CHAPTER I GENERAL

1.1 Trend of revenue receipts

The tax and non-tax revenue raised by the Government of Andhra Pradesh during the year 2007-08, the State's share of divisible Union taxes and grantsin-aid received from the Government of India during the year and the corresponding figures for the preceding four years are mentioned below:

					(Rup	pees in crore)		
Sl. No.	Particulars	2003-04	2004-05	2005-06	2006-07	2007-08		
Ι	Revenue raised by the St	Revenue raised by the State Government						
	• Tax revenue	13,805.93	16,254.50	19,207.40	23,926.20	28,794.05 ¹		
	• Non-tax revenue	3,604.65	3,755.57	4,691.37	6,487.83	7,064.13		
	Total	17,410.58	20,010.07	23,898.77	30,414.03	35,858.18		
п	Receipts from the Gover	mment of In	dia					
	• State's share of divisible Union taxes	5,068.53	6,058.51	6,950.86	8,866.00	11,183.64		
	• Grants-in-aid	4,389.39	2,680.92	4,001.56	4,965.44	7,100.73		
	Total	9,457.92	8,739.43	10,952.42	13,831.44	18,284.37		
III	Total receipts of the State (I + II)	26,868.50	28,749.50	34,851.19	44,245.47	54,142.55		
IV	Percentage of I to III	65	70	69	69	66		

The above table indicates that during the year 2007-08, the revenue raised by the State Government was 66 *per cent* of the total revenue receipts (Rs. 54,142.55 crore). The balance 34 *per cent* of the receipts during 2007-08 was from the Government of India.

For details please see Statement No.11- Detailed accounts of revenue by minor heads in the Finance Accounts of Andhra Pradesh for the year 2007-08. Figures under the major heads '0020-Corporation tax, 0021-Taxes on income other than corporation tax, 0028-Other taxes on income and expenditure, 0032-Taxes on wealth, 0037-Customs, 0038-Union excise duties, 0044-Service tax and 0045-Other taxes and duties on commodities and services - share of net proceeds assigned to states booked in the Finance Accounts under A-Tax revenue have been excluded from revenue raised by the State and included in the State's share of divisible Union taxes in this table

	(Rupees in crore)						
SI. No.	Head of revenue	2003-04	2004-05	2005-06	2006-07	2007-08	Percentage of increase (+)/ decrease (-) in 2007-08 over 2006-07
1.	Sales tax	8,395.70	9,988.64	11,524.24	14,222.67	17,593.41	(+) 23.70
	Central sales tax	791.23	1,051.96	1,017.37	1,244.41	1,433.08	(+) 15.16
2.	State excise	1,914.98	2,092.67	2,684.57	3,436.63	4,040.69	(+) 17.58
3.	Stamp duty and registration fee	1,111.75	1,387.91	2,013.45	2,865.38	3,086.06	(+) 7.70
4.	Taxes and duties on electricity	138.52	137.58	151.96	151.05	195.36	(+) 29.33
5.	Taxes on vehicles	1,067.76	1,168.64	1,355.74	1,364.74	1,603.80	(+) 17.52
6.	Taxes on goods and passengers	44.55	65.59	50.35	41.25	80.29	(+) 94.64
7.	Other taxes on income and expenditure, tax on professions, trades, callings and employments	168.35	180.21	227.07	312.21	355.72	(+) 13.94
8.	Other taxes and duties on commodities and services	135.58	144.81	110.62	148.84	171.00	(+) 14.89
9.	Land revenue	34.52	33.59	68.75	113.50	144.39	(+) 27.22
10.	Taxes on immovable property other than agricultural land	2.99	2.90	3.29	25.52	90.25	(+) 253.64
	Total	13,805.93	16,254.50	19,207.41	23,926.20	28,794.05	(+) 20.35

1.1.1 The following table presents the details of tax revenue raised during the period from 2003-04 to 2007-08:

The following reasons for variation were reported by the concerned departments:

- **Taxes and duties on electricity:** The increase in revenue was stated to be due to increase in collection of receipts on account of taxes on consumption of electricity and sale of electricity.
- **Transport:** The increase in revenue was stated to be due to increase in registration of two and four wheelers.
- Land revenue: The increase in revenue was stated to be due to deployment of regular Village Revenue Officers (VROs).

