CHAPTER-IV

4. TRANSACTION AUDIT OBSERVATIONS

Important audit findings arising out of test check of transactions made by the State Government companies/Statutory corporations are included in this chapter.

GOVERNMENT COMPANIES

Assam Text Book Production and Publication Corporation Limited

Loss due to printing of books in excess of requirement

Inaccurate estimation of requirement coupled with non- verification before printing of books resulted in loss of Rs.87 lakh.

4.1 Assam Text Book Production and Publication Corporation Limited was incorporated (March 1972) with the objective of production, publication and sale of books for primary, secondary and teachers education in the State of Assam.

The Company received requisition (June 1999) from the Department of Elementary Education (DEE) for printing of books. The requisition given by the DEE contained approximate enrolment figures for which books were to be printed. These enrolment figures are required to be verified by the Company (as per the directions of the DEE) before placement of printing orders so that printed books do not remain unsold.

Test check of records (December 2005) revealed that the Company, without verifying the actual number of books required, placed (September 1999) order on the printers for printing of 36.58 lakh books. The Company received 35.25 lakh books from the printers during the period September 2000 and January 2001. It could not sell all those books upto the academic session of 2002 and had to dispose of 17.75 lakh books costing Rs.93.37 lakh as scrap in September 2003 for Rs.5.98 lakh. The printing order was much in excess of the requirement as more than 50 *per cent* of printed books had to be sold as scrap at a loss of Rs.87.39 lakh.

The Management while accepting the audit observation stated (November 2006) that due to change of syllabus by the Government from the academic session 2002, the books became obsolete and the obsolete books were sold on weight basis as per resolution of the Board of Directors.

The matter was reported to the Government in April 2006; their reply is awaited (November 2006).

Assam Agro-Industries Development Corporation Limited

Excess payment

Excess payment of Rs. 34.29 lakh towards wrong calculation of ex-gratia, gratuity and pay & allowances in implementation of VRS.

4.2 Government of India, Ministry of Industries, Bureau of Public Enterprises introduced (5 October 1988) a Voluntary Retirement Scheme (VRS) for the employees of its Public Sector Enterprises. Adopting the same scheme, the Department of Public Enterprises, Government of Assam issued guidelines for implementation of the scheme by the State Level Public Enterprises. The Company in its Board Meetings (23 September 2000 and 28 November 2003) decided to accept the VRS as proposed (17 December 2002) by the Agriculture Department, Government of Assam. Accordingly, the Company submitted proposals, in two phases (July 2003 and August 2004), to the State Government for funds required for payment of terminal benefits to its employees who had opted for the voluntary retirement scheme.

Out of 192 optees, 176 employees were released during the period June 2003 to October 2005. The remaining 16 employees were not released till the date of audit (November 2005).

As per the applicable guidelines of the State Government, the employees were entitled to an ex-gratia payment equivalent to 30 days emoluments for each completed year of service or monthly emoluments at the time of retirement multiplied by the balance number of months of service left whichever was less.

Audit scrutiny (October-November 2005) revealed as under:

- The Company worked out and paid ex-gratia considering service rendered in excess of six months but less than a year as a completed year, which was contrary to the policy framed by the State Government. This resulted in excess payment of ex-gratia amounting to Rs.5.59 lakh to 70 employees.
- The ex-gratia and gratuity paid to four retiring employees was calculated taking the retirement date as 31 March 2004 though they were released between May 2005 to October 2005. This resulted in excess payment of Rs.5.82 lakh towards ex-gratia and gratuity to four employees. The calculation was made on the basis of completed years of service whereas it should have been made on the basis of period of service left as the service left was less than the completed years of service.
- 17 employees who opted for VRS from 31 March 2004 were released on various dates between 31 March 2005 and 3 October 2005. As such the Company had to incur avoidable expenditure of Rs.22.88 lakh towards

their pay and allowances from April 2004 to their actual date of release computed on the basis of their emoluments (Basic plus D.A.) as on 31 March 2004.

Thus, the Company incurred total excess expenditure of Rs.34.29 lakh due to wrong calculation of ex-gratia, gratuity (Rs.11.41 lakh) and avoidable payment of pay and allowances (Rs.22.88 lakh).

