



सत्यमेव जयते

**Report of the
Comptroller and Auditor General of India
on
General and Social Sector
for the year ended March 2018**



लोकहितार्थं सत्यनिष्ठा
Dedicated to Truth in Public Interest



Government of Maharashtra
Report No. 1 of the year 2019

**Report of the Comptroller and
Auditor General of India**

on

General and Social Sector

for the year ended March 2018

GOVERNMENT OF MAHARASHTRA

Report No. 1 of the year 2019

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Preface

This Report for the year ended 31 March 2018 has been prepared for submission to the Governor of the State of Maharashtra under Article 151 of the Constitution of India.

This Report relates to audit of the General and Social Sector of the Government Departments conducted under the provisions of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971 and Regulations on Audit and Accounts, 2007 issued thereunder by the Comptroller and Auditor General of India. This Report is required to be placed before the State Legislature under Article 151 (2) of the Constitution of India.

The instances mentioned in this Report are those, which came to notice in the course of test audit for the period 2017-18 as well as those which came to notice in earlier years, but could not be reported in the previous Audit Reports; instances relating to the period subsequent to 2017-18 have also been included, wherever necessary.

The audit has been conducted in conformity with the Auditing Standards issued by the Comptroller and Auditor General of India.

CHAPTER - I

INTRODUCTION

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CHAPTER I

INTRODUCTION

1.1 About this Report

This Report of the Comptroller and Auditor General of India (C&AG) relates to matters arising from Performance audit of selected programmes and activities and Compliance audit of Government Departments and Autonomous Bodies of the Government of Maharashtra (GoM) falling under General and Social Sector.

Compliance Audit refers to examination of the expenditure of the audited entities to ascertain whether the provisions of the Constitution of India, applicable laws, rules, regulations and various orders and instructions issued by the competent authorities are being complied with. On the other hand, Performance Audit examines whether the objectives of an organisation, programme or a scheme have been achieved economically, efficiently and effectively.

The primary purpose of this Report is to bring to the notice of the State Legislature, important results of audit. Auditing Standards require that the materiality level for reporting should be commensurate with the nature, volume and magnitude of transactions. The findings of audit are expected to enable the Executive to take corrective actions as also to frame policies and directives that will lead to improved operational efficiency and financial management of the organisations thus, contributing to better governance.

This chapter, in addition to explaining the planning and extent of audit, provides a synopsis of the significant deficiencies in working of selected schemes/projects, significant audit observations made during the audit of transactions and follow-up on previous Audit Reports. Chapter II of this Report contains findings arising out of three performance audits. Chapter III contains observations emanating from compliance audit in Government Departments and on Autonomous Bodies.

1.2 Audited Entity Profile

The Departments in the General and Social Sector in the State at the Secretariat level are headed by Additional Chief Secretaries/Principal Secretaries/Secretaries and assisted by Directors/Commissioners and subordinate officers.

A summary of the State Government's fiscal transactions during 2017-18 *vis-a-vis* the previous year is given in **Table 1.1**.

Table 1.1: Summary of Fiscal operations during 2017-18

(₹ in crore)

2016-17	Receipts	2017-18	2016-17	Disbursements	2017-18
Section-A: Revenue					Total
204693	Revenue receipts	243654	213229	Revenue expenditure	241571
136616	Tax revenue	167932	71609	General services	78535
12709	Non-tax revenue	16242	90282	Social services	93054
33715	Share of Union Taxes/Duties	37219	43843	Economic services	54189
21653	Grants from Government of India	22261	7495	Grants-in-aid and Contributions	15793
Section B: Capital and Others					
0	Miscellaneous Capital Receipts	0	25549	Capital Outlay	26842
1746	Recoveries of Loans and Advances	1778	6277	Loans and Advances disbursed	979
48336	Public debt receipts ^{\$}	48075 [#]	11887	Repayment of Public Debt ^{\$}	15782
0	Appropriation from Contingency fund	0	0	Appropriation to Contingency fund	0
0	Contingency Fund	0	0	Contingency Fund	0
82466	Public Account Receipts	81877	67102 [#]	Public Account Disbursements	70491*
55553	Opening Cash Balance			Closing Cash Balance	
	a) Sinking Fund	27853	27853	a) Sinking Fund	33971 [#]
	b) Cash balance	40897	40897	b) Cash balance	54498
392794	Total	444134	392794	Total	444134

[#]Lower Rounding *Higher Rounding
^{\$}Excluding ways and means advances (Receipt: ₹ 1,594 crore and Disbursement: ₹ 1,594 crore)
Source: Finance Accounts of respective years

1.3 Authority for Audit

The authority for audit by the C&AG is derived from Articles 149 and 151 of the Constitution of India and the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971. The C&AG conducts audit of expenditure of the Departments of GoM under the provisions of the C&AG's (DPC) Act, 1971 and Regulations on Audit and Accounts, 2007 issued by the C&AG.

1.4 Organisational Structure of the Offices of the Principal Accountant General (Audit)-I, Mumbai and the Accountant General (Audit)-II, Nagpur

Under the directions of the C&AG, the Offices of the Principal Accountant General (Audit)-I, Mumbai and the Accountant General (Audit)-II, Nagpur conduct the audit of various Government Departments and Offices/ Autonomous Bodies/institutions under them. While 17 districts from Konkan and Western Maharashtra fall under the audit jurisdiction of the Principal Accountant General (Audit)-I, Mumbai, the remaining 19 districts from Vidarbha and Marathwada are under the audit jurisdiction of the Accountant General (Audit)-II, Nagpur.

1.5 Planning and Conduct of Audit

The audit process starts with the assessment of risk faced by various Departments of the GoM, based on expenditure incurred, criticality/complexity of activities, the levels of delegated financial powers and assessment of overall internal controls and concerns of stakeholders. Previous audit findings are also considered in this exercise. Based on this risk assessment, the frequency and extent of audit are decided. During 2017-18, 6,873 party-days were used to carry out audit of 323 units (compliance and performance audits) of the various Departments/Organisations. The audit plan covered those units/entities which were vulnerable to significant risks as perceived by Audit.

After completion of audit of each unit, Inspection Reports (IRs) containing audit findings are issued to the Heads of the Departments. The Departments are requested to furnish replies to the audit findings within one month of receipt of the IRs. Whenever replies are received, audit findings are either settled or further action for compliance is advised. The important audit observations arising out of these IRs are processed for inclusion in the Audit Reports which are submitted to the Governor under Article 151 (2) of the Constitution of India.

1.6 Significant Audit Observations

In the last few years, Audit has reported several significant deficiencies in implementation of various programmes/activities through performance audits, as well as on the quality of internal controls in selected Departments. Similarly, the deficiencies noticed during compliance audit of the Government Departments/Organisations were also reported upon.

1.6.1 Performance Audit of Programmes/Activities/Departments

The present Report contains three performance audits, highlights of which are indicated below:

▪ Functioning of Minorities Development Department

The Minorities Development Department (MDD) formed in February 2008 did not have any district/regional offices of its own and therefore the schemes were implemented through various implementing agencies such as the Collectors, Zilla Parishads, Municipal Corporations and Municipal Councils *etc.* The present organisation structure was not efficient and effective structure for implementation of Schemes.

MDD did not prepare any long term strategic plan to ensure an integrated development of minorities in the State. Baseline surveys which were vital for identifying the infrastructural gaps in the minority concentrated area were not conducted to ensure planned development of the area.

MDD was not able to maximise the utilisation of the budgetary grants due to non-receipt of proposals on time from the implementing agencies. Utilisation certificates for ₹ 70.12 crore released by MDD during 2008-17 was pending as of September 2018 from the grantee institutions over a period of more than 10 years.

The implementation of the education-cum-development schemes suffered from lack of post assistance inspection/monitoring, deficiency in the selection of candidates and institutions for training. MDD also did not obtain adequate and reliable data on employment generated through schemes. The implementation of infrastructure schemes revealed poor utilisation of girls hostels, poor progress in completion of work, lack of data on the status of works being executed by the implementing agencies and lack of monitoring of ongoing and completed works. There were delays in approving applications for loan and absence of post-disbursement inspection of loans. Thus, though MDD was providing funds for implementation of various scheme the control of MDD in assessing the performance of the schemes, obtaining adequate/reliable data and periodical progress reports was not adequate.

The monitoring of the schemes was weak as there was no submission of progress reports, utilisation certificates, area survey reports and reports after visit by the implementing agencies. MDD also did not pursue the matter regularly to obtain these reports/information. When the Government spends money on the schemes, it is imperative that the spending is monitored for its effectiveness, the results are compared with the objectives set and evaluation studies carried out to know the impact. Such an approach was lacking on the part of the MDD.

(Paragraph 2.1)

▪ **Administration of Prison and Correctional Centers in Maharashtra**

The inmate population of prisons and correctional centres registered a growth of 18 *per cent* from 27,883 in 2013-14 to 32,810 in 2017-18. However, the authorised capacity of prisons remained almost stagnant during this period. The inmate population as of March 2018 was 37 *per cent* more than the authorised capacity of the prisons. The Department failed to draw up a long-term perspective plan and annual plans for expanding the prison network, augmenting inmate capacity within existing prisons and modernising and strengthening the infrastructure and facilities. Though ₹ 60 crore was allocated by the thirteenth Finance Commission, the Department could not ensure timely submission of UCs to avail the full benefit of the scheme resulting in lapse of ₹ 29.63 crore. The decision to construct a district prison at Gadchiroli without taking into account security considerations resulted in injudicious expenditure of ₹ 14.95 crore.

The safe custody of the prisoners were not ensured in the absence of structural audit, overcrowding, entry of prohibited articles, high rise buildings in the vicinity of the prisons, insufficient height of the prison main boundary wall and shortage of security staff and arms.

The facilities provided to prisoners suffered from deficiencies like inadequate sleeping space, deficient diet to female inmates of open prison, absence of standard operating procedure for receipt of provisions and testing, shortage of sanitary arrangements, shortage of medical staff and specialists *etc.*

Failure to provide employment to all the prisoners undergoing rigorous imprisonment, failure to review sentences in respect of female and male prisoners undergoing sentences, absence of running list of eligible prisoners

for open prison, non-consideration of female prisoners for transfer to open colony and absence of comprehensive rehabilitation policy for prisoners after their release and convergence of various social welfare schemes adversely impacted the reformative and rehabilitation process.

Regular inspections of District prison class-I were not undertaken. The internal audit wing was not functional between 2013-14 and 2016-17.

(Paragraph 2.2)

▪ **Implementation of Healthcare and Academics Management Information System (HMIS)**

The HMIS system envisaged to provide health information infrastructure, which would help in daily operations of the hospital and to facilitate decision making and thus to bring fundamental changes in healthcare and academic management in medical colleges and hospitals in the State. The vision remained largely under achieved due to ineffective implementation of the HMIS system.

Out of the 16 core modules in the HMIS only Outpatient Department module is implemented in all the 16 hospitals. Five modules viz., (i) Purchasing Drugs and Materials (ii) Human Resource Management (iii) Finance (iv) Linen Management (v) Library Management were not implemented and remaining 10 modules were partially used in all 16 locations.

The system remained largely under used and use of manual system continued in all the 16 locations where HMIS was implemented even after 10 years. Further, non-availability of complete digital healthcare data centrally has been a hindrance for disease surveillance in the state and may have restricted the State's intervention to reduce the disease burden.

(Paragraph 2.3)

1.6.2 Compliance Audit of Government Transactions

There are 11 audit paragraphs (including two theme-based audit paragraphs) arising from compliance audits carried out. A significant audit findings are indicated below.

- The Disaster Management Plans (DMPs) were prepared and updated annually by the selected District Disaster Management Authorities (DDMAs). However, State Disaster Management Unit (SDMU), Greater Mumbai Disaster Management Authority (GMDMA) and Regional Disaster Management Centre (RDMC) Amravati did not prepare and update the DMPs annually. Flood Preparedness Plans/Guidelines were prepared by all the selected DDMAs, GMDMA and RDMCs except RDMC, Amravati. Though the State DMP clearly defined the actions to be taken to mitigate the risk of earthquakes, there were deficiencies in implementation at the DDMA, the GMDMA and the RDMC levels. Though, the State had a past history of massive landslides, the State DMP did not prescribe any specific action to be taken by the line departments to mitigate the risk of landslides. Further, Chemical Biological Radiological & Nuclear disaster and Stampede were not identified as possible disasters in the State Disaster Management Plan.

(Paragraph 3.1)

- The scheme of opening new Government Hostels for Backward Classes in all the taluka headquarters was envisaged in 2005-06. However, even after lapse of 10 years the Government hostels in 128 talukas were not opened. The population norms for opening of Government hostels in taluka headquarters were also not strictly followed. The intake capacity of the hostels shifted to new premises was also not revised and sanctioned resulting in deprivation of benefit to students. As against 100 Government Residential Schools to be opened, only 83 schools were opened. There was short utilisation of funds against the grants released. Though the expenditure under plan heads was not commensurate with the demand and funds released by Social Justice and Special Assistance Department (SJSAD) in the last five years, the SJSAD continued to place demands for higher side every year without analysing the reasons for short utilisation of funds. Irregular expenditure of ₹ 14.16 crore without ensuring the fulfillment of conditions resulted in unfruitful expenditure of ₹ 24.78 crore due to non-imparting of computer training to the students. The hostels at regional levels having capacity of 1,000 students taken up in Nagpur, Mumbai and Pune remained incomplete. One unit of girls hostel at Latur though constructed in 2011 remained un-utilised. There was shortfall in supply of basic amenities in the Government Hostels and Government Residential schools. 42 girls hostels opened on the eve of Dr. B.R. Ambedkar Jayanti were found short of proper infrastructure. The structural audits of the hostels which were more than 30 years old were also not undertaken. The rate of '*Pariposhan Aahar*' payable to aided hostels was not revised commensurate with Consumer Price Index since 2012 onwards. There was discrimination in providing meals to the students residing in old Government Hostels and in new Government Hostels.

(Paragraph 3.2)

- Despite directions by the Government, lease agreements of 10 Gymkhanas were not renewed for a period of nearly 12 to 48 years and lease rent of ₹ 1.27 crore for the year 2017 remained unrealised.

(Paragraph 3.3)

- Failure of both the Women and Child Development Department and the Public Works Department to ensure clearances to the land before construction, resulted in idling of Government State Home Building constructed at a cost of ₹ 6.71 crore for more than five years apart from non-achievement of objectives of creating additional accommodation for women inmates.

(Paragraph 3.4)

- Due to non-obtaining of Occupancy Certificate from the Nagpur Municipal Corporation by the Nagpur Housing and Area Development Board the beneficiaries of two Housing Schemes at Nagpur were deprived of their homes even after three to four years since payment of sale price of ₹ 124.20 crore to the Board.

(Paragraph 3.5)

- Incorrect approval of Redevelopment Scheme of cessed buildings by Mumbai Building Repairs & Reconstruction Board resulted in undue financial benefits of ₹ 8.64 crore to a Developer. Besides, Developer had not surrendered surplus area of 960.46 square meter valued at ₹ 59.76 crore.

(Paragraph 3.6)

- Due to delay in initiating action against developers for recovery of outstanding dues of ₹ 98.91 crore, Maharashtra Housing and Area Development Authority/Mumbai Building Repairs and Reconstruction Board failed to safeguard its financial interests.

(Paragraph 3.7)

- Inaction on the part of Mumbai Metropolitan Region Development Authority (MMRDA) to execute lease deed in time with lessee, resulted in loss of ₹ 41.47 crore. Besides, MMRDA did not recover ₹ 23.49 crore for delay in construction within specified time limit.

(Paragraph 3.8)

- The Urban Development Department in contravention of the provisions of Development Control Regulations for Greater Mumbai released excess Transfer of Development Rights valued at ₹ 49.01 crore to the Developer. Besides, 3,493 tenements valuing ₹ 147.40 crore were not handed over by the Developer to Slum Rehabilitation Authority.

(Paragraph 3.9)

- Construction of Ashram School building despite declaration of village under Wild Life Sanctuary resulted in avoidable expenditure of ₹ 3.94 crore.

(Paragraph 3.10)

- Payment of Electricity Duty of ₹ 1.14 crore was made by Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur during the period April 2014 to June 2016 although such payments by the Government were exempt from the provisions of the Maharashtra Electricity Duty Act, 1958.

(Paragraph 3.11)

1.7 Responsiveness of Government to Audit

1.7.1 Inspection Reports Outstanding

Periodical inspections of Government Departments are conducted to test-check their transactions and verify the maintenance of important accounting and other records as per prescribed rules and procedures. These inspections are followed up with IRs which are issued to the Heads of the Offices inspected, with copies to the next higher authorities. Half yearly reports of pending IRs are sent to the Secretaries of the concerned Departments to facilitate monitoring of action taken on the audit observations included in the IRs.

As of June 2018, 3,515 IRs (13,132 paragraphs) were outstanding for settlement. Year-wise details of IRs and paragraphs are shown in **Appendix 1.1**.

1.7.2 Response of Departments to Draft Paragraphs and Performance Audits

The draft paragraphs and performance audits were forwarded demi-officially to the Additional Chief Secretaries/Principal Secretaries/Secretaries of the concerned Departments between July 2018 and November 2018 with the request to send the responses within four weeks. The Government reply was received in three performance audits, two theme base audits and three draft paragraphs while no replies were received in respect of six draft paragraphs featured in this report.

1.7.3 Follow-up on Audit Reports

According to instructions issued by the Finance Department, GoM in January 2001, Administrative Departments were required to furnish Explanatory Memoranda (EMs) duly verified by Audit to the Maharashtra Legislature Secretariat in respect of paragraphs included in the Audit Reports of C&AG of India, within three months of presenting the Audit Reports to the State Legislature. The Administrative Departments, however, did not comply fully with these instructions. The status of outstanding EMs from 2012-13 to 2016-17 is indicated in **Table 1.2**. Department-wise details are shown in **Appendix 1.2**.

Table 1.2: Status of submission of EMs during 2012-17

Audit Report	Date of tabling the Report	Number of Paragraphs and Reviews	Number of EMs received	Balance
2012-13	14 June 2014	13	12	01
2013-14	10 April 2015	10	10	00
2014-15	05 August 2016	09	08	01
2015-16	11 August 2017	12	10	02
2016-17	28 March 2018	20	0	20
Total		64	40	24

With a view to ensuring accountability of the Executive in respect of all the issues dealt with in the Audit Reports, the Public Accounts Committee (PAC) lays down in each case, the period within which Action Taken Notes (ATNs) on its recommendations should be sent by the Departments.

The PAC discussed 278 paragraphs pertaining to the Audit Reports for the years from 2008-09 to 2015-16 and gave 488 recommendations of which, ATNs were pending on 471 recommendations, as indicated in **Table 1.3**.

Table 1.3: Position of outstanding ATNs on PAC recommendations

Year of Audit Report	PAC Report Number	Year of PAC	Number of recommendations	Number of ATNs awaited
2008-09	17	2012-13	30	26
2009-10	18	2012-13	14	5
	6	2015-16		
2010-11	12,17	2015-16	47	43
2011-12	29,32,34	2017-18	166	166
2012-13	24	2015-16	19	19
	27,31	2017-18	112	112
2013-14	19	2015-16	61	61
2014-15	--	--	--	--
2015-16	40,41	2017-18	39	39
Total			488	471

The Department-wise position of PAC recommendations on which ATNs were awaited is indicated in **Appendix 1.3**.

CHAPTER - II

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CHAPTER II

PERFORMANCE AUDITS

Minorities Development Department

2.1 Functioning of Minorities Development Department

Executive Summary

The Minorities Development Department (MDD) formed in February 2008 did not have district/regional offices and therefore Schemes were implemented through various implementing agencies. The present organisational structure was therefore not an efficient and effective structure for implementation of Schemes.

MDD did not prepare any long term strategic plan to ensure integrated development of minorities in the State. They had also not conducted baseline survey for identifying the infrastructural gaps in minority concentrated area to ensure planned development of the area.

MDD did not spend entire budgetary grants due to non-receipt of timely proposals from the implementing agencies. Utilisation certificates for ₹ 70.12 crore were pending from the grantee institutions over a period of more than 10 years.

The Schemes implemented catered largely to the needs of Muslim community which was a predominant minority community in the State. The overall performance of implementation of Education-cum Development Schemes lacked post assistance inspection/monitoring and there were deficiencies in selection of candidates and institutions. MDD did not also obtain adequate and reliable data on employment generated through Schemes.

The implementation of Infrastructure Schemes revealed poor utilisation of girls' hostels, poor progress in completion of works, lack of data on the status of works being implemented by implementing agencies. There were delays in approving loan applications and post-disbursement inspection of loans was absent. The monitoring of the Schemes was weak as neither did implementing agencies submit periodical progress reports nor did MDD pursue the matter with them for these reports.

Thus, though MDD was providing funds for implementation of various Schemes the control of MDD in assessing the performance of the Schemes, obtaining adequate/reliable data and periodical progress reports was not adequate. MDD had also not undertaken any evaluation studies to ascertain the impact of its Schemes.

2.1.1 Introduction

The Minorities Development Department (MDD), Government of Maharashtra (GoM) was formed as a separate Department in February 2008¹ in pursuance to the recommendations of the Sachar Committee appointed by Government of India (GoI) to study the social, educational and financial backwardness of the minority communities. MDD was established to implement and monitor schemes for overall development of minorities including co-ordination and review of Prime Minister's 15 point programme² implemented by various Departments for the welfare of minorities.

The General Administration Department, GoM in exercise of powers conferred under Section 2 of Maharashtra State Minorities Commission Act, 2004 declared (October 2006) Muslims, Christians, Sikhs, Buddhist, Zoroastrians (Parsis), Jain, Jews³ and other communities as minority communities. As per 2011 census, the minorities in the State comprised 19.92 per cent of the total population (Muslims: 11.54 per cent; Buddhists: 5.81 per cent; Jain: 1.25 per cent; Christian: 0.96 per cent; Sikh: 0.20 per cent; other religion: 0.16 per cent). Mumbai Suburban and Thane districts in the State has the highest Muslim population.

2.1.2 Organisational Set up

The Principal Secretary, MDD is the Head of the Department and is responsible for the effective implementation and monitoring of various ongoing schemes for the minority communities.

- There were no district/regional offices under the MDD and therefore the schemes were executed in the State through the District Collectors, Zilla Parishads, Municipal Corporations and Municipal Councils, Director of Vocational Education and Training, Mumbai, Director, Minority and Adult Education, Pune and Director of Technical Education, Mumbai. The MDD had a sanctioned strength of 50 posts of which 44 were filled as of January 2018.
- Besides, Maharashtra State Minorities Commission⁴, Mumbai, Maulana Azad Alpsankhyak Arthik Vikas Mahamandal⁵ (MAAAVM) and Maharashtra State Haj Committee functioning under the control of MDD, implement the schemes of MDD.

¹ Prior to the formation of the Department all the issues related to the Minorities were looked after by General Administration Department, Revenue and Forests Department and Tourism and Cultural Affairs Department

² The objectives of the new (October 2009) Prime Minister's 15 point programme for welfare of minorities were (a) enhancing opportunities for education (b) ensuring an equitable share for minorities in economic activities and employment, through existing and new schemes, enhanced credit support for self-employment and recruitment to State and Central Government jobs (c) improving the conditions of living of minorities by ensuring an appropriate share for them in infrastructure development schemes (d) prevention and control of communal disharmony and violence

³ Notified in July 2016

⁴ The function of the Commission is to examine and monitor the working of various safeguards provided in the Constitution of India and in the laws passed by the State Legislature for protection of minorities, to make factual assessment of the representation of minorities in the Government services, to consider grievances of the minorities *etc.*

⁵ A Government company established under Companies Act, 1956

2.1.3 Audit Objectives

The audit objectives were to assess whether:

- MDD prepared a strategic plan to realise its objectives and appropriately formulated the schemes;
- The schemes for the minorities were implemented economically, efficiently and effectively, principles of sound public sector financial management were followed; and
- Effective monitoring and evaluation of the impact of the schemes was carried out by MDD.

2.1.4 Audit Criteria

The audit criteria were adopted from the following:

- Rules, Notifications, Scheme Guidelines, Government Resolutions and instructions issued by GoI and GoM from time to time;
- Fund Release Orders of GoI & GoM;
- Maharashtra Treasury Rules, 1968 and Bombay Financial Rules, 1959;
- Minutes of meetings of the Empowered Committee of Multi-Sectoral Development Programme and minutes of the State Level Committee headed by Chief Secretary for the Prime Minister's 15 Point Programme relevant for minorities' development.

2.1.5 Audit Scope and Methodology

The Performance Audit of MDD was conducted during March 2018 to June 2018, for the period 2013-2018 through test-check of records in MDD at Mantralaya, Mumbai and the following offices:

- Maharashtra State Minorities Commission, Mumbai, Maulana Azad Alpsankhyak Arthik Vikas Mahamandal, Mumbai, Maharashtra State Haj Committee, Mumbai and Office of the Director, Minority and Adult Education, Pune.
- Nine (Aurangabad, Ahmednagar, Buldhana, Hingoli, Jalna, Mumbai (City and Suburban), Satara, Ratnagiri and Thane) out of 36 districts in the State were selected on the basis of probability proportion to size without replacement method with size measure as total expenditure. These nine districts had minority population of 1.01 crore (45 per cent) out of total 2.24 crore minority population in the State. Records in the office of District Collector, Zilla Parishad and Municipal Corporations/Municipal Councils in these selected districts were also test-checked. Out of 25 schemes, 17 schemes constituting 98 per cent of the expenditure were selected for test check on the basis of high value expenditure. Details are shown in **Appendix 2.1.1**.

An entry conference was held on 23 May 2018 with Principal Secretary, MDD wherein the audit objectives, criteria, scope and audit methodology were discussed. The audit findings were discussed with Principal Secretary, MDD in an Exit conference held on 16 November 2018 and the responses of the department have been taken into consideration while drafting the Report.

Acknowledgement

Audit is thankful for the co-operation extended by Minorities Development Department and other offices in providing records, information and clarification from time to time for smooth conduct of Audit in timely manner.

Audit Findings

2.1.6 Planning

The Sachar Committee constituted (2005) by Government of India to prepare a report on the social, economic and educational status of the Muslim community in India *inter alia* observed that the literacy rate among Muslims was below the national average, the percentage of population who were graduates or held diplomas was low, lower presence of Muslims in both public, private sectors and Central Government departments, low average salary, inadequate and low access of Muslims to bank credit, villages with high concentration of Muslims not having educational institutions and medical facilities. The Sachar Committee *inter alia* recommended establishment of exclusive schools for girls, expansion of scope of Industrial Training Institute (ITI) courses to focus on emerging market needs and providing hostel facilities at reasonable costs.

Audit observed the following:

- Though MDD was formed in February 2008, it did not prepare a strategic long term plan encompassing needs/gaps analysis, integrated programmes/schemes to be implemented for the development of minorities in the State based on the social, educational and economic status of minority communities, the current and the anticipated indicators and outcomes, the programmes/schemes to be implemented, the source of obtaining data, time-frame for conducting review and evaluation of the schemes. Thus, in the absence of strategic plan, MDD was implementing the programmes/schemes included in the annual budget without there being any mechanism in the form of strategic plan to assess the progress achieved in the development of minorities in the State. The schemes, nonetheless, did cater to some of the needs/gaps. However, a strategic plan could have helped to understand the extent of problem and provided a focused direction to the efforts of MDD.

During the Exit conference, Principal Secretary stated (November 2018) that a long term plan would be prepared in future.

- As per the 2011 census, there were 66 tehsils in the State which had minority population of 25 *per cent* or more. Baseline surveys for identifying the infrastructural gaps in these areas were not conducted to ensure that the works are taken up in a planned manner.

2.1.7 Fund Management

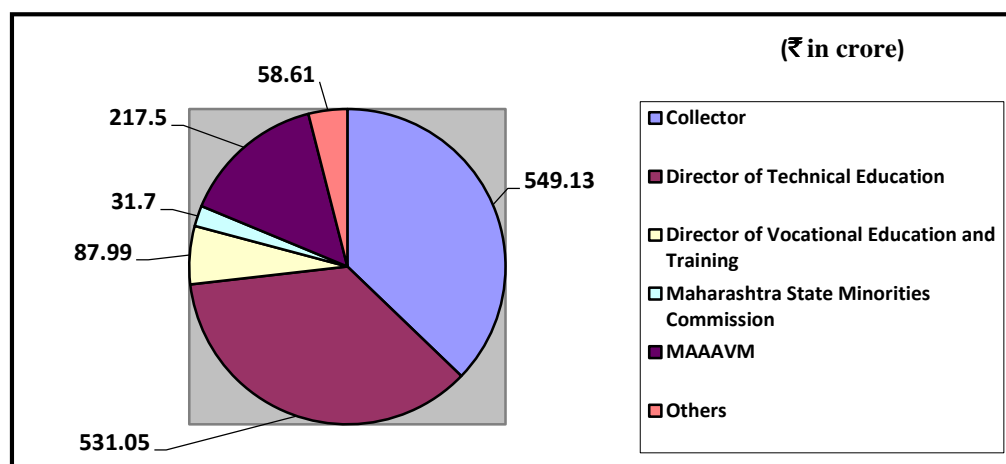
Funds amounting to ₹1,936.60 crore were provided (under Major Head 2235-Social Security & Welfare, 102 Child Welfare: ₹1,697.70 crore and 4235-Share capital contribution to MAAAVM/NMDFC⁶: ₹ 238.90 crore) by MDD during 2013-18 for the implementation of various schemes in the initial budgets. The funds are released by MDD to various implementing agencies viz., Zilla Parishads, Block Development Officers, Public Works Department *etc.*, for implementation of various schemes through District Collectors. Total expenditure incurred during 2013-18 was ₹ 1,475.98 crore including an expenditure of ₹ 42.06 crore incurred on administrative expenses as shown in Table 2.1.1 and Chart 2.1.1.

Table 2.1.1: Budget estimates and expenditure during 2013-18
(₹ in crore)

Year	Budget estimate	Revised budget	Expenditure incurred	Savings with respect to budget estimates	Percentage of saving to budget estimates
2013-14	364.59	324.27	277.17	87.42	24
2014-15	346.74	307.01	250.65	96.09	28
2015-16	411.70	477.58	350.16	61.54	15
2016-17	406.76	349.02	311.50	95.26	23
2017-18	406.82	380.30	286.50	120.32	30
Total	1936.60	1838.18	1475.98	460.63	24

Source: Civil Budget Estimates, supplementary statement of expenditure and information furnished by the MDD

Chart 2.1.1: Funds released to implementing agencies (₹ 1,475.98 crore)



Scrutiny in audit revealed the following:

- There was a saving of ₹ 460.63 crore during 2013-18, which was mainly due to receipt of incomplete proposals in schemes like construction of girls hostels, infrastructure development of madrasas and minority schools, free coaching *etc.*

The Principal Secretary, MDD while admitting the facts in exit conference stated (November 2018) that the savings were mainly due to closure of many madrasas which had taken financial assistance in earlier years, not applying later.

⁶ National Minorities Development and Finance Corporation

- As per the Bombay Financial Rules, 1959, utilisation certificates (UCs) should be obtained by the Department from the grantee institutions within 12 months from the date of sanction of grants. Audit noticed that UCs for ₹ 70.12 crore released by MDD to implementing agencies⁷ during 2008-17 were pending as of September 2018. Huge savings indicate that MDD needs to plan better by identifying the needs/gaps and executing the works/schemes.

During the exit conference the Principal Secretary, MDD stated (November 2018) that meetings are being held for pending UCs and the position has improved.

2.1.8 Implementation of Governments direction for bringing the youth belonging to minority communities to the mainstream of society

In order to bring the youth of minority communities to the mainstream of the society, to bring economic, social and educational progress and to create a trustworthy and cordial environment among the minority communities, the Chief Minister conducted a meeting based on which directions were issued (July 2016) by MDD to various departments⁸ on the action to be taken. All the departments were directed to ensure that the benefit of the schemes being implemented by each department catered to the minority communities for which plans were to be prepared and at least one project implemented each year. Further, to the extent possible out of the sanctioned fund of the departments, 15 *per cent* was to be reserved for the schemes for the minorities. For effective implementation of the directions given, the Government also constituted (October 2016) State Level Committee headed by the Chief Minister, Divisional Level Committee headed by the Divisional Commissioner and District Level Committee headed by the District Collector. MDD was required to review the quarterly progress reports received from the Divisional Level Committees/Departments and submit the same to the State Level Committee.

Audit observed the following:

- The six Divisional Commissioners did not submit quarterly progress reports to MDD except one report each submitted by Divisional Commissioner, Nashik and Divisional Commissioner, Konkan in the month of May 2018 and July 2018 respectively.
- Only two meetings of the departments were held in December 2016 and November 2017. However, no reports were submitted to the State Level Committee by MDD.
- Though, the State Level Committee was constituted in October 2016, only one meeting of the Committee was held in October 2018.

⁷ District Collectors (₹ 70.02 crore); Director of Vocational Education & Training (₹ 0.10 crore)

⁸ School Education and Sports Department, Higher and Technical Education Department, Urban Development Department, Skill Development Department, Women and Child Development Department, Public Health Department, Social Justice and Special Assistance Department and MDD

- The status of number of directions given to the eight departments by MDD and action taken till September 2018 is given in **Table 2.1.2**.

Table 2.1.2: Status of number of directions issued

Name of the Department	Total Number of directions given	No. of directions on which action not completed
School Education and Sports Department	16	12
Higher and Technical Education Department	7	3
Urban Development Department	3	1
Skill Development Department	4	Nil
Women and Child Development Department	4	1
Public Health Department	4	Information not available
Social Justice and Special Assistance Department	1	Nil
MDD	13	5
Total	52	22

Source: Information furnished by MDD

As seen from **Table 2.1.2**, the Departments have taken action on majority of the directions issued. Directions on which action have been taken by the Departments *inter alia* (i) Higher and Technical Education Department: commencement of 2nd shift for minorities in Government ITIs (ii) School Education and Sports Department: holding of seminars for minority girls and their parents for increasing the representation of minority girls in sports and games (iii) Skill Development Department: construction of ITIs exclusively for minorities (iv) Women and Child Development Department: educate Muslim women on various Government Schemes (v) MDD: scheme for giving free coaching to increase representation of minorities in Government services.

Some of the directions on which action was pending in other departments were as follows: (i) School Education and Sports Department: Considering the high drop-out rate of minority students studying in standard V to VII, a pilot project was to be taken up in the minority dominated areas in four districts to reduce the dropout rate to zero in five years, starting night schools in minority concentrated areas, reserving 20 *per cent* of the fund received by District Sports Officer from District Planning Development Committee for minority schools (ii) Women and Child Development Department: construction of maximum *anganwadis* and increasing the percentage of *anganwadi* workers in *anganwadis* (iii) Higher and Technical Education Department: implement schemes which would facilitate exchange of views between minority and non-minority students.

Audit observed that MDD had not complied with five directions *viz.*, (i) Scholarship for students studying in standard VI to X (ii) commence a scheme on scholarship to encourage minority students who have secured first three positions at a State level sports competition by obtaining their information from the Sports Department (iii) provide funds for conducting training in self-defence, sports and games in the minority schools (iv) furnish list of eligible minority community institutions who are eligible for grants under the gymnasium and playground development scheme implemented by Sports Department (v) commence scheme for providing grant in aid to minority schools for creating sports facilities and sports equipment.

Thus, the monitoring of the implementation of the directions by different departments was weak in view of non-submission of progress reports by Divisional Commissioners/Departments and a lack of effective follow-up by MDD.

2.1.9 Implementation of Schemes

Among the schemes implemented by MDD for creation of infrastructure in area concentrated by minority communities and for improvement of education facilities are schemes for commencement of additional shifts in Industrial Training Institutes (ITIs), modernisation of Madrasas, Pre-police recruitment training, free coaching for various competitive exams, construction of ITIs and girls hostels *etc.* Loans for business and educational purpose to the minority communities were also disbursed by the MAAAVM.

The Ministry of Minority Affairs, GoI is implementing 18 Central schemes for educational and economic empowerment of minority communities, for infrastructure development works in minority dominated area *etc.*, which are implemented in the State through various departments of GoM such as Higher and Technical Education Department, School Education and Sports Department, *etc.* Of the various central schemes, Multi-Sector Development Programme was the only central scheme which was implemented by MDD and was covered in audit.

The break-up of Educational-cum-Development schemes and Infrastructure schemes and the expenditure incurred during 2013-18 is given in **Table 2.1.3**. In view of predominant Muslim population in the State (58 *per cent* of the total minority population), the schemes implemented catered largely to the needs of Muslim community. The schemes implemented accounted for 83.85 *per cent* of total expenditure incurred by the Department during 2013-18.

Table 2.1.3: Break-up of Schemes *vis-à-vis* expenditure

(₹ in crore)

Educational-cum-Development Schemes	Expenditure during 2013-18	Infrastructure Schemes	Expenditure during 2013-18
1. Scholarship to Minorities students pursuing Higher Education	469.88	1. Area Development of Minority concentrated areas (Rural)	155.62
2. Functioning of 2 nd /3 rd shift in ITIs	81.99	2. Infrastructure development of Minority schools	121.22
3. Commencement of second shift in existing Government polytechnics for minority students	47.97	3. Area Development of Minority concentrated areas (Urban)	94.90
4. Modernisation of Madrasas	36.42	4. Multi-Sector Development Programme (Central/State Share) (including Cyber Gram Yojana)	80.87
5. Pre-police training and Marathi Bhasha Foundation	21.88	5. Construction of hostels for girls from the Minority communities in cities	60.11
6. Short Term Trade	7.82	6. Assistance to Haj Committee	14.49
7. Free coaching and allied scheme	7.19	7. New Polytechnic	13.20
8. Research, Training and Publicity of schemes	6.15	8. Urdu Ghar	11.84
		9. Construction of ITIs in Minority Concentrated Areas	6.00
Total	679.30	Total	558.25

Source: Civil Budget Estimates, supplementary statement of expenditure and information furnished by the MDD

Major audit findings on the implementation of test-checked schemes are discussed in the succeeding paragraphs.

2.1.9.1 Education-cum-Development Schemes

i) Introduction of 2nd and 3rd shifts for minority students in ITIs

The Higher and Technical Education Department, GoM approved (August 2009) opening of 248 additional shifts (Second shift: 237; Third shift:11) for various trades in 42 ITIs in the areas concentrated by minorities with a view to increase the employment and self-employment opportunities for the minorities in the State. Teaching and non-teaching staff for running these shifts was also approved (August 2009) by Higher and Technical Education Department. A minimum of 70 *per cent* seats were required to be reserved⁹ for the minority students in these shifts. During 2013-18, an expenditure of ₹ 81.99 crore was incurred on salaries, machinery and equipment *etc.*, in operating these shifts. The status of the number of shifts/trades sanctioned, actual shifts/trades operated during 2015-18 is given in **Table 2.1.4**.

Table 2.1.4: Status of number of shift/trade sanctioned *vis-à-vis* operated

Region	No. of ITIs	Total shifts/trades sanctioned	Total shifts/trades operated during		
			2015-16	2016-17	2017-18
Mumbai	3	24	6	10	9
Pune	3	25	18	20	17
Nashik	7	34	17	22	17
Amravati	13	69	41	46	48
Aurangabad	12	70	36	53	39
Nagpur	4	26	10	17	10
Total	42	248	128	168	140
<i>Percentage</i>			52	68	56

Source: Data compiled from information for three years furnished by Director of Vocational Education and Training, Mumbai.

Audit observed the following:

- During 2015-16, 2016-17 and 2017-18, only 52 *per cent*, 68 *per cent* and 56 *per cent* shifts/trades respectively were operated *vis-à-vis* the sanctioned shifts/trades. Scrutiny of records revealed that no evaluation of reasons for below target performance of the Scheme had been done. The scrutiny did not also indicate whether review was conducted to ensure that appropriate trades with opportunities for employment and self-employment are taken up.
- Scrutiny in test-checked districts revealed that 33 additional shifts/trades were operated in 12 ITIs in eight¹⁰ districts during 2017-18. Out of these 33 shifts/trades operated, in 11 shifts/trades the minority students were less than 20 *per cent*, in 20 shifts/trades the minority students were between 20 to 50 *per cent* while in remaining two shifts/trades the minority students were between 50 to 70 *per cent*. MDD has not evaluated the reasons for the below target performance of the Scheme for suitable remedial measures.

⁹ If sufficient minority students are not available, the seats can be filled with general category candidates

¹⁰ In Mumbai (City and Suburban) district additional shifts/trades were not operated

- The MDD did not obtain details of the minority students who were admitted in various trades during 2013-18 to assess the performance of the scheme so that suitable remedial action could be taken, if required. It was only in March 2018 that the MDD directed the Director of Vocational Education and Training to furnish data about the students admitted in 2nd and 3rd shifts in various ITIs, indicating lack of monitoring of the scheme by MDD.
- The objective of the Scheme was to increase the employment and self-employment opportunities. Therefore, MDD is expected to monitor whether the efforts have culminated in providing jobs/self-employment to those who attended the training. However, there was no mechanism in MDD to assess whether such students were gainfully employed. As a result, it is not possible to ascertain the impact of the Scheme.

The Principal Secretary, MDD in the exit conference accepted the fact and stated (November 2018) that the issues pointed out by audit would be looked into.

ii) Modernisation of Madrasas

In order to bring the students studying in Madrasas to the mainstream of the society and to improve the quality of education thereby enhancing the employment and financial status of minorities, MDD introduced 'Dr. Zakir Hussain Madrasas Modernisation Scheme' in October 2013. Under the Scheme, education in Science, Mathematics, Sociology, Hindi, Marathi, English and Urdu subjects was to be imparted along with the religious studies undertaken in Madrasas. The Scheme envisaged financial assistance¹¹ for providing facilities such as toilets, furniture, computers, establishing a library and payment of honorarium to teachers *etc.*, in the Madrasas. In each district, a Committee was to be formed under the chairmanship of District Collector to scrutinise the applications received from Madrasas for financial assistance who would recommend the proposals for approval to MDD. As per the Scheme the application for financial assistance *inter alia* was to be supported by the registration certificate of the Madrasas with the Charity Commissioner/Wakf Board, Trust deed, audited annual accounts for last three years, statement showing the number of students in the Madrasas in the age group of six to 18 years duly certified by the Block Education Officer. The funds under the Scheme were disbursed through cheques by District Collectors to the Madrasas.

An expenditure of ₹ 36.42 crore was incurred under the Scheme during 2014-18. The year-wise expenditure in the State is shown in **Table 2.1.5**.

¹¹ For infrastructure works ₹ two lakh, ₹ 50,000 for establishing library, ₹ 5,000 annually for purchase of books, maximum honorarium of ₹ 8,000 per month per teacher subject to a maximum of three teachers

Table 2.1.5: Year-wise expenditure in the State

Year	No. of Madrasas for which disbursement was done	Amount disbursed (₹ in crore)
2014-15	536	17.39
2015-16	188	6.91
2016-17	197	6.92
2017-18	144	5.20
Total	1065	36.42
<i>Source: Information furnished by MDD and Appropriation Accounts of Government of Maharashtra</i>		

Audit observed the following:

- Though, the basic objective of the Scheme was to bring students studying in Madrasas into the mainstream of the society, MDD did not have any data of the total Madrasas in the State and the number of students studying in such Madrasas. In the absence of such vital data MDD could not plan and monitor the progress in the coverage of Madrasas in the State so that the objective of the Scheme is achieved.
- As seen from **Table 2.1.5**, the number of Madrasas to which funds were disbursed reduced from 536 in 2014-15 to 144 in 2017-18 indicating that *73 per cent* of Madrasas had not applied for annual grant disbursed under the Scheme for purchase of books and honorarium to teachers. The major decline was in Amravati Aurangabad, Beed and Jalna districts which accounted for *89 per cent* reduction in number of madrasas during 2014-18. MDD had, however, not conducted any study to evaluate the reasons for such large number of Madrasas not availing the benefits under the Scheme.
- The Scheme did not stipulate post assistance monitoring by conducting periodical inspections/survey of the Madrasas. MDD based on a complaint of mis-utilisation of grants disbursed to Madrasas during 2014-16, directed (October 2016) all District Collectors to conduct a survey and submit a detailed report within one month. However, only two districts *viz.*, Aurangabad and Nagpur submitted reports to MDD. Based on the survey report (December 2016) of Aurangabad and Nagpur districts, MDD again directed (May 2017) all District Collectors to conduct survey. Despite the instructions, audit noticed that none of the District Collectors had submitted any such survey reports to MDD nor was the matter followed-up by MDD.
- As per the Scheme, quarterly evaluation of the students was to be done by Education Officer of Zilla Parishad through written and oral test and the report submitted to MDD in May of each year. Audit observed that though quarterly evaluation was not done in any of the districts, MDD did not pursue the matter with District Collectors.

iii) Pre-Police recruitment training

Considering the low percentage of minorities in the Government services, MDD approved (July 2009) a scheme for Pre-Police recruitment training (for two months) for students from minority community so that such candidates get equal opportunities in competitive examinations.

The Scheme envisaged formation of District Level Selection Committee (DLSC) headed by District Collector who would select institute in the district for imparting training, selection of candidates to be imparted training *etc.* Funds under the Scheme were provided for giving stipend to the selected candidates, honorarium to the instructors and purchase of uniform for the selected candidates. The funds under the Scheme provided by MDD to Maharashtra State Minorities Commission (MSMC) were paid to the District Collectors for further disbursement to the selected institutes for conducting the training. The Institutes were selected by the DLSC by inviting tenders based on the eligibility conditions¹² prescribed in the Scheme. During 2013-18, a total of 114 institutes were selected in the State and 10,935 candidates were trained. An amount of ₹ 5.84 crore was paid to the institutes under the scheme during 2013-18.

Scrutiny of records in the offices of District Collectors in the selected districts and MSMC revealed the following:

- As per the eligibility criteria prescribed in the Scheme, the candidates should have passed XII standard and the family income should be below ₹ 2.5 lakh¹³ per year. Audit, however, noticed that the responsibility for verification of these two eligibility criteria was entrusted to the selected institutes and therefore, the DLSC did not verify these two conditions. In the absence of any monitoring by Government and leaving the responsibility of selecting the candidates totally with the private institutes was fraught with the risk of selection of ineligible candidates and/or fraud.
- The institutes were required to submit UCs to District Collectors for submission to the MSMC. Audit observed that the offices of District Collectors did not insist on submission of UCs, copy of attendance sheet of the candidates before disbursement of balance 50 *per cent* of the funds after completion of the training. UCs were not received by MSMC for ₹ 4.92 crore out of an expenditure of ₹ 5.84 crore incurred during 2013-17, as of March 2018.
- In test-checked districts of Hingoli and Jalna, audit noticed that one institute each selected for imparting training during 2015-16 did not have required facilities such as classrooms, library, reading room, toilets *etc.*, as per their report submitted to District Collector. Thus, the selection of institutes for imparting the training was deficient.
- The MSMC received data from 12 out of 36 districts during 2013-17 and noticed that 319 candidates (eight *per cent*) out of 3,754 trained candidates were selected in the Police force (including CRPF, SRPF, CISF, RPF and Home Guard). Data from the remaining districts was yet to be received by MSMC. MSMC did not obtain data regarding number of students who applied for recruitment but not qualified. Further, no system existed with MSMC to obtain the details of students admitted and trained in the institutes to link the same with the

¹² The institute should be Government recognised, having five year experience and having facilities such as classrooms, library, reading room, toilets, playground *etc.*

¹³ The annual family income was revised to ₹ six lakh from 2016-17 onwards

candidates selected by obtaining the information from the Police Department.

- Information on number of police constable (PC) belonging to minority communities recruited in the State obtained by Audit from Director General of Police, Maharashtra State, Mumbai revealed that men-in-position of PC belonging to minority communities as on March 2013 was 3,230. During 2013-18, 796 PC were recruited. Considering the average service period of 32 years the average recruitment of PC prior to 2013-14 notionally works out to 101 PCs per year. As against which the average recruitment of PC during 2013-18 works out to 159 PC per year ($796 \div 5$) indicating improvement in recruitment of minority communities in Police Department.

