

Preface

- 1 This Report has been prepared for submission to the Governor of Bihar under Article 151 of the Constitution of India.
2. Chapter-I deals with the findings of performance audit, Chapter-II deals with the findings of transaction audit and Chapter-III deals with the integrated audit of a Government Department.
3. Reports containing (a) observations on the finances of the State Government, (b) observations on revenue receipts of the State Government and (c) observations arising out of audit of Statutory Corporations, Boards and Government Companies are being presented separately.
4. The cases mentioned in this Report are among those which came to notice during the course of test audit of accounts during the year 2009-2010 as well as those which had come to notice in earlier years but could not be dealt with in previous reports. Matters relating to the period subsequent to 2009-10 have also been included, wherever necessary.

OVERVIEW

This Report includes three chapters containing performance audit reports of four selected programmes/schemes, 18 transaction audit paragraphs and an integrated audit report on the Environment and Forest Department.

The audit has been conducted in accordance with the Auditing Standards prescribed for the Indian Audit and Accounts Department. Audit samples have been drawn based on statistical sampling methods as well as on judgement basis. The audit conclusions have been drawn and recommendations made taking into consideration the views of the Government.

Audit comments on the performance of some Government departments and programmes as well as on the working of the Environment and Forest Department are given below:

Total Sanitation Campaign in Bihar

Sanitation is one of the basic determinants of the quality of life and human development index. Realising its importance, the Government of India launched the 'Total Sanitation Campaign' in 1999 for sustainable reforms in the rural sanitation sector. Though the programme implementation was to be done in a time-bound mode, it suffered at various stages due to the non-availability of reliable baseline data, slow and tardy expenditure on its various components, deficient Information, Education and Communication activities, lack of community participation and proper monitoring, despite expenditure of ₹ 360.07 crore out of total available funds of ₹ 478.18 crore during 2005-10. Rupees 118.11 crore, being 25 *per cent* of the total available funds, remained unutilised as March 2010.

Secondary Education Programme

Secondary education plays a vital role in preparing students (age group 14-18 years) for higher education. Though the enrolment of students increased by 60 *per cent* during 2005-10, the department did not prepare any long term/Annual Plan to meet the deficiencies in terms of number of schools, teachers and infrastructural facilities like classrooms, laboratories, libraries and computers in the existing schools. Even in the emerging technological scenario, computer and vocational education remained negligible at the secondary school level despite emphasis on these streams in the National Policy on Education.

Management of Prisons

The management and administration of prisons fall exclusively in the domain of the State Governments and are governed by the Prisons Act, 1894. The management of prisons in Bihar was adversely affected due to shortage of staff, lack or non-functioning of security equipment, overcrowding in prisons due to non-completion of buildings, non-compliance of precautionary and

safety measures, non-maintenance of essential records and periodical inspections of prisons not being conducted regularly by the Inspector General of Prisons and District Magistrates. Even the Model Prison Manual introduced by Government of India in 2003 was not adopted after seven years of its receipt.

Information Technology Audit of General Provident Fund System

The Directorate of Provident Fund, responsible for maintaining the General Provident Fund accounts of employees of the All India Services officers posted in Bihar and officers/officials of the Bihar Government, developed application software (Bhavishyanidhi), through National Informatics Centre Services Incorporated in 2005. The GPF accounting system, however, failed to achieve its intended objectives in the absence of a clear-cut Information Technology policy for the State. The programme implementation suffered due to absence of critical System Design Documents, installation of operating platforms and different system software from those contracted in the Memorandum of Understanding with National Informatics Centre Services Incorporated, inadequate number of trained personnel and avoidable hiring of Data Entry Operators. Further, the full benefits envisaged under the system such as quick settlement of subscribers final payments, creation of a statewide database or even the basic office procedure software for file and letter tracking system remained unutilised.

Audit of Transactions

Audit of financial transactions, subjected to test check, in various departments of the Government and their field formations, revealed instances of loss, fraudulent payment, excess, infructuous, wasteful, avoidable, idle and unfruitful expenditure of ₹ 45.10 crore as mentioned below:

In four cases losses and fraudulent payments amounting to ₹ 5.17 crore were noticed in the Health Department (₹ 3.52 crore), Water Resources Department (₹ 1.61 crore) and Rural Works Department (₹ 4.39 lakh).

(Paragraph 2.1.1 to 2.1.4)

Excess payment and infructuous expenditure of ₹ 22.72 crore were noticed in the Water Resources Department (₹ 10.27 crore), Human Resources Development Department (Higher Education Department) (₹ 6.75 crore), Road Construction Department (₹ 2.97 crore), Rural Works Department (₹ 2.46 crore) and Agriculture Department (₹ 27.22 lakh).

(Paragraph 2.2.1 to 2.2.6)

Cases of avoidable and unfruitful expenditure of ₹ 14.26 crore were noticed in the Road Construction Department (₹ 11.78 crore) and Public Health Engineering Department (₹ 2.48 crore).

(Paragraph 2.3.1 to 2.3.3)

Cases of under-utilisation of machines at Trauma Centres and wasteful expenditure on salary amounting to ₹ 2.95 crore were noticed in the Health Department (₹ 1.85 crore) and Human Resources Department (₹ 1.10 crore).

(Paragraph 2.4.1 to 2.4.2)

Integrated Audit of Environment and Forest Department

An integrated audit of the Environment and Forest Department revealed that the State had not framed its own Forest Policy though recommended by the National Forest Commission. Ninety *per cent* of the forest divisions were functioning without any Working Plan, though mandatory, as per the Manual of Bihar Forest Laws. Savings under the Plan head of expenditure indicated deficiencies in budgeting, programme planning and implementation. Absence of expenditure control registers showed weaknesses in financial management and non-compliance of financial rules. Achievement of Compensatory Afforestation was 'nil' despite huge amounts being available in the Compensatory Afforestation Fund Management and Planning Authority Fund. In the National Afforestation Programme, community participation was not ensured as envisaged in the Government of India guidelines. Improper funding and absence of management plans, coupled with inadequate patrolling, lack of infrastructure and large scale vacancies, adversely affected the development of wild life sanctuaries including the Valmiki Tiger Project. The department's manpower planning was deficient and no training was provided to forest personnel. A State level monitoring committee for review of progress of the Centrally sponsored schemes was not formed.

CHAPTER – I

PERFORMANCE AUDIT

PUBLIC HEALTH ENGINEERING DEPARTMENT

1.1 TOTAL SANITATION CAMPAIGN

Highlights

With a view to providing sanitation coverage to all rural communities by 2012, a Total Sanitation Campaign was launched by the Government of India in the year 1999. Despite the availability of funds, the percentage of expenditure against funds released during 2005-10, including the opening balance for the year 2005-06, ranged between 20 and 54 per cent. The programme suffered at various stages due to non-availability of reliable baseline data, slow and tardy expenditure on its various components, deficient Information, Education and Communication activities, lack of community participation and proper monitoring despite expenditure of ₹ 360.07 crore (2005-10).

Rupees 13.45 crore, out of ₹ 26.40 crore released as State share during December 2007 to March 2010 for the Total Sanitation Campaign was utilised for construction of latrines for above poverty line families in contravention of the guidelines.

(Paragraph 1.1.8.2)

The ultimate goal of Information, Education and Communication activities such as the creation of demand and awareness and ensuring the use of assets created, was not achieved despite an expenditure of ₹ 8.28 crore during 2005-10.

(Paragraph 1.1.9.1)

The achievement in respect of the construction of individual household latrines was only 24 per cent during 2005-10. The actual utilisation of ₹ 3.71 crore advanced to Gram Panchayats for the purpose was not ensured.

(Paragraph 1.1.9.3)

Only 66 per cent of the target for construction of school toilets during 2005-10 could be achieved, despite expenditure of ₹ 83.24 crore. Maintenance and use of the toilets were not ensured by the school authorities.

(Paragraph 1.1.9.4)

The programme was not monitored adequately and effectively.

(Paragraph 1.1.10)

1.1.1 Introduction

Sanitation is one of the basic determinants of the quality of life and the human development index. The concept of sanitation includes liquid and solid waste disposal, food hygiene as well as personal, domestic and environmental hygiene. Proper sanitation is important not only from the point of view of

general health but it also has a vital role to play in the individual and social lives of the people. Realising the importance of sanitation, the Government of India (GOI) launched a programme named 'Total Sanitation Campaign' (TSC) in 1999 for sustainable reforms in the rural sanitation sector through a time bound campaign mode.

The approach to TSC was to be demand-responsive, inclusive and was to be aimed at empowering the rural communities through their active involvement in the planning and implementation process.

The campaign was being implemented through seven identified components viz. (i) start-up activities and Information, Education and Communication (IEC), including motivational awareness and educative campaigns, advocacy etc. (ii) alternate delivery mechanism (production centres/rural sanitary marts) (iii) individual latrines for below poverty line families/households having disabled persons and community sanitary complexes (iv) individual household latrines for above poverty line families (v) institutional toilets including school and Anganwadi sanitation (vi) administrative charges, including training, staff support, services, monitoring and evaluation etc. and (vii) solid and liquid waste management (included in December 2007). The implementation of TSC in Bihar was started in 16 districts during 1999-2004 and in the remaining 22 districts during 2005-06.

1.1.2 Organisational set-up

The Public Health Engineering Department (PHED) was the nodal agency for implementation of TSC in the State. The Bihar State Water and Sanitation Mission (BSWSM), chaired by the Chief Secretary, was responsible for providing policy guidance and the Secretary, PHED, was the Member Secretary of the BSWSM.

At the district level, the District Water and Sanitation Committee (DWSC) chaired by the Deputy Development Commissioners (DDC) and Executive Engineers of PHED as Member Secretaries were responsible for the overall implementation of the TSC. The DWSCs were assisted by District Co-ordinators (appointed specially for TSC), Assistant Engineers and Junior Engineers of the respective PHED divisions as well as by the various Water and Sanitation Committees at the block, panchayat and village levels. The organogram of the department is given in *Appendix 1.1.1*.

1.1.3 Scope of audit

Nine¹ out of the 38 districts of Bihar were selected on the basis of expenditure. Care was taken during selection of districts to ensure selection of one district from each of the nine divisions of the State for complete geographical coverage so as to present a comprehensive picture of the programme implementation in the State.

¹ Bhagalpur (March 2003), Gaya (March 2001), Jamui (July 2005), Katihar (March 2002), Muzaffarpur (June 2001), Patna (March 2001), Saharsa (February 2006), Samastipur (March 2003) and Saran (June 2001)

1.1.4 Audit objectives

The audit objectives aimed at ascertaining whether:

- the planning process was efficient and effective;
- fund allocation and management was efficient;
- programme implementation of TSC components was carried out effectively to create demand and general awareness among the people and succeeded in achieving the targets for schools, anganwadis and household latrines and
- a proper monitoring and evaluation mechanism was in place.

1.1.5 Audit criteria

The audit criteria applied for this performance audit included:

- guidelines, orders and circulars issued by GOI and the State Government regarding the TSC;
- project implementation Plans of districts and
- decisions taken during BSWSM and DWSC meetings.

1.1.6 Methodology

The audit was conducted between February and August 2010. The scrutiny of records of BSWSM and minutes of DWSCs meetings, Annual Work Plans (AWP), Project Implementation Plans (PIP), cash books, vouchers, Memoranda of Understanding (MoU) with Non-Government organisations (NGOs) and physical and financial progress reports were carried out to assess the performance. The scrutiny of records was confined to DWSCs as the lower level committees at block, panchayat and village level had not been constituted.

Field visits to individual households, schools and community sanitary complexes (CSC) were carried out jointly by the Audit team and DWSC officials. Personal interaction with the beneficiaries was also carried out orally and through a questionnaire. Audit memos were issued to field offices on the basis of scrutiny of records and replies to the audit observations were obtained and incorporated in the Report. An exit conference was held with Principal Secretary, PHED on 8 November 2010 wherein Government's views/replies were obtained, and which have been incorporated at appropriate places.

Audit findings

Findings of the performance audit are discussed in the succeeding paragraphs.

1.1.7 Project Planning

The implementation of TSC was on a project mode. The project proposals were to be prepared by the respective DWSCs for each district which were to

be scrutinised by the BSWSM and forwarded to the National Scheme Sanctioning Committee (NSSC), Ministry of Rural Development, Government of India for approval. The planning for implementation of TSC was to start with start-up activities which included baseline surveys and preparation of the Project Implementation Plan (PIP) on the basis of the survey findings. Consequent upon the sanction of the project by NSSC and receipt of funds by DWSCs, TSC was to be implemented on the basis of Annual Work Plans (AWPs).

1.1.7.1 Start-up activities

According to the TSC guidelines, the respective DWSCs were required to conduct baseline surveys (BLS) to assess the status of sanitation and hygiene practices, the people's attitude, demand for improved sanitation etc. in their districts. These surveys conducted through NGOs were required to collect information in the prescribed format to ascertain the actual number of BPL/APL families, schools, Anganwadi centres and common places needing toilets and the willingness of communities to participate in the project. The preparation of PIPs for each district was to be done on the basis of the survey findings.

Expenditure of ₹ 1.96 crore on base line survey became infructuous

Audit scrutiny of the baseline survey records in the nine test-checked districts revealed that the participating NGOs were paid ₹ 1.96 crore during 2003-04 to 2006-07 by DWSCs for the baseline surveys conducted between 2003 and 2007. However, the survey results submitted by the NGOs were neither compiled nor collated by the DWSCs of each district. Instead, the PIPs submitted (March 2000 to February 2005) to GOI for approval were prepared on the basis of information gathered from the District Rural Development Agencies (DRDA) and the 2001 Census. Thus, the expenditure of ₹ 1.96 crore became infructuous. Further scrutiny revealed that eight out of the test checked districts conducted (2000-2007) base line surveys after sanction of the PIPs (March 2001 to February 2006). The Principal Secretary, PHED accepted (November 2010) during the exit conference that the PIP for each district was prepared on the basis of data of 2001 census as well as of DRDA and the survey results were not utilised for this purpose.

As per the guidelines, a maximum of ₹ five was to be paid for each household survey with a limit of ₹ 20 lakh for a district for all start-up activities including preliminary surveys, publicity etc. In contravention of these guidelines, the Member Secretary, Saran district paid ₹ 88.03 lakh (2002-07 to 35 NGOs) for surveying 382744 households at the rate of ₹ 23 per household and incurred expenditure of ₹ 91.08 lakh for start-up activities during 2002-07. Thus, ₹ 71.08 lakh paid in excess of the limit prescribed.

The Government's reply (November 2010) that the rate of ₹ 23 per household was approved by DWSC, is not correct since the rate approved by DWSC, Saran was just ₹ 3.80 per household. The department did not furnish any reply for exceeding the limit of ₹ 20 lakh per district for the household survey.

1.1.7.2 Non-preparation of Annual Work Plans

AWPs for 2005-09
not prepared

As per the TSC guidelines, Annual Work Plans (AWPs) for each district were to be prepared by the Member Secretaries and to be got approved from the DWSCs before the beginning of the financial year. Scrutiny in nine test-checked districts revealed that no AWP were prepared during 2005-09 in any of the test-checked districts. Two out of the test-checked districts [Katihar (June 2009) and Samastipur (November 2009)] prepared AWP for the year 2009-10 only but did not execute the work as per the AWP. Resultantly, project implementation was ad hoc and not in accordance with AWP.

The Government stated (November 2010) that the AWP were prepared from 2009-10 onwards and assured that implementation was being done accordingly.

Thus, TSC was implemented without AWP for the period 2005-09. However, AWP were prepared only in two out of the test-checked districts during 2009-10. In seven of the test-checked districts, TSC was still implemented without any AWP.

1.1.8 Funding arrangements

On approval of the TSC project, funds were to be released by GOI, in four instalments, directly to the DWSCs. The first instalment (30 *per cent* of the project cost) was to be released immediately after approval of the project by GOI. The other three instalments (30, 30 and 10 *per cent* of the project cost) were to be released after incurring expenditure of 60, 60 and 80 *per cent* respectively from the available funds and after submission of utilisation certificates and the Audit Reports of the preceding financial year to the GOI and State separately. The matching shares were to be released by the State Government within a fortnight from the date of receipt of the Central shares. All expenditure was to be made according to the component-wise percentage shares mentioned in the guidelines. The funds were to be kept in one savings bank account by each DWSC.

1.1.8.1 Release of funds and expenditure

Total Sanitation Campaign projects worth ₹ 1967.11 crore² were approved by GOI for all 38 districts of Bihar after revision (September 2008) of the project cost.

The opening balances, Central and State shares released, expenditure thereof and saving for the period 2005-10 were indicated in **Table no. 1**.

² Central share : ₹ 1249.39 crore, State share : ₹ 517.39 crore and beneficiary share : ₹ 200.33 crore

Table no. – I
Funds released by GOI and State Government, expenditure thereof and savings

(₹ in crore)

Year	Opening balance		Fund released by		Total funds available during the year	Expenditure from the share of		Total expenditure	Unspent balances			Percentage of expenditure (9/6)
	GOI	State	GOI	State		GOI	State		GOI	State	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
2005-06	31.82	5.40	57.96	1.00	96.18	16.57	2.82	19.39	73.21	3.58	76.79	20
2006-07	73.21	3.58	8.30	17.72	102.81	38.83	5.18	44.01	42.68	16.12	58.80	43
2007-08	42.68	16.12	95.55	27.95	182.30	53.56	13.23	66.79	84.67	30.84	115.51	37
2008-09	84.67	30.84	71.51	20.50	207.52	72.02	39.06	111.08	84.16	12.28	96.44	54
2009-10	84.16	12.28	90.47	50.00	236.91	84.67	34.13	118.80	89.96	28.15	118.11	50
Total			323.79	117.17		265.65	94.42	360.07	374.68	90.97	465.65	

Source : Public Health Engineering Department (TSC)

Analysis of the above data disclosed the following:

Expenditure against available funds during 2005-10 ranged between 20 and 54 per cent

- Against the total approved project share of ₹ 1766.78 crore³ of the Centre and State, the actual releases of Central and State shares were ₹ 323.79 crore and ₹ 117.17 crore respectively during 2005-2010. The expenditure against funds released during 2005-2010 including the opening balance of the year 2005-06, ranged between 20 and 54 per cent.
- Against the available funds of ₹ 478.18 crore⁴, ₹ 360.07 crore⁵ only was spent. Rupees 118.11 crore (25 per cent of the total available funds) at the end of March 2010 could not be utilised by DWSCs.

State share released with delays between two and 76 months

In addition to the above, scrutiny of records in the nine test-checked districts revealed that the matching State shares were released to DWSCs with delays ranging from two to 76 months (**Appendix 1.1.2**).

The percentage shares for different components of TSC projects, the GOI/State share and the beneficiaries contribution towards each component are shown in **Appendix 1.1.3**. Analysis of component-wise expenditure of the TSC project revealed that the percentage of expenditure during 2005-10 under start-up and IEC activities, alternate delivery mechanism and administrative charges (including training, staff support, services, monitoring and evaluation etc.) was only 5.20, 0.66 and 1.22 per cent of the available funds against the requirement of 15, five and five per cent respectively. However, in the test-checked districts, it was 5.77, 0.27, and 1.13 per cent only. No expenditure was incurred under the solid and liquid waste management component.

³ Central : ₹ 1249.39 crore; State : ₹ 517.39 crore

⁴ Opening balance : ₹ 37.22 crore, Central : ₹ 323.79 crore; State : ₹ 117.17 crore

⁵ Central : ₹ 265.65 crore; State : ₹ 94.42 crore

Twenty five *per cent* of funds released remained unutilised

Though 30 *per cent* of the project cost (Central and State shares) as first instalment was to be released after sanction of the project by NSCC, the actual releases by GOI and the State was only 26 and 23 *per cent* respectively during 2005-10. Out of these released funds, expenditure by DWSCs was tardy, resulting in 25 *per cent* of the funds released remaining unutilised. The poor utilisation of funds was mainly due to non-creation of awareness and non-generation of demand, deficient IEC activities, delayed selection of NGOs, weak and ineffective alternative delivery system, poor performance of NGOs and Panchayati Raj institutions etc.

The Principal Secretary stated (November 2010) during the exit conference that the low spending was mainly due to delayed sanction of projects by GOI for 22 districts during 2005-06 and non-availability of land with BPL families. The delay in release of the State shares was mainly due to insufficient funds in the budget and the instructions of the Finance Department for quarterly release of funds, resulting in slow progress.

The reply is not acceptable because the percentage of expenditure (2006-10) after the sanction of the project in all districts also ranged from 37 to 54 only against the available funds. However, projects for seven of the test-checked districts were sanctioned during March 2001 to March 2003 and for two districts, it was done between July 2005 and February 2006.

1.1.8.2 Diversion of funds

As per the guidelines issued by GOI, no subsidy for construction of Individual Household Latrines (IHHL) was to be given to APL families. Instead, they were to be motivated to construct toilets at their own cost. Recoverable assistance from the revolving fund could be given to them in necessary cases.

Unauthorised diversion and expenditure of ₹ 13.45 crore on construction of latrines for APL families

The State Government released ₹ 26.40 crore as the State share of TSC funds for the test-checked districts during December 2007 to March 2010. In the meantime, the State Government introduced (December 2007) a new scheme, the Lohia Swachchhata Yojana (LSY) and ₹ 13.45 crore⁶ was given for construction of latrines to APL families from the State share of TSC. Thus, the funds were diverted and paid to APL families in contravention of the provisions of guidelines.

The Government accepted (November 2010) that the incentive for APL families was not admissible under the TSC guidelines. The Principal Secretary stated (November 2010) that separate provision for construction of latrines for APL families should have been made.

1.1.9 Project Implementation

The strategy for project implementation envisaged 'a community-led, people centred and demand-driven approach' with emphasis on awareness creation, demand generation and adoption of alternate delivery mechanisms to meet the

⁶ Bhagalpur : ₹ 77.78 lakh, Gaya : ₹ 179.37 lakh, Jamui : ₹ 16.08 lakh, Katihar : ₹ 256.37 lakh, Muzaffarpur : ₹ 20.16 lakh, Patna : ₹ 38.00 lakh, Saharsa : ₹ 51.99 lakh, Samastipur : ₹ 190.93 lakh, Saran : ₹ 513.96 lakh

common needs. Such a strategy required technological improvisation to meet customer preferences and a location-specific and intensive IEC campaign involving Panchayati Raj institutions, Co-operatives, Women's Groups, Self help groups, Non-Government Organisations (NGOs) etc. The TSC strategy aimed to bring about behavioural changes towards improved sanitation and hygienic practices and to meet the sanitation hardware required in an affordable and accessible manner.

1.1.9.1 Information, Education and Communication

Information, Education and Communication (IEC) was a key component of the programme which was intended to create demands for sanitary facilities in the rural areas for households, schools, anganwadis and community sanitary complexes, by encouraging people to construct latrines. Further, the IEC strategy and plan intended to motivate the beneficiaries for the continued use and maintenance of toilets. For this purpose, training programmes of motivators, gram panchayat representatives and masons were to be organised by the DWSCs. At the community level, the mobilisation activities included audio-visual programmes, *nukkar dramas*⁷, wall paintings, honoraria to motivators besides door-to-door campaigns for interpersonal communication. Each district was required to prepare a detailed IEC Annual Action Plan by February of the preceding financial year with the identified components to reach all sections of the community.

A sum of ₹ 8.28 crore⁸ was spent by the nine test-checked DWSCs on different IEC activities during 2005-10. Audit scrutiny revealed the following:

No Action Plan for IEC activities

- No Action Plan was prepared for IEC activities in any of the test-checked districts. Consequently, IEC activities were carried out in an unplanned manner, resulting in creation of very little demand.
- Though audio-visual programmes and *nukkar dramas* were important methods for creation of awareness at the community level, no such programmes were organised in the nine test-checked districts. Wall paintings and erection of hoardings were executed by the DWSCs in all the test-checked districts but door-to-door contact drives to create demand for latrine construction and ensuring their continued usages were not done. Even the financial provision for door-to-door contact drives were not made in the PIP by the test-checked DWSCs.

Expenditure of ₹ 54.76 lakh on news paper advertisements in contravention of guidelines

- Under IEC, a mass media campaign was to be taken up only at the national and State level but was not allowed at the district level. At the district level, focus on inter-personal communication, use of folk media and outdoor media like wall paintings, hoardings etc. were to be used. Scrutiny of records showed that in four⁹ out of the test-checked

⁷ Dramas played at the streets of villages

⁸ Bhagalpur : ₹ 34.68 lakh, Gaya : ₹ 42.28 lakh, Jamui : ₹ 87.54 lakh, Katihar : ₹ 278.52 lakh, Muzaffarpur : ₹ 81.08 lakh, Patna : ₹ 96.16 lakh, Saharsa : ₹ 41.99 lakh, Samastipur : ₹ 77.33 lakh and Saran : ₹ 87.98 lakh

⁹ Katihar (₹ 6.38 lakh), Muzaffarpur (₹ 5.61 lakh), Patna (₹ 20.77 lakh) and Saharsa (₹ 22.00 lakh)

DWSCs, ₹ 54.76 lakh was spent (March 2009) on newspaper advertisements in contravention of the guidelines.

- As per the requirement, no IEC activities were to be taken up without prior sanction of the DWSC but in Samastipur district, an irregular payment of ₹ 25.49 lakh was made for printing of 12800 banners in violation of the above.

Despite expenditure of ₹ 8.28 crore on IEC, the creation of demand and awareness was not achieved

The above instances show that the implementation of the IEC component suffered from system deficiencies and payment irregularities. Consequently, the ultimate goal of IEC activities such as creation of demand and awareness were not achieved.

The Government accepted (November 2010) during the exit conference that the IEC annual action plan was prepared in only two test-checked districts and assured to implement the most effective tool i.e. door-to-door contact for creating awareness.

1.1.9.2 Alternate Delivery Mechanism (Production Centres/ Rural Sanitary Mart)

As per the guidelines, a revolving fund of ₹ 35 lakh (not exceeding five per cent of the total project cost) was to be created to provide zero/low interest finance (loans) to NGOs/self help groups/ women organisations/ Panchayats after approval by the DWSC for setting up of production centres (PCs)/rural sanitary marts (RSMs). The maximum loan permissible was ₹ 3.50 lakh. The loans were to be utilised for the production of cost effective and affordable sanitary materials. Loans from this fund were to be recovered in 12 to 18 instalments.

Non-recovery of ₹ 22.50 lakh from NGOs

Scrutiny revealed that in five out of the test-checked districts, loans amounting to ₹ 47.09 lakh¹⁰ were given from the revolving fund to 68 NGOs (May 2005 to March 2009). But ₹ 18.59 lakh¹¹ only was recovered and ₹ 28.50 lakh was still outstanding (June 2010). The possibility of the recovery of ₹ 22.50 lakh out of ₹ 28.50 lakh from 31 NGOs was more difficult as the MoUs signed with NGOs were cancelled by the respective DWSCs.

The Principal Secretary stated (November 2010) during the exit conference that action would be taken to recover the advances from non-performing NGOs.

1.1.9.3 Individual Household Latrines (IHHL)

One of the main objectives of TSC was to cover all rural families with sanitary latrines by 2012. To achieve this objective, the TSC guidelines provided that a demand-driven strategy was to be adopted. However, this strategy was

¹⁰ Bhagalpur : ₹ 5.43 lakh (01), Gaya : ₹ 5.56 lakh (22 nos.), Jamui : ₹ 12.40 lakh (22 nos.), Saharsa : ₹ 5.70 lakh (14) and Saran : ₹ 18 lakh (09)

¹¹ Bhagalpur : ₹ 1.85 lakh, Gaya : ₹ 0.88 lakh, Jamui : ₹ 8.78 lakh, Saharsa : ₹ 2.38 lakh and Saran : ₹ 4.70 lakh

changed (May 2008) to a targeted approach for construction of individual household latrines.

Seventy six per cent curtailment in targeted IHHL construction

Though the Bihar State Water and Sanitation Mission (BSWSM) had fixed targets for construction of 8971031 latrines during 2005-10, the actual construction was limited to 2110014 (24 per cent) toilets upto March 2010. None of the year-wise targets fixed could be achieved. Ironically, yearly targets were revised upwards ignoring the field realities.

Scrutiny of records of nine test-checked districts with regard to construction of IHHL revealed that against BSWSM targets for construction of 2629954 IHHL, only 875814 units (33 per cent) were constructed at a cost of ₹ 103.71 crore during 2005-10 as shown in **Table no. 2**.

Table no. 2
Targets and achievements for construction of IHHL

Sl. No.	Name of Division	Number of IHHL to be constructed	Number of IHHL constructed	Percentage	Expenditure incurred (₹ in lakh)
1	Bhagalpur	242359	44293	18	697.91
2	Gaya	215325	69140	32	962.48
3	Jamui	227914	20680	9	620.66
4	Katihar	232589	149176	64	1184.45
5	Muzaffarpur	432147	283957	66	3470.23
6	Patna	243607	107404	44	914.68
7	Saharsa	240440	32615	14	375.45
8	Samastipur	493050	74106	15	1137.89
9	Saran	302523	94443	31	1007.25
	Total	2629954	875814	33	10371.00

The following deficiencies in the implementation of the IHHL component were also noticed:

Funds advanced to gram panchayats without assessment of their requirements and utilisation of earlier advances

- The State Government instructed (November 2007) that funds for construction of IHHL were to be given to Gram Panchayats (GPs). The assessment of fund requirements for each GP was to be done by the Member Secretaries after which 30 per cent of the required funds were to be advanced to the GPs after signing of MoUs. Consequent upon the submission of UCs for earlier advances, further advances were to be given. In contravention of the above order, no funds were released to the GPs in five¹² out of the test-checked districts. Assessment of the required funds was not done in any of the test-checked districts. In four¹³ out of the test-checked districts, ₹ 3.71 crore was advanced (June 2007 to June 2009) to 1054 GPs for construction of IHHL. Scrutiny revealed that ₹ 1.82 crore was disbursed (June 2009) by the Member Secretary, Saran to 303 GPs in Saran district without prior sanction of DWSC and signing of MoUs. Further the UCs for

¹² Gaya, Katihar, Muzaffarpur, Patna and Saharsa

¹³ Bhagalpur : ₹ 43.56 lakh (242 nos.), Jamui : ₹ 40.60 lakh (141 nos.), Samastipur : ₹ 104.80 lakh (368 nos.) and Saran : ₹ 181.80 lakh (303 nos.)

Incomplete structures of individual household latrines were handed over to beneficiaries

₹ 0.49 crore only were submitted to the DWSCs in four districts.¹⁴ UCs of ₹ 0.09 crore were accepted by DWSC, Samastipur without statements of expenditure/vouchers and proper site verification by District Co-ordinators, Assistant Engineers and Junior Engineers.

- Though funds for construction of IHHL were to be distributed to Indira Awas Yojana (IAY) beneficiaries by the DWSC, Saran through Block Development Officers (BDOs), ₹ 20.76 lakh was advanced (February to March 2007) directly to 1730 beneficiaries of 10 blocks.¹⁵ Consequently, its utilisation for the desired purpose was not ensured (July 2010).
- As per the guidelines, a duly completed household sanitary latrine was to comprise a basic low cost unit with a super-structure. However, a joint field visit of 91 IHHLs carried out by the audit team and officials of DWSCs in seven districts¹⁶ disclosed that toilets were constructed without demand by the beneficiaries. Fifty six out of 91 toilets were handed over to beneficiaries without super-structures as shown in the pictures below. Resultantly, these toilets remained unused due to incomplete/damaged structure. Twenty nine beneficiaries complained of poor quality construction.



It may be seen that the deviations from the demand-driven approach to a target-oriented one did not deliver desired results.

The Government replied (November 2010) that the poor achievement in construction of IHHL was mainly attributable to non-willingness of the beneficiaries to contribute their share, non-availability of land with BPL families in some cases and non-creation of demand due to insufficient IEC activities etc. In order to achieve targets to provide IHHL for all BPL families, the total target of coverage under TSC was spread over the years.

The reply is not acceptable because insufficient IEC activities by the DWSCs led to less awareness among the beneficiaries resulting in the poor achievement of targets.

¹⁴ Bhagalpur : ₹ 3.75 lakh (19 nos.), Jamui : ₹ 0.29 lakh (01 no), Samastipur : ₹ 9.13 lakh (01 no) and Saran : ₹ 36.00 lakh

¹⁵ Maken (88), Sonpur (187), Ekma (210), Garkha (232), Taraiya (127), Dighwara (125), Dariyapur (269), Baniyapur (37), Chhapra Sadar (190), Manjhi (265)

¹⁶ Bhagalpur (9), Gaya (8), Katihar (11), Muzaffarpur (15), Patna (31), Saharsa (9) and Samastipur (8)

1.1.9.4 School toilets

Rural school sanitation is an entry point for the wider acceptance of sanitation by the rural people. Realising that children play an effective role in absorbing and popularising new ideas and concepts, this programme intended to tap their potential as the most persuasive advocates of good sanitation practices in their own households and schools. Two toilet units, one each separately for boys and girls with urinals were to be constructed in each school under this programme.

One third of targeted school toilet units in the State were not constructed

As per the guidelines, the construction of toilets in all toiletless schools was to be completed by March 2010. Scrutiny of BSWSM records revealed that against the targeted construction of 64631 school toilets units for the entire State, only 42601 (66 per cent) could be constructed (March 2010) at an expenditure of ₹ 83.24 crore.

Scrutiny of records of nine test-checked districts with regard to construction of school toilets revealed that against BSWSM targets for construction of 29703 school toilets, only 14749 units (50 per cent) was constructed at a cost of ₹ 24.96 crore during 2005-10 as shown in **Table no. 3**.

Table no. 3
Targets and achievements for construction of school toilets

Sl. No.	Name of Division	Number of school toilets to be constructed	Number of school toilets constructed	Percentage	Expenditure there-against (₹ in lakh)
1	Bhagalpur	2800	1192	43	236.64
2	Gaya	4138	2221	52	231.86
3	Jamui	2042	724	35	145.62
4	Katihar	3215	1299	40	292.03
5	Muzaffarpur	4768	2163	45	452.14
6	Patna	4768	3107	65	575.48
7	Saharsa	1400	652	47	130.40
8	Samastipur	2552	1244	49	243.39
9	Saran	4020	2147	53	188.20
	Total	29703	14749		2495.76

Scrutiny revealed that:

Rupees 5.55 crore for construction of toilets in schools was lying as advance with Bihar Education Project since February 2006

- As per a Government order of December 2005, funds required to be transferred to the Bihar Education Project (BEP) authorities after signing of MoUs with them. UCs were to be submitted by BEP authorities within three months. Though ₹ 7.38 crore was transferred to BEP in four¹⁷ out of the test-checked districts (February 2006 to March 2009), UCs for only ₹ 1.83 crore were submitted by the BEPs (March 2010) while ₹ 5.55 crore was lying as advance.

¹⁷ Gaya (2006-09), Jamui (2006), Muzaffarpur (2006), Samastipur (2006-09)



Middle School, Darbeshpur Dakshini, Patna, period of construction : 2007-08



Middle School, Khajuri, Simri Bakhtiyarpur, Saharsa, Period of construction : 2008-09

- During joint field visits by Audit and DWSC officials in 18 out of 24 schools in seven¹⁸ of the test-checked districts, school authorities intimated that the quality of construction of toilets were unsatisfactory. Further, the school authorities did not maintain the school toilets properly as shown in the pictures above.
- In contravention of the Government order of December 2005 to give advances to BEP for construction of school toilets, in Saran district, ₹ 35.54 lakh was directly advanced (January 2006) by the Member Secretary to 309 Vidyalaya Shiksha Samities (VSSs) for construction of 309 school toilets. The Member Secretary intimated (June 2010) that the utilisation certificates from VSS were awaited (October 2010).

Thus, only 66 *per cent* of the targeted school toilets could be constructed as of July 2010. As a result, the students were deprived of sanitary facilities in 34 *per cent* of targeted schools.

The Government stated (November 2010) that slow progress of school toilets' construction was mainly due to the steep rise in material costs. The reply is not acceptable as the rise in material costs was to be reviewed by the DWSCs. The Principal Secretary requested the Project Director, BEP to submit the UCs for outstanding advances. He also stated that the responsibility for toilet maintenance lay with the VSS and school authorities.

The Principal Secretary expressed his dissatisfaction during the exit conference (November 2010) at the negative response of GPs and assured to take up the issue of non-submission of UCs by GPs with the Secretary, Panchayati Raj.

1.1.9.5 Community Sanitary Complex

The TSC aimed to construct community sanitary complexes (CSCs) comprising toilet seats, bathing cubicles, washing platforms etc. for landless families in common and easily accessible sites. The water sources were to be provided by PHED whereas the responsibility for their upkeep and maintenance was to be given to the respective GPs.

Scrutiny of records in the nine test-checked districts revealed that against the construction target of 1281 CSCs (2005-10), only 95 (seven *per cent*) in five¹⁹ out of the test-checked districts were constructed (March 2010) by the DWSCs

¹⁸ Bhagalpur, Gaya, Katihar, Muzaffarpur, Patna, Saharsa and Samastipur
¹⁹ Bhagalpur (01), Jamui (02), Katihar (39), Muzaffarpur (51) and Saran (02)

at a cost of ₹ 70.46 lakh. In Jamui, Katihar and Patna district, the targets fixed by the DWSCs was 100, 830 and zero whereas targets intimated by the department were 50, 52 and 50 as shown in **Table no. 4**

Table no. 4
Targets and achievement for construction of CSCs

(₹ in lakh)

Only seven per cent of targeted CSCs were completed and ₹ 0.70 crore spent on them was rendered unfruitful owing to their lying unused

Sl. No.	Name of Division	Number of CSC to be constructed		Number of CSC constructed	Percentage	Expenditure there-against
		As per DWSC	As per BWSM			
1	Bhagalpur	50	50	1	2	1.00
2	Gaya	50	50	0	0	0.00
3	Jamui	100	50	2	2	2.70
4	Katihar	830	52	39	5	58.03
5	Muzaffarpur	101	101	51	50	8.26
6	Patna	0	50	0	0	0
7	Saharsa	50	5	0	0	0
8	Samastipur	50	50	0	0	0
9	Saran	50	50	2	0	0.39
	Total	1281	458	95		70.46

From **Table no. 4**, it is seen that only in two districts, viz. Katihar and Muzaffarpur, 39 and 51 CSCs were constructed respectively. In the other three districts, i.e. Bhagalpur, Jamui and Saran, one, two and two CSCs were constructed respectively. In the remaining four districts²⁰, not a single CSC was constructed. Though community participation was vital to this component, this was not ensured. Instead, CSCs were constructed by the DWSCs without any demand of the community and without signing MoUs with the GPs. Consequently, these CSCs were lying unused rendering the expenditure of ₹ 70.46 lakh unfruitful.

Joint field visits to nine CSCs in three out of the test-checked districts (Muzaffarpur, Katihar and Bhagalpur) by Audit and DWSC officials disclosed that no CSCs were being used by the community due to non-availability of water sources and lack of awareness. The physical condition of these complexes was very poor due to lack of maintenance as shown in the pictures.



Village – Nayatola Panchayat: Barkagaon Block – Kanti North, Muzaffarpur
Period of construction: 2008-09

²⁰ Gaya, Patna, Saharsa and Samastipur

Thus the expenditure of ₹ 70.46 lakh incurred on construction of these complexes remained unfruitful.

The Government stated that non-willingness of the PRIs to contribute their share for CSC construction was the main reason for the slow progress. Even though the CSCs were constructed with the consent of the community and the PRIs, they were not interested in maintaining these toilets. The Principal Secretary stated (November 2010) during the exit conference that they were working on a new concept of constructing CSCs and allotting one toilet for one family to ensure its maintenance. He also assured to look into the matter regarding non-availability of water sources.

The reply is not acceptable because insufficient IEC activities by the DWSCs led to less awareness among the communities, resulting in non-willingness to contribute their share and maintain the CSCs.

1.1.9.6 Toilets in Anganwadi Centres

Children are more receptive to new ideas and Angawadi Centres (AWC) are appropriate institutions for changing the behaviour, mindsets and habits of children from open defecation to use of toilets. Keeping in view this perspective, provision of toilets in AWCs running in Government buildings was included under TSC by the GOI (January 2004).

The achievement of AWC toilet construction was only 10 per cent against the target during 2005-10

Scrutiny disclosed that though the DWSCs of test-checked districts directed the Member Secretaries to obtain lists of AWCs from the respective District Welfare Officers (DWO), this was not done. In absence of this basic information, DWSCs assigned a target of constructing 1339 toilets in AWCs during 2005-10. Only 140 (10 per cent) were constructed (March 2010) at an expenditure of ₹ 4.05 lakh as shown in **Table no. 5**.

Table no. 5
Targets and achievements for construction of toilets in AWC
(₹ in lakh)

Sl. No.	Name of Division	Number of toilets to be constructed in AWC	Number of toilets constructed in AWC	Percentage	Expenditure there-against
1	Bhagalpur	8	0	0	0.00
2	Gaya	224	40	18	1.35
3	Jamui	55	17	31	0.10
4	Katihar	0	0	0	0.00
5	Muzaffarpur	18	7	39	0.35
6	Patna	600	74	12	2.25
7	Saharsa	2	2	0	0
8	Samastipur	432	0	0	0
9	Saran	0	0	0	0
	Total	1339	140		4.05

Consequently, the objective of constructing toilets in AWCs in Government building for changing the behaviour, mind sets and habits of children was not achieved. The Principal Secretary accepted (November 2010) the negligible performance and assured to obtain a list of Anganwadis from the Secretary, Social Welfare and speed up the constructions.

1.1.9.7 Training, staff support and services

As per the guidelines, no additional posts were to be created for the implementation of TSC. However, in order to implement the projects professionally, specialist consultants (district, block and panchayat co-ordinators) from the field of Human Resource Development could be hired for the project period. In addition to their own works, the staffs and engineers of PH divisions were responsible for the implementation of TSC. Training for motivators and masons were also to be organised by the respective DWSCs and their services were to be regularly utilised in TSC. However, scrutiny of records of the test-checked districts revealed the following:

Services of motivators and masons were not utilised despite spending ₹ 0.68 crore on their training

- One district co-ordinator and one computer operator were appointed for each district exclusively for TSC. Block co-ordinators and panchayat co-ordinators were not appointed (November 2010). Keeping in view the heavy workload of PHED, the staff and engineers of PHED were not able to contribute as per the requirements for speedy implementation of TSC.
- Though training programmes for motivators, gram panchayat representatives and masons were organised by the DWSCs in three²¹ out of the test-checked districts at an expenditure of ₹ 67.64 lakh, the services of those motivators and mason were not utilised. The lists of participants were also not available on record.
- As per the guidelines, ₹ 15 per household was to be paid to motivators after DWSC handed over the toilets to beneficiaries and ₹ five was to be paid to motivators after six months on certifying regular use by the beneficiaries. Scrutiny disclosed that ₹ 67.91 lakh was paid (2005-10) to NGOs engaged in toilet construction in three²² out of the test-checked districts and the balance payments of ₹ five were never made, therefore, continued use of these toilets were not ascertained.