While accepting the audit observation the Management (August 2006) stated that release of employees in some cases was delayed due to freezing of employer's bank account by the Provident Fund authority, and that in case of two employees substitutes were not available.

The matter was reported to the Government in May 2006; their replies are awaited (November 2006).

Temporary misappropriation of cash

Failure of the Company to follow prescribed procedures resulted in temporary misappropriation of cash.

4.3 As per Rule 95 of Assam Financial Rules all cash receipts are required to be entered into the cash book without delay and closing cash balances to be physically verified at least once a month.

Test check of cash transactions (October-November 2005) of the Company for the period April 2000 to September 2004 revealed that there was temporary misappropriation of cash of Rs.18.46 lakh as per the following details:

Sl. No.	Brief description	Amount misappropriated (Rupees in lakh)
1.	In 18 cases cash receipts were accounted for after delays ranging from 44 to 1178 days.	10.32
2.	Withdrawal of cash from bank account was accounted for in the cash book after 615 days.	0.15
3.	Receipt of Rs.0.12 lakh in April 2002 from Barpeta Branch office was shown as payment reducing the closing cash balance by Rs.0.24 lakh. The amount was accounted for in November 2005.	0.24
4.	Salary for the month of August 2002 (Rs.4.19 lakh) and February 2004 (Rs.1.37 lakh) was shown as paid twice. The cash amounting to Rs.5.36 lakh remained out of account for 148 and 153 days respectively.	5.56
5.	Excess payment of Rs.2.19 lakh in respect of salary of Head office staff was brought to account after 84 days.	2.19
		18.46

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Apart from the above, the Cash Book was not attested and the closing cash balance was physically verified only on three occasions during the five years upto 2004-05.

Thus failure on the part of the Company to follow the prescribed controls regarding handling of cash led to temporary misappropriation of Rs.18.46 lakh.

The Management attributed (August 2006) the delay in accounting of cash to delay in computerisation of Cash Book and shortage of manpower.

The reply of the Management is not tenable as the Cash Book was maintained manually during the period upto September 2005 and rules do not provide for belated entry in the Cash Book.

The matter was reported to the Government in August 2006; their replies are awaited (November 2006).

Assam State Fertilizers and Chemicals Limited

Wasteful expenditure

Failure to achieve minimum targeted production even after renovation at a cost of Rs.63 lakh.

4.4 As a step towards revival of the Company and its Sulphuric Acid Plant under joint management with private participation, the Company had entered (December 1998) into a Memorandum of Understanding (MOU) with Associated Chemical Industries (ACI), a Guwahati based firm. As per the MOU, ACI was to invest necessary fund for procurement of Sulphur (raw material) for continuous operation of the plant. ACI, however, did not invest sufficient funds for procurement of the raw material and the MOU was terminated in January 2001.It was noticed during audit that the Company had undertaken renovation without first ensuring availability of working capital. The Plant with a capacity of 16,500 TPA was commissioned on 26 September 2000 at a total cost of Rs.62.84 lakh. Thereafter, the minimum target of production of the Plant was fixed at 800 MT per month (9600 MT per annum). The details of actual production, capacity utilisation and *percentage* of actual production to targets for the period from 2001-02 to 2005-06 were as under:

Year	Actual Production (MT)	Capacity Utilization (<i>Percentage</i>)	Percentage to target
2001-02	1989.511	12.06	20.72
2002-03	2052.106	12.44	21.38
2003-04	3174.341	19.24	33.07
2004-05	3922.26	23.78	40.86
2005-06	4914.71	29.81	51.20

It would be seen that while the capacity utilisation of the plant after renovation was between 12.06 to 29.81 *per cent*, the *percentage* of actual production to the minimum target of production varied between 20.72 to 51.20. Audit analysis revealed that the low production performance of the plant was mainly due to lack of working capital for procuring Sulphur for production of Sulphuric acid. The expenditure incurred on renovation of the plant thus proved largely wasteful.

In reply, the Management stated (19 July 2006) that by investing Rs.62.84 lakh, the Sulphuric Acid plant was put into working condition and the plant was successfully running till date. The reply is not tenable in view of the fact that after renovation even the minimum target of production fixed by the Company was not achieved in any year.

The matter was reported to the Government in April 2006; their replies are awaited (November 2006).

