



सत्यमेव जयते

ODISHA LEGISLATIVE ASSEMBLY

PUBLIC ACCOUNTS COMMITTEE

2020-2021

SIXTEENTH ASSEMBLY



4TH REPORT

ON

C & A. G OF INDIA (GENERAL AND SOCIAL SECTOR)

FOR THE YEAR 2016-17

OF

HIGHER EDUCATION DEPARTMENT

SECRETARIAT

OF

THE ODISHA LEGISLATIVE ASSEMBLY,

BHUBANESWAR-751001

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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE, 2020-21

CHAIRMAN

Shri Pradipta Kumar Naik,
Leader of Opposition.

MEMBERS

Smt. Pramila Mallik,
Hon'ble Government Chief Whip.

Shri Mohan Charan Majhi,
Hon'ble Chief Whip, Bharatiya Janta Party

Shri Narasingha Mishra, M. L. A.

Shri Debiprasad Mishra, M. L. A.

Shri Jaya Narayan Mishra, M. L. A.

Shri Sarada Prasad Nayak, M. L. A.

Shri Pranab Prakash Das, M. L. A.

Shri Rajendra Dholakia, M. L. A.

Shri Braja Kishore Pradhan, M. L. A.

Shri Priti Ranjan Gharai, M. L. A.

Shri Ananta Narayan Jena, M. L. A.

SECRETARIAT

Shri Dasharathi Satapathy, I. A. S., Secretary.

Smt. Sushila Mallick, Deputy Secretary.

Smt. Baijayanti Pattanayak, Under Secretary.

Shri Partha Sarathi Das, Section Officer.

Shri Arun Kumar Swain, Assistant Section Officer.

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE, 2019-20

CHAIRMAN

Shri Pradipta Kumar Naik,
Leader of Opposition.

MEMBERS

Smt. Pramila Mallik,
Hon'ble Government Chief Whip.

Shri Mohan Charan Majhi,
Hon'ble Chief Whip, Bharatiya Janta Party

Shri Narasingha Mishra, M. L. A.

Shri Debiprasad Mishra, M. L. A.

Shri Jaya Narayan Mishra, M. L. A.

Shri Sarada Prasad Nayak, M. L. A.

Shri Pranab Prakash Das, M. L. A.

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Shri Ananta Narayan Jena, M. L. A.

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Shri Dasharathi Satapathy, I. A. S., Secretary.

Smt. Sushila Mallick, Deputy Secretary.

Smt. Baijayanti Pattanayak, Under Secretary.

Shri Partha Sarathi Das, Section Officer.

Shri Arun Kumar Swain, Assistant Section Officer.

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE, 2018-19

CHAIRMAN

Shri Narasingha Mishra
Leader of Opposition.

MEMBERS

Shri Debiprasad Mishra, M. L. A.

Smt. Pramila Mallik, M. L. A.

* Shri Dilip Kumar Ray, M. L. A.

Shri Pravata Kumar Tripathy, M. L. A.

Shri Pravat Ranjan Biswal, M. L. A.

Shri Mahesh Sahoo, M. L. A.

Shri Saroj Kumar Samal, M. L. A.

** Shri Naba Kishore Das, M. L. A.

Shri Samir Ranjan Dash, M. L. A.

Shri Chiranjib Biswal, M. L. A.

Shri Debasish Samantaray, M. L. A.

SECRETARIAT

Shri Amiya Kumar Sarangi, Secretary.

Shri S. K. Swain, Joint Secretary.

Shri M. Dungdung, Under Secretary.

Shri Prafulla Kumar Parida, Desk Officer.

Smt. Baijayanti Pattanayak, Desk Officer.

N. B.:-

* The Membership of Shri Dilip Kumar Ray, M. L. A. was ceased w.e.f. 30.11.2018 vide notification No. 10486/L. A., dated 5th December 2018.

** The Membership of Shri Naba Kishore Das, M. L. A. was ceased w.e.f. 28.01.2019 vide notification No. 742/L. A., dated 30th January 2019.

**COMPOSITION OF THE SUB-COMMITTEE-IV OF THE PUBLIC
ACCOUNTS COMMITTEE, 2018-19**

CHAIRMAN

Shri Debi Prasad Mishra, M. L. A.

MEMBERS

Shri Pravat Ranjan Biswal, M. L. A.

Shri Samir Ranjan Dash, M. L. A.

SECRETARIAT

Shri Amiya Kumar Sarangi, Secretary.

Shri Shishir Kanta Swain, Joint Secretary.

