

**CHAPTER-VII**  
**STATUS OF RECOVERY BY SURCHARGE/CERTIFICATE**  
**PROCEEDINGS**

**7.1 Status of Issue of Surcharge Notices**

As per provisions contained in Section 9 of (B&O LFAA), 1925, the ELA, Bihar is empowered to order recovery of any loss due to negligence and misconduct of employees and loss of stores through surcharge from persons responsible. In 17 ULBs, 48 cases of surcharge involving Rs.1.19 crore were proposed and notices were issued for recovery by the ELA, Bihar (Table-31).

**Table -31**  
**Surcharge Notices Issued During 2007-08**

(Rupees in lakh)

Sl.No.	Name of ULB	Period	No. of Surcharge Notices	Amount
1	Nagar Panchayat, Revelganj	2000-01 to 2005-06	2	1.84
2	Nagar Parishad, Buxar	2000-01 to 2005-06	3	0.97
3	Nagar Parishad, Supaul	2003-04 to 2005-06	4	70.32
4	Nagar Parishad, Dehri Dalmianagar	2002-03 to 2005-06	1	3.84
5	Nagar Panchayat, Sugauli	2000-01 to 2005-06	1	0.11
6	Nagar Parishad, Barh	2003-04 to 2005-06	1	3.27
7	Nagar Panchayat, Rosera	2000-01 to 2005-06	1	0.21
8	Darbhanga Municipal Corporation	2000-01 to 2005-06	1	0.05
9	Nagar Parishad, Hazipur	2002-03 to 2005-06	2	1.76
10	Bhagalpur Municipal Corporation	2000-01 to 2005-06	1	0.25
11	Gaya Municipal Corporation	2004-05 to 2005-06	2	14.69
12	Ara Municipal Corporation	2001-02 to 2004-05	7	4.91
13	Nagar Panchayat, Bakhtiyarpur	1984-85 to 2004-05	2	2.29
14	Nagar Parishad, Chapra	1999-2000 to 2004-05	11	4.63
15	Nagar Parishad, Purnia	2000-01 to 2004-05	5	9.82
16	Patna Municipal Corporation	1998-99 to 2004-05	1	0.12
17	Nagar Parishad, Saharsa	2000-01 to 2004-05	3	0.35
<b>Total</b>			<b>48</b>	<b>119.43</b>

Surcharge notices have been issued to the persons responsible for lapses through the District Magistrates (D.M) but reports of serving the surcharge notices have been received only in ten<sup>6</sup> cases.

**7.2 Status of Issue of Surcharge Orders**

Eight Surcharge Orders were issued in four ULBs amounting to Rs.20.76 Lakh during 2007-08 (Table-32) giving one month time for repayment of indicated

<sup>6</sup> Buxar (3), Darbhanga (1), Hazipur (1), Bhagalpur (1), Gaya (2), Bakhtiyarpur (1), Patna (1)

amount in the concerned accounts of ULBs. However, till the end of 31.03.2009 these orders have not been complied with by the individuals concerned.

**Table -32**  
**Surcharge Orders issued during 2007-08**

(Rupees in lakh)

Sl.No.	Name of ULB	Period	No. of Surcharge Notices	Amount
1	Nagar Parishad, Buxar	2000-01 to 2005-06	3	00.97
2	Gaya Municipal Corporation	2004-05 to 2005-06	2	14.69
3	Nagar Parishad, Barh	2003-04 to 2005-06	1	03.26
4	Nagar Panchayat, Revelganj	2000-01 to 2005-06	2	01.84
<b>Total</b>			<b>8</b>	<b>20.76</b>

### 7.3 Status of Certificate Cases

The ELA, Bihar has sent six Certificate Requisitions amounting to Rs.6.07 lakh in three ULBs to respective District Certificate Officer for filing Certificate cases during 2008-09 (Table-33) under Section 5 of PDRA, 1914 as per provision. Status of filing of cases in the courts of DCO is yet to be known.

**Table -33**  
**Certificates Requisition issued**

(Rupees in lakh)

Sl. No.	Name of ULB	Period	Certificate Requisitions sent	Date of Issue	Amount
1	Nagar Parishad, Buxar	2000-01 to 2005-06	3	07.05.08	0.97
2	Nagar Parishad, Barh	2003-04 to 2005-06	1	10.11.08	3.26
3	Nagar Panchayat, Revelganj	2000-01 to 2005-06	2	10.11.08	1.84
<b>Total</b>			<b>6</b>	<b>-</b>	<b>6.07</b>