

A joint physical verification of Hawa Mahal, Jaipur, revealed defacement of the monument. Audit observed that due to lack of proper watch and ward, visitors' writings and paintings on the wall, destroying the beauty of the historical monument. The golden polish on the *Kalash* of domes of Hawa Mahal had been scratched and tarnished. Out of 10 attendants/security men sanctioned, only six were posted for Hawa Mahal. Four attendants of Hawa Mahal were posted (April 2008) temporarily at Albert Hall (Jaipur) on the instructions of the Director, A&M. The Department stated (July 2009) that four attendants, posted at Albert Hall, had been posted back (June 2009) to

16. CSS (2006-09): Rs 321.63 lakh; EFC (2004-05): Rs 39.55 lakh; State Plan (2008-09): Rs 18.30 lakh.

Hawa Mahal. Further, as reported by Superintendent, Hawa Mahal, 17 persons are required to keep a watch. The Department needs to take concerted action towards security.

Excess allotment of funds

Under the State plan, an administrative and financial sanction of Rs 3.32 crore for the development and strengthening of government museums was issued by GoR (December 2004). It was seen that savings of Rs 1.84 crore out of this amount were transferred to the PD account of RSMMMDS (March 2005).

Further, Rs 70 lakh was allotted for documentation of artifacts of museums. However, RSMMMDS completed the documentation of 77,823 artifacts by utilizing Rs 49.22 lakh. Further, a sum of Rs. 12 lakh was allotted for digital ticket machine, water cooler, vacuum cleaner etc. for five monuments and seven museums. However, RSMMMDS could utilize only Rs 7.28 lakh (September 2009) on purchase of 12 digital ticket machines, four water coolers and four water purifiers.

Rs 133.79 lakh allotted for works of museums were diverted to office expenditure

As per administrative and financial sanction of GoR, Rs 91 lakh were allotted for various works of museums (installation of security systems, cameras, electrification work etc.) but RSMMMDS had not carried out any of these works. Instead, it diverted and irregularly incurred an expenditure of Rs 133.79 lakh during 2005-09 on computer operator, office expenses, hospitality, telephone, TA, furniture and fixtures, FAX machines, printer, meetings etc. RSMMMDS stated (July 2009) that the Chairman was empowered to incur expenditure, and approvals for the above were taken in society meetings. The reply was not acceptable as the funds were released for development and strengthening of museums only.

2.1.6.3 Non-display of antiquity and descriptive board in Government Museum, Jodhpur

Scrutiny of records of Government Museum, Jodhpur, revealed that only 809 antiquities out of 7,787 had been displayed. The remaining 6978 antiquities were lying in the store of the Museum. Descriptive boards for 809 displayed antiquities had not been fixed. It was the duty of curator to display descriptive boards on antiquities. Decipherment and cataloging of 1,11,703 ancient coins were not done. As a consequence, visitors were deprived of adequate information and knowledge of antiquities.

2.1.6.4 Physical verification of artifacts, antiquities

As per Rules 12 to 15 of GF & ARs, physical verification of articles was to be done according to weight, measures, size, make and value and a certificate in this respect attached by the authority. Review of records showed that in the Ganga Government Museum, Bikaner, the physical verification of 25,931 to 25,965 objects was done in two to four days during 2004-05 to 2008-09. Similarly, in Sardar Government Museum, Jodhpur, physical verification of 7,787 artifacts and 1,11,703 coins was done in two days during 2008-09. In Albert Hall, Jaipur, physical verification of 2,839 displayed artifacts and 20800 stored articles were done, partly, during 2004-07 and 2008-09, in three to ten days. Physical verification was not conducted during 2007-08. The

Curator, Government Museum, Bikaner, accepted (May 2009) that physical verification according to weight, measure, size etc was not possible in such a short period. However, there was no reply from the Department (October 2009).

2.1.6.5 Security arrangement

The onus of security of protected monuments is on the Department. The Monitoring and Evaluation Report of the Statistical Organisation of State Government recommended (March 2006) that the post of security guards/monuments attendants should be increased. Audit observed that there were no security persons engaged in 227 out of 293 monuments.

After the Ghiya smuggling of artifacts case¹⁷, the Department submitted a proposal (2003-04) for 1,177 security men for protection of 223 (existing at that time) monuments, situated in 25 districts. Audit observed that the Department did not take any action on the suggestion of the Finance Department that alternative arrangements be made through local bodies, public assistance and *Panchayati Raj*.

Scrutiny of the records of Government Museums, Jodhpur and Bikaner, revealed that though Curators of both the museums requested the Director, A&M Department, Jaipur, in December 2005 and September 2007 respectively, for making security apparatus available, no action was taken by the Department as of September 2009.

Owing to shortage of monument attendants/security persons and non-availability of latest technical assistance, the Department was unable to prevent prohibitory activities like construction without proper authorization and defacement as discussed in Para 2.1.5.4.

2.1.6.6 Joint physical verification

During joint physical verification of 29 monuments, two archaeological sites, two art galleries and two museums, the following discrepancies and irregularities were noticed:

- In 23 monuments, two art galleries and one site, no records regarding taking over of possession by the Department were available. In 16 monuments, one art gallery and two archaeology sites, the total constructed area was not found in the record of the Department.
- In nine monuments and two archaeology sites, there was no boundary wall or fencing, which were essential to maintain the monument as per section 13(1) of the Act, 1961.
- Descriptive boards were not found in 22 monuments, an art gallery and an archaeology site.

17. Vaman Ghiya (an international smuggler) scandal regarding stolen antiquities was opened by Superintendent of Police, Jaipur in May-June 2003.



Fortwall of Phalodi Fort, Jodhpur

- Encroachment was noticed in 10 monuments and one archaeology site.
- Approach road to five monuments and two archaeology sites had not been built.
- Penal provisions for prohibitory activities regarding defacement of protected monuments under Section 17 of Act, 1961 were not exhibited on 13 monuments and one archaeological site.
- Electricity connection was not available in 20 monuments, one art gallery and two archeological sites.
- Free access was found in 18 monuments and two archeological sites in the absence of security arrangement.

2.1.7 Monitoring

The Department did not adopt a proper monitoring system for the execution of preservation, maintenance works and security of monuments. There are seven Circle offices in Rajasthan but except Jodhpur Circle, no technical staff was posted for execution and monitoring of the works.

The Department stated (June 2009) that a permanent Technical Advisory Committee was formed in June 2008, headed by a retired Secretary of Public Works Department, and consisting of eight members, and one member Secretary, who inspected and supervised the works of major projects of Hawa Mahal, Jantar Mantar, Gagron Fort and Bharatpur museum from time to time. Services of an architect were hired. The Department also stated (June 2009) that no targets were fixed for supervision by technical staff. The works were supervised, as and when required. In view of the deficiencies pointed out in earlier paragraphs, the Department should put in place an effective monitoring mechanism.

2.1.8 Internal oversight

The Department did not lay down a yearly target for internal audit and did not have any manual for the purpose. It also did not have regular parties for internal audit. The Department stated that separate posts were not sanctioned for internal audit. The accounts personnel posted in the Department are

assigned audit functions of subordinate offices, besides their normal assigned duties, from time to time, by making a schedule on the basis of priority. It was observed that internal audit of five Circle Superintendent offices and 17 Government museums were not conducted from one to 16 years.

2.1.9 Conclusion

The Department has notable achievements to its credit in the critical area of restoration. The 700 feet long tunnel at Amber Mahal was restored and opened to visitors. The restoration of the 15th century City Wall of Jodhpur would prevent encroachment. Albert Hall Central Museum, Jaipur too was restored. Even so, it was observed that the Department could not fulfill its objective of maintaining the original shape and structure of monuments and their antiquities. The Department has not evolved a long-term preservation policy. Commercial activities were allowed in violation of rules, which resulted in defacement of protected monuments. Maintenance and upkeep of the museums languished in spite of availability of funds. Security arrangements in most of the monuments and museums were inadequate. The approach to financial management was lackadaisical. User charges were not levied in most of the monuments, resulting in loss of revenue. Funds remained unutilized. An effective monitoring system was not put in place.

2.1.10 Recommendation

- The Department should frame a long-term policy to ensure identification, proper and timely preservation and maintenance of protected monuments. This would help the staff in executing its functions in a focussed and effective manner, as per a specific and clearly laid-down plan of action.
- The Department may constitute an Advisory Board including prominent citizens and experts in the field so that proper advice may be sought in the matters of preservation, protection, upkeep etc. of monuments and museums. Departmental efforts towards preservation and maintenance should be guided by expert advice.
- The Department should strictly follow the Rajasthan Monument, Archaeological Sites and Antiquity Rules 1968 based on the 1961 Act to save monuments from degradation and avoid commercial activities in the campus of monuments and museums.
- Depending upon the tourist traffic to the sites, user charges as provided in Section 20A of the Act, 1961, can be levied on all monuments and reviewed periodically to support revenues.
- The Department must gear up its security network and tap external sources as advised by the Finance Department of the State Government.
- Oversight cannot be neglected. The Department should evolve a continuous monitoring mechanism to enable it to achieve its objectives of preservation and maintenance of protected monuments.

Social Justice and Empowerment Department

2.2 Implementation of Juvenile Justice (Care and Protection of Children) Act

Highlights

The Department of Social Justice and Empowerment (Department), Government of Rajasthan (GoR) is entrusted with the responsibility to provide protection and rehabilitation to neglected children and juveniles in conflict with law and, thereby help them to lead a meaningful life by evolving appropriate strategies, programmes and instructions for their reintegration into the mainstream society. The Department has taken several welfare measures towards this goal. Homes for children and Juvenile Justice Boards have been set up in every district, except the newly created district of Pratapgarh. Special Juvenile Police Units have also been established in all police districts. GoR revised the norms of diet scale for inmates to Rs 850 per inmate per month from Rs 500 prescribed by the Government of India (GoI). A review of the Department's performance has, however, revealed areas where there is need for improvement.

The key Audit observations are:

Juveniles in conflict with law were retained in observation homes for long periods delaying their post discharge rehabilitation due to delay in disposition of their cases.

(Paragraph 2.2.6.2)

The amended Juvenile Justice Act, 2006 requires that Child Welfare Committees (CWCs) be formed in each district. Against 33 CWCs required, only 16 CWCs were functioning in the State.

(Paragraph 2.2.6.3)

Children, in need of care and protection, were exposed to juveniles in conflict with law as both categories were being housed in the same premises.

(Paragraph 2.2.7.1)

In absence of sufficient number of homes for children with special needs, the Home at Jaipur remained occupied beyond its capacity (up to 311 per cent).

(Paragraph 2.2.7.2)

Only one Probation Officer was in position against the 60 required in 12 test-checked Homes and counselling services in the Homes were being given the go by thus, undermining the rehabilitation of juveniles.

(Paragraphs 2.2.7.9 and 2.2.8.1)

The safeguard of rights and privileges of adopted children was not ensured in several cases, as the guidelines of Central Adoption Resource Agency were not followed.

(Paragraph 2.2.8.2)

Owing to non-establishment of After Care organizations children, released from homes, were deprived of facilities of vocational training, employment and services of peer counselors among others.

(Paragraph 2.2.8.3)

Inspection teams of experts to oversee the functioning of the Homes were not constituted. Against the requirement of 198 inspections of test-checked NGO Homes, only three inspections were conducted.

(Paragraph 2.2.9.1)

2.2.1 Statutory obligations

Children¹⁸ are a national human resource and their healthy mental and physical development is the best way to ensure progressive socio-economic growth. As they are vulnerable to exploitation and abuse, their protection is of paramount importance. Several enactments have been made to ensure protection (*Appendix 2.7*).

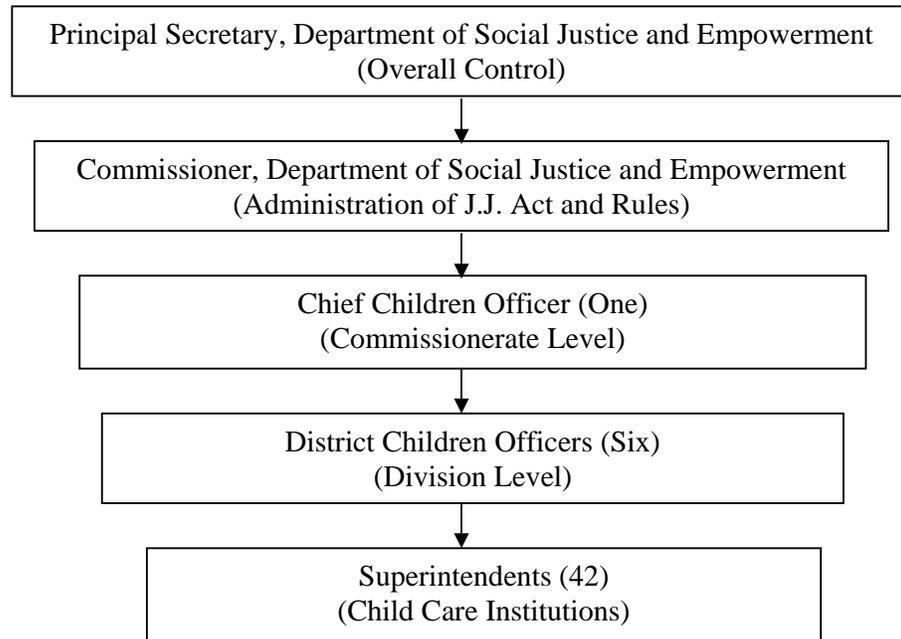
Government of India (GoI) adopted a national policy (August 1974), which lays down that the State must provide adequate services for children, and enacted the Juvenile Justice Act in 1986. On 30 December 2000, GoI followed it up with the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act) for providing care and rehabilitation to neglected children and children in conflict with law. Accordingly, the Government of Rajasthan (GoR) framed the Juvenile Justice (Care and Protection of Children) Rules 2002. GoI amended the Juvenile Justice (Care and Protection of Children) Act in 2006 to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection, which came into force on 23 August 2006. GoI notified Juvenile Justice (Care and Protection of Children) Rules, 2007 (Model Rules). As per Rule 96, the Model Rules were applicable to the State until GoR framed their own rules in conformity with to the Model Rules.

18. below 18 years of age

2.2.2 Organisation

The Principal Secretary of the Department exercises overall control, and the Commissioner is responsible for the administration of the JJ Act and rules, and assisted by the Chief Children Officer (CCO) in the Commissionerate, and six District Children Officers (DCO), at the Division level. Child-care institutions are managed by superintendents (42).

The chart below details the structure:



The Department has the following residential care institutions (March 2009):

- Seven Observation Homes;
- Two Special Homes;
- Six Children Homes;
- 26 Observation Homes-cum-Children Homes; and
- Government Mentally Retarded Women and Children Rehabilitation Home, Jaipur.

In addition, there are Non-government Organisations (NGOs) for running Children Homes assisted by grants from State Government.

2.2.3 Aim and scope of audit

The audit objective was to examine and assess the efficiency in the Department's performance in relation to:

- the provision of care, protection and rehabilitation of children in conflict with law and neglected children, thereby, saving them from maltreatment, abuse and exploitation and enable them to lead a

meaningful life by evolving appropriate strategies, programmes and instructions for reintegration into the national mainstream.

- the utilization of available funds for protection, welfare and rehabilitation of neglected children and children in conflict with law.
- the work to be undertaken to improve the well being of neglected children and children in conflict with law.