Shri M. Dumdung, Under Secretary.

Shri Prafulla Kumar Parida, Desk Officer.

Smt. Baijayanti Pattanayak, Desk Officer.

Shri Arun Kumar Swain, Assistant Section Officer.

(v)

INTRODUCTION

I, the Chairman of the Public Accounts Committee having been authorised by the Committee on their behalf present this 4th Report of the C & A. G of India (General & Social Sector) for the year 2016-17 (Report No. 2 of 2018) relating to Higher Education Department.

The Sub-Committee-IV of Public Accounts Committee had examined the above subject in its meeting held on 17.01.2019. The findings and conclusions based on the result of the examination of the Committee, are presented herewith.

The Public Accounts Committee, 2019-20, finalized the Report in their sittings held on 20.03.2020 and reapproved by the Public Accounts Committee 2020-21 on 01.10.2020.

The Committee place on record their appreciation of the assistance rendered by the officers of the Higher Education Department, Finance Department and the Office of the Accountant General (G & SSA), Odisha during the course of examination.

The Committee further express their thanks to the Officers and Staff of the Odisha Legislative Assembly Secretariat for their Secretarial assistance.

Sd/-

Bhubaneswar
Date: 01.10.2020

(PRADIPTA KUMAR NAIK)
CHAIRMAN
PUBLIC ACCOUNTS COMMITTEE

REPORT

Para-3.6 Undue favour to a firm for setting up of Language Laboratories (LLs).

The decision to award the work of setting up of LLs in 108 colleges of the State to a private firm on nomination basis was not in order. Further, there was no enrolment in 42 colleges where LLs were set up at the total cost of ₹ 8.64 crore.

As per Audit observation, a Committee under the Chairmanship of the then Principal Secretary of the Department decided (November 2012) to award the work on nomination basis to a firm 'Centre for Advanced Communication (CACM)'. CACM was stated as a unit of Indian Institute of Technology (IIT), Kharagpur which is a reputed technical institute of Government of India (GoI). The Department signed (March 2013) a Memorandum of Understanding (MoU) with CACM with a validity of three years. As per the MoU, the LL was to be set up (at each center) in two rooms to accommodate 24 students at a unit cost of ₹ 20 lakh per LL. On expiry of the MoU in February 2016. HED renewed (March 2016) the same and approved for setting up of LL in another 20 colleges by February 2017. Subsequently, 108 LLs were completed in 40 Government and 68 Aided colleges of the State between May 2013 and November 2016. An amount of ₹ 22.88crore had been paid to CACM as of March 2017.

CACM was a single entrepreneur private organization and had no administrative and financial relation with IIT, Kharagpur. Therefore, its selection in the pretext of IIT, Kharagpur was not in accordance with rules. In fact, it was arbitrary and illegal.

Departmental Representative apprised the Committee that an elaborate, fair and absolutely transparent process had been adopted by following all the relevant government and statutory guidelines and the Language Laboratory (LL) work was awarded strictly on the basis of OGFR 2012 vide G.O. No. 4939/F, Dated 13.02.2012 of the Finance Department, CVC guidelines vide letter No. 005/CRD/19, 5th July 2007, Indian Patents Act, 1970 and the Indian Partnership Act, 1932 with the concurrence of the Finance Department and the approval of government. The OGFR and CVC guidelines provide mandate that procurement can be done from a single source if the supplier or contractor has exclusive proprietary rights and patent over the goods and services.

CACM had formed administrative and commercial relationship with IIT, Kharagpur and the patent of CACM had been developed in STEP IIT, Kharagpur

which was the technology advancement and invention Centre and administrative wing of IIT, Kharagpur. The Chairman of the STEP was Director, IIT, Kharagpur and the members were the representatives of the Department of Science and Technology of Government of India. CACM had signed an MOU with the STEP, IIT Kharagpur and there was a profit-sharing mechanism with the IIT Kharagpur. Since there was an agreement that they were equal partners on the terms and condition they were equally responsible for the thing. Since, IIT Kharagpur was a part of the agreement, it was treated as an entity of IIT Kharagpur. Accordingly, agreement had been made. It was firmly placed that no such software was available during 2011-12.

The Committee desired to know whether IIT, Kharagpur had the proficiency with developed technology and requisite technical advancement to set-up this Language Laboratory.

