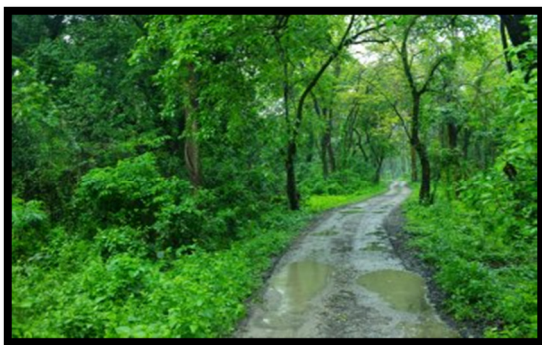




CHAPTER - V
ENVIRONMENT AND
FOREST



CHAPTER – V: Environment and Forest

5.1 Administration

The Principal Chief Conservator of Forests (PCCF) who is in overall charge of the Department is assisted by seven Chief Conservators of Forests (CCF) and 19 Conservators of Forests (CF). There are 58 forest divisions each headed by Deputy Conservator of Forests (DCF)/ Divisional Forest Officers (DFO). The divisions are further divided into ranges and beats for ensuring effective control and supervision of the forests of the State.

The principal Acts under which the functioning of Department of Environment and Forest is governed are the Assam Forest Regulation, 1891; Assam Sale of Forest Produce Coupes and *Mahals* Rules, 1977; Assam Minor Minerals Concession Rules, 1994 as amended and Rules and notifications/ orders issued thereunder, from time to time.

5.2 Working of internal audit wing

Internal audit, a vital component of the internal control mechanism, functions as eyes and ears of the Department and is a vital tool which enables the management to assure itself that prescribed systems are functioning reasonably well.

It was observed that the Finance Department has not put in place any separate internal audit system for the Environment & Forest Department. Had there been an effective internal audit system in the Department, the deficiencies could have been rectified through internal evaluation and the system would be functioning better.

Recommendation 1: As the Finance Department has not arranged for internal audit of the forest units till now, the Department may, in coordination with Finance Department, arrange to conduct internal audit of its records/accounts through the Director of Local Audit regularly.

5.3 Results of audit

In 2014-15, test check of the records of 31 units relating to forest receipts showed non/short recovery of royalty, non-levy of interest/VAT/extension fee and other irregularities involving ₹ 41.58 crore in 34 cases as mentioned in **Table 5.1**.

Besides, an audit on the theme ‘Planning and Financial management of Major wildlife areas in Assam – Impact on Conservation efforts’ was also conducted during the year.

Table 5.1
Results of Audit

Sl. No.	Category	Number of cases	Amount (₹ in crore)
1.	‘Planning and Financial management of Major wildlife areas in Assam – Impact on Conservation efforts’	01	--
2.	Non levy of interest/VAT	06	12.42
3.	Non/short recovery of royalty	06	8.70
4.	Non levy of extension fee	03	0.71
5.	Other irregularities	19	19.75
Total		35	41.58

During the course of the year, the Department accepted 21 cases with revenue implication of ₹ 14.92 crore and recovered ₹ 6.4 lakh during 2014-15 in two cases.

A Thematic Audit of ‘Planning and Financial management of Major wildlife areas in Assam – Impact on Conservation efforts’ and a few illustrative audit observations with financial implication of ₹ 8.68 crore are mentioned in the succeeding paragraphs.

5.4 Planning and Financial management of Major wildlife areas in Assam – Impact on Conservation efforts

Highlights

None of the selected National Parks (NP) and Wildlife Sanctuary (WS) had a long term management plan for the period covered by Audit.

(Paragraph 5.4.5)

Analysis of planned expenditure to be met through the annual plans of operations *vis-à-vis* the funds allocated to the NPs and WS revealed an overall shortfall. This percentage of shortfall ranged between 40 to 87 *per cent*. Besides, there was inordinate delay in allocation of funds resulting in funds not being available during first seven to 11 months in all of the years covered by Audit. The lack of funds and mis-management of finances affected habitat management, infrastructural development, accessibility and the morale of the personnel was severely hampered. Basic remuneration to staff and provision of fodder to departmental elephants was also affected by paucity of funds.

(Paragraph 5.4.5.1, 5.4.6 – 5.4.14)

5.4.1 Introduction

In India, there are more than 500 WS, 104 NPs and 18 biosphere reserves. Of these, there are 18 WSs¹ and five NPs² covering 1,840.14 sq km and 1,947.21 sq km area respectively while there are two bio-sphere reserves namely Dibru-Saikhowa and Manas in Assam. No human activity is allowed inside a NP while limited activities are permitted within WS and Bio-sphere reserves.

Assam– counted amongst the world’s 34 biodiversity hotspots, has been a biological frontier in the 21st century. This region’s upper Brahmaputra Valley harbours wet alluvial grassland and lowland tropical evergreen forests, regarded among the most threatened forest types in the world. The altitudinal variation and rainfall patterns of southwest and north-eastern monsoon play a significant role in the development of ecological niches in this region of India. However, these lowland forests and alluvial grassland are today broken up by vast tracts of tea plantations and human habitation into isolated fragments that are still very rich in biodiversity. These remnant habitats act as the last refuge for many, among the wide varieties of primates, carnivores, herbivores and birds which are denizens of these tropical rainforests and grassland. About 190 species of mammals, 44 types of endangered and rare species, 14 types of reptiles and amphibians and more than 800 species and subspecies of birds are so far reported from Assam. There are nine species of

¹ Garampani, Laokhowa, Bornadi, Chakrasila, Bura chapori, Pani dihing, Hollongapar Gibbon, Pobitora, Sonai Rupai, Beherjan-Borajan Padumoni, East Karbi Anglong, Nambor, Morat Longri, Nambor Doigurung, Amchang, Dihing patkai, Borail and Deepor Beel.

² Dibru-Saikhowa, Kaziranga, Manas, Nameri and Orang.

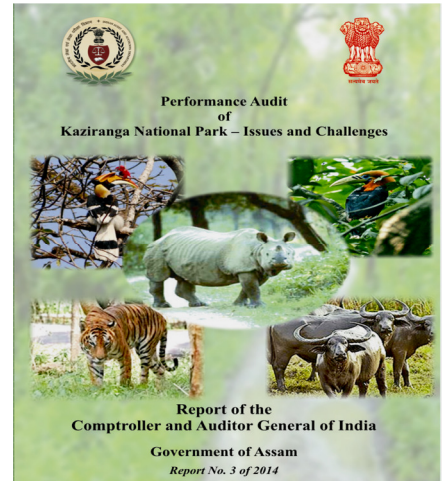
primates in Assam, which also include the only ape of India, the Hollock Gibbon (*Hylobates Hoolock*). Moreover, Assam holds the entire known world population of Pygmy hog (*Sus salvanius*), 75 per cent of the world population of the Indian Rhinoceros (*Rhinoceros unicornis*), wild water buffalo (*Bubalus bubalis*), a sizeable population of Asian elephant (*Elephus maximus*) and tigers (*Panthera Tigris*).

Of the 18 WS, five NPs and two Bio-sphere reserves in Assam, the following are the major wildlife areas in the State. The area covered and major species housed are given in the following Table.

Table 5.2

Name of the NP/WS	Area (in sq km)	Major animals	Total count of the major animals (as per latest data)
Kaziranga NP	858.92	Rhinos, elephants, buffalos and Tigers	5,537 ³
Manas NP	500		1,207 ⁴
Orang NP	79.27	Rhinos, Tigers and buffalos	138 ⁵
Nameri Tiger Reserve	195	Tigers and elephants	239 ⁶
Pobitora WS	38.81	Rhinos	93 ⁷

In order to examine the issues and challenges being faced by the major Wildlife areas in the State, a Performance Audit on ‘Kaziranga National Park – Issues and Challenges’ was conducted during 2013-14 and presented as a standalone Report⁸ in the Assam Legislative Assembly on 31 March 2015. Of the issues emerging out of the study conducted last year, financial management of the wildlife areas was found to be the major bottleneck for effective management and sustainable development of the wildlife areas of Assam. The present Report thus includes the audit findings on the planning and financial management of the four major wildlife areas⁹ in the State (other than Kaziranga) and its impact on conservation effort in these areas. The deficiencies are brought out in succeeding paragraphs.



³ Rhinos – 2,329 (2013 census), Elephants – 1,165 (2011 census), Buffalos – 1,937 (2008 census) and Tigers – 106 (2010 census).

