

CHAPTER - III

AUDIT OF TRANSACTIONS

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CHAPTER III

CO-OPERATION, MARKETING AND TEXTILE DEPARTMENT

3.1 WORKING OF CO-OPERATIVE SPINNING MILLS IN MAHARASHTRA

Introduction

The Cooperative Spinning Mills (CSMs) in Maharashtra are registered under the Maharashtra Cooperative Societies Act, 1960 (MCSA) to promote self-reliance and the sense of co-operation among cotton growers; to realise appropriate price for cotton and produce yarn of various counts and to sell them to the weavers and thereby improving the financial status of the cotton growers in the State. The CSMs are established by Board of Members of the Co-operative Society who decides to set up a Spinning Mill and get registered under Section 9 of the MCSA.

As per the bye-laws of the society, the composition of shareholders comprises general members, other co-operative societies of the area and Government. General members must be cotton producing farmers or other farmers from the working area of CSM and must possess one fifth hectare of land. Preferential shares are issued to Government. The face value of each share of the CSM is ₹ 2,000 and the maximum shareholding which a member can be allowed is one fifth of total shareholdings or ₹ 20,000 whichever is less. Regional Deputy Director of the region is Government representative in the Board of Directors of the CSM.

Co-operation and Textiles Department (CTD), Government of Maharashtra (GoM) had been providing financial assistance since June 1976 to the CSMs for their construction and erection, expansion, modernisation and rehabilitation. The assistance was given by GoM in the form of share capital contribution, loans, interest subsidy and guarantee for loan availed by the CSMs from financial institutions.

The Principal Secretary, CTD is responsible to oversee the activities of the CSMs. The Director of Textiles (DoT), Nagpur and four Regional Deputy Directors (RDDs) located at Aurangabad, Mumbai, Nagpur and Solapur execute the Government policies and monitor the activities of the CSMs.

As of March 2017, 280 CSMs were registered in the State of which 130 CSMs had received the financial assistance from GoM. The present status of these 130 CSMs is given in **Table 3.1.1**: The financial status of these CSMs have been mentioned in **paragraph 3.1.2**.

Table 3.1.1: Status of 130 CSMs who received financial assistance from GoM in the State

Total No. of CSMs	Working CSMs	Under construction	Under liquidation	Closed	Converted to power loom	Deregistered
130	66	21	29	7	1	6

Scope and audit methodology

The audit of CSMs was conducted during February 2017 to May 2017 covering the period from 2012-13 to 2016-17. Records at offices of DoT, Nagpur and all four RDDs selected based on the categorization of CSMs were test-checked. Further, records of 14 CSMs (full production-5, partial¹ production-7 and under construction-2) have been scrutinized along with field visits to these CSMs. The replies received (September 2017) from the CTD have been considered while finalizing the subject matter.

Audit findings

3.1.1 Planning for establishing CSMs

3.1.1.1 Non-formation of State Co-operative Council

Section 154 A of the MCSA provides for constitution of Maharashtra State Co-operative Council to advise the State Government on all the matters relating to co-operative movement; suggest ways and means to remove difficulties experienced by the co-operative societies; recommend the plans and policies for development of co-operative movements; evaluate the existing schemes and suggest new schemes for co-operative development *etc.*

There was no such council set up till date (November 2017) to discharge the mandatory functions under the MCSA. Thus, there was no appropriate platform to discuss and resolve the difficulties faced by the co-operative societies in spinning sector. Presently, the sector has been encountering many challenges *viz.* higher electricity charges, non-availability of working capital/loans, fluctuations in the rates for cotton procurement and delay in release of share capital by GoM.

The CTD stated that the matter of setting up of Co-operative Council was under consideration with the GoM.

3.1.1.2 Non-existence of separate plan for investment

The total cotton production in Maharashtra was 81² lakh bales³ during 2014-17. Only 30 *per cent* of cotton bales (24.3 lakh bales) produced in the State was being utilised by all 160⁴ working spinning mills in the State; 70 *per cent* of the cotton produced had been sold outside (March 2016⁵). The demand of yarn by weaving industries in the State was also not being fulfilled.

- 1 Construction is completed but all machinery to achieve full production are not installed
- 2 Information extracted from the website of Cotton Corporation of India
- 3 A large bundle or package of cotton (170 kg) tightly compressed and secured by wires or cords
- 4 10.57 lakh bales by 66 Co-operative Society Spinning Mills and balance 13.73 lakh bales by 94 Private Spinning Mills
- 5 Information for March 2017 not received from DoT

DoT estimated (December 2015) a requirement of 250 more spinning mills for utilising the cotton produced in the State to fulfil the demand of yarn by the weaving industries. However, no plan existed for utilization of cotton produced in the State by co-operative spinning mills.

CTD stated that the GoM had declared Textile Policy in 2012 and targeted planned growth of textiles between 2011-17 by providing investment of ₹ 40,000 crore to the textile units and hence in such a case there was no need to draw a separate plan by the DoT.

The reply confirms the audit contention that no plan of action was prepared to implement the Textile Policy *vis-a-vis* the CSMs.

3.1.1.3 Sanction of CSMs in non-cotton growing area

GoM had decided (August 1993) that 70 *per cent* of the CSMs would be set up in cotton producing areas and 30 *per cent* in non-cotton producing areas to safeguard the interest of cotton producers. The position of CSMs set up with Government assistance in the four regions of the State is indicated in the **Table 3.1.2:**

Table 3.1.2: Region wise Co-operative Spinning Mills and area under cotton cultivation

(Area under cotton cultivation in lakh hectare)						
Region	Area of cultivation during 2015-16	Percentage to total Area	Cotton produced in lakh bales	Cotton utilized in lakh bales by CSMs	Number of mills	Percentage of total mills
Nagpur	14.76	35.09	19.73	2.03	31	23.84
Aurangabad	18.05	42.91	9.25	0.43	28	21.53
Mumbai	9.23	21.94	9.76	2.36	19	14.61
Solapur	0.02	0.06	0.4	5.42	52	40
Total	42.06				130	
<i>Source: Data provided by Director of Textiles, Nagpur and Agriculture Department</i>						

Out of 130 mills, which received Government assistance, only 59 mills (45 *per cent*) are located in the Nagpur and Aurangabad regions which have 77.10 *per cent* of the area under cotton cultivation in the State. The Solapur region which accounts for less than one *per cent* of the area has 52 mills (40 *per cent*). This was a clear violation of the Government policy.

The CTD cited that as most of the weavers were located in non-cotton belt, hence, prior to 1993, substantial number of spinning mills sanctioned in non-cotton belt.

The reply was not convincing as 28 of the 52 CSMs (54 *per cent*) were set up in Solapur Region after 1993. The CTD did not follow Government policy to select 70 *per cent* mills in the cotton producing areas.

3.1.1.4 Non-procurement of cotton from members

As per clause 5 of bye-laws for the CSMs, the mill should purchase cotton from Maharashtra State Cotton Federation/Cotton Corporation of India (CCI). In any case, the priority should be given to the members (cotton growers) of co-operative mills.

It was observed in test checked CSMs that 10⁶ functional CSMs had procured 1,724.77 lakh kg cotton during 2012-17 from private parties within and outside the State without giving priority to their cotton grower members (55,859 members). The cotton procurement from cotton federation/CCI was made by two CSMs only in 2015-17 with negligible quantity of 3.2 lakh kg (0.84 *per cent*) to 25.18 lakh kg (13.23 *per cent*). This indicated that most of the cotton was purchased from private parties. Further, during 2012-17 only three⁷ CSMs had procured cotton of 22.99 lakh kg to 76.81 lakh kg from their members, which was only six to 23 *per cent*.

It was also observed that one⁸ CSM had procured viscose⁹ from private parties outside Maharashtra during 2015-17 and had stopped procuring cotton.

The CTD stated that CSMs did not have ginning facilities in their project and hence it was not possible to procure cotton from cotton growing members.

Thus, the intended objective of setting up CSM, to provide support to cotton growers was frustrated due to non-inclusion of ginning units in their project.

3.1.1.5 Relaxation of norms for registration of CSMs

As per CTD resolution (August 2013), registration of CSMs should be done only when the CSM had raised members' share capital of two *per cent* of project cost. During, 2014-17 the standard project cost of a CSM was ₹ 61.74 crore according to which the members' share capital of ₹ 1.24 crore was required for registration.

It was observed that out of 28 proposals received for registration of CSMs during 2014-17, the Department approved registration of 10¹⁰ CSMs having members' share capital of ₹ 25 lakh as these were located in Vidarbha and Marathwada regions, considered to be drought prone areas. This benefit was, however, not extended to the remaining 18 proposals of CSMs located in Vidarbha and Marathwada regions. The reasons were not found on records. It was also noticed that in these ten cases, where the members' share capital was reduced substantially, the Department did not even check whether the CSMs would be commercially viable.

The CTD assured that the norms of minimum members share capital would be maintained while sanctioning the share capital to the CSMs.

6 Baba Saheb Kedar CSM, Hingna; Adishakti Muktai CSM, Muktainagar; Yashwant CSM, Ambad; Shetkari Vinkari CSM, Islampur; Sagareshwar CSM, Kadegaon; Mandeshi Prabodhankar CSM, Valuj; Indira Gandhi Mahila CSM, Ichalkaranji; Choundeshwari CSM, Ichalkaranji; Parvati CSM, Kurundwad and Loknayak CSM, Shahada

7 Loknayak CSM, Shahada during 2012-17; Baba Saheb Kedar CSM, Hingna during 2016 - 17 and Yashwant CSM, Ambad during 2012-13

8 Shetkari Vinkari CSM, Islampur, Sangli

9 Manmade cotton fibre

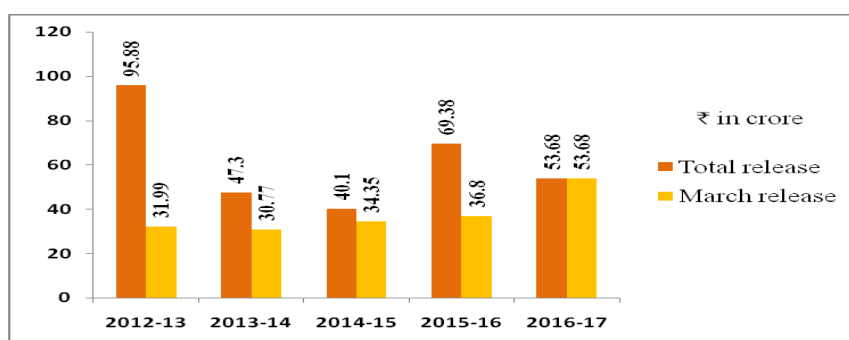
10 Jaibhavani Mahila CSM, Erandeshwar; Siddheswar CSM, Digras; Eklavya CSM, Pandharkawada; Girsamunda Adivasi CSM, Ralegaon; Sahakar Maharshi Dadasaheb Raval CSM, Sindkheda; Hirabalaji Backward Class CSM, Bhivapur; Wamanrao Nazardhane Backward Class CSM, Umardhed; Loknete Gopinath Munde Backward Class CSM, Kaij; Matoshri Triveni Bonde Mahila CSM, Morshi and Ramdas Athawale Backward Class CSM, Digras

3.1.2 Financial Assistance

As of March 2017, GoM had provided share capital of ₹ 1,806.57 crore to 130 CSMs; loan of ₹ 134.88 crore to 29 CSMs; interest-free loan of ₹ 106.30 crore to 54 CSMs and loan of ₹ 294.51 crore to 16 CSMs from National Co-operative Development Corporation (NCDC) for their construction, expansion and modernization.

During 2012-2017, against the budget demand of ₹ 855.59 crore by DoT, CTD allocated ₹ 396.14 crore of which ₹ 306.34 crore was released to CSMs as share capital and remaining ₹ 89.80 crore was surrendered.

There were delays in release of funds by the CTD, with the bulk of funds being received in the last quarter of the year, leading to either rush of expenditure or surrender of funds (as shown in the diagram).



The CTD stated that delay occurred due to scrutiny of proposals at various levels and late compliance by CSMs to queries raised during scrutiny.

Release of share capital by GoM

As per Government Resolution of August 1993 and March 2000, out of total project cost of CSM, 45 *per cent* was to be provided by the Government as share capital. Five *per cent* was to be contributed by the members of CSM and the balance 50 *per cent* was to be mobilized by raising loans from the Financial Institutions (FIs). Before approaching Government for share capital contribution, the CSMs were required to obtain assurance from the FIs for grant of long term loans and also to hold minimum members' share capital contribution of at least 50 *per cent* (i.e. 2.5 *per cent* of the project cost). Further, as per CTD resolution (August 1993), share capital released to CSMs registered under MCSA was to be in the ratio of 1:9 (Members share: GoM share). The GoM share capital was to be released only after the required share capital from the members was deposited in the accounts of the Society. The above procedure was laid down to ensure construction and commissioning of CSM within prescribed period of two years from the date of sanction of the project.

In 27¹¹ of 130 CSMs, GoM had released Government share capital of ₹ 305.85 crore as against the required share capital of ₹ 202.59 crore (9 times of members share capital raised of ₹ 22.51 crore). This has resulted in excess release of Government share capital of ₹ 103.26 crore.

The CTD replied that share capital was released on ad-hoc basis so as to

11 Under production-8, Under construction-3, Under liquidation-11 and Deregistered-5

complete the project earlier.

The reply was not tenable because in 25 out of 27 CSMs, the CTD has released share capital prior to 2015. These CSMs therefore should have commenced production by 2017. However, only four CSMs were able to start production as of March 2017. Thus, the release of share capital on ad-hoc basis was not justified.

We also observed that 10 out of 14¹² test-checked mills had either delayed in taking long term loan or did not apply for it. Of these 10 CSMs, one¹³ CSM did not apply for long term loan of ₹ 30.75 crore from FIs, even eight years after sanction of project. The entire GoM share capital of ₹ 27.67 crore was released between June 1994 and March 2015. The mill was still (November 2017) under construction with the spindle installations at 18 per cent of the sanctioned capacity. Remaining nine CSMs had taken long term loan ₹ 204.02 crore with delays ranging from four to 23 years though the GoM had released share capital of ₹ 230.53 crore.

The CTD stated that obtaining of loan prior to sanction of share capital from the State Government may cause heavy losses to the CSMs due to interest burden. CTD further stated that vide the circular of January 1998 it had instructed the CSMs to raise the loan after getting the complete share capital from the Government. Further, sanction of loan from the bank was being obtained before recommending the proposals.

The reply did not address the omission pointed out by audit as above. Further, the delays in raising loan indicated the slackness in establishing the CSMs in accordance with the CTD resolution (August 1993). This defeated the objective of the scheme and of the investment made by GoM.

3.1.3 Implementation of CSMs

As per CTD circulars (November 1992 and January 1998), the DoT should monitor the implementation of the project *i.e.* construction, timely procurement and installation of plant and machineries, commissioning of project within two years and observance of financial propriety by CSM. As per DoT guidelines (November 1992), spinning mills should be completed in all respect along with installation of plant and machinery within two years of sanction by the Government.

Twelve mills were completed (five functioning fully and seven functioning partly) out of 14 selected CSMs. In seven¹⁴ mills there was delay in

12 Yashwant CSM, Ambad; Choundeshwari CSM, Ichalkaranji; Shetkari Vinkari CSM, Islampur; Indira Gandhi Mahila CSM, Ichalkaranji; Sagarshwar CSM, Kadegaon; Jawahar CSM, Chandur Railway; Adishakti Muktai CSM, Muktainagar; Chopda CSM, Chopda; Parvati CSM, Kurundwad; Madhukarrao Ghate Backward Class CSM, Mukhed; Mandeshi Prabodhankar Backward Class CSM, Valuj; Gautam Backward Class CSM, Parshivani; Babasaheb Kedar CSM, Hingna and Loknaya CSM, Shahada

13 Parvati CSM, Kurundwad, District Kolhapur sanctioned in September 2008

14 Jawahar CSM, Chandur Railway (₹ 27 crore); Gautam Backward Class CSM, Parshivani (₹ 24.80 crore); Yashwant CSM, Ambad (₹ 26.28 crore); Madhukarrao Ghate Backward Class CSM, Mukhed (₹ 22.02 crore); Mandeshi Prabodhankar CSM, Valuj (₹ 26.57 crore); Choundeshwari CSM, Ichalkaranji (₹ 27.45 crore) and Parvati CSM, Kurundwad (₹ 26.68 crore)

completion of construction of mills ranging from five years to 22 years due to various reasons viz. paucity of funds, delay in finalization of tender for civil work, delay in completion of work by the contractor and delay in raising long term loan. This resulted in escalation of project cost by ₹ 96.95 crore (from ₹ 324.44 crore to ₹ 421.39 crore) besides delaying the commissioning of CSMs resulting in lower production of yarn ranging from 0 to 27.35 *per cent* of the projected production. Thus, the investment of ₹ 180.80¹⁵ crore made by GoM did not yield the desired result and the recovery of share capital could not be effected.

The CTD stated that now it was being emphasized upon CSMs to complete their project earlier.

3.1.3.1 Blocking of funds

Government share capital released to the CSMs was required to be utilised as per the project report. Further, as per general condition of the payments for machinery, 10 *per cent* of the contract price was to be paid as security deposit with the supply order and mill had to issue letter of credit (confirmation for delivery) within 90 days and commencement of delivery of the machine was to be completed within 12 to 14 months.

A CSM¹⁶ had paid (prior to 1991) the machinery advance amounting to ₹ 33 lakh to various agencies. As of March 2017, no machinery has been received by the mill and ₹ 33 lakh has been shown as bad debts in its annual accounts. Further, the CSM made short term deposit of ₹ 3.01 crore prior to 2011-12 in a Co-operative Bank¹⁷. However, neither interest was earned nor principal amount was received back by the CSM as of March 2017.

The CTD stated that action would be taken against the CSM as per MCSA.

A CSM¹⁸ procured nine sets of auto control type Humidification plant¹⁹ along with all accessories at a total cost of ₹ 62.83 lakh during May 2013 and February 2014, but the plant was not commissioned (September 2017) even though the mill started partial production. This resulted in idling of investment of ₹ 62.83 lakh on humidification plant. Further, due to non-utilization of humidification plant, the yarn per spindle was low *i.e.* 120.56 to 139.36 grams during 2014-16 as compared to 159.23 grams, envisaged in the project report.

The CTD stated that CSM would be instructed to start the humidification plant as early as possible.

A CSM²⁰ made advance payments of ₹ 5.36 crore since 2006, to eight agencies, as shown in the Annual Accounts for the year ending March 2016. The above amount was pending with various agencies for the past 10 years without levy of any penalty/interest by the CSM.

The CTD stated that action would be taken against the CSM as per MCSA.

15 Share capital of ₹ 180.80 crore released to seven CSMs as shown in footnote 14

16 Loknaya CSM, Shahada, District Nandurbar

17 P K Anna Patil Co-operative Bank, Shahada, District Nandurbar

18 Parvati CSM, Kurundwad, District Kolhapur

19 The humidification Plant increases the humidity/moisture of air surrounding during processing of the cotton and thereby improving the quality

20 Shetkari Vinkari CSM, Islampur, District Sangli

3.1.3.2 Extra payment to contractors

Cases of extra payment of ₹ 1.29 crore noticed in four out of 14 selected CSMs are detailed below:

As per Maharashtra Value Added Tax Act, 2002 (MVAT), deduction of value added tax at source was applicable on all payments made for works contract and accordingly deduction, @ two *per cent* in case of registered contractors and five *per cent* in case of unregistered contractors, was to be made from paid bills. It was observed that in three²¹ out of 14 CSMs, value added tax amounting to ₹ 77.62 lakh was not deducted by the CSM from the bills paid (February 2012 to April 2017) to the contractors.

CTD stated that the CSM would be instructed to recover VAT from the contractor.

As per Central Excise Department notification (20 June 2012) read with Section 65 (14) of the Finance Act, 1994, the co-operative societies registered under Co-operative Societies Act, 1960 were not liable to pay Service Tax (ST). However, it was observed that a CSM²² had paid ST amounting to ₹ 51.10 lakh during March 2012 to December 2013 to the contractor through the running account bills. As the service tax was not required to be paid, this resulted in extra payment to the agency.

CTD stated that CSM would be instructed to recover ST amount from the contractor.