Though, the objective of the scheme was to increase the percentage of minorities in the Government services, MDD did not have comparative data on the percentage of minorities in Government services to ascertain whether there has been any increase in the percentage of minorities in Government services. The State Level Committee (State Minorities Welfare Committee) constituted for co-ordination and monitoring of Prime Minister's 15 Point Programme in its meeting held in May 2017 had directed General Administration Department (GAD) to compile the figures of employees belonging to minority communities in the State. However, the information was not furnished by GAD till date (May 2018).

During the exit conference the Principal Secretary, MDD stated (November 2018) that the Department is dependent on the District Collectors and added that the issues pointed out by Audit would be looked into for suitable action.

iv) **Marathi Bhasha Foundation**

The State Government launched a Scheme (September 2006) under which minority students (VIII to X standard) studying in non-Marathi schools were trained in Marathi language, in order to give sufficient opportunity to the minority students in clearing various competitive examination conducted in Marathi language. MDD revised the Scheme guidelines in April 2015. As per the Scheme, teachers were to be appointed in these schools for providing training from 01 July to 31 March of each year for which teachers were to be paid an honorarium¹⁴. During the period 2013-18, an expenditure of ₹ 16.04 crore was incurred under the Scheme in the State.

Audit observed the following:

- As per the Scheme, for 180-200 students studying in standard VIII to X, one teacher was to be appointed on honorarium basis, two teachers were to be appointed for 300 students and thereafter one teacher for every additional 150 students. The status of number of teachers

¹⁴ Honorarium to be paid to the teacher was ₹ 3,000 per month during 2013-15 which was increased to ₹ 5,000 per month from 2015-16 onwards

appointed *vis-à-vis* the students in the test-checked districts¹⁵ is given in **Table 2.1.6**.

Table 2.1.6: Status of number of teachers appointed *vis-à-vis* students

District	Year	Total schools covered	No. of schools with an adverse student-teacher ratio	Percentage of schools having an adverse student-teacher ratio
Ahmednagar	2013-17	56	22	39
Aurangabad	2013-16	169	57	34
Buldhana	2014-16	72	27	38
Hingoli	2013-18	40	11	28
Jalna	2016-17	17	4	24
Ratnagiri	2015-18	69	14	20
Thane	2013-16	75	36	48
Total		498	171	34

Source: Information obtained from MSMC

As seen from **Table 2.1.6**, 34 per cent of the schools did not have the required student-teacher ratio and 57 schools in Aurangabad district had an adverse student-teacher ratio.

Further, details of adverse student-teacher ratio in 171 schools are shown in **Table 2.1.7**.

Table 2.1.7: Details of adverse student-teacher ratio

(in numbers)

Sl. No.	Students strength	Teachers strength as per Scheme	No. of Schools having adverse student-teacher ratio	Average student strength in respect of Schools at column 4	Average number of teachers actually deployed	Average shortfall in deployment of teachers (3-6)
1	2	3	4	5	6	7
1.	201-300	2	75	239	1	1
2.	301-450	3	43	369	1.3	1.7
3.	451-600	4	27	521	1.6	2.4
4.	601-750	5	09	641	2.6	2.4
5.	751-900	6	04	835	3.5	2.5
6.	901-1050	7	02	1020	4.5	2.5
7.	1051-1200	8	01	1057	2	6
8.	1201-1350	9	06	1279	5.2	3.8
9.	1351-1500	10	01	1399	5	5
10.	1501-1650	11	02	1634	5	6
11.	1651-1800	12	01	1692	6	6
Total			171			

Source: Information obtained from MSMC

As seen from **Table 2.1.7** the average shortfall in deployment of teachers ranged from one to six. Thus, the impact of adverse student-teacher ratio on the quality of teaching could not be ruled out.

- As per the Scheme, the Education Officer of each district was to prepare level gauging test for the Marathi language through Maharashtra State Council for Educational and Training. Accordingly, level gauging test should be conducted every quarter and reported to the

¹⁵ Information was not furnished by Mumbai and Satara district while other districts (except Hingoli) did not furnish information for all the years

District Collector. Scrutiny in the nine test-checked districts revealed that such level gauging test was not conducted during 2013-18.

- The Education officer of the ZP was to conduct surprise visit of each school covered under the Scheme every two months and check the attendance of teachers/students and submit a report to District Collector and MDD. Audit noticed that no such surprise visit of schools was conducted for the period 2013-16.

During the exit conference the Principal Secretary, MDD stated (November 2018) that the field offices had informed that level gauging test and surprise visit was conducted. However, documents in respect of such test and visits conducted called for were not furnished to audit.

- MSMC was to obtain progress report of the Scheme from District Collectors and submit Annual Report to the MDD. Audit noticed that Annual reports on the progress of the Scheme was neither submitted by MSMC to MDD nor was the matter followed up by MDD with MSMC.

v) Maulana Azad free coaching and allied Scheme

MDD introduced (June 2013) a Scheme named ‘Maulana Azad free coaching and allied schemes’, in order to increase the representation of minorities in Government, Semi-Government and Public Sector services. Under the Scheme, candidates preparing for competitive examinations like UPSC, MPSC (Gazetted, Non-Gazetted), Banking Services, Common Entrance Test (CET) for admission to various vocational courses and failed students of standard X and XII were to be provided free coaching in selected training centres in seven districts *i.e.*, Amravati, Aurangabad, Mumbai, Nagpur, Nashik, Pune and Thane covering students of entire State. The number of candidates to be trained each year was fixed by MDD at 4,000¹⁶. The Institutes were to be selected by MDD based on the eligibility conditions¹⁷ prescribed in the Scheme. The Institutes providing training were to be paid a fixed amount per candidate or the fee levied by the institute whichever was less. Under the scheme an expenditure of ₹ 7.19 crore was incurred on coaching of 11,825 candidate during 2014-18.

Audit observed the following:

- As against the target of 4,000 candidates to be trained annually the number of candidates trained ranged between 1,370 (2014-15) and 4,000 (2017-18) during 2013-18.
- The Scheme was to be implemented through field offices of the Government or a nodal agency for selection of candidates for free coaching, submission of monthly and quarterly attendance reports of the candidates to the Government and ensuring display of names of the candidates in the website of selected institutes. Audit observed that these works were neither done through field offices of the Government nor was any nodal agency appointed. Instead in March 2015, the entire

¹⁶ UPSC: 250; MPSC:750; Banking: 400; CET: 600; standard Xth and XIIth failed:2,000

¹⁷ The institute should be Government recognised, having five year experience, experienced full/part time teachers, classrooms, library and other facilities

responsibility for implementation was given to the selected Institutes by MDD. In the absence of any monitoring mechanism by Government and entrusting the responsibility of selecting the candidates totally with the private institutes, audit could not determine whether the candidates selected and trained fulfilled the eligibility criteria.

The Principal Secretary, MDD while admitting the facts stated (November 2018) that during the current year, applications of students received by the Institutes were approved by the District Collector and biometric system for attendance of the students has also been introduced.

- The Scheme neither prescribed any surprise verification of the attendance of the students attending the coaching institutes nor was any periodic inspection done to ensure that no ghost candidates were included by the institutes. As per the Scheme, the payment to the Institute had to be done considering 85 *per cent* attendance of the candidate and the actual number of candidates appearing for the exam. However, records produced did not contain the attendance sheets obtained from the institutions and number of candidates appeared for the examination. Therefore, audit could not ascertain the correctness of payment made by MDD.

During the exit conference the Principal Secretary, MDD stated (November 2018) that all the Institutes have been inspected during last six to eight months. However, no records have been produced in support of this fact.

- The Institutes in which none of the candidates had passed during the last three years were not to be selected thereafter. However, MDD did not have data regarding the number of candidates who have cleared the exams for proper selection of institutes. Further, in the absence of such data it was not possible to evaluate the performance of the Institutes imparting training and the success of the Scheme as a whole.

vi) Cyber Gram under MSDP

The Multi-Sectoral Development Programme (MSDP) is a Centrally Sponsored Scheme which has a component called Cyber Gram initiative, under which students of minority community of Standard VI to X were to be provided hands-on training in computers to enable them to acquire basic Information and Communication Technology (ICT) skills to become digitally literate and to actively participate in knowledge-based activities, access financial, social and government services and to use internet for communications. MSDP was to be implemented in 14 blocks/towns in the nine minority concentrated districts¹⁸ of Maharashtra identified by GoI.

The Cyber Gram initiative was being implemented through Common Service Centre (CSC) e-Governance Service India Ltd. - a company under the

¹⁸ 1. Buldhana district: Chikhli, Khamgaon, Buldhana, Shegaon blocks; 2. Washim district: Mangrulpir and Karanja blocks; 3. Yavatmal district: Ner block; 4. Hingoli district: Hingoli block; 5. Jalgaon district: Chopda town; 6. Prabhani district: Parbhani town; 7. Jalna district: Jalna town; 8. Beed district: Parli town and 9. Latur district: Latur and Udgir towns

Department of Electronics and Information Technology, GoI with the support of States/Union Territories. An amount of ₹ 1,555 per student was sanctioned under Cyber Gram initiative shared by GoI and GoM in the ratio of 60:40 to cover 2,000 students in each of the 14 blocks/towns in the State at a cost of ₹ 4.35 crore. The CSC had to impart Basic Computer Course (BCC) of 39 hours to each student and after the completion of training, the students were to appear for the BCC certification examination conducted by National Institute of Electronics and Information Technology or National Institute of Open Schooling or Indira Gandhi National Open University or Other National Certification Agency. The Director, Minority and Adult Education, Pune under School Education and Sports Department was the nodal agency for the Cyber Gram initiative in Maharashtra. The expenditure incurred on the Scheme was ₹ 2.18 crore during 2017-18. However, the utilisation certificates for ₹ 2.18 crore was not submitted for release of second instalment.

Audit observed the following:

- Under the Scheme 15,791 candidates out of 26,860 candidates registered were trained during December 2017 to February 2018. However, the BCC certification examination was not conducted by CSC e-Governance Service India Ltd.
- Though, the District Level Committee headed by the District Collector was to monitor the Scheme, audit observed that during the training period inspection of schools were not carried out by the District authorities to ensure that the training was conducted as per the Scheme guidelines.
- Based on the review meeting, (February 2018) with CSC, MDD directed (April 2018) all District Collectors to inspect schools where the Scheme was being implemented to assess and to report on whether training was conducted in schools, training was provided in schools during school hours and whether training was without computers *etc.* However, reports submitted by District Collectors, if any, were not furnished to audit. In the meanwhile, due to the upcoming exam of 10 class, the CSC, was directed in February 2018 to stop the implementation of Scheme which has not commenced again since the end of the examinations (August 2018). Therefore, 11,069 (26,860 – 15,791) registered candidates did not receive training under the scheme.

In the exit conference the Principal Secretary, MDD stated (November 2018) that the Department is following up with District Collectors for submission of reports.

2.1.9.2 Infrastructural Schemes

i) Multi-sectoral Development Programme–Infrastructure works

Empowered Committee under MSDP, Ministry of Minority Affairs, GoI accorded (December 2015) sanction for execution of 649 infrastructural works at a cost of ₹ 121.44 crore in 14 blocks/towns in the nine minority concentrated districts of Maharashtra. The infrastructural works *inter alia* involved the construction of additional classrooms, toilets in schools, computer labs, *anganwadi*, hostel buildings, and public health centres *etc.* The

funding pattern¹⁹ under the Scheme was 60:40 by GoI and GoM respectively. Cost escalation, if any, had to be borne by the State Government. Funds were released by District Collectors and disbursed to the implementing agencies viz., Public Works Department and ZP.

GoM accorded Administrative Approval (AA) to 644 works valued at ₹ 92.95 crore. AA to five works amounting to ₹ 28.50 crore was not granted due to non-availability of land. The year-wise position of 644 works for which AA was granted, works completed *etc.*, is given in **Table 2.1.8**.

Table 2.1.8: Year-wise position of works for which Administrative Approval accorded

(₹ in crore)

Sl. No.	Particulars of work	2014-15	2015-16	2016-17	2017-18	Grand total works
1.	Total works sanctioned (₹ in crore)	9 (22.23)	5 (15.50)	629 (53.15)	1 (2.07)	644 (92.95)
2.	Works completed					
	No. of works (sanctioned cost ₹ in crore)	1(0.26)	3 (9.30)	1 (0.05)	0 (0.00)	5 (9.61)
	No. of works (actual expenditure on completed work)	1(0.36)	3(12.73)	1(0.05)	0 (0.00)	5 (13.86)
3.	Works in progress					
	No. of works (sanctioned cost ₹ in crore)	4 (12.40)	2(6.20)	319(22.09)	0 (0.00)	325 (40.69)
	No. of works (actual expenditure on work in progress)	4 (12.46)	2(6.20)	319(9.62)	0 (0.00)	325 (27.80)
4.	Works not commenced (sanctioned cost ₹ in crore)	4(9.56)	0 (0.00)	309(31.02)	1 (2.07)	314 (42.65)

Source: Information compiled from Administrative Approvals issued by MDD and monthly progress reports submitted by districts to MDD

Audit observed the following:

- The proposals for the works are received from Zilla Parishads/Blocks which are forwarded by District Collector to MDD, which in turn, forwarded the same to GoI for approval. Out of 649 works of nine districts sanctioned by GoI, 627 works (97 per cent) amounting to ₹ 66.31 crore were in three districts (Buldhana: 339; Washim: 107; Hingoli: 181). In the remaining six districts 22 proposals²⁰ were received. MDD has not analysed as to why the works were not proposed from other districts.
- Only five works out of 644 works approved were completed while 325 works were in progress and 314 works had not commenced as of June 2018. The major reasons for non-commencement of works were non-availability of land (38 works), lack of response to tenders (135 works) *etc.* Audit observed that while submitting the proposals to GoI under the Scheme, Collector/Principal Secretary of MDD had declared that land for the proposed works was available. However, the fact that 38 works had not commenced due to non-availability of land indicated that the declaration furnished was incorrect. The delay in completion

¹⁹ Fund for construction of girls' hostel, polytechnic and ITI was provided 100 per cent by GoI, whereas in case of construction of boys hostel it was 50:50 share by GoI and GoM

²⁰ 1. Beed: two works- ₹ 6.20 crore; 2. Jalgaon: one work- ₹ five crore; 3. Jalna: four works- ₹ 6.73 crore; 4. Latur: four works- ₹ 13.27 crore; 5. Parbhani: four works- ₹ 21.60 crore; and 6. Yavatmal: seven works- ₹ 2.33 crore

of works undermines the purpose of providing tangible benefits by bridging the infrastructural gap in the minority concentrated blocks/towns.

During the exit conference the Principal Secretary, MDD stated (November 2018) that the position of work in progress and works not commenced has improved.

ii) Construction of ITIs in Areas concentrated by Minority Community

Higher and Technical Education Department (H&TED) sanctioned (August 2009) opening of new ITIs at Mandvi and Kurla in Mumbai for minority students who are economically weak and not in a position to take up higher education. In order to increase the employment and self-employment opportunities for the minorities in the State, minimum of 70 per cent of seats in these newly constructed ITIs were required to be reserved for the minority students. AA was granted (August 2010) by H&TED for construction of ITI at Mandvi (six trades) at a cost of ₹ 8.14 crore while AA was not granted for ITI at Kurla (10 trades) due to non-availability of land. MDD released ₹ six crore during 2013-18 for construction of two ITIs.

Scrutiny in audit revealed the following:

- The construction work of ITI, Kurla was not started. However, admission of new students for ITI, Kurla was taken up (August 2011) and classes held at ITI, Mulund on a temporary basis. Out of 10 trades, two trades viz., 'Motor Mechanic' and 'Refrigeration & Air Condition' did not get affiliation from Director, General Employment & Training (DGET), New Delhi due to insufficient space as per norms to start the trade. Thus, prospective students were deprived of the benefits of these two trades.

The Principal Secretary, MDD in exit conference stated (November 2018) that the process of acquiring land at Kurla was underway and in respect of trades not getting affiliation, the matter would be looked into.

- The ITI at Mandvi was under construction and an expenditure of ₹ 3.86 crore was incurred till February 2018. In the meanwhile, the Director, Vocational Education and Training, Mumbai started the admission of students from the year 2011-12 in Elphinstone Technical High School & Junior College, Dhobi Talao, Mumbai on a temporary basis in second shift since the ITI, Mandvi was under construction. However, two trades (Fitter and Welder) out of six trades operated were functioning in the garage.
- The MDD did not create any mechanism to obtain details of students who were gainfully employed nor created a database of the students from ITIs/Director of Vocational Education and Training for follow up with the students.

iii) **Area Development Programme of minority concentrated areas (Urban and Rural)**

A. **Area Development Programme of minority concentrated-areas (Rural)**

A Scheme named “Area Development Programme” was launched (May 2013) by MDD from the year 2013-14 in order to improve the quality of life of the minority community living in the Gram Panchayat (GP) area. The Scheme envisaged providing basic infrastructure facilities such as construction of roads, drinking water facility, construction of drainage, pavement, public toilets, Anganwadi, Balwadis, construction of meeting hall, installation of solar light *etc.*, in the minority concentrated areas with a minimum minority population of 100. In the State there were 440 GPs²¹ (as per census of 2001) having minimum minority population of 100 to which a maximum grant of ₹ 10 lakh per GP per year could be provided. The proposals for the works received from GPs were to be examined by the Chief Executive Officer, ZP and thereafter finalised by the selection committee headed by the District Collector before forwarding to MDD for approval and disbursement of funds. The funds received by District Collector from MDD were disbursed to the GPs through the ZPs. During the period 2013-18, the expenditure incurred under the Scheme in the State was ₹ 155.62 crore.

Audit observed the following:

- MDD did not have data of works for which AA was granted by ZPs, works commenced, works in progress and works completed under the Scheme in the State. The physical progress of work in the test-checked districts²² during 2013-18 is given in **Table 2.1.9**.

Table 2.1.9: Status of physical progress of works

Name of district	No. of works sanctioned	No. of works for which AA granted	No. of works not commenced	No. of works in progress	No. of works completed (percentage)
Ahmednagar	127	109	25	12	72 (57%)
Buldhana	70	70	7	7	56 (80%)
Hingoli	26	23	11	0	12 (46%)
Ratnagiri	84	84	21	0	63 (75%)
Satara	88	88	14	6	68 (77%)
Total	395	374	78	25	271 (69%)

Source: Information furnished by District Collectorates

- As seen from **Table 2.1.9**, out of 395 works sanctioned in five test-checked districts, AA for 18 works in Ahmednagar was not granted while three works in Hingoli district had to be cancelled since the Collectorate Hingoli failed to draw ₹ 30 lakh released for three works through Budget Distribution System. Further, out of 78 works which had not commenced, 40 works were pending since 2013-17. Two works in Satara for which ₹ 20 lakh was disbursed was not taken up due to non-availability of land while for three works no proposals were received from GPs. The delay in completion of work undermines

²¹ From 2015-16, 250 GPs in the State were eligible for coverage under the scheme as per census of 2011

²² Information was not furnished by Thane, Jalna and Aurangabad districts

the purpose of providing tangible benefits by bridging the infrastructural gap in the minority concentrated areas.

- As per the Scheme, the Collector should visit ongoing and completed works to monitor the progress and quality of work done and submit a report to MDD. Audit noticed that such reports were neither furnished to MDD nor did MDD take any action to obtain the reports for effective monitoring.

The Principal Secretary, MDD in exit conference agreed to follow up the matter with District Collectors.

B. Area Development Programme of minority concentrated areas (Urban)

A Scheme named “Area Development Programme” was launched (February 2009) by MDD from the year 2008-09 in order to improve the quality of life of the minority community living in the Municipal Corporation/Municipal Council area. The Scheme envisaged providing basic infrastructure facilities such as repair of graveyard and funeral space, drinking water facility, electricity supply, sewage treatment, street and streetlight, public toilet, anganwadi and balwadi centre, in those Municipal Corporation/Municipal Council areas where the minority population is more than 10 *per cent* of the total population of the Municipal Corporation/Municipal Council area. The maximum fund to be provided was fixed by MDD depending on the Class²³ of Municipal Corporation/Municipal Councils. Proposals for the works received from Municipal Corporations/Municipal Councils were to be examined by District Collector and forwarded to MDD for approval and disbursement of funds. The funds received by District Collector from MDD were disbursed to the Municipal Corporations/Municipal Councils.

During the period 2013-18, the expenditure incurred under the Scheme in the State was ₹ 94.90 crore. Scrutiny in audit revealed the following:

- MDD did not have any data relating to works for which AA was granted by District Collectors/ZPs, works commenced, works in progress and works completed under the Scheme in the State. The physical progress of works in the test-checked districts²⁴ during 2013-18 is given in the **Table 2.1.10**.

²³ ₹ 20 lakh for Class “A”, ₹ 15 lakh for Class “B” and ₹ 10 lakh for Class “C” Municipal Corporation/Municipal Councils revised to ₹ 40 lakh per work for Municipal Corporation and ₹ 30 lakh per work for Class “A” Municipal Council and ₹ 20 lakh per work for class “B” and “C” Municipal Council

²⁴ Information was not furnished by Thane and Jalna districts

Table 2.1.10: Physical progress of works in test-checked districts

Name of the district	Total no. of works sanctioned	Total no. of works for which AA granted	No. of works not commenced	No. of works in progress	No. of works completed
Ahmednagar	52	52	4	10	38
Aurangabad	26	17	3	2	12
Buldhana	81	48	0	3	45
Mumbai	149	81	79	0	2
Ratnagiri	45	42	0	11	31
Satara	13	12	0	0	12
Hingoli	15	7	0	0	7
Total	381	259	86	26	147

Source: Information compiled from Government Resolutions issued by MDD and information furnished by offices of District Collectors

As seen from **Table 2.1.10**, out of 381 works sanctioned, AA was not granted for 122 works. Audit observed that out of these 122 works, 68 works pertained to Mumbai district. Of these 68, AAs was not granted to 31 works amounting to ₹ 3.67 crore due to non-submission of proposals by the Municipal Corporation, while 37 works amounting to ₹ 3.84 crore were cancelled since funds were not provided through Budget Distribution System due to technical difficulties in the system.

- In the seven²⁵ test-checked districts, the expenditure incurred till March 2018 was ₹ 12.15 crore against ₹ 28.75 crore released during 2013-18. Out of the unspent balance of ₹ 16.59 crore²⁶, ₹ 4.21 crore remained undischarged with District Collectors due to change of work and non-submission of proposals by the Municipal Corporations while ₹ 12.08 crore was lying with the Municipal Corporations.
- Out of 86 works which had not commenced (53 works were pending since 2013-17) three works in Aurangabad for which ₹ 1.20 crore was disbursed were not taken up due to non-availability of land while for 31 works in Mumbai, no proposals were received from Municipal Corporation. The delay in completion of work undermines the objective of providing tangible benefits by bridging the infrastructural gap in the Municipal Corporation and Municipal Council areas.
- The Municipal Corporations/Municipal Councils neither submitted progress reports to District Collector/MDD nor was any action taken by MDD to obtain the reports for effective monitoring.

iv) Construction of hostels for girl students

MDD decided (March 2010) to construct hostels for minority girl students pursuing higher education in all districts of Maharashtra to bring them in the mainstream. However, priority was to be given to 25 minority concentrated districts declared by GoI. Funds for the construction of hostels were to be disbursed to Public Works Department through District Collector. The hostels were to be operated by nominating a non-governmental organisation selected by MDD and 70 seats out of 100 seats were to be reserved for minority girls.

²⁵ Information was not furnished by Thane and Jalna districts

²⁶ Excluding ₹ 30.36 lakh surrendered by two districts

In case of insufficient minority students, the seats could be allotted to general category students.

An expenditure of ₹ 60.11 crore was incurred during 2013-18 under the Scheme in the State. The status of girls hostels for which AA was granted by MDD, works completed *etc.*, as on March 2018 is given in **Table 2.1.11**.

Table 2.1.11: Status of girls hostels for which AA granted

Year of AA	No. of hostels for which AA granted	No. of hostels completed	No. of hostels in progress	No. of hostels in which work not started
Prior to 2013-14	14	9	4	1
2013-14	2	0	2	0
2014-15	2	0	2	0
2015-16	4	0	3	1
2016-17	0	0	0	0
2017-18	0	0	0	0
Total	22	9	11	2

Source: Information furnished by MDD

Audit scrutiny revealed the following:

- Out of eight hostels approved during 2013-16, works in seven hostels were in progress while work had not started in case of one hostel at Nagpur²⁷ even after a lapse of two years due to change in plans to construct hostel having capacity for 200 students instead of 100 students. One hostel at Nandurbar²⁸ approved prior to 2013-14 had also not commenced due to non-availability of land.
- The percentage of minority students admitted during 2017-18 in the nine girls hostels constructed till date under the Scheme is given in **Table 2.1.12**.

Table 2.1.12: The percentage of minority students admitted in girls hostels

Sl. No.	Name of girls' hostel	Admission capacity	Total admission	No. of minority students (percentage)
1.	Government Industrial Training Institute, Chandrapur	30	30	3 (10)
2.	Rajaram College, Kolhapur	100	98	21 (21)
3.	Government Teacher's College, Panvel	100	98	18 (18)
4.	Ghansavangi, Jalna	100	30	9 (09)
5.	Government Science Institute, Aurangabad	100	94	9 (09)
6.	Dr. Babasaheb, Ambedkar Marathwada Vidyapeeth, Aurangabad	100	100	70 (70)
7.	North Maharashtra Vidyapeeth, Jalgaon	100	74	24 (24)
8.	Swami Ramanand Tirth Vidyapeeth, Nanded	100	100	18 (18)
9.	Government Vidarbha Dnyan-Vidnyan Institute, Amravati	100	71	50 (50)
	Total	830	695	222 (27)

Source: Information furnished by MDD

As seen from **Table 2.1.12**, none of the eight hostels constructed under the Scheme had 70 per cent minority students except for Dr. Babasaheb Ambedkar Marathwada Vidyapeeth, Aurangabad. The

²⁷ AA granted in March 2016 for ₹ 4.78 crore

²⁸ AA granted in March 2010 for ₹ 4.73 crore

low percentage of students from minority communities utilising the hostels which were created basically to cater to the needs of such students pointed out to lack of proper survey before taking up the construction of hostels thereby the assets constructed did not serve the intended objective to a large extent.

The Principal Secretary, MDD in exit conference stated (November 2018) that no provision was made for providing meals/ diet to the students, a Cabinet note has been submitted for providing meals to the students and the situation of low percentage of students from minority communities would improve once the proposal is approved. However, no reply for delay in construction of hostels was furnished.

Audit noticed that the hostel in Jalna district was constructed (January 2014) in Ghansawangi taluka though the area was not having more than 25 *per cent* of minority community population. District Collector Jalna accepted the low utilisation of hostels at Ghansawangi, Jalna to the lesser population of minority which indicated lack of demand assessment before construction. District Collector, Aurangabad attributed the low utilisation of hostel at Government Science Institute, Aurangabad to lack of awareness among public.

2.1.10 Disbursement of educational and business loan to minority communities by Maulana Azad Alpsankhyak Arthik Vikas Mahamandal

The Maulana Azad Alpsankhyak Arthik Vikas Mahamandal (MAAAVM) was established with the main objective of economic upliftment of the economically backward section of the minority community. The MAAAVM is a State Channelising Agency for various programmes of National Minorities Development and Finance Corporation (NMDFC) in the state.

The Management of the MAAAVM is vested with the Board of Directors headed by the Chairman. The Managing Director looks after the day-to-day operations of the MAAAVM and is assisted by Joint Managing Director and District Managers in the 34 district offices of the MAAAVM.

The MAAAVM implements two GoM loan schemes (i) Maulana Azad Direct Loan scheme and (ii) Maulana Azad Education Loan scheme. Under the Maulana Azad Direct Loan scheme, loan is disbursed at a nominal interest rate of six *per cent* for setting up a new business. Under the Maulana Azad Education Loan scheme, loan is disbursed to students²⁹ for pursuing professional and technical courses at a nominal interest rate of three *per cent*. The MAAAVM received ₹ 217.50 crore from MDD in the form of equity and ₹ 20 crore loan from NMDFC during 2013-18. The loans are disbursed at nominal rate of interest to the beneficiaries. The details of loans disbursed by the MAAAVM during 2013-18 are given in **Table 2.1.13**.

²⁹ Students having family income less than ₹ 2.5 lakh per year is eligible for disbursement of loan under the scheme and the maximum loan amount is ₹ 2.5 lakh

Table 2.1.13: Details of loans disbursed during 2013-18

(₹ in crore)

Particulars	Name of scheme	Amount disbursed
State Scheme	Maulana Azad Direct Loan Scheme	55.80
State Scheme	Maulana Azad Education Loan Scheme	92.13
National Minorities Development and Finance Corporation (NMDFC)	Rajiv Gandhi Education Loan Scheme	
	Term Loan Scheme for Business	3.83
	Micro Finance Scheme	8.01
Total		159.77

During the period 2013-18, MAAAVM disbursed loans of ₹ 159.77 crore covering 27,473 beneficiaries.

Scrutiny in audit revealed the following:

- The MAAAVM did not prepare annual action plan during 2013-18 for prioritising and coverage of beneficiaries in a phased manner. The MAAAVM also did not carry out any survey of the number of prospective and eligible beneficiaries in the districts. In the absence of data, the MAAAVM did not have any mechanism to assess the progress achieved in the economic upliftment of the economically backward section of the minority communities.
- Test-check of 533 disbursement cases sanctioned by the MAAAVM during 2013-18 in the nine test-checked districts³⁰ revealed various deficiencies in the loan disbursement process and documentation as summarised in **Table 2.1.14**.

Table 2.1.14: Details of discrepancies noticed in test-checked districts

Sl. No.	Nature of deficiencies	No. of disbursement cases
1.	Records indicating verification of site/premises before disbursement of loans were not available	358
2.	Disbursement of loans without obtaining income certificate/self- declaration of income	11
3.	Agreement executed with beneficiaries before sanction of loans by MAAAVM	240
4.	Actual amount of loan disbursed was not correctly mentioned in the agreement. There was difference in the loan amount shown in Agreement and actual loan disbursed	45
5.	Date of agreement not mentioned in the Agreement	73
6.	Agreements not notarised	107
7.	Non-availability of Agreement on record	4
<i>Source: Information provided by the MAAAVM</i>		

Deficiencies noticed in the test-checked cases as summarised in **Table 2.1.14** indicated the weakness in the system of loan disbursement and documentation followed by the MAAAVM.

- Disbursement of loans without longer time lag is of vital importance so as to enable the beneficiaries to commence the activities for which loan is applied for. Audit observed that the MAAAVM had not prescribed any timeline for processing of loan applications received. Scrutiny of

³⁰ Aurangabad, Dhule, Jalgaon, Latur, Mumbai, Nagpur, Nashik, Pune and Ratnagiri

disbursement cases revealed that the time taken³¹ in finalising the loan application was more than three months in 287³² cases (three to six months: 227 cases; six to 12 months: 51 cases; more than 12 months: nine cases) out of 533 cases test-checked in audit.

- The MAAAVM obtains post-dated cheques as security. Test-check of 533 loan cases revealed that the security cheques deposited in the bank on default by the beneficiaries bounced in 304 cases while in 90 cases the cheques were not deposited in banks. No legal notices were issued to the beneficiaries.
- The MAAAVM did not have a system of carrying out post-disbursement inspection to ascertain whether the loans were utilised for the intended purpose.
- The Annual Accounts of the MAAAVM was prepared only upto the year 2012-13. As at the end of March 2018, the total loan outstanding with the MAAAVM was ₹ 341.77 crore. The MAAAVM did not have details of loan installment due and recovered during the year and therefore the MAAAVM was not able to monitor timely recovery of outstanding loans. The MAAAVM was not having details of parties to whom payments have been made or parties from whom payments have been received, which are therefore debited/credited in suspense account. Thus, the internal control system in MAAAVM was weak.
- The MAAAVM had not carried out any evaluation of the schemes to assess the success or the problems in the scheme for suitable remedial action.

During the exit conference the Principal Secretary agreed that the internal controls needs to be strengthened and the Department would monitor the working of the MAAAVM.

2.1.11 Issues in planning and implementation of schemes

- The inherent objective of schemes is to provide intervention to address specific gaps/needs. Towards this end, baseline surveys are required to identify these gaps/needs so that comprehensive schemes can be formulated with measurable targets and timelines to address them. No such analysis was done by MDD. Thus, there was no scientific assessment of the extent of problem and the response required. The schemes were undertaken on a standalone basis rather than having an integrated approach.
- In the absence of district/regional offices under MDD, the schemes are being executed by MDD through various implementing agencies such as District Collectors, Zilla Parishads and Municipal Corporations *etc.* The implementation of schemes of MDD by these implementing agencies who are implementing various schemes of Government only adds to their workload thereby impacting effective implementation of the schemes of MDD. Acknowledging this fact, the Vision 2030

³¹ Time from date of receipt of application to date of sanction of loan

³² Time taken in 118 disbursement cases test-checked in audit in Ratnagiri, Dhule and Jalgaon district could not be worked out in the absence of sanction letter in the loan file

document approved (April 2017) by GoM envisages constitution of regional field offices of MDD for effective implementation of various schemes. Thus, the lacunae in the present organisation set-up which is not conducive for effective implementation of the schemes of MDD needs to be addressed by the Government.

2.1.12 Grievance redressed

The functions of Maharashtra State Minorities Commission (MSMC) *inter alia* was to consider the grievances of the minorities and to suggest appropriate solution from time to time and to look into specific complaints regarding deprivation of rights and safeguards of minorities and take up such matters with the appropriate authorities.

The status of complaints received by MSMC, complaints disposed of during 2013-18 is given in **Table 2.1.15**.

Table 2.1.15: Status of complaints received *vis-à-vis* disposed

Year	No. of complaints received	No. of complaints disposed of	No. of complaints pending <i>vis-à-vis</i> complaints received (percentage)
2013	2119	1397	722 (34)
2014	1993	1257	736 (37)
2015	1049	879	170 (16)
2016	1249	1183	66 (05)
2017	722	552	170 (24)
Total	7132	5268	1864 (26)

Source: Information furnished by MSMC

As seen from **Table 2.1.15**, 1,864 complaints (26 *per cent*) were pending during 2013-17. Audit observed that the complaints received by the Commission and forwarded to the appropriate authorities were treated as disposed of. There was no mechanism in the Commission to follow-up the cases forwarded to various authorities to ensure that action has been taken on the forwarded cases. Thus, the system of redressing the complaints received was deficient.

During the exit conference the Principal Secretary, MDD stated (November 2018) that the post of Chairman/Vice-chairman was vacant for long period which has now been filled due to which the situation is bound to improve.

2.1.13 Monitoring and Evaluation

Monitoring of the schemes and the monitoring of units functioning under the administrative control by MDD was weak due to the following reasons:

- Since various schemes for minority communities are being implemented by agencies which are not under the administrative control of MDD, a robust system to monitor the implementation of the schemes and the functioning of the various units under its administrative control is of vital importance. As discussed in the preceding paragraphs in many of the schemes submission of timely progress reports, utilisation certificates, survey reports, visit reports were lacking due to which effective monitoring for taking timely action was not possible. Despite non-receipt of periodical reports follow-up action was poor in MDD indicating weak internal control.

MDD did not also conduct any evaluation study to assess the impact of the schemes on the minorities in the State.

- The functioning of MSMC under the administrative control of the MDD was inadequate due to poor disposal of complaints and deficiency in the system of redressing the complaints, failure to assess the representation of minorities in Government/Government undertakings though the same was one of the functions of MSMC. The function of MSMC also comprised of conducting studies, research and analysis on the questions of avoidance of discriminations against minorities. Audit observed that MSMC did not conduct any survey after 2012. The functioning of MSMC was, however, not monitored by MDD.

During the exit conference the Principal Secretary, MDD stated (November 2018) that the Department has approached the Government for having District offices which would help in improving the monitoring of the schemes.

2.1.14 Conclusion

The Minorities Development Department formed in February 2008 did not have any district/regional offices of its own and therefore the schemes were implemented through various implementing agencies such as the Collectors, Zilla Parishads, Municipal Corporations and Municipal Councils *etc.* The present organisational structure of MDD was not an effective and efficient structure for effective implementation of schemes of MDD.

MDD did not prepare long term strategic plan to ensure integrated development of minorities in the State based on gaps/needs analysis. Baseline surveys which were vital for identifying the infrastructural gaps in the areas concentrated minority communities were not conducted to ensure planned development of the area.

Though, there was no integrated approach, the schemes undertaken did attempt to address the issues raised in Sachar Committee Report. The schemes must have benefited at least a section of minorities. However, due to ineffective implementation, weak monitoring and lack of evaluation of studies, it was not possible to ascertain the extent of benefits received by the minority communities.

The implementation of the education-cum-development schemes revealed poor performance of the schemes, lack of post assistance inspection/monitoring, deficiency in the selection of candidates and institutions for training. MDD also did not obtain adequate and reliable data on employment generated through schemes. The implementation of infrastructure schemes revealed poor utilisation of girls' hostels, poor progress in completion of work, lack of data on the status of works being executed by the implementing agencies and lack of monitoring of ongoing and completed works. There were delays in approving loan applications and absence of post-disbursement inspection of loans. Thus, though MDD was providing funds for implementation of various schemes the control of MDD in assessing the performance of the schemes, obtaining adequate/reliable data and periodical progress reports was not adequate.

The monitoring of the schemes was weak as progress reports, utilisation certificates, survey reports, visit reports by the implementing agencies were not being submitted. MDD also did not pursue the matter regularly to obtain these reports/information. When the Government spends money on the schemes, it is imperative that the spending is monitored for its effectiveness; the results are compared with the objectives set and evaluation studies carried out to know the impact. Such an approach was lacking on the part of the MDD.

2.1.15 Recommendations

The Government may:

- Consider setting up of regional field offices under MDD as envisaged in the Vision 2030 document and initiate the process of preparing an integrated long term strategic plan and ensure that the baseline surveys are conducted before undertaking any infrastructural works.
- Take steps to maximise the utilisation of budgetary grants and vigorously follow up with the grantee institutions to submit the utilisation certificates.
- Review the schemes being implemented to identify and remedy the deficiencies hindering the effective and efficient implementation of the schemes.
- Direct the Maulana Azad Alpsankhyak Arthik Vikas Mahamandal to ensure that loan applications are disposed of in a time-bound manner and post disbursement of inspection of loans are conducted and take measures to strengthen internal audit.
- Explore the possibility of using Information Technology to obtain the required information from various implementing agencies on real time basis and conduct evaluation studies to assess the impact of the schemes.

Home Department

2.2 Administration of Prison and Correctional Centers in Maharashtra

Executive Summary

Prisons and Correctional Centers (P&CC) in Maharashtra are established under the Prison Act, 1894. The administration of the P&CC in the State is governed by the Maharashtra Prison Manual, 1979. The objective of establishment of P&CC was to segregate the offenders who endanger public safety from the mainstream by way of imprisonment, reformation and rehabilitation of offenders.

The audit on administration of P&CCs was done covering a period 2013-18. Audit emphasized on planning and fund management, safe and secure custody and detention of prisoners, facilities and privileges provided to prisoners as per rules and other activities such as employment, reformation and rehabilitation of prisoners. Audit revealed that though the data on incidence of crimes, conviction rates and inmate population was readily available, the department could have drawn up a long-term perspective plan and annual plans for expanding the prison network, augmenting inmate capacity within existing prisons and modernising and strengthening the infrastructure and facilities. However, no such comprehensive exercise was undertaken by the department. The funds provided for creation and upgradation of infrastructure were not utilised optimally. The decision to construct a District prison at Gadchiroli without taking into account security considerations resulted in injudicious expenditure of ₹ 14.95 crore. Audit observed that in the 54 prisons, as against the overall authorised capacity of 23,942 inmates, 32,810 were housed in prisons as of March 2018, i.e., 37 per cent more than the authorised capacity of the prisons. The prisoners were deprived of adequate space for sleeping as was prescribed in the norms. The entry of prohibited items into prisons was possible due to lack of proper security equipment to prevent the entry of prohibited articles in the prison premises. Audit found that during the period 2013-18, out of the average convicts of 8,300 per year eligible for employment, the prisons were employing only 6,600 prisoners and the remaining 1,700 prisoners remained unemployed. The Advisory Board constituted under the Code of the Criminal Procedure, 1973 was to review sentences awarded to prisoners undergoing sentences of more than five years and to recommend premature release. However, in the absence of comprehensive review of sentences of all the eligible prisoners by Advisory Board, premature release of prisoners by commuting their sentences on the basis of their reformation could not be undertaken. Audit observed that the Department did not have a comprehensive rehabilitation policy for the convict prisoners after their release.

2.2.1 Introduction

Prisons and Correctional Centers (P&CC) in Maharashtra are established under the Prison Act, 1894. The administration of the P&CC in the State is governed by the Maharashtra Prison Manual, 1979. The objective of establishment of P&CC was to segregate the offenders who endanger public safety from the mainstream by way of imprisonment, reformation and rehabilitation of offenders. The P&CC administration was responsible for the safe and secure custody of prisoners to ensure that the assured privileges and facilities are being provided to prisoners and to undertake the reforms and rehabilitation process.

2.2.2 Organisational set-up

The Additional Chief Secretary (Appeals and Security), Home Department (Department) Government of Maharashtra (GoM) was responsible for the overall administration of the Prisons in Maharashtra. Functionally, the Inspector General of Prison (IGP) heads the Prison department and Correctional Services assisted by one Special Inspector General (Headquarter), four Deputy Inspector General of Prison (DIG) and Correctional Service at regional level, one Deputy Superintendent of Police, Vigilance Wing and Principal Jail Officers Training College. At prison level, Superintendent was responsible for overall administration who was assisted by the Deputy Superintendents and Jailors.

2.2.3 Audit objectives

The Audit objectives were to assess whether:

- Planning and Fund Management in respect of prisons were adequate and proper;
- Custody and detention of prisoners were safe and secure;
- Facilities and privileges as envisaged in the rules were being provided to the prisoners;
- Activities, employment, reformation and rehabilitation were consistent with the Government Policies and the desired objectives were achieved; and
- Monitoring mechanism including internal audit was effective.

2.2.4 Audit Criteria

The Audit criteria were derived from:

- Prisons Act, 1894 and Rules, Borstal School Act, 1929 and Rules made there under;
- Maharashtra Prison Manual, 1979 and Amendments thereof; and
- Government orders, Citizen Charter and Circulars issued from time to time.

2.2.5 Audit Scope and Methodology

The Performance Audit covered test check of records of Additional Chief Secretary (Appeals & Security), Home Department, Mumbai, Inspector General of Prisons and Correctional Services, Pune, Special Inspector General of Prison (HQ), Pune, four Regional Deputy Inspector General of Prison, and sampled offices of Superintendent of Prisons and Correctional Centres, Principal, Jail Officers Training School, Principal Borstal School and Sub-Jails³³ for the period 2013-18. An entry conference with the Inspector General of Prisons and Correctional Services was held (16 March 2018) wherein the audit objectives, scope and methodology, criteria to be adopted by audit was explained. The audit evidence were also collected through photographs taken during joint visit to the P&CCs and other selected units. Exit conference was held on 5 December 2018 and the responses of the department have been taken into consideration while drafting the report.

Sampling

The prisons in Maharashtra were classified based on their authorised capacity to house prisoners as detailed in **Table 2.2.1**.

Table 2.2.1: Authorised capacity & number of prisons

Authorised capacity	Classification	No. of prisons
800 and above	Central Prison and Correctional Centres (CP&CC)	09
300 to 799	District Prison and Correctional Centres Class-I (DP&CC-I)	19
151 to 299	District Prison and Correctional Centres Class-II (DP&CC-II)	23
51 to 150	District Prison and Correctional Centres Class-III (DP&CC-III)	03
Total		54

Source: Information furnished by the department

The District Prisons shown in **Table 2.2.1** also included 13³⁴ Open Prisons³⁵ and Correctional Centres (OP&CC) including two female OP&CC, Borstal school at Nasik, Female Prison at Byculla, Mumbai, Special prison³⁶ at Ratnagiri, Open colony at Atpadi and Prison hospital at JJ Hospital, Mumbai.

Four CP&CC, four DP&CC Class-I and Class-II, one DP&CC Class-III and four OP&CC were selected by using Stratified Random Sampling method. In addition to above two Special categories of prison viz., Female Prison and Correctional Centre, Special Prison and Correctional Centre, Open Colony

³³ The sub-jails are located in the Taluka places are entirely under the management of the Revenue Authorities and monitored by the Prison Department. In the sub-jail, criminal prisoners under the substantive term of imprisonment not exceeding a fortnight or such smaller term only are kept and prisoner undergoing the imprisonment more than 14 days are transferred to either to District or Central prison

³⁴ Open Prison:-Gadchiroli, Yerwada, Paithan, Aurangabad, Morshi, Nagpur, Amravati, Akola female, Yerwada female, Kolhapur, Thane, Nasik Road and Visapur

³⁵ Open prison means any place so used permanently under any order of the State Government for the detention of prisoners under clause (1) of section 3 of the Prison Act, 1984

³⁶ Special prison means Ratnagiri District Class-I prison, where habitual criminals who had shown signs of deep involvement in criminal activity and who had become hardened and persistent offenders are kept

allowing prisoners to reside with their family, Borstal School for juvenile offenders and Jail Officer Training College (JOTC) were also selected due to their uniqueness.

There were 102 Sub-Jails, out of which 54 sub-jails were in operation. As per the information collected, only 25 sub-jails had occupancy of the prisoners. Nine out of 25 sub-jails were selected by using random sampling method.

Acknowledgement

Audit is thankful for the cooperation extended by the Department in providing information, records, and clarifications from time to time and for arranging discussions with the officers of the Department, which facilitated the conduct of the Audit within the time frame.

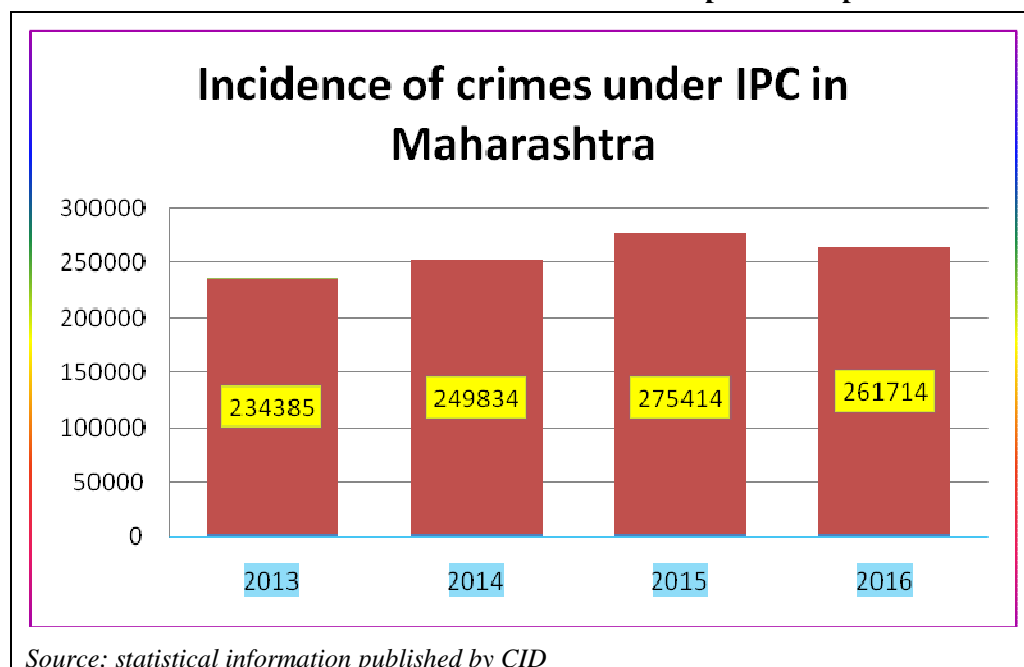
Audit Findings

2.2.6 Planning

2.2.6.1 Planning at State level

The incidence of crimes and conviction rates in the State have a direct correlation with the number of inmates in prisons. The Criminal Investigation Department (CID), Government of Maharashtra (GoM) publishes yearly statistics of incidence of cognizable crimes committed under Indian Penal Code (IPC) in Maharashtra. The yearly incidence of crimes and conviction rate published by CID during the year 2013 to 2016 showed an increasing trend as depicted in the **Chart 2.2.1**.