The review was conducted (between February and May 2009) by a sample check of records and on-the-spot observation and assessment covering a period 2004-09. The study covered planning, funding, execution and monitoring of implementation of the Juvenile Justice Act (JJ Act) by the Department, Director, State Crime Records Bureau, Jaipur, and Additional Director General of Police (Crimes) Rajasthan (Jaipur). Eight districts¹⁹ were selected on simple random sampling basis for the test check. Audit teams visited 12²⁰ out of 42 Government institutions and eight²¹ out of 37 institutions run by NGOs which were given grants by the Department. As such, the instances of deficiencies noticed in audit are only illustrative and not exhaustive. Information was also obtained through a questionnaire. Audit findings were discussed at an exit conference with the Principal Secretary of the Department. Replies of the Department have been incorporated.

2.2.4 Juvenile delinquency in the State

Section 10 of the JJ Act provides that as soon as a juvenile in conflict with law is apprehended by the police, he/she shall be placed under the charge of the Special Juvenile Police Unit or the designated police officer, who shall produce the juvenile before the Board, without any loss of time but within 24 hours of apprehension, excluding the time necessary for journey. Information collected (January 2009) from Additional Director General of Police (Crime) Rajasthan, Jaipur showed that Special Juvenile Police Units were established in all the police districts of the State and a Juvenile Welfare Officer had been designated at Police Station level.

During 2004-08, 9552 juveniles²² were apprehended for various offences under the Indian Penal Code (IPC), of which 7108 cases²³, after examination, were reported for disposition to the Board²⁴, which constituted less than one-and-a-half *per cent* of the total crimes reported in the State, as per the data

19. Ajmer, Alwar, Bhilwara, Jaipur, Jalore, Jodhpur, Nagaur and Sirohi.

20. Observation and Special Home (Boys), Ajmer; Observation Home (Girls), Ajmer; Observation and Children Home, Alwar; Children Home (Boys) Jaipur; Children Home (Girls) Jaipur; Children Home (0 to 5) Jaipur; Observation and Children Home, Nagaur; Observation and Children Home, Bhilwara; Observation and Children Home, Jalore; Observation and Children Home, Sirohi; Children Home (Boys), Jodhpur; Observation Home (Girls), Jodhpur

21. Balika Sadan, Jaipur; Anand Bal Grah Society, Jaipur; Dayanand Bal Sadan, Ajmer; Chokho Ghar, Nagaur; Luv-Kush Bal Vikas Kendra, Jodhpur; Gayatri Balika Grah, Jodhpur, Bal Sobha Grah, Jodhpur and Matri-Chhav Shishu Grah, Jalore.

22. 2004:1728; 2005:1733; 2006: 1908, 2007:1969 and 2008:2214.

23. 2004:1319, 2005:1319, 2006:1472, 2007: 1456 and 2008:1542.

24. see the glossary at page 175.

of the State Crime Records Bureau. Table-2 below gives age-wise details of cases apprehended and reported to the Board, under some major crime heads.

Table 2: Cases apprehended *vis-à-vis* reported

Major Crime Heads	Age group of juveniles apprehended (yrs)				Number of cases reported
	7-12	12-16	16-18	Total	
Theft	83	1015	1080	2178	1594
Hurt	26	471	781	1278	947
Burglary	81	708	575	1364	946
Attempt to murder	7	130	250	387	319
Murder	3	93	169	265	223
Rape	3	81	118	202	184
Others ²⁵	73	1318	2487	3878	2895
Total	276	3816	5460	9552	7108

Source: Information collected from the State Crime Records Bureau

Substantial increase in major crime heads in the age group 12-16 and 16-18 years

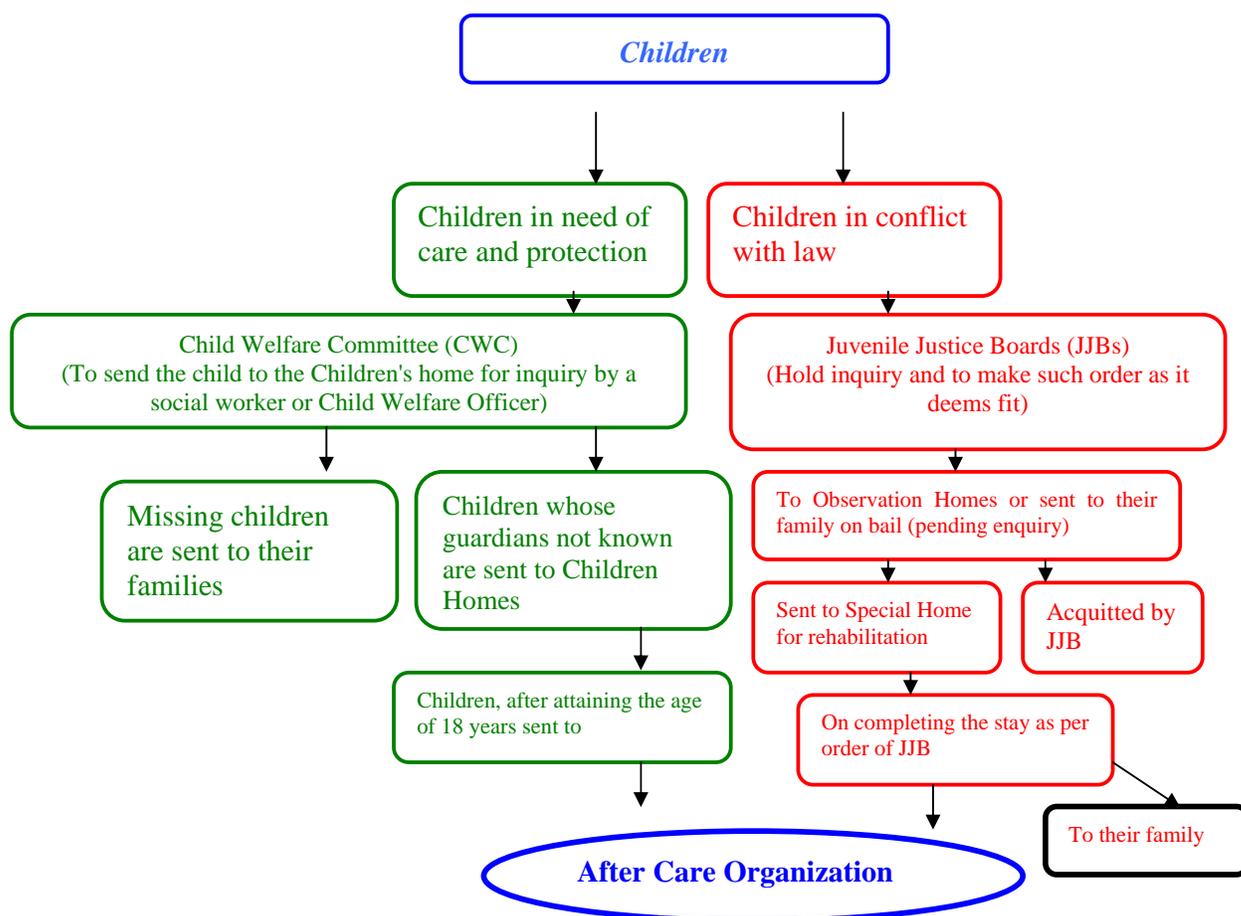
A perusal of the Table-2 reveals that there has been a substantial increase in theft, burglary and attempt to murder cases and decrease in hurt and murder cases in the age group 12-16, and in 16-18, theft, burglary, murder and rape cases have risen. The incidence of crime in the age group 16-18 is higher than 12-16, which indicates that juveniles in the former are most susceptible to crimes, and need specific rehabilitation.

2.2.5 System of providing services

The JJ Act deals with two categories of children, viz., the children in need of care and protection and the children in conflict with law. The Police produce the children in conflict with law before the Juvenile Justice Boards (JJBs). While an enquiry is pending, the juveniles in conflict with law are received in Observation Homes, and are sent to Special Homes, if JJB so orders. Children in need of care and protection are produced before the Child Welfare Committee (CWC), which orders for their placement in Children Homes. As per the provision of Rule 26 of State rules, children in need of care and protection can be presented before the CWC by a police officer, a public servant, Child-line, Social worker, a public-spirited citizen and the child himself. Children, discharged from Children Homes/Special Homes, are to be sent to 'After Care Organizations', under State Rule 36, with the objective that they adapt to society. The system is shown in the chart below:

25. riots, dowry deaths, sexual harassment, robbery, etc.

Chart 1



The deficiencies noticed in implementation of the Act are as follows:

2.2.6 Administration of JJ Act

The preamble to Model Rules, 2001 and 2007 envisaged better treatment of children and development needs by adoption of a child friendly approach in adjudication and disposition of cases, and rehabilitation through various institutions, established under the enactment.

Audit noticed that GoR had neither circulated the Model Rules, 2007, notified by GoI, nor framed/modified existing State Rules to conform to the amended JJ Act, 2006. The reply of the Government (October 2009) that Rajasthan Juvenile Justice Rules, 2002 are already in existence in the State, as such GoI Model Rules, 2007 are not applicable, is not in keeping with the provisions of the Model Rule 96, which stipulates that the model rules were applicable in the State till the GoR frames new rules conforming to the Model Rules, 2007.

2.2.6.1 Child Protection Unit

According to Section 24 of the JJ Amendment Act, 2006, the State Government was to constitute a Child Protection Unit for the State, and for every district, to take up matters relating to children in need of care and protection and juveniles in conflict with law to ensure implementation of the Act, including the establishment and maintenance of homes, notification of competent authorities in relation to these children and their rehabilitation and co-ordination with the concerned official and non-official agencies.

No Child Protection Unit was formed either at State or District level. The Government stated (October 2009) that constitution of State/ District Child Protection Units was under process.

2.2.6.2 Functioning of Juvenile Justice Board (JJB)

Section 4 of amended JJ Act, prescribes that one or more JJB be established in 'each' district. A bench, comprising a First Class Judicial Magistrate and two social workers, has been constituted in each district of the State.

Section 14 of the JJ Act, prescribes that the Board shall complete the inquiry within the stipulated period of four months from the date of its commencement, unless the period is extended by the Board having regard to the circumstances of the case and, in special cases, after recording reasons in writing for the extension.

2,825 cases were pending for more than one year in JJBs against the stipulated four months for disposal

- **Pending cases in JJBs**

Data of eight JJBs of test-checked districts revealed that 2,825 (84 per cent) cases out of 3381 were pending disposal for more than one year against the stipulated period of four months (Table 3).

Table 3: Number of cases disposed of by JJBs

JJB at	OB	2004		2005		2006		2007		2008		Closing balance as on 31.12.2008	Number of cases pending for more than a year	Percentage of pending cases for more than one year
		Add	Dis-pos-al											
Ajmer	405	155	25	208	182	218	132	177	444	121	101	400	380	95
Alwar	190	117	44	59	66	125	125	94	58	87	25	354	292	82
Bhilwara*								202	15	73	57	203	187	92
Jaipur	510	417	256	437	242	553	288	463	135	343	52	1750	1459	83
Jalore *	47									29	24	52	34	65
Jodhpur	486	245	198	241	203	340	199	195	475	155	166	421	319	76
Nagaur*	95							14	-	48	17	140	109	78
Sirohi*	52									10	01	61	45	74
Total												3381	2825	

Source: Information collected from unit offices

* Established in 2007.

Only year-wise data of pending cases was provided to Audit by the JJBs. The number of cases pending for more than four months was not shown. Details of pending cases of juveniles with case number and date, requested from the

Registrar Rajasthan High Court, Jodhpur was also not provided. Audit could not ascertain the number of cases disposed within the stipulated period of four months. In reply to audit query, the CCO intimated that data of pending cases for the entire State was not available with the Commissionerate.

It was observed that sittings of JJBs, in six out of eight test-checked districts, with a heavy load of pending cases, were held only for one to three days a week. Government stated (October 2009) that the Principal Magistrate of the JJBs remained busy, and the High Court had fixed the sittings from one to three days a week, depending on the backlog of cases. Model Rule 9(3) specifies that the Board shall meet on all working days of the week, unless the pending cases are less, in a particular district, and concerned authority issues an order to this effect.

JJB, Nagaur was constituted (February 2007) with one Principal Magistrate and two social workers (members). It was reported (May 2008) by the Principal Magistrate that one member had not attended the meetings of the Board, since the first meeting held in October 2007, and other member had resigned in September 2008. Audit observed that out of 165 cases pending as of March 2009, only 17 cases of juveniles were disposed off between October 2007 and September 2008, thereafter no case was decided for want of quorum (March 2009). The Superintendent of the Home repeatedly requested the Commissioner for necessary action in the matter but no action was taken as of March 2009. As such, the Board was not fully functional since October 2007, and justice was delayed. The Government informed (October 2009) that notification for nomination of social workers for the vacant posts had been issued (July 2009) and disposition of cases had started.

The delays resulted in retention of children in Observation Homes for more than the prescribed period and deprived them of post-discharge rehabilitation benefits.

2.2.6.3 Inadequacy of Child Welfare Committees (CWCs)

Children in need of care and protection are produced before CWC. The CWC, after an enquiry, makes an order to reintegrate the child with the family or to send him/her to the Children Home for rehabilitation.

Only 16 CWCs were functioning against 33 CWCs (one in each district), violating the provisions of the JJ Act

Section 29 of the Amended JJ Act requires that a CWC, comprising of one chairperson and four members, be formed in each district within one year of the amendment, that is, 23 August 2007, with a term of three years. However, only 16 CWCs were functioning (October 2009) against the required 33. Eight CWCs²⁶ had jurisdiction of two to five districts. Government stated (October 2009) that formation of CWCs in other districts was in process.

Section 33 of the JJ Act prescribes that the State Government review the status of pending cases at every six-month interval and direct the CWC to increase

26. Jaipur (Jaipur, Jhunjhunu, Sikar); Jodhpur (Jodhpur, Jaisalmer, Pali, Sirohi, Jalore); Bikaner (Bikaner, Churu, Ganganagar); Udaipur (Udaipur, Chittorgarh, Rajsamand); Bharatpur (Bharatpur, Sawaimadhopur); Kota (Kota, Baran, Jhalawar); Ajmer (Ajmer, Bhilwara, Nagaur); Banswara (Banswara, Dungarpur).

the frequency of its sittings or cause the constitution of additional committees. However, the Department intimated that it had not received any case for review from the CWC, thereby ignoring its *suo moto* obligation.

2.2.6.4 Shelter Homes not set up

Rule 31 of State Rules, 2002 specifies that for children in urgent need of care and protection such as destitute, street and runaway children, the State Government shall support creation of requisite number of Shelter Homes or drop-in-centers through voluntary organizations. No Shelter Homes or drop-in-centers were created. The Government replied (October 2009) that the work of Shelter Homes was being carried out in the Children Homes. However, no institution was certified as Shelter Home in the State.

2.2.7 Running of Child Care Institutions

2.2.7.1 Exposure of neglected children with juvenile delinquents

In violation of Model Rule 40, children of both categories were being housed in the same premises

Model Rule 40 specifies that Homes for juveniles in conflict with law and children in need of care and protection shall function from separate premises. However, it was observed that the Homes for both categories were functioning from the same premises. It may be noted that in violation of the Rule, out of 42 Government Homes, 36 were certified both as Observation Homes (for children in conflict with law) and Children Homes (for children in need of care and protection), thereby exposing innocent children in need of care and protection to juveniles in conflict with law. The Government stated (October 2009) that due to limited resources, the children of both the categories were kept in the single premises.

