

**CHAPTER III  
INTEGRATED AUDIT**

**SCHEDULED CASTES AND SCHEDULED TRIBES DEVELOPMENT  
DEPARTMENT**

**3.1 Integrated audit of Scheduled Tribes Development  
Department**

**Highlights**

*Scheduled Tribes constitute 1.14 per cent (3.64 lakh) of the total population of the State. The Scheduled Tribes Development Department implements various welfare schemes for the benefit of the Scheduled Tribes. An integrated audit of the department revealed various deficiencies such as underutilisation of funds, delays in implementation of schemes, ineffective implementation of provisions in the statutes for the welfare of Scheduled Tribes, inadequate infrastructure facilities in residential schools under the control of the department, lack of supervision and proper monitoring, etc. The important audit findings are as under:*

**During 2004-09, savings of Rs 52.73 crore were noticed under ‘Plan’ due to non-implementation of schemes.**

*(Paragraph 3.1.7.1)*

**Against the target of construction of 4128 houses during 2002-08, undertaken by the Tribal Resettlement and Development Mission, only 346 (8 per cent) houses were completed as of May 2009.**

*(Paragraph 3.1.8.1)*

**Despite spending Rs 3.91 crore for setting up a speciality hospital in Attappadi, the objective of providing better health care facilities to the tribals of the remote area were not fulfilled due to shortage of medical and para-medical staff.**

*(Paragraph 3.1.8.3)*

**Although Government of India released Rs 12.50 crore during 2002-04 as Special Central assistance and Rs 2.03 crore in March 2005 as Additional Central assistance for drinking water supply schemes for tribals in Wayanad and Idukki districts respectively, the schemes remained incomplete and the tribals were denied access to clean drinking water.**

*(Paragraph 3.1.8.4)*

**Despite the availability of funds, infrastructural facilities in residential schools under the department were largely inadequate due to delays in construction of buildings.**

*(Paragraph 3.1.8.5)*

**Lack of supervision and monitoring affected implementation of various schemes and delivery of the intended objectives to the targeted tribal population.**

*(Paragraph 3.1.11.3)*

### **3.1.1 Introduction**

The Scheduled Tribe population in the State as per the 2001 census was 3.64 lakh, which was 1.14 *per cent* of the total population. The Tribal Welfare Department, subsequently renamed as the Scheduled Tribes Development Department, was formed in July 1975, for implementing various Centrally and State sponsored welfare schemes for social upliftment of Scheduled Tribes. The department is mandated to identify, formulate and implement schemes in thrust areas like education, health, poverty eradication, resettlement and housing, self-employment, skill development, etc. The objective of the department is to ensure that the benefits of the schemes for which investments are made by the Central and State Governments reach the targeted masses.

### **3.1.2 Organisational Set up**

At the Government level, the Scheduled Tribes Development Department is headed by the Principal Secretary, Scheduled Castes and Scheduled Tribes Development Department. At the Directorate level, the department is headed by a Director who is assisted by an Administrative Officer, a Joint Director, one Deputy Director each for Tribal Sub-Plan and education and a Finance Officer. At the field level, seven Project Officers are in charge of Integrated Tribal Development Project Offices (ITDP) while nine Tribal Development Officers are in charge of Tribal Development Offices (TDO). All of them report to the Director directly. They are assisted by 48 Tribal Extension Officers all over the State. The Tribal Resettlement and Development Mission (TRDM) was constituted in 2001 with the objective of distributing land to landless tribals and ensure their overall development under the department.

### **3.1.3 Audit Objectives**

An integrated audit of the department was conducted to assess whether:

- Annual Action Plans were prepared based on field surveys and actual requirements;
- funds provided by the Central and State Governments were effectively and economically utilised;
- welfare schemes for resettlement and housing of landless tribals, health care projects, water supply, education, etc., were implemented in time and were in conformity with the approved Plans;
- co-ordination existed among various departments in implementation of various schemes and statutes related to the welfare of Scheduled Tribes and
- monitoring of implementation of the schemes was adequate and effective.

### **3.1.4 Audit Coverage**

The integrated audit was conducted during April – June 2009 and covered the period 2004-09. Records of the Administrative Department in the Government Secretariat, the Directorate of Scheduled Tribes Development Department, Integrated Tribal Development Project Offices/Tribal

Development Offices of four out of 14 tribal concentrated districts<sup>95</sup> were scrutinized. Records in the Office of the Director General of Police and the Collectorates in the four selected districts were also scrutinised.

### 3.1.5 Audit Criteria

The audit criteria used for bench-marking the audit findings were as under:

- Scheme guidelines, instructions issued by Government from time to time for implementation of schemes and Annual Action Plans;
- State Budget Manual/ State Financial Rules/Treasury Code;
- Procedures prescribed for monitoring and evaluation of schemes/programmes and
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

### 3.1.6 Audit Methodology

An entry meeting was held (March 2009) with the Principal Secretary to Government, Scheduled Castes and Scheduled Tribes Development Department, wherein the audit objectives were explained. Audit findings as discussed in the succeeding paragraphs are based on analysis of records during field visits to Tribal Development Offices of the selected four districts. Field visits were also made to the Collectorates of the four selected districts to scrutinize records relating to tribal resettlement and housing schemes implemented by the TRDM. Audit findings were discussed (July 2009) with the Principal Secretary to Government in an exit conference. The views of the Government have been incorporated in the review at appropriate places.