⁴ Rhinos – 31 (2013 census), Elephants – 945 (2011 census), Buffalos – 213 (2008 census) and Tigers – 18 (2012 census).

⁵ Rhinos – 100 (2013 census), Buffalos – 14 (2008 census) and Tigers – 24 (2013 census).

⁶ Elephants – 231 (2011 census) and Tigers – 8 (2012 census).

⁷ 2012 census.

⁸ http://www.saiindia.gov.in/english/home/Our_Products/Audit_Report/Government_Wise/state_audits/recent_reports/Assam/2014/Report_3/Report_3.html.

⁹ Manas, Orang, Pobitora and Nameri.

5.4.2 Audit Objectives

The objective of this Audit was to ascertain whether:

- There was long/short term planning for effective management of the habitat, infrastructure and human resources;
- Funds were adequate to meet the planned activities; and
- Funds were allocated in time to the wildlife managers.

5.4.3 Scope and methodology of Audit

The records of the Secretariat, Environment and Forests Department, Office of the Principal Chief Conservator of Forests, Wildlife (PCCF, Wildlife) and the selected wildlife areas pertaining to the period 2009-10 to 2013-14 were test checked. The field audit was carried out in two phases between March and mid-July 2014 and June – July 2015. Discussions were held with the Divisional Forest Officers (DFO)/Assistant Conservators of Forests (ACF)/Range Officers (RO) (**hereinafter referred as the Wildlife Officers**) on various issues and challenges.

Audit findings

5.4.4 The long term planning sets out approaches and goals of an organisation together with the framework for decision making process. It clearly identifies the different components required to be undertaken during the plan period. The annual plans of operations (APOs) flow from the long term plans and are framed keeping in view availability of funds.

Financial management refers to the efficient and effective management of money (funds) in such a manner as to accomplish the objectives of the organization.

Financial Inadequacy can render all proposed measures and plans ineffective. The Wildlife Conservation Strategy 2002 of Ministry of Environment and Forests (MoEF), Government of India (GoI) prescribes that Wildlife and Forests shall be declared priority sector at the national level for which funds

should be earmarked. The High Power Committee on Prevention of Poaching in Kaziranga in their Report had also highlighted (2008) the need for adequate and

Good practices in other States

- *In Karnataka, the PCCF discusses the APOs with the DFOs/Field Directors prior to commencement of the year and finalises the budget.*
- *In Uttar Pradesh, the following system is installed for optimum utilization of finances and better management of parks:*
 - *Funds are allocated quarterly;*
 - *Timely release of funds is monitored by a Cell in CM's Office;*
 - *Quarterly submission of utilization certificate is mandatory;*
 - *Expenditure made during the quarter is monitored by the Cell in CM's Office;*
 - *In case of failure to release/spend funds or diversions – explanations are sought from the concerned authorities.*

timely flow of fund for ensuring effective management of the wildlife areas. The Committee had also suggested that funds allocated should be made available to the wildlife managers in the beginning of the financial year for ensuring timely flow of funds as per management requirement and meet the contingencies.

Audit scrutiny of the records of selected NPs and WS revealed major deficiencies in the planning and financial management as discussed in the succeeding paragraphs.

5.4.5 Planning

The Guide to management planning issued by the Wildlife Institute India, Dehradun highlights that APO should flow from the schedule of operations incorporated in the management plans which are prepared for the long term.

Audit observed that none of the selected NPs and WS had a long term management plan for the period covered by Audit. Instead, annual plans of operations were only prepared on year to year basis. In Nameri, Orang NPs and Pobitora WS the park authorities had prepared management plan for 2013-18 (approved) while no such plan was prepared in Manas NP. This denied the park authorities the scope of identifying the long term strategies which could be implemented through short term plans. Thus, during 2009 – 2013, the activities carried out through preparation of annual APOs did not have synergy with an approved long term perspective plan.

5.4.5.1 Annual Plans of Operations vis-à-vis fund management

The projection of requirement of funds in the APOs vis-à-vis actual allocation, in the four NPs/WS test checked during the period 2009-10 to 2013-14, was as mentioned in the table below:

Table 5.3

Manas NP: The park authorities had initially proposed for allocation of ₹ 43.58 crore under the Central scheme – ‘Project Tiger’ against which ₹ 26.13 crore (or 60 *per cent*) was received by the park authorities. Further, analysis of APOs and the allotment of funds during each of the years under audit would reveal wide

Year	Financial impact of APO	Actual allocation/ expenditure	Variation	Percentage of variation
(₹ in crore)				
2009-10	5.40	7.48	(-) 2.08	(-) 39
2010-11	8.18	4.59	3.59	44
2011-12	10.74	5.56	5.18	48
2012-13	15.54	3.53	12.01	77
2013-14	3.72	4.97	(-) 1.25	(-) 34
Total	43.58	26.13	17.45	40

Variation in actual allocation vis-à-vis APOs during 2009-10 and 2013-14 was due to allocation of State Plan which were not included in the APOs.

variations as during the years 2010-11 to 2012-13, ₹ 13.68 crore (about 40 *per cent*) was allocated against the APO of ₹ 34.46 crore while during 2009-10 and 2013-14

the allotment of fund was more than the planned fund. The overall shortfall worked out to ₹ 17.45 crore or 40 per cent.

Table 5.4

Orang NP: Against a total APO of ₹ 3.31 crore prepared by the park authorities, an amount of ₹ 80.80 lakh had been allocated to it. The percentage of fund allocated *vis-à-vis* amount included in the APOs on year to

Year	Financial impact of APO (CSSS)	Actual allocation/ expenditure	Variation	% of variation	Amount allocated under State Plan Schemes (₹ in crore)
2009-10	0.16	0.04*	0.12	75	0.24
2010-11	0.85	0.008	0.84	99	0.24
2011-12	0.91	0.46	0.45	49	0.30
2012-13	0.57	0.14	0.43	75	0.32
2013-14	0.82	0.16	0.66	80	0.26
Total	3.31	0.808	2.50	76	1.36

* In addition, a one-time central assistance of ₹ 2.85 crore was allocated.

year basis ranged between 49 – 99 per cent while the overall percentage worked out to 76 per cent with a total shortfall of ₹ 2.50 crore. However, the park authorities received ₹ 1.36 crore through State Plan Schemes with different items of works to be carried out. Thus, the items planned by the park authorities under CSS remained incomplete and the State Government also did not come forward to allocate the balance funds for meeting the planned activities.

Table 5.5

Pobitora WS: Against the APO of ₹ 13.33 crore prepared by the park authorities for 2010-11 to 2013-14, an amount of ₹ 1.74 crore had been allocated to it through Centrally Sector /State Plan Schemes. The

Year	Financial impact of APO	Actual allocation/ expenditure	Variation	% of variation
2009-10	NA	7.25*	--	--
2010-11	0.83	0.09	0.74	89
2011-12	0.78	0.73	0.05	6
2012-13	0.89	0.30	0.59	66
2013-14	10.83	0.62	10.21	94

* Of this, there was a one-time central assistance of ₹ 7.09 crore.

percentage of fund allocated *vis-à-vis* amount included in the APOs on year to year basis ranged between 6 – 94 per cent while the overall percentage worked out to 87 per cent on the total shortfall of ₹ 11.59 crore (total of column 4).

Table 5.6

Nameri NP: The park authorities had initially proposed for allocation of ₹ 7.64 crore through their APOs against which, ₹ 1.62 crore was allocated through the Central as well as State sector schemes. The percentage of fund allocated *vis-à-vis* amount included in

Year	Financial impact of APO (CSS)	Actual allocation	Variation	Percentage of variation (in %)
2009-10	0.58	0.37	0.21	36
2010-11	1.35	0.23	1.12	83
2011-12	1.51	0.52	0.99	66
2012-13	2.10	0.07	2.03	97
2013-14	2.10	0.43	1.67	80
Total	7.64	1.62	6.02	80

the APOs on year to year basis ranged between 36 to 97 *per cent* while the overall percentage worked out to 80 *per cent* on the total shortfall of ₹ 6.02 crore. Of the above years, it was observed that though the GoI had sanctioned ₹ 1.39 crore in August 2012, the State Government did not release the fund to the Park authorities. Besides, there were inordinate delays in release of funds by the Government of Assam and most of the funds reached the Park at the fag end of the year.