3.1.4 Management of finances

Out of 130 CSMs set up, only 66 CSMs were functioning at the end of March 2016; out of these only seven CSMs were in profit. During 2012-16, there were 46 to 59 CSMs were running at a loss as shown in **Table 3.1.3:**

Table 3.1.3: Details of CSMs functioning with profit and loss

Particular	2013	2014	2015	2016
No. of CSMs under production	61	63	66	66
No. of spindles installed (in lakh)	14.24	14.60	14.68	14.84
Production of yarn in '000 kg	143.54	149.97	150.21	142.83
CSMs earning profit	15	13	8	7
Accumulated profit in ₹ crore	6.02	5.98	14.98	13.40
CSMs running at a loss	46	50	58	59
Accumulated loss in ₹ crore	868.45	1024.79	1398.81	1594.49

Source: Data provided by Director of Textiles, Nagpur

The number of CSMs running at a loss increased from year to year during 2012-16. The total cumulative loss sustained by the mills was ₹ 1,594.49 crore at the end of March 2016 owing to many reasons *viz.* functioning of spindles at less capacity, fluctuation in market rate of raw cotton and produced yarn, depression in demand in certain years, depreciation and interest on term loans and cost of electricity. The DoT, Nagpur did not furnish the information for the year 2016-17.

21 Yashwant CSM, Ambad; Mandeshi Probodhankar CSM, Valuj and Parvati CSM, Kurundwad

22 Chopda CSM, Chopda, District Jalgaon

The CTD accepted the facts and stated that regular persuasion was being made.

3.1.4.1 Non-creation of Redemption Fund and short credit of share capital by CSMs

As per CTD resolution (March 1999), one fifteenth of share capital released to CSMs would be redeemed/credited to the Government on or before 31 March every year, five years after the commencement of commercial production or the date on which the last installment of the GoM share capital was paid, whichever was later. To facilitate redemption of the share capital, the CSMs were required to create a share capital redemption fund by crediting to the fund an amount equal to a minimum of one fifteenth of the Government share capital every year, commencing from the fifth year after receipt of the share capital contribution.

As of March 2017, the GoM had released share capital of ₹ 1,806.57 crore to 130 CSMs. An amount of ₹ 375.61 crore out of ₹ 1,806.57 crore was due to be credited to GoM as on March 2017. It was observed that CSMs could credit only ₹ 40.63 crore by March 2017 and ₹ 334.99 crore was outstanding as detailed in the **Table 3.1.4**.

Table 3.1.4: Details of share capital credited and outstanding with CSMs

(₹ in crore)

Position of Mills	No. of Mills	Released	Due for credit	Credited	Outstanding	Per cent of credit
Fully operational	33	574.54	225.61	34.73	190.88	15.39
Partly operational	33	737.04	26.15	0.05	26.10	0.19
Under construction	21	310.81	0	0	0	----
Closed	7	72.66	16.83	0	16.83	0
Under liquidation	29	99.57	99.57	5.37	94.20	5.39
De-registered	6	7.45	7.45	0.48	6.97	6.39
Converted to Power Loom	1	4.50	0	0	0	----
Total	130	1806.57	375.61	40.63	334.98	10.82

Source: Data provided by Director of Textiles, Nagpur

Further, there was no credit of share capital from the closed mills and one converted mill. Recovery from mills under liquidation and de-registered mills was also very poor, ranging between 5.39 and 6.39 per cent.

It was further noticed that DoT, Nagpur had not maintained any record regarding creation of redemption fund by any CSM. In selected 14 CSMs, we observed that only one mill²³ had created the redemption reserve fund as required, four mills had created reserve fund of ₹ 28.46 crore against ₹ 55.78 crore required and the remaining nine CSMs had not created redemption reserve fund of ₹ 58.42 crore. Out of the 14 selected CSMs, four²⁴ CSMs had credited share capital of ₹ 6.55 crore against ₹ 43.49 crore though they had created share capital redemption fund of ₹ 28.31 crore as of March 2017.

23 Baba Sahaeb Kedar CSM, Hingna, District Nagpur

24 Baba Saheb Kedar CSM, Hingna; Loknayak CSM, Shahada; Sagareshwar CSM, Kadegaon and Indira Gandhi Mahila CSM, Ichalkaranji

The CTD stated that as the mills were running at a loss they could not make provisions for redemption fund. The Department was making regular efforts to make them provide for share redemption fund in their financial statements.

The reply was not convincing as the four mills which had redemption fund of ₹ 28.31 crore redeemed only ₹ 6.55 crore (March 2017). Further, the two²⁵ CSMs which were earning profits had also not refunded the share capital. Thus, there was shortfall in creation of reserve fund which ultimately affected the redemption of share capital.

3.1.4.2 Non-issue of share certificates by the CSMs

The resolution issued (March 1999) by CTD provided that the mills should issue 'Preferential share certificates' for the shares issued to GoM within a period of 6 months from the date of receipt of share capital contribution failing which the entire amount of share capital would be liable to be called back.

The DoT had no records for monitoring the share certificates receivable and received from the CSMs. Further, there were no clear instructions as to how the share certificates received were to be treated.

Out of 14 selected CSMs, two²⁶ did not issue preferential share certificates to GoM for share capital of ₹ 66.12 crore and three²⁷ CSMs issued share certificates for share capital of ₹ 63.05 crore against share capital of ₹ 77.31 crore. Thus, Government investment was not safeguarded and DoT also did not take any action against the concerned CSMs.

The CTD stated that most of CSMs had deposited their share certificates and remaining was being pursued to submit the same. However, the facts remained that DoT did not take any action for non-issuance of share certificates to GoM within a period of six months from the date of receipt of share capital contribution.

3.1.4.3 Non-recovery of Government dues from CSMs which have closed/de-registered or gone under liquidation

As per the GoM policy (7 January 2005) the liquidation process should be finalized within 10 years from the date of liquidation. After finalization of liquidation process, the Government dues should be recovered.

In the State, 42²⁸ of 130 CSMs having liability of ₹ 294.70 crore of Government dues were either closed, de-registered or had gone under liquidation owing to multiple reasons *viz.* poor financial condition of the mill, inability to raise members' share capital, non-payment of electricity dues, non-payment of statutory dues, resignation of Board of directors *etc.*

As of March 2017, assets of 13 CSMs having liability of ₹ 295.69 crore (including Government dues of ₹ 42.37 crore) were auctioned for ₹ 154.50 crore and GoM dues to the extent of ₹ 15.35 crore only could be

25 Baba Saheb Kedar CSM, Hingna and Loknaya CSM, Shahada

26 Sagareshwar CSM, Kadegaon and Mandeshi Prabodhankar CSM, Valuj

27 Jawahar CSM, Chandur Railway; Adishakti Muktai CSM, Muktainagar and Shetkari Vinkari CSM, Islampur

28 29 CSMs (₹ 140.09 lakh) under liquidation, six CSMs de-registered and seven CSMs were closed

recovered, constituting 36.22 *per cent* of the total Government liability. Thus, the Government sustained loss of ₹ 27.02 crore on account of auctioned mills.

Further, the liquidation process of five mills which had gone under liquidation prior to March 2007 could not be finalized till date. The outstanding GoM dues amounted to ₹ 10.64 crore against these mills.

In respect of seven closed and six de-registered CSMs, the GoM had paid share capital contribution and loan of ₹ 154.60 crore, however, the recovery was only ₹ 47.62 lakh leaving huge outstanding balance of ₹ 154.13 crore.

The CTD stated that liquidators had been asked to take early action in this regard.

3.1.4.4 Poor recovery of loan/guarantee fees

The CTD had given loan for economic resurgence and taken guarantee for repayment of long term loan by the CSMs. The CSMs were required to repay the loan and guarantee fees *etc.* as per terms and conditions stipulated while sanctioning the same. It was observed that the recovery of loan along with interest as of March 2017 was very poor ranging from 8.62 to 24 *per cent* as shown in the **Table 3.1.5**.

Table 3.1.5: Recovery status of loan

(₹ in crore)						
Particulars	Period of payment	Number of CSMs	Amount paid	Amount recoverable along with interest	Amount recovered	Recovery in percentage
GoM loan	Details not made available	29	134.88	175.26	18.09	10.32
Guarantee fees to GoM	1983- 2002	45	---	28.08	2.42	8.62
NCDC loan	2007-2014	16	294.51	425.89	57.47	13.49
Interest-free soft loan	2011-2012	54	106.30	106.30	25.08	24
Source: Data provided by Director of Textiles, Nagpur						

It was further observed that GoM had taken NCDC loan of ₹ 396.46 crore to invest in CSMs and released ₹ 294.51 crore to 16 CSMs. The details of balance loan ₹ 101.95 crore was not furnished to audit. Further, due to delay in payment of interest instalment by CTD, NCDC levied (September 2016) penal interest of ₹ 1.52 crore. However, this was not paid by CTD to NCDC till date (September 2017).

The CTD stated that some CSMs suffered loss hence they were unable to repay the funds. However, matter was being pursued with the concerned CSMs for repayment of the loan/guarantee fees at the earliest.

3.1.5 Monitoring

3.1.5.1 Inadequate inspection of construction work by Department

As per job chart prescribed by DoT, the Executive Engineers (EEs)/Junior Engineers (JEs) at office of Regional Deputy Directors (RDDs) were required to conduct two/four inspections of CSMs under construction every month. Further, each of the RDDs was required to conduct 24 supervisions every year to ensure proper utilisation of the financial assistance extended to the CSMs. The objective of the inspection was to ensure execution as per the approved plan and estimates, timely completion and to improve operational efficiency.

Our scrutiny revealed that at RDD, Nagpur during 2012-17, the number of inspections of CSMs under construction ranged between two to 17 *per cent* by JE. The details of visits by the EEs were not available. Further, there was no information available on inspection carried out at RDD, Aurangabad, Mumbai and Solapur. In RDD, Nagpur, no supervisions were carried out during 2012-15; while during 2015-17, 33 supervisions were carried out against the target of 48. As a result, execution as per approved plan and estimates and timely completion could not be ensured by the Department.

Further, RDDs were required to submit reports such as statements A and B containing progress of CSMs, cost sheet, utilisation certificates *etc.* to DoT. However, RDD, Nagpur did not submit any of the above reports to DoT. Information from RDD, Aurangabad, Mumbai and Solapur was not received despite repeated requests.

The CTD attributed the reasons towards vacancy of JEs for more than five years.

3.1.5.2 Non-maintenance of ledgers/registers relating to financial assistance at RDD level

Scrutiny of files/records at RDD offices²⁹ revealed that spinning mill-wise ledger/ records to keep a watch over different categories of financial assistance to the CSMs and the progress of recovery made was not being maintained. Further, no record was kept for the proposals submitted to DoT by CSMs. It was noticed that regional offices were functioning with a restricted mandate of pursuing the matter relating to recovery of Government dues. The Directorate office was also not maintaining the ledger/records to watch the utilisation and recovery of financial assistance extended to the CSMs.

In the absence of records, internal control and monitoring mechanism existed in RDD offices and DoT was found ineffective.

The CTD stated that ledgers, registers related to financial assistance were being maintained at Directorate level.

Reply was not tenable since the ledgers and registers had not been updated and properly maintained as verified during audit.

29 Aurangabad, Mumbai, Nagpur and Solapur

3.1.5.3 Irregular commissioning of spinning mill without obtaining consent to operate from Pollution Control Board

As per provisions of the Water (Prevention and Control of Pollution) Act, 1974, every industry, factory, mill, plant *etc.* should obtain necessary consent to operate from the State Pollution Control Board and provide for effluent treatment plant as per environmental guidelines before starting the commercial production; failing which stringent penalties and fines are imposable under the Act.

We observed that seven³⁰ out of 14 selected CSMs started commercial production without obtaining consent to operate from the State Pollution Control Board.

The CTD stated that the CSMs were being instructed to take necessary action.

3.1.5.4 Non-mortgaging property of mill to Government in lieu of share capital

GoM issued (March 2014) instructions that for refund of total Government share capital and loan released to the CSMs, the Board of Directors were personally and collectively responsible. It was directed to Director of Textiles to take necessary action to mortgage CSMs property as well as 20 *per cent* of the personal properties of Board of Directors in case of default in repayment by the CSMs.

During March 2014 to March 2017, share capital of ₹ 213.47 crore was released to 33 CSMs in the State. It was observed that DoT got mortgaged 20 *per cent* of the personal properties of Board of Directors for share capital of ₹ 62.81 crore in respect of 13 CSMs only. Similar action was not taken by the DoT for remaining 20 CSMs to whom share capital of ₹ 150.66 crore was released.

Thus, DoT did not ensure safeguarding the Government investment which was at risk as seen from the fact that there was huge liability (89 *per cent*) towards repayment of share capital by the CSMs as mentioned in the **Paragraph 3.1.4.1.**

The CTD stated that banks had been instructed not to release the amount of share capital to CSMs without clearance from the DoT.

3.1.6 Conclusion

The State Co-operative Council was not established to address the issues faced by the CSMs. No plan was prepared to ensure utilisation of cotton production in the State and for producing yarn to meet the requirement of weaving industries.

There were instances of excess release of funds to CSMs from the GoM. In majority of cases, CSMs failed to mobilise minimum required members' share capital (five *per cent* of the project cost).

³⁰ Jawahar CSM, Chandur Railway; Gautam Backward Class CSM, Parshivani; Chopda CSM, Chopda; Yashwant CSM, Ambad; Shetkari Vinkari CSM, Islampur; Choundeshwari CSM, Ichalkaranji and Parwati CSM, Kurundwad

Only 66 mills were functional out of 130 CSMs which had received financial assistance from the Government. The performance of the mills, in terms of profitability, was far from satisfactory as only seven mills out of 130 recorded profits in the past five years. Refund of financial assistance availed by the CSMs was very poor. In majority of cases, reserve fund for redemption of GoM share capital was not created by the CSMs.

The recovery of loans was meagre with huge outstanding dues. Records for monitoring the progress of the mill and to watch Government recovery were not being properly maintained at the Directorate level. There was inadequate inspection of construction work, shortfall in supervision by the Regional Deputy Directors. Mortgaging the mills' property to GoM to safeguard the Government investment was also not done.

3.1.7 Recommendations

- **State co-operative council needs to be set up at the earliest. Plan with definite milestones/targets may be prepared for augmenting the efficiency of CSMs.**
- **The State Government needs to exercise due diligence in granting financial assistance to the CSMs with a mechanism to ensure the utilisation of funds effectively.**
- **The State Government may ensure creation of reserve fund by CSMs for redemption of Government share capital.**
- **The inspection and monitoring by the Government authorities need to be strengthened. Government investment should be safeguarded by mortgaging the mills' property.**

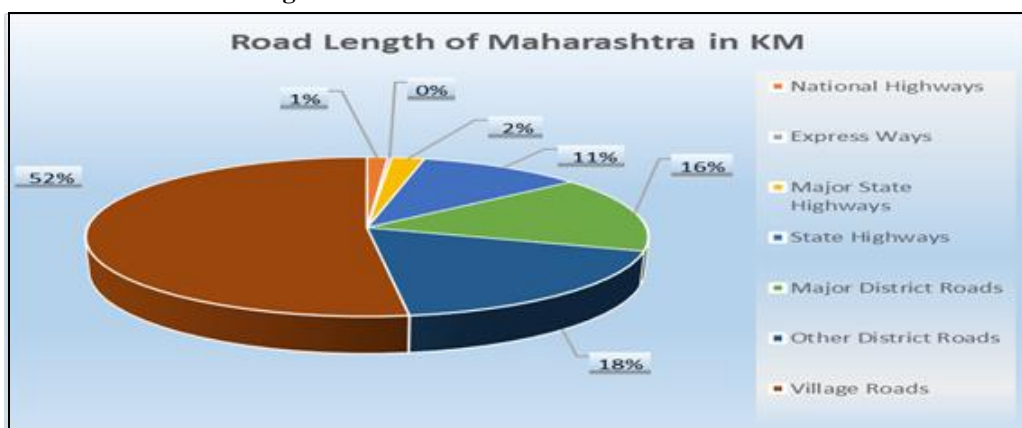
PUBLIC WORKS DEPARTMENT

3.2 Repairs and Maintenance of State Highways

Introduction

The State had 382 State Highways covering 35,754.68 km and 16 Major State Highways covering 7,035.04 Km, which constituted about 13 per cent of the total road length in the State. The Public Works Department (PWD) under Government of Maharashtra (GoM) is responsible for the construction and maintenance of roads, bridges and buildings in the State. The development of roads in the State is required to be done in accordance with the Road Development Plan (RDP) which remains in force for 20 years. The RDP 2001-2021 is presently in force since April 2012. Further, classification of National Highways (NHs), Express Ways (EWs), Major State Highways (MSHs), State Highways (SHs), Major District Roads (MDRs), Other District Roads (ODRs) and Village Roads (VRs) are also shown in the RDP.

Details of total road length in Maharashtra



Source: Road Development Plan (RDP) 2001-2021

Note: As per RDP 2001-2021, total length of Expressway in the State, as of April 2012, is 811.85 km which is 0.24 per cent of total length of roads in the State

Table 3.2.1: Details of total road length in Maharashtra

Sr. No.	Type of road	Percentage	Length in Kms
1	National Highways	1	4,509.09
2	Expressways	0	811.85
3	Major State Highways	2	7,035.04
4	State Highways	11	35,754.68
5	Major District Roads	16	51,993.71
6	Other District Roads	18	61,158.56
7	Village Roads	52	1,75,731.48
	Total	100	3,36,994.41

Source: Road Development Plan (RDP) 2001-2021

The GoM provides the budget under Major Head (MH) '3054-Roads and Bridges' for repairs and maintenance (R&M) works of SHs and MSHs. The repairs work is classified into following six groups as shown in **Table 3.2.2**.

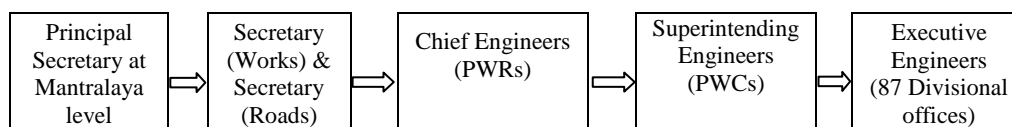
Table 3.2.2: Details of authority for approval of repairs works

Name of Group	Nature of repairs	Authority for approval of repairs works
A	Current Repairs	Executive Engineer (EE)
B	Special Repairs/Periodical renewal/improvement works	Principal Secretary, PWD, GoM
C	Geometrical improvement of Accident prone zone	Chief Engineer (CE) after approval from GoM
D	Others and Miscellaneous works	Superintending Engineer (SE) after approval from CE
E	Flood Damage Repair (FDR) works	Chief Engineer
F*	Programme for Repairs	Principal Secretary, PWD, GoM
Source: PWD, GR of June 2002		
*Introduced from November 2015		

Each Division prepares an Annual Repair Programme (ARP) for undertaking the R&M works under each category of group, duly approved by the respective Competent Authority. As per GoM guidelines (June 2002), the grants sanctioned for one group should not be utilised for another group and normally the grants should be utilised/exhausted on the works sanctioned in the ARP first and then only new works should be taken for R&M. The Government decided (October 2017) that from financial year 2017-18, two year maintenance programme will be sanctioned at Government level, for stretches of at least 10 kms, of one sanctioned work.

Organisational set up

The PWD is headed by the Principal Secretary and the functions are controlled by the Secretary (Roads) and the Secretary (Works). The implementation of various road works in Public Works Region (PWR) is carried out under the technical control of seven³¹ CEs, who are assisted by 21³² SEs in-charge of Circles, and responsible for administration and execution of works within the Circles. The Executive Engineers (EEs) working under the SEs are in-charge of the Divisions and are responsible for awarding and execution of works. Besides, six³³ Vigilance and Quality Control (V&QC) Circles headed by SE in six PWRs discharge quality control functions for works to be executed.



Audit Scope and Methodology

The audit was conducted (January to August 2017) covering the period 2012-13 to 2016-17 with a view to assess the adequacy and effectiveness of repairs and maintenance of the state highways. The records in the office of

31 Amravati, Aurangabad, Mumbai, Nagpur, Nashik, Pune and Special Project, Mumbai

32 Mumbai, Thane, Ratnagiri, Raigad, Pune, Satara, Solapur, Kolhapur, Nashik, Jalgaon, Dhule, Ahmednagar, Aurangabad, Nanded, Osmanabad, Amravati, Akola, Yavatmal, Nagpur, Chandrapur, and Gadchiroli

33 Navi Mumbai, Pune, Nashik, Aurangabad, Amravati and Nagpur

Principal Secretary, PWD in *Mantralaya*, four³⁴ CEs, 14³⁵ SEs and 15³⁶ EEs were selected for test-check. Audit also jointly inspected two works in each test checked division.