## Audit Findings

### 3.1.7 Financial Management

#### 3.1.7.1 Budget allocation and expenditure

Budget provisions and expenditure of the department during the review period were as follows:

**Table: 3.1: Budget provision and expenditure**

*(Rupees in crore)*

Year		Provision	Expenditure	Savings ( percentage)
2004-05	Plan	77.22	64.36	12.86 (16.7)
	Non-Plan	18.78	17.56	1.22 (6.5)
2005-06	Plan	77.50	60.00	17.50 (22.6)
	Non-Plan	22.31	21.46	0.85 (3.8)
2006-07	Plan	83.06	75.94	7.12 (8.6)
	Non-Plan	24.38	22.71	1.67 (6.8)
2007-08	Plan	85.93	79.00	6.93 (8.1)
	Non-Plan	29.36	27.42	1.94 (6.6)
2008-09	Plan	84.74	76.42	8.32 (9.8)
	Non-Plan	36.95	32.78	4.17 (11.3)
<b>Total</b>	<b>Plan</b>	<b>408.45</b>	<b>355.72</b>	<b>52.73 (12.91)</b>
	<b>Non-Plan</b>	<b>131.78</b>	<b>121.93</b>	<b>9.85 (7.47)</b>

Source: Plan progress report and Expenditure statement

<sup>95</sup> Idukki, Kannur, Palakkad and Wayanad.

During 2004-09, there were savings of Rs 52.73 crore under Plan schemes

As can be seen from the table, savings of Rs 52.73 crore occurred under Plan expenditure during the five years 2004-09. During the three years 2006-09, the department could spend 90 to 92 *per cent* of the budget provision. However, during 2004-05 and 2005-06, the savings were 17 *per cent* and 23 *per cent* of the budget provisions respectively. The savings were due to non-implementation of the drinking water supply scheme and the Grain Bank scheme<sup>96</sup>, non-formation of neighbourhood groups under the Kudumbasree<sup>97</sup> project, etc.

According to Para 24 of the Kerala Budget Manual provision should be made only for sanctioned schemes. However, provisions were made in the budget without finalising the proposal or identifying the required land, in violation of the above provision. Some of the instances noticed in this respect during audit were as follows:

- Budget provisions of Rs 2.03 crore and Rs 1.02 crore made during 2004-05 and 2005-06 respectively for a drinking water supply scheme at Idukki and provision of Rs 1.15 crore made during 2004-05 to 2006-07 for payment to Kudumbasree towards formation of neighbourhood groups were not utilised due to non-formulation of proposals for the same. Similarly, out of Rs 80 lakh provided during 2004-05 and 2005-06 for the Grain Bank scheme, Rs 72 lakh was not utilised as the scheme was not found to be viable. Government stated (October 2009) that funds had to be reappropriated due to non-submission of proposals by Kudumbasree and it was difficult to implement the Grain Bank scheme in Kerala as cultivation among tribals was minimal.
- During 2007-08 and 2008-09, Rs 1.40 crore and Rs 60 lakh respectively were provided in the budget for construction of a school building for students of classes +1 and +2 in the Kannur and Nallooradu Model Residential Schools though the proposal for construction had not been finalised at the time of providing the funds.
- Even though land had not been identified, Rs 2.90 crore each was provided for construction of an Ashram School for Primitive Tribes in Palakkad and a Tribal Complex at Ernakulam during 2004-05 and 2005-06 respectively. Government stated (October 2009) that the funds could not be utilized due to delays in obtaining land.

### 3.1.7.2 *Non-settlement of advances*

Article 99 of the Kerala Financial Code prescribes that advances should be adjusted as early as possible by presenting detailed bills and vouchers. However, in the following offices, contingent advances aggregating Rs 1.24 crore given to Tribal Extension Officers for food supply programmes, meeting fuel charges, etc., during 2004-09 remained unadjusted as of March 2009 as given in the following table:

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<sup>96</sup> The Grain Bank scheme envisages a system whereby tribals are lent foodgrains in times of need with the debt to be repaid by them during harvest time.

<sup>97</sup> Kerala State Poverty Eradication Mission (Kudumbasree) is registered under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955. It is a network of neighbourhood groups, area development societies and community development societies.

**Table 3.2: Outstanding advances***(Rupees in lakh)*

Name of institution	2004-05	2005-06	2006-07	2007-08	2008-09	Total
Directorate of STDD	16.66	1.42	7.15	4.35	--	29.58
ITDP, Kannur	33.29	24.00	18.63	1.09	5.54	82.55
TDO, Palakkad	0.19	1.03	0.54	3.10	0.23	5.09
TDO, Mananthavady, Wayanad	..	..	..	7.00	..	7.00
<b>Total</b>	<b>50.14</b>	<b>26.45</b>	<b>26.32</b>	<b>15.54</b>	<b>5.77</b>	<b>124.22</b>

*Source: Departmental figures***3.1.7.3 Retention of demand drafts for prolonged periods**

Article 40 of the Kerala Financial Code provides that money should not be drawn unless it is immediately required for payment. However, it was seen that money in the form of demand drafts (DD), drawn by Tribal Development Officers and Project Officers of ITDP offices in favour of beneficiaries/implementing agencies for various purposes such as assistance for housing, special incentives for brilliant students, special awards, etc., remained unpaid for periods ranging from three to 26 months as shown hereunder:

**Table 3.3: Details of retention of DDs**

Name of TDO/ITDP	Number of DDs	Date from which retained	Period of retention (in months)	Amount (Rupees in lakh)
Kalpetta	26	March 2009	3	5.13
Kannur	2	12 April 2007	26	0.23
Kannur	1	4 March 2009	3	2.07
Palakkad	10	21 January 2009	5	0.39
SulthanBathery	3	March 2008	16	0.34
<b>Total</b>				<b>8.16</b>

*Source: Departmental figures*

Retention of DDs for long periods gives scope for misappropriation. Government stated (October 2009) that DDs for special incentives to brilliant students could be handed over to the students only when they came for vacations. The reply does not explain why the drafts could not be sent to the students/institutions in which they were studying so that they could utilise the money during their course of study. The Government reply was silent about the retention of drafts drawn for providing assistance for housing.

