

CHAPTER IX : MINISTRY OF HOME AFFAIRS

9.1 Unauthorised attachment of personnel by BSF and CRPF

Directors General BSF and CRPF attached large number of personnel from their field units to their headquarters, other Delhi offices, the Ministry and other non-force offices in violation of the orders of the Ministry issued on the directions of the Group of Ministers on National Security.

Paragraph 10.1 of Report No. 2 of 2007 of the Comptroller and Auditor General of India, Union Government (Civil) had highlighted irregular attachment of large number of personnel withdrawn from the field formations/units by the Director General, ITBP¹ and their deployment in the headquarters of ITBP. Examination of the strength of personnel in the headquarters and Delhi field offices of the Directors General, BSF² and CRPF³ disclosed that they have also been consistently withdrawing large number of personnel from their normal places of duty in field formations and attaching them to the headquarters and other Delhi offices for several years. The unauthorised additional attachment constituted up to 168 *per cent* of the authorised strength in the case of BSF and 32 *per cent* in the case of CRPF as shown in the table below :

(Rupees in lakh)

Name of the unit	Sanctioned Strength (March 2007)	Range of attached personnel during 2003-04 to 2006-07	Expenditure on pay and allowances during 2003-04 to 2006-07	Remarks
DG, BSF	368	726 to 862	3341.99	Total 726 attached officials include 23 Inspectors, 11 Sub-inspectors, 202 Head-constables, 461 constables from general duty cadres who are supposed to be assigned combat duties at the borders and 29 class-IV staff which includes cooks, safai-karamcharis and washermen etc.
DIG (HQ), FHQ, BSF	180	16 to 57	44.19	Attached officials include 5 Inspectors, 2 SIs, 2 ASIs, 12 Head-constables, 24 Constables and 11 class-IV staff which includes cooks, safai-karamcharis and washermen etc.
DG, CRPF	821	319 to 329	1827.12	Attached officials include 10 Officers, 63 ministerial staff and 252 Executive staff, which includes Inspectors, Sub-inspectors, Head-constables, Constables and class-IV.

¹ Indo Tibetan Border Police

² Border Security Force

³ Central Reserve Police Force

(Rupees in lakh)

Name of the unit	Sanctioned Strength (March 2007)	Range of attached personnel during 2003-04 to 2006-07	Expenditure on pay and allowances during 2003-04 to 2006-07	Remarks
GC, CRPF	383	33 to 60	137.80	Attached officials include 31 Head-constables (28 GD, 2 drivers and 1 carpenter), 26 Constables (5 GD, 9 Brass Band, 6 Pipe Band and 4 Bugular, 1 Tailor and 1 Mochi) and 3 class-IV staff, which include 2 cooks and 1 safai-karamchari.
Total			5351.10	

The persistent unauthorised attachment by Directors General, BSF and CRPF undermined the sanctity of Government sanction of the posts in different categories for their duties in the headquarters and field units. Further the action by Directors General, BSF and CRPF violated, each of the five specific terms of the orders of the Ministry of Home Affairs (Ministry) issued in June 2002, on the recommendation of the Group of Ministers (GOM) on national security.

Analysis of attachments of personnel disclosed that a large number of personnel in various ranks were attached with the Ministry and other Government offices, with specific approval of the Ministry. Thus, the Ministry rather than enforcing the orders of the GOM joined the BSF and CRPF in irregular attachments by asking the BSF and CRPF to attach personnel to work in the Ministry.

As on March 2007, 113 personnel in various ranks from CRPF and 66 personnel from BSF were attached with the Ministry and other non-force offices. In addition, ITBP had also attached 29 personnel to the Ministry.

The action of the Ministry to attach large number of personnel from the Central Para Military Forces, in effect, circumvented the orders regarding ban on recruitment and creation of new posts imposed by Ministry of Finance by diverting the personnel sanctioned for other units. The expenditure on pay and allowances of the personnel attached to Delhi offices and the Ministry etc. unauthorisedly was Rs. 53.51 crore during 2003-04 to 2006-07.

The personnel attached unauthorisedly with BSF and CRPF headquarters/field offices in Delhi and Ministry, whose headquarters continued to remain outside Delhi, were paid Daily Allowance continuously for six months at a time. In many cases their headquarters were changed to Delhi against non-existent

posts and the benefits of higher City Compensatory Allowance and House Rent Allowance were paid to them unauthorisedly.

The Director General, BSF stated that they had taken up proposals for creation of additional posts with MHA⁴/MOF⁵ but due to austerity measures, additional posts have not been sanctioned. MHA had conveyed its approval for continuance of attachments as per recommendations of Staff Inspection Unit (SIU) study. The Director General, CRPF stated that the workload in the Directorate had increased manifold and it was not manageable with the sanctioned strength. It was further stated that in 1995, a committee was formed to assess the attachment of staff for various branches of the Directorate. Accordingly, the committee had recommended attachment of 303 executive and 50 ministerial staff. It also stated that attachment of personnel was negligible and their pay and allowances were their legitimate dues.