- Audit observed that during 2004-09, 124 neglected children in need of care and protection had been housed with the children in conflict with law in the Observation and Special Home (Boys), Ajmer, in violation of the Act. The home at Ajmer had not even been certified as Children Home under Section 34 (2) & (3) of the JJ Act. The Superintendent of the Home informed that the proposal for the construction of an additional building had been sent to the Chief Children Officer (November 2006) but funds had not been provided as of October 2009.

- Further, as per Rule 40 *ibid*, each home should establish and maintain exclusive living premises for housing children of different age groups. Audit noticed that children of all age groups, from five to 18 years, were put together in eight²⁷ out of 11 test-checked institutions. While the Superintendent, Government Children Home (Girls), Jaipur stated that the children would be housed according to their age group, after getting the building vacated from Government Girls Hostel, the Superintendent, Children Home (Boys), Jodhpur intimated that it would have to await the completion of the new building. The Superintendents of remaining six homes have not intimated to Audit the proposed action for compliance with the said rule (October 2009).

27. Ajmer, Alwar, Bhilwara, Jaipur (Boys), Jaipur (Girls), Jalore, Jodhpur (Boys) and Nagaur.

- Model Rule 40(3) prescribes the norms for building/accommodation²⁸ for an institution with 50 juveniles or children. Scrutiny of records revealed that the Home at Ajmer had been certified as Observation Home and Special Home, under Section 8 and 9 of the JJ Act, respectively. For a sanctioned capacity of 75 in the Home, there were only four rooms. One room was being used as office and another reserved for the Board. The remaining two rooms were being utilized as Observation Home (for juveniles under enquiry) and Special Home (where a juvenile is sent after the Board has passed an order that the juvenile has committed an offence). Government stated (October 2009) that proposals for extension in the building are being submitted.
- GoR provided the administrative and financial sanction of Rs 32.88 lakh (October 2005) for construction of additional accommodation in Government Children Home, Jodhpur to provide separate premises for children in conflict with law and rooms for the Board. The Executive Engineer, Public Works Department (PWD) City Division, Jodhpur intimated that the work of construction had been completed (July 2006) at a cost of Rs 23.49 lakh. The building constructed was not put to use as various items of work were stated to be incomplete (October 2009). The Superintendent of the Home had repeatedly requested (December 2006 to September 2008) the Executive Engineer for completion of remaining items²⁹ of work but necessary action by the executing agency was awaited (October 2009). Expenditure incurred on the construction of building remained unfruitful and separate accommodation to children in conflict with law could not be provided. Government stated (October 2009) that the factual report is being obtained from Superintendent of the Home and the Chief Engineer, PWD, Jaipur.

2.2.7.2 Home for children with special needs

In absence of sufficient number of homes for children with special needs, the Home at Jaipur remained occupied beyond its capacity (up to 311 per cent).

Section 48(1) of JJ Act specifies that "when a juvenile or a child, who has been brought before a competent authority, is found to be suffering from a disease, requiring prolonged medical treatment or physical or mental complaint the competent authority may send the juvenile or the child to any place recognized to be an approved place in accordance with the rules made under this Act for such period as it may think necessary for the required treatment".

Established in 1983, the Government Mentally Retarded Women and Children Rehabilitation Home, Jaipur, is the only Home certified by the State Government under Sections 34(2)&(3) and 48(1) of the JJ Act, for rehabilitation of mentally retarded children with a sanctioned capacity of 75 (25 boys and 50 women). Against this, the number of inmates increased from 222 (296 per cent) in 2004-05 to 233 (311 per cent) in 2008-09³⁰ (109 male and 124 female). The capacity of the Home has not been increased/supplemented.

28. see the glossary at page 175.

29. Small gate in main gate, fencing wire on a wall and water and electricity connections.

30. 2004-05: 222; 2005-06: 214; 2006-07: 213; 2007-08: 236; 2008-09: 233.

To attend to the 233 inmates there were one doctor (233:1), seven clinical psychologists (33:1), seven psychiatric social workers (33:1) and 16 staff nurses (15:1) as of October 2009. The manpower requirement, worked out by the National Human Rights Commission and accepted by the High Court was not compiled with (*Appendix 2.8*).

The High Court had (writ petition No. 3672/2003) directed (August 2003) the Department to increase the availability of resources, that is, residential accommodation and manpower according to the number of inmates, and to separate inmates on the basis of mental disorder and make the dietary budget more realistic. The Superintendent of the Home sent proposals for additional accommodation to the Commissionerate (September 2006 and September 2007). No action to increase the infrastructure was taken by GoR (March 2009). Government stated (October 2009) that efforts were on to establish such Homes at Division level.

2.2.7.3 Housing of children away from place of residence

Model Rule 15(7) states, "in the event of placement of a juvenile in conflict with law in care of a fit institution or special home, the Board shall keep in mind that the fit institution or special home is located nearest to the place of residence of the juvenile's parents or guardian".

Government Observation and Children Homes Jalore and Sirohi were established (April 2007) and started functioning from May 2007 and January 2008 respectively. Since then, no child delinquent or neglected, was admitted in the Home at Sirohi and only ten neglected children were placed at Jalore during 2008-09. However, during January 2008 to February 2009, 33 delinquent children of Jalore and Sirohi districts were housed at Children Home (Boys), Jodhpur. The Superintendents of Sirohi and Jalore intimated that accommodation in Sirohi was not suitable, and was incomplete at Jalore. Government replied (October 2009) that due to insufficient accommodation in Home at Sirohi and repair works in Home at Jalore, children could not be admitted. Efforts for suitable rented building for Home at Sirohi were being made. Even so, an expenditure of Rs 10.19 lakh (office and contractual expenses) had been incurred at Sirohi during 2007-09.

2.2.7.4 Recreation facilities

Rule 28(4)(h) of the State Rules, 2002 provides that in the Children Home recreation facilities must include indoor and outdoor games, music, television, picnics and outings, cultural programmes etc. In the test-checked districts, in nine homes³¹ out of 11 Government-run homes, and in four NGO run-homes³² out of six, playgrounds were not available. Government stated (October 2009) that due to non-availability of land in most of the Homes, outdoor games facility had not been provided.

31. Ajmer (Girls), Alwar, Bhilwara, Jaipur (Boys), Jalore, Jodhpur (Boys), Jodhpur (Girls), Nagaur and Sirohi.

32. Dayanand Bal Sadan, Ajmer, Balika Sadan Jaipur, Anand Bal Society, Jaipur and Chokho Ghar Nagaur.

2.2.7.5 *Monthly medical check-up of the children*

According to Rule 45 (Model Rules), every institution was to maintain medical record of each child, based on monthly check-ups, and provide medical facility. Audit observed that neither monthly medical check-up was done nor medical record maintained for 1109 children, in five³³ out of 12 Government run Homes, and for 255 children, in three³⁴ out of eight NGO run homes, which were test checked.

The Superintendents of Homes at Alwar and Bhilwara intimated that medical check-up was not conducted monthly due to non-posting of doctor and nurse. The superintendents, Jaipur (Boys) and Jodhpur (Girls) Government Homes, and in-charge of three NGO-run Homes intimated that children were treated, whenever ill. Superintendent, Jalore Home, did not intimate any reason for non-compliance of the Rules. Government stated (October 2009) that superintendents of all Homes were being instructed to take action.

2.2.7.6 *Non-constitution of Monitoring and Evaluation Committee*

No Monitoring and Evaluation Committee was constituted in any of the Observation/Special Home in the eight test checked districts

Rule 11 of State Rules, 2002 provides that juveniles should be grouped on the basis of age, physical and mental health, length of the stay, degree of delinquency and character. For this purpose a Monitoring and Evaluation Committee³⁵ was to be constituted in each institution. The Committee was to meet periodically to consider and review custodial care, individual problems of juveniles, vocational training and education, guidance and counselling, planning of post release rehabilitation programme et cetera. No committee was constituted in any of the test-checked Government observation/special homes. The Government stated (October 2009) that Superintendents of all the Homes were being instructed to take action.

2.2.7.7 *Lack of round-the-clock supervision*

Model Rule 40(4) states that the Superintendent "shall stay within the institution and be provided with quarters, and in case he/she is not able to stay in the home for legitimate reasons any other senior staff member of the institution shall stay in the institution and be in a position to supervise the overall care of the children or juveniles and take decision in case of any crisis and emergency".

Audit observed that in Government Observation Homes and Children Homes, neither Superintendent nor any senior staff member was residing within the institution. The superintendents of Bhilwara and Ajmer (Girls) Homes stated that they were not residing in the Home as they held additional charge. In the

33. Alwar, Bhilwara, Jaipur (Boys), Jalore and Jodhpur (Girls).

34. Anand Bal Society, Jaipur, Balika Sadan Jaipur and Chokho Ghar Nagaur.

35. Consisting the officer incharge as Chairperson, Child Welfare Officer (CWO)/ Psychologist as Member Secretary and Medical Officer, Workshop Supervisor and teachers as members.

remaining test-checked Homes³⁶, it was intimated that residential facility was not available, which confirmed the Department's indifference to the need for overall care and emergency. Government stated (October 2009) that residential facilities for the superintendents would be made available in the Homes.

2.2.7.8 *Escape of children*

- Scrutiny in test-checked districts revealed that out of 95 (69 delinquent and 26 neglected) children who escaped from nine childcare institutions run by the Government during 2004-09, 37 children (20 delinquent and 17 neglected) were untraceable (October 2009).
- It was seen that from Children Home, Jaipur, 49 children escaped out of a total of 95 children. Of these 49 children, 24 were untraceable (October 2009) and such escapes occurred continuously. The DCO, Jaipur attributed escape to carelessness of staff and improper counseling services.
- As per the enquiry reports from Government Observation and Children Homes at Alwar and Bhilwara, 11 and four juveniles, respectively ran away due to inadequate security arrangements and carelessness of security staff. The records show that action could not be taken against the security agencies because there was no penal clause in the contract with the agency.
- NGO Pratham Rajasthan rescued 18 child workers (August 2007) from Jodhpur Railway Station, who were rehabilitated in homes of three voluntary organizations³⁷ and Balika Grah, Jaipur, under the orders of CWC, Jodhpur. Of these, nine children ran away from NGO run homes, after two days of rehabilitation. As per the progress report of Pratham Rajasthan, these children were again spotted working at the Railway Station, Jodhpur. No action to bring these children back to the respective homes was taken (October 2009).

As per the information provided by the Commissionerate, the Bal Ashram Bachpan Bachao Andolan, Jaipur and Jankala Sahitya Manch, Jaipur were not included in the list of those registered by the Department, under the provisions of the JJ Act. The order of CWC, Jodhpur placing the children with unregistered voluntary organizations was irregular.

Government stated (October 2009) that proper counseling/ interview to assess the mentality of the children could not be conducted for want of required personnel.

2.2.7.9 *Shortage of manpower in child care institutions*

Under the Prevention and Control of Juvenile Social Maladjustment (PCJSM) scheme, GoI prescribed the staffing pattern of Observation Homes and

77 posts were lying vacant against 233 sanctioned in 12 institutions

36. Observation & Special Home (Boys), Ajmer, Observation & Children Homes at Alwar, Jalore, Nagaur and Sirohi, Children Home (Boys), Jaipur and Jodhpur, Children Home (Girls), Jaipur, Children Home (upto 5), Jaipur, and Observation Home (Girls), Jodhpur.

37. Bal Ashram, Bachpan Bachao Andolan, Virat Nagar, Jaipur, Jan Kala Sahitya Manch, Jaipur and I-India, Jaipur.

Children Homes, established under the JJ Act, for socially maladjusted children. Scrutiny of staff position in test-checked districts revealed that only 233 posts were sanctioned against the requirement of 267 in different categories of staff. Further, against 233 sanctioned posts in 12 childcare institutions, only 156 were filled and 77 posts (33 *per cent*) were lying vacant (October 2009). The major vacancies were in the critical categories of Probation Officers (PO) (13 out of 14); Vocational Instructors (seven out of 10); teachers (five out of eight); Superintendents (five out of 11); Matrons/ Auxiliary Nurse-cum-Midwife (six out of 17); and cooks (eight out of 17) (*Appendix 2.9*).

The shortcomings noticed due to vacancies are discussed in paragraphs below:

- ***Absence of follow up after discharge of children***

Only one Probation Officer posted against 60 required

As per Model Rule 87 read with Model Rule 15(8), the PO was to periodically visit the family or the place of the juvenile/ child for a period of three years to assess the impact of the rehabilitation programme suggested at the time of discharge, facilitate rehabilitation and social reintegration, establish linkages with voluntary workers and organizations and ensure follow up. Further, the PO was required to assess the character of juveniles, relationship with family members and behavior with the community, and submit a fortnightly report to the Home. According to the guidelines of the PCJSM Scheme, four POs were required for each Observation Home of 50 children and Children Home/Special Home of 100 children. Thus, for 12 Government Homes (11 Observation Homes with 725 children and one Children Home with 50 children) in eight test-checked districts, 60 POs were required against which, only 14 posts of POs were sanctioned and only one PO was posted in the Children Home (Girls), Jaipur, who was discharging the duties of Assistant Superintendent, instead of PO.

- ***Education facility not provided***

Rule 28 (4) (e) of State Rules, 2002 prescribes that the Children Home shall provide education to all children according to age and ability, either both inside the home or outside.

Rule 5 of State Rules specifies that daily routine of the Home will include educational classes and moral education inside the Home. Scrutiny revealed that against the requirement of 12 posts in 12 Homes, eight posts of teacher (four regular and four on visiting basis) were sanctioned. Of these, only three posts were filled up with the result that educational and moral education classes, which were to be a part of the daily routine, were not conducted in nine³⁸ Government Homes. In Government Observation and Children Home, Alwar, education was neither provided inside the Home for want of a teacher nor outside as no government school was situated nearby.

38. Ajmer (Girls), Alwar, Bhilwara, Jaipur (Boys), Jalore, Jodhpur (Boys), Jodhpur (Girls), Nagaur and Sirohi.

- ***Vocational training missing***

Vocational training was provided only in 7 Observation Homes out of 11

Rule 28 (4) (f) of State Rules, 2002 stipulates that every Children Home shall facilitate useful vocational training under the guidance of trained instructors and develop networking with institutes of technical instruction, Jan Shikshan Sansthan, Government and private organizations or enterprises, agencies or NGOs with expertise or placement agencies. As per GoI norms, 11 posts of instructors were required in 12 test-checked homes, one being Shishu Grah. It was, however, observed that only 10 posts were sanctioned against which only three were filled and vocational training was not imparted in seven Government Homes³⁹. In three out of eight NGO-run destitute homes test-checked, the situation was similar. Networking for vocational training with the NGOs, 'Smile' and 'Khilti Kaliyan', was developed only in homes at Jaipur and Ajmer respectively. Government stated (October 2009) that efforts to fill up vacant posts were being made.