**3.1.7.4 Rush of expenditure during March**

According to the Kerala Budget Manual, flow of expenditure should be regulated to avoid rush of expenditure, particularly during the closing months of the financial year. As per Article 40 (c) 7 of the Kerala Financial Code Volume I, no attempt should be made to prevent the lapse of an appropriation by any undue rush of expenditure during March. However, it was noticed that the percentage of expenditure during the month of March was appreciably high under pooled funds<sup>98</sup>. The details are as follows:

<sup>98</sup> Funds set apart for small projects with special emphasis on self employment, skill development, provision for water supply and sanitation, electricity, etc.

**Table 3.4: Rush of expenditure during March**

*(Rupees in lakh)*

Name of office	Year	Allotment	Progressive expenditure (up to February)	Expenditure during March	Total expenditure	Percentage of expenditure in March
TDO, Kalpetta	2007-08	16.04	6.22	9.83	16.05	61
TDO, Sulthanbathery	2005-06	51.89	18.27	33.62	51.89	65
TDO, Thodupuzha	2004-05	95.04	28.92	66.12	95.04	70
TDO, Thodupuzha	2005-06	77.98	42.78	35.20	77.98	45
TDO, Thodupuzha	2006-07	75.15	32.41	42.39	74.80	56

Source: Expenditure register

Though the funds were provided at the beginning of the financial year, the rush of expenditure in March indicated that they were being drawn at the fag end of the financial year to avoid lapse of funds. Government stated (October 2009) that rush of expenditure in March was due to procedural delays in approving schemes as a result of which, works could be awarded only after the first half of the financial year.

### **3.1.8 Implementation of Schemes**

The department implements various schemes under housing, health, drinking water supply, education, etc. Findings relating to the schemes which were audited are given below:

#### **3.1.8.1 Resettlement and housing**

The Tribal Resettlement and Development Mission (TRDM) was constituted in 2001 with the objective of rehabilitation of landless tribals. The key components of the resettlement plan were distribution of one to five acres of land to each family according to availability and development of minimum needs infrastructure including housing, roads, power, drinking water supply, crop husbandry, land development, etc. The Principal Secretary of the Scheduled Castes and Scheduled Tribes Development Department is the Chief of the Mission. TRDM has 14 District Mission Offices in the State with the District Collectors as the Chairpersons and the Project Officers, ITDP as the Convenors. Beneficiary lists for resettlement are to be prepared by the District Missions based on scrutiny and recommendations of District Level Committees<sup>99</sup> and *Oorukoottams*<sup>100</sup>.

**No comprehensive Action Plan for resettlement of tribals was prepared by TRDM**

It was found that TRDM had not prepared any comprehensive Action Plan for resettlement of tribals. There were delays of two to three years in distribution of land and one to two years in taking up construction of houses. In the three<sup>101</sup> districts test-checked, 6997.41 acres of land was distributed to 5058 families. During 2002-08, 4128 houses were sanctioned for tribal families for which Rs 22.65 crore was provided by TRDM to District Collectors (Rs 8.29 crore) and the Kerala State Nirmithi Kendra (KESNIK<sup>102</sup>) (Rs 14.36 crore). The construction of the houses was entrusted to Local Self

<sup>99</sup> Committees headed by the Presidents of the District Panchayats who oversee the implementation of various schemes.

<sup>100</sup> The basic unit consisting of local people for preparation of proposals to execute work in a locality and preparation of beneficiary lists for availing of benefits under various schemes.

<sup>101</sup> Idukki, Kannur and Wayanad.

<sup>102</sup> An autonomous body engaged in the construction of low-cost houses.

Against the target of 4128 houses, only 346 (8 per cent) houses were completed

Government Institutions, SC/ST Labour Contract Societies KESNIK, District Nirmithi Kendras<sup>103</sup>, COSTFORD<sup>104</sup> and beneficiaries. Only 346 houses (8 per cent) were completed as of May 2009 by the implementing agencies as indicated in the following table:

**Table 3.5: Details of construction of houses**

District	Number of families to which land was allotted	Number of houses sanctioned	Unit cost (in Rs)	Amount provided (Rs in crore)	Number of houses		
					Completed	Under construction	To be taken up
Idukki	949	949	75,000	3.56	204	461	284
Kannur							
i) Aralam	2557	2557	1,12,330	14.36	Nil	400	2157
ii) Kannur	149	149	75,000	1.19	141	8	Nil
Wayanad	578	473	75,000	3.54	1	199	273
	<b>4233</b>	<b>4128</b>	-	<b>22.65</b>	<b>346</b>	<b>1068</b>	<b>2714</b>

Source: Details collected from the District Collectorates

Further audit scrutiny revealed the following:

- In Palakkad district, TRDM could not make much headway in re-settlement except for distribution of 4.44 acres of land to 10 families. Even in these cases, the beneficiaries did not accept the land as the major portion of the same was rocky and unsuitable for any developmental activity, including housing. Consequently, Rs 8.30 lakh allotted in December 2006 by TRDM for housing was returned by the District Collector in June 2007.
- In Wayanad district, though land was allotted to 578 families in four settlements<sup>105</sup>, records of rights<sup>106</sup> were issued only to 536 families (93 per cent).
- In Idukki district, 585 houses (62 per cent) were in Chinnakanal area which was remote, inaccessible and under the threat of elephant attack. As a result, only 12 houses were completed as of June 2009 though sanction for construction of houses were issued during 2003-06. Of the remaining 573 houses, 301 houses were partially completed and 272 houses were not taken up.
- In Kannur district, construction of 2557 houses was entrusted to KESNIK. The construction was to be completed in five phases over a period of 20 months. Six hundred houses were to be completed in the first phase. Government ordered (September 2008) payment of Rs 14.36 crore as mobilization advance to KESNIK, which was 50 per cent of the total cost of construction of the houses including wells and wiring. However, due to poor quality of construction and complaints, TRDM directed (July 2009) KESNIK to limit the construction to 400 houses only and refund the balance amount of Rs 9.59 crore. KESNIK refunded Rs 9.59 crore in August 2009.