The Principal Secretary stated (November 2010) during the exit conference that GOI had agreed to the proposal to appoint one block level co-ordinator with one to three facilitators to overcome the staff shortages. Non-utilisation of trained masons and motivators was mainly due to their large scale migration to other states and failure of DWSCs to provide them regular work.

The reply is not acceptable as the staff shortage was to be overcome at the start of the project. Mason and motivators would have migrated due to non-availability of work as TSC was implemented at a very slow pace.

1.1.9.8 Solid and liquid waste management

One of the objectives of TSC was to bring about an improvement in the general quality of life in rural areas. This objective would not be achieved if the general cleanliness of the villages was not maintained properly. Mechanisms for garbage collection and disposal, construction of soak pits,

²¹ Gaya : ₹ 26.78 lakh, Muzaffarpur : ₹ 35.87 lakh and Patna : ₹ 4.99 lakh

²² Gaya : ₹ 15.50 lakh, Katihar : ₹ 12.81 lakh and Muzaffarpur : ₹ 39.60 lakh

common compost pits, low cost drainage to prevent waterlogging etc. were to be made available in the villages.

No activities under solid and liquid waste management

Scrutiny of records of the nine test-checked districts revealed that no work under this component was carried out in any of the above districts which defeated one of the basic objectives of TSC.

The Principal Secretary, PHED stated that much work had not been done in respect of this component as it had been included in TSC in December 2007. He assured that necessary steps would be initiated for progress under this component.

1.1.10 Monitoring and evaluation

Regular field inspections by officers from the State and district level were essential for effective implementation of the programme. The TSC guidelines emphasised that project authorities were to constitute a team of experts in the district, who were to review the implementation in different blocks frequently. Such reviews were to be held at least once a quarter. Similarly, the State Government was to conduct a review of projects in each district once a quarter. For this purpose, they were to constitute a panel of experts available in the State. In addition, GOI was to send review missions to the States periodically to assess the quality of implementation.

Inadequate monitoring by district and State committees

Scrutiny of the minutes of meetings of DWSCs disclosed that the decisions taken by the DWSCs with regards to poor progress, action against non-performing NGOs and measures to be adopted to achieve targets were never complied with by the Member Secretaries, DWSC. Inspection reports of the Member Secretary, AEs, JEs and District Coordinator of TSC were not available on record. Teams of experts at the district level for review of TSC had not been constituted in any of the test-checked districts. Committees at the block, panchayat and village level were either not formed or were non-functional in all the test-checked districts.

The evaluation report (February 2009 to March 2009) of TSC by the State level review mission team pertaining to Gaya, Saran and Patna district recorded 100 *per cent* use of IHHL and proper maintenance of school toilets. However, joint field visits by Audit and DWSC officials during February 2010 to July 2010 revealed that these reports were unreliable. In the other six²³ test-checked districts, the review mission team had not conducted any review of TSC projects.

The Government assured (November 2010) to strengthen the monitoring mechanism at each level to make it more effective and result-oriented.

1.1.10.1 Non-compliance of DWSC decisions

DWSC's decisions were not complied with

As per the guidelines, the responsibility for implementation and monitoring of TSC lay with the DWSCs. As per the guidelines issued by GOI and the State

²³ Bhagalpur, Jamui, Katihar, Muzaffarpur, Saharsa and Samastipur

Government and an order of the Chief Secretary (November 2006), it was mandatory to hold meetings of DWSCs at least once in a month to prepare the implementing strategies, sanction expenditure and monitor the progress and quality of work. It was however, observed that only nine to 21 meetings²⁴ were held in the nine test-checked districts during 2005-10, against the required 60 meetings of each DWSC. No meeting was held in Saran district after July 2008, while in Saharsa district, a meeting was held in January 2010 after a lapse of 17 months. Thus, the responsibilities entrusted to DWSCs of the test-checked districts were not discharged fully. The Member Secretaries of all the test-checked districts accepted the audit findings.

The Government, while accepting (November 2010) the deficiency in holding DWSC meetings, mentioned that this was due to non-fixing of time by the DDC and non-fulfilment of required quorum. The Principal Secretary assured to issue necessary instructions for holding regular meetings.

1.1.11 Conclusion

Non-availability of reliable baseline data, lack of community participation and deficient IEC activities led to lack of awareness and less creation of demand. The target-oriented programme implementation at the State level could not be fully achieved in spite of implementing of this programme since 1999 and incurring an expenditure of ₹ 360.07 crore during 2005-10. The programme suffered at various stages of its implementation due to inadequate monitoring.

Recommendations

- A fresh survey based on realistic parameters, including community participation, may be conducted for assessing and framing a dynamic demand-driven project.
- IEC activities must be conducted in an interactive environment, acceptable and understandable to village community.
- Diversion of funds for any other purpose must be avoided.
- Necessary measures should be taken to implement the various components of TSC.
- An effective monitoring system should be put in place to ensure data reliability.

²⁴ Bhagalpur (14), Gaya (12), Jamui (21), Katihar (11), Muzaffarpur (10), Patna (12), Saharsa (9), Samastipur (9) and Saran (13)

HUMAN RESOURCES DEVELOPMENT DEPARTMENT (SECONDARY EDUCATION)

1.2 SECONDARY EDUCATION PROGRAMME

Highlights

Though the number of students in secondary schools increased by 60 per cent during 2005-10, the Human Resources Development Department did not prepare any Annual Plan/Long Term Plan in respect of secondary education. There were shortages of secondary schools, teachers and infrastructural facilities like classrooms, laboratories, libraries, computers etc. in the existing schools. Vocational and computer education were almost non-functional at the secondary school level, though emphasis was given to these streams in the National Policy on Education.

The savings in the Plan budget ranged between 28 and 82 per cent, whereas the same under the Non-Plan component ranged between eight and 20 per cent.

(Paragraph 1.2.8)

Upgradation of secondary schools to plus two schools was done without considering the availability of qualified teachers, classrooms, laboratories and other infrastructural facilities.

(Paragraph 1.2.9.2)

There was substantial mismatch between the number of students and availability of classrooms. As a result, in 139 out of 241 test-checked schools, there was one classroom available for 70 to 408 students.

(Paragraph 1.2.10)

Against the sanctioned strength of 34233 teachers at the State level, only 26631 teachers were available. Subject-wise teachers were also not available in most of the test-checked schools.

(Paragraph 1.2.11.1)

Project Girls High Schools were not opened in any block after 1985. In 22 Project Girls High Schools in 10 test-checked districts, one school had nine teachers but no student whereas in four schools, the number of students ranged between 141 and 741 without having a single teacher.

(Paragraph 1.2.11.4 and 1.2.11.5)

Vocational education as an alternative to higher education and computer education for the development of computer skills, as emphasised in National Policy on Education, were not accorded due importance.

(Paragraphs 1.2.12, 1.2.13 & 1.2.13.2)

Adequate attention was not paid towards the inspections of schools.

(Paragraph 1.2.15)

1.2.1 Introduction

Secondary education serves as the vital link between elementary and college education and plays an important role in preparing the students for higher education. In Bihar, secondary education covers children in the age group of

14-18 years, studying in classes 9-12. The National Policy on Education (NPE), 1986 as modified in 1992, *inter alia*, envisaged easier access to secondary education with emphasis on the enrolment of girls, Scheduled Castes (SC) and Scheduled Tribes (ST) students, particularly in science, commerce and vocational streams. This policy also required the departmental officers to take necessary steps at the secondary school level, to equip students with necessary vocational and computer skills so as to be effective in an emerging technological world. However, the State Government had not evolved any specific policy in respect of secondary education.

In August 2006, a Commission was set up by the State Government with the objective of examining the existing school education system and recommended measures to make quality school education available to all school children in the State. The Commission's terms of reference included a review of the syllabus of teachers' training institutions and recommending measures to ensure the fundamental rights of children to free and compulsory education as per Article 21(a) of the Constitution. The Commission's report was submitted in June 2007. Though the recommendations were still to be formally accepted by the State Government, action had already been initiated to implement the recommendations.

In Bihar, there were 2938 secondary schools under four categories i.e. Rajkiya High Schools²⁵ (78), Rajkiyakrit High Schools²⁶ (2535), Project Girls High Schools²⁷ (253²⁸) and Minorities High Schools²⁹ (72).

1.2.2 Organisational set-up

The Secondary Education Programme falls under the administrative control of the Human Resources Development (HRD) Department headed by the Principal Secretary to the Government. He is assisted by the Director, Secondary Education, nine Regional Deputy Directors of Education (RDDE) at the Division level, 38 District Education Officers (DEOs) at the district level and 55 Sub-divisional Education Officers at the Sub-divisional level. At the school level, the educational and other administrative functions are controlled and supervised by the Headmasters of the schools concerned.

The local management of the secondary schools are entrusted (1988) to the respective School Managing Committees headed by Chairmen who are nominated by the State Government under Section 6(2) of the Bihar Non-Government Madhyamik School (Administration and Control) Act 1981.

²⁵ Rajkiya (Government) High Schools

²⁶ Non-Government High Schools taken over by the Government from October 1980

²⁷ Established by the Government for girls education at Block level between 1981-82 and 1984-85

²⁸ As per sanction of the government 253 Project Girls High Schools (1981-82:39; 1984-85:214) were opened but department furnished information of 250

²⁹ Managed by minority institutions under Government Act and paid by Government

1.2.3 Scope of audit

Performance audit was limited to the period 2005-10 and involved the examination of records relating to the office of the Director, Secondary Education, District Education Officers (DEO) of 10 districts³⁰ and 25 *per cent* of schools in each of the test-checked districts. Records of 241 secondary schools³¹ (out of 939 schools) were examined between March and August 2010. The selection of districts and schools was made by adopting the 'Statistical Random Selection Without Replacement' method.

1.2.4 Audit objectives

The audit objectives were to assess whether:

- the objectives of secondary education were clearly defined in the State and detailed Action Plans were prepared to achieve these objectives;
- adequate funds were made available by the State Government and the same were effectively utilised for the intended purposes;
- the overall objective to increase enrolment in identified streams and improvement in the quality of secondary education was achieved.
- appropriate infrastructure and manpower were available for implementation of secondary education, especially in priority areas and
- monitoring systems, reporting protocols and feedback arrangements existed and follow up action was taken.

1.2.5 Audit criteria

The audit criteria for this performance audit included:

- the National Policy on Education 1986 as modified in 1992;
- the Annual Work Plans of the department;
- the Bihar Non-Government Madhyamik School (Administration and Control) Act 1981, Service Condition Rules, 1983;
- instructions issued by the Government of India and the State Government relating to secondary education and
- Bihar Financial Rules (BFR), departmental instructions and circulars issued from time to time.

1.2.6 Audit methodology

The audit methodology included consolidation and updating of domain knowledge, preparing detailed guidelines and conducting field visits for examination, collection and analysis of statistical data at the department, the DEOs and the secondary school level, detailed discussions with DEOs and

³⁰ Begusarai (84), Bhagalpur (110), Katihar (58), Nalanda (136), Nawada (66), Muzaffarpur (110), Samastipur (111), Saharsa (47), Saran (127) and Vaishali (90)

³¹ Rajkiya High Schools: 7; Rajkiyakrit High Schools: 206; Project Girls High Schools: 22 and Minorities Schools: 6

Headmasters of the test-checked schools, issue of a detailed questionnaire and audit memos.

In order to explain the audit objectives, its methodology and scope, an entry conference was held in April 2010 with the Director, Secondary Education³². On completion of the field work, an exit conference was held in October 2010 with the Principal Secretary of the department, wherein the audit findings were discussed and the Government's views were incorporated.

Audit findings

1.2.7 Planning

Secondary education is an important stage at which students are exposed to the disciplines of science, humanities and social science. The National Policy on Education (NPE), therefore, resolved that access to secondary education must be enhanced with greater emphasis on the enrolment of girls, SCs and STs students especially in the science stream, vocational courses and computer education.

To achieve these objectives and keeping in view the positive outcome of the impact on primary education due to the implementation of Sarva Shiksha Abhiyan (SSA), the department was required to prepare specific implementation plans for imparting and strengthening the secondary education system. Such implementation plans were to be based on reliable data relating to anticipated enrolments of students, manpower and infrastructure facilities.

Strategic Plan and Annual Plans not prepared by the department

Scrutiny of records at the departmental level, however, revealed that no long term Strategic Plan or Annual Plans were prepared by the department. The department did not have any reliable data regarding the anticipated enrolments at the secondary stage. Hence, no timebound proposals for the opening of new schools, appointment of teachers or provision for required infrastructure in the existing schools were prepared. Further, no reliable data regarding school-wise sanctioned posts of teachers/staff, existing infrastructural facilities, condition of school buildings, number of classrooms, availability of furniture, laboratories, libraries, gymnasium, playgrounds etc. were available either with the Director or with the DEOs. Thus, in the absence of basic information and data, the department did not prepare any comprehensive implementation Plan. Hence, the actual implementation of secondary education in the State was done on an ad hoc basis.

In reply, during the exit conference held in October 2010, the Principal Secretary of the department stated that the Bihar Madhyamik Shiksha Parishad³³ had been established (February 2010) for planning and implementing quality secondary education in the State. The reply is not acceptable as the State Government had not evolved any specific policy in respect of secondary education.

³² Additional Secretary to the Government of Bihar
³³ Under Societies Registration Act

1.2.8 Financial management

The budget provisions for secondary education and expenditure thereof under the Plan and Non-Plan heads during 2005-10 are given below in **Table no. 1**.

Table no. 1
Budget provision and expenditure

(₹ in crore)

Year	Budget provision			Expenditure			Savings		
	Plan	Non-Plan	Total	Plan	Non-Plan	Total	Plan	Non-Plan	Total
2005-06	11.94	871.85	883.79	2.10	712.14	714.24	9.84 (82)	159.71 (18)	169.55 (19)
2006-07	92.17	1216.72	1308.89	66.66	1029.30	1095.96	25.51 (28)	187.42 (15)	212.93 (16)
2007-08	48.47	941.17	989.64	13.03	869.45	882.48	35.44 (73)	71.72 (8)	107.16 (11)
2008-09	70.40	1570.95	1641.35	50.89	1397.29	1448.18	19.51 (28)	173.66 (11)	193.17 (12)
2009-10	349.48	1722.68	2072.16	147.32	1377.69	1525.00	202.16 (58)	344.99 (20)	547.15 (26)
Total	572.46	6323.37	6895.83	280.00	5385.87	5665.87	292.16	937.50	1229.96

(Source: Detailed Appropriation Accounts)
(Figures in parenthesis indicate percentage)

The major expenditure under Plan head was on the construction of school buildings, whereas under the Non-Plan head, approximately 79 *per cent* was spent on salaries, allowances and other expenses of teaching and non-teaching personnel and the balance 21 *per cent* was spent on renovation of buildings, purchase of furniture and laboratory equipment and enhancement of sports facilities.

Savings in Plan budget ranged between 28 and 82 *per cent*

The above table also shows that the savings in the Plan budget ranged between 28 and 82 *per cent* during 2005-10, whereas the same under the Non-Plan component ranged between eight and 20 *per cent*. In the 241 test-checked schools, it was noticed that the savings were mainly in allotments given for construction and renovation of school buildings, purchase of equipment and providing gymnasium and sports facilities. This was indicative of the fact that the budget estimates were prepared without taking into account the actual requirements and there was lack of synergy between the schools and their controlling officers at the district and directorate level.

1.2.8.1 Utilisation of funds for improvement of infrastructure

The Director, Secondary Education did not provide complete information regarding the funds drawn and actual expenditure incurred by the schools during 2005-10 on the plea that many of the files were missing due to shifting of the office. However, as per the information provided by the 241 test-checked schools, the receipt and the utilisation of funds are as shown in **Table no. 2**.

Table no. 2
Statement showing receipt and expenditure of funds in test-checked schools

(₹ in lakh)

Year	Civil works		Furniture		Lab equipment		Library		Gym/ play ground	
	Receipt	Expenditure	Receipt	Expenditure	Receipt	Expenditure	Receipt	Expenditure	Receipt	Expenditure
2005-06	228.00	145.71	74.75	60.55	34.90	25.48	20.56	15.18	25.99	16.47
2006-07	559.39	164.38	204.75	131.65	83.50	50.89	58.00	32.00	60.00	36.29
2007-08	537.80	340.23	234.00	115.14	116.00	58.31	77.00	41.23	69.18	39.73
2008-09	1472.00	443.60	434.25	208.12	198.00	103.84	134.00	75.95	134.29	65.75
2009-10	2370.33	502.54	548.00	113.49	243.16	48.83	166.00	39.00	172.00	40.74
Total	5167.52	1596.46 (31)	1495.75	628.95 (42)	675.56	287.35 (43)	455.56	203.36 (45)	461.46	198.98 (43)
Total funds received : Rs 82.56 crore, Total expenditure incurred : Rs 29.15 crore										

(Figures in the parenthesis indicate percentage)

In test-checked schools, only 31 to 45 per cent funds were utilised

The above table reveals that ₹ 82.56 crore was made available to 241 test-checked schools. Of this, only 31 to 45 per cent of the provided funds were utilised under the different components and the balances were deposited in the bank accounts. Scrutiny revealed that funds were provided by the Director/DEOs to the schools/implementing agencies without assessing the actual requirements. There was lack of co-ordination between the school authorities and implementing agencies, resulting in a substantial funds remained unutilised.

1.2.8.2 Expenditure control

Rule 475(iii) of the Bihar Financial Rules (BFR) stipulates that Controlling Officers of the department should maintain control registers for monitoring expenditure. However, it was observed that expenditure control registers were not being maintained by the DEOs and at the Directorate level.

Scrutiny of records revealed that the Director, Secondary Education (upto 2007-08) and concerned DEOs drew funds and made them available to schools/various implementing agencies³⁴. Though these implementing agencies were required to submit detailed expenditure statements, the same were not submitted. The Director, Secondary Education and DEOs did not insist upon the expenditure details from the agencies/ schools and also failed

³⁴ National Informatics Centre (NIC), Bihar Electronic Development Corporation Limited, Building Construction Department (BCD), Secretary, Intermediate Education Council and DEOs of 37 districts for computerisation, construction of building, repair and renovation of building, construction of additional classrooms (ACRs), purchase of furniture, laboratory equipment, library books, development of play ground, gym and distribution to students of class IX for purchase of cycle. Funds for construction and renovation of buildings, purchase of laboratory equipment, library books, development of play ground, gym under strengthening of plus two schools and Mukhyamantri Cycle Yojana were drawn by District Education Officers and funds for computerisation of schools and monitoring during 2008-10 were drawn by Director and transmitted to schools and BELTRON and A.N. Sinha Institute respectively

to prepare DC bills of the amounts drawn by them. During the exit conference (October 2010), the Principal Secretary stated that action was being initiated to improve the utilisation of funds.

1.2.8.3 Reconciliation of expenditure

Rule 475 (VIII) of the BFR of receipts/expenditure requires the head of the department to reconcile on a monthly basis, the figures maintained in the department with those maintained by the Accountant General (A&E). In case monthly reconciliation is not possible, the controlling officer has to depute an assistant to the AG's office every third month and at the close of the financial year for this purpose, rather than allow discrepancies to accumulate. Scrutiny revealed that during 2005-10, ₹ 5665.87 crore was shown as expenditure in the Appropriation Accounts whereas as per the figures provided by the department, ₹ 3251.86 crore only was shown as expenditure. Thus, the difference of ₹ 865.34 crore remained unreconciled (*Appendix 1.2.1*). However, figures for expenditure from Plan and Non-Plan heads during 2005-06 and from the Plan head during 2007-08 and 2009-10 were not provided by the department. In this regard, the Director, Secondary Education stated (September 2010) that due to shifting of the office, some files were not traceable and hence, figures were not provided.

1.2.9 Requirement and upgradation of schools

1.2.9.1 Establishment of new secondary schools

In Bihar, all the 2938 secondary schools were either established or taken over by the Government up to 1984-85. However, as per the Common Education Commission Report, there were approximately 42.82 lakh eligible children requiring secondary education in the State during 2005-10.

Sixty per cent increase in number of students noticed in 2009-10, comparison to 2005-06

Scrutiny of the records relating to enrolment of students in 241 test-checked secondary schools in 10 districts (*Appendix 1.2.2*) revealed that there was an overall increase of 60 per cent of students in 2009-10 (162229 students) in comparison to 2005-06 (101545 students). The increase was still higher at 85, 95, and 61 per cent especially in the targeted category of girls and in cases of SC and ST categories respectively. This increase in enrolment was mainly attributed to the positive outcome of success achieved in primary education initiatives under Sarva Shiksha Abhiyan (SSA) and Mukhyamantri Cycle Yojana³⁵. In order to cope with this demand, the Director, Secondary Education intimated that 1900 additional secondary schools were required to be established by the department by March 2010. After 1984-85, no new schools had been established. Even in the existing schools, additional infrastructural facilities like classrooms, laboratories and libraries added by the department were not adequate to cope with the demand as discussed in the succeeding paragraphs.

³⁵ Mukhyamantri Cycle Yojana, a scheme started in 2007 under which ₹ 2000 is given to girl students of class-IX in the schools managed & funded by the State Government

1.2.9.2 Upgradation of secondary schools

The plus two (10+2) education system was introduced in 89 selected schools of Bihar during 1985-86. Thereafter, an additional 2682 schools were also upgraded in a phased manner during 2005-10. For this, separate funds of ₹ 1404 crore³⁶ under strengthening of plus two education were provided by the State Government in a phased manner during 2005-10 for strengthening of these 2771³⁷ upgraded schools.

Out of 241 schools test-checked, 217³⁸ schools fell under the category of upgraded schools. Scrutiny revealed that these upgradations were done without considering the availability of qualified teachers, classrooms, laboratories and other infrastructural facilities. Hence, no teaching was imparted in classes 11 and 12 (upto 2009-10) in 184 schools due to non-posting of teachers and classrooms were not available in 149 schools. Even in schools where classes 11 and 12 were operational, only limited subjects were being taught due to lack of subject-wise teachers, classrooms and laboratories. As a result, the department failed to achieve its objective.

During the exit conference, the Principal Secretary stated (October 2010) that to streamline the efforts, the Bihar Madhyamik Shiksha Parishad had been established (February 2010) and with Central Government support under the Rastriya Madhyamik Shiksha Abhiyan, necessary action would be taken in due course.

1.2.10 School infrastructure

In order to cope with the increased enrolment of students and special emphasis on their enrolment in science, commerce and vocational streams, focused attention was required in the area of school infrastructural development. In this respect, Government norms (October 1975) specified that each secondary school should have at least eight classrooms excluding the laboratory and library. The Common Education Commission Report of June 2007, however, had recommended a total of 26 rooms for each secondary school³⁹ having a student strength of 420 students with 40 and 30 students respectively in each section.

Scrutiny of the records of 241 schools in the 10 test-checked districts revealed the following:

³⁶ Civil works: ₹ 845.00 crore, Furniture: ₹ 206.00 crore, Laboratories equipment: ₹ 94.00 crore, Libraries: ₹ 64.00 crore, Field/Gym: ₹ 70.00 crore, Beltron for computerisation: ₹ 121.00 crore, State Council of Education Research and Training for training to teacher: ₹ 1.75 crore, ₹ 2.32 crore for A. N. Sinha Institute, Patna for evaluation of strengthening of plus two education in the State

³⁷ Including 89 schools upgraded in 1985-86

³⁸ 16 schools were upgraded in 1985-86 and rest 201 during 2005-10

³⁹ Class IX and X: six classrooms; Class XI and XII: six classrooms; Headmaster's room: one; staff room: one, laboratory rooms: three; Mathematics room: one; computer room: one, library room: one; sports room: one; store room: one; medical room: one; administrative room: one and multipurpose room: two

One classroom
available for 70 to
408 students in 139
schools

- Schools lacked infrastructural facilities like classrooms, laboratories, libraries, computer room, sports room and other utilities as indicated in *Appendix 1.2.3*.
- Records of 139 out of the 241 test-checked schools revealed that there was one classroom for 70 to 408 students. Of these 139 schools, 99 schools had student strength ranging between 70 and 150, whereas in 40 schools, it ranged between 151 and 408. In 51 schools, only one classroom was available for two to four sections.
- Taking an average of five to six students occupying a bench-desk, it was seen that there was a substantial mismatch between the number of students in a classroom and the available bench-desks. For example, in 64 schools, on an average, for seven to 15 students and in 18 schools for 16 to 41 students, only one bench-desk was available.

Scrutiny further revealed that the deficiencies indicated above were mainly due to delays in the finalisation of tenders for purchase of infrastructural articles, construction of buildings, the apathy of the School Managing Committees in participating in meetings and slow progress of work by the executing agencies. In the absence of adequate infrastructural facilities, the students were deprived of proper educational facilities and environment in the schools. During the exit conference, the Principal Secretary stated (October 2010) that the Government had established a dedicated corporation under the department for expeditious construction of schools.

1.2.10.1 Purchases

Test-check of records relating to purchases during 2005-10 made in 241 secondary schools revealed the following:

Laboratory
equipment valuing
₹ 1.60 crore and
library books valuing
₹ 1.03 crore were
lying idle

- Sum of ₹ 6.75 crore and ₹ 4.55 crore were provided (2005-10) to 206 and 208 schools respectively for purchase of laboratory equipment and books for their libraries. Out of this, expenditure of ₹ 2.87 crore and ₹ 2.03 crore was incurred by 103 schools and 104 schools respectively during the period. Laboratory equipment valuing ₹ 1.60 crore and library books valuing ₹ 1.03 crore purchased by 62 and 56 schools respectively were stored in almirah/ boxes due to lack of laboratories, library rooms and non-posting of science teachers in the schools. The balance amounts were lying in the bank accounts of the remaining schools.
- As per Government orders of 1981, furniture, laboratory and gym equipment were to be purchased at rates approved by the School Managing Committee. Scrutiny of records of Saran district revealed that schools purchased the same items of furniture and equipment at different rates as shown in **Table no. 3**.

Table no. 3
Purchase of furniture and equipment at different rates

Sl. No.	Name of item/ Lowest rate	Quantity (in number)	Varied rate		Payment made	Payment as per lowest rate	Difference
			Highest	Lowest			
1.	Lab table (₹ 8400)	39	10200	8400	3.42	3.28	0.14
2	Class table (₹ 1075)	65	2600	1075	1.16	0.70	0.46
3	Steel almirah (₹ 6500)	48	9500	6500	3.67	3.12	0.55
4	Book shelf (₹ 4260)	54	9850	4260	3.22	2.30	0.92
5	Bench (₹ 1000)	919	1750	1000	12.60	9.19	3.41
6	Multi gym (4 station) (₹ 59000)	5	104382	59000	4.00	2.95	1.05
7	Multi gym (6 station) (₹ 70500)	7	115500	70500	6.67	4.94	1.73
8	Travelling Microscope (₹ 4800)	12	9800	4800	0.88	0.58	0.30
9	Physical balance (₹ 2800)	9	5300	2800	0.35	0.25	0.10
10	Compound microscope (₹ 5500)	13	15000	5500	0.90	0.72	0.19
11	Skeleton (₹ 2370)	6	5500	2370	0.23	0.14	0.09
	Total						8.94

Extra expenditure of ₹ 8.94 lakh incurred on purchase of furniture

- The above table reveals that 17 schools⁴⁰ of Saran district purchased the same items of furniture and equipment at varied rates between the schools within the same period, resulting in extra expenditure of ₹ 8.94 lakh during 2007-10. In this regard, the DEO, Saran stated (April 2010) that due to lack of guidelines, purchases were not made on the same rate. However, action would be taken to recover the difference amount.

From the above facts, it is evident that financial prudence was not exercised while spending Government money. A centralised monitoring mechanism at the district level could have facilitated the purchases at proper rates with acceptable variations as per the trade practices.

During the exit conference the Principal Secretary stated (October 2010) that the matter would be looked into.

1.2.10.2 Tax deduction not ensured

VAT amount of ₹ 79.64 lakh was not deducted from the payment of suppliers

As per Rule 40 of the Bihar Value Added Tax (VAT) Act 2005, VAT payable on purchases was to be deducted by the disbursing officers and deposited in the treasuries. Test check of vouchers and other records revealed that in the 10 test-checked districts, 103 schools had purchased furniture costing ₹ 5.73 crore, 91 schools had purchased laboratory equipment costing ₹ 2.63 crore and 86 schools had purchased gym equipment costing

⁴⁰ C.N.P.G.High School, Banaut, Rajendra Collegiate School, Chhapra, Shri Yamunachari High School, Dariyapur, S.P.S. Seminary High School, Sonpur, Kapildeo High School, Sisai, Dalan Singh High School, Manjhi, Shivdulari (+2) High School, Sonpur, Mishrilal Sah Arya Girl High School, Chhapra, Nageshwar High School, Bahadurpur, Shanti Raman Pro. Girls High School, Sathwara, Ishwari High School, Basant, J. N. High School, Rampura, J. J. P. G. High School, Mashrakhi, High School, Mahuli Chakhan, Matwar Mantura High School, Panchrukhi, High School, Jaitpur and (+2) High School, Mashrakhi

₹ 1.52 crore. Though VAT payment of ₹ 79.64 lakh was due on these purchases, the same was neither deducted from the suppliers nor deposited in the treasuries. This violation and non-adherence to VAT rules led to an undue benefit of ₹ 79.64 lakh to the suppliers, apart from creating an avoidable liability to the department.

1.2.11 Human resource management

Human resource is a vital component for the effective implementation of an education programme. Teachers play a significant role not only in imparting academic knowledge but also in equipping the students in character formation, better integration in society and in moulding their future. Consequently, the significance of a teacher in the realms of education is paramount and therefore, the availability and quality of teachers assumes great importance.

1.2.11.1 Staffing

The Government staffing norms (October 1980) for secondary schools prescribed that for a strength of 200 students, at least 10 teachers including a Headmaster⁴¹ were required. In excess of 200 students, one post each for additional 60 students was to be sanctioned.

Test-check of 241 schools revealed that in 97 schools, the student-teacher ratio ranged from 60 to 350 students to one teacher. Of this, in 91 schools, the ratio ranged between 60 and 200 students and in six schools, the ratio ranged between 201 and 350.

The Common Education Commission Report had suggested further improvement in the teacher-student ratio in order to impart quality education and increased personalised attention to the students. According to the Report, 20 teachers and 11 non-teaching staff⁴² were required for the functioning of each secondary school. Audit's scrutiny revealed shortage of teachers as indicated below in **Table no. 4**.

Table no. 4
Sanctioned strength and availability of teachers

Substantive shortage
in the number of
available teachers

	Number of Secondary Schools	Sanctioned strength of teachers	Required number of teachers (as per Common Education Commissions Report)	Teachers available	Shortage with reference to	
					Government norm (percentage)	Common Education Commissions Report (percentage)
At the State level	2938	34233	58760	26631	7602 (22)	32129 (55)
Test-checked schools	241	3116	4820	2492	624 (20)	2328 (48)

(Source: HRD department and school records)

⁴¹ Language:2; Mathematics and Science:2; Humanities:3; Physical education teacher:1 and Minorities teacher:1

⁴² Nine teachers for class-IX & X and 11 teachers for class XI and XII includes five technical staff and six non-technical staff

1.2.11.2 Availability of subject-wise teachers

The NPE gave great emphasis on the disciplines of science, commerce and vocational streams along with essential computer skills at the secondary education stage, so as to equip the students to face emerging technological challenges. In order to fulfil this objective, a detailed review of subject-wise availability of teachers in science, vocational and computer streams was essential.

However, no such effort to assess the requirement/ availability of teaching and support staff was made at the department level. It was also noticed that secondary school practical examinations (physics, chemistry and biology) were conducted by the Bihar School Examination Board at the school level without ensuring the availability of science teachers for evaluation.

Scrutiny of the records in 241 test-checked schools revealed shortage of subject-wise teachers as shown below in **Table no. 5**.

Table no. 5
Statement showing non-availability of subject-wise teachers

Sl. No.	Name of districts	No. of schools test - checked	No. of schools where teachers of following subjects are not available							
			Hindi	Mathematics	Sanskrit	Science			Social science	English
						Physics	Chemistry	Biology		
1	Begusarai	21	5	4	3	14	17	8	14	6
2	Bhagalpur	28	7	6	8	15	14	6	15	7
3	Katihar	16	2	3	4	8	11	2	13	0
4	Muzaffarpur	27	7	1	2	17	17	5	18	7
5	Nalanda	36	7	14	12	15	28	21	16	10
6	Nawada	18	2	5	4	9	13	5	11	4
7	Saharsa	15	4	7	2	7	11	3	9	4
8	Samastipur	29	7	5	7	19	18	6	21	8
9	Saran	26	7	6	6	14	15	11	14	4
10	Vaishali	25	8	4	5	11	15	14	16	5
	Total	241	56	55	53	129	159	81	147	55

From the above table, it is seen that the manpower required even as per the existing sanctioned strength, which was much below the norms prescribed in the Common Education Commission Report, were not available. Consequently, the fulfilment of objectives of the NPE, so far as it pertained to priority disciplines was doubtful. During the exit conference, the Principal Secretary stated that the Government had decided to appoint teachers to overcome the shortages.

1.2.11.3 Skill upgradation

In-service training to secondary school teachers is an important capacity-building component in the delivery of quality education. Such training programmes equip the teachers with the latest information, cover knowledge gaps and impart modern teaching skills for the benefit of the students. Recognising the importance of training, the department provided

(2005-08) a sum of ₹ 1.75 crore⁴³ to the State Council for Education Research and Training (SCERT) for imparting in-service training to 23780 teachers of 36 districts.

Scrutiny of records of 10 DEOs in the test-checked districts revealed that except for 316 teachers (2008-10) in Katihar district, none of the teachers in the other nine test-checked districts was provided any in-service training. No reason for not imparting in-service training to the teachers was on record. Consequently, this component was not given its due weightage.

1.2.11.4 Project Girls High School

In April 1981, the Government decided to open a minimum of one Project Girls High School in each block of the State. Further, the NPE gave special focus on the enrolment of girl students at the secondary education level. Accordingly, the department was required to formulate an implementation Plan including time frames, assessment of requirements and implementing mechanism.

Scrutiny revealed that out of 534 blocks in the State, Project Girls High Schools were opened only in 253 blocks in the State and that too, during the period 1981-85. No new schools were opened thereafter.

1.2.11.5 Teacher student ratio

Scrutiny of 22 Project Girls High schools (out of 70 schools in 10 test-checked districts) revealed that in one Project Girls High school, Bidupur Bazar (Vaishali), there were nine teachers but no student, whereas in four schools in three districts⁴⁴ the number of students ranged between 141 and 741 without having a single teacher.

1.2.11.6 Posting of teachers

In the girls schools, only female teachers were to be posted as per Government instructions (October 1982). Posting of male teachers was prohibited in such schools. However, in 16 such schools, 49 male teachers were posted, in violation of above instructions.

During the exit conference (October 2010), the Principal Secretary stated that the irregularities related to Project Girls High schools would be looked into.

1.2.12 Vocational education

Under NPE, vocational education at the secondary school level was given importance as an alternative to higher education. The objectives of vocational education were to enhance individual employability and to prepare the students for identified occupations in several areas. The identified areas included courses in health services, management, agriculture, marketing etc. with courses specially devised to cater to the needs of women, rural students

⁴³ 2005-06 : ₹ 50 lakh, 2006-07 : ₹ 25.00 lakh, 2007-08 : ₹ 100.00 lakh

⁴⁴ Katihar: 2; Nalanda: 1 and Saharsa: 1

and deprived sections of the society so as to develop their attitude, knowledge and skills for self-employment.

Scrutiny of records revealed that of the 2938 schools in the State, only 91 secondary schools were provided with three vocational courses of two years duration. Each of the three courses in such schools could accommodate 25 students. Three posts of Instructors and Laboratory Assistants were sanctioned for each school. However, records of 15 schools in the 10 test-checked districts having vocational courses revealed the following:

- In one school each of three districts,⁴⁵ vocational courses were not operational due to non-availability of instructors and laboratory assistants.
- In one school each of five districts⁴⁶, 746 students were enrolled and 648 students passed (out of appeared 737) during 2005-10 in trades for which no instructors were posted.

Vocational education was not given due importance at the secondary level

Thus, it is seen that vocational education as an alternative to higher education was not given due importance at the secondary school level. In the exit conference, the Principal Secretary stated (October 2010) that steps would be taken to improve the situation.

1.2.13 Computer education

In order to provide computer education to students and to equip them with necessary computing skills, the NPE emphasised the need for computer education at the secondary school level.

1.2.13.1 Establishment of computer centre

Based on the recommendations of the Eleventh Finance Commission and funds provided by the Government of India, the State Government sanctioned ₹ 15.91 crore (March 2003 and 2004) for establishing one computer centre in each district of the State to impart computer training to secondary school students. Of this, ₹ 11.37 crore was provided (2003-05) to National Informatics Centre Services Incorporated (NICS), Patna for computerisation and training. The balance amount (₹ 4.54 crore) was given (March 2005) to the Building Construction Department and District Magistrates for construction of buildings and purchase of generator sets. Scrutiny of the school records in the test-checked districts revealed that the buildings were completed in all the test-checked districts but generator sets were procured in seven districts⁴⁷ only. However, the number of students to whom training was given was not provided by the schools. The objective of establishing computer centres in each district did not derive benefit of the computerisation efforts to the required extent due to various reasons as indicated in *Appendix 1.2.4*.

⁴⁵ Bhagalpur, Katihar, Saharsa

⁴⁶ Begusarai, Katihar, Muzaffarpur, Nalanda, Samastipur

⁴⁷ Begusarai, Bhagalpur, Katihar, Muzaffarpur, Nalanda, Nawada and Samastipur

1.2.13.2 Implementation of Information and Communication Technology Scheme

BELTRON installed computers in only 400 out of 1700 secondary schools

During 2006-10, a sum of ₹ 16.33 crore under the Centrally Sponsored Scheme, 'Information and Communication Technology' (ICT @ Schools) and ₹104.54 crore under 'Strengthening of Plus Two Schools' were sanctioned by the State Government. The funds were drawn (March 2006 to March 2009) by the Director, Secondary Education and provided (September 2006 to June 2009) to the Bihar State Electronics Development Corporation Limited (BELTRON), Patna for providing computers with generators to 1700 secondary schools. BELTRON installed computers in only 400 schools during 2008-10. No efforts were made by the department to monitor the delivery and installation of computers, though funds continued to be released on a yearly basis to BELTRON.

Scrutiny of the records in the test-checked 241 schools revealed that computers were to be installed by BELTRON in 110 schools. However, computers with generators were installed only in 53 schools. The position of the use of computers in 53 schools was as under:

- In two schools⁴⁸ the computers were supplied in August 2008 which were not found installed by BELTRON as of July 2010.
- In four schools of three districts,⁴⁹ 22 computers costing ₹17.33 lakh were reported stolen during June 2008 to May 2009.
- In 22 schools⁵⁰ computer teachers were not available.
- Electricity was not available in 23 schools.⁵¹ Although, generators had been provided in 53 schools, only seven and 10 schools were provided funds for fuel of ₹ 2600 and ₹ 1300 respectively during the year 2008-10.

Thus due to the above mentioned reasons, the objectives of providing computers in the ICT component had not been completely fulfilled. In the exit conference, the Principal Secretary stated (October 2010) that there was an acute problem of electricity in the rural areas. He further stated that the Government had decided to have computer education on Built Own Operate Transfer MODEL in all the secondary schools for which steps were being taken. The fact remained that despite incurring expenditure of ₹ 120.87 crore, required computer education had not been provided to all the students at the secondary school level.

⁴⁸ BRB High School, Andar and Project Girls High School, Mangalgarh at Samastipur
⁴⁹ Katihar:16; Muzaffarpur: 03; and Nalanda: 03

⁵⁰ Begusarai:3; Bhagalpur:10; Nalanda:4; Saharsa:3 and Vaishali:2

⁵¹ Begusarai:4; Bhagalpur:3; Katihar:3; Muzaffarpur:2 Nalanda:5; Nawada:1; Saharsa:3; and Samastipur:2

1.2.14 Management Information System

Reliable information and communication are essential components for proper internal control of any organisation. The Management's ability to make appropriate decisions is affected by the quality of information which requires that the information must be appropriate, timely, accurate and accessible. Scrutiny of records of DEOs revealed the following deficiencies:

- At the district level, school-wise and subject-wise details regarding sanctioned posts of teachers, person-in-position, number of students, availability and requirement of classrooms, laboratories, libraries, gymnasium etc. were not available.
- No data regarding the funds allotted or expenditure incurred was available for any of the years.
- In the 10 test-checked districts, the computers installed in the DEOs office were not utilised for any MIS activity. There was no flow of MIS from the districts to the department and vice-versa.

During the exit conference, the Principal Secretary stated (October 2010) that a central monitoring system at Patna was being established and the situation would improve. Thus, the department failed in its efforts to establish a reliable MIS.

1.2.15 Monitoring and evaluation

As per departmental instructions of July 1994, DEOs and SDEOs were required to inspect at least one school per week. These departmental instructions identified the specific administrative and financial issues of schools that required special attention during these inspections. In addition to this, DEOs and District Magistrates were responsible for monitoring and evaluating the efforts made for the strengthening of the plus two education programme. Further, the department appointed (August 2008) an independent agency, viz. A.N. Sinha Institute, Patna to evaluate the efforts made to strengthen plus two education and allotted ₹ 2.32 crore (2008-10) for this initiative.

Scrutiny revealed that the administrative and financial inspections were not carried out effectively. For instance, in 12 schools where 28 periodical inspections were carried out (2005-10) by the departmental officers, no appropriate follow up action was initiated. The evaluation report (June 2009) of the A. N. Sinha Institute, Patna also highlighted lapses such as laboratory equipment and books being stored in boxes/bags for long periods without taking them in stock. Non-utilisation of funds for them intended purposes and non-completion of works for the strengthening of secondary schools were also indicated.

Though the Director, Secondary Education brought (June 2009) these deficiencies to the notice of DEOs and advised for its rectification, scrutiny revealed that no effective action was initiated by the respective DEOs in the

test-checked districts. Thus, the monitoring mechanism was found to be unsatisfactory.