2.2.7.10 Homes run by the NGOs

The State Government had framed Rajasthan Destitute Home Management and Operation Rules, 1982 for establishment of Children Homes by NGOs. With the commencement of JJ Act, 53 destitute homes, run by NGOs, were certified as Children Homes under section 34 (2) (3) of the Act. GoR provides grant to NGO-run homes under Rules 1982 *ibid*. The deficiencies noticed are mentioned below:

- ***Non-fixing of diet scale***

Government did not fix diet scale for NGO run Homes

Rule 6 of the State Rules specifies that the State Government shall prepare a diet scale for juveniles, in consultation with nutrition experts, to be strictly adhered to by the institutions. The diet scale for Government-run homes was fixed. But, as informed by the in-charge of NGO run homes, the Department did not communicate the scale to them. During the departmental inspection of NGO run homes, no comment about the diet served to the children was made. The Government replied (October 2009) that efforts were being made to make the diet scale applicable in NGO run Homes.

- ***Housing of children in unfit institution***

Section 2 (h) of JJ Act, defines a fit institution⁴⁰. As per Rule 38 (4) of the State Rules, the State Government may, if dissatisfied with the conditions, rules, management of the organization, certified under the Act, at any time, by notice served on the manager, declare that the certificate or recognition of the organization, as the case may be, shall stand withdrawn.

Children were retained in unfit institution run by an NGO

The sanction to run destitute home by an NGO⁴¹ of Jaipur was withdrawn (July 2006) by the State Government due to irregularities such as serving of insufficient and inferior quality of food, keeping the boys and girls together,

39. Alwar, Bhilwara, Jalore, Jodhpur (Boys), Jodhpur (Girls), Nagaur and Sirohi.

40. see the glossary at page 175.

41. A.K. Public School Samiti, Jaipur.

dirty premises and common toilets. Accordingly, 19 children of the home were to be rehabilitated in some other Children Home. The required action for transferring the children had not been taken by DCO, Jaipur (October 2009). Government stated (October 2009) that due to lack of co-operation by the institution and absence of penal provisions in the Act, the children could not be transferred. The helplessness expressed by the Government is not acceptable. It is clear that the Department had not taken any action as empowered under the provisions of Rule 38(7).

- ***Non-setting up of separate living accommodation for boys and girls***

The sanction for one girls' unit was withdrawn (August 2006) by the State Government from a NGO, Anand Bal Grah Society, Jaipur on the ground that living accommodation for boys and girls was not being provided separately. The sanction was re-issued (February 2008) on the condition that separate accommodation would be provided. Audit observed that boys and the girls were being housed in the same premises. The Secretary, Anand Bal Grah Society, informed that accommodation arrangements for girls had been made in Plot No. 45 (A), Sahkar Nagar, Jhotwara (Jaipur). The contention of the NGO that the home for girls was being operated in a separate building was factually incorrect. The building, reported to be housing the girls, was not included in the list of institutions declared fit by the Department. Government stated (October 2009) that necessary action was being taken. The government's apathetic inactivity (three years) on a moral issue is not understandable.

2.2.8 Rehabilitation of children

2.2.8.1 Counselling services

Rule 28 (4) (g) of the State Rules, 2002 provides that each Home shall have the services of a trained counsellor, child guidance centres, psychology and psychiatric departments or similar agencies. Out of eight test-checked districts, counseling services were being provided at Jaipur and Ajmer Government Homes⁴² through NGOs⁴³. In the Homes⁴⁴ of five test-checked districts, counselling services were not available despite sanction of two posts in each home. In two Homes⁴⁵ at Jodhpur, neither counselling services were provided nor the post of counsellor sanctioned. The Superintendent Children Home, Jodhpur stated (April 2009) that counselling services would be started in the future. Government stated (October 2009) that Superintendents of the Homes were again being directed to provide services of counselors.

42. Children Home (Boys), Jaipur; Children Home (Girls), Jaipur; Observation Home (Boys), Ajmer and Observation Home (Girls) Ajmer.

43. 'Smile' at Jaipur and 'Khilti Kaliyan' at Ajmer.

44. Observation and Children Homes, Alwar; Jalore; Nagaur; Sirohi; Bhilwara.

45. Children Home (Boys) Jodhpur and Observation Home (Girls) Jodhpur.

2.2.8.2 Adoption of children

According to Section 41 (2) of JJ Act, "adoption⁴⁶ shall be the first alternative for rehabilitation and social reintegration of children who are orphaned, abandoned, neglected and abused". Rule 33 of State Rules 2002 and Model Rules, 2007 prescribe that for all matters relating to adoption, the guidelines issued by the Central Adoption Resource Agency (CARA) and notified by the Central Government under Section 41 of the Act shall apply. Shortcomings noticed in the mechanism for adoption of children are:

- **Recognition of adoption agencies**

No adoption agency recognized in 27 districts

The JJ Amendment Act, Section 41(4) provides that the State Government should recognize one or more of its institutions or voluntary organizations in each district as specialized adoption agencies. However, 10 adoption agencies were recognized in six districts⁴⁷ of the State. No adoption agency had been recognized in 27 out of 33 districts of the State (October 2009).

- **Rights and privileges of adopted children not ensured**

Out of 215 adoption cases, in 49 cases adoption orders were not obtained and in 166 cases adoption deed were not registered after issuing of adoption orders

Para 1.1.15 of CARA guidelines prescribes that the adoption orders should be obtained from the court/JJB within six months of placing the child in pre-adoption foster care. After issue of adoption orders from the competent court, the responsibility for preparation of adoption deed and its registration has been laid upon the concerned recognized agency.

Scrutiny of records of the agencies in eight test-checked districts revealed that out of 215 cases of placing of children in pre-adoption foster care by Government Shishu Grah, Jaipur (180) and CWCs Ajmer (22) and Alwar (13), no action for obtaining adoption orders from the competent court was taken in 49 cases⁴⁸. In the remaining 166⁴⁹ cases, though adoption orders had been issued, action for getting the adoption deeds prepared and registered was not taken (October 2009). As such, these agencies failed to ensure that the rights and privileges of adopted children were safeguarded. Government informed (October 2009) that all the adoption agencies have been instructed to act as per the CARA guidelines.

- **Irregular placing of children in foster care**

As per Rule 33 (10) (f) of State Rules, children could be placed in pre-adoption foster care by a specialized adoption agency. CWC, Ajmer and CWC, Alwar placed 22 and 13 children, respectively in pre-adoption foster care during 2004-09, though, as per provisions of Rule 33(8) of the State Rules, they were empowered only to declare the child legally free for adoption. Only an adoption agency is authorized to place children in pre-adoption foster care. The placement of children in foster care by CWCs was

46. see the glossary at page 175.

47. Jaipur (three), Jodhpur (two), Udaipur (two), Kota (one), Bikaner (one) and Jalore (one).

48. Government Shishu Grah, Jaipur: 39 and CWC Ajmer: 10.

49. CWC Ajmer : 12, CWC Alwar: 13 and Government Shishu Grah, Jaipur: 141.

irregular and in violation of State Rules *ibid*. Government stated (October 2009) that CWCs have been asked not to place children in foster care.

- ***CARA guidelines not followed***

As per provisions of para 1.1.5 of CARA guidelines, follow-up action on a child given in foster care/adoption was to be done by the adoption agency at least for a period of one year by regular visits of social worker for post adoption counselling with the adoptive parents till the child adapts to the new environment. Audit noticed that the Government Shishu Grah, Jaipur, did not conduct follow-up due to the post of PO being vacant. The Government (October 2009) accepted the fact.

- As per CARA guidelines para 2.5(8), a child may be placed in pre-adoption foster care for a maximum period of six months. In Government Shishu Grah, Jaipur, 47 children were placed (July 2004 to April 2006) in foster care for two years, thereby, delaying rehabilitation.

- Para 1.1.6 of CARA guidelines specifies that the adoption agency may demand from the adoptive parents Rs 200 and Rs 1000 in each case for registration expenses and preparation of home study report, respectively. In Shishu Grah, Jaipur 180 children were placed in foster care (2004 to 2009) but registration and home study report charges (Rs 2.16 lakh) were not recovered from the adoptive parents.

2.2.8.3 After Care Organizations

Model Rule 38 provides that the State Government shall have an After Care Programme for juveniles or children, after they leave Special/Children Homes, with the objective of facilitating “transition from an institution-based life to mainstream society for social re-integration”.

After Care Programme was to be made available by the District/State Child Protection Units (CPU) in collaboration with voluntary organizations for 18-21 year old persons, who have no place to go to or are unable to support themselves. The Chief Children Officer intimated (February 2009) that no After Care Organization had been established. As a result, children, released from homes, after attaining the age of 18 years, were deprived of facilities such as vocational training, getting employment, services of a peer counselor to discuss rehabilitation plans, creative outlets for their energy and to tide over the crisis in life. In the absence of follow-up, the authorities were not aware whether the children had returned to normal life and adjusted to the socio-economic environment. Government stated (October 2009) that the 13th Finance Commission had been requested for funds and After Care Organisations shall be set up on receipt of sanction. Audit is of the view that the Government should take the first step by setting up CPUs.

2.2.9 Monitoring

2.2.9.1 Inadequate inspection

No unit was inspected during 2004-07 and only three out of required 90 units were inspected during 2007-09

- Rule 29 of State Rules provides that the State Government shall constitute State, District or City level inspection teams consisting of various experts and reputed social workers on the recommendations of a selection committee, constituted under sub Rule (2) of Rule 24, for a period of three years, to oversee the day to day functioning of the homes and give suitable directions. The Chief Children Officer informed (February 2009) that no inspection teams were constituted. Departmental officers were conducting inspection of Government homes and grant-receiving institutions. Details of inspections were not provided to Audit. The purpose of inspection was not served, as the inspection teams, consisting of various experts and reputed social workers, was not formed.
- Rajasthan Destitute Management and Operation Rules, 1982 and Rajasthan Shishu Grah Management Operation Rules, 2007 stipulated that the District Children Officer (DCO) would conduct inspections of the homes run by the NGOs, at least once in every two months.

The shortfall of inspections by the DCO in the test-checked units was as under:

Table 4: Inspection of child care institutions

	No. of Child Care Institutions	Total no. of inspections due	Inspection conducted	Shortfall
2004-05	6	36	-	36
2005-06	6	36	-	36
2006-07	6	36	-	36
2007-08	7	42	2	40
2008-09	8	48	1	47

Source: DCO and NGOs

No unit was inspected (2004-07) by DCOs (Jaipur, Jodhpur and Ajmer), and only three inspections (DCO Jodhpur: 2; DCO Ajmer: 1) were conducted against the required 90 inspections during 2007-09.

Government stated (October 2009) that inspections by DCOs could not be conducted due to the posts being vacant/holding additional charge. Efforts to constitute inspection teams as per Rule 29 of State Rules would be made.

2.2.9.2 Establishment of Adoption Cell

According to Para 2.4 (6) of CARA guidelines, the State Government should establish an Adoption Cell in the Social Welfare Commissionerate to coordinate, monitor and evaluate the adoption work. The adoption agencies were to submit a monthly report to the Cell regarding availability of children for adoption. The report in the case of death of a child was to be sent to the Cell within 48 hours. The Adoption Cell had not been established.

Government stated (October 2009) that orders were issued but the Cell could not be established for want of staff.

2.2.9.3 Training of personnel

No training to personnel for specific job requirements was given by Officer-in-charge

Rule 57 of State Rules, notified under JJ Act, requires that the State Government or the Officer-in-charge shall provide training to personnel of each category of staff in keeping with their statutory responsibilities and specific job requirements. The Superintendent, Government Observation and Children Home, Bhilwara intimated that he had participated in two workshops on 'Juvenile Welfare' and 'Effective Participation in Creating Child Friendly Activities and Environment at Homes' during 2006-07 and 2008-09, respectively. The Superintendents of remaining 11 test-checked homes informed that no training was provided to them during 2004-09. Government stated (October 2009) that 14 training programmes were organized. However, in view of the position intimated by the Superintendents of test-checked Homes, the Government's lackadaisical approach to upgradation and development of skills required by personnel responsible for effective implementation of the Act is apparent.

2.2.9.4 Advisory Board

Rule 58 of State Rules, 2002 specifies that the State Government shall constitute advisory boards at State, district and city levels, comprising members of the competent authority, academic institutions, local respectable and spirited citizens, representatives of NGOs and of the local authority for a period of three years. The boards shall inspect the various institutional and non-institutional services in their respective jurisdiction and their recommendations acted upon by the State Government and local authorities. All the Boards are required to hold at least two meetings in a year. An Advisory Board, headed by Minister, Social Justice and Empowerment, was constituted at the State level and only one meeting (August 2005) was organized during 2004-09 against the required ten. The district and city boards were not constituted. Government stated (October 2009) that efforts for organizing meetings of the State Advisory Board were made but postponed due to unavoidable reasons.

2.2.10 Financial Management

2.2.10.1 Budget and expenditure

Before the enactment of JJ Act 2000, GoI provided financial assistance under the scheme titled, 'Prevention and Control of Juvenile Social Maladjustment (PCJSM)'. GoI now provides financial assistance under the Centrally Sponsored Scheme (CSS), known as 'programme for Juvenile Justice', to meet 50 *per cent* of the expenditure, limited to the prescribed norms (***Appendix 2.10***) for establishment/ upgradation of Homes and maintenance, contingency and bedding grant for inmates. GoR bears the balance expenditure through plan/non-plan budget.

The budget allocation and actual expenditure for the welfare of children during 2004-09 are as under:

Table 5: Budget and expenditure

(Rupees in crore)

	Budget allocation			Actual expenditure			(-)Savings (+) Excess
	State	Central	Total	State	Central	Total	
2004-05	3.09	0.15	3.24	3.07	0.15	3.22	(-) 0.02
2005-06	3.42	0.15	3.57	3.41	0.15	3.56	(-) 0.01
2006-07	4.08	0.14	4.22	4.06	0.14	4.20	(-) 0.02
2007-08	5.17	1.18	6.35	5.17	1.18	6.35	-
2008-09	5.75	1.79	7.54	5.76	1.79	7.55	(+) 0.01
	21.51	3.41	24.92	21.47	3.41	24.88	(-) 0.04

Source: Detailed Appropriation Accounts

2.2.10.2 Cut in Central share

A sum of Rs 0.81 crore remained unutilised against Central share. Owing to low spending there was reduction of grant by a sum of Rs 0.81 crore during 2004-09

GoI was required to provide Rs 4.33 crore during 2004-09 for maintenance, contingencies and staff salary, against which Rs 3.52 crore was actually received by the GoR. GoI reduced the amount by Rs 0.81 crore⁵⁰ on account of unutilized fund. GoR stated (October 2009) that for late issuance of sanctions from GoI, Central assistance could not be utilized in time. However, it was observed that GoI sanctions were received latest by September. Scrutiny of the assistance received from GoI revealed that during 2004-09, Rs 3.74 crore (Rs 3.52 crore for maintenance, contingencies and staff salary and Rs 0.22 crore for construction) was received as Central share but GoR allotted only Rs 3.41 crore to the Department.

2.2.10.3 Excess claim of Central assistance

GoR obtained Central assistance on account of maintenance, contingency and bedding for government homes on the basis of sanctioned capacity of inmates. Scrutiny of test-checked homes showed that the actual number of inmates was far less than the sanctioned capacity. The Department had claimed excess Central assistance of Rs 25.50 lakh during 2004-09 for maintenance of children (*Appendix 2.11*).

2.2.10.4 Central assistance not revised

GoI provides assistance to GoR at the prevailing norm of Rs 500 per inmate per month. However, GoR revised the norms of diet scale for inmates to Rs 850 per inmate per month (April 2007⁵¹). Since the assistance is under CSS (50 per cent), GoR may take up the issue of revision of diet norms with GoI to avoid additional financial burden.