Chart 2.2.1: Incidence of crimes under IPC as per CID report



The conviction rate of the crimes in Maharashtra also increased from 13.31 per cent in 2013 to 35.98 per cent in 2016 as detailed in **Table 2.2.2**.

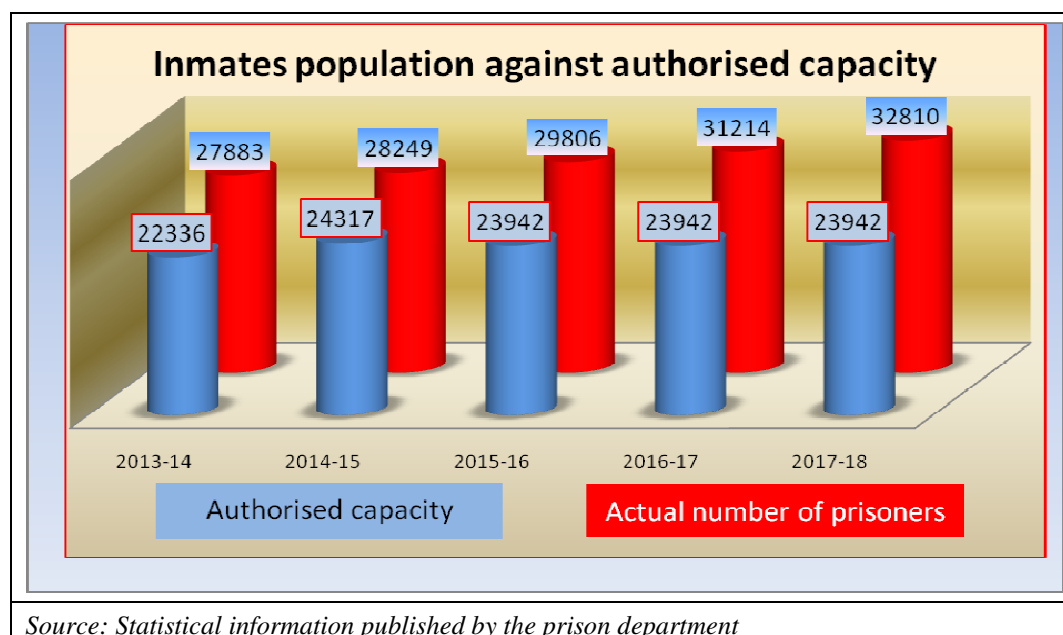
Table 2.2.2: Conviction Rate in Maharashtra

Year	Conviction Rate (Percentage)
2013	13.31
2014	19.32
2015	32.99
2016	35.98

Source: statistical information published by CID

Consequently, number of prisoners grew steadily during 2013-18 as shown in the **Chart 2.2.2**.

Chart 2.2.2: The increase in number of inmates as against the authorised capacity in the prison



It was observed that, whereas the inmate population registered an 18 per cent growth from 27,883 in 2013-14 to 32,810 in 2017-18, the authorised capacity of prisons remained almost stagnant during this period. The inmate population as of March 2018 was 37 per cent more than the authorised capacity of the prisons. Audit observations are discussed in **paragraph 2.2.8.2**.

Audit is of the opinion that since data on incidence of crimes, conviction rates and inmate population were readily available, the department could have drawn up a long-term perspective plan and annual plans for expanding the prison network, augmenting inmate capacity within existing prisons and modernising and strengthening the infrastructure and facilities. However, no such comprehensive exercise was undertaken by the Department.

The Department stated (May 2018) that the GoM appointed (June 2017) a Committee under the Chairmanship of retired High Court Judge with Deputy Secretary of Home Department as Member Secretary and IGP, Retired DIG and an official from Tata Institute of Social Science as members for suggesting measures to deal with the problem of overcrowding of prisons, construction of new prisons and increasing the capacity of the existing prisons considering the future requirement of 25-30 years. The Committee was to furnish the report by December 2017. The GoM had extended the time frame for submission of report by the committee to June 2018. It was observed that

the said report had not been submitted by the Committee as of December 2018.

In the absence of long term perspective plan and annual plans, the Department could not plan and utilise the funds optimally for enhancing the prison infrastructure, both quantitatively and qualitatively as is brought out in succeeding paragraphs.

IGP, Pune stated (May 2018) that a long term plan for modernisation of prison and the security of the prison will be formulated for this purpose and an agency³⁷ was appointed (August 2016) as consultant for this purpose.

ACS (Appeals & Security), Home Department in the exit conference (December 2018) admitted that no additional authorised capacities were created in the prisons from 2014-15 onwards. It was further clarified that as more than 50 per cent occupancy of prisons was by the under-trials and unless amendment to the present provisions of criminal jurisprudence in respect of under-trials is done, any amount of space created in the prisons would not be enough. The ACS also admitted that due to overburdening of the prisons with under-trials, the prisons were not serving the purpose as correctional centres for the convicts.

The fact remains that during the period 2013-18, as against the 1,49,962 prisoners, 1,07,678 (72 per cent) were under-trials, 41,902 (28 per cent) were convicted prisoners and the balance 382 prisoners were transferred from other prisons. In the absence of any long term plan, the Department is ill prepared to meet the challenges posed by over-crowding of prisons, deficiency in the facilities, shortage of staff and arms, reforms and rehabilitation of the prisoners as discussed in the succeeding paragraphs.

2.2.7 Financial Management

2.2.7.1 Budgets allocation and expenditure

The budget allocation and expenditure of the Department for the period from 2013-18 is as detailed in **Table 2.2.3**.

Table 2.2.3: Allocation and Expenditure incurred by Prison and Correctional Services Department

(₹ in crore)

Year	Plan			
	Budget Allocation	Funds released	Expenditure	Excess (+)/ saving (-)
2013-14	22.21	4.87	4.67	-0.20
2014-15	30.80	30.80	13.27	-17.54
2015-16	8.98	6.39	3.45	-2.94
2016-17	2.97	2.38	2.26	-0.12
2017-18	17.00	13.60	11.80	-1.8
Total	81.96	58.04	35.45	-22.60

Source: Information furnished by the Department

Analysis of the above table revealed that under plan allocation, during the period 2013-18, as against the budget allocation of ₹ 81.96 crore, funds released was ₹ 58.04 crore (71 per cent) out of which expenditure incurred

³⁷ The GoM appointed KPMG as consultant for development of PRIMIS Software, CCTV implementation, Crime and Criminal Tracking Network System and e-courts

was ₹ 35.45 crore (61 *per cent*) of the released amount. The unspent funds were surrendered in the respective years.

In the reply IGP stated (October 2018) that in 2013-14, GoI had not provided the grants of ₹ 17.33 crore to GoM due under Thirteenth Finance Commission grants. As a result, the expenditure could not be incurred. GoM had provided only 75 *per cent* of the budget grants between 2014-15 and 2017-18, hence there was savings in the respective years.

The fact remains that adequate funds were not provided by the GoM to the Prison Department resulting in adverse impact on the creation of infrastructure of the prisons.

The ACS (Appeals & Security), Home Department in the exit conference (December 2018) directed the prison officials to re-examine the figures and submit a revised reply to Audit.

However, it was seen that the revised figures furnished by the Department in December 2018 were the same as the earlier figures.

2.2.7.2 Allocation of funds for up-gradation of facilities in prisons to Public Works Department

In addition to the regular grants, funds for up-gradation of facilities in prisons were placed directly with the Public Works Department (PWD) by GoM under Major Head 4059 Public Works. The details of funds released by Finance Department of GoM to PWD during the period 2013-18 are as detailed in **Table 2.2.4**.

Table 2.2.4: Allocation and Expenditure incurred by Public Works Department

(₹ in crore)

Year	Budgeted	Released	Expenditure	Percentage of expenditure over release	Excess/Savings
2013-14	6.09	5.29	4.74	84	(-) 0.55
2014-15	3.49	0	0	00	00
2015-16	18.84	16.68	8.25	49	(-)8.43
2016-17	12.43	12.61	9.59	76	(-)3.02
2017-18	19.87	10.83	10.02	92	(-)0.81
Total	60.72	45.41	32.60	--	

Source: information furnished by IGP

Audit observed that of the money released in the years 2013-14 to 2017-18, approximately 30 *per cent* remained unutilised.

In reply the IGP stated (October 2018) that due to delay in finalisation of tenders for the works and release of funds in March for the year 2016-17, the funds could not be utilised resulting in its surrender in the respective years. The reply is not tenable as the tender process should have been initiated before the release of the funds to ensure optimum utilisation of the funds.

ACS (Appeals & Security), Home Department stated (December 2018) during exit conference that a proposal for execution of prison related works to be got executed by the Police Housing Corporation was under consideration.

2.2.7.3 Lapse of grants of ₹ 29.63 crore under Thirteenth Finance Commission

The Ministry of Home Affairs, Government of India (GoI) had provided funds under Thirteenth Finance Commission (TFC) for the year 2010-15 to State Governments under the scheme of Up-gradation of Prisons. GoI allocated (December 2009), ₹ 60 crore for up-gradation of prison facilities and improvement in prison security for GoM to be utilised during the period 2011-15. According to the guidelines of the scheme, grants were to be released in four equal instalments proposed by the State Government and on the recommendation of the High Level Monitoring Committee³⁸ (HLMC) of the Department. The condition governing the release of grant included submission of an action plan for up-gradation of facilities in prisons and improvement in prison security. The second instalment would be released on utilisation of two-third of the amount released in first instalment. The third instalment would be released on full utilisation of first instalment and at least two-third of the second instalment. The fourth instalment would be released in two tranches. The first tranche would be released when 90 *per cent* of the grant amount released was certified to have been utilised and second tranche comprising of remaining 10 *per cent* amount would be released when completion certificate was provided by State. The utilisation certificate was required to be submitted to GoI for ensuring release of instalments.

Audit observed that the Department submitted (October 2010) to GoI, an action plan for up-gradation of facilities in 11 prisons consisting of 33 works (₹ 7.64 crore) and improvement of prison security (₹ 7.58 crore) costing ₹ 15.22 crore for the year 2011-12 and action plan for ₹ 44.79 crore for the year 2013-15. The HLMC accorded sanction to the action plan in October 2010. The GoI released (December 2011) the first instalment of ₹ 15.22 crore to GoM which in turn released (February 2012) to the IGP for the works to be under taken during 2011-12. The utilisation certificate (UC) for ₹ 15.22 crore was given by GoM only in March 2014. Consequently, the GoM could not get the second instalment (released only in September 2014) of ₹ 15.15 crore for the works³⁹ to be under taken during the year 2012-13 timely. The tenure of the TFC came to an end in March 2015. The UCs for only ₹ 10.95 crore against the second instalment of ₹ 15.15 crore was submitted (July 2015) by GoM after the completion of TFC tenure. The instalments for the works to be undertaken during the year 2013-15 were not released by GoI as the tenure of TFC expired and the GoM delayed the submission of UCs and action plan for the year 2013-15. Against the sanction of ₹ 7.64 crore for upgradation of prisons during the year 2012-13, works costing ₹ 1.79 crore were under progress (February 2019).

Thus, as against the approved amount of ₹ 60 crore, only ₹ 30.37 crore was released by GoI and the GoM submitted (July 2015) UCs for only ₹ 26.17 crore to GoI. Failure of the Department to submit the UCs in time in respect of funds released by GoI deprived them of the benefit of utilising the TFC grants amounting to ₹ 29.63 crore for up-gradation of prisons. This also

³⁸ High Level Monitoring Committee under the chairmanship of Chief Secretary, GoM

³⁹ upgradation works in 28 jails (61 works) costing ₹ 7.64 crore and improvement in prison security ₹ 7.51 crore

delayed the works of up-gradation of facilities and improvement in prison security enlisted in third and fourth year in the action plan.

The IGP Pune stated (May 2018) that the delay in submission of phased action plans were due to increase or decrease in detailed estimates, working out the revised estimates and delay in getting administrative approval from GoM.

The reply is not acceptable as the action plan for ₹ 44.79 crore for the year 2013-14 and 2014-15 had already been submitted (8 August 2014) to GoI after approval of HLMC. Therefore, the Department already had the list of works to be undertaken during the period 2013-15 for which action could have been initiated for revision of estimate and obtaining the administrative approval from Home Department in time.

The ACS (Appeals & Security), Home Department in the exit conference accepted the facts.

2.2.7.4 Injudicious Expenditure of ₹ 14.95 crore on construction of District Prison at Gadchiroli

In order to facilitate the prisoners of Gadchiroli District to meet their relatives and attend the Gadchiroli Courts, Home Department accorded (July 2003) administrative approval of ₹ 13.47 crore for construction of District Prison at Gadchiroli with a capacity of 500 inmates under a Centrally Sponsored Scheme of Modernisation of Prisons. The work was started (May 2005) by PWD and completed (December 2011) at a cost of ₹ 14.95 crore. The PWD asked the department to take possession of the buildings. However, the Prison Authorities did not take possession as all the works⁴⁰ envisaged were not completed by the PWD. In the meantime, a PIL was filed in 2013 for operation of the prison. Consequently, the Prison Authorities took possession of the prison buildings in the year 2014. At the time of taking possession, the construction of additional watch tower and staff quarters *etc.*, were not completed by PWD. Further during the intervening period (2011-2014) the electrical fittings were stolen from the premises. Thus, the prison could not be made operational.

In an affidavit (December 2015) filed in the court in response to the PIL, the GoM stated that for making the prison operational, a committee under the chairman of the Collector, Gadchiroli was constituted. Further, inputs were obtained from Superintendent of Police (SP), Gadchiroli and the District and Sessions Judge, Gadchiroli. The SP Gadchiroli in the report stated that in the absence of adequate security and area being very sensitive, housing the Naxalites in the prison would be dangerous. The District and Sessions Judge stated that due to facilities of video conferencing, the production of prisoners kept in any prison for the hearings could be facilitated. In consideration of these inputs and certain confidential information available, a meeting was held (December 2015) by the Additional Chief Secretary (Home) and a decision was taken to start an 'open prison' with a capacity of 75 inmates instead of closed prison with authorised capacity of 500 inmates. Accordingly, a notification (December 2015) was issued for starting an open prison with a

⁴⁰ Waiting room, Armour and Guard room, Central Watch Tower, Security Wall of the premises and staff quarters Security Wall

capacity of 75 prisoners and the open prison is in operation in the same premises.

Thus, the decision to construct a District prison without taking into account security considerations resulted in injudicious expenditure of ₹ 14.95 crore and non-utilisation of the facilities created for the intended purpose.

The ACS (Appeals & Security), Home Department in the exit conference accepted the facts.

2.2.7.5 Blocking of funds of ₹ five crore for more than ten years

GoM accorded (2005-06) approval for construction of new district prison with a capacity of 200 inmates at Palghar and released ₹ five crore under Centrally Sponsored Prison Reforms Scheme (2002-07). The Revenue Department allotted (October 2006) a land admeasuring 20 hectares at Mouza Morekurangoan, Palghar to the Department for the construction of new District Prison. However, it was observed that the land belonged to Forest Department and had already been declared as reserve forest under the provisions of Forest Conservation Act 1980. Thus, no construction activity could be carried out on the allotted land without the approval of Ministry of Environment, Forests and Climate Change, GoI. Audit observed that, ₹ five crore was irregularly drawn by IGP and transferred to the Personal Ledger Account (PLA) meant for canteen activities of Thane CP&CC. The Department did not identify any alternate land for construction of prison. In the meantime, the Home Department requested (August 2013) GoI for re-appropriation of the amount of ₹ five crore for construction of State level Prison Staff Training College (PSTC) at Yerwada, Pune. Accordingly, the GoI accorded (October 2013) in-principle approval for re-appropriation of ₹ five crore for construction of PSTC on condition to submit a detailed proposal. Though, in-principle approval was accorded by GoI, the administrative approval for PSTC was accorded by GoM (March 2017) after a lapse of nearly three and half years for ₹ 5.43 crore. However, the amount of ₹ five crore irregularly drawn and kept in PLA could not be spent even after lapse of more than 10 years awaiting final approval of the GoI. This resulted in blocking of the funds.

Despite availability of funds, GoM did not make any effort to identify alternate land for construction of prison even after a lapse of 13 years. Even the detailed proposal for construction of PSTC is yet to be submitted to GoI. The delay in construction also attributed to the fact that the inmates to be housed in Palghar prison are now being housed in the neighbouring Thane and Navi Mumbai Central Prison thereby overcrowding these prisons.

ACS (Appeals & Security), Home Department stated during the exit conference that a proposal for utilising the amount lying in PLA was sent (May 2017) to GoI for final approval. Further, it was stated that revised administrative approval would be granted for construction of PSTC and work would be completed.

2.2.7.6 Delay in completion of work of additional building at Central Prison, Mumbai

In order to increase the capacity of the Central Prison & Correctional Center, Mumbai, the Home Department accorded (July 2007) administrative approval of ₹ 2.63 crore under the scheme of Modernisation of prison for construction of an additional building (at Yard 1) consisting of ground plus first floor. The technical sanction for ₹ 2.67 crore was accorded to the work by PWD. The Home Department released (July 2007 and February 2009) funds of ₹ 2.56 crore which was transferred to the PWD⁴¹ between August 2007 and March 2009. The work was awarded by PWD to M/s Ajit construction for ₹ 2.66 crore, which included electrical work also and the work order was issued (April 2010) with stipulated period of completion of one year. As of 5 December 2018 an amount of ₹ 1.78 crore was spent on the work. The balance amount of ₹ 0.78 crore was diverted and utilised by the PWD for construction of separate barrack for high profile prisoners at Yard 12 till November 2013. No separate funds were provided for the construction of barrack for high profile prisoners at Yard 12. Thus, the work of construction and electrification of the building at Yard 1 remained incomplete due to diversion of funds. The PWD placed (November 2013) an additional demand for ₹ 0.85 crore for completing the work of building at yard 1. The Home Department released through Budget Distribution System an amount of ₹ 0.44 crore on 31 March 2017 to PWD. However, PWD did not draw the funds as it was released at end of the financial year and the entire amount therefore got lapsed.

Thus, failure of the Department to provide funds on time resulted in non-completion of the additional building at yard 1 even after lapse of seven years. This also defeated the objective of creation of additional capacity for the prisoners in the already overcrowded prison.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that revised administrative approval would be granted and work would be got completed.

2.2.7.7 Excess charges paid to Maharashtra State Road Transport against warrants issued by Prison authorities for transportation of prisoners and prison officials

The Home Department introduced (September 1979) a scheme of lump sum payment to the Maharashtra State Road Transport Corporation (MSRTC) from 1978-79 for a period of three years towards the cost of travels undertaken by the police, the prison personnel on duty and the prisoners. Subsequently, Home department decided (April 1987) to share the expenses between the Police and Prison Department in the ratio of 90:10 for 1981-82 to 1982-83 and thereafter in the ratio of 91.5:8.5 from 1983-84 onwards. The sharing ratio was not revised since 1983-84 and the Prison Department was making payment of 8.5 *per cent* to MSRTC of the total expenditure charged to the Home Department by the MSRTC. Audit observed that as per the travel warrants issued by the Prison Department during the period 2013-18, the actual expenditure incurred on the travel cost undertaken by the prison officials and

⁴¹ Executive Engineer (EE), PWD Central Mumbai, Worli, Mumbai.

the prisoners was very less as compared to the amount paid as share (8.5 per cent) of the overall expenditure paid to MSRTC. As per the calculation done by Audit, the difference in actual expenditure and the share paid towards cost of travel during the period 2013-17 worked out to ₹ 2.12 crore as detailed in **Appendix 2.2.1**.

ACS (Appeals & Security), Home Department stated during the exit conference that necessary action would be taken to recover the excess amount.

2.2.7.8 Irregular utilisation from prisoners' cash deposit and non-recoupment thereof

As per Rule 7(ii) of the Maharashtra Prisons (Prisoners Property and Document) Rules, 1964, the cash found with the prisoners at the time of admission is deposited in the account of Drawing and Disbursing Officer (DDO) of the prison and a separate cash book is maintained for the same. Further, the wages paid to the prisoners on account of work done during their stay in prison is also deposited in the account of DDO and recorded in the cash book. At the time of release of the prisoner, the cash so deposited at the time of admission and the wages due to him is to be paid back to the prisoner after deducting the expenditure incurred by the prisoners during his stay at prison.

Audit observed in CP&CC, Mumbai, that Superintendent had drawn an amount of ₹ 12.03 lakh between April 2017 and January 2018 from the DDO account for making payment of computer expenses, office expenses, diet charges and other expenses *etc.*, Thus, an amount of ₹ 12.03 lakh was irregularly drawn from DDO account and the same was not recouped.

ACS (Appeals & Security), Home Department stated during the exit conference that an amount of ₹ 8.33 lakh was recouped and remaining amount would also be recouped.

2.2.7.9 Huge balances in Personal Ledger Accounts

The amount required for procurement of raw materials is released by Home Department and is credited in a Personal Ledger Account (PLA) for prison industry. The IGP directed (March 2014) all the Superintendent of CP&CCs to credit the entire amount in excess of ₹ 25 lakh deposited in the PLA for prison industry⁴² into the Government account. However, it was noticed that four⁴³ CP&CCs had kept balances in the PLA in excess of ₹ 25 lakh in their PLAs. The total amount of excess retention by the four CP&CCs as of March 2018 worked out to ₹ 7.44 crore.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference.

2.2.7.10 Pending recoveries from other departments towards supplies made by prisons

The products manufactured by the prisons were utilised for prison consumption, for supply to Government Departments and marginal portion for

⁴² Prison industry included handloom, power loom, tailoring, carpentry, black smith, leather works, paper works, bakery, chemical laundry and motor servicing

⁴³ Kolhapur (₹ 0.06 crore), Nasik (₹ 1.98 crore), Aurangabad (₹ 5.40 crore) and Nagpur (₹ 20,000)

outside sale. Audit noticed that retail outlets are available at the CP&CCs for sale of prison products.

Audit observed that an amount of ₹ 17.24 crore was pending for recovery for the supplies made to other departments during the period between 1987 and 2018.

ACS (Appeals & Security), Home Department assured during the exit conference that the outstanding recovery from within the Department would be made good within two years and that for recovery from other departments, necessary action would be taken.

2.2.8 Safe and secure custody of prisoners

2.2.8.1 Structural audit of prison buildings

According to the provisions of Maharashtra Municipal Corporations and Municipal Councils (Fifth Amendment) Act, 2008, every owner or occupier of a building in respect of which a period of thirty years had lapsed, shall cause such building to be examined by a Structural Engineer registered with the Corporation for the purpose of certifying that the building is fit for human habitation and submit the certificate issued by Structural Engineer to the Commissioner. The Structural Stability Certificate was to be submitted within one year from the expiry of a period of thirty years and every ten years thereafter or such earlier period as the Commissioner may determine.

As per data available with the Department, out of 54 prisons and a Jail Officers Training College (JOTC), 32 prison buildings as detailed in **Appendix 2.2.2** and the JOTC building were more than 30 years old and were due for structural audit. However, structural audit in respect of only three⁴⁴ prison buildings were conducted.

In the test checked 21 prisons and JOTC, audit observed that the structural audit was carried out in one CP&CC, Mumbai (December 2017) and one DP&CC, Kalyan (December 2017) out of the 15 prisons and JOTC which were due. The structural audit in these two prisons were conducted, after a delay of nearly eight years from the date of publication (January 2009) of the Maharashtra Municipal Corporations and Municipal Councils (Fifth Amendment) Act, 2008. No structural audits were conducted in remaining 13 prisons and JOTC.

In the structural audit reports of CP&CC Mumbai and DP&CC Kalyan, extensive repairs were recommended (December 2017) and it was suggested to carry out all repairs at the earliest, as most of the barracks were in dilapidated condition due to seepages from ceiling and walls and cracks in walls of the barracks. The recommendations were not addressed on priority and no action was taken (July 2018). The above facts were confirmed by audit during the Joint Inspection (February 2018) of DP&CC Kalyan as shown in the photographs below. It was also observed that one major incident occurred in October 2017 wherein a major portion of the ceiling of circle number four barrack number one caved-in when the inmates were watching TV. However, no casualty was reported.

⁴⁴ CP&CC, Mumbai, DP&CC-I Kalyan, DP&CC-II, Ahmednagar



Kalyan District Prison taken on 20 February 2018

In the absence of timely action on the reports of structural audits and non-taking up of structural audits in 27 prisons and JOTC, the safe custody of the prisoners and the safety of the prison staff were compromised.

ACS (Appeals & Security), Home Department stated during the exit conference that the requirement of structural audit would be examined as the prisons were being maintained by the Public Works Department at present.

2.2.8.2 Overcrowding of prisons

The Scientific Classification of Prisoners (Non Statutory Rules), 1965 stipulated that the prisoners were required to be classified as Class-I, Class-II, Civil Prisoners and Under-trial separately. An amendment to these rules was issued in December 2015. Accordingly, the classification of under trial prisoners was to be done in three categories.

- Category-I - Prisoners involved in terrorist and extremist activities;
- Category-II - dangerous prisoners involved in organised murders, dacoity, robbery, rape cases, habitual offenders, previous escapees and drug peddlers; and
- Category-III - all other under-trial prisoners.

As regards the convicts, it was stipulated that wherever possible, convicts sentenced to simple imprisonment shall be separated from those sentenced to rigorous or life imprisonment. Further, the prisoners convicted of rape or unnatural offences such as kidnapping, prostitution or for an offence under the Prevention of Immoral Trafficking Act (PITA) wherever possible are housed separately at night. The prisoners were required to be quarantined for a period of ten days at the time of admission for their orientation of the prison Rules and Discipline.

Audit observed that in the 54 prisons, as against the overall authorised capacity of 23,942 inmates, 32,810 were housed in prisons as of March 2018, *i.e.*, 37 per cent more than the authorised capacity of the prisons.

The prison inmates' population in the 54 prisons as against their sanctioned capacity is shown in the **Table 2.2.5**.

Table 2.2.5: Overcrowding of prisons

Category of prison	No. of Prison	Capacity to hold prisoners	Actual no. of Prisoners as on 31 March				
			2013-14	2014-15	2015-16	2016-17	2017-18
Central Prison	09	14841	18577 (125%)	19388	20623	22046	23023 (155%)
District Prison Class-I	09	3386	4097	3800 (112%)	4200	4137	4381 (129%)
District Prison Class-II	16	3347	3338 (100%)	3433	3449	3406	3804 (113%)
District Prison Class-III	02	185	219 (118%)	138 (75%)	146	156	218
Open Prison	13	1522	1011	897	815	838	943
Female Prison	01	262	340	260	281	357	309
Borstal School	01	105	27	14	20	14	07
Special Prison	01	246	97	135	113	121	117
Open Colony	01	28	21	6	11	05	03
Hospital Prison	01	20	04	12	01	02	05

Analysis of table revealed that:

- a) In nine CP&CCs, the overcrowding of prisoners had been persistently increasing from 125 *per cent* in 2013-14 to 155 *per cent* of capacity in 2017-18.

In DP&CC Class-I, the inmates population ranged between 112 *per cent* and 129 *per cent* of capacity during the period 2013-18.

Similarly, in case of DP&CC Class-II, no new prisons were constructed nor any efforts were made by the Department to accommodate the excess inmates which ranged between 100 to 113 *per cent* of capacity.

The female prison had also shown an increasing trend of 18 *per cent* in 2017-18. In case of DP&CC Class-III the occupancy ranged between 75 and 118 *per cent* of capacity between 2013-14 and 2017-18.

- b) Test check of selected Prison and Correctional Centers as depicted in **Appendix 2.2.3** revealed that:

In four CP&CC, the inmates housed ranged between 124 *per cent* and 278 *per cent* (2017-18) over the authorised capacity. However, there was no capacity addition to accommodate the excess prisoners. Audit observed that there was abnormal delay of over seven years in completion of construction of two barracks in CP&CC Mumbai and the barracks were incomplete as of March 2018. Further, CP&CC, Mumbai had shown abnormal increase (2,687 inmates) of more than 200 *per cent* in inmate's population as against the capacity of 804 resulting in overcrowding. The photographs (taken on 10 May 2018) depicted below give a glimpse of the problem of overcrowding in CP&CC Mumbai.



Glimpses of overcrowding in Central Prison, Mumbai taken on 10 May 2018

Further, a barrack in CP&CC, Nasik with capacity of 30 female inmates was completed in 2016, could not be made operational due to non-construction of a separation wall between Male barrack and female barrack.

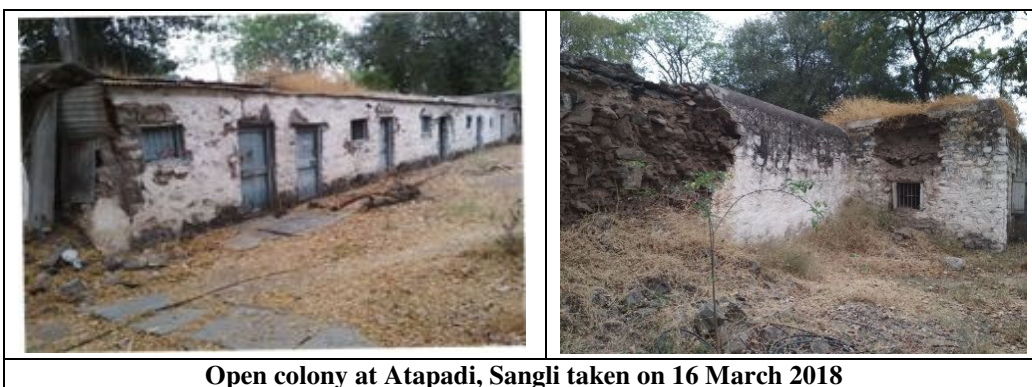
In DP&CC Class-I the inmates' population ranged from 124 *per cent* and 138 *per cent* of capacity. Though, a new prison at Gadchiroli with a capacity of 500 inmates was constructed, the same could not be made operational due to security reasons as discussed in **paragraph 2.2.7.4**.

In DP&CC Class-II, the number of inmates ranged from 115 *per cent* to 143 *per cent* of capacity between 2013-14 and 2017-18. Three prisons had shown occupancy ranging from 94 *per cent* to 296 *per cent* of their authorised capacity, whereas Washim prison, which had been made operational from 2014-15, the occupancy was within its authorised capacity. In DP&CC-III the occupancy ranged between five *per cent* and 60 *per cent* during the period 2013-18.

The Mumbai Female prison had also shown an occupancy ranging between 101 *per cent* and 129 *per cent* of capacity during the period 2013-18.

Contrary to the above, the open prison, open colony, Borstal school, Special prison and hospital prison had shown under occupancy during the period covered by audit.

In open colony at Atpadi, Sangli, audit observed that the inmates were allowed to reside with their family and had to earn their living. However, the number of inmates in the open colony had shown a declining trend due to inhabitable conditions from 21 (2013-14) to three in 2017-18, against the authorised capacity of 28 inmates. It was further observed that administrative approval was accorded (September 2014) for ₹ 49.57 lakh for construction of 28 rooms in the open colony and the work was started only in January 2018. Thus, the facilities to house the inmates and their family were in pathetic condition as was evident from the photographs below.



Open colony at Atapadi, Sangli taken on 16 March 2018

- c) As per the Maharashtra Open Prison Rules, 1971, open prison means any place so used permanently under any order of the State Government for the detention of prisoners under clause (1) of section 3 of the Prison Act, 1984. Accordingly, the GoM by order declared 13 open prisons with authorised capacity of 1,522. The inmates of open prison were selected by a selection committee⁴⁵. Audit also observed that out of 13 open prisons, only five⁴⁶ open prisons have separate staff to administer and run the prison (establishment). In the remaining eight⁴⁷ prisons wherein 375 inmates were housed were released in open for working in the fields in the day time and then kept in the barracks of the closed prison in night. Thus, the actual authorised capacity of open prisons was overstated by 375 inmates, as these inmates were part of the closed prisons where they were housed and included in their authorised inmate capacity. Further, due to absence of separate establishment in these eight open prisons, the risk of adverse impact on the administration of the prisons could not be ruled out.

d) Inefficiency of Sub Jails

As per Sub-Jail Manual, 1954, the sub-jail located in the Taluka places was entirely under the management of the Revenue Authorities and monitored by the Prison Department. The fund for running the sub-jails are provided by IGP, Pune. Prisoners who commit crimes with the substantive term of imprisonment not exceeding a fortnight or such smaller term only are kept in the sub jails and prisoner undergoing the imprisonment more than 14 days are transferred to either District or Central prison.

Audit observed that, out of 102 Sub-Jails (as of April 2018) in the State with a capacity to accommodate 1,670 prisoners, only 54 sub-jails (53 per cent) were functioning, of which 25 sub-jails having the capacity of 516 had shown occupancy of 659 during the period covered by audit. The observations of audit in the nine selected sub-jails are as detailed below:

⁴⁵ Consisted of the IGP, Regional DIG, and Superintendent of the prison from where the prisoners were to be selected and the Superintendent of the open prison

⁴⁶ Paithan, Visapur, Yerwada Open, Gadchiroli and Morshi

⁴⁷ Aurangabad (50), Nagpur (50), Amravati (50), Akola female (50), Kolhapur (50), Nasik Road (50), Yerwada female (50), Thane (25)= Total 375

- Funds were not regularly provided by the IGP to the Revenue Department for running the sub-jails. In two⁴⁸ sub-jails, no funds were provided from 2014-15 to 2017-18. Since the funds were irregularly provided the payment of the contractor, who supplied food to the prisoners were in arrears. As a result, the quality and quantity of the food supplied by the contractors to the sub-jails were also not ensured by the Tahsildar and monitored by the IGP, Pune.
- Out of nine sub-jails, the building of seven sub-jails was more than 50 years old. However, no structural audit was conducted to assess the structural stability. In the absence of structural audit, compromise with the safe custody of the prisoners could not be ruled out.
- Test check of 200 cases (50 cases in each sub jail) in four⁴⁹ sub-jails revealed that in 51 cases, the prisoners were kept in excess of 14 days ranging from six months to 53 months.
- No prison officials were found appointed in the selected sub-jails, the management of the sub-jails was being handled by inexperienced staff of the Revenue Department, who are not trained in prison administration and correctional services. Further, no inspection was conducted by the Prison Department in the selected sub-jails during the period 2013-18.

Thus, it was evident that the Department was not utilising the capacity of the sub-jails as a tool to restrict the prisoners in the talukas instead of transferring them to the CP&CC and DP&CC which compounded to the problems of overcrowding. The overcrowding in prisons also could not enforce quarantine of the prisoners at the time of their admission as envisaged in the rules.

IGP, Pune in reply stated (May 2018) that land was acquired for construction of new prison in Mumbai and land acquisition process is initiated in Hingoli, Alibag, Nanded, Sangli and Satara and proposals for construction of new barracks are sent to the Government for overcoming the problems of overcrowding of prisons. Further, it was stated that the GoM had appointed (June 2017) a committee for suggesting the measures to deal with the problem of overcrowding in prisons, construction of new prisons and increasing the capacity of the existing prison considering the requirement of next 25-30 years.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that overcrowding of prison was mainly due to large number of under-trial prisoners. The fact remained that non production of prisoners before courts on due date as discussed in **paragraph 2.2.9.6** resulted in overcrowding of prisons.

2.2.8.3 Unnatural deaths in prison

Rule 37 of Maharashtra Prisons (Discipline) Rules, 1963 stipulated that a prisoner with apparently suicidal tendencies shall be carefully watched and not

⁴⁸ Tasgaon and Wada

⁴⁹ Kopargaon, Madha, Pandharpur and Sangamner

left alone in a cell. During the period 2013-18, there were 45 unnatural deaths, which comprises of 40 suicides and five homicides inside the prisons. In CP&CC Mumbai, Nagpur, Nasik and Pune there was three, two, seven and 10 unnatural deaths cases respectively. Similarly, in Kalyan and Solapur DP&CC, there were three and one suicide cases respectively. In Mumbai Female Prison, one case of female homicide occurred during 2016-17 in the prison premises. Audit noted that the National Human Rights Commission in respect of one case of Mumbai and Kalyan prison observed (November 2017 and May 2017) that adequate efforts were not made by the prison officials for counselling at their level to remove the prisoner from his distress and directed to pay compensation to the next of the kin of the deceased.

The Department introduced (September 2017) a campaign to identify the cases of suicide prone prisoners for removing their distress by counselling. However, audit observed that out of selected 21 prisons, two posts each of Psychologist and one post of Psychiatrist in Yerwada and Nagpur CP&CC and one post of Psychologist and Psychiatrist in Borstal School only were sanctioned. Against this sanctioned posts only in CP&CC Yerwada, one post of Psychologist and Psychiatrist was filled. Thus, in the absence of trained staff, the desired objectives of the campaign could not be achieved.

ACS (Appeals & Security), Home Department stated during the exit conference that locally available medical facilities are also being utilised to overcome the problem of shortage of medical staff.

2.2.8.4 Recovery of prohibited articles

Rule 17 of Maharashtra Prisons (Discipline) Rules, 1963 stipulated the list of prohibited articles in prisons. In order to detect entry of prohibited articles in the prison premises, modern equipment like baggage scanner, deep metal detector, metal door detector and mobile detectors *etc.*, were required to be installed in the prisons. Moreover, the Vigilance wing of IGP has to conduct surprise search and seizure to detect entry of prohibited articles in the prison premises. Audit observed that the Vigilance wing and the Prison staff had conducted 142 surprise searches in the prison premises between 2013 and 2017 and recovered the prohibited articles as shown in the **Table 2.2.6**.

Table 2.2.6: List of prohibited articles recovered from Prisons

Name of the prison	Prohibited articles recovered
CP&CC Mumbai	five mobiles, two sim cards and ₹ 21,000
CP&CC Nagpur	171 mobiles, 33 sim cards, 235 mobile battery, two pen drive, 47 mobile chargers, 47 packets of narcotic substance (<i>Ganja</i>) packets and 40 other prohibited articles and four mobiles, six mobile chargers, four mobile batteries from Government press premises located inside the prison.
CP&CC Nasik	100 mobiles, 66 sim cards, 132 mobile batteries, 45 chargers, five earphone, 22 watches, two steel rod, two weapons prepared from steel plate, two knives and two chopper.
DP&CC I Kalyan	two mobile phones along with several sim cards.

Audit observed in the test checked prisons at the time of admission of the prisoner, physical search of prisoners by frisking or stripping of the clothes was undertaken to detect any prohibited items hidden in the body parts. Subsequently, every time, whenever the prisoners were sent for court

attendance, on his return, physical search was being carried out to detect hidden prohibited items.

Audit observed that in four⁵⁰ selected CP&CC, the baggage scanner were not functioning due to non-replacement of spares and non-execution of annual maintenance contracts. Further, the District Prisons did not have any baggage scanner and there was a shortage of the following security equipment in the 21 selected prisons as shown in the **Table 2.2.7**.

Table 2.2.7: Shortage of security equipment

Name of equipment	Demand	Available in Prisons	Available but not working	Additional Demand made
CCTV	947	812	96	Nil
Walky Talky	261	251	31	30
Mobile Jammer	175	167	15	10

The Superintendent CP&CC Mumbai and Nasik had forwarded a proposal to IGP Pune for the procurement of body scanner machine in April 2016 and November 2017 respectively. However, IGP, Pune, has not forwarded any proposal to the Home Department for procurement of body scanner. The IGP confirmed (May 2018) that no such proposal was sent to the Government.

IGP Pune also confirmed (May 2018) that there are no standard set of security equipment prescribed for prisons. The equipment was purchased on the basis of the demand raised by the prisons.

Though prohibited items were being seized by the prison authorities, the fact remains that the entry of prohibited items in the prisons was possible due to lack of proper security equipment to prevent the entry of prohibited articles in the prison premises. Further, in the absence of standard set of equipment for the prisons, the risks of entry of prohibited items in the prisons would persist.

ACS (Appeals & Security), Home Department stated during the exit conference that baggage scanners which are not working would be repaired and put to use. As regards body scanner, it was stated that the procurement of body scanner for scanning would be examined from the perspective of privacy rights issues.

2.2.8.5 Absconding prisoners

IGP Pune issued (June 2013) instructions that the height of main boundary wall of the prisons should be at least 21 feet and should be strong and constructed in reinforced concrete cement. Further, in cases where the height of the main boundary wall was found to be less than 21 feet, then action may be taken to increase the height of the wall. Audit observed that out of 21 selected prisons, the height of the main boundary wall in 11 prisons was less than 21 feet. However, no action was taken by the concerned prisons to increase the height of the wall. It was observed that there were two incidents of absconding of prisoners after scaling the height of the main boundary wall of the prison reported from CP&CC, Nagpur and DP&CC, Kalyan prison during the period 2013-18.

⁵⁰ Mumbai (from March 2017), Nagpur (from April 2017), Nasik (from October 2015) and Yerwada (from August 2017)

As a progressive measure of correctional services, the convict prisoners were granted parole and furlough⁵¹ to visit their family. Audit observed from the records of IGP Pune that out of the prisoners who were granted parole or furlough, 236 prisoners on parole and 380 prisoners on furlough were absconding between 2013 and 2017. Thus, 616 prisoners jumped their parole or furlough.

The IGP stated as of May 2018, as against the total prisoners on furlough or parole against whom criminal cases were registered, 254 prisoners returned to the prisons on their own, 245 prisoners were captured by the police. The reply from IGP is silent about the remaining 117 prisoners, who were absconding.

ACS (Appeals & Security), Home Department stated during the exit conference that the figures of 616 absconding prisoners are cumulative figures from 1973. However, the facts would be verified again and a revised reply would be furnished.

2.2.8.6 Safety of prisoners compromised due to high rise building/mobile towers in the vicinity of the prison

As per the Maharashtra Prisons (Prison Buildings and Sanitary Arrangements) (Amendment) Rules 2015, no buildings, except those of the prison itself, shall be constructed within 150 metres of the perimeter wall of a Central Prison, within 100 metres of a District Prison and within 50 metres of a Sub-Jail.

Audit observed that:

- Though CP&CC, Mumbai was declared as high security prison due to housing of high profile prisoners, terrorists, gang war groups and under trials under Narcotic Drugs and Psychotropic Substances (NDPS) *etc.*, as per the map obtained from the Department, there were 11 high rise or multi-storied buildings located within 150 meters of the prison and had direct view of the prison building. As a result, the prisoners and staff are exposed to the potential security risk. However, no action was taken to assess and mitigate the risk perception. Further, it was observed that the inside view of the Central prison was available on Google earth application.
- In CP&CC, Yerwada, security threats was posed by one high rise building, five mobile towers constructed in the vicinity of the prison and encroachment of 0.33 hectares of prison land.
- In CP&CC, Nagpur, for Nagpur Metro Rail Project, land within 150 metres of the perimeter wall of a Central Prison admeasuring 5,280.82 Square meters (sqm) for running and parking section of Metro Rail and 456.86 sqm for entry and exit was acquired. The GoM as a special case waived the aforesaid condition in public interest and it was noticed that running and parking section of metro rail was within 50 meters of the main security wall of the prison. Besides this, the agricultural land of the prison was divided into two halves due to running and parking section and also a development plan road was to be constructed through the prison land. The Superintendent, CP&CC,

⁵¹ Furlough means period of leave, where the prisoners is allowed to leave prison and then return in accordance with the rules for the time being in force

Nagpur had recorded (November 2016) that considering the threat perception due to vicinity of the metro rail, the height of the security wall was to be increased and view cutter was required to be installed to obstruct the view of the prison. A compound wall of 10 meters height should be constructed with fencing around the agricultural land which was divided into two halves. It was also mentioned that a via-duct should be constructed beneath the development plan road. However, it was observed that the approval of the Advisory Committee was not on record and the security measures required to be taken at the time of construction of metro rail were also not implemented.

- Audit also observed that a Government printing press was being run in the premises of CP&CC, Nagpur since 1962. The press was printing forms and certificates for Government offices of Vidharbha and Marathwada and was also undertaking emergency printing works for Lok Sabha, Vidhan Sabha, local-bodies elections *etc.* Earlier 70 to 100 prisoners were employed in the press thereafter five prisoners were absconded (March 2015) after scaling the height of boundary wall of Government press side. The Prison Department discontinued (May 2015) the employment of prisoners in the press. As the press was located inside the prison premises, IGP Pune (May 2015 and June 2015) intimated the security concerns to the Principal Secretary (Appeals and Security) and requested for shifting the press to other place outside the prison premises. Accordingly, the Principal Secretary (Appeals and Security) directed (June 2015) to shift the press out of Central Prison premises to some other place in phases before March 2016. However, the printing press was not shifted out of the prison premises (March 2018) and as a result security concerns still remained.

Thus, failure of the Department to adhere to the norms exposed the prisons to the potential risks of security. Further, not taking any action for shifting the press from the prison premises also indicates the laxity on the part of Prison officials and the monitoring of the IGP.

ACS (Appeals & Security), Home Department stated during the exit conference that a committee of high level officers examines every case of approval given to high rise buildings.

2.2.8.7 Shortage of security staff

Section 22A of the Maharashtra Prisons (Staff Functions) Amendment Rules, 2015, stipulates that for every six prisoners there shall be one security guard. Audit observed that the total sanctioned post of security guards in the 54 prisons was 4,194, of which only 3,859 security guards were in position. Thus, there was a shortage of 335 posts of security guards as of March 2018. Audit observed that the requirement of security guards was sanctioned on the basis of authorised capacity of the prison and not on the basis of average number of prisoners housed. In the test checked prisons, audit observed that the shortfall of guards as against the norms in the four CP&CCs ranged between 143 and 335. The shortfall in number of guards were observed in the DP&CC (class I) at Kalyan (143 guards) and Yavatmal (19 guards) and at Mumbai Female District Prison (37 guards). The number of guards were found

in surplus in the remaining fourteen DP&CCs as against the norms prescribed as detailed in **Appendix 2.2.4**.

Further, out of four selected CP&CCs, CP&CC, Yerwada was managed by the Superintendent, whereas in three CP&CC the post of Superintendent was vacant and administration was being managed by Deputy Superintendent. Similarly, in District prison only three prisons out of 21 are administered by the Superintendent, whereas the remaining prisons were managed by Jailor (Group I).

ACS (Appeals & Security), Home Department stated during the exit conference that the figures of sanctioned strength and men-in-position would be re-checked and a revised reply would be furnished. The Department had furnished an overall vacancy of 335 posts as of October 2018.

2.2.8.8 Shortage of arms

As per Rule 31 of Chapter XVII of Maharashtra Prison Manual, 1979, there shall be one pistol or a revolver (of 0.455 or 0.38 calibre) per officer of and above the rank of Jailor and one rifle per jail guard.

Audit observed that as of March 2018, there were 496 officers and 3,697 guarding staff functioning in Prison Department. The Department has provided only 192 weapons to officers and 2,148 weapons were provided to guarding staff. Thus, there was an overall shortage of 1,853 weapons (304 in officers and 1,549 in guarding staff respectively). Further, it was observed that out of 2,148 rifles, 1,078 were of 0.410 musket rifles, 415 of 303 rifles and 655 Self Loading Rifles (SLR). The arms and ammunition committee had decided (May 2017) that in future no ammunition for 0.410 Musket Rifles and 303 Rifles shall be purchased since production of 0.410 Musket Rifles and 303 Rifles was discontinued and there spare parts were also not available. Thus, the Musket Rifles and the 303 Rifles would be phased out and only SLR would be utilised for the security of the prisons. As against the requirement of 3,697, only 618 SLR are presently available (Out of 655, 37 SLR will be utilised for training purpose). Thus, there was shortage of arms of 304 pistols and 3,079 SLRs.