1.2.16 Conclusion

The implementation of the secondary education programme in Bihar suffered right from the planning stage with lack of reliable data, absence of long term Plans and realistic Annual Plans of operations. The financial management and monitoring systems were inefficient which resulted in less utilisation of budget provision and lack of expenditure of the funds drawn. Programme implementation revealed deficiencies in infrastructure, equipment, manpower, subject-wise availability of teachers, shortage of teaching aids and largely unsuccessful attempts at implementing the National Policy on Education's objective of vocational and computer education. Periodical inspections and maintenance of records in schools were deficient and the Management Information System established did not serve its intended purpose.

Recommendations

- The department should take a fresh look at the planning process to ensure that a long term Strategic Plan and detailed Annual Plans are drawn up on the basis of reliable data regarding student population, infrastructure and manpower.
- Funding and financial management should be appropriate and relevant to programme requirements.
- The required infrastructure, teaching aids and subject-wise teachers should be provided to the schools.
- Computer and vocational education should be given due importance.
- An effective monitoring mechanism should be put in place and timely corrective measures should be taken.

HOME (JAIL) DEPARTMENT

1.3 Management of Prisons

Highlights

The management and administration of prisons fall exclusively in the domain of the State Government and are governed by the Prisons Act, 1894. The main purpose of establishing prisons is to confine offenders, provide custodial care and isolate them from the general community for a certain period of time. In addition to ensuring security, peace and tranquillity of the prisons and prisoners, the Home (Jail) Department undertakes social reclamation programmes aimed at reforming them for their rehabilitation and reintegration into society on their release from prison.

A performance audit of the management of prisons in the State revealed many significant deficiencies including instances of savings, non-production of 2604 prisoners by Central Jail, Beur, Patna in courts due to lack of transport and escorts, overcrowding in prisons due to non-completion of buildings and non-compliance of precautionary procedures. A large number of vacancies existed at the functional level of security staff and periodical inspections of the prisons were not carried out by the Inspector General of Prisons and the concerned District Magistrates.

Against the sanctioned 6140 posts of security staff, 309 posts of medical staff and 68 posts of technical staff, 4573 posts (74 per cent), 262 posts (85 per cent) and 55 posts (81 per cent) respectively were vacant.

(Paragraph 1.3.8.1)

A video linkage system established at a cost of ₹ 6.23 crore was lying idle.

(Paragraph 1.3.8.2)

There were 180 instances of recovery of prohibited items in 34 jails during 2007-10.

(Paragraph 1.3.8.3)

Buildings in the close vicinity of Central Jail, Beur (Patna) and District Jail, Ara posed security threats to the prisoners and jail staff.

(Paragraph 1.3.8.4)

Out of 518 custodial deaths in 15 jails, magisterial reports of 28 custodial deaths pertaining to seven jails were not sent to the National Human Rights Commission.

(Paragraph 1.3.8.6)

During 2005-07, the average occupancy rate of the prisons was 134 to 212 per cent of the overall capacities, which improved to an average of 106 per cent by December 2009. The improvement in the position of overcrowding was mainly due to increase in the capacities in jails.

(Paragraph 1.3.9.1)

The Inspector General of Prisons and District Magistrates did not conduct the prescribed number of inspections.

(Paragraphs 1.3.13.1)

The Board of Visitors and District level Monitoring Committees for female prisoners were not functional.

(Paragraphs 1.3.13.2 and 1.3.13.3)

There was no internal audit wing in the department.

(Paragraph 1.3.13.4)

1.3.1 Introduction

Prisons is a State subject under List II of the Seventh Schedule to the Constitution of India. The management and administration of prisons fall exclusively in the domain of the State Government and is governed by the Prisons Act, 1894 and the Prisons Manual of the State Government. The main purpose of establishing prisons is to confine offenders, provide custodial care and isolate them from the general community for a certain period of time. In addition to ensuring security, peace and tranquillity of the prisons and prisoners, the Home (Jail) Department undertakes social reclamation programmes aimed at reforming them for their rehabilitation and reintegration into society on their release from prisons.

1.3.2 Organisational set-up

The Home (Jail) Department works under the administrative control of the Home Secretary and is headed by an Inspector General of Prisons (IGP), who is assisted by an Assistant Inspector General of Prisons (AIGP), a Director (Administration), a Director (Probation), a Deputy Director (Industries) and a Prison Welfare Officer (PWO). There are six⁵² Central Jails (CJs), 33⁵³ District Jails (DJs) and 17⁵⁴ Sub Jails (SJs) (total 56 units), each headed by a Superintendent. The Superintendents work under the direct control of the IGP.

1.3.3 Scope of audit

The scope of this performance audit carried out from April to August 2010, involved test-check of records covering the period 2005-10, in the office of the IGP and 15 out of 56 prisons. The selection of the prisons was made in a manner so as to ensure state wide coverage, with nine⁵⁵ prisons being selected on the basis of the Stratified Random Sampling Method and the remaining six⁵⁶ being selected due to their uniqueness and the high risks involved in their management.

⁵² *Beur (Patna), Bhagalpur, Bhagalpur Special, Buxar, Gaya and Muzaffarpur*
⁵³ *Ara, Araria, Aurangabad, Banka, Begusarai, Betia, Bhabhua, Bhagalpur women, Biharsharif, Chapra, Darbhanga, Gopalganj, Hajipur, Jamui, Jehanabad, Katihar, Khagaria, Kishanganj, Lakhisarai, Madhepura, Madhubani, Motihari, Munger, Nawada, Phulwarisharif, Purnea, Saharsa, Samstipur, Sasaram, Sheikhpura, Sitamarhi, Siwan and Supaul*
⁵⁴ *Bagaha, Barh, Benipur, Bikramganj, Buxar, Dalsingsarai, Danapur, Daudnagar, Hilsa, Jhanjhanpur, Masaurhi, Navgachiya, Patnacity, Rosera, Sherghati, Udakishanganj and Virpur*
⁵⁵ *District Jails (Ara, Begusarai, Bhagalpur Women, Biharsharif, Motihari, Nawada and Purnea) and Sub-Jails (Bikramganj and Jhanjharpur)*
⁵⁶ *Central Jails : Beur (Patna), Bhagalpur, Bhagalpur Special, Buxar, Gaya and Muzaffarpur*

1.3.4 Audit objectives

The audit objectives were to assess whether:

- the financial management was adequate and proper;
- appropriate systems were adopted for the efficient administration of personnel;
- facilities and privileges of the prisoners as envisaged were being complied with;
- reform, employment and rehabilitation activities were consistent with Government policies and the desired objectives were being achieved;
- schemes and infrastructural projects related to improvement of prison facilities and management of prisons were effectively implemented and
- the monitoring mechanism and internal audit were effective.

1.3.5 Audit criteria

The management of prisons was assessed on the basis of the following criteria:

- Prisons Act, 1894;
- Bihar Jail Manual;
- Bihar Prisoners Parole Rules, 1973;
- Bihar Treasury Code and Bihar Financial Rules;
- Bihar Budget Manual;
- Model Prison Manual, 2003 and
- Government orders issued from time to time.

1.3.6 Audit methodology

The audit methodology included consolidation and updating of domain knowledge, preparation of audit guidelines and field visits for examination as well as collection and analysis of statistical data. Further, discussions with officers of the IGP/field offices involved in prisons management were held and documentary evidence in the form of replies to questionnaires and audit memos, copies of documents etc. were collected. The audit process also included field visits to jails with the officers of the jails.

An entry conference was held in April, 2010 with the Secretary, Home (Jail) Department to explain the scope of audit including audit objectives, methodology and to elicit information regarding the stakeholders' concerns and to incorporate them into the audit efforts. The audit findings as well as conclusions were discussed with the Secretary and the IGP during an exit conference held in November 2010 and their replies have been incorporated at appropriate places in this report.

1.3.7 Financial Management

1.3.7.1 Fund allocation and expenditure

Rule 112 of the Bihar Budget Manual (BBM) stipulates that expenditure should be as per the budget provision and in cases of savings, the same should be surrendered immediately, without waiting till the end of the financial year.

Based on the budget estimates, funds for the administration, maintenance and upkeep of prisons were provided by the Home (Jail) Department through the IGP. The budget allocations, expenditure and savings during 2005-10 is shown in **Table no. 1**.

Table no. 1
Budget allocation and expenditure

(₹ in crore)			
Year	Allocation	Expenditure	Savings
2005-06	66.65	65.80	0.85
2006-07	109.39	109.68	(-) 0.29
2007-08	190.27	189.64	0.63
2008-09	191.75	166.06	25.69
2009-10	109.51	109.15	0.36
Total	667.57	640.33	27.24

(Source: Appropriation Accounts)

As revealed in **Table no. 1**, the overall position of expenditure remained satisfactory throughout 2005-10 except during 2008-09 when there were savings of ₹ 25.69 crore. This was due to meagre expenditure under the head 'State Plan Capital Outlay on Land for jails'.

Excess expenditure of ₹ 1.77 crore during 2005-07 and 2009-10 was not regularised

Further, Rule 117 of the BBM requires that expenditure must be incurred within the funds allotted and any excess expenditure must be intimated to the Finance Department immediately for seeking a supplementary grant. However, Audit noticed six instances wherein the expenditure exceeded the provision by ₹ 1.77 crore during 2005-07 and 2009-10 (**Appendix 1.3.1**). This amount was pending regularisation (December 2010) as per Article 205 of the Constitution.

During the exit conference, the Secretary stated (November 2010) that necessary action would be taken

1.3.7.2 Drawal of funds not required for immediate payment

Rupees 93 lakh was irregularly drawn from the treasury during 2004-05 to prevent the lapse of grant

Rule 300 of the Bihar Treasury Code Volume I provide that no money is to be drawn from the treasury unless it is required for immediate disbursement and not merely to avoid lapse of appropriation. Audit scrutiny of funds received from the Eleventh Finance Commission revealed that during 2004-05, the IGP withdrew (March 2005) ₹ 93 lakh⁵⁷ for procurement of machines.⁵⁸ However, instead of procuring them, this amount was deposited in '8443 Civil Deposit'

⁵⁷ Bill No. 280/04-05 (₹ 84.35 lakh) and Bill No. 281/04-05 (₹ 8.65 lakh)

⁵⁸ Power looms and Printing machines

and thereafter, spent during 2007-08 (₹ 38.60 lakh) and 2009-10 (₹ 54.40 lakh). Thus the funds remained irregularly deposited in 'Civil Deposit' and unutilised for three to four years.

During the exit conference, the Secretary stated (November 2010) that though tenders were floated thrice, they could not be finalised as no valid quotation was received. Thereafter, with a lot of effort, the machines were procured and installed and were working.

The departmental reply is not acceptable since the drawal of money and its deposit into Civil Deposit without any valid quotation was contrary to the above BTC provision.

1.3.7.3 Diversion of purchase funds

Rupees 1.44 crore meant for purchase of raw materials was diverted for payment of VAT

In compliance of the Bihar Value Added Tax (VAT) Act, 2005, VAT was to be recovered from the sale of items manufactured in jail and deposited into the Government account. Audit of records of Central Jails (CJs), Bhagalpur and Buxar revealed that instead of depositing the VAT received from the sale of items in the proper head of account i.e. Major Head '0040-Taxes on Sales, Trade etc.', the Superintendents of Jails deposited (2005-10) the same under the Head '0056-Jail Receipts'. Later on, they withdrew ₹ 1.44 crore⁵⁹ from the raw material purchase allotments and deposited this amount as VAT. This resulted in irregular credit of receipts and irregular booking of expenditure without actual receipt/expenditure. In response to an audit query, the Superintendents, CJ, Buxar and Bhagalpur admitted this and stated that directions of the IGP would be taken in this regard.

During the exit conference, the IGP stated (November 2010) that for the gainful employment of convicted prisoners, industries were established in jails. Hence, jail industry was not a commercial activity and required exemption from VAT.

The reply was not relevant and hence not acceptable because compliance to the VAT provisions was mandatory.

1.3.7.4 Reconciliation of expenditure

Expenditure of ₹ 184.41 crore not reconciled

Rule 475 (VIII) of the BFR requires heads of departments to reconcile on a monthly basis, the figures of receipt and expenditure maintained in the departments with those maintained in the books of the Accountant General (A&E). Audit revealed that during 2005-06, 2006-07, 2008-09 and 2009-10 expenditure of ₹ 65.80 crore, ₹ 46.41 crore, ₹ 64.37 crore and ₹ 7.83 crore respectively, remained unreconciled.

During the exit conference, the Secretary directed (November 2010) the IGP to reconcile the figures within a week by deputing officials from the Inspectorate.

⁵⁹ CJ, Bhagalpur- ₹ 0.05 crore, Buxar- ₹ 1.39 crore

1.3.8 Prison Security

Section 6 of Prisons Act, 1894 and Rule 8 of Chapter II of the Bihar Jail Manual requires the Government to determine the strength of security staff of each prison for the smooth and safe management of jails.

1.3.8.1 Shortage of security staff

Against 6140 sanctioned posts of security staff, 4573 posts were vacant

Audit of records in the IGP's office revealed that out of 6140 sanctioned posts of security staff, 4573 posts (74 per cent) were vacant (July 2010) as indicated in **Table no. 2.**

Table no. 2
Shortage of security staff

Sl. No.	Name of the post	Sanctioned post	In position	Vacancy	Percentage vacancy
1	Superintendent	57	33	24	42
2	Deputy Superintendent	02	0	02	100
3	Jailors	43	31	12	28
4	Assistant Jailors	201	58	143	71
5	Chief Head Warder	39	3	36	92
6	Head Warder	550	186	364	66
7	Warder (male)	5091	1152	3939	77
8	Warder (female)	157	104	53	34
Total		6140	1567	4573	74

The Model Prison Manual states that the ideal ratio between the guarding staff i.e. warders and prisoners should be 1:6. However, the ratio as per the sanctioned strength ranged between 1:5 and 1:38, while the ratio as per the actual men-in-position varied between 1:7 and 1:65 in the test-checked jails (*Appendix 1.3.2*).

There was acute shortage of medical, accounts, technical and sanitary staff

Similarly, there was acute shortage (between 74 to 100 per cent) of medical, accounts, technical and sanitary staff as detailed in **Table no. 3.**

Table no. 3
Shortage of medical, accounts, technical and sanitary staff

Sl. No.	Name of the post	Sanctioned post	In position	Vacancy	Vacancy percentage
1	Medical Officer	107	28	79	74
2	Compounder	101	07	94	93
3	Dresser	101	12	89	88
4	Technical staff	68	13	55	81
5	Accounts officer	32	0	32	100
6	Accounts staff	23	0	23	100
7	Sanitary labour	525	0	525	100
	Total	957	60	897	94

No reasons for these vacancies were available on record. The shortage of critical security personnel was likely to have an adverse impact on the safety and security of the jail. Shortage of technical and accounts personnel would have adversely affected the infrastructure and account keeping of the jails.

During the exit conference, the Secretary stated (November 2010) that the Staff Selection Commission had been approached for selection of Warder and sanction for hiring 154 Medical Officers on contract basis had been obtained. The Secretary also stated that the hiring of services of ex-Servicemen was also being considered.

1.3.8.2 Modern security equipment in the prisons

CCTVs were not working in two jails and partially working in three jails

In order to strengthen prison security, the State Government (2007-08) accorded sanction for purchase and installation of modern security equipment such as closed circuit televisions (CCTVs), walkie-talkies, X-ray searching devices, hand-held metal detectors (HHMD), door metal detectors etc. For this, ₹ 15.95 crore was provided (2007-08) to BELTRON. Audit of progress reports of BELTRON provided by the IGP office, revealed that while most of the CCTVs were functioning satisfactorily, 12 HHMDs (₹ 1.62 lakh) and 225 walkie-talkies (₹ 25.13 lakh) were not made available to six CJs and 38 other jails (*Appendix 1.3.3*) respectively.

Scrutiny in test-checked jails revealed that CCTVs were not working in CJ, Beur (Patna), Bhagalpur Special and partially working in DJ, Ara, Biharsharif and SJ, Bikramganj. Further, BELTRON supplied only one door frame detector and only one HHMD in CJ, Gaya and DJ, Begusarai respectively but showed two in each jail in their report.

Video Linkage System worth ₹ 6.23 crore was not working in 41 jails

Further, in order to reduce the security risk involved in transporting prisoners to courts for trials and for speedy disposal of their cases, the State Government decided to introduce (November 2007) a Video Linkage System (VLS) to connect all six CJs, 32 DJs and seven SJs with the courts concerned. The proposal involved installation of monitors and digital cameras at both ends with connectivity through International/Inter-State Standardised Digital Network (ISDN) lines. This work was entrusted to the BELTRON and ₹ 6.48 crore was provided (January 2008) to them. Though VLS was installed in all six CJs, 32 DJs and five SJs, audit revealed that this system was working only in CJ, Beur, Patna and DJ, Phulwarisharif, Patna. The hardware worth ₹ 6.23 crore installed in the remaining jails was lying idle due to lack of routers, modems and ISDN connectivity.

During the exit conference, the IGP stated (November 2010) that batteries of 110 walkie-talkies had been replaced and another 100 batteries would be replaced within a week. BELTRON had been directed to procure the equipment and make the system operational. He further stated that BELTRON had assured ((November 2010) that 100 units of the system were expected to become operational within six weeks.

The reply indicates that the department did not regularly monitor the operationalisation of VLS, resulting in delays in this ambitious scheme.

1.3.8.3 Recovery of prohibited items

Gate Registers were not properly maintained

Section 21 of the Prisons Act, 1894 read with Rule 315 of BJM and IGP Circular (October, 1991) requires jail gate keepers to maintain Gate Registers

(BJ forms 24 and 25) indicating details of all persons and items entering or exiting the jails along with quantities and signatures of the suppliers. These entries are to be made serially and continuously. Every evening, after lock up, the Jailors are required to give certificates indicating the last serial number. These are required to be countersigned the next day by the Superintendents at the time of opening of the jail gates. Audit revealed that:

- gate registers did not have the certificates of the Jailor and counter signature of the Superintendents in CJ, Bhagalpur, Bhagalpur Special, Buxar, DJ, Purnea and Bhagalpur Women.
- serial numbering in gate registers was not done in CJ, Bhagalpur, CJ, Bhagalpur Special, CJ, Buxar and DJ, Purnea (*Appendix 1.3.4*);
- blank spaces were there between dates (Special CJ, Bhagalpur and DJ, Purnea) (*Appendix 1.3.4*) and
- there were corrections in serial numbers (CJ, Buxar) (*Appendix 1.3.4*).

There were 180 instances of recovery of prohibited items in 34 jails during 2007-10

Rule 615 of the BJM lists the articles⁶⁰ prohibited inside jails. Scrutiny of records in the IGP's office revealed that there were 180 instances of recovery of prohibited items⁶¹ in 34 jails during 2007-10 (*Appendix 1.3.5*) whereas no data was available for periods prior to April 2007. Recovery of prohibited items was indicative of the laxity of the prison gatekeepers with resultant security threat to the jail staff and prisoners.

Scrutiny in the test-checked jails revealed that the list of recovery of prohibited items was not available in eight ⁶² jails and there were differences in the figures of recovery of prohibited items maintained in the DJ, Biharsharif and in the IGP's office. Consequently, the very purpose of the gate register was defeated in these jails and the actual entry and exit of persons/items was not ensured/checked.

During the exit conference, the IGP accepted (November 2010) the finding and stated that the recoveries indicated alertness of the jail staff. Scanners had been installed to prevent the entry of prohibited articles inside the jail. The IGP further stated that jail staff found guilty in such matters had been punished. However, the IGP had issued direction (December 2010) to maintain the gate registers properly.

The number of incidents of seizure pointed to the need for review and strengthening of the entry and exit procedures of prisoners and their proper search each time they entered the jail premises after court appearances,

⁶⁰ *Alcohol or spirituous liquor of any kind, materials for chewing except tobacco, bhang, ganja, opium, any other drug or poisonous articles, poisonous materials, materials for making fire, or materials which would cause disfiguration, cash, ornaments, knives, arms, ropes, any implement capable of assisting escape of prisoners, firearms, weapons, any other article which had not been issued for the use of prisoners from the jail stores and supplies*

⁶¹ *The items recovered were pistols, bullets, hammers, chhennis, knives, televisions, heaters, stoves, kerosene-oil, utensils, pulses, flour, wires, ropes, narcotics, drugs, liquor, mobile phones, diaries, etc.*

⁶² *CJ, Bhagalpur, Buxar, Gaya, DJ, Ara, Motihari, Nawada, Purnea and SJ, Jhanjharpur*

medical treatment, etc. The procedure in respect of visitors also needed review.

1.3.8.4 High-rise buildings in the vicinity of prison

There were multistoried buildings within the prohibited limit of jails

The Model Prison Manual, 2003⁶³, prohibits building construction within 150, 100 and 50 metres of prison walls of CJs, DJs and SJs respectively. Such buildings could pose security threats to the prisoners and the jail staff, making them prone to attacks from outside and facilitate easy interaction between the prisoners and outsiders. Field visits to 15 jails revealed that there were many multistoried buildings within this prohibited limit in two jails as detailed below:

Central Jail, Beur, Patna

Central Jail, Beur, Patna had in its close vicinity, a public road and buildings. The Chief Secretary directed (February 2008) the DM, Patna to remove encroachments and take steps for land acquisition. A field visit to this jail, however, indicated that neither had the encroachments been removed nor had any action been taken for acquisition of land.

Due to non-removal of encroachments and non-acquisition of land, 10 cases of throwing of prohibited items in the jail from the outside, between June 2007 and December 2009 were also noticed.

District Jail, Ara

DJ, Ara is located in a Naxalite infested area. The land in front of the main gate and the southern side of the main perimeter wall has been encroached upon and many multistoried buildings and drainage have been constructed. Though DM, Ara directed (July 2009) the Sub Divisional Officer, Ara to remove the encroachments, there was no progress in this regard (August 2010). Audit scrutiny further revealed that two prisoners had escaped from the jail in July 2008.

During the exit conference, the Secretary stated (November 2010) that the department was conscious of the Manual and of buildings in the jail vicinity and further stated that an 18 feet high outer perimeter wall had been constructed to reduce the security risks and additional precautionary measures would be taken.

The reply is not satisfactory as the Chief Secretary's direction was not complied with in case of CJ, Beur, Patna.

⁶³ Yet to be adopted

1.3.8.5 Precautionary Procedures

Alarm Parades

Entries regarding alarm parades were not made in the Jailors' Report Books

Rule 443 of the BJM requires the Superintendent to conduct fortnightly surprise alarm parades to ensure readiness against jail break attempts. The results of the alarm parades are to be recorded in the Jailor's Report-Book (BJ Register 2). Audit revealed that in nine⁶⁴ out of 15 test-checked jails, this register was not being maintained.

During the exit conference, the Secretary stated (November 2010) that though alarm parades were conducted, maintenance of the registers would be ensured so as to have proof of conduct of the same.

Search of wards

Rule 234 of the BJM, read with a letter dated September 2003 from the Additional Home Secretary cum IGP requires the search of every ward by Superintendents at least once a month. Audit of the test-checked jails revealed that except for the CJ, Bhagalpur, Buxar, Beur (Patna) and Special CJ Bhagalpur, where there were a few searches by Superintendents during 2005-10, none of the other Superintendents searched the wards.

During the exit conference, the Secretary stated (November 2010) that this had been noted for future compliance.

1.3.8.6 Pending reports relating to custodial death

Out of 518 custodial deaths, 28 magisterial inquiry reports were still pending in respect of seven jails

General instructions issued by the Human Rights Commission (1993) required all State Governments to report custodial deaths within 24 hours of their occurrence. This was to be followed by post-mortem reports, magisterial inquiry reports, video recording reports of the post-mortems etc. In January 2001, the National Human Rights Commission (NHRC) reiterated these instructions and prescribed a time limit of two months within which the reports were to be sent to them. Audit scrutiny of relevant records in the test checked jails and the IGP's office revealed that out of 518 custodial deaths (2005-10), 28 magisterial inquiry reports were still pending (2005-10) in respect of seven jails (*Appendix 1.3.6*). No data regarding custodial death reports had been sent to NHRC from the IGP's office.

During the exit conference, the Secretary stated (November 2010), that now this had been streamlined and directed the IGP to make the pending reports 'nil'.

⁶⁴ CJs (Buxar , Gaya), DJs (Ara, Begusarai, Biharsharif, Motihari, Nawada) and SJs (Bikramganj and Jhanjharpur)

1.3.9 Facilities and privileges for prisoners

1.3.9.1 Overcrowding in the prisons

Jails still overcrowded despite improvement in occupancy rates during 2005-09

Rules 1110 and 1111 of the BJM requires that the capacity of prisons should be regulated by scales of cubical space and lateral ventilation prescribed for each prisoner. The capacity, actual occupancy and the percentage of occupancy of prisoners in all prisons of the State is indicated in **Table no. 4**.

Table no. 4
Prison occupancy in the State

Calendar Year	Total capacity	Actual occupancy	Percentage occupancy rate
2005	21657	45818	211.56
2006	24117	44281	183.60
2007	29598	39638	133.92
2008	31885	37709	118.27
2009	31760*	33711	106.14

*Capacity decreased in DJs Lakhisarai, Madhubani, Samastipur, Sheikhpura and SJ Bagaha
(Source: IGP office)

Table no. 4 reveals that the problem of overcrowding was severe during 2005-07, the average occupancy rate being 134 to 212 *per cent* of the overall capacities which improved to an average of 106 *per cent* during 2009. The improvement in the position of overcrowding was mainly due to increase in the capacities in jails and decrease in the actual occupancy. The prison-wise details of occupancy (**Appendix 1.3.7**) however, reveal that the overcrowding was still severe in 12 jails, where it ranged between 211 and 464 *per cent* of their capacities (December 2009).

During the exit conference, the IGP stated (November 2010) that overcrowding in prisons was not a permanent problem and the updated statistics (June 2010) showed that 30331 prisoners were confined against the capacity of 31937. The IGP further stated that new jails and wards were under different phases of construction and the capacity was expected to increase considerably.

The fact, however, remains that overcrowding in prisons resulted in denial of the entitled space to the prisoners and put pressure on utilities such as water supply and sewerage systems. The work load on the security staff also increased, hampering their ability to control crime and violence in prisons. Besides, there were possibilities of jail breaks as seen from the Action Taken Report of Jehanabad jail breaks (November 2005) and as mentioned in the Action Plan 2003-04 for the Prison Reforms Scheme.

1.3.9.2 Open Jail

Commissioning of Open Jail delayed

In order to create an atmosphere conducive to the development of prisoners' skills and talents, to help them contribute to society and to adopt a progressive approach, the State Government adopted (2006-07) the concept of Open Prisons under the Prison Reforms Scheme. The first Open Jail was to be set up at Buxar at a cost of ₹ 4.10 crore with 100 huts for which funds were released

in February 2008. The construction work allotted to the Infrastructure Development Authority (IDA) was slow, with the buildings being completed only up to the roof level, except for the administrative building. Consequently, this progressive component of the Prison Reforms Scheme could not be implemented (November 2010).

During the exit conference, the Secretary stated (November 2010) that the IDA had been requested for completion of the project. The work of this ambitious scheme was being reviewed regularly from August 2010 and the work was expected to be completed by December 2010. The fact, however, remains that the progress of construction was slow as there was no proper monitoring before August 2010.

1.3.9.3 Wages

In the light of the Supreme Court's order dated September 1998 a 'Work Assignment Committee' was constituted (July 1999) under the chairmanship of the IGP for recommendation of wages. This Committee recommended minimum wages at ₹ 12, ₹ 10 and ₹ eight per day for hard, medium and light categories of labour respectively. These wages were to be credited every Monday in a ledger and a savings account was to be opened in the names of the convicts in the nearest post offices. Thereafter, two-thirds of the monthly wages were to be credited in the said accounts and the balance one-third of the wages into a general fund set up to compensate the victims or their family members. The fund was to be administered by a Trust. On the basis of the aforesaid Committee's recommendations, a resolution was issued (October 1999). Scrutiny of records of the IGP and test-checked jails revealed that

- no such trust was formed;
- no funds were disbursed to the aggrieved victims and their families;
- the weekly record of wages earned by prisoners was not maintained, depriving oversight authorities from ascertaining instances of less payment or non-payment of wages to prisoners.
- though the State Government revised the minimum wages at ₹ 102 w.e.f. April 2009, the prisoners continued to be paid at the July 1999 rate of minimum wages at ₹ 51.

Weekly wage records of prisoners were not maintained and revised wage rates were not paid to the prisoners

During the exit conference, the Secretary stated (November 2010) that the monthly records of wages earned were being maintained. However, the wage revision process had been started and the process of formation of the Trust would be initiated so that the aggrieved victims could get some relief. The fact, however, remains that even after the lapse of more than 10 years since the resolution was issued, the department was still to compensate the victims and their family members.

1.3.9.4 Prisoners' Welfare Fund

The Home (Special) Department's resolution (December 2008) provided for the setting up of a Prisoners' Welfare Fund to be administered by a committee with the Jail Superintendent as Chairman and the Jailer, Assistant Jailer (AJ),

Medical Officer (MO) and three prisoners as members. The main source of funds was the profit of sales in the prison canteen and Government grants. Detailed norms for operationalisation of this fund were to be fixed by the IGP.

Scrutiny of the records in the IGP's office and the test-checked jails revealed that neither was this committee constituted nor did the IGP fix norms as required. Consequently, no grant was given by the Government.

During the exit conference, the Secretary directed (November 2010) the IGP to speed up the system of formation of the committee so that welfare measures for the prisoners might be started.

1.3.9.5 Supply verification

Rule 1052 of the BJM and IGP's circular dated June 1990 stipulate that the Superintendent, Jailor and Assistant Jailor in charge of rations have to provide a joint certificate indicating that the diet articles received are correct in weight and quality. Scrutiny of records revealed that no joint verification certificate (of the Superintendent, Jailor and Assistant Jailor) was given in 13⁶⁵ out of 15 test-checked jails.

No physical verification was conducted by the magistrates in 10 test-checked jails

Instructions issued (March 2002) by the IGP required that food articles supplied to jails were to be physically verified by a magistrate on the same day itself, failing which payments were not to be released. Thereafter, the articles were to be entered in the Stock Register and when the delivery was complete, the District Purchase Committee (DPC) was to make random checks for quality and quantity. Scrutiny of records revealed that no physical verification was conducted by the magistrates in 10⁶⁶ out of 15 test-checked jails during 2005-10. Besides, the DPC did not conduct random checks in eight⁶⁷ out of 15 test-checked jails during 2005-10.

Supply register not maintained

The IGP's instructions prescribed (May 2004) that a register in the specified format should be maintained for all supplies. This register was not maintained in the test-checked jails. This pointed to the fact that the jail administration did not ensure the quantity and quality of the supplied articles.

During the exit conference, the Secretary asked the IGP (November 2010) to issue directions to DMs for deputing magistrates to ascertain and verify the supplied articles on the dates of supply.

1.3.9.6 Quantity and quality of food supplied to prisoners

Rule 1036 of the BJM requires the Superintendent and the Medical Officer to inspect the cooked food in jails at least once every week without any previous notice. This inspection must also include the weight of food distributed to

⁶⁵ CJ, Beur (Patna), Bhagalpur, Bhagalpur Special, Buxar, Gaya, Muzaffarpur, DJ, Begusarai, Bhagalpur women, Biharsharif, Motihari, Purnea, SJ, Bikramganj and Jhanjharpur

⁶⁶ CJ, Beur (Patna), Bhagalpur, Bhagalpur Special, Buxar, Gaya, Muzaffarpur, DJ, Begusarai, Bhagalpur women, Purnea, SJ, Jhanjharpur

⁶⁷ CJ, Beur (Patna), Bhagalpur, Bhagalpur Special, Buxar, Gaya, DJ, Begusarai, Bhagalpur women, Purnea

prisoners. However, this provision was not complied with in any of the test-checked jails.

1.3.9.7 Formation of Bandi Panchayat

No Bandi Panchayat was set-up in nine test-checked jails

Prisoners were given the privilege of electing their representatives to the Bandi (Prisoner) Panchayat which looked after the distribution of food, sanitation and planning of recreation activities. Further, the IGP's circulars (November 1991 and March 1992) mentioned that for every 100 prisoners or part thereof, one Bandi Panchayat member was to be elected who would be responsible for certifying the quantity and quality of food and other articles supplied to the prisoners. Audit revealed that no Bandi Panchayat member was elected in the nine⁶⁸ out of 15 test-checked jails. Consequently, the quantity and quality of meals and other articles supplied to the prisoners could not be vouched for.

During the exit conference, the Secretary directed (November 2010) the IGP to strictly comply with the instructions.

1.3.9.8 Infrastructure in Jail Hospitals

There were no ambulances in 10 test-checked jails and no X-ray machines in six test-checked jails

Audit scrutiny revealed that there was no ambulance in 10⁶⁹ of the test-checked jails and only one in CJ, Gaya against the required two. Further scrutiny revealed that there was no X-ray machine in six⁷⁰ jails, no blood pressure machine in two⁷¹ jails, no stethoscope in five⁷² jails and no weighing machine in four⁷³ jails.

1.3.10 Rehabilitation of prisoners

Provision of small scale industries in Prisons

Rule 751 of the BJM stipulates that the ultimate objective of the prison administration was reformation and rehabilitation of offenders, shifting its emphasis from the custody and control of prisoners to their training and treatment, so as to make them responsible members of the civil society by the time they complete their sentences and leave the jails. For this, each jail is to concentrate on one or two main industries and their produce is to be utilised for jail requirements and the balances are to be purchased by Government departments.

Industries were not established in 48 jails

Scrutiny of the IGP's records revealed that prison industries were established in all six CJs and in two DJs (Phulwarisharif and Chhapra) prior to April 2005 but not in the remaining 48 jails. Consequently, 22052 prisoners

⁶⁸ CJ, Gaya, DJ, Ara, Begusarai, Biharsharif, Motihari, Nawada, Purnea, Sub jail, Bikramganj, Jhanjharpur

⁶⁹ CJ, Bhagalpur, DJ, Ara, Begusarai, Bhagalpur women, Biharsharif, Motihari, Nawada, Purnea, SJ, Bikramganj, Jhanjharpur

⁷⁰ CJ, Bhagalpur, Bhagalpur Special, DJ, Bhagalpur women, Nawada, SJ, Bikramganj, Jhanjharpur

⁷¹ DJ, Bhagalpur women, SJ, Bikramganj

⁷² DJ, Begusarai, Bhagalpur women, Purnea, SJ, Bikramganj, Jhanjharpur

⁷³ DJ, Begusarai, Bhagalpur women, Purnea and SJ, Bikramganj

(December 2009) in 48 jails were denied the opportunities of training in gainful industrial activities, defeating the very objectives envisaged by the department.

During the exit conference, the Secretary stated that the department was planning to train convicts for micro-small industries.

1.3.11 Infrastructure

Infrastructure is a very important pre - requisite for the effective management of prisons. The availability of appropriate, secure and sufficient infrastructure ensures not only that the prisoners are provided with their entitlements, but also plays a significant role in their mental and physical well being. Scrutiny of the availability, adequacy and appropriateness of existing infrastructure in the 15 test-checked jails revealed the following deficiencies:

1.3.11.1 Incomplete works under Prisons Reforms Scheme

A scheme for Prison Reforms was launched (2002) by the Ministry of Home Affairs, Government of India (GOI) under Non-Plan with funds to be shared in the ratio of 75 per cent (GOI) and 25 per cent (State Government). Though initially the scheme was to be implemented over a period of five years (2002-07), it was extended up to March 2009 without any additional funds. The scheme envisaged construction of additional jails to reduce overcrowding, repairs and renovation of existing jails, improvement in sanitation, water supply and living accommodation for jail staff.

The GOI guidelines required the projects executed under the scheme to be reviewed by an Empowered Committee (EC) headed by the Chief Secretary.

The Perspective Plan and Annual Plan were prepared by the State. The Empowered Committee was constituted (July 2003) to review the scheme. The funds allocated and drawn under this scheme upto 2004-05 were ₹ 73.61 crore and ₹ 31.58 crore respectively. The yearly allocations and drawals during 2005-09 are given in **Table no. 5**:

Table no. 5
Allocations and Drawals for Prisons Reforms Scheme during 2005-09
(₹ in crore)

Year	Allocation	Surrender	Drawal	Lapse
2005-06	72.04	56.70	14.83	0.51
2006-07	109.54	22.77	59.32	27.45
2007-08	51.65	NIL	51.65	NIL
2008-09	55.25	0.38	54.72	0.15
Total	288.48	79.85	180.52	28.11

(Source: Detailed Appropriation Accounts)

Lack of monitoring by EC resulted in meagre expenditure of ₹ 49.12 crore out of drawal of ₹ 212.10 crore

The preceding details and **Table no. 5** indicate that upto March 2009, against the total allocation of ₹ 362.09 crore, the drawals were to the extent of ₹ 212.10 crore only. However, the progress report of the Building Construction Department, the Infrastructure Development Agency and the Public Health Engineering Department indicated that only ₹ 49.12 crore⁷⁴ was spent up to March 2010. Rupees 22.03 crore drawn by the department in March 2009 was transferred to the Building Construction department (for construction/repairs of wards in jails) in March 2010. An unspent amount of ₹ 162.98 crore was still lying with the implementing agencies.

Under this scheme, different construction works were to be done as given in **Table no. 6**.

Table no. 6
Targets and achievements of construction work

Sl. No.	Item of construction	Target	Achievement	Percentage of achievement
1	Jails	9	1	11
2	Toilets	3119	666	21
3	Central watch tower	5	0	0
4	Joint perimeter wall	1	1	100
5	Second Perimeter wall	1	0	0
6	Staff quarters, warder barrack and Guard barrack	267	5	2
7	Prison wards	99	2	2
8	High security wards	3	2	67
9	Watch tower	61	17	28
10	New Boundary wall	1	1	100
11	Kitchen	50	8	16

Table no. 6 exhibits that though the target for construction of joint perimeter wall and new boundary wall was achieved, no central watch tower and second perimeter wall was constructed. The percentage of achievement of other construction works ranged between two and 67 *per cent* only. Further scrutiny revealed that the EC headed by the Chief Secretary did not conduct quarterly reviews of the scheme as envisaged in the guidelines.

Thus the scheme was implemented without taking the actual time frame of achievement of targets as envisaged in the Perspective Plan and Annual Plan. Lack of monitoring by the Empowered Committee resulted in poor achievement of the targets and an amount of ₹ 162.98 crore was lying with the implementing agencies.

During the exit conference, the Secretary stated (November 2010) that since the Prison Reforms Scheme was over, the State Plan Funds would be utilised for completion of the incomplete schemes. He also stated that reviews were being conducted regularly from January 2009.

⁷⁴ BCD- ₹ 36.57 crore, IDA- ₹ 11.59 crore and PHED- ₹ 0.96 crore

1.3.11.2 Purchase of Vehicles

As a part of strengthening the jail infrastructure, the State Government sanctioned (March 2008) ₹ 4.89 crore for purchase of vehicles for transportation of prisoners and jail officials and ambulances. The proposal involved purchase of 33 Mahindra Jeeps, six Maruti Gypsies, 53 Mahindra Marshal Ambulances and six Tata Buses.

Part of funds sanctioned for purchase of vehicles was surrendered and the balance was allowed to lapse

Audit revealed that ₹ 2.35 crore was surrendered (31.03.2008) because the process of purchase was not completed and ₹ 2.54 crore was allowed to lapse (31.03.08) due to late submission of bills in the treasury. In two of the 15 test-checked jails, instances of prisoners not being produced in court on time were noticed. For instance, in CJ, Beur, Patna, 2604 prisoners were not produced in court due to the non-availability of prisoner vans and escorts between April 2008 and July 2008, leading to delays in legal proceedings.

During the exit conference, the Secretary stated (November 2010) that the bills were handed over by treasury at 10 pm in the night of 31 March 2008 and State Bank of India refused to accept the said bills at that time. The Secretary also stated that the Action Plan would be made in such a way that last moment drawals are avoided.

1.3.12 Inventory Control

1.3.12.1 Verification of stores and stock

No stock verification done in seven jails during 2005-10

Rule 76 of the BJM requires the Jail Superintendent to examine all stores, machinery, plant, tools, etc. and submit half-yearly returns (ending June and December) to the IGP and to conduct physical verification including counting, measurement or weighing of all stock at the close of the financial year. However, no half-yearly examination of stock was conducted (2005-10) in seven jails⁷⁵.

In Central Jail, Bhagalpur, it was observed that a new stock register for raw material and dead stock was opened w.e.f. September 2006 but the closing balances of raw materials and dead stock worth ₹ 5.75 lakh and ₹ 0.85 lakh respectively were not carry forwarded correctly (*Appendix 1.3.8*). In reply, the Superintendent replied (June 2010) that the matter was brought to the notice of the IGP in November 2007 for necessary action. Though nearly three years had lapsed, no action had been initiated by the IGP (September 2010).

During the exit conference, the IGP stated (November 2010) that a committee comprising AIG, Superintendents of Special Central Jail, Bhagalpur and Central Jail, Bhagalpur had done site inspection and submitted its report and the matter was under review.

⁷⁵ DJ, Begusarai, Biharsarif, Motihari, Nawada, and Purnea SJ, Bikramganj, Jhanjharpur

1.3.12.2 Disposal of scrap and condemned articles

Scrap materials and condemned articles valuing ₹ 10.54 lakh were not disposed off

Rules 142 to 145 of the BFR prescribes the procedure for disposal of goods declared surplus, obsolete or unserviceable, if the same are of no use to the department. Scrutiny of records of CJ, Bhagalpur and Buxar revealed that scrap materials and condemned articles valued ₹ 10.54 lakh held from 2006-07 were not disposed off (*Appendix 1.3.9*).

Non-disposal led to accumulation of surplus, obsolete or unserviceable goods and consequential blockage of space. Also, there was deterioration in value of goods to be disposed off.

During the exit conference, the IGP stated (November 2010) that the condemnation process had been started.

1.3.12.3 Idle machinery

In CJ, Buxar, it was noticed that carding and spinning machines was non-operational for the last 10 years (*Appendix 1.3.10*). No action was taken by the jail authorities to get the machine repaired. Cotton yarn worth ₹ 49.90 lakh was purchased (2005-10) from outside for making cotton cloth due to non-functioning of carding and spinning machines. In reply, Superintendent, CJ, Buxar informed (August 2010) that he was intimating the IGP for necessary action.

During the exit conference, the Secretary stated (November 2010) that spares were not available as the machines were old (1949). After inspection, the condemnation procedure was in progress.