Assam State Development Corporation for Scheduled Castes Limited

Diversion of funds

Rupees 5.20 crore meant for economic upliftment of the Scheduled Castes and Safai Karmacharies diverted towards payment of salaries to the employees.

4.5 The Assam State Development Corporation for Scheduled Castes Limited was incorporated in June 1975 with the primary objective to uplift the condition of Scheduled Castes in the State by way of promoting trade, business, cottage industries *etc.*, The Company channelised loans/grants/ subsidies *etc.*, coming from two Government of India Undertakings, National Scheduled Castes and Scheduled Tribes Finance and Development Corporation (NSFDC) and National Safai Karmacharies Finance and Development Corporation (NSKFDC) for promoting economic and social upliftment of these communities.

Test check of records (June 2005) revealed that during the period April 2000 to March 2005, the Company received Rs.33.74 crore^{*} (Loan: Rs.12.97 crore and Grants: Rs.20.77 crore) as loan/grants-in-aid from these two organisations for economic upliftment of the Scheduled Castes people and Safai Karmacharies and spent Rs.24.26 crore for different schemes. Out of balance amount of Rs.9.48 crore, the Company unauthorisedly diverted Rs.5.20 crore towards payment of salaries to the employees and the remaining Rs.4.28 crore

^{*}Excluding Rs.2.76 crore deducted at source by NSFDC against outstanding overdues.

were kept in the bank. Hence, the very purpose of the loan/grants-in-aid received from the organisations under Government of India was defeated.

In its reply (July 2006) the Management stated that the amount of interest earned and amount received against loans and advances disbursed to the beneficiaries were usually spent for meeting establishment expenditure of the Company. The Management further stated that non-implementation of the schemes was mainly due to non-fulfilment of terms and conditions *viz*, submission of mortgage/ security/ guarantee *etc.*, by the beneficiaries. The Management also confirmed that neither any prior permission for diversion of funds towards salary was obtained nor was it regularised till date (July 2006).

The reply of the management in respect of non-fulfilment of the terms and conditions of scheme is not tenable on the ground that the funds received for implementation of welfare scheme should have been refunded to the disbursing authority when it was found that the beneficiaries could not fulfil the terms and conditions of the scheme *viz*,.., providing mortgage/ security/guarantee *etc.*, and should not have been utilised for meeting establishment cost.

The matter was reported to the Government in May 2006; the reply is awaited (November 2006).

STATUTORY COPORATION

Assam State Electricity Board

Non-realisation of revenue

Unrealised revenue of Rs.34.24 lakh due to non-compliance with Board's directive and provision of Terms and Conditions of Supply (TCS).

4.6 As per Clause 15(e) of the Terms and Conditions of Supply (TCS) 1998, in the event of any meter being found defective (which includes a stopped, slow or fast meter) and where actual reading can not be ascertained, the units of energy consumed shall be determined by taking the average consumption of the previous three months preceding the occurrence of defect or the next three months after correction whichever is higher and bill should be prepared and presented accordingly. The revised bill shall be prepared from a date not exceeding six months prior to the date of detection.

Scrutiny (May-June 2005) of records of Golaghat Electrical Division revealed that during the period August 1995 to August 2002, 22 energy meters of different categories of consumers were found defective/stopped. During the period these meters remained defective, the consumers were billed

provisionally on average minimum charge basis for periods ranging from 11 to 101 months. These meters were replaced by new meters during the period October 1997 to April 2004. After installation of correct meters, revised bills amounting to Rs.2.63 lakh were served in 8 cases only but the amount was not realised (June 2005).

Revised bills amounting to Rs.31.61 lakh in 14 cases in terms of existing provision of the TCS, 1998 and directives of the Board had, however, not been raised (June 2005). The amount of Rs.34.24 lakh has thus remained unrealised.

The matter was reported to the Management/Government in April 2006; their replies are awaited (November 2006).

Non-recovery of revenue

Failure to take timely action resulted in accumulation of arrears of Rs.13.97 crore which remained unrealised.

