

CHAPTER III - PERFORMANCE AUDIT

JAILS DEPARTMENT

3.1 MANAGEMENT OF CORRECTIONAL HOMES

HIGHLIGHTS

The Correctional Homes are administered under the provisions of the West Bengal Correctional Services Act, 1992 (Act). They provide for the detention of prisoners committed to prison custody and for their reformation and rehabilitation with a view to ensuring their safe detention and minimum standards of treatment. A performance audit of the management of Correctional Homes (CHs) for the period 2003-08 revealed gross overcrowding of inmates in the CHs. Despite overcrowding, there were delays in construction of new CHs. The required facilities were also not provided to the prisoners in custody. Ineffective surveillance led to escape of prisoners from CHs/police custody. The life convicts were deprived of the review after completion of 14 years of imprisonment, which could have secured their release from custody. Further, the measures undertaken for reformation and rehabilitation of prisoners in custody were not adequate and effective.

In violation of the provisions of the Act, no individual bank account was opened for 65 per cent of the prisoners of five test-checked Correctional Homes (CH) and prisoners' cash aggregating Rs 1.90 crore were retained in cash chest and in Superintendents' personal ledger accounts. Further, the Superintendents unauthorisedly used prisoners' cash to defray the expenses of the CHs. Cases of misappropriation of Rs 2.72 lakh were also noticed in two CHs.

(Paragraphs 3.1.7.1 and 3.1.7.2)

There was over-crowding of inmates by 39 per cent of the overall capacity in 12 CHs as of January 2008. During the period 2003 to 2007, under-trial prisoners constituted 73 to 78 per cent of total prisoners.

(Paragraph 3.1.8.1)

Adequate steps were not taken for release of under-trial prisoners after completion of half of the maximum period of imprisonment specified for the committed offence. Similarly, life convicts were retained even after completion of 14 years of imprisonment. Other prisoners were also not released on parole in disregard to provisions of the Act and the Criminal Procedure Code. Government had to shoulder huge additional expenses towards their maintenance.

(Paragraphs 3.1.9.1 to 3.1.9.3)

Despite overcrowding in CHs, there were delays in construction of new CHs/barracks, etc. and out of 460 works taken up during 2002-07, 76 works including construction of four new CHs remained incomplete as of October 2008. Further, staff quarters and barracks constructed between June 2005 and December 2006 at a cost of Rs 1.43 crore remained unutilised as of March 2008.

(Paragraphs 3.1.10.1 to 3.1.10.3)

Abbreviations used in this Review have been listed in the Glossary (page 229)

Surveillance system in the CHs was not effective enough to prevent escape of prisoners from custody. In five out of nine CHs test-checked, 24 prisoners escaped from custody during 2003-08 due to lax security arrangement.

(Paragraphs 3.1.9.5 and 3.1.10.6)

Eight test-checked CHs incurred extra expenditure of Rs 0.67 crore towards procurement of medicines at higher prices during 2003-08 and samples of medicines costing Rs 12.42 crore were not tested before consumption by the patients of the hospitals of CHs.

(Paragraphs 3.1.11.2 and 3.1.11.3)

3.1.1 Introduction

The main objectives of the Correctional Homes are admission, custody, security, reformation and rehabilitation of prisoners. There are six Central Correctional Homes (CCHs), 12 District Correctional Homes (DCHs), 35 Sub-Correctional Homes (SCHs) including one Open Air Correctional Home and one Women Correctional Home in the State with total capacity to accommodate 19722 prisoners. There were 19830 prisoners including 13999 under trial prisoners (UTPs)¹ and 1078 foreign nationals lodged in different CHs as of January 2008. UTPs constituted 71 *per cent* of total prison population.

The CHs are administered under the provisions of the West Bengal Correctional Services Act, 1992 (Act) which came into force with effect from 14 April 2000 and the West Bengal Jail Code (Code). The Model Prison Manual issued by the Government of India (GOI) in December 2003 had not been implemented by the Government of West Bengal as of March 2008.

3.1.2 Organisational structure

The Principal Secretary to the Government of West Bengal, Jails Department, is in overall charge of Jails Department. The Inspector General of Correctional Services (IGCS), who is the head of Prison Directorate, is responsible for overall control and superintendence of correctional homes in the State. He is assisted by an Additional Inspector General of Correctional Services and five Deputy Inspectors General of Correctional Services. Each of the correctional homes is headed by one Jail Superintendent and he is assisted by Deputy Superintendents, Chief Controller, Controller, Assistant Controller, Chief Head Warders/Head Warders and Warders. There is a hospital in each CCH and DCH under the supervision of a Senior Medical Officer.

3.1.3 Audit objectives

The broad objective of the performance audit was to assess the manner in which and the extent to which the minimum standards of treatment and their reformation and rehabilitation intent outlined in the aforesaid Act and Code were achieved. The specific audit objectives were to ascertain whether -

- the allotted funds were prudently utilised and the prisoners' cash was dealt with according to the provisions of the Act;

¹ A prisoner detained in custody during the period of investigation, enquiry or trial for an offence

- the facilities and privileges of the prisoners as envisaged in the Act and Code were being provided and were being managed in an economical and efficient manner;
- custody and detention of the prisoners were done in a safe and secured manner;
- reformatory and rehabilitative activities were consistent with the objectives of the Act and Code; and
- the system of monitoring the performance of prison administration was adequate and effective.

3.1.4 Audit criteria

The criteria used for framing audit comments were as under:

- Norms and procedures laid down in the Act and Code;
- GOI guidelines for prison administration;
- Monitoring mechanism instituted under the provisions of the Act.

3.1.5 Audit coverage and methodology

The performance audit of the Management of Correctional Homes during 2003-08 was conducted during October-December 2007 and March-April 2008 through test-check of records of the Jails Department and Directorate, five² CCHs, three³ DCHs and one⁴ Open Air CH. The CCHs and DCHs were selected on the basis of SRSWOR⁵ method. Before taking up audit, an entry conference was held (September 2007) with the Principal Secretary of the department and the IGCS for ascertaining the organisational network and the supervision and monitoring mechanism adopted by the department over functioning of correctional homes. The audit observations were discussed in an exit conference (May 2008) with the IGCS.

Audit Findings

3.1.6 Fund management

The budget provisions and expenditures incurred on jail administration during 2003-04 to 2007-08 are indicated below:

Year	Non-Plan			Plan		
	Budget Provision	Expenditure	Savings (-)/Excess (+)	Budget Provision	Expenditure	Savings(-) Excess(+)
	Rupees in crore					
2003-04	76.77	60.71	(-) 16.06	1.10	1.38	(+) 0.28
2004-05	88.27	68.64	(-) 19.63	1.63	2.76	(+) 1.13
2005-06	80.40	73.54	(-) 6.86	2.44	3.88	(+) 1.44
2006-07	82.40	78.08	(-) 4.32	5.90	2.29	(-) 3.61
2007-08	87.07	84.83	(-) 2.24	4.00	2.57	(-) 1.43

Source; Appropriation Accounts

A detailed analysis of the expenditure *vis-a-vis* budget provisions revealed that there were substantial savings under Centrally Sponsored schemes for

² Presidency, Alipore, Dum-Dum, Berhampore and Medinipur

³ Hooghly, Bardhaman and Krishnanagar

⁴ Lalgola Open Air CH

⁵ Simple Random Sampling without Replacement

modernisation of correctional homes and 'salaries & wages' under Non-plan indicating poor budgetary control. Realistic assessment of prospective savings and timely surrender of funds would have resulted in utilisation of the amounts of savings in other needy areas. Further, the budget provisions and expenditure under the plan sector were significantly low during each of the years 2003-08.

3.1.7 Cash Management in Correctional Homes

The Superintendents of Correctional Homes (CHs) were responsible for managing the CHs in all matters relating to cash management apart from discipline, labour, punishment and other controls. The Superintendents being the drawing and disbursing officer of the CHs, were to keep a constant and careful watch over the receipts and expenditure and also to act as custodian of the prisoners' cash. They were to see that all monetary transactions (Government as well as prisoners' cash) had been entered into the Cash Book under proper attestation and the cash in chest physically verified at the end of each month. Scrutiny of records of test-checked CHs revealed the following:

3.1.7.1 Retention of prisoners' cash

According to the provisions of Section 55 (2) of the Act, every prisoner shall be entitled to spend up to 50 per cent of wages earned by him per month and the remaining 50 per cent of such wages shall be kept reserved for payment to the prisoner at the time of release as deferred wages. The Superintendent shall open individual savings bank account in any nationalised bank wherein wages earned by each prisoner shall be deposited.

No bank account was opened for 65 per cent of prisoners of five test-checked CCHs

As against 3303 prisoners under rigorous imprisonment in five test-checked CCHs, savings bank accounts of 2140 prisoners (65 per cent) were not opened as of March 2008 mainly due to lack of initiative on the part of the CH authorities and the wages earned by them were either retained in cash chest (Rs 0.55 crore) or parked in Superintendents' personal ledger (PL) accounts (Rs 1.35 crore). Thus, the prisoners were deprived of the benefit of earning interest on the funds of Rs 1.90 crore retained by the Superintendents of CHs. Irregular retention of prisoners' cash in chest facilitated misappropriation/misutilisation of such funds as mentioned in the following paragraphs:

3.1.7.2 Shortage and misappropriation of cash

Physical verification of cash in hand (including prisoners' cash) conducted at the instance of audit by the Superintendents of six CHs during November 2007 to April 2008 disclosed shortage of cash amounting to Rs 11.18 lakh as shown below:

Name of CH	Date of verification	Balance as per cash book	Cash found on physical verification	Cash shortage	Amount misappropriated	Unauthorised payments out of prisoners' cash		Unexplained cash shortage
						Advance yet to be recovered	Expenditure not yet recouped	
(R u p e e s i n l a k h)								
Alipore CCH	05.11.2007	18.72	17.44	1.28	-	-	-	1.28
Presidency CCH	26.11.2007	21.24	16.75	4.49	-	4.49	-	-
Dumdum CCH	26.12.2007	27.10	26.49	0.61	-	0.28	0.33	-
Lalgola Open Air CH	16.01.2008	3.32	0.74	2.58	2.32	-	0.26	-
Berhampore CCH	03.04.2008	25.24	23.16	2.08	0.40	-	1.68	-
Medinipur CCH	15.04.2008	10.87	10.73	0.14	-	-	0.14	-
Total		106.49	95.31	11.18	2.72	4.77	2.41	1.28

It would be evident from above that cash ranging from Rs 3.32 lakh to Rs 27.10 lakh were retained in hand by each of the CH authorities without depositing the same into PL accounts or prisoners' bank accounts. Scrutiny in audit revealed the following:

Misappropriation of Rs 2.72 lakh in two CCHs

- (i) Out of cash shortage of Rs 2.58 lakh at Lalgola Open Air CH, Rs 2.32 lakh was misappropriated by the Assistant Controller of the CH and he was suspended in November 2006 while the show cause notice was issued to him in December 2007 for misappropriation of cash. Further, the Chief Controller of Berhampore CCH misappropriated Rs 0.40 lakh in February 1989. Neither any FIR was lodged with the local police authorities nor the misappropriated amount of Rs 2.72 lakh recovered from the concerned officials.
- (ii) Superintendent of each CCH was holding permanent advance of Rs 2000 to defray the emergent expenditure and he was also empowered to draw advance not exceeding Rs 0.15 lakh in each occasion for this purpose. Nevertheless, Superintendent of Presidency CCH paid advance of Rs 4.49 lakh out of prisoners' cash to officials between July 1986 and October 2007 for meeting office expenses. Similarly, Superintendent of Dumdum CCH irregularly paid advance of Rs 0.28 lakh for holding workshop in May 2006 and treatment of prisoners in August 2007 and the Superintendents of four CHs unauthorisedly spent prisoners' cash of Rs 2.41 lakh to defray the office expenses. No action was, however, taken for submission of vouchers for adjustment of advances and for recoupment of the prisoners' cash by withdrawal of the amounts from treasury for reasons not explained by the Superintendents.
- (iii) The reasons for shortage of Rs 1.28 lakh at Alipore CCH could not be explained by the Superintendent of CCH. The Principal Secretary of the Department directed (January 2005) the Superintendent to recover the amount from the Chief Controller of the CH; but no action was taken in this respect as of March 2008.

3.1.8 Space and accommodation for prisoners

The Model Prison Manual circulated by GOI, Ministry of Home Affairs stipulates that accommodation provided for the use of prisoners particularly for sleeping will meet the basic requirements of healthy living taking into account climate conditions, cubic contents of air, minimum floor space, lighting and ventilation with one toilet unit and bathing space for every 10 prisoners. The West Bengal Jail Code states that the capacity of the wards, cells and other compartments intended for prisoners shall be regulated by scales of cubical space and lateral ventilation prescribed for each prisoner.

Only 3.03 to 3.30 sq meter of superficial area was available per prisoner against requirement of 4.18 sq meter.

Section 32(1) of the Act stipulates that the floor area and the cubical air area of a cell and the floor area to be allotted for every prisoner accommodated in a ward shall be such as may be prescribed by the Government. But, no such norm was fixed by the Department as of March 2008. Further, Rule 1179 of West Bengal Jail Code stipulates that minimum 4.18 square meter of superficial area should be provided to each prisoner. Against this norm, the

superficial areas available for each prisoner in three⁶ test-checked CCHs varied between 3.03 and 3.30 square meter during 2003-08.

Overcrowding of inmates by 39 per cent of capacity in test-checked CHs

3.1.8.1 Overcrowding in correctional homes

A comparison of actual inmate population in 12 CHs *vis-a-vis* capacity of CHs indicated overcrowding of inmates by 39 per cent of the overall capacity. In six⁷ of these CHs/CCHs such excess crowding was two to four times of the capacity as would be evident from the table:

Correctional Home	Inmates capacity			Prisoners accommodated			Excess prisoners (Percentage)		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Presidency CCH	2140	246	2386	2112	721	2833	(-) 28	475	447 (19)
Alipore CCH	1971	-	1971	2131	-	2131	160	-	160 (8)
Krishnanagar DCH	486	24	510	1102	113	1215	616	89	705 (138)
Howrah DCH	400	60	460	557	-	557	157	(-) 60	97 (21)
Arambagh SCH	12	3	15	58	-	58	46	(-) 3	43(287)
Serampore SCH	98	8	106	158	10	168	60	2	62 (58)
Uluberia SCH	53	-	53	102	-	102	49	-	49 (92)
Kalna SCH	48	4	52	84	2	86	36	(-) 2	34 (65)
Diamond Harbour SCH	62	-	62	290	12	302	228	12	240 (387)
Basirhat SCH	59	-	59	97	-	97	38	-	38 (64)
Bongaon SCH	87	3	90	311	75	386	224	72	296 (329)
Ranaghat SCH	59	2	61	176	13	189	117	11	128 (220)
Total	5475	350	5825	7178	946	8124	1703	596	2299 (39)

It was also observed that against capacity of 283 female prisoners in five⁸ CHs, 932 were accommodated resulting in overcrowding of 649 female prisoners (329 per cent). Further, Diamond Harbour SCH accommodated 12 female prisoners without having any separate female ward.

Overcrowding in prisons was accentuated by continued detention of huge number of UTPs which constituted 73 to 78 per cent of total prisoners in the State during 2003 to 2007 as would be evident from the following table:

Year	Total Prison Population (Average number of prisoners)	Total undert trial prisoners (UTPs)	Percentage of UTPs to total prisoners
2003	16289	12757	78
2004	16319	12790	78
2005	18158	14017	77
2006	18292	13638	75
2007	19090	13915	73

Retention of such huge number of UTPs factored into additional pressure on available infrastructure/amenities in the CHs and affected the quality of treatment/facilities.

⁶ Presidency CCH, Alipore CCH and Dumdum CCH

⁷ Krishnanagar DCH, Arambagh SCH, Uluberia SCH, Diamond Harbour SCH, Bongaon SCH and Ranaghat SCH

⁸ Presidency CCH, Krishnanagar DCH, Serampore SCH, Bongaon SCH and Ranaghat SCH

3.1.8.2 Shortage of toilets in the correctional homes

Against requirement of 890 toilets only 559 toilets were available in six test-checked CHs

In six⁹ test-checked CHs, against requirement of 783 toilets for male prisoners and 107 toilets for female prisoners as of January 2008 as per norm (one toilet unit and bathing space for every ten prisoners), only 502 and 57 toilets respectively were available. Further the water supply system in four¹⁰ CHs was not adequate as reported by the Superintendents of respective CHs. The prisoners in none of the CHs were provided mosquito net even though the same was to be provided in terms of model prison manual.

3.1.8.3 Non-utilisation of female ward at Dumdum CCH

Female ward constructed at Rs 1.28 crore remains unutilised

The construction of a female ward of 100 inmates capacity in Dumdum CCH was completed in February 2006 at a cost of Rs 1.28 crore but, physical possession of the building was not taken over by the CH authority from PWD as of March 2008 for reasons not available on record. The additional staff (78 female warders and three matrons) required for functioning of the female ward, as proposed by the Superintendent in May 2003, had not been posted by the Department as of March 2008. As the building remained unutilised for over two and half years, the doors, windows and floors of the buildings got damaged. Thus, due to non-deployment of required staff, the female ward constructed in February 2006 remained unutilised rendering the expenditure of Rs 1.28 crore unfruitful despite overcrowding of female prisoners in other CHs.

3.1.9. Custody and detention of prisoners

3.1.9.1 Retention of UTPs

According to the provisions of Section 436A of Criminal Procedure Code (Cr.PC), an UTP may be released by the Court on his personal bond after imprisonment for half of the maximum period of punishment of imprisonment specified for the committed offence under the law. In six¹¹ test-checked CCHs, out of 6795 UTPs detained in custody during 2003-08, 46 UTPs completed half of the punishment period, of which only four were released up to March 2008. Reasons for non-release of 42 prisoners were not available on record.

3.1.9.2 Retention of life convicts even after 14 years of imprisonment

According to the provisions of Section 61 of the Act read with Section 433A of Cr.PC, a life convict may be released from custody after completion of 14 years of imprisonment. The Judicial Department of the State Government constituted a State Sentence Review Board (SSRB) in January 2000 to review the cases of life convicts detained in different CHs for more than 14 years. The State Government, however, did not formulate any guideline for consideration of premature release of life convicts. It was noticed in audit that SSRB reviewed (2004-06) the cases of 163 life convicts out of 265 who had rendered

⁹ Presidency CCH, Dumdum CCH, Medinipur CCH, Berhampore CCH, Krishnagar DCH and Bardhaman DCH

¹⁰ Medinipur and Baharampure CCHs and Krishnanagar and Bardhaman DCHs

¹¹ Presidency CCH, Alipore CCH, Dumdum CCH, Medinipur CCH, Berhampore CCH, Krishnagar DCH

14 to 20 years of imprisonment up to the period of review and only 62 life convicts were released while the cases of 101 life convicts were rejected by SSRB. The cases of remaining 102 life convicts (including 65 life convicts completing more than 20 years of imprisonment) had not yet been reviewed by SSRB (March 2008).

Retention of life convicts even after 14 years of imprisonment led to avoidable expenditure of Rs 1.59 crore in six test-checked CHs

In six¹² test-checked CHs, out of 334 life convicts who had rendered 14 to 20 years of imprisonment, 94 were released during 2003-08 and remaining 240 were retained in custody as of March 2008. Despite overcrowding in the CHs, adequate action was not taken for release of life convicts according to the provisions of the relevant Act. Due to non-release of such convicts, the Department had to incur an expenditure of Rs 1.59 crore during 2003-08 towards their maintenance.

3.1.9.3 Non-release of prisoners on parole

According to the provisions of Section 62 of the Act, a prisoner sentenced to imprisonment for a period of two years or more may be released by IGCS on parole for a period not exceeding one month on execution by the prisoner a bond for an amount not exceeding one thousand rupees. No permission of police authority was necessary before such release. Further, the prisoner was to be released within six months from the date of submission of application for release on parole.

Out of 1850 prisoners eligible for release under parole in six test-checked CHs, only 228 prisoners were released

In six¹³ test-checked CHs, out of 1850 prisoners eligible for release on parole during 2003-08, only 228 prisoners were released. Reasons for non-release of remaining 1622 prisoners on parole were not available on record. The Department directed (September 1999) the IGCS to release the life convicts, who had completed 15 to 18 years of imprisonment but not released under Section 433A of Cr.PC, under parole for two to ten months. But, no action was taken by jail authorities for release of such convicts either.

The CHs spent Rs 2.67 crore during 2002-08 on such eligible prisoners not released on parole under provisions of the Act.

3.1.9.4 Retention of children in the correctional home

In violation of the Act, 101 children of six to 17 years of age were kept in Presidency CCH

According to the provisions of the Act, children up to the age of five years may be retained in CHs with their mother and children above five years should be transferred to the husband or other family members of the female prisoners. If husband or other relative did not accept the child, the Superintendent should send a notice to the Commissioner of Police or District Magistrate, who would make arrangement for custody of the child in consultation with the Directorate of Social Welfare.