The Departmental representative apprised the Committee that, in 2012 when the project was started an expert Committee headed by Professor Sanghmitra Mohanty, Ex-Vice Chancellor North Odisha University gone through about 3092 patents which was available in the website and found only 2 patents; one was from USA and another from India i.e.(ISILS) of CACM. The reputed technical institution of India had successfully used the CACM (ISILS) Indian School of patent LL technology including IIT, Kharagpur, Indian School of mines, Dhanbad, IIT, Bhubaneswar, IIT, Patna, IIT, Ranchi and polytechnics of the State which strongly established the technical superiority, efficiency and strength of the product. So the Committee recommended for CACM (ISILS) to set-up LL in Higher Education Department.

The Committee desired to know whether any International or Global tender process had been floated by the Higher Education Department for the selection of patent to set-up language laboratories.

In response, the departmental representative apprised that everything was open in the website. There were clear provisions under the OGFR and CVC and the Patents Act to award work to a Patent and proprietary product on nomination and the Patent did not come under the tendering route and the rate was competitive; it was decided to award CACM, which was a proprietary firm to take up the LL work. The Patent is an intellectual property and an exclusive license under the Patents Act, 1970 and the HED, had chosen a Patent out of 3092 empanelled patents, which was an intellectual property empanelled by the Controller of Patent of the Central Government, under the Patents Act. CACM had regularly submitted required information about its Patent product and usage to the Controller of Patent as per the

Act. Therefore, the patentee CACM was not arbitrarily or illegally selected. The department strongly denied that any undue favour had been shown to any private firm. A high level Committee was visited Hyderabad and found that no such system was available in the country.

Audit para observed that, the Department did not recover the ₹ 22.88 lakh as Tax Deducted at Source (TDS) from CACM.

Departmental representative explained that as per agreement hundred per cent payment was made within seven working days after successful test, demonstration and training by the Department from 2013-14 to 2016-17 i.e. during the entire tenure of the scheme ₹ 22.88 lakh Tax payment had been made by CACM as per the MOU.

Further it was objected that, out of 112 colleges covered under Audit where the LLs were set up, 56 colleges had no student enrolment. In 42 colleges, the LLs were installed one to three years ago at the total cost of ₹ 8.64 crore. In the remaining 14 colleges, the LLs were installed during the academic year, 2016-17.

Students were reported as enrolled in 46 colleges though 13 of these colleges failed to produce any evidence of enrolment. The Principals of the test-checked colleges attributed the idling of LLs to shortage of teaching staff, non-inclusion of the course in academic calendar and non-provision of power supply.

The Committee observed that, the people of China have difficulty in pronouncing English Language and they have taken English tutors from India. The Committee desired to know the status of functioning of the Language Laboratories.

The Department complied that, the LLs were functioning at present. The district level consultants were visiting LLs and all these programmes were being monitored by Odisha Higher Education Council. Five Regional Directors were deployed for regular review and inspection of the LLs. Spoken English tutorial classes had been started involving IIT, Mumbai in the same LLs.

The Committee observed that out of 46 colleges 13 colleges had not any evidence of enrolment. The Principal-in-Charge of the colleges had attributed that due to lack of infrastructural development i.e. lack of energy facility and absence of professionals it was difficult to manage the system.

As regards the observations relating to the availability of attendance registers, the Department complied that since that was a new system, the attendance register in some colleges had not been maintained properly by the Principals at the initial stage.

But after continuous and rigorous follow-up all the colleges (including the 56 colleges as observed by the CAG) had maintained the attendance registers for their LLs by October, 2018. The LLs were of late active hubs of language learning in all colleges. Higher Education Department had taken utmost care to train and sensitize the Principals to co-ordinate for effective functioning of LLs at their colleges. Regarding staff shortage, it was stated that all colleges had adequate staff to run the LLs. Any teacher, having good command in English Language could teach this language skill after necessary training. Colleges were also reporting that due to Language Laboratories their NAAC grade had improved and they had given autonomy extension because of Language Laboratories and during the student's interaction, Students were also saying that they were being benefitted by this Language Laboratories. So, it was fully functional. At the time of examination of audit objection they were maintaining all the registers including attendance registers.

The Committee opined that the introduction of Language Laboratories, a modern educational technology is significant for addressing the English Language skill of the students in the State. A proper monitoring system of the functioning of the LLs should be developed by the HED, so that best results can be achieved. A comprehensive up-to-date report should be submitted containing the outcome of 108 LLs and their further improvement and monitoring system to the Committee and NAAC up-gradation should be one parameter for 108 Colleges.

In view of the above, the Committee settled the para.