- **Taxes on immovable property other than agricultural land:** The increase was stated to be due to increase in number of impressing documents and sale of stamps.
- **Taxes on goods and passengers:** The increase was stated to be due to increase in collection of receipts under tax on entry of goods into local areas.

The other departments did not inform (November 2008) the reasons for variation, despite being requested (May 2008) and reminded (August 2008).

1.1.2 The following table presents the details of major non-tax revenue realised during the period from 2003-04 to 2007-08:

						(Rı	ipees in crore)
Sl. No.	Head of revenue	2003-04	2004-05	2005-06	2006-07	2007-08	Percentage of increase (+)/decrease (-) in 2007-08 over 2006-07
1.	Interest receipts	1,818.53	1,710.44	2,039.52	2,231.17	3,525.34	(+) 58.00
2.	Other non-tax receipts	545.24	496.65	505.05	682.73	711.03 ²	(+) 4.15
3.	Forestry and wild life	92.95	121.68	137.93	87.11	90.92	(+) 4.37
4.	Non-ferrous mining and metallurgical industries (mines and minerals)	771.57	873.53	1,062.57	1,321.25	1,597.56	(+) 20.91
5.	Miscellaneous general services	153.63	243.34	703.47	1,865.90	778.64	(-) 58.27
6.	Power	44.90	25.15	22.26	22.11	25.13	(+) 13.66
7.	Major and medium irrigation	15.52	56.27	47.82	68.81	42.03	(-) 38.92
8.	Medical and public health	29.30	28.88	40.59	34.19	67.31	(+) 96.87
9.	Co-operation	23.07	21.16	12.45	23.61	39.14	(+) 65.78
10.	Public works	7.11	6.14	7.20	7.09	7.56	(+) 6.63
11.	Police	59.05	50.15	62.94	79.12	99.83	(+) 26.18
12.	Other administrative services	43.78	122.18	49.57	64.73	79.64	(+) 23.03
	Total	3,604.65	3,755.57	4,691.37	6,487.83	7,064.13	(+) 8.88

The following reasons for variations were reported by the respective departments:

² Includes dividends and profits also

Interest receipts: The increase in revenue was stated to be due to increase in collection of interest from departmental commercial undertakings and other receipts.

Medical and Public Health: The increase in revenue was stated to be due to increase in collection of receipts from Employees State Insurance Scheme.

Other administrative services: The increase in revenue was stated to be due to increase in collection of passport fees and fire protection and control.

Non-ferrous mining and metallurgical industries (mines and minerals): The increase in revenue was stated to be due to increase in consumption of minor mineral used in various irrigation projects. Besides, the royalty received on account of sale of sand was credited to the department in pursuance of sand policy promulgated by the Government. These receipts were earlier credited to Panchayat Raj Department.

The other departments did not inform (November 2008) the reasons for variations, despite being requested (May 2008) and reminded (August 2008).

1.2 Variation between the budget estimates and actuals

The variations between the budget estimates and actuals of revenue receipts for the year 2007-08 in respect of the principal heads of tax and non-tax revenue are mentioned below:

				(R	upees in crore)
SI. No.	Head of revenue	Budget estimates	Actuals	Variations excess (+) shortfall (-)	Percentage of variation
Tax r	evenue				
1.	Sales tax	20,568.00	19,026.49	(-) 1,541.51	(-) 7.49
2.	State excise	4,125.00	4,040.69	(-) 84.31	(-) 2.04
3.	Stamp duty and registration fee	3,750.00	3,086.06	(-) 663.94	(-) 17.71
4.	Taxes and duties on electricity	175.83	195.36	(+) 19.53	(+) 11.11
5.	Land revenue	129.48	144.39	(+) 14.91	(+) 11.52
6.	Taxes on vehicles	1,892.40	1,603.80	(-) 288.60	(-) 15.25
7	Other taxes and duties on commodities and services	284.49	171.00	(-) 113.49	(-) 39.89
8.	Taxes on goods and passengers	75.93	80.29	(+) 4.36	(+) 5.74
9.	Taxes on immovable property other than agricultural land	15.00	90.25	(+) 75.25	(+) 501.67
Non-	tax revenue				
10.	Interest receipts	3,620.26	3,525.24	(-) 95.02	(-) 2.62
11.	Non-ferrous mining and metallurgical industries (mines and minerals)	1,750.00	1,597.56	(-) 152.44	(-) 8.71
12.	Forestry and wild life	145.53	90.92	(-) 54.61	(-) 37.52