Due to shortage of arms for officers and security guards as against the requirement of arms as per norms, the prison security staffs was inadequately prepared to meet the security challenges in the event of any untoward incident and adverse impact on the security of the prison could not be ruled out.

ACS (Appeals & Security), Home Department stated during the exit conference that advance payment was made (August-November 2018) to the Ordinance Factory for supply of SLRs. As on the date of exit conference the delivery of 995 SLRs was awaited.

2.2.8.9 Risk of quelling disturbances in prisons due to non-provision of Staff quarters to prison staff

As per Prison Discipline Rules, 1963, in every prison a particular place shall be appointed where the guard will assemble for the purpose of quelling any disturbance which may occur. On receipt of news of a serious outbreak or disturbance amongst the prisoner, the senior most Jail Officer present shall cause the bell at the main gate to be violently rung, and it shall then be the

duty of every officer of the prison who is outside the prison to proceed at once to the appointed place. Audit observed that, in 14 selected prisons as against the sanctioned posts of 2,140, 1,205 quarters were available; there was shortage of 935 quarters which implies that for 43 *per cent* of the staff no residential facility was provided. Further, as the prison staff was not provided with staff quarters, the availability of prison staff in emergent situations as per the norms also could not be ensured.

Further, in CP&CC, Mumbai it was observed that there were 58 staff quarters for the officials in the vicinity of the Prison. Out of 58 staff quarters, 45 quarters of 173 square feet were allotted to the guards who were eligible for the quarters having carpet area of 221-320 square feet. The remaining 13 quarters allotted to the officer cadre of Jailor Grade-II; out of these eight quarters had carpet area of 360 square feet and four has the carpet area of 173 square feet and one has the carpet area of 160 square feet as against eligibility of 421-550 square feet. Thus, proper living space was not provided to the officials as per the norms prescribed by the Government, sub-standard living condition may not ensure the desired efficiency from the officials. The staff quarters were also found in poor condition as depicted in the photographs taken on 22 February 2018 and 09 May 2018.



ACS (Appeals & Security), Home Department stated during the exit conference that there was a general tendency amongst staff to stay outside the prison premises for getting the benefit of higher house rent allowance. The ACS further stated that the Department itself had, therefore, fixed the ratio of 60:40 between the staff residing within the premises and outside prison premises. Further, to quell the disturbances in prison the help of local police was always available.

2.2.8.10 Absence of Disaster Management Plan

Section 14 of National Disaster Management Act, 2005 mandates each State to establish State Disaster Management Authority (SDMA). At the State Level, the SDMA lays down policies and plans for disaster management. It is also responsible to co-ordinate the implementation of the State Plan, recommend provision of funds for mitigation and preparedness measures and review the developmental plans of the different departments of the State to ensure integration of prevention, preparedness and mitigation measures.

Audit observed that no disaster management Plan has been framed by the Prison Department. In test checked prisons, no prison specific Disaster Management Plan existed. Further, except for CP&CC, Yerwada, none of the

prisons test-checked had conducted fire audit. Thus, the prisons were deficient in the preparation to meet the challenges posed by any disaster.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that instructions would be issued to the prison officials for conducting the fire audit. Further, it was stated that the prisons were always on the ground floor with only walls and cubicles. As such the risk from fire was low.

2.2.9 Facilities and privileges of prisoners

2.2.9.1 Non availability of space for prisoners

As per the provisions contained in the Maharashtra Prisons (Prisons Buildings and Sanitary Arrangements) Rules, 1964, the minimum ground space of 3.71 sqm was required to be provided to the prisoners for sleeping in the barracks. However, as pointed out in **paragraph 2.2.8.2**, the prisons were overcrowded. In the test checked four CP&CCs, audit observed that the minimum ground space available to the prisoner ranged between 0.71 sq. mt. and 3.35 sq. mt. as shown in the **Table 2.2.8**.

Table 2.2.8: Barrack-wise prisoner's occupancy

Name of the prison	Authorised capacity of barrack (Nos.)	Sleeping area of barracks (square meter)	Actual occupants of the barracks (Nos.)	Excess occupants (Nos.)	Area available per prisoner (in square meter)
CP&CC Mumbai	196	724.24	839	643	0.86
	196	724.24	874	678	0.83
	112	417.56	365	253	1.14
	94	345.44	297	203	1.16
CP&CC Nagpur	555	2765.29	1126	571	2.46
	431	1672	681	250	2.46
CP&CC Nasik	320	1500	511	191	2.94
	322	1500	448	126	3.35
CP&CC Yerwada	60	226	190	130	1.19
	60	226	193	133	1.17
DP&CC Kalyan	90	486	202	112	2.41
	90	486	270	180	1.80
	180	972	450	270	2.16
DP&CC Solapur	20	69.7	69	49	1.01
	21	74.34	92	71	0.81
	54	111.52	156	102	0.71
	142	429.83	452	310	0.95
DP&CC Alibag	37	139	94	57	1.48

Source: Information obtained from Prisons

Thus, in all the 18 barracks, the prisoners were deprived of the space for sleeping as per the norms.

Further, in the six monthly examination of prisoners report (July 2017 - December 2017) to be furnished by the prisons to IGP Pune, it had been reported that 2,193 prisoners⁵² were suffering from skin diseases. Though no

⁵² CP&CC Nagpur (940 cases), Yerwada (576 cases), Nasik (512 cases), Mumbai (145 cases) and DP&CC Solapur (20 cases)

specific reasons were given by the prison authorities, the lack of space would have attributed to the increase in the skin infections amongst prisoners.

The Supreme Court had taken *suo-motto* (writ petition no.406/2013) cognizance regarding inhuman conditions in 1,382 prisons of all States and Union territories. During the course of hearing the Supreme Court directed (2 May 2016) the States and Union Territories to improve the inhuman conditions in the prisons. Accordingly, the Prison Department of Maharashtra had submitted (5 August 2017) the compliance to the directions of the Court. However, the Supreme Court (March 2018) critically viewed the issue of over-occupancy and also observed that prisoners cannot be kept like animals and directed the State Governments to submit plan of action to deal with the issue of overcrowding. Though, the Department was aware of the issue, no effective action in this regard was taken.

ACS (Appeals & Security), Home Department stated during the exit conference that the space constraint was again attributed to number of under-trials kept in the prisons.

2.2.9.2 Deficient diet to female prisoners

The Maharashtra Prisons (Prisoners Diet) (Second Amendment) Rules, 2005 was notified (May 2005) by the Home Department. According to the amendment the diet scale were prescribed for different⁵³ category of prisoners. As per the revised diet scale, the prisoners in open prison were eligible for 550 grams of wheat flour or 950 grams of pav. Audit observed that female open prisons at Yerwada and Akola (with authorised capacity of 50 inmates) were made operational from 2010 and 2015 respectively. Test check of Yerwada female open prison revealed that, the Superintendent of prison had enquired (September 2010) with the IGP office regarding fixing the diet norms for female open prison. The IGP, Pune had issued (November 2010) a separate circular fixing the diet norms for the Yerwada female prison. Accordingly, the female inmates of Yerwada prison were provided with 400 grams of wheat flour as against the norms of 550 grams of wheat flour. Consequently, the female prison at Akola also followed the circular issued by IGP, Pune.

A diet committee comprising of Superintendents of various prisons was constituted (July 2015) to study and revise the norms of diet. The committee recommended (September 2015) that the prisoners in open prisons are engaged in hard labour and as such the diet scale prescribed in amendment of 2005 without any distinction of diet scale prescribed for male and female inmates of open prison to be adopted. No action was taken on the Committee's recommendations. Thus, the circular issued by IGP, Pune was contrary to the norms and deprived the female inmates of the permitted diet as per norms.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that the revised orders would be issued.

⁵³ Prisoners in open prison, under trial, convict prisoners, Brostel lads, pregnant women prisoners, patients *etc.*

2.2.9.3 Lack of standard operating procedure for procurement, receipt of provisions and testing of food

The procurement of food provisions for the prisons was delegated to the regional level. At the regional level, the requirement of the food provisions and vegetables were assessed from all the prisons under their jurisdiction and are categorised in lots by clubbing the items. The procurements were made by calling tenders or adopting the e-Tendering procedure. The food items were categorised in 14 lots and the tenders for food items were floated and finalised every year with effective period from April to March. A Committee⁵⁴ was constituted at regional level for evaluation of the tenders. The lowest tender for each lot were selected for supply of food items to the prisons.

Audit observed that:

- The High Court of Mumbai in response to PILs directed (March 2017) to constitute a Committee of Social workers and Dieticians for inspection of food and hygiene facilities in the prisons of Maharashtra. Accordingly, a Committee of Social Workers and Dieticians were constituted in Central prisons and District prisons. The Committee had recommended registration with Food Safety and Standards Authority, purchase of lactometer to check the specific gravity of milk and appointment of food inspectors *etc.*, for improvement of quality of food and hygiene. However, no compliance was made by the Prison Department (June 2018).
- There were no laid down procedures for testing of all the items supplied by the suppliers before being utilised for consumption. In a random testing done by the Superintendent of CP&CC, Mumbai, the samples of soya bean cooking oil supplied (December 2017) failed (January 2018) the test of quality for human consumption as per the report of Public Health Laboratory, Konkan Bhavan, Navi Mumbai and the balance quantity of 360 kilograms was returned (February 2018) by the prison. Similarly, samples of soya bean oil in CP&CC, Nagpur (January 2015) and Milk sample in CP&CC, Nashik (May 2017) also failed the test of quality for human consumption.
- At the prison level, there was no quantity and quality assurance mechanism in place to ensure that items of food and milk of the requisite quantity and quality were received; no food inspectors were appointed at prison level to check the quality of cooked food, no quality assurance frame work like periodical testing of material was in place.

Thus, there was no Standard Operating Procedure (SOP) for procurement, receipt of provisions, cooking and testing of food.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that SOP for procurement, receipt of provisions, cooking and testing of food would be put in place.

⁵⁴ DIG as president and District food supply officer, Chief Accounts and Finance Officer of Zilla Parishad, Chief Executive Officer, Agriculture Produce Marketing Committee, and concerned Prison Official as members

2.2.9.4 Sanitary Arrangement

Rule 25(ii) of the Maharashtra Prisons (Buildings and Sanitary Arrangement) Rules, 1964, stipulated that there shall be provided in a prison, toilet accommodation of one seat for every six prisoners and one bathroom (for females) or bathing platform for every 10 prisoners. The shortfall in toilets, bathrooms and bathing platforms in the CP&CCs and DP&CCs as worked out the IGP, Pune is detailed in the **Table 2.2.9**.

Table 2.2.9: Sanitary arrangement at Prisons

Category of Prison	Central Prison			District Prison		
	Required as per norms	Existing	Deficiency	Required as per norms	Existing	Deficiency
No. of Toilet	2400	1966	434	945	681	264
No. of Bathroom	93	48	46	63	88	00
No. of bathing platform	311	264	47	293	272	21

Source: Information furnished by IGP, Pune

- As per the Maharashtra Prison (Building and Sanitary Arrangement Amendment) Rules, 2016, the daily requirement of water of an individual is about 135 litres. In District Prison, Kalyan as against the daily requirement of water of 1,95,750 litres for average number of prisoners of 1,450 only 93,300 litres⁵⁵ (per prisoner 64 litres per day) was available. Thus, there was deficiency of water to the tune of 1,02,450 litres daily.
- No procedure was prescribed for disposal of bio-medical waste generated in the hospitals of the prison.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference.

2.2.9.5 Health facilities

Maharashtra Prison (Prison Hospital) (Amendment) Rules, 2015 has stipulated the norms for medical and other staff⁵⁶ to be posted at Prison Hospitals. Audit observed that:

- In the 54 prisons, as against the total sanctioned strength of 175 health personnel, 103 were recruited and there was a shortfall of 72 posts. In the 20 selected prisons, the sanctioned strength of medical staff was 84 against which only 51 medical staff was engaged for providing medical facilities to the prisoners.
- No medical specialists were recruited in any of the test checked prisons. Further, it was observed that in six⁵⁷ prisons there was no sanctioned post of Medical Officer.

⁵⁵ Total capacity of water available 28,00,000 litres/month; availability of water per day (28,00,000/30)= 93,300 litres; availability of water per prisoner per day (93,300/1,450)= 64 litres

⁵⁶ Shall consist Chief Medical Officer (for central prisons), Medical officer, Staff Nurse (male or female), Pharmacists (compounders), Assistants, Laboratory Technicians, Psychiatric Counsellor (Psychologists), M.D. General Medicine, M.D. Dermatology, M.D. Psychiatry (mental and de-addiction case), M.D.S. Dentistry and M.D. Gynaecology

⁵⁷ Yavatmal, Parbhani, Atpadi open colony, Solapur, Alibag, and Yerwada female

- It was also noticed that X-ray machines costing ₹ 8.26 lakh supplied in two (Mumbai and Yerwada) Central prisons could not be put to use due to non-recruitment of the X-ray technician.

Thus, the hospitals in all the prisons were grossly under-staffed.

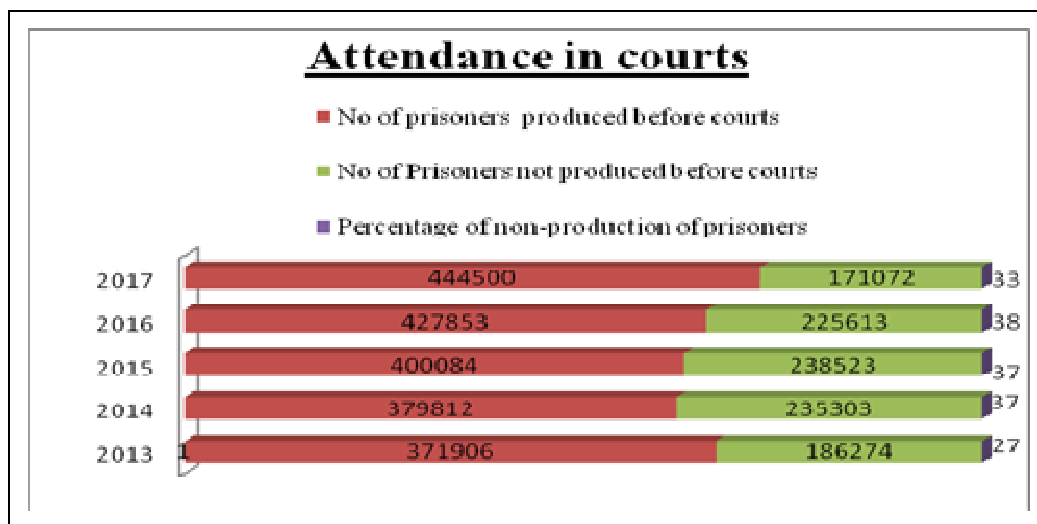
ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that revised order / amendment would be issued.

2.2.9.6 Attendance of prisoners in court

Section 3 of the Prisoners (Attendance in Courts) Act, 1955 provides that if any Civil or Criminal Court thinks that the evidence of any person confined in any Prison is material in any matter pending before it, makes an order in the form set forth in the First Schedule, direct the officer-in-charge of the prison to produce the prisoners before the Courts. Further, Section 5 stipulates that upon delivery of any order made under Section 3 to the officer in-charge of the prison in which the person named there in confined, that officer shall cause him to be taken to the Court in which his attendance is required, so as to be present in the Court at the time in such order mentioned, and shall cause him to be detained in custody in or near the Court until he has been examined or until the Judge or Presidency Officer of the Court authorises him to be taken back to the prison in which he was confined.

Audit observed from the data made available by IGP, Pune that the percentage of non-production of prisoners in the Courts in spite of warrant for production was issued by Court during the period 2013-17 ranged between 27 per cent and 38 per cent as shown in the **Chart 2.2.3**.

Chart 2.2.3: Attendance in Court



In the selected 21 prisons, the percentage of prisoners not produced physically and through video conferencing ranged between 27 per cent and 38 per cent during the period 2013-18. Thus, non-production of prisoners before the Courts on due dates resulted in deferment of the hearing consequently denial of rights of attendance before the courts and overcrowding of prisons.

The Superintendent of the concerned CP&CCs and DP&CCs stated (April & May 2018) that prisoners were not produced in the courts due to non-availability of police escorts.

ACS (Appeals & Security), Home Department assured to furnish a revised reply during the exit conference after re-verifying the figures. The Department had confirmed (December 2018) the figures reported by audit.

2.2.9.7 Board of visitors

As per Rule 3 of the Maharashtra (Visitors to Prison) Rules 1962, there shall be a Board of Visitors (BoV) for each prison in the State consisting of ex-officio visitors⁵⁸ and non-official members. The task of BoV was to monitor the correctional⁵⁹ work, suggesting measures to improve the correctional work and to attend to the individual and collective grievances and to redress the grievances in consultation with the prison authorities. Further, according to Rule 5(i), there shall ordinarily be 11 non-official visitors for the Prisons in Greater Mumbai, nine for each of the CP&CCs; six for each of the DP&CCs and four for each of the remaining prisons. As per Rule 11(i), the BoV shall meet quarterly in the month of January, April, July and October every year to carry out the duties specified in the Rules.

Audit observed that:

- Out of 54 prisons, non-official member were appointed (November 2017) only in 14 prisons.
- As against the prescribed non-official members of 11 for Greater Mumbai, only five members were appointed. In four CP&CCs, as against nine members only three members were appointed in three CP&CCs and in CP&CC, Nagpur only one member was appointed. In the remaining 17 DP&CCs, non-official members were selected only in Akola and Ratnagiri.
- The required number of meetings of BoV were not held. In four CP&CC, as against 80 meetings required to be conducted during the period 2013-18, only 17 meetings were held. In DP&CC Class-I, only 25 meeting were held as against the norms of 80 meetings. Similarly, in respect of four selected Class-II prisons and Special prison, Ratnagiri, 15 meetings and five meetings respectively were held. No meeting was held in four selected open prisons, DP&CCs at Alibaug and Washim, Female prison at Mumbai, Borstal school and open colony at Atapadi during the period 2013-18.

In the absence of the requisite non-official members in the BoV and shortfall in the meetings of the BoVs, the intended purpose of monitoring the correctional work, suggesting measures to improve the correctional work and to attend to the individual and collective grievance and to redress the grievances in consultation with the prison authorities could not be achieved.

⁵⁸ Sheriff of Bombay, Presidency Magistrates, Sessions Judges, District Magistrates, Commissioners *etc.*

⁵⁹ Correctional work includes inspection of barracks, ascertain health, cleanliness and security, ensure that proper management and discipline are maintained, to examine registers of convicted and under-trial prisoners, hear and attend to all representations and petitions including appeal and mercy petitions withheld by the Superintendent under rules in force be forwarded to the State Government *etc.*

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that they would ensure that the meetings of Board of visitors are conducted regularly.

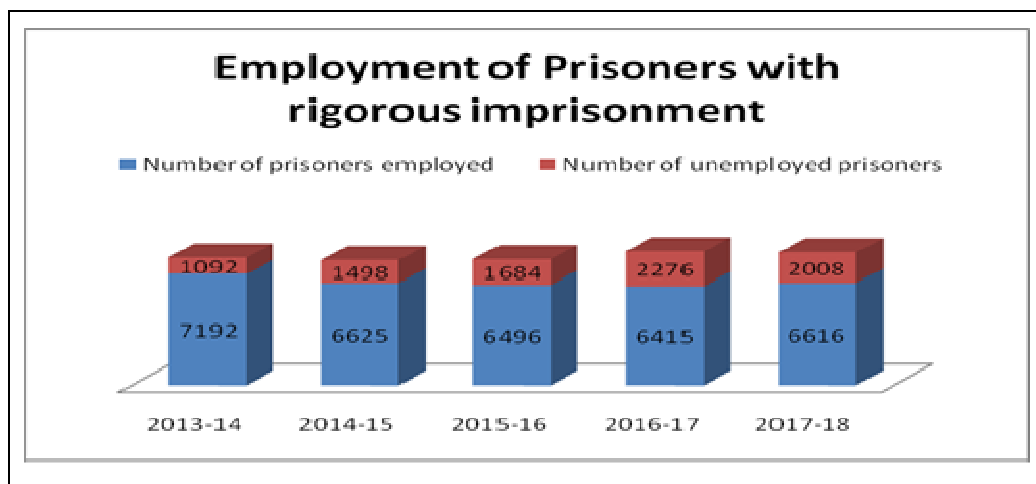
2.2.10 Reforms and Rehabilitation

2.2.10.1 Employment of Prisoners

The employment of the prisoners is an important step towards the reformation and rehabilitation of the prisoners. The prisoners awarded sentence with rigorous imprisonment by the courts was compulsorily required to be assigned the work in the prisons. The Works Assignment Committee constituted in this behalf assigns and employs the prisoners in industry, agriculture, security and others works in the prison.

The data relating to convicts employed during the period 2013-18 is shown in the **Chart 2.2.4**.

Chart 2.2.4: Employment of Prisoners with rigorous imprisonment.



Audit observed that during the period 2013-18, out of the average convicts of 8,300 per year eligible for employment, the prisons were employing only 6,600 prisoners and the remaining 1,700 prisoners remained unemployed. Thus, nearly 20 per cent of the prisoners remained unemployed resulting in an adverse impact on the reformation of the prisoners

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that other avenues to provide more employment of prisoners would be examined.

2.2.10.2 Remission-Review of sentences

According to Rule 3 of the Maharashtra Prisons (Review of Sentences) Rules, 1972, an Advisory Board⁶⁰ was to be constituted for reviewing from time to time and assessing how far a sentence to a prisoner had salutary and reformatory influence with reference to the record of the prisoners. Further as per Rule 4 of Maharashtra Prisons (Review of Sentences) (Amendment) Rules, 2015, envisaged that the Advisory Board to review sentences awarded

⁶⁰ Regional DIG (chairman) and members of the board would include any Judicial Magistrate nominated by District Session Judge, District Superintendent of Police, concerned Superintendent of prison, and three non-official members

to prisoners and to recommend premature release constituted under the Code of the Criminal Procedure 1973. Rule 6 stipulated that the Advisory Board shall meet every six months to review the sentences of non-habitual offenders sentenced to terms of imprisonment of three years or more. The cases of such prisoners sentenced to terms of imprisonment shall be submitted to the Advisory Board on completion of the period of imprisonment as indicated in column 3 of the **Table 2.2.10**.

Table 2.2.10: Category of Prisoners and terms of imprisonment

Category of prisoner	Terms of imprisonment	Completion of period of imprisonment
Female Prisoners	More than 3 years	On undergoing half of substantive sentence or at least three years whichever period is more including set off period but excluding remission
Old and infirm Prisoner	More than 3 years	On undergoing half of substantive sentence or at least three years whichever period is more including set off period but excluding remission
Prisoners other than those mentioned in entry (ii) above	5 years or more	On undergoing two- thirds of substantive sentence including set off period but excluding remission.
Prisoners sentenced to life imprisonment	Imprisonment for life	More than fourteen years of imprisonment, life imprisonment, imprisonment for a term exceeding fourteen years in the aggregate

Audit observed that only cases of prisoners who were infirm⁶¹ and old-who has completed 65 years of age and prisoners undergoing life imprisonment after completion of 14 years of imprisonment were being reviewed by the Advisory Board. During the period 2014-18, 1,177 such cases of life imprisonment and infirm prisoners were reviewed by the Advisory Board of which in 518 proposals the sentences were fixed, 38 prisoners were released, six prisoners died prior to review of premature release of order, one proposal was rejected and remaining 614 proposals were pending at Government level as of March 2018.

In the test checked three CP&CC, there were 1,604 males and 31 female convicts undergoing sentences for more than five years. However, none of these cases were taken up for review by the Advisory Board though norms specify for review of these cases.

Thus, in the absence of comprehensive review of sentences of all the eligible prisoners, premature release of prisoners by commuting their sentences on the basis of their reformation could not be undertaken.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that they would sensitise the committee concerned for undertaking review of sentences of more than three years.

2.2.10.3 Selection of prisoners for open prison

The inmates of open prison were selected by a selection committee consisting of the IGP, Regional DIG, Superintendent of the prison from where the prisoners were to be selected and the Superintendent of the open prison. The inmates serving the sentences were eligible for following remission of the sentences as detailed in the **Table: 2.2.11**.

⁶¹ Not physically or mentally strong especially through age or illness

Table: 2.2.11: Category of prisoners and scale of remission

Category of Prisoners	Scale of Remission
Prisoners sentenced to life imprisonment and prisoners sentenced to more than 14 years in aggregate	30 days for a calendar month
Prisoners sentenced to more than 5 years and upto 14 years	20 days for a calendar month
Other prisoners	15 days for a calendar month

Source: Information furnished by the department

Scrutiny of records revealed that the selection committee in December 2013 selected 1,727 prisoners out of the list of 4,084 prisoners eligible for selection to open prison. Accordingly, a list of 1,727 based on their seniority was prepared and as and when vacancy arose in the open prison, the prisoners were transferred to the open prisons. Audit observed that, no new list was prepared during the period 2013-18 as the transfer of prisoners in the existing list to open prison was not completed. The process of selection of prisoners for open prison was again initiated from February 2018. The non-preparation of list during the period 2013-18 had an adverse effect on the prisoners' reformative process. The IGP had also observed (April 2014) that a running list of prisoners to be transferred to open prison should be prepared, however no action in this regard was taken.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that running list for 2018 was prepared.

2.2.10.4 Non-consideration of female prisoners for open colony

There was only one open colony⁶² at Atpadi, Sangli with a capacity of 28 prisoners and only male prisoners alongwith their family were eligible for transfer to open colony. Audit observed that the women prisoners were not eligible for transfer to open colony. Earlier the women prisoners were also not eligible for transfer to open prisons, however, an amendment was made in the rules in 2010 allowing transfer to female open prison. No such amendment was made in respect of transfer of female prisoners to open colony. Further, the prisoners were entitled to remission of sentence equal to the period spent in the open colony and in addition, they were entitled to the remission admissible to inmates of open prisons as detailed in **paragraph 2.2.10.2**. Thus, the female prisoners were deprived of additional remission and reformative process of open colony.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that necessary amendment would be made.

2.2.10.5 Rehabilitation of prisoners post release from prison

The process of after-care and rehabilitation of offenders is an integral part of institutional care and treatment. After care and follow-up service is not required by each and every inmate leaving the prison. But majority of the inmates require programme which help them settle in the society after their release and get themselves rehabilitated beyond the possibility of reverting to crime.

⁶² An open colony means any place where selected prisoners may reside with family and be gainfully employed after suspension of execution of their sentences under section 401 of Criminal Procedure Code

Audit observed that the Department did not have a comprehensive rehabilitation policy for the convict prisoners after their release. The only scheme implemented by Social Welfare Department (since February 2002) provided financial assistance of ₹ 5,000 per prisoner towards their rehabilitation after release from Prison. This scheme covered a maximum of 40 prisoners per year. The financial assistance was enhanced (October 2016) to ₹ 25,000 per prisoner with maximum of 50 prisoners per year. The scheme information was communicated to all the prisoners by IGP, Pune in November 2016. Apart from this scheme, there was no other comprehensive rehabilitation policy proposed and introduced by the Department during the period 2013-16.

A Memorandum of Understanding (MoU) was executed (March 2016) between the Principal Secretary (Appeal & Security), Home Department, and the Trustees of Sir Dorabji Tata Trust to collaborate with the Prison Department to implement 'Welfare and Rehabilitation of Prisoners'. Accordingly, a pilot demonstration was launched (February 2017) in five⁶³ Central Prisons and Borstal School, Nasik and identified 1,297 cases. As per the MoU both the parties would mutually work in the implementation of the demonstration. The demonstration included provision of in-prison welfare/ rehabilitation of prisoners, provision of legal aid, organisation of health and hygiene awareness camps, promoting social contact of the prisoners with their family and rehabilitation of prisoners after their release. The trust had made appointment of two male and female social workers in the selected Central Prisons and Borstal School.

The Trust also organised the following activities during the period 2017-18.

- 49 medical camps organised for the benefit of 7,707 inmates, similarly, 31 medical awareness programmes were also organised.
- 23 legal camps were organised for benefit of 1,690 inmates, legal assistance was provided to 1,031 inmates.
- Immediate assistance was provided to 43 members of the family of prisoners and 26 prisoners were rehabilitated.
- 209 convict prisoners were provided with industrial training.
- 90 prisoners were provided with the benefits of Government Schemes.
- Meeting with the family members in the prison premises (*Galabhet*) were organised in respect of 285 prisoners. Phone contacts of the prisoners with their family members were facilitated in respect of 5,238 prisoners. Home visits were made in respect of 307 prisoners and 92 group activities and personal counselling of 407 was also organised.

Audit observed that the demonstration was in experimental stage and the GoM was facilitating the Trust in the implementation of the demonstration without any financial involvement. As per the information furnished by the Directorate of Women and Child Welfare Department, Pune financial assistance were provided to only 128 prisoners between 2013-14 and 2017-18. No

⁶³ Nagpur, Talaja, Yerwada, Nasik, Aurangabad

convergence of the Government social welfare schemes were adopted to rehabilitate the prisoners. The Trust was able to provide benefit to only 90 prisoners of the Government Schemes.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference.

2.2.11 Best Practices adopted by the Prison Department

The Prison Department has adopted the following novel reformatory practices with the objective to bring to fore the hidden talent of the prisoners and to assimilate them into the mainstream of the society.

Bandi-Rajani

A dance and drama programme was organised every year, in which, the inmates drawn from different prisons participated and special remission was granted for their participation.

Gala-bhet

Under this initiative the family members of the convict prisoners were allowed to meet their family member and have lunch together inside the prison premises.

2.2.12 Internal Control and Monitoring

2.2.12.1 Shortfall of inspection of Prison

As per Rule 9(i) of the Maharashtra Prisons (Staff Functions) Rules, 1965, the IGP shall inspect every Central Prison, Special Prisons and every District Prison (Class-I) at least once in three years. In addition, the IGP may also inspect any prison if he considers that there is any special reason for doing so. He may also visit any prison without notice for inspection. Audit observed that the IGP had inspected nine central prisons once in every three year. In the 19 Class-I and special prisons no inspection were carried out between 2012 and 2016. The IGP has carried out only six inspections in 2017-18. Thus, there was shortfall in inspection of prisons by the IGP. The lack of inspections by IGP adversely affected the timely action on the major issues of overcrowding, poor infrastructure, improvement in the facilities as discussed in **paragraph 2.2.8 and 2.2.9.**

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that the inspections of prisons would be increased to meet the targets.

2.2.12.2 Arrears in Internal Audit

The internal audit wing of the IGP comprises of one Accounts officer, one Assistant Accounts Officer and one Sr. Auditor. The Internal Audit wing did not have any Internal Audit Manual codifying the procedures and scope of the audit of the prisons.

As per the information furnished to audit, the internal audit wing was to conduct internal audit of 54 prisons and the office of the IG, Regional DIGs and Principal DaulatRao Jadhav Prison Training College every year. It was observed that no internal audit was conducted during the period 2013-16 in the

54 prisons (cumulative total of 356 units). The internal audit of only 101 units was completed in 2017-18 and remaining 255 units were in arrears.

ACS (Appeals & Security), Home Department accepted the facts during the exit conference and stated that the internal audit would be undertaken.

2.2.13 Conclusion

The inmate population of prisons registered 18 *per cent* growth from 27,883 in 2013-14 to 32,810 in 2017-18. However, the authorised capacity of prisons remained almost stagnant during this period. The inmate population as of March 2018 was 37 *per cent* more than the authorised capacity of the prisons. The Department could have drawn up a long-term perspective plan and annual plans for expanding the prison network, augmenting inmate capacity within existing prisons and modernising and strengthening the infrastructure and facilities. However, no such comprehensive exercise was undertaken by the Department. Although ₹ 60 crore was allocated under Thirteenth Finance Commissions, the Department could not ensure timely submission of Utilisation Certificates to avail the full benefit of the scheme resulting in lapse of ₹ 29.63 crore. The decision to construct a District Prison at Gadchiroli without taking into account security considerations resulted in injudicious expenditure of ₹ 14.95 crore.

The safe custody of the prisoners were not ensured in the absence of structural audit, overcrowding, entry of prohibited articles, presence of high rise buildings in the vicinity of the prisons, insufficient height of the prison main boundary wall and shortage of security staff and arms.

The facilities provided to prisoners were deficient due to inadequate sleeping space, deficient diet to female inmates of open prison, absence of standard operating procedure for receipt of provisions and testing, shortage of sanitary arrangements, shortage of medical staff and specialists *etc.*

Failure to provide employment to all the prisoners undergoing rigorous imprisonment, failure to review sentences in respect of female and male prisoners undergoing sentences, absence of running list of eligible prisoners for open prison, non-consideration of female prisoners for transfer to open colony and absence of comprehensive rehabilitation policy for prisoners after their release and convergence of various social welfare schemes adversely impacted the reformatory and rehabilitation process.

Regular inspections of District prison class-I were not undertaken. The internal audit wing was not functional between 2013-14 and 2016-17.

2.2.14 Recommendations

- The Department may prepare a long term perspective plan and annual plan for effective management of prisons and optimum utilisation of funds.
- The Department may ensure safety of prisoners by undertaking structural audit of the prison buildings as per norms, take adequate measures to mitigate the security threat emanating from high rise structures in the vicinity of the prison.

- The Department may take effective steps to reduce the overcrowding of prisons, improve the sanitary arrangements and healthcare delivery system.
- The Department may formulate annual audit plans and regularly conduct internal audit of prisons as planned.

Medical Education and Drugs Department
2.3 Implementation of Healthcare and Academics Management Information System
Executive Summary

The vision of providing health information infrastructure which would support daily operations of the hospitals and also facilitate decision making to bring fundamental changes in healthcare and academic management in medical colleges and hospitals in the State was largely under achieved due to ineffective implementation of the Healthcare and Academics Management Information System (HMIS). Of the 16 modules, one module was fully implemented, 10 modules were partly implemented and five modules were not implemented in all 16 hospitals out of 19 hospitals.

The HMIS is largely under-used and manual system was continued in all the 16 hospitals. Non-availability of complete healthcare data centrally has been a hindrance for disease surveillance in the State and may have restricted the State's intervention to reduce the disease burden.

The implementation of HMIS was not adequately monitored which resulted in the vision of healthcare management through HMIS remaining unfulfilled.

2.3.1 Introduction

Medical Education and Drugs Department (MEDD), Government of Maharashtra (GoM) decided (May 2003) to computerise operations of government medical colleges and hospitals. The aim was to capture into the system all the data right from admission of a patient to his discharge, codify diseases and build a comprehensive database of healthcare to aid in the decision making/interventions. The system was also envisaged to cater to ancillary activities like procurement of medicine, diet *etc.* The objectives of the project are detailed below:

- To provide health information infrastructure, which would help in daily operations, clinical practice and ensuring quality of service to be provided to the needy, in the most cost effective way.
- To improve utilisation of available resources and sharing common patient information by making use of information technology and by adhering to standards.
- Healthcare Management Information System for patient registration, patient admission, clinical care system, financial administration and stores management and to provide information to facilitate decision making.

Towards this initiative, M/s Larsen & Toubro Infotech Limited was appointed (August 2003) as a Technology Consultant, for providing consulting services for identification, selection and supervision of implementation of the Information Technology (IT) solution.

GoM undertook selection of a suitable Service Provider, adopting an open tender route, through competitive bidding for outsourcing of IT services by issuing a Request for Proposal (RFP) in August 2004. In December 2006, the contract was awarded to the Service Provider, Hewlett- Packard Enterprise India Private Limited (from March 2017 known as EIT Services India Private Limited) for implementation of Healthcare and Academics Management Information System (HMIS) software owned by Amrita Enterprises Private Limited, Kochi (Amrita) under the Build-Own-Operate-Refresh (B-O-O-R) outsourcing model for IT enabled services in 14 medical colleges and 19 hospitals attached thereto. The HMIS system was implemented in 16 locations⁶⁴ out of 19 locations planned for implementation (as of October 2018). It was not implemented at three locations⁶⁵ as GoM had not given order for implementation in these locations. The IT infrastructure used for the HMIS Project, shall be owned, operated and maintained by the Service Provider. GoM shall only draw services as an output of the IT infrastructure deployed by Service Provider and own all the data recorded in the HMIS system. Payment for services rendered by the Service Provider shall be based on Annual Contract Value for a location, which comprises Fixed Charge for the location, charges for additional nodes and Transaction Charges for the location. The estimated cost of the project for 19 locations for seven years period from October 2008 was ₹ 264.67 crore [Fixed charges: ₹ 141.67 crore, Additional charges: ₹ 93 crore and Transaction charges: ₹ 30 crore (approx.)]. The expenditure incurred (excluding transaction charges) on the HMIS project for 16 locations for the year 2008-09 to July 2018 was ₹ 180.79 crore.

Hardware at 16 locations comprised of servers, desktops (317 nos.), thin clients (2,836 nos.), dot matrix printers (1,261 nos.), laser printers (234 nos.) etc. HMIS software which is made up of 16 core modules supports range of healthcare and academic functions was provided by Amrita and was to be customised, tested, implemented and deployed in accordance with the functionality requirement of GoM thereby obviating the need for maintaining manual records. Amrita granted to GoM non-transferable, perpetual licence to install and use the object code version of HMIS software. HMIS system was installed on the local server at 16 locations which are accessed by the end users. The data from each location was to be replicated periodically on central server at Centralised Services Repository Centre (CSRC) at Mumbai. As per the RFP, the IT solutions were to be based on open source technology

⁶⁴ (i) Grant Medical College & Sir J. J. Hospital, Mumbai; (ii) B.J. Medical College & Sasoon Hospital, Pune; (iii) Government Medical College & Hospital, Nagpur; (iv) Government Medical College & Hospital, Aurangabad; (v) Cama & Alpbless Hospital, Mumbai (vi) G. T. Hospital, Mumbai; (vii) St. George Hospital, Mumbai (viii) Shri Vasantnao Naik Government Medical College & Hospital, Yavatmal; (ix) Government Medical College, Akola (x) Government Medical College & Hospital, Latur; (xi) Dr. Vaishampayam Memorial Medical College & Chatrapati Shivaji Maharaj General Hospital, Solapur (xii) Dr. Shankarrao Chavan Government Medical College & Hospital, Nanded (xiii) Government Medical College & Hospital, Miraj (xiv) Padmabhushan Vasantdada Patil Government Hospital, Sangli; (xv) Swami Ramanand Teerth Rural Government Medical College & Hospital, Ambajogai and (xvi) Indira Gandhi Government Medical College & Hospital, Nagpur

⁶⁵ (i) Shri Bhausaheb Hire Government Medical College & Hospital, Dhule; (ii) Super Specialty Hospital, Nagpur and (iii) R.C.S.M Government Medical College & Chatrapati Pramilaraje Hospital, Kolhapur

platform *i.e.*, the database for the system is MySQL, operating system is Red Hat Enterprise Linux and browser as Mozilla Firefox.

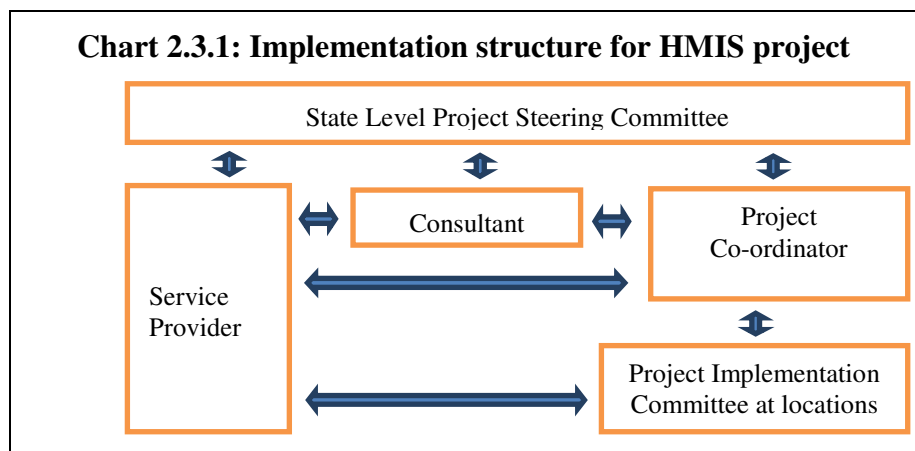
2.3.2 Organisational set up

(i) Department set up

MEDD headed by Secretary, administers and regulates the medical and research activities of the State. The Director, Directorate of Medical Education and Research (DMER) under the control of MEDD supervises the working of medical and dental colleges, teaching hospitals and health units under its jurisdiction in order to achieve optimum academic standards.

(ii) Implementation set up is depicted in **Chart 2.3.1**.

Chart 2.3.1: Implementation structure for HMIS project



Government constituted (July 2006) a State level Project Steering Committee⁶⁶ (PSC) for monitoring and implementation of the HMIS project. Project Co-ordinator (PC), appointed (July 2006) by GoM, is responsible for governance of implementation of the HMIS project on behalf of the State. Project Implementation Committee (PIC) was formed at each location to regulate the services of Service Provider and monitor the implementation of the HMIS project.

2.3.3 Audit objectives

The audit objectives were to assess whether:

- The HMIS system was designed and created to cater to the functional requirements of medical colleges and hospitals;
- The input, processing and output controls were in place to ensure integrity of the system;
- Appropriate data protection and disaster management and recovery procedures were established and functioned as intended; and
- The system functioned as intended and realised its objectives.

⁶⁶ Project Steering Committee consists of Additional Chief Secretary, Finance Department; Principal Secretaries/Secretaries of MEDD, Planning, IT Department; Director, DMER; Director, Health Services; Representative of IT consultant M/s. L&T Infotech Pvt. Ltd., Special Work Officer, MEDD and a member from Indian Institute of Technology, Mumbai

2.3.4 Audit criteria

The HMIS system was examined with reference to the provisions contained in the following documents:

- Request for Proposal and Master Services Agreement (MSA) and addendum to MSA;
- Maharashtra State e-Governance Policy, 2011;
- Government Resolutions; and
- Circulars issued by MEDD and DMER.

2.3.5 Audit Scope and Methodology

Audit test checked the records between February 2018 and August 2018 covering the period since inception to March 2018 in the offices of Secretary, MEDD, Director, DMER and 16 hospitals along with 12 government medical colleges attached to these hospitals where HMIS project was implemented. The data was analysed with the help of Computer Aided Audit Techniques. Data relating to 16 project implementation locations was made available to audit in text files excluding names of the patients and clinical data. The Entry Conference was held with the Secretary, MEDD in May 2018 wherein the audit objectives and criteria were discussed. The audit findings and recommendations were discussed in the exit conference held on 27 December 2018. Reply received (March 2019) from Government is suitably incorporated in the report.

Audit Findings

2.3.6 System Design

2.3.6.1 Inadequate system design procedure

The HMIS software provided by Amrita has its own built-in work-flows and processes developed based on its expertise in the areas of healthcare and university management. HMIS software is made up of 16 core modules that supports range of healthcare and academic functions as detailed in **Table 2.3.1**.

Table 2.3.1: Core modules of HMIS application

Sl. No.	Modules	Functions
1.	Outpatient Department	Patient registration, doctor consultation, issue prescriptions to pharmacy for drugs or advice for test.
2.	Inpatient Department	Admit patients to the hospital and assign wards.
3.	Managing Nursing Activities	Order services such as drugs and laboratory tests for the patients, track material consumption, transfer and discharge of patients.
4.	Scheduling Surgeries	Select the department, date of surgery, OT sequence or book the table and assign a surgeon.
5.	Managing Stores Inventory	Receive goods once the ordered items are delivered and transfer pharmacy and material items on indent

6.	Purchasing Drugs and Materials	Creates Purchase Order and notifies vendors of the hospital's material and pharmacy requirements.
7.	Laboratory Services	Process service orders, generate IDs for samples and automate generation of reports of lab results.
8.	Radiology Services and Picture Archiving Communication System	To process radiology orders and results and enable the doctors to view the images.
9.	Blood Bank Services	Registration of blood donors, entry of blood sample components, process blood requests, identify and record beneficiaries
10.	Diet Management	To order diets for patients and generate dietary summaries
11.	Billing	To process the charges incurred by a patient for inpatient, outpatient and generate bills.
12.	Human Resource Management	To register employees and manage their pay, work shifts, leave of absence and transfers.
13.	Finance	To manage hospital expenses and balance the accounts.
14.	Linen Management	To manage the process of ordering linen and requesting washing.
15.	Student Management	To manage both students and faculty function regarding courses, time tables, notes student attendance and marks.
16.	Library Management	To manage all the books in the library.

As per Clause 3.10 of the MSA, HMIS software was required to be customised according to process such as Detailed System Study (DSS), Business Process Definition (BPD), Application led Business Process Re-engineering (ABPR) and HMIS functionality requirement acceptance report.

The documents relating to DSS, BPD and ABPR were prepared by the Service Provider in December 2007. ABPR includes the process recommended for re-engineering such as out-patient registration process, in-patient processes, prescription issue at out-patient pharmacy, asset tracking and management, stock tracking and management, lab investigation, radiology orders, operation theatre scheduling, diet ordering and management, linen management, statistical reporting, student information and updates, clinical case note management and library management.

Audit observed that BPD document contained the work-flows of various modules of Amrita HMIS software and the ABPR contained process re-engineering recommendations based on the software. There were no documents available to show whether all the recommendations of the Service Provider in the BPD and ABPR were approved for implementation.

However, from the operation of the HMIS, Audit observed that except for five modules as enumerated in the **paragraph 2.3.6.2**, the other modules were customised to cater to the users' requirements. The details of customisation are narrated below and in the **Appendix 2.3.1**.

The State Government stated (March 2019) that ABPR document for the Department will be prepared.

2.3.6.2 Customisation of software

As per the RFP and MSA, the customisation methodology shall be taken up in stages (i) The first stage shall cover the supply, customisation and implementation of all the modules/components of the proposed solution at the Pilot site at Grant Medical College & Sir JJ Hospital, Mumbai and (ii) The second stage shall cover the supply and implementation at all other locations only after the successful implementation and acceptance of the proposed solution at the pilot site.

The pilot project was undertaken at the designated site between 3 January 2007 and 17 October 2008.

Scrutiny of data for the period of pilot phase revealed that customisation of HMIS software at pilot project site was incomplete as given below:

- Out of 16 modules, no data was captured in five modules namely (i) purchasing drugs and materials, (ii) blood bank services, (iii) human resource management, (iv) finance and (v) library management. This indicated that these modules were not implemented in pilot project site.
- The IT Consultant M/s Larson & Toubro Infotech intimated (May 2008) Project Steering Committee that the HMIS usage in wards was very low primarily due to slow pace of data entry. However, the Project Steering Committee accepted the pilot phase of customisation and implementation of the proposed solution and declared (October 2008) the pilot project implemented successfully based on the opinion of the consultant, M/s Larsen & Toubro Infotech Limited and representatives of GoM.

The above details indicated that the customisation as well as implementation of HMIS software at pilot project site was incomplete. Further, issues relating to data entry were not resolved before rolling out the system to other locations. As a result, out of the 16 core modules in the HMIS only Out-patient Department (OPD) module was implemented in all the 16 hospitals. Whereas, five modules viz., (i) Purchase Drugs and Materials, (ii) Human Resources Management, (iii) Finance, (iv) Linen Management, (v) Library Management were not implemented and the remaining 10 modules were partially used in all 16 locations. Thus, the system was not completely implemented.

The State Government stated (March 2019) that all the 16 modules would be made operational.