<sup>103</sup> District-level agencies engaged in the construction of low-cost houses.

<sup>104</sup> Centre of Science and Technology for Rural Development.

<sup>105</sup> Karapuzha, Kunnanhidavaka, Pookot and Suganthagiri.

<sup>106</sup> Title deeds conveying ownership of land.

- Implementation of the housing scheme was to be closely monitored by the District Level Review Committees<sup>107</sup> headed by the District Collectors and monthly reports were to be sent to the State Level Review Committee<sup>108</sup>. However, no progress reports had been sent to the State Level Committee during October 2008-June 2009.

Government stated (October 2009) that considerable progress was expected to be achieved in resettlement and development once remedial measures such as appointment of site managers, upgradation of posts of overseers in ITDP, Kannur, enhancement of cost of houses, etc., were taken. However, the fact remains that construction of only 346 (8 per cent) out of 4128 houses sanctioned during 2002-08 could be completed and the tribal families were deprived to that extent.

### 3.1.8.2 Primitive tribal housing

Under primitive tribal housing, 683 houses (out of 781) were completed despite release of the entire cost of the houses to the agencies

During 2003-04, GOI released Rs 10 crore as Additional Central assistance for providing basic needs packages to primitive tribal group<sup>109</sup> families in the State. According to a baseline survey report of KIRTADS<sup>110</sup> conducted during 2004-05, 6,523 primitive tribal families were scattered in different areas of the State. Government sanctioned (May 2006) 1,111 houses for the primitive tribes. Each house was to have a plinth area of 300 sq.ft and was to be built at a cost of Rs 90,000. The construction of the houses was mainly entrusted to KESNIK and the Kerala State Housing Board. Fifty per cent of the cost was to be paid on execution of the agreements, 40 per cent on attaining 50 per cent progress and the balance 10 per cent on completion of construction. In the test-checked offices, Audit found that the entire amount had been released to the agencies within three months of execution of the agreements. However, only 491 houses (63 per cent) were completed out of 781 as of March 2009 even though the scheduled dates of completion had expired by March 2007. The following table depicts the status of implementation of primitive tribal housing.

**Table 3.6: Status of implementation of primitive tribal housing as of March 2009**

Name of office ITDP/TDO	Agency to which construction was entrusted	Number of houses		Payment made (Rupees in crore)
		Target	Achievement	
<b>Palakkad District</b>				
Attappady	A class contractor	100	95	0.88
Palakkad	District Nirmithi Kendra	161	2	1.45
<b>Wayanad District</b>				
Kalpetta	Kerala State Nirmithi Kendra	100	68	0.90
Mananthavady	District Nirmithi Kendra	150	141	1.35
Sulthan Bathery	Kerala State Housing Board	270	185	2.43
<b>Total</b>		<b>781</b>	<b>491</b>	<b>7.01</b>

Source: Departmental figures

It was found that a number of complaints regarding use of inferior quality material, reduction in the plinth area, etc., had been made by local bodies and

<sup>107</sup> Committee constituted for the purpose of reviewing progress of implementation of housing scheme

<sup>108</sup> Committee headed by the Principal Secretary, SC&STDD.

<sup>109</sup> Group with pre-agricultural stage of development, diminishing/dwindling population and very low literacy rate.

<sup>110</sup> Kerala Institute for Research, Training and Development Studies of Scheduled Castes and Scheduled Tribes.

a non-governmental organisation viz. All India Survival of Tribal People for Social Justice on the quality of construction, but the Tribal Development Officers did not take any action to rectify the defects. No records were maintained by the TDOs in Palakkad and Wayanad districts regarding the details of the number of houses occupied, houses deserted due to lack of basic amenities, houses which had defective construction, etc. In Attappadi, while awarding the work, no tender procedure was adopted. The Palakkad District Nirmithi Kendra was entrusted with the construction of 91 houses costing Rs 81.90 lakh in December 2006. However, the Kendra expressed (May 2007) inability to undertake the construction due to inaccessibility of the sites. The department did not take any action to get back the amount paid to the Kendra and rearrange the work (June 2009). Government stated (October 2009) that 683 houses had since been completed and in almost all cases, the tribals were living in these houses. However, the fact remains that 98 houses still remained incomplete even after two and a half years of the scheduled date of completion.

### 3.1.8.3 Attappadi health project

GOI sanctioned Additional Central assistance of Rupees one crore in March 1999 for construction of a 25-bedded hospital for the tribals of Attappadi. Government issued (June 2000) an administrative sanction for Rupees five crore for construction of a 100-bedded hospital there. The balance amount (Rupees four crore) was to be met by the State Government. The construction was to be completed in two phases for which Rs 1.95 crore and Rs 3.64 crore respectively were sanctioned. The first phase of construction of a 52-bedded ward was started in May 2001 and completed in December 2004. The second phase of construction was in progress as of July 2009. The Tribal Development Department incurred Rs 3.91 crore for construction of the hospital as of December 2008. The original proposal was to provide nine specialities<sup>111</sup> with a total of 13 units. As the department found it difficult to ensure the services of Medical Officers and paramedical staff from the Health Department, the hospital was transferred to the Health Department in March 2007 for ensuring the services of Medical Officers and paramedical staff. The hospital started functioning in August 2007 with facilities for 80 in-patients, casualty services and two specialities, gynaecology and paediatrics.