It was noticed in audit that 101 children aged between six and 17 years were kept in Presidency CCH in violation of the provisions of the Act. No action was taken for transferring these children to the family members of the female prisoners.

¹² Presidency CCH, Alipore CCH, Dumdum CCH, Medinipur CCH, Berhampore CCH, Lalgola Open Air CH

¹³ Presidency CCH, Alipore CCH, Dumdum CCH, Medinipur CCH, Berhampore CCH, Krishnagar DCH

3.1.9.5 *Escape of prisoners from custody*

The custodial duties of prisoners in three CCHs were performed by the prison staff while security of perimeter walls was taken care of by the Biswakarma Battalion in case of Alipore CCH and prison staff in case of other CCHs. The duties relating to escorting of prisoners to and from court, hospital, other correctional homes, etc, were done by the State Police and Kolkata Police within their respective jurisdiction.

In five¹⁴ test-checked CCHs, 24 prisoners escaped from custody (12 from police custody during transit and 12 from jail custody) during 2003-08 due to lax security arrangement. In Dumdum CCH, the prisoners escaped by scaling the perimeter walls and the prisoners in other CCHs escaped during transit. Test-check showed that two out of five watch towers in Dumdum CCH, two out of nine watch towers in Presidency CCH and three out of seven watch towers in Alipore CCH were not manned for reasons not explained by the prison authorities.

Seven watch towers out of 21 in three CCHs were not manned

Further, in Krishnanagar DCH there were only two watch towers against requirement of four and one watch tower each in Berhampore CCH and Medinipur CCH were not being guarded at night for want of required security staff.

3.1.9.6 *Avoidable expenditure due to delay in release of prisoners of foreign nationality*

Prisoners of foreign nationality were to be deported to their country immediately after completion of their respective terms of imprisonment and the SP and DIB of the concerned district were to be informed in time to take appropriate action for deportation of such prisoners immediately after completion of the period of conviction. In nine test-checked CHs as of March 2008, 1203 such prisoners overstayed for periods ranging from 32 to 451 days due to procedural delays in deporting them to their countries even after their release by the respective Courts. Such overstay of prisoners resulted in an avoidable expenditure of Rs 1.02 crore towards their diet and other charges during 2003-08.

3.1.9.7 *Inadequate control over entry of prohibited items*

West Bengal Correctional Services Act enjoins upon the CH authorities to physically check every prisoner/person at the time of admission/entry/exit to prevent entry of prohibited items into CH. Scrutiny of search and seizure register of five¹⁵ test-checked CCHs revealed that there were 38 incidents of possessing prohibited articles like mobile phones, knives, cannabis, ganja and cash, by prisoners during 2003-08. The entry of such prohibited articles pointed to deficient security checking of prisoners/persons at the entry point of CCHs.

¹⁴Presidency CCH: three, Dumdum CCH: 16; Alipore CCH: one; Medinipur CCH: three; Hooghly DCH: one.

¹⁵ Presidency CCH, Alipore CCH, Dumdum CCH, Bardhaman DCH, Krishnanagar DCH

No regular post of specialist doctors in any of the CH attached hospitals

3.1.9.8 Non-availability of required manpower in the correctional homes

The performance of CHs largely depends on availability of the manpower resources. There were shortages of 182 male warders and seven medical officers in the test-checked CHs against the sanctioned strength of 1557 male warders and 24 medical officers respectively as of March 2008.

According to the norm fixed (February 1991) by the State Government at least ten specialist doctors were required for each 100 bedded hospital for rendering desired patient care services. But, there was no regular post of medical specialist sanctioned by the Jails Department for any of the hospitals attached to CHs.

3.1.10 Deficiencies in development of infrastructure

The Department released funds to Public Works Department (PWD) from time to time for execution of different works under the Centrally Sponsored schemes for modernisation and upgradation of CHs but, there was no system of monitoring over execution of the works by the Department. Instead, the status reports of the works and utilisation certificates (UCs) furnished by PWD were accepted by the Department without verifying the works actually executed by PWD. In the absence of any monitoring system in place, there were cases of non-execution/delayed execution of works, submission of UCs without executing the works, defective construction, etc, as discussed in the subsequent paragraphs:

3.1.10.1 Delayed execution of works

Under the Central scheme for modernisation and upgradation of CHs, GOI approved execution of 475 works¹⁶ costing Rs 71.90 crore (Central assistance: Rs 53.93 crore and State's share: Rs 17.97 crore) including construction of four new CHs (sanctioned cost: Rs 12.43 crore) during 2002-07 and released Rs 51.23 crore to the State up to May 2008.

Out of available fund of Rs 66.94 crore (Central assistance: Rs 51.23 crore and State's share: Rs 15.71 crore), Jails Department released Rs 62.86 crore to PWD during 2003-08 for execution of 460 works. As of October 2008, 384 (83 per cent) works were completed at a cost of Rs 40.03 crore while 76 works taken up during 2004-07 remained incomplete after incurring expenditure of Rs 18.75 crore. The Department did not release any fund for remaining 15 works. Due to non-completion or delayed execution of the works, GOI did not release balance amount of sanctioned funds of Rs 2.70 crore as of October 2008.

3.1.10.2 Delay in construction of correctional homes

With a view to avoiding overcrowding in the correctional homes, the Department released Rs 9.32 crore to PWD from time to time between

¹⁶ Construction of four new correctional homes with 56 new buildings, 14 new barracks and 65 staff quarters, repairs and renovation of 262 barrack and buildings, 74 schemes for sanitation and water supply in correctional homes.

October 2004 and May 2008 for construction of four¹⁷ new Sub-Correctional Homes (SCH) at a sanctioned cost of Rs 12.43 crore. Construction of none of the SCHs was completed as of October 2008 mainly due to slow progress of works by PWD coupled with delayed release of funds to PWD. Due to non-completion of construction of SCHs for over three to four years, the objective of avoiding overcrowding in other correctional homes by shifting the inmates to these newly constructed SCHs remained unachieved.

Unfruitful expenditure of Rs 1.43 crore on unutilised construction

3.1.10.3 Unfruitful expenditure on civil construction

The following civil works constructed between June 2005 and December 2006 at a cost of Rs 1.43 crore remained unutilised for reasons mentioned against each.

Particulars of works	Date of completion	Expenditure (Rupees in lakh)	Reasons for non-utilisation
One 60 bedded warders barrack at Bardhaman DCH	June 2005	12.53	Non construction of gate cum office with approach road sanctioned in June 2006 at an estimated cost of Rs 15.85 lakh
Four storied type IV and two storied type III Staff quarters outside Presidency CCH	May 2006	27.18	Non execution of electrical works by PWD
One kitchen for prisoners in Alipore CCH	June 2006	22.94	Non execution of electrical works by PWD
A barrack for warders in Alipore CCH	December 2006	65.98	Non execution of electrical works by PWD
Two storied type III staff quarters outside Presidency CCH	December 2006	14.00	Non execution of electrical works by PWD
Total		142.63	

The department did not take any action for making the created infrastructure functional for over 18 to 36 months resulting in an unfruitful expenditure of Rs 1.43 crore.

3.1.10.4 Irregular submission of utilisation certificate

The Department paid Rs 11.25 lakh to the Executive Engineer (EE) of Berhampore Division-II of PWD in February 2005 for construction of prisoners' ward in Lalgola Open Air CH. The EE furnished UC to the Department in May 2006 to the effect that the prisoners ward at Lalgola had been constructed even though no such ward was actually constructed by PWD. The Department without verifying the veracity of the fact from the Superintendent of the CH, furnished UC to GOI in December 2007.

In order to ensure proper co-ordination between the Department and the PWD, the Department constituted a Supervisory Committee in September 2007 for monitoring the works executed through PWD and the Committee held four meetings during the period from September 2007 to August 2008.

3.1.10.5 Unfruitful expenditure towards installation of mobile phone jammer

Unfruitful expenditure of Rs 17.98 lakh on mobile phone jammer

To prevent communication through smuggled mobile phones by the prisoners, mobile phone jammers were installed (February 2006) in Alipore CCHs at a cost of Rs 17.98 lakh but, the installed system was unable to jam mobile connectivity within the CCH premises. In September 2007, the Department

¹⁷ At Haldia, Kalyani, Raghunathpur and Tehatta

directed the contractor to remove the technical deficiencies in the installed system by October 2007, which was not executed by the contractor as of March 2008. Thus, the expenditure of Rs 17.98 lakh incurred on installation of the system remained unfruitful.

3.1.10.6 *Ineffective surveillance system in the Central Correctional Homes*

Surveillance system installed at five CCHs at Rs 1.46 crore remaining defunct

For the purpose of close and constant surveillance over prisoners, especially the high security prisoners detained in CCHs, an audio/video surveillance system over high security cells and wards together with perimeter wall was installed at a cost of Rs 1.46 crore between March 2003 and December 2005 in the office chambers of the Superintendents and Chief Controllers of five CCHs. Even though the objective of installation of the system was to keep 24 hours surveillance on the prisoners, neither had the Department posted any control staff assigned with the exclusive task of constant vigil nor did the jail authorities deploy any personnel for the purpose. Further, in absence of any maintenance contract, the system had become inoperative between January 2007 and September 2007 in all the five CCHs.

Thus, due to non-deployment of trained staff for round the clock monitoring and surveillance over prisoners coupled with breakdown of the system within two to four years of its installation, the very purpose of installation of the system at a cost of Rs 1.46 crore remained unachieved.

3.1.10.7 *Inoperative video conferencing system*

Video conferencing system installed at Rs 39.62 lakh remaining inoperative

With a view to solving the problem of non-availability of police escort in time for movement of UTPs, the Judicial Department set up a video conference linkage of seven criminal courts with Presidency and Alipore CCHs in April 2006 at a cost of Rs 35.53 lakh. In addition, Jails Department spent Rs 4.09 lakh for remodelling the system and furnishing of the video conferencing rooms in these CCHs. The system, however, remained defunct since February 2007 owing to disconnection of ISDN lines due to non-payment of telephone bills by the respective courts. No action was taken for re-connectivity the system as of March 2008. Thus, the objective of setting up video conferencing system for faster trial of remand cases without presenting UTPs at the designated courts could not be achieved despite spending Rs 39.62 lakh towards installation of the system.

3.1.10.8 *Encroachment of Jail land*

Thirty eight prison quarters and barracks under unauthorised

There were 202 encroachers who made unauthorised construction on Government land under control of Jails Department within the campus of three CHs (Presidency CCH, Alipore CCH and Krishnagar CCH), of which 104 were outsiders and 98 were prison staff. Besides, 63 prison staff and 21 outsiders were unauthorisedly occupying 38 prison quarters and barracks. The areas of land under encroachment or the period of such unauthorised occupation were not available on record. Neither the Department nor the jail authorities took any action for evicting the encroachers. No disciplinary action was also taken against prison staff who were unauthorisedly occupying the Government land and staff quarters.