IT Controls

Information Technology controls are used to mitigate the risks associated with application systems and the IT environment and are broadly classified into two categories *i.e.*, General controls and Application controls. These controls are part of the overall internal control process within any auditee organisation.

2.3.7 General Controls

General controls include controls over data centre operations, system software acquisition and maintenance, access security and application system development and maintenance.

The required IT infrastructure such as Local Area Network (LAN), Servers, workstations including desktop and thin clients and storage and backup

infrastructure for servers was provided and maintained by the Service Provider at all the 16 locations. The quality of services was monitored and a monthly report on achievement of service level at each location was submitted by the Service provider. Weaknesses in the general controls noticed in the audit are discussed below:

2.3.7.1 Cost of services more than the rate prescribed in the agreement

As per the addendum to MSA, the cost of services per month prescribed for additional nodes such as desktop and laser printer was ₹ 2,299 per desktop per month and ₹ 813 per laser printer per month respectively. It was however, noticed from the work orders issued to the Service Provider for additional nodes that the cost of services was more than the rate prescribed in the agreement as shown in the **Table 2.3.2**.

Table 2.3.2: Variation in rate fixed in addendum to MSA vis-à-vis work orders issued.

Sl. No.	Name of services	Rate per month as per addendum to MSA (₹)	Rate per month as per work orders issued (₹)	Quantity (in numbers)
1.	Desktop	2299	between 3072 and 96558	859
2.	Laser printer	813	between 962 and 34146	143

Source: MSA and work orders issued by MEDD

The enhanced rates were fixed based on the month of supply till the end of the contract period (seven years) instead of fixed rate as prescribed in the contract for additional nodes. As a result, MEDD, GoM had made excess payment of ₹ 10.47 crore to Service Provider for providing services of 859 desktops and 143 laser printers at 14 locations in respect of four work orders issued between March 2013 and March 2016.

The State Government stated (March 2019) that the rate charged by the Service Provider were on the residual months remaining in the contract period of 84 months which was approved by steering committee.

The reply of the Government is not acceptable since the rate per month per additional node were fixed in the Contract; hence the enhancement in rates was in violation of contract condition.

2.3.7.2 Inadequate documentation

Clause 5.4 of the MSA provided that the design and structure of the complete database including database tables and their relationships created to record such data should be made available to GoM in a documented form. Further, Schedule VIII of the MSA provided that user manuals were to be provided at each location.

Audit observed that the technical documentation on the design and structure of the complete database including database tables and their relationship were not made available to GoM. Further, user manual did not contain details such as modules and sub-modules, details of data to be captured under each module and reports that could be generated under each module of the HMIS application.

Lack of technical documentation on design and structure of complete database pose a major risk for future maintenance of the system and its up-gradation.

Inadequate information in manuals means the users may not get required understanding of the system they are to use.

The Director, DMER stated (December 2018) that no review was conducted by the Department regarding functioning of the HMIS application and the Service Provider would be directed to provide the required documentation.

2.3.7.3 Service Level Agreement not followed for service of e-mail system

Clause 3.7.1 of the Schedule VIII of the MSA stipulated designing, deploying, using and maintaining of e-mail solution by the Service Provider to enable the user to send and receive e-mail under the HMIS project. Further, as per the Service Level Agreement (SLA), a monthly report on achievement of service level including service on availability of e-mail system was required to be furnished by the Service Provider. Also, any outage exceeding two *per cent* during the month attracted penalty.

Audit observed that the Service Provider had not submitted the report on availability of the e-mail system. Further, the column provided in the invoices for 'Percentage Met' and 'SLA achieved' were not filled in and shown as 'N/A'.

This indicated that the Service Provider had not followed the terms and conditions of the SLA in implementing the e-mail system in all the locations and MEDD has also not monitored the implementation.

The State Government stated (March 2019) that project implementation committee in all the locations would be instructed to implement the e-mail system.

2.3.7.4 Delay in implementation

Addendum to the MSA provided time-frame for implementation of HMIS in all the 19 locations.

Audit noticed that in 16 locations where HMIS implemented, there was a delay ranging from five months to six years in implementation of HMIS.

The State Government stated (March 2019) that the non-implementation in three locations was due to shifting of hospitals premises and the delay was due to technical reasons.

2.3.7.5 Non-establishment of Centralised Services Repository Centre

As per clause 3 of the MSA, the HMIS data from each location should be replicated periodically on the IT infrastructure used at the Centralised Services Repository Centre (CSRC) location for building a centralised repository for making available patient data at any point of time during the HMIS contract period for education, statistical analysis and research purpose. Further, Schedule VIII of the MSA provided that the leased lines for Wide Area Network (WAN) connectivity for CSRC and all roll-out locations were to be provided by GoM.

Audit observed that data from all the locations was not integrated at the centralised data repository by the Service Provider during the contract period.

Hence, no State level data was available. Also, the leased lines for WAN connectivity were not provided by GoM.

Thus, one of the objective of the project to have a centralised services repository for making available patients data to the Government for disease surveillance and decision making at any point of time during the HMIS contract period was not achieved even after 10 years of implementation of the project.

The State Government stated (March 2019) that in co-ordination with the other departments WAN connectivity would be provided.

2.3.7.6 Inadequate training

As per the clause 3.9.1 of schedule VIII of the MSA, training of users on HMIS application usage and the change management involved shall be the responsibility of the Service provider. The Service Provider shall create the training facility at each location and maintained for the entire project contract period.

Scrutiny of records relating to training provided for users at 16 implemented units revealed following inadequacies:

- No documents were available in respect of the number of person to be trained.
- The numbers of users trained in modules such as bills, diet, academic management and linen were as low as 107, 82, 71 and two respectively during the project period.
- Training was not provided for users in components such as e-mail and digital library.
- No training was conducted on Information Security Awareness.

This indicated that the Service Provider did not take required initiative to ensure that sufficient number of personnel was trained in all the modules so that all the components of the system are used optimally.

The State Government stated (March 2019) that the gap in the training conducted would be verified and accordingly required user would be trained.

2.3.8 Application Controls

Application controls consist of input, output and processing controls and helps to ensure business rule mapping, proper authorisation, completeness, accuracy and validation of transactions.

Input controls

Input controls ensure that the data entered is complete and accurate. The accuracy of data entered in a system could be controlled by imposing computerised validity checks. Audit observed that validation checks were in place in the system for registration of patients through generation of identification number for patients, input controls were also in place to ensure proper selection of clinical and laboratory services, medicines *etc.* However, instances of weaknesses in the input controls noticed in audit are discussed below:

2.3.8.1 Improper master data collection strategy and discrepancies in master file created by Service Provider

As per clause 3.1.7.3 of the MSA, a master data collection strategy was required to be prepared by the Service Provider for collection of master data relating to the HMIS. GoM prescribes charges, time to time, for various services provided by hospitals such as pathology, radiology and operative procedures to be charged by hospitals. Scrutiny of the database in 16 hospitals revealed following:

- The Service Provider obtained charges for services from each location and prepared master data instead of uniform master data for all the locations. It was noticed from the data available in the system that the rates were different for similar services provided by the hospitals. An illustrative list of different rates charged for similar services noticed in four hospitals of Mumbai and the rates in the Government Resolution dated 20 November, 2017 is shown in **Table 2.3.3**.

Table 2.3.3: Different rates charged for similar services

(in ₹)

Sl. No.	Services	Rate prescribed by Government	Sir J J Hospital	Cama & Albless Hospital	St. George Hospital	G T Hospital
1.	CSF Protein	100	40	30	100	30
2.	CSF Sugar	100	40	30	100	30
3.	Ferritin	250	250	250	50	50
4.	Prolactin	150	40	150	150	50
5.	Serum Ketones	50	50	150	50	40
6.	Right Hemicolectomy	600	2200	600	600	1100
7.	USG Scortum	120	250	120	120	110
8.	Total Bilirubin	60	40	40	40	60
9.	Stone Analysis	80	40	80	30	30
10.	Cystolothotomy	1100	1100	110	330	220
11.	Thyroxine Binding Globulin	400	40	400	400	50
12.	Troponin I	150	150	150	200	200

In the absence of uniform master data for all the locations, the tariff rates varied from location to location.

Different codes were also allotted for similar services and, thus, the master data was not uniformly coded across the hospitals. For example, the code number for X - Ray Knee – Lateral was 1363 and 10035 for Grant Medical College & Sir J J Hospital, Mumbai and Government Medical College, Akola respectively.

The lack of uniformity indicated that the procedure of master data collection strategy and creation/updating of master data by the Service Provider was not proper. GoM guidelines were also not properly followed and the hospitals and patients were exposed to under/over billing for services. Besides, the objective of having a centralised services repository of data was also not possible due to lack of uniformity in the master data.

The State Government stated (March 2019) that the master data in all the locations would be verified and rectified and would also ensure a uniform master data for services across locations.

2.3.8.2 Inadequate validation check for age

A healthcare system should ensure that all the necessary data is captured correctly with required validations for being a reliable and responsive system.

Audit observed that necessary validation checks were not present in the system relating to capturing of age and date of birth of the patient. Analysis of data relating to patients registered in the system revealed that in 1,739 cases the age of patients was shown as more than 100 years, of which the age of patients was shown as more than 500 years in 269 cases.

This indicated that the application permitted entry of erroneous data in the system leading to passing on wrong information to the electronic medical record.

The State Government stated (March 2019) that necessary validation check would be incorporated in the system.

2.3.8.3 Unique Identification number

The e-Governance policy of the Maharashtra State stipulates use of Unique Identification number (UID) *i.e.*, Aadhaar number for e-Governance projects to facilitate the delivery of services to the right beneficiary.

Audit observed that the HMIS did not have the separate column/field to capture Aadhaar number relating to patients. Instances were noticed that the Aadhaar number was captured in the remark column. Aadhaar number would have served as the unique health identifier for identification of patients across the locations and other systems.

The State Government stated (March 2019) that the application has been designed based on the initial requirement given to the Service Provider initially and there have been multiple meetings done with UID authority for implementing the Aadhaar verification module into the system. Due to the security implications posed by UID authority, the implementation of this feature was stalled.

2.3.8.4 International Classification of Diseases

International Statistical Classification of Diseases (ICD), a medical classification listed by World Health Organisation (WHO) is the foundation for the identification of health trends and statistics globally and the international standard for reporting diseases and health conditions. ICD defines the universe of diseases and other related health conditions, listed in a comprehensive, hierarchical fashion that allows for easy storage, retrieval and analysis of health information for evidence-based decision-making and data comparisons in the same location across different time periods.

As per MSA, ICD-10 coding is identified as standard for classification of diseases and HMIS has the provision to record details of classification of diseases. Analysis of data relating to 16 hospitals for 2017-18 revealed that as against 8,48,671 in-patients registered, classification of diseases as per ICD coding was done in respect of 49,544 in-patients (5.84 *per cent*) only.

Thus, the diseases of the majority of patients admitted remained unclassified and the required information relating to discharge summary was also not

captured in the system. Thus, the objective of the project of creating health information for evidence-based decision-making was not achieved.

The State Government stated (March 2019) that the project implementation committee in all the locations would be instructed to prepare a improvement plan and implement the same to improve the usages of ICD classification of diseases for OPD and IPD patients.

2.3.8.5 Discharge summary of patients

After a patient is admitted to the hospital, the necessary clinical and laboratory services are ordered and when the treatment is complete, discharge summary report is prepared. HMIS has the provision to record discharge summary.

Data analysis for 2017-18 revealed that in 16 locations as against 8,55,022 discharged patients, the discharge summary captured in HMIS was only for 1,70,477 (19.94 *per cent*).

Further, data analysis for the period upto March 2018 of 16 locations/hospitals revealed that as on March 2017, 5,049, beds were shown as occupied by the same patient as they were not discharged in the system timely. It was further noticed that temporary beds were created in various wards of the hospitals since no beds were vacant at the time of admission of patient due to non-capturing of data relating to discharge of patients in the system.

This indicated that the required information relating to discharge summary was not captured in the system and IT system was side-stepped and manual system continued. Thus, the objective of the knowledge management of the project was not achieved.

2.3.8.6 Surgery data

Application Operation Theatre (OT) scheduling facility in the HMIS intends to optimise the process of scheduling and coordinating surgeries. With the application, the activities such as identification of the patient, selection of the department, date of surgery, OT sequences or book the OT could be performed.

Scrutiny of data for the calendar year 2017 relating to 16 hospitals revealed that in respect of 11 hospitals the data captured in HMIS was below 50 *per cent*. In four hospitals it ranged from 50 to 69 *per cent* and in one hospital it was 100 *per cent*. It was also noticed that test-checked hospitals were maintaining the data manually. Thus, there was duplication of work and the purpose of maintaining the data in electronic form was defeated.

This indicated that the required data relating to surgery was not captured in the system and manuals records continued to be maintained in wards for scheduling of surgeries.

2.3.8.7 Diet management

Diet management service facility in the HMIS had facility to order diets for patients by the nursing staff and generate dietary summaries by the diet wing.

Scrutiny of data relating to 16 hospitals for 2017-18 revealed that in respect of 12 hospitals the data captured in the system was below 50 *per cent*. In four

hospitals it ranged from 50 to 69 *per cent*. It was noticed that these hospitals were maintaining the data manually.

This indicated that the required information relating to diet was not captured in the system and manual records continued to be maintained in wards.

The State Government stated (March 2019) that the project implementation committee in all the locations would be instructed to prepare an improvement plan and implement the same to improve the capturing of data in the HMIS.

2.3.8.8 Blood bank

Blood bank in hospitals is responsible for storing blood as well as collecting blood from the donor, testing blood and matching the donor to the right beneficiary. HMIS blood bank module provides for registration of blood donors, details of blood sample, blood requests, identification of matching donors, ordering of blood and generating blood inventory reports.

Scrutiny of data for the calendar year 2017 relating to 16 hospitals revealed that the data was not captured in respect of blood donors in 10 hospitals⁶⁷ and patients who required blood were not registered through system in any of the 16 hospitals.

The State Government stated (March 2019) that the necessary modification would be incorporated in the blood bank module and same would be implemented to the fullest.

2.3.8.9 Radiology services and picture archiving communication system

The radiology services module helps to process radiology orders and results. Scrutiny of data for the calendar year 2017 relating to 16 hospitals revealed that the data captured in respect of all the three services of X-ray, CT scan and MRI was less than 50 *per cent* in three hospitals⁶⁸ and in case of sonography service it was nil except for one hospital (Indira Gandhi Government Medical College and Hospital, Nagpur).

The above paragraphs indicate that the GoM and Service Provider have not taken necessary steps to capture the complete and correct data into the system. It could be due to pressure of time on doctors and nurses who were required to make the data entry into the system. The Department needs to find a solution to this issue.

The State Government stated (March 2019) that the project implementation committee in all the locations would be instructed to prepare an improvement plan to transfer all the images on the HMIS application.

⁶⁷ (1) Grant Medical College and Sir J J Hospitals, Mumbai, (2) B J Medical College and Sasoon Hospital, Pune, (3) Government Medical College and Hospital, Nagpur, (4) Government Medical College and Hospital, Aurangabad, (5) Cama and Albless Hospital, Mumbai, (6) St. George Hospital, Mumbai, (7) Shri Vasantnaik Government Medical College and Hospital, Yavatmal, (8) Government Medical College, Akola, (9) Government Medical College and Hospital, Latur and (10) Padmabhusan Vasantdata Patil Government Hospital, Sangli

⁶⁸ (i) Government Medical College and Hospital, Aurangabad, (ii) Cama & Albless Hospital, Mumbai and (iii) G.T. Hospital, Mumbai

Processing controls

Processing control measures in the system must ensure protection of data integrity, validity and reliability to guard against processing errors throughout the transaction processing cycle. The business process relating to patient management and material management were mapped in the HMIS.

The inadequacies in incorporation of business rules and deficiencies noticed in audit on processing control measures in the system are discussed below:

2.3.8.10 Drugs issued to patients more than prescription

On the basis of prescription issued by doctors, pharmacist issued medicines to OPD patients on production of the same at counter. The drugs and quantity so issued should match the drugs and quantity prescribed by doctors.

Scrutiny of data for 2017-18 revealed that medicines were issued to OPD patients more than the quantity prescribed by doctors in 3,14,081 cases out of 81,37,767 for 14 locations. Some of the instances are illustrated in **Table 2.3.4.**

Table 2.3.4: Medicines issued to patients more than prescribed by doctors.

Sl. No.	Institution	Issue Date	Description	Prescribed Quantity	Issued Quantity
1.	Grant Medical College & Sir J J Hospital, Mumbai	23-05-2017	Metformine 500mg Tab	180	9202
		15-06-2017	Metformine 500mg Tab	60	7632
		22-05-2017	Glibenclamide 5mg Tab	30	6787
2.	B. J Medical College & Sasoons Hospital, Pune	16-06-2017	Carbanazepine Controlled Release	60	6000
		19-05-2017	Calcium Lactate 300mg Tab	90	2090
		05-01-2018	Phenobarbitone 30mg Tab	90	1820
3.	Government Medical College & Hospital, Hanuman Nagar, Nagpur	04-09-2017	Phenobarbitone 30mg Tab	60	120
		05-05-2017	Phenobarbitone 30mg Tab	60	120
		13-12-2017	Phenobarbitone 30mg Tab	60	120
4.	Government Medical College & Hospital, Aurangabad	27-01-2018	Atorvastatin 20mg Tab	30	1515
		24-04-2017	Calcium Lactate + Vit.D 500mg tab	20	1020
		10-04-2017	Ranitidine 150 mg Tab	30	663
5.	Cama & Albless Hospital, Mumbai	27-12-2017	B complex (Therapeutic use)	14	200
		3-08-2017	Paracetamol 500mg Tab	1.75	101
		11-04-2017	Metronidazole 200mg tab	42	84
6.	G T Hospital, Mumbai	18-08-2017	Tab Calcium Carbonate(1000 mg pcal)	30	1530
		27-03-2018	Tab Calcium Carbonate(1000 mg pcal)	30	1530
		1-03-2018	Tab Atorvastatin 10mg	30	1530
7.	St. George Hospital, Mumbai	4-12-2017	Calcium (Elemental) 400mg + D3 Tab	60	3060
		20-12-2017	Diclofenac sodium 50mg Tab	30	1400
		20-01-2018	Amino Acid & vitamin Capsule	30	730
8.	Shri Vasantrao Naik Government Medical College & Hospital, Yavatmal	13-02-2018	Isosorbide dinitrate 10mg tab	45	1045
		15-03-2018	B complex (Therapeutic use)	30	100
		26-03-2018	Diclofenac sodium 50mg Tab	14	69
9.	Government Medical College & Hospital, Latur	31-07-2017	Metronidazole 200mg tab	9	909
		01-01-2018	Metronidazole 200 mg Tablet	9	900
		01-01-2018	Metronidazole 200 mg Tablet	9	900

Sl. No.	Institution	Issue Date	Description	Prescribed Quantity	Issued Quantity
10.	Dr. Vaishampayam Memorial Medical College & Chatrapati Shivaji Maharaj General Hospital, Solapur	31-08-2017	Atorvastatin 10mg Tab	14	3014
		08-11-2017	Amlodipine 5 mg Tab	15	1415
		11-08-2017	Ferrous Fumarate + Vitamin B12 and Folic Acid	28	628
11.	Dr. Shankarrao Chavan Government Medical College & Hospital, Nanded	02-05-2017	Ranitidine 150 mg Tab	6	600
		26-04-2017	Ranitidine 150 mg Tab	6	600
		06-11-2017	Metronidazole 200 mg Tablet	9	188
12.	Government Medical College & Hospital, Miraj	09-12-2017	B complex (Therapeutic use)	30	3060
		08-05-2017	B complex (Therapeutic use)	60	3060
		31-07-2017	B complex (Therapeutic use)	60	3060
13.	Padmabhushan Vasantada Patil Government Hospital, Sangli	27-10-2017	Ferrous Fumarate+Folic Acid	60	3060
		13-04-2017	Ferrous Fumarate+Folic Acid	60	3015
		14-10-2017	Ranitidine 150 mg Tab	30	3010
14.	Indira Gandhi Government Medical College & Hospital, Nagpur	21-08-2017	Diclofenac sodium 50mg Tab	10	610
		16-03-2018	Metformine 500mg Tab	14	280
		01-02-2018	Metformine 500mg Tab	14	280

It is clear from **Table 2.3.4** that the application software permitted entry of issue of medicines more than the quantity prescribed by doctor. Necessary processing controls should be developed in the HMIS to prevent irregular issue of medicines by the pharmacist.

The State Government stated (March 2019) that generally all the drugs are prescribed for maximum seven days in the HMIS system. However, majority of patients coming from rural areas suffering from chronic disease, though prescribed drugs for fixed period was required to consume drugs on lifelong basis. It was further stated that the matter would be verified and also project implementation committee in all the locations would be instructed to inform the clinicians to prescribe the required medicine to the patients.

Output controls

Output controls ensure that system output is complete, accurate and correctly distributed. Various output reports were available in the HMIS. The deficiencies noticed in audit on output control measures in the system are discussed below:

2.3.8.11 Large difference in bills generated in the HMIS and receipts

The HMIS billing facility helps to process the charges incurred on a patient for in-patient, out-patient and casualty services. OPD patients are not admitted to the hospitals, and they pay in advance for the services provided to them at the time of the visit. IPD patients are charged at different times, when specific services are rendered and when they are discharged from the hospitals. Bills are generated in the system for the services rendered to patients. In-patient billing ensures timely billing and collection from in-patients.

Audit noticed that there was a huge difference in the amount shown as receipt from the patients as per the cash statement of OPD and IPD receipts prepared manually and that of bills generated through system as shown in **Table 2.3.5**. It was further noticed that bills were shown at discounted value in the HMIS.

Further, the reports available in the system were not utilised for monitoring bills generated in the system, discount provided to the patients and receipts of the hospital.

Table 2.3.5: Difference in bills generated in the system and amount collected for the period 2017-18

(₹ in lakh)

No of Hospitals (1)	As per manual cash statement OPD and IPD Receipts (2)	HMIS			Difference of Manual Receipt and HMIS Data (6) (2-5)
		Bill Amount Total (3)	Discount Amount (4)	Bill Payable (5) (3-4)	
16	3555.75	8208.43	1135.53	7071.91	-3516.16

The reason for difference in bills generated in the system and amount collected may be due to delay in capturing the date of discharge of patient in the system as mentioned in **paragraph 2.3.8.5**.

The State Government stated (March 2019) that the project implementation committee in all the locations and Service Provider would be instructed to work out an improvement plan to reduce the gap to the minimum.

2.3.8.12 Management Information System

The HMIS system was expected to provide various Management Information System (MIS) reports to serve as a tool for eliciting crucial information for decision making and monitoring.

Audit observed that though MIS reports facility is available in the system some of the reports for stores management such as (i) showing drugs and other items in stock in main store for any period (ii) listing of issue of drugs and other items relating to any period (iii) ward-wise issue of drugs and other items for any period *etc.*, were not available. In absence of these MIS reports, effective functioning of management of inventory in HMIS system could not be ensured.

The State Government stated (March 2019) that Government would work with the Service Provider to design the required reports in the system.

2.3.9 Data Protection and Disaster Management

2.3.9.1 Absence of Information Technology Security Policy

An effective IT security policy is important for protection of the information assets created and maintained by IT and IT enabled activities. Clause 3.11.11.1(e) of Schedule VIII of MSA provided that security policy for the HMIS should be created and implemented by the Service Provider. It was observed that no such IT security policy was formulated and implemented for HMIS system.

The State Government stated (March 2019) that the Service Provider would be instructed to submit the relevant document on IT Security Policy.

2.3.9.2 Non-conducting of security audit

As per clause 3.11.11.4(b) of the Schedule VIII of the MSA, the Service Provider should arrange to conduct Information Security Management System Audit of the HMIS system, every six months post implementation by the

Service Provider. It was observed that the security audit of HMIS system was not conducted.

The State Government stated (March 2019) that the security audit could not be completed due to some technicalities faced in the extension of contract of the IT consultant and would be done shortly.

2.3.9.3 Inadequate logical access controls

In the computerised system, access to data is required to be restricted to authorised individual user only. It was, however, noticed that the logical access controls available in HMIS system were inadequate due to following reasons:

- Passwords were not changed after its creation.
- User IDs are created for generic users such as ‘test’, ‘HP_Admin3’ and ‘Mr. Hp_Registration’ and transactions entered relating to transfer of drugs from stores, due to which the name of the official actually using the system was not known.

The logical access control was weak in the system and the Service Provider has not sensitised the information security risk to the users of the system.

The State Government stated (March 2019) that the Service Provider would be instructed to comply with the terms of creation of User IDs and project implementation committee in all the locations would be instructed to educate the user group to secure their passwords in the right way.

2.3.9.4 Inadequate audit trail

Audit trail captures the flow of transactions in a system in order to track the history of transactions, system failures, erroneous transactions, changes/modifications in data *etc.* All actions related to addition and modification of electronic health data are required to be recorded with date, time, record identification and user identification. Whenever any electronic health information is created, modified, deleted an indication of actions must be recorded.

Scrutiny of database revealed the following:

- Audit trail of modification/changes in the patients’ master data was not recorded in the audit trail table.
- Instances of gap/deletion of records in the patient master were noticed. Instances noticed in Grant Medical College and Sir J J Hospitals, Mumbai, B J Medical College and Sasoon Hospital, Pune, and Government Medical College and Hospital, Nagpur are 229, 436 and 256 respectively.
- On change in tariff rates, the old rates were not available.

The State Government stated (March 2019) that a robust audit trail would be incorporated in the system.

2.3.9.5 Business continuity and disaster recovery

An organisation should have a business continuity plan and disaster recovery plan with associated controls to ensure that the organisation can accomplish its

mission and not lose the capability to process, retrieve and protect information maintained in case of eventualities due to interruption or disaster leading to temporary or permanent loss of computer facilities and data.

As per clause 3.11.11.1(e) of the Schedule VIII of the MSA, the Service Provider should create business continuity plan based on input from risk assessment and mitigation. Further, as per clause 8.1 *ibid*, all HMIS and Picture Archiving Communication System (PACS) data, from all locations was required to be backed up at the Centralised Service Repository Centre (CSRC) location. GoM felt the need of a disaster recovery setup for the entire HMIS and PACS data at CSRC location. The Service Provider was required to study the business requirement and design solution for data replication and disaster recovery and submit proposal for the design solution including the costs involved to the HMIS Project Coordinator.

Audit observed that though the HMIS was a critical system and used throughout the State, business continuity and disaster recovery plan was not documented. Back up of HMIS and PACS data was taken on backup tape installed in the server at each location. Only HMIS database from all the locations was backed up daily at the CSRC, Mumbai. All the tapes remained in the tape drive of the server itself and copy of the backup was not separately stored at remote location for safety of data.

The State Government stated (March 2019) that the Service Provider has submitted a business continuity plan with the disaster recovery design along with its costing. It was further stated that the Department would work with the other internal departments to get the formal approval of disaster recovery plan for the project. Also, verify the backed up policy adopted by the Service Provider and if they find any gap, work with the project implementation committee and the Service Provider to have a strong backup policy for all locations.

2.3.10 Governance

2.3.10.1 Monitoring by Project Steering Committee

As mentioned in **paragraph 2.3.2**, a State level PSC was appointed for monitoring and implementation of the HMIS project. For this purpose periodical meetings were required to be conducted for consideration of periodical performance reports and issues escalated in accordance with the escalation procedure as set out in Schedule IV-Governance Schedule of MSA. A separate cell was to be created by DMER to maintain the records and accounts of the HMIS project.

Audit noticed that PSC held only five meetings between November 2008 and January 2018. There was nothing on record to indicate that the performance reports on implementation of all the modules of the HMIS system as envisaged were assessed and monitored. The significant shortfall in holding meetings resulted in poor monitoring by PSC to assess performance of the HMIS. The periodical performance reports were not available/provided to audit. No independent cell was created by DMER to maintain the accounts of the HMIS project. Audit also did not get records of the HMIS project at DMER but in bits provided by Service Provider on the direction of DMER.

The State Government stated (March 2019) that the Steering Committee and the Co-ordinator of the HMIS project were directed to assess and review the performance of all the modules of HMIS project periodically. It was further stated that the proper mechanism would be designed and implemented for the maintaining the records and accounts relating to the HMIS.

2.3.10.2 Poor monitoring by Project Implementation Committee

Project Implementation Committee (PIC) at each location was to regulate the services of Service Provider and monitor the implementation of the HMIS project. The Project Manager was to provide periodic electronic status reports to the PIC at all roll out locations.

Audit observed that monthly performance report submitted by Service Provider to PIC did not cover the status of all the modules/components of HMIS but contained parameters of only Outside Patients Department and In Patients Department. Also, Service Provider had not submitted report on the critical issues cropped up in implementation of project to PIC.

This indicated that the Service Provider had not taken required initiative to implement all the modules at all locations as envisaged in MSA. Also, PIC did not ensure the implementation of all the modules at all locations. This showed the poor monitoring at PIC level.

The State Government stated (March 2019) that the MEDD would work with the project implementation committee in all the locations to improve the monitoring of HMIS implementation.

2.3.11 Conclusion

The HMIS system envisaged to provide health information infrastructure, which would help in daily operations of the hospital and to facilitate decision making and thus to bring fundamental changes in healthcare and academic management in medical colleges and hospitals in the State. The vision remained largely under achieved due to ineffective implementation of the HMIS system.

Out of the 16 core modules in the HMIS, mainly Outpatient Department (OPD) module is implemented in all the 16 hospitals. Whereas, five modules viz., (i) Purchasing Drugs and Materials (ii) Human Resource Management (iii) Finance (iv) Linen Management (v) Library Management were not implemented and the remaining 10 modules were partially used in all 16 locations.

The system remained largely under used and manual system was continued even after 10 years in all the 16 locations where it was implemented. Further, non-availability of complete digital healthcare data centrally has been a major hindrance for disease surveillance in the state and may have restricted the state's intervention to reduce the disease burden.

2.3.12 Recommendations

The Government may consider to:

- Implement all modules in the system and streamline the data capturing process to ensure that outcomes envisaged while sanctioning the project are achieved.
- Maintain the integrated data base of all the locations at Centralised Services Repository Center to make available the data to the Government for disease surveillance and decision making.
- Ensure that all business rules are adequately mapped in the system and necessary validation checks may be incorporated in the system.
- Formulate and implement business continuity and recovery plan for safety and security of data.
- Generate all the bills through the systems and reconcile the bills generated in the system and cash receipts to safeguard financial interest of the Government.

CHAPTER - III

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CHAPTER III

Audit of Transactions

Audit of transactions of the Government Departments, their field formations as well as that of the Autonomous Bodies brought out instances of lapses in management of resources and failures in the observance of the norms of regularity, propriety and economy. These have been presented in the succeeding paragraphs.

Revenue and Forest Department

3.1 Preparedness for Disaster Management

3.1.1 Introduction

Disaster is a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or manmade causes, or by accident or negligence which may result in substantial loss of life or human suffering or damage to, and destruction of property, or damage to or degradation of environment and is of such nature or magnitude or scale that is beyond the normal coping capacity of the affected community. Efficient management of disasters, rather than mere response to their occurrence, has received increased attention both within India and abroad.

Government of India (GoI) enacted (December 2005) the Disaster Management Act, 2005 (Act), which laid down institutional, legal, financial and coordination mechanisms at the national, State and district level. Government of Maharashtra (GoM) has identified the disasters such as cyclone, drought, earthquake, landslide, epidemics, fire, flood, industrial & chemical and road accidents *etc.*, for disaster preparedness.

Disaster Preparedness includes organisational activities which ensure that the systems, procedures and resources required to meet a natural disaster are available in order to provide timely assistance to those affected, using existing mechanisms wherever possible.

3.1.2 Organisational set up

The Revenue and Forests Department (R&FD), GoM through its Relief and Rehabilitation (R&R) Division is responsible for the implementation of disaster management programme. It also involves co-ordination with the line departments¹.

At the State level, the State Disaster Management Authority (SDMA) discharges its functions through the Disaster Management Unit (DMU). At district level, District Disaster Management Authorities (DDMAs) headed by the District Collectors (in areas other than those covered by the municipal corporations), Regional Disaster Management Centres (RDMC) headed by the Municipal Commissioners in urban areas under their jurisdiction are responsible for implementation of the Act in their respective jurisdictions. As regards Mumbai City and Suburban district, Greater Mumbai Disaster

¹ Departments such as Public Works, Water Resources, Environment, Home and Urban Local bodies *etc.*, are responsible for implementation of the DMP

Management Authority (GMDMA) of Municipal Corporation of Greater Mumbai (MCGM) is responsible for implementation of the Act in MCGM area.

3.1.3 Audit Scope and Methodology

The audit was conducted between March 2018 and June 2018, with a view to assess the disaster preparedness of the government agencies in terms of preparation of annual disaster management plans, identification of risk and mitigation measures taken up in respect of earthquakes, landslides, school safety, chemical, biological, radiological and nuclear disasters and stampede at the State level and flood risk mitigation measures in MCGM area. For this purpose, records for the period 2013-18 were test-checked in DMU, R&FD, Mantralaya, Mumbai along with six² selected DDMA, six³ RDMCs, and GMDMA. Entry Conference was held in May 2018 wherein audit objectives and criteria were discussed with the Director, State Disaster Management Unit (SDMU) and the officials from MCGM. The exit conference was held in December 2018 wherein audit findings and recommendations were discussed with the Director, SDMU and the officials from MCGM. Replies received (February 2019) from the Government were incorporated wherever required.

Audit findings

3.1.4 Planning

3.1.4.1 Delay in framing of State Disaster Management Rules

As per Section 78(1) of the Act, the State Government may, by notification in the Official Gazette, make rules to carry out the provisions of the Act.

It was observed that the Maharashtra Disaster Management Rules were notified by the Government in January 2019 *i.e.*, after of 14 years from the enactment of the Act. It was further seen that the responsibilities of the RDMCs such as periodicity of meetings, formation of various committees and their functions were not defined in the Rules.

3.1.4.2 Non-enactment of legal framework for Flood Plain Zoning

Flood Plains are low-lying land areas adjacent to a river. Flood Plain Zoning (FPZ) is a concept to regulate land use in the flood plains to restrict the damage caused by floods and aims at determining the locations and the extent of areas for developmental activities in such a manner that it does not impact the environment.

According to the National Water Policy, 2002 there should be strict regulation of settlements and economic activity in the flood plain zones along with flood proofing, to minimise the loss of life and property on account of floods. The flood forecasting activities should be modernised, value added and extended to other uncovered areas. Inflow forecasting to reservoirs should be instituted for their effective regulation. Further, river basin-wise master plan to identify flood prone basins and frequency based flood inundation maps were also to be prepared.

² Amravati, Nagpur, Nashik, Pune, Satara and Thane

³ Amravati, Nagpur, Nashik, Navi Mumbai, Pune and Thane

The National Disaster Management Guidelines (NDMA) for Management of Floods, 2008, *inter alia*, elaborate the mechanism for preparedness for prevention of flood; flood forecasting and warning; regulation and enforcement of systemic measures like flood plain zoning; constructions in flood prone areas *etc.*

Maharashtra is largely vulnerable to floods and there were many manmade reasons for floods and there were flash floods in the State due to *nalla* overflows, poor drainage systems.

It was observed that the details of FPZ, river basin-wise master plan to identify flood prone basins and frequency based flood inundation maps, were not incorporated in the State DMP for the year 2016.

The Government stated (February 2019) that the matter was related to the Water Resource Department (WRD).

The reply is not acceptable since the SDMU, R&FD did not pursue the matter with the WRD despite being the nodal agency for implementation of the Act in the State.

3.1.4.3 Annual Disaster Management Plan

Section 23(2) of Act provides that every State should prepare a State Disaster Management Plan. Section 23(4) *ibid* provides that the State Plan should *inter alia* include vulnerability of different parts of the State to different forms of disasters, measures to be adopted for prevention and mitigation of disasters, the manner in which the mitigation measures should be integrated with the development plans and projects *etc.* Further, Section 23(5) *ibid* provides that the State Plan is required to be reviewed and updated annually. Similarly, District Plan is also required to be reviewed and updated annually as provided under Section 31(4) of the Act *ibid*.

Scrutiny of records revealed that annual Disaster Management Plan (DMP) was prepared only for the year 2016 by the SDMU during the period covered by audit. Thereafter, the DMP was neither updated nor prepared afresh. The DMP contained probable disasters identified by the respective DDMA and RDMCs, areas prone to those disasters, identification of line departments and their responsibilities, available equipment, and emergency contact members *etc.* Further, 15⁴ places (other than Mumbai City and Suburban), which are located near river and/or dam were identified as areas prone to floods. However, village level vulnerability of population to floods was not identified. In addition, specific areas prone to disasters such as, landslides, nuclear disasters, chemical disasters, biological disasters, oil spills and marine disasters, stampede and tsunami were also not included in the DMP. It was seen that DMPs were prepared annually by all the selected DDMA and RDMCs except in RDMC Amravati. Further, Flood Preparation Guidelines/Plans were also prepared along with annual DMPs by all the selected DDMA, GMDMA and RDMCs except RDMC, Amravati.

⁴ (1) Pandharpur; (2) Nira-Narsingpur; (3) Pune; (4) Daund; (5) Sangli; (6) Karhad; (7) Paithan; (8) Nanded; (9) Nashik; (10) Akola; (11) Beed; (12) Mahad; (13) Panvel; (14) Chiplun; and (15) Raipatan

The Government stated (February 2019) that instructions will be issued to all the concerned.

▪ ***Annual Plans for Disaster Management for Mumbai City and others***

The Annual DMP for Mumbai City and Mumbai Suburban districts were prepared in 2013, 2016 and 2017. The DMP, 2013 was followed in 2014 and 2015. The DMP for 2018 was under finalisation.

It was further seen that the RDMC, Amravati had undated DDMP, available on record.

3.1.5 Efficacy of DMPs

Identification of disasters and efficacy of DMPs for effective planning and mitigation of impact of disasters identified at the State-level and the selected DDMA and RDMCs are discussed below:

3.1.5.1 Earthquakes

NDMA defines earthquake as a series of vibrations on the earth's surface caused by the generation of elastic (seismic) waves due to sudden rupture within the earth during release of accumulated strain energy. Bureau of Indian Standards, based on the past seismic history, grouped India into four seismic Zones, viz., Zone II, III, IV and V. Of these, Zone V is the most seismically active region, while Zone II is the least. As per these standards some small parts on the west coast of Maharashtra fall under Zone III while rest of Maharashtra falls under Zone II.

State DMP has classified the districts in terms of their damage risk into Medvedev-Sponheuer-Karnik (MSK) zones. MSK is another scale widely used for measuring the intensity of earthquake based on the seismic zone. As per the State DMP, some parts of Raigad, Ratnagiri and Satara districts of the State fall under MSK VIII zone, i.e., high damage risk zone while other districts fall under MSK VI and VII zones i.e., low damage and moderate damage risk zones respectively.

Based on the past earthquakes, the major spots where seismic activity noticed during last few years are near Ratnagiri along the western coast, Koyna Nagar, Bhatsa and Surya areas of Satara and Thane districts respectively.

In order to mitigate the loss on occurrence of earthquakes the State DMP envisaged that structural measures and non-structural measures are to be adopted by the line departments.

Structural measures

- Zoning and building codes and development of safe siting and earthquake resistant structure;
- Retrofitting of weak structures;
- Instrumentation for monitoring seismic activities; and
- Carry out structural audit of all critical infrastructures and key resources.

Non-structural measures

- Prepare departmental earthquake contingency/action plan and Standard Operating Procedure; and
- Organise awareness programmes *etc.*

Details of action proposed in the DMP and the status of implementation are discussed in **Table 3.1.1**.

Table 3.1.1: Action proposed in DMPs for earthquakes and status of implementation

Sl. No.	Action proposed in the DMPs	Status of implementation
1.	Conducting micro-zonation study and preparing seismic maps in earthquake prone areas.	<p>a. District-wise macro-level earthquake zoning was done in the State DMP. However, micro-zonation at Gram Panchyat level as envisaged in the State DMP was not done in the district level DMPs.</p> <p>b. As per the DMPs of the selected DDMA and RDMCs, micro-zonation study was not done and seismic maps were not prepared whereas MCGM conducted micro-zonation study for Mumbai city and suburban areas and the response plan was prepared.</p> <p>The Government stated (February 2019) that in respect of the cities prone to earthquake, the local authorities should prepare micro-zonation study and maintain data of dilapidated buildings. Necessary instructions would be issued to the authorities concerned.</p>
2.	Identification of dangerous ⁵ and extremely ⁶ dangerous structures.	<p>a. Setting up of timelines and milestones for identification of vulnerable/critical lifeline structures and development and periodical updation of database was essential for effective planning and mitigation of losses due to earthquake. However, audit observed that timelines and milestones were not set in the State DMP for identification of such structures.</p> <p>b. The State DMP did not contain the consolidated position of dangerous and extremely dangerous structures in the State.</p> <p>c. In none of the six selected DDMA dangerous and extremely dangerous structures were identified by the respective line departments.</p> <p>d. Further, as per the DMPs of four out of the six selected RDMCs <i>viz.</i>, Amravati, Nagpur, Nashik and Pune, dangerous and extremely dangerous buildings were not identified. As regards the remaining two RDMCs <i>viz.</i>, Navi Mumbai and Thane, 315 and 3,693 buildings in their jurisdiction respectively were identified under the dangerous/extremely dangerous category.</p> <p>e. As per the annual DMP of GMDMA for the year 2016, MCGM identified 717 buildings which required to be completely demolished and 2,536 buildings in all the 24 wards in MCGM area, either required to be partly demolished or structurally repaired.</p> <p>The Government stated (February 2019) that it would not be possible to incorporate a consolidated database of dangerous and extremely dangerous buildings in the State DMP since State DMP is a policy document.</p> <p>The reply is not acceptable since database of such buildings was not maintained by DDMA also.</p>
3.	Develop a database of existing private and Government buildings in the State.	<p>Database of Government buildings was not prepared by the selected DDMA and RDMCs.</p> <p>During Exit Conference, the Chief Officer, Disaster Management, MCGM stated that the database of various types of buildings was being prepared and nearly 60 <i>per cent</i> of the work was completed.</p>

⁵ Buildings which require immediate structural repairs

⁶ Buildings which require immediate evacuation

Sl. No.	Action proposed in the DMPs	Status of implementation
4 (a)	Identification of the very weak/old structures and putting notice not to use and vacate by the line departments viz., Urban Development, Public Works, Housing, Urban Local Bodies and Gram Panchayats.	MCGM identified (July and August 2018) 7,654 buildings in 21 out of 24 wards which were more than 30 years old. Further, structural audit reports in respect of 1,716 out of 7,654 buildings was conducted and notices were issued in respect of 134 buildings, which were found dangerous. Further, in none of the six selected DDMA's and six RDMCs very weak and old structures were identified. During the Exit Conference, the Director, SDMU stated that the clarification would be sought from the field units.
(b)	Identify the buildings that need retrofitting and prepare projects/scheme for retrofitting.	As discussed at Sl. No. 2(d) above, dangerous and extremely dangerous buildings were not identified and there was no action plan in the DMPs of the respective DDMA's and RDMCs for providing retrofitting to the weak structures.
(c)	Providing retrofitting to weak structures.	Though dangerous and extremely dangerous buildings were identified by the two RDMCs and GMDMA as discussed at Sl. No. 2(d) and (e) above, it was not mentioned in DMPs of the respective units whether retrofittings were required for identified structures. During the Exit Conference, the Director, SDMU stated that the retrofittings are costlier than redevelopment of structures, if the cost of retrofitting exceeds 30 per cent cost of redevelopment.
5.	Conduct structural audit of all critical infrastructures and key resources such as dams, bridges, roads etc.	On the basis of periodical inspection of dams carried out by the field offices, the Dam Safety Organisation (DSO), Nashik decides the severity of the deficiencies and advise the remedial action. As per the Annual Health Status Report (2017-18) of the DSO there were 1,332 large Class I and Class II dams in the State. Further, 1,325 out of 1,332 of such dams were inspected by the field offices and it was found that there were no dams with Category 1 ⁷ deficiencies, 313 dams with Category 2 ⁸ deficiencies and the remaining 1,012 dams with Category 3 ⁹ deficiencies. Category 2 deficiencies in respect of 13 and 77 dams were fully and partly complied with respectively while compliance report in respects of 223 dams was awaited by the DSO. Further, there were 2,378 bridges in Pune Region under the jurisdiction of the Public Works Department, of which structural audit in respect of 191 bridges only was due and conducted (August 2018). As per the DMPs of the respective DDMA's, structural audit of the critical infrastructure and key resources was not conducted by the line departments in the remaining four selected districts (i.e., except Satara district under Pune Region). During the Exit Conference, the Director, SDMU stated that instruction regarding maintenance of database and structural audit of buildings and lifeline structures would be issued to the offices concerned. As of November 2018, structural audit of bridges in MCGM was conducted and there were 296 bridges in MCGM area of which 18 required demolition and reconstruction, 61 required major repairs, 107 required minor repairs and the remaining 110 bridges were in good condition. The Government stated (February 2019) that the local authorities would be instructed to conduct structural audit of buildings and lifeline structures.

Source: Information furnished by test checked units and audit observations

⁷ Dams with major deficiencies, which may lead to failure

⁸ Dams with rectifiable deficiencies needing immediate attention

⁹ Dams with minor or no deficiencies

In the absence of database of the vulnerable & critical lifeline structures and non-conducting of structural audit of critical infrastructures and key resources, planning and preparedness measures to mitigate the possible loss due to earthquake was found lacking. The risk is further compounded since the occurrence of earthquake is not predictable. We noted that some efforts have been made by DMUs in terms of identification of dangerous and extremely dangerous buildings, identification of very old buildings and conducting of structural audit of critical infrastructures. However, these are not adequate to address the issue of preparedness comprehensively.

3.1.5.2 Landslides

Landslide is a downward movement of slope formed with materials such as soil, rock, boulders *etc.*, under the influence of gravity, which occur in mountain slopes and river banks. Landslides are one of the natural hazards that affect at least 15 *per cent* of the land area of our country, an area which exceeds 0.49 million square kilometre (sq. km.).

The Western Ghats, overlooking the Konkan coast, though located in a relatively stable domain, experience the fury of this natural hazard due to steep hill slopes, overburden and high intensity rainfall. The Konkan coast of Maharashtra falls under the moderate/moderately high hazard area.

Historically, Maharashtra has been prone to landslides causing loss of lives and property. As per the NDMA guidelines various structural measures *i.e.*, any physical construction to reduce or avoid possible impact of hazards, which include engineering measures and construction of hazard-resistant, protective structures and infrastructure; and non-structural measures *i.e.*, non-engineered measures to reduce or avoid possible impacts of hazards which include education, training, capacity development, public awareness and communication were to be adopted to mitigate the impact of landslides.

Details of action proposed in the NDMA Guidelines for systematic and coordinated management of landslides action proposed in the State DMP and in the selected DDMA, RDMCs and GMDMA are given in **Table 3.1.2**.

Table 3.1.2: Action proposed by NDMA for landslides *vis-à-vis* DMPs and action taken

Sl. No.	Action proposed in NDMA Guidelines	Action proposed in the DMPs, action taken and Audit Remarks
1.	Landslide hazard, vulnerability, and risk assessment.	Though landslide was identified as a potential disaster, the line departments and their responsibilities to mitigate the impact of landslides were not outlined in the State DMP. Therefore, the State DMU did not prepare the action plan for landslides in line with the NDMA Guidelines. During the Exit Conference, the Director, SDMU stated that necessary modifications would be done after examining the matter. At the macro level, Raigad, Ratnagiri and Sindhudurg and parts of Thane and Pune districts and some areas at the foothills of the Sahyadri mountain ranges along Konkan region of Maharashtra were identified as areas vulnerable to landslides and included in the DMPs of the concerned district. In two out of six selected districts <i>viz.</i> , Satara and Thane, landslide was identified as potential hazard and structural and non-structural measures for landslides were also incorporated in the respective DMPs.
2.	Landslide hazard zonation.	
3.	Multi-hazard conceptualization.	
4.	Landslide remediation practice.	
5.	Research and development; monitoring and early warning.	
6.	Knowledge network and management.	
7.	Capacity building and training.	
8.	Public awareness and education.	
9.	Emergency preparedness and response.	
10.	Regulation and enforcement.	