Against the requirement of 13 doctors, only four were available, of which three were under working arrangements<sup>112</sup> (May 2009). The hospital could not provide the services of a gynaecologist. The operation theatre functioned only for 18 days since inception as a full-time surgeon was not available. As a result, 224 patients who required emergency services of surgeons had been referred to various hospitals as of March 2009, defeating the purpose of setting up the hospital at Attappadi. Thus, the objective of providing better health care facilities to the tribals of the remote area did not materialize even after 10 years and incurring of Rs 3.91 crore on the project. Government stated (October 2009) that the situation would improve once the construction of staff quarters was completed.

**The objective of providing health care facilities to tribals of the remote Attappady area could not be fulfilled despite spending Rs 3.91 crore for setting up a speciality hospital**

<sup>111</sup> One unit each for ENT, skin, ophthalmology, anaesthesia and orthopaedics and two units each for paediatrics, gynaecology, medicine and surgery.

<sup>112</sup> Personnel from other hospitals deputed temporarily for working in this hospital.

### 3.1.8.4 Drinking water supply

#### ***Giridhara Drinking Water Supply and Sanitation Project at Wayanad***

**Expenditure of Rs 7.17 crore on Giridhara Drinking Water Supply Scheme in Wayanad was unfruitful**

The State Government issued (March 2003) an administrative sanction for implementation of the Giridhara Project for supply of drinking water to the tribal population of the 10 Grama Panchayats of Wayanad District, utilising the Special Central assistance provided by GOI. The total outlay of Rs 16.63 crore for the project was to be met from the Central assistance of Rs 12.73 crore, the Grama Panchayats' share of Rs 1.60 crore and beneficiary share of Rs 2.30 crore. GOI released assistance of Rs 12.50 crore<sup>113</sup> during 2002-04. The Government entrusted (January 2004) the implementation of the scheme to the Socio-Economic Unit Foundation (SEUF)<sup>114</sup>, an accredited agency of the State Government in the water and sanitation sector. At the district level, the District Collector was the coordinator. The District Collector, Wayanad (Client I) and the Project Officer, ITDP, Wayanad (Client II) executed an agreement with the Executive Director, SEUF (May 2004) for implementation of the scheme. The agreement provided for payment of Rs 3.03 crore to SEUF as consultation fee for institutional set up and strengthening (Rs 2.43 crore) and capacity building (Rs 0.60 crore). The activities to be taken up under the scheme were supply of drinking water through rainwater harvesting, digging of wells, utilisation of existing wells and construction of toilets. The implementation of the scheme was to be supervised by the Grama Panchayat and Ooru Vikasana Samithies<sup>115</sup>. The project was due to be completed in December 2005.

During 2004-05 and 2005-06, Rs 8.60 crore was released to the 10 Panchayats for the scheme and Rs 0.91 crore was paid to SEUF towards the first instalment of consultancy charges. Construction of 3317 water tanks, five drinking water wells, drinking water facilities for 13 schools and 5866 sanitary latrines was completed under the scheme by SEUF at a total cost of Rs 7.17 crore. The District Level Steering Committee directed (January 2006) SEUF to exit from the scheme by March 2006. Accordingly, SEUF stopped (March 2006) all the works. Audit scrutiny disclosed the following:

- i) The District Project Management Team<sup>116</sup> (DPMT) which was to be responsible for field level coordination and implementation had not been formed and the implementation was left to SEUF itself.
- ii) No operational guidelines were issued by the department to the Director for the implementation of the project and release of funds to DPMT.
- iii) No feasibility study on the viability of the project had been conducted at the project formulation stage.
- iv) The beneficiaries raised complaints such as leakage, unsuitable lid on water tanks, defects in hand pumps, etc. However, no action was taken by the department to rectify the defects.

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<sup>113</sup> Rs 7 crore in March 2003 and Rs 5.50 crore in December 2003.

<sup>114</sup> A society registered under the Travancore Cochin Literary, Scientific and Charitable Societies Registration Act, 1955.

<sup>115</sup> Beneficiary committee set up at Grama Panchayat level for implementation of projects.

<sup>116</sup> As per the project report, the DPMT was to be formed for co-ordination and supervision of the implementation of the project.

- v) Water tanks to collect rain water were constructed in areas where drinking water facilities were already available.

It was found that the Vigilance and Anti-Corruption Bureau, was enquiring (January 2009) into the allegations in the implementation of the scheme and was not in favour of entrusting any further rectificatory work to SEUF. Thus, the project on which Rs 7.17 crore was spent remained largely unutilised.

***Drinking Water Supply to remote tribal settlements in Idukki District***

**Drinking water had been provided to seven out of 12 settlements in Idukki**

Government of India released Rs 2.03 crore in March 2005 as a one-time Additional Central assistance for taking up a scheme viz., ‘Drinking Water Supply to Remote Tribal Settlements in Idukki District’. The State Level Working Group approved (March 2008) a proposal forwarded by the Director of STDD to provide drinking water supply to 12 settlements in three Grama Panchayats covering 1,017 tribal families at a cost of Rs 2.03 crore. The work was proposed to be executed through the Kerala Water Authority (KWA) as a ‘deposit work’ and Rs 2.10 crore (including Rs 7 lakh released by State Government) was released to KWA in March 2008 and March 2009. As of June 2009, works in seven settlements had been completed by KWA, after incurring an expenditure of Rs 1.16 crore.

Audit scrutiny disclosed the following:

- There were delays of more than three years in forwarding of detailed proposals by the Director of STDD to the State Level Working Group, though GOI had released the assistance in March 2005.
- Though the 12 works were to be completed by March 2009, five works were incomplete.
- The department did not monitor the progress of work to ensure that the completed schemes were commissioned on time so that the tribal people could derive the benefits of the scheme.