The replies of both BSF and CRPF are not tenable, since these do not address the issue of non-compliance to the decision of the MHA/GOM on national security and unauthorisedness of the various actions brought out above and violation of the ban on creation and recruitment by utilising the personnel sanctioned for purposes other than for which they were sanctioned. DG, BSF contended that the Ministry of Home Affairs had conveyed its approval for continuation of attachments as per recommendations of SIU study. The reply is not acceptable as it is not appropriate to reckon the Ministry's order as the reason to continue the attachment of staff indefinitely without completing the action for sanction of staff based on SIU study, which is required to be completed within three months. The Ministry had authorised in June 2002 the attachments limited to SIU recommendation till such time the posts were sanctioned. This authorisation cannot be used to retain attachments for years without sanction of additional posts. Besides DG, BSF in their reply has overlooked that the actual attachments have been far in excess of SIU recommendations.

The Ministry and Directors General, BSF and CRPF should comply with the orders of the GOM forthwith. Besides accountability should be established for disregard of the orders of the GOM and the Ministry.

The matter was referred to the Ministry in September 2007; their reply was awaited as of January 2008.

⁴ Ministry of Home Affairs

⁵ Ministry of Finance

Central Industrial Security Force

9.2 Ineffective pursuance of demands

Ineffective pursuance of demands for charges for provision of services of CISF personnel resulted in Rs. 8.12 crore remaining unrealised from four bodies.

Mention was made in the Report of the Comptroller and Auditor General of India for the year ended 31 March 2004 (No. 2 of 2005) regarding non-recovery of dues for providing services of the Central Industrial Security Force (CISF) to Public Sector Undertakings (PSUs) remaining unrecovered for long periods. With a view to preventing the accumulation of such arrears, in May 2005, CISF HQ prescribed a revised procedure for recovery providing for deposits equal to three months billing (CISF bills) and levy of interest for delayed payments. Accordingly, PSUs were required to deposit an amount equal to three months monthly billing. Bills for a month (inclusive of cost of clothing and arms and ammunition) were to be raised by the 10th of the subsequent month, and penal interest at two *per cent* above the Prime Lending Rate (PLR) of the Reserve Bank of India (RBI) was also to be charged from April 2005 on the outstanding amount.

It was noticed (October 2005) that the Airports Authority of India (AAI) had accumulated arrears for the period August 2003 to July 2005 in respect of services provided at four of its airports in Maharashtra. AAI finally paid up the amount during February-March 2007. Audit noticed (June 2007) that CISF had failed to charge interest of Rs. 1.24 crore for delayed payments.

It was also noticed (May 2007) that three PSUs: Hindustan Organic Chemicals, Rasayani (HOC), Hindustan Insecticides Limited, Rasayani (HIL) and Hindustan Aeronautics Limited, Pimpri (HAL) in Maharashtra were allowed to accumulate arrears of a total sum of Rs. 5.88 crore (including interest) by CISF, Navi Mumbai. Though it was contended that regular liaison was being maintained with PSUs, the fact that arrears remained uncleared by them even as of August 2007 and had since risen to Rs. 6.88 crore indicated that the efforts made were ineffective and had not been taken up with higher authorities.

Thus, total dues of Rs. 8.12 crore remained unrealised.

On the delay in realisation and non-levy of penal interest being pointed out (August 2007), the Ministry stated (October 2007) that interest on the dues from AAI could not be levied as AAI required certain clarifications before

payment of bills and also insisted on signing of Memorandum of Understanding (MOU); the issues were clarified to AAI in October 2006 and thereafter the bills were cleared by them. It added that a bill for interest amounting to Rs. 1.24 crore had since been raised (August 2007) on AAI. The Ministry also stated that revival plan for one sick unit (HAL, Pimpri) had been approved and extension of time up to 31 December 2007 had been given for continuation of CISF deployment on the condition that the dues would be paid during this period. It further stated that for the other two units (HOC, Rasayani and HIL, Rasayani), CISF had been withdrawn and the matter was being taken up with the concerned administrative Ministry at Secretary level to clear the dues.

The fact remained that ineffective pursuance of demands resulted in large amounts of dues remaining unrealised from PSUs for long periods.

Border Security Force

9.3 Incorrect representations in sanctions

Director General Border Security Force accorded several split sanctions aggregating to Rs. 2.39 crore in disregard of General Financial Rules purportedly for setting up a wireless transmitting station, which were meant primarily for establishing an officers' mess.