50. 2003-04: Rs 2.63 lakh; 2005-06: Rs 5.93 lakh; 2007-08:Rs 72.19 lakh and 2008-09: Nil.

51. On the recommendation of High Court Committee meeting held on 27.09.2006.

2.2.10.5 Central assistance for homes run by NGOs not availed

Expenditure on NGO-run institutions was to be shared by GoI, GoR and the voluntary organizations on 45:45:10 basis.

Audit noticed that Rs 2.98 crore were provided by GoR to NGOs during 2004-07 of which Rs 1.49 crore were receivable from GoI but was not claimed, resulting in an extra burden to that extent on the State exchequer. However, the Central share for assistance to NGOs run institutions was claimed from 2007-08. Government stated (October 2009) that clear instructions were not issued in the GoI guidelines for sanction of grant to voluntary organizations. The reply was not correct. Clear provisions for Central assistance to voluntary organizations had been included in the guidelines.

2.2.10.6 Loss of Central assistance due to delay in setting up of children unit in Shishu Grah, Jaipur

Delayed setting up of children units at Shishu Grah, Jaipur deprived the State Government of Central share of Rs 31 lakh.

The expenditure on account of staff salary, office expenses and maintenance of children of Government Shishu Grah, Jaipur under non-plan head of the Department was being met by GoR. Under the Scheme of Assistance to Homes for Children (Shishu Grah) for promotion of in-country adoption, CARA released (March 2004) grant of Rs 1.93 lakh in 2003-04 for setting up of two separate units of 10 children each at Government Shishu Grah, Jaipur. The total annual recurring grant from 2004-05 for salaries of staff, maintenance of children and buildings etc. was limited to Rs. 6 lakh for each unit. The Department set up and made these two units functional from November 2006, with a delay of 31 months. The Superintendent of the Home attributed the reasons for the delay to non-receipt of guidance from the Commissionerate and revision of proposals for their establishment. Had the action for setting up of these two units been taken up in April 2004, the amount of Rs 31 lakh receivable on account of staff salary and maintenance of the children of these two units could have been obtained from GoI, thereby reducing the GoR expenditure to that extent.

Government replied (October 2009) that due to some impracticable conditions of CARA new proposals were not sent. The reply was not tenable, as two CARA units had been established in November 2006.

2.2.10.7 Creation of Juvenile Justice Fund (JJ Fund)

Rule 60 of State Rules stipulated that the State Government should create a Fund at the State level, known as JJ Fund, to be operated by State Advisory Board, for the welfare and rehabilitation of the children.

The Central and State Governments were also to make contributions besides voluntary contributions.

Scrutiny of records revealed that the Child Welfare Fund, created in November 1988, under Section 52 of the repealed JJ Act, 1986, was still being operated by the Commissioner and had a balance of Rs 1.03 lakh

(October 2009). The CCO informed that during 2004-09, only one transaction of Rs 0.25 lakh had been carried out from the Fund.

Government stated (October 2009) that creation of Juvenile Justice Fund would amount to simply changing the name of the previously created Child Welfare Fund. The JJ Fund was to be utilised for all activities of the Department as mentioned in Rule 60 such as payment to grant-in-aid to NGOs, expenses of State Advisory Board and other incidental and conducive expenses, which was not possible through the Child Welfare Fund.

2.2.11 Conclusion

The Rajasthan Government has taken notable steps towards delivery of justice to juveniles in conflict with law and neglected children in need of care and protection. Homes for children and Juvenile Justice Boards have been established in each district, except in the newly created district of Pratapgarh. A modicum of infrastructure too is in place. Even so, the effort has foundered due to shortage of resources, human and financial. Progress towards achievement of statutory goals has been undermined for want of initiative in key areas. For example, the Department's inexplicable inadequacy in constitution of CPUs, advisory boards and adoption cell, which are critical for achieving its objectives. Rehabilitation of juveniles suffers for want of focused and concerted departmental effort. Training had been relegated to a lower order of priority, ignoring the pressing need for specialized skill enhancement of critical personnel involved in dealing with the socially and economically deprived children in conflict with law and the neglected.

2.2.12 Recommendation

- Disposal of a case of a juvenile in conflict with law should not stretch beyond the mandated four months and rehabilitation process should be expedited.
- Government should create the requisite infrastructure to ensure that juveniles in conflict with law are segregated from neglected children in need of care and protection. Children of different gender and age groups should not be housed in the same premises.
- Child Protection Units, inspection teams and advisory boards should be constituted to ensure expert guidance and compliance to the statutory mandate.
- Rehabilitation is the key to dispensation of justice, social and economic, and should not be allowed to suffer for want of key posts of probation officers, vocational instructors, teachers and counselors.
- Breaches in security in the Homes should be plugged, and those responsible chastised as per rules. Arrangement should be made for stay of Superintendent or a senior staff member in Homes to supervise the overall functioning and take decisions in case of crisis and emergency.
- NGO run child care institutions need closer supervision to ensure compliance with statutory provisions.

Youth Affairs & Sports Department and Education Department

2.3 Development of Sports and Physical Education in Rajasthan

Highlights

Sports and physical education are essential components of human resource development and help to inculcate comradeship and a healthy spirit of competition. Excellence in sports enhances the sense of achievement, national pride and patriotism. Physical Education in schools is a stepping-stone for success in sports. Sports' activities are planned and funded by the Department of Youth Affairs and Sports, and implemented through the Rajasthan State Sports Council, an autonomous body, established in 1957, and registered in 1969 under the Rajasthan Society Registration Act, 1958. Physical Education is under the administrative control of the Principal Secretary, Department of Education.

The State does not have a sports policy and/ or any long term plan for the development of sports. The State Sports Council has not been properly constituted.

(Paragraphs 2.3.2 and 2.3.5)

Minimal sports infrastructure like outdoor stadia, swimming pools and indoor stadia, crucial for sports development, was not available in many districts. Audit also observed under-utilisation of grants for creation of infrastructure, delays in initiation and completion of the projects.

(Paragraph 2.3.7)

Out of 241 only 13 tehsils were taken up in perspective plan 2008-11 for development of sports infrastructure.

(Paragraph 2.3.7.1)

Scheme for development of playground in the villages was implemented without proper planning which led to works not starting in 84 villages, and payment of Rs 62.57 lakh as honorarium was made to *Khel Sanyojak* without creation of infrastructure.

(Paragraph 2.3.7.5)

Against 200 coaches required, there was a shortfall of 83. Posting of coaches was not done judiciously; coaches of particular sports were posted where no facilities for those sports were available. In some cases, more than one coach of same sports were posted at one place. Evaluation of performance of coaches was not carried out. Scientific training was not imparted to coaches and coaching skills not upgraded.

(Paragraph 2.3.8.8)

Physical education in schools suffered due to shortage of physical education teachers, lack of sports infrastructure like playgrounds, lack of funds and inadequate supervision. There was only one sports school at Bikaner under the Education Department where there were lack of infrastructure and shortage of coaches.

(Paragraphs 2.3.7.4, 2.3.8.7 and 2.3.8.10)

Talent Search Scheme was not properly implemented. No follow up after identification of players at stage-I was taken up. Stage II was not implemented. No records regarding selection, achievement and performance were maintained at council as well as DSOs level in respect of Women Sports Scheme and Rural Sports Scheme.

(Paragraphs 2.3.8.1, 2.3.8.2 and 2.3.8.3)

Scheme for sports academies, sports hostels and sports school did not provide for dietician and doctors. Women Hockey Academy Ajmer did not have its own building and grounds. Proper playgrounds were not available in Sports School, Kothyari (Sikar).

(Paragraphs 2.3.8.4, 2.3.8.5 and 2.3.8.6)

The Council did not monitor the performance of sports associations registered in the State and did not take action for disaffiliation of the ones which had not fulfilled their obligations.

(Paragraph 2.3.9)

2.3.1 Introduction

Sports and physical education promote good health, camaraderie and a spirit of friendly competition which has a positive impact on the overall personality development of youth. 'Sports' is a subject under the State list of Seventh Schedule of the Constitution of India and thus the State Government has to play a major role in the development of sports with the Government of India (GoI) supporting its efforts. Rajasthan was the first State to launch a rural sports scheme in 1965. Government also constituted a State Sports Council which implements the programmes for development of the sports in the State. The Council has not been properly constituted. Government is yet to approve and implement the State Sports Policy. Government spending on sports development has been less than one *per cent* of the total State budget. The position of Rajasthan in the National sports events is low compared to the States with lower Human Development Index rank.

2.3.2 Administration of sports and physical education

All sports activities, including creation of infrastructure, encouragement to sports persons and promoting a sports environment are planned and funded by the Department of Youth Affairs and Sports, under the control of Principal Secretary, GoR, and implemented through the Rajasthan State Sports Council

The State Sports Council consisting of representatives of concerned departments is to act as an advisory body to the Government

(Council), an autonomous body registered in 1969 under the Rajasthan Society Registration Act, 1958. It comprises of 21 members nominated by GoR (President, Vice President, Treasurer, six⁵² ex-officio members and not more than 12 other members, of whom at least one has to be a woman. A five-member Standing Committee, constituted by GoR, manages the Council. Headed by the President, it comprises of the Vice President, Treasurer and two other members from the Council. At least one member has to be a woman. Each district has Sports Council⁵³, and the Council has a District Sports Officer (DSO), responsible for coaching and development of sports. Organizational chart of the Council is in *Appendix 2.12*.

Physical Education is under the administrative control of the Principal Secretary, Department of Education, GoR. Physical Education at the Elementary Education (EE) level is organized under the Inspector, Physical Education (PE), and at the Secondary Education level, the Deputy Director (Sports), who reports to the Director, Elementary Education (EE) and Director, Secondary Education (SE), respectively located at Bikaner. Organizational chart of the Physical Education functionaries is given in *Appendix 2.13*.

The funds for sports are allocated by GoI under two⁵⁴ Centrally sponsored schemes, and by GoR, under various⁵⁵ schemes and programmes under the State Plan. Funds for Physical Education are allocated only by GoR.

2.3.3 Aim and scope

Performance audit was conducted to examine whether GoR had a clear policy on the development of sports, specifically in relation to identifying and nurturing talent, and the provision and efficacy of basic infrastructure for development of physical education. Records of the Sports and Education Departments in nine out of 33 districts in the State as well as the academies, hostels and sports' schools at Jaipur, Ajmer and Bikaner were test-checked covering a six year period 2003-09, with the aim of assessing:

- the adequacy of programmes and projects aimed at improving the availability of sports infrastructure.
- the efficacy of the organization and participation in sporting events.
- the effectiveness of various coaching programmes run by the Council.
- the overall performance of the Council.
- the efficiency of physical education imparted in schools and its role in development of sports.

52. Development Commissioner/Secretary, Panchayati Raj Department; Addl. Chief Secretary, Finance; Secretary, Youth Affairs and Sports Department; Secretary, Department of Education; Commissioner, Jaipur Development Authority and Secretary, Council.

53. President-Collector, Vice President-nominated by GoR, Members-30 nominated by GoR.

54. Centrally sponsored schemes (GoI): Sports Infrastructure Scheme up to March 2005, *Panchayat Yuva Krida Khel Abhiyan* (PYKKA)

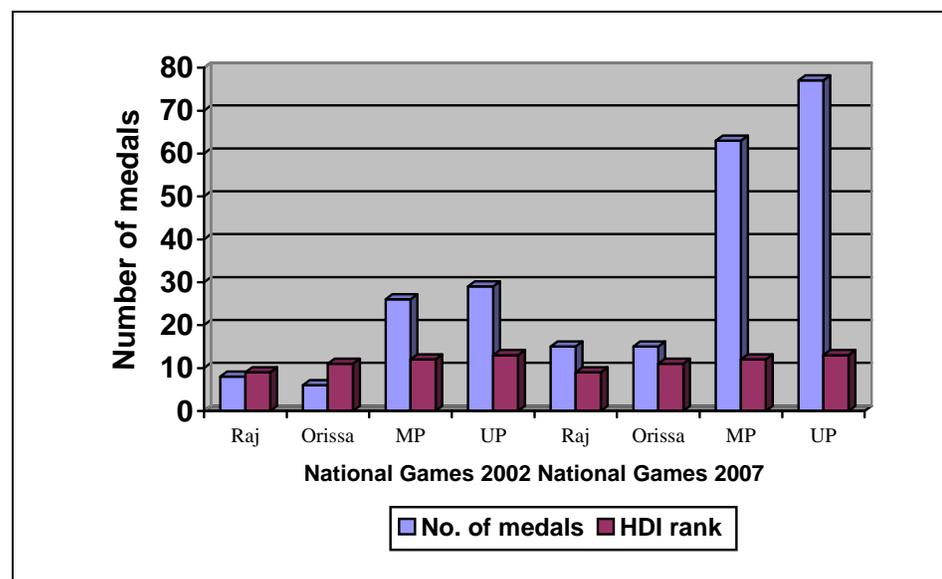
55. GoR: Talent Search Scheme, Women Sports Scheme, Rural Sports Scheme and Integrated Stadium (Sports Infrastructure) Development Programme, 2007.

The audit criteria and methodology are given in **Appendix 2.14**. The replies of the Departments of Youth Affairs and Sports and Education have been incorporated in the report.

2.3.4 The sports scenario

Position of Rajasthan in National level competitions was low

Rajasthan was the first State to launch a Rural Sports Scheme in 1965. GoR spent Rs 105.61 crore for sport development and physical education (0.06 per cent of the total GoR budget) during 2003-09. To analyze the status of sports' development in Rajasthan, Audit compared its performance in National Games (in terms of medals won) with the other States. While the State ranked higher in Human Development Index (HDI), it lagged behind in sports.



Source: www.33rdnationalgames.nic.in and National Human Development Report, 2001)

The school teams from Rajasthan did not perform well in national level competition

Even at the National level competition for school students, organized by the School Games Federation of India (SGFI), teams from Rajasthan obtained a very low position in comparison to States with lower HDI rank.

Table 6: Comparative position of Human Development Index

State	HDI Rank	Year-wise position in SGFI			
		2005	2006	2007	2008
Uttar Pradesh	13	11	12	10	8
Madhya Pradesh	12	13	20	13	16
Orissa	11	16	13	12	14
Rajasthan	9	19	15	19	19

Source: National Human Development Report 2001 and SGFI gradation list

Audit findings

2.3.5 Planning and Policy initiatives

The Department and the Council did not have a long-term plan for development of sports with well-defined targets. The State sports policy,

drafted in 2006, is yet to be approved by GoR (September 2009). As a consequence, the proposed provision for the creation of a State Sports Fund to augment financial resources and involve the private and corporate sector to encourage sports could not be implemented.

The Council was not constituted as per laid down norms

GoR had nominated office bearers and members of the Council (May 2001), but the nominations were withdrawn (January 2004). Three officials from the Department were nominated to the Council to look after the work till formation of new council (Principal Secretary as President, Deputy Secretary as Vice President and Assistant Accounts Officer as Treasurer). Audit noticed that even after a lapse of more than five years, the new council has not been constituted. In the absence of an effective Council, integrated development of sports from the village, elementary school to the State level has not been achieved.