Thus, the scheme for which Rs 2.03 crore was released by GOI in March 2005 had been implemented in only five out of 12 settlements, even after four years of release of funds. Government stated (October 2009) that though funds from GOI were received in March 2005, they were given to the department through the budget only in 2007-08. However, it was found in Audit that Rs 2.03 crore and Rs 1.02 crore respectively had been provided in the years 2004-05 and 2005-06 for the scheme and had been surrendered/reappropriated due to non-formulation of the scheme.

***Drinking Water Supply Scheme in Kuttiplangadu in Kokkayar Grama Panchayat***

Government sanctioned Rs 18 lakh in March 2005 for the implementation of a water supply scheme in Kuttiplangadu S.T. Colony in Kokkayar Grama Panchayat in Idukki District. The scheme was to be implemented by KWA and accordingly the funds were transferred to them. The estimate was subsequently revised to Rs 24.01 lakh due to revision of the Schedule of Rates. An additional amount of Rs 6.01 lakh was also transferred to KWA in November 2006. The work was completed in July 2008 but the project was not commissioned as of June 2009 due to delay in obtaining a power connection. Thus, due to lack of proper co-ordination between the department

and KWA, the drinking water scheme sanctioned in 2004-05 could not be commissioned even after four years. Government stated (October 2009) that the Scheduled Tribes Development Department had remitted additional funds for taking a power connection through underground cable.

### 3.1.8.5 Education

Despite availability of funds, schools under the department suffered from lack of infrastructural facilities

There were 18 residential schools<sup>117</sup> under the control of the department in the State for the welfare of tribal students. Of these, 10 schools were located in the four sample districts. Scrutiny of the records and verification of sites depicted that out of the 10 schools, the following six schools did not have any permanent building, hostel facilities, staff quarters, etc. and were functioning in temporary accommodation as detailed in the table below:

**Table 3.7: Lack of infrastructure facilities in schools**

Name of school and year from which functioning	Sanctioned strength of students	Present strength of students	Remarks
<b>Idukki District</b>			
Ekalavya Model residential school, Painavu (2000)	300	194	Central assistance of Rs 2.50 crore was received in 1998-99. Six hectares of land was acquired in March 2003 and work of construction of the school building was awarded to a contractor in February 2004. It was stopped in December 2008 after 85 per cent completion due to objection by the Forest Department. The contractor had been paid Rs 4.04 crore as of June 2009. The school continued to function in the temporary accommodation provided by the Idukki District Panchayat.
<b>Palakkad District</b>			
Ashram School, Malampuzha (2000)	280	258	Though 1.5 hectares of land was taken possession of in 2008 the work of construction of a building was awarded to KITCO <sup>118</sup> only in March 2009 and Rs 2.45 crore was paid as mobilization advance. The school continued to function in the temporary accommodation of the pre-Matric hostel, Pudukariyaram, which could accommodate only 40 students.
<b>Wayanad District</b>			
Rajiv Gandhi Memorial Ashram School, Noolpuzha (1993)	385	353	Land measuring 2.96 acres was acquired and handed over (December 2001) to the Kerala State Construction Corporation for construction of the school building at an estimated cost of Rs 2.06 crore. As the work had not been completed even after extension of time, the contract was terminated in June 2008. The work has not been rearranged (October 2009).
Ashram School, Kaniyampetta (1997)	210	210	9.06 acres of land was acquired and handed over in March 2003 to the Public Works Department (PWD). The plan and estimate for Rs 10 crore were, however, prepared by PWD only in September 2008. The work was awarded to KITCO <sup>118</sup> in March 2009 and had not started (July 2009). Overcrowding of 210 students in the limited space continued.
Ekalavya Model Residential School – Pookot (2000)	300	300	Though Rs 2.50 crore was sanctioned in 1998-99, the department could not acquire land and hence the school continued to function in two modified cattle sheds of the erstwhile Pookot Dairy Project which could hardly accommodate 180 students. Overcrowding of 300 students in the limited space continued.
Ashram School, Mananthavady (2000)	280	229	The school was functioning in the building of the pre-Matric hostel at Thirunelli. Ten acres of land identified had been taken possession (July 2009).

Source: Details from the Department

<sup>117</sup> Four Ashram schools (Nilambur, Noolpuzha, Malampuzha and Thirunelli), two Ekalavya schools (Pookot and Wayanad) and 12 Model Residential Schools.

<sup>118</sup> Kerala Industrial and Technical Consultancy Organisation.

### 3.1.8.6 *Wasteful expenditure on a bridge*

In order to provide permanent access to families in four tribal settlements (Akamoola, Chandroth, Kadalkandam and Kayalode) in Kolayad Grama Panchayat in Kannur District to reach nearby areas for their daily needs, Government sanctioned Rs 17 lakh in October 2005 for the construction of a bridge across Peruvapuzha river from the Tribal Sub-Plan funds<sup>119</sup>. As the proposed bridge was within a forest area, it was decided to get the work executed through the Forest Department. The construction was done through a convenor of a beneficiary committee under the supervision of the Block Panchayat, Peravoor. The work was completed in January 2007 at a cost of Rs 17 lakh. The approach road for the bridge was also constructed at a cost of Rs 4.02 lakh. Due to heavy rain and flash floods, one pier of the bridge sank by 1.5 feet and twisted away from the main slab which made the bridge unsafe for vehicular traffic. Audit found that the bridge was not constructed as per the approved plan and the length of the bridge was reduced to 15 metres against the approved length of 24.5 metres. Though the Project Officer sent a report to the Directorate in July 2007 regarding the lapses in the execution of the bridge, no follow up action was taken. Thus the expenditure of Rs 17 lakh incurred on the bridge became wasteful and the tribals of the settlements were denied the benefits of using the bridge. Government stated (October 2009) that action was being taken against the officers responsible for the lapse through the Local Self Government Department.