3.1.11 Provision for medical facilities to inmates

The medical needs of the inmates of CHs were met through 76 to 100 bedded hospitals within the premises of each CCH/DCH providing round the clock medical and health care service facilities including X-ray, ECG, pathology and biochemistry, etc. In addition, there were dispensaries in each CH.

No posts for specialist doctors/ surgeons were created in jail hospitals in disregard to government norms

According to the norms fixed by the State Government, ten General Duty Medical Officers (GDMO), ten Specialist Doctors, two General Surgeons, two Orthopaedic Surgeons, one Radiologist and one Anaesthetists were to be posted in each 100 bedded hospital. But, no such posts were sanctioned by the Department for its four 100 bedded hospitals in the CCHs and these hospitals were run with three to five GDMOs only, while the bed occupancy in these hospitals varied from 140 to 197 *per cent* per day during 2004-08. Despite overcrowding in the hospitals, no action was taken to increase bed capacity of hospitals as well as for deployment of adequate number of medical officers required for rendering appropriate treatment facilities to the patients.

3.1.11.1 Non-installation of laboratory equipment

Non-installation of equipment worth Rs 0.59 crore for eight to nine years

Thirty two laboratory equipment¹⁸ costing Rs 0.59 crore procured between April 1999 and July 2000 for modernisation of the hospitals in four test-checked CCHs remained uninstalled as of March 2008 due to non-availability of required infrastructure like suitable space for installation, high voltage power lines, etc. and non-deployment of manpower required for operating the equipment. The CH Authorities did not take any action for installation of the equipment and the guarantee periods of the same also lapsed. Non-installation of the equipment for over eight to nine years resulted in unfruitful expenditure of Rs 0.59 crore.

3.1.11.2 Procurement of medicines at higher rates

Excess expenditure of Rs 0.67 crore procuring medicine at higher rates

The prices of medicines to be supplied to the Government hospitals by the enlisted suppliers were fixed every year by the Central Medical Stores (CMS) under the Health and Family Welfare Department. The hospitals of CHs were to purchase medicines at the prices fixed by CMS. It was noticed in audit that eight test-checked CHs purchased six medicines during the period from April 2003 to December 2007 at prices much higher than those fixed by CMS resulting in an extra expenditure of Rs 0.67 crore as detailed below:

SI No	Name of the Medicine	Quantity purchased	Procurement cost	Procurement price at CMS rates (Rupees in lakh)	Difference
1	Amoxicillin 250 mg	1036545	36.02	7.29	28.73
2	Ciprofloxacin	552340	15.26	5.42	9.84
3	Ranitidine	2727195	16.41	7.38	9.03
4	Norfloxacin	387650	11.27	2.75	8.52
5	Inj. Diclofenac	19227	0.90	0.21	0.69
6	Cetirizine	692810	11.45	0.79	10.66
	Total		91.31	23.84	67.47

¹⁸ Anaesthesia Apparatus, Gastroendoscope, Ultrasonography Machine, Laryngoscope, Microscope, HP Steriliser, etc,

The Senior Medical Officers of Alipore CCH stated (November 2007) that CMS rates were not considered for purchase of medicines for the hospitals of CHs.

The fact that the CMS rates were not considered by the Senior Medical Officers was not acceptable inasmuch as the Jails Department should have purchased the medicines at the rates fixed by CMS for all Government hospitals.

3.1.11.3 *Administering of untested drugs*

Untested medicines worth Rs 12.42 crore were administered among patients

According to standing instructions of the State Government, samples of medicines are to be tested before issuing to the patients in Government hospitals to ensure quality of the same and the hospitals which procure medicines locally are liable for testing the quality of medicines before giving to patients. In violation of the above instructions, medicines valuing Rs 12.42 crore were not tested before issuing to the patients of the hospitals in nine test-checked CHs during 2003-08.

The Senior Medical Officers (SMOs) of Alipore and Presidency CCHs stated (November-December 2007) that the quality of medicines was not tested before issuing to the patients due to non-availability of required infrastructure for testing. The contention of the SMOs was not acceptable inasmuch as the samples of medicines were to be tested at the State Drug Control and Research Laboratory under the Director of Drug Control. Reasons as to why the samples were not sent to the Laboratory for testing were not stated.

3.1.11.4 *Purchase of dietary articles at higher rates*

Extra expenditure of Rs 34.30 lakh on procurement of dietary articles at higher rates

The dietary articles required for CHs were procured by the Superintendents of respective CHs on the basis of tenders invited centrally by the IGCS. Test-check of records of eight CHs revealed that procurement prices of such items were much higher than the Government assessed market prices (assessed by Food and Supplies Department in each month). A review of procurement prices of five¹⁹ such items disclosed that these CHs incurred extra expenditure of Rs 34.30 lakh during 2003-07 due to procurement of dietary articles at higher rates.

3.1.12 *Reformation and Rehabilitation of inmates*

Lack of departmental effort leading to non-viability of prison industries resulted in losses aggregating Rs 8.88 crore in five test-checked units

One of the primary aims of the Act is the reformation and rehabilitation of prisoners so as to make them contributing members of civil society by the time they complete their sentences. With this objective, the Department operates various factory units within the CH premises where the inmates are taught various skills with which they could earn their livelihood on release from CH. The performance of the factory units in five test-checked CCHs during 2003-08 is indicated in *Appendix 3.1*.

¹⁹ Sugar, mustard oil, onion, banana, lemon

Out of 40 manufacturing units in five CCHs, 12 units²⁰ remained non-functioning for over four to ten years and out of 2002 to 3244 convicts retained in these CCHs during 2003-08, only 295 to 377 (12 to 15 *per cent* of total convicts) were assigned jobs in these prison industries. Further, these units sustained losses aggregating Rs 8.88 crore during 2003-08.

According to the recommendation of the Mulla Commission (1980-83), the prison industries were to be made commercially viable. But, CH authorities neither prescribed any norm for production by each convict per day nor fixed any target of production in the manufacturing units. As a result, the units sustained huge financial losses due to low productivity. Scrutiny in audit revealed the following:

(i) Only five *per cent* of the capacity of printing machines (714 lakh to 924 lakh impressions in a year) of the press at Alipore CCH was utilised during 2003-07. Due to such under-utilisation of printing capacity of the press, the value of production in the press during 2003-07 amounted to Rs 25.14 lakh only against the production cost of Rs 7.03 crore. Inadequate allotment of funds for procurement of raw materials coupled with absence of supervision and monitoring over performance of the press were the main reasons for under-utilisation of capacity.

(ii) The sale proceeds of Rs 26.74 lakh in respect of forms, registers, etc, supplied by the Press and Forms unit to 2360 Government offices and 47 Autonomous Bodies/Government Companies during 2003-08 remained unrealised for years together.

The Press and Forms Manager stated (October 2008) that there was no system of realisation of cost from government indenting offices since inception and that forms were supplied to the Autonomous Bodies and Government Companies as per Government instructions.

The argument was not acceptable because, as enjoined in West Bengal Treasury Rules, cost of supplies made to any office, department, organisation, etc, was to be realised in cash or by cheque or draft.

(iii) In Press and Forms unit of Alipore CCH, stock of printed forms and registers, etc, was not verified from time to time. A committee constituted in November 2005 for verification of stock of printed materials, reported (September 2007) shortage of stock of forms, registers, etc, valuing Rs 1.11 crore. No action was taken by the Department on the physical verification report submitted by the Committee.

(iv) One stainless steel fabrication unit set up in June 2000 at a cost of Rs 14.26 lakh in Presidency CCH was not commissioned due to non-availability of high tension power. After installation of the high tension power supply system in February 2004 at a cost of Rs 3.61 lakh, the unit could not be commissioned as the buffing machine, circle cutting

²⁰ *Steel utensils fabrication unit and wheat grinding mill in PCCH, silk art printing and clay modeling units in ACCH, blanket factory, wheat grinding mill and soap making unit in DCCH, cane furniture manufacturing unit and candle manufacturing unit in BCCH and white grinding unit, cane furniture and candle manufacturing units in MCCH*

machine and two hydraulic presses were damaged by then requiring thorough overhauling at an estimated cost of Rs 2.35 lakh. As no further fund was provided by the Department for this purpose, the unit remained non-functional rendering the expenditure of Rs 17.87 lakh unfruitful.

- (v) The blanket factory at Dumdum CCH remained non-functional since 1994 due to non-renovation of the factory/machineries. An additional shed constructed in November 2004 at a cost of Rs 17.62 lakh for upgradation of the blanket factory remained unutilised as no action was taken by the Department for modernisation/upgradation of the factory despite construction of the additional shed. Thus, the expenditure of Rs 17.62 lakh incurred on construction of the shed remained unfruitful.
- (vi) The Department maintains a Jail Depot for sale of products manufactured in prison industries and it sold jail products valuing Rs 5.14 lakh during 2003-08 whereas the cost of maintenance (pay and allowances and contingencies) of the Depot amounted to Rs 41.75 lakh. Further, there was no system of reconciliation of the sale proceeds realised by the Depot and the value of products supplied by the units to the Depot.

3.1.13 Internal Audit

The Internal Audit (IA) wing of the Department consisting of two Internal Auditors was functioning under the control of IGCS. The Department did not prepare any Internal Audit Manual codifying the procedures and scope of audit of CHs including the hospitals, dispensaries, manufacturing units, etc, functioning under CHs.

Out of 53 CHs of the Department, eleven to 34 CHs were audited by IA wing in each of the years 2003-08. Out of 378 paragraphs in 64 IA reports issued during 2003-08, only 78 paragraphs were settled up to June 2008. Of the remaining 300 paragraphs, 189 were lying outstanding for over one to four years. Thus, adequate action was not taken to rectify the deficiencies pointed out by the Internal Auditors.

3.1.14 Monitoring and evaluation

The Department did not form the State and District level Advisory Board for Correctional Services required to be constituted in terms of Section 28 of the Act for rendering advice to the State Government in respect of prevention, control and treatment of delinquency and crime and on the devising of ways and means for establishing greater co-ordination among different Departments dealing with criminal administration. There was lack of co-ordination between Jails and Judicial Departments. As a result, effective measures were not taken for premature release of convicts by following the extant provisions of the Act. Further, the system of monitoring and evaluating the performance of the CHs by the Department was not adequate and effective.