The following reasons for variations were reported by the concerned departments:

- **Taxes and duties on electricity**: The increase in revenue was stated to be due to increase in collection of receipts on account of taxes on consumption of electricity and sale of electricity.
- Non-ferrous mining and metallurgical industries (mines and minerals): The shortfall was stated to be due to stay orders granted by the Honourable Supreme Court on collection of cess on mineral bearing land. Besides, the proposals for revision of royalty rates were pending with the Government of India.
- **Taxes on vehicles**: The shortfall was stated to be due to non-payment of tax by Andhra Pradesh State Road Transport Corporation (APSRTC).

The other departments did not inform (November 2008) the reasons for variations, despite being requested (May 2008) and reminded (August 2008).

1.3 Cost of collection

The gross collection in respect of the major revenue receipts, expenditure incurred on collection and the percentage of such expenditure to gross collection during the years 2005-06, 2006-07 and 2007-08 along with the relevant all India average percentage of expenditure on collection to gross collection for 2006-07 are mentioned below:

					(R	upees in crore)
Sl. No.	Head of revenue	Year	Gross collection	Expenditure on collection of revenue	Percentage of cost of collection to gross collection	All India average percentage for the year 2006-07
1.	Sales tax	2005-06	12,541.61	145.86	1.16	
		2006-07	15,467.08	166.07	1.07	0.82
		2007-08	19,026.49	175.73	0.92	
2.	State excise	2005-06	2,684.57	138.75	5.17	
		2006-07	3,436.63	165.78	4.82	3.30
		2007-08	4,040.69	162.24	4.02	
3.	Taxes on vehicles	2005-06	1,355.74	48.30	3.56	
		2006-07	1,364.74	55.43	4.06	2.47
		2007-08	1,603.80	62.46	3.89	
4.	Stamp duty and	2005-06	2,013.45	50.89	2.53	
	registration fees	2006-07	2,865.38	60.05	2.10	2.33
		2007-08	3,086.06	62.54	2.03	

Thus, the expenditure on collection in sales tax, state excise and taxes on vehicles was higher as compared to the all India average and the Government needs to look into this aspect.

1.4 Arrears in assessments

The details of assessments relating to sales tax, motor spirit tax, professions tax, entry tax, lease tax, luxury tax, tax on works contracts pending at the beginning of the year, additional cases became due for the assessment during the year, cases disposed during the year and cases pending at the end of each year during 2003-04 to 2007-08 as furnished by the Commercial Taxes Department are mentioned below:

Year	Opening balance	Cases which became due for assessment	Total	Cases disposed during the year	Cases pending at the end of the year
2003-04	71,508	3,33,029	4,04,537	3,27,630	76,907
2004-05	76,907	3,50,493	4,27,400	3,00,893	1,26,507
2005-06	1,26,507	3,41,983	4,68,490	3,69,326	99,164
2006-07	99,164	27,077	1,26,241	97,768	28,473
2007-08	28,473	14,469	42,942	40,192	2,750

1.5 Evasion of tax

The details of evasion as reported by the Commercial Taxes Department are mentioned below:

		(Rupees in lakh)
Particulars	Number of cases	Amount involved
A. (i) Cases pending as on 1 April 2007	1,938	942.02
(ii) Cases detected during the year 2007-08	10,431	Not furnished
B. Cases in which investigations/assessments were completed during the year 2007-08	9,759	23,407.50
C. Cases pending as on 31 March 2008	2,610	Not furnished

1.6 Analysis of arrears of revenue

The arrears of revenue as on 31 March 2008 in respect of some principal heads of revenue amounted to Rs. 2,412.71 crore, of which Rs. 861.78 crore were outstanding for more than five years as mentioned below:

				(Rupees in crore)
Sl. No.	Head of revenue	Amount of arrears	Arrears outstanding for more than five years	Remarks
1.	Taxes on vehicles	1,656.99	546.52	Rs. 1,653.82 crore was due from the APSRTC and the balance Rs.3.17 crore was pending for various other reasons.
2.	Land revenue (water tax)	284.25	18.72	The department did not furnish the break-up of the arrears.
3.	Receipt under sugar cane (Regulation of Supply and Purchase Tax) Act	255.17	255.17	Rs. 24.81 crore was covered by stay orders of the High Court and other judicial authorities. Proposals had been sent to the Government for write off/deferring of arrears amounting to Rs. 135.09 crore and the Government had requested for a detailed report on the financial liabilities of the co- operative sugar factories, so as to take action on the proposals. Balance of Rs. 95.26 crore was pending for various other reasons.

SI. No.	Head of revenue	Amount of arrears	Arrears outstanding for more than five years	Remarks
4.	Taxes and duties on electricity	154.18	35.69	Rs. 138.31 crore was due from AP Gas Power Corporation and the balance of
	electricity			Rs. 15.87 crore was due from others.
5.	Taxes on immovable properties other than agricultural land (NALA)	62.12	5.68	The department did not furnish the details of the arrears.
	Total	2,412.71	861.78	

(Rupees in crore)

The position of arrears of revenue at the end of 2007-08 in respect of Commercial Taxes, State Excise, Registration and other departments was not furnished (November 2008) by the Government despite being requested (May 2008) and reminded (August 2008).

1.7 Results of audit

Test check of the records of sales tax, state excise, land revenue, motor vehicles tax, stamp duty and registration fees, electricity duty, other tax receipts, forest receipts and other departmental offices conducted during the year 2007-08 revealed underassessment/non/short levy of taxes/loss of revenue, failure to raise demands etc., involving Rs. 1,057.82 crore in 1,887 cases. During the course of the year 2007-08, the departments concerned accepted underassessments, short demands etc., aggregating Rs. 190.44 crore in 411 cases including 134 cases involving Rs. 4.95 crore which were pointed out in audit in earlier years. A sum of Rs. 5.88 crore relating to 184 audit observations was recovered at the instance of audit.

This Report contains 51 paragraphs including two reviews involving financial effect of Rs. 443.46 crore. The departments accepted audit observations involving Rs. 177.31 crore, of which Rs. 4.36 crore had been recovered. No reply has been received in the remaining cases (November 2008).

1.8 Failure to enforce accountability and protect interest of the Government

Accountant General (Commercial and Receipt Audit) (AG), conducts periodical inspection of the Government departments to test check the transactions and verify the maintenance of important accounting and other records as per the prescribed rules and procedures. These inspections are followed up with inspection reports (IRs). When important irregularities detected during the inspections are not settled on the spot, these IRs are issued to the heads of offices inspected with a copy to the next higher authorities. The hand book of instructions for speedy settlement of audit observations (Finance Department) provides for prompt response by the executive to the IRs issued by the AG to ensure rectificatory action in compliance with the prescribed rules and procedures and accountability for the deficiencies, lapses etc., noticed during the inspections. The heads of offices and the next higher authorities are required to comply with the observations contained in the IRs and rectify the defects and omissions promptly and report their compliance to the AG. Serious irregularities are also brought to the notice of the heads of departments by the AG. A half yearly report of the pending IRs is sent to the concerned Principal Secretary to the Government and the controlling officers of the departments to facilitate monitoring of the pending audit observations.

The time schedule prescribed by the Government has seldom been adhered to, with the result that 10,556 IRs issued upto the end of December 2007, containing 27,008 audit observations involving Rs. 8,884.17 crore were to be settled at the end of June 2008, as indicated below, along with the corresponding figures for the preceding two years:

	June 2006	June 2007	June 2008
Number of outstanding IRs	9,695	9,651	10,556
Number of outstanding audit observations	24,525	25,363	27,008
Amount involved (Rupees in crore)	6,762.46	7,966.99	8,884.17

Out of 10,556 IRs pending settlement, even first replies have not been received (August 2008) for 343 IRs. The department-wise details of IRs and audit observations outstanding as on 30 June 2008 and the amounts involved are mentioned below:

			(Rup	ees in crore)
Sl. No.	Department	No. of outstanding IRs	No. of outstanding audit observations	Money value involved
1.	Commercial taxes	3,426	10,682	2,639.90
2.	Land revenue	3,511	7,913	1,027.30
3.	Stamp duty and registration fees	1,597	3,838	296.31
4.	State excise	445	883	91.36
5.	Taxes on vehicles	291	1,334	1,720.51
6.	Forest receipts	413	747	99.82
7.	Co-operation	182	382	79.47
8.	Mines and minerals	244	517	1,592.17
9.	Civil supplies	152	301	34.97
10.	Agriculture	183	252	0.00
11.	Purchase tax on sugarcane	76	119	243.97
12.	Electricity duty	26	30	170.34
13.	Municipal Administration and Urban Development	2	2	83.19
14.	Finance and planning	4	4	474.81
15.	Irrigation and command area development	4	4	330.05
	Total	10,556	27,008	8,884.17

Since the outstanding amount represents unrealised revenue, the Government needs to take speedy and effective action on the issues raised in the IRs.

(Bunges in lakh)

1.9 Departmental audit committee meetings

The Government while accepting the recommendations of Shakdher Committee (High Powered Committee) instructed (November 1993) all the departments to nominate a designated officer within the department for monitoring the follow-up action on audit observations. For regular review at higher levels, the departments were instructed to ensure that there should be a monitoring committee consisting of the Secretary of the Department and the Finance Secretary. The Government also reformulated (June 2004) comprehensively the orders issued in July 1986 for constitution of Audit Committees at three levels i.e., apex level, departmental level and district level for speedy settlement of audit observations. The three committees are required to meet twice in a year (i.e., January and July), once in three months and once in two months respectively.

The department-wise number of district level audit committee meetings held and paragraphs settled during the year 2007-08 are mentioned below:

Sl. No.	Departments	No. of meetings	No. of paras settled	Money value
1.	Commercial taxes	3	314	3,935.97
2.	Transport	5	71	634.55
3.	Registration	1	168	19.57
	Total	9	553	4,590.09

The departments concerned had not convened audit committee meetings to discuss the IRs on revenue receipts relating to state excise, land revenue, stamp duty and registration fees and mineral receipts.

1.10 Response of the departments to draft audit paragraphs

The draft paragraphs/reviews proposed for inclusion in the Audit Report are forwarded by the AG to the Principal Secretaries of the concerned departments through demi-official letters. According to the instructions issued (September 1995) by the Government, all the departments are required to furnish their remarks on the draft paragraphs/reviews within six weeks of their receipt. The fact of non-receipt of replies from the Government is invariably indicated at the end of each such paragraph included in the Audit Report.

149 draft paragraphs clubbed into 51 paras (including two reviews) proposed for inclusion in the Report of the Comptroller and Auditor General of India (Revenue Receipts) for the year ended 31 March 2008 were forwarded to the concerned Principal Secretaries to the Government and copies endorsed to the concerned heads of the departments during December 2007 and July 2008. Of these replies to 44 draft paragraphs have been received and considered while finalising the Report (November 2008). The draft review on "Assessment, levy and collection of water tax and royalties" was discussed with the Government.

9

1.11 Amendments to Act/Rules

During the years 2003 to 2008, the Government had amended Act/Rules addressing the concerns raised by Audit through Audit Reports. These changes are briefly mentioned in the following table.

Reference of audit report (AR) paragraph	Issue raised in audit	Amendment to Act/Rules
Para 2.2 of AR 2000-01	Rural development cess, which was included in the sale price of rice, paid by the Food Corporation of India to the rice millers was not included in the sales turnover and thus escaped sales tax.	The Government issued an order ³ dt.10.9.2003 exempting RD cess collections from levy of tax.
Para 2.2 of AR 2003-04	The department did not levy interest on the delayed payments of tax according to the prescribed slab rates provided in the Act.	The Government issued a Memo ⁴ dt.8.6.2004 clarifying that the rates of interest payable prescribed under subsection $3(a)$ of section 16 of the Act under three subclauses (i) to (iii) are per annum and not to be applied in lump sum for the periods prescribed under the said three sub-clauses (i) to (iii).
Para 8.2.8 of AR 2004-05	Cases of arrears of mineral revenue are neither pursued by the assessing authorities nor processed under the Revenue Recovery Act.	The Government issued orders ⁵ dt.2.6.2005 delegating the powers of mineral revenue recovery under the Act to the Mines and Geology Department.