Director General, Border Security Force accorded 15 split sanctions during July 2001 to September 2004 for an aggregate value of Rs. 1.37 crore, each within the financial powers of Rs. 20 lakh delegated to him, purportedly for setting up a wireless transmitting station in Nizamuddin, New Delhi. The work sanctions instead were utilised to construct mainly an officers' mess, termed 'Ashwini BSF Officers' Mess' through incorrect representations of the purpose in the sanctions. The wireless transmission system is accommodated in only two rooms, while six guest rooms, dinning room, kitchen and lobby constructed in the mess building are utilised for the guest-house. Subsequently, the Director General, BSF accorded 53 sanctions for an aggregate value of Rs. 1.02 crore for minor works during June 2003 to December 2006, most of them for development and improvement of the building. BSF has set-up a 63 KVA generator set and has installed 14 split air-conditioners in the building complex.

Examination of these sanctions disclosed that there were multiple sanctions for same works, such as construction of prefab structures and false ceiling (11 sanctions with aggregate value of Rs. 83.53 lakh), improvement and maintenance of building (19 sanctions aggregating Rs. 65.21 lakh), providing

electrical installations, fans, poles etc. (17 sanctions aggregating to Rs. 28.83 lakh), water supply scheme (six sanctions of total value Rs. 15.19 lakh), supply/fixing and repair/maintenance of servo voltage stabilizer (three sanctions of Rs. 6.23 lakh), installation of air-conditioner (four sanctions of Rs. 10.96 lakh), installation and maintenance of diesel generator set (seven sanctions of Rs. 9.02 lakh). Scrutiny of the bills of the contractors also disclosed that in a large number of contracts, the actual expenditure was very close to the amount of sanctions.

During 2002-03 to 2006-07, the field units of the BSF purchased various items for use in the guest-house viz silver-ware, crockery, glass-ware, steel, furniture, table linen and curtains etc. valued at Rs. 16.71 lakh and transferred them for use to the Ashwini Officers' Mess at Delhi.

The building, diesel generator set, air conditioners and maintenance expenditure etc., which are far in excess of the requirement of the transmitting station, are utilised largely for the officers' mess. While the guest charges for room rent and electricity charges are credited to the Government account, the charges recovered for messing, maintenance and services charges etc. from the guests are being credited unauthorisedly to a private fund account (transmitting station maintenance account).

Ministry stated in February 2008 that due to genuine requirement of the officers and their families/guests visiting the Force headquarters on temporary duty or in transit to their new locations, a portion of transmitting station was converted as guest house. Ministry also stated that sanctions were issued in the name of transmitting stations as the transit mess was not a part of authorised infrastructure and that multiple sanctions were issued due to limited availability of funds in a financial year.

Indo Tibetan Border Police

9.4 Unauthorised attachment of vehicles

Director General, Indo Tibetan Border Police attached 30 to 40 vehicles to the Directorate by withdrawing them from field formations leading to wasteful expenditure of Rs. 1.39 crore on their petrol/diesel, repair and maintenance at the expense of the operational requirement of the field units.

Paragraph 10.1 of Report No. 2 of 2007 of the Comptroller and Auditor General of India, Union Government (Civil) had highlighted irregular attachment of large number of personnel withdrawn from the field

formations/units by DG, ITBP⁶ to their Headquarters over and above their sanctioned strength.

Further examination disclosed that DG, ITBP had withdrawn 30 to 40 vehicles from the field formations/units during the period 2002-03 to 2006-07 and deployed them in its Headquarters at New Delhi. The Headquarters of DG, ITBP already has a sanctioned fleet of 32 vehicles of different types. The vehicles from the field formations were diverted under the orders of IG (HQ)⁷. The sanctioned strength of vehicles for each unit is determined with the approval of the Ministry. The IG (HQ) was not competent to divert the vehicles from field units. This resulted in unauthorised and wasteful expenditure of Rs. 1.39 crore on petrol/diesel, repair and maintenance of these vehicles merely for increasing the non-operational activities at the Headquarters at the cost of operational requirement of the field units.

On being pointed out by Audit in July 2007, the Ministry stated in October 2007 that the concerned field formation from where the vehicles had been withdrawn might have been inconvenienced but added that the mobilisation of additional vehicles on temporary attachment basis from other formations was due to increase in staff strength and other operational/administrative requirements. It further added that 20 vehicles had since been detached.

The reply of the Ministry does not address the core issue of unauthorised diversion. The Ministry had itself sanctioned the strength of the vehicles after taking into account entitlements as per rules and all factors applicable to the ITBP Headquarters. The Ministry has sought to justify the unauthorised attachments of almost equal or more number of vehicles than the sanctioned strength, in an imprecise manner rather than conducting a transparent review of the requirement and their actual utilisation. Moreover, the vehicles from operational units ought not be diverted for temporary and occasional nature of duties, depriving the units of their permanent use for which these were sanctioned.

The Ministry may determine accountability for unauthorised attachment of vehicles and restore the withdrawn vehicles to the field formations from which these were withdrawn with immediate effect.

⁶ Director General, Indo Tibetan Border Police

⁷ Inspector General (Headquarters)