Table 5.7

Year	Months during which no transaction was recorded in the Cash Book	No of Months during which no fund was available	Sanction of funds by Central Government	Release by State Government
2009-10	April 2009 to November 2009	8 months	Information was not readily available	--
2010-11	April 2010 to January 2011	10 months	September 2010	February 2011
2011-12	April 2011 to February 2012	11 months	September 2011	March 2012
2012-13	April 2012 to October 2012	7 months	September 2012	November 2012
2013-14	April 2013 to October 2013	7 months	November 2013	November 2013

Further Audit scrutiny revealed that there were substantial delays in release of funds by the State Government in respect of the NPs/WS test checked. In

Manas NP, it was observed that there was major delay in allotment of funds as evidenced from the fact that there was no fund during first 7 to 11 months of the years 2009-10 to 2013-14. Similar was the position in the remaining NPs/WS which also suffered adversely due to financial mis-management at the State Government level. The delay in allotment of funds in Manas happened despite sanction of funds from the GoI specifically for Manas. These funds released by the Centre were held by the State Government for periods ranging between two to six months. Due to delay as discussed above, major chunk of the funds ultimately reached the park during the fag end of the year having tremendous detrimental impact on management of the park and also reduced the working time available for maintenance/construction work which became impossible from mid-June onwards due to monsoons.

Against an audit query regarding how the activities of the wildlife areas were managed in view of inconsistent funding by the GoI/Government of Assam to the NPs/WS, the replies of the wildlife managers were as mentioned below.

Manas: Adequate funds not being received for Wildlife management is a disturbing factor/hindrance, more so when funds have been provided but do not reach the management authority in the field. This hampers functioning of the park in every way and the morale of the staff is shattered. It was further stated that since 2009, no funds had been allocated for restoration of areas affected by elephant depredation/damage. This had raised hostility levels among the fringe villagers and their relation with the wildlife guards was worsening day by day.

Orang: Wages are delayed, fuel is purchased on credit, intelligence gathering suffers for want of funds in time and elephant feed and upkeep is also adversely affected.

Pobitora : Belated receipt of fund against obligatory activity like payment of wages (monthly) to armed Home Guards deployed on protection duty, purchase of fuel for the vehicles engaged on anti-poaching duty, supply of free ration to the frontline staff affect the normal functioning of the sanctuary adversely.

Nameri : Shortage of fund affect the management in a highly adverse way as for performing effective patrolling of duties, maintenance and fuel of vehicle is needed. Infrastructure like anti-poaching camps and network of patrolling paths are to be maintained, supply of ration and logistics to field formation to be ensured. As a result of neglect of these vital activities, the benefits of years of protection work carried out by the park management can be lost quite rapidly.

Lesser allocation of funds had compelled the wildlife managers to scale down the activities envisaged in the original APOs. Interestingly, as a result of lower allocation of funds, the original APOs were recast by scaling down the approved activities envisaged in the original APOs. Besides, due to increased instances of poaching, proportionately more funds were diverted to anti-poaching activities than to other planned activities such as habitat management, intelligence gathering etc. Due to paucity of funds coupled with delay in its release there was an adverse impact on all major activities of wildlife management some of which are discussed (NP/WS wise) in the succeeding paragraphs.

Manas NP



5.4.6 Infrastructure facilities

5.4.6.1 Anti-poaching camps

There are 68 anti-poaching camps¹⁰ inside the Manas NP. During physical verification and interaction with the Wildlife Officers/guards it was ascertained that some of these camps were facing operational difficulties ranging from dearth of water to dilapidated condition of building/building without roof/floor to absence of toilet/kitchen. Some of these were in strategic location where wildlife guards had to perform round the clock duties due to its proximity to the border and the nearby habitat being frequented by the Rhinos. In this regard, the Division replied that reconstruction of anti-poaching camps in remote areas was required in Manas to ensure its full protection; however, the same could not be taken up due to shortage of funds. The departmental authorities also highlighted the need for more wireless systems as the entire park was not covered by communication system which hampered fool proof protection.



Clockwise: (i) Mora Giati Camp – good construction but do not have water facilities; (ii) Barabari Jhar camp – no floor, roof leaked, (iii) Maozi camp – without roof and (iv) Palsiguri camp – just behind the border where Rhinos come closer - without kitchen/bathroom forcing the wildlife guards to cook on the verandah and use natural habitat for toilet.

Camps at sl. (i), (ii) and (iv) are under Bansbari Range while sl (iii) is under Bhuyanpara Range. The condition of other camps under Bhuyanpara range are similar to the one depicted here. 12 of the 15 camps under Panbari Range has no wildlife guards.

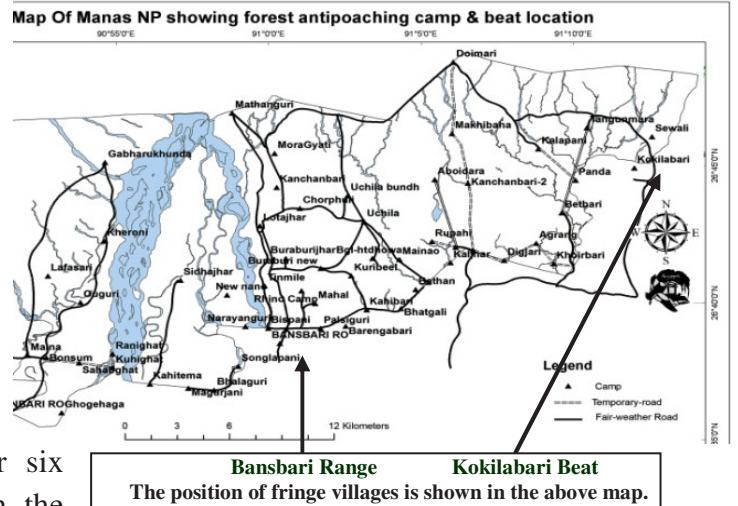
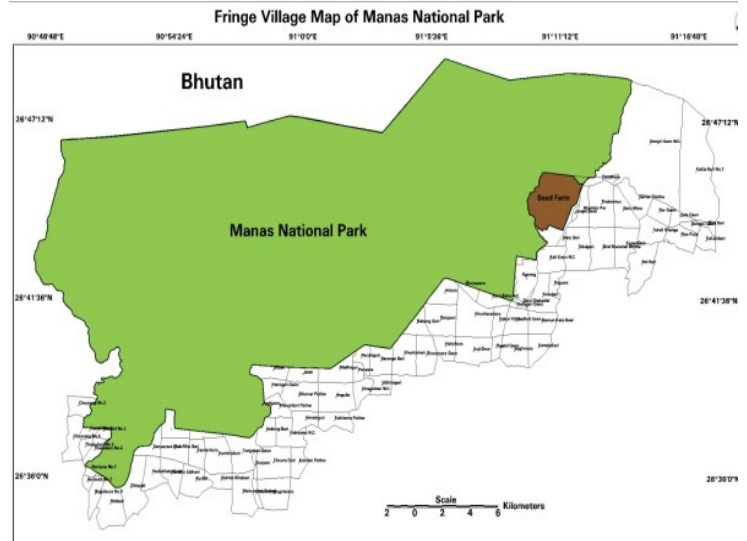


Mother and calf Rhino can be seen coming close to the fence behind this Camp.

¹⁰ Bansbari – 33 Camps, Bhuyanpara – 20 Camps and Panbari – 15 Camps.

5.4.6.2 Accessibility

It was observed¹¹ that the villages in and around the park had been a breeding ground of poachers and anti-social elements. A number of poachers had been arrested from these villages from time to time. Thus, it was important and urgent that the illegal settlement inside the park was relocated immediately so as to ensure protection of the Rhinos available in the park. During interaction with the Wildlife Officers/guards it was ascertained that a substantial portion¹² of the boundary from Bansbari to Kokilabari beat does not have any periphery road which forces the Wildlife guards to enter six



portions of the park through the villages as shown in the map along side. This not only was time consuming but also took away the element of surprise during anti-poaching operations. During interaction with the Wildlife Officers and guards it was ascertained that of the 61 villages, Daurabari, Gotibari, Kanthalguri villages were known for sheltering poachers. It was observed that the park authorities had put up a proposal for construction of the periphery road with an estimated expenditure of ₹ 14 crore for the first time in 2015 only. However, the proposal was yet to be considered by the Government.