The reply of the Government received (October 2017) has been considered while finalizing the report.

Audit findings

3.2.1 Planning

Annual Repairs Programme

Every year, the EE being the Divisional head was required to survey the roads under him before monsoon and prepare the ARP, showing the details of R&M works to be taken up group wise. After approval of the ARP, the Divisions were to take up the repairs works commensurate with the funds sanctioned by GoM on the basis of priority of works.

The PWD at Mantralaya level did not maintain details of total R&M works of SHs planned, completed and incomplete for the entire State. Thus, in the absence of requisite details, Audit could not ascertain the actual number of works planned, completed and not completed for the period 2012-17. However, the year wise position of the R&M works of SHs in 15 test-checked divisions is shown in **Table 3.2.3**.

Table 3.2.3: Year-wise position of SHs and MSHs planned and completed in respect of selected divisions

Year	Planned	Completed	Incomplete	Percentage incomplete
2012-13	2552	2357	195	8
2013-14	3526	3323	203	6
2014-15	2787	2640	147	5
2015-16	3619	3389	230	6
2016-17	3190	2932	258	8
Total	15674	14641	1033	7

Source: Information furnished by respective Divisions. EE, PW Employment Guarantee Scheme (EGS), Ahmednagar did not provide information for the year 2012-13 and 2013-14

It was observed that 93 *per cent* R&M works in the selected divisions were completed and seven *per cent* remained incomplete. There was an upward trend in planning and execution of repairs works during the period 2012-14 and marginal decline noticed in 2014-15 and 2016-17.

3.2.2 Budget resources

3.2.2.1 Grants released and expenditure incurred

The PWD did not maintain SH/MSH/MDR wise expenditure, since budget allotment was made under the head “3054-M&R of Road and Bridges”. The State wise position of Grants demanded, Budget estimates, Grants released

34 Nashik, Pune, Nagpur and Aurangabad

35 Thane, Pune, Satara, Solapur, Kolhapur, Nashik, Jalgaon, Dhule, Ahmednagar, Osmanabad, Nanded, Nagpur, Chandrapur and Aurangabad

36 Shahada, Ahmednagar, Pune, Miraj, Satara, Solapur, Osmanabad, Parbhani, Thane, Nashik, Jalgaon, Gondia, Bhandara, Aurangabad, Wardha

and Expenditure incurred for the period 2012-13 to 2016-17 is shown in **Table 3.2.4.**

Table 3.2.4: State-wise position of grants demanded, budget provisions, grants released and expenditure incurred

(₹ in crore)

Year	Grants Demanded	Budget Provision	Grants Released	Short Release	Expenditure with reference to demand
2012-13	3758.70	1374.00	1374.00	2384.70	1374.00
2013-14	6043.62	1600.00	1600.00	4443.62	1600.00
2014-15	6665.63	1745.75	1745.75	4919.88	1745.75
2015-16	7257.83	1682.69	1667.69	5590.14	1667.69
2016-17	6441.95	1609.33	1454.80	4987.15	1454.80
Total	30167.73	8011.77	7842.24	22325.49	7842.24

Source:- Budget Estimates for the respective years and information furnished by the PWD
 Note: The above figures include of SHs as well as MDRs since PWD did not have separate bifurcation for SHs only

Further, the details of Grants demanded, Grants released and Expenditure incurred for the period 2012-13 to 2016-17 in the selected Divisions is shown in **Table 3.2.5.**

Table 3.2.5: Division-wise details of grant demanded, budget provisions, grants released and expenditure incurred

(₹ in crore)

Sr. No.	Name of Division	Grants Demanded \$	Grants Released	Short Release	Expenditure	Percentage of short release of fund	Average annual release of Grants
1	EE, PW Division No. 2, Thane	118.04	51.41	66.63	51.41	56	10.28
2	EE, PW Division, Jalgaon	133.84	45.98	87.86	45.98	66	9.19
3	EE, PW Division, Shahada	186.52	90.01	96.51	90.01	52	18.00
4	EE, PW (South) Division, Pune	258.49	89.34	169.15	89.34	65	17.86
5	EE, PW Division, Miraj*	211.49	64.19	147.30	64.19	70	12.83
6	EE, PW Division, Satara	170.99	83.28	87.71	83.28	51	16.65
7	EE, PW Division No. 2, Solapur	251.74	51.22	200.42	51.22	80	10.24
8	EE, PW Division, Osmanabad	159.77	66.61	93.16	66.61	58	13.32
9	EE, PW Division, Parbhani	291.36	81.89	209.47	81.89	72	16.37
10	EE, PW Division, Aurangabad*	416.00	117.30	298.70	117.30	72	23.46
11	EE, PW Division, Bhandara	17.55	11.83	5.72	11.83	33	2.36
12	EE, PW Division, Nashik*	60.07	10.02	50.05	10.02	83	3.34
13	EE, PW (EGS), Ahmednagar	82.76	42.73	40.03	42.73	48	8.54
14	EE, PW Division, Gondia	155.83	117.26	38.57	117.26	25	23.45
15	EE, PW Division, Wardha	182.45	81.57	100.88	80.57	55	16.31
	Total	2696.80	1004.64	1692.16	1003.64		

Source: Information furnished by respective Divisions *EE, PW Division, Nashik and Aurangabad did not furnish Information for the years 2012-13 and 2013-14 and EE, PW Division, Miraj did not furnish the information for the year 2012-13
 \$ Grants demanded included grants of ₹1,389.98 crore towards outstanding bills of previous years.

In the selected 15 divisions, expenditure incurred on R&M of SHs during 2012-17 was ₹ 1,003.64 crore. The grants released for execution of ARPs were less than the grants demanded. The gap/shortfall ranged between 25 and 80 *per cent*. Despite the short release of grants *vis-a-vis* the grants demanded, the Divisions executed all the works in the ARP without prioritising the works to be executed commensurate with the grants received. Resultantly, the works planned in the ARPs either remained incomplete or were completed but bills remained outstanding thereby creating liability. This was against the codal provisions and CVC guidelines, that contractors bills should not be kept pending for long.

The Government stated that the grants were released region-wise to remove backlog in backward region, hence there was gap between funds demanded for repairs and grants released.

The reply was not tenable as there was gap between the funds demanded and released due to execution of all works in the ARPs by the Divisions without considering the fund allotment/releases as discussed in **Paragraph 3.2.2.2**.

3.2.2.2 Creation of liability due to excess execution of works

Central Vigilance Commission (CVC) observed (March 2005) that in a large number of Government organizations, payments to contractors were inordinately delayed, making the systems vulnerable to corruption and had directed all the Chief Vigilance Officers to undertake a review of bills to primarily determine the time taken in clearing the bills. Thus, delays in payment of bills once services had rendered by private agencies should not be encouraged.

GoM also advised (June 2002) that the works should be taken up commensurate with the actual fund released. It was noticed that the Divisions, invited tenders for all works included in the ARPs and issued work orders to the contractors instead of restricting these to their budget allotments. This was against the codal provisions and CVC guidelines. The works were executed by the contractors and then bills were kept pending. Two case studies are discussed below:

Case study I

During the period from 2012-13 to 2016-17, EE, PWD, Aurangabad had raised demand with the GoM for release of funds of ₹ 416 crore (which included previous years pending bills of ₹ 283.29 crore) for execution of 1,150 repairs works included in the ARPs. GoM however, released ₹ 117.30 crore only (28 *per cent*). The EE invited tenders for all 1,150 works included in the ARPs, without prioritizing the works considering the funds allotment to the division. As a result, contractors' bills amounting to ₹ 128.38 crore for R&M works were pending clearance (March 2017).

Case study II

EE, PW (South) Division, Pune had planned 1,660 repair works costing to ₹ 258.49 crore during the period 2012-13 to 2016-17 (which included previous years pending bills of ₹ 100.04 crore). The GoM released funds of ₹ 89.34 crore (35 *per cent*). The Division did not revise ARPs commensurate with the budget allotted and took up all the R&M works included in the ARPs,

thereby creating an outstanding liability of ₹ 64.05 crore (March 2017) on account of unpaid contractors' bills.

In the test checked 15 divisions, a total liability of ₹ 368.35 crore had been created as on 31 March 2017, on account of unpaid bills of contractors. The age-wise pendency of bills is shown in **Table 3.2.6**.

Table 3.2.6: Age-wise pendency of Contractors' bills in selected PW Division

(₹ in crore)

Sr. No	Name of PW Division	Pending for more than six months but less than one year		Pending for more than one year but less than two years		Pending for more than two years		Upto date position of pendency of bills as on 31.03.2017	
		Number of Bills	Amount	Number of Bills	Amount	Number of Bills	Amount	Number of Bills	Amount
1	EE, PW Division No.2, Thane	52	1.53	100	2.92	--	--	152	4.45
2	EE, PW Division, Jalgaon	242	13.12	200	11.34	--	--	442	24.46
3	EE, PW Division, Shahada	61	2.10	60	5.83	30	2.38	151	10.31
4	EE, PW (South) Division, Pune	297	20.96	563	39.52	800	3.57	1660	64.05
5	EE, PW Division, Miraj	73	2.19	11	3.44	2	1.98	86	7.61
6	EE, PW Division, Satara	171	4.60	43	5.32	--	--	214	9.92
7	EE, PW Division No. 2, Solapur	172	6.76	82	6.06	3	0.10	257	12.92
8	EE, PW Division, Osmanabad	06	1.33	47	16.48	--	--	53	17.81
9	EE, PW Division, Parbhani	152	6.65	289	14.05	462	35.12	903	55.82
10	EE, PW Division, Aurangabad	143	14.93	747	54.55	571	58.90	1461	128.38
11	EE, PW Division, Bhandara	33	1.59	--	--	--	--	33	1.59
12	EE, PW Division, Nashik	116	5.52	--	--	--	--	116	5.52
13.	EE, PW (EGS), Ahmednagar	19	1.23	20	2.42	1	0.04	40	3.69
14	EE, PW Division, Gondia	87	5.53	--	--	--	--	87	5.53
15	EE PW Division, Wardha	--	--	138	7.65	29	8.64	167	16.30
	Total	1624	88.04	2300	169.58	1898	110.73	5822	368.35
Source: Information furnished by respective Divisions									
Note: Outstanding bills included bills prior to 2012-2013									

An analysis of pending bills revealed that out of 5,822 pending bills involving ₹ 368.35 crore, 2,300 bills for ₹ 169.58 crore were pending for more than one year; and 1,898 bills involving ₹ 110.73 crore were pending for more than two years. We also observed that in respect of at least eight³⁷ Divisions, as on March 2017, the liability was more than the total annual average expenditure of these Divisions.

While accepting the facts, Government stated that to keep the roads traffic worthy, the repair works were undertaken even if there was no budgetary provision. However, efforts were being made to reduce the liability of pending bills by obtaining additional grants and sanctioning the works within the available funds.

37 (i) EE, PWD, Jalgaon; (ii) EE, PW (South), Pune (iii) EE, PWD No. 2, Solapur; (iv) EE, PWD, Osmanabad (v) EE, PWD, Parbhani, (vi) EE, PWD, Aurangabad (vii) EE, PWD, Nashik and (viii) EE, PWD, Wardha

3.2.2.3 Diversion of expenditure from one group to another

As per detailed guidelines (June 2002) of GoM/PWD, the funds available in one Group should not be utilised for another Group without the prior approval of Government.

Scrutiny in two³⁸ Divisions revealed that funds sanctioned by CE under “Group E- Flood Damage Repair Works” were diverted for execution of 22 works costing ₹ 1.89 crore of “Group A-Current Repair works” without approval of Government.

EE, PWD, Jalgaon and EE, PWD, Bhandara stated (March/July 2017) that due to heavy rainfall in the area, the riding surface was totally damaged and since the Group E programme was already approved, the works of “Group A” programme were sanctioned and executed from Group E funds.

The Government stated that officers were warned not to repeat such diversion of funds, and steps were being taken at GoM level so that no diversion of funds could be made by Circles/Divisions from one group to another group.

3.2.2.4 Non-revision of norms for repairs and maintenance

GoM had laid down (November 1995) the norms for R&M of roads and bridges and accordingly permissible expenditure for SH and MSH was in the range of ₹ 25,600 to ₹ 38,200 per km/year.

Scrutiny of records of 15³⁹ test checked EEs revealed that the average annual expenditure incurred on R&M of the road length of 8,618.70 km of SHs for the period 2012-13 to 2016-17 was ₹ 223.74 crore as against the admissible average annual expenditure of ₹ 32.93⁴⁰ crore. Thus, though there was excess expenditure of ₹ 190.81⁴¹ crore on R&M (per km expenditure in the range of ₹ 0.74 lakh to ₹ 6.17 lakh), the field functionaries did not propose for revision of norms for R&M works.

The Government stated that necessary orders to redefine the repairs and maintenance norms and formation of mechanism for annual updation was being formulated and would be issued soon.

3.2.2.5 Original works executed from R&M grants

As per PWD guidelines (November 1995), original works should have been done under ‘MH 5054 Capital outlay on Roads and Bridges’ and were not to be executed with the R&M grants.

In six Divisions it was revealed that 14 original works were executed at the cost of ₹ 30.49 crore from the R&M funds received under Major Head - “3054-Road and Bridges”, contrary to the Government guidelines as shown in **Appendix 3.2.1.**

38 EE, PWD, Jalgaon and EE, PWD, Bhandara

39 Ahmednagar, Jalgaon, Miraj, Nashik, Pune, Satara, Shahada, Solapur, Thane, Parbhani, Osmanabad, Bhandara, Aurangabad, Gondia and Wardha

40 Total Length of SHs and MSHs (8,618.70 Kms) X ₹ 38,200 per km=Admissible expenditure as per norms (₹ 32.93 crore)

41 Total actual expenditure ₹ 223.74 crore (-) Expenditure as per norm ₹ 32.93 crore=Excess expenditure of ₹ 190.81 crore

The Government stated that new guidelines specifying maintenance activities and original works involving capital expenditure would be issued immediately.

3.2.3 Awarding of contracts

The irregularities in contract management like awarding of works to single bidders and splitting of works are discussed below:

3.2.3.1 Awarding of work to single tenderer

CVC guidelines (April 2008) stipulated that if single tender was received in the first call, it should be cancelled without opening the bid and tenders be re-invited. If single tender was received, even after re-tendering, it could be accepted only with detailed justification, indicating the importance of the work, in support of the acceptance with the approval of the Competent Authority. The guidelines did not permit post tender negotiations. If negotiations were warranted under exceptional circumstances, it could be with lowest bidder only, if the tender pertained to the award of work/supply order *etc.* where Government or the Government Company had to make payments.

Notwithstanding the CVC guidelines, in seven out of 15 divisions test checked in audit, we noticed that 12 works costing ₹ 18.84 crore were awarded to single bidder without adopting re-tendering process, as shown in **Appendix 3.2.2.**

The Government stated that MPW Manual did have the provision to accept single tender, however, necessary orders were being issued to strictly follow CVC guidelines.

3.2.3.2 Splitting of works

The GoM (PWD) issued (May 2006) instructions to Divisions prohibiting the practice of splitting of work above ₹ five lakh and awarding it to Labour Co-operative Societies (LCS) and unemployed engineers (UE) without inviting tenders.

In nine Divisions⁴², it was observed that during the period 2014-15 to 2016-17, EEs of respective Divisions had split 25 works costing ₹ 5.46 crore, into 177 works. These were accorded separate technical sanctions and job numbers. These works were awarded to contractors/Labour Co-operative Societies, even though the works were in continuous chainage of the road. It was also noticed that out of 25 works, five works (split into 29 works) were awarded to single contractors/Labour Co-operative Societies/Unemployed Engineers.

EE, PW (South) Division, Pune had split the work of improvement to Pashan-Sus-Nande-Bhauji-Kudje-Warje Road (SH-115) Km 6/400 to 9/800 Taluka Mulshi, District Pune, valued at ₹ 88.86 lakh into 18 works, without prior approval of SE, PW Circle, Pune.

The Government accepted that splitting was prohibited (May 2015) except with written permission from CE. It was further stated that Departmental

42 EE, PWD Divisions No.2 at Thane, Miraj, Shahada, Jalgaon, Solapur, Nashik, (South) Division, Pune, Osmanabad and Satara

action was being initiated against erring officers who had split the works with malafide intention.

3.2.4 Execution of works

In course of audit of 15 test-checked divisions, we noticed instances of 106 works in 10 divisions where the execution was sub-standard or did not conform to quality control specifications; renewal works were executed during defect liability period (DLP); there were instances of diversion of 13th Finance Commission (13th FC) grants on miscellaneous works and execution of inadmissible works from R&M grants as detailed in **Table 3.2.7**.

Table 3.2.7: Type and number of deficiencies noticed during execution of work

Name of Division	Sub-standard works	Works not in conforming to quality control specifications	Execution of works covered under defect liability period	Diversion of 13 th Finance Commission Grants on miscellaneous works	Inadmissible expenditure from Repairs and Maintenance grants	Inadequate provision of drainage system	Grand Total
EE, PW (EGS), Ahmednagar	2		1	3			6
EE, PW Division, Nashik		1					1
EE, PW Division, Jalgaon		1					1
EE, PW Division, Parbhani		2					2
EE, PW Division No. 2, Thane			2				2
EE, PW Division, Shahada			1				1
EE, PW Division, Aurangabad			4				4
EE, PW Division, Gondia					14	1	15
EE, PW Division, Wardha					25	1	26
EE, PW Division, Bhandara					48		48
Total	2	4	8	3	87	2	106
<i>Source : Information furnished by Divisions</i>							

3.2.4.1 Substandard works

GoM had sanctioned (July 2014) two renewal works viz Strengthening and Bituminous Treatment (STBT) to the SH-58 from km 0/00 to 5/00, and STBT to SH-58 from km 5/00 to 10/600 under 13th FC Grant for the year 2014-15 (MH-3054-Roads and Bridges-(03)-State Highways). Both the works were awarded (December 2014 and February 2015) to a contractor. These works were completed (December 2015) with an expenditure of ₹ 4.87 crore.

i) It was observed that EE, PW (EGS), Ahmednagar requested (September 2014) Highway Research Division (No.1), Maharashtra Engineering Research Institute (MERI), Nashik to investigate and suggest remedial measures for improvement of road as heavy multi axle trailers, trucks and tankers were plying on this road. Accordingly, MERI inspected (October 2014) the road and recommended (December 2014) the specification with crust thickness of 975 mm as detailed in **Table 3.2.8**.

Table 3.2.8: Details of specification with the crust thickness recommended by MERI

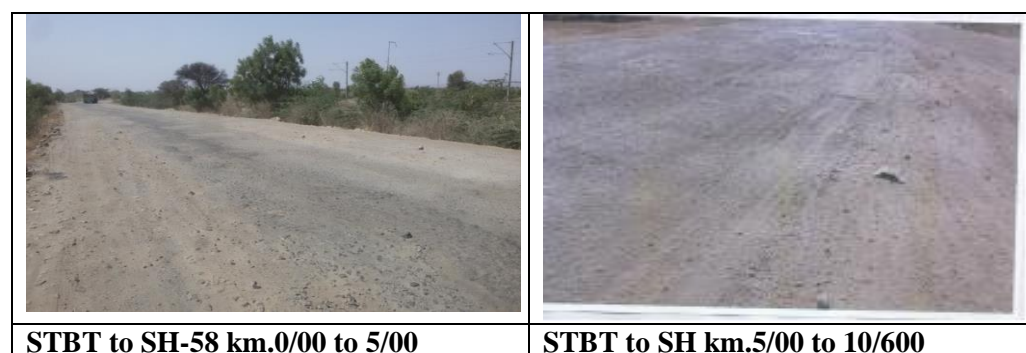
Granular sub-base	460 mm
Base course	250 mm
Dense Bituminous Macadam	215 mm
Bituminous Concrete	50 mm
Total crust thickness	975 mm

Though MERI had recommended the crust thickness of 975 mm before commencement of the works, the Division executed the work with 450 mm crust thickness as detailed below in **Table 3.2.9**.