1.3.13 Monitoring and internal audit**1.3.13.1 Inspection of jails**

The IGP carried out only seven inspections during 2005-10 against the required 101 inspections in all the 15 test-checked jails

Rule 31 of the BJM requires the IGP to inspect every CJ, DJ and SJ twice in a year, once in a year and once in two years respectively on issues relating to jail conditions, accounts and discipline. Further, Rule 32 of the BJM requires him to enter in the Visitor's Minute Book, a brief memorandum of the condition of the jail. If the jail condition is unsatisfactory, a copy of this memorandum, with explanation of the Superintendent and the DM is submitted to the Government for information and orders. Further, as per Rule 33 of the BJM the IGP is also required to submit an annual report to the Government about the jail administration, statistics of prisoners and details of inspections. Scrutiny revealed that during 2005-10, only seven inspections were carried out against the required 101 inspections in all 15 test-checked jails (*Appendix 1.3.11*) and no annual reports were submitted to the Government.

DMs carried out only 12 inspections during 2005-10 against the required 790 in 15 test-checked jails

Further, as per Rule 43 of the BJM and Rule 26 of subsidiary BJM, the DM has to personally visit the CJ/DJ once a month and the SJ once in a year. Audit revealed that only 12 inspections were carried out against the required 790 in six CJs, seven DJs and two SJs (*Appendix 1.3.12*) falling under the

jurisdiction of DMs in 13 districts. Thus the monitoring of the functioning and security of the jails was deficient and indicated weak internal controls.

During the exit conference, the Secretary stated (November 2010) that delegation of power for such inspections was under consideration for strict compliance.

1.3.13.2 Constitution of Boards of Visitors

Boards of Visitors were not constituted in 15 test-checked jails

Rule 47 to 50 of the BJM provides for constitution of a Board of Visitors with ex-officio and non-official members for each prison. This Board is required to conduct inspections of DJ and CJ weekly and fortnightly respectively by sending a visitor. The visitors' inspection had to include 15⁷⁶ points. Scrutiny in the test-checked jails revealed that Boards of Visitors was not constituted (July 2010).

During the exit conference, the Secretary stated (November 2010) that necessary steps would be taken for making the committee functional.

Thus the prisoners were deprived of the opportunity for redressal of their complaints and petitions through the Boards of Visitors.

1.3.13.3 District Level Monitoring Committee for female prisoners

District Level Monitoring Committees for female prisoners was not constituted in 15 test-checked jails

As per the IGP's circular of April 2004, DMs were required to form District Level Monitoring Committees for female prisoners under the Chairmanship of the Additional Collector/Senior Executive Magistrate with one female officer nominated by the DM and one lady Medical Officer as its member. This Committee had to visit every jail having female prisoners, once in every three months and report to the IGP through the DMs concerned. Audit revealed that no such committee was constituted in any test-checked jail depriving the female prisoners of the opportunity for redressal of their complaints and petitions.

During the exit conference, the Secretary stated (November 2010) that steps for making the committees functional would be taken.

1.3.13.4 Internal audit

No internal audit wing in the department

Internal audit examines and evaluates the level of compliance to departmental rules, regulations and procedures so as to provide assurance to the management on the adequacy of risk management and internal control framework. The department had no any internal audit wing. Deficiencies in the maintenance of records and accounts and other irregularities mentioned in preceding paragraphs could have been detected for remedial action if these had been subjected to internal audit.

⁷⁶ Accommodation, appeals, bathing, buildings, cells, classification, clothing and bedding, conservancy, dietary, discipline, health, labour, lunatics, under trial prisoners and water supply

During the exit conference, the Secretary stated (November 2010) that this would be taken into consideration.

1.3.14 Model Prison Manual

Model Prison Manual 2003 was not adopted

Though the GOI forwarded (December 2003) a copy of the Model Prison Manual 2003 to the State Government for adoption and implementation, the same was still under review.

During the exit conference, the Secretary stated (November 2010) that expert prison consultants had been engaged to study the draft manual prepared by the department in the light of national and international best practices and this was likely to be completed in the next two to three months.

1.3.15 Conclusion

Performance audit of management of prisons in Bihar revealed several deficiencies. There were acute staff shortages. Modern security equipment was either not provided or not working properly. The works sanctioned under the Scheme of Prison Reforms remained incomplete. Delays were observed in the commissioning of an Open Jail; Boards of Visitors were not constituted and inspections of prisons were not carried out regularly by the IG and concerned DMs. There were deficiencies in the monitoring of food and other supplies to prisoners; regular stock verifications were not conducted; delays were noticed in the disposal of obsolete stores and essential records and registers were not maintained. Even after the lapse of seven years, the Model Prison Manual formulated by the Government of India was not adopted.

Recommendations

The department may examine and consider the following recommendations:

- strengthening and modernising the security arrangements by installation of electronic security devices;
- conducting a manpower review to rationalise the deployment of staff for better management of prisons;
- ensuring better housing, balanced diet and proper medical attention on a timely basis to prisoners;
- improving the existing infrastructure to solve overcrowding in prisons;
- strengthening the implementation of the open jail system;
- strengthening the monitoring and internal control mechanism for better management of prisons and
- ensuring implementation of the Model Prison Manual.

FINANCE DEPARTMENT

1.4 Information Technology audit of General Provident Fund System

Highlights

The Directorate of Provident Fund was responsible for maintaining the General Provident Fund (GPF) accounts of employees of the All India Services officers posted in Bihar and officers/officials of the Bihar Government. For this purpose, application software (Bhavishyanidhi) developed through National Informatics Centre Services Incorporated (NICSI) in 2005. Performance audit of General Provident Fund system was conducted to evaluate the efficiency and effectiveness of the system as well as the adequacy of controls in terms of its stated objectives.

The State did not formulate any IT policy before development of the software through National Informatics Centre Services Incorporated and its implementation. The department also failed to develop key performance indicator to evaluate the performance of the department in an IT environment.

(Paragraph 1.4.8.1)

The department did not ensure that basic document such as the System Design Documents were prepared by NICSI. Hence, the department was dependent upon the provider.

(Paragraph 1.4.8.2)

Password control procedures were non-existent making the database vulnerable to manipulations.

(Paragraph 1.4.8.5)

There was no provision for Disaster Recovery and Business Continuity Plan were not maintained. Consequently, the completeness, reliability and integrity of the data backup in the department cannot be vouched for.

(Paragraph 1.4.8.6)

Lack of input control resulted in unreliable data base.

(Paragraph 1.4.9.1)

While the Annual GPF account statements were issued to only 11 to 55 per cent of the subscribers, the Web enabled service facility could not be extended to State wide GPF subscribers.

(Paragraph 1.4.9.3 & 1.4.10.1)

Non-utilisation of existing features of application led to avoidable manual processes.

(Paragraph 1.4.11)

1.4.1 Introduction

The Bihar General Provident Fund Rules, 1948 based on the Provident Fund Act, 1925 mandates enrolment of all Government employees as its subscribers. In Bihar, the Directorate of Provident Fund (DPF) was established w.e.f. 1st April 1986, under the Finance Department. This office was responsible for maintaining the GPF accounts of subscriptions, advances,

withdrawals and final payments from the GPF accounts. The DPF was also entrusted with the issuing of the annual GPF statements of employees of All India Services posted in Bihar and officers/officials of the Bihar Government.

The District Provident Fund Offices (DPFO) works under the overall control and supervision of the DPF and maintains the GPF accounts of staff posted in the concerned districts. The DDOs (Drawing and Disbursing Officers) in the respective government offices are responsible for making deductions from the salaries of the officers/officials and to submit an account of such deductions to the concerned treasury. The Treasury Offices in turn send a "Monthly Schedule" of such deductions/advances/withdrawals to the concerned DPFO for making entry into their GPF accounts.

1.4.2 Basis for introduction of a computerised GPF setup

On the recommendations of the 11th Finance Commission, the Government of India (GOI) sanctioned and released ₹ 2.59 crore⁷⁷ for the computerization of GPF Offices in the State. The DPF entered into a Memorandum of Understanding (MoU) (February 2003) with National Informatics Centre Services Incorporated (NICS), a Government of India enterprises under National Informatics Centre (NIC) for the computerization project with the period of completion as three months from the date of release of funds.

In order to supervise the execution of this project the Finance Department constituted (March, 2003) a Co-ordination Committee under the Chairmanship of Additional Finance Commissioner, the Joint Commissioner (Accounts Administration) and NICS representative as members. Though the time frame for completion of this project was three months, this schedule was not adhered to by NICS and the project was finally completed in the year 2005.

1.4.3 Objectives of the computerisation project

The computerisation of GPF accounts in Bihar aimed to achieve the following objectives:-

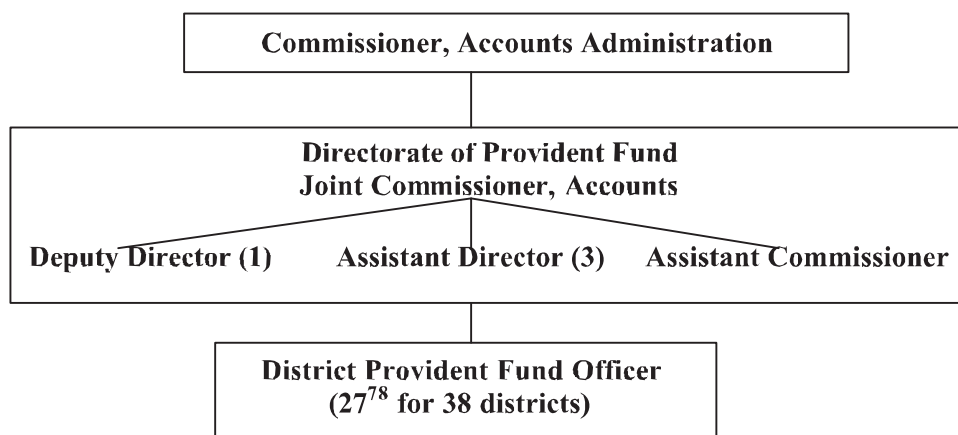
- to capture the GPF contribution data, balances, transfers, maintenance of master data and records and entry of backlog schedules;
- to establish a centralized databank in the Directorate of GPF and to introduce a new, modern and futuristic work culture utilizing IT enabled tools;
- generation of annual GPF Accounts Slips and
- to develop an efficient GPF accounting system while ensuring proper book keeping, reducing staff work and elimination of delays.

1.4.4 Organisational set-up

The GPF offices work under the overall control of Commissioner, Accounts Administration of the Finance Department. The Directorate of Provident Fund

⁷⁷ ₹ 1,29,42,000 in April 2003 and ₹ 1,29,41,875 in December 2003

is headed by a Joint Commissioner, Accounts who was assisted by one Deputy Director, three Assistant Directors and one Assistant Commissioner at the State level. The District level GPF offices are headed by the District Provident Fund Officer. (DPFOs)



1.4.5 Scope of Audit

The performance audit covered the period from 2005-06 to 2009-10 and was conducted during April to August 2010 in the offices of the Directorate, Provident Fund (DPF) and 10⁷⁹ out of 27 District Provident Fund Offices. The selection of DPFOs was made randomly through Computer Assisted Audit Techniques (CAATs). The audit effort involved the analysis of GPF data maintained in the offices of the DPF and test-checked DPFOs relating to the records maintained in an IT environment with the manual records, procurement and security of hardware and software, training of personnel, updating the GPF debits and credits and timely issuance of Annual GPF Statements to the subscribers.

1.4.6 Audit objectives

The audit objectives aimed to assess whether the introduction of computerisation resulted in:

- improvement in the quality of records of GPF accounts;
- clearance of arrears in postings, maintenance of data integrity and reliability for generation of reliable and useful reports;

⁷⁸ (1) Aurangabad (2) Begusarai (3) Bettiah (4) Bhagalpur (Banka) (5) Bhojpur (Buxar) (6) Chapra (7) Darbhanga (8) Gaya (9) Gopalganj (10) Jehanabad (Arwal) (11) Katihar (12) Khagaria (13) Madhepura (14) Madhubani (15) Munger (Lakhisarai, Shekhpura, Jamui) (16) Muzaffarpur (17) Motihari (18) Nalanda (19) Nawada (20) Patna (21) Purnea (Kishanganj, Araria) (22) Saharsa (Supaul) (23) Samastipur (24) Sasaram (Kaimur) (25) Sitamarhi (Sheohar) (26) Siwan, (27) Vaishali

⁷⁹ Begusarai, Bhagalpur, Bhojpur (Ara), Darbhanga, Madhepura, Muzaffarpur, Purnea, Saharsa, Samastipur & Vaishali

- the reduction of manual processes thereby facilitating the introduction of a new work culture and a more efficient and reliable customer services;
- provision of essential system safeguards including access control regimes to ensure data integrity and reliability and the creation of a centralised data bank and
- the training imparted to the departmental personnel resulted in covering knowledge gaps and in creating a pool of officials qualified to handle the IT enabled system.

1.4.7 Audit criteria and methodology

Computer Assisted Audit Techniques (CAATs) were used for data analysis. Questionnaires, audit memos, personal interviews and interactions with the officers of the department were utilised to obtain the relevant information about the project. GPF data maintained by the test-checked DPFOs were verified from the concerned treasury records. An exit conference was held (November 2010) with the Principal Secretary, Finance Department, Government of Bihar. All the points raised in audit were discussed though the replies of the department are still awaited (December 2010).

1.4.8 General Controls

1.4.8.1 IT Policy and Planning

As per draft IT policy 2009 of Government of Bihar, the success of any project implementation depends to a large extent on devising a reliable, appropriate and workable implementation plan. Such plans must essentially prescribe a system of clear cut hierarchy of roles and responsibilities, appropriate delegation of powers, implementation procedures and deadlines and be clearly systematised and institutionalised as general system controls.

Lack of implementation policy, time frames, roles and responsibility led to incomplete IT based GPF application

Audit scrutiny of the general system controls revealed that contrary to the above requirements, no clear cut implementation guidelines, timeframes, roles responsibilities or delegations were prescribed by the Co-ordination Committee. Consequently, though the NICSI succeeded in developing an IT based GPF application, it was yet to formulate and institutionalise an IT policy for the State. Further, neither did the department evolve any key performance indicators required for performance evaluation nor did they conduct any cost benefit analysis before undertaking the development of the various system control applications.

This resulted in an anomalous situation wherein though the department got developed an IT application without even going through the phases of formulation, standardisation and codification of an appropriate and implementable IT policy yet, the department did not develop any relevant key performance indicators and detail the user requirements or conduct any cost benefit analysis before entering into the agreement with NICSI.

1.4.8.2 System Documentation

Department was dependent on software provider due to lack of system design documentation

It was observed that neither did the department insist upon nor did NICSI make available any system design documentation in respect of the IT Application. This resulted in the organization becoming totally dependent upon the software provider for any change/modification required to be made in the system.

1.4.8.3 Purchase and installation of software

The MoU between NICSI and DPF provided for the purchase of the operating system and software for installation of the GPF package. Accordingly, NICSI was to provide LINUX operation system as the operating platform, Oracle 9i as the work group server and Oracle 6i for running the software *Bhavisyanidhi*.

Scrutiny of the software installed and operating in the DPF and test-checked DPFOs revealed that NICSI had in deviation to the MoU and without obtaining any formal approval from the DPF substituted LINUX operating software with MS-Windows Server 2003. In addition, the *Bhavisyanidhi* software was running on the MS-SQL Server-7, instead of Oracle as the database backend and Visual Basic as the front end. It was also noticed that NICSI did not submit any evaluation report regarding the suitability of the software nor did they consider any cost implications due to this deviation.

Rupees 25.76 lakh were paid to vendor despite deviation in installation of software

Instead, NICSI issued an incorrect installation certificate mentioning Oracle 9i instead of the installed MS SQL-Server 7. No installation certificates regarding the other two softwares were provided by NICSI, though a claim of ₹ 25.76 lakh has been made for this purpose. The DPF also did not make any efforts to ensure installation of the software as per MoU nor did they make any efforts to evaluate the advantages or cost implications of the installed software by the department.

In reply, DPF mentioned (August 2010) that NICSI's reply in this regard would be communicated soon.

1.4.8.4 Training

Avoidable payment of ₹ 1.11 crore was made due to shortfall in training

The MoU required NICSI to organize two spells of specialised training on the application software for 500 personnel of the DPF and DPFO offices in the State. For this, though the DPF advanced (April 2003) ₹ 10.00 lakh to NICSI, they conducted just one round of training (between September 2003 and March 2004) for 282 officials. NICSI, however, submitted bills for the entire ₹ 10.00 lakh given as advance. To make good this shortfall in trained personnel the DPF hired 51 Data Entry Operators. This resulted in an avoidable payment of ₹ 1.11 crore to these personnel on account of their wages for assisting in data entry operations. Though the matter has been reported (September 2010) to the Department, their reply is awaited (December 2010).

1.4.8.5 IS Security

● Access control mechanism

An effective access controls system seeks to prevent unauthorized access to the information system and requires the establishment of well defined formal procedures and protocol to be in place. Further, allocation and prioritization of access rights to information system and services are also essential.

Scrutiny revealed that there was no well-defined or documented password policy. Password control procedures like restriction on unsuccessful login attempts by the users or automatic lapse of password after a predefined period and periodical change of passwords after a certain period were non-existent. During audit, it was also seen that all users had the privileges of the database administrator, thus rendering the data base vulnerable to manipulation at all levels. Consequently, the possibility of unauthorized access, tampering of data and other malpractices cannot be ruled out.

On being pointed out (June 2010), the department stated (August 2010) that NICSI has been requested to provide the facilities.

● Environmental control

Proper security measures were not followed by the department to safeguard the IT assets

At the district level, the DPFOs are responsible for ensuring the proper security and up-keep of computers and for the maintenance of the site. It was however observed that:

- Sufficient measures were not taken in three⁸⁰ of the test-checked districts to safeguard against power failure, since no backup power supply system was available.
- Fire extinguishers were not installed in any of the test-checked districts and in the DPF to protect the system from fire hazards. Water leakage problem was also found in four⁸¹ of the test-checked districts.

● Antivirus

We observed that at DPFOs, the antivirus software was not regularly updated, rendering the system prone to risk of loss/corruption of critical data.

1.4.8.6 Disaster Recovery and Business Continuity Plan

The establishment of an adequate Information Disaster Management and Recovery System is a very important component in maintaining the data security and integrity within a computerised environment. Consequently, an organization must take all essential steps to ensure that it is adequately prepared to cope with the loss of operational capability due to any natural or manmade disasters. Such a plan is critical to ensure that the information system can promptly restore operations and recover data in the event of a disaster.

⁸⁰ Begusarai, Bhojpur and Samastipur

⁸¹ Bhagalpur, Darbhanga, Muzaffarpur and Purnea

Due to lack of adequate Disaster Recovery and Business Continuity Plan, reliability and integrity of backup data cannot be vouched for

Audit revealed that though the DPF was the custodian of the State Public Accounts held in trust, it had no well documented Disaster Recovery and Business Continuity Plan outlining the information processing capabilities and to prevent loss of the subscribers critical investment data. Further, the department's backup was maintained in the server and this back up data was never tested. Consequently, the integrity of back up data held by the DPF could not be vouched for. This data was also not kept outside the premises as back up measures. For instance, when the server of DPFO, Samastipur got corrupted in July 2010, that office did not have the back up and ultimately the data had to be obtained from the audit office in August 2010.

On being pointed out the department stated (August 2010) that regular data backup is being taken for ensuring data restoration in the case of emergency and to ensure that this is not lost. It is however a fact that the back-up data was not available and wherever available on server it was not tested.

1.4.8.7 Non-maintenance of essential records

Some of the prime objectives of the GPF computerisation project were to improve the quality of book keeping records relating to the subscribers, clearance of back logs in data entry, ensuring data integrity and the generation of reliable and useful reports. Further, Finance Department Resolution of May 1984, and letters June 1998 and October 1999 required the DPFOs to maintain the subscriber's Broad Sheets, Ledgers and Register of Un-posted items.

Reliability and integrity of subscriber's data could not be ensured due to non-maintenance of essential records

Audit of records in the test-checked DPFOs revealed that the above requirements were not being complied with except in Purnea. Consequently, not only the main objective of the project was compromised upon, but even the reliability and integrity of subscriber data entered into the system itself could not be vouched for.

On being pointed out, the DPF stated (August 2010) that non-maintenance of broad sheet, register of un-posted items and GPF ledger was due to non-receipt of schedules from the treasuries on a regular basis.

The reply is not relevant since the maintenance of GPF data and records is the responsibility of the DPF who did not ensure its maintenance, correctness and reliability even in cases where the treasury schedules were available.

1.4.9 Application Controls

1.4.9.1 Input Control and Validation Checks:

The data analysis of GPF database using Computer Assisted Audit Techniques showed that the database was incomplete, inaccurate and accepting junk data entries as illustrated below:

Lack of input control led to incomplete and incorrect database

- Treasury Voucher Numbers (TV Nos.) of 2005-10 were given as zero in 27,59,645 records out of 28,84,926.
- Basic pay of the subscribers were not captured in 26.15 lakh records out of 28.85 lakh records during the year 2005-10.

- Basic pay was shown as ₹ 4 in 24 records in DPFO office, Bhagalpur and in 48 records shown as ₹ 526344.00 in DPFO office, Muzaffarpur.
- Subscriber numbers were blank in 47 records and given 1 or 2 numeric/alpha numeric numbers in 1334 records and AG-0 in 264 records in DPF, Patna.
- GPF subscriptions were shown as zero in 240 cases in DPFO office, Darbhanga.
- In 196 records, subscriptions were shown before the year 1905-1906 in DPFO Saharsa. In 144 cases, GPF number was shown with junk value i.e. 'Arrariah', 'Knmnm' and C:\winn\Hinhens.s.
- 2 cases of subscription entry for the year 2010-2011 and 2011-2012 were found (May 2010) in database of DPF, Patna, and 2 cases were also found (May 2010) in DPFO Darbhanga for the year 2011-12.
- Refunds of refundable advance were not entered in the database. As per treasury schedules of GPF advances of 2009-10, 13942 subscribers had taken refundable/non-refundable advances amounting to ₹ 137.08 crores. But the Directorate and DPFOs booked advances of 214 subscribers only, amounting to ₹ 3.57 crores. The remaining amount of ₹ 133.51 crores was not debited to the subscriber accounts (October 2010).

The concerned DPFOs stated that the differences will be deducted from the individual subscriber's account at the time of up-dation of accounts or final payment of GPF. It indicated that the required constraints were not included in the software programme to check the validity of the data and subscribers accounts were not updated regularly.

1.4.9.2 Data entry from collateral evidence

Instructions issued by the DPF (July 2000) provided for subscriber's data entry on collateral basis only in cases where the original treasury schedules were not available. Audit revealed that DPFOs were regularly exercising this exception and posting entries on the basis of DDO certification without even ensuring /checking the availability of the original treasury schedules. Consequently, the reliability of such data entered without even exercising the minimum internal controls, makes it vulnerable to over payments as illustrated in the **Table no. 1**.

Dependency on collateral evidence led to the prospect of overpayment to the subscribers

Table no. 1
Difference in drawal shown by the treasury and collateral evidence

Sl No.	Subscription Year	G.P.F. Account No.	Drawal shown in Treasury (in ₹)	Drawal shown in collateral evidence (in ₹)	Difference (in ₹)
1.	1994-95	MDP/EDN/645	25000	2500	22500
2.	2006-07	MDP/EDN/645	60000	6000	54000
	Total				76500

1.4.9.3 Annual GPF statement to subscribers

Due to incomplete and non-updated database only 11 to 55 per cent annual GPF statements were issued to subscribers

Timely issuance of annual GPF statements to all subscribers was one the main objectives of GPF computerisation. Further, Directorate letter (October 99) required that the annual statements were to be issued to the subscribers every year. It was observed that due to incomplete and non-updated database, the percentage of GPF annual statement issued during 2005-10 in the test-checked districts ranged between 11 to 55 per cent only.

1.4.10 System Design & Implementation

1.4.10.1 Centralised Database and Web-enabling

One of the main objectives of GPF computerisation project was to maintain a centralised database at the DPF level for the smooth balance transfer in case of subscribers being transferred from the jurisdiction of one DPFO to another and to eliminate fraud in the final settlement of accounts on retirement. Audit, however, revealed that the DPF did not take any initiative for the establishment of this database during the pendency of this agreement.

Further to ensure transparency and better customer satisfaction, the DPF proposed to make available all subscriber information such as master details, account balance etc. on the net for access by the subscribers, using the browser interface on password based validation. The DPFOs were responsible for arranging the necessary telephone leased lines for establishing the dial up network required for internet connectivity. For this purpose, ten (10) external modems, two servers and twenty six clients PCs having internal modems were purchased (July-August 2003). Audit scrutiny revealed that except for the subscribers of the DPF office, none of the other subscribers falling within the jurisdiction of 27 DPFOs could be extended this facility.

Web enabled subscriber information system facility restricted to only Directorate level

On being pointed out, the DPF stated (August 2010) that it had taken steps for implementation of online system with a central database and the same is under design stage.

The reply is not acceptable since the GPF project itself was to be completed within three month (May 2003). Also the web enabled subscriber information system proved to have very limited reach and the full value for money could not be derived.

1.4.10.2 Report Generation

Due to non-generation of mandatory reports the department could not get the full benefits from software

The MoU with NICSI mentioned that the installed software would be capable of generating mandatory reports such as the list of pending files, list of receipts/dispatch on a particular date, list of files received from the department, file movement history and status of files and receipt and dispatch registers.

However, audit scrutiny revealed that contrary to the above claim, the application software was able to generate only two reports i.e. list of receipts and list of dispatch on a particular date. The DPF did not take any initiative to

rectify the shortcomings in the software and therefore, could not get the full benefit of the software package.

In reply to the audit observation, the department stated that NICS I has been asked to rectify the defects.

Other Points of Interest

1.4.11 Non-utilisation of existing features

In order to derive more benefits from GPF project, it was specified in the approved project proposal for GPF computerisation that all files in the DPF and DPFOs offices, letters and other correspondences would be diarised with their categorisation and be allotted a unique number. Further the monitoring of files and letters movement was also proposed to be done through the IT system at appropriate levels.

It was observed, this facility was not utilised by nine of the ten test-checked districts, though provision of the same existed in all these offices.

The Department replied (August 2010) that the diary flow systems were not used by the officers concerned reportedly due to excessive work pressure and maintenance of dual system of record keeping. The movements of files were so fast, that the need to use the diary flow could not be felt. Secondly, continuous monitoring of the work flow is done through log-books and movement registers, which is a manual process.

The Department's reply of non-utilisation of this facility quoting excess work pressure is contradicted by stating that the movements of files are very fast. The reply is not acceptable, since one of the objectives of the GPF project was to reduce the manual processes, thereby facilitating a more efficient and reliable customer services.

1.4.12 Avoidable excess interest amounting to ₹ 32.16 lakh paid to the subscribers due to delay in final payments

Due to delay in finalising the final payment cases avoidable excess interest of ₹ 32.16 lakh were paid to subscribers

The Directorate, GPF, Government of Bihar vide letters⁸² ordered that in case any excess interest becomes payable to the subscriber due to delay in finalising the final payments, this excess amount will be recovered from personnel responsible for such delays. But, it was observed that though the DPF had developed an application system (Bhavishyanidhi), the necessary alerts for the said instructions and the final date of issue of the Register of Closed Accounts were not incorporated in the system. Resultantly, ₹ 32.16 lakh were paid as interest to 104 subscribers in seven⁸³ districts by DPFOs, due to delay in finalization and payment by DDOs. Though in some cases

⁸² Letter No. GPF/01-441/2002/9264 dated 24.12.2002 followed by letter No. 2524 dated 10.04.2003

⁸³ Bhojpur (9 subscriber : ₹ 0.96 lakh) , Darbhanga (14 subscriber : ₹ 8.84 lakh), Madhepura (29 subscriber : ₹ 6.58 lakh), Muzaffarpur (11 subscriber : ₹ 3.84 lakh), Purnea (16 subscriber : ₹ 5.04 lakh), Saharsa (19 subscriber : ₹ 5.31 lakh), Samastipur (6 subscriber : ₹ 1.59 lakh)

DPFOs fixed the responsibilities, no action to recover the loss from the responsible personnel have been taken till date (August 2010). On being pointed out the DPFOs replied that matter would be taken up with the concerned DDOs for recovery from the responsible persons. The replies of DPFOs are not acceptable since, it was the duty of DPFOs to monitor these instances till recoveries were affected.

1.4.13 Conclusion

The introduction of a computerised GPF accounting system in the State of Bihar has not been able to achieve its intended results. The programme suffered right from its inception and planning stages. Proper attention was not given to frame a clear cut IT policy for the State and the decision to introduce a system of computerised GPF accounting system in the State was prompted more to comply with the recommendations of the XI Finance Commission rather than any other pressing considerations. The programme implementation too suffered in the absence of critical System Design Documents, installation of operating platforms and system software different from those contracted in the MoU with NICS, inadequate number of trained personnel and avoidable hiring of Data Entry Operators. Further, the full benefits envisaged under the proposal such as quick settlement of subscribers final payments, creation of a statewide database or even the basic office procedure software for file and letter tracking system could not be utilised. The phases involving on-line application had not been implemented.

Recommendations

The department may examine deficiencies and consider the following recommendations:

- frame IT Policy specific to the departmental needs, under the overall framework of State IT Policy;
- ensure preparation of the System Design Documentation and updation;
- establish through validation checks to ensure the integrity and reliability of all mandatory records and centralised database;
- ensure establishment of an effective access control mechanism for allocation and prioritization to access the information system and
- establish an effective Disaster Recovery and Business Continuity Plan.

CHAPTER II

AUDIT OF TRANSACTIONS

2.1 Fraudulent payment/misappropriation/losses

WATER RESOURCES DEPARTMENT

2.1.1 Loss to State Government

Incorrect interpretation of Government of India instructions led to a loss of ₹ 1.49 crore to the State Government.

Ministry of Water Resources, Government of India (GOI) directed (February 2004 and November 2008) that the expenditure under the Command Area Development and Water Management Programme (CADWMP) would be shared equally by GOI and the State Government on a 50:50 basis. These instructions also envisaged that the State Government would mandatorily recover 10 *per cent* of the total expenditure from the beneficiary farmers as part of the State's share on select components.¹

Test check (April 2010) of the records of the Executive Engineer, Sone Command Area Development Agency (SCADA), Dehri Division, Rohtas and information collected (September 2010) from Secretary, SCADA, Patna revealed that during 2005-10, an expenditure of ₹ 28.91 crore was incurred on select components for execution of 685 scheme works in five² divisions of the Sone Command Area. Consequently, ₹ 2.89 crore (10 *per cent* of the total cost) was required to be recovered from the beneficiary farmers.

However, the State Government directed (December 2004) that only 10 *per cent* of the State's share of expenditure (five *per cent* of the total expenditure) was to be recovered from the beneficiary farmers, instead of 10 *per cent* of the total expenditure as required under the GOI instructions. Consequently, SCADA recovered only ₹ 1.40 crore from the beneficiary farmers in these five divisions. This resulted in less recovery of ₹ 1.49 crore (five *per cent* of the total cost of the works executed).

In reply, the department stated (August 2010) that it was not practically possible to recover 10 *per cent* of the total expenditure on works as farmers' contribution because the majority of the farmers possessed less than one acre of land. Consequently, a decision was taken by the State Empowered Committee followed by Cabinet approval to recover only 10 *per cent* of the State's share (five *per cent* of the total expenditure) from the beneficiary farmers. He, however, stated that a provision regarding recovery of

¹ Select components are those components which are essential for optimum utilisation of created irrigation potential, such as on-farm development (OFD) works, reclamation of water-logged areas etc.

² Ara, Aurangabad, Bhabhua, Dehri and Khagaul

10 per cent of the total expenditure from the beneficiary farmers from 2009-10 onwards would be made in the ensuing sanction orders of the Government.

The reply is in itself, an admission of the Government deviating from the CADWMP guidelines under which 50 per cent assistance from the GOI was being extended to the State Government. Further, the State Government was not authorised to alter the CADWMP provisions under which it was mandatory to recover a minimum of 10 per cent of the total estimated cost of work from the beneficiary farmers.

Thus, non-adherence to and deviation from the provision made in the GOI instructions resulted in a loss of ₹ 1.49 crore to the State Government.

2.1.2 Fraudulent and excess payment for bitumen

There was fraudulent payment of ₹ 11.93 lakh and excess payment of ₹ 0.98 lakh without verification of bitumen invoices.

Based on the revised technical sanction³ for the work of pre-mix carpeting with built-up spray grout (BUSG) over water bound macadam (WBM) on the service road of Durgawati main canal from 22.01 km to 33.53 km under Water Ways Division (WWD), Mohania, Bhabhua, an agreement was entered into (March 2007) with an agency for ₹ 1.18 crore for completion of the work within three months i.e. by June 2007. The agency was paid (December 2008) ₹ 1.20 crore for the work done up to the 10th on-account bill (December 2008).

Test check (March 2010) of records of the Executive Engineer (EE), WWD, Mohania revealed that the agency submitted 20 bitumen invoices for 181.453 MT. Against these, payments were made for 184.42 MT bitumen i.e. for an excess of 2.967 MT bitumen as per the 10th on-account bill resulting in excess payment of ₹ 0.98⁴ lakh to the agency. Further, four invoices totalling 36.308 MT, submitted by the agency, were found to be duplicate copies as they bore the same invoice number. On verification (April 2010), the Indian Oil Corporation (IOC) confirmed that only 145.145 MT bitumen was lifted by the agency against the relevant supply order. This resulted in a fraudulent payment of ₹ 11.93⁵ lakh.

Thus, the failure of EE, WWD, Mohania in scrutinising the documents properly resulted in excess payment of ₹ 0.98 lakh and fraudulent payment of ₹ 11.93 lakh.

³ Accorded by the Chief Engineer, Water Resources Department, Dehri for ₹ 1.08 crore in December 2006

⁴

Payment made for	184.420 MT	
Challan submitted for	<u>181.453 MT</u>	
Differential quantity for which excess		
Payment made	=	2.967 MT
Excess Amount paid	=	₹ $\frac{298328.25}{9.077} \times 2.967 = ₹ 97515$ or ₹ 0.98 lakh

⁵ 4 invoices of 9.077 MT at the rate of ₹ 298328.25/9.077 MT = ₹ 1193313/- (including VAT)

In reply, the EE, WWD, Mohania mentioned (March 2010) that the facts would be communicated to Audit after proper investigations. The department, in its reply, stated (August 2010) that the EE had already rejected the four duplicate bitumen invoices and payments made were by way of on-account bills to the agency for 184.42 MT of bitumen on the basis of the material statement. The final bill of the work had not yet been prepared and after verification of the invoice with the IOC, any excess payment would be adjusted or recovered from the final bill or security deposit of the work.

The replies are not acceptable and are an admission that payments were made without proper verification and authentication of the bitumen invoices. The assertion that the four duplicate bitumen invoices were rejected by the EE is also not true since the EE had even submitted these challans to the Commercial Tax Officer, Circle Bhabhua, Kaimur for calculation of VAT also. Thus, the failure of the EE, WWD, Mohania to detect the duplicate invoices for 36.308 MT and excess consumption of 2.967 MT bitumen resulted in fraudulent payments of ₹ 11.93 lakh and excess payment of ₹ 0.98 lakh to the agency.

HEALTH DEPARTMENT

2.1.3 Loss due to irregular interest payment

There was loss to the Government due to irregular interest payment of ₹ 3.52 crore to RINPAS.

For indoor treatment of patients in the Ranchi Institute of Neuro Psychiatry and Allied Sciences (RINPAS), Kanke, Ranchi (Jharkhand State) a consolidated charge of ₹ 500 per patient per day was to be levied from the Government of the States to which the patients belonged. These bills were to be raised by Director, RINPAS on a quarterly basis against the concerned States and a penal interest of 15 *per cent* was also payable for delays beyond 30 days from the date of receipt of the bill.

Test check (July 2009) of records of the Under Secretary (US), Health Department revealed that against a demand by RINPAS, payment of ₹ 7.11 crore was released (November 2000) by the State Government for the period April to October 2000. However, Director, RINPAS did not submit the bill to the treasury within its validity period (31.03.2001) and the payment could not be realised.

Thereafter, in a joint meeting (September 2001), the payment liability of the State for the unified period was mutually agreed at 74.71 *per cent* based on the population ratio (Bihar:Jharkhand). Accordingly the payment liability was reduced to ₹ 5.31 crore and an amount of ₹ 2.65 crore (50 *per cent*) was released (May 2003). In April 2007, RINPAS worked out the due and drawn statement and charged interest of ₹ 3.52 crore for the unpaid amount for which payment was accordingly made (October 2007) by the State.

However, this payment of interest of ₹ 3.52 crore by the State Government was not justified since the Government of Bihar had released the payment of ₹ 7.11 crore (November 2000) on time. The issue of non-payment arose due to Director RINPAS not presenting the bill to the treasury on time. Since this lapse was on the part of Director, RINPAS, the imposing of interest by RINPAS and its payment by Bihar Government is irregular.

On this being reported (August 2010) to the Government, the Principal Secretary, Health Department, Government of Bihar stated (September 2010) that ₹ 7.11 crore was provided as grant-in-aid to the Director RINPAS, but owing to its receipt in the afternoon of 15.11.2000, being the date of bifurcation of the State, the same could not be drawn and the Government of Bihar had to pay ₹ 3.52 crore as interest to Director, RINPAS.

The reply is not acceptable since there was no difficulty in drawing the payment during the period of its validity. Also, mentioning bifurcation of the State as the reason for non-drawal is not acceptable since it was mandatory on the part of the treasury of even the newly created States to honour financial instruments of the erstwhile States followed by *post facto* adjustment/regularisation of such presented instruments with the former State.

Thus, the payment of ₹ 3.52 crore as interest to RINPAS was irregular and a loss to the Government.

RURAL DEVELOPMENT DEPARTMENT

2.1.4 *Fraudulent payment and unfruitful expenditure*

There was unfruitful expenditure of ₹ 1.58 crore (including excess payment of ₹ 18 lakh and fraudulent payment of ₹ 4.39 lakh) on incomplete work of erection of high mast lights.

Under the Member of Legislative Assembly (MLA) Development Scheme (1980-81), a grant-in-aid of ₹ one crore is allotted to each MLA to enable him/her to recommend small welfare schemes in his/her constituency. This amount was made available to the District Rural Development Agency (DRDA) headed by the Deputy Development Commissioner (DDC)-cum-Managing Director (MD) of the concerned district for implementation.

Test check (May 2009) of the records of DDC-cum-MD, DRDA, Araria revealed that the installation of 36 high mast lights in four blocks⁶ (nine in each block) of four constituencies (Araria, Forbisganj, Jokihat and Raniganj) was recommended by the respective MLAs under the MLA Development

⁶ (1) **Araria:** ADB Chowk, R.S. Bazar, Bhagat Tola, Meera Talkies, Pachkauri Chowk, Town Hall, Madanpur bazaar, Araria Thakurbhari and Gorhi Chowk, (2) **Forbesganj:** Netaji Chowk, Patel Chowk, Simraha bazaar, Parwaha Hat, Referral Hospital, Dindayal chowk, Bari chowk, Birpur chowk and East of Station, (3) **Jokihat:** Jokihat Bazar, Purana Hatia, Bhevra chowk, High Schoolchowk, College chowk, Referral Hospital Gate, Dak banglow gate, Telephone Exchange and Thengapur chowk, (4) **Raniganj:** Bhatgama, Block campus, Diwan tola, Kala Balua chowk, Gitwas bazar, Hansa chowk, Kamaldev residev tola, Basaithi Hat and Parsa hat

Scheme. The total cost⁷ of the work was ₹ 1.98 crore (₹ 5.49 lakh for each high mast light). Accordingly, the DRDA, Araria executed agreements (September 2007) with an agency and issued (October 2007) four work orders for completion of the work in one month from the date of the work order. As per the agreement, 50 *per cent* of the estimated cost was to be paid to the agency at the time of issuing the work order, 30 *per cent* after inspection of the supplied materials, 10 *per cent* after commissioning of the high mast lights, and the balance 10 *per cent* after four months. Further, failure of the agency to execute the work within the stipulated period entailed forfeiture of the security money, blacklisting of the contractor and recovery of the advance with interest.

Scrutiny further revealed that even after the lapse of 31 months (as of July 2010) from the date of issue of the work orders, only 26 out of 36 high mast light towers, without luminaries, were erected while no foundation work was done in respect of the remaining 10 towers. However, the agency was paid ₹ 1.58 crore⁸ though work amounting to ₹ 1.40 crore only was executed (July 2010).

It was observed that the DRDA had not initiated any penal action against the defaulting agency for the recovery of excess payment of ₹ 18 lakh (₹ 1.58 crore - ₹ 1.40 crore) or for non-completion of the work in time. Instead, it kept reminding (December 2007 to April 2009) the agency to complete the work/refund the advance. On this being pointed out (May 2009) by audit, the Director, Accounts, DRDA Araria lodged (October 2009) an FIR against the agency for defalcation of Government money and violation of the work order and agreement, along with a copy to the Superintendent of Police (SP), Araria with the request to arrest the defaulters.

The matter was reported (June and August 2010) to the Government. While the Special Secretary, RWD, categorically stated (September 2010) that his department only released the allotment and the work was executed through the DDC, Araria, the latter, at the instance of Principal Secretary informed (September 2010) that he was merely concerned with issuing work orders for the same and transferring the finished works to the concerned panchayats/blocks/department after their completion report, and not to the whereabouts of the items/materials brought at site or any place by the agency. No reason for delay was given by him or by the department.

Meanwhile, a joint physical verification (September 2010) conducted by Audit along with a DRDA officer in Araria revealed that one (at Town Hall, besides M.P. Residence, Araria) out of the reportedly six erected high mast towers, was non-existent, though an amount of ₹ 4.39 lakh was shown as incurred on its erection as per the report (July 2009) of the Sub-Divisional Officer, Electric Supply Sub-Division, Araria.

⁷ Cost of tower - ₹ 3.05 lakh; cost of lamps, circuits and luminaries - ₹ 1.39 lakh; Foundation - ₹ 0.45 lakh and cost of erection - ₹ 0.59 lakh i.e. total ₹ 5.49 lakh

⁸ ₹ 98.58 lakh, being 50 *per cent* of estimate in 1st instalment in October 2007 and ₹ 59.29 lakh, being 30 *per cent* of estimate as 2nd instalment in February 2008.

Thus in the absence of luminaries, none of the 25 erected high mast lights could be put to use. Lack of proper monitoring by DRDA officers resulted in an unfruitful expenditure of ₹ 1.58 crore due to non-completion of works of high mast light towers, which included an excess payment of ₹ 18 lakh and a fraudulent payment of ₹ 4.39 lakh to the executing agency.