3.1.15 Conclusion

Retention of prisoners' cash by the Superintendents of CHs without depositing the same into the savings bank accounts of prisoners and misappropriation/unauthorised utilisation of such cash proved absence of any control over cash management. Overcrowding of prisoners due to insufficient accommodation and inadequate toilet facilities in prisons indicated lack of minimum standard of treatment/facilities in the Correctional Homes. Further, non-release of prisoners according to the provisions of the Act and retention of prisoners of foreign nationality after completion of sentence periods resulted in overcrowding in CHs. Despite overcrowding, there were delays in construction of new CHs. Ineffective surveillance led to escape of prisoners from CHs/police custody. The life convicts were deprived of the review even after completion of 14 years of imprisonment, which could have secured their release from custody. Further, the provisions for reformation and rehabilitation of prisoners in custody were not adequate and effective.

3.1.16 Recommendations

The Department should-

- *take immediate steps for depositing the prisoners' cash into the savings bank accounts of the respective prisoners;*
- *take immediate steps to bring about improvements in the living conditions of the inmates in CHs;*
- *consider strengthening the security system in CHs as well as prevent entry of prohibited articles into CHs. The system of providing escorts to prisoners when they are taken to courts should also be streamlined;*
- *set up a mechanism to review cases of under-trial prisoners as envisaged in the Act and the Department should take adequate initiative for release of life convicts and other prisoners according to the provisions of the Act and Criminal Procedure Code;*
- *ensure meaningful co-ordination with PW Department to avoid unnecessary delay in completion of construction works; and*
- *review the performance of the factory units and take adequate measures to optimise production in prison industries to avoid recurring losses sustained by the Department on this account.*

The matter was referred to Government in July 2008; reply had not been received (October 2008).

SCHOOL EDUCATION DEPARTMENT

3.2 NUTRITIONAL SUPPORT TO PRIMARY EDUCATION

HIGHLIGHTS

The National Programme of Nutritional Support to Primary Education, popularly known as 'Mid Day Meal' programme, launched by Government of India in August 1995, aimed at boosting universalisation of primary education by improving enrolment, attendance, retention and learning levels of children and simultaneously improving nutritional status of students in the age group of six to eleven years. Performance audit of the scheme disclosed that there was discrepancy in the figures of rice lifted/provided by transporters/distributors and those received by schools indicating substantial possibility of pilferage of rice. Instances of excess expenditure on transportation of rice, extra payment of cooking cost, etc. were also noticed. Even after a decade of implementation of the scheme, a good number of schools remain uncovered by the scheme. There were disruptions in providing cooked meal to children in the test-checked schools. Evaluation of the scheme was not done and as such the impact of the scheme remained un-assessed.

Despite incurring expenditure of Rs 1111.24 crore by the State Government during 2002-07, the scheme contributed to a marginal increase in enrolment during 2002-07, while 7.78 lakh eligible children remained out of school as of March 2007.

(Paragraphs 3.2.6.3 and 3.2.9.1)

Out of allotted funds of Rs 490.58 crore to seven selected districts during April 2002 to December 2007, Rs 68.02 crore (14 per cent) remained parked in Personal Ledger/ Bank accounts as of December 2007 besides non-drawal of Rs 3.80 crore.

(Paragraph 3.2.6.4)

Payment of cooking cost to schools on the basis of total enrolment of students in violation of the norm of 85 per cent resulted in extra expenditure of Rs 90 crore during January 2003 to July 2006.

(Paragraph 3.2.6.5)

In Bankura and Purulia, transportation charge was paid to contractors at the flat rate of maximum admissible amount irrespective of the distance covered. This has resulted in an extra expenditure of Rs 1.58 crore during 2002-07 as compared to the per kilometre rates fixed by Food & Supply Department.

(Paragraph 3.2.6.8)

There was short lifting of 18.32 lakh quintals of rice during 2002-07 due to non-coverage of all the primary schools under MDM programme and serving of cooked meals for less than targeted 222 school-days in a year. Further, the Average Attendance Rate (AAR) was found to be between 69 and 79 per cent, whereas distribution of foodgrains and payment of cooking costs were based on 85 per cent AAR leading to excess allocation

Abbreviations used in this Review have been listed in the Glossary (page 229)

of 2.41 lakh quintals of foodgrains costing Rs 13.62 crore and cooking cost of Rs 16.85 crore.

(Paragraph 3.2.7.1)

Even after implementation of the scheme for over a decade, 7321 primary schools in the State as a whole and 3704 primary schools in seven test checked districts were not covered under the scheme.

(Paragraph 3.2.7.3)

There was no action plan for management, monitoring and evaluation of the scheme. In absence of the same, proper monitoring and evaluation was not being done to assess the impact of implementation of the scheme. None of the 140 test-checked schools was inspected by Government officials during 2002-07.

(Paragraph 3.2.8.1, 3.2.8.2 & 3.2.8.3)

3.2.1 Introduction

The National Programme of Nutritional Support to Primary Education (commonly known as the Mid-Day Meal Scheme) was launched by Government of India (GOI) in August 1995. The scheme is aimed at (i) boosting the universalisation of primary education by increasing enrolment, attendance, retention and learning levels of children in the age group of six to eleven years and (ii) simultaneously creating positive impact on the nutrition of students in primary classes.

The programme initially focussed on children at the primary stage (class I to V) in Government, local body and Government-aided schools, it was extended in October 2002 to cover children studying in the Education Guarantee Scheme (EGS) and Alternative & Innovative Education (AIE) Centres. In December 2004, GOI issued revised guidelines emphasising on provision of cooked meals of minimum 300 calories with eight to 12 grams of protein content (revised to 450 calories with protein content of 12 grams in September 2006). Regular health check-up of primary school children was also to be conducted and essential micronutrients and de-worming medicines were to be provided to children.

3.2.2 Organisational set up

At the State level, the School Education Department (Primary Branch) was responsible for implementation of Mid Day Meal (MDM) scheme. The Joint Secretary (in-charge of MDM) was in-charge of the scheme under the overall supervision of the Principal Secretary of the Department. At district level, the District Magistrates were in overall charge of the scheme and were responsible for collection of foodgrains from Food Corporation of India (FCI) godowns, transportation and distribution of the same based on enrolment of students in the schools. At block level, the scheme was implemented by the Block Development Officers (BDOs) with the assistance of the Sub-Inspectors of Schools (Primary), Sub-Inspectors of Food, and Panchayat Samitis. In the Municipal areas, the Sub-Divisional Officers (SDOs) implemented the scheme through the respective Municipalities. In Kolkata, the scheme was implemented by Kolkata Primary School Council (KPSC) through District Inspector of Schools (Primary), Kolkata Municipal Corporation (KMC) and a

Non-Government Organisation viz. City Level Programme of Action for Street and Working Children (CLPOA).

3.2.3 Audit objective

The objectives of the performance audit were to assess whether:

- funds provided were adequate and utilised;
- the scheme achieved its principal objective of supporting the universalisation of primary education by improving enrolment, retention and attendance for children at primary education (class I to V) in primary schools/EGS and AIE centres;
- the scheme achieved its secondary objective of improving the nutritional status of the children in the primary classes;
- the requisition, allocation and utilisation of foodgrains were done in an efficient manner;
- children studying in primary schools/EGS & AIE centres were served cooked meal in terms of the quantities and the calorific value and nutritional levels prescribed in the scheme guidelines; and
- implementation of the programme was being effectively monitored.

3.2.4 Audit criteria

The audit criteria used for assessing the performance of the MDM scheme were:

- Norms and conditions specified in the scheme guidelines;
- The scheme objectives as well as the goals fixed by GOI/State Government for increasing enrolment, retention and attendance of children in primary schools and improving the nutritional status of children; and
- Monitoring mechanism formulated by the State Government.

3.2.5 Audit coverage and methodology

Performance audit of implementation of MDM scheme during 2002-07 was conducted during August-September 2007 and January-February 2008 through test-check of records of the School Education Department (Primary Branch) and the District Magistrates, District Inspectors of Schools of seven¹ selected districts out of twenty districts in the State. In each sample district (except capital district Kolkata), ten primary schools and four EGS/AIE centres in rural areas and four primary schools and two EGS/AIE centres in urban areas were selected while 14 primary schools and six EGS/AIE centres were selected in Kolkata.

An entry conference was held on 13 August 2007 with the Principal Secretary of the Department in which audit objectives were explained. The audit findings were discussed in an exit meeting on 11 October 2007 with the Joint Secretary of the Department.

¹ Bankura, Bardhaman, Malda, Murshidabad, Nadia, Purulia and Kolkata

Audit findings

3.2.6 Financial Management

3.2.6.1 Funding pattern

Government of India (GOI) support was provided by way of supply of free foodgrains through Food Corporation of India (FCI). GOI provided transportation charges of rice from the FCI depot to the school point up to Rs 50 per quintal till September 2004 and Rs 75 per quintal thereafter and assistance of Rs 60000 per school for construction of kitchen-cum-stores. GOI also provided one time assistance of Rs 5000 to each school during 2006-08 for purchase of utensils and cooking devices. While the cooking cost was shared by both the GOI and the State Government, expenses on infrastructure and MME were met by GOI.

3.2.6.2 Receipt of Central assistance

Till August 2004 the State Government was providing cost of cooking meals and from September 2004 onwards GOI had been releasing Central assistance for the same. The table below indicates the Central assistance received by the State for all the components of the scheme during the years 2002-07:

	2002-03	2003-04	2004-05	2005-06	2006-07	Total
	(R u p e e s i n c r o r e)					
Cost of rice (Paid to FCI)	132.20	141.09	134.57	99.43	87.94	595.23
Transport subsidy	2.87	4.38	22.32	15.89	16.05	61.51
Assistance for cooking	Nil	Nil	122.80	280.44	203.98	607.22
Creation of infrastructure	Nil	Nil	Nil	Nil	78.71	78.71
Management, monitoring & evaluation	Nil	Nil	Nil	4.14	2.80	6.94
Total	135.07	145.47	279.69	399.90	389.48	1349.61

3.2.6.3 Budget provision and expenditure

The details of budget provision and expenditure incurred by the State on the scheme during 2002-07 were as under:

(Rupees in crore)