Table 3.2.9: Details of specification with the crust thickness actually executed

Specifications	STBT to SH-58 km.0/00 to 5/00	STBT to SH-58 km.5/00 to 10/600
Base course	250 mm	250 mm
Bituminous Bound Macadam	75 mm	75 mm
Bituminous Macadam	75 mm	75 mm
Open Graded Premix Carpet	25 mm	25 mm
Seal Coat	25 mm	25 mm
Total crust thickness	450 mm	450 mm

During Joint Inspection by audit (April 2017) with PWD officials, it was noticed that the works executed were severely damaged.



It was also noticed that though the defect liability period (DLP) of 24 months from the date of completion of work was in force (31 December 2017), the Contractor did not rectify the defects to maintain the road in motorable condition.

Thus, the Division without considering 975 mm crust thickness, constructed the road with 450 mm crust thickness which resulted in wasteful expenditure of ₹ 4.87 crore in execution of sub-standard works since the entire chainage of BM damaged road was beyond repairs.

Government stated that the necessary orders had been issued to maintain full crust thickness and design the road to its full life. The said road is now upgraded as National Highway. It further stated that Departmental action was being taken against concerned officers.

ii) Section 504.5 of the Ministry of Road Transport and Highways (MORT&H) specifications stipulated that the Bituminous Macadam (BM) was to be covered either with the pavement course *i.e.* Semi Dense Bituminous Concrete (SDBC) or wearing course as the case may be within a maximum of 48 hours to protect the BM layer. If any delay was anticipated

the course was to be covered by a seal coat as prescribed under Section 513 of MORT&H before opening to any traffic. The seal coat in such cases was to be considered to the work and was not to be paid for separately. Clause 506 also provided that the Modified Penetration Macadam (MPM) should be covered by the next wearing course within 48 hours of its execution. Also, Clause 509 stipulated that a seal coat liquid or premix type, should be applied within four to six hours after laying the premix carpet.

Test-check of three Divisions revealed that in respect of four works, the mandatory requirements as provided in the MORT&H Specifications were not observed during the execution of these works as detailed in **Table 3.2.10**.

Table 3.2.10: Details of works not executed in conformity with MORT&H specification
(₹ in lakh)

Sr. No.	Name of Division	Name of work	Expenditure	Audit observations	Division's reply
1	EE, PW Division, Nashik	Improvement to Trimbakeshwar-Pahine- Deogaon-Ghoti Road (SH-21) km 173/00 to 179/00. Taluka Igatpuri, Dist Nashik	62.65	BBM work was executed on 9 June 2015, however, neither the wearing course nor the seal coat was provided on the BBM layer as required.	The work was taken up in view of <i>Sinhasta Kumbh Mela</i> . However, the said road was submerged. Meanwhile, Water Resources Department, constructed alternate road which was now in use for plying vehicles.
2	EE, PW Division, Jalgaon	S.R. to Bodwad-Jamathi Fattepur-Tondapur-Wakod Road (SH-191), km.9/400 to 11/100, 14/00 to 17/400 & 41/00 to 43/00, Taluka Jamner, Dist. Jalgaon	17.66	BBM work was executed on 26 June 2015 and next wearing course of Open Graded Premix Carpet (OGPC) was provided on 18 July 2015. i.e., after 24 days of providing BBM.	Before the onset of monsoon, road condition was to be made safe therefore, patch work providing BBM was carried out and after considering the site condition, OGPC carpet was carried out.
3	EE, PW, Division, Parbhani	FDR Basmath-Hiwa-Chandawa-Satefal-Penur-Sonkhed (SH 255) Km 13/500 to 17/000	25.32	The work Built Up Spray Grout layer (BUSG) was executed on 4 February 2017. However, next wearing course, as required under Section 506, was not provided till date (July 2017).	Due to non-availability of funds, contractor was unable to execute any further work. The BUSG work was in good condition.
4		Special Repairs to Parbhani-Gangakhed Road SH-248, km.140/200 to 146/400, Taluka Gangakhed, Dist. Parbhani	20.41	The work of laying OGPC was executed on 2 June 2016, however the required seal coat was not done till date (July 2017)	Riding condition of the road was in good condition. The seal coat would be provided after monsoon.

Source : Information furnished by Divisions

The replies confirmed that the works were not executed as per specifications within the prescribed time limits so as to protect the BM layer of the roads. Specifications for quality control were thus compromised while executing these works.

Government stated that Departmental action was being taken against officers, where due diligence was not observed.

3.2.4.2 Avoidable excess expenditure on execution of repair works covered under Defect Liability Period

Clause 20 of tender conditions provided that the repairs arising out of any damages within DLP should be executed by the concerned Contractor.

In four⁴³ divisions, eight renewal works costing ₹ 4.54 crore were awarded to contractors, even though these roads were under DLP of earlier executed works, resulting in avoidable excess expenditure of ₹ 4.54 crore.

Government while accepting the facts stated that notices are being issued for recovery from the agencies through their present dues with the Government or for recovery as arrears of land revenue.

3.2.4.3 Diversion of 13th FC Grant on Miscellaneous works

Under 13th Finance Commission, PWD had sanctioned total 15 works for Ahmednagar District in which seven works amounting to ₹ 15.29 crore were sanctioned to PWD (EGS).

EE, PWD (EGS), Ahmednagar had executed three works, sanctioned under 13th FC (MH 30542348-Non-Plan). These works were completed (April 2015 and December 2015) by incurring expenditure of ₹ 6.13 crore. It was noticed that the Division however, booked an expenditure of ₹ 8.34 crore which was in excess by ₹ 2.21 crore as shown in **Table 3.2.11**.

Table 3.2.11: Details showing the excess booking of expenditure

(₹ in crore)

Name of Work and Job Number	Sanctioned Amount	Actual Expenditure	Expenditure booked as per Monthly Account of March 2016	Excess booking in Monthly Accounts of March 2016
STBT to Ahmednagar City Bypass Road (SH 58) Part Nimblak to Nagar-Kalyan Road Taluka Ahmednagar from chainage 0/00 to 3/300 (Job No. 9 for 14-15)	3.00	2.81	3.30	0.49
STBT to Ahmednagar City Bypass Road (SH 58) Part Nimblak to Nagar-Kalyan Road Taluka Ahmednagar from chainage 3/500 to 10/600 (Job No. 10 for 14-15)	3.00	2.06	3.14	1.08
STBT to Ahmednagar City Bypass Road (SH 58) Part Nimblak to Nagar-Kalyan Road Taluka Ahmednagar from chainage 0/00 to 3/300 (Job No. 11 for 14-15)	2.00	1.26	1.90	0.64
Total	8.00	6.13	8.34	2.21
<i>Source : Information furnished by Divisions</i>				

It was also observed that the Division had executed the works amounting to ₹ 90 lakh such as providing and fixing informatory boards, portal frames and cautionary board in the chainages other than the chainages sanctioned from the balance funds of ₹ 2.21 crore. No details regarding utilization of the balance amount of ₹ 1.31 crore were available.

43 EE, PW Division No. 2, Thane: two works (₹ 20.68 lakh); EE, PW (EGS), Ahmednagar: one work (₹ 4.20 crore); EE, PWD, Shahada: one work (₹ 2.65 lakh) and EE, PW Division, Aurangabad: four works (₹ 10.38 lakh)

EE, PWD (EGS), Ahmednagar stated (April 2017) that due to heavy increase in traffic, informatory board and sign board were provided on urgent basis. Since there were no separate funds available, the Division incurred the expenditure from the savings of the 13th FC Grants.

Government stated that officers had been cautioned against diverting 13th Finance Commission grants. They have also stated that henceforth funds would be disbursed work-wise to avoid such diversion.

3.2.4.4 Inadmissible expenditure from Repairs and Maintenance grants

As mentioned in **Table 3.2.2**, GoM has classified repair works into six groups. In three test checked divisions, it was noticed that ₹ 68.56 lakh was spent on traffic census work, arbitration award, miscellaneous expenditure on survey, purchase of testing equipment for laboratory and supply of material for rest house from the R&M grants received under MH-3054-Repairs and Maintenance as shown in **Table 3.2.12**.

Table 3.2.12: Inadmissible expenditure from R&M grants

Sr. No.	Name of Division	Audit observations	Division's reply
1	EE, PW Division, Wardha	24 works amounting to ₹ 7.06 lakh of traffic census of various roads were executed from Group A-Current Repairs in the year 2014-15 instead of capital works (Original) under MH 5054. Thus, utilisation of R&M grants on traffic census was irregular.	EE stated (August 2017) that since there was no specific instructions from the Government for debiting the expenditure on traffic census work, the same was debited to MH-3054- R&M grants.
		EE, PWD, Wardha had paid (October 2016) ₹ 27.54 lakh on hand receipt towards arbitration award of construction of approaches to Rail over Bridge, Gate No. 13/A at Hinganghat in Wardha District from MH-3054- R&M grants, instead of MH 5054 which was the original accepted head under which the work was executed.	EE stated (August 2017) that payment was made after approval of PWD, GoM.
2	EE, PW Division, Gondia	An amount of ₹ 11.32 lakh was spent on works such as miscellaneous survey, purchase of testing equipment for laboratory and supply of material for rest house <i>etc.</i> Since, the expenditure did not pertain to the Group of Repairs as mentioned in GR (June 2002), the expenditure from R&M was irregular.	EE, PW Division, Gondia while accepting the fact stated (August 2017) that since the payments were very small, the same was booked under MH-3054-R&M, instead of either MH-2059-Public Works or MH-2216-Housing.
3	EE, PW Division, Bhandara	48 works amounting to ₹ 8.59 lakh of traffic census of road were paid from MH-3054-R&M, which was irregular.	EE stated (July 2017) that traffic census work was related to road expenditure therefore paid under MH-3054-R&M. The reply was not tenable since the item pertained to Capital head of works.
<i>Source : Information furnished by Divisions</i>			

The Government did not furnish any reply on this issue.

3.2.4.5 Inadequate provision of drainage system

Water logging is one of the major reasons for damage of roads. Hence, side drains are required to be constructed to drain off the water from the roads, especially where there are chances of water logging. IRC specification 309.2 stipulated that drains were to be completed in proper sequence with road works ensuring adequate drainage for the area and for minimizing erosion. During joint inspection by audit and the Divisional Officers (August 2017), it was noticed in two cases that:

The construction of cement concrete drain with footpath on Tumsar-Tirora-Gondia Road (SH 249) Km. 189/200 to 190/200 (Job No. 12-11-RA-1-23-002) was approved by EE, PWD, Gondia for ₹ three crore under Group D-“Other and miscellaneous work”. The work was completed within a period of nine months (December 2014) and contractor was paid ₹ 1.29 crore (March 2017). It was noticed that even after more than three years, the work of construction of drain with footpath was not completed though included in the original estimates.

In reply, EE, PWD, Gondia stated (August 2017) that the work was delayed due to non-shifting of electric poles and encroachment in the area. The action on extension of time limit was in progress. The reply was however, not acceptable as EE was responsible for removal of any encroachment as stated in paragraph 35 of MPW Manual, and execution of works as planned for.

Similarly, EE, PWD, Wardha, executed the work of Special repairs to Seldoh-Sindhi-Kandhali Road (SH 330) Km 6/00 to 7/00 and 9/00 to 10/00, sanctioned under group E programme. The work was finalised at ₹ 53.17 lakh (October 2016) without execution of drainage work amounting to ₹ 10.32 lakh.

EE, PWD, Wardha stated (August 2017) that the local people demanded the execution of drainage work in entire length of both the sides of road. Since there was no provision for such construction of drainage, the drainage work was not executed.

Reply was not tenable since drainage on one side of road was approved in original estimates and hence should have been executed. The Government did not furnish the reply on these observations.

3.2.5 Internal control and monitoring mechanism

An effective internal control system minimizes the risk of errors and irregularities and helps to protect resources against losses arising due to waste and mismanagement. Audit findings on internal controls and monitoring mechanism in PWD are discussed below;

3.2.5.1 Non-submission of quality control test reports

As per the tender conditions, the contractor was to make all arrangements and provide for all facilities for collection of requisite number of sample and bear all charges for the same. Of the total tests to be conducted, 70 *per cent* of the quality of material test was to be carried out in site laboratory set up by the contractor duly approved and certified by the Engineer-in-charge while

30 *per cent* of material test was to be done in Vigilance and Quality Control Laboratory of the PWD, which were in 13⁴⁴ places.

In six⁴⁵ divisions, it was seen in audit that 79 works amounting to ₹ 9.21 crore were executed without obtaining the required test results and payments had been released to the contractors. The possibility of sub-standard works therefore cannot be ruled out.

Divisions stated that penalty was recovered from contractors' bills for non-conducting of requisite tests. The reply was not tenable as merely recovery of penalty cannot justify the failure of the contractors as well as the divisional officials to ensure the quality of works executed.

The Government accepted that levy of penalty was not the correct way to address the issue. It was stated that concerned officers were being warned for the lapses on their part. All CEs had been instructed to take review of such cases in their region and take necessary steps to ensure that quality control tests were conducted as per norms.

3.2.5.2 Execution of works without obtaining bitumen invoices

The GoM directed (October 2007) that bitumen used by the contractors in road works should be procured only from Government Refineries. The bulk bitumen container should be unloaded at the hot mix plant in the presence of the Engineer-in charge or his representative who would certify the bitumen consumed for the work for which it was procured. As per the standard tender conditions, a certificate in this regard, duly certified by the Engineer-in charge was also required to be submitted by the contractor along with original invoice of consumption of bitumen.

In five⁴⁶ Divisions test-checked, in respect of 51 works costing ₹ 8.32 crore, it was noticed that bitumen invoices were not obtained from the contractor, but payments had been made. Non-submission of original bitumen invoices by the contractors not only violated the tender conditions but indicated absence of monitoring by the Divisions on quality of the works executed.

Government stated that the concerned officers were warned for lapses on their part and circulars issued (March and April 2017) to ensure that the best quality of bitumen was used for the works.

3.2.5.3 Non-observance of tender condition of SCADA enabled system of hot mix plant

As per GoM guidelines (May 2014) for Bituminous treatment for road works, where the cost of bituminous works with seal coat was more than ₹ 75 lakh, the Supervising Control and Data Acquisition (SCADA) enabled Hot Mix Plant and SCADA enabled Roller were required to provide to monitor

44 Three Regional V&QCL at Navi Mumbai, Pune and Nagpur; Nine Districts V&CQL at Solapur, Kolhapur, Chandrapur, Nashik, Amravati, Akola, Mangaon, Ratnagiri and Ahmednagar. Besides, one field V&QCL at Dhule

45 Nashik: 14 works: ₹ 1.04 crore, Jalgaon: 21 works: ₹ 1.74 crore, Shahada: eight works: ₹ 0.49 crore, Solapur: six works: ₹ 0.16 crore, Osmanabad: 14 works: ₹ 3.68 crores and Thane: 16 works ₹ 2.10 crore

46 Nashik nine works: ₹ 0.69 crore, Shahada: nine works: ₹ 0.57 crore, Osmanabad: four works: ₹ 3.05 crore, Thane: six works ₹ 1.63 crore and Jalgaon: 23 works: ₹ 2.38 crore

compaction analyser through data and graphics delivered through Very Small Aperture Terminal (VSAT) on PWD/Server/User Terminals. GoM revised (August 2014) the cost norms and made this mandatory for works with cost above ₹ 50 lakh and upto ₹ four crore.

In respect of one work of ₹ 1.19 crore of EE, PW Division No. 2, Thane, though the SCADA enabled Hot Mix Plant and SCADA enabled Roller to monitor temperature was included in the Tender Documents, the Contractor had not installed the same. Further, in SE, PW Circle, Osmanabad, the condition of SCADA enable Hot Mix Plant and SCADA enabled Roller was not incorporated in the Tender documents, though the value of the work was ₹ 1.74 crore.

As a result, the real time monitoring of parameters of actual execution of works like temperature of bitumen, total quantity laid and time at which the work was actually executed could not be monitored at PWD user terminal.

EE, PW Division, Thane stated that ₹ 0.60 lakh had been withheld from the bill paid for want of SCADA generated reports. The SE, PW Circle, Osmanabad accepted that the condition of installation of SCADA enable Hot Mix Plant and SCADA enabled Roller was not included in the tender documents by oversight; however, the minimum temperature of bitumen laying was maintained.

The fact remained that the bills were processed for payments, without obtaining the SCADA generated reports against the tender conditions. Further, there was no documentary evidence to check if the minimum temperature of bitumen laid was maintained.

Government accepted that installation of SCADA enabled Hot Mix Plant and Rollers was essential as observed by the Audit. It was also stated that action was being taken against the erring officers for lapse on their part, and all CEs had been instructed to ensure implementation of the tender conditions of SCADA enabling system, to bring in greater transparency.

3.2.5.4 Incomplete Bar Chart

Bar chart is maintained every year to show the special repairs and renewals carried out kilometer-wise for last ten years road-wise. This helps in identifying kilometers requiring renewal/repairs *etc.* and framing the repairs programme of the current year.

In eight⁴⁷ divisions, it was noticed that the bar charts were not up to date. It was therefore not possible to ascertain the periodicity of repair works carried out and whether the same chainage of the road was considered for repeated repairs.

The Divisions accepted the omissions and assured that the Bar charts would be updated. Government also stated (October 2017) that all the CE's had been instructed for updating the Bar-chart by 15th November 2017.

47 Ahmednagar, Jalgaon, Satara, Miraj, Solapur, Parbhani. Aurangabad and Wardha

3.2.6 Conclusion

The audit of the Repairs and Maintenance works of State Highway revealed that as against 15,674 works planned, 14,641 works were completed (93 *per cent*) and 1,033 works remained incomplete (seven *per cent*). The repairs and maintenance norms were outdated and needed revisions. The Annual Repair Programmes taken up by the Department were not commensurate with the funds released by the Government thereby creating huge financial liability towards unpaid bills. The overall pendency of bills as on March 2017 was ₹ 368.35 crore whereas bills amounting to ₹ 110.73 crore were pending for more than two years in contravention of Central Vigilance Commission guidelines that payment of contractors' bills should not be delayed. In respect of eight Divisions, the liability towards unpaid bills was more than the total annual average expenditure of those Divisions.

There were some instances of capital works executed from Repairs and Maintenance grants. There were instances of execution of works approved in one group and executed from another group, works were split into many parts and awarded to single bidders, labour co-operative societies and unemployed Engineers contrary to the Government instructions. The test checked works executed were not in conformity with the MORT&H specification and technical norms. There were instances of execution of works in defect liability period from other works resulting in avoidable excess expenditure and drainage works were not executed as per original estimates. There were instances of inadmissible expenditure.

The original invoices of purchase of bitumen by contractors from the Government refineries were not found on record across divisions. The internal control mechanism was weak as the bills were paid without ensuring the mandatory quality control test results.

3.2.7 Recommendations

- **The Annual Repair Programme may be prepared keeping in mind the priority of the works to be executed and commensurate with available budget so that the liability towards unpaid bills is minimized.**
- **Government may ensure that there is no diversion of funds.**
- **The monitoring of works may be strengthened at the field level. It may be ensured that works are executed as per specifications/original challans of bitumen consumed are kept on record, to ensure quality control measures on the executed works.**

**AGRICULTURE, ANIMAL HUSBANDRY, DAIRY
DEVELOPMENT AND FISHERIES DEPARTMENT**

3.3 National Horticulture Mission

Introduction

The National Horticulture Mission (NHM) Programme was launched in the year 2005-06 by Government of India (GoI), Ministry of Agriculture, Department of Agriculture and Co-operation as a Centrally Sponsored Scheme to promote holistic growth in horticulture⁴⁸ through research, technology promotion, extension, processing and marketing. Government of Maharashtra (GoM) constituted (August 2005) State Horticulture Mission (SHM) to take up the NHM Programme in the State. The main objectives of the NHM are to provide holistic growth of horticulture sector through area based regionally differentiated strategies; to enhance horticulture production, improve nutritional security and income support to farm households; to establish convergence and synergy among other ongoing and planned programme; to promote develop and disseminate technologies; and to create opportunities for employment generation for skilled and unskilled persons.

To achieve the NHM objectives, NHM adopted the strategy which included improving post harvest management, processing for value addition and marketing infrastructure. A coordinated approach was planned to promote partnership, convergence and synergy among research and development, processing and marketing agencies in public as well as private sectors at the National, Regional, State and sub-State levels.