4.7 Clause 23 (a) of the Terms and Conditions of Supply (TCS), Assam State Electricity Board (ASEB/Board)), 1998 stipulates that if a consumer fails to pay electricity bills within 15/30 days, as applicable, of its being presented to him, the Board may disconnect the supply of electricity to the consumer under sub-section (1) of Section 56 of the Electricity Act, 2003 after giving him not less than 15 clear days notice in writing without prejudice to its right to recover the amount of the bill by legal action. Further, the Board reserves the right to appropriate the load security towards the payment of charges due to the Board at any time after 30 days of disconnection if the consumer fails to clear the outstanding dues against which the disconnection had been carried out under Clause 7 (c) (iii) of TCS, 1998.

Scrutiny of records (April to December 2005) of the Electrical Divisions Kokrajhar, Golaghat, Dhemaji, Silchar and Industrial Revenue Collection Area, Jorhat revealed that an amount of Rs.13.97 crore towards accumulated dues had not been realised from the consumers whose service connections were disconnected as per details given as follows:

Sl. No.	Name of the	No. of consumers	Accumulated Dues	Period during which disconnected was done		Status of disconnection	Remarks
	Division		(Rs. in crore)	From	То		
1	Kokrajhar	136	0.19	March 2001	December 2004	Permanent	Dues exceeded the load security
		13,817	5.36	April 2001	March 2005	Temporary	Dues exceeded the load security
2	IRCA, Jorhat	17	1.39	April 2002	October 2004	Permanent	Load security amount was adjusted
3	Golaghat, Dhemaji	3,688	2.83	July 1996	March 2005	Permanent	Dues crossed the load security
	and Silchar	9,808	4.20	March 1996	March 2005	Temporary	Dues crossed the load security
			Rs.13.97				

The matter was reported to the Management/Government in May 2006; their replies are awaited (November 2006).

Loss of revenue

Board suffered revenue loss of Rs.3.26 crore due to non-conversion of unmetered consumers into metered category.

4.8 The Memorandum of Understanding (MOU) signed in March 2001 between the Ministry of Power, Government of India and the Department of Power, Government of Assam set out the milestone for 100 *per cent* metering of all consumers by 31 December 2001.

Scrutiny of records (September-December 2005 and February 2006) of four Electrical Divisions (Kokrajhar, Digboi Biswanath Chariali and Jorhat) revealed that the Board was supplying power to a large number of consumers under unmetered category.

Failure of the Board to convert the unmetered consumers into metered category even after lapse of more than four years of the target date (December 2001) set out in the MOU (March 2001), resulted in loss of revenue of Rs.3.26 crore by taking minimum monthly consumption of 72 units (for unmetered domestic consumers 72 units were considered to be the minimum units consumed as per the Schedule of Tariff of ASEB effective from September 1998) per consumer for the rates applicable during the period from January 2002 to March 2005 for the metered consumers *less* the rate applicable to unmetered consumers. The details are tabulated below:

Division (s)	Total consumers-months	Loss of revenue		
	(Rupees in lakh)			
Kokrajhar	36,745	40.34		
Digboi	88,880	91.49		
Biswanath Chariali	1,30,590	140.86		
Jorhat	51,784	53.39		
Total	3,07,999	326.08		

The matter was reported to the Government/Management in November-December 2005 and February-March 2006; their replies are awaited (November 2006).

Non-realisation of load security

Revised load security of Rs.2.23 crore remained unrealised from the consumers.

4.9 The Board amended (July 2000) Clause 7 (c) of the Terms and Conditions of Supply (TCS), 1998 according to which all the existing consumers of the Board whose security deposit fell short of three/two times of the average monthly billed amount during the preceding calendar year, were required to pay the differential amount of security deposit within 30 days from the date of notice/bills, failing which the consumer's connection was liable to be disconnected without further notice.

Test check of records (July—August 2005) of Silchar Electrical Division revealed that while there were 35,610 consumers as on August 2000, the Division served bills for revised load security in respect of 3,454 consumers only till date (August 2005). Against a billable demand of Rs.2.49 crore, revised load security bill for an amount of Rs.49.19 lakh was preferred and Rs.25.40 lakh only were realised which resulted in non-billing and non-realisation of revised load security to the tune of Rs.2.23 crore.

Thus, non-realisation of load security from the consumers even after lapse of five years of the Board's directives was violative of the provision of TCS. The non-realisation of Rs 2.23 crore has also adversely affected the fund position of the Board.

The matter was reported to the Management/Government in June 2006; their replies are awaited (November 2006).