Year	Transportation		Cooking		Infrastructure		MME		Total	
	Central	State	Central	State	Central	State	Central	State	Central	State
Budget provision										
2002-03	Nil	0.10	Nil	1.68	Nil	Nil	Nil	Nil	Nil	1.78
2003-04	Nil	6.10	Nil	0.77	Nil	Nil	Nil	Nil	Nil	6.87
2004-05	Nil	10.35	Nil	193.69	Nil	Nil	Nil	Nil	Nil	204.04
2005-06	Nil	Nil	180.00	338.82	Nil	Nil	2.30	Nil	182.30	338.82
2006-07	Nil	0.01	Nil	332.40	197.00	Nil	8.45	Nil	205.45	332.41
Total	Nil	16.56	180.00	867.36	197.00	Nil	10.75	Nil	387.75	883.92
Expenditure										
2002-03	Nil	1.80	Nil	0.67	Nil	Nil	Nil	Nil	Nil	2.47
2003-04	Nil	7.19	Nil	0.47	Nil	Nil	Nil	Nil	Nil	7.66
2004-05	Nil	10.30	Nil	152.18	Nil	Nil	Nil	Nil	Nil	162.48
2005-06	Nil	7.00	67.45	298.62	Nil	Nil	0.36	Nil	67.81	305.62
2006-07	Nil	Nil	61.94	299.88	197.94	Nil	5.44	Nil	265.32	299.88
Total	Nil	26.29	129.39	751.82	197.94	Nil	5.80	Nil	333.13	778.11

(Source: Budget documents and Appropriation Accounts)

Audit scrutiny revealed the following:

Irregular booking of expenditure on transportation of foodgrains	Out of GOI assistance of Rs 61.51 crore received during 2002-07, Rs 58.33 crore was spent, of which Rs 26.29 crore was irregularly booked in the account as State share and payments of Rs 32.04 crore was made out of funds (Rs 35.22 crore ²) received from GOI by cheque and deposited in a bank account maintained by the department since February 2005. Thus, transport subsidy of Rs 35.22 crore received by the State from GOI remained out of Government accounts.
Irregular booking of cooking cost	(i) In the accounts for 2004-07, cooking cost of Rs 750.68 crore was booked as State share while only Rs 129.39 crore was booked as Central share even though GOI assistance of Rs 607.22 crore was received for cooking during 2004-07. (ii) Expenditure (Rs 92.69 crore) incurred on MME (Rs 1.14 crore) and creation of infrastructure (construction of kitchen shed: Rs 90 crore and purchase of utensils: Rs 1.55 crore) during 2006-07 was irregularly booked as cooking cost.
Diversion of scheme fund	(i) The expenditure of Rs 5.25 crore incurred on cooking during 2003-04 was met out of transportation charges received from GOI, which was to be borne by the State. (ii) DM of Nadia diverted transportation charge of Rs 18.53 lakh for purchase of computers, printers, scanners, photocopy machine, steel cabinets, etc, during April 2002 to November 2003

Parking of Rs 68.02 crore in PL accounts and Bank accounts

3.2.6.4 Parking of scheme funds in Personal Ledger Account

Out of Rs 485.01 crore allotted for six districts, Rs 481.45 crore were drawn by DMs, of which Rs 424.76 crore were either spent or released to BDOs/Municipalities and remaining Rs 56.69 crore were parked in Personal Ledger (PL) accounts of DMs as of December 2007. Non-release of funds received for construction of kitchen cum stores (Rs 10.61 crore) and receipt of cooking cost in excess of requirement as per actual enrolment, were the main reasons for parking of funds in PL Accounts.

Test-check of records of DMs of Purulia and Nadia showed that out of cooking cost of Rs 77.96 crore allotted to the DMs during July 2005 to September 2007 for 9.85 lakh students of 6993 to 7659 schools, Rs 68.06 crore were released by DMs to BDOs/SDOs for 8.85 lakh students in 6671 to 7117 schools and Rs 9.90 crore was lying unutilised in the PL account of DMs. As per Government order, DMs were to sub-allot the funds to BDOs/SDOs who in turn should draw and disburse the funds to the schools. In violation of the same, a portion of allotted funds was drawn by DMs and kept idle in PL Accounts.

Scrutiny of records of 12 BDOs and six Municipalities in six test-checked districts disclosed that out of Rs 48.03 crore released by DMs to these BDOs/Municipalities during 2002-08 (up to December 2007), Rs 38.30 crore were spent and balance amount of Rs 9.73 crore was parked in the bank accounts of BDOs/Municipalities as of December 2007. Release of cooking cost to the BDOs/Municipalities in excess of requirement coupled with non-serving of meals during targeted 222 days in a year were the main reasons for non-utilisation of available funds.

² Rs 61.51 crore less Rs 26.29 crore

In Kolkata, out of allotment of Rs 5.57 crore during 2005-08 (up to December 2007), Rs 5.33 crore were drawn by District Inspector (DI) of Schools (Primary), of which Rs 3.73 crore were utilised and remaining Rs 1.60 crore were parked with DI (Rs 8.10 lakh), CLOPA³ (Rs 97.49 lakh), KMC⁴ (Rs 32.08 lakh) and Schools (Rs 22.58 lakh) as of December 2007.

Thus, out of scheme funds of Rs 490.58 crore allotted by the Department during 2002-08 (up to December 2007), Rs 68.02 crore (14 *per cent*) remained parked in PL accounts/banks as of December 2007 besides non-drawal of Rs 3.80 crore.

3.2.6.5 *Excess expenditure towards cooking cost*

According to scheme guidelines, cooking cost was to be paid to schools on the basis of average attendance of 80 *per cent* of enrolment of students. In May 2005, the State Government re-fixed the average attendance rate at 85 *per cent* and directed all the DMs to pay cooking cost to schools on the basis of 85 *per cent* of students enrolled in each school.

Excess expenditure of Rs 90 crore towards cooking cost

In violation of the norm, cooking cost was paid to schools for total number of students enrolled in each school up to July 2006 resulting in excess payment of Rs 90 crore during January 2003⁵ to July 2006. Since August 2006, cooking cost was paid to schools on the basis of 85 *per cent* of enrolment.

3.2.6.6 *Shortage of cash*

The Bishnupur Municipality paid Rs 46.02 lakh as cooking costs to schools in cash by withdrawing Rs 47.35 lakh from bank by drawing self cheques during June 2005 to February 2008 leaving a cash balance of Rs 1.33 lakh. But, there was no cash in hand leading to shortage of Rs 1.33 lakh. The Municipality could not explain the reason for the cash shortage of Rs 1.33 lakh indicating misappropriation of cooking cost.

3.2.6.7 *Excess claim of transport subsidy*

Excess claim of transport subsidy of Rs 4.81 crore

The transport subsidy was to be reimbursed by GOI on the basis of actual expenditure incurred by the department on transportation of rice from the nearest FCI depot to the school subject to a maximum of Rs 75 per quintal (Rs 50 per quintal prior to October 2004). In violation of the same, the department claimed transport subsidy of Rs 63.08 crore at the fixed rate of Rs 50/Rs 75 per quintal for transportation of 104.27 lakh quintals of rice during 2002-07 against actual expenditure of Rs 58.33 crore incurred on transportation of 104.27 lakh quintals of rice and thus, it received excess transport subsidy of Rs 4.81 crore from GOI.

³ City Level Programme of Action for Street and Working Children

⁴ Kolkata Municipal Corporation

⁵ Serving cooked meal in schools was started in January 2003.

3.2.6.8 Excess payment of transportation charge

Excess payment of transportation charge of Rs 1.58 crore in two districts

The District Controller of Food and Supplies (DCFS), Bankura and Purulia paid transport charges to the transport contractors for carrying rice under Public Distribution System (PDS) on the basis of per quintal per km rates fixed by Food and Supplies (F&S) Department from time to time. Instead of applying the same rates for MDM Scheme, the DMs paid transportation charge of Rs 2.87 crore⁶ for transportation of 4.51 lakh quintals of rice during 2002-07 at the flat rate of Rs 50/75 per quintal without taking into account the distance of transportation. As per the distances involved, only Rs 1.29 crore was payable according to the rates fixed by F&S Department. The DMs of other districts, however, followed the rates fixed by F&S Department. In this way, the DMs of Bankura and Purulia incurred extra expenditure of Rs 1.58 crore towards transportation charge.

3.2.6.9 Non-disposal of empty gunny bags

Non-disposal of gunny bags worth Rs 6.76 crore

The State Government directed (December 1998) the DMs to maintain the account of empty gunny bags, to dispose of gunny bags through auction and to deposit the sale proceeds into the Government account. Scrutiny of record of DMs and test-checked BDOs/Gram Panchayats/ Municipalities and Schools in seven selected districts disclosed that neither any account of empty gunny bags was maintained at any level nor its sale proceeds deposited into treasury by BDOs/Gram Panchayats/Municipalities/Schools (except only Rs 0.97 lakh deposited by two blocks and one Municipality in Murshidabad) even though the schools in these districts received 42.28 lakh quintals of rice in 84.56 lakh gunny bags during 2002-07. BDOs/Gram Panchayats/ Municipalities/ Schools failed to explain the reasons for the loss on account of these gunny bags. Thus, non-disposal of empty gunny bags in seven selected districts resulted in a loss of Rs 6.76 crore to the Government.

3.2.7 Execution of the scheme

3.2.7.1 Allocation and lifting of foodgrains

The quantities of foodgrains allocated by GOI and lifted by the districts during the years 2002-07 were as indicated below:

Fifteen per cent of allocated rice was short-lifted during 2002-08

Year	Foodgrains allocated by GOI	Foodgrains lifted by districts in the State	Short lifting	Percentage of short lifting
	(I n l a k h o f q u i n t a l s)			(Per cent)
2002-03	29.93	22.90	7.03	23
2003-04	28.18	24.59	3.59	13
2004-05	26.49	23.62	2.87	11
2005-06	20.54	17.60	2.94	14
2006-07	17.45	15.56	1.89	11
Total	122.59	104.27	18.32	15

It would be evident from above that there was short lifting of 18.32 lakh quintals (15 per cent) of rice during 2002-07. In seven test-checked districts,

⁶ Out of Rs 2.87 crore, Rs 2.26 crore had already been paid and bills for Rs 0.61 crore were pending for payment as of August 2007.

out of 52.68 lakh quintals of rice allotted during 2002-08 (up to December 2007), 45.81 lakh quintals were lifted leading to short lifting of 6.87 lakh quintals (13 *per cent*). Non-coverage of all the primary schools and AIEs under MDM programme and serving of cooked meals for less than targeted 222 school-days in a year were the main reasons for short lifting of foodgrains.

The State Government sent proposal/requisition to the GOI for allocation of foodgrains and Central Assistance for cooking cost at the AAR of 85 *per cent*. There was no evidence in any of the seven test-checked districts to show that the AAR was compiled at the district level based on actual figures of attendance and enrolment received from schools/gram panchayats/blocks.

Allocation of foodgrains without recording AAR led to excess allocation of rice worth Rs 13.62 crore and excess payment of cooking cost of Rs 16.85 crore

In 140 test-checked schools the average attendance varied from 69 to 79 *per cent* during 2002-07. Thus, actual AAR was found to be less than 85 *per cent* fixed for distribution of foodgrains and payment of cooking cost leading to excess allocation of about 2.41 lakh quintals of foodgrains costing Rs 13.62 crore and cooking cost of Rs 16.85 crore in seven test-checked districts during 2002-07.