Components of the NHM

The main components of NHM implemented in the State, were Protected cultivation through Green House and shade nets, Integrated Post-Harvest Management (IPHM), Creation of water sources, Horticulture mechanisation, Area expansion, Production and distribution of planting material, Rejuvenation/replacement of senile plantation, Promotion of Integrated Nutrient Management (INM)/Integrated Pest Management (IPM) *etc.*

The other components of NHM included Organic farming, Pollination support through bee keeping, Human Resources Development, Establishment of marketing infrastructure and center of excellence *etc.*

Coverage in the State

The NHM was initially implemented in the year 2005-06 in 23 districts of Maharashtra. Later it was extended to six districts⁴⁹ in the year 2006-07, four districts⁵⁰ in the year 2007-08. In all 34 districts⁵¹ of Maharashtra have been covered under the NHM.

48 Horticulture includes flowers, fruits, vegetables and spices

49 Buldhana, Dhule, Nandurbar, Chandrapur, Gondia and Gadchiroli

50 Jalgaon, Hingoli, Osmanabad and Bhandara

51 As a new district Palghar formed (August 2014) thus implemented in 34 Districts

Mission structure and organisational set-up

The NHM programme is being implemented in the State through Maharashtra State Horticulture and Medicinal Plants Board (Board), Pune, a society established by GoM and registered under the Societies Registration Act, 1860. The Principal Secretary to Government of Maharashtra (GoM), Agriculture, Animal Husbandry, Dairy Development and Fisheries Department (Department) is the Chairman of the Board. The Board is responsible for actual execution of the NHM as per guidelines through district level offices *i.e.* District Superintending Agriculture Officer (DSAO) and Panchayati Raj Institutions (PRI).

Audit Scope and Methodology

The compliance audit was conducted (February 2017 to May 2017) covering the period from 2014-15 to 2016-17 with a view to assess the adequacy and effectiveness of the scheme implementation in consonance with the guidelines of NHM through test-check of records of all the components of NHM, in the office of the State Horticulture Mission at State level in *Mantralaya* and Maharashtra State Horticulture and Medicinal Plants Board (Board), Pune. Eight⁵² out of 34 DSAOs, were selected cluster-wise (**Appendix 3.3.1**) based on maximum expenditure in the district.

The reply of the Government received (September 2017) has been considered while finalizing the report.

Audit findings

3.3.1 Planning

The SHM has a two-layered structure, at State Level-State Level Executive Committee (SLEC) and at District level-District Mission Committee (DMC). The SLEC works under the Chairmanship of the Principal Secretary to GoM, Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, having representatives from other Departments/organisations of State Government.

The main functions of the SLEC are to prepare Strategic/Perspective and Annual State Level Action Plans, organise base line surveys and feasibility studies, receive funds from National Mission Authority, release funds to implementing agencies and monitor/oversee implementation of the Mission's programme.

At district level the DMC shall consist of the Collector of the district as Chairman, DSAO as Member Secretary and various district level officials⁵³ as members. The DMC will be responsible for achieving the objectives of the NHM for project formulation, implementation and monitoring.

52 Ratnagiri, Sindhudurg, Pune, Sangli, Ahmednagar, Jalna, Osmanabad and Nagpur

53 Chief Executive Officer, Zilla Parishad; Project Director, District Rural Development Agency; District Marketing Officer; Project Director (ATMA)/DSAO *etc.*

3.3.1.1 Non-conducting of Baseline Survey and feasibility study

As per para 4.8 of Operational guidelines of NHM, State Level Agency was required to prepare a Perspective plan and State Level Annual Action plan (AAP) in consonance with NHMs goal and objectives. It was also to organise baseline survey and feasibility study in different districts for determining the status of the horticulture production, potential and demand to form basis of preparation of the AAP.

Further, as per para 5.2, AAP was needed to be supported with data/write up on outcome of past interventions covering the details of area expansion variety/species introduced, increase in productivity achieved and number of clusters created.

Audit noticed that AAPs though submitted by the Board contained physical and financial targets of various components of NHM, it did not contain essential details of district-wise study of soil quality, climatic conditions, availability of water, crop wise position of area, production and productivity, demarcation of areas for horticulture, future expansion, prospective beneficiaries, suggestions for viability and feasibility of various post-harvest management and bio control labs. Besides, the Board did not issue instructions to the field units prescribing the methodology for carrying out baseline survey/studies which was the basic element for NHM. Thus, there was no documentation of baseline survey conducted by field units available with the Board.

3.3.1.2 Mission achievements under NHM

The summarised status of physical and financial targets and achievements of main components of the NHM implemented in the State during the period from 2014-15 to 2016-17 is shown in **Table 3.3.1**.

Table 3.3.1: Details of physical and financial targets vis-à-vis achievements for the period (from 2014-15 to 2016-17)

Component	Unit Number / Hectares	Physical		Percentage		Financial (₹ in crore)		Percentage	
		Target	Achievement	Achievement	Short-fall	Target	Achievement	Achievement	Short-fall
Protected cultivation	Hectares	4093.96	4301.48	105.06	--	146.15	154.46	105.68	--
Post-harvest management	Number	3309	3281	99.15	0.84	123.97	81.11	65.42	34.57
Community tank	Number	4094	3392	82.85	17.14	77.57	54.91	70.78	29.21
Horticulture Mechanisation	Number	8122	5296	65.20	34.79	26.74	28.96	108.29	--
Area Expansion	Hectares	17099.80	13616.30	79.62	20.37	40.35	25.38	62.90	37.09
Production of planting Material	Number	163	74	45.39	54.60	13.35	6.63	49.66	50.33
Rejuvenation of senile plantation	Hectares	1559	3109.17	199.43	--	2.69	4.06	150.95	--
Total						430.82	355.51		
Source: Information furnished by State Horticulture Mission									
Note: Figures are cumulative figures of three years from 2014-15 to 2016-17									

There was more than 100 *per cent* achievement in components like protected cultivation, rejuvenation of senile plantation and more than 75 *per cent* in post-harvest management, community tank and area expansion. It was meagre in respect of organic farming, bee keeping, establishment of marketing and nil in respect of good agriculture practices (GAP), innovative interventions and technology dissemination.

The Government stated that various components of the NHM were implemented as per demand from the farmers, scope of the newer interventions and crop specific cluster to be developed. Component like Community Tank, Protected cultivation, Area expansion played key role in horticulture development and economic scenario of the farmers. It was impossible without rational, planned and successful implementations of NHM in the State.

The reply of the Government confirmed that AAPs were largely based on the demands of the farmers and the horticulture potential of the districts. As a result, the programme was not implemented with a holistic approach as envisaged in the NHM guidelines. However, for overall development of NHM, base line surveys and feasibility studies were required to be done.

3.3.2 Budget allocation

The GoI share in NHM, upto 2014-15 was 85 *per cent* which was revised to 60 *per cent* in 2015-16 and balance 40 *per cent* share was to be shared by the State Government. Funds released by the GoM to the Board were kept in Nationalised banks. The unspent balances and interest earned during the year were treated as grants for the subsequent year. Apart from NHM other important Government Schemes of the Horticulture Development were Employment Guarantee Scheme linked horticulture Scheme, Rashtriya Krishi Vikash Yojna *etc.*

Funds released by GoI and GoM and expenditure incurred by SHM during the period from 2014-15 to 2016-17 is shown in **Table 3.3.2**.

Table 3.3.2: Statement showing the fund released, interest earned and expenditure incurred

Year	Opening Balance	Receipt				Total availability	Expenditure	Unspent balance
		GoI	State	Total	Interest			
2014-15	4.58	140.00	24.71	164.71	2.80	172.09	165.93	6.16
2015-16	6.16	96.25	58.39	154.64	0.93	161.73	145.52	16.21
2016-17	16.21	46.80	31.20	78.00	1.53	95.74	89.51	6.23
Total		283.05	114.30	397.35	5.26	429.55	400.96	--
<i>Source: information furnished by SHM</i>								
<i>Note: Figures for 2016-17 are provisional</i>								

It was observed that during the period from 2014-15 to 2016-17, GoM delayed release of funds by six to eight months. In 2015-16, GoI released ₹ 8.66 crore (June 2015 and March 2016) under Tribal Sub Plan (TSP) category; however, GoM did not release its matching contribution. During 2016-17, ₹ 3.64 crore was released by GoI (18.05.2016) under this category. The Board could not utilise the entire funds due to non-receipt of applications from TSP category and surrendered (March 2017) ₹ 3.64 crore to the GoM.

The Government stated that since there was balance under TSP grant for the year 2015-16, grants for 2016-17 were surrendered to GoI.

It was observed that during 2014-15, the GoM had spent ₹ 61.17 crore under the TSP Scheme implemented through State Budget (Performance Budget of the Agriculture Department for the year 2016-17) where one of the component was community ponds which was also one of the components under the NHM. Thus the GoM, instead of surrendering the funds, should have drawn up a base-line plan/survey so as to utilise the Central assistance.

3.3.3 Scheme Implementation

The selection of beneficiaries under various components was being done at district level by DMC. If number of beneficiaries applied for were more than available funds, selection was being done through lottery system. Sanctioned subsidy was being released through Hortnet⁵⁴. Project based components were being implemented after sanction by SLEC or Central Level Executive Committee depending on the cost of the project.

3.3.3.1 Protected cultivation

Para 7.25 of NHM Guidelines envisages promotion of protective cultivation activities like construction of shade net house, green house *etc.*, to increase the productivity. The assistance was to be provided @ 50 per cent of the total cost for a maximum area of 4,000 square meter per beneficiary, having own land or land taken on lease duly registered with Deputy Sub-Registrar and also having water source with drip irrigation facility.

During the period from 2014-15 to 2016-17, SHM subsidised 4,301 structures in the State at a cost of ₹ 154.46 crore. In eight selected districts, subsidy of ₹ 76.63 crore was granted to 1,350 structures.

As per Clause 7 of the Agreement with the beneficiary, quarterly progress report of the projects was required to be submitted to the DSAO for a minimum period of five years. In selected districts, Audit noticed that DSAOs did not collect the production particulars from the beneficiaries to establish proper utilisation of the subsidy with increase in production and productivity after implementation. Thus, there was lack of monitoring of the Scheme at the level of DSAOs.

3.3.3.2 Integrated Post Harvest Management (IPHM)

NHM had been implementing 'Post Harvest Management' component, which envisaged creation of a network of infrastructural facilities for storage, transportation, packaging and marketing of horticulture produce, with a view to reduce post-harvest losses and enhance marketability of horticulture produce.

As per the AAPs for the period from 2014-15 to 2016-17, target under the component was 3,309 units, against this the achievement was 3,281 units.

⁵⁴ e-Governance system facilitating filing of online application by the beneficiary to online payment to the beneficiaries Bank account

During the period from 2014-15 to 2016-17, SHM extended partial financial assistance of ₹ 81.10 crore to 1,208 Packaging houses, one pre-cooling unit, 11 cold storage units, one refrigerated van, 370 primary processing units, 37 ripening chambers, 1,596 onion storage structures and 38 integrated cold chain supply system in the State.

In eight selected districts, subsidy of ₹ 29.27 crore was disbursed to 1,980 beneficiaries for various items and observed that;

Non-monitoring of projects assisted under IPHM

As stated earlier, quarterly progress report of the projects was required to be submitted to the DSAO for a minimum period of five years in accordance with Clause 7 of the Agreement with the beneficiary. However, such reports of the assisted projects were neither submitted by the beneficiaries nor insisted by the concerned DSAOs. Thus, they did not evaluate the outcome/impact of the subsidy disbursed.

The Government stated that the process of appointment of agency for evaluation of outcome/impact of the subsidy given under various components of NHM was in progress.

Irregular assistance of subsidy for Integrated Cold Chain system

As per Board's guidelines (2014-15), the maximum subsidy admissible was 35 *per cent* of the maximum project cost of ₹ six crore *i.e.* ₹ 2.10 crore for general areas, and 50 *per cent i.e.* ₹ three crore for hilly and scheduled areas was to be released in two instalments. According to Guidelines, a firm could avail subsidy for multiple projects subject to maximum capacity of 5,000 MT. Further, pre-establishment inspection report and a guarantee letter were to be furnished by the beneficiaries in the prescribed format and the cold storage would be run at least up to seven years. Besides, the quarterly report was required to be submitted till next five years and a declaration that the project proponents had not availed any subsidy from Central/State Government or any other institutions.

The SHM released the subsidy of ₹ 24.31 crore to 38 integrated cold chain systems during the period from 2014-15 to 2016-17. The subsidy was admissible for storage of horticulture products so that their life could be enhanced and wastage be minimized.

In Jalna district, the Board had sanctioned (March 2016) subsidy of ₹ 1.28 crore (35 *per cent* of the eligible cost of ₹ 3.67 crore) to a Cold Storage⁵⁵ and first instalment of ₹ 0.64 crore was also released (March 2017). The project had not been sanctioned by the DMC and pre-inspection report/LOI was not available, as per requirements.

It was observed that the beneficiary which was a partnership firm, a family concern had already availed subsidy under NHM during the year 2011-12 for another cold storage⁵⁶. In the joint physical verification (May 2017), it was seen that both the cold storage units were adjacent to each other and in

55 M/s Navkar Cold Storage, Jalna

56 M/s Arihant Cold Storage, Jalna

the same premises having separate boards of NHM. Thus, the subsidy given was irregular.

The Government stated that according to procedure a person or institute seeking benefits under Post Harvest Management and Marketing Infrastructure need not obtain LoI. If at all, concerned required LoI for sanction of loan from the bank, DSAO was entrusted to issue the same and in this case the unit was not in need of LoI, hence the same was not issued. First instalment of subsidy was released subject to condition of obtaining DMC recommendation prior to release of second instalment of subsidy. According to guidelines, a particular firm could avail subsidy for multiple numbers of projects, subject to limit of 5,000 MT capacity for cold storage project and fulfilment of technical norms.

Reply was not convincing since operational guidelines provided that only projects sanctioned by the DMC were required to be submitted to the Board for further approval. This had not been observed in the instant case. Considering the capacity of both the Storage, the total capacity was 6,589 MT, which was beyond maximum capacity of 5,000 MT. Thus, subsidy given was not in accordance with operational guidelines of the Scheme.

3.3.4 Creation of water sources

NHM Guidelines provided for rendering assistance⁵⁷ for creating water sources through construction of community tanks, farm ponds/reservoirs with plastic/RCC lining to ensure life saving irrigation to horticulture crops.

During the period from 2014-15 to 2016-17, the SHM had created 3,392 community tanks (83 *per cent*) in the State at a cost of ₹ 54.91 crore against the target of 4,094 community tanks, leading to shortfall of 702 community tank (17 *per cent*).

During the same period in selected eight districts the SHM had spent ₹ 18.92 crore on creation of 974 community tanks.

Unfruitful expenditure on incomplete community tanks

As per Operational Guidelines of NHM, the work of community tank should be started within one month from the date of sanction and completed within three months. Assistance as per cost norms was to be released to the beneficiaries, component wise, in three instalments. 80 *per cent* of amount earmarked for earthwork component which would be released on completion of earth-work component; 100 *per cent* of amount earmarked for plastic lining, fencing works would be released after execution of these works by beneficiary farmers, and remaining 20 *per cent* of earth work component on storage of water and installation of information board at the site. In respect of plastic lining, fencing work component, beneficiaries were required to incur expenditure first and the same would be reimbursed on production of

57 100 *per cent* of cost to irrigate 10 ha of command area, with pond size of 100m x 100m x 03m or any other smaller size on pro-rata basis depending upon the command area either use of minimum 500 micron plastic films or RCC lining, owned and managed by a community/farmer group. 50 *per cent* of the cost is admissible for individual beneficiary on pro-rata basis depending upon the command area

purchase bill and site verification by committee⁵⁸. In case beneficiaries failed to complete community tank, financial assistance given for earthwork was to be recovered from them.

In six districts⁵⁹, 2,842 community tanks were sanctioned during the period from 2011-12 to 2016-17, of which 2,008 community tanks (71 *per cent*) had been completed and 834 community tanks (29 *per cent*) costing ₹ 10 crore were incomplete (December 2017).

The subsidy had been granted for earth work/digging component as no further progress was made. The main reason for non-completion of the lining work was stated to be financial crunch and disinterest of the beneficiaries. Since the work were to be completed within three months, due to non-completion of the component of lining works neither water could be stored nor could it be utilised, and the expenditure of ₹ 10 crore did not yield any results.

The Government stated (September 2017) that basically, earthwork for farm ponds was started in January and spreading of plastic lining was done in mid-April and May. Therefore, though earthwork of farm pond was done, it took time to complete plastic lining work.

The reply did not address the incomplete works (834⁶⁰ works) that were pending as on December 2017 and according to the guidelines, these works should be completed within three months and in case beneficiaries failed to complete community tank, financial assistance given for earthwork was to be recovered from them.

3.3.5 Horticulture Mechanisation

Horticulture mechanisation is aimed to improve farm efficiency and reduce drudgery of farm work force. Assistance⁶¹ in this regard is being provided to beneficiaries for procurement of tractors, power tillers and power operated machine and tools.

Under this component assistance amounting to ₹ 28.96 crore was provided to 5,296 beneficiaries in the State during the period 2014-15 to 2016-17 mainly for procurement of tractors and power tillers. During the same period in selected districts assistance of ₹ 14.12 crore was provided to 3,013 beneficiaries.

As per guidelines of the scheme the beneficiaries were required to execute agreement with the DSAO for using, maintaining and keeping the machines serviceable. Further, as per clause 7 of the agreement, the beneficiaries are

58 Comprised of Taluka Agriculture Officer and Circle Officer under the chairmanship of Sub Divisional Agriculture Officer

59 Osmanabad, Nagpur, Jalna, Ratnagiri, Pune and Sangli

60 2011-12, 6 works; 2012-13, 602 works; 2013-14, 51 works; 2014-15, one work; 2015-16, 172 works and 2016-17, 2 works

61 For Tractor: 25 *per cent* of cost subject to a maximum of ₹ 0.75 lakh per unit for general category and in case of SC, ST, Women beneficiaries, small & marginal farmers and beneficiaries in NE states, 35 *per cent* of cost subject to maximum of ₹ one lakh

required to submit quarterly progress report of working of the project to the sanctioning authority (DSAO) till next five years.

Audit observed that in selected districts none of the beneficiaries had submitted the quarterly progress report to the concerned DSAOs.

The Government stated that instructions would be given to all DSAOs for collection and maintenance of quarterly reports.

3.3.6 Area Expansion (Establishment of new gardens) under Mission for Integrated Development of Horticulture

As per NHM guidelines financial assistance was admissible to beneficiaries for establishment of new gardens of fruits, flowers, and spices *etc.*

Under this component during the year from 2014-15 to 2016-17, a total subsidy of ₹ 25.38 crore was released and an extent of 13,616 Ha of land was brought under horticulture in the State. In selected eight districts subsidy of ₹ 6.11 crore was provided for coverage of 3,385 Ha of land during 2014-15 and 2016-17.

NHM guidelines stipulated maintenance of minimum survival rate of 75 *per cent* and 90 *per cent* at the end of first and second year in case of grapes and 90 *per cent* at the end of first year in case of banana and papaya for release of subsequent instalments of subsidy. The assistance was to be released after spot verification reports before and after/during implementation of the scheme.

It was observed that;

- As per Scheme guidelines, total number of plants planted in first year and number of plants survived in second and third year should be mentioned in the measurement books. In Miraj and Walwa talukas of Sangli district, it was noticed that subsidy of ₹ 46.68 lakh⁶² was released to beneficiaries without ascertaining the details such as number of plants purchased and planted in first year, number of plants survived in second and third year. Thus, in absence of year wise spot verification reports and non-mentioning of number of plants survived and percentage of survival *etc.* in the measurement book, the genuineness of assistance paid to the beneficiaries could not be verified in Audit.

The Government stated that instruction would be given to all DSAOs to mention survival plants and percentage in first, second and third year in measurement books.

- As per the guidelines of the scheme, the assistance was payable to Self Help Group (SHG) of farmers. In Osmanabad and Sangli (Taluka Miraj) districts, it was, however, observed that Taluka Agriculture Officers (TAOs) failed to form SHG of farmers and total assistance was paid to the individual farmers, in violation of scheme guidelines.

62 Amount shown is of Miraj Taluka only

- In Osmanabad district, assistance of ₹ 49.11 lakh was provided during first and second year for plantation of grapes as detailed in **Table 3.3.3.**

Table 3.3.3: Statement showing the assistance provided during plantation year
(₹ in lakh)

Year of plantation	First year		Second year	
	Area in Ha	Subsidy Amount	Area in Ha	Subsidy Amount
2012-13	103	30.81	85.10	8.51
2014-15	30	8.06	NA	1.73
Total		38.87		10.24

Source: Information furnished by DSAO, Osmanabad

It was noticed that third instalment had not been released to beneficiaries.