5.4.7 Habitat Management

Habitat management is one of the most vital elements of conservation of wildlife as the constant maintenance of the grassland, water-bodies are extremely important for the animals. In absence of a long term plan, the park authorities are yet to chalk out a long-term plan to be executed through the APOs.

¹¹ Report of the Director, Evaluation and Monitoring Division, Planning and Development Department, Government of Assam.

¹² Bhuyanpara to Kokilabari.

Consequently, the management of habitats continued to suffer adversely as discussed below.

5.4.7.1 Management of grassland

Physical verification and interaction with the wildlife Officers/guards revealed that the cover of grassland was diminishing day by day. The major reasons, *inter-alia*, were rapid increase in the numbers of *simul* trees and attack from invasive species of weed like *Lia Crispa* and *Empoterium*. It was observed that the park authorities were yet to carry out a study on the damage already caused by the simul trees and invasive species and to suggest means to retrieve the situation and making the habit congenial to wildlife conservation. Besides, due to lack of funds, no works relating to maintenance of habitat like clearance of simul trees/unwanted weeds could be carried out on a concerted basis.



Lia Crispa- an unwanted weed which multiples through the ground requiring major excavation effort to uproot them. Snap at the left is on *Lia-Crispa* invading grassland and on the right is the Assistant Conservator of Forests, in-charge Bansbari Range explaining the Audit Team how *Lia Crispa* expands base under the ground. The snap at the centre is on *Empoterium* invading grass fields which were best habitat for Bengal Florican.

5.4.7.2 Management of water holes

Another important aspect of the habitat management is maintenance of water bodies. The water bodies get filled up during the monsoon but almost all become dry during the other parts of the year. The volume of water in the rivers flowing through the park also depends on the water draining from the hills of Bhutan.



Rivers flowing through Manas - dried up during summer

During interaction with the Assistant Conservator of Forests, Bansbari Range it was learnt that in Bandhavgarh (Madhya Pradesh) and Rajaji National Park (Uttarakhand) constant flow of water in the water bodies inside the parks is ensured by laying underground pipes. Since Mothonguri has a permanent water

source and storage, constant supply of water in the water holes can be ensured if similar mechanism can be adopted in Manas NP as well. However, it was seen that neither did the plan of operations envisage any activity in this account nor was there any funds allocated.

5.4.8 Encroachment within park area

In the year 1995-96 an area of 1,550 hectare had been encroached under the Panbari Range. Audit scrutiny revealed that in 2006 about 520 families were residing in the encroached land. The encroachment had been increasing rapidly and 912 families were residing inside the park area in 2007-08 having population of 4,525. Further, other areas such as - Dihira funda¹³ and Betbari¹⁴ under Bhuyanpara Range were under encroachment for the past 20 years. However, the area could not be freed from the encroachers while the habitat continues to suffer adversely due to human settlement inside the NP.

As the first step to relocate the villages, the National Tiger Conservation Authority of the GoI, had sanctioned and released ₹ 6.46 crore during 2008-09 for relocation of the village under Panbari Range. The fund was placed at the disposal of the Deputy Commissioner, Chirang. It was, however, noticed that the park authorities had not been successful in relocating the village as the villagers were reluctant to vacate the land despite the offer of compensation of ₹ 10 lakh per family. Reasons for the reluctance of the villagers to accept the compensation was not on records.

Due to failure of the civil administration as well as the park authorities to relocate the village, the GoI withdrew the entire amount and directed the park authorities to utilize the funds against the APOs of 2012-13 (₹ 2.73 crore) and 2013-14 (₹ 3.73 crore). Thus, despite allocation of funds by the GoI, the

As per the 'threats classification list' of IUCN (International Union for Conservation of Nature)- housing inside the wildlife areas is listed as the first item under list of the threat types. Discussion with Wildlife Officers revealed that if such housing inside the wildlife area continues, the IUCN may reconsider withdrawal of 'in danger' tag and reinstate it again.

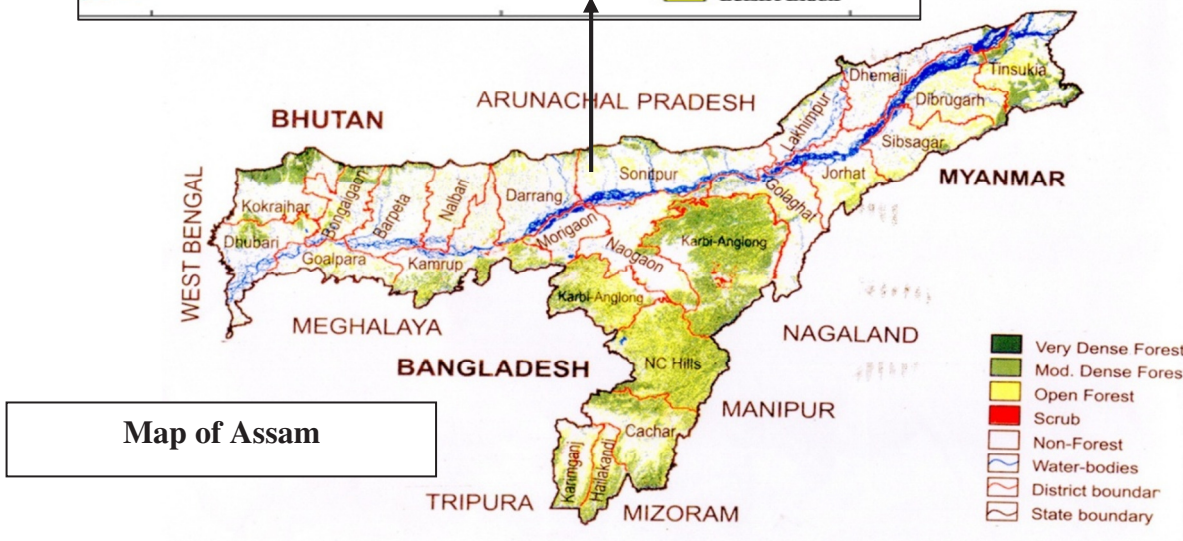
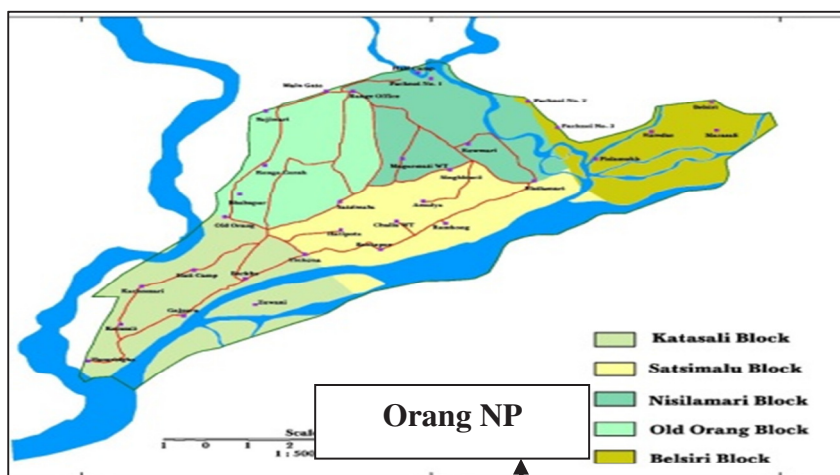
territory of the park could not be made free of the encroachers. Neither the park authorities nor the Department/GOA/GOI made any attempt during last 7-8 years in relocating the villages after the first attempt failed in 2008-09. During interaction with the Wildlife Officers/guards it was ascertained that no further initiative was shown from the State Government level for relocation of the villages. Consequently, the villagers continued to occupy the land inside the protected area otherwise earmarked for conservation of wildlife.

¹³ N 26°74994' and E 091°16386'

¹⁴ N 26°72932' and E 091°15873'

It was further observed that interest of ₹ 79.71 lakh (as of February 2014) had accrued in the bank account in which ₹ 6.46 crore allocated by the GoI was deposited. However, neither the GoI nor the State Government/park authorities were aware of this fact till the district administration sought approval of the State Government to divert the money for other purposes. Till date of field visit (July 2015) the amount is still with the district administration despite the fact that the park authorities were facing acute financial crunch.