		<p>As per the DMP for 2017-18 of Satara district, there were four incidents of landslides <i>i.e.</i>, two in 2005, one each in 2008 and 2015. Further, five villages in the district were identified as hotspots in terms of their vulnerability to landslides. However, total number of landslides prone areas in the district and risk and vulnerability thereof were not assessed in the DMP.</p> <p>In the DMP of 2017 of Thane district there was an incident of landslide in July 2016. Further, two talukas <i>viz.</i>, Murbad and Thane were identified as the areas majorly prone to landslides. However, total number of landslides prone areas in the district and risk and vulnerability thereof were not assessed in the DMP.</p> <p>In Amravati district, as per the DMP 2018-19 the only hilly region in the district in Chikaldhara was identified as area prone to landslide with low risk.</p> <p>Further, as per the DMP 2018 of Nashik district Saptashruni Gad and Kasara Ghat areas were identified as areas highly vulnerable to landslides. Though vulnerability of 14 talukas in the district was classified as low/medium/high the specific areas prone to landslides and their risk and vulnerability were not assessed in the DMP.</p> <p>As per the DMP 2016 of Pune district, 23 areas/talukas were identified as areas prone to landslides. However, various structural and non-structural measures were not outlined in the DMP.</p> <p>In Nagpur district, landslide was not identified as a potential disaster in the DMP.</p> <p>The Government stated (February 2019) that landslide would be included in the State DMP while updating.</p>
	Action proposed by GMDMA, MCGM	Status of implementation
11.	<p>As per the minutes of meeting (August 2014) of GMDMA, there were 18,497 hutments in 278 landslide prone areas located in MCGM area, which were required to be shifted and retaining walls to be constructed. Therefore, GMDMA decided (August 2014) to carry out detailed survey of all the landslide prone areas in Mumbai through Geographical Survey of India (GSI) and prepare an action plan.</p> <p>As per the DMP, 2016, there were 285 landslide prone areas in Mumbai City and Suburban districts under MCGM area.</p>	<p>Though landslide was a potential disaster, GMDMA had not included the action plan/structural and non-structural measures for landslides in the DMP.</p> <p>It was observed that there were 100 incidents of landslides from 2010 to 2017 involving 12 injury cases, of which, 33 incidents of landslides involving 12 injury cases were occurred during 2015-17 in MCGM area. Despite the repeated occurrences of landslides, MCGM did not take any concrete action to mitigate the risk of landslides.</p> <p>During the Exit Conference, the Chief Officer, Disaster Management, MCGM stated that survey report from GSI was received and instructions would be issued to Ward Offices to initiate mitigation measures. It was also stated that geographic information system-based mapping of landslide prone spots in MCGM area was also done.</p>
<p><i>Source: Information furnished by test checked units and audit observations</i></p>		

The efforts made by the authorities at various levels were not adequate, comprehensive, uniform and complete to address the preparedness for landslides as discussed above.

3.1.5.3 School safety

School Safety has been defined as the creation of safe environments for children starting from their homes to their schools and back. NDMA guidelines provide that SDMAs had to ensure that school safety was given due attention in the State and the districts DMPs. NDMA guidelines further provide that (i) district level baseline of schools to be made safer through

Rapid Visual Screening *etc.*, (ii) proximity of emergency and crisis service agencies, their capabilities, (iii) physical capacity of school infrastructure and facilities to resist known hazards, (iv) existing resources and capacities within the school and the community with regard to disaster management are to be ensured as part of school safety measures.

It was observed that:

- School safety component was not incorporated in the State DMP. As a result, the State DMP did not mandate for inclusion of school safety component in the DMPs at the DDMA, RDMC and GMDMA level.

During the Exit Conference, the Director, SDMU stated that school safety would be included in the State DMP. It was further stated that 50 schools in each district would be identified to create a group of master trainers for imparting training to other schools in the district.

- Two out of six selected DDMA's *viz.*, Amravati and Nashik included school safety component in their DMPs while the remaining DDMA's did not include the school safety component in their DMPs.

In the DMP of Amravati, total number of schools (2,836) in the district were identified and provision was made in the DMP for conducting awareness programmes at district, taluka and village levels for ensuring school safety.

Further, in the DMP of Nashik total number of schools in the districts (Primary: 3,342 and Secondary: 721) were identified and structural measures and the line departments responsible thereof were identified and incorporated.

- As regards MCGM, disaster management plans were prepared and fire audit was conducted for all the 392 schools which are under the jurisdiction of MCGM. Further, the Education Officer, MCGM stated in the Exit Conference that disaster management plans in respect of 416 aided and 685 un-aided schools in MCGM area were also prepared and Fire Audit of nearly 70 *per cent* of the private schools was completed. Fire audit was made mandatory for all the schools once in every six months.

The Government stated (February 2019) that school safety would be included in the State DMP as well as the DMP of the School Education Department.

3.1.5.4 Chemical Biological, Radiological and Nuclear (CBRN) disasters

As per the NDMA Guidelines, standard list of instruments, equipment and protective gear necessary for various response teams to deal with chemical, biological, radiological and nuclear disasters were to be drawn up in consultation with Department of Atomic Energy, GoI with full technical specifications (the list will be updated periodically) and procured by the concerned SDMA's and DDMA's in advance for the response action.

In the State DMP, Chemical Biological, Radiological and Nuclear (CBRN) disaster was not identified as a potential disaster, as a result, risk and vulnerability assessment was not done for CBRN.

The Government stated (February 2019) that CBRN would be included in the State DMP.

Further, CBRN disaster was included in the DMP by three¹⁰ selected DDMA, three¹¹ RDMCs and GMDMA. However, details of equipment, protective gear required for response teams were not included in the respective DMPs.

As per paragraph 5.6 of DMP of GMDMA, medical preparedness plans focusing on conserving resources for optimal utilisation, laying down priorities for augmentation, providing an appropriate response in dealing with casualties *etc.*, are significant and constitute one of the most important elements in disaster response.

GMDMA directed (December 2016) the DMU, MCGM to make budget provision for procurement of radiation detection gadgets as well as decontamination kits for treatment of patients exposed to radiation due to CBRN. Further, DMU, MCGM was also required to identify locations to hold the nuclear waste in case of radioactive/nuclear disaster.

Audit observed that MCGM did not take any action to comply with the directions of the GMDMA up to April 2018.

During the Exit Conference, the Chief Officer, Disaster Management, MCGM stated that (i) MCGM procured a HAZMAT vehicle which would be received shortly, (ii) the HAZMAT vehicle contains decontamination kits (iii) special standard operating procedure was prepared to deal with CBRN and (iv) a decontamination room would be set up in KEM Hospital, Mumbai on trial basis.

3.1.5.5 Stampede

As per the NDMA Guidelines, (i) capacity planning (ii) understanding crowd behaviour (iii) crowd control (iv) stakeholders' approach (v) identifying the threats and causes (vi) risk assessment and planning (vii) developing course of action (viii) putting up signages indicating medical, security *etc.*, (ix) fire and electrical safety measures (x) communication system *etc.*, are the important stages in planning for crowd management.

The State DMP did not identify stampede as one of the potential disasters and therefore, did not mandate for inclusion of stampede as a potential disaster in the DMPs prepared at DDMA, RDMC and GMDMA levels in spite of occurrences in August 2003 during *Mahakumbhmela* at Nashik that caused 29 casualties and another stampede that took place at Wai, Satara during *Shree Kalubai Yatra* in January 2005 causing 293 casualties.

Five out of the six selected DDMA *i.e.*, except DDMA, Nagpur identified stampede as a potential disaster and prepared event-specific crowd management plans such as *Kumbhmela*, *Pandharpur Yatra etc.* Further, GMDMA of MCGM also identified stampede as a potential disaster.

¹⁰ Amravati, Nagpur and Satara

¹¹ Nagpur, Pune and Thane

The Government stated (February 2019) that stampede would be included in the State DMP and guidelines issued to field authorities as prevention and mitigation measures.

3.1.5.6 Medical Preparedness

As per Para 5.4 of the State DMP, the Director of Health Services, Maharashtra State (DHS) is the State control authority for medical preparedness. Similarly, the Joint Director of Health Services (Malaria, Filariasis & Waterborne Diseases) is the State Nodal officer for Disaster Management. At district level, the Civil Surgeon is Nodal Officer for the same. In the State DMP various measures were prescribed for medical preparedness. The actions proposed in the State DMP and the status of their implementation by the respective authorities is discussed in **Table 3.1.3**.

Table 3.1.3: Action proposed in DMP and status of implementation by DHS

Sl. No.	Action proposed in the DMP	Status of implementation by DHS								
1.	Establish State and district level control room to collect, compile and analyse the data regarding all disaster events.	State and district level control rooms were established. The State level control room is operational in implementation of Integrated Disease Surveillance Programme (IDSP) Cell, Pune from 15 May to 30 November for reporting disease outbreaks and any untoward events occurring in the State.								
2.	Prepare data bank of health care institutions, human resources available, disaster vulnerability map, transportation facilities, audio visual communication, blood banks and inter sectoral information.	Data banks of health care institutions was prepared: <table border="1"> <tr> <td>Hospitals</td> <td>499 with 27,435 beds</td> </tr> <tr> <td>Human resources</td> <td>Sanction strength: 54,590 Men-in –Position: 39,019</td> </tr> <tr> <td>Transportation</td> <td>937 ambulances under Maharashtra Emergency Medical Services</td> </tr> <tr> <td>Blood banks</td> <td>262</td> </tr> </table>	Hospitals	499 with 27,435 beds	Human resources	Sanction strength: 54,590 Men-in –Position: 39,019	Transportation	937 ambulances under Maharashtra Emergency Medical Services	Blood banks	262
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Blood banks	262									
3.	IDSP for the State to prepare surveillance reports on epidemic and outbreak events from across the country in its weekly Outbreak Reports.	IDSP has been in implementation since 2005-06. Weekly reports were generated at the district level and submitted to DHS.								
4.	Sanitary and Entomological surveillance in disease prone/high risk villages special sanitary surveillance (including water quality testing for contamination and total chlorine (TCL) testing) and Entomological surveillance (including House to House container survey, vector density assessment) need to be carried out as a part of regular pre-disaster activity.	Sanitary survey of drinking water sources is being conducted during pre-monsoon (April to May) and post monsoon (October to November) every year. TCL testing is being done regularly by the district level laboratories and the result intimated to the respective authorities. Water sources were tested for chemical contamination twice and six times for biological contamination every year.								
5.	Rapid Response Teams (RRTs) at the State & the district level which comprise of surgeon, ortho surgeon, anaesthetist, physician, paediatrician, gynaecologist, pathologist and other experts (entomologist, veterinary expert etc.) along with ancillary staff are to be formed. On site response team will be equipped with adequate manpower, portable infrastructure (tent/patient beds), medicines, instruments & equipment etc.	State and district level RRTs were established. Each RRT comprises one each of District Health Officer, Micro Biologist, Physician, Paediatrician, Veterinary Consultant, Food & Safety Officer and District Epidemiologist.								

Sl. No.	Action proposed in the DMP	Status of implementation by DHS
6.	Surveillance system at International airports/ ports and ground crossings is to be set up to act up on the alerts given by the World Health Organisation regarding occurrence of a public health emergency of international concern, for screening passengers/cargo/products of animal or plant origin.	During the public health emergencies of international concern, surveillance is done with the help of the airport authorities.
7.	Establish specialised capacities for managing Chemical and Radiological Medical Emergencies.	Information not furnished by DHS.
8.	Identify the Non-government Organisations and define their role in disaster management.	At present, NGOs were not engaged for disaster management.
9.	Ensure that hospitals in the State have a Disaster Management Plan/ Manual for public health emergencies.	Each hospital in the State has an emergency response team.
10.	Preparation of disaster management plans for the Public Health Department as per Section 23 (7) of the Act.	The State DMP was not received by DHS.

Source: Information furnished by DHS

3.1.6 Flood risk mitigation measures of MCGM

Flooding¹² is a chronic and recurrent problem in Mumbai during the monsoon season from June to September, particularly when spells of intense rainfall coincide with high tide. The process of urbanisation, however, has played a major role in aggravating the problem as it has caused significant alterations to hydrology, morphology, habitat and ecology of the area.

GMDMA headed by the Municipal Commissioner, MCGM was constituted (May 2018) by the GoM for Mumbai City and Suburban districts. DMU, MCGM has been preparing Flood Preparedness Guidelines annually. A state of the art Emergency Operation Centre (EOC) has been set up at the MCGM headquarters with 24x7 monitoring and 51 hotlines for communication with all the line ward offices of MCGM, line departments of the State and the Central agencies such as Army, Coast Guard, Navy and Railways. Besides, MCGM also established very high frequency wireless communication system with key stakeholders. The EOC is headed by the Chief Officer, DMU. A back up EOC was also set up at Parel, Mumbai.

¹² Floods are basically meteorological events conditioned by the characteristics of the drainage basins. If rainfall exceeds the retention capacity of the basins, drainage increases both in speed and volume causing floods



Emergency Operation Centre, MCGM, Mumbai

Further, MCGM has established a City Disaster Response Force consisting of 200 personnel for deploying them for rescue operations and a City Disaster Management Institute at Parel has also been set up for providing training on disaster preparedness to various stakeholders.

MCGM has installed 60 automatic rain gauges at 58 locations, of which currently 55 transmit rainfall data to the EOC every 15 minutes. Many of the rain gauges have been installed at fire brigade stations as they are the first respondents during disasters and are on 24 hour alert. The rain gauges also have a console capable of giving an audible alarm if pre-set rainfall intensity exceeds 10 mm in 15 minutes. If rainfall exceeds 20 mm in a 15 minute period the disaster management centre issues an alert signal to the localities in the catchments concerned. If this trend continues for over an hour *i.e.*, 80 mm in an hour, a 'risk warning' is issued to the catchments concerned and their main river channels. If the hourly intensity exceeds 80 mm in an hour, rescue operations are put in place.

DMU of MCGM prepares Flood Preparedness Guidelines every year. Ward-wise details of frequent flood prone areas, open places, emergency assembly points, hospitals, food suppliers, fire stations, volunteers and Non-Government Organisations *etc.*, were incorporated in the annual Flood Preparedness Guidelines of MCGM.

As per the Flood Preparation Guidelines for the year 2018 prepared by Disaster Management Unit of MCGM, the following were the major deficiencies in the existing system for management of flood risk in MCGM area:

- Due to flat gradients the drains are affected by tides;
- The system is heavily silted;
- Major outfalls discharge much below Mean Sea Level;
- Storm water drains discharge rain water directly by gravity through outfalls as floodgates have been provided in only three of the 45 outfalls. As the outfalls discharge below mean seal level, tidal control is possible only at these three locations;
- Capacity of drains is adequate only for rainfall of 25 mm/hr;
- Numerous obstructions in the larger drains due to siphons and other utility services;
- Poor workmanship and lack of attention to repairs when the drains are punctured by utility service providers;
- Gullies are poorly placed and often not very effective; and
- Poor structural conditions.

The details of the actions proposed in the Flood Preparedness Guidelines to overcome the deficiencies, and status of implementation of initiatives are discussed in **Table 3.1.4**.

Table 3.1.4: Action proposed in the Flood Preparedness Guidelines vis-à-vis status of implementation

Sl. No.	Action proposed in the Flood Preparedness Guidelines	Status of implementation
1.	The Storm Water Drainage(SWD) system is being designed for rainfalls of 50 mm/hour with run off coefficient of one <i>i.e.</i> , augmentation of the existing system by four times.	Out of 53 nallas to be upgraded, 25 nallas were upgraded to 50 mm/hour capacity, 12 in progress, four yet to be started and 12 foreclosed.
2.	Since 2006, the SWD system is being cleaned up/desilted to the bottom most level.	De-silting at 20 <i>per cent</i> before monsoon, 60 <i>per cent</i> during monsoon and 20 <i>per cent</i> after monsoon was done by MCGM every year.
3.	Installation of automated rain gauges.	MCGM had installed 60 automatic rain gauges at 58 locations.
4.	Widening, deepening and training of major nallahs.	<p>Mithi River: Out of 21.588 km of widening and deepening work, only 15.849 kilometer (km) could be completed. Further, out of construction of 12 bridges, five bridges were completed, two were in progress and construction of five bridges was yet to commence.</p> <p>Dahisar River: Against a target of 4.750 km, training work of the river was completed up to 4.150 km at a cost of ₹ 70.71 crore.</p> <p>Poisar River: Against a target of 7.0 km, training work up to 4.0 km was at a cost of ₹ 229 crore.</p> <p>Oshiwara River: Training and widening work of three out of eight nullahs associated with the river was carried out till 2013 after spending an amount of ₹ 44.26 crore. Training and widening work of 557 meter (Walbhat river portion) was also completed.</p>
5.	Rehabilitation of old arch/box drains, particularly in the Island City.	Out of 35.20 km, 34 km arch drain works completed. Rehabilitation of box drain not required as per the SWD, MCGM.
6.	Installation of eight Storm Water Pumping Stations at Haji Ali, Love Grove, Cleaveland Bunder, Irla, Britania (Reay Road), Guzder Bund, Mogra Nalla (Andheri West), Mahul Creek. In addition smaller pumps were to be provided on storm water lines to overcome invert problems and flat gradients.	Six out of the eight Storm Water Pumping Stations (except Mogra Nalla and Mahul Creek) were installed. The remaining two stations could not be completed due to non-availability of land.
7.	Rehabilitation of project affected persons (PAPs) in respect of flood risk mitigation works in MCGM.	As against 5,210 PAPs of 19 works, 118 PAPs of two works were partially rehabilitated and 5,092 PAPs were still to be rehabilitated.
8.	Updation of BRIMSTOWAD Master Plan.	The master plan updating the BRIMSTOWAD report was not submitted by the consultant as of April 2018. Therefore, there was a delay of six years in updating the BRIMSTOWAD.

Source: Information furnished by MCGM and audit observations

3.1.7 Preparation of Standard Operating Procedure

As per Chapter 4 the State DMP for the year 2016, preparation of Standard Operating Procedure (SOP) for each disaster was one of the non-structural measures under mitigation activities. SOP consists of a three tier action plan viz., at pre, during and post-disaster stages, clearly demarcating the action to be taken by the line departments concerned at each stage.

In the State DMP, model SOP was prepared only for earthquake, rainfall, cyclone, and landslides. GMDMA prepared disaster-wise SOPs. However, in the selected DDMA and RDMCs disaster-wise SOPs were not prepared but line departments and their roles and responsibilities were identified. The SOPs covered communication arrangements, transportation, search and rescue teams and available equipment.

The Government stated (February 2019) that SOPs would be prepared for all identified disasters.

3.1.8 Non-assessment of required equipment

Procurement of required equipment is one of the important features of disaster preparedness. An assessment of disaster-specific search, rescue & evacuation equipment, communication equipment and ensuring their availability at the field level would enable the field level units to be well prepared for disaster management. In this regard, it was observed that:

- Communication equipment such as telephone, fax, internet, video conferencing system, hotlines were available at the DMU, DDMA and RDMCs. SDMU, R&FD monitors the functioning of DDMA and RDMCs through test calls on regular basis. Very Small Aperture Terminal *i.e.*, VSAT connectivity was established as emergency communication equipment. Further, toll free help lines were also set up at all DDMA and RDMCs in the State. The list of equipment appended to the State DMP for the year 2016 did not disclose the communication equipment available at DDMA and RDMCs.
- The SDMU, R&FD had not assessed the disaster-specific equipment required at the field level. Further, details of equipment¹³ available at only 20 out of the 36 districts and the equipment supplied¹⁴ by the SDMU to the field units were incorporated in the DMP for the year 2016. As regards search, rescue & evacuation equipment, GMDMA, MCGM incorporated an exhaustive list of equipment for CRBN, flood rescue, high rise building rescue, beach safety and fire in the DMP for the year 2016.

The SDMU, R&FD stated (August 2018) that procurement of equipment was done by the district level authorities as per their requirement based on the hazard risk vulnerability assessment done at the district level.

¹³ Flood rescue boats, Outboard Motor Boat, search and rescue torch, life jackets life buoys, gas cutters, ropes and tents

¹⁴ Emergency inflatable lighting system distributed to all Collectorate except Mumbai City and Suburban districts, portable inflatable lighting system distributed to Tehsils and water mist and CAF fire extinguishers distributed to urban local bodies.

However, since the minimum requirement of equipment has not been assessed in the districts (other than MCGM), it is not ascertainable whether the available equipment quantity is sufficient.

The Government stated (February 2019) that the DDMA's are procuring equipment as per the vulnerability and requirement and all the DDMA's would be instructed to include the inventory in their DDMPs.

3.1.9 Financial Management

▪ Non-establishment of State Disaster Mitigation Fund and District Disaster Mitigation Fund

As per Section 48(1) of the Act, the GoM was required to establish the State Disaster Response Fund (SDRF) and the State Disaster Mitigation Fund (SDMF) at the State level and the District Disaster Response Fund (DDRF) and the District Disaster Mitigation Fund (DDMF) at the district level, immediately after constituting the State and the district authorities. The SDMF and DDMF are required to be created to implement the measures for the purpose of prevention of disaster, mitigation, capacity-building and preparedness.

SDRF and DDRF

Contribution to SDRF was to be shared by the Central and the State governments in the ratio of 75:25. Further, contribution to the SDRF also included funds released by the Centre from the NDRF. The details of contributions to SDRF and expenditure incurred thereof during the period from 2013-14 to 2017-18 are given in **Table 3.1.5**.

Table 3.1.5: Contribution to SDRF and expenditure thereof during 2013-18
(₹ in crore)

Sl. No.	Year	Contribution to SDRF		Total	Central share from NDRF	Total (5+6)	Expenditure	Additional amount spent by the State (8-7)
		Central (75 per cent)	State (25 per cent)					
1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	2013-14	384.35	128.11	512.46	1269.12	1781.58	4518.98	2737.40
2.	2014-15	403.56	134.52	538.08	1426.95	1965.03	6241.89	4276.86
3.	2015-16	1112.25	370.12	1482.37	1592.96	3075.33	4296.13	1220.80
4.	2016-17	1168.50	389.50	1558.00	2224.78	3782.78	4562.28	779.50
5.	2017-18	1226.25	408.75	1635.00	0.00	1635.00	1043.96	(-) 591.04
Total		4294.91	1431.00	5725.91	6513.81	12239.72	20663.24	8432.52

Source: Information furnished by R&FD

Scrutiny of records revealed that the SDMF was not created at the State level. However, R&FD released ₹ one crore and ₹ 50 lakh to each RDMC and DDMA respectively during the period between March 2013 and March 2016 for strengthening of DDMA's/RDMC's, preparation of DMPs, conducting awareness programmes, capacity building *etc.*, as the DDMF.

The SDMU, R&FD stated (March 2018) that there was no provision in the Act for making fund provision to SDMF and DDMF and therefore, there was no separate revenue stream into those funds.

Reply is not acceptable since Section 49 of the Act provides for allocation of funds through annual budgets for carrying out activities and programmes.

3.1.10 Capacity building

3.1.10.1 Backup Emergency Operation Centre (EOC)

As per paragraph 2.4 of State Disaster Management Plan, 2016 an EOC was set up at *Mantralaya*, Mumbai and an additional EOC was to be established to keep as reserve for activation on orders for dissemination of information and issuing instructions to various field offices in the State. Accordingly, EOC was set up in 2008-09 at Yashwantrao Chavan Academy of Development and Administration (YASHADA), Pune.

However, it was seen that the backup EOC at YASHADA, Pune was not functional. Therefore, there is no backup EOC at the Government level for making it operational in case of emergency.

The Government stated (February 2019) that the backup EOC would be made operational.

3.1.10.2 Non-identification of training needs as per the area specific requirements

Trainings related to disaster preparedness are imparted at YASHADA for which R&FD released ₹ 75 lakh per year. During the period from 2013-14 to 2017-18, YASHADA conducted 487 training programmes wherein 16,323 candidates were imparted training.

Further, trainings, awareness programmes and mock drills are being conducted regularly by the selected DDMA's and RDMCs. DMU, MCGM has set up a specialised institute for imparting trainings on disaster preparedness to various stakeholders.

YASHADA fixed target of 60 courses in a year and trainings were imparted by appointing guest faculties. A target of 60 courses in a year was achieved. However, it was seen that SDMU, R&FD did not set any targets for trainings, awareness programmes and mock drills. As area specific disasters at district level were not adequately identified in the State DMP, audit could not ascertain whether the needs of training, awareness programmes and mock drills were adequately assessed at the State-level as well as at the district level.

The Government stated (February 2019) that the matter would be examined and the NDMA training modules are being followed while imparting trainings.

3.1.10.3 State Disaster Response Force

The National Disaster Response Force Guidelines, 2007 for preparation of State Disaster Management Plans envisaged imparting training to police, fire brigade, State Disaster Response Force (Force) *etc.*, as a capacity building measure.

Revenue and Forest Department (RFD), Government of Maharashtra, considering that Maharashtra is a multi-disaster prone status of the State, decided (August 2014) to form a Force. Accordingly, one company (comprising of 214 personnel) each at Dhule and Nagpur were set up in October 2016. Prior to creation of the Force, one battalion of National Disaster

Response Force was stationed at Pune for responding to disasters in Goa, Gujarat and Maharashtra states.

The National Disaster Response Force imparted training to SDRF personnel between December 2016 and May 2017 in the field of medical first responder, collapse structure search and rescue, flood rescue and boat handling, equipment maintenance, rope rescue and Chemical Biological, radiological and Nuclear emergencies.

3.1.11 Monitoring

3.1.11.1 Non-compliance of directions of DDMA and RDMCs

As per Section 25(1) of the Act, State Government shall establish a DDMA for every district in the State. Further, as per Section 27 of the Act, the DDMA shall meet as and when necessary and at such time and place as the Chairperson may think fit.

Scrutiny of records revealed that the District/Regional Authorities convened meetings as per requirement. However, it was noticed that there was no mechanism at District/Regional Authorities to ensure that the directions were duly complied with by the line departments concerned as detailed in **Table 3.1.6**.

Table 3.1.6: Directions given by the DDMA and the RDMCs during their meetings

Sl. No.	Name of DDMA/RDM C and date of the meeting	Particulars of directions	Line Department	Audit findings
1.	DDMA, Amravati 13.05.2016	To obtain the details of dilapidated buildings from Municipal Corporations, Municipal Councils and Gram Panchayats in the districts and evacuation notices were to be issued immediately to avoid loss of life and property.	Local Bodies concerned	There were no records with the DDMA to ascertain that the details of the dilapidated buildings in the districts were identified by the local bodies. Further, there was no mechanism to ascertain whether the local bodies in the district have complied with the directions of the DDMA.
2.	DDMA, Thane 11.08.2016	To conduct structural audit of buildings in Thane district.	Public Works Department (PWD)	There were no records in the DDMA to ascertain that structural audit of buildings was conducted as per the directions of the DDMA.
3.	DDMA, Pune 04.06.2016	To prepare the SOP for combating the disaster occurring when vehicles carrying chemicals meet with accidents.	Assistant Director, Industrial Security and Health Department, Pune	The Line Department had not submitted SOP till May 2018. The DDMA had also not taken any follow up action in this regard.
4.	DDMA, Pune 12.05.2017	To complete the structural audit of Dams before onset of monsoon.	WRD	The details were not available with the DDMA, Pune. However, the status rectification of deficiencies in respect of large Class I and Class II dams was discussed in Table 3.1.1 .
		To complete the structural audit of all the old bridges and buildings before onset of monsoon except for area falling under the jurisdiction of various Corporations.	PWD	The status was not ascertained by the DDMA, Pune. However, the status of conducting the structural audit of 191 bridges in Pune region was discussed in Table 3.1.1 .

5.	RDMC, Pune 09.06.2017	To submit the necessary information to City Engineer regarding landslides, dangerous old houses & hutments and hutments on the banks of the rivers, to serve notices to the people residing on the banks of rivers and in dangerous buildings <i>etc.</i>	PMC	There were no records with the RDMC to ascertain whether the PMC had complied with the directions of the DDMA.
6.	GMDMA 23.05.2017	To lay down a 300 m long pipeline of 8-inch diameter at Currey Road to divert the Storm water discharged on the railway tracks at Currey Road to avoid flooding in the railway tracks.	SWD, MCGM, Mumbai	The Chief Engineer, SWD, MCGM did not furnish the information whether the work was executed.
7.	RDMC, Amravati	Minutes of meeting were not available on record for scrutiny. Therefore, audit could not ascertain whether City Disaster Management Committee was constituted.		
<i>Source: Information furnished by test checked units and audit observations</i>				

Thus, there was poor coordination between the respective disaster management units and the line departments concerned.

The Government stated (February 2019) that directions would be issued to all the concerned authorities.

3.1.11.2 Non-preparation of Annual Report

As per Section 70 (2) of the Act, the State Authority shall prepare once a year, in such form and at such time as may be prescribed, an Annual Report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the State Government to be laid before State Legislature. Scrutiny of records revealed that no Annual Report was prepared since enactment of the Act.

The Government stated (February 2019) that the Annual Report would be prepared and placed before the State Legislature by July 2019.

3.1.12 Conclusion

The Disaster Management Plans were prepared and updated annually by the selected DDMA. However, State DMU, GMDMA and RDMC Amravati did not prepare and update the DMPs annually. Flood Preparedness Plans/Guidelines were prepared by all the selected DDMA, GMDMA and RDMCs except RDMC, Amravati. Though the State DMP clearly defined the actions to be taken to mitigate the risk of earthquakes, there were deficiencies in implementation at the DDMA, the GMDMA and the RDMC levels. Though the State had a past history of massive landslides, the State DMP did not prescribe any specific action to be taken by the line departments to mitigate the risk of landslides. Further, CBRN and Stampede were not identified as possible disasters in the State DMP.

Equipment required for each type of disaster and minimum quantity of such equipment to be kept at the DDMA and RDMCs was not clearly outlined in the State DMP as part of mitigation and preparedness measure.

Due to lack of Co-ordination, instructions given by the district/regional disaster management authorities remained unattended. SDMA did not prepare and submit the Annual Report on the activities to the State Legislature.

3.1.13 Recommendations

Government may:

- (a) Clearly prescribe the action to be taken by the line departments to mitigate the risks of all possible disasters and ensure strict implementation of the same by all the line departments, and (b) as envisaged in the NDMA Guidelines, school safety may be given due priority in the DMPs at all levels.
- Identify equipment required to tackle various kinds of disasters and ensure that a minimum number of such equipment are available at the DDMA and the RDMC levels.
- The Government, the DDMA, the RDMCs and the GMDMA may establish a system to ascertain that timely action has been taken by the line departments on the recommendations made by the respective authorities from time to time.

Social Justice and Special Assistance Department

3.2 Functioning of Hostels for Backward Class Students

3.2.1 Introduction

The Department of Social Justice and Special Assistance (SJSAD) of Government of Maharashtra (GoM) was responsible for promoting the educational, social and economic interest of the Backward Class (BC) students and to protect them from social injustice and all forms of exploitation. Amongst the schemes implemented by SJSAD, establishment¹⁵ of government hostels (GHs) for BC students¹⁶ was one of the schemes implemented since 1922.

The Secretary, SJSAD is the administrative head and is assisted by Commissioner, Social Welfare (CSW), Pune. The schemes were implemented and monitored by CSW with the assistance of Additional Commissioner, Pune and Joint Commissioner, Pune. At the field level, there are seven Regional Offices¹⁷ headed by Regional Deputy Commissioners (RDCs), Social Welfare. Assistant Commissioners (ACs) at district headquarters monitor and control the functions of GHs and Government Residential Schools (GRSs) at district and taluka headquarters. At the Zilla Parishad level, District Social Welfare

¹⁵ Establishment of Government hostels includes maintenance and providing of basic facilities to the BC students

¹⁶ BC students include Schedule Caste and Nav boudhas (SC), Scheduled Tribe (ST), Vimukta Jati & Nomadic Tribe (VJNT), Economical Backward Class (EBC), Special Backward Class (SBC), physically handicapped and Orphans

¹⁷ Amravati, Aurangabad, Latur, Mumbai, Nagpur, Nashik and Pune

Officers (DSWO) monitor and control the functions of aided hostels at district and taluka headquarters.

Audit test-checked (between January and May 2018) records at SJSAD, Mumbai, CSW, Pune and seven RDCs. From each region, one¹⁸ AC of Social Welfare and one DSWO of Zilla Parishad were selected on the basis of highest number of GHs and aided hostels in the district covering the period from April 2013 to March 2018. The sample size included 33 GHs out of 127 GHs, all the 21 GRSs and 54 out of 523 aided hostels in the seven¹⁹ selected districts.

The audit objective was to assess whether, comprehensive plan based on identified needs was in place to create and operate the hostel infrastructure for BC students, provision and utilisation of funds was adequate and in adherence to the financial rules and budgetary procedure and functioning of the government BC hostels, residential schools and aided hostels in the State was effective to enhance the educational level of the BC boys and girls. The Audit involved scrutiny of the records, collection of data and information through questionnaires, site inspection with the department officials and collection of evidence.

Audit Findings

3.2.2 Financial Management

3.2.2.1 Under-utilisation of funds

The year wise position of available funds under Plan outlay and the expenditure incurred thereof are as detailed in the **Table 3.2.1**.

Table 3.2.1: Year wise position of available funds under Plan outlay
(₹ in crore)

Year	By Government of Maharashtra			By District Planning Development Committee (DPDC)		
	Budget	Grant released by GoM	Expenditure	Budget	Grant released by GoM	Expenditure
2013-14	621.57	527.30	326.61	14.99	14.39	12.87
2014-15	714.96	714.96	398.81	17.17	17.02	14.98
2015-16	724.00	591.62	391.73	24.07	23.87	19.59
2016-17	837.86	724.45	419.67	32.60	32.59	29.03
2017-18	1096.91	805.43	727.85	35.53	25.43	25.43
Total	3995.30	3363.76	2264.67	124.36	113.30	101.90

Source: Information furnished by SJSAD, Mantralaya

Analysis of the above table revealed the following:

- The funds released under plan heads were not utilised fully. As against ₹ 3,363.76 crore released by SJSAD during the last five years, only ₹ 2,264.67 crore (67 per cent) was spent. Thus, an amount of ₹ 1,099.09 crore was surrendered. Similarly, as against ₹ 113.30 crore

¹⁸ Amravati (Amravati Region), Aurangabad (Aurangabad Region), Ahmednagar (Nashik Region), Chandrapur (Nagpur Region), Latur (Latur Region), Pune (Pune Region) and Ratnagiri (Mumbai Region)

¹⁹ Amravati, Aurangabad, Ahmednagar, Chandrapur, Latur, Pune and Ratnagiri

released by the DPDC, ₹ 101.90 was spent resulting in surrender of ₹ 11.40 crore.

- Though the expenditure under plan heads was not commensurate with the demand and funds released by SJSAD in the last five years, the SJSAD continued to place demands on higher side every year without analysing the reasons for short utilisation of funds.

The analysis of a major head 2225-3331 (*soyi suvidha*) dealing with providing 37 basic amenities for the hostels revealed that under this head of account, the SJSAD had made excessive budget provision persistently as detailed in the **Table 3.2.2**.

Table 3.2.2: Analysis of a major head

(₹ in crore)

Year	Budget provision	Expenditure	Re-appropriation (percentage)	Surrendered grant
2013-14	125.00	17.32	(-) 82.65	25.04
2014-15	105.94	26.90	(-) 52.00	27.05
2015-16	67.00	31.02	00	35.98
2016-17	137.86	8.11	(-) 84.76	44.99
2017-18	60.00	12.63	(-) 35.37	12.00
Total	495.80	95.98 (19%)	(-) 254.78 (51%)	145.06 (29%)

Source: Information furnished by SJSAD, Mantralaya

The above statement indicated that only 19 per cent of the available funds were spent during the last five years. Remaining funds were either re-appropriated (51 per cent) or surrendered (29 per cent). Thus, the funds provided for amenities were not utilised fully. The shortfalls of amenities in the GHs are discussed in **paragraph 3.2.4.1**.

3.2.2.2 Blocking of funds

SJSAD had released funds from time to time to PWD²⁰ for the construction of GHs and GRSs. PWD, Pune had submitted (January 2017) a statement of utilisation of funds which revealed that an amount of ₹ 56.90 crore²¹ (released between the period May 2010 and May 2016) was lying un-utilised with the PWD, Pune. In the light of the statement, the CSW, Pune sought (August 2017) clarification from SJSAD regarding credit of the balance amount with Government or to be retained with CSW, Pune. The reply from SJSAD was awaited (October 2018). Though a significant period of seven to eight years had elapsed since the release of fund, the same remained unutilised with the PWD, Pune and no action was taken by the CSW, Pune to reconcile and get the refund of ₹ 42.78 crore from the PWD, Pune in respect of GHs for which even the land was not available.

The Secretary, SJSAD while accepting the facts stated (May 2018) that necessary action would be taken to obtain the unspent amount from the PWD Pune.

²⁰ Public Works (Building) Division, Pune being nodal agency

²¹ Out of ₹ 56.90 crore, ₹ 14.12 crore was the balance unutilised amount after completion of constructions which were refunded by the different PW divisions to PWD, Pune and ₹ 42.78 crore pertained to non-construction of GHs and GRSs buildings due to non-availability of land at district or taluka headquarters

In the test checked ACs, irregular release of funds and blocking of fund in the following cases were observed.

- In AC Amravati, Audit observed that PWD, Pune had released (February 2007) grant of ₹ 4.42 crore to PWD, Amravati for construction of GRS at Nandgaon Khandeshwar. Due to delay in execution of work, PWD, Amravati submitted (November 2012) a revised estimate of ₹ 12.09 crore which was accorded (September 2013) sanction by SJSAD for ₹ 9.73 crore. CSW, Pune released (January 2014) additional grant of ₹ 9.73 crore to SWD, Pune which released the amount to PWD, Amravati without considering the earlier released grant of ₹ 4.42 crore. This had resulted in excess release of grant by the CSW, Pune and PWD, Pune to PWD, Amravati. PWD, Amravati completed (May 2018) the construction work of GRS building at a cost of ₹ 9.73 crore. Thus, the excess released grant amounting to ₹ 4.42 crore was lying unutilised with PWD, Amravati since January 2014. The PWD, Amravati had neither refunded the unspent grant of ₹ 4.42 crore to PWD, Pune nor CSW, Pune had obtained the utilisation certificate from PWD, Pune (May 2018).

The Secretary, SJSAD accepted the facts.

- In Latur, it was observed that CSW, Pune had issued orders (August 2014) to RDC, Latur to purchase land from Water Resources Department (WRD), Hingoli for construction of GH at Vasmat taluka and released ₹ 3.09 crore to RDC, Latur. RDC, Latur released (September 2014) the grant of ₹ 3.09 crore to AC, Hingoli for purchase of land. However, even after lapse of more than four years AC, Hingoli did not purchase the said land from the WRD, Hingoli (May 2018). RDC, Latur stated that Collector, Hingoli had communicated (October 2016) that since the land belongs to WRD, the same would be handed over free of cost. Further, necessary proposals in this regard were to be moved at Government level. However, till June 2018, no proposals in this regard were moved at Government level. Thus, the fund of ₹ 3.09 crore released for purchase of land remained blocked with AC, Hingoli.

The Secretary, SJSAD stated (May 2018) that the funds were released for purchasing the land from the Godawari Marathwada Irrigation Development Corporation. The fact remained that RDC, Latur and AC, Hingoli were not aware of the land-owner. Laxity on the part of AC, Amravati and AC, Hingoli resulted in blocking of ₹ 7.51 crore (₹ 4.42 crore + ₹ 3.09 crore) for a period of four years.

3.2.2.3 Non-imparting of computer training to the students of government hostels resulting in injudicious expenditure of ₹ 24.78 crore

The SJSAD selected (July 2012) three²² agencies for providing training in the operation of computers, personality development and banking competitive exams to 37,068 students of secondary and higher secondary schools residing in GHs for the seven regions. The agencies were to provide training²³ and payments were to be made as per the conditions²⁴ stipulated in the contract. Out of the 30 *per cent* payment scheduled to be made based on passing of examination by students, proportionate payments²⁵ were to be released to the agencies. The SJSAD had placed (August 2012) ₹ 35.40 crore with CSW, Pune.

Audit observed that the CSW, Pune had released (September 2012) an advance payment of ₹ 10.62 crore (30 *per cent*) to the agencies. As against the bank guarantee (BG) of ₹ 10.62 crore (30 *per cent*) to be obtained from the agencies, the CSW, Pune obtained BG of only of ₹ 2.79 crore from the agencies at the time of issue of work order (August 2012). Further payment of ₹ 14.16 crore (40 *per cent*) was made (between September 2012 and May 2013) to the agencies assuming that the four months' computer training was completed. Though the exams of the students were not conducted by the agencies and the CSW, Pune without ensuring the same released payments of ₹ 14.16 crore which was irregular as the payments were released contrary to the contract norms. The total payment of ₹ 24.78 crore (70 *per cent*) was released to three agencies.

In the selected districts, audit observed that in four²⁶ districts the agencies had not provided any training to the students and in three²⁷ districts the information was not made available. The CSW, Pune had forfeited (October 2017) the BG of ₹ 1.29 crore of one Agency only. The status of forfeiting of BG of remaining two agencies were not furnished by CSW, Pune. The balance grant (30 *per cent*) of ₹ 10.62 crore was surrendered (November 2014) by CSW, Pune to the SJSAD.

Thus, the total expenditure of ₹ 24.78 crore without ensuring the fulfilment of conditions resulted in injudicious expenditure. The BG of two agencies were also not forfeited though a period of more than three years had elapsed resulting in expiry of BG.

²² (i) Core Education & technologier Ltd (for Mumbai and Nagpur); (ii) Zenith Software Ltd (for Pune and Amravati region); and (iii) Birla Shloka Edutech Ltd (for Nasik, Aurangabad and Latur region)

²³ The Agencies were to provide 260 to 520 hours of training to each student on six different courses of which 260 hours training in two courses was compulsory and training in one course out of remaining four courses was mandatory

²⁴ The agencies were to be paid 30 *per cent* advance payment at the time of issue of work order, 20 *per cent* after completion of four months (300 hours) training and remaining 20 *per cent* after completion of entire training

²⁵ 10 *per cent* would be released on passing of 50 *per cent* students, 20 *per cent* would be released on passing of 60 per cent students and full 30 *per cent* would be released on passing of 80 *per cent* students

²⁶ Ratnagiri, Ahmadnagar, Chandrapur and Latur

²⁷ Amravati, Aurangabad and Pune

The Secretary, SJSAD while accepting the facts stated (May 2018) that the irregularities were noticed in implementation of training programme and a First Information Report (FIR) was lodged with Anti-Corruption Bureau and investigation was in progress.

3.2.3 Planning

3.2.3.1 Establishment of Government Hostels

i) Non-establishment of Government Hostels for Backward Class students in 128 taluka headquarters

As of 2005-06, 271 hostels were in existence in the State. Over the years the number of higher educational institutes like Diploma in Education (D.Ed) colleges, Higher Secondary Schools, Industrial Training Institutions (ITIs), Polytechnic, Agricultural, and Medical Institutes *etc.*, were opened at the taluka headquarters. SJSAD therefore decided (June 2007) to establish 100 new hostels (60 for boys and 40 for girls) with a capacity of 100 inmates covering all the taluka headquarters. However, no specific time frame for establishment of new hostels was prescribed by SJSAD. As per the norms prescribed by SJSAD for selection of taluka for establishing GHs, the talukas which had more population of Schedule Castes (SC) as per the census of 2001 and talukas which did not have a single GH was to be selected. The analysis of talukas covered and GHs established revealed that:

- Of the 271 GHs in existence as of 2005-06, 204 GHs were located in 168 talukas and district taluka headquarters and 67 GHs were located in 35 district headquarters. As such, 185 taluka headquarters remained to be covered.
- Out of 101²⁸ GHs sanctioned during the year 2006-07, 64 hostels were opened in 54 new taluka headquarters and 37 hostels were opened in the taluka headquarters where already GHs were in existence. Thus, only 54 new talukas were covered and 131 taluka headquarters remained to be covered.
- In the year 2015-16, 50 Girls GHs were proposed (December 2015) to be opened on the occasion of 125 birth anniversary of Dr. B.R. Ambedkar, of which only 42 were established in taluka headquarters. Of these, only 13 GHs were opened in new taluka headquarters and 29 GHs were opened in talukas, instead of taluka headquarters, where GHs were in existence. As of June 2018, there were 363 talukas in 35 districts. Thus, as of September 2018, 128 talukas (118 + 10 newly created talukas) headquarters were yet to be covered despite the fact that requirements from the taluka headquarters for new GHs were received.

Further analysis revealed that the population of Scheduled Castes in the 128 talukas ranged between 1,146 and 1,23,203 as per 2001 Census. However, SJSAD selected those talukas which were having less SC population as per

²⁸ As against the proposal of 100 GHs, 101 GHs were actually sanctioned and taken up at the time of execution

Census 2001 ranging between 803 and 1,00,053. No specific reasons were found on records.

The Secretary, SJSAD accepted the facts and stated (May and September 2018) that it had established GHs based on the 2001 Census. Further, it was stated that opening of GHs in notified talukas was not possible due to non-availability of land. Consequently, the demands of local representatives and the requirements of boys and girls were taken into account and GHs were opened in other than the notified talukas. However, the department would establish the GHs in other taluka headquarters considering population as per 2011 Census in second phase.

The fact remained that the SJSAD failed to identify the talukas having no GH and to establish GHs in 128 taluka headquarters having large SC population as per 2001 Census. This has resulted in depriving the BC students of these talukas from the GHs facilities.

ii) Delay in enhancement of sanctioned intake capacity

Out of the 271 old GHs, 164 GHs were running in rented premises and the remaining in old Government buildings as of May 2018. Audit observed from the records of the CSW, Pune that 37 GHs out of 164 GHs which were having intake capacity of 75-80 students per hostel were shifted between the period 2011 and 2016 to newly constructed premises having intake capacity of 100 students. The CSW, Pune had forwarded (July 2016) a proposal for increasing the sanctioned intake capacity of these hostels to SJSAD. However, the SJSAD did not accord sanction for revision of the sanctioned intake capacity of these hostels till June 2018. No reasons for non-sanction by SJSAD were found on record. An analysis of the applications received in the 37 GHs located in ten districts revealed that 47,378 and 21,144 applications were received for admissions during the year 2016-17 and 2017-18, against the overall vacancies of 8,255 and 6,288 seats respectively. In the test checked three²⁹ districts, during the year 2016-17 and 2017-18 as against the vacancies of 293 seats and 173 seats in ten hostels, 1,823 and 602 applications respectively were received. Thus, the demand for the admissions in the hostels was considerably on the higher side. However, failure to increase the sanctioned intake capacity (of 20-25 BC students seats) in these GHs resulted in 905 BC students seats remaining vacant every year. Further, 10 GHs in four³⁰ test checked districts, were shifted to new premises between the period 2010-11 and 2016-17. Of these, two GHs were shifted during the year 2016-17. However, the proposal forwarded by CSW, Pune in July 2016 did not include the two GHs shifted during the year 2016-17.

Thus, the total seats remaining vacant in these 39 GHs worked out to 955 seats since their shifting to the new premises.

The Secretary, SJSAD, stated (September 2018) that, proposals in this regard have already been submitted (March 2017) to the Finance Department of GoM for approval. The approval was awaited (June 2018).