- Assistance of ₹ 13.71 lakh was provided for plantation of banana and papaya fruits during first year as detailed in **Table 3.3.4.**

Table 3.3.4: Details of assistance given for plantation
(₹ in lakh)

District	Fruit	Plantation Year (first)	Area in Ha	Subsidy
Osmanabad	Banana	2013-14	30.12	9.39
Ratnagiri	Banana	2014-15	NA	2.08
Nagpur	Papaya	2015-16	NA	2.24
Total				13.71

Source: Information furnished by respective DSAOs

In subsequent years, no assistance was granted in these districts.

The Government stated that plants were destroyed due to drought and hence subsequent assistance was not released.

Thus, due to non-survival of plants, objective of area expansion could not be achieved and assistance of ₹ 62.82 lakh provided during first and second years have become unfruitful.

3.3.7 Production and distribution of planting material

As per paragraph 7.5 of NHM guidelines for production and distribution of good quality seeds and planting material, assistance was available to eligible beneficiaries for establishment and strengthening of nurseries and Tissue Culture (TC) units.

Under this component ₹ 6.63 crore was spent during the period on 74 beneficiaries (55 per cent) against the targeted 163 beneficiaries.

Tissue Culture units

Under NHM, financial assistance for setting up new TC unit for private sector is 40 per cent of the project cost subject to maximum of ₹ one crore as credit linked back ended subsidy⁶³. Each TC unit shall produce minimum of 25 lakh plants per annum of the mandated crop. In the event of production of lesser number of plants, project cost will be reduced on pro rata basis (subject to its viability). Each TC unit would get itself accredited as per

⁶³ Credit linked back-ended subsidy means the beneficiary should avail a loan from a nationalised bank. After completion of the project joint inspection by Officers of SHM and Bank, the subsidy portion will be released to the Bank against loan

standard norms of Department of Bio-Technology within 18 months from the date of receiving funds, failing which the assistance provided under the Scheme will have to be returned. Further, quarterly report of the project was to be submitted to DSAO for a minimum period of five years.

In six districts⁶⁴, DSAOs had sanctioned subsidy of ₹ 3.46 crore to nine TC units, during 2014-15 to 2016-17. It was noticed that the Board had sanctioned (February 2015 and August 2015) subsidy of ₹ 38.55 lakh to two units at Pune and Akola for establishment of TC Units and released (March 2015 and October 2015) first instalment of ₹ 19.27 lakh. Though these two units had not furnished accreditation certificates within prescribed time limit of 18 months, Board had not taken any action for recovery of the subsidy sanctioned, as envisaged in the guidelines.

It was also noticed that of the seven units functional, none of them had furnished quarterly reports to DSAOs. In absence of these, audit could not ascertain whether these units produced the mandated crop as per sanctioned capacity of production.

The Government stated that instruction would be given to all DSAOs for collection and maintaining quarterly progress report of production of planting materials regularly. It was further stated that the concerned tissue culture units had applied for seed license and after receiving the DBT license and seed license remaining instalment would be released.

The reply was not tenable as each TC units did not obtain accreditation as per standard and norms of Department of Bio-Technology within the stipulated period from the date of receiving funds, failing which the assistance provided under the Scheme had to be returned.

Audit visited one TC unit at Taluka Shirur, Pune, which was sanctioned (November 2014) subsidy of ₹ 50 lakh for production of minimum 25 lakh plants per annum of the mandated crop. The funds were released in two instalments of ₹ 25 lakh each in January 2015 and October 2015 respectively. It was noticed that the average annual production of the unit was in the range of two lakh to seven lakh plants, since commencement of production of plants⁶⁵. As per NHM Guidelines, the sanction would have been to the maximum extent of ₹ 14 lakh on pro rata basis to the extent of actual production capacity of maximum seven lakh. Thus, release of subsidy to extent of ₹ 36 lakh (50-14 lakh) was irregular.

The Government stated that TC unit was under renovation and it would take two to three months for completion. After completion, production of TC plants would start according to demands.

Reply was not convincing as the actual production of TC unit was quite below the mandated production even prior (2013-14 & 2014-15) to sanction of subsidy and also in subsequent years (2015-17). Thus the extent of subsidy sanctioned/released was in contravention of NHM guidelines.

64 Pune, Sangli, Satara, Solapur, Nashik and Akola

65 Year wise production of plants in 2013-14, 6.50 lakh; 2014-15, 6 lakh; 2015-16, 6 lakh and 2016-17, 2 lakh

3.3.8 Rejuvenation/replacement of senile plantation

Rejuvenation of senile plantation was included in the scheme with the objective of replacing the old and unproductive plants and strengthening the plantation of crops like mango, guava by application of pesticides, manure, water *etc.* The SHM reported coverage of 3,109 Ha on rejuvenation of senile plantation after spending ₹ 4.06 crore during the period from 2014-15 to 2016-17. Audit observed following lapses in selected districts where ₹ 0.33 crore was spent on rejuvenation of 326.50 Ha.

As per guidelines of NHM, Survey report for identification of senile and un-productive plants and age of the garden were main criteria for selection of gardens to render assistance. However, in Sindhudurg district where assistance of ₹ 7.76 lakh was paid to 40 beneficiaries for rejuvenation of cashew and mango plants during the period from 2014-15 and 2016-17, survey report and documents regarding age of the gardens for which benefits were extended to the beneficiaries were not available on record.

The Government stated that there was no written record in respect of age of gardens and the same was determined at village level by Agriculture Assistants/Supervisors.

Reply was not tenable as in the absence of baseline survey containing status of old and senile gardens, assistance being granted only on the basis of report prepared by village level Agriculture Assistants/Supervisors was not in consonance with scheme guidelines for selection of beneficiaries.

3.3.9 Other Deficiencies in implementation of the NHM

3.3.9.1 Low representation of the under-privileged

GoI had advised SHMs to ensure that 16 *per cent* and eight *per cent* of NHM funds are targeted for SC and ST beneficiaries respectively and at least 30 *per cent* of funds are earmarked for female beneficiaries/farmers. It was seen that during the period 2014-15 to 2016-17, the achievement in the State were 4.51 to 5.26 *per cent* of SCs, 1.54 to 4.10 *per cent* of STs and 13.04 to 18.63 *per cent* of women beneficiaries under NHM.

The Board stated (February 2017) that most of the population in the SC/ST category were small and marginal farmers and financially backward, therefore, could not bear farmers share of any NHM project. The Government did not reply to the audit observation.

3.3.9.2 Sanctioning subsidy based on invalid invoices

As per NHM guidelines issued by the Board, beneficiaries were required to produce invoices from registered dealers of VAT for purchase of various items. Audit noticed instances of subsidies sanctioned based on invoices without VAT number of the concerned dealers as shown in **Table 3.3.5**.

Table 3.3.5: Details showing subsidy sanctioned on invoices without VAT Number

(₹ in lakh)

Sr. No.	Name of the office	NHM Component	No. of invoices	Amount
1	DSAO, Osmanabad	Protected Cultivation	04	13.00
2	TAO, Baramati, Distt. Pune	--do--	05	23.71
3	TAO, Palus, Distt. Sangli	Horticulture Mechanisation	11	5.92
4	TAO, Palus, Distt. Sangli	Tissue Culture Lab	10	30.15
Total			30	72.78

Source: Information furnished by respective DSAOs

Audit also noticed instances of subsidies sanctioned based on invalid invoices as detailed in **Table 3.3.6**.

Table 3.3.6: Details of sanction of subsidy on invalid invoices

(₹ in lakh)

Sr. No.	Name of the office	NHM Component	No. of invoices	Amount	Agency	Remarks
1	DSAO, Sangli	Tissue Culture Lab	05	4.44	M/s SAS Filtration Technologies Pvt. Ltd., Bhosari, Pune	Date of VAT No./Reg. No. was beyond the date of Invoice
2	TAO, Indapur, Distt. Pune	Protected Cultivation	01	22.14	M/s Ravishankar Engineering Works, Mundawa, Pune	BST No. was printed in the invoice though BST was abolished in 2006.
3	DSAO, Osmanabad	--do--	01	6.55	M/s Shri Siddhivinayak Poly House, Khed, Pune	Invoice No. not available. VAT No. available was of 8 digits only instead of 11 digits
Total			07	33.13		

Source: Information furnished by respective DSAOs

The above seven invoices were cross checked with the Sales Tax Department, which confirmed that the firms were not registered under MVAT Act.

The Government stated that care would be taken to verify the voucher for valuation and confirm that bills having GST number.

3.3.10 Monitoring and Internal controls

Monitoring and Internal Control is an integral part of the system to provide assurance to the management that departmental Rules, Regulations, and Procedures were being complied with.

As discussed in paragraphs on Scheme implementation, DSAOs had not received quarterly progress reports from beneficiaries of various components. However, DSAOs had not taken any action for obtaining the same from the beneficiaries to see that funds released were actually utilised on the components for which grants/subsidy released and scheme objectives were achieved.

It was further noticed that NHM programme was implemented in the State since 2005-06, SHM had not taken any efforts to establish internal audit wing till date (August 2017).

3.3.11 Impact Evaluation

As per the NHM Guidelines, Term end evaluation will be conducted at the end of XII plan period along with concurrent evaluation of all components by engaging suitable agencies/independent agency.

However, since the inception of NHM, Audit noticed that only one component viz. Community Tank had been evaluated by the Board in 2013 covering the period from 2005-06 to 2012-13 and thereafter, Board had not evaluated any component so far.

Due to non-conducting of concurrent evaluation outcome of the projects implemented could not be ascertained.

The Government stated that process of selection of agency for impact evaluation study was in progress.

3.3.12 Conclusion

The Audit of NHM as implemented in the State revealed that the Perspective Plan was not prepared whereas, the Annual Action Plans prepared without conducting baseline survey. The programme implementation was based on the farmers demand. There were cases of delayed release/non-release of State share as well as non-utilisation of the funds of Tribal Sub-Plan for want of beneficiaries.

The implementation of the NHM in the State revealed that in components like protected cultivation, rejuvenation of senile plantation the achievement was more than 100 *per cent* of the targets fixed. The achievement in the components like post-harvest management, community tank, area expansion was more than 75 *per cent*, however, it was meagre in respect of organic farming, bee keeping, establishment of marketing and nil in respect of Good Agriculture Practices (GAP), innovative interventions and technology dissemination, The “Hortnet”-e-Governance system was introduced which facilitated the filing of online applications for financial assistance by the beneficiaries and online release of payments directly to the beneficiaries’ Bank account.

There were instances of irregular release of subsidy under four components. The community tanks were incomplete due to non-provisioning of plastic lining resulting in unfruitful expenditure since the tanks could not be utilised for farming purposes. There were instances of subsidy released to ineligible beneficiaries based on invalid invoices under some components. Fruit plantations assisted under the NHM had not survived due to adverse climate conditions rendering the assistance largely unfruitful.

The field offices had not monitored the outcome of the units and projects assisted under protected cultivation, horticulture mechanisation and post-harvest management for ensuring proper utilisation of the subsidy given.

Except for community tanks the Board did not carry out impact evaluation of any of the components of the NHM.

3.3.13 Recommendations

- **Government may ensure that the baseline survey as contemplated in the NHM guidelines be conducted.**
- **Government may ensure that to increase productivity and reduce the cost of cultivation GAP, innovative interventions and technology dissemination and organic cultivation need to be promoted under the programme. Financial norms for marginal and underprivileged beneficiaries need to be reviewed so as to increase their participation in the scheme.**
- **Government may ensure that the monitoring mechanism is strengthened for timely submission of reports like production particulars and quarterly progress reports by the beneficiaries assisted. Regular evaluation of different components may be conducted so as to watch outcome of the project.**

WATER RESOURCES DEPARTMENT

3.4 Excess payment

Excess payment of ₹ 20.92 crore to contractors and creation of liability of ₹ 10.36 crore due to preparation of defective estimates of 12 LIS of Jigaon Lift Irrigation Scheme.

Jigaon Lift Irrigation Division, Khamgaon (division) allotted the works of construction of 12⁶⁶ Lift Irrigation Schemes (LIS) across Purna river at Nandura Taluka in Buldhana district to six different contractors at a total contract cost of ₹ 1,164.05 crore. The work orders for these six works were issued (February-June 2009) with stipulated period of completion of 36 months for each work.

Clause 15 (1) of the contract conditions envisaged that the Engineer, at any time after the execution of the contract document, if for any reason what-so-ever decides that the whole or any part of the work specified in the contract should be suspended for any period or that the whole or part of the work should not be carried out at all, he can issue a notice to the contractor accordingly and upon receipt of such notice, the contractor shall forthwith suspend or stop the work wholly or in part as required. The contractor shall have no claim to any payment or compensation whatsoever on account of any suspension, stoppage or curtailment of work. If, however, the contractor has purchased any material for use in the contracted work before receipt of notice, the division shall take over those materials on payment of the same.

As per Schedule of Rates (SoR) of Nagpur and Amravati Regions for the year 2008-09, for the item relating to laying of Mild Steel (MS) pipes of diameter less than 600 mm for rising main in a lift irrigation scheme, the rates given in SoR of Maharashtra Jeevan Pradhikaran (MJP) should be adopted.

Scrutiny of estimates of all 12 LIS revealed (October 2016) that in the rate analysis of one⁶⁷ of the items pertaining to laying of MS pipes along Rising Main (150 km), rate of ₹ 28,000 per MT on account of erection charges of pipes was considered. This rate was adopted from the SoR of Mechanical Department which was meant for manufacturing and erection of various types of hydraulic gates and penstocks. During the same period, the charges for laying of pipes as per MJP SoR were ₹ 5,590 per MT only. Thus, adoption of rates of erection for laying of pipes was in contravention to the provisions contained in Regional Schedule of Rates (RSR).

This fact was taken into cognizance by the Executive Director (ED), VIDC in May 2013. However, instead of invoking clause 15 (1) of the contract conditions, instructions were given (September 2013) to make the payment at the rate of ₹ 6,000 per MT on account of laying of MS Pipes instead of ₹ 28,000 per MT. Accordingly, the division while making payment to

66 12 LIS were segregated into six groups viz. Group-1 includes LIS Nos. 1,10,11 and 12; Group-II includes LIS No. 2; Group-III includes LIS No. 3; Group-IV includes LIS Nos. 4,5 and 6; Group-V includes LIS No. 7; and Group-VI includes LIS No. 8 and 9

67 Providing, manufacturing, supplying, erection and laying of MS pipes of various diameters to correct alignment etc. for Rising Main

contractors, restricted the amount on account of laying charges to ₹ 6,000 per MT. Following this, the contractors filed (2015) a writ petition in the Mumbai High Court and the Hon'ble High Court set aside (September 2013) the instructions of VIDC and directed (April 2016) to release the payment at full rate as per the terms and conditions of the contract agreements. The division made payment at the rate ranging from ₹ 19,040 to ₹ 21,009 per MT to the contractors of all 12 LIS on account of laying of M.S. pipes for the quantities of the item executed up to April 2017 and thus, created liability for the balance amount⁶⁸.

Thus, even after knowing the fact that the rate of laying was wrongly taken on higher side the division did not invoke clause 15 (1) of the contract conditions. Instead, the division made payment on account of laying charges at the rate of ₹ 6,000 per MT, which was arbitrary and was not the rate agreed upon in the agreement by the concerned parties.

This resulted in excess payment of ₹ 20.92 crore to the contractors till April 2017. Moreover, the division also created a liability of ₹ 10.36 crore being liable to pay the laying charges at ₹ 28,000 per MT to the contractors as agreed upon in the tender agreements.

In reply, the Executive Engineer stated (October 2016) that the rate of erection of rising main as per mechanical wing of WRD was considered for estimation as per instructions given in the general note of RSR of Nagpur and Amravati region for the year 2008-09. It was also stated that there was no necessity to compare the rate with MJP SoR.

The reply of the EE was not in consonance with facts as the reference given in the general note of RSR relates to MJP rates only. Further, adoption of ₹ 28,000 per MT on account of laying charges meant for erection of gates and penstocks instead of ₹ 5,590 per MT on account of laying charges of pipes derived from MJP SoR was incorrect. In addition, even after the taking cognizance (May 2013) of higher rates of laying charges at ₹ 28,000 per MT by the ED, VIDC, the Division did not invoke clause 15 (1) of the Agreement.

Matter was referred to Government (May 2017 and August 2017) their reply was awaited (December 2017).

3.5 Unfruitful expenditure

3.5.1 Delay in acquisition of land made the project unfeasible as a result expenditure of ₹ 17.88 crore incurred proved to be unfruitful and Mobilization Advance of ₹ 7.98 crore could not be recovered from the contractor.

Paragraph 251 of Maharashtra Public Works (MPW) manual 1984 envisages that no work should be commenced on land which had not been duly made over by the responsible Civil Officer. Further, when tenders for works had been accepted but the land required for the purpose was still to be acquired, the time allowed for the acquisition of the land should be ascertained from the Collectors concerned before orders for commencement of the works.

68 Differential amount of ₹ 28,000 per MT and payment made

Vidarbha Irrigation Development Corporation (VIDC), Nagpur accorded administrative approval (April 2008) for construction of a Lift Irrigation Scheme (LIS) under Pedhi Barrage Project across Pedhi river, in Amravati district at a cost of ₹ 62.76 crore. The administrative cost included, inter alia, ₹ 39.61 crore and ₹ 8.56 crore on accounts of costs of 'C' works⁶⁹ and land acquisition respectively. The technical sanction to the estimate for 'C' works was accorded (December 2008) for ₹ 71.37 crore.

The Executive Engineer (EE), Amravati Project Construction Division (division) awarded (March 2009) the work of construction of 'C' works of Pedhi Barrage LIS to a contractor⁷⁰ at a tender cost of ₹ 79.23 crore with the stipulated period of completion of 30 months from the date of the work order (September 2011). However, the completion date was extended from time to time with the latest being June 2019.

Scrutiny of records (October 2016) of division revealed that the work of the project commenced in March 2009. It was interrupted many times by the land owners who demanded higher compensation and rehabilitation of three villages⁷¹ falling in the submergence zone. The work was stopped in April 2012 and remained stalled till now (September 2017). A total expenditure of ₹ 22.38 crore⁷² (inclusive of Mobilization Advance of ₹ 4.50 crore) was incurred on the project as of September 2017. Further, scrutiny revealed the following:

➤ **Delay in acquisition of land**

Out of 308.21 ha of land required for the project, 169.95 ha of land was acquired (upto August 2015) by the division by paying compensation of ₹ 10.04 crore and process of acquisition of remaining land of 138.26 ha was in progress. During acquisition of balance land, one of the Project Affected Persons (PAP) approached (July 2013) Civil Court, Amravati for higher compensation for his land and the court directed (August 2015) the division to pay the compensation at enhanced rate which, as worked out by Division, amounted to ₹ 54.89 lakh per ha. Further, in anticipation of the demand of enhanced rate of compensation, EE worked out the revised cost of the project at ₹ 345.83 crore⁷³ including the cost escalation in execution as against the original cost of ₹ 62.76 crore and submitted (December 2015) the same to VIDC for approval. This resulted in 550 *per cent* increase in land acquisition cost which adversely affected the Benefit Cost Ratio.

In view of the above, the GoM termed the project as unfeasible⁷⁴ and instructed (December 2016) that unfeasible projects should not be taken up by the department for execution.

69 Construction of Earthen Dam, Barrage along with Gates, Jack well, Pump House, Delivery Chamber, Rising main and allied works

70 M/s. Manisha Infrastructure Pvt. Ltd., Aurangabad

71 Rohankheda, Parvatapur and Donad

72 Land acquisition: ₹ 11.43 crore; Works: ₹ 4.84 crore; Mobilisation advance: ₹ 4.50 crore; and Drawing design: ₹ 1.61 crore

73 Cost escalation in 1) land acquisition from ₹ 8.56 crore to ₹ 169.63 crore and 2) works from ₹ 39.61 crore to ₹ 141 crore

74 In case Benefit Cost ratio of the project is less than one then the project is treated as not feasible

➤ **Non-recovery of Mobilization Advance and interest thereon**

VIDC sanctioned (March 2009) Mobilization Advance (MA) to the tune of ₹ 7.92 crore (10 *per cent* of tendered cost i.e. ₹ 79.23 crore) to the contractor. Accordingly, an amount of ₹ 5.50 crore was released (August 2009) to the contractor after entering into a separate agreement. The principal and interest was to be recovered from the running account bills of the contractor. The Division had recovered (November 2012) ₹ 2.84 crore⁷⁵ as against ₹ 10.82 crore⁷⁶ outstanding from the contractor till March 2017. As the work has been stalled from April 2012, recovery of ₹ 7.98 crore⁷⁷ towards MA for the period from August 2009 to March 2017 could not be made from the contractor.