2.2 Excess payment/wasteful/infructuous expenditure

ROAD CONSTRUCTION DEPARTMENT

2.2.1 Excess payment on price neutralisation

Incorrect price neutralisation formula resulted in an excess payment of ₹ 92.97 lakh.

Clauses 10 CA and 10 CC of the Standard Bidding Document (SBD) provide for payment of differential prices to executing agencies if the prices of cement, steel, bitumen etc. incorporated in a work increase/ decrease as compared to the prices prevailing at the time of the last date for receipt of tenders. The State Government decided (March 2008) to include the price neutralisation clause for bitumen as a special agreement condition and prescribed a formula⁹ for payment of price neutralisation for bitumen to the agencies, for previous agreements in which the provision for price neutralisation was not present. The Executive Engineer was authorised to pay price escalation to contractors on receipt of their claims.

Test check of the records of the Road Construction Divisions, Chhapra and Siwan revealed that the divisions paid price escalation towards adjustment of bitumen prices for different periods (March 2006 to November 2009) by incorrectly applying the above prescribed formula. Further, the percentage component of bitumen (P_b) employed on the works was to be calculated on the basis of its cost given in the Schedule of Rates (SOR) effective on the stipulated date of receipt of tender as per clause 10 CA of the SBD. However, the division derived it by employing the base price of bitumen and multiplying the same with a factor of 1.21¹⁰ (contractor's profit and overhead charges) or 1.144¹¹ (VAT, contractor's profit/overhead charges) along with the quantity of

$$^9 \quad V_b = 0.85 \times P_b / 100 \times R \times (B_I - B_O) / B_O$$

V_b = Increase or decrease in the cost of work during the month under consideration due to change in rates for bitumen.

B_O = The official retail price of bitumen at the IOC depot at nearest centre on the day 28 days prior to date of opening of Bids.

B_I = The official retail price of bitumen of IOC depot at nearest centre for the 15th day of the month under consideration.

P_b = Percentage of bitumen component of the work.

R = Total value of work.

$$^{10} \quad 1.21 = 1 + 10\% \text{ of } 1 + 10\% \text{ of } 1.1$$

$$^{11} \quad 1.144 = 1 + 4\% \text{ of } 1 + 10\% \text{ of } 1.04 \text{ where } 4\% = \text{vat, } 10\% = \text{contractor profit/10\% = overhead charges}$$

bitumen utilised on work. This increased the bitumen component of the work (P_b) resulting in increased escalation component (V_b) of the work cost, during the month under consideration. Consequently, an excess payment of ₹ 92.97 lakh (*Appendix 2.1*) towards price escalation of bitumen was made to the contractor.

Executive Engineers of the concerned divisions, in their replies, stated (February 2010) that the multiplication factor of 1.21 was used to provide 10 per cent contractor's profit and 10 per cent overhead charges to the contractor. The reply of the division is not acceptable because SBD clauses 10 CA and 10 CC did not provide for grant of four per cent VAT, 10 per cent contractor's profit or 10 per cent overhead charges to the contractors on the differential cost of bitumen owing to its price escalation.

The matter was also referred (June 2010) to the Government. The Secretary, Road Construction Department, Government of Bihar, agreed (September 2010) to examine these cases and issue a departmental notification in this regard.

2.2.2 *Wasteful expenditure on incomplete road*

Incorrect estimation, improper survey of site and absence of approvals from Railways resulted in wasteful expenditure of ₹ 2.04 crore.

As per the Cabinet Secretariat and Co-ordination Department (Confidential Cell) Resolution no. 948 dated 16 July 1986, a proper survey and site verification was mandatory before preparation of an estimate.

In January 2007, the Executive Engineer (EE), Road Division, Lakhisarai awarded the work of construction of the Lakhisarai bypass road-via-Ashok Dham (6.5 km length) under the Rashtriya Sam Vikas Yojana to an agency for ₹ 6.47 crore with scheduled completion by July 2008. The objective behind the construction of this bypass road was to divert the heavy traffic from entering Lakhisarai town.

Scrutiny (June 2010) of the records of EE, Road Division, Lakhisarai revealed that payments of ₹ 2.04 crore were made (July 2009) to the agency up to the 16th on-account bill. Thereafter, in September 2009, the agreement was rescinded under the direction of the Engineer-in-Chief, Road Construction Department (RCD), Bihar, Patna without assigning any reasons. Audit observed that the work was not completed due to the following reasons:

- Provisions for two manned Railway level crossings (at chainage 2705 m and 3210 m) were made in the estimate (May 2006). However, the works were started without getting prior approval from the Railways which disallowed it and directed that Rail over Bridges (ROB) should be constructed instead of the level crossings.
- Since there was no provision for the safety of Indian Oil Corporation's (IOC) pipelines passing under the road, IOC objected (March 2009) to

the construction over these pipelines for safety reasons and suggested the construction of a reinforced cement concrete (RCC) culvert on it.

- Though there was no provision for the shifting of high tension electricity lines passing above the road, a sum of ₹ 4.93 lakh was paid (January 2009) to the Bihar State Electricity Board, Patna for shifting of electricity lines.
- No provision existed for the acquisition of land required (nine acres 93.75 decimal) for the construction. However, ₹ 40 lakh was made available (March 2007) to the Land Acquisition Officer, Lakhisarai for land acquisition. However, neither were the high tension electricity lines shifted nor was the required land acquired for the project.

A revised estimate for ₹ 10.58 crore was submitted for administrative approval (AA) to the Planning and Development Department, Government of Bihar. However, the department did not approve this revised estimate and directed (July 2008) the RCD to construct the road under the estimate of the tender within the originally approved AA.

Later on, a modified estimate for ₹ 4.39 crore was approved (February 2009) by the Chief Engineer, RCD Bihar, Patna and a provision was made to utilise the existing railway underpass without getting prior approval from the Railways. The Railways again disallowed (September 2009) the usage of this underpass for safety reasons. Audit observed that the estimated cost (July 2009) of the two ROBs (at 2705 m and 3210 m) was ₹ 115 crore and that of the RCC culvert (March 2009) was ₹ 1.75 crore. Thus the construction of ROBs and RCC culvert was not possible within the originally approved AA of ₹ 5.78 crore.

In reply, the Executive Engineer stated (June 2010) that the agreement was closed under the direction of the RCD and the work was stopped due to non-construction of ROBs, RCC culvert, non-shifting of electricity lines etc.

The matter was reported to the Government (July 2010). Though the Secretary, RCD, Government of Bihar, Patna agreed (September 2010) with the audit observations, he expressed his reservations in terming the expenditure as 'wasteful' since the 'partially constructed' road was being used to some extent by the local people and the expenditure was not misutilised in any way.

The reply of the Secretary is in itself an admission of Audit's contention that the proposal suffered from several deficiencies right from the planning stage itself. Improper survey, inadequate site verification and non-obtaining of prior approvals from IOC and Railways by the division/department clearly indicated the failure on the part of the EE/sanctioning authority. Besides, the intended objective of providing a by-pass road to divert heavy traffic from entering Lakhisarai town remained unachieved and the expenditure of ₹ 2.04 crore incurred became wasteful.

WATER RESOURCES DEPARTMENT

2.2.3 *Infructuous expenditure on anti erosion works*

Inadequate and incomplete execution of anti-erosion works led to infructuous expenditure of ₹ 10.27 crore.

The Water Resources Department (WRD) Government of Bihar (GOB) had prescribed (October 2007) a flood calendar for 2007-08, for flood protection and anti-erosion works that categorically prescribed the period and duration of works to be carried out from the inception stage to the completion stage (*Appendix 2.2*).

Test check (September 2009) of the records of the Flood Control Division, Naugachhia, Bhagalpur regarding anti-erosion work at villages Khairpur, Raghapur and Akidatpur revealed that the Technical Advisory Committee (TAC) had recommended (October 2007) construction of four spurs in the upstream (4000 m) and revetment in the downstream (2000 m). But, the Scheme Review Committee (SRC) modified the recommendations, and decided to construct a revetment with boulder pitching crated panel over Geo Textile Filter (GTF) in the entire length of six km including end anchorage from Kazikoria village to Raghapur village. SRC did so, despite the fact that the revetment did not have the property of deflect currents, which would have been possible only with the construction of a series of spurs.

Audit scrutiny further revealed that on the basis of the SRC's recommendation the work was allotted (February 2008) with a delay of 27 days (as per the Flood Calendar) to an agency at a cost of ₹ 18.78 crore for completion before May 2008. Further, the work of laying GTF between pitching and embankment slopes was only partially done in 60462.80 sq m (50 *per cent*) against the contracted area of 120157.79 sq m. Due to the slow progress of work, the CE ordered (9 May 2008) the agency to complete the work in at least four km length by 30 May 2008. However, even this revised schedule was not adhered to by the contractor. In spite of these shortcomings, a payment of ₹ 6.29 crore was made (June 2008) to the agency. In addition, expenditure on departmental materials¹² and miscellaneous expenditure totalling ₹ 3.98 crore was also incurred on this work.

The partially constructed structure and incomplete works could, however, not withstand the floods of 2008 and were washed away, rendering the entire expenditure of ₹ 10.27 crore infructuous. The floods of 2008 completely devastated the surrounding villages of Kharik block, causing immense loss to life¹³ and property¹⁴ (₹ 11.19 crore) apart from Government expenditure¹⁵ (₹ 36.22 lakh) on their rescue and rehabilitation.

¹² EC bags (3419110 bags) : ₹ 9231597, Nylon Crates (131041 No.) : ₹ 5097495, BA wire (364.442 MT) : ₹ 22066963, GT filter (60462.80 M) : ₹ 3204528 and Miscellaneous Expenditure : ₹ 267500

¹³ Lives lost – Human : 8, Livestock affected : 1006

¹⁴ Property damaged : Private: ₹ 1.50 crore; Public: ₹ 40.00 lakh; Crops: ₹ 9.29 crore

¹⁵ Government fund spent: ₹ 36.22 lakh

On this being pointed out by Audit, the Executive Engineer replied (September 2009) that GTF work had been done. This reply is not acceptable as only 50 per cent of the agreed work was completed before the floods of 2008 and even that work could not sustain the floods.

The matter was reported (June 2010) to the Government. The Joint Secretary, WRD, Government of Bihar, stated (August 2010) that the SRC was fully authorised to over rule/change the recommendations of the Expert Committee (EC) or TAC as per requirement and availability of funds. As such, the works executed on SRC's recommendations were justified.

The department's reply is not acceptable as the construction of a series of spurs would have been a better option. This fact was also corroborated by the Engineer-in-Chief who had visited (June 2008) the site along with members of the Ganga Flood Control Commission. Further, the flood protection works which were to be completed by 31 May could not be completed till July 2008 and the work (revetment with boulder pitching) was completely damaged (August 2008). The reason for non-completion of the works was attributed by the department to the non-availability of boulders. This reply is again not acceptable as the requirement and the availability of materials vis-a-vis completion of work should have been assessed and ensured prior to the commencement of work.

Thus, due to inadequate and incomplete execution of anti-erosion works, the erected structures were completely damaged (August 2008) and the entire expenditure of ₹ 10.27 crore¹⁶ was rendered infructuous.

AGRICULTURE DEPARTMENT

2.2.4 Excess payment of allowances

There was excess payment of house rent allowances and cost of living allowances amounting to ₹ 27.22 lakh to teachers and scientists of Rajendra Agriculture University.

The Ministry of Agriculture, New Delhi revised (March 1999) the pay scales of teachers/scientists in agricultural universities and colleges as recommended by the Indian Council of Agricultural Research (ICAR) with effect from 1 January 1996. While clause v (a) of the ICAR package prescribed the payment of the revised scales with effect from 1 January 1996 and allowances from 1 August 1997, clause v (d) notified the payment of Cost of Living Allowance (CLA), House Rent Allowance (HRA), Transport Allowance (TA), City Compensatory Allowance (CCA) and other allowances to teachers in State Agriculture Universities (SAUs) at the same rates and dates as applicable in the respective State Governments. The Gazette passed (February 1999) by Government of Bihar, however, notified to pay DA/CLA w.e.f 01.04.1997 and HRA/CCA from 01.02.1999 at revised rates.

¹⁶ ₹ 628.81 lakh + ₹ 398.68 lakh = ₹ 1027.49 lakh or ₹ 10.27 crore

Scrutiny (November 2008) of records of the Rajendra Agriculture University (RAU), Pusa, Samastipur revealed that payment at the revised rates were made to teachers and scientists from 2003-04 onwards. The payment of arrears for the period 1 January 1996 to 2003-04 was made during the year 2005-06 after receipt of grants for this purpose from ICAR / State Government.

Scrutiny of 380 out of 430 cases disclosed that contrary to the provisions of ICAR, the RAU paid allowances viz. HRA and CLA at revised rates with effect from January and July 1996 respectively, instead of the dates notified by the State Government i.e. 01.04.1997 for DA/CLA and 01.02.1999 for HRA/CCA. This resulted in excess payments of ₹ 27.22 lakh on account of arrears of CLA and HRA pertaining to the period from January 1996 to January 1999.

The matter was reported to the Government in June 2010 and September 2010. The Comptroller, RAU, Pusa at the behest of Under Secretary (August 2010) asserted (September 2010) that only para (v) (d), and not para (v) (a), of the Circular of the Department of Agriculture Research and Education, Ministry of Agriculture, Government of India (March 2009) was applicable to RAU, Pusa. Consequently, no excess payment of CLA/HRA had been made to the teachers and scientists.

The reply of the University is not acceptable since as per Clause v (d) of the ICAR package, these payments were to be made in accordance with those applicable to the State Government employees. However, RAU implemented the revised rates of HRA w.e.f. 01.01.1996 and CLA w.e.f. 01.07.1996 respectively, instead of 01.04.1997 for CLA and 1.02.1999 for HRA.

RURAL WORKS DEPARTMENT

2.2.5 *Infertuous expenditure on abandoned work*

Payment of ₹ 2.46 crore was made for an incomplete road work.

The work of widening and strengthening of the Hajipur-Chhatwan road under the NABARD scheme, was awarded (January 2007) by the Chief Engineer, Patna for ₹ 3.58 crore, to a contractor for completion within six months i.e. by July 2007. Scrutiny of the records of Rural Works Division, Darbhanga revealed (June 2009) that as per the conditions of the agreement, the payment was to be made for only that part of the road where black topping work had been completed. The work involved widening the entire length of the 9.5 km road from 3.05 metres to 3.75 metres, strengthening with 75 mm stone metal grade (SMG)-II, 75 mm SMG-III, 50 mm built-up spray grouting (BUSG) and 25 mm semi-dense bituminous concrete (SDBC) work, along with the provision of cross-drainage.

However, the contractor did not execute the works according to the work plan and abandoned (February 2008) them without assigning any reason, after executing SMG – III in the entire length of the road and BUSG in 5.5 km, and received payment of ₹ 2.46 crore (March 2008). These payments were made

ignoring the agreement condition that payment would be made for only that part of road where black topping has been completed.

In the absence of final surfacing, 32.5 per cent¹⁷ of BUSG and SMG-II and 47.5 per cent¹⁸ of SMG-III amounting to ₹ 55.41 lakh was damaged (June 2009). The work was finally rescinded in November 2009.

In reply, the EE accepted (June 2009) that the work could not be executed in time and further action would be taken as per the terms of the contract. He further reported (July 2010) that the works executed by the contractor had been partially damaged. On this being reported to the Government (July 2010), the Special Secretary, RWD, Government of Bihar while agreeing (September 2010) with the audit observations regarding violation of payment norms also accepted laxity on the part of the EE while making payment to the contractor.

Thus, the payment of ₹ 2.46 crore to the contractor in violation of the conditions of the agreement, resulted in infructuous expenditure.

HUMAN RESOURCES DEVELOPMENT DEPARTMENT (HIGHER EDUCATION DEPARTMENT)

2.2.6 Irregular payment of pay and allowances

Continuance of services of ineligible employees in the university resulted in irregular payment of ₹ 6.75 crore on account of pay and allowances.

The Supreme Court, in its judgement (October 2004) on CA no. 6098/1997, laid down guidelines for absorption of teaching and non-teaching staff of affiliated colleges converted as constituent colleges of the universities of Bihar. The judgement, while accepting the findings of a one-man enquiry commission set up by the court, directed the universities that employees who were either appointees against sanctioned posts or were working against additional posts for which recommendations for sanction were sent by the Universities to the State Government before the cut off date¹⁹ should be absorbed in those posts. The judgement prohibited absorption of those employees whose recommendations were sent by the universities after the cut-off date or who were working against unsanctioned posts.

Audit (March 2009) of the records of all the six constituent colleges (converted from affiliated colleges) of Bhupendra Narayan Mandal University,

¹⁷	BUSG 20607.41 M ²	₹ 3934779	32.5%	₹ 1278803
	SMG-II 2260.98 M ³	₹ 4420329	32.5%	₹ 1436607
¹⁸	SMG-III 2514.95 M ³	₹ 5948863	47.5%	₹ 2825710
				₹ 5541120

¹⁹ Under Bhupendra Narain Mandal University the recommended cut-off date for the five colleges were : 30 April 1986, and for one college: 31 March 1987

Madhepura disclosed that 91²⁰ teachers and 183²¹ non-teaching staff (Class-III: 106 and Class IV: 77) were retained in service in contravention of the Supreme Court's judgement, as their appointments were neither against sanctioned posts nor did their names figure in the list of employees whose services were recommended for absorption before the cut-off date. This resulted in irregular payment of ₹ 6.75 crore (**Appendix 2.3**) to them on account of salaries for the period July 2005 to August 2010.

On this being reported to the Government (June 2010), the Director, Higher Education, Government of Bihar stated (August 2010) that retrenchment of staff was a big process which generated great opposition apart from legal impediments. Further, as nobody had asked these staff to discontinue, they kept on continuing. He added that the service matters of these staff was sub-judice in the Judicature of the High Court at Patna and their services were protected by the order of the Court. As such, the University was bound to keep making payments to them until further orders.

The reply is not tenable as the Supreme Court had already intervened in this issue and given its judgement (October 2004) wherein the services of these employees had to be terminated. Moreover, since even the High Court, Patna (March 2010) had also excluded these employees from the purview of the case, the contention that cases pertaining to absorption and retention of these staff was pending in the High Court, Patna and the University was bound to make payments to these staff was not correct.

Thus, failure to comply with the Supreme Court's order led to unauthorised continuance of services of these employees in Bhupendra Narayan Mandal University, Madhepura, resulting in irregular payment of ₹ 6.75 crore on account of their pay and allowances.

2.3 Avoidable/unfruitful expenditure

ROAD CONSTRUCTION DEPARTMENT

2.3.1 Irregular award of road work

Downgrading the specifications of residual road work resulted in the reduction of the design life of a road and the execution of substandard work of ₹ 1.15 crore.

During the construction of roads, it is essential that once the specifications have been decided, they must be applied uniformly for the entire stretch of the road on which strengthening work is being undertaken. Any change in the

²⁰ Parvati Science College Madhepura (17), R.L. College, Madhav Nagar (42), R.M. College, Saharsa (9), S.N.S.R.K.S College, Saharsa (4), B.N.M.V College, Saharsa (9), K.B.Jha College, Katihar (10)

²¹ B.N.M.V. College, Madhepura(17), Parvati Science College, Madhepura (39) R.L.College, Madhav Nagar (59), R.M. College, Saharsa (38), K.B Jha College, Katihar (22), S.N.S.R.K.S College, Saharsa (8)

specifications or deviation, if at all required from the original one, should be duly approved by the original sanctioning authority.

Scrutiny (July 2009) of the records of Road Division No.- 2, Muzaffarpur disclosed that the work of strengthening the existing road crust from 0 to 12.8 km of Runnisaipur Belsand-Parsauni road was awarded (November 2006) for ₹ 5.05 crore by the departmental tender committee to an agency for completion by January 2008. However, after making payment (February 2008) of ₹ 3.21 crore for work done up to the length of 8.75 km, the Executive Engineer (EE), on account of complacency and non-execution of work by the contractor, rescinded (March 2008) the contract. Thereafter, for completion of all the remaining works between 0 to 12.8 km, the Division signed (March 2009) two agreements with two different agencies, the first for ₹ 69.93 lakh for Plain Cement Concrete (PCC) and brick soling work and the second for bituminous work and brick soling work worth ₹ 1.15 crore. The division made total payment of ₹ 5.06 crore for this work.

Scrutiny further disclosed that the original work specification was 25 mm Semi Dense Bituminous Concrete (SDBC) over 50 mm Bituminous Macadam (BM) over 50 mm Built up spray Grouting (BUSG) based on the California Bearing Ratio (CBR) value, design life for 10 years and traffic density on the road. However, these specifications were revised downwards to 20 mm premix carpet over 50 mm BUSG by the Chief Engineer (CE), North Bihar Wing (NBW) in the contracts for the residual works. Also, these changes in specifications were for far lesser than the design life of the road and the cumulative number of axles catered for in the design. Subsequently, the division made payment of ₹ 1.15 crore for the execution of the remaining works.

Thus, the division constructed a road of downgraded specifications with lesser design life even after incurring the expenditure of ₹ 1.15 crore.

On this being pointed out in audit, EE RCD No-2, Muzaffarpur replied (July 2009) that the remaining works were executed on reduced specifications due to the non-availability of hot-mix plant (HMP) with the contractor under the sanction of higher authorities in public interest. The Engineer-in-Chief (EIC) - cum-Special Secretary, Road Construction Department (RCD), Bihar, Patna while reiterating the same, further added (July 2010) that the specifications were changed by the CE, North Bihar Wing in the light of the Government's Resolution (No. 5452 of May 2006) regarding decentralisation of technical sanctioning authority and that resurfacing would be done after five years as per Ministry of Road Transport and Highways (MORTH) specifications in both the initial and residual work portions with 25 mm SDBC or 50 mm BM overlaid by 25 mm SDBC, as the case may be, to make it compatible for full life span of 10 years. The same facts were also corroborated by the Deputy Secretary (August 2010) and the Secretary (September 2010) in their replies.

The replies are not tenable as non-availability of HMP with the contractors is incorrect and misleading since the possession of mini HMP was a precondition of the NIT and its availability was duly certified by the Division itself. Secondly, the calculation of pavement thickness had been derived on the basis

of five years road life and traffic density at the rate of three Million Standard Axles (MSA) yearly in the revised specifications while it had been originally contracted for 10 years road life and traffic density of six MSA as shown in the calculation sheet of the pavement thickness submitted by the EIC cum-Special Secretary himself.

Thus, the execution of the remaining works on a road with reduced specifications led to the execution of substandard work amounting to ₹ 1.15 crore.

2.3.2 *Avoidable expenditure and undue aid to contractors*

Irregular award of works during the defect liability period led to avoidable expenditure of ₹ 10.63 crore and undue aid of ₹ 38 lakh to the contractors.

As per the special condition of the agreement for execution of Improvement of Riding Quality of Pavement (IRQP) and Periodical Renewal (PR) works, a contractor was required to rectify the damages during the defect liability period after completion of work (three years in IRQP and two years in PR works) at his own cost. The security deposit was also required to be retained with the division till the end of the defect liability period.

A test check of records of the National Highway (NH) Division, Lakhisarai, Munger disclosed (November 2009) that the division had executed four agreements for IRQP/PR works in different stretches of NH-80 between January 2007 and February 2007 (**Appendix 2.4**). The works were completed between January 2008 and March 2009 and payment of ₹ 6.52 crore was made up to March 2009 from the State Funds. The division again executed (March 2009 to July 2009) three Standard Bidding Document (SBD) agreements for IRQP works on the same stretches of road with the same specification. These works were executed through Central funds (Ministry of Road Transport and Highways) and payment of ₹ 10.63 crore was made to the contractors during November 2009 to March 2010. It was also observed that the division released (August 2009 to March 2010) security deposits of ₹ 34 lakh to the contractors (January 2011 to March 2012) and in one case (agreement no. 19 F₂/2006-07), the bank guarantee of ₹ four lakh was allowed to lapse (January 2008).

Scrutiny revealed that the agreements executed from the State funds entailed the defect liability clause as a special condition according to which occurrence of any damage in the road during the defect liability period should be rectified by the concerned contractor at his own cost. However, the division executed three SBD agreements for IRQP works on the same stretches of road from the Central Funds (MORTH) and made a payment of ₹ 10.63 crore. This expenditure was to be avoided because these roads were already under the defect liability period of the previous agreement. Further, the division also refunded the security deposit to the contractors, amounting to ₹ 38 lakh, during the defect liability period.

Thus, the award of work within the defect liability periods of previous works and their subsequent execution on the same stretches with the same specifications was irregular, resulting in avoidable expenditure of ₹ 10.63 crore and the division also provided undue aid amounting to ₹ 38 lakh through irregular refund of security deposits and lapse of bank guarantee to the contractors.

The EE, NH Division, Lakhisarai replied (November 2009) that the roads were made motorable initially with State funds and further IRQP works were done to increase the road crust with repair of pot patch. On this being reported (July 2010), the Deputy Secretary, Road Construction Department (RCD), Government of Bihar stated (August 2010) that securities were refunded to the contractors only after executing subsequent agreements. The Secretary further replied (September 2010) that the bituminous works were completed before the monsoon period of 2007 and stretches of road (NH-80) were badly damaged by heavy traffic during 2007-08 necessitating fresh agreements.

The replies are not acceptable as the earlier works were executed for IRQP and not to make the road motorable as stated by the EE and the contractors were liable to repair any damage to the road within the defect liability period. Subsequent entering into fresh agreements for execution of works on the same stretch of road during the defect liability period was just to utilise the GOI funds and to provide undue aid to contractors which was irregular and resulted in avoidable expenditure of ₹ 10.63 crore.

PUBLIC HEALTH ENGINEERING DEPARTMENT

2.3.3 Inadmissible payment

There was inadmissible payment of ₹ 2.48 crore to a contractor on account of price neutralisation.

Rule 340 of the Bihar Public Works Account Code read with Rule 246 of Bihar Financial Rules (Vol-I) provides that a contractor entering into a lump-sum contract has to execute the complete work with all its contingencies in accordance with the drawings and specifications for a fixed sum and the detailed measurements of work done are not required to be recorded except for addition or alteration. In December 2007, the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department (PHED) invited tender for augmentation of drinking water supply schemes in six²² towns on turnkey basis. According to the tender conditions, only fixed and firm rates were to be quoted. Hence, clause 10 CA of the Standard Bid Document (SBD) relating to price escalation/neutralisation was not applicable during the execution of work and was not to be a part of the agreement for the work being executed on a turnkey basis.

Test check (September 2009) of records of the Executive Engineer (EE) Public Health Division (PHD), Sheikhpura disclosed that the Urban

²² Barh, Hajipur, Hilsa, Kishanganj, Muzaffarpur and Sheikhpura

Development Department (UDD), Government of Bihar and Chief Engineer, PHED accorded administrative and technical sanctions of ₹ 18.41 crore (March 2007) and ₹ 17.40 crore (September 2007) respectively for the urban water supply scheme, Sheikhpura. Based on the bids received (March 2008), the work was allotted to the lowest bidder at 24.13 *per cent* above the bill of quantity (BOQ) rates. While finalising this tender, the justification presented before the Departmental Tender Committee/ Scheme Empowered Committee for the high rates was the price hike in iron and iron made products. Accordingly, the division entered into an SBD agreement for ₹ 22.30 crore with the agency in July 2008 but without deleting the price escalation/neutralisation clause.

It was observed that out of a payment of ₹ 16.63 crore made (June 2010) for works executed, ₹ 2.48 crore was paid towards price escalation, which was not admissible in a turnkey contract. In reply, the EE stated (September 2009) that due to delayed finalisation of tenders and formalities in the Finance Department, it was decided (through resolution in June 2008) to provide PHED's price escalation/ neutralisation as per clause 10 CA/10 CC of the Standard Bid Document for G.I. pipes/C.I.pipe/D.I. pipe/H.S. pipes etc. On this being reported (July 2010) to the Government, the Principal Secretary also stated the same thing.

The replies are not acceptable because the work was tendered for execution on a turnkey basis with no provision for any price escalation/neutralisation as per the rule mentioned above. The work itself was awarded at 24.13 *per cent* higher than the estimated cost, giving the steep increase in price of steel pipes as justification. The non-deletion of the price escalation clause was also unjustified since it tantamounted to awarding undue benefit to the contractor.

Thus, non-deletion of the price escalation/neutralisation condition resulted in an inadmissible payment of ₹ 2.48 crore against a payment of ₹ 16.63 crore.

2.4 Idle expenditure /blocking of funds

HEALTH DEPARTMENT

2.4.1 Under-utilisation of Trauma Centres

Despite an investment of ₹1.85 crore, Trauma Centres remained under-utilised due to non-sanctioning of posts of medical and para-medical staff.

The Ministry of Health and Family Welfare, Government of India (GOI) sanctioned (April 2001) and released (May 2001) ₹ 1.50 crore to the Indira Gandhi Institute of Medical Sciences (IGIMS) and ₹ 80.50 lakh to PHC Bikram at Patna for setting up model highway trauma centres at these Highway places through upgradation and strengthening of emergency facilities for treatment of road accident victims. As per GOI guidelines, the State Government was to provide specialist manpower i.e. anaesthetist, surgical specialist, ortho-specialist and supporting staff to these centres.

(A) Audit scrutiny (October 2009) of records of IGIMS disclosed that the civil work was started (April 2006) after five years of sanction of funds due to delay in the finalisation of the tendering process. Even the work started in April 2006 with scheduled completion by September 2006, was delayed and completed only in November 2007 at a cost of ₹ 66.51 lakh. Further, IGIMS also purchased (March-December 2008) equipment and accessories valuing ₹ 38.07 lakh against the requirement of equipment for ₹ 60 lakh. However, the Government could not make the trauma centre functional due to non-sanctioning/non-posting of specialist medical and para-medical staff.

In reply, the Director, IGIMS stated (October 2009) that the non-deployment of specialist doctors/nurses/technical/non-technical officers/staff was due to non-sanctioning of posts by the Government. He further intimated (May 2010) that efforts were on to select six medical officers and seven Senior House Officers for smooth functioning of the Trauma centre. Principal Secretary, Health Department, Government of Bihar replied (September 2010) that two operation theatres (OTs) had been earmarked for the IGIMS trauma centre and six Medical Officers (MOs) had been deployed there. Efforts had been initiated to get the posts of the trauma centre duly sanctioned.

The replies are not acceptable as the civil works commenced (April 2006) after a delay of five years and were completed in November 2007. Also, despite a time lapse of almost nine and half years (as of September 2010) since the sanction of scheme, the Government did not sanction the posts of specialists required for the trauma centre, though mandated in the scheme guidelines. Further, the reply that the existing trauma centre is being run with two OTs and six MOs is misleading because these OTs are running inside the IGIMS hospital and not in the newly constructed model highway trauma centre. Thus, the trauma centre set up at a cost of ₹ 1.05 crore was not being utilised for its intended purpose, owing to apathy of the Government towards it.

(B) In another similar case, construction of the building of the Primary Health Centre (PHC), Bikram for a model highway trauma centre was completed in June 2002 at a cost of ₹ 62.45 lakh. The completion certificate was issued in May 2003. The contractor also supplied an ambulance, X-ray unit, OT equipment and accessories between April 2003 and August 2006 to the Medical Officer-in-Charge (MOIC) of PHC Bikram after incurring an expenditure of ₹ 17.66 lakh. However, due to non-sanctioning of posts, the trauma centre remained non-functional for the last seven years. Even the services of the ambulance could not be utilised for want of a driver and non-payment of road tax.

The MOIC, PHC, Bikram stated (January and June 2010) that the trauma centre could not be started due to non-receipt of funds from GOI and lack of any decision in respect of provision of specialist manpower to this centre from the State Government. The department, in its reply, stated (September 2010) that the trauma centre at Bikram had been made functional w.e.f. January 2010 and services of doctors deployed by CS-cum-CMO Patna (vide Lt. No. 439 dated 12.01.2010) were being utilised as a part of professional personnel management. The department's reply coupled with the non-sanctioning of

posts by the Government as of December 2010 further strengthens the audit contention that the trauma centre at Bikram was grossly under-utilised as despite its completion in June 2002 it could be put into use, albeit partially, only from January 2010.

Thus, despite an expenditure of ₹ 1.85 crore, the assets created for the trauma centres could not be made functional due to non-posting of medical/para medical staff by the Government of Bihar, resulting in their under-utilisation and denial of the intended benefits of the scheme.

HUMAN RESOURCES DEVELOPMENT DEPARTMENT

2.4.2 Wasteful expenditure on salary

Payment of ₹ 1.10 crore was made to idle teaching staff.

The National Council for Teachers Education (NCTE) Act, 1993, envisages that all institutions intending / offering training courses in teachers education have to mandatorily obtain recognition from NCTE. Some of the conditions for obtaining NCTE recognition included availability of unlitigated land, suitable accommodation, financial resources, well-equipped libraries, laboratories and qualified staff as per NCTE norms. Any institution refused recognition was required to discontinue the training course in teachers education at the end of the same academic session, but could appeal against this decision.

Test check (December 2009) of the records of the Primary Teacher Education College (PTEC), Masaurhi (Patna) revealed that though PTEC had been imparting teacher's training prior to the NCTE Act, 1993, it applied for recognition to the Eastern Regional Committee (ERC) of NCTE, Bhubaneswar, for its training programmes only in March 2002. This was turned down (July 2002) by the ERC due to non-fulfilment of the required conditions. No follow up action was taken in this regard by the then Principal and the fact was not communicated to the Government for reasons not on record. The PTEC again applied for the same in the February 2009.

It was further revealed that the PTEC had a staff of 22 teaching and 10 non-teaching staff (April 2001 to June 2010). However, it did not conduct any teachers' training course during this period except for conducting an unrecognised training programme for 54 trainees during 2006-07. Continued retention of teaching staff without conducting any training programme led to expenditure of ₹ 1.10 crore on payment of salaries to idle teaching staff.

In reply the Principal, PTEC Masaurhi admitted (December 2009) that training was imparted to newly appointed/untrained teachers during 2006-07 only. Regular enrolment of the teachers for training during the period 2001-2010 could not be done due to non-granting of recognition by NCTE, except for the unrecognised course conducted during 2006-2007. On this being reported (July 2010) to the Government, the Principal Secretary, Human Resources Development Department (HRDD), Government of Bihar replied

(August 2010) that though efforts were made in 2009-10 to get NCTE recognition, the same was not accorded by NCTE to the PTEC, Masaurhi. Thus, necessary steps had been taken to justify the expenditure on the PTEC, Masaurhi. This fact was further corroborated by the Assistant Director, Primary Education, HRDD, Government of Bihar who accepted that the payment on pay and allowances of those teaching staff was nugatory, but it was not possible to stop the payment to regular staff.

The reply is not acceptable because no efforts were made by the department to redeploy the teaching staff and utilise their services for nearly 10 years. The Government should have redeployed the teachers of PTEC, Masaurhi elsewhere, since the State was facing a shortage of teachers. The continued deployment of teachers without conducting any teachers' training courses resulted in wasteful expenditure of ₹ 1.10 crore on idle teaching staff.

2.5 General

2.5.1 *Insufficient response of Government to Audit*

The Principal Accountant General (Audit) (PAG), Bihar conducts periodical inspections of Government departments to check the transactions and verify the maintenance of important accounting and other records as per prescribed rules and procedures. These inspections are followed by the issuance of Inspection Reports (IRs). The heads of offices and the next higher authorities are required to comply with the observations contained in the IRs, rectify the defects promptly and report their compliance to the Audit Department.

However, a review of IRs issued during the period 2003-04 to 2009-10 relating to 30 departments revealed that 37789 paragraphs relating to 7286 IRs remained outstanding at the end of October 2010 as shown in the **Table no. 1**.

Table no. 1
Outstanding IRs/Paragraphs

Outstanding IRs/Paragraphs for the year								
	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Total
IRs	958	907	853	1070	1129	1251	1118	7286
Paragraphs	5346	5262	4327	5700	5283	5955	5916	37789

The year-wise and department-wise breakup of outstanding IRs and paragraphs is mentioned in *Appendix 2.5*

The pendency of such large numbers of IRs/paragraphs indicate lack of responsiveness of the Government departments towards audit observations.

2.5.2 *Non-submission of Explanatory (Action Taken) Notes*

The Manual of Instructions (1998) of the Finance Department, Government of Bihar envisaged that the Secretaries to Government of the concerned

departments were required to submit explanatory notes to the Assembly Secretariat on audit paras and reviews included in Audit Reports (AR). Such notes were required to be submitted after vetting in audit and within two months from the date of presentation of the ARs to the State legislature without waiting for any notice or call from the Public Account Committee (PAC). They were also required to indicate therein, the circumstances and reasons for occurrence of such irregularities and deviations from the prescribed norms and the action proposed to be taken to make good the losses and to prevent recurrence of such instances.

Further, Regulation 213 of the Regulations on Audit and Accounts (November 2007) envisaged that the Union, the States and the Union Territories having legislative assemblies, where legislative committees were functioning or where the Government desires the Comptroller and Auditor General to vet the Action Taken Notes (ATN), the concerned Secretaries to Government should send two copies of draft self-explanatory ATN to the PAG (Audit) for vetting along with the relevant files and documents, properly referenced and linked. This was to be done within such period of time as might be decided for submission of the self-explanatory ATNs prescribed by the PAC.

It was noticed that as of October 2010, 25 departments had not submitted the Explanatory (ATN) Notes in respect of 24 reviews and 102 paragraphs pertaining to the years 2000-2009 (*Appendix 2.6*).

2.5.3 *Follow up action on earlier Audit Reports*

Regulation 212 and 213 of the Regulations on Audit and Accounts envisage the settlement of paragraphs featured in the Audit Reports of the Comptroller and Auditor General of India. Departments are required to furnish Action Taken Notes (ATNs) to the PAC within two months from the date of the recommendations made by the PAC in their reports.

Review of the outstanding ATNs on the paragraphs included in the earlier Reports of the Comptroller and Auditor General of India for the Government of Bihar revealed that the ATNs in respect of the PAC Reports pertaining to the period from November 2000 to November 2010, in respect of 393 paragraphs involving 30 departments remained outstanding as of November 2010 (*Appendix 2.7*).

CHAPTER – III
INTEGRATED AUDIT OF GOVERNMENT DEPARTMENT

ENVIRONMENT AND FOREST DEPARTMENT

3 Integrated Audit of Environment and Forest Department

Highlights

Bihar has a forest coverage of 6804 sq km, representing 7.23 per cent of its geographical area (0.94 lakh sq km). There was an increase of 1.3 per cent of forest coverage during 2005-09. There is one tiger reserve, 11 wildlife sanctuaries and one zoological park in the State. An integrated audit of the Environment and Forest Department revealed that the State had not framed its own forest policy though recommended by the National Forest Commission. Ninety per cent of the forest divisions were functioning without any Working Plan though required as per the Manual of Bihar Forest Laws.

Audit of the Environment and Forest Department revealed instances of delayed release of funds, non-compliance of Financial Rules, non-implementation of the compensatory afforestation programme, unauthorised use of forest lands, improper maintenance of Plantation Journals and unrealistic Survival Reports. The departmental activities intended to restore the habitat in wildlife sanctuaries and in the Valmiki Tiger Project were unsatisfactory. The department's manpower planning was deficient, postings were not need-based and offices were established without considering manpower requirements. Some of the important findings are:

The State had not prepared a Forest Policy, although recommended by the National Forest Commission in March 2006.

(Paragraph 3.7. 1)

Twenty out of the 22 Forest Divisions were functioning without any Working Plan, though required as per the Manual of Bihar Forest Laws.

(Paragraph 3.7.2)

The control register intended to monitor expenditure was not maintained in the Headquarters. Resultantly, no accurate figures of budget allocations, release of funds or expenditure were available.

(Paragraph 3.8.1.1)

Fraudulent payment of ₹ 13.96 lakh was made without plantation.

(Paragraph 3.8.3)

Joint Forest Management Committees were registered without identifying fringe villages. Micro Plans and Perspective Plans were not prepared by the Forest Development Agency.

(Paragraph 3.9.3.1)

Insufficient patrolling, inadequate manpower and poor infrastructure in the Valmiki Tiger Project resulted in reduction of the population of tigers.

(Paragraph 3.10.1)

The department's manpower planning was deficient, postings were not need based and offices were established without sanctioning posts of subordinate staff.

(Paragraph 3.11)

The systems of internal control, monitoring and evaluation were deficient.

(Paragraph 3.12 and 3.13)

3.1 Introduction

The National Forest Policy, 1980, as amended in 1988, aims at maintenance of environmental stability through preservation and wherever necessary, restoration of the ecological balance. In order to achieve these objectives, the national target of bringing a minimum of one third of the total land area of the country under forest or tree cover was set.

As per a report of the Forest Survey of India (2009), Bihar had a recorded forest area of 6473 sq km under three categories (reserved forest¹ : 692.89 sq. km, protected forest² : 5778.89 sq km and unclassified forest³ : 1.12 sq km), which represented 6.87 per cent of the geographical area (94,163 sq km) of the State. However, the total forest coverage of the State was 6804 sq km (7.23 per cent) (very dense forest: 231 sq km; dense forest: 3248 sq km and open forest: 3325 sq km). Of the 38 districts in the State, 25 districts had forest coverage of less than one per cent of its geographical area, with the districts having forests being located mainly in the Southern and North-Western corners of the State as indicated in the map below:



¹ An area notified under the provisions of Indian Forest Act or State Forest Act having full degree of protection and unless otherwise permitted, all activities therein are prohibited

² An area notified under the provisions of Indian Forest Act or State Forest Act having limited degree of protection and unless otherwise permitted, all activities therein are prohibited

³ An area recorded as forest, but not included in reserved or protected category

The responsibility for the management of forests and maintaining the ecological balance in the State rested with the Environment and Forest Department. For this, the department administered and implemented various environment and forest schemes as well as laws and rules enacted/ framed by the Centre as well as the State Government.

The functions of the Environment and Forest Department included the preparation of Working Plans for development of forests on the basis of survey reports, establishing new plantations and ensuring their survival, preservation of existing forests and wild life by taking measures for the protection of forests from fire, illicit felling of trees, encroachment of land etc. As part of its conservation efforts, the State had established one tiger reserve, 11 wild life sanctuaries and one zoological park.