3.2.7.2 *Discrepancy in lifting and distribution of foodgrains*

Quantities of rice lifted by dealers/distributors from FCI depots and those actually delivered to schools were never reconciled by the DMs/BDOs/Municipalities. There was no system of maintaining any account of rice distributed to/consumed by schools at Block/Municipality or District level. In absence of any accounts, the entire quantity of rice lifted from the FCI depots was considered as distributed. Scrutiny in audit disclosed the following:

Unreconciled discrepancy of rice worth Rs 2.54 crore

- (i) According to the records of FCI, 9.42 lakh quintals of rice were lifted from FCI by three test-checked districts⁷ during 2002-07, whereas as per records of district authorities, 8.97 lakh quintals of rice were lifted during the same period resulting in shortage of 0.45 lakh quintals of rice valuing Rs 2.54 crore.
- (ii) In 13 Blocks and one Municipality of three districts, 2650.45 quintals of rice valuing Rs 22 lakh were declared damaged between December 2005 and November 2007 due to prolonged storage. Non-lifting of allotted quota of rice by the schools owing to non-serving of MDM during targeted 222 school days coupled with non-implementation of the scheme by all the Sishu Siksha Kendras were the main reasons for accumulation of stock. The damaged stock of rice was sold in auction at Rs 10.90 lakh resulting in ultimate loss of Rs 11.10 lakh.
- (iii) As per distributors' records, 38.46 quintals of rice were stated to have been supplied to three⁸ test-checked schools in Bardhaman whereas according to the schools' records, such quantities of rice were not

⁷ Malda, Purulia and Murshidabad

⁸ Khetia High school: 4.82 quintals in November 2006; SC Guha FP school: 21.93 quintals during April-September 2004 and 5.65 quintals in September 2007 in Bardhaman-I block and Bishnupur FP school: 6.06 quintals in November 2004 in Memari-I block

received by the schools. This indicated misappropriation of 38.46 quintals of rice worth Rs 0.22 lakh.

3.2.7.3 Coverage of schools under MDM

7321 schools not yet covered under the scheme in the State

Since introduction of the scheme in West Bengal in August 1995, dry rice was distributed amongst the students of Class I to IV in primary schools. The cooked meal programme was started in 1100 schools (1.76 lakh students) in six districts with effect from January 2003. Thereafter, coverage of schools under cooked meal increased gradually and out of 78123 primary schools including EGS/AIEs in the State, 69808 schools including EGS/AIEs (91.95 lakh students) were brought under cooked meal programme as of March 2007. Of remaining 8315 schools (12.48 lakh students) which were not covered under cooked meals, students of 7321 schools were not even given dry rice.

In seven test-checked districts, out of 22145 schools (33.86 lakh students) and 6017 EGSs/AIEs (4.56 lakh students), 2827 schools (4.33 lakh students) and 877 EGSs/AIEs (1.10 lakh students) were not covered under MDM scheme till December 2007. Thus, 5.43 lakh students (14 per cent of students enrolled) of 3704 primary schools/ EGS/AIEs were deprived of the benefit of the scheme even after a decade of implementation of MDM scheme.

3.2.7.4 Irregularities in serving mid day meal in schools

No meal was served on 37 per cent of targeted student days in test-checked schools

Out of 140 test-checked schools in seven selected districts, cooked meal was not served in 37 schools during 2004-05, in 21 schools during 2005-06 and in 10 schools during 2006-07. Against total 0.78 lakh school days at the rate of 222 days per year for which cooked meals were to be served during 2004-07, meals were served only on 49176 school days (63 per cent). The reasons for shortfall in providing cooked meal to the students were delayed implementation of the programme for serving cooked meal and non-provision of cooked meals on Saturday in some schools, etc.

Surprise visit by the audit teams to 42 urban schools in seven test-checked districts in September 2007 disclosed that 227 students in five schools did not take meals while 29 teachers and cooks used to take the MDM. Further, 418 outside children took meals in 18 schools on the day of visit.

3.2.7.5 Availability of infrastructure

Out of 78123 primary schools/EGS/AIE centres in the State as of March 2008, pucca kitchen shed was not available in 55476 schools (71 per cent), drinking water was not available in 22518 (29 per cent), and adequate kitchen devices and utensils were not available in 8315 (11 per cent), while gas based cooking facility was available only in less than one per cent schools.

Out of 140 test-checked primary schools/AIEs, pucca kitchen shed was available in 90 schools, drinking water facility was available in 98 schools, cooking devices/utensils were available in 132 schools and gas based/smokeless chullahs were available in 17 schools. Due to non-availability of

kitchen sheds, cooking was done in class rooms in seven schools and in 37 schools, cooking was done in the veranda or corridor or other place (SHG's house, nearby club room, etc.).

3.2.7.6 Construction of kitchen cum stores

The Department released (March 2007) Rs 148.75 crore to the DMs for construction of kitchen cum stores in 24792 schools at a cost of Rs 60000 each. The status of construction of the kitchen cum stores in the State was not available on record.

Out of Rs 65.64 crore paid (March 2007) to DMs of seven test-checked districts for construction of 10940 kitchen cum stores, Rs 55.03 crore were paid to 125 Blocks/Panchayat Samities and 14 Municipalities and remaining amount of Rs 10.61 crore was parked in PL accounts of DMs. Out of Rs 55.03 crore, Rs 3.50 crore were utilised for construction of 583 kitchen cum stores and balance Rs 51.53 crore were parked in bank accounts of Blocks/Panchayat Samities as of December 2007. Scrutiny in audit disclosed the following:

- (i) The DM of Purulia released (August 2007) Rs 41.40 lakh to Purulia Municipality for construction of kitchen cum store in 69 schools at Rs 60000 each. In violation of the scheme guidelines, the Municipality constructed (March 2008) kitchen cum store in 36 schools at Rs 1.15 lakh each resulting in an extra expenditure of Rs 19.80 lakh, which could cover 33 more schools.
- (ii) Out of Sarba Siksha Abhiyan (SSA) funds of Rs 1.50 crore received (September 2005) by Nadia Zilla Parishad for construction of kitchen sheds in 600 schools, Rs 0.28 crore were paid to seven Panchayat Samities, four Municipalities and one primary school during February 2006 to June 2007 for construction of 111 kitchen sheds and remaining Rs 1.22 crore were parked in LF account of Zilla Parishad as of December 2007.

3.2.8 Monitoring and evaluation

3.2.8.1 Non-preparation of Action Plan

The Department did not prepare any Action Plan for management, monitoring and evaluation (MME) of the scheme. GOI, however, released Rs 4.14 crore in 2005-06 and Rs 2.80 crore in 2006-07 for MME, out of which Rs 5.80 crore were released to the district authorities during 2005-07. Out of Rs 2.50 crore released to DMs of seven test-checked districts during 2005-07, Rs 1.13 crore remained parked in PL Accounts of DMs as of March 2007.

3.2.8.2 Formation of Steering-cum-Monitoring Committees

According to the scheme guidelines, the Steering cum Monitoring Committees (SMC) were to be set up at State, District and Block levels for guidance, monitoring, coordination and taking action on reports of independent monitoring agencies. The scheme also envisaged development of a computerised management information system by the Department of Education with the help of the National Informatics Centre (NIC) for proper monitoring of MDM programme.

No Action Plan for MME has been prepared by the Department

Two test-checked districts have not formed SMC

The State level SMC was formed in February 2004 and against requirement of at least six meeting during 2004-07, only one meeting was held in May 2004. Out of seven test checked districts, the district level SMCs were formed in five districts (one during 2005-06, two during 2006-07 and two during 2007-08) while SMCs have not yet been formed in Bardhaman and Murshidabad districts. Against requirement of 10 meetings during 2005-07 since formation of three district level SMCs, only four meetings were held.

Out of 168 blocks/municipalities in seven test checked districts, SMCs were formed in 30 blocks/municipalities (27 during 2005-06, one during 2006-07 and two during 2007-08). Against requirement of 190 meetings during 2005-07 since formation of 28 block/municipality level SMCs, only one meeting was held.

Thus, monitoring the implementation of the scheme was inadequate. Further, the computerised management information system was not introduced and the performance of the scheme was not evaluated.

3.2.8.3 Inspection by Officers

No inspection was conducted by Government officers in any of 140 test-checked schools

The scheme guidelines stipulate fixation of monthly targets for inspection of meals served in schools in respect of officers of district, block and other officers belonging to Departments like General Administration, Rural Development/Urban Administration, School Education, Women & Child Development, Health and Family Welfare, Food and Supplies, etc. Further, inspection targets should be so fixed and inspections should be so co-ordinated that, as far as possible 25 per cent of the primary schools and EGS/AIE centres are inspected every quarter, and all primary schools are inspected at least once every year. Neither the Department nor the authorities of the selected districts could produce any record in respect of inspections of MDM conducted by the Government Officers. In 140 test checked schools, no such inspection was conducted during 2002-07.

Further, there was no mechanism for ensuring the availability of required calorific value of the meals served to the children, verification of the expenditures incurred on cooking and the data on enrolment and attendance reported by the schools.

3.2.9. Impact evaluation

3.2.9.1 Enrolment of children in schools

Table below indicates children of the age group of six to eleven years in the State, number of children enrolled in primary schools, EGS, AIE Centres, etc, and number of out of school children during 2002-07:

Year	Eligible			Enrolled			Out of school		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
	(Numbers in lakh)								
2002-03	58.81	57.16	115.97	52.06	50.57	102.63	6.75	6.59	13.34
2003-04	58.08	56.74	114.82	55.02	53.75	108.77	3.06	2.99	6.05
2004-05	56.07	54.84	110.91	54.20	53.02	107.23	1.86	1.82	3.68
2005-06	54.90	53.86	108.76	53.35	52.34	105.69	1.55	1.52	3.07
2006-07	56.56	55.66	112.22	52.62	51.82	104.44	3.94	3.84	7.78

Seven per cent of the total eligible children remained out of school

It would be evident from the above table that although there was gradual decrease in out of school children during 2002-06, it substantially increased to 7.78 lakh in 2006-07 representing seven *per cent* of total eligible students.

In seven test-checked districts, out of 44.55 lakh eligible children of the age group six to eleven years, 40.70 lakh children were enrolled in primary schools, EGS, AIE, etc, and remaining 3.85 lakh children (nine *per cent*) were out of school as of March 2007. Thus, the objective of MDM scheme of enrolment of *cent per cent* children in primary schools remained unachieved.