**MINUTES OF THE TENTH MEETING OF PUBLIC ACCOUNTS COMMITTEE, 2019-20
HELD AT 04:00 P. M. ON 20.03.2020 IN ROOM NO. 54 OF THE ODISHA LEGISLATIVE
ASSEMBLY BUILDINGS, BHUBANESWAR.**

P R E S E N T

Shri Pradipta Kumar Naik.

CHAIRMAN

Leader of Opposition.

Shri Mohan Charan Majhi,

Hon'ble Chief Whip, Bharatiya Janta Party

Shri Debiprasad Mishra, M. L. A.

Shri Jaya Narayan Mishra, M. L. A.

Shri Rajendra Dholakia, M. L. A.

Shri Ananta Narayan Jena, M. L. A.

MEMBERS

S E C R E T A R I A T

Shri Dasharathi Satapathy, I. A. S., Secretary.

Smt. Sushila Mallick, Deputy Secretary.

Smt. Baijayanti Pattanayak, Under Secretary.

Shri Partha Sarathi Das, Section Officer.

The Committee met as scheduled and approved the following Reports:-

1. 1st Report of PAC, 2019-20 on the Report of the C & A. G of India (Revenue Receipt) for the year 2007-08 relating to Finance Department.
2. 2nd Report of PAC, 2019-20 on the Report of the C & A. G of India (Revenue Receipt) for the year 2015-16 relating to Finance Department.
3. 3rd Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA - Report No. 4 of the year 2016) relating to Electronics & Information Technology Department for the year, 2014-15.
4. 4th Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA) for the year 2016-17 relating to Higher Education Department.
5. 5th Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA) for the year 2014-15 relating to Home and Women & Child Development Department.
6. 6th Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA) for the year 2013-14 relating to Rural Development Department.
7. 7th Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA) for the year 2013-14 relating to Rural Development Department.
8. 8th Report of PAC, 2019-20 on the Report of the C & A. G of India (G & SSA) for the year 2014-15 relating to School & Mass Education Department.

The Committee also authorized the Chairman to present the same to the Assembly.

The meeting of the Committee adjourned *sine-die*.

Sd/-

PRADIPTA KUMAR NAIK

CHAIRMAN

PUBLIC ACCOUNTS COMMITTEE

**MINUTES OF THE TENTH MEETING OF PUBLIC ACCOUNTS COMMITTEE, 2020-21
HELD ON 01.10.2020 AT 03:00 P. M. IN ROOM NO. 54 OF THE ODISHA LEGISLATIVE
ASSEMBLY BUILDINGS, BHUBANESWAR.**

P R E S E N T

Shri Pradipta Kumar Naik.

CHAIRMAN

Leader of Opposition.

Shri Mohan Charan Majhi,

Hon'ble Chief Whip, Bharatiya Janta Party

Shri Debiprasad Mishra

MEMBERS

Shri Jaya Narayan Mishra, M. L. A.

Shri Pranab Prakash Das, M. L. A.

Shri Braja Kishore Pradhan, M. L. A.

S E C R E T A R I A T

Shri Dasharathi Satapathy, I. A. S., Secretary.

Smt. Sushila Mallick, Deputy Secretary.

Smt. Baijayanti Pattanayak, Under Secretary.

Shri Partha Sarathi Das, Section Officer.

The Committee met as scheduled and approved the following Reports finalized previously by the Public Accounts Committee, 2019-20 on 20.03.2020 for presentation in the House during the 4th Session of the 16th Assembly.

1. 1st Report of PAC, 2020-21 on the Report of the C & A. G of India (Revenue Receipt) for the year 2007-08 relating to Finance Department.
2. 2nd Report of PAC, 2020-21 on the Report of the C & A. G of India (Revenue Receipt) for the year 2015-16 relating to Finance Department.
3. 3rd Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA - Report No. 4 of the year 2016) relating to Electronics & Information Technology Department for the year, 2014-15.
4. 4th Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA) for the year 2016-17 relating to Higher Education Department.
5. 5th Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA) for the year 2014-15 relating to Home and Women & Child Development Department.
6. 6th Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA) for the year 2013-14 relating to Rural Development Department.
7. 7th Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA) for the year 2013-14 relating to Rural Development Department.
8. 8th Report of PAC, 2020-21 on the Report of the C & A. G of India (G & SSA) for the year 2014-15 relating to School & Mass Education Department.

The Committee also authorized the Chairman to present the same to the Assembly.

The meeting of the Committee adjourned *sine-die*.

Sd/-

PRADIPTA KUMAR NAIK

CHAIRMAN

PUBLIC ACCOUNTS COMMITTEE