2.3.6 Financial management

Budgetary control was not proper

Audit noticed that the Council prepared annual plans without inputs from the districts, which resulted in poor budgetary control and disparities in availability of infrastructure. As against the Ninth Five Year Plan outlay of Rs 22.41 crore, an expenditure of only Rs 5.41 crore was incurred. However, for the plan outlay of Rs 4.73 crore envisaged in the Tenth Five Year plan (2002-2007), the expenditure was Rs 33.50 crore. The excess expenditure was on account of several projects⁵⁶ not covered under the Tenth Five Year Plan, and was met by providing funds through annual plans. This indicates arbitrariness and lack of need-based assessment. In the Eleventh Five year Plan (2007-12), GoR increased the plan outlay to Rs 40 crore of which Rs 22.52 crore has already been incurred during 2007-09.

The Council, being the nodal agency for sports development, received all grants-in-aid provided by GoI and GoR. The total budget allocated was Rs 90.96 crore (Rs 57.49 crore plan and CSS; Rs 33.47 crore non-plan) and expenditure of Rs 90.84 crore (Rs 57.34 crore plan and CSS; Rs 33.50 crore non-plan) during 2003-09. An analysis of budgetary allocation and expenditure (*Appendix 2.15*) under sports development during 2003-09 revealed the following:

- Out of plan expenditure of Rs 57.34 crore, Rs 25.42 crore was booked under various schemes though the actual expenditure incurred as per annual accounts of the Council was only Rs 6.57 crore (*Appendix 2.16*).
- Out of the non-plan expenditure of Rs 33.50 crore, 81.32 per cent was incurred on salary and allowances and office expenses and only 2.37 per cent (Rs 0.82 crore) on maintenance of stadium and 12.02 per cent (Rs 4.14 crore) on sports activity.
- Internal revenue was to be generated on account of rent received from use of stadium, swimming pool and other miscellaneous receipts. Audit

User charges for the facilities were not reviewed periodically

56. Stadium at Dholpur, Kaman (Bharatpur), Jaisalmer, Kuchaman (Nagaur) old stadium Jodhpur and Barkatullah Stadium at Jodhpur, Jhalawar Sports Complex.

noticed that the rates for use of facilities were not reviewed at periodic intervals and the rates fixed in October 2001 were revised in April 2009. The Council stated (October 2009) that objective is not to earn revenue from facilities. This view reflects the apathy of the Council towards maintenance of its facilities. Further, it puts a question mark on the rationale of levying user charges.

Under Article 13 (i) and (ii) of the Council, annual accounts and balance sheet was to be prepared and audited by a Chartered Accountant by June of the succeeding financial year, and submitted to the GoR. The accounts of the Council for 2007-08 and 2008-09 had not been audited and submitted till August 2009. The Council stated (October 2009) that instructions are being issued to prepare the balance sheet in time.

For Physical Education, GoR provided Rs 15.10 crore (Plan: Rs 0.49 crore and Non-plan: Rs 14.61 crore) against which an expenditure of Rs 14.77 crore (Rs 0.39 crore plan, Rs 14.38 crore non-plan) was incurred by the Department of Education. However, Audit noticed that no separate head of account was kept in Government accounts for budget allotment and expenditure on physical education under Elementary Education (EE). Consequently, actual allotment and expenditure on physical education at EE level could not be ascertained.

2.3.6.1 Collection and utilization of tournament fees

**Collection of
tournament
fees not
monitored**

As per Rule 12 of the Education Department School Game/ Tournaments Rules, 2005, all recognized schools government/non-government (aided and private) are liable to pay tournament fees⁵⁷. Out of the collected amount, 25 per cent (35 per cent from 2008-09) is kept as reserve for expenses on students participating in national games, as per the direction of the Directors of Secondary and Elementary Education. DEOs are to utilize the remaining 75 per cent (65 per cent from 2008-09) for organization of district level tournaments, preparation of certificates, prize distribution, maintenance of playgrounds, purchase of sports equipment and other contingencies relating to sports. Monitoring of this fund is to be carried out by the Director, SE. However, 24 districts sent the information to the Director, SE, who did not maintain proper records of assessment, collection and utilization of fees.

In test checked districts, information in respect of number of schools and students was not supplied by respective DEOs. However, as per information collected by Audit, fees of Rs 40.85 lakh were outstanding from schools (**Appendix 2.17**). Owing to lack of information regarding number of schools and category-wise (general and reserve) students, it could not be ascertained as to whether the fee was recovered from all schools and from all the students. Audit also observed that adequate efforts were not made to recover the outstanding fee from defaulter schools. DEO Dausa (June 2009) and DEO

57. (i) Secondary Education: Rs 5 for general category and Rs 2 for reserve (SC/ST/OBC) category per year per student and (ii) Elementary Education: Rs 2 (revised to Rs 5 from 2008-09) for general category and Re 1 (revised to Rs 2 from 2008-09) for reserve category.

Udaipur (July 2009) stated that the outstanding amount pertained to affiliated school for which action would be initiated.

2.3.7 Creation and maintenance of sports infrastructure

Infrastructure like outdoor and indoor stadiums and swimming pool are crucial for the development of sports. GoI provided 50 per cent of the cost of District Sports Complex (including Indoor Stadium and Swimming Pool) and Outdoor Stadium projects under the Sports Infrastructure Scheme. GoR provided 25 per cent cost. The District Sports Councils, headed by the District Collector was to mobilize the remaining amount through public participation. Subsequent to the withdrawal of GoI assistance from April 2005, State Government provided 90 per cent of the cost to the Council and a minimum 10 per cent was to be arranged through public participation. GoR released Rs 30.97 crore to the Council during 2003-09 towards creation of new sports infrastructure. Audit scrutiny revealed unplanned development and poor maintenance of sports infrastructure and need for better augmentation of sports infrastructure.

Abnormal delays in commencement and completion of projects

- Information on 16 major infrastructure projects compiled by Audit in 11 districts revealed protracted delays in completion of all projects. Though GoI stipulated that the indoor stadium project be completed within two years from the date of sanction, delay ranging between six and 209 months were noticed in five completed works. Seven works, which were in progress as of March 2009 had been taken up 34 to 238 months after their sanction. Works in four cases sanctioned between October 1992 and February 2004 had not been started so far. The reasons for delay in commencement and completion of 12 out of 16 projects are as under:

(i) The VVIP helipad, which existed at the location of the Synthetic Athletic Track, Jaipur took more than two years to dismantle.

(ii) Delay in entrustment of work led to delayed commencement of Synthetic Hockey Surface at Jaipur.

(iii) Failure and short mobilization of public contribution, committed by the District Council, led to delay in execution of ten projects⁵⁸. Scrutiny of records indicated that District Collectors, Nagaur and Jhalawar, diverted Rs 2.62 crore in two works⁵⁹ from Government schemes⁶⁰ because the committed public contribution was not received in time. The Council stated (October 2009) that delay was due to non-arrangement of additional fund from the sponsor

58. (i) Sports Complex, Jhalawar (ii) Indoor Stadium Nathdwara, (iii) Basket Ball Court at Devgarh (Rajsamand), (iv) District Sports Complex, Nagaur, (v) Outdoor Stadium, Jhunjhunu, (vi) Sports Complex, Dungarpur. (vii) District Sport Complex, Sikar. (viii) Synthetic Hockey Surface, Ajmer (ix) Outdoor Stadium at Kuchamancity, Nagaur (late release of central assistance by GOR) and (x) Basketball court at Secondary School, Nimbahera Jatan (Bhilwara).

59. Sports Complex Jhalawar: Rs 2.32 crore; Sports Complex Nagaur: Rs 0.30 crore.

60. Member of Parliament Local Area Development (MPLAD) scheme and Member of Legislative Assembly Local Area Development (MLALAD) scheme and District Collector Development Fund.

institution (UITs/Nagar Nigam/Nagar Parishad/District Council), which could have been avoided. The Council needs to put in place a proper system of monitoring the progress of works. The Department stated in exit conference that works were not completed because of the fact that executive agencies were being controlled by District Collectors. Now, works have been taken up accordingly under Integrated Stadium (Sports Infrastructure) Development Programme (ISDP) and Public Works Department (PWD) and Awas Vikas Limited (AVL) have been finalised as executive agencies.

Delay in completion of works in test-checked projects led to non-release of Central grant of Rs 3.04 crore

- Audit observed that delay in allotment of works and non-allotment of funds by GoR (three cases), incurring expenditure on unapproved works (one case), non-collection of public participation (three cases) led to non-fulfillment of condition for GoI grant and resulted in non-receipt of central grant of Rs 3.04 crore, as GoI withdrew assistance for infrastructure from April 2005 (*Appendix 2.18*). The Council stated (October 2009) that the GoI was considering the matter in four cases for treating a sum of Rs 1.92 crore as committed liability.

- ISDP 2007 was launched to create basic infrastructure in phases over a period of three years to promote access to sports facilities and encourage participation.

The Council prepared a three-phase perspective plan for 2008-11 in which 45 infrastructure projects (new: 25 and improvement in old: 20) at a cost of Rs 21.45 crore were sanctioned. The existing norms for division and district level facilities as per ISDP 2007 are as under:

Division level	Outdoor stadium for conducting National level events for 11 disciplines, namely, Athletics (track of 400 metres), Football, Hockey, Handball, Basketball, Volleyball, Tennis, <i>Khokho</i> , <i>Kabaddi</i> , Swimming. An indoor stadium facilities for Badminton, Table Tennis, Wrestling etc.
District level	Outdoor stadium for nine disciplines namely Athletics (track of 400 metres), Football, Hockey, Handball, Basketball, Volleyball, <i>Khokho</i> , <i>Kabaddi</i> , An indoor stadium facilities for Badminton, Table Tennis, Gymnastics etc.

Source: The Council records

Divisions/districts, which lack facilities as per norms, is given in *Appendix 2.19*.

Minimum sports facilities were not available in one Division and three Districts

- It was seen that one division (Bharatpur) and three districts (Banswara, Bundi and Sawaimadhopur) did not have any infrastructure (as per the prescribed norms).

The Council did not monitor the progress of the construction works

- In the first phase 35 infrastructure projects⁶¹ (new: 19 and old: 16) were taken up and GoR released an amount of Rs 9.73 crore (Rs 4.56 crore in 2007-08 and Rs 5.17 crore in 2008-09). Against this, the Council released Rs 8.93 crore to various executive agencies during 2007-09. Out of 35 projects nine projects (new: five and old: four) were completed and remaining are in progress. However, the Council did not inspect any project, which indicates the absence of monitoring and technical supervision to ensure that the progress of construction works was as per norms and schedule.

- The existing and newly-constructed outdoor stadiums in three out of nine test-checked districts lacked several essential facilities as shown below:

Lack of essential facilities in outdoor stadiums negated the purpose for which they were created

Name of stadium	Status of facilities
Astro Turf Hockey ground at Sawai Man Singh (SMS) Stadium, Jaipur	No toilets and changing room.
Rajesh Pilot Government Stadium, Dausa	No toilets, bathrooms, change room, drinking water facility.
Ganaji Punja Ji Sports Stadium, Jalore	No facilities of toilets, bathrooms, change room, drinking water.

Although playgrounds for *kabaddi*, *khokho* and handball (from 2004) were available in outdoor stadium Dausa and for football (1969), volleyball (1970), handball (1980), athletic track (1990) and basketball (1992) in the outdoor stadium Jalore, no sports events have been conducted in these districts because of lack of basic amenities.

2.3.7.1 Tehsil level infrastructure

Only 13 tehsils were taken up in perspective plan 2008-11 for development of sports infrastructure

Audit observed that before commencement of the ISDP, GoR sanctioned only one project (outdoor stadium) at Kama Tehsil, Bharatpur (2005-06) to provide playgrounds at decentralized locations in addition to the facilities already available in districts. An expenditure of Rs 20 lakh out of Rs 26 lakh sanctioned was incurred up to May 2009 and the work was still in progress.

Under ISDP the Government intended to provide outdoor stadiums for six disciplines in all the 241 tehsils. However, the Council included only 13 tehsils in ISDP (sanctioned cost Rs 3 crore) in the perspective plan for 2008-11. Of these, the Council has taken up and completed work in only three tehsils in 2008-09, at a cost of Rs 0.75 crore. Sports facilities in the remaining 228 tehsils were not sanctioned (March 2009), denying the people of the envisaged benefits. The Council stated (October 2009) that on receipt of proposals from the remaining tehsils, appropriate action would be considered, which is indicative of lack of a proactive approach to development of sports.

61. **Work Completed:** Hindoli (Bundi); Nimbahera (Chittorgarh); Athletic Track, Jaipur; Tennis Court, Jaipur; Football-*Khokho*, Jaipur; Karoli; Pali; Tonk and Uniyara (Tonk).

Works under progress: Beawar (Ajmer); Banswara; Bundi; Bharatpur; Churu; Chittorgarh; Dungarpur; Dholpur; Dausa; Hanumangarh; Fatehgarh (Jaisalmer); Jalore; Jhunjhunu; Nagaur; Sojat (Pali); Pratapgarh; Sikar; Sawaimadhopur; Topdara (Ajmer); Barmer; Deedwana (Nagaur); Hockey Astro Turf, Ajmer; Shahpura (Bhilwara); Kama (Bharatpur); Sriganganagar and Kuchaman City (Nagaur).

2.3.7.2 Maintenance of stadiums

Maintenance of stadiums in test checked districts was inadequate

Proper maintenance of stadiums is the most important factor for development of the games and sports. It was observed from the records of the Council that no norms had been fixed for maintenance of stadiums. No proposal for maintenance were obtained from districts (DSOs) nor sent by the Council to GoR. However, GoR provided Rs 100 lakh⁶² during 2003-09 for maintenance of stadiums, against which an expenditure of Rs 81.56 lakh⁶³ was incurred, Rs 77.31 lakh on SMS stadium, Jaipur and Rs 4.25 lakh on other stadiums. It was noticed that out of the nine test-checked districts, the Council, except for Jaipur, did not provide funds for maintenance. Stadiums at Dausa, Ajmer, Jalore and Nagaur remained in a dilapidated condition (March 2009). DSOs, Ajmer and Udaipur, stated that titles of the stadiums were with *Nagar Nigam* and *Nagar Parishad* respectively and maintenance of stadiums was their responsibility. The title of stadium at Kota was also with the *Nagar Nigam*, which has been maintained well. The dilapidated condition of a stadium at Dausa is shown in photograph below:



Rajesh Pilot Stadium, Dausa (photograph dated 7 August 2009)

2.3.7.3 Idle Infrastructure

Non-utilization of squash court in Sriganganagar

An indoor court for Squash, constructed in 2004 at a cost of Rs 3 lakh from Border Area Development Fund (BADP) at Maharaja Gangasingh Stadium, Sriganganagar, remained idle/unutilized because the Council neither recruited a coach nor provided sports material.

Archery Academy could not be put to use even after ten years

A building for an Archery Academy in the Sports Complex, Ajmer was built nearly ten years ago as per information collected from Urban Improvement Trust (UIT), Ajmer. No sports activity has been performed since its construction. The title of the land of the Sports Complex is in the name of UIT. Neither UIT nor DSO maintained an account of cost of construction and activities. None of them owned responsibility for the non-start of the academy.

62. 2003-04 : Rs 15 lakh, 2004-05 : Rs 15 lakh, 2005-06 : Rs 15 lakh, 2006-07 : Rs 25 lakh, 2007-08 : Rs 15 lakh and 2008-09: Rs 15 lakh.

63. 2003-04 : Rs 4.29 lakh, 2004-05 : Rs 15.42 lakh, 2005-06 : Rs 14.76 lakh, 2006-07 : Rs 20.39 lakh, 2007-08 : Rs 15.66 lakh and 2008-09: Rs 11.04 lakh.