Thus, non-acquisition of land before execution of the project led to abnormal increase in the cost of the project and finally made the project unfeasible which eventually resulted in unfruitful expenditure of ₹ 17.88 crore and non-recovery of ₹ 7.98 crore towards MA from the contractor.

In reply, the Executive Director, VIDC, Nagpur stated (August 2017) that the maximum expenditure incurred was on the land acquisition which would be essential as and when the project activities resume after appropriate decision or else the land was asset of VIDC. As regards mobilization advance, it was stated that the balance amount could be recovered from the bank guarantee.

The fact remains that the provisions of the MPW manual with regard to availability of land before execution of the project were not complied with. Since the cost benefit ratio of the project got reduced from 1.52 to 0.64, the project was termed as unfeasible and as a result, expenditure of ₹ 17.88 crore incurred on the project proved to be unfruitful as the targeted benefits of the scheme remained unachieved.

As regards recovery of MA from Bank guarantee of the contractor, bank guarantee of ₹ 4.50 crore only existed which was not enough to safeguard the outstanding MA of ₹ 7.98 crore.

The matter was referred to the Government (April 2017 and August 2017). Their reply was awaited (December 2017).

3.5.2 Inordinate delay in acquisition of land required for rehabilitation of Kochi village slowed down the execution of Kochi Barrage Project and resulted in blocking of funds on account of expenditure of ₹ 81.21 crore incurred on gates.

Paragraph 251 of Maharashtra Public Works (MPW) manual 1984 states that no work should be commenced on land which had not been duly made over by the responsible Civil Officer. Further, when tenders for works had been accepted but the land required for the purpose was still to be acquired, the time allowed for the acquisition of the land should be ascertained from the Collectors concerned before orders for commencement of the works.

75 ₹ one crore towards principal and interest thereon ₹ 1.84 crore

76 ₹ 5.50 crore towards principal and interest thereon ₹ 5.32 crore

77 ₹ 4.50 crore towards principal and interest thereon ₹ 3.48 crore

Vidarbha Irrigation Development Corporation (VIDC), Nagpur accorded administrative approval (August 2007) for ₹ 262.25 crore for construction of Kochi Barrage project on Kanhan river in Nagpur district.

It was observed (November 2015) that Irrigation Project Division (IPD), Nagpur issued (April 2009), a letter of intent for the work of construction of barrage to a contractor with a specific condition that the work order would be issued only after he obtains environmental clearance (EC) from the Ministry of Environment and Forests⁷⁸ (MoEF). The contractor obtained EC (February 2012) and the Division issued (February 2012) the work order to the contractor with the stipulated period of completion of 48 months from the date of issue of work order.

The contractor started the civil work from right flank. Out of 16 gates of the spillway, civil work of eight gates up to bottom level⁷⁹ was completed for which ₹ 103.50 crore was paid (April 2017). But, the civil work of left flank along with remaining eight gates could not be started as of April 2017 due to non-rehabilitation of Kochi village as it requires acquisition of 39.44 hectares of land.

It was also observed that although the letter of intent for civil work was issued (April 2009), the proposal for acquisition of 39.44 hectares of land for rehabilitation of Kochi village was submitted to the Collector, Nagpur only in March 2010 and the award for the same was declared in March 2016. The construction of civic amenities for rehabilitation of Kochi village was not started till April 2017.



Kochi Barrage project (December 2016)

Consequently, only 50 per cent civil work of the project could be completed as of April 2017, whereas the administrative cost of the project increased from ₹ 262.25 crore to ₹ 947.24 crore (October 2016).

It was further observed that a separate tender for vertical lift gates and allied works⁸⁰ was floated and the work was awarded (August 2009) for ₹ 68.78 crore to be completed in 48 months i.e. August 2013. 75 per cent of the work was completed till April 2015 and ₹ 81.21 crore was paid to the contractor. However, the gates and associated structure could not be erected

78 Now renamed 'Environment, Forests and Climate Change'

79 It is the base level platform on which gates rest

80 Supply, fabrication and erection of vertical lift gates, stop log gates, pylon structure and allied works

due to incomplete civil work. As a result, the 16 fabricated gates and other allied components were lying in the open, at the site, as shown in the photograph below.



Gates lying idle at the site of work of Kochi Barrage Project (December 2016)

Thus, the department's delay in pursuing the acquisition of land for rehabilitation of Kochi village delayed the progress of the project and led to idling of gates at the site of the work since April 2015. This resulted in blocking of funds on account of the expenditure of ₹ 81.21 crore, incurred on the gates.

In reply, EE, IPD, Nagpur stated (April 2017) that construction of left flank was held up due to delay in rehabilitation of Kochi village. As the Revenue Department was involved in the process, the delay in land acquisition was beyond the control of Irrigation Department. However, as the land acquisition process is being completed, the construction of civic amenities for rehabilitation will start in May 2017 and would be completed in March 2018.

The reply was not convincing as there was delay in moving proposal for acquisition of land for rehabilitation of Kochi village which was initiated in March 2010 after one year from issue (April 2009) of letter of intent for civil work to the contractor. Further, the process of acquisition of land should have been completed as per provision of MPW Manual. Therefore, the gates could not be erected till completion of civil work of the project which could only be started after rehabilitation/evacuation of Kochi village.

The matter was referred to the Government (May and August 2017); their reply was awaited (December 2017).

3.6 Undue benefit to a contractor

Loading of central excise duty in the estimate and non-incorporation of condition for recovery from the contractor led to undue benefit of ₹ 10.18 crore to a contractor.

As per Central Excise Tariff 2005-06 read with general exemption notification number 51(effective from 28 February 2005), all goods fabricated at site of work for use in construction work at such site are exempted from payment of central excise duty (CED). However, CED is payable, if fabrication is done at a site other than the site of the work.

The Executive Engineer (EE), Lift Irrigation Project Division (division), Tirora district Gondia awarded (March 2008) the work of construction of Barrage⁸¹ across Wainganga river under Dhapewada LIS, Stage-II to a contractor⁸² at a cost of ₹ 335.02 crore⁸³ with a stipulated period of completion of 36 months (December 2013). The contractor was paid ₹ 468.17 crore for the work (March 2017).

As per additional conditions of contract, all raw materials such as cement, steel bars etc., required for execution of works should be brought by contractor at his own cost to work site. The material required only for this work should be kept in the godown at site and the record for such material should be maintained. Thus, contractor had to bring material and fabricate the gates at site.

It was observed (July 2015) that CED at 16.32 *per cent* was loaded on the fabrication cost of steel gates in the rate analysis for gates while preparing the estimates of the work. However, the contractor had brought the raw material at the site of the project and fabricated the gates at the work site itself, therefore, no CED was payable by the contractor on the fabrication work. This caused undue benefit on account of CED to the tune of ₹ 10.18 crore to the contractor.

In reply, EE stated (July 2015) that once the rate was accepted and entered into the contract, it could not be reduced later. Further, it was the duty of the contractor to pay the CED and the Excise Department should ensure whether the CED had been paid by the contractor.

The reply of the EE was not convincing as rates applicable for fabrication should be in consonance with the provision of charging CED and contract should have been finalized accordingly.

The matter was referred to the Government (May and August 2017), their reply is awaited (December 2017).

3.7 Unfruitful expenditure

An expenditure of ₹ 6.22 crore incurred on Kawatha Shelu (Storage) Minor Irrigation Scheme proved to be unfruitful due to utilization of unsuitable material for casing and its non-rectification.

Paragraph 5.8.2 of Minor Irrigation (MI) Manual stipulated that the suitability of materials used for construction of earth dams should be ensured by studying their physical properties and testing them in a laboratory.

Work of construction of Kawatha Shelu (Storage) Minor Irrigation Scheme (Scheme) was approved (October 2008) for ₹ 5.48 crore⁸⁴ to create 285 hectare irrigation potential. The Chief Engineer (Special Project), WRD,

81 Included fabrication and erection of gates

82 M/s Soma Enterprise Ltd., Pune

83 38.95 *per cent* above the estimated cost of ₹ 241.10 crore

84 Main works-₹ 3.02 crore, Land acquisition-₹ 1.67 crore and allied works-₹ 0.79 crore

Amravati (CE), accorded (2008-09) technical sanction to the main works⁸⁵ for ₹ 3.19 crore.

The Minor Irrigation Division (MID) No. 1, Washim awarded (March 2009) the main work of the Scheme to a contractor for ₹ 3.34 crore (at 4.98 *per cent* above the estimated cost of ₹ 3.19 crore). The work was stipulated to be completed in March 2011. Work started in March 2009 but could not be completed as stipulated due to delay in acquisition of land. Extension to the work was granted up to June 2013. The project was initially executed by MID No. 1, Washim and subsequently transferred (May 2011) to MID No. 2, Karanja (Lad), district Washim. The project was, further, transferred to MID No. 2, Akola in November 2013 for administrative reasons.

It was noticed (October 2015) that prior to the execution of works, material to be used for casing⁸⁶ was tested in Soil Test Sub-division, Akola and Ram Meghe Institute of Technology & Research, Amravati. Both of them certified (May 2009) that the material was not suitable for casing. However, both the divisions viz. MID No. 1, Washim and MID No 2, Karanja (Lad) did not take cognizance of test reports and allowed the contractor to execute the work of casing by using un-suitable material during 2009-2012. As a result, the embankments in casing zone developed rain cuts measuring five to seven meters and three to four meters in vertical and horizontal surface respectively. These were noticed by the EE, MID No. 2, Karanja (Lad) in June 2013. The material utilised for casing also washed away from the surface as well as from slant portions of the embankment. Even the Report (April 2014) on soil testing of casing work sent to Maharashtra Engineering Research Institute, Nashik confirmed that the samples did not show any properties of casing zone.

Meanwhile, a proposal for ₹ 3.94 crore for removal of the substandard material of casing work, rectification of the defective work and execution of balance work was prepared. Permission was sought (October 2015) from WRD, Government of Maharashtra to remove the deficient work. However, no action was taken by the Government as of September 2017.

During joint physical verification (February 2017) of the site by the audit team with departmental officials it was noticed that no further work was executed since June 2013. The Department had incurred an expenditure of ₹ 6.22 crore⁸⁷ on this project, including ₹ 29.61 lakh for casing zone till September 2017.

In reply, Vidarbha Irrigation Development Corporation (VIDC), Nagpur stated (June 2017) that the project was still under construction and corrective measures would be taken. Further, it was also stated that departmental enquiry was being proposed against the officers concerned for using unsuitable material for casing of the dam and action would be taken accordingly.

Thus, the division's negligence led to defective work. Further, for want of appropriate corrective action to set right the sub-standard work, the Scheme

85 Construction of earthen dam, excavation of approach & Tail Channel, Waste Weir, Head Regulator and other allied works

86 It forms the outer portion of the dam. It is constructed with murum soft rock, or sand and gravel *etc.* Casing provides a cover to the hearting protecting it from cracking. It develops shear resistance against slip, and provides stability to the dam

87 ₹ 2.15 crore on construction, ₹ 4.03 crore on land acquisition and ₹ 0.04 crore on others

was stalled since June 2013 and an expenditure of ₹ 5.92 crore incurred on the Scheme did not yield any results while there was a loss of ₹ 29.61 lakh on deficient work.

The matter was referred to the Government (March 2017 and August 2017). Their reply was awaited (December 2017).

3.8 Excess Payment

Incorrect calculation of price escalation led to excess payment of ₹ 4.55 crore to a contractor.

As per clause-33 of the Tender Agreement, if there was any variation in consumer price index for industrial labour, price of Petrol, Oil and Lubricants (POL) and major construction materials (Cement and Steel) during the operative period⁸⁸ of the contract, price escalation (PE) on this account would be calculated as per the prescribed formula in the agreement. Further, the star rate⁸⁹ of ₹ 250 per bag for cement was prescribed in the agreement.

The work of construction of Cement Concrete Lining (CCL) to Main canal⁹⁰ of the Lower Wardha project was awarded (February 2009) to a contractor⁹¹ for ₹118.16 crore. The contractor was paid ₹ 152.41 crore including ₹ 22.40 crore on account of PE up to January 2017.

Similarly, work of construction of CCL to branch canals⁹² of Lower Wardha project was awarded (July 2009) to the same contractor for ₹ 114.94 crore. The contractor was paid ₹ 149.29 crore including ₹ 32.24 crore on account of PE up to March 2016

It was noticed (May 2016) that in Lower Wardha Canal division, Wardha (division) in both the works, the price escalation was paid separately for cement and other components⁹³. While calculating the price escalation division made excess payment due to considering incorrect star rate of cement; incorrect 'cost of work done' and erroneous period under consideration as given below:

- As per tender agreement, star rate of ₹ 250 per bag i.e. ₹ 5,000 per ton of cement consumed in the work was agreed upon whereas the division considered ₹ 3,700 per ton in calculation of PE. As a result, while calculating the cost of work done under escalation clause for other components, the division considered lesser amount of star rate of

88 The Operative Period of the Contract shall mean the period commencing from the date of the work order issued to the Contractor and ending on the date on which the time allowed for the completion of the works specified in the Contract for work expires, taking into consideration the extension of time

89 As per the Government Resolution issued (May 2005) by Public Works Department of GOM, the star rate of cement shall be taken as the average rate of cement for the quarter preceding the month in which the last date prescribed for the receipt of tender or the rate mentioned in the District Schedule of Rates(DSR), whichever is higher

90 Construction in km 0 to 44 of main canal of Lower Wardha project by mechanical paver and batching plant

91 M/s. Srinivasa Construction Company, Nagpur

92 Construction in km 0 to 26 of Giroli branch canal and in km 0 to 38 of Deoli branch canal of Lower Wardha project

93 Labour, Other material, Petrol, Oil and Lubricants

cement by ₹ 1,300 (₹ 5,000-₹ 3,700) per ton for deduction, leading to higher value of work done for other components. Thus, there was lower escalation amount for cement but the escalation for other component was much higher which resulted in excess payment.

- The cost of work done as per the running account (RA) bills should be considered for calculation of PE. However, out of 24 RA bills, in five⁹⁴ RA bills, division considered incorrect cost⁹⁵, resulting in excess payment of PE.
- For calculation of PE, the indices prevailing in the period under consideration should be the period of the RA Bill in which the work was executed. However, out of 24 RA bills, in four⁹⁶ RA bills the division considered index of incorrect period⁹⁷ resulting in excess payment of PE.

Thus, due to variation in consumer price index of labour, material, POL and cement components for the period from December 2008 to January 2017, the division paid PE of ₹ 54.64⁹⁸ crore to the contractor whereas amount of PE payable to the contractor worked out to ₹ 50.09⁹⁹ crore. This caused an excess payment ₹ 4.55¹⁰⁰ crore in respect of both the works on account of PE to the contractor.

In reply, EE accepted (June 2017) that necessary recovery towards excess payment of PE would be made from contractor's final bill and security deposit.

The matter was referred to Government (May 2017 and August 2017); their reply was awaited (December 2017).

3.9 Blocking of funds

Blocking of ₹ 116.11 crore due to incurring expenditure on work of LIS-III, Ashti district Beed of Krishna Marathwada Irrigation Project without obtaining mandatory environmental clearance.

As per the Environment Impact Assessment (EIA) notification issued (September 2006) by the Ministry of Environment, Forest and Climate Change (MoEFCC), river valley projects having cultivable command area of more

94 RA bills numbered 5th, 6th, 14th, 15th and 17th

95 ₹ 45772393 considered as against ₹ 46488447 (5th RA bill); ₹ 36842156 considered as against ₹ 37505429 (6th RA bill); ₹ 27399966 considered as against ₹ 28931683 (14th RA bill); ₹ 36032915 considered as against ₹ 31228650 (15th RA bill) and ₹ 80134869 considered as against ₹ 180034052 (17th RA bill)

96 RA bills numbered 20th, 21st, 23rd and 24th

97 Period from 12/2013 to 02/2014 considered as against 07/2013 to 02/2014 (20th RA bill); Period from 08/2014 to 10/2014 considered as against 03/2014 to 10/2014 (21st RA bill); Period from 05/2015 to 07/2015 considered as against 11/2014 to 07/2015 (23rd RA bill) and Period from 01/2016 to 03/2016 considered as against 08/2015 to 03/2016 (24th RA bill)

98 ₹ 22.40 crore (main canal) and ₹ 32.24 crore (branch canals)

99 ₹ 21.39 crore (main canal) and ₹ 28.70 crore (branch canals)

100 ₹ 54.64 crore minus ₹ 50.09 crore = ₹ 4.55 crore i.e. ₹ 1.01 crore (main canal) plus ₹ 3.54 crore (branch canals)

than 10,000 ha required prior environment clearance (EC) from the MoEFCC; without which the construction work could not be started.

Godavari Marathwada Irrigation Development Corporation (GMIDC), Government of Maharashtra (GOM) accorded (August 2007) administrative approval (AA) to Krishna Marathwada Irrigation Project (KMIP) for ₹ 2,382.50 crore with an objective to irrigate 87,188 hectares of land. Initially, the project included two Lift Irrigation Schemes (LIS-I and II). In order to seek EC for the above, an application was submitted to Expert Appraisal Committee (EAC) for the project with the provisions of LIS I and II. Accordingly, terms of reference (ToR) were approved (March 2009) by MoEFCC and EIA study was started as per stated ToR. Subsequently, GMIDC revised (August 2009) the project by including another LIS¹⁰¹ at Ashti Taluka (LIS-III) in Beed district to utilize 5.68 TMC water from Ujani Reservoir to irrigate 27,543 hectare land and GoM accorded (August 2009) revised AA to the project at a cost of ₹ 4,845.05 crore.

Scrutiny (December 2016) revealed that Nandur Madhmeshwar Canal (NMC) Division No. 2, Aurangabad under GMIDC, awarded (August 2009) the work of construction¹⁰² of storage tank (ST) at Khuntephal under LIS-III without obtaining EC. In fact, LIS-III did not even find mention in the approved ToR for the Project (consisting of LIS-I and II). Further, there was nothing on record to substantiate the fact that the department had moved for seeking EC for LIS-III.

In EAC meeting held (December 2013), MoEFCC observed that the construction work was started without obtaining EC. It issued directions to stop and suspend all the works on the project and to submit an affidavit with an undertaking not to execute further works on the project without obtaining EC. Accordingly, the work was stopped (December 2013) but the contractor was paid ₹ 116.11 crore for the work executed by him before stoppage of work. As of April 2017, the work was held up for want of EC. Thus, commencing the construction work without obtaining EC in violation of MoEFCC notification resulted in blocking of ₹ 116.11 crore.

The Executive Engineer, NMC stated (April 2017) that, as per the directives of MoEFCC, study report of EIA would be submitted to EAC for obtaining EC.

The matter was referred to Government (May 2017 and August 2017), their reply is awaited (December 2017).

101 The work of Ashti LIS-III included work of approach channel, pump house, rising main, delivery chamber etc. from Ujani reservoir to Sina nimgaon ST (0 to 42.347 km); work of pump house, rising main, delivery chamber etc. from Sina nimgaon ST to Khuntephal ST (42.348 km to 49.667 km) and work of construction of earthen dam, waste weir, distributaries from Khuntephal ST

102 Construction of Earthen dam, waste weir, appurtenant works and sluice of ST

CO-OPERATIVE, MARKETING AND TEXTILES DEPARTMENT

3.10 Unfruitful expenditure

Due to non-execution of electric supply and allied works in the Reshim Sankul Project, the infrastructure created could not be put to use for the last five years which resulted in unfruitful expenditure of ₹ 2.91 crore and blocking up of ₹ 0.52 crore provided for electrification since March 2014.

Government of Maharashtra (GoM) accorded administrative approval (July 2008 and March 2010) for Reshim Sankul Project¹⁰³ under Marathwada Development Programme 2007 at a cost of ₹ 3.43 crore to increase the area for cultivation of silkworms and to provide infrastructural facilities for development of agro based silk industry in Latur district.