3.2 Organisational Set-up

The department is headed by a Principal Secretary. The departmental structure can be functionally divided into two wings, (1) Headquarters, headed by the Principal Chief Conservator of Forests (PCCF) responsible for personnel administration, planning and monitoring of all programmes and schemes at the State level and (2) the field level formation divided into three regions⁴, each headed by a Regional Chief Conservator of Forests (RCCF), eight Conservators of Forests (CF) and 22 Divisional Forest Officers (DFOs), responsible for implementation of the schemes at the field level. A detailed organogram is given in *Appendix 3.1*.

3.3 Scope of Audit

The scope of this integrated audit (April- August 2010) involved the examination of records for the period 2005-10 maintained by the office of the Principal Secretary, PCCF, Additional PCCFs, CFs (Working Plans, Training & Extension) at headquarters and two CFs (Gaya and Bettiah) and eight DFOs⁵ (out of 22) in the field. The selection of the divisional offices was made in a manner so as to ensure State-wide coverage of the programmes/schemes under execution. Audit efforts were focussed on activities including policy issues, planning process, programme formulation, implementation of schemes and programmes for rehabilitation and conservation of forests apart from an assessment of the adequacy and effectiveness of internal control mechanism in the department.

3.4 Audit objectives

The audit objectives were to assess and evaluate whether:

- long term Plans, schemes and programmes relevant to the objectives of the department for rehabilitation and conservation of forests were formulated on the basis of accurate and reliable inputs;

⁴ Bhagalpur, Muzaffarpur and Patna

⁵ Aurangabad, Gaya, Jamui, Kaimur, Nawada, Rohtas, Valmiki Tiger Project (VTP)-I and VTP-II, Bettiah

- the system of financial management was efficient and effective and rules, regulations and procedures specified were followed;
- the efforts made for afforestation, plantation and their protection as per the Working Plans were successful;
- measures for the protection of wildlife were effective ;
- the manpower management was efficient and
- a system of internal control vis-a-vis monitoring was in place.

3.5 Audit criteria

The working of the department was assessed on the basis of the following criteria, keeping in view the audit objectives:

- Manual of Bihar Forest Laws, Forest (Conservation) Act, 1980 and Rules framed thereunder and National Forest Policy, 1988;
- Working Plan Code of Government of India (GOI) and the guidelines of the schemes/ programmes issued by GOI/ State Government and
- Bihar Budget Manual, Bihar Financial Rules, Bihar Public Works Accounts Code and Bihar Treasury Code.

3.6 Audit Methodology

The audit methodology included the consolidation and updating of domain knowledge, preparing detailed audit guidelines, conducting field visits for examination, collection and analysis of statistical data. Discussions were held with the responsible officers of Headquarters and field offices involved in programme implementation and monitoring. Audit evidence was collected through replies to audit questionnaires, audit memos, copies of documents and through personal interactions with concerned officials and stakeholders. In order to explain the objectives of this audit, its methodology, scope, coverage and focus and to incorporate the stake holders concerns, an entry conference was held in April 2010 with the PCCF, Bihar. Thereafter, on completion of field visits, an exit conference was also held with the Special Secretary, Environment and Forest Department, Government of Bihar (October 2010). The views of the Government have been incorporated suitably in the Report.

3.7 Policy and Planning

For the management of growth of the forests in a time-bound manner and for sustainable development of forest, a well-defined forest policy at the field level is essential. The department should prepare well defined objective and time-bound implementation plans, so as to ensure that the various field initiatives are systematic, need based and realisable. Audit scrutiny of the planning process in the department revealed the following instances of deficiencies in the policy and planning process:

3.7.1 State Forest Policy

State Forest Policy
not prepared

The National Forest Commission recommended (March 2006) that each State should have their own forest policy within the broad parameters of the National Forest Policy, 1988, for the sustainable management of forests. However, even after a lapse of four years, the State Government had not prepared its own forest policy. Further, according to the National Forest Policy, 1988, one third of the country's geographical area was to be covered by forests by the year 2012. In variation of this national goal, the State Government had set the target⁶ of increasing its tree cover to 15 *per cent* of its geographical area by 2012. No time frame to achieve the national objective of one third of the State's geographical area under forest cover was fixed by the State Government. Hence, the forest coverage increased marginally by 1.3 *per cent* from 5579 sq km (2005) to 6804 sq km (2009).

Forest coverage
increased marginally
by 1.3 *per cent* during
2005-09

In reply, the Special Secretary stated (October 2010) that the forest coverage including tree cover was presently almost 10 *per cent* as per the Forest Survey of India Report (2010). The reply is not satisfactory as at present, the State is yet to adopt the national target and considering the slow progress in increasing the forest cover, the achievement of the objective of increasing the forest coverage to 15 *per cent* by 2012 does not seem feasible.

3.7.2 Working Plan

As per the Manual of Bihar Forest Laws, forests under the jurisdiction of every forest division are to be managed according to the Working Plan Code (WPC) framed by the GOI. Such WPC required the department to prepare/revise the detailed Working Plan (WP) for each division once every 10 years. The WPs were intended to assist the DFOs in ascertaining the nature of the forests, the availability of forest land and yield-stock, felling periodicity etc. Further, the WPC stipulated that during the two years time frame for preparation of the Divisional Working Plan, no transfer of divisional manpower was permitted. For this, a Working Plan Division existed at the State level.

Of 22, 20 Forest
Divisions were
without Working
Plans

Scrutiny of the records of the department at the headquarters level and of the eight test-checked divisions relating to the preparation of the WP revealed that except for two divisions⁷, all the other 20 divisions were functioning without a WP. During 2005-10, the department's Working Plan Division at headquarters level did not prepare/revise any WP except in respect of Gaya Division which took nine years (2001-09) in preparation of the WP. Scrutiny also revealed that shortage of manpower, frequent transfer of officers involved in the preparation of the WPs and inadequate infrastructure were the main constraints for the delayed preparation of WPs. For instance, in contravention

⁶ As per department annual report 2006-07

⁷ Jamui (upto March 2010) and Nalanda (upto March 2011)

of WPC, nine DFOs were transferred during the period of preparation of WPs of Gaya division, resulting in delay in its preparation.

In the exit conference, the Special Secretary of the department accepted (October 2010) the above facts and attributed the deficiencies to severe manpower shortage and infrastructure constraints.

Further, though Jamui Forest Division had an approved WP upto 2009-10, it did not execute its schemes accordingly. As a result, most of the activities like surveying the density of forest, survey for boundary pillars, development of sanctuaries and wasteland, identification of fire lines, steps to prevent illegal cutting of trees etc. remained unattended to.

In reply, DFO, Jamui stated (June 2010) that the Naxalite problem was the main reason for the non-adherence to the WP guidelines. The reply is not acceptable since plantation works were executed in the same area during this period.

3.8 Financial management

Financial management entails planning for the administration and maintenance of financial assets and includes the process of identifying and managing risks.

3.8.1 Budget Provisions and Expenditure

Budget provisions, expenditure and excess/savings during 2005-10 are indicated in **Table no. 1**:

Table no. 1
Budget Provisions, expenditure incurred and excess/savings

(₹ in crore)

Year	Budget provisions			Expenditure			Savings		
	Plan	Non-Plan	Total	Plan	Non-Plan	Total	Plan	Non-Plan	Total
2005-06	27.81	36.51	64.32	20.87	31.70	52.57	6.94 (25)	4.81 (13)	11.75
2006-07	37.01	36.19	73.20	28.25	34.07	62.32	8.76 (24)	2.12 (6)	10.88
2007-08	48.64	40.83	89.47	36.16	37.47	73.63	12.48 (26)	3.36 (8)	15.84
2008-09	50.24	49.15	99.39	31.98	46.55	78.53	18.26 (36)	2.60 (5)	20.86
2009-10	57.31	59.80	117.11	35.92	57.21*	93.13	21.39 (37)	2.59 (4)	23.98
Total	221.01	222.48	443.49	153.18	207.00	360.18	67.83	15.48	83.31

(Source: PCCF, Bihar)

Note- Figures in brackets indicate percentage

* Funds available with DDOs as of 31.03.10 were treated as expenditure as actual expenditure report was not submitted by them till 11th August 2010).

Delayed release of funds and postponement of schemes resulted in saving of funds

The above table reveals that savings during the period 2005-10 ranged between 24 and 37 per cent under the Plan head and between four and 13 per cent under the Non-Plan head. Scrutiny revealed that savings were mainly on account of non-drawal of funds from treasuries due to delayed release of funds to the divisions by the department, postponement of plantation schemes by the department, non-execution of schemes by divisions and excess allotments by

the department. Substantial savings indicated deficiencies in the budgeting process, programme planning and implementation.

3.8.1.1 Expenditure control

Expenditure control register not maintained in the department

Rule 475(i) of the Bihar Financial Rules stipulates that the heads of departments should maintain control registers for monitoring the expenditure. Audit revealed that no such control registers were maintained at the PCCF level to monitor the expenditure of subordinate offices, though Monthly Expenditure Reports (MERs) were generated on the basis of reports received from divisions maintained by PCCF for the years 2005-10.

Scrutiny of MERs revealed the following inconsistencies:

- As per the Surrender Report (2005-06) of the department, the total Plan funds spent by the department was ₹ 20.83 crore, but the MERs (2005-06) showed ₹ 20.87 crore as expenditure upto March 2006.
- While the MERs indicated the total budget provisions during 2006-07 under Plan head as ₹ 37.01 crore, the scheme-wise expenditure report indicated the budget provision for the year at ₹ 31.77 crore.
- The MERs showed ₹ 28.25 crore as expenditure during 2006-07, but the yearly report of the same showed this figure as ₹ 28.15 crore.

Consequently, the authenticity of data regarding budget allocations, release of funds and expenditure was not ensured at the departmental level. In reply, the Additional PCCF (Development) stated (October 2010) that expenditure control registers would be maintained.

3.8.2 Financial activities in the test-checked divisions

Out of the departmental budgetary provision of ₹ 443.49 crore (2005-10), ₹ 121.51 crore was allotted to the eight divisions test-checked. Against this, an expenditure of ₹ 115.63 crore was incurred as indicated in *Appendix 3.2*. Scrutiny of records revealed that codal provisions were not complied with as discussed in the following paragraphs:

3.8.2.1 Rush of expenditure in March

Heavy rush of expenditure in March every year

As per Rule 113 of the Bihar Budget Manual, any rush of expenditure particularly in the closing months of the financial year would ordinarily be regarded as a breach of financial regularity. However, during audit, it was noticed that in all the eight test-checked divisions, there was heavy expenditure in the month of March every year as shown in **Table no. 2**.

Table no. 2 : Rush of expenditure in March

(₹ in crore)

Sl. No.	Name of Division	2007-08		2008-09		2009-10	
		Total Expenditure	Expenditure in the month of March	Total Expenditure	Expenditure in the month of March	Total Expenditure	Expenditure in the month of March
1	Kaimur	3.34	1.32 (40%)	2.60	1.11 (43%)	3.12	0.99 (32%)
2	Gaya	4.67	1.63 (35%)	5.57	2.19 (39%)	7.34	2.25 (31%)
3	Aurangabad	2.84	1.48 (52%)	2.47	0.92 (37%)	3.06	0.99 (32%)
4	Jamui	2.10	1.37 (65%)	3.48	1.90 (55%)	3.96	1.49 (38%)
5	Nawada	4.09	2.27 (56%)	3.83	1.83 (48%)	4.10	1.48 (36%)
6	Rohtas	3.32	1.50 (45%)	3.75	1.61 (43%)	4.62	1.44 (31%)
7	VTP-1	1.91	0.80 (42%)	2.08	1.32 (63%)	2.36	1.20 (51%)
8	VTP-2	1.93	0.76 (39%)	2.26	1.14 (50%)	2.75	1.38 (50%)

Table no. 2 clearly exhibits that expenditure during the month of March every year ranged from 31 to 65 per cent of the total expenditure during 2005-10. On this being pointed out, the concerned DFOs stated (May-August 2010) that as the funds were made available by Government in the end of the financial year, most of the expenditure took place in the month of March every year.

3.8.2.2 Maintenance of Cash Book

Cash books were not maintained

Rule 86 of the Bihar Treasury Code provides that each Government servant receiving money on behalf of the Government must maintain a cash book. In Jamui Division, scrutiny of records revealed that the cash book of schemes viz. Rashtriya Sam Vikas Yojana (2009-10), National Afforestation Programme (NAP) (2009-10) and for establishment expenses (July 2009 to March 2010) were not maintained. Absence of the cash books was fraught with the risk of misappropriation of Government money and the correctness of the expenditure of ₹ 4.31 crore⁸ reported by the division could not be ensured. The DFO also failed to discharge his duties as DDO by not ensuring the maintenance of cash books.

In reply, the DFO agreed with the audit observation and stated (July 2010) that cash books would be maintained. During the exit conference, the Special Secretary to the Government stated (October 2010) that the matter would be examined.

3.8.2.3 Submission of Monthly Cash Accounts

Delays in submission of monthly cash accounts ranged upto 103 days

Article 288 of the Bihar Public Works Accounts Code-Vol III required the forest divisions to submit compiled monthly accounts to the Accountant General (A & E) by the fifth day of the succeeding month. However, delays in submission of monthly accounts ranging upto 103 days were noticed during 2005-10 as shown in **Appendix 3.3**. Delayed submission of monthly cash accounts led to exclusion of the delayed accounts from the monthly accounts of State Government and resulted in depiction of incorrect figures of monthly

⁸ RSVY: ₹ 2.33 crore; NAP: ₹ 1.69 crore and establishment expenses: ₹ 0.29 crore

expenditure of the department. This also adversely affected the closing of Annual Accounts and preparation of the Appropriation and Finance Accounts of the State Government.

3.8.2.4 *Handling of cash without furnishing Security Deposit*

Rule 24 of the Bihar Financial Rules, stipulates that Government officials entrusted with the custody of cash are required to furnish security as determined by the competent authority. Audit noticed that in violation of the aforesaid rule, head clerks of all the eight test-checked divisions were handling petty cash without furnishing security deposits. In reply, DFO s stated that adherence to financial rules would be ensured in future.

3.8.3 *Fraudulent payment*

**Fraudulent payment
of ₹ 13.96 lakh**

Audit of records (January 2010) of Divisional Forest Officer (DFO), Saharsa revealed that during the first year of plantation in seven⁹ out of 12 sites test-checked under Udakishanganj Range, 35,000 pits were to be dug and 35,000 mounds were to be prepared for plantation of 70,000 saplings under National Rural Employment Guarantee Scheme. For this purpose, DFO, Saharsa advanced (March 2009) ₹ 25.64 lakh (₹ 366235 per site) to the Range Officer Udakishanganj. This amount was adjusted (March 2009) on the digging of 35000 pits, preparation of 31481 mounds and plantation of 67070 plants. However, the survival report (October 2009) of the Range Officer, Udakishanganj and DFO, Saharsa did not support the fact that plantation work was done in four sites¹⁰ where payment of ₹ 13.58 lakh was made for the plantation of 37,070 saplings, digging of 20,000 pits and preparation of 16,481 mounds. In other three sites¹¹, payments were made for plantation of 30,000 stumps (10,000 stumps at each site) whereas only 21,700 stumps were planted, resulting in fraudulent payment of ₹ 0.38 lakh. It was also found that neither were the plants purchased, nor were they received from any other source. The pit counting register and plantation journal were also not maintained. Thus the expenditure of ₹ 13.96 lakh shown to have been incurred on advance works and plantation at these seven sites was misappropriated through fraudulent payments.

In reply, the Special Secretary to the Department, stated (August 2010) that subsequent to the audit's observation, the matter was got investigated by the RCCF, Bhagalpur. The concerned DFO and the Range Officer

⁹ Janki Nagar sub branch canal 238 to 254 RD (5km), Puraini Minor 35 to 50 RD(5km), Lakshmipur Minor 0 to 20 RD(5km), Udakishanganj Balatola Path 5km, Gosai Minor 18 to 30 RD(5km) , Lakshmipur Minor 20 to 40 RD(5km) and Chirouri Minor- Chausa Path 5km

¹⁰ Lakshmipur Minor 0 to 20, Lakshmipur Minor 20 to 40, Udakishanganj Balatola Path 5km & Chirouri Minor- Chausa Path.

¹¹ Janki Nagar Minor 238 to 284 RD; Puraoni Minor 35 to 50 RD and Ghosai Minor 18 to 86 RD.

found to be *prima-facie* responsible for the financial irregularity/misappropriation had been put under suspension (March 2010) and departmental proceedings had been initiated against them, the result of which would be intimated to Audit in due course.

3.8.4 Revenue realisation

The department realises revenue by selling timber, fire wood and other forest produce; renewing licences of saw mills, imposing penalty for forest offences and selling of seized articles. The targets for collection of revenue and achievement thereagainst are shown in **Table no. 3** below:

Table no. 3
Targets and achievements of revenue realisation during 2005-10
(₹ in crore)

Year	State		Test-checked eight divisions	
	Target	Achievement (per cent)	Target	Achievement
2005-06	27.00	8.82 (33)	1.92	1.31
2006-07	7.59	6.19 (82)	2.08	1.50
2007-08	8.00	6.55 (82)	1.50	1.44
2008-09	10.00	6.30 (63)	1.45	1.12
2009-10	10.00	6.90 (69)	2.18	1.38
Total	62.59	34.76 (56)	9.13¹²	6.75 (74)

(Source: PCCF and DFOs)

Forty four per cent of the targeted revenue could not be realised

From above table, it is seen that though 74 per cent of the targets were achieved in the eight test-checked divisions, only 56 per cent of the targets were achieved by the department as a whole during 2005-10. Audit scrutiny of the sale registers revealed that only VTP-2 Division, Bettiah achieved the target of revenue realisation during 2008-10. Further, in three¹³ out of the remaining seven test-checked divisions, 1082 cum of timber valuing ₹ 30.64 lakh was lying unsold (since 1996-97) as of August 2010.

In reply, the respective DFOs stated (April-August 2010) that targets for realisation of revenue were fixed by the department without assessing its source in the divisions. Hence, it is clear from the reply that there was lack of co-ordination between the department and the divisions in setting the target for revenue realisation.

3.8.5 Compensatory Afforestation Fund Management

The Forest (Conservation) Act, 1980 required compensation¹⁴ to be realised from user agencies in cases of diversion of forest land for non-forest purposes. This money was to be deposited by the department in the bank account of the *ad hoc* body of Compensatory Afforestation Fund Management and Planning

¹² Excludes Gaya Division (2005-08) and VTP-1, Bettiah (2008-10)

¹³ Gaya (547 m³ : ₹ 15.68 lakh) , Jamui (31 m³ : ₹ 3.85 lakh , Rohtas (504 m³ : ₹ 11.11 lakh)

¹⁴ Cost of forest produces, Net Present Value (NPV) of the forest land and cost of the Compensatory Afforestation (CA)

Authority (CAMPA) operated by GOI. A comprehensive scheme for compensatory afforestation was required to be formulated by the department and submitted to GOI for its approval. Audit noticed the following deficiencies :

3.8.5.1 Non-execution of compensatory afforestation

Compensatory
afforestation
done at all not

Scrutiny of records of PCCF revealed that during 2005-10, though ₹ 114.61 crore¹⁵ was realised from user agencies against diversion of 1742 hectares of forest land for non-forest purposes, no compensatory afforestation (CA) was done (August 2010). The State Nodal Officer of CAMPA¹⁶ intimated (April 2010) that the preparation of Annual Plan of Operations (APO) for utilisation of CAMPA funds was under progress and CA would be implemented after its finalisation in 2010-11.

3.8.5.2 Non-realisation of money

Assessment for
recoverable CA
amount was not done
and ₹ 24.18 crore
remained unrealised

Scrutiny of the records of CCF-cum-State Nodal Officer, CAMPA revealed that forest lands were diverted for construction of roads during July 2007 to October 2009. Against a total demand (November 2008 to May 2010) of ₹ 54.03 crore¹⁷ from the user agencies in 42 cases, only ₹ 29.85 crore was realised. The balance of ₹ 24.18 crore remained unrealised (**Appendix 3.4**), though the road constructions were nearing completion, indicating lack of sufficient monitoring by the department and concerned divisions¹⁸. Besides, the DFOs¹⁹ concerned did not even assess (August 2010) the CA amount recoverable in six cases;²⁰ where 17 hectares of forest land was diverted for non-forest purposes (construction of roads). This action was in violation of the GOI direction (March 2008) to assess the CA amount and to charge from the user agency for non-forestry uses of forest land, indicating an apathy towards realisation of CA money from the user agencies.

On this being pointed out, the PCCF intimated (October 2010) that permission to prosecute the guilty officers responsible for unauthorised use of forest land had been sought from the parent department. This reply is not acceptable as the CA amounts recoverable were to be assessed and collected by the department before granting permission for use of forest land for non-forest purposes.

¹⁵ 2005-06: ₹ 36.60 crore; 2006-07 : ₹ 4.89 crore; 2007-08 : ₹ 20.56 crore; 2008-09 ₹ 32.67 crore and 2009-10 : ₹ 19.89 crore

¹⁶ On the direction of GOI (July 2009), State level CAMPA was formed (January 2010).

¹⁷ NHAI: ₹ 9.30 crore; RCD : ₹ 14.51 crore; IRCON : ₹ 4.72 crore and CPWD: ₹ 25.50 crore

¹⁸ Araria, Banka, Bhagalpur, Biharsharif, Darbhanga, East Champaran, Gaya, Jamui, Patna, Rohtas and Saran

¹⁹ Begusarai, Gaya and Patna

²⁰ (i) Begusarai-Birpur-Sanjat path : 6.615 hec.. (ii) Begusarai-Samho path: 1.641 hec.; (iii) Malepur – Daulatpur path : 2.164 hec. (iv) Manjhaul – Garhpura path : 0.915 hec. (v) Dalsinghsarai – Kaidirabad path : 2.695 hec. (vi) Mithapur – Anisabad – Khagaul path : 2.815 hec.

3.8.5.3 Money kept outside Compensatory Afforestation Fund Management and Planning Authority

Rupees 1.34 crore
remained out of
CAMPAs funds

Though GOI directives (2006) required funds received from the user agencies against CA to be transferred into the *ad hoc* CAMPAs fund, ₹ 1.34 crore²¹ realized by three divisions²² during 2005-08 was kept outside the CAMPAs fund (₹ 1.07 crore in fixed deposit and ₹ 0.27 crore in treasuries). In reply, Government stated (October 2010) that the matter would be examined and communicated to Audit.

3.9 Implementation of schemes

The major plantation schemes in the State were implemented under the Rehabilitation of Degraded Forests (RDF), Chhatra Vriksharopan Yojana (CVY) and the National Afforestation Programme (NAP), whereas the protection works of forest like fire control and management, demarcation of boundaries etc. were carried out under the Integrated Forest Protection Scheme. Implementation of the above schemes scrutinised in the eight test-checked divisions revealed the following deficiencies:

3.9.1 Plantation on private land

Rupees 14.39 lakh
spent on plantation
works on disputed
non-forest land.

Under the RDF scheme, though plantation works were to be done in the forest area, audit in Kaimur Division revealed that plantation work was carried out on 50 hectares of disputed land selected by DFO (Babhani village) in 2005-06. Expenditure of ₹ 14.39 lakh was incurred during 2005-09 on the scheme. Further scrutiny revealed that based on a case of land dispute, lodged by the villagers, the District Court decreed (December 2006) return of the land to the villagers but the division again incurred expenditure of ₹ 3.70 lakh after the date of judgement on the maintenance of plantation. Consequently, the expenditure of ₹ 14.39 lakh proved to be irregular. In reply, the DFO stated (May 2010) that this type of mistake would not be repeated in future.

3.9.2 Chhatra Vriksharopan Yojana

With a view to increase tree coverage in the State and to encourage involvement of adolescent students in environmental conservation programmes, the State Government introduced the Chhatra Vriksharopan Yojana in the year 2006-07 under RDF. Each student involved in the scheme was to be paid an incentive in three instalments each of ₹ 100, on the basis of survival of each plant every year. The programme was proposed to be popularised through regular publicity and subsequent monitoring by the concerned DFOs so as to create awareness among the students towards the importance of forest coverage.

²¹ 2005-06: ₹ 1.06 crore; 2006-07: ₹ 0.20 crore and 2007-08: ₹ 0.08 crore

²² Gaya: ₹ 1.07 crore as FD in Bank and ₹ 0.15 crore in treasury i.e. total ₹ 1.22 crore; Kaimur ₹ 0.04 crore; Nawada: ₹ 0.08 crore

Audit in the test-checked divisions revealed that out of the available funds of ₹ 3.95 crore, ₹ 0.88 crore was surrendered during 2006-10. The VTP Division-2, Bettiah surrendered 72 *per cent* of its allotment (₹ 0.15 crore out of ₹ 0.21 crore) during the period (*Appendix 3.5*). Non-utilisation of allotted funds by the divisions was due to the failure of the divisions in creating awareness amongst the students. On this being pointed out, the concerned DFOs attributed this to the apathy of Education Department officials towards the implementation of the scheme. This reply is not acceptable as awareness and publicity programmes as envisaged in the scheme guidelines and monitoring were not conducted by the Forest Department.

3.9.3 *National Afforestation Programme*

The Centrally sponsored scheme, viz. the National Afforestation Programme, (NAP) introduced in May 2002 intended to enhance the forest wealth by actively involving stakeholders. It was to be implemented through a two-tier structured mechanism of the Forest Development Agency (FDA) at the division level and Joint Forest Management Committees (JFMCs) at the village level. The Chairperson of FDA was the CF and the Member Secretary was the concerned DFO. In JFMCs, the President was elected by the villagers and the Member Secretary was the concerned Forester. Further, GOI had prescribed (May 2002) operational guidelines in respect of registration and renewal of JFMCs, planning for plantations, fund management at FDA and JFMC levels and maintenance of records and monitoring of the programme from the State to the village level. The following deficiencies were noticed by Audit:

3.9.3.1 *Non-survey of fringe villages*

The operational guidelines require the JFMCs to be constituted in all forest fringe villages and to be registered with the concerned FDA, initially for two years and renewable thereafter. As per the scheme guidelines, a Memorandum of Understanding (MoU) was required to be signed between the FDA and the JFMC. Further, Perspective WPs were to be prepared by the FDA in consultation with the JFMC as per local needs and the Annual Action Plans were to be drawn up based on the Perspective Plan. Executive body meetings and general body meetings at the JFMC level were to be organised monthly and at least once in every three months respectively. All the JFMCs were required to submit quarterly statements of accounts and progress of works to FDA for onward submission to GOI.

Audit in the test-checked divisions revealed that no survey regarding the number of fringe villages was carried out. Though 433 JFMCs²³ were

²³ Aurangabad:31; Gaya:49; Jamui:122; Kaimur:54; Nawada:45 and Rohtas:45; VTP-1:50; VTP-2:37

registered during 2002-07, only 68 (16 *per cent*)²⁴ registration were renewed during 2008-09. Nine JFMCs were registered during 2008-10. No MoUs were signed between the FDAs and JFMCs. Perspective Plans and micro-Plans were never prepared and the APOs were prepared by the FDA without consulting the JFMCs.

Further, though work was to be awarded to all the registered JFMCs, only 146 (33 *per cent*) JFMCs were given work during 2005-10. Statements of accounts and progress of works were submitted by the FDAs to GOI without receiving the same from JFMCs. Hence, the basis and veracity of these statements could not be vouched for. Further, the planning process and the element of community participation in NAP did not prove to be successful. The DFOs agreed with the audit observations and stated (May-August 2010) that the suggestions of Audit would be implemented.

3.9.3.2 Unfruitful expenditure

According to the National Afforestation Programme (NAP) operational guidelines, the project duration of a plantation scheme was five years. The first two years were to be dedicated to plantation work and thereafter, maintenance work was to be done during the subsequent three years. On submission of the audited accounts (up to 31 March) and utilisation certificates (UCs), fresh allotments were to be released to FDA by GOI for maintenance work.

Expenditure of ₹ 1.88 crore on plantation proved unfruitful for want of funds for maintenance work

Audit scrutiny in the eight test-checked divisions revealed that expenditure of ₹ 1.88 crore (2004-08) was incurred by 70 JFMCs for advance works and plantation works in 2634 hectares²⁵ in five divisions. However, none of these divisions sent their audited expenditure reports in time²⁶ to GOI (June 2010). Even Quarterly Progress Reports and UCs were also not sent by them timely. Subsequently, further allotments for maintenance work were not released by GOI, resulting in non-maintenance of the plantation work. Thus, an expenditure of ₹ 1.88 crore incurred in this programme in five divisions did not have the intended benefits.

Similarly, the survival rates of the plantation work in 400 hectares by eight JFMCs in three FDAs²⁷ (2004-08) were poor (0 to 48 *per cent*) after the first

²⁴ Janmui:6; Rohtas:43 and VTP-I: 19

²⁵ Aurangabad (2007: 450 ha and ₹ 29.68 lakh) ; Kaimur (2007:325 ha and ₹ 24.01 lakh; 2008:575 ha and ₹ 24.65 lakh); Rohtas (2004: 550 ha and ₹ 36.71 lakh; 2005: 475 ha and ₹ 53.50 lakh) VTP-I (2007:70 ha and ₹ 8.91 lakh; 2008: 75 ha and ₹ 4.08 lakh); VTP-2 (2007: 114 ha and ₹ 6.04 lakh)

²⁶ VTP-I did not send audited expenditure report till August 2010 and remaining four divisions sent the audit reports after delay of one to three years

²⁷ Gaya: (Plantation 2007) 120 ha; ₹ 9.89 lakh; JFMC-Sursu and Ballyari ; Janmui:- (Plantation 2004) 180 ha; ₹ 14.13 lakh; JFMC-Bhaluana, Harna, Asta, Gharnora and Jarpania: and Nawada: (plantation 2006 and 2008)100 ha : ₹ 7.28 lakh;JFMC-Puraina

year of maintenance. Consequently, fresh allotments were stopped by FDAs, rendering the expenditure of ₹ 31.30 lakh unfruitful.

In reply, DFO, Kaimur stated (May 2010) that due to non-availability of funds, the scheme remained incomplete. This reply is not acceptable because it was the responsibility of the FDA to ensure submission of audited accounts and UCs to GOI.

3.9.4 *Protection of forests*

The Integrated Forest Protection Scheme²⁸ is a Centrally Sponsored Scheme executed in Bihar since 2004-05, with 75 *per cent* contribution from GOI and the remaining 25 *per cent* from the State Government. This scheme had three major components, viz forest fire control and management, working plan preparation/survey and demarcation of boundaries and strengthening of infrastructure for forest protection. The scheme was intended to minimize and control the threat to forests from encroachments, forest fire and illicit felling of timber and firewood.

Under this programme, the State Government was required to submit the Annual Plan of Operations (APO) for each financial year by the end of December of the preceding financial year to the GOI. Thereafter, GOI was to release the first instalment with the condition that the second instalment would be released only after receiving the utilisation certificate (UC) for at least 70 *per cent* of the first instalment by the State.

Audit in the eight test-checked divisions revealed the following deficiencies:

3.9.4.1 *Delay in submission of Annual Plans of operation*

Submission of APOs to GOI delayed by six to 10 months

Though the State Government was required to prepare and submit Annual Plans of Operation (APO), it was observed that during 2005-10, the State Government sent APOs to GOI with delays ranging from six to 10 months. Sanction orders for execution of the schemes were also issued by the State Government after two to six months of receipt of GOI approval. Due to the delayed release of sanction orders in the year 2006-07, 95 *per cent* of the funds available for the year remained unspent upto March 2007. Resultantly, the State was deprived of availing of the second instalment of Central assistance amounting to ₹ 27.64 lakh.

3.9.4.2 *Non- submission of utilisation certificates*

Due to non-issuance of UCs, the State was deprived of Central assistance of ₹ 1.61 crore

During 2005-10, GOI approved ₹ 6.92 crore and released ₹ 5.31 crore as the first instalment. However, the second instalment was not released by GOI for

²⁸ (GOI had renamed it as Intensification of Forest Management Scheme in August 2009)

want of UCs. Thus, the State was deprived of Central assistance to the tune of ₹ 1.61 crore (23 per cent of the approved amount).

In reply, the Government agreed with the audit observations and stated (October 2010) that the time schedule would be adhered to.

3.9.4.3 Fire control and management

Effective fire fighting involves three stages i.e. prevention, quick detection and rapid suppression of fire. The preventive fire control strategy involves the usage of roads as a fire control line. To this end, roads were required to be 'traced'²⁹ yearly. Further, preventive measures such as increasing the awareness of people living in the forests periphery through publicity, setting up of manned watchtowers at vantage points for rapid detection of fires and deploying of fire-fighting gangs were also required.

Audit in the test-checked divisions revealed that sufficient publicity was not given by the divisions towards these preventive measures. Neither was any information for prevention made available to the villagers nor was any watch tower set up for the quick detection of fire incidents. Even fire suppression measures such as the deployment of fire-fighting gangs or the availability of fire-fighting equipments was not ensured by the divisions in any of the test-checked divisions.

Failure of the divisions in taking preventive measures led to increase in fire incidences during 2005-10

Consequently, fire incidents in the eight test-checked divisions increased from 261 in 2005-06 to 367 in 2009-10 with a peak of 523 incidents in 2008-09. In reply, the Special Secretary stated (October 2010) that the occurrence of fire was a natural phenomenon which could not be prevented, but only minimized. This reply is not acceptable because the divisions failed to take the required preventive measures in all the eight test-checked divisions.

3.9.4.4 Demarcation of boundaries

Encroachment of forest land is a primary concern in the effective management of forests. In order to achieve this objective, the department decided (November 2001) to conduct survey operations and to erect boundary pillars by the year 2006-07. However, due to unsatisfactory progress in the survey, the department decided (April 2007) to re-survey the forest boundary and to erect the pillars.

Boundary pillars erected without assessing requirement

Audit in the test-checked divisions revealed that even after a lapse of nine years, this survey was yet to be taken up. No assessment regarding the number or location of the pillars had been done. However, six divisions³⁰ erected 11475 boundary pillars at a cost of ₹ 44.51 lakh during 2005-10. No

²⁹ By clearing the debris and controlled burning of the debris on the forest floor before the onset of the fire season

³⁰ Aurangabad: 1985; Jamui: 3190; Nawada: 1589; Rohtas: 2631; VTP-1: 515; and VTP-2: 1565

records regarding the erection of pillars in Kaimur and Gaya division were available, though ₹ 23.70 lakh was spent by them.

3.9.4.5 *Illegal felling of trees*

Plantation works as well as protection of planted trees are necessary to maintain environmental stability and ecological balance. For this, adequate number of patrolling parties and forest guards were to be deployed in the divisions to check illegal felling of trees.

Ineffective protection measures led to illegal felling of trees

Control of illegal felling of trees is a major forest management issue. Scrutiny revealed that during 2005-10, a total number of 8314 trees in 2359 cases were illegally cut in the test-checked divisions. Of these, 1334 trees were illegally cut in 442 cases (2005-06) which increased to 2834 trees in 503 cases (2009-10). However, the offenders were detected only in 375 cases and FIRs lodged against them. The loss of timber due to illegal felling was assessed at 1314 cum by the three test-checked divisions³¹, whereas the loss of timber was not assessed by the other five divisions. Thus, due to inadequate number of patrolling party and forest guards appointed in the test-checked divisions, illegal felling of trees increased.

The Special Secretary stated (October 2010) that steps were being taken to improve the position. The reply is not acceptable as no record was available in eight test-checked divisions to show that steps had been taken to increase the number of Forest Guards and patrolling parties. Besides, against sanctioned posts of 565 Forest Guards in the test-checked divisions, 203 posts (36 per cent) were vacant (October 2010), which affected the protection measures of the forests.

3.10 **Development of Wildlife Sanctuary**

Intensive anti-poaching measures and infrastructural development are important constituents in the development of a wildlife sanctuary.

Unsatisfactory development activities in wildlife sanctuaries and absence of Management Plan.

3.10.1 *Development of Valmiki Tiger Project*

The Valmiki Tiger Project (VTP) approved by GOI (1990) has a total area of 840 sq km. Of this, 336 sq km is its core area, whereas the remaining 504 sq km is its buffer zone. Ecologically, the tiger population cannot successfully co-exist in areas having constant human impact. During audit, it was noticed that against the available funds of ₹ 21.51 crore, ₹ 20.29 crore were spent during 2005-10 as detailed in *Appendix 3.6*.

Due to poor patrolling, presence of tigers decreased from 33 to 10

The tiger population of 33 (2005) was reduced to 10 (2008). To rectify this situation, GOI issued (June 2008) instructions for taking up urgent remedial measures such as the immediate creation of increased patrolling parties, reorganisation of beats³² and increasing the staff strength. However, these measures were still to be implemented by the VTP officials (August 2010).

³¹ Jamui: 151.518 cum; VTP-1: 300.866 cum; VTP-2: 861.534 cum

³² Forest area is divided into beats for forestry purposes viz. afforestation, patrolling etc.

Non-signing of MoU with GOI led to nil expenditure during 2008-09

No patrolling was done during 2008-09 as no funds were spent due to non-signing of MoU by the State Government with GOI for conservation of the tiger population. In the absence of patrolling, poaching of two tigers took place during 2008-09. The official information feedback system of the VTP was so weak that foresters and forest guards were unaware of this poaching till informed by local villagers.

In reply, the Conservator-cum-Field Director, VTP agreed with the audit observation and intimated (August 2010) that patrolling was inadequate due to lack of basic infrastructure such as vehicles, vacancies in the cadre of beat and sub-beat guards and insufficient funding. This reply is not acceptable because funds were not spent due to non-signing of MoU by the State Government.

3.11 Human Resources Management

Human resource is one of the most important factors for the efficient functioning of any department, which depends both upon the quality and quantity of manpower and its optimal allocation on actual requirement basis. Creation of posts, staffing and manpower was the responsibility of the PCCF. Audit scrutiny of manpower management in the department revealed deficiencies such as large number of vacancies of staff, non-creation of posts, lack of periodical manpower reviews and improper deployment of staff as indicated below:

3.11.1 Staffing

The overall sanctioned strength and men-in-position of staff in the State and the test-checked divisions is as shown in **Table no. 4**.

Table no. 4
Sanctioned strength and men-in-position

Name of post	State		Test-checked divisions	
	Sanctioned strength	Men-in-position	Sanctioned strength	Men-in-position
IFS	58	45*	8	8
BFS (DFO/ACF)	49	49	8	4
ROF	124	95	36	35
Forester	360	281	124	109
Forest Guard	1027	719	565	362
Clerical Staff Gr. III	319	248	94	77
Peon	479	358	123	84
Total	2416	1795	958	679

* Of which 10 IFS were on deputation

The table shows that while the departmental sanctioned strength of core group forest staff³³ was 1560, the actual men-in-position as of March 2010 was 1144 only. Consequently, 416 posts (27 per cent) were vacant. The Indian Forest Service (IFS) cadre plays a vital role in framing departmental policies, programme planning and implementation. Audit scrutiny revealed that against the sanctioned cadre strength of 58 posts, only 35 were available with the department, resulting in 40 per cent vacancies in the IFS cadre.

³³ Core group forest staff – DFO, Range Officers of Forests, Foresters and Forest Guard

Eleven offices were functioning without sanction of any subordinate staff and proper office space

Further, 11 offices were functioning without sanction for any subordinate staff and even without proper office space (**Appendix 3.7**). Though the issue of severe staff shortage and office space was brought (February 2006-March 2010) by the department to the notice of the Government, no remedial action had been initiated by them (October 2010).

3.11.1.1 Deployment of staff

Scrutiny of the records of five out of the test-checked divisions revealed instances of posting of staff in excess of the sanctioned strength. Besides, staff members were deputed to other offices, in spite of acute shortage in their parent divisions as indicated in the **Table no. 5**.

Table no. 5
Excess of post in operation and improper deputation

Sl.No.	Division	Name of post	Sanctioned strength	Men-in-position	Remarks
1	Gaya	Assistant	11	13	Over-staffing
		Mali	0	12	
		Truck Driver	0	3	
		Forest Guard	148	93	10 deputed to other division
2	Kaimur	Forester	5	9	Over-staffing
		Forest Guard	15	37	
		Driver	0	1	
3	Jamui	Forester	18	19	
		Peon	8	9	
4	Working Plan Division	Asstt. Clerk	4	6	Over-staffing of two posts of Assistant, Clerk. Of available 20 post, 10 deputed to other offices
		Other Class-III & IV staff	20	14	
5	VTP-1	Assistant	3	6	Over-staffing

Manpower planning was deficient and postings made were not needbased

As seen from the table above, the department's manpower planning was deficient, postings were not needbased and offices were established without considering manpower requirements and creation of posts. In reply, the Government agreed (October 2010) with the audit observations and stated that the position would be improved.

3.11.1.2 Training and Research

No training was imparted during 2005-10 though 182 forest personnel were entrusted with forestry jobs

Training for skill upgradation as well as capacity building measures are of vital importance in increasing the efficiency and usefulness of the existing manpower. To this end, the department was required to conduct training programmes to upgrade skills and bridge knowledge gaps. In this regard, though the department had designated a DFO (Training and Research) as the nodal officer for imparting training and conducting research activities, the DFO neither conducted any training programme nor carried out any research work during 2005-10. Consequently, 182 forest personnel (forester: 38 and forest guard: 144) appointed after bifurcation of the State in November 2000 in the department, were directly entrusted with responsibilities without any formal induction training programme.

In reply, the Government stated (October 2010) that the State had no training institute for induction or for in-service training. The same was expected to be established in the next two years with the help of GOI grants.

3.12 Internal Control and response to Audit

Internal control mechanism in the department was deficient

Internal control is an important component of an organisation's management process, established to provide a reasonable assurance that the operations are being carried out effectively and efficiently so as to achieve organisational objectives. Rule 306-A of the BTC and directions of the Government (December 2000) require every controlling officer to inspect yearly, the offices of each disbursing officer under him and submit a report. Scrutiny revealed that none of the CFs discharged this responsibility. The DFOs also did not inspect the records of Range Offices under their control. Scrutiny also showed control weaknesses such as delayed surrender of funds, non-compliance of financial codes and non-adherences to provisions on cash management. Consequently, the internal control mechanism in the department was deficient. The Government agreed (October 2010) with the audit observation.

As of March 2010, 767 paragraphs in 109 inspection reports issued during 2005-10 by the Pr. Accountant General (Audit) were pending settlement, of which 400 paragraphs were more than three years old. Even the first compliance report of 329 paragraphs (out of 767 paragraphs) was not received, of which 133 were more than three years old as indicated in *Appendix 3.8*. This indicated the lackadaisical attitude of the department towards taking corrective measures and appropriate initiatives on the deficiencies pointed out in audit.