Loss of revenue

Loss of revenue due to wrong categorisation of consumers: Rs.1.55 crore.

4.10 As per the Schedule of Tariff effective from 1 September 1998, all establishments and installations of commercial nature including Railway Stations, Factories and Printing Presses not using motive power were required to be categorised under tariff category-II-Commercial and all consumers with a connected load of not less than 50 KVA were required to be categorised as Bulk Supply under tariff category-VIII, provided the consumers were not covered under any other category. The tariff category III was applicable to General Purpose Consumers. In July 1999, it was clarified by ASEB that factories using welding sets shall also be categorised as commercial.

^{*} Three times for Low Tension Consumers and two times for High Tension Consumers

Chapter – IV – Transaction Audit Observations

Test check of records between September 2005 to February 2006 of Tinsukia, Jorhat, North Lakhimpur and Dhemaji divisions revealed that loss of revenue of Rs.1.55 crore was incurred due to wrong categorisation of consumers as per details given below:

Sl. No.	Name of the Division	Period of transactions	Loss of revenue (Rupees in lakh)	Reasons for Loss
1.		December 1997 to March 2005	42.18	85 fabricators at Tinsukia and 30 fabricators at Jorhat & Dhemaji
	Jorhat	July 2002 to March 2005		were incorrectly categorised as industrial in place of commercial (under tariff category-II-
	Dhemaji	April 1997 to February 2004		commercial), though they were using welding sets. (Tariff in respect of commercial category is higher than Industrial category)
2.	IRCA, Jorhat	April 2002 to March 2005	94.43	Three Railway Stations namely Simulguri, Mariani and Mariani Water Pump, all being commercial establishments having connected load of more than 50 KVA were wrongly categorised as Bulk (under category-VIII-Bulk Supply) instead of commercial (under category-II- commercial). Similarly, Regional Research Laboratory, Jorhat was wrongly categorised Bulk (under category-VIII-Bulk supply) instead of General purpose (under category- III-General purpose).
3.	North Lakhimpur	April 2000 to May 2005	18.01	Railway Station, North Lakhimpur being a commercial nature establishment with a connected load of 130 KW (more than 50 KVA) was wrongly categorised under category-VIII-Bulk supply instead of commercial (under category-II- commercial)

The wrong categorisation led to under billing and consequent loss of revenue of Rs.1.55 crore.

The matters were reported to the Management/Government in April 2006; their replies are awaited (November 2006).

General

Persistent non-compliance with Accounting Standards in preparation of financial statements.

4.11 Accounting Standards (AS) are the acceptable standards of accounting recommended by the Institute of Chartered Accountants of India and prescribed by the Central Government in consultation with the National Advisory Committee on Accounting Standards. The purpose of introducing AS is to facilitate adoption of Standard accounting practices by companies so that the annual accounts prepared exhibit a true and fair view of the state of affairs of the company and also to facilitate comparability of the information contained in published Financial Statements of the companies. Under Section 211(3A) of the Companies Act, 1956, it is obligatory for every company to prepare the financial statements (profit and loss account and balance sheet) in accordance with the AS. A review of the financial statements and the Statutory Auditors' Report thereon in respect of nine selected companies revealed non-compliance with one to four Accounting Standards as detailed in *Annexure* -15.

It would be seen from the Annexure that:

- Out of the six companies, which finalised their previous years' accounts as of March 2005, four^{*} companies flouted AS 12, which deals with the method of accounting for Government grants.
- Two^{**} companies violated AS 6 due to non-charging of depreciation in the accounts.
- Two^{***} companies violated AS-5 by way of showing interest income for the prior period as of current year.
- In one^{****} company, net profit after tax was overstated due to non-provision of deferred tax liability of previous years in terms of AS-22.

The matter was reported to the Management/Government in May 2006; their replies are awaited (November 2006).