²⁹ Amravati, Latur and Pune

³⁰ Amravati, Chandrapur, Latur and Pune

The reply may be viewed in light of the fact that the intake capacity should have been increased as soon as the hostels were shifted. Further, delay in enhancement of sanctioned strength resulted in deprivation of benefits to the BC students.

iii) Non-adherence to the stipulated norms of admissions led to deprivation of admissions to Scheduled Caste students in Government Hostels

SJSAD had prescribed (May 1984) the district wise norms³¹ of percentage of seats of Scheduled caste (SC), Scheduled tribe (ST), Vimukta Jati & Nomadic tribe (VJNT) students to be admitted in the 271 existing GHs every year. Further, to maintain uniformity in admission process in all the GHs, SJSAD revised (May 2012) the norms of admission of seats to 80 *per cent* for SC and 20 *per cent* for other categories³². Though the revised norms were implemented from 2013-14 onwards, the same were not applied to the admission process in respect of existing 271 GHs. The SJSAD allowed the 271 GHs to follow the old norms only for the year 2013-14. As such, the old GHs were required to follow the revised norms from 2014-15 onwards. In the test checked 81 GHs (out of 271 GHs) in the seven districts, the admissions of SC students done during the year 2014-18 are detailed in the **Table 3.2.3**.

Table 3.2.3: Analysis of admissions done during the year 2014-18

Year	SC Students to be admitted as per new norms (80 <i>per cent</i>)	SC Students actually admitted	Short fall due to non-adoption of revised norms
2014-15	5540	2741	2799
2015-16	5540	2900	2640
2016-17	5540	2974	2566
2017-18	5540	3021	2519
Total	22160	11636	10524

Source: Information furnished by CSW, Pune

Thus, a total of 10,524 seats meant for SC students were filled up by students of other categories thus depriving 10,524 admissions to SC students. The data of applications received for admissions to the hostels were not readily available with the CSW, Pune. The SJSAD stated (September 2018) that during the period 2016-18, as against 42,923 vacancies in a year, 95,465 applications in 2016-17 and 53,967 applications in 2017-18 were received. It was also confirmed that the number of applications received during the period 2013-16 was not available. Further, it was stated that to compensate the students who were not provided with hostels, the scheme of swadhar was launched.

iv) Under-utilisation of seats in hostel running in rented buildings

As of June 2018, 435 GHs were established by SJSAD of which 205 GHs were functioning in rented buildings. Audit observed that 71 GHs out of 205 GHs which had the sanctioned intake capacity ranging between 75 and 250 were utilising only 5,007 seats as against the total sanctioned seats of

³¹ District wise norms for SCs ranged between 11 *per cent* and 85 *per cent*

³² Three *per cent* for ST, five *per cent* for VJNT, five *per cent* for EBC, two *per cent* for SBC, three *per cent* for physically handicapped and two *per cent* for orphans

7,585. Thus, due to opening of GHs in rented buildings with lower capacity, 2,578 students were deprived of admissions in the GHs every year.

The SJSAD in reply stated (September 2018) that the lands are generally acquired for construction of hostel. However, in cases where lands are not readily available, rented premises were identified considering the intake capacity of the hostel.

The reply is not tenable as the intake capacity of 71 hostels were not considered while hiring the buildings. The reply was also silent on the action being initiated by the SJSAD to plug the shortfall in admission of students in hostels due to hiring of buildings with less intake capacities.

3.2.3.2 Establishment of Government Residential Schools

The SJSAD decided (June 2006) to establish GRSs in each of the 353 taluka headquarters with intake capacity in each GRS of 200 students. The SJSAD in the first phase considered construction of 100 GRSs with a budget provision of ₹ 442 crore against which SJSAD released an amount of ₹ 327.08 crore initially in March 2007 to CSW, Pune for construction of 74 GRSs. The funds were deposited with the Public Works (Building) Division, Pune (being the Nodal agency) by the CSW, Pune time to time as per the requirements. The taluka was to be selected considering the maximum population of SC and Nav Boudhas in the talukas, their literacy percentage and the requirement for opening GRS as may be determined by the Committee³³. Further, the model plan of Amravati pattern³⁴ (April 2007) was to be adopted in the construction of GRSs.

The SJSAD initially planned to start the GRS from the academic year 2007-08 onwards. However, due to non-construction of GRSs in time, the SJSAD decided (June 2011) that the GRSs would be started in the newly constructed Government buildings from the academic session 2011 onwards.

Audit observed that:

- SJSAD as of June 2018, had constructed and started only 80 GRSs. In respect of remaining 20 GRSs, four GRSs were completed but were not handed over by the PWD, the construction work was in progress in Seven GRSs in seven taluka headquarters, in two GRSs tender process has been initiated by the PWD, proposals of three GRSs was pending at Government level for administrative approval, in two cases revised approval was pending and in two cases land acquisition was in progress. Thus, even after a lapse of seven years, the objective of SJSAD to commence 100 GRSs from the academic session of 2011-12 in Government owned building could not be achieved.

³³ A Committee under the chairmanship of Chief Secretary, GoM, Principal Secretary SJSAD, Principal Secretary, School Education and Sports Department, Director of Education (primary), Pune, Director, Social Welfare, Pune as members

³⁴ The pattern finalised (April 2007) by SJSAD consisted of construction of 'ground floor for residence of boys/girls, first floor for school education and second floor for other activities as determined by SJSAD. Apart from this, there should be open a play ground, parking place and cycle stand *etc.* There should be residential facilities for Warden as well as Head Master in the GRS'

The Secretary, SJSAD confirmed (May 2018) the facts.

- The locations of GRSs of 23 taluka headquarters were changed by the SJSAD from one taluka place to another taluka headquarters within the district or from one district to another district without obtaining the approval of the committee. Further, in 14 taluka headquarters, the location of GRS was changed without assigning any reasons for the change, whereas in nine taluka headquarters, the reasons for change of GRS were attributed to non-availability of land. The Secretary, SJSAD attributed (May 2018) the reasons for change of taluka headquarters to a) non-availability of land in the notified taluka headquarters, b) demand from public representative and c) availability of land at other taluka headquarters.

The reply is not acceptable as 14 GRSs were transferred only on the demand from public representatives contrary to notification issued by the committee based on SC and Nav Boudhas population, literacy percentage and need for opening GRS. Further, the reply was silent on the issue of non-obtaining the approval from the Committee for transfer of GRSs from one taluka place to another.

- The GRS of Ausa Taluka of Latur district was constructed in a small village Lamjana which is approximately 20 kilometers from Ausa taluka. The selected site was in the outskirts of the village and adjacent to an open crematorium. Thus, wrong site was selected for construction of GRS at Lamjana village instead of Ausa taluka. The Secretary, SJSAD stated (May 2018) that due to non-availability of land in Ausa taluka, the GRS was shifted to Mouza Lamjana of Ausa taluka. Necessary instructions would be issued to AC, Latur to shift the open crematorium to another place through Tahsildar of Ausa taluka concerned.

The reply is not acceptable as establishment of GRS in concerned village was contrary to the decision of SJSAD.

3.2.3.3 Construction of Hostels at Regional Level

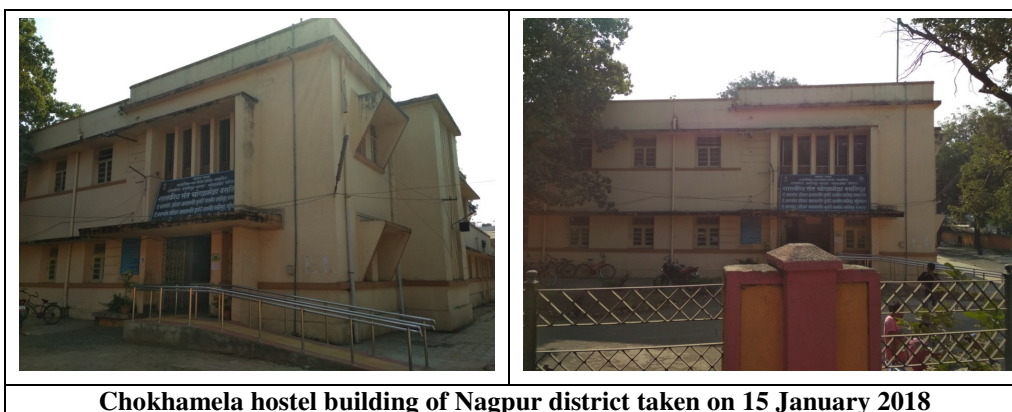
The SJSAD had also constructed hostels at regional levels to accommodate 1,000 students (four units of 250 capacities each) in each region. The observations of Audit in the establishment of these hostels are detailed in succeeding paragraphs.

i) Improper planning in construction of hostel building at Nagpur

The administrative approval for ₹ 24.61 crore was accorded (February 2007) for the construction of 1,000 capacity hostel building in Nagpur. CSW, Pune accorded (April 2009) sanction for demolishing the existing building of Sant Chokhamela Hostel complex for construction of new hostel building at Nagpur. The Nagpur Improvement Trust (NIT) was appointed (June 2012) as an agency for execution of work. The existing Sant Chokhamela Hostel

complex housed four hostels³⁵ in two buildings. The NIT submitted (January 2016), the revised estimate of ₹ 58.42 crore to the SJSAD to which High Power Committee³⁶ (HPC) accorded (March 2016) approval and thereafter funds were released by CSW, Pune to AC, Nagpur. Audit observed that the HPC was not apprised of the fact that existing hostel building was to be demolished while obtaining approval.

The Secretary, SJSAD during his visit to the site in March 2016 observed that the existing Chokhamela hostel building was in good condition. The Secretary also expressed (April 2017) that, if the SJSAD was to construct a new hostel building for 200 or 225 students it would cost at least ₹ 15 crore. Further, the old building with some renovation could be put to use for an extended life. The Superintending Engineer, PWD, Nagpur was directed to finalise an estimate for renovation or repair of these two buildings. During Joint field visit (15 January 2018) of the said buildings audit observed that the condition of these buildings was good as shown in the photographs.



The work of construction of new hostel was not commenced (September 2018). The SJSAD had opened four hostels (August 2012) in rented buildings having lower capacity (150 against sanctioned 250) and incurred an expenditure of ₹ 3.32 crore on rent till February 2018. The SJSAD released (March 2016) grant of ₹ 58.42 crore to AC, Nagpur for construction of hostel building in Nagpur. The amount was lying with the AC, Nagpur till February 2018 and was subsequently transferred (February 2018) to the NIT, Nagpur. This led to deprivation of benefits of hostel building facilities to 1,000 students of Nagpur region and unnecessary blocking of ₹ 58.42 crore.

The Secretary, SJSAD while accepting the facts stated (May 2018) that instructions would be issued to carry out the structural audit of the existing hostel building. Further, Department did not furnish progress in regards to renovation work.

The fact remained that the final decision on whether the existing building was to be demolished and new hostels to be constructed was still pending.

³⁵ Sant Chokhamela Hostel (120 students), Bhagwan nagar hostel (75 students), Gaddigodam hostel (150 students) and Rajnagar hostel (75 students)

³⁶ HPC consists of Principal Secretary, SJSAD; Secretary, PWD and Deputy Secretary, Finance Department

ii) Non-construction of hostel building in Mumbai

The construction of hostel building at Mumbai was decided (June 2006) to be taken up on the land³⁷ belonging to Women and Child Development Department (WCDD) which was in the compound of Beggars' home of Chembur, Mumbai. It was also decided to develop the said land through privatisation on Built Operate and Transfer (BOT) basis by Public Works (Building) Division, Mulund, Mumbai. For the purpose, a plan was prepared and the project was approved (August 2007) by the Cabinet Committee for Infrastructure Development. As per project report, out of the total available land of 1,81,249.08 square meter, 40,000 square meter land was allotted to the contractor for construction of commercial and residential buildings, in lieu of construction of government buildings on the remaining land of 1,41,249.08 square meter. The Executive Engineer, World Bank Project Division, Mumbai issued (June 2008) work order to M/s Zeal Ventures, Mumbai with stipulated period of 42 months for completion of work.

Audit noted that the selected land reserved for Beggars' home was de-reserved in April 2010, and hence PWD had to give first extension to the contractor upto December 2011. However, as the local people created obstacles during April 2010 to December 2014, PWD had to give second extension to the contractor up to December 2017. Further owing to cutting of trees and other miscellaneous reasons, the work remained held up till August 2017.

As against the scope of work, the contractor started (September 2017) the work of one unit of 250 girls hostel building and executed it only upto first floor slab (September 2018). The contractor failed to start the remaining work of boys hostel even after lapse of ten years period. The PWD had submitted (December 2017) another proposal to the Government for extension upto December 2020, approval for which was awaited (September 2018).

The photographs of the girls hostel building (taken on 06 February 2018) executed by the contractor are as under:



Thus, due to awarding work to the contractor by PWD, Mulund without ensuring clear title of land, execution of hostel building could not be taken up till September 2017. Non-construction of hostel buildings in Mumbai city, deprived 1,000 backward class students, coming for higher education from every nook and corner of the State, of hostel facility for a whole decade.

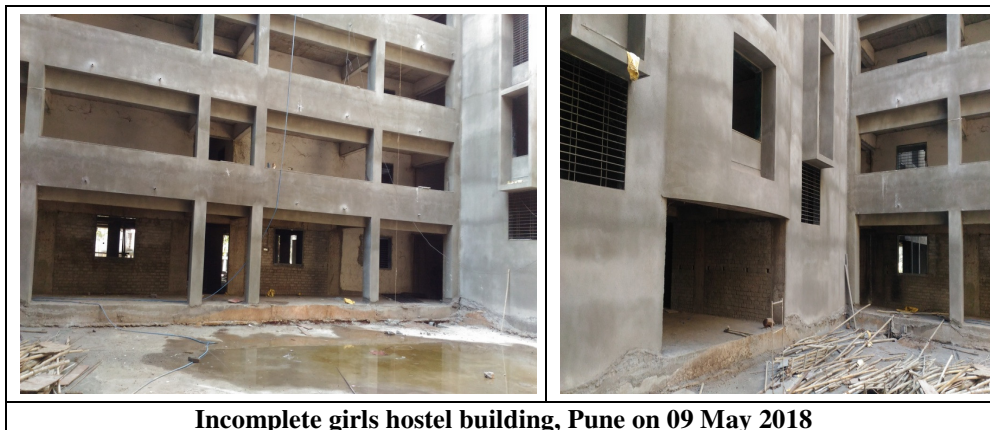
³⁷ Out of the total area of 1,41,249.08 squares meter, 25,450.14 square meter land was to be utilised by WCWD, 33,635.97 square meters by the SJSAD for construction of hostel buildings, 77,892.08 square meter for Administrative Building and remaining 4,270.88 square meter for Rest House building

The Secretary, SJSAD accepted the facts and stated (September 2018) that the construction work of girls hostel building was in progress.

The fact remains that the contract for construction of hostel building was awarded in absence of clear title as envisaged in PWD manual and due to lack of co-ordination between PWD, Mulund and SJSAD, the details of the works executed by the contractor, copy of agreement and work order issued to contractor and the current status of the work are not available with the SJSAD and CSW, Pune.

iii) Cost overrun in the construction of hostel building in Pune

The construction of hostel building at Pune was taken up on the land of Central Jail, Yerwada, Pune which was made available (May 2008) by the Home Department. Audit observed that the SJSAD handed over (February 2009) the identified land to PWD, Pune without ascertaining that the said land was clear from encumbrances. However, the CSW, Pune pointed out (August 2009) to SJSAD that the said land was reserved for the purpose of construction of primary school and development of park. The clearance of reservation on the said land took four years from the date of taking over possession of the land. PWD, Pune issued the work order (February 2012) for first phase building and for second phase (October 2013) building after a lapse of three years with stipulated period for completion of work as 24 months (first phase) and 18 months (second phase) respectively. However, due to delay in clearance of reserved land the cost of the work escalated from ₹ 24.61 crore to ₹ 53.60 crore. Audit observed (May 2018) that an up to date expenditure of ₹ 30.69 crore was incurred and the contractor had not completed the buildings though a period of six years had elapsed. The status of girls hostel building is shown in the photographs taken during joint field visit on 09 May 2018.



Thus, failure on the part of CSW, Pune to verify the title of the land before handing over the land to PWD resulted in delay in execution of work and cost overrun ₹ 28.99 crore. This also deprived the students of the intended benefits.

The Secretary, SJSAD accepted (May 2018) the facts.

iv) Unfruitful expenditure on construction of one unit of girls hostel

GoM accorded (March 2007) sanction for construction of a hostel at Latur as per the approved model plan of Amravati pattern³⁸. GoM subsequently had issued (June 2007) a resolution wherein it was directed to construct independent four separate units. However, the work order for construction of hostel complex consisting of two buildings was issued (September 2008) ignoring the June 2007 directions and the hostel was constructed as per the model plan and handed over to SJSAD (August 2011) at a cost of ₹ 37.87 crore. Audit observed that out of the four units, only three units meant for boys were being utilised. The portion of the hostel constructed for girls' students was lying unutilised since August 2011. Further, it was observed that the 250 girls admitted for the hostel were housed in a nearby constructed vacant ITI hostel building. Due to the non-utilisation of the girls unit, the flooring of the rooms of the unit also got damaged. Thus, the infrastructure created at a cost of ₹ 9.47 crore for girls students remained unfruitful.

The Secretary, SJSAD while accepting the facts stated (May 2018) that from the point of view of security, girls students were temporarily shifted to ITI hostel building.

The reply is not acceptable as the directions of GoM of June 2007 was ignored by RDC, Latur and consequently the students were housed in the ITI hostel since the taking over of the new hostel building in August 2011. Further, the reply was silent on the action proposed for utilising the vacant hostel building.

3.2.3.4 Non-disbursement of financial assistance of ₹ 119.21 crore under Swadhar Yojana

SJSAD had observed (January 2017) that due to steady increase in the commercial and non-commercial schools, the applications from the Schedule Caste and Nav Boudh (SC & NB) students after 10th class for admission into these schools was increasing. These SC & NB students also applied for hostels. However, considering the shortages of hostels and the time lag in constructing new hostels, the Government formulated a scheme of Bharat Ratna Dr. Babasaheb Ambedkar Swadhar Yojana (scheme). The scheme sought to provide financial assistance to a student so as to compensate the expenses of room rent, meals and travelling expenses to the extent of ₹ 60,000, ₹ 51,000 & ₹ 43,000 respectively to those students who studied in Metro cities³⁹, cities with 'C' class Municipal Corporations and other districts and who could not be provided with hostel facilities by the State Government. A Government Resolution (GR) was issued (January 2017) for implementing the scheme with retrospective effect from 2016 onwards. According to the GR, a target of 15,000 students were to be covered during the year 2016-17 and 25,000 students from 2017-18 onwards.

The GR also laid down the procedure for the mode of applications, scrutiny of applications, and selection of beneficiary students based on 15 parameters.

³⁸ A hostel complex consisting of two hostel buildings having four units (In one building two units for boys and in another building one unit for boys and one unit for girls) in one premise

³⁹ Mumbai, Thane, Pune, Pimpri-Chinchwad and Nagpur

The SJSAD made a budget provision of ₹ 209.09 crore. The Finance Department released (September 2017) ₹ 148.23 crore to SJSAD with the stipulation that no further funds would be released in future for new constructions of hostel buildings. CSW, Pune disbursed these funds to seven Regional offices of the State.

Audit observed that due to ambiguity in the GR which stipulated options to be given by the students, either to opt for hostel facility or for financial assistance under the scheme, the RDCs could not implement the scheme properly. The year-wise details of application received and students provided with the benefit of the scheme were as detailed in the **Table 3.2.4**.

Table 3.2.4: Year-wise details of application received and students provided with the benefit

Year	Total Applications		Benefits extended to students		Amount disbursed (₹ in crore)	
	Received directly for getting the benefit under the Scheme	Received for admissions to hostels	Scheme benefit availed	Admitted in Hostels	Scheme	Hostels
2016-17	19,633	95,465	2,562	37,928	29.02	-Nil-
2017-18	16,151	50,344	5,825	29,075		

Source: Information furnished by CSW, Pune

As against the target of 15,000 students, the benefit was extended only to 2,562 students during the year 2016-17. In the year 2017-18, as against the target of 25,000 students, only 5,825 students were extended benefits under the scheme.

Thus, during the year 2016-17, 57,537 applications and 21,269 applications of 2017-18, were not considered for hostels admission. This was also due to the fact that out of ₹ 148.23 crore released to seven RDCs, only ₹ 29.02 crore could be incurred on the scheme and the balance amount of ₹ 119.21 crore was surrendered.

After Audit pointed out (May 2018) the ambiguity in the GR, the SJSAD issued (June 2018) a revised GR which enabled the students to be eligible for both options *i.e.*, admission for hostel facility and for benefit under the Swadhar scheme in the event of non-allotment of hostel facility.

The fact however remained that the students of 2016-18 were deprived of the benefits due to ambiguity in the GR.

3.2.3.5 Non-revision of food allowance (*Pariposhan Aahar*) to students of aided hostels

The SJSAD revised (May 2008) the food allowance to be paid to the aided hostels from ₹ 600 to ₹ 630 per month per student to all the 2,388 aided hostels in the State. Further, the rates were to be revised every year considering the consumer price index (CPI). The SJSAD again revised (December 2011) the rates after three years from ₹ 630 to ₹ 900 per month per student. Thereafter, the food allowance was not revised till June 2018. The SJSAD decided (March 2016) to form a Committee consisting 13 members headed by Chief Secretary to revise the rate of food allowances from ₹ 900 based on CPI. According to Ministry of Statistics and Programme Implementation, the CPI of February 2011 was at a record low of 86.81 index

points and reached an all time high of 138.60 index points in June 2018. The CPI in India averaged 116.25 index points from 2011 until 2018. However, even after lapse of more than seven years period the rates of allowance were not revised by the Department.

The Superintendents of the test checked 54 aided hostels confirmed that due to increase in the rate of commodities since last five years, the food allowances provided to the students of aided hostels was insufficient and therefore the institutions were unable to provide the morning breakfast, quality and healthy food to the students of aided hostels. Thus, non-revision of food allowances by the Department led to deprivation of students from getting quality, healthy and sufficient food.

The Secretary, SJSAD stated (May 2018) that, a Committee was already formed under the chairmanship of Chief Secretary for submission of proposal to increase in food allowance paid to the students of aided hostels. It was also stated that to increase the rates of food allowance, four meeting were already conducted; after the decision of the committee, action would be taken. Further, it was not expected to increase the rates of food allowance every year.

The facts remained that as the Government Resolution (GR) of December 2011 clearly indicated that the decision to revise the rates every year based on CPI was taken in the GR of 2008 and the same was to be continued and the rates were not revised resulting in deprivation of quality food to the students housed in aided hostels.

3.2.4 Working of GHs and GRSs

3.2.4.1 Shortfall in supply of basic Amenities in GHs and GRSs

The Government resolutions issued by the Department in May 1984, July 2011 and December 2015 stipulated provision of amenities such as iron cots, beds, blankets, electric and solar water heaters *etc.* The shortfall in the supply of basic amenities to GHs and GRSs are detailed in succeeding paragraphs.

a) Non-supply of iron cots and other basic amenities to the students residing in GHs

In the selected seven districts, there were 127 GHs. Out of these in 42 GHs no iron cots were provided to the students since its opening. In the test checked 33 GHs, audit observed that iron cots were not provided to the students in 17 GHs. The students were forced to sleep on the floor as shown in the photograph taken on February 2018.



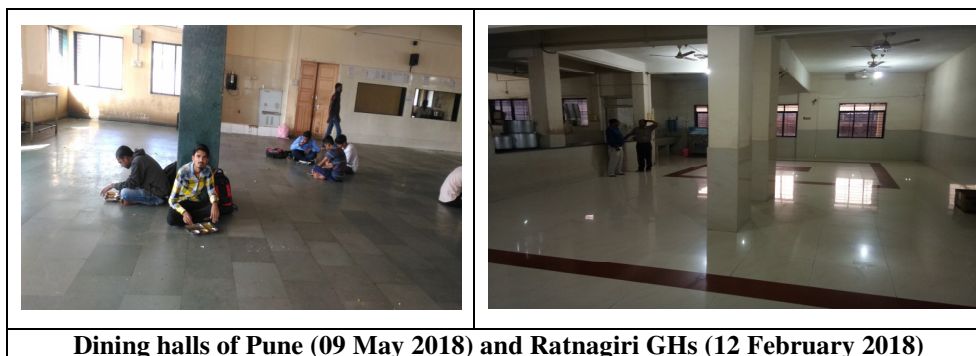
In 108 GHs, the SJSAD had not provided the following other basic amenities as detailed in the **Table 3.2.5**.

Table 3.2.5: Other basic amenities not provided in the GHs

Amenities	Number of GHs
Cotton beds	35
Blankets	20
Invertors	12
CCTV Cameras	12
Solar water heater or electric water heater	42
Drinking water facility, solar lamps at the time of load shading in taluka headquarters, lightning arrester on hostel building, dining tables, chairs, fire extinguishers	80
<i>Source: Information furnished by field offices</i>	

b) Non-supply of dining tables and chairs in the dining hall

Though, GHs buildings were provided with dining halls for the students, the required furniture like dining tables and chairs were not provided in the dining halls in six out of 33 GHs. As such, the students were found taking lunch and dinner sitting on the floor as shown in the photograph.



c) Non supply of laboratory equipments and other furniture in GRSs

CSW, Pune had released (January 2017) grant of ₹ 80 lakh for purchase laboratory equipments, materials, furniture, exhaust fans, electrification, water pipelines, gas connection, fire extinguishers required in Laboratories for the students of X class of 80 GRSs (₹ one lakh per GRS) to the respective RDCs. Audit observed in the test-check RDCs, that the funds were not utilised by the RDCs and surrendered (March 2017) the entire grant of ₹ 80 lakh to the CSW, Pune.

The Secretary, SJSAD accepted the facts and stated (May 2018) that the Public Accounts Committee had raised several objections on earlier purchases made by the SJSAD. Action on the various points thereof could not be complied by the SJSAD. As a result, the funds provided could not be utilised and supply of amenities and facilities to the GHs and GRSs could not be done by the SJSAD since 2013-14 onwards. Audit noted that issues relating to irregularities in purchases was pointed out in the Report of CAG for the year ended March 2013. The recommendations of PAC on the issues raised therein was awaited.

The reply is not acceptable as compliance to Public Accounts Committee cannot be treated as a reason for non-purchase of amenities for the GHs and

GRSs. The failure of the SJSAD to take corrective action to improve the system of procurement resulted in depriving the benefits to the students.

3.2.4.2 Lack of proper infrastructure in the girls hostels opened on the eve of Dr. B.R. Ambedkar Jayanti

The SJSAD had opened as of June 2018, 42 girls hostels⁴⁰ out of the proposed 50 hostels. All the 42 GHs were opened in rented buildings of which 12 hostels were found running with less intake capacity than the sanctioned intake capacity. Further, the prescribed norms⁴¹ regarding providing sufficient space to each student of all 42 hostels were not followed.

Audit also observed that though a period of more than two years had elapsed, the SJSAD has not provided the key staff⁴² in these 42 Government girls' hostels. Further, the posts required for these 42 GHs were not got sanctioned from High Power Committee till June 2018. The hostels were managed through additional charges.

The Secretary, SJSAD stated (May 2018) that the proposal for sanction of staff for these girls hostels was submitted (July 2016) to HPC and Finance Department, the approval was still awaited (August 2018).

3.2.4.3 Discrimination in providing meals to the students residing in old GHs and in new GHs

The SJSAD had in May 1984 prescribed the diet norms and standard of meal for each student which was followed by 271 hostels. The norms in respect of few items are shown in **Table 3.2.6**:

Table 3.2.6: Diet norms

Name of Item	Quantum fixed for Boy student (In Gram)	Quantum fixed for Girl student (In Gram)
Wheat, Jawari and Bajari	400	300
Rice	100	100
Dal / Sprouts	130	130
Leafy Vegetables	300	250
Milk	200 ml.	200 ml.
Mutton, Fish or Eggs (Once in a month)	125 or 2 eggs	125 or 2 eggs

Source: Government Resolution of May 1984

These old hostels had the post of cook and helpers for preparing food as per the norms prescribed by SJSAD. However, SJSAD revised (July 2011) the earlier norms and introduced a list of 37 items of facilities and amenities to be provided to the students staying in all the GHs. The list of 37 items included provision of unlimited meal to the students of all the GHs. Audit observed that in 146 GHs out of these 271 GHs, the cooks and helpers were preparing and serving the food.

In the test checked seven selected districts, it was observed that in 88 GHs out of 127 GHs, the catering services was given on contract basis to the private agencies which were providing unlimited meals to the satisfaction level of the

⁴⁰ five at district level and 37 hostels at taluka level

⁴¹ Minimum 24 square feet and maximum 40 square feet per student

⁴² House Masters (for strength above 250 students), Wardens, Sr. Clerks, Jr. Clerks and Peons

students. In the remaining 39 old hostels, limited meals were being provided to the students. Joint physical inspection of eight out of 39 GHs in four⁴³ districts and the data collected through questionnaires from the students, revealed that the meal served to students was limited/fixed quantity and insufficient. Further, the quantity of the food diet fixed for each student *i.e.*, from 7th standard student to the medical and engineering students was same. Thus, the revised norms were not followed in these cases and were also not ensured by the concerned ACs, RDCs and CSW, Pune.

The Secretary, SJSAD while accepting the facts stated (May 2018) that, the necessary follow-up action would be taken with all the Regional Offices.

3.2.4.4 Functioning of GHs and GRSs without key posts

According to the norms (May 1984) fixed by SJSAD, the wardens of the hostels were required to stay in the premises of their respective hostels for effective implementation and smooth functioning of GHs and GRSs. Audit observed that out of 377 sanctioned posts of wardens in 435 GHs, only 279 posts were filled and 98 posts were vacant. As such, in the deficit GHs, additional charges were allotted to the wardens of the other GHs by the RDCs of the concerned districts.

In the test checked ACs, out of 127 hostels, 37 GHs were found functioning with additional charges of the wardens. It was also observed that the distance between the two GHs where the wardens were given additional charge ranged between three and 90 kilometers.

Similarly, for 100 GRSs, 85 posts of wardens were sanctioned. However, only 83 GRSs were opened. Out of the 85 sanctioned posts of wardens, only 49 posts were filled and 36 posts were vacant (May 2018). Further, in the test checked 21 GRSs, no wardens were appointed but additional charges were allotted to the Headmasters.

Thus, the very objective of effective and smooth functioning of GHs and GRSs was defeated.

The Secretary, SJSAD while accepting the facts stated (May 2018) that due to the ban imposed (June 2015) by the Finance Department of GoM, the posts of wardens were vacant, due to which, additional charges were given to the Wardens of the other GHs. The proposal for filling of vacant posts of GHs and GRSs was submitted (September 2017) to General Administration Department. However, the same was not approved till date.

The fact also remained that, absence of wardens in the hostels could adversely affect the smooth functioning of the hostels.

3.2.4.5 Failure to conduct structural audit of old GHs

As per the provisions of Maharashtra Municipal Corporations and Municipal Councils (Fifth Amendment) Act, 2008, published (14 January 2009) in the GOM Gazette, every owner or occupier of a building in respect of which a period of thirty years had lapsed, shall cause such building to be examined by a Structural Engineer registered with the Corporation for the purpose of

⁴³ Chandrapur, Ratnagiri, Ahmadnagar and Pune

certifying that the building is fit for human habitation and submit the certificate issued by Structural Engineer to the Commissioner. The Structural Stability Certificate shall be submitted within one year from the expiry of a period of thirty years and every ten years thereafter or such earlier period as the Commissioner may determine.

Out of the 271 old GHs, 138 GHs⁴⁴ were more than 30 years old. The walls in the test checked GHs were found to have developed cracks. Audit observed that in one case of GH⁴⁵ at Pune the third floor of GH collapsed in August 2016. As the students were not present in the hostel building a major tragedy was averted. However, SJSAD had not taken any concrete efforts to plug such incidences in future by taking up structural audit of old hostel buildings.

The Secretary, SJSAD while accepting the facts stated (May 2018) that necessary instructions would be issued to all the RDCs of the regions to conduct the structural audit of all the GHs.

3.2.4.6 Non-refilling of fire extinguishers supplied to the hostels

The SJSAD sanctioned (February 2012) supply and installation of fire extinguishers for safety and security of the students in all the GHs and GRSs. The work was awarded (April 2012) to M/s. Reliable Fire Engineers, Thane for supply and installation of 9,690 fire extinguishers @ ₹ 1,525 per unit in 374 GHs, 57 GRSs, three regional level hostels and offices and kitchens located in all the identified GHs, GRSs and regional hostels. The contractor was paid (November 2012 to August 2014) a total amount of ₹ 1.63 crore. However, no annual maintenance contract was entered for refilling and maintenance of these fire extinguishers, thus, the very purpose of installation of fire extinguishers had been defeated.

The Secretary, SJSAD stated (May 2018) that the status of refilling of extinguishers supplied and installed would be called for from CSW, Pune and comments thereof would be submitted to Audit.

3.2.4.7 Non-coverage of insurance of the hostellers under Rajiv Gandhi Bima Yojana.

The SJSAD issued a Government Resolution in July 2011 for bringing the students of the GHs under Rajiv Gandhi Bima Yojana (RGBY) to extend financial assistance and benefits to the students in the form of insurance against any physical disabilities caused due to any accidents. Audit observed that none of the GHs had taken the insurance for the students admitted in the respective GHs under the RGBY.

The Secretary, SJSAD accepted the facts and stated (May 2018) that instruction would be circulated to all regional offices.

⁴⁴ 107 GHs located in Government building and 31 GHs were in rented buildings
⁴⁵ Sant Gyaneshwar Boys Hostel, Pune

3.2.4.8 Non-production of inspection reports of Taluka and District Coordination Committee

The SJSAD had issued (December 1996) orders for formation of Co-ordination Committee at district and taluka level. At the district level, the Co-ordination Committee was to be formed under the chairmanship of Collector along with three government officers and two non-government persons. At taluka level, the committee was to be formed under the chairmanship of Local MLA. Further, the above committees were required to visit and conduct the inspections of the GHs once in three months as well as the aided hostels once in two months. The said reports thereof were to be forwarded along with necessary recommendation and suggestions to the CSW, Pune.

Audit observed that out of seven selected districts, in six districts the committees were formed. However, the reports and recommendations given by the committee were not made available to audit.

The Secretary, SJSAD stated (May 2018) that, the reports of the working committee would be reviewed and the action and recommendations taken thereon as per Government GR would be intimated to the Regional Offices for implementation.

3.2.5 Conclusion

The scheme of opening new Government Hostels for BCs in all the taluka headquarters was envisaged in 2005-06. However, even after lapse of 10 years the Government hostels in 128 talukas were not opened. The population norms for opening of Government hostels in taluka headquarters were also not strictly followed. The intake capacity of the hostels shifted to new premises was also not revised and sanctioned resulting in deprivation of benefit to students. As against 100 Government Residential Schools to be opened, only 83 schools were opened. There was short utilisation of funds against the grants released. Though, the expenditure under plan heads was not commensurate with the demand and funds released by SJSAD in the last five years, the SJSAD continued to place demands on higher side every year without analysing the reasons for short utilisation of funds. Failure to ensure the fulfilment of conditions resulted in unfruitful expenditure of ₹ 24.78 crore due to non-imparting of computer training to the students. The hostels at Regional levels having capacity of 1,000 students taken up in Nagpur, Mumbai and Pune remained incomplete. One unit of girls hostel at Latur though constructed in 2011 remained un-utilised. There was shortfall in supply of basic amenities in the Government Hostels and Government Residential schools. 42 girls hostels opened on the eve of Dr. B.R. Ambedkar Jayanti were found short of proper infrastructure. The structural audits of the hostels which were more than 30 years old were also not undertaken. The rate of '*Pariposhan Aahar*' payable to aided hostels was not revised commensurate with Consumer Price Index since 2012 onwards. There was discrimination in providing meals to the students residing in old Government Hostels and in new Government Hostels.

3.2.6 Recommendations

- The SJSAD may formulate a plan to ensure availability of hostels and residential schools in all the taluka headquarters;
- The SJSAD may place justified demands for funds commensurate with the past expenditure and ensure that the funds released are utilised in full.
- The SJSAD may ensure provision of adequate infrastructure, amenities and staff for effective functioning of the hostels and schools.
- The SJSAD may devise adequate mechanism to monitor the progress of completion of the hostel buildings and residential schools.

Revenue and Forest Department

3.3 Management of leases of Government land given to Gymkhanas in Mumbai

Despite directions by the Government, lease agreements of 10 Gymkhanas were not renewed for a period of nearly 12 to 48 years and lease rent of ₹ 1.27 crore for the year 2017 remained unrealised.

Based on comments/recommendations of the Public Accounts Committee of the Maharashtra Legislature, the Revenue and Forests Department (R&FD) of Government of Maharashtra (GoM), directed (August 2006) that the District Collectors in Mumbai should scrutinise annually, the reports regarding leases of Government land and while submitting the report to Government for renewal, a scrutiny note on violations of conditions *etc.*, of Government land, if any, should be included.

R&FD resolved (February 1983 and May 1984) that lease rent leviable for lease of Government land to private institutions *etc.*, would be eight *per cent* of 50 *per cent* of the full market value of the land prevalent as on 1 February 1976 which was subsequently revised (September 2003) by R&FD to one *per cent* of 15 *per cent* of the market rate of the land prevalent as on 1 January 1999. However, the said order was stayed (April 2004) by the Hon'ble High Court of Mumbai with a direction that till the issue was finally resolved, the lease rent may be paid at the pre-revised rates.

Accordingly, R&FD framed (June 2017) a lease rent policy applicable from 1 January 2017 for Gymkhanas situated on government land. As per the revised policy, all the Gymkhanas were classified into three categories on the basis of area *viz.*, Class A (more than 20,000 square metres of area), Class B (from 10,000 square metres to 20,000 square metres of area) and Class C (less

than 10,000 square metres of area) and for which a revised lease rent⁴⁶ was also finalised by using the Ready Reckoner (RR) rates as the basis.

There are 16 Gymkhanas in Mumbai under the jurisdiction of Collectorates of Mumbai City (11 Gymkhanas⁴⁷) and Mumbai Suburban District (MSD) (five Gymkhanas⁴⁸).

Out of 11 Gymkhanas in the jurisdiction of Collector, Mumbai City, the lease agreements in respect of nine⁴⁹ Gymkhanas had expired between December 1970 and December 2006 and the agreements were not renewed so far. Thus, despite lapse of nearly 12 to 48 years, no tangible action was initiated by the Collector to renew the lease agreements.

The Superintendent, Mumbai City Survey and Land Records (City) stated (March 2018) that action would be initiated to renew the lease agreements as per rules. It was also intimated that another meeting of the Gymkhana authorities would be called to discuss the relevant issues. Moreover, Collector has not carried out annual scrutiny of leases of Government land and submitted a report to Government as required.

Out of five Gymkhanas under the jurisdiction of the Collector, MSD, lease agreement of Khar Gymkhana had expired on 28 February 2015. Despite lapse of three years, the Collector, MSD did not take any action to renew the lease agreement.

Non-renewal of the lease agreements of the 10 Gymkhanas (nine of Mumbai City and one of MSD) for nearly three to 48 years resulted in non-realisation of lease rent of ₹ 1.27 crore until the year 2017 (**Appendix 3.3.1**)

The matter was referred to the Government in August 2018; their reply was awaited as of March 2019.

⁴⁶ Revised lease rent applicable from 1 January 2017 for Gymkhanas situated on government land would be one *per cent*, 0.5 *per cent* and 0.25 *per cent* of 10 *per cent* of the cost of the plot for Class A, Class B and Class C Gymkhana respectively and liable to be increased by four *per cent* every year

⁴⁷ (1) CCI Club (2) The Western India Football Association (3) Bombay Gymkhana (4) Islam Gymkhana (5) PJ Hindu Gymkhana (6) Parsee Gymkhana (7) Wilson College Gymkhana (8) Grant Medical College Gymkhana (9) PVM Gymkhana (10) Catholic Gymkhana and (11) Wood House Gymkhana

⁴⁸ (1) Chembur Gymkhana (2) Bombay Presidency Golf Club (3) Catholic Gymkhana (4) Otters Club and (5) Khar Gymkhana

⁴⁹ (1) Bombay Gymkhana (2) Islam Gymkhana (3) P.J. Hindu Gymkhana (4) Parsee Gymkhana (5) Wilson College Gymkhana (6) Grant Medical College Gymkhana (7) PVM Gymkhana (8) Catholic Gymkhana and (9) Wood House Gymkhana

Women and Child Development Department

3.4 Idling of Government State Home building

Failure of both the Women and Child Development Department and the Public Works Department to ensure clearances to the land before construction, resulted in idling of Government State Home Building constructed at a cost of ₹ 6.71 crore for more than five years apart from non-achievement of objectives of creating additional accommodation for women inmates.



The Women and Child Development Department (Department), Government of Maharashtra (GoM), amongst other functions, maintains Homes for women victims of human trafficking. The Department accorded (July 2008) administrative approval, which was revised (May 2010) for ₹ 6.71 crore, for construction of a new Government State Home

(GSH), adjacent to the existing GSH building at Mundhwa, Pune, to accommodate 100 women inmates so as to prevent overcrowding in the existing building. The District Planning and Development Committee, Pune was the fund releasing agency and the Executive Engineer, Public Works Division, Pune (EE) was the implementing agency. After tender process, EE issued (February 2009) work order to a contractor for commencement of work with stipulated period of completion as 24 months. The work was completed at a cost of ₹ 6.71 crore in December 2012. However, Department had not taken over the possession of the building till date (June 2018) on the ground that the occupancy certificate had not been received from the Pune Municipal Corporation (PMC).

Scrutiny of records (February 2017) of the District Women and Child Development Officer, Pune (DWCDO) and information obtained (March 2018) from the Executive Engineer, Public Works Division, Pune (EE) revealed as following:

- As per section 58⁵⁰ of Maharashtra Regional and Town Planning (MRTP) Act, 1966, the EE was required to submit the plans of the construction of building being a Government Building to the PMC ensuring that the construction was in conformity with the provisions of

⁵⁰ When any Government intends to carry out development of any land for the purpose of any of its departments or offices or authorities, the officer in charge thereof shall inform in writing to the Planning Authority the intention of Government to do so, giving full particulars thereof, and accompanied by such documents and plans as may be prescribed, at least thirty days before undertaking such development.

the Development Plan. The same was not done and the construction was taken up without submission of plans to the PMC.

- As per PMC's Development Plan (DP), 1987, the land on which building has been constructed was falling under 'Green zone'. The Department, however, without ascertaining this, handed over the same to the EE. Though, the building was completed in December 2012, the same was not put to use as the PMC had not issued occupancy certificate.

Thus, failure of both the Women and Child Development Department and the Public Works Department to ensure clearances before construction, resulted in idling of the Government State Home Building constructed at a cost of ₹ 6.71 crore for more than five years apart from non-achievement of objectives of creating additional accommodation for women inmates.

The Government stated (March 2019) that the Urban Development Department vide their notification dated 17 March 2018 has converted the Green Zone into Public/Semi-Public Zone. The Government further added that PWD has been asked to provide a new water connection, increase the height of the wall *etc.*, and it is in the process of taking possession as soon as the new water connection is installed and the occupation certificate received.

The fact remained the building has not been put to use till date (March 2019)

Housing Department

Maharashtra Housing and Area Development Authority

3.5 Unoccupied tenements

Due to non-obtaining of Occupancy Certificate from the Nagpur Municipal Corporation by the Nagpur Housing and Area Development Board the beneficiaries of two Housing Schemes at Nagpur were deprived of their homes even after three to four years since payment of sale price of ₹ 124.20 crore to the Board.

Maharashtra Housing and Area Development Authority (MHADA) is mandated under its Act to provide housing accommodation in the State by constructing tenements for families under Economically Weaker Section (EWS), Low Income Group (LIG), Middle Income Group (MIG) and Higher Income Group (HIG).

The Nagpur Housing and Area Development Board (Board) a unit of MHADA took up two Housing Scheme *viz.*, (1) Construction of 320 HIG tenements at Empress Mill, Nagpur at a cost of ₹ 56.08 crore in December 2010 and (2) Construction of 29 HIG bungalows at Waddhamana, Nagpur at a cost of ₹ 3.91 crore in March 2013. Construction of both the

Schemes was physically completed in October 2016 and September 2016 respectively.

Scrutiny of the records (February 2018) of Chief Officer, Nagpur Housing and Area Development Board revealed that the Board collected sales price of ₹ 118.33 crore⁵¹ from beneficiaries of 314 HIG tenements at Empress Mills upto March 2014 and ₹ 5.87 crore⁵² from beneficiaries of 29 HIG bungalows at Waddhamana upto March 2015. However, the possession of the said tenements was not handed over to the beneficiaries even after three to four years since Occupancy Certificates (OCs) for the tenements of both the Schemes had not been obtained from the Nagpur Municipal Corporation (NMC).

Further scrutiny revealed that the Board had not even applied for the OCs in respect of 29 HIG bungalow Scheme at Waddhamana since the infrastructural works such as internal roads, retaining wall and the drainage works were still incomplete. The Board had not taken any action to expedite the works except penalising the contractor.

In respect of Empress Mill, though the Board applied (March 2014) for OC, NMC had not issued the same for want of environmental clearance (EC) since total built up area of the project was more than 2,000 square meter. The EC was finally obtained (April 2017) from the State Level Environment Impact Assessment Authority, GoM under the provisions of Environment Impact Assessment Notification, 2006 subject to condition of installation of the Sewerage Treatment Plant (STP). It was seen that the Board had not taken any action for installation of the STP till date (December 2018).

Thus, due to non-obtaining of OCs from the NMC before allotting the tenements to the beneficiaries of both the Schemes, the beneficiaries had been deprived of their new homes even after three to four years from the payment of the sales price to the Board.

Executive Engineer I, Nagpur Division I, Nagpur Housing and Area Development Board justified (February 2018) that the requirement of EC was initially not applicable to the project at Empress Mill. However, the same became necessary subsequently due to a clarification to the Notification issued in April 2011, whereby the condition of STP was put while issuing of EC in April 2017. In respect of Waddhamana Project the OC would be obtained shortly.

The reply in respect of Empress Mill is not tenable as NMC denied the OC for pending EC required as per Notification of September 2006. The reply was silent regarding action proposed for installation of the STP. Thus, the failure on the part of MHADA to install the STP and obtain the EC from NMC had resulted in denial of tenements to the beneficiaries despite payment of the sale price.

The matter was referred to the Government in July 2018, their reply was awaited as of March 2019.

⁵¹ Full payment by 199 beneficiaries and part payments by 115 beneficiaries
⁵² From 27 beneficiaries in 2013-14 and from two beneficiaries in 2014-15

Housing Department

Maharashtra Housing and Area Development Authority

3.6 Undue benefit to Developers

Incorrect approval of Redevelopment Scheme of cessed buildings by Mumbai Building Repairs & Reconstruction Board resulted in undue financial benefits of ₹ 8.64 crore to a Developer. Besides, Developer had not surrendered surplus area of 960.46 square meter valued at ₹ 59.76 crore.

Redevelopment of category “A” cessed buildings⁵³ situated in the island city of Mumbai may be undertaken on the following terms as per the Appendix III of Regulation 33(7) of the Development Control Regulations for Greater Mumbai, 1991 (DCR, 1991):

- The total Floor Space Index (FSI) shall be 2.5 of the gross plot area or the FSI required for rehabilitation of existing occupants plus 50 *per cent* incentive FSI, whichever is higher.
- Each occupant shall be rehabilitated with minimum carpet area of 20.90 square meter (sq.mt.), going upto 70 sq.mt. depending on the actual area occupied in the old building.
- The surplus area⁵⁴ created in the redevelopment building is surrendered⁵⁵ to Mumbai Building Repairs & Reconstruction Board (MBR&RB) to the extent of five to 50 *per cent* depending on the percentage of the surplus area.