2.3.7.4 Lack of playground in schools

Shortage of play grounds in schools

There were 14796 schools (EE: 12076, SE: 2,720) in the test-checked districts. Information in respect of playground was made available for 11,554 schools (EE: 9119, SE: 2435), which revealed that playgrounds were not available in 5990 schools (52 per cent: EE 5224, SE 766). No proposal for creation of playground was sent by DEOs. As a consequence, funds were not provided by the Department of Education. Further, in 45 test-checked schools (EE: 25 and SE: 20) 22 schools (49 per cent) did not have a playground. In Government Secondary School, Bakhat Sagar, Nagaur, the *Nagar Palika* was draining wastewater into the playground. No action was taken despite repeated complaints. The *Nagar Palika* had also encroached on the playground, blocking the passage. The Education Department stated (October 2009) that directions have been issued to all DEOs (SE) for providing playground facilities through District Collectors, Tehsildars and Sarpanchs in schools.

2.3.7.5 Construction of playgrounds for villages

Funds for playgrounds in villages were not utilised

In the 2007-08 Budget speech, GoR announced a scheme for construction of playgrounds (covering 338 villages with a population of more than 7000 in each village) and provided Rs 84.50 lakh (Rs 0.25 lakh per village) to the concerned *Zila Parishads* (September 2007 and February 2008) for construction. Funds for sports material/equipments were to be arranged through MP/MLA Local Area Development schemes. The status of construction (March 2009) is given as under:

Construction of playground completed	100
Construction of playground under progress	154
Construction not started	84
Total	338

Source: Status report of the Council

Construction of playgrounds was not started in 84 villages, and an amount of Rs 21 lakh released was lying unutilised (March 2009) with the *Zila Parishads*.

Lack of co-ordination between Council and DSOs

- Scrutiny of records of the test-checked districts revealed that actual achievement was much less. While the number of completed works and work in progress in nine districts was 12 and 49 respectively, the Council reported the same as 25 and 60 respectively. Works were not started in 49⁶⁴ villages instead of 25 reported by the Council. This incorrect reporting by the Council indicated lack of co-ordination between the Council and DSOs.

Reasons for not starting works were attributed to non-finalization of technical reports/sanctions in ten cases (Dausa: 6; Kota: 4), selection of site in urban instead of rural area (Kota: 1), insufficient funds (Ajmer: 7) and non-allotment/non-finalization of land in remaining cases.

64. Jaipur: 30, Nagaur: 18 and Sriganganagar: 1.

Wasteful expenditure on unplanned engagement of *Khel Sanyojaks*

- As per the guidelines of the scheme, construction work were to be executed by the *Zila Parishad* and coaching imparted by *Khel Sanyojak*⁶⁵, engaged on a contractual basis. The honorarium of Rs 2000 per month was to be provided by GoR. The Council appointed (October 2007) *Khel Sanyojaks* and spent Rs 94.09 lakh during 2007-09 as honorarium. Audit observed that up to March 2009 an honorarium of Rs 21.24 lakh was paid in villages, where construction of playgrounds had not started and Rs 41.33 lakh, where work was in progress. Thus, an amount of Rs 62.57 lakh was paid to *Khel Sanyojaks* without creation of infrastructure (**Appendix 2.20**). The Council stated (October 2009) that where playgrounds were not developed, services of *Khel Sanyojaks* (and equipment) may have been utilised in schools/other playgrounds. It is apparent that the Council lacked knowledge of the end-use of the amount spent.

Purchase of sports equipment without playgrounds

- As per GoR instructions sports material/equipments were to be arranged by Collectors from MP LAD and MLA LAD funds. Audit observed that no funds were provided. However, the Council provided sports material (volleyball: five, football: five and a net) to each of the 338 villages (2007-08), at a cost of Rs 7.67 lakh (Rs 2270 per village). However, sports material, costing Rs 5.40 lakh, was not immediately required as works of playground in 154 villages were under progress and not started in 84 villages. The sports material was issued to DSOs for distribution without ascertaining the availability of playgrounds.

2.3.7.6 *Panchayat Yuva Krida Aur Khel Abhiyan (PYKKA)*

Progress of work was slow under the scheme

Based on the National Sports Policy 2001, the *Panchayat Yuva Krida Aur Khel Abhiyan* (PYKKA), a Centrally Sponsored Scheme with State share of 25 per cent, was started in 2008-09. It aims at providing basic sports infrastructure and equipment at *panchayat* level and encouraging sports and games in rural areas through annual competitions at block, district, State and National level. During 2008-09, 869 *panchayats* and 24-block *panchayats* were selected in Rajasthan. The development of villages' playground scheme was merged with PYKKA and 320 out of 338 villages were included in the 869 villages selected for 2008-09. The GoI released the first installment of Rs 3.71 crore in March 2009 and the GoR released its share of Rs 1.24 crore to *Zila Parishads* in May 2009. The funds were then transferred to the *panchayats* and block *panchayats*. As per the direction of the Department, the utilisation certificates were to be sent by July 2009 but none were received as of September 2009.

2.3.8 *Identification and training of sportspersons*

One of the functions of the Council is to plan, promote, and organize training, coaching and education in games, sports, physical culture and education. The Council has launched various schemes for identification, training and nurturing of talented sportspersons.

65. see the glossary at page 175.

2.3.8.1 Talent search scheme

The Council failed to achieve the objectives of talent search scheme

A Talent Search Scheme (TSS) was launched to identify and nurture talent in various sports. Under Stage I, talent was to be identified, and Stage II involved provision of facilities and protection to sportspersons. Sports persons below the age of 17 years were eligible for selection, based on natural skill and technique. In Stage I, camps were to be organized by the Council in all districts headquarters in summer and winter every year. In Stage II, each DSO was to be provided Rs 4,000 per identified sports person per year for the maintenance of play field and purchase of sports equipments in the native village and Rs 250 per talent per month for food. The scheme further provided that an amount of Rs 20,000 was to be provided by GoR as a grant to prepare new play fields in the villages where more than five talents were identified. GoR provided Rs 47 lakh⁶⁶ during 2003-09 under the scheme against which the Council incurred an expenditure of Rs 40.63 lakh⁶⁷.

Deficiencies in talent search and nurture

Audit observed that proposals for organizing camps were not sent by any of the test-checked districts. However, it was claimed that camps were organized as per directions of the Council. Camps were organized only in the summer season. No camps were organized during winter in any district. Further, camps were not organized at Ajmer, Jalore and Nagaur during 2003-09. While the DSOs intimated that camps were organized during 2003-09 at Jaipur, Kota, Jhalawar and Dausa, relevant records were not produced for verification in audit. No camps were organized at Sriganganagar in 2006-07 and 2008-09 and in Udaipur during 2004-05 and 2007-08. Though the DSOs, Sriganganagar and Udaipur claimed that the identified students had been provided regular coaching throughout the year, the records regarding coaching and performance were not produced to Audit.

Further, no record of identified talented sports persons was maintained at the Council level. It was stated that the records were maintained at the district level. The DSOs could not furnish the records. It was further noticed that Council sent proposals for activities relating to Stage I only and the Stage II activities were not carried out and the very purpose of the scheme was defeated. The Council stated (October 2009) that to ensure regular availability of sports facilities and coaching to sportspersons at the village level, TSS had been linked with PYKKA.

2.3.8.2 Rural sports scheme

Rajasthan was the first State to launch a Rural Sports Scheme in 1965 with the objective of extending the reach of sports to the remotest of the villages and organization of rural games to promote sports talent. A Rural Sports Cell was created in the Council to conduct sports activities at the village level in 10 disciplines (Athletics, Volleyball, Football, Hockey, Wrestling, Archery, Weightlifting, *Khokho*, *Kabbadi* and *Rassakashi*). GoR provided Rs 1.09 crore

66. Rs 18 lakh in 2003-04, Rs 6 lakh each year during 2004-08 and Rs 5 lakh in 2008-09.

67. 2003-04: Rs 5.47 lakh, 2004-05: Rs 5.63 lakh, 2005-06: Rs 5.60 lakh, 2006-07: Rs 5.59 lakh, 2007-08: Rs 6.19 lakh and 2008-09: Rs 12.15 lakh.

during 2003-09 against which an expenditure of Rs 1.19 crore was incurred as on March 2009.

DSOs did not maintain proper records of the implementation of scheme

DSOs of test-checked districts informed that tournaments were being held. However, no supporting documents regarding selection, achievement and performance were maintained by DSOs. No procedure was prescribed for selection of sportspersons for the camps as well as for tournaments nor were targets fixed for DSOs. The Council stated (October 2009) that the above scheme has now been linked with PYKKA.

2.3.8.3 Women sports scheme

Women sports scheme was implemented in a casual manner

The Women Sports Scheme was launched in 1974 with an objective to bring the women forward in sports at State and national levels. A Women Sports Cell was established in the Council for implementation of the scheme in all districts through DSOs. Block, District and State level events in 12 disciplines (Athletics, Volleyball, Hockey, Handball, Basketball, Gymnastics, Table Tennis, Tennis, Badminton, *Kabaddi*, *Khokho* and Swimming) were to be organized and selection for the State team for participation in National Women Festival was to be done. GoR provided Rs.72 lakh during 2003-09 to the Council for carrying out women sports activity, against which an expenditure of Rs 71.44 lakh was incurred in six years.

Scrutiny of records in test-checked districts revealed that no selection process was prescribed. Coaching camps (on the basis of performance in State championships) for seven to 10 days were organized before the National Women Tournaments and 472 players⁶⁸ were selected during 2003-07 for participation. However, only one gold medal (Athletics) was won in 2004-05. Though women championships were reportedly organized at *Panchayat Samiti* (PS) and district level, no record/account of participation and achievements was maintained.

2.3.8.4 Sports academies

GoR established two specialized sports academies, namely, Women Basketball Academy, Jaipur (2007-08) and Women Hockey Academy, Ajmer (2008-09) with the objective of identifying talented sportswomen, grooming them by providing them accommodation, nutritious food, medical and education facilities along with specialized coaching in specific sports and monitoring their performance to produce players of international standard. The performance of these academies is given below:

- **Women Basketball Academy, Jaipur**

Women Basketball Academy was started (September 2007) in the SMS Stadium, Jaipur with a capacity of 30 students. GoR provided Rs 83.88 lakh⁶⁹ to the Council during 2007-09 for the academy, against which an expenditure of Rs 11.14 lakh⁷⁰ was incurred.

68. 2003-04: 104; 2004-05: 120; 2005-06: 125 and 2006-07: 123.

69. 2007-08: Rs 49.16 lakh and 2008-09: Rs 34.72 lakh.

70. 2007-08: Rs 5.93 lakh and 2008-09: Rs 5.21 lakh.

According to the information furnished, only 17 girls qualified the trials and were selected during 2007-08. Four of them left the academy (September 2008). Audit, however, observed that the DSOs of the test-checked districts did not recommend any potential sportspersons for the trials. In 2008-09, only seven girls participated in the selection trials (June 2008), and three were selected. However, due to insufficient number of selected girls, the selection was cancelled. The selection committee recommended reorganization of the trials, which were not conducted.

- ***Women Hockey Academy, Ajmer***

Women Hockey Academy, Ajmer was started (August 2008) with a capacity of 30 students. GoR provided Rs 14 lakh during 2008-09 against which the Council incurred an expenditure of Rs 5.31 lakh. Twenty girls were selected out of 25 who qualified in selection trials (five girls were declared medically unfit). Audit observed that the Council had not deployed a separate coach for the academy, though the scheme provides for two lady coaches. Instead, a male coach, who also held the charge of DSO, was providing training. The Academy did not have its own building and ground. It was running from rented premises and was using the grounds of Mayo College, Ajmer.

Audit noticed that the schemes for sports academies did not provide for dieticians and doctors. The Council accepted the audit observations and stated that a proposal for taking the services of dieticians and doctors was under consideration. Further, Rajasthan does not have a sports academy for boys/men. The Council stated (October 2009) that a proposal for creation of a Wrestling Academy at Bharatpur was under consideration.

Audit observed that although the academies had sufficient funds, lack of coordination among different agencies resulted in insufficient number of sports persons being admitted, poor infrastructure and training facilities at the academies.

2.3.8.5 Sports hostels

Two residential sports hostels (Jaipur and Jaisalmer) are being run by the Council to provide specialized training to students by the coaches, who are attached to the hostels. GoR provided Rs 52 lakh⁷¹ to the Council during 2004-09 against which an expenditure of Rs 34.21 lakh⁷² was incurred.

Students between 13 and 15 years were eligible for admission to the sports hostel. Students of a higher age, having good talent in sports, could also be selected with the permission of the President of the Council. Selection of student was based on district level efficiency test followed by a state level test. The DSOs of the test-checked districts, however, informed that they had not recommended players for the state trials.

71. 2004-05: Rs 12 lakh, 2005-06 to 2008-09: Rs 10 lakh in each year.

72. 2004-05:Rs 6.42 lakh, 2005-06: Rs 7.67 lakh, 2006-07:Rs 7.28 lakh, 2007-08: Rs 6.43 lakh and 2008-09: Rs 6.40 lakh.

Audit observed that the hostels suffer from underutilization of capacity along with critical shortage of specialized personnel, including dietician and doctor, to hone the skills and performance of potential sportspersons. The Council stated (October 2009) that posting of dietician was under consideration.

Sports hostel at Jaipur was started in October 2004 with a capacity of 30 students (10 each in athletic, archery and cycling). From 2006-07, cycling was shifted to Bikaner and volleyball was included in its place. Against the capacity of 30 students, occupancy during 2004-09 ranged between 18 and 29.

Performance of the players from the sports hostels was not satisfactory in cycling and volleyball

- It was noticed that performance of the students in cycling was not satisfactory as no coach was posted since the start of the hostel. Similarly, in volleyball though the coach was available but performance was very poor as no medals were won at State and National level tournament. The performance in archery was good as 17 medals were won at National level. In athletics, students won 10 medals at the National level.

- Sport hostel at Jaisalmer was started in October 2004 with the capacity of 30 players (10 each in Athletics, Volleyball and Basketball) against which the occupancy⁷³ was 26 and 28 in 2004-05 and 2005-06, respectively. The capacity for basketball players was increased to 20 players from 2006-07 and athletics and volleyball players were transferred to Jaipur. The occupancy in the Jaisalmer hostel remained at 13-14 students during 2006-09.

The performance of students was not satisfactory as only one medal was won at National level during 2004-09.

2.3.8.6 Sports School at Kothyari, Sikar

GoR announced (2007-08) the opening up of a sports school, to be affiliated to the National Institute of Sports (NIS), to create facilities in a pollution-free environment and impart coaching in a scientific manner from early childhood. GoR sanctioned Rs 80.10 lakh during 2007-09, against which an expenditure of Rs 35.87 lakh⁷⁴ was incurred.

The Sports School Kothyari did not have proper coaches and playgrounds

The sports school at Kothyari, District Sikar, was started (August 2007) with a capacity of 65⁷⁵ students. The students of age 11 to 15 years were eligible and 63 students were selected during 2007-08. The Sports Authority of India (SAI) denied (July 2007) affiliation with NIS, as there was no provision for affiliation of schools in their rules and thus no national level coach was provided although as per the Memorandum of Understanding (MoU) signed

73.