Orang National Park



5.4.9 Infrastructure facilities

5.4.9.1 There are 40 anti-poaching camps in Orang NP. During physical verification of the camps and interaction with the park authorities it was ascertained that 10 of the 40 camps were in proper condition, 20 camps needed repair while the remaining 10 camps are in dilapidated condition. Despite the fact that most of the camps needed major repair, it was observed that only ₹ 3 lakh had been allocated

during 2011-12 for repairing of 25 camps which was a meager amount when seen against the level of repairing required in these camps. However, the park authorities had constructed 10 sentry posts and a watch tower during 2013-14 which have provided better amenities to the wildlife guards on duty and are still in good condition as may be seen from the photographs below.



Sentry Post No. 1 on the boundary (total 10 posts built) and Watch Tower (height 50 feet) at Rangagorah Camp

5.4.9.2 Power fencing



The park authorities had erected solar powered fencing¹⁵ at two locations for 2 km and 3.5 km during 2009-10 and 2013-14 respectively. During interaction with the park authorities, it was

Good initiative

ascertained that fencing was working absolutely well and was effective in preventing entry of cattle from nearby villages and straying of

animals. These had multi-pronged benefits as the limited grassland could be preserved from cattle grazing while preventing animals from straying, thus saving them from poaching besides reducing cases of man-animal conflict. However, due to dearth of funds, extension of the fencing for another four km involving ₹ 20 lakh which was essential and planned for protection of the wildlife and reducing man-animal conflict could not be carried out.

5.4.9.3 Accessibility

River Pachnoi runs through the eastern part of the Orang National Park. During interaction with the Wildlife Officers it was ascertained that there was a requirement of a bridge over Pachnoi river due to which no road connectivity could be established towards the eastern part of the NP thus hampering regular patrolling. In absence of a road network, no patrolling could be carried out in the eastern part of

¹⁵ Electrified fencing run by solar power.

the NP. The guards posted at the anti-poaching camps only perform duty upto the extent possible on foot.

5.4.10 Habitat management

Similar to other NPs and WSs of the State, skewed funding had taken a toll on the habitat management in this park as well. During verification of records and interaction with wildlife officers it was ascertained that there were various problems. Desiltation of the water bodies could not be done sufficiently as funds were allocated for desiltation of only two water bodies during the last five years. This resulted in severe scarcity of drinking water for animals during the dry season. This forced the animals to stray towards the outer periphery of the park having rivulets thus exposing them to poachers. Moreover, the park authorities were facing strong challenge from profuse growth of invasive weeds like *Mimosa*, *Lantana camara* and also invasion of grassland by simalu trees.



From Top: Profuse growth of Mimosa and Simul trees damaging grassland

However, due to financial constraints, the physical habitat continues to deteriorate. It was further observed that the APOs were revised to match the funds allocated. As such the requirement of funds for habitat management projected in the original APOs was not ascertainable either by the park authorities or by Audit.

The Conservator of Forests, Orang National Park in his reply (October 2015) accepted the fact that de-siltation of adequate number of water bodies could not be taken up for the last several years due to paucity of funds and that invasive weeds had been damaging grassland of the NP.

5.4.11 Other issues

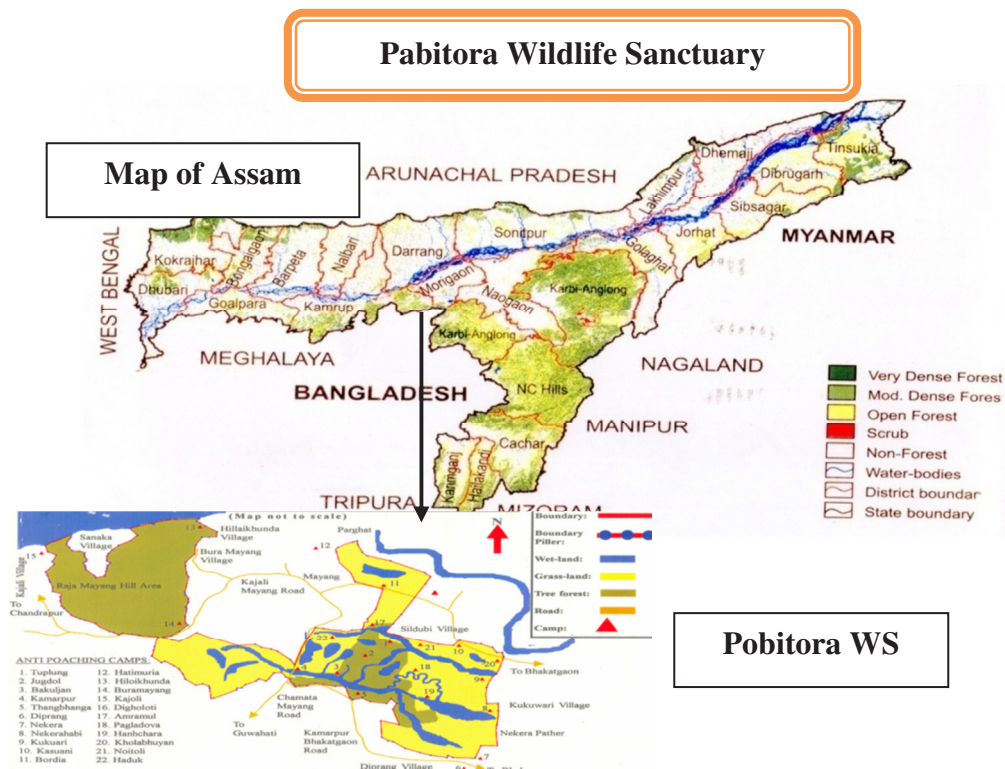
Audit observed that -

- The wildlife guards posted at the anti-poaching camps were entitled to a monthly ration allowance of ₹ 500 per personnel. During verification of records and interaction with the wildlife guards, it was observed that the Government did not allocate funds for ration allowance during the entire year 2014-15. Consequently, the Division could not provide ration allowance to the wildlife guards in the anti-

poaching camps. This was significant as the wildlife guards consist of fixed pay workers, casual labourers and home guards who did not even get monthly wages for months together due to delay in allotment of funds. Apathy of the Government in providing timely funds for minimum support like wages and ration would obviously be detrimental to the morale of the wildlife guards pressed into anti-poaching duties round the clock.

- There were delays of upto 11 months in payment of wages of the home guards;
- Funds for elephant feed and upkeep were allocated without any norm. Despite the manifold increase in the cost of food items over last 5-6 years, the allocation had remained same. It was observed that no funds were allocated for elephant feed since September 2013 till date of Audit (July 2015). On being asked how the 38 departmental elephants were being fed without any funds for the last 23 months, the Wildlife Officers stated that the elephants were tied near the anti-poaching camps to help themselves to grass/other vegetation as available. This denied the departmental elephants the required source of protein, fibre¹⁶ which are required for their upkeep and good health. It was further observed that in the wake of immense poaching pressure, the mal-nourished and starving elephants were still pressed for day to day protection and other duties.

The Conservator of Forests, Orang NP accepted the audit observations regarding lack of funds hampering payments of wages, allowances to the wildlife guards and elephant upkeep.



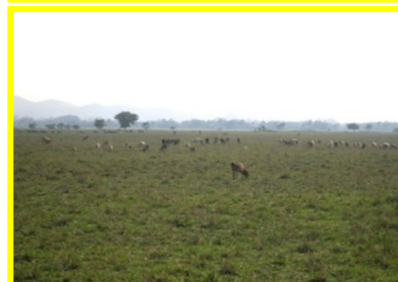
¹⁶ As per norm, the departmental elephants are fed with grams, wheat, salt and plantain.

5.4.12 Habitat Management

5.4.12.1 Cattle grazing

As the Pobitora WS is established on a land which was a perennial grazing reserve, large stock of cattle still graze inside the WS. Besides, the boundary also touches a public road on the eastern side. In order to prevent cattle grazing as well as human interference, power fencing was installed at strategic location for an amount of Rs. 45 lakh¹⁷. Both the works have since been completed and made operational during 2010-11 with the help of solar powered batteries.

During physical verification, it was noticed that there was no wire along the posts and no fencing existed in the entire stretch of 18 km and resultantly a huge number of cattle grazed within the Sanctuary area regularly. On being pointed out, the wildlife officer stated that the fencing materials had possibly been stolen by miscreants. Interaction with the wildlife guards revealed that at least 4,000 to 5,000 cattle grazed everyday inside the sanctuary. The guard also noted that such uncontrolled grazing by cattle inside the sanctuary undoubtedly results in pressure on the grassland which was otherwise limited for the increasing population of the Rhinos, buffalos and other herbivores housed in the WS. The lack of wiring indicated that enough attention was not being paid towards maintenance and replenishment activity relating to protection of the WS by the Department.