3.12.1 Non-maintenance of Plantation journals

According to '*Vanropan Padhati*³⁴', every Forest Range Office is required to maintain a plantation journal, recording operations from survey and demarcation to plantation, weeding, hoeing and survival of plants. Similarly the Divisional Forest Office is required to maintain separate registers for each plantation site, recording each activity carried out. The RCCFs and CFs were required to inspect the plantation sites and record their remarks in the plantation journal. The CF was particularly responsible to see that the plantation journals were written in time by his subordinates.

Majority of columns of plantation journals were left blank and not inspected by DFO/CF

Test-check of all the 39 plantation journals (RDF:19 and NAP:20)³⁵ maintained by Range Offices in seven test-checked divisions (except VTP division-I, Bettiah where no plantation was done) revealed that except for a few entries, the majority of columns in all the journals were blank. Crucial information about the species of saplings planted, their year-wise survival

³⁴ *Plantation guidelines issued by Government of Bihar (1999)*

³⁵ Aurangabad : (RDF:01; NAP:2); Gaya : (RDF:02; NAP:5); Jamui : (RDF:8; NAP:3); Kaimur : (RDF:2; NAP:2); Nawada : (RDF:3; NAP:3); Rohtas : (RDF:3; NAP:3) and VTP-II, Bettiah :NAP-2

report, inspection details etc. were left incomplete. Thus, the purpose of the plantation journals could not be achieved.

In reply, the Special Secretary stated (October 2010) that the journal is a standard format and instructions was being re-issued and a mechanism to ensure its adherence is being put in place. This reply is not acceptable since the instructions (November 2000) were already issued, their compliance were not ensured (August 2010) by the concerned DFOs.

3.12.2 Deficiencies in maintenance of Stock registers

As per Rule 132 of Bihar Financial Rules, a stock register is to be maintained with inventory of all stores, articles and materials purchased/received. Further, Rule 144 *ibid* also prescribes that physical verification of stock must be carried out every year and a certificate to this effect recorded in this Register.

Stock registers were not maintained and vouchers were passed without ensuring actual receipt of materials.

Audit scrutiny revealed that no such stock register was maintained in any of the test-checked divisions. It was observed that DFOs used to pass vouchers for payment without ensuring the actual receipt of materials and its recording in the appropriate stock registers.

Further, scheme-wise stock registers indicating purchase and utilisation of tools and plants, fencing materials, fertilizers, polythene tubes etc for raising of seedlings and plantation works were not maintained in any of the Range Offices. Even the physical verification of stock was not conducted by the DFOs during 2005-10. In the absence of physical verification, there was risk of loss, theft and damages to material held in stock.

In reply, DFOs stated (May-August 2010) that proper stock registers would be maintained in future.

3.13 Monitoring and Evaluation

As per GOI guidelines for Centrally sponsored schemes, a State level monitoring committee was to be formed to review the progress of ongoing schemes. According to departmental instructions (November 2000), every DFO and CF was required to stay in the forest area for 10 nights in a month and to perform tours of forest areas under his jurisdiction. The instruction also prescribed that after completion of the plantation work, the concerned DFOs had to furnish a certificate regarding the physical verification of such plantation work. Such certificates were to be endorsed in the respective plantation journals and pit registers indicating that 100 *per cent* of the works had been completed. This process was to continue up to three years and thereafter in the sixth, seventh and tenth year of plantation, the CFs was required to physically inspect the forest area and inspection reports were to be sent to the Government. Besides, reports regarding the survival of plants were to be entered by the concerned Foresters in plantation journals, twice in a year

(April and October), to be certified by the CF from time to time after each inspection.

Monitoring of schemes was weak

Audit revealed that the State Level Committee was not formed in the State. In the eight test-checked divisions, it was noticed that none of the DFOs had stayed overnight in the forest area during 2005-10 except DFO, VTP-I, Bettiah, who spent just two-three nights per month in the forest areas. None of the DFOs had endorsed the aforesaid certificate in the plantation journals. There was no entry in the plantation journals regarding inspections conducted by the Conservators of Forest and Divisional Forest Officers. In absence of proper entries in the plantation journals, the status of plantations carried out could not be ensured during 2005-10. Records relating to the survival of plants of more than four years were not maintained by any of the divisional offices. Survival reports were not recorded in any of the plantation journals.

Thus, the department failed to maintain the basic records and discharge the primary responsibility of carrying out inspection of plantation sites. This indicated weak monitoring of the schemes/ programmes by the department. In reply, the Special Secretary attributed (October 2010) the same to the lack of staff and infrastructure. However, it was the responsibility of the department to initiate steps to overcome these difficulties.

3.14 Conclusion

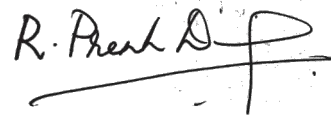
The State did not frame its forest policy even after the lapse of more than four years since the recommendation of the National Forest Commission for the same. The department did not ensure mandatory preparation of Working Plans for each of the Forest Divisions. Savings under the Plan head of expenditure indicated deficiencies in budgeting, programme planning and implementation. Absence of expenditure control registers showed weaknesses in finance management and non-compliance of financial rules. Achievement of Compensatory Afforestation was 'nil' despite huge amounts being available in the CAMPA Fund. In the National Afforestation Programme, community participation was not ensured as envisaged in the Government of India guidelines. Improper funding and absence of management plans affected the development of wildlife sanctuaries. The Valmiki Tiger Project was marred by inadequate patrolling, lack of infrastructure and large scale vacancies. The department's manpower planning was deficient and no training was provided to forest personnel. The State level monitoring committee for review of progress of the Centrally sponsored schemes was not formed. There was no entry in the plantation journals regarding inspections conducted by the Conservators of Forest and Divisional Forest Officers. In the absence of proper entries in the plantation journals, the status of plantations carried out could not be ensured.

Recommendation

The department may examine and consider the following recommendations:

- Efforts should be made to formulate a State Forest Policy that is consistent with the objectives of the National Forest Policy.
- Detailed Working Plans for each forest division should be prepared.
- Budget estimates should be prepared realistically to avoid savings.
- Schemes should be sanctioned only after proper surveys.
- Management of wild life sanctuaries must be done on a sustainable basis.
- Manpower deployment should be rationalised.
- Monitoring and inspections should be strengthened to make them more effective.

Patna
The



(PREMAN DINARAJ)

PRINCIPAL ACCOUNTANT GENERAL (AUDIT), BIHAR

Countersigned

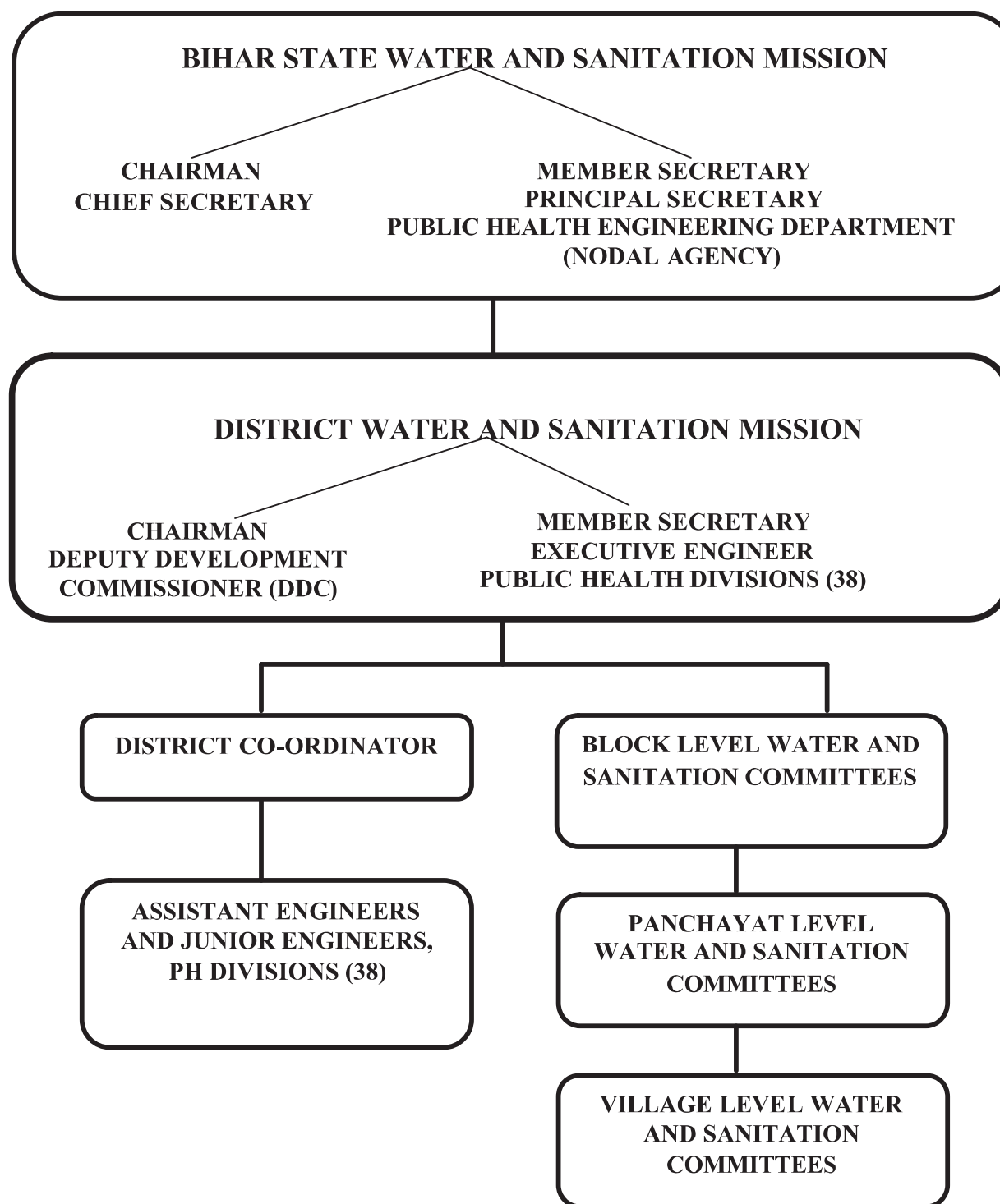
New Delhi
The



(VINOD RAI)

COMPTROLLER AND AUDITOR GENERAL OF INDIA

APPENDIX – 1.1.1
(Refer Paragraph 1.1.2; Page-2)
Organogram of Total Sanitation Campaign



APPENDIX – 1.1.2
(Refer Paragraph 1.1.8.1; Page-6)

Statement regarding release of funds by Central and State Governments in test-checked districts

(₹ in lakh)

Sl. No.	Name of District	Project cost		Central share released		Matching share required	Matching share released		Delay of release of state share
		Central	State	Date	Amount		Date	Amount	
1	Bhagalpur	3485.00	1443.51	upto 2004-05	59.72	297.80	upto 2004-05	18.66	1.5 to 26 months
				29.03.07	119.44		19.1.06	1.20	
				01.05.08	599.5109		30.3.07	9.00	
							1.11.07	18.18	
							14.1.08	48.00	
							11.4.08	31.51	
							15.7.08	47.00	
							10.6.09	90.14	
							30.6.10	139.75	
					778.6709			403.44	
					(22.34 %)				
2	Gaya	6000.47	2571.30	3.1.02	417.24	556.94	29.3.02	26.00	2 to 63 months
				31.12.07	882.61		3.1.04	17.10	
							2.3.05	14.88	
							19.1.06	9.94	
							26.7.06	23.83	
							30.3.07	19.20	
							17.1.08	26.82	
							27.3.08	63.96	
							11.4.08	33.95	
							15.7.08	97.20	
							27.3.10	110.00	
					1299.85			442.87	
					(21.66 %)				
3	Jamui	2438.81	989.17	9.6.04	10.00	124.54	26.7.06	50.51	2 to 63 months
				17.12.05	297.09		30.3.07	36.51	
							17.1.08	50.82	
							11.4.08	20.84	
							15.7.08	14.00	
							11.6.09	61.77	
							29.3.10	47.80	
					307.09			282.25	
					(12.59 %)				

Sl. No.	Name of District	Project cost		Central share released		Matching share required	Matching share released		Delay of release of state share
		Central	State	Date	Amount		Date	Amount	
4	Katihar	4685.81	1803.63	upto 2004-05	400.51	823.68	upto 2004-05	58.23	5 to 17 months
				2.8.07	669.45		3.3.06	10.80	
				1.10.08	1069.96		24.11.06	22.95	
							24.4.07	20.40	
							28.1.08	28.26	
							17.4.08	26.76	
							30.4.08	32.09	
							18.7.08	149.30	
							13.6.09	112.63	
							28.3.10	111.22	
					2139.92			572.64	
					(45.67%)				
5	Muzaffarpur	6389.71	2370.69	1.2.02	380.47	1422.41	29.3.03	26.00	8 to 76 months
				13.7.07	1111.91		3.1.04	17.00	
				18.12.08	2341.45		2.3.05	16.13	
							19.1.06	8.40	
							25.5.06	0.99	
							26.7.06	21.58	
							8.2.07	0.26	
							8.2.07	1.60	
							17.4.07	17.40	
							30.6.07	2.68	
							31.3.08	79.32	
							31.3.08	24.42	
							29.4.08	55.13	
							29.7.08	229.50	
							28.3.10	237.33	
					3833.83			737.74	
					(60 %)				
6	Patna	4850.11	2104.22	26.3.01	263.29	796.87	31.3.02	35.38	2 to 33 months
				15.2.02	152.86		31.1.04	13.10	
				27.9.07	678.14		2.3.05	12.38	
				2009-10	742.46		14.1.06	10.02	
							30.3.07	42.91	
							26.7.06		
							1.11.07	104.40	
							14.7.08		
							11.4.08	125.44	
							15.7.08		
							11.6.09	131.40	
							2009-10	101.67	
					1836.75			576.69	
					(37.87 %)				

Sl. No.	Name of District	Project cost		Central share released		Matching share required	Matching share released		Delay of release of state share
		Central	State	Date	Amount		Date	Amount	
7	Saharsa	2057.77	867.11	2005-06	10.00	266.29	1.12.06	51.47	2 to 42 months
				17.3.06	204.94		7.6.07		
				21.12.09	416.90		17.1.08		
							27.3.08		
							11.4.08	72.90	
							15.7.08		
							30.3.09	96.53	
							12.6.09		
							26.6.09		
							1.9.09		
							11.3.10		
					631.84			220.90	
					(30.71 %)				
8	Samastipur	6364.40	2775.37	2003-04	59.72	575.89	2003-04	13.70	
				2007-08	1260.64		2004-05	4.90	
							2005-06	1.20	
							2007-08	70.32	
							2008-09	145.94	
							2009-10	115.00	
					1320.36			351.06	
					(20.75 %)				
9	Saran	4085.42	1691.65	upto 2004-05	392.91	646.21	upto 2004-05	53.22	
				2007-08	551.52		2005-06	9.00	
				2009-10	616.05		2006-07	22.27	
							2007-08	108.40	
							2008-09	114.83	
							2009-10	145.09	
					1560.48			452.80	
					(38.20 %)				

APPENDIX – 1.1.3*(Refer Paragraph 1.1.8.1; Page-6)***Statement regarding component wise Central, State and beneficiary shares
and expenditure thereagainst during 2005-10**

Sl. No.	Component	Amount earmarked as per cent of the TSC project outlay	Contribution per cent			Expenditure		Percentage of expenditure against the fund available (₹ 47818.01 lakh) in the State	Percentage of expenditure against the fund available (₹ 17749.18 lakh) in the test-checked districts
			GOI	State	Beneficiary Households/ Community	State	Test-checked districts		
1	Start up and IEC	up to 15%	80	20	0	2485.98	1024.15	5.20	5.77
2	Alternate Delivery Mechanism (PCs/RSMs)	up to 5%	80	20	0	314.49	47.09	0.66	0.27
3	(i) Individual latrines for BPL/ disabled households	Actual amount required for full coverage	60	20	20	26562.76	10371.00	55.55	58.43
	(ii) Community Sanitary Complexes	Actual amount required for full coverage	60	20	20	160.67	70.46	0.34	0.40
4	Individual house hold latrines for APL	Nil	0	0	100	7128.64	1344.64	14.91	7.58
5	Institutional Toilets including School and Anganwadi Sanitation (Hardware and Support Services)	Actual amount required for full coverage	70	30	0	8510.34	2499.81	17.80	14.08
6	Administrative charges, including training, staff support, services, monitoring and evaluation etc.	less than 5%	80	20	0	582.85	201.29	1.22	1.13
7	Solid/ liquid waste management (Capital cost)	up to 10%	60	20	20	0	0	0.00	0.00

APPENDIX- 1.2.1

(Refer: Paragraph: 1.2.8.3; Page -25)

Statement showing expenditure of Detailed Appropriation Accounts and figures provided by the Secondary Education Department

(₹ in crore)

Year	Expenditure						Difference		
	As per detailed appropriation account			As per Department					
	Plan	Non-Plan	Total	Plan	Non-Plan	Total	Plan	Non-Plan	Total
2005-06	2.10	712.14	714.24	13.18	NA	13.18	11.08	NA	11.08
2006-07	66.66	1029.30	1095.96	NA	NA	NA	NA	NA	NA
2007-08	13.03	869.45	882.48	NA	728.65	728.65	NA	140.80	140.80
2008-09	50.89	1397.29	1448.18	56.47	882.64	939.11	5.58	514.65	520.23
2009-10	147.32	1377.69	1525.01	NA	1570.92	1570.92	NA	193.23	193.23
Total	280.00	5385.87	5665.87	69.65	3182.21	3251.86	16.66	848.68	865.34

APPENDIX- 1.2.2*(Refer: Paragraph: 1.2.9.1; Page - 25)***Statement showing enrolment of students in Classes IX to XII during 2005-10**

Class		2005-06	2006-07	2007-08	2008-09	2009-10
IX	Boys	33737	31328	33454	36308	46207
	Girls	20032	18269	21022	25645	35516
X	Boys	29833	29003	29735	31926	40906
	Girls	16424	16222	18832	20949	29810
XI	Boys	466	554	1446	2705	3401
	Girls	389	429	911	1218	1917
XII	Boys	322	507	795	1462	2944
	Girls	342	359	505	900	1526
Total	Boys	64358	61392	65430	72401	93458
	Girls	37187	35279	41270	48712	68769
Grand total		101545	96671	106700	121113	162227

Category wise enrolment of students in class IX to XII during 2005-10

Category of students	2005-06					2009-10				
	IX	X	XI	XII	Total	IX	X	XI	XII	Total
SC	4785	3998	59	36	8878	8977	7500	480	313	17270
ST	517	436	7	10	970	851	596	77	33	1557
OBC	29268	24705	405	270	54648	46539	39254	3010	2317	91120
Others	19199	17118	384	348	37049	25356	23366	1751	1807	52280
Total	53769	46257	855	664	101545	81723	70716	5318	4470	162227

APPENDIX- 1.2.3

(Refer: Paragraph: 1.2.10; Page - 27)

Statement showing non-availability of infrastructural facilities in 241 test-checked schools

Sl. No.	Name of districts	Total no. of test-checked schools	Required class-rooms (i.e. 8 rooms as per the norm) not available in number of schools	Number of schools lacking infrastructure facilities						
				Laboratory room	Library room	Computer room	Sports room	Head-masters rooms	Electricity	Utilities for students
1	Begusarai	21	16	10	14	15	19	14	15	14
2	Bhagalpur	28	15	24	17	21	25	10	9	12
3	Katihar	16	10	2	8	10	14	4	10	4
4	Muzaffarpur	27	18	21	19	17	25	13	22	12
5	Nalanda	36	26	32	26	31	35	8	30	15
6	Nawada	18	8	14	7	15	13	8	14	8
7	Saharsa	15	9	13	9	10	12	8	10	7
8	Samastipur	29	13	28	21	20	23	15	19	15
9	Saran	26	13	24	18	24	24	12	26	9
10	Vaishali	25	16	21	21	0	0	0	19	0
	Total	241	144	189	160	163	190	92	174	96

APPENDIX- 1.2.4**(Refer: Paragraph: 1.2.13.1; Page - 32)*****Statement showing the status of District Computer Centres***

Sl.No.	Name of districts	No. of computer supplied	Period during which training was not provided	Remarks
1	Begusarai	50	January 2007 to June 2010	25 computers were stolen and balance computers were transferred (June 2010) to district authorities.
2	Bhagalpur	50	June 2008 to March 2010	Due to technical problem 21 computers were unusable and balance 29 computer were taken by the DDC for preparing BPL lists.
3	Katihar	50	April 2007 to June 2010	47 computers were out of order due to defective equipments since April 2007.
4	Muzaffarpur	50	April 2005 to August 2009	10 computers were out of order and 3 were lying with DM/DDC.
5	Nalanda	50	2005-06	05 computers were defective from (May 2009).
6	Nawada	49	NA	39 computers were defective due to leakage of roof of computer room since 2008.
7	Saharsa	50	Training not yet started	Generator set was not purchased as yet. Registration of society was not done and all computers were not fully installed.
8	Samastipur	50	July 2006 to July 2007	Faculty-cum-system administrator was not available as all the computers remained unused.
9	Saran	50	July 2008 to March 2010	24 computers were stolen (July 2006) and 19 were damaged during training (July 2008 to June 2009) of NAREGA. Generator set was not purchased as yet.
10	Vaishali	50	January 2008 to March 2010	BPL works were taken and in this process one UPS went out of order. Generator set was also not purchased as yet.

APPENDIX 1.3.1
(Refer: Paragraph 1.3.7.1; Page- 39)
Statement of excess expenditure

(₹ in lakh)

Name of item and head of account	2005-06			2006-07			2009-10			Total Excess expenditure
	Grant	Expenditure	Excess	Grant	Expenditure	Excess	Grant	Expenditure	Excess	
Jail Inspectorate 2056-001-0001	95.94	96.94	1.00	-	-	-	-	-	-	1.00
Training to prisoners 2056-003-0002	-	-	-	-	-	-	23.05	24.85	1.80	1.80
Non Plan Central jail 2056-101-0001	-	-	-	-	-	-	3533.87	3614.07	80.20	80.20
Non Plan District jail 2056-101-0002	-	-	-	3286.89	3317.10	30.21	5336.49	5384.93	48.44	78.65
Prison under police protection 2056-800-0002	4.19	19.26	15.07	-	-	-	-	-	-	15.07
	100.13	116.20	16.07	3286.89	3317.10	30.21	8893.41	9023.85	130.44	176.72

APPENDIX – 1.3.2
(Refer: Paragraph 1.3.8.1; Page–41)

Statement showing the ratio of warders to occupancy

Year	Name of Jail	Fixed capacity	Occupancy	Percentage occupancy	Number of warders		Ratio	
					sanctioned	posted	6/4	7/4
1	2	3	4	5	6	7	8	9
2005-06	Central Jail, Beur, Patna	1620	3150	194	150	89	1:21	1:35
2006-07	Central Jail, Beur, Patna	1860	3289	177	150	87	1:22	1:38
2007-08	Central Jail, Beur, Patna	2240	2712	121	200	96	1:14	1:28
2008-09	Central Jail, Beur, Patna	2360	2785	118	200	88	1:14	1:32
2009-10	Central Jail, Beur, Patna	2360	2731	116	200	82	1:14	1:33
2005-10	Central Jail, Beur, Patna	10440	14667	140	900	442	1:16	1:33
2005-06	Central Jail, Bhagalpur	1962	1434	73	207	67	1:7	1:21
2006-07	Central Jail, Bhagalpur	1962	1659	85	207	67	1:8	1:25
2007-08	Central Jail, Bhagalpur	1962	1547	79	200	58	1:8	1:27
2008-09	Central Jail, Bhagalpur	1962	1361	69	200	57	1:7	1:24
2009-10	Central Jail, Bhagalpur	1962	1456	74	200	57	1:7	1:26
2005-10	Central Jail, Bhagalpur	9810	7457	76	1014	306	1:7	1:24
2005-06	Central Jail, Bhagalpur Special	3288	1313	40	236	183	1:6	1:7
2006-07	Central Jail, Bhagalpur Special	3288	1607	49	236	182	1:7	1:9
2007-08	Central Jail, Bhagalpur Special	3288	2176	66	236	180	1:9	1:12
2008-09	Central Jail, Bhagalpur Special	3288	2204	67	236	132	1:9	1:17
2009-10	Central Jail, Bhagalpur Special	3288	1731	53	236	120	1:7	1:14
2005-10	Central Jail, Bhagalpur Special	16440	9031	55	1180	797	1:8	1:11
2005-06	Central Jail, Buxar	994	1484	149	171	60	1:9	1:25
2006-07	Central Jail, Buxar	994	1225	123	171	59	1:7	1:21
2007-08	Central Jail, Buxar	1126	1020	91	200	65	1:5	1:16
2008-09	Central Jail, Buxar	1126	1010	90	200	64	1:6	1:16
2009-10	Central Jail, Buxar	1126	989	87	200	62	1:6	1:16
2005-10	Central Jail, Buxar	5366	5728	107	942	310	1:6	1:18
2005-06	Central Jail, Gaya	1032	2505	243	126	91	1:20	1:28
2006-07	Central Jail, Gaya	1032	2570	249	126	100	1:20	1:26
2007-08	Central Jail, Gaya	1032	2175	211	205	61	1:11	1:36
2008-09	Central Jail, Gaya	1478	1960	133	205	73	1:10	1:27
2009-10	Central Jail, Gaya	1478	1641	111	205	73	1:8	1:22
2005-10	Central Jail, Gaya	6052	10851	179	867	398	1:13	1:27
2005-06	Central Jail, Muzaffarpur	1211	2406	199	138	40	1:17	1:60
2006-07	Central Jail, Muzaffarpur	1211	2749	227	138	48	1:20	1:57

Year	Name of Jail	Fixed capacity	Occupancy	Percentage occupancy	Number of warders		Ratio	
					sanctioned	posted	6/4	7/4
1	2	3	4	5	6	7	8	9
2007-08	Central Jail, Muzaffarpur	1211	2277	188	138	81	1:17	1:28
2008-09	Central Jail, Muzaffarpur	2135	2079	97	200	57	1:10	1:36
2009-10	Central Jail, Muzaffarpur	2135	2333	109	200	55	1:12	1:42
2005-10	Central Jail, Muzaffarpur	7903	11844	150	814	281	1:15	1:42
2005-06	District Jail, Ara	400	1291	323	49	40	1:26	1:32
2006-07	District Jail, Ara	400	1414	354	49	47	1:28	1:30
2007-08	District Jail, Ara	400	1556	389	100	28	1:16	1:55
2008-09	District Jail, Ara	664	1351	203	100	24	1:14	1:56
2009-10	District Jail, Ara	664	1127	170	100	24	1:11	1:46
2005-10	District Jail, Ara	2528	6739	267	398	163	1:17	1:41
2005-06	District Jail, Begusarai	425	1435	338	45	38	1:32	1:38
2006-07	District Jail, Begusarai	825	1233	149	45	36	1:27	1:34
2007-08	District Jail, Begusarai	957	1227	128	45	42	1:27	1:29
2008-09	District Jail, Begusarai	957	1326	139	103	36	1:13	1:37
2009-10	District Jail, Begusarai	957	1315	137	103	37	1:13	1:36
2005-10	District Jail, Begusarai	4121	6536	159	341	189	1:19	1:35
2005-06	District Jail, Bhagalpur Women	83	99	119	12	07	1:8	1:14
2006-07	District Jail, Bhagalpur Women	83	102	123	12	07	1:9	1:15
2007-08	District Jail, Bhagalpur Women	83	118	142	12	06	1:10	1:20
2008-09	District Jail, Bhagalpur Women	83	95	114	12	06	1:8	1:16
2009-10	District Jail, Bhagalpur Women	83	85	102	12	06	1:7	1:14
2005-10	District Jail, Bhagalpur Women	415	499	120	60	32	1:8	1:16
2005-06	District Jail, Biharsharif	275	906	329	100	18	1:09	1:50
2006-07	District Jail, Biharsharif	275	1103	401	100	18	1:11	1:61
2007-08	District Jail, Biharsharif	539	952	177	100	18	1:10	1:53
2008-09	District Jail, Biharsharif	539	858	159	100	18	1:9	1:48
2009-10	District Jail, Biharsharif	739	629	85	100	18	1:6	1:35
2005-10	District Jail, Biharsharif	2367	4448	188	500	90	1:09	1:49
2005-06	District (now Central) Jail, Motihari	367	1880	512	50	29	1:38	1:65
2006-07	District (now Central) Jail, Motihari	367	1690	460	50	31	1:34	1:55
2007-08	District (now Central) Jail, Motihari	367	1437	392	103	29	1:14	1:50
2008-09	District (now Central) Jail, Motihari	1423	1231	87	103	29	1:12	1:42

Year	Name of Jail	Fixed capacity	Occupancy	Percentage occupancy	Number of warders		Ratio	
					sanctioned	posted	6/4	7/4
1	2	3	4	5	6	7	8	9
2009-10	District (now Central) Jail, Motihari	1423	1179	83	103	24	1:11	1:50
2005-10	District (now Central) Jail, Motihari	3947	7417	188	409	142	1:18	1:52
2005-06	District Jail, Nawada	218	879	403	23	23	1:38	1:38
2006-07	District Jail, Nawada	218	866	397	23	23	1:38	1:38
2007-08	District Jail, Nawada	218	857	393	23	23	1:37	1:37
2008-09	District Jail, Nawada	218	716	328	26	26	1:28	1:28
2009-10	District Jail, Nawada	218	517	237	26	26	1:20	1:20
2005-10	District Jail, Nawada	1090	3835	352	121	121	1:31	1:31
2005-06	District (now Central) Jail, Purnea	412	1105	268	74	32	1:15	1:35
2006-07	District (now Central) Jail, Purnea	412	1359	330	74	40	1:18	1:34
2007-08	District (now Central) Jail, Purnea	412	1082	263	100	24	1:11	1:45
2008-09	District (now Central) Jail, Purnea	412	981	238	100	23	1:10	1:43
2009-10	District (now Central) Jail, Purnea	412	1061	258	100	23	1:11	1:46
2005-10	District (now Central) Jail, Purnea	2060	5588	271	448	142	1:12	1:39
2005-06	Sub Jail, Bikramganj	NA	NA	NA	NA	NA	NA	NA
2006-07	Sub Jail, Bikramganj	175	282	161	35	07	1:8	1:40
2007-08	Sub Jail, Bikramganj	307	224	73	35	07	1:6	1:32
2008-09	Sub Jail, Bikramganj	307	190	62	35	07	1:5	1:27
2009-10	Sub Jail, Bikramganj	307	181	59	35	07	1:5	1:26
2005-10	Sub Jail, Bikramganj	1096	877	80	140	28	1:6	1:31
2005-06	Sub Jail, Jhanjharpur	120	329	274	38	09	1:9	1:37
2006-07	Sub Jail, Jhanjharpur	120	300	250	38	09	1:8	1:33
2007-08	Sub Jail, Jhanjharpur	120	240	200	38	09	1:6	1:27
2008-09	Sub Jail, Jhanjharpur	120	214	178	38	09	1:6	1:24
2009-10	Sub Jail, Jhanjharpur	120	226	188	38	09	1:6	1:25
2005-10	Sub Jail, Jhanjharpur	600	1309	218	190	45	1:7	1:8
	Grand Total	74235	87056	117	8324		1:10	

APPENDIX - 1.3.3
(Refer: Paragraph 1.3.8.2; Page - 42)

Non-installation of hand held metal detectors (HHMD) and walkie-talkies

(₹ in lakh)

Sl. No.	Name of jail	HHMD		Walkie-talkie	
		Number	Amount	Number	Amount
1	CJ, Buxar	02	0.27	10	1.11
2	CJ, Muzaffarpur	02	0.27	10	1.11
3	CJ, Gaya	02	0.27	10	1.11
4	CJ, Bhagalpur	02	0.27	10	1.11
5	CJ, Beur, Patna	02	0.27	10	1.11
6	Spl. CJ, Bhagalpur	02	0.27	10	1.11
7	DJ, Bihar Sharif	-	-	05	0.56
8	DJ, Jahanabad	-	-	05	0.56
9	DJ, Ara	-	-	05	0.56
10	DJ, Aurangabad	-	-	05	0.56
11	DJ, Begusarai	-	-	05	0.56
12	DJ, Bettia	-	-	05	0.56
13	DJ, Chhapra	-	-	05	0.56
14	DJ, Darbhanga	-	-	05	0.56
15	DJ, Gopalganj	-	-	05	0.56
16	DJ, Hajipur	-	-	05	0.56
17	DJ, Katihar	-	-	05	0.56
18	DJ, Khagaria	-	-	05	0.56
19	DJ, Madhepura	-	-	05	0.56
20	DJ, Madhubani	-	-	05	0.56
21	DJ, Motihari	-	-	05	0.56
22	DJ, Munger	-	-	05	0.56
23	DJ, Nawada	-	-	05	0.56
24	DJ, Phulwari Sharif	-	-	05	0.56
25	DJ, Purnea	-	-	05	0.56
26	DJ, Saharsa	-	-	05	0.56
27	DJ, Samastipur	-	-	05	0.56
28	DJ, Sasaram	-	-	05	0.56
29	DJ, Sitamarhi	-	-	05	0.56
30	DJ, Siwan	-	-	05	0.56
31	DJ, Banka	-	-	05	0.56
32	DJ, Bhabhua	-	-	05	0.56
33	DJ, Jamui	-	-	05	0.56
34	DJ, Lakhsarai	-	-	05	0.56
35	DJ, Sheikhpura	-	-	05	0.56
36	DJ, Araria	-	-	05	0.56
37	DJ, Kishanganj	-	-	05	0.56
38	DJ, Supaul	-	-	10	1.11
Total		12	1.62	225	25.13

APPENDIX – 1.3.4
(Refer: Paragraph 1.3.8.3; Page - 43)

Statement showing discrepancies in the maintenance of Gate Register

Name of Jail	No serial	Existence of blank space	Correction in serial number
CJ, Bhagalpur,	18.09.05 to 01.01.06, 07.10.06, 04.11.06, 01.12.06	07.10.06	
CJ, Bhagalpur Special,	27.1.06, 28.01.06, 10.02.06, 11.02.06, 21.02.06, 03.03.06, 18.03.06, 12.04.06, 19.04.06 to 21.04.06, 05.06.06, 08.06.06.	27.1.06, 28.01.06, 10.02.06, 11.02.06, 21.2.06, 03.03.06, 18.3.06, 12.04.06, 19.04.06 to 21.4.06, 22.4.06, 7.6.06, 8.6.06, 17.10.06, 20.10.06, 22.10.06, 24.10.06 to 11.11.06, 13.11.06 to 24.11.06, 21.2.07, 10.05.07 to 13.05.07, 23.05.07, 24.05.07, 1.2.09 to 7.2.09, 11.2.09 to 15.2.09, 17.2.09 to 28.2.09, 28.2.10, 2.3.10 to 9.3.10	
CJ, Buxar,	30.01.06 to 01.02.06	after 17.01.06, 25.01.06, 31.01.06, 01.02.06, 10.02.06, 15.03.06, 25.03.06, 31.03.06	from 05.10.05 (16003) to 14.10.05 (16346), cutting in January 2006 from serial 891 to 899 (made to 901 to 909),
DJ, Purnea	05.02.06, 23.12.07, 24.12.07, 03.02.08, 04.02.08, 21.05.08 to 23.05.08, 26.05.08, 04.06.08, 05.06.08, 08.06.08, 09.06.08, 04.08.08 to 06.08.08, 01.11.08, 02.11.08, 07.01.09, 08.01.09, 12.01.09, 13.01.09, 11.02.09 to 13.02.09, 16.02.09 to 20.02.09, 27.05.09 to 29.05.09, 31.05.09, 01.06.09, 06.06.09, 08.06.09, 10.06.09 to 13.06.09, 15.06.09, 09.08.09, 10.08.09, 30.08.09 to 01.09.09, 24.09.09, 25.10.09, 26.10.09, 04.11.09, 03.12.09, 04.12.09	23.12.07, 20.05.08, 22.05.08, 26.05.08, 04.08.08, 06.08.08, 07.01.09, 04.02.09, 11.02.09, 18.02.09, 19.02.09, 31.05.09, 07.06.09, 08.06.09, 10.06.09, 11.06.09, 14.06.09, 01.07.09, 09.08.09, 10.08.09, 30.08.09, 31.08.09, 24.09.09, 25.10.09, 26.10.09, 03.12.09, 04.12.09,	

APPENDIX- 1.3.5
(Refer: Paragraph 1.3.8.3; Page - 43)

Statement showing recovery of prohibited items from jails

Sl. No.	Name of Jail	Number of searches	Prohibited item recovered during the period 2007-10						
			Mobile set	Sim card	Mobile charger	Mobile battery	Knife	Ganja	Others
1	CJ, Bhagalpur Special	01	-	-	-	-	06	200 gm	2 Solding iron, 3 electric iron, Gutkha 300 pouch, 5 Ganga Chilam
2	CJ, Beur. Patna	52	70	07	44	12	-	2.395 Kg & 403 pouch.	Match box, electric wire, TV, one DVD player, 62 CDs, 16 packet cigarette, gas regulator, gutkha, 15 rope and heater
3	CJ, Bhagalpur	04	-	-	-	01	-	-	Bhang three pouch, one diary and walkman
4	CJ, Buxar	01	01	-	01	-	-	-	-
5	CJ, Gaya	03	01	-	01	-	-	150 gm	Four chulha, Khaini, Biri, cigarette, sattu and fruit
6	DJ, Ara	04	09	03	05	-	-	-	One stove, 10 litter kerosene oil
7	DJ, Araria	02	03	01	01	-	01	-	2 Electric iron, diary
8	DJ, Aurangabad	03	06	-	05	-	-	2 kg & 03 pouch	₹ 19825, four diaries
9	DJ, Banka	01	-	-	-	-	-	05 pouch	
10	DJ, Begusarai	01	03	03	03	-	-	-	-
11	DJ, Bettiah	02	08	13	03	-	01	-	-
12	DJ, Bihar Sharif	15	28	09	07	05	08	One pouch	Three ganja chilam, 6 scissors, Chilam & Khaini, 1 razor
13	DJ, Chhapra	04	20	-	18	-	-	-	16 stove, one radio, two electric iron, 45 litter kerosene oil, ₹1305, one transister
14	DJ, Darbhanga	01	-	-	-	-	-	-	₹ 4320 & four packet cigarrate

Sl. No.	Name of Jail	Number of searches	Prohibited item recovered during the period 2007-10						
			Mobile set	Sim card	Mobile charger	Mobile battery	Knife	Ganja	Others
15	DJ, Gopalganj	06	20	01	36	01	01	10 pouch	Two electric iron, wine, 16 CDs, one CD player, gutkha & panmasala
16	DJ, Hajipur	03	01	2	01	-	01	-	₹ 39171, wine bottle, CDs, dekchi, jug, diary & handpump handle
17	DJ, Jahanabad	03	11	-	04	01	-	-	₹ 2600
18	DJ, Jamui	03	03	-	01	-	-	Two pouch	
19	DJ, Khagaria	03	09	-	02	-	01	5 gm	Three diaries, one packet cigarette, one match box, 20 pouch gutkha, one blade
20	DJ, Kishanganj	01	-	-	-	-	02	-	One nail cutter
21	DJ, Lakhisharai	03	13	12	10	-	-	-	Khaini
22	DJ, Madhepura	28	34	11	06	02	-	10 pouch	Five diaries and one ganja chilam
23	DJ, Madhubani	03	01	-	01	-	01	-	One sarauta, one chilam
24	DJ, Motihari	06	16	08	05	-	-	150 gm	One pistol
25	DJ, Mugher	03	02	02	01	-	-	-	One radio, one speaker, ₹3000, wire 3 mtr
26	DJ, Nawada	05	04	-	02	-	01	-	₹ 14500, one spoon, one hammer, one chilam, one khurpi
27	DJ, Purnea	01	01	01	-	-	-	-	-
28	DJ, Sasaram	04	07	04	05	02	-	-	-

Sl. No.	Name of Jail	Number of searches	Prohibited item recovered during the period 2007-10						
			Mobile set	Sim card	Mobile charger	Mobile battery	Knife	Ganja	Others
29	DJ, Sheikhpura	01	-	-	-	-	-	-	100g Khaini, 14 pc cigarette, four match box, one chheni, one tin pulse, red chilli powder 200 gm. Flour 3500 kg, garam masala one pouch, Zeera 50 gm., four Chilam, One ganja cutter, 35 no. wire 50 gm., multi channel TV, heater coil & wire, wire two feet
30	DJ, Sitamarhi	03	13	03	09	09	-	-	Iron rods
31	DJ, Siwan	04	48	47	26	44	09	-	₹ 13000, 15 diaries, seven perfume bottle, one fan, one head phone
32	SJ, Barh	03	03	01	02	-	-	-	One diary
33	SJ, Jhanjharpur	01	01	-	01	01	-	-	One diary
34	SJ, Patna City	02	-	01	04	-	-	-	One fire goli
	Total	180	336	129	204	78	32	4.900 kg & 434 pouch	

APPENDIX – 1.3.6*(Refer: Paragraph 1.3.8.6; Page - 45)***Statement showing pending reports on custodial deaths**

Name of Jail	Number of Custodial deaths						Number of Magisterial reports pending					
	2005 -06	2006 -07	2007 -08	2008 -09	2009 -10	Total	2005 -06	2006 -07	2007 -08	2008 -09	2009 -10	Total
Central Jail, Beur, Patna	20	21	12	11	11	75	Nil	Nil	Nil	02	03	05
Central Jail, Bhagalpur	10	10	09	06	07	42	Nil	Nil	Nil	Nil	01	01
Central Jail, Bhagalpur Special	04	03	25	07	11	50	Nil	Nil	02	Nil	01	03
Central Jail, Buxar	17	12	15	10	07	61	Nil	Nil	Nil	Nil	Nil	Nil
Central Jail, Gaya	13	20	20	11	09	73	Nil	Nil	Nil	Nil	Nil	Nil
Central Jail, Muzaffarpur	14	15	10	14	17	70	Nil	Nil	Nil	Nil	Nil	Nil
District Jail, Ara	09	04	06	06	07	32	Nil	Nil	Nil	Nil	05	05
District Jail, Begusarai	07	04	11	04	03	29	Nil	Nil	Nil	Nil	Nil	Nil
District Jail, Bhagalpur Women	01	Nil	Nil	Nil	Nil	01	Nil	Nil	Nil	Nil	Nil	Nil
District Jail, Biharsharif	09	05	04	03	02	23	Nil	Nil	Nil	Nil	02	02
District (now Central) Jail, Motihari	04	07	05	01	04	21	Nil	01	02	Nil	01	04
District Jail, Nawada	01	04	02	01	Nil	08	01	04	02	01	Nil	08
District (now Central) Jail, Purnea	01	05	05	10	Nil	21	NA	NA	NA	NA	NA	NA
Sub Jail, Bikramganj	06	02	Nil	Nil	Nil	08	Nil	Nil	Nil	Nil	Nil	Nil
Sub Jail, Jhanjharpur	04	Nil	Nil	Nil	Nil	04	Nil	Nil	Nil	Nil	Nil	Nil
Total	120	112	124	84	78	518	01	05	06	03	13	28