The Urban Development Department (UDD), Government of Maharashtra (GoM), increased the minimum carpet area to 27.88 sq.mt. and the FSI to three in May 2011. The revised norms became applicable to the redevelopment schemes in progress and not completed upto plinth level. The condition of construction of rehab building not completed upto plinth level was deleted vide UDD, GoM order of October 2013. As per UDD’s order⁵⁶, the conversion of FSI from 2.5 to three requires prior approval of the Government in respect of change in size of tenements and loading of FSI in situ.

Audit noticed (December 2017) the following two cases where the MBR&RB did not safeguard its interests and allowed reduction in the area of rehabilitation without approval of the Government.

⁵³ Building that was built before the 1st day of September 1940 is classified as category “A” cessed building

⁵⁴ The surplus area in the new building is determined on the basis of the difference between the floor space index availed of by it while reconstructing the building and the floor space index that had been utilised in the construction of the old building

⁵⁵ The surplus area surrender by Developer is used for allotment to the occupants residing in MBR&RB’s transit camps or whose old cessed buildings cannot be constructed

⁵⁶ Urban Development Department, Government of Maharashtra Order No. TPB 4313/CR-84/2013/UD-11 dated 7 October 2013

Case No. 1: C.S. No. 648 of Malbar-Cumballa Hill Division, Building No. 17 and 19A, Altamont Road, “D” Ward, Mumbai; Developer: M/s. Krishna and Company

As per the No Objection Certificate (NOC) issued in December 2001 by MBR&RB to the Developer for redevelopment of the building, the FSI was 2.5 and the surplus area due to MBR&RB was 312.66 sq.mt. In the light of subsequent UDD order of October 2013, the FSI was converted into three and the surplus area due to MBR&RB was also revised to 960.46 sq.mt. The construction was still in progress.

Developer was required to execute an agreement with MBR&RB for handing over of the surplus area of 960.46 sq.mt. valued at ₹ 59.76 crore⁵⁷, within 30 days from the approval of amended plan with three FSI by Municipal Corporation of Greater Mumbai (MCGM) and prior to issue of further commencement certificate by MCGM. Developer did not comply with it and also MBR&RB did not take any action to safeguard its interests. It also needs to explore other legal remedies and consider black-listing the Developer/Promoter from future/other on-going redevelopment projects, if any.

The Government stated (January 2019) that the agreement for handing over of surplus tenements had been executed (December 2018) by the NOC holder (developer). Further, MHADA would not issue NOC to the developer for getting occupancy certificate from the MCGM.

Case No. 2: C.S. No. 3/296 of Tardeo Division, “D” Ward, Mumbai; Developer: M/s. Elite Housing Developers Pvt., Ltd.

As per the NOC issued in December 2009 by MBR&RB to the Developer, the FSI was 2.5, the rehabilitation component involved 1,584.47 square meter of carpet area and there was no surplus area for MBR&RB. The revised NOC was issued in December 2011 with FSI of three. The rehabilitation area was reduced by 480.20 square meter to 1,104.27 square meter on the ground that the occupants agreed for the same. The surplus area due to MBR&RB was worked out to 203.61 sq. mt. MBR&RB consented to this reduction in March 2014.

The consent of MBR&RB was in contravention of the provisions of Clause 2 of Appendix III of DCR 33(7) of DCR, 1991, which requires any change/deviation to be approved by the Government. No such approval was taken by MBR&RB. The construction was still in progress and hence the occupants of the cessed building have been deprived of the minimum entitled area to the extent occupied by the occupant of old building as per Clause 16 of Appendix III of DCR 33(7) of DCR, 1991. Developer gained 276.59 square meter area valued at ₹ 8.64 crore⁵⁸.

The Government while accepting the fact stated (January 2019) that the prior permission for reduction in rehabilitation area had not been taken, however, ex-post facto had been granted now.

⁵⁷ 960.46 × ₹ 6,22,200 (Rate of residential building per square meter as per Ready Reckoner, 2017)

⁵⁸ 276.59 × 1.2 × ₹ 2,60,300 (Rate of residential building per square meter as per Ready Reckoner, 2014) = ₹ 8,63,95,652

Housing Department

Maharashtra Housing and Area Development Authority

3.7 Undue benefit to Developers

Due to delay in initiating action against developers for recovery of outstanding dues of ₹ 98.91 crore, Maharashtra Housing and Area Development Authority/Mumbai Building Repairs and Reconstruction Board failed to safeguard its financial interests.

Mention was made in paragraph 2.2.7.2 of the Report of the Comptroller and Auditor General of India on General and Social Sector for the year ended March 2012 regarding poor recovery of rent and service charges of the transit tenements allotted to the developers. The Public Accounts Committee (PAC) recommended (December 2017) that penal action should be initiated against officers concerned, withdraw the permissions granted to developers for sale of reconstructed tenements (sale component) and recover outstanding dues as arrears of land revenue. These actions were to be taken within three months as per the PAC recommendation.

Mumbai Building Repair and Reconstruction Board (MBR&RB), a unit of Maharashtra Housing and Area Development Authority (MHADA), allots its transit tenements to the developers who undertake the redevelopment works under the provisions⁵⁹ of Development Control Regulations, 1991 for Greater Mumbai on payment of rent and service charges, as per their policy⁶⁰ of March 2011.

Scrutiny of records (March 2017) and further information obtained (April 2018 and June 2018) from Dy. Chief Officer/Transit Camp, MBR&RB revealed that MBR&RB, in disregard to its own policy, allotted transit tenements to developers by recovering advance rent for first year only and allowed to retain the tenements beyond three years without renewing the agreements. It was observed that total outstanding dues pending from 38 developers as on 31 March 2018 were ₹ 98.91 crore⁶¹, which ranged from three to 20 years. However, except issue of stop work notices to 20 projects/developers, no action has been taken by MHADA/MBR&RB to comply with the recommendation of PAC.

The MBR&RB stated (April 2018) that the recovery of outstanding dues was in progress and action recommended by the PAC was being initiated.

Thus, failure to safeguard financial interests and delay on the part of the MHADA/MBR&RB in initiating action against the defaulted developers for recovery of outstanding dues of ₹ 98.91 crore, resulted in undue benefit to the developers.

⁵⁹ Regulation 33(7), 33(9) and 33(10) of DCR

⁶⁰ As per MHADA's policy of March 2011, the developer was required to sign leave and license agreement with the MBR&RB and required to pay rent @ ₹ 6,000 per month per tenement in advance. The allotment of transit tenements is for maximum period of three years or till completion of project, whichever is earlier

⁶¹ Rent and service charges ₹ 71.38 crore and penal interest ₹ 27.53 crore

The Government stated (March 2019) that stop work notices were issued to developers in default in May-June 2017 and ₹ 64.61 crore were recovered as of January 2019 and remaining amount would be recovered from the developers.

Urban Development Department

Mumbai Metropolitan Region Development Authority

3.8 Loss of Revenue

Inaction on the part of Mumbai Metropolitan Region Development Authority (MMRDA) to execute lease deed in time with lessee, resulted in loss of ₹ 41.47 crore. Besides, MMRDA did not recover ₹ 23.49 crore for delay in construction within specified time limit.

The Mumbai Metropolitan Region Development Authority (MMRDA) allotted (February 2000) Plot No. SCL-5 (admeasuring 3,528.88 square meter (sq.mt.)) and adjacent Plot No. RG-21A (admeasuring 2,194.56 sq.mt.) in 'G' Block of Bandra-Kurla Complex (BKC) to Jamnaben Hirachand Ambani Foundation, Mumbai (Foundation) for the purpose of school and playground respectively. The lease deed between the Foundation and MMRDA was executed in October 2002 and the Foundation is presently running the Dhirubhai Ambani International School on these plots.

M/s Reliance Industries Limited forwarded (February 2007) Foundation letter of 12 February 2007 to office of Chief Minister, Government of Maharashtra with a request for allotment of two adjoining plots *i.e.*, SF-7 (admeasuring 2,274.18 sq.mt.) and SF-9B (admeasuring 2,024 sq.mt.) in 'G' block of BKC to Foundation for extension of existing School building of Dhirubhai Ambani International School and to further improve the quality of services with international standards. Accordingly, MMRDA in its meeting held on 13 March 2007 decided to allot the said plots to the Foundation at ₹ 1.53 lakh per sq.mt. of Plot area, in contravention of the existing practice of allotment of plot and charging lease premium on permissible Built up Area, as evident from MMRDA's resolution of February 2006 and Request for Proposal of February 2008 issued to another developer for allotment of plot in BKC.

MMRDA issued (June 2007) offer letter to the Foundation for construction of school building subject to approval of change in use of these two plots from the 'Social Institutions' to 'School'. The Foundation paid (June 2007) lease premium of ₹ 65.79 crore. MMRDA had forwarded the lease deed, for a total period of 80 years, to this Foundation for execution on 12 February 2009. The Foundation, in response, intimated (June 2009) to MMRDA that it might take some time as the lease deed was being scrutinised by their legal section and it was emphasised that the executing lease deed and taking over the possession of the plot was a formality as total premium was paid. The lease deed was finally executed (May 2011) after a delay of more than two years from forwarding of lease deed by MMRDA to the Foundation. Meanwhile, Urban

Development Department, Government of Maharashtra approved the change in use to school for Plot No. SF-7 in February 2008 and Plot No.SF-9B in June 2008, after following due procedure under Section 37 of the Maharashtra Regional Town Planning Act, 1966. The lease agreement between MMRDA and Foundation was executed on 5 May 2011 after a lapse of two years from the date of forwarding the lease deed to the Foundation. The possession of the plot was taken on 5 May 2011.

Scrutiny of records (November 2017) of the Metropolitan Commissioner, MMRDA revealed the following:

- As per clause 2 (d) and 2 (e) of the lease deed read with resolution No. 1140 and 1227 of MMRDA's meeting dated 24 December 2007 and 9 February 2010 respectively, the Foundation was required to complete entire construction fit for occupation on the designated land within four years from the date of lease agreement, failing which additional premium at 10 *per cent* of total lease premium per year for the delay upto three years and 15 *per cent* per year afterwards was payable to MMRDA. Since the Foundation had not completed the construction of extension of existing school building within four years, MMRDA issued (September 2017) a notice to the Foundation for payment of additional lease premium of ₹ 23.49 crore for delay in construction beyond four years (5 May 2015 to 12 September 2017). The Foundation, however, had not paid the additional lease premium till date (December 2018).
- The calculation of additional lease premium of ₹ 23.49 crore as above is on the lower side and the actual additional premium amount should have been ₹ 52.37 crore. As MMRDA had forwarded the lease deed to the Foundation for execution on 12 February 2009, the additional lease premium due to delay in construction beyond four years should have been reckoned from 12 February 2013. However, it was reckoned from 5 May 2015, resulting in arriving at an amount of ₹ 23.49 crore instead of ₹ 52.37 crore. Thus, MMRDA did not safeguard its financial interests while computing the additional lease premium. As such, the additional lease premium recoverable from the Foundation from 12 February 2013 to 12 September 2017 worked out to ₹ 52.37 crore. Since, the Foundation has not paid the additional lease premium for delay in construction, the dues recoverable from the Foundation as on September 2018 worked out to ₹ 64.96 crore including interest at the rate of 14 *per cent* per annum.

MMRDA while accepting the fact stated (February 2018) that after handing over the draft lease deed, the Foundation delayed execution of lease deed without appropriate reasons, hence the same was being legally examined and accordingly revised penalty would be calculated.

The Foundation in response to MMRDA's notice of September 2017 asked (October 2017) for a personal hearing before taking any decision. MMRDA fixed the hearing in December 2017, January 2018 and February 2018. However, the Foundation did not attend the hearings. Thus, it could be seen that MMRDA has not taken any effective action thereafter to make the Foundation pay its dues. It needs to take immediate action to (a) revise the

additional premium amount, and (b) recover the dues without further delay. According to Clause 5 of lease deed whenever there is any breach of the covenants by the lessee, the lesser may re-enter upon any part of the demised premises and determine the lease. MMRDA, if it fails to recover the dues in a reasonable timeframe, may consider invoking this clause and resume the plot of land back to itself.

The matter was referred to the Government in November 2018; their reply was awaited as of March 2019.

Urban Development Department/Housing Department

3.9 Release of Excess Transfer of Development Rights to Developer

The Urban Development Department in contravention of the provisions of Development Control Regulations for Greater Mumbai released excess TDR valued at ₹ 49.01 crore to the Developer. Besides, 3,493 tenements valuing ₹ 147.40 crore were not handed over by the Developer to SRA.

Slum Redevelopment Scheme (SRS) implemented under Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 is a self-sustainable scheme wherein cost of construction of rehabilitation component is compensated by the Slum Rehabilitation Authority (SRA) with sanction of free sale component to private developers. As per provisions of Clause 3.11 read with Clause 3.5 of Appendix IV under Regulation 33(10) of Development Control Regulations (DCR) for Greater Mumbai, if SRS is taken up on an unencumbered plot for slums located on a plot needed for vital public purpose, Transfer of Development Rights (TDR) for area of the land spared for this purpose shall be sanctioned. Additionally, construction TDR equal to 1.33 times of rehabilitation Built-up Area (BUA)⁶² constructed on the plot and handed over to SRA or Project Implementing Organisations (PIOs) free of cost would also be sanctioned.

SRA sanctioned an SRS under Clause 3.11 of DCR in favour of M/s Eversmile Construction Company Pvt. Ltd. (Developer) at Mahul⁶³, Chembur. Letter of Intent (LoI) was issued in November 2006. Subsequently revisions were made in December 2010 and November 2014 due to increase in floor space index and revision/amendment in rehab building plan respectively. As per revised LoI, Developer was to construct and hand over 17,723 Project Affected People (PAP) tenements to Municipal Corporation of Greater Mumbai (MCGM) including 518 Balwadis, Society Offices and Welfare Centres. Total BUA or rehabilitation component was 5,98,540.55 sq.mt. which included an area of 37,223.93 sq.mt. under staircase, lift wells and lift lobbies.

⁶² As per Clause 3.2 of Appendix IV under Regulation 33 (10) of DCR read with Regulation 35(2) of DCR, the BUA area of rehabilitation component is total construction area of rehabilitation component excluding the area of construction falling under staircase, lift well and lift lobby

⁶³ CTS No. 2/1A, 2/1B, 2/4A, 2/4B, 2/4C, 2/5, 2/7A and 2/7B of Village Mahul, M/W Ward, Chembur, Taluka Kurla, Mumbai Suburban District- 400 074

Disregarding the definition of rehabilitation component, SRA released the construction TDR admeasuring 7,96,058.93 sq.mt. (5,98,540.55 sq.mt. × 1.33) which included BUA admeasuring 49,507.83 sq.mt. (37,223.93 sq.mt. × 1.33) granted on area covered under staircase, lift wells and lift lobbies. The value of excess TDR was ₹ 49.01 crore⁶⁴.

Moreover, audit also noticed that the SRA released the entire free sale BUA (construction TDR) admeasuring 7,96,058.93 sq.mt. as of November 2014 and SRA had issued Occupancy Certificates (OCs) to all constructed PAP tenements between January 2011 and March 2012. However, Developer had not handed over possession of 3,493 PAP tenements as of December 2018 either to SRA or MCGM. The reasons for non-handing over of PAP tenements wherein OCs were released six years back were not on record. The value of 3,493 constructed tenements worked out to ₹ 147.40 crore⁶⁵ that were lying with the Developer since 2012.

In reply SRA (April 2018) submitted a clarification issued by Urban Development Department (UDD), Government of Maharashtra (GoM) dated 14 May 2009 wherein UDD permitted release of sale TDR in the ratio of 1:1.33 against BUA areas of staircase, lift wells and lift lobbies to compensate the cost of construction on these items of works. Clarification further cited that the same practice of release of free sale BUA is followed in case of in-situ slum redevelopment under DCR 33(10) of DCR for Greater Mumbai, in case of area of construction falls under staircase, lift wells and lift lobbies.

The clarification (May 2009) issued by UDD was not in conformity with the provisions of DCR 33(10), Clause 3.2 and 3.11 of DCR for Greater Mumbai, wherein it was clearly mentioned that area under staircase, lift well and lift lobby does not form part of rehabilitation components. SRA could not provide copy of any notification issued by GoM amending the provisions of Clause 3.2 of Appendix IV *ibid*. Moreover, audit also noticed that in case of in-situ redevelopment, SRA does not count the area under staircase, lift well and lift lobby in the BUA or rehabilitation component under DCR 33(10) as mentioned in the above clarification of UDD.

Thus, the clarification issued by the UDD in contravention of the provisions of DCR has resulted in release of excess TDR valued at ₹ 49.01 crore to the Developer. This clarification has significant financial implications as SRA may use this clarification to grant TDRs in contravention of DCR in similar cases in future and hence should be reviewed by UDD. The SRA should also review all the cases determined in the light of the said clarification in a time-bound manner. Further, SRA needs to act expeditiously to take possession of the tenements lying with the Developer since 2012.

The matter was referred to the Government in November and December 2018; their reply was awaited as of March 2019.

⁶⁴ ₹ 9,900 per sq.mt. for one FSI at Ready Reckoner Rate for the year 2010

⁶⁵ Total 74655.11-sq.mt. construction TDR released (Total construction TDR released (7,96,058.93 sq.mt.) minus excess TDR released under audit objection (49,507.83 sq.mt.) divided by 17,495 tenements provide TDR released against one tenement, *i.e.*, 42.67 sq.mt. Hence cost of TDR against one tenements come to ₹ 4.22 lakh (42.67 sq.mt. × ₹ 9,900 per sq. mt. as per Ready Reckoner Rate for the year 2010). Total cost of 3,493 tenements = ₹ 147.40 crore (3,493 × 4.22 lakh)

Tribal Development Department

3.10 Avoidable expenditure

Construction of Ashram School building despite declaration of village under Wild Life Sanctuary resulted in avoidable expenditure of ₹ 3.94 crore.

The work of construction of 'Ashram Shala from Standard 1 to 10 at Navargaon, Taluka-Seloo, District-Wardha' in place of old building which was located in the buffer zone of Bor Wild Life Sanctuary was administratively approved (November 2010) by Tribal Development Department (TDD), Government of Maharashtra (GoM) at a cost of ₹ 3.80 crore. The technical sanction was given (November 2010) by the Superintending Engineer, Public Works Circle, Chandrapur for ₹ 3.10 crore, as it was assigned as a 'Deposit Work to Public Works Department (PWD)'. The Executive Engineer (EE), PWD, Wardha issued (March 2011) the work order for the construction of the said Ashram School. The work was completed (September 2014) and handed over (November 2015) to the Head Master (HM), Ashram School, Navargaon by the EE, PWD, Wardha.

Scrutiny (March 2016) of the records of the HM, Ashram School, Navargaon and further information collected (January 2018) from Project Officer, Integrated Tribal Development Project, Nagpur revealed that in November 2011, the Chief Conservator of Forest Department, Nagpur moved a proposal for expanding the boundary of Bor Wild Life Sanctuary including the area of Navargaon. Accordingly, the village of Navargaon was included in the Bor Wild Life Sanctuary as per the notification issued (February 2012) by Revenue & Forest Department, GoM. In view of inclusion of the village in new sanctuary, Gramsabha, Navargaon passed (May 2012) a resolution for rehabilitation of village to a new place. Till the issue of notification, TDD has incurred an expenditure of ₹ 1.23 crore (as of March 2012) over the work which was above 31 *per cent* of the total expenditure. Despite knowing the fact that the school was located in the land belonging to Forest Department, the TDD without ensuring a clearance from the Forest Department continued the work of construction of Ashram School building even after the notification was issued and incurred a total expenditure of ₹ 3.94 crore on the work. The building was handed over by PWD to TDD in November 2015. However, the same could not be put to use and the students along with teaching and non-teaching staff of the school were shifted (December 2015) to other nearby schools. Later in January 2017, the entire land was taken over by the Forest Department.

Thus, due to continuing the work of construction of the school building despite being aware of the fact that the village was included under the Wild Life Sanctuary, resulted in avoidable expenditure of ₹ 3.94 crore incurred during 2012-14. The Forest Department should examine the usage of the building for permitted wildlife related activities.

The matter was referred to the Government (June 2018); their reply was awaited as of March 2019.

Higher and Technical Education Department

3.11 Avoidable payment of Electricity duty

Payment of Electricity Duty of ₹ 1.14 crore was made by Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur during the period April 2014 to June 2016 although such payments by the Government were exempt from the provisions of the Maharashtra Electricity Duty Act, 1958.

Section 3(2) (a) (iii) of the Maharashtra Electricity Duty Act, 1958 provides for exemption in levy of Electricity Duty (ED) on the units of energy consumed by or in respect of any statutory University and institutions run by the statutory University for the purpose of education, research and training (save in respect of premises used for residential purposes).

Further, the above said act was amended on August 2016, in the amended act, the provision of exemption in levy of ED in respect of statutory University was removed and a new provision inserted under Section 3 (2) (iii) *i.e.*, “Electricity duty shall not be levied for the purpose of, or in respect of a school or college or institution imparting education or training, student’s hostels, hospitals, nursing homes, dispensaries, clinics, public streets lighting, public water works, sewerage systems, public gardens including zoos, public museums, administrative offices forming whole or, as the case may be, a part of system run by any local bodies constituted under any law for the time being in force in the State of Maharashtra”.

Scrutiny of records (November 2017) of Rashtrasant Tukadoji Maharaj Nagpur University (RTMNU) revealed that an amount of ₹ 1.14 crore was paid as ED for their six buildings⁶⁶ to Maharashtra State Electricity Distribution Company Limited (MSEDCL) and the Spanco Nagpur Discom Limited (SNDL) Nagpur (Franchise of MSEDCL) on electricity during April 2012 to July 2016 (*i.e.*, period prior to amended act) in contravention of the provisions of the Act. The details are as indicated in **Table 3.11.1**.

Table 3.11.1: Details of ED paid by RTMNU

(₹ in lakhs)

Sl. No.	Year	Amount of ED paid
1.	2012-13	21.45
2.	2013-14	23.36
3.	2014-15	26.67
4.	2015-16	29.60
5.	Upto July 2016	12.87
	Total	113.95

In reply (February 2018), the Registrar of the University stated that correspondence with Maharashtra State Electricity Distribution Co. Ltd., (MSEDCL) and with the General Manager, Commercial, SNDL, Nagpur regarding exemption from paying electricity duty has been made. Further, it has been decided to seek redressal through the court of law, by giving legal notice to the MSEDCL and SNDL.

⁶⁶ University Campus, University Guest House, Laxminarayan Technical Institute, Examination Departemnt, Rajeev Vikas and Student Hostel

Thus, failure of the University to avail the benefit of exemption from paying Electricity Duty resulted in outflow of ₹ 1.14 crore from its General Fund, which could have been put to use for augmenting educational facilities and other amenities.

The matter was referred to the Government in February 2018; their reply was awaited as of March 2019.



(YASHWANT THAKARE)
Principal Accountant General (Audit)-I,
Maharashtra, Mumbai

Mumbai,
The 22 May 2019

Countersigned



(RAJIV MEHRISHI)
Comptroller and Auditor General of India

New Delhi,
The 27 May 2019

APPENDICES

Appendix 1.1 (Reference: Paragraph 1.7.1; Page 7) Department wise outstanding Inspection Reports/paragraphs issued up to December 2017 but outstanding as on 30 June 2018																			
Sl. No.	Name of Department	Mumbai/ Nagpur	Upto 2011-12		2012-13		2013-14		2014-15		2015-16		2016-17		2017-18		Total		
			IR	Paras	IR	Paras	IR	Paras	IR	Paras	IR	Paras	IR	Paras	IR	Paras	IR	Paras	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
General Sector																			
1.	Finance	Mumbai	7	14	0	0	1	4	0	0	2	7	2	2	4	25	16	52	
		Nagpur	15	22	0	0	0	0	4	12	0	0	0	0	0	0	0	19	34
		Total	22	36	0	0	1	4	4	12	2	7	2	2	4	25	35	86	
2.	General Administration	Mumbai	16	22	2	2	1	1	4	16	8	24	8	37	5	27	44	129	
		Nagpur	12	16	6	6	1	1	4	8	2	4	0	0	0	0	25	35	
		Total	28	38	8	8	2	2	8	24	10	28	8	37	5	27	69	164	
3.	Home	Mumbai	89	137	12	18	16	53	12	45	26	119	34	244	18	136	207	752	
		Nagpur	59	86	2	5	27	71	21	85	26	71	23	141	20	197	178	656	
		Total	148	223	14	23	43	124	33	130	52	190	57	385	38	333	385	1408	
4.	Law and Judiciary	Mumbai	19	30	0	0	2	6	6	16	7	28	9	30	4	21	47	131	
		Nagpur	56	96	1	1	0	0	15	40	1	1	4	11	1	3	78	152	
		Total	75	126	1	1	2	6	21	56	8	29	13	41	5	24	125	283	
5.	Maharashtra Legislature Secretariat & Parliamentary Affairs	Mumbai	2	5	0	0	0	0	1	5	0	0	1	1	0	0	4	11	
		Nagpur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
		Total	2	5	0	0	0	0	1	5	0	0	1	1	0	0	4	11	
6.	Planning	Mumbai	2	3	1	1	0	0	0	0	2	5	1	8	0	0	6	17	
		Nagpur	16	26	0	0	0	0	0	0	0	0	0	0	0	0	16	26	
		Total	18	29	1	1	0	0	0	0	2	5	1	8	0	0	22	43	

Appendix 1.1. (contd....)																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
Social Sector																			
7.	Maharashtra State Language	Mumbai	1	1	0	0	0	0	0	0	0	0	1	1	0	0	2	2	
		Nagpur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Total	1	1	0	0	0	0	0	0	0	0	0	1	1	0	0	2	2
8.	Employment and Self Employment/Skill Development and Entrepreneurs	Mumbai	13	18	0	0	0	0	7	13	8	23	1	13	3	25	32	92	
		Nagpur	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	4	6
		Total	17	24	0	0	0	0	0	7	13	8	23	1	13	3	25	36	98
9.	Higher and Technical Education	Mumbai	65	150	12	37	5	40	8	23	23	117	6	31	9	88	128	486	
		Nagpur	342	2111	8	25	36	168	36	234	43	273	38	333	3	44	506	3188	
		Total	407	2261	20	62	41	208	44	257	66	390	44	364	12	132	634	3674	
10.	Housing	Mumbai	68	189	13	42	17	63	13	70	14	83	17	148	12	84	154	679	
		Nagpur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Total	68	189	13	42	17	63	13	70	14	83	17	148	12	84	154	679	
11.	Medical Education and Drugs	Mumbai	39	87	5	21	13	37	5	32	7	70	6	61	9	73	84	381	
		Nagpur	34	77	7	18	14	46	6	30	14	76	16	114	3	21	94	382	
		Total	73	164	12	39	27	83	11	62	21	146	22	175	12	94	178	763	
12.	Public Health	Mumbai	51	102	9	24	17	43	2	10	11	51	8	44	4	42	102	316	
		Nagpur	115	232	13	45	32	84	22	88	44	163	24	105	9	46	259	763	
		Total	166	334	22	69	49	127	24	98	55	214	32	149	13	88	361	1079	
13.	Social Justice and Special Assistance	Mumbai	50	90	1	2	4	8	6	18	7	39	11	45	16	146	95	348	
		Nagpur	25	37	3	7	16	34	12	44	27	71	23	49	9	85	115	327	
		Total	75	127	4	9	20	42	18	62	34	110	34	94	25	231	210	675	

Appendix 1.1. (concl.)																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
14.	School Education and Sports	Mumbai	56	114	46	150	4	20	47	142	16	57	13	80	9	67	191	630	
		Nagpur	35	135	3	8	8	27	4	24	14	140	3	27	0	0	67	361	
		Total	91	249	49	158	12	47	51	166	30	197	16	107	9	67	258	991	
15.	Tribal Development	Mumbai	55	131	0	0	3	20	5	33	7	60	12	196	1	12	83	452	
		Nagpur	113	220	7	11	28	85	10	29	14	58	23	117	15	127	210	647	
		Total	168	351	7	11	31	105	15	62	21	118	35	313	16	139	293	1099	
16.	Women and Child Development	Mumbai	32	60	1	5	1	3	2	4	14	45	6	50	2	24	58	191	
		Nagpur	20	22	5	11	2	6	4	6	2	5	8	31	3	16	44	97	
		Total	52	82	6	16	3	9	6	10	16	50	14	81	5	40	102	288	
17.	Water supply and Sanitation	Mumbai	32	45	4	9	2	4	6	25	8	29	5	38	7	47	64	197	
		Nagpur	12	17	1	1	13	25	3	10	15	31	1	5	0	0	45	89	
		Total	44	62	5	10	15	29	9	35	23	60	6	43	7	47	109	286	
18.	Minorities Development	Mumbai	2	6	0	0	0	0	1	3	0	0	3	19	0	0	6	28	
		Nagpur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		Total	2	6	0	0	0	0	0	1	3	0	0	3	19	0	0	6	28
19.	Food, Civil Supplies and Consumer Protection	Mumbai	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
		Nagpur	3	3	0	0	3	7	8	23	0	0	0	0	1	5	15	38	
		Total	3	3	0	0	3	7	8	23	0	0	0	0	1	5	15	38	
20.	Revenue & Forest	Mumbai	43	68	2	2	10	13	8	8	10	20	17	85	24	247	114	443	
		Nagpur	307	557	4	19	5	16	23	92	31	101	22	136	11	73	403	994	
		Total	350	625	6	21	15	29	31	100	41	121	39	221	35	320	517	1437	
Grand Total			1810	4935	168	470	281	885	305	1188	403	1771	346	2202	202	1681	3515	13132	

Appendix 1.2
(Reference Paragraph 1.7.3; Page 8)
Statement showing number of reviews/paragraphs in respect of which Government
Explanatory Memoranda's had not been received

Sl. No.	Name of Department	Up to 2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	Total
General Sector									
1.	Home	--	--	--	--	--	1	--	1
2.	Maharashtra Legislature Secretariat & Parliamentary Affairs	--	--	--	--	--	--	--	0
3.	Planning	--	--	--	--	--	--	--	0
Social Sector									
4.	Law and Judiciary	--	--	--	--	--	--	--	0
5.	Housing	--	--	--	--	--	--	5	5
6.	Medical Education & Drugs	--	--	--	--	--	--	4	4
7.	Public Health	--	--	--	--	1	--	1	2
8.	School Education and Sports	--	--	1	--	--	--	1	2
9.	Social Justice and Special Assistance	--	--	--	--	--	--	1	1
10.	Tribal Development	--	--	--	--	--	--	--	0
11.	Urban Development	--	--	--	--	--	--	3	3
12.	Water Supply and Sanitation	--	--	--	--	--	--	2	2
13.	Women and Child Development	--	--	--	--	--	--	--	0
14.	General Administration	--	--	--	--	--	1	--	1
15.	Skill Development & Entrepreneurship	--	--	--	--	--	--	1	1
16.	Finance	--	--	--	--	--	--	--	0
17.	Higher and Technical Education	--	--	--	--	--	--	1	1
18.	Revenue and Forest	--	--	--	--	--	--	1	1
Total		0	0	1	0	1	2	20	24

Appendix 1.3 (Reference: Paragraph 1.7.3; Page 8) Department-wise position of PAC recommendations on which Action Taken Notes were awaited										
Sl. No.	Name of Department	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	Total
1.	School Education & Sports	0	0	0	1	0	9	0	0	10
2.	Social Justice and Special Assistance	0	3	0	0	42	0	0	3	48
3.	Urban Development	0	0	0	0	24	16	0	0	40
4.	Home	7	0	0	64	1	9	0	0	81
5.	Housing	0	0	22	37	13	1	0	1	74
6.	Revenue and Forests	0	0	0	0	0	0	0	0	0
7.	Rural Development and Water Conservation	7	0	7	0	0	0	0	0	14
8.	Co-operation & Marketing	0	0	0	0	0	0	0	0	0
9.	Employment & Self Employment	0	0	0	0	0	0	0	0	0
10.	Public Health	8	2	0	0	4	0	0	1	15
11.	Higher & Technical Education	4	0	3	4	0	4	0	0	15
12.	General Administration	0	0	0	0	0	0	0	0	0
13.	Medical Education & Drugs	0	0	0	2	1	3	0	12	18
14.	Water Supply & Sanitation	0	0	0	0	46	5	0	0	51
15.	Planning	0	0	11	0	0	0	0	0	11
16.	Tribal Development	0	0	0	0	0	0	0	0	0
17.	Finance	0	0	0	0	0	0	0	1	1
18.	Women and Child Development	0	0	0	58	0	14	0	0	72
19.	Skill Development and Entrepreneurship	0	0	0	0	0	0	0	15	15
20.	Law & Judiciary	0	0	0	0	0	0	0	6	6
Total		26	5	43	166	131	61	0	39	471

Appendix 2.1.1
(Reference: Paragraph 2.1.5; Page 11)
Details of Schemes selected for test-check

Sl. No.	Name of Schemes	Nodal Unit	Implementing Unit
1.	Free coaching and allied schemes	MDD	MDD
2.	Construction of ITIs in Minority Concentrated Areas	MDD	Directorate of Vocational Education, Mumbai
3.	Area development of minority concentrated areas (Urban)	MDD	District Collector/Municipal Corporation/Municipal Council
4.	Area development of minority concentrated areas (Rural)	MDD	District Collectors/ZPs/Gram Panchayats
5.	Construction of hostels for girls from the Minority communities in cities	MDD	District Collectors
6.	Research, Training and Publicity of schemes	MDD	Directorate of Minority Adult Education, Pune ¹
7.	MsDP (Central/State Share) (including Cyber Gram Yojana)	MDD	District Collectors ²
8.	Assistance to Haj Committee (Construction of Haj House, Aurangabad)	MDD	Haj Committee
9.	Scholarship to Minorities students pursuing Higher Education	MDD	Directorate of Technical Education, Mumbai
10.	Infrastructure development of Minority schools	MDD	District Collectors
11.	Commencement of second shift in existing Government polytechnics for minority students	MDD	Directorate of Technical Education, Mumbai
12.	Functioning of 2 nd /3 rd shift in ITIs	MDD	Directorate of Vocational Education, Mumbai
13.	Modernisation of Madrasas	MDD	District Collectors
14.	Urdu Ghar	MDD	District Collectors
15.	Urdu Academy	MDD	
16.	Assistance to Maharashtra State Minorities Commission i) Pre-Police training, ii) Marathi Bhasha Foundation	MDD	Maharashtra State Minorities Commission
17.	Maulana Azad Alpsankhyank Arthik Vikas Mahamandal		
(i)	Maulana Azad Direct Loan scheme	Maulana Azad Alpsankhyank Arthik Vikas Mahamandal	District Offices of Maulana Azad Alpsankhyank Arthik Vikas Mahamandal
(ii)	Maulana Azad Education Loan scheme		
(iii)	Term loan scheme		
(iv)	Micro finance scheme		
(v)	Rajiv Gandhi Education loan scheme		

¹ Implemented by Maharashtra State Minorities Commission during 2013 to 2016 and from 2016-17 implemented by Directorate of Minority and Adult Education, Pune

² Cyber Gram Yojana under MSDP is implemented by Directorate of Minority and Adult Education, Pune

Appendix 2.2.1
(Reference: Paragraph 2.2.7.7; Page 49)
Statement showing the excess amount paid to MSRTC

(Amount in ₹)

Year	Amount of Demand from prison department out of the total demand by MSRTC from home department	Amount Actually payable as per Warrants Issued by Prison Department	Excess demanded by MSRTC	Amount excess paid/demanded
2013-14	90,14,178	55,58,689	34,55,489	34,55,489
2014-15	96,66,861	55,05,946	41,60,915	41,60,915
2015-16	92,13,548	46,50,069	45,63,479	45,63,479
2016-17	85,00,539	40,08,700	44,91,839	44,91,839
2017-18	79,10,147	33,75,611	45,34,536	45,34,536
Total	4,43,05,273	2,30,99,015	2,12,06,258	2,12,06,258

Appendix 2.2.2
(Reference: Paragraph 2.2.8.1; Page 50)
Statement showing the details of Structural audits due /conducted

Sl. No	Category of Prison	Name of Prison	Year of Establishment	Age of Building as on 31.03.2018	Whether structural audit conducted	Whether structural audit report available
1.	Central Prison (A)	Yervada , Pune	1866	151	No	No
2.		Mumbai	1925	92	Yes conducted on 15.12.2017	Yes
3.		Thane	1938	79	No	No
4.		Aurangabad	1916	101	No	No
5.		Nasik Road	1927	90	No	No
6.		Nagpur	1864	153	No	No
7.		Amravati	1935	82	No	No
8.	District prison class-I (B)	Yerwada, Open	1956	61		
9.		Kalyan	1976	41	Yes on 22.12.2017	Yes
10.		Byculla	1840	177	No	No
11.		Ratnagiri	1853	164	No	No
12.		Paithan Open	1968	49	No	No
13.		Dhule	1862	155	No	No
14.		Akola	1872	145	No	No
15.		Bhandara	1896	121	No	No
16.		Chandrapur	1876	141	No	No
17.		Yavatmal	1872	145	No	No
18.	Wardha	1868	149	No	No	
19.	District prison class-II (C)	Alibag	1957	60	No	No
20.		Sawantwadi	1884	133	No	No
21.		Buldhana	1875	142	No	No
22.		Parbhani	1922	95	No	No
23.		Osmanabad	1924	93	No	No
24.		Nanded	1922	95	No	No
25.		Jalgaon	1962	55	No	No
26.		Solapur	1858	159	No	No
27.		Sangali	1907	110	No	No
28.		Satara	1888	129	No	No
29.		Ahamadnagar	1890	127	Yes	Yes
30.		Aatpadi Open	1939	78	No	No
31.		Beed	1972	45	No	No
32.		JOTC Training college	1955	62	No	No
33.	District prison Class-III	Kolapur Dist Prison	1872	145	No	No

Appendix 2.2.3
(Reference: Paragraph 2.2.8.2; Page 52)
Statement showing overcrowding in test checked prison

Category & Name of prison		No. of Prison	Capacity to hold prisoners	Actual no. of Prisoners as on 31 March				
				2013-18	2013-18	2013-14	2014-15	2015-16
Central Prison	Mumbai	04	804	2859 (355 %)	2746	2734	2884	2687 (334%)
	Nagpur		1840	1922 (104%)	1928	2086	2229	2169 (117 %)
	Nasik		3178	2131 (67%)	2518	2983	3198	3265 (102 %)
	Yerwada		2449	3386 (138%)	3655	4129	4550	5037 (205%)
	Total		8271	10298 (124%)	10847	11932	12861	23023 (278%)
District Prison Class-I	Akola	04	695	425 (61 %)	309	333	255	238 (34%)
	Yeotmal		229	502 (219%)	415	359	334	372 (162%)
	Kalyan		540	1206 (223%)	1203	1454	1448	1448 (268%)
	Dhule		294	307 (104%)	258 (87%)	200	260	295
	Total		1758	2440 (138%)	2185 (124%)	2346	2297	2353
District Prison Class-II	Solapur	04	141	306 (217%)	317	342	426	417 (296%)
	Alibag		82	187 (228%)	165 (201%)	187	151	171
	Parbhani		252	283 (143%)	361	308	232	238 (94%)
	Washim		200	0 (63%)	125	103	130	97 (48%)
	Total		675	776 (115%)	968 (143%)	940	939	923
Open Prison	Paithan	04	500	412 (82%)	410	306	209	214 (43%)
	Visapur		200	150 (75%)	82 (41%)	101	106	95
	Yerwada female		50	47 (94%)	44	38	44	38 (76%)
	Gadchiroli		75	0 (31%)	0	23	64	56 (74%)
	Total		825	609 (74%)	536	468	423	403 (49%)
District Prison Class-III	JJ Hospital	01	20	04 (60%)	12 (5%)	01	02	05
Female Prison	Mumbai	01	262	340 (129%)	260 (101%)	281	357	309
Borstal School	Nasik	01	105	27 (25%)	14	20	14	07 (8%)
Special Prison	Ratnagiri	01	246	97 (39%)	135 (55%)	113	121	117
Open Colony	Atapadi	01	28	21 (75%)	16	11	05	03 (14%)

Appendix 2.2.4
(Reference: Paragraph 2.2.8.7; Page 60)
Statement showing the position of security staff

Sl. No	Types of prison	Name of Prison	Authorised Capacity	Average no of inmates of last five years	Sanctioned Post	Person in Position	Vacant Post	Required as per norms	Shortfall (+Excess)
					Guards	Guards	Guards	Guards	Guards
1.	Central	Mumbai	804	2782	155	151	4	463	312
2.		Nagpur	1840	2067	221	197	24	344	147
3.		Nasik Road	3178	2819	242	229	13	469	240
4.		Yerwada	2449	4151	418	388	30	692	304
5.	District class-I	Akola	695	312	67	63	4	52	(+)11
6.		Yeotmal	229	396	51	47	4	66	19
7.		Kalyan	540	1352	89	82	7	225	143
8.		Dhule	294	264	103	76	27	44	(+)32
9.	District class-II	Solapur	141	362	50	49	1	60	11
10.		Alibag	82	172	31	28	3	28	0
11.		Parbhani	252	284	54	52	2	47	(+)5
12.		Washim	200	91	42	32	10	15	(+)17
13.	District class-III	J J Hospital	20	5	19	18	1	0	0
14.	Open	Paithan	500	310	95	71	24	51	(+)20
15.		Visapur	200	107	57	55	2	18	(+)37
16.		Yerwada Female	50	42	0	0	0	0	0
17.		Gadchiroli	75	29	35	34	1	5	(+)29
18.	Special Prison	Borstal School Nasik	105	16	50	34	16	3	(+)31
19.		Ratnagiri Special	246	117	54	42	12	20	(+)22
20.		Aatpati Open Colony	28	11	9	8	1	2	(+)6
21.		Mumbai Female District Prison	262	309	1	15	2	52	37

Appendix 2.3.1
(Reference: Paragraph 2.3.6.1; Page 79)
Status of modules customised/implemented

Sl. No.	Modules	Whether BPR was identified	Whether customised/ implemented at pilot phase	Status of implementation
1.	Outpatient Department	Yes	Yes implemented	Patient registration, doctor consultation, issue prescriptions to pharmacy for drugs or advice for test were through HMIS at all the 16 locations.
2.	Inpatient Department	Yes	The module is customised	Patients admissions to the hospital were through HMIS at all the 16 locations but discharge of patients were not properly captured in the system.
3.	Managing Nursing Activities	Yes	The module is customised	Order services such as drugs and laboratory tests for the patients, track material consumption, transfer and discharge of patients are partially done through the HMIS at all the 16 locations.
4.	Scheduling Surgeries	Yes	The module is customised	The module for scheduling of surgery is partially in use at all the 15 locations except one location.
5.	Managing Stores Inventory	Yes	The module is customised	This module partially in use in all the 16 locations for transferring goods from the main stores to sub stores and wards on indent.
6.	Purchasing Drugs and Materials	Yes	The module is not customised	The module intends to create Purchase Order and notifies vendors of the hospital's material and pharmacy requirements but this module was not customised or implemented in any of the 16 locations.
7.	Laboratory Services	Yes	The module is customised	This module is partially used to process laboratory service orders.
8.	Radiology Services and Picture Archiving Communication System	Yes	The module is customised	This module is partially used to process radiology orders and results and enable the doctors to view the images in all the 16 locations.
9.	Blood Bank Services	Yes	The module is not customised	This module is partially used for registration of blood donors in 6 hospitals. Further process such as blood request by the patients was not captured at any of the 16 locations.
10.	Diet Management	Yes	The module is customised	This module is partially used to order diets for patients.
11.	Billing	No	The module is customised	This module is used for generation of bills through HMIS system only at two locations.
12.	Human Resource Management	No	The module is not customised	The module intends to register employees and manage their pay, work shifts, leave of absence and transfers but this module was not customised or implemented in any of the 16 locations.
13.	Finance	No	The module is not customised	The module intends to manage hospital expenses and balance the accounts but this module was not customised or implemented in any of the 16 locations.
14.	Linen Management	Yes	The module is customised	The module intends to manage the process of ordering linen and requesting washing but this module was not customised or implemented in any of the 16 locations.
15.	Student Management	Yes	The module is customised	The module is partially used for registration of students.
16.	Library Management	Yes	The module is not customised	The module intends to manage all the books in the library but this module was not customised or implemented in any of the 16 locations.

Appendix 3.3.1
(Reference: Paragraph 3.3; Page 136)
Details of non-realisation of premium due to non-renewal of lease agreements

(Amount in ₹)

Sl No.	Details of Gymkhana	Class of Gymkhana	Date of expiry of lease	Period of non-renewal (upto September 2018)	Plot details (Area/CTS No./Division)	Premium for 2017 (Rate as per RR x area x 10% x rate as per Class of gymkhana)
Mumbai City						
1.	Bombay Gymkhana, Fort, Mumbai	A	17/12/2006	11 years 9 months	25443.34 Sq. mtrs. CTS No. 730 & 1/731 (Fort Division)	43,45,722 (1,70,800 x 25443.34 x 10% x 1%)
2.	P J Hindu Gymkhana, Netaji Subhash Marg, Marine Lines, Mumbai	B	31/12/1999	18 years 9 months	15891.24 Sq. mtrs. CTS No. 470 (Bhuleshwar Division)	15,32,710 (1,92,900 x 15891.24 x 10% x 0.5%)
3.	Parsee Gymkhana, Netaji Subhash Marg, Marine Lines, Mumbai	B	31/12/1999	18 years 9 months	14938.52 Sq. mtrs. CTS No. 331 (Bhuleshwar Division)	14,40,820 (1,92,900 x 14938.52 x 10% x 0.5%)
4.	Islam Gymkhana, Netaji Subhash Marg, Marine Lines, Mumbai	B	31/12/1970	47 years 9 months	17127.28 Sq. mtrs. CTS No.469 (Bhuleshwar Division)	11,82,639 (1,38,100 x 17127.28 x 10% x 0.5%)
5.	Woodhouse Gymkhana, Colaba, Mumbai	B	31/12/1999	18 years 9 months	11276.84 Sq. mtrs. CTS No. 3 (Fort Division)	12,08,313 (2,14,300 x 11276.84 x 10% x 0.5%)
6.	Wilson College Gymkhana, Marine Lines, Mumbai	B	31/12/1970	47 years 9 months	10898.92 Sq. mtrs. CTS No.471 (Bhuleshwar Division)	10,51,201 (1,92,900 x 10898.92 x 10% x 0.5%)
7.	P V M Gymkhana, M.K. Road, Cooperage Maidan, Mumbai	C	31/12/1999	18 years 9 months	6827 Sq. mtrs. CTS No.6 (Fort Division)	4,26,346 (2,49,800 X 6827 x 10% x 0.25%)
8.	Catholic Gymkhana, Netaji Subhash Marg, Marine Lines, Mumbai	C	05/01/1977	41 years 9 months	4074.45 Sq. mtrs. CTS No.474 (Bhuleshwar Division)	1,96,490 (1,92,900 x 4074.45 x 10% x 0.25%)
9.	Grant Medical College Gymkhana, Netaji Subhash Marg, Marine Lines, Mumbai	B	31/12/1970	47 years 9 months	10091.49 Sq. mtrs. CTS No.472 (Bhuleshwar Division)	9,73,324 (1,92,900 x 10091.49 x 10% x 0.5%)
.Mumbai Suburban District						
10.	Khar Gymkhana, Khar, Mumbai	C	28/02/2015	3 years 7 months	Plot No.731, Suburban Scheme No.VII 8640 Sq. mtrs. CTS No. 154 of Mouje Khar, Taluka Andheri	3,60,288 (1,66,800 x 8640 x 10% x 0.25%)
Total						1,27,17,853

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