Cattle grazing inside Pabitora WS due to breach of power fencing

5.4.13 Other issues

Audit had carried out physical verification in six out of 22 camps and interacted with the staff posted in these camps wherein it was found that non/delayed allotment of funds also had adverse impact on the morale of the staff as discussed in the following paragraphs.

- There were huge delays in payment of wages of the casual labourers. Interaction with wildlife officers



Glimpse of malnourished elephants of Pabitora WS

¹⁷ ₹ 15 lakh during 2008-09 (8 Km stretch) and ₹ 30 lakh during 2009-10 (10 Km stretch).

revealed that there was a delay of minimum three months which had come down from the usual delay of five months.

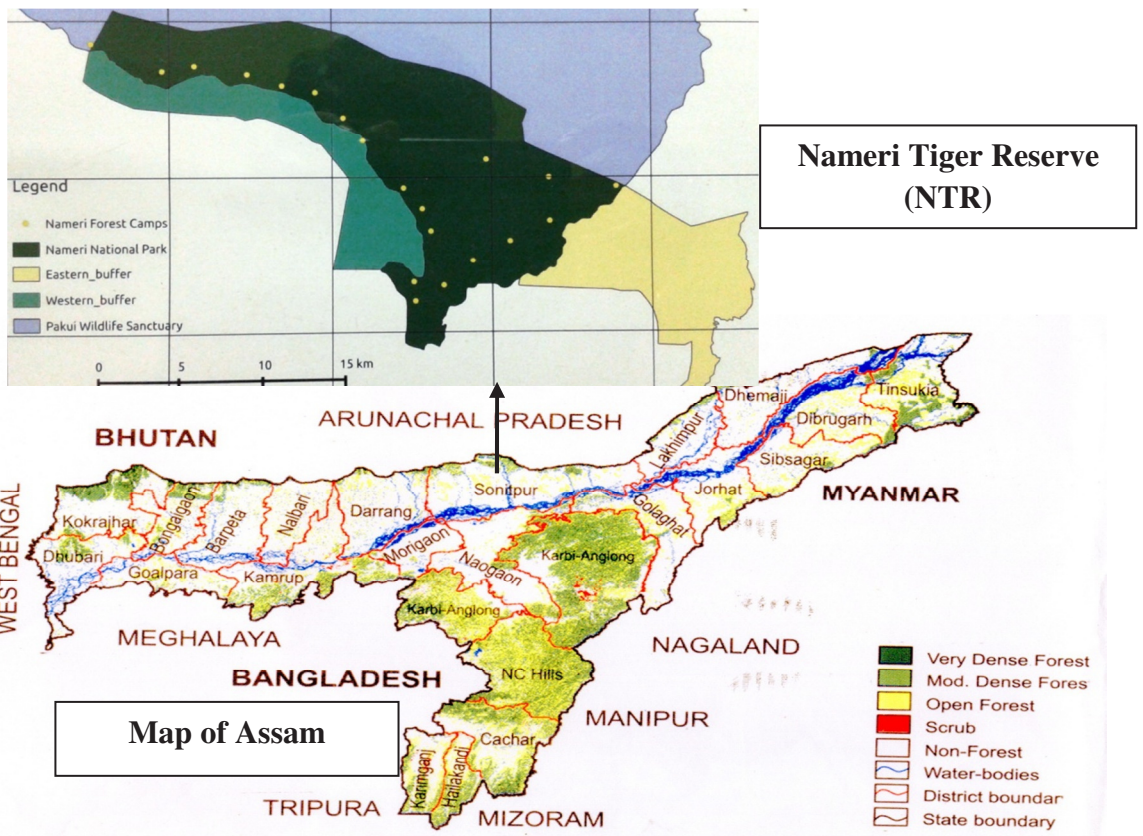
- Absence of norms for elephant feed had been discussed under Orang NP. Similar observation on lack of funds for elephant feed and upkeep were noticed in Pabitora WS as well. This had adversely affected regular supply of feed, medicines etc for the elephants. Even basic items like chains, buckets for feeding were not available.

Interaction revealed that due to non-payment of dues against surgery of an elephant for considerable time, the Veterinary Surgeon threatened the mahut of recovering the dues from him, in cash.

It was observed that despite failure to ensure regular feed and other minimum requirements, the elephants were still put to overnight protection duties everyday; even the five year old elephant ‘Biswajit’ was forced into service. Besides, these animals also carried tourists in the morning during the tourism season.

The delay and dearth of funds had negative impact on the habitat management as well. Desiltation of the water bodies could not be done in any of the last five years covered by Audit causing severe scarcity of drinking water for animals during the dry season. Moreover, the grassland was shrinking rapidly due to increase in the numbers of wild buffalos and also annual floods which inundated the WS.

Nameri Tiger Reserve



5.4.14 Habitat Management

5.4.14.1 The main habitat types available within the core area of NTR are evergreen and semi evergreen forests, riverine grassland and wetland. A comparison of different land cover types and their pattern since inception revealed that in 1973 the extent of grassland in

Class	1973	1994	2011
	(In sq km)		
Water	16.5	11.2	10.5
Dense forest	55.1	81.37	131.11
Open forest	93.71	79.63	31.64
Grassland	29.93	21.20	16.36
River bed	17.48	19.32	24.24
Total	212.72	212.72	213.85

Nameri was nearly 30 sq km although the legal status of the area was that of reserve forest. Consequent to the formation of Nameri Wildlife Sanctuary and further elevation of its status to that of a NP, the decline of grassland continued and in 2011 the recorded area was only 16.4 sq km. The details are in the table in the inset.

5.4.14.2 Invasion of riverine grasslands by weeds

It was observed that atleast two species mainly *Chromolaena odoratum* and *Mikania micrantha* were found in most of the riverine grassland patches. These species have been included amongst world's 100 worst invasive alien species by Invasive Species Specialist Group of the International Union for Conservation of Nature.

Chromolaena Odorata - also known as Siam weed is a fast growing perennial shrub native to South America and Central America. It has attained the status of weed in the tropical regions of Asia, Africa and the Pacific where it was introduced in the past. ***Mikania micrantha*** - also known as American rope, Chinese creeper is weed affecting grassland as well as forests. The climber grows very vigorously and kills other plants by cutting light and smothering them. Owing to its preference for fertile soils with high organic matter, soil moisture and high humidity area, Mikania is fast spreading in NTR. Though a native of Central and South America, this species was introduced to India after Second World War to camouflage airfield.

5.4.14.3 Decline in grassland area

In NTR, the grassland exist in small patches of varying mainly confined to the riverine area and chapories. A comparison of satellite imageries gathered by the NTR authorities would show that while the areas under dense forest class has increased between 1973 to 2011, the area of grassland and open forest has showed a gradual decline. As much as 40 – 50 per cent grassland that existed in 1973 have more or less disappeared by 2011.

The decrease in grassland over the years was mainly attributable to taking over of grassland by uncontrolled invasive weeds and muptiying simul trees. Despite the declaration as WS and then as Tiger Reserve, allocation of funds by the Department to NTR remained a constant challenge as evident from the overall shortfall of

80 *per cent* between funds planned and allocated as pointed out in paragraph 5.4.6.1. The apathy of the Department in allocating funds for the NTR had hindered habitat management and consequent decrease in the grassland area which had direct bearing for obligate grassland herbivores like hog deer whose existence depended on these grassland.

5.4.14.4 Other issues

Audit had carried out physical verification in four out of 20 camps and interacted with the staff posted in these camps. Some of the issues emerging from the discussion are discussed below.

- In some camps, the ring well provided water only during the monsoon season forcing the staff to drink river water during dry season. Due to paucity of funds, fresh wells could not be dug.
- There was no rain coat issued to the staff conducting duty during monsoon. In some camps having four staff members there were only two umbrellas. Leech socks which were extremely required for carrying out duty during the monsoons were not available. The surface being rocky, atleast three pairs of shoes were essential, whereas the staff members get only one pair of shoes.
- None of the regular staff at the anti-poaching camps got ration allowances from April 2013 to May 2014. Last ration money was disbursed in March 2013. Further, casual labourers/fixed pay staff were not entitled to ration allowances. Under the circumstances, the wildlife guards were pooling funds on their own to arrange for the ration at the anti-poaching camps.