APPENDIX- 1.3.7
(Refer: Paragraph 1.3.9.1; page - 46)

Statement showing prisoners occupancy during 2005-10

S. N.	Name of jail	Capacity as on 31.12.05	Capacity as on 31.12.09	Percent age Occupancy 31.12.05	Percent age Occupancy 31.12.06	Percent age Occupancy 31.12.07	Percent age Occupancy 31.12.08	Percent age Occupancy 31.12.09
1	D.J. Bhabua	85	85	604 (SJ)	539 (SJ)	572	521	464
2	D.J. Nawada	348	218	207	253	338	393	405
3	D.J. Madhepura	99	99	672	100	476	501	393
4	D.J. Jahanabad	140	140	431 (SJ)	566 (SJ)	558	574	389
5	D.J. Khagaria	163	183	429	454	186	389	384
6	D.J. Supaul	138	138	435 (SJ)	329 (SJ)	322	383	358
7	D.J. Araria	162	162	342 (SJ)	308 (SJ)	300	345	310
8	SJ Barh	67	167	778	346	356	344	272
9	D.J. Jamui	158	188	414 (SJ)	400 (SJ)	379	313	228
10	SJ Hilsa	210	210	300	215	302	238	222
11	D.J. Sitamarhi	286	286	315	267	237	217	214
12	SJ Jhanjharpur	120	120	294	203	218	157	211
13	D.J. Purnea	412	412	316	291	250	280	175
14	D.J. Ara	400	664	298	374	137	187	175
15	D.J. Aurangabad	210	309	296	354	220	189	161
16	SJ Buxar	53	69	206	180	250	211	159
17	D.J. Biharsharif	435	435	200	249	191	197	145
18	D.J. Betia	225	623	558	712	222	176	143
19	D.J. Chapra	542	674	255	233	181	125	142
20	D.J. Begusarai	410	957	386	165	128	139	137
21	SJ Danapur	37	87	714	386	209	349	121
22	D.J. Sheikhpura	156	155	155 (SJ)	203 (SJ)	69	131	121
23	Model CJ, Beur, Patna	1708	2360	180	165	109	115	117
24	Sub. Jail Navgachia	NA	220	Nil	Nil	84	143	116
25	D.J. Kishanganj	214	221	194 (SJ)	168 (SJ)	137	157	115
26	D.J. Munger	453	482	176	144	111	128	113
27	W.D.J. Bhagalpur	83	83	117	106	130	114	112
28	CJ, Gaya	1032	1478	243	249	152	133	111
29	D.J. Gopalganj	55	550	1433	1131	924	107	106
30	D.J. Saharsa	425	557	160	134	123	80	103
31	D.J. Samastipur	210	576	532	333	147	95	100
32	D.J. Lakhisarai	257	419	279 (SJ)	154 (SJ)	105	75	98
33	D.J. Hajipur	225	753	621	229	147	131	93
34	D.J. Madhubani	250	621	350	225	112	78	93
35	S.K.R.B., CJI, Muzaffarpur	1211	2135	240	199	161	107	92
36	Sub. Jail Masaurhi	193	193	134	134	109	87	92
37	D.J. Siwan	410	684	194 (SJ)	99	84	79	91
38	Sub. Jail Patnacity	35	193	603	746	627	419	87
39	Central Jail, Buxar	994	1126	146	153	88	90	83
40	D.J. Motihari	367	1423	512	460	122	87	83
41	Camp DJ, Phulwarisharif	600	700	165	151	95	67	83
42	D.J. Sasaram	610	970	205	180	148	85	82
43	D.J. Banka	103	732	919 (SJ)	357 (SJ)	106	103	82
44	SJ Bagaha	225	481	183	264	103	56	78
45	D.J. Katihar	463	779	214	149	95	96	76
46	SJ Rosera	100	232	316	297	88	205	66
47	CJ, Bhagalpur	1982	1962	83	80	70	72	66
48	D.J. Darbhanga	383	665	136	149	157	91	63
49	SJ Sherghati	250	250	96	99	137	114	62
50	SJ Bikramganj	225	307	129	117	65	65	59
51	SJ Benipur	215	215	64	47	72	61	53
52	Spl. CJ, Bhagalpur	3228	3288	49	45	63	58	47
53	SJ Dalsingsarai	165	164	81	119	79	79	46
54	SJ Daudnagar	NA	560	NA	NA	NA	25	27

APPENDIX – 1.3.8*(Refer: Paragraph 1.3.12.1; Page - 52)***Statement showing shortages in the manufacturing department and in dead stock**

Sl No	Name of article	CB of old Stock	OB of stock register opened on 01.09.06	Shortage	Rate (₹)	Amount (₹)
1	2	3	4	5 = 4-3	6	7= 5X6
1	Woolen grey yarn	5555 Kg	3755 Kg	1800 Kg	18.60 per Kg	33480
2	Aluminium thali	1500	NIL	1500	134 per Pc.	201000
3	Aluminium glass	779	NIL	779	134 per Pc.	104386
4	Jute mat	3308	1550	1758	72 per Pc.	126576
5	Crosit oil	3225 Kg	2000 Kg	1225 Kg	20 per Kg	24500
6	Rosin	2103.30 Kg	1377.00 Kg	726.30 Kg	59 per Kg	42852
7	Soap stone powder	9110.75 Kg	2500 Kg	6610.75 Kg	4.50 per Kg	29748
8	Sodium silicate	1837.75 Kg	1200 Kg	637.75 Kg	6.90 per Kg	4400
9	Red blanket	972	963	09	273 per Pc.	2457
10	Iron rod	200 Kg	62 Kg	138 Kg	21 per Kg	2898
11	Iron sheet 16 gauze	148 Kg	54 Kg	94 Kg	31.12 per Kg	2925
	Total					575222

Dead stocks

Sl No	Name of article	CB of old Stock	OB of stock register opened on 01.09.06	Shortage	Rate (₹)	Amount (₹)
1	2	3	4	5 = 4-3	6	7= 5X6
1	Drill Beat	6 Pcs	2 Pcs	4 Pcs	670 Pcs	2680
2	Wire Hildframe complete	22 Pcs	-	22 Pcs	1950 Pcs	42900
3	Liver Tension	17 Pcs	11 Pcs	6 Pcs	375 Pcs	2250
4	Take up Wheel Bracket	18 Pcs	-	18 Pcs	190 Pcs	3420
5	Plastic Pinker	66 Pcs	6 Pcs	60 Pcs	160 Pcs	9600
6	Nut Bolt	5 Kg	2 Kg	6 Kg/36 Pcs	10 Pcs	360
7	Picking Plate books RH/ LH	12 Pcs	-	12 Pcs	275 Pcs	3300
8	Iron Churna	72.500 Kg	22.500	50 Kg	8 Kg	400
9	Fast Pullifar Blamet Frame	12 Pcs	-	12 Pcs	1650 Pcs	19800
	Total					84710

APPENDIX – 1.3.9

(Refer: Paragraph 1.3.12.2; Page - 53)

Statement showing non-disposal of scrap

Sl. No	Name of Jail	Name of items	Quantity (in Kgs)	Rate (₹)*	Amount (₹)
1	Central Jail, Bhagalpur	Aluminum Scrap (cutting)	1341.50	57.50	77136
2	Central Jail, Bhagalpur	Condemned Aluminum	1170.55	65	76086
3	Central Jail, Bhagalpur	Scrap of Woolen yarn	56875	12	682500
4	Central Jail, Bhagalpur	Scrap and condemned Iron and GI sheet 24 gauze	17653	10	176530
5	Central Jail, Bhagalpur	Condemned Iron drum	57 nos.	70	3990
6	Central Jail, Bhagalpur	Tailor cutting/condemned cotton yarn	1207	8.30	10018
	Total 1				1026260
7	Central Jail, Buxar	Scrap of Woolen yarn	953	12	11436
8	Central Jail, Buxar	Scrap and condemned Iron and GI sheet 24 gauze	1674	10	16740
	Total 2				28176
	Grand Total				1054436

* Rates are based on approved rates (2006-07) of Central Jail, Bhagalpur except for S.No. 7 for which Rate is based on approved rate of 2001 of the same Jail.

ANNEXURE – 1.3.10
(Refer: Paragraph 1.3.12.3; Page - 53)

Statement showing Idle machines

Carding section (Osaka Kiko Co. Ltd 1949)		
Sl. No	Name of machine	Number
1	Carding machine	21
2	Blow machine	04
3	Card pressure top flat machine	01
4	Top flat finishing machine	01
5	Robin cutter machine	01
Spinning section (Osaka Kiko Co. Ltd 1949)		
1	Spinning machine	13
2	Doubling machine	01
3	Chesses machine	01
4	Riling machine	16
5	Rotocon machine	01
6	Inter machine	04
7	Salving machine	02
8	Draying machine	12

APPENDIX 1.3.11

(Refer: Paragraph 1.3.13.1; Page - 53)

Statement of inspections conducted by IGP during 2005-10

Name of Jail	Required Number of inspections	Inspections done	Remarks
CJ, Beur, Patna	10	01 (2009-10)	there was no entry in visitor's minute book
CJ, Bhagalpur	10	01 (2006-07)	there was no entry in visitor's minute book
CJ, Bhagalpur Special	10	NIL	
CJ, Buxar	10	NIL	
CJ, Gaya	10	01 (2009-10)	there was no entry in visitor's minute book
CJ, Muzaffarpur	10	02 (2008-09)	there was no entry in visitor's minute book
DJ, Ara	05	NIL	
DJ, Begusarai	05	NIL	
DJ, Bhagalpur Women	05	NIL	
DJ, Biharsarif	05	01 (2009-10)	there was no entry in visitor's minute book
DJ, Motihari	05	01 (2008-09)	there was no entry in visitor's minute book
DJ, Nawada	05	NIL	
DJ, Purnea	05	NA	
SJ, Bikramganj	03	NIL	
SJ, Jhanjharpur	03	NIL	
Total	101	07	

APPENDIX 1.3.12*(Refer: Paragraph 1.3.13.1; Page - 53)****Statement of inspections conducted by DM during 2005-10***

Name of Jail	Required Number of Inspections	Inspections done by DM	Remarks
CJ, Beur, Patna	60	NIL	
CJ, Bhagalpur	60	01(2009-10)	There was no entry in the visitor's book
CJ, Bhagalpur Special	60	NIL	
CJ, Buxar	60	01(2005-06), 01(2006-07) and 01 (2007-08)	There was no entry in the visitor's book
CJ, Gaya	60	01(2007-08)	There was no entry in the visitor's book
CJ, Muzaffarpur	60	02(2005-06), 01(2009-10)	There was no entry in the visitor's book
DJ, Ara	60	NIL	
DJ, Begusarai	60	NIL	
DJ, Bhagalpur Women	60	NIL	
DJ, Biharsarif	60	01(2009-10)	There was no entry in the visitor's book
DJ, Motihari	60	01(2005-06)	There was no entry in the visitor's book
DJ, Nawada	60	01(2009-10)	There was no entry in the visitor's book
DJ, Purnea	60	NA	
SJ, Bikramganj	05	01(2005-06)	
SJ, Jhanjharpur	05	NIL	
Total	790	12	

APPENDIX – 2.1
(Refer: Paragraph 2.2.1; Page - 73)

Statement showing names of works and excess payment due to price escalation

The price adjustment for increase or decrease in the cost of bitumen shall be paid in accordance with the following formula:-

$$V_b = 0.85 \times P_b / 100 \times R \times (B_1 - B_0) / B_0$$

V_b = Increase or decrease in the cost of work during the month under consideration due to change in rates for bitumen.

B_0 = The official retail price of bitumen at the IOC depot at nearest centre on the day 28 days prior to date of opening of Bids.

B_1 = The official retail price of bitumen of IOC depot at nearest centre for the 15th day of the month under consideration.

P_b = Percentage of bitumen component of the work.

R = Total value of work.

Sl. No.	Name of work	Quantity of emulsion/ bitumen consumed in work (in MT)	Rate of bitumen/ emulsion (as per SOR) (in ₹)	Pb on which payment was made	Pb on which payment was to be made	Paid escalation (in ₹)	Payable escalation (in ₹)	Difference (in ₹)
(1)	W/s of Khaira-Sattarghat road 10 SBD/2007-08	Eml. - 53.448 Bit. - 508.783	19937.25 25857.51	22.70	12.01	5870187	3105569	2764618
(2)	Manpur-Garkha Road 26 SBD/07-08	Eml. - 30.63 Bit. - 273.79	25154.85 19195.90	17.89	14.78	3002997	2688631	314366
(3)	Balance work of Chapra-Marhaura Road 3 SBD/2008-09	Bit. - 637.787	33716.13	41.26	36.07	1642616	1435725	206891
(4)	Shitalpur-Parsa-Sonho Road 11 F2/2006-07	Bit. - 976.655	19082.30	27.50	24.03	11192880	9541701	1651179
(5)	Chapra-Manjhi-Darauli-Guthani road (31.40 to 86 km) (SBD-18/06-07) (Pkg. Prog. No.- BR/NBW/MDR/02/06-07)	Bit. - 2794.77	25857.50	28.25	23.35	11382102	9465185	1916917
(6)	Imp. of Siwan-Pagambarpur road (0 to 26.33 km) (SBD-18/06-07) (Pkg. Prog. No.- BR/NBW/MDR/02/06-07)	Bit. - 986.60	25857.50	25.73	21.21	7733506	6089360	1644146
(7)	Chainwa-Chainpur road (6.5 km to 10 km) (SBD-18/06-07) (Pkg. Prog. No.- BR/NBW/MDR/02/06-07)	Bit. - 184.71	25857.50	27.51	22.73	706977	571356	135618
(8)	Panchrukhi-Hariharpur-Lalganj road (9F2/06-07)	Bit. - 603.35	23728.85	25.85	21.61	4039996	3377222	662774
	Total							9296509

APPENDIX – 2.2
(Refer: Paragraph 2.2.3; Page - 75)

Statement showing delays at various stages of flood protection

Sl. No	Events	Stipulated date as per Flood Calendar 2007-08	Actual date of execution	Delay (in days)
1	Inspection of site and reporting by High level Committee	10-31 October	13.10.2007 to 14.10.2007	
2	Meeting of TAC and its recommendation/ reporting	5-16 November	26.10.2007	
3	Submission of plan before SRC in light of recommendation by TAC	19-27 November		
4	Meeting of SRC and recommendation/reporting	29 November to 5 December	25.01.2008	
5	Meeting of Bihar State Flood Control Board	24 December		
6	Date of approval of execution of work (Go-ahead)	27 December		
7	Date of technical sanction of estimate	30 December	21.02.2008	52 Days
8	Date of NIT	31 December	20.12.2007	
9	Date of tender	up to 25th January	22.01.2008	
10	Date of finalization of tender	up to 31st January	22.02.2008	22 Days
11	Date of allotment of work	1st February	26.02.2008	26 Days
12	Actual date of start of work	2nd February	29.02.2008	27 Days
13	Date of completion of work	31st May		

APPENDIX – 2.3
(Refer: Paragraph 2.2.6; Page - 79)

Statement showing amounts paid to employees/teachers

Sl. No.	Period	Amount release/paid (in ₹)
1	July 2005 to February 2006	2,49,49,484.00
2	March 2006	34,20,979.00
3	April 2006	34,20,979.00
4	May 2006	36,58,437.00
5	June 2006 to August 2006	1,09,89,438.00
6	September 2006 to 15th October 2006	51,35,276.00
7	Adhoc one month (Paid on 23.10.2008)	41,62,038.00
8	Adhoc one month (Paid on 13.01.2009)	38,67,896.00
9	Adhoc one month (Paid on 07.03.2009)	41,39,557.00
10	Adhoc one month (Paid on 05.06.2009)	18,65,000.00
11	Adhoc one month (Paid on 25.02.2010 and 30.03.2010)	19,02,500.00
	Total	6,75,11,584.00

APPENDIX – 2.4
(Refer: Paragraph 2.3.2; Page - 81)

**Statement showing expenditure incurred on the same stretches of roads
from State and Central funds within the defect liability period**

State funds (2006-07)

(₹ in crore)

Sl No	Agr. No.	Name of work	Agr. Value	Completion date	Payment made upto	Final/ Last payment	Voucher No and date	Defect liability period	Security refunded/ lapsed before the defect liability period
1	19F2/06-07	IRQP in k.m. 41 to 44 of NH-80	1.39	11.03.09	13th and Final	1.35	Vr. No. 33 dt 30.03.09	10.03.2012	0.04
2	23F2/06-07	PR in k.m. 45 to 54 of NH-80	1.63	14.01.09	6th and Final	1.61	Vr. No. 01 dt 06.02.09	13.01.2011	0.08
3	24F2/06-07	IRQP in k.m. 1(P) to 11 of NH-80	1.99	07.01.08	8th and Final	1.98	Vr. No. 02 dt 03.03.08	06.01.2011	0.10
4	25F2/06-07	IRQP in k.m. 12 to 17 of NH-80	2.16	10.01.09	12th and Final	1.58	Vr. No. 21 dt 30.03.09	09.01.2012	0.16
Total			7.17			6.52			0.38

Central funds (2008-09 and 2009-10)

(₹ in crore)

Sl. No.	Agr. No./ Year	Name of work	Agr. Value	Date of Agreement	Payment made	
					Upto Running Account bill & date	Amount
1	SBD.- 19/08-09	IRQP Work in KM 41 to 54 of NH-80	4.95	23.03.09	7 th dt. 10.11.2009	4.68
2	SBD.- 02/09-10	IRQP Work in KM 0 to 14 of NH-80	5.39	23.07.09	8 th dt. 29.03.2010.	5.00
3	SBD.- 01/09-10	IRQP Work in KM 15 to 28 of NH-80	5.10	27.04.09	11 th dt. 29.03.2010	0.95*
Total			15.44			10.63

* Proportionate payment amount arrived at for first three kilometers i.e. 15 to 17 km =
(₹ 4,44,48,755/14 km) × 3 km = ₹ 95,24,733 or ₹ 0.95 crore

APPENDIX-2.5
(Refer: Paragraph – 2.5.1.; Page - 86)
Detail of outstanding Inspection Reports/ Paras

Sl. No.	Name of Department	2003-2004		2004-2005		2005-2006		2006-2007		2007-2008		2008-2009		2009-10		Total	
		IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para
1.	Rural Development	211	2047	193	1489	238	1941	254	2026	203	1314	232	1575	225	1604	1556	11996
2.	Welfare	40	318	12	79	39	156	45	181	45	138	86	299	32	180	299	1351
3.	Finance	4	16	3	10	15	16	5	17	10	39	14	44	2	6	53	148
4.	Urban Development	15	76	1	5	0	0	3	14	39	98	5	10	0	0	63	203
5.	Labour Employment	41	123	1	1	0	0	0	0	10	22	0	0	3	10	55	156
6.	Planning and statistic	3	11	3	8	0	0	8	25	1	5	23	48	1	6	39	103
7.	Information and Broadcasting	8	28	1	1	2	8	5	15	1	2	5	10	0	0	22	64
8.	Panchayati Raj	38	95	12	35	0	0	1	6	12	35	0	0	0	0	63	171
9.	Health	3	5	41	250	95	249	51	185	98	415	68	124	131	470	487	1698
10.	Home	6	43	73	448	48	278	50	169	73	134	64	125	46	163	360	1360
11.	Land acquisition	43	135	8	24	28	32	24	47	15	56	57	78	9	26	184	398
12.	Human Resources	105	411	120	487	65	254	93	467	109	575	75	287	70	420	637	2901
13.	Agriculture	65	129	47	266	12	20	23	80	59	188	28	114	45	205	279	1002
14.	Industry	20	67	18	76	5	30	19	87	12	63	7	24	0	0	81	347
15.	Land Revenue	28	95	25	102	55	156	79	227	21	61	20	44	47	134	275	819
16.	Law	18	59	13	54	8	24	13	25	5	21	11	36	7	17	75	236
17.	Animal Husbandry	15	71	9	19	20	34	46	114	40	155	24	64	32	101	186	558
18.	Co-operative	2	3	19	40	5	12	37	151	14	43	11	30	7	16	95	295
19.	Excise	18	34	13	26	14	22	12	15	12	17	9	16	19	24	97	154
20.	Fishery	25	73	5	18	0	0	0	0	18	57	5	5	5	20	58	173
21.	Tourism	10	30	3	10	0	0	0	0	12	35	3	8	0	0	28	83
22.	DRDA, State Autonomous Body	47	256	49	387	31	257	36	169	108	608	123	597	61	313	455	2587
23.	Road Construction	18	86	59	348	25	94	40	249	21	131	56	316	45	288	264	1512
24.	Building Construction	17	54	22	130	28	169	37	258	31	177	48	371	43	259	226	1418

Sl. No.	Name of Department	2003-2004		2004-2005		2005-2006		2006-2007		2007-2008		2008-2009		2009-10		Total	
		IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para	IR	Para
25.	Public Health Engineering	19	155	9	40	10	72	35	185	19	68	53	317	45	244	190	1081
26.	Water Resources	76	628	48	368	36	192	58	483	48	282	104	548	97	549	467	3050
27.	Rural Works	21	87	76	452	27	125	40	200	37	265	55	419	71	433	327	1981
28.	National Highway	9	28	12	55	15	53	14	61	21	101	20	136	19	106	110	540
29.	Forest	16	76	11	28	19	30	16	105	11	65	22	160	17	77	112	541
30.	Minor Irrigation and Tube well	17	107	1	6	13	103	26	139	24	113	23	150	39	245	143	863
	TOTAL	958	5346	907	5262	853	4327	1070	5700	1129	5283	1251	5955	1118	5916	7286	37789

APPENDIX- 2.6*(Refer: Paragraph – 2.5.2.; Page - 87)***Department-wise details of non-submission of Action Taken Notes**

Sl no.	Department	2000-01		2001-02		2002-03		2003-04		2004-05		2005-06		2006-07		2007-08		2008-09		Total	
		Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para
1.	Health	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0	0	1	2	3	3
2.	Human Resources	1	0	1	0	0	1	0	0	0	0	1	0	0	4	1	2	0	4	4	11
3.	Rural Development	0	0	0	0	0	2	0	1	1	4	0	1	1	4	1	5	1	4	4	21
4.	Agriculture	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	5	0	0	1	5
5.	Industry	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
6.	Energy	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
7.	Home	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1	1
8.	Water Resources	0	0	0	0	0	1	0	0	0	0	0	6	0	4	1	4	0	3	1	18
9.	Minor Irrigation	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1	1
10.	Building Construction	0	0	0	0	0	1	0	0	0	0	0	0	0	3	0	2	0	0	0	6
11.	Road Construction	0	1	0	0	0	0	0	0	0	0	0	1	1	1	0	2	0	1	1	6
12.	Public Health Engineering	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
13.	Revenue and Land Reforms	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	1	1
14.	Welfare	0	1	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	1	0	5
15.	Forest	0	0	0	1	0	0	0	0	0	0	1	0	0	2	0	0	0	1	1	4
16.	Animal Husbandry	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
17.	Local Body	1	3	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	5
18.	Urban Development	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	1
19.	Labour Employment and Training	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	2

Sl no.	Department	2000-01		2001-02		2002-03		2003-04		2004-05		2005-06		2006-07		2007-08		2008-09		Total	
		Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para	Review	Para
20.	Vidhan Mandal	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
21.	Cabinet Secretariat	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0
22.	Commercial Authority	0	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
23.	Law	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2
24.	Disaster Management	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	1	0	1	2
25.	Planning & Dev.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	3	7	1	5	00	07	1	03	01	7	05	11	04	24	04	21	5	17	24	102

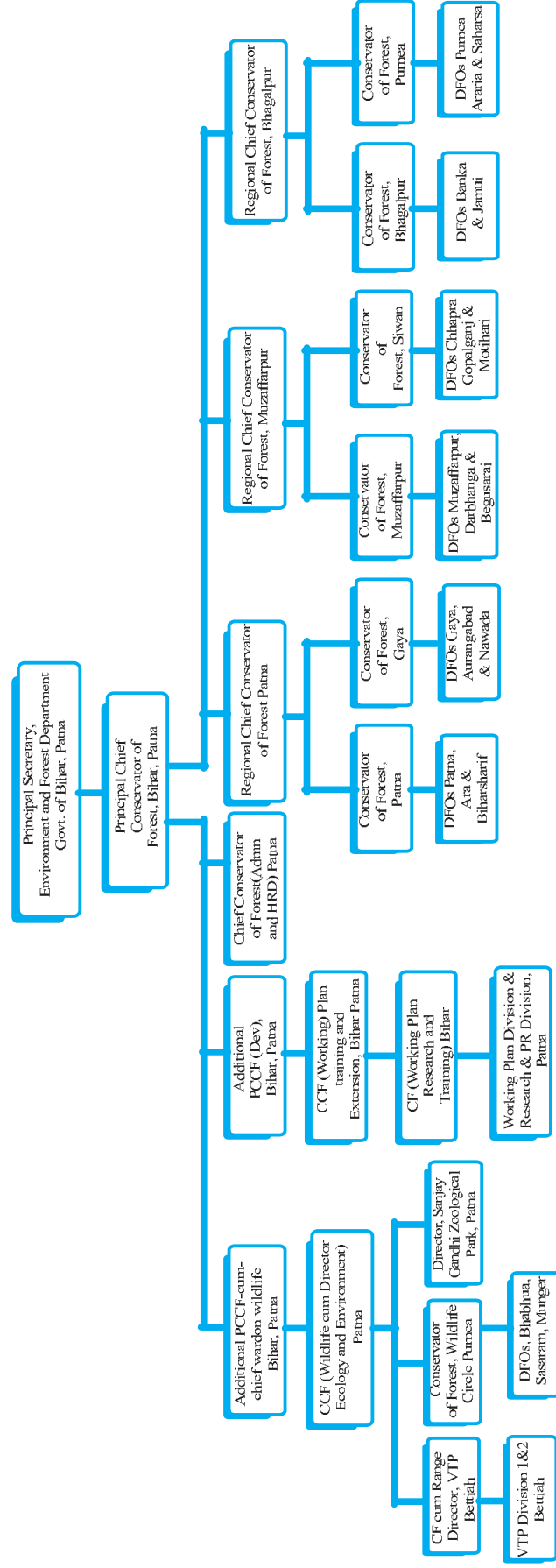
APPENDIX- 2.7
(Refer: Paragraph – 2.5.3.; Page -87)

Status of Action Taken Notes on the recommendation of the PAC

Sl. No.	Name of Department	P.A.C. Report No.	Number of Paras on which ATNs by department not furnished
1.	Rural Development Department	326*, 357, 446	32
2.	Rural Engineering Organisation	414, 473	14
3.	Road Construction Department	347, 369, 370, 430, 471	41
4.	Labour & Employment Department	388	01
5.	Science & Technology	396	03
6.	Urban Development Department	406, 447	08
7.	Public Health Engineering Department	348, 426, 453	12
8.	Finance Department	386, 461	05
9.	Health Department	335, 399, 464	54
10.	Panchayati Raj Department	451	02
11.	Energy Department	349	02
12.	Environment Department	384	01
13.	Home Department	334, 397, 419	12
14.	Agriculture Department	346, 421, 422, 469	16
15.	Co-operative Department	351, 428, 465	07
16.	Human Resources Development Department	358, 359, 379, 389, 390, 394 395, 411, 417, 420, 455, 456, 457, 470	73
17.	Animal Husbandry Department	415, 445	18
18.	Relief & Rehabilitation	398, 400	09
19.	Water Resources Department	323, 367, 368, 374, 377, 378, 474	17
20.	Minor Irrigation Department	352, 416, 450	16
21.	Welfare Department	387, 397	07
22.	Planning & Development Department	466	02
23.	Revenue & Land Reforms Department	454, 463, 467, 472	06
24.	Personnel Department	459	01
25.	Cabinet Secretariat Department	460	01
26.	Food, Civil Supplies & Commerce Department	391, 448	04
27.	Institutional Finance & Programme Implementation Department	392	06
28.	Industry Department	438	08
29.	Building Construction Department	429	11
30.	Civil Aviation Department	425	04
Total			393

* 326- 08.11.2000 (Laid on 08.11.2000 in Bihar Vidhan Sabha).

APPENDIX- 3.1 (Refer: Paragraph 3.2 ; Page - 91) **Organisational set-up**



APPENDIX- 3.2

(Refer: Paragraph 3.8.2; Page - 95)

Funds allotted and expenditure incurred in the test-checked divisions
(₹ in crore)

Name of division	Year	Allotment			Expenditure			Savings
		Non-plan	Plan	Total	Non-plan	Plan	Total	Total
Aurangabad	2005-06	0.86	0.27	1.13	0.86	0.27	1.12	0.01
	2006-07	0.78	1.07	1.85	0.76	1.07	1.83	0.02
	2007-08	1.24	1.69	2.93	1.20	1.64	2.84	0.09
	2008-09	1.31	1.27	2.58	1.29	1.18	2.47	0.11
	2009-10	1.97	1.12	3.08	1.95	1.11	3.06	0.02
	Total	6.16	5.41	11.57	6.05	5.27	11.32	0.25
Gaya	2005-06	3.12	1.04	4.16	2.70	0.96	3.66	0.50
	2006-07	2.65	1.95	4.60	2.59	0.87	3.46	1.14
	2007-08	3.21	1.52	4.73	3.15	1.52	4.67	0.06
	2008-09	3.38	2.28	5.66	3.37	2.20	5.57	0.09
	2009-10	5.20	2.38	7.58	4.97	2.37	7.34	0.24
	Total	17.56	9.17	26.73	16.78	7.92	24.70	2.03
Jamui	2005-06	1.60	0.54	2.14	1.58	0.54	2.12	0.02
	2006-07	1.49	0.30	1.79	1.49	0.26	1.75	0.04
	2007-08	1.84	0.38	2.22	1.72	0.38	2.10	0.12
	2008-09	2.71	0.99	3.70	2.55	0.93	3.48	0.22
	2009-10	3.04	1.04	4.08	2.99	0.97	3.96	0.12
	Total	10.68	3.25	13.93	10.33	3.08	13.41	0.52
Kaimur	2005-06	1.54	0.57	2.11	1.54	0.57	2.11	0.00
	2006-07	1.06	1.69	2.75	1.03	1.60	2.63	0.12
	2007-08	1.31	2.30	3.61	1.30	2.04	3.34	0.27
	2008-09	1.53	1.20	2.73	1.50	1.10	2.60	0.13
	2009-10	2.59	0.99	3.58	2.33	0.79	3.12	0.46
	Total	8.03	6.75	14.78	7.70	6.10	13.80	0.98
Nawada	2005-06	1.26	0.61	1.87	1.24	0.61	1.85	0.02
	2006-07	1.31	1.70	3.01	1.29	1.67	2.96	0.05
	2007-08	1.76	2.45	4.21	1.66	2.43	4.09	0.12
	2008-09	2.09	2.02	4.11	1.92	1.91	3.83	0.28
	2009-10	2.70	1.59	4.29	2.57	1.53	4.10	0.19
	Total	9.12	8.37	17.49	8.68	8.15	16.83	0.66
Rohtas	2005-06	1.33	0.53	1.86	1.33	0.53	1.86	0.00
	2006-07	1.38	0.38	1.76	1.35	0.38	1.73	0.03
	2007-08	1.90	1.50	3.40	1.90	1.42	3.32	0.08
	2008-09	1.96	1.85	3.81	1.96	1.79	3.75	0.06
	2009-10	3.14	1.53	4.67	3.12	1.50	4.62	0.05
	Total	9.71	5.79	15.50	9.66	5.62	15.28	0.22

Name of division	Year	Allotment			Expenditure			Savings
VTP-I	2005-06	1.33	0.50	1.83	1.30	0.45	1.75	0.08
	2006-07	1.24	0.52	1.76	1.23	0.49	1.72	0.04
	2007-08	1.47	0.59	2.06	1.35	0.56	1.91	0.15
	2008-09	1.91	0.30	2.21	1.81	0.27	2.08	0.13
	2009-10	1.51	1.06	2.57	1.34	1.02	2.36	0.21
	Total	7.46	2.97	10.43	7.03	2.79	9.82	0.61
VTP-2	2005-06	1.39	0.57	1.96	1.29	0.48	1.77	0.19
	2006-07	1.33	0.51	1.84	1.30	0.46	1.76	0.08
	2007-08	1.50	0.57	2.07	1.43	0.50	1.93	0.14
	2008-09	2.30	0.08	2.38	2.21	0.05	2.26	0.12
	2009-10	1.80	1.03	2.83	1.80	0.95	2.75	0.08
	Total	8.32	2.76	11.08	8.03	2.44	10.47	0.61
Grand Total		77.04	44.47	121.51	74.26	41.37	115.63	5.88

APPENDIX- 3.3
(Refer: Paragraph 3.8.2.3; Page - 96)

Delay in submission of monthly Forest Accounts during 2007-10

Sl. No.	Name of division	Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1	Aurangabad	2005-06	8	0	0	3	56	26	33	21	15	22	37	19
		2006-07	0	7	42	39	59	59	43	37	51	14	36	26
		2007-08	9	28	27	18	22	20	52	50	42	35	20	24
		2008-09	45	14	33	36	36	69	21	8	43	20	2	24
		2009-10	22	28	22	22	44	52	36	14	7	0	26	25
2	Kaimur	2005-06	19	16	6	7	30	39	34	10	14	8	35	29
		2006-07	26	15	20	16	22	45	45	42	61	68	38	38
		2007-08	37	15	0	30	63	103	73	65	98	67	60	30
		2008-09	66	35	23	59	43	71	43	32	1	53	37	33
		2009-10	37	6	25	11	33	3	50	35	4	70	42	28
3	Gaya	2005-06	35	5	30	30	22	39	37	41	31	32	38	30
		2006-07	11	28	32	51	7	39	40	40	41	21	37	34
		2007-08	53	21	20	18	29	99	67	33	41	33	54	23
		2008-09	12	0	24	22	30	43	0	17	54	49	33	25
		2009-10	2	13	15	16	33	61	62	33	32	61	43	31
4	Jamui	2005-06	40	10	9	7	23	36	19	16	14	38	46	32
		2006-07	59	38	47	16	69	70	20	68	45	65	41	33
		2007-08	59	28	26	33	41	63	45	79	33	42	19	23
		2008-09	58	27	34	37	44	41	49	19	31	28	28	0
		2009-10	67	36	20	27	39	35	32	53	41	29	26	25
5	Nawada	2005-06	25	0	7	0	31	43	25	24	18	22	38	28
		2006-07	22	18	7	9	6	18	36	17	30	26	35	30
		2007-08	12	0	12	33	37	66	35	38	20	11	58	24
		2008-09	4	0	12	22	20	13	21	28	33	8	16	36
		2009-10	31	0	4	0	12	33	21	16	13	1	35	28
6	Rohtas	2005-06	11	9	37	37	9	9	18	30	25	31	35	28
		2006-07	24	16	13	25	61	31	16	36	38	34	42	31
		2007-08	12	52	28	36	12	2	23	5	2	0	10	23
		2008-09	19	18	10	25	11	89	58	28	0	56	26	25

Sl. No.	Name of division	Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
		2009-10	32	1	46	27	23	26	78	60	46	52	39	26
7	VTP-1, Bettiah	2005-06	14	8	3	7	25	26	33	23	48	26	52	31
		2006-07	6	29	58	44	23	21	31	40	34	8	42	37
		2007-08	37	6	11	9	8	0	22	22	24	24	23	13
		2008-09	18	1	30	3	9	28	31	1	38	7	13	46
		2009-10	13	15	5	9	24	8	12	26	4	10	61	37
8	VTP-2, Bettiah	2005-06	13	4	8	27	11	0	17	10	13	24	17	32
		2006-07	4	9	8	17	23	29	18	28	32	26	42	37
		2007-08	19	21	69	43	22	57	26	21	24	57	29	51
		2008-09	21	25	53	48	18	20	19	22	67	37	68	37
		2009-10	35	22	71	41	66	56	72	41	44	15	42	39

APPENDIX- 3.4

(Refer: Paragraph 3.8.5.2; Page - 99)

**Statement showing outstanding recoveries of Compensatory Afforestation
and Net Present Value**

Sl.No.	Name of the User Agency	No. of the cases	Amount outstanding (₹ in lakh)
1	Road Construction Division, Banka	9	653.21
2	Road Construction Division, Jamui	2	181.27
3	Road Construction Division, Patna	3	164.39
4	Road Construction Division, Chhapra	2	160.51
5	Road Construction Division, Araria	1	111.54
6	Road Construction Division, Biharsharif	2	41.32
7	Central Public Works Division, Bhagalpur	6	116.86
8	Central Public Works Division, Gaya	4	147.67
9	Central Public Works Division, Purnea	1	42.01
10	Central Public Works Division, Sasaram	6	67.94
11	Central Public Works Division, Motihari	1	143.13
12	National Highway Division, Biharsharif	3	234.02
13	National Highway Division, Chhapra	1	170.53
14	IRCON, Darbhanga	1	183.65
	Total	42	2418.05

APPENDIX- 3.5
(Refer: Paragraph 3.9.2; Page - 101)

Allotments and expenditure under Chhatra Vriksharopan Yojana during 2006-10 in eight test-checked divisions

(In ₹)

Sl.No.	Name of division	Year	Allotment	Expenditure	Surrender	Percentage
1	Aurangabad	2006-07	616500	616500	0	0
		2007-08	1354200	938600	415600	31
		2008-09	2010520	828187	1182333	59
		2009-10	1569495	1569495	0	0
		Total	5550715	3952782	1597933	29
2	Kaimur	2006-07	660000	660000	0	0
		2007-08	1200000	700000	500000	42
		2008-09	1246415	818360	428055	34
		2009-10	850875	384040	466835	55
		Total	3957290	2562400	1394890	35
3	Gaya	2006-07	367000	367000	0	0
		2007-08	1324100	1324100	0	0
		2008-09	3024180	2472767	551413	18
		2009-10	3060290	3016131	44159	1
		Total	7775570	7179998	595572	8
4	Jamui	2006-07	470000	470000		0
		2007-08	1285000	785000	500000	39
		2008-09	1904360	1499900	404460	21
		2009-10	1680700	1220555	460145	27
		Total	5340060	3975455	1364605	26
5	Nawada	2006-07	536300	224000	312300	58
		2007-08	993600	827900	165700	17
		2008-09	1461285	1204325	256960	18
		2009-10	1413275	1339275	74000	5
		Total	4404460	3595500	808960	18
6	Rohtas	2006-07	610000	610000	0	0
		2007-08	1605000	979700	625300	39
		2008-09	2105575	1564792	540783	26
		2009-10	1953300	1827830	125470	6
		Total	6273875	4982322	1291553	21
7	VTP-1, Bettiah	2006-07	571500	571500		0
		2007-08	976500	976500		0
		2008-09	1518805	1274500	244305	16
		2009-10	1072740	1072740		0
		Total	4139545	3895240	244305	6
8	VTP-2, Bettiah	2006-07	190000	131400	58600	31
		2007-08	826400	107500	718900	87
		2008-09	546125	268777	277348	51
		2009-10	516880	69000	447880	87
		Total	2079405	576677	1502728	72
		Grand Total	39520920	30720374	8800546	22

APPENDIX- 3.6
(Refer Paragraph: 3.10.1 ; Page - 105)

Statement showing allotments and expenditure during 2005-10 in Valmiki Tiger Project

(₹ in crore)

Year	Allotment			Expenditure			Excess(+)/ savings (-)		
	Non-plan	Plan	Total	Non-plan	Plan	Total	Non- plan	Plan	Total
2005-06	2.72	1.07	3.79	2.59	0.93	3.52	0.13	0.14	0.27
2006-07	2.56	1.03	3.59	2.52	0.95	3.47	0.04	0.08	0.12
2007-08	2.97	1.16	4.13	2.78	1.05	3.83	0.19	0.11	0.39
2008-09	4.22	0.38	4.60	4.03	0.33	4.36	0.19	0.05	0.24
2009-10	3.31	2.09	5.40	3.14	1.97	5.11	0.17	0.12	0.29
Total	15.78	5.73	21.51	15.06	5.23	20.29	0.72	0.50	1.22

APPENDIX- 3.7*(Refer: Paragraph 3.11.1; Page - 107)***Statement showing offices for which no post of subordinate staff was sanctioned by Government**

Sl.No.	Name of offices for which post of Head of the office was sanctioned	Date of sanction	Post sanctioned for office establishment	Posting made by Government	Space for office building
1	Principle Chief Conservator of Forest (PCCF), Bihar	15.11.2000	0	0	Insufficient space for working
2	Addl. PCCF-cum-Chief Wildlife Warden, Bihar	25.5.2003	0	0	
3	APCCF (Dev.), Bihar	25.4.2003	0	0	
4	Regional Chief Conservator of Forest (RCCF), Muzaffarpur	19.6.1991	0	0	Available
5	RCCF, Bhagalpur	15.9.2006	0	0	Not available
6	Chief Conservator of Forest (Working Plan, Training & Extension), Bihar	15.9.2006	0	0	Working in two rooms in the building of National Highway Authority
7	CCF (Administration & HRD), Bihar	15.9.2006	0	0	Not available
8	Director, Ecology & Environment, Bihar	15.9.2006	0	0	Not available
9	Conservator of Forest (CF), Wildlife Circle, Patna	15.9.2006	0	0	Not available
10	CF, Working Plan Circle, Patna	15.9.2006	0	0	Not available
11	CF, Siwan Circle, Siwan	15.9.2006	0	0	Not available

APPENDIX- 3.8
(Refer: Paragraph 3.12; Page - 108)

Details of Inspection Reports

Year in which IR issued	O/o the PCCF, APCCF (Development), APCCF (Wildlife), RCCF, CF			Forest Divisions		
	Inspection Reports	Outstanding Paragraph	Ist reply is yet to be received	Inspection Report	Outstanding Paragraph	Ist reply is yet to be received
Upto March 2006	4	17	-	42	199	86
2006-07	1	8	8	15	176	39
2007-08	0	0	0	11	113	31
2008-09	1	11	11	21	166	81
2009-10	1	4	4	13	73	69
Total	7	40	23	102	727	306