### 3.1.8.7 *Grain Bank Scheme*

Under the Centrally sponsored Grain Bank scheme, the State Government sanctioned (January 2004) Rs 40 lakh for construction of buildings for setting up 50 Village Grain Banks in selected tribal remote areas in seven districts. The estimated cost of each Grain Bank was Rs 80,000. During February 2004, the Director of STDD allotted Rs 40 lakh to five Project Officers and five Tribal Development Officers of the seven districts. In the case of four test-checked districts<sup>120</sup>, four TDPOs and three TDOs released Rs 21.60 lakh (out of Rs 31.20 lakh) for construction buildings for 27 out of 39 Grain Banks to the Kerala State Federation of Scheduled Castes and Scheduled Tribes Co-operative Development Societies and the Divisional Forest Office, Munnar. However, construction of buildings for only 13 Grain Banks was completed (March 2009). There was an unspent balance of Rs 11.20 lakh as of July 2009 in respect of 14 Grain Banks with the implementing agencies. Even the Grain Banks constructed were not made operational as cultivation among tribals was minimal. It was also seen that the TDPOs, Attappady and Kannur could not utilise the funds (Rs 9.60 lakh) allotted to them for construction of buildings at another 12 centres. As the tribals in the State are not involved in cultivation the expenditure incurred on the construction of Grain Banks could not deliver any benefit to the tribals.

<sup>119</sup> Plan funds earmarked exclusively for development of Scheduled Tribes.

<sup>120</sup> Idukki, Kannur, Palakkad and Wayanad.

### **3.1.9 Implementation of Statutes**

For the protection of tribals and their rights, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 had been enacted by GOI. The implementation of these Acts, in the Tribal Development Offices of the test-checked districts was as indicated below:

#### **3.1.9.1 *The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989***

**Implementation of the statute for protection of tribals was ineffective**

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 defines 15 categories of offences punishable with imprisonment along with fines. The Act also provides for adequate relief in cash/kind or both to victims according to the scale prescribed (July 1997) by Government. The Act envisages setting up of Special Courts at the district level with the concurrence of the Chief Justice of the High Court to try cases of atrocities as well as constituting State/district level Vigilance and Monitoring Committees headed by the Chief Minister/District Collectors to review the implementation of the provisions of the Act. Cases of atrocities are to be disposed of within 30 days from the dates of filing the First Information Reports (FIR).

Audit scrutiny revealed the following:

- There were delays of more than one year in filing FIRs and also in giving copies of the same to the Tribal Development Offices in respect of seven out of the 235 cases test-checked. As compensation could be given to the victims only after receipt of copies of FIRs, delays in filing FIRs were likely to affect the rehabilitation of the victims.
- In two cases, FIRs were drafted to exclude the provisions of the Act, which resulted in diluting the gravity of the offences and denial of rehabilitation packages to the victims as envisaged under the Act.
- The rate of conviction was below 10 *per cent* up to 2007 and 16 *per cent* in 2008.
- Meeting of District Monitoring Committees which were to be convened every quarter were convened only twice in Idukki and Palakkad Districts. However, in Kannur and Wayanad districts, the meetings were convened as required.

Government stated (October 2009) that instructions were issued to District Collectors to convene meetings of the District Monitoring Committees every quarter.

#### **3.1.9.2 *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006***

According to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, forest-dwelling Scheduled Tribes and other traditional forest-dwellers on all forest lands were to have (a) the right to hold and live in the forest land, (b) the right of ownership and access to collect, use and dispose of minor forest produce (c) rights for conversion of

*pattas*<sup>121</sup> or leases to titles, etc. The vesting of such rights was subject to the condition that the Scheduled Tribes or other forest-dwellers had occupied the forest land before 13 December 2005. The Scheduled Castes and Scheduled Tribes Development Department, in charge of implementation of the Act, was to collect data relating to forest habitations, conduct socio-economic surveys and prepare development plans for welfare of tribals and other forest dwellers. As per the Act, the tribals are to submit applications in the grama sabha for vesting of rights and these are to be forwarded to the Forest Rights Committee for consideration. In order to implement the Act the Government issued (June 2008) a time schedule according to which, new forest villages were to be constituted by 15 February 2009. The status of implementation of the Act was as follows:

**Table 3.8: Status of implementation of the Forest Rights Act, 2006**

Name of ITDP/TDO	Number of settlements	Number of FRCs <sup>122</sup> formed	Number of applications received	Number of applications considered by FRC	Number of cases surveyed	Record of rights issued
Attappady	58	56	1851	1851	nil	nil
Idukki	216	94	10574	47	nil	nil
Kannur	72	57	1050	1050	438	nil
Palakkad	41	34	1474	1474	nil	nil
Wayanad	220	109	6949	3305	2455	23

*Source: Details collected from the Department*

Audit found that in 1247 cases in Wayanad, land could not be surveyed due to objections from the Forest Department. Also, lack of adequate numbers of survey personnel hampered the progress of implementation of the scheme. Government stated (October 2009) that it would distribute all the title deeds by January 2010.