Sports	2004-05	2005-06	2006-07	2007-08	2008-09
Athletics	7	10	-	-	-
Basketball	10	10	13	14	14
Volley Ball	9	8	-	-	-
Total	26	28	13	14	14

74. 2007-08: Rs 16.19 lakh (sanction: Rs 34.82 lakh) and 2008-09: Rs 19.68 lakh (sanction: Rs 45.28 lakh).

75. Basketball : 12, Volleyball :12, *Kabbadi* : 7, Football : 14 and Athletics : 20.

between Kothyari School and the Council, the coaches were to be provided by GoI. It was further observed that proper playgrounds for basketball (without any coach), *kabbadi*, football and volleyball were also not available in the school.

Thus, the objective of starting the sports school was not fulfilled.

2.3.8.7 *Sardul Sports School*

Under Physical Education, Sardul Sports School, Bikaner was established in July 1982. The main objective of the school was to locate young talent and provide them expert scientific coaching in different disciplines of sports buttressed with excellent education. Admission was to be made from Class VI to XI. A total of 194 seats in respect of 12 games⁷⁶ were available in the school (March 2009). Policy issues were to be decided by the school's Governing Council, headed by the Director, Secondary Education, which was required to meet twice a year. Only one meeting of Governing Council was held on 5 December 2007 during the period 2003-09.

Audit scrutiny revealed the following:

There were shortages of coaches in Sardul school

- Six⁷⁷ out of 12 sanctioned posts of coaches (Grade-I) in the school were lying vacant against which six PETs (Grade-III) were deployed.

Sports infrastructure was unfit for use

- Grounds of all disciplines were available in the school. The condition of grounds, except wrestling, was deplorable. GoR did not provide funds for maintenance of playgrounds. The Principal of the school informed that it was difficult to carry out sports activity. No action was taken on the Principal's reports on the condition of the grounds (December 2007). Education Department stated (October 2009) that out of Rs 27 lakh provided (August 2009) by Twelfth Finance Commission, the work of maintenance of hostels, playgrounds had been taken up.

Poor participation and performance of the school in sports activities

- In six games (basketball, football, handball, *khokho*, *kabbadi* and volleyball) no team under-14 age group was formed during 2004-05 to 2008-09. Similarly, 'under-17' teams in respect of cricket, football, *khokho* and table tennis could not be formed during 2003-04 to 2008-09 due to shortage of players because of lack of seats. There is a need to rationalize the number of games and seats in the school so that proper teams under different age groups could be formed. Education Department stated that proposals for increasing the seats would be sent to GoR, after obtaining the approval of the Governing Council.

- One hundred and eighty five non-performing students were weeded out from school during 2003-09. Further, 159 students participated in SGFI games, but won only two medals in individual games (one silver and one bronze).

76. Hockey : 31, Volleyball : 26, Football : 24, Cricket : 13, Basketball : 20, *Khokho* : 11, *Kabaddi*-9, Wrestling-11, Table Tennis : 10, Handball : 11, Gymnastic : 15, Athletics : 14.

77. Gymnastic : 1999-2000, *Khokho* : 1982, Handball : 1982, Volleyball : November 2006, Athletics : October 2008 and Wrestling : October 2008.

2.3.8.8 Coaching

Inadequate availability of coaches

Posts of 102 coaches were sanctioned in 1991-92, which was raised to 104 in 2006-07 against which only 82 to 84 posts were filled up by the Council during 2003-09. In addition, the Council engaged the services of 16 to 19 coaches on contract basis during 2003-09. Besides, SAI placed 16 to 23 coaches under the control of the Council during this period. Taking into account the contract coaches (16 to 19), total number of coaches ranged between 123 (2006-07) and 117 (2008-09). The Council stated (August 2009) that there was a requirement of 200 coaches and a shortfall of 83 coaches. Audit scrutiny revealed the following:

Injudicious deployment of coaches

- It was noticed that out of a total of 117 coaches, 34 coaches (29 per cent) were posted at Jaipur alone, one coach each in 12 districts⁷⁸, two to 10 coaches in 16 districts⁷⁹ and 13 in Jodhpur. Despite an investment of Rs 6.33 crore (up to January 2008) for creation of various sports⁸⁰ infrastructure in Jhalawar, no coach was posted. No coach was posted in Karauli. In the test-checked districts, 78 (Jaipur: 15 and others: 63) coaches were required, against which 64 (Jaipur: 34 and others: 30) were posted. Eighteen coaches were posted in 14 districts, where no facilities of that discipline existed.

- An international level cycle velodrome was constructed in 1992 in Jaipur, but no coach had been posted since 2002. Out of three cycling coaches available in the State, two coaches were posted at Jodhpur, where no cycle velodrome was available. The Council stated (October 2009) that both the coaches were now posted in Jaipur and uniform utilisation of services of coaches was under consideration.

- It was noticed that nine coaches of seven sports were posted in four districts⁸¹ though no sports facilities were available there. Also, more than one coach of the same sport/game were posted in five districts⁸². In Ajmer and Sriganganagar Districts, two hockey coaches were assigned administrative jobs in addition to coaching.

Performance of coaches was not evaluated

- The performance of coaches was to be evaluated by the Council through monthly reports of coaching conducted, sent by coaches. Audit scrutiny in nine test-checked districts revealed that out of 64 coaches, only 24 coaches maintained some records of their performance, which was made

78. Baran, Barmer, Chittorgarh, Dholpur, Hanumangarh, Jaisalmer, Jalore, Jhunjhunu, Pali, Sawaimadhopur, Sikar and Sirohi.

79. Ajmer-8, Alwar-2, Banswara-5, Bharatpur-4, Bhilwara-2, Bikaner-3, Bundi-2, Churu-3, Dausa-2, Dungarpur-2, Sriganganagar-4, Kota-3, Nagaur-2, Rajsamand-4, Tonk-2 and Udaipur-10.

80. Infrastructure completed: Cricket, Indoor Stadium and Swimming Pool; Infrastructure under progress: *Kabaddi, Khokho*, Athletic track, Squash Court, Tennis Court and Volley Ball ground.

81. **Bharatpur** (hockey: 1), **Banswara** (handball: 1, archery: 3 and cricket: 1), **Bundi** (handball: 1 and volleyball: 1) and **Sawaimadhopur** (football: 1).

82. **Jaipur**: two each in hockey, basketball, volleyball, table tennis, gymnastic and boxing; **kabaddi**: 3, handball: 4; **Udaipur**: two each in volleyball and badminton; **Jodhpur**: two each in table tennis and cycling and three in gymnastic; **Banswara**: archery: 3; **Dungarpur**: archery: 2.

available by DSO's. The Council informed that the monthly progress reports were being received. However, no record was produced to establish regular consolidation and analysis to evaluate the performance of the coaches. Audit has been informed by Department (September 2009) that performance standards for coaches were being framed.

Coaches were not provided refresher course/scientific training inputs

- For the upgradation of knowledge and skill of coaches, the departmental committee decided (June 2004) that coaches were to be sent for refresher course organized by SAI, once in two years. It was observed that in eight test-checked districts out of 30 (23 Council, three contract and four SAI) coaches, only four (two coaches each of the Council and SAI) attended refresher courses in 2004-05 and 2008-09. No information in respect of 34 coaches of Jaipur District was made available.

- The National Sports Policy emphasizes the need to provide scientific and technological support to sports coaching. The significance of scientific backup was to associate experts in the areas of nutrition, psychology, medicine, pharmacology, biomechanics and anthropometrics as well as other branches of sports science to introduce coordination between coaches and sports scientists. The Council stated (May 2009) that no such scientific and technological backup was provided. Hence, the coaches were deprived of the latest scientific and technological support and the players coached by them could not get the intended benefits. The Council stated (October 2009) that appropriate action would be taken on the availability of funds.

Sports material/ equipment issued despite non-availability of coaches

- Sports material and equipments costing Rs 1.49 crore were purchased by the Council during 2003-09 and distributed to the DSOs. In eight test-checked districts, it was observed that sports material and equipments of various sports costing Rs 23.08 lakh were sent to DSOs during the above period. In Ajmer, Dausa, Jalore, Nagaur, Sriganganagar and Udaipur, as per the instructions of the Council, sports material could be issued to the coaches of the concerned sports only and as the coaches for particular sports were not posted as stated by DSOs, sports material costing Rs 6.97 lakh was not utilized. This is indicative of unplanned dispatch of sports material without ascertaining the requirement. The Council stated (October 2009) that a modified policy of distribution of sports material/ equipment is under consideration.

2.3.8.9 Manpower

Thirty-six posts of DSOs were sanctioned against which 29 were posted (July 2009). Scrutiny of the records of the Council revealed that the posting of DSOs was not rational as 12 DSOs were posted in four districts (Bikaner: 3; Jaipur: 5; Jodhpur: 2 and Udaipur: 2) and one in each of the 17 districts⁸³. DSOs were not posted (for the periods ranging from 13 months to 24 years) in 12 districts, where coaches were assigned the work of DSOs, with an adverse impact on coaching. The Council has not conducted any review in this regard.

83. Banswara, Bhilwara, Chittorgarh, Churu, Dausa, Sriganganagar, Hanumangarh, Jhunjhunu, Karauli, Kota, Nagaur, Pali, Rajsamand, Sawaimadhopur, Sikar, Sirohi and Tonk.

The Council stated (October 2009) that the DSOs had been posted in above places.

2.3.8.10 Shortage of physical education teachers

There was shortage of physical education teachers in schools

As per Rule 9.18.1(b) of Education Department's Rule, 1997, one Physical Education Teacher (PET) was to be provided in schools having Class-VIII. Further, as per Rule 9.18.1(c), one PET was to be provided in each school at secondary level. There were 2108 vacancies (1446 EE and 662 SE) of PETs out of the sanctioned post of 16070 (10955 EE and 5115 SE) as on March 2009. Scrutiny revealed the following:

- There were differences in number of PETs sanctioned and the working strength of PETs, as per information supplied by the Directorate and DEOs of test-checked districts (**Appendix 2.21**), indicating lack of coordination. Education Department stated (October 2009) that in future better coordination would be maintained. Regarding vacancies of PETs, the Department stated that regular efforts were being made to fill up the posts of PETs.
- Audit observed that from 2002-03, no separate post of PET was provided as only three general teachers (Grade II: 1 and Grade III: 2) for each school were sanctioned by GoR under *Sarv Shiksha Abhiyan* (SSA).
- In the test-checked districts, the vacancy of PETs ranged between 21 (Dausa) and 135 (Jalore) in Elementary Education and between seven (Kota) and 59 (Nagaur) in Secondary Education.
- The posts of Deputy Director, (Sports) and Inspector (Secondary and Elementary level), who control Physical Education through various Deputy DEOs (PE) in the districts were lying vacant for considerable periods (**Appendix 2.22**).
- In two test-checked districts, (Sriganganagar and Udaipur) no post of Deputy DEO, Secondary Education, was sanctioned. In the remaining seven districts, nine posts of Deputy DEOs were sanctioned of which only three⁸⁴ were filled.
- The shortage of manpower resulted in lack of supervision. None of the 45 test-checked schools were inspected during 2003-09.

2.3.9 Monitoring of sports associations

The Rajasthan Sports (Registration, Recognition and Regulation of Associations) Act, 2005 provides for registration, recognition and regulation of activities and affairs of the sports associations. These associations represent the State at the National level and within the State at district, and State level. Further, every State level sports association, other than the Rajasthan Olympic Association is required to conduct at least one inter-district State championship for seniors and juniors every year and arrange round-the-year

84. Ajmer, Jaipur and Nagaur.

training and coaching and give prizes and scholarships to encourage sportspersons to participate at national level.

- A scrutiny of the Council records revealed that up to 2008-09, 35 sports associations were registered. Audit noticed that information on the above activities in respect of eight sports associations⁸⁵ was not available. Among the other 27 associations, nine associations conducted inter-district State championships for seniors and juniors every year, 14 associations conducted games for either seniors or juniors in a year. Four associations did not conduct any inter-district state championship. The Council stated (May 2009) that due to disputes in associations, grants were not sanctioned to 23 associations, which included six associations who have not provided any information. The reply of the Council was not acceptable as it was obligatory to monitor the activities, as per the Act *ibid*, of all the sports associations registered with it, irrespective of sanction of grants to them. Further, no action as per Section 21(2) of the Act, for disaffiliation of any sports association, which has not fulfilled the obligations laid down as per the Act for two years in succession, was initiated against any of the defaulting associations. The Council failed to develop a monitoring mechanism to ensure compliance with the Act. The Council stated (October 2009) that information was being collected from associations and action would be taken accordingly.

2.3.10 Conclusion

Rajasthan was the first State to launch a Rural Sports Scheme in 1965. Women Sports Scheme was also launched in 1974. Government opened two sports hostels, two women sports academies and a sports school. A massive programme for development of playgrounds in villages was also taken up even before the introduction of the Centrally sponsored scheme of PYKKA. An Integrated Stadium (Sport Infrastructure) Development Programme (ISDP), 2007 was also launched to create basic infrastructure within a time frame during the period of review. However, the State did not have a sports policy and any long term plan for the development of sports. The Council was being administered by bureaucrats who have not given much thought to sports development in last five years. The Sports and Education Departments have no common strategy to synchronize their activities. There is a need to increase budget for creation and maintenance of infrastructure. The Council needs to closely monitor the implementation of infrastructure schemes. There are time and cost overruns in implementing projects under ISDP. The Council has not implemented the schemes for tehsil/village level infrastructure properly. Posts of the coaches were lying vacant at many places, and their services not utilized in the field of specialization. Performance of coaches was not evaluated regularly by the Council. Lack of scientific training affected sports development and performance. Scheme for development of sports in villages was implemented without feasibility studies and proper planning. The implementation of Talent Search Scheme and Women Sports Scheme was far from satisfactory. There were no yardsticks for selection of players. No further action to properly nurture the players after the identification was being taken. The efficacy of rural sports scheme could not be verified properly as the

85. Tennis, Korf ball, Cricket, Table Tennis, Equestrian, Bridge, Cycle Polo and Roll ball.

officers responsible did not maintain proper records. The Council did not monitor the performance of the sports associations registered in the state.

Imparting of Physical Education in schools, envisaged for the full development of each child was deficient as there was shortage of PE teachers, playgrounds and inadequate monitoring and supervision. Even the posts at the directorate level were lying vacant.

2.3.11 Recommendation

- Government should approve and put in place a sports policy and a target-oriented, long-term plan. The Council should be constituted as per laid down norms and entrusted with powers to implement its mandate.
- Government needs to augment budgetary allocation for sports. The Council should improve its financial management to ensure that funds received are utilized and proper records maintained in accordance with the norms.
- There is a need to ensure efficient utilization of funds and vigorous implementation of Integrated Stadium (Sport Infrastructure) Development Programme. The schemes for district/tehsil/village level infrastructure should be completed as per the prescribed schedule. The Department should improve the infrastructure in the sports academies, hostels and sports schools. The provision for coaches, dietician and doctors should be made in these institutions.
- The Department should take immediate steps to enforce provisions of the schemes started for identification and nurturing of talent with clear targets for effective monitoring of performance.
- Required number of coaches for all disciplines should be provided for effective coaching, and the performance of the coaches monitored on a regular basis. The coaches should be provided scientific training in new techniques. The DSOs may be posted in all districts.
- Posting of Physical Education Teachers in schools should be as per norms and they should be made accountable for the performance of the players.