1.12 Follow up on Audit Reports

As per the instructions issued by Finance and Planning Department in November 1993, the departments of the Government are to prepare and send to the Andhra Pradesh Legislative Assembly Secretariat detailed explanations (departmental notes) on the audit paragraphs within three months of an Audit Report being laid on the table of the Legislature.

A review of the position in this regard revealed that as of October 2008, 14 departments had not furnished the departmental notes in respect of 212 paragraphs included in the Audit Reports for the years 2000-01 to 2006-07 due

³ G.O.Ms.No.951/Rev. CT.II

⁴ No.13300/CT.II/1/2004-1

⁵ G.O.Ms.No.66

Sl. No.	Department	Year of the Audit Report	Dates of presentation to the legislature	Last date by which departmental notes were due	No. of paragraphs for which the departmental notes were due	Delay in months
1.	Commercial	2002-03 to	July 2004 to	October 2004	93	4 to 48
	taxes	2006-07	March 2008	to June 2008		
2.	State excise	2001-02 to	March 2003 to	June 2003 to	14	16 to 64
		2005-06	March 2007	June 2007		
3.	Transport	2006-07	March 2008	June 2008	3	4
4.	Registration	2001-02 to	March 2003 to	June 2003 to	35	4 to 64
	-	2006-07	March 2008	June 2008		
5.	Co-operation	2000-01	March 2002	June 2002	1	76
6.	Irrigation	2000-01 &	March 2002 &	June 2002 &	4	76
	-	2006-07	March 2008	June 2008		
7.	Land revenue	2001-02 to	March 2003 to	June 2003 to	38	4 to 64
		2006-07	March 2008	June 2008		
8.	Industries &	2002-03 to	July 2004 to	October 2004	15	4 to 48
	Commerce	2006-07	March 2008	to June 2008		
9.	Home	2006-07	March 2008	June 2008	1	4
10.	Energy	2001-02	March 2003	June 2003	1	64
11.	Municipal	2002-03,	July 2004 &	October 2004	3	33 to 48
	Administration	2003-04	October 2005	& January		
	and Urban			2006		
	Development					
12.	Finance	2001-02	March 2003	June 2003	1	64
13.	Forest	2003-04 &	October 2005 &	January 2006	2	16 to 33
		2005-06	March 2007	& June 2007		
14.	General	2005-06	March 2007	June 2007	1	16
	administration					
	Total	2000-01 to 2006-07	March 2002 to June 2008	June 2002 to June 2008	212	4 to 76

between June 2002 and June 2008. The delays ranged from four months to over six years as mentioned below:

This indicates that the executive failed to take prompt action on the important issues highlighted in the Audit Reports that involved large sums of unrealised revenue.

1.13 Action not taken on recommendations of the Public Accounts Committee

The Finance and Planning Department issued (May 1995) instructions to all the administrative departments and the heads of the departments to submit the action taken notes (ATNs) on the recommendations of the Public Accounts Committee (PAC) within six months from the date(s) of receipt of the recommendations. As of November 2008, 159 recommendations of the PAC made between 1972-73 and 2004-05 in regard to nine departments remained outstanding. The concerned administrative departments are yet to submit ATNs for these recommendations. The details are mentioned in the annexure.

1.14 Compliance with the earlier Audit Reports

During the years between 2001-02 and 2006-07, the departments/Government accepted audit observations involving Rs. 716.02 crore, out of which an amount of Rs. 82.25 crore was recovered till 31 October 2008 as mentioned below:

			(Rupees in crore)
Year of Audit Report	Total money value	Accepted money value	Recovery made
2001-02	489.14	109.36	65.39
2002-03	780.89	199.90	2.30
2003-04	267.37	71.57	5.78
2004-05	264.68	40.20	0.91
2005-06	189.69	49.60	4.45
2006-07	401.59	245.39	3.42
Total	2,393.36	716.02	82.25