Lack of infrastructure, logistics and financial support has adverse impact on the morale of the staff members posted at the anti-poaching camps thereby hindering the protection mechanism.

5.4.15 Conclusion

National Parks and Wildlife Sanctuaries are extremely important for conservation of biodiversity, and for ensuring the survival of floral and faunal components, not only for the present but also for future. For sustainable conservation of habitats and protection of wildlife housed in the NPs/WS, it was a pre-requisite that the State Government supported the wildlife managers with the required funds to meet the planned maintenance activities. The audit analysis of planning and financing of the NPs/WS selected for test check revealed that though the Wildlife Institute of India prescribed that long term management plans should be prepared and annual plans of operations should flow from the same, none of the wildlife areas selected for Audit had a current and approved management plan. Thus, the wildlife managers did not have any guiding long term plan which would serve as the reference for chalking

out the annual plans of operations. Further there was no semblance between the fund requirement projected in the plans and allocation of funds, either by the Government of India or by the State Government. Apathy on the part of the Department to install a mechanism for monitoring the allotment of funds as per the demands of the wildlife areas resulted in tremendous financial crunch, unnecessary holding/curtailment of GoI funds by the State Government, delayed release of funds forcing the wildlife managers to cut short their annual plans hampering important functions like habitat management, intelligence gathering, protection measures to count a few. The financial mis-management by the State Government has created a difficult situation among the wildlife managers as they were finding it increasingly difficult to manage the day to day activities of the NPs/WS. Further, the challenges were multiplied due to the increasing human population around the protected areas, encroachment within the park area and constant threat of the poachers which required round the clock surveillance.

5.4.16 Revenue mobilization efforts

The shortage of funds hindered effective management of wildlife areas. Therefore there was a need for initiating revenue mobilization efforts by the Department/Wildlife managers. To overcome the perpetual shortage of funds, the following options could be explored for augmenting the flow of funds in the wildlife areas of the State, which the Government may consider -

- Allowing the WSs to plough back the revenue generated through miscellaneous activities such as entry fees and other measures like sale of minor forest produce wherever permissible into a fund to be spent to support the management and conservation of wildlife on the lines of Tiger Conservation Foundation in force in Tiger Reserves across the Country.
- Raising specific revenues for the wildlife areas through voluntary measures such as those taken up by Kanha National Park or through earmarked duties such as forest development tax or through sale of merchandise.
- Bringing in Public Private Partnership models of having fencing around the wildlife areas and also utilise the schemes being rolled out by the GoI in giving subsidy for erecting solar powered fencing and digging trenches¹⁸ along the periphery of the wildlife areas. This will also avoid man-animal conflict.

Good practices in other States

States like Maharashtra/Karnataka had introduced sale of merchandise for raising funds for Wildlife management.

Karnataka had introduced specific levies for generating additional revenues for Wildlife and also PPP models of having fencing around the wildlife areas.

¹⁸ The MoEF, GoI had initiated a programme of giving 50 per cent subsidy to villagers for solar powered fencing and for digging cattle-proof trenches along the periphery so as to secure the boundaries of the wildlife areas as well as preventing the wild animals from straying outside the protected areas.

- Reviewing the entry fees frequently for upward revision for additional revenue generation.

5.4.17 Summary of Recommendations

The Department may consider implementing the following recommendations.

1. *Management plan in respect of Manas NP needs to be prepared at the earliest.*
2. *The APOs should be prepared maintaining synergy with the items of works envisaged in the management plan/tiger conservation plan.*
3. *The Department/Directorate may ensure that funds matching the amounts proposed in the consolidated APOs are made available with the wildlife managers.*
4. *Funds may be allocated at the beginning of the year as suggested by the High Power Committee and best practices in other States like quarterly preparation of APOs/allocation of funds may be considered for implementation.*

Compliance Audit observations

5.5 Minimum royalty of ₹ 7.67 crore on unauthorised extraction of minerals by a contractor under National Highway Authority of India not recovered

[Divisional Forest Officer (DFO), Kamrup (North) Division, Rangia]

As per the laws governing issuance of permits by the E&F Department for extraction of minor minerals like stone/boulders/sand/earth etc effective from September 2009, the user Departments are required to intimate the names of the contractors working under them to the concerned Forest Division with the request for issuance of permits on payment of royalty. Upon submission of the bills by the contractors, the user Departments shall inform the concerned forest division about the volume of minor minerals billed for with the request to confirm the volume lifted as per the records of the Division. In case of any difference between the volume lifted and billed for, the forest Division shall levy monopoly fee upto 200 per cent which shall be collected by the user Department and remitted in the appropriate head of accounts of the E&F Department.

During verification of records pertaining to extraction of minor minerals by contractors under National Highway Authority of India (NHAI) in the above Office in March 2014, it was observed that the E&F Department of Government of Assam allowed (April 2006) M/s Punj Lloyd Ltd to extract required quantity of sand, earth and silt from the available sources under the jurisdiction of DFO, Kamrup (North)

Division for all the contract work for package¹⁹ AS – 04 and 05 of East West Corridor Project for four laning works. Scrutiny of the permit register maintained in the Office of the DFO indicated that as of March 2014, the contractor had lifted 5,000 cum sand on payment of royalty for utilization in AS – 5 package. Cross verification of the same with the records of the NHAI, Guwahati Regional Office revealed that as of 31 October 2013, M/s Punj Lloyd Ltd had consumed 11 lakh cum of sand. Neither did the NHAI authorities share the information with the concerned forest Division nor was any action taken by the DFO, Kamrup (North) Division to obtain the figures from the NHAI. Consequently, excess extraction of 10.95 lakh cum of sand by the contractor without payment of royalty remained undetected resulting in non-realisation of minimum royalty of ₹ 7.67 crore²⁰.

The case was reported to the Department/Government in June 2015; their replies have not been received (November 2015).

5.6 Demand notice for recovery of royalty of ₹ 12.05 lakh for unauthorised extraction of stone/boulders was not raised; besides, penalty of ₹ 48.20 lakh was additionally leviable

[Divisional Forest Officer, North Kamrup (NK) Division, Rangia; October – November 2013]

As per the system prevailing in the Environment and Forest (E&F) Department, minor minerals like sand, stone, boulders etc can be extracted by any individual from the designated areas on payment of full royalty in advance and on obtaining a permit from the concerned Forest Division. Rule 46 of the Assam Minor Minerals Concession Rules, 1994 prescribes for levy of penalty of upto four times the royalty in case of unauthorised extraction of minerals from any area without permit granted by the Forest Divisions of the E&F Department.

During test check of records in the above Office it was observed that as per the instruction of DFO, NK Division the Beat Officer, Deoduar Beat carried out physical verification of the crusher site of a contractor²¹ on 26 December 2012 and found 9,266.70 cum of boulders/stone dust. The Beat Officer issued a notice to the contractor on 27 December 2012 directing the latter to submit (within three days) relevant documents in support of the materials found during the physical inspection. It was also stated in the notice that in case of failure to produce the documents, legal action would be initiated as per law in force. Neither did the contractor submit any document nor was any action initiated against the contractor by the Beat Officer. The case was also left unattended in the Divisional Office till the date of Audit

¹⁹ Reference to the chainage of the road project.

²⁰ Considering minimum royalty of sand applicable between 2005 and 2009, i.e. ₹ 70/cum.

²¹ Project Manager, M/s DRA – BLA – BCL (IV).

(October – November 2013). On failure to submit the documents relating to the minor minerals, demand notice for payment of royalty aggregating ₹ 12.05 lakh should have been issued which was not done. Besides, penalty of ₹ 48.20 lakh was additionally leviable for illegal extraction of minerals.

The case was reported to the Department/Government in December 2013 and followed up in June 2015; their replies have not been received (November 2015).

5.7 Short realisation of revenue of ₹ 17.34 lakh due to application of lower rates of royalty while issuing permits

[Divisional Forest Officer (DFO), Kachugaon Forest Division, Gossaigaon; September 2013 and September 2014]

The Government of Assam, Environment and Forest Department in its notification²² dated 1 September 2009 had revised the rate of royalty in respect of various forest produces viz., sand, stone/gravel at the rate of ₹ 90 and ₹ 130 per cum respectively with effect from the date of notification. There is no clause in the conditions of permit requiring the permit holder to pay the balance amount in case of any upward revision of royalty by the Government.