^{*} Sl. No. 1, 3, 5 and 6 of Annexure-15

^{**} Sl. No. 1and 4, of Annexure-15

^{****} Sl. No. 2 and 3 of Annexure-15

^{***} Sl. No; 5 of Annexure-15

Follow up action on Audit Reports

Action Taken Notes--outstanding

4.12.1 The Comptroller and Auditor General of India's Audit Reports represent culmination of the process of scrutiny starting with initial inspection of accounts and records maintained in the various offices and departments of the Government. It is, therefore, necessary that they elicit appropriate and timely response from the Executive. Finance (Audit & Fund) Department, Government of Assam issued (May 1994) instructions to all administrative departments that immediately on receipt of Audit Reports, the concerned departments would prepare an explanatory note on the paragraphs and reviews included in the Audit Reports indicating the action taken or proposed to be taken and submit the 'Action Taken Note' (ATN) to the Assam Legislative Assembly with copy to Principal Accountant General/Accountant General within 20 days from the date of receipt of the Reports. Besides this ATN, the department would ensure submission of written Memorandum as called for on the para(s) concerning the department within the time limit prescribed by the Assam Legislative Assembly from time to time.

Though the Audit Reports for the last five years 2000-2001 to 2004-05 were presented to the Legislature, 12 departments which were commented upon did not submit explanatory notes on 75 paragraphs/reviews as on 30 September 2006 as indicated below:

Year of Audit Report	Date of presentation	Total paragraphs/ reviews in Audit Report	No. of paragraphs/ reviews for which replies were not received
2000-2001	March 2002	13	13
2001-2002	March 2003	16	16
2002-2003	July 2004	16	16
2003-2004	August 2005	17	17
2004-2005	February 2006	13	13
	Total	75	75

Department wise analysis is given in *Annexure* 16. Power and Industries Department were largely responsible for non-submission of reply.

Compliance to Reports of Committee on Public Undertakings (COPU)-- outstanding

4.12.2 Replies to 38 recommendations pertaining to five Reports of the COPU presented to the State Legislature between August 1997 and

Year of the COPU Report	Total number of Reports involved	Number of recommendations where ATNs not received
1997-98	1	1
2002-03	1	9
2003-04	2	18
2004-05	1	10
Total	5	38

December 2004 had not been received as on September 2006 as detailed below:

Action taken on persistent irregularities in Audit Reports

4.12.3 With a view to assist and facilitate discussion of paras of persistent nature by the State COPU, an exercise has been carried out to identify the extent of persistent irregularities pertaining to Government Companies and Statutory Corporations. Details are indicated in *Annexures* **17** and **18** respectively.

Government companies

Irregularities of various nature having financial implication of Rs.1.59 crore (Assam Petrochemicals Limited) and Rs.3.49 crore (Assam Gas Company Limited) were included in the Reports of the Comptroller and Auditor General of India for the years 1998-99 to 2004-05 (Commercial)—Government of Assam.

Statutory corporations

Irregularities of various nature having financial implication of Rs.25.91 crore (Assam State Electricity Board) were included in the Reports of the Comptroller and Auditor General of India for the years 1998-99 to 2004-05 (Commercial)—Government of Assam.

Response to Inspection Reports, Draft Paragraphs and Reviews

4.13 Audit observations noticed during audit and not settled on the spot are communicated to the Heads of PSUs and concerned departments of the State Government through Inspection Reports. The Heads of PSUs are required to furnish replies to the Inspection Reports through respective Heads of Departments within a period of six weeks. A review of Inspection Reports issued up to March 2006 pertaining to 31 PSUs disclosed that 1,837 paragraphs relating to 380 Inspection Reports remained outstanding at the end of September 2006; of these, 83 Inspection Reports containing 537 paragraphs

had not been replied to for more than one year. Department-wise break-up of Inspection Reports and Audit observations outstanding as on September 2006 are given in *Annexure* 19.

Similarly, draft paragraphs and reviews on the working of PSUs are forwarded to the Principal Secretary/Secretary of the Administrative Department concerned demi-officially seeking confirmation of facts and figures and their comments thereon within a period of six weeks. It was observed that replies to 11 draft paragraphs and three reviews forwarded to the various departments during April and August 2006 as detailed in *Annexure-20* were awaited (August 2006).

It is recommended that the Government should ensure that (a) procedure exists for action against the officials who failed to send replies to inspection reports/draft paragraphs/reviews and ATNs to the recommendations of COPU as per the prescribed time schedule, (b) action to recover loss/outstanding advances/overpayment is taken within the prescribed period and (c) the system of responding to audit observations is revamped.

GUWAHATI THE (SWORD VASHUM) Principal Accountant General (Audit), Assam

Countersigned

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