### 3.1.10 Manpower

**Though the number of schemes for the welfare of tribals increased, no additional staff was provided**

The sanctioned strength of staff and men-in-position in the Scheduled Tribes Development Department during the period under review were 1337. No additional staff was provided after 1998 when one post of Senior Superintendent had been sanctioned. Proposals made by the Directorate from time to time for the creation of new posts were not approved. The creation of one separate Tribal Development Office each at Adimali in Idukki district and Alappuzha in Alappuzha district taken up with the Government in May 2000 had not materialised. Even a proposal (2003) for the creation of two posts of Tribal Extension Officers, one each at Bheemanady in Kasaragod district and Thaliparamba in Kannur district, consequent on the addition of Karimpalan, Malavettuvan and Mavilan sects in the ST list was not sanctioned. Meanwhile, the number of schemes implemented through the department for the welfare of the ST population increased during the past five years. Government ordered (June 2009) a detailed study by the Personnel and Administrative Reforms Department on the staff pattern and additional requirement of manpower. It stated (October 2009) that additional posts would be sanctioned to make up the shortage of manpower after receipt of the study report.

<sup>121</sup> Title deed of land.

<sup>122</sup> FRC – Forest Rights Committee considers the applications received from the tribals through the grama sabha for vesting of rights under the Act.

### **3.1.11 Internal control**

#### **3.1.11.1 Internal Audit Wing**

**Internal audit was not effective**

The Internal Audit Wing of the department had one Senior Superintendent and one clerk for audit of field offices. No Annual Audit Plan was framed by the department for audit of the field offices. It was found that no audit had been conducted in ITDP, Attappady since 2000-01. The details collected from the Directorate showed that audit was in arrears from 2005-06 in the field offices at Kasaragod, Mananthavady, Muvattupuzha, Nedumangad and Ranni. As many as 451 paragraphs were pending clearance in 26 Internal Audit Reports relating to the field offices.

Though the Director submitted a proposal for additional staff to the Government in February 2009, it had not been approved as of October 2009. The Government ordered the Director to strengthen the Internal Audit Wing, but no follow-up action was taken. According to a circular of June 2005 of the Finance Department, regular review meetings were to be conducted for follow-up action on internal audit reports. However, no such meetings had been conducted.

Audit scrutiny regarding internal control in the department revealed the following:

**Internal control system was weak**

- The Asset Register, Register of Inspection Reports, Register of Expenditure in Form 12, Register of Liabilities in Form 13, Consolidated Monthly Expenditure in Form 15 and Monthly Return of expenditure in Form 16 were not maintained in any of the field offices test-checked.
- In ITDP, Kannur, Rs 82,435 lying idle in six unoperated SB accounts was not credited back to Government account.
- According to Rule 92 (iv) of the Kerala Treasury Code, the Head of Office is required to verify the cash balance at the end of each month physically and record a signed and dated certificate to that effect. In ITDP, Attappady, this procedure was not being followed.
- Rule 130 of the Kerala Treasury Code Volume I provides for double lock of cash chest, custody of keys by two different persons and deposit of duplicate keys in the treasury. These directions were not complied with in the Directorate as well as in the other field offices test-checked.
- Administrative Reports are tools to assess the performance of the department and give an opportunity to ascertain the status of implementation of various schemes entrusted to implementing agencies. The preparation of Administrative Reports of the department from 2001-02 onwards was in arrears.

#### **3.1.11.2 Response to Audit**

Principal Accountant General (Audit) conducts audit of the Department of Scheduled Tribes Development and its subordinate offices and major irregularities are reported through Inspection Reports (IRs). There were 138

paragraphs included in 25 IRs pending as of June 2009 as shown in the following table:

**Table 3.9: Pending IRs and paragraphs**

Year	Number of IRs	Number of paragraphs
2004-05	1	3
2005-06	3	20
2006-07	2	15
2007-08	10	38
2008-09	9	62
<b>Total</b>	<b>25</b>	<b>138</b>

### 3.1.11.3 Monitoring

The Department and the ITDP/TDOs did not regularly monitor the progress and implementation of the various schemes including utilization of funds placed at the disposal of implementing agencies like Kerala Water Authority, Kerala State Electricity Board, Forest Development Agency, Nirmithi Kendra, etc. The District Missions of the Tribal Resettlement and Development Mission were to furnish monthly progress reports to TRDM showing the physical and financial targets and achievements on or before the tenth of every month. There was a heavy backlog in sending progress reports and the arrears ranged from three to 45 months. Lack of effective monitoring resulted in delays in completion of the projects, idling of funds with the agencies, etc.

### 3.1.12 Conclusion

Though several welfare schemes for drinking water supply, housing for primitive tribals and infrastructure for model residential schools were entrusted along with funds to Government and quasi-Government agencies, the department did not follow up the implementation of the schemes. The Tribal Resettlement and Development Mission constituted in 2001 to rehabilitate landless tribals, had not prepared any comprehensive Plan for their resettlement. The Mission had not monitored the progress of construction of houses for tribals with the result that 92 *per cent* of the houses remained incomplete. The department did not monitor the progress of work properly and majority of the schemes remained incomplete for several years and funds remained unutilised.

### 3.1.13 Recommendations

- The Department should review the progress of various schemes periodically and ensure their completion within the target period.
- Technical supervisors/site managers should be posted in TRDM to ensure the implementation of resettlement and housing scheme effectively.
- The agreements with the implementing agencies should invariably incorporate provisions for liquidated damages in cases of delay and abandoning of works and these should be invoked strictly.
- The State/District Level Vigilance and Monitoring Committees should meet as envisaged to review cases of atrocities against tribals and ensure speedy rehabilitation/payment of compensation to the victims.

- The monitoring mechanism at various levels should be strengthened to ensure that the objectives of the welfare schemes are achieved and the benefits reach the targeted tribal population.

Thiruvananthapuram  
The

**(S.NAGALSAMY)**  
Principal Accountant General (Civil and  
Commercial Audit), Kerala

Countersigned

New Delhi,  
The

**(VINOD RAI)**  
Comptroller and Auditor General of India