During test check of records in the above Division it was observed that the revised rates were intimated (October 2009) to the Forest Divisions by the Council Head of Forests, Bodoland Territorial Council, Kokrajhar with the request to implement the same from the date as notified by the State Government. It was, however, noticed that while issuing permits for extraction of 83,151.84 cum of minerals²³ between September 2009 and July 2014 royalty at lower rates was levied instead of the rates notified by the State Government effective from 1 September 2009. This resulted in short realisation of revenue of ₹ 17.34 lakh. Value added tax at prevalent rates was also leviable on the differential royalty.

After this was pointed out, the DFO stated during the exit conference that the short realization was due to non-receipt/delay in receipt of Government notification of September 2009. The reply was silent regarding action taken/proposed to be taken to recover the balance amount.

The case was reported to the Department/Government in October 2013 and October 2014 and followed up in June 2015; their replies have not been received (November 2015).

²² Notification No. FRS.1/2004/Pt/47 dated 1 September 2009.

²³ 5,111 cum sand and 78,040.84 cum boulders/sand gravel etc.

5.8 Procurement of battery operated vehicles without carrying out feasibility study and not backing it up with a maintenance contract led to idling of the vehicles and expenditure of ₹ 11.96 lakh becoming unfruitful

[Divisional Forest Officer (DFO), Assam State Zoo, Guwahati; May 2014]

During test check of the records in the above Office, it was observed that drawing inspiration from the use of battery operated vehicles in Mysore Zoo, the DFO of the Assam State Zoo procured (April 2009) two battery operated vehicles from a Bengaluru based firm²⁴ at an expenditure of ₹ 11.96 lakh (@ ₹ 5.98 lakh per vehicle). The vehicles were delivered in April 2009. The vehicles were intended to be used in carrying physically challenged; elder citizens etc. visiting the State Zoo in Guwahati.

However, both the vehicles started giving problems immediately after the procurement and the DFO took up (February 2010) the matter with the manufacturer for repairing the vehicles. The technicians attending the broken down vehicles observed that the battery chargers were not working and opined that the same needed to be sent to Bengaluru for repairing. The DFO accordingly sent (March 2010) the battery chargers to the manufacturer. However, despite replacement of the chargers the vehicles did not become operational and the DFO had to spend further ₹ 1.78 lakh to bring the vehicles back to running condition. After running for a while the vehicles again broke down. Thereafter, the vehicles mostly remained inoperative till the date of Audit. It was further noticed that the manufacturer offered (November 2010) annual maintenance contract at ₹ 25,000 per vehicle but the same was not processed by the Division for acceptance. Audit scrutiny of the procurement of the vehicles and subsequent correspondences revealed the following:

- The Division did not carry out any feasibility study before proceeding to procure the vehicles;
- Though battery operated vehicles were being introduced for the first time in Guwahati Zoo coupled with the fact that the procurement was being made without a feasibility study, the Division went ahead to procure two vehicles at a time involving substantial government money;
- There was no service back up of the manufacturer in Guwahati and for any repairing the manufacturer at Bengaluru had to be contacted;

²⁴ M/s Maini Materials Movement Pvt Ltd.

- Despite proposal of the manufacturer for annual maintenance contract @ ₹ 25,000 per vehicle in November 2010, the Division did not take action to obtain the same;
- The Division neither took up the matter with the manufacturer nor did they analyse, in-house, the reasons as to why the vehicles were repeatedly breaking down even though the same were running successfully in Mysore Zoo as evidenced by the DFO.

Thus, though the battery operated vehicles were procured with an innovative idea to attract visitors to the Assam State Zoo, yet due to the above deficiencies, the objective of the procurement was defeated and resulted in expenditure of ₹ 11.96 lakh becoming unfruitful.

After this was pointed out, the DFO stated (August 2015) that feasibility study was not carried out as such vehicles were successfully plying in other zoos across the country. The DFO however, agreed that the same vehicle could not run in Guwahati because of the hilly terrain.

The case was reported to the Department and the Government in January 2015 and followed up in June 2015; their replies had not been received (November 2015).

5.9 Irregular acceptance of plea of the *mahaldar* coupled with failure to put the *mahal* on risk sale resulted in loss of revenue of ₹ 11.38 lakh

[*Divisional Forest Officer (DFO), Kamrup East Division, Guwahati; March 2012*]

Accumulation and depletion of sand/stone in the riverine *mahal*²⁵ due to river current is a constant process and failure to extract these minerals within the stipulated time frame results in these washing away, leading to loss of revenue. Clause 7 of the Sale Notice prescribed under the Assam Sale of Forest Produce and *Mahal* Rules, 1977 (ASFPMPR) provided that the tenderers should fully satisfy themselves about the availability of the *mahal* materials before quoting their bids and no complaint whatsoever is to be entertained later on. Further, the terms and conditions of the agreement form *inter alia* stipulate the periodicity of extraction, quantity of forest material, total amount to be paid and the dates of payment of instalments, security deposits etc. As per Clause 5 of the agreement form, failure to pay any instalment(s) on time would result in the *mahal* being sold at the risk of the *mahaldar* and loss suffered by the Government, if any, would be recovered from the

²⁵ A well defined area from where certain types of forest produce are sold.

mahaldar. There is no provision for reduction of quantity of forest produce once the operation of the *mahal* commences.

During test check of records in the above Division, it was observed that the Digaru Sand *Mahal* No. 2 (A) was settled (January 2008) for two years with a *mahaldar*²⁶ for extraction of 10,000 cum sand at an agreed price of ₹ 16.55 lakh payable in eight equal instalments starting from 25 January 2008. As per the terms of the agreement entered into between the Department and the *mahaldar*, the latter deposited security deposit of ₹ 1.03 lakh and first instalment of ₹ 2.07 lakh by the due dates and work order was issued by the DFO on 11 March 2008. As the *mahaldar* failed to pay the second instalment due on 21 April 2008, a reminder was issued by the DFO. The *mahaldar* requested for re-scheduling the installment dates from the date of handing over of the *mahal* which was agreed to by the DFO and the payment schedule was accordingly revised. The *mahaldar* however, failed to pay the second installment on the rescheduled date and consequently the *mahal* was put (28 July 2008) to risk sale as per Clause 5 of the agreement. Subsequently, the *mahaldar* deposited the second instalment of ₹ 2.07 lakh on 6 August 2008 and the risk sale tender was withdrawn by the DFO on the same date. Thereafter, the *mahaldar* submitted (January 2009) a plea to the Department of Environment and Forests, Government of Assam for reduction in extraction of *mahal* materials due to non-availability of sand which was admitted by the Department despite clear provisions (clause 7 of the AFSPMR²⁷) against it. On being requested (February 2009) by the Department to furnish a Report, the Chief Conservator of Forests (Territorial) opined (September 2009) against reduction of quantity of the *mahal* and stated that the *mahal* may be put on fresh sale. In the meantime the period of *mahal* ended in January 2010. However, till the date of Audit no decision was taken by the Department on the matter. As per the provisions governing *mahal* operations, on failure to pay the instalment on the due dates the *mahal* should have been put to risk sale and the loss accrued should have been recovered from the original *mahaldar*. Thus, irregular acceptance of the plea of the *mahaldar* in violation of the contractual provisions led to loss of revenue of ₹ 11.38 lakh²⁸ as against the original settlement value of ₹ 16.55 lakh payable by the *mahaldar*. The Department also lost the opportunity to recover the loss by failing to put the *mahal* on risk sale.

²⁶ Shri Ratan Boro.

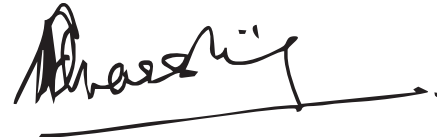
²⁷ Which absolved the Department of any responsibility in case of any complain on shortage of *mahal* materials after commencement of the working period.

²⁸ Original settlement ₹ 16.55 lakh minus ₹ 2.07 lakh (1st instalment), ₹ 2.07 lakh (2nd instalment) and ₹ 1.03 lakh (Security deposit).

The case was reported to the Department/Government in April 2012 and followed up in June 2015; their replies have not been received (November 2015).

Guwahati

Dated : 24 January 2016



(C H KHARSHIING)
Accountant General (Audit),
Assam

Countersigned

New Delhi

Dated : 27 January 2016



(SHASHI KANT SHARMA)
Comptroller and Auditor General of India