Technical sanction was accorded for Phase I work (March 2009) for ₹ 1.35 crore and for Phase II work (April 2010) for ₹ 1.48 crore which also included the cost of electric supply. Both the works were to be executed on the land acquired in October 2008 from Maharashtra Industrial Development Corporation, Latur (MIDC). As per the terms and conditions of the MIDC, the Sericulture Development Officer (SDO), Latur was required to develop the acquired land within five years from the date of taking over its possession from MIDC i.e. by the end of October 2013. The SDO was required to obtain all clearances from MIDC for execution of works.

The project works of Phase I and II were entrusted (September 2008 and April 2010) to Public Works Division, Latur (PWD) as deposit works. The SDO deposited ₹ 1.56 crore (December 2008 to February 2009) and ₹ 1.35 crore (April 2010) to the PWD, Latur for execution of Phase-I and Phase-II works respectively. The civil work of the buildings of Phase I was completed (January 2010) and the work of compound wall, internal roads in Phase I and works of Phase II of the Project were completed (February 2012) at a total cost of ₹ 2.91¹⁰⁴ crore. However, PWD did not execute the work of electric supply. It was only in March 2012 that PWD placed demand of funds of ₹ 1.18 crore (₹ 0.42 crore for electric supply) to SDO for execution of electric supply work with other allied works¹⁰⁵.

Scrutiny of records revealed (February 2014 and January 2017) that demand for electric supply and allied works of ₹ 1.18 crore, raised by PWD was forwarded (March 2012) to the Director of Sericulture. The fund of ₹ 0.52 crore was sanctioned (March 2014) by the Director of Sericulture and released to PWD in March 2014. The SDO requested (July 2014) to MIDC to issue No Objection Certificate (NOC) for execution of electric supply work, however, MIDC did not issue the same on the plea that the time period for

103 Phase I work of the project includes construction of Administrative building, Reeling centre, Rearing Centre, auction hall, internal road and compound wall was administratively approved in July 2008 for ₹ 1.94 crore and Phase II work of the project includes construction of Farmers training centre and hostel building in the office campus was administratively approved in March 2010 for ₹ 1.50 crore

104 ₹ 1.56 crore + ₹ 1.35 crore

105 Work of electric supply line, installation of distribution point, water supply and land levelling

development of project (October 2013) had lapsed and further extension by paying additional service charges was not obtained. It was also observed that for granting extension to the Project up to March 2017, MIDC demanded (August 2016) ₹ 0.17 crore and ₹ 0.07 crore on account of late penalty along with service charges.

Thus, lack of pursuance and co-ordination between SDO and PWD in providing supply of electricity, the Reshim Sankul project could not be put to use even after passage of five years from completion of its civil works.

This resulted in unfruitful expenditure of ₹ 2.91 crore besides blocking up of funds of ₹ 0.52 crore since March 2014.

The Government stated (August 2017) that concerned authorities were directed to complete the remaining works of Reshim Sankul at the earliest.

FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT

3.11 Injudicious decision on procurement of *Tur Dal*

The State Government's decision of not availing the benefit of subsidised *Tur* allocated by Government of India and instead purchasing *Tur dal* locally through NCDEX, at higher rates resulted in avoidable extra expenditure of ₹ two crore. Of the purchased *Tur dal*, the Government has suffered a loss of ₹ 1.78 crore on account of unsold stocks rendered unfit for human consumption.

Maharashtra State witnessed unprecedented price rise of pulses especially *Tur dal*, due to drought conditions consecutively in the year 2014 and 2015. The monthly average retail price of the *Tur dal* in Mumbai had increased from ₹ 82 per kg (April 2015) to ₹ 164 per kg (October 2015).

Scrutiny of records (October 2016) of Food, Civil Supplies and Consumer Protection Department (Department), Government of Maharashtra (GoM) revealed that Government of India (GoI) had allocated (May 2016) 776.813 MT of *Tur* at the rate of ₹ 66 per kg to the GoM from the buffer stock created under Price Stabilisation Fund¹⁰⁶ (PSF Scheme) with assurance of additional allocation of *Tur*. GoI further allocated additional 1,994.381 MT (June 2016) and 1,581.092 MT (July 2016) *Tur* respectively on the same rate. Thus, GoI allocated 4,352.286 MT of *Tur* to GoM, with the condition that the *Tur* so allocated was to be sold to consumers in open market, as part of market operations for price control measures.

The GoM decided (July 2016) to engage the Maharashtra State Co-operative Marketing Federation Ltd, Mumbai (Federation) for lifting, milling of *Tur*, packing and transportation of one kg of *Tur dal* per person at a time for sales in open market through private agencies¹⁰⁷ in Mumbai, Pune, Aurangabad and

106 Government of India has launched PSF Scheme in March 2015 with a corpus of ₹ 500 crore for procurement and distribution of agri-horticultural commodities, to mitigate hardships to consumers

107 The Grain & Oil Merchant Associations, Navi Mumbai; Apna Bazar, Big Bazar, Reliance Fresh, D-Mart in Mumbai, Pune, Aurangabad and Nagpur

Nagpur¹⁰⁸ at the rate of ₹ 120 per kg (which was reduced to ₹ 95 per kg in August 2016). Accordingly, Federation lifted 774.086 MT *Tur* from the buffer stock of GoI costing ₹ 5.11 crore between 1 August 2016 and 23 September 2016. Out of the 556.646¹⁰⁹ MT *Tur dal* obtained after milling, 554.645 MT *Tur dal* were sold in Mumbai and Thane Region and two MT in Pune Region during the period from 14 August 2016 to 10 October 2016 at the rate of ₹ 95 per kg.

Meanwhile, GoM decided (July 2016) to procure 7,008 MT *Tur dal* per month from NCDEX e-Market Ltd, Mumbai (NCDEX) for distribution of one kg *Tur dal* per month at the rate of ₹ 120 per kg to Antyodaya Anna Yojana (AAY) and Below Poverty Line (BPL) card holders¹¹⁰ of the State through Targeted Public Distribution System (TPDS). The Department thus, procured (July 2016) 6,639.496 MT of *Tur dal* for the month of August 2016 at an average rate of ₹ 102.12 per kg, and sold 6,464.906 MT through TPDS at ₹ 103 per kg between August 2016 and May 2017. 174.590 MT remained unsold and was lying with District Supply Officers (May 2017).

We observed that:

- Though, GoI had allocated *Tur* at subsidised rates (₹ 66 per kg) in May 2016, GoM took considerable time of about three months for its lifting, milling, packaging and transportation to the private agencies and sold the *Tur dal* in the open market only in August 2016. The Department had delayed the advance payment of ₹ 5.12 crore to the Federation and there were subsequent delays by the Federation in finalisation of the milling contract of *Tur*. In the meanwhile, the *Tur dal* prices in open market in Mumbai continued to be high ranging from ₹ 148 per kg (May 2016) to ₹ 129 per kg (August 2016).
- The decision of GoM to purchase 7,008 MT *Tur dal* through NCDEX at an average rate of ₹ 102.12 per kg and its distribution to the AAY and BPL card holders through TPDS was not prudent since they did not even lift 3,575.473 MT of *Tur* (2571.123¹¹¹ MT *Tur dal*) released by the GoI at subsidised rates of ₹ 66 per kg. Thus the GoM lost an opportunity to control the prices of *Tur Dal* in the open market, which was the main objective of the GoI allocation. The decision to purchase at higher rates from NCDEX also resulted in avoidable additional expenditure of ₹ two crore¹¹² to the State exchequer.
- It was seen that 174.590 MT *Tur dal* procured from NCDEX costing ₹ 1.78 crore¹¹³ remained unsold (May 2017) and was lying with District Supply Officers for more than nine months. This unsold stock had lost its shelf life as the *Tur dal* sold in open market was best for consumption for six months from the date of packaging.

108 Nagpur was subsequently replaced with Nashik due to decline in prices of *Tur dal*

109 $774.086 \times 71.91 \text{ per cent (recovery rate)} = 556.646$

110 $AAY=24,72,753 \text{ and } BPL=45,34,836 = 70,00,000$

111 $3,575.473 \text{ MT} \times 71.91\% = 2,571.123 \text{ MT (i.e. } 25,71,123 \text{ kg)}$

112 $25,71,123 \text{ kg} \times ₹ 7.80 (\text{₹ } 102.12 - ₹ 94.32) = ₹ 2,00,54,759.40$

113 $1,74,590 \text{ kg} \times ₹ 102.12 = ₹ 1,78,29,130.80$

The Government stated (July 2017) that the delay in procurement of *Tur* from GoI for administrative reasons such as arranging for funds. However, they stated the decision was taken with approval of the Cabinet to not purchase / lift further allocation from GoI on the grounds that the prices of *Tur dal* were on decline. In respect of unsold *Tur dal* it was stated that GoM would sell the same by auction in each district and the loss if any would be borne by GoM.

Thus, the decision of State Government of not availing the benefit of subsidies *Tur* allocated by Government of India and instead purchasing *Tur dal* locally through NCDEX at higher rates resulted in avoidable extra expenditure of ₹ two crore. The State Government has suffered a loss of ₹ 1.78 crore on account of unsold stocks of *Tur dal* rendered unfit for human consumption.

AGRICULTURE, ANIMAL HUSBANDRY, DAIRY DEVELOPMENT AND FISHERIES DEPARTMENT

3.12 Idling of equipment purchased under Rashtriya Krishi Vikas Yojana

Improper planning on the part of Commissioner/Department in registration of machine and construction of dark room resulted in idling of machineries worth ₹ 2.21 crore for more than four years.

Agriculture, Animal Husbandry, Dairy Development and Fisheries Department (Department), Government of Maharashtra (GoM) accorded (July 2010) administrative approval for implementation of scheme of Strengthening and Modernisation of Veterinary Institutions (Scheme) under Rashtriya Krishi Vikas Yojana (RKVY). State Level Sanctioning Committee (SLSC) approved (October 2010) the State Level Plan of ₹ 147.36 crore. The Technical Committee, Animal Husbandry, GoM, Pune approved (March 2011) the plan of ₹ 19 crore for purchase of modern machineries and equipment and non-residential construction for District Veterinary Polyclinics and Taluka Mini Veterinary Polyclinics. Accordingly, Department sanctioned and released (March 2011) a fund of ₹ 19 crore under RKVY for purchase of machineries and equipment.

Our Scrutiny (November 2016/May 2017) revealed that Commissioner of Animal Husbandry issued (March 2011) purchase orders of ₹ 17.23 crore for supply of machineries¹¹⁴, to be supplied to District Veterinary Polyclinics and Taluka Mini Veterinary Polyclinics. The machineries were supplied between March 2011 and August 2012.

In the meantime, Department issued (August 2012) instructions to the Commissioner for registration of all the Ultra Sonography machines (USG) with the concerned Authority under Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 (PCPNDT Act). Accordingly, Commissioner issued (August 2012) instructions to all the Regional Officers of Animal Husbandry for registration of USG.

114 Ultra-Sonography machines (121 number ₹ 7.11 crore); X-ray (handy) machines (125 number ₹ 3.11 crore); Blood Analyser (Haematological) (175 number ₹ 5.44 crore) and Blood Analyser (Bio-chemical) (175 number ₹ 1.57 crore)

Since, the USG were not registered and put to use, Commissioner requested (January 2013/February and March 2013) Commissioner, Family Welfare and Director, National Health Mission (NHM), Public Health Department for issue of instructions to all the concerned for early registration of the USG under PCPNDT, Act, and also requested (June 2013) the Department to take up the issue with the Public Health Department (PHD) for early registration.

In response, Commissioner, Family Welfare and Director, NHM, Public Health Department, GoM issued (December 2014) guidelines/directives for registration of USG of Animal Husbandry Department under Section 18 of PCPNDT Act. In turn, Department issued (May 2016) instructions for registration of USG machines under PCPNDT Act.

Pursuant to the Government directives (December 2014), the Commissioner, Animal Husbandry, GoM, Pune had demanded additional fund for the registration charges of ₹ 25,000 per USG machine through the supplementary demands in the year 2014-15, 2015-16 and 2016-17. The Department, however, released the funds only in September 2016.

Thus, the 25 USG machines costing ₹ 1.47 crore remained non-functional (November 2017) since their procurement (March 2011 and August 2012) due to non-registration of USG machines under PCPNDT Act.

It was also noticed that as per RKVY guidelines, web based Management Information System existed; however, the data regarding cost of machinery and dispensary benefited were only updated. In effect, there was no monitoring to review the installation/registration and utilisation of these USG machines.

Test check of 27 USG machines registered under PCPNDT Act revealed that 11 USG machines were in working conditions and samples were analysed but in respect of 13 USG machines, though in working conditions, no samples were tested and three USG machines were not working.

We further noticed that the X-ray machines and Blood Analysers worth ₹ 0.74 crore ¹¹⁵ purchased between March 2011 and July 2011 were also not functional (July 2017) since procurement. This was due to non-construction of dark rooms for X-ray machines and want of reagents for blood analyser equipment.

It was also noticed that the warranty period of USG machines (supplied between March 2011 and August 2012), X-ray (handy) machines (supplied between May 2011 and July 2011) and Blood Analysers (supplied between March 2011 to June 2011) had already lapsed since warranty period of these machines were one and one and half years from the date of supply.

Government stated (November 2017) that the registration process of USG machines under PCPNDT Act would be completed and the machines would be made functional. In respect of X-ray machines and Blood Analysers, it was stated that special efforts would be taken to make them functional at the earliest.

115 X-ray (handy) (20 numbers ₹ 49.77 lakh), Blood Analyser (Bio-chemical) machines (six numbers ₹ 5.39 lakh) and Blood Analyser (Haematological) machines (six number ₹ 18.66 lakh)

Thus, improper planning coupled with abnormal delays in finalization of the registration process and non-availability of dark rooms and consumables for the equipment, resulted in idling of machineries worth ₹ 2.21 crore purchased between March 2011 and August 2012 (November 2017) besides, warranty of these machines had already expired.

PUBLIC WORKS DEPARTMENT

3.13 Delay and cost escalation due to lack of planning and frequent changes in scope of work

Lack of planning on the part of both the Dean, Sasoon Hospital, Pune and EE, PWD, Pune to provide for all the requirements at the planning stage of the project itself resulted in increase in cost from ₹ 34.40 crore to ₹ 164.58 crore. Besides the hospital building remained incomplete for more than six years after the scheduled date of completion, depriving the patients of the benefits of medical care with modern facilities.

The Medical Education and Drugs Department (MEDD), Government of Maharashtra (GoM) had accorded (October 2008) Administrative Approval (AA) for construction of a multi-storied (Ground + upper nine floors) hospital building having inpatient, outpatient facilities, operational theatre *etc.* at an estimated cost of ₹ 39.98 crore. The hospital building was to be constructed by demolishing the existing old building in the compound of the Sasoon Hospital, Pune. The work was awarded (May 2009) by the Executive Engineer (EE), Public Works Division (PWD), Pune to a contractor¹¹⁶ at a cost of ₹ 34.40 crore, with stipulated period of completion of 30 months from the date of issue of work order *i.e.* by November 2011.

Scrutiny of records (July 2014 and March 2016) of the EE, PWD, Pune and Office of Dean, Sasoon Hospital, Pune (January 2017) revealed that despite an expenditure of ₹ 61.33 crore (March 2017), (which included payments of extra items (EIRL) of ₹ 26.15 crore and Clause 38¹¹⁷ payment of 15.28 crore), though the RCC work of all the floors, terrace and water tank were completed, the works such as plaster of all the floors, floorings, doors, windows, plumbing, painting, drainage works and sanitary fittings and water-proofing work of terrace remained incomplete (July 2017).

It was observed that;

- The PWD had submitted the plans and drawings to the planning authority *i.e.* Pune Municipal Corporation (PMC) in April 2009. The PMC gave their comments on 18 May 2009, the work order was issued on 28 May 2009 which, however, did not include the main item of refuge area for the higher floors in the original estimates/tender/work order. Since, the work order was issued before the approval (October 2009) of the plan by PMC, the increased quantities were executed under Clause 38 of the Agreement and payment of ₹ 15.28 crore was made towards the refuge area changes.

116 M/s Reddy Construction, Latur

117 Contractor is bound to execute the increased quantity by 25 *per cent* of the tender quantity at the tendered rates. Beyond quantity of 25 *per cent* of tender quantity, the execution of work will be either at Current District Schedule of Rate or agreed upon rates

Thus, the PWD being the nodal agency for construction of works should have provided for the municipal mandatory provisions of refuge area in high rise buildings. Failure to do so, resulted in avoidable financial burden of ₹ 2.98 crore¹¹⁸, to the exchequer (due to the difference in District Schedule of Rates (DSoR) for executing the items at a later date).

- Further, as per GoM's instructions (August 2010), it was mandatory to use e-Tendering system from 01 October 2010 for all tenders having an estimated value of ₹ two crore and above for procurement of goods, services and works. Due to vertical expansion of the building for providing refuge area, MEDD, GoM accorded (November 2010) another AA for ₹ 34.15 crore for ancillary works like lifts and staircase *etc.* of the Hospital building. Scrutiny revealed that instead of inviting fresh tenders, the works under new AA were also awarded by the EE, Pune to the existing contractor as EIRL. This was contrary to provisions of MPW Manual and GoM's instructions.
- The Contractor was paid ₹ 26.15 crore as EIRL (March 2017) which included ₹ 12.49 crore on account of change in grade of concrete, water-proofing work as a result of change in the plan and design of the hospital building. The remaining amount of ₹ 13.66 crore was on account of providing and applying external stone-crete plaster, gypsum plaster for ceiling, providing cement based water proofing coating with fiber glass, providing vitrified matt finish tiles, providing white base glossy finish tiles *etc.* as per the additional requirement of the hospital. Thus, the additional extra items of ₹ 26.15 crore (approximately 35 *per cent* of the total cost of ₹ 74.13 crore of both the AA), indicated the poor planning in assessment of the requirement by the MEDD/Sasoon hospital, Pune.
- The Dean, Sasoon Hospital proposed (September 2014) further additional changes to the hospital building such as 100 Nursing rooms, fire-fighting system, modular operation theater, electrification and air-conditioner system *etc.* MEDD also decided (March 2016) to appoint a medical consultant to provide expertise to PWD at a cost of ₹ 2.09 crore. To execute the work as per the revised plan and specification of the medical consultant and Dean, Sasoon hospital, the pace of work being executed by the Contractor slowed down.

The MEDD accorded (April 2016) another AA for ₹ 109.58 crore for internal works necessitated due to the changes made to building work. Further action like calling of tender *etc.* was not done since the building completion which was essential for starting internal works was pending with EE, Pune (July 2017).

- EE, Pune prepared and submitted (October 2016) a revised estimate for ₹ 164.58 crore (which included balance civil work of ₹ 48.07 crore, medical gas pipeline system of ₹ 23.77 crore, electrification work of ₹ 20.32 crore) to MEDD through Dean, Sasoon Hospital, Pune, and the same was pending approval (December 2017). Thus, the possibility of

118 As per Clause 38: ₹ 15,28,25,813 (-) As per tendered: ₹ 12,30,65,574 (+) Savings ₹ 1,78,308= ₹ 2,97,60,238

further delay in completion of construction of Hospital building cannot be ruled out.

The Government stated (February 2018) that fire-fighting measures and vertical expansion, which were not included in the original plan submitted by the Architect, PWD to the PMC, were included subsequently as per the suggestion of PMC. Further, 100 nursing rooms on chargeable basis were provided in order to cater to growing demand of providing nursing home facilities in Government hospital. It was further stated that the additional items, which were not provided in the original AA, were included as per the recommendations of Medical Consultant. The multi-storey hospital building would come in use for patients in forthcoming year.

The reply also corroborated the fact that there was lack of planning on the part of both the Dean, Sasoon Hospital, Pune and EE, PWD, Pune to provide for all the requirements at the planning stage of the project stage itself. This resulted in increase in cost from ₹ 34.40 crore to ₹ 164.58 crore. Besides, the Hospital building was incomplete for more than six years after the scheduled date of completion, depriving the patients of the benefits of medical care with modern facilities.

Nagpur,
The 09th March, 2018



(RAJDEEP SINGH)

Accountant General (Audit)-II,
Maharashtra, Nagpur

Countersigned

New Delhi,
The 13th March, 2018



(RAJIV MEHRISHI)

Comptroller and Auditor General of India