3.2.9.2 Nutritional status of children

A medical team⁹ was to be constituted in each Block for health check up of students of primary schools. Any two members of the above team should attend once in a month at every primary school in the respective Block for health check-up of students. Health check-up was also to be conducted at primary schools by the health assistants of the concerned Sub-centre once in a week on a day prefixed in consultation with the head teachers of the respective primary schools.

As per instruction of the Commissioner (FW), the report on health check up at each school was to be compiled at Sub-centre level and then at Block level and finally at district level and the district level monthly report was to be sent to the Health and Family Welfare Department.

The State level report on health check up programme undertaken in primary schools during 2006-08 (December 2007) vis-à-vis funds utilised by CMOsH for health check-up programme could not be produced by the H & FW Department. Scrutiny of records disclosed the following:

- (i) The Commissioner (FW) spent Rs 28.03 lakh in January 2006 for printing of 18.40 lakh 1st level screened forms and 54 lakh school health check-up cards and the same were distributed to all District Primary School Councils (DPSC) during August to October 2005. Out of 7.25 lakh 1st level screen forms and 20 lakh schools health check-up cards received by seven test checked districts, only 1.35 lakh forms and 4 lakh cards were distributed to schools and remaining 5.90 lakh forms and 16 lakh cards costing Rs 8.46 lakh were lying unused as of December 2007.
- (ii) During April 2006 to November 2007, health check-up¹⁰ was conducted at 3483 schools (21 *per cent*) out of 16834 primary schools in five test checked districts¹¹. Health check-up of students of remaining 13351 schools was never conducted. The short coverage of schools under health check-up was attributable to visit by health assistants once in a month instead of once in a week and also irregular

No health check-up was ever conducted in 13351 schools in five test-checked districts though fund was not a constraint

⁹ One each of Medical Officer, Dental Surgeon, Block Primary Health Nurse, Primary Health Nurse, SWO, BSI, PMOA and Health Supervisor

¹⁰ One to five times in each school during April 2006 to November 2007

¹¹ Bardhaman, Bankura, Nadia, Murshidabad and Purulia

visit to schools by the members of the block level health check up team. Due to such shortfall in coverage of schools under health check up programme, out of Rs 60.30 lakh released during July 2005 to September 2007 to CMOsH of these five districts as mobility support for school visit by the medical staff, Rs 19.78 lakh remained parked with CMOsH as of December 2007 and out of Rs 3.97 lakh paid to 12 test-checked BMOsH, Rs 2.75 lakh remained unutilised as of December 2007.

- (iii) During health check up of schools in five test-checked districts, nutritional deficiency was detected in 31706 students and 77142 students were suffering from other diseases (defects in eye: 10811, ear, nose, throat: 10921, teeth: 30926, and skin disease: 19038, other disease: 5446) while 14848 students were referred to BPHCs/PHCs for treatment. Out of 100 test checked schools in these five districts, health check-up was conducted in five schools only; no health check up was conducted in the test-checked schools of Maldah and Kolkata.

3.2.9.3 Retention

Data on retention/drop out of children were captured and compiled neither by the department at the state level nor by the DIs of Schools at the district level and therefore, it was not possible to verify whether the scheme had contributed to retention in schools. However, the details of students studying in classes from I to IV in 140 test-checked schools showed progressive reduction in number of students in every successive classes during 2002-07 which was indicative of low retention and high drop outs as shown in the table below.

Year	No. of students enrolled				
	Class I	Class II	Class III	Class IV	Total
2002-03	7476	5856	4840	4740	22912
2003-04	8278	5864	5624	4896	24662
2004-05	7567	5848	5495	5495	24405
2005-06	7067	5538	5463	5276	23344
2006-07	7115	5344	5328	5294	23081

Thus, against 15754 students enrolled in Class I in 2002-03 and 2003-04, 10570 students were retained in Class IV in 2005-06 and 2006-07 indicating drop out of 5184 students (33 per cent).

Further, there was no increase in the AAR in primary schools. Out of 22638 students enrolled in 139 schools covered under surprise visit by audit teams, 16755 students (74 per cent) were present on the day of visit while 2917 students left schools after taking meal. The AAR in schools varied from 69 to 79 per cent against norm of 85 per cent fixed by the State Government.

3.2.10 Conclusions

The implementation of MDM scheme suffered from various deficiencies mainly due to deficient financial management and poor implementation strategies and lack of effective monitoring. While 7321 schools were yet to be covered under the scheme, students enrolled in primary schools were not

getting meals for prescribed number of 222 days. About 15 *per cent* of foodgrains allocated by GOI under the scheme during 2002-07 were not lifted by Department which was indicative of indifferent planning and monitoring of the scheme and non-achievement of objectives. Lack of control over expenditure was also apparent from the cases of excess payment of cooking cost, transportation charge, etc. Further, there were unreconciled discrepancies in quantities of rice lifted from FCI godown and quantities actually reaching the beneficiaries at the schools leaving substantial scope for pilferage. In absence of regular inspection of schools, the quality of meals in terms of hygiene, calorie and protein contents were not monitored. The schools also suffered from inadequate infrastructure. Though more than Rs 1100 crore were spent during 2002-07 on the scheme in the State, it failed to create the desired impact in boosting of universalisation of primary education and retention of students as 7.78 lakh eligible students remained out of schools and the test-checked schools showed high rate of drop out at the primary level.

3.2.11 Recommendations

- *Department should ensure supply of meals to the students on 222 school days in a year as envisaged in the scheme guidelines;*
- *In order to obviate the risk of pilferage of rice, the Department should reconcile the quantities of rice lifted from FCI and distributed among schools;*
- *There should be regular inspection of schools by the Government officers to ensure the required calorific value of the meals served to the children;*
- *Regular health check up of students should be ensured to assess the impact of the scheme in terms of nutritional status of the children;*
- *The department should undertake an impact assessment of the scheme and identify causes for lack of improvement in enrolment, attendance and retention levels so as to enable corrective measures in order to achieve the objectives of the scheme.*

The matter was referred to Government in June 2008; reply had not been received (October 2008).

PUBLIC HEALTH ENGINEERING DEPARTMENT

3.3 ACCELERATED RURAL WATER SUPPLY PROGRAMME

HIGHLIGHTS

The Accelerated Rural Water Supply Programme (ARWSP), a centrally sponsored programme, aims at providing safe and adequate drinking water facilities to the rural population. A review of its implementation in West Bengal showed that the ARWSP failed to create the desired impact owing to various shortcomings in planning, execution and monitoring of the schemes. More than 16,000 habitations did not have adequate drinking water and adequate steps were not taken to address biological and chemical contamination leading to more than 12,000 habitations with unacceptable water quality, including severe arsenic and fluoride contamination. Implementation of Swajaldhara Schemes was marred by weak financial control, poor maintenance of records and non-adherence to norms. Some important findings of the Performance Audit are given below:

The Department did not prepare Annual Action Plans as per the guidelines and thus failed to provide a definite direction to the programme.

(Paragraph 3.3.7)

The programme was adversely affected by poor financial management which included delays (23 to 301 days) in release of funds to the implementing agencies, inability to spend Central funds, expenditure on inadmissible items and diversion of funds.

(Paragraphs 3.3.8.3, 3.3.8.4 and 3.3.8.5)

Despite an investment of Rs 1544 crore on implementation of ARWSP in the State since 2002-03, 5535 habitations still did not have any source of drinking water and 11071 habitations were only partially covered. More than 3500 rural schools were yet to be provided drinking water.

(Paragraphs 3.3.8.1, 3.3.9 and 3.3.9.5)

Priority was given to partially covered (PC) habitations over not covered (NC) habitations, in contravention of the guidelines.

(Paragraph 3.3.9.3)

Inadequate maintenance and lack of sustainability measures rendered 14 to 16 per cent of total tubewells defunct.

(Paragraph 3.3.10.1)

As many as 12817 habitations are still facing water quality problems, including severe arsenic and fluoride contamination.

(Paragraph 3.3.11.1)

Periodic testing and monitoring of quality of water sources were not done. Eighty five of the 261 schemes, covering a population of 12.78 lakh, were affected with biological or chemical contamination.

(Paragraph 3.3.11.3)

Abbreviations used in this Review have been listed in the Glossary (page 229)

Out of 340 Swajaldhara Schemes, only 37 were completed. Inadequate participation of the community and poor functioning of VWSCs were noticed in test-checked districts.

(Paragraphs 3.3.13.1 and 3.3.13.2)

Vigilance and Monitoring Committees were not set up at the State, district and village levels. Research and Development Cell was not set up for investigation works. Proper management Information System was not established despite spending Rs 3.02 crore.

(Paragraphs 3.3.15.1, 3.3.15.2 and 3.3.14.2)

3.3.1 Introduction

The Accelerated Rural Water Supply Programme (ARWSP), a centrally sponsored scheme introduced in 1972-73, was revamped and given a mission approach in 1986 to provide safe and adequate drinking water facilities to all rural habitations of the State. The main objectives of the programme were to:

- ensure coverage of all rural habitations;
- ensure sustainable drinking water systems and sources;
- tackle the problem of water quality in affected habitations;
- institutionalise the reform initiative in rural drinking water supply sector.

The ARWSP Programme was funded by the GOI with 50 *per cent* matching share by the State under their Minimum Needs Programme (MNP). The Sectoral Reforms Programme adopted in 1999 was modified (December 2002) as Swajaldhara introducing a participatory and demand driven approach for supply of safe drinking water to the rural population of the State. The guidelines provided up to 20 *per cent* of allocation of funds under ARWSP for Swajaldhara. The funding pattern was in the ratio of 90 *per cent* from GOI and 10 *per cent* by way of community contribution from the beneficiaries.

3.3.2 Organisational set up

The Public Health Engineering Department (PHED) is the nodal department for providing safe drinking water to the people of the State. Principal Secretary is overall in-charge of the Department assisted by four Chief Engineers (CE), 15 Superintending Engineers (SE) and 46 Executive Engineers (EE). The Zilla Parishads were responsible for implementation of the schemes under Swajaldhara through Village Water & Sanitation Committees (VWSCs).

3.3.3 Audit objectives

The Performance audit was conducted with a view to assess the extent to which the programme objectives were achieved and, specifically, whether:

- the survey of habitations was conducted effectively and planning was based on authentic and reliable data;
- the process of planning was effective;

- the financial management was adequate and efficient;
- the scheme was executed economically, efficiently and effectively;
- adequate attention was paid to Operation and Maintenance (O&M) of existing water supply schemes, as opposed to taking up of new water supply schemes;
- the mechanism for monitoring of water quality was adequate and effective; and
- the objective of demand driven rural water supply through Swajaldhara was effectively achieved.

3.3.4 Audit criteria

The criteria used for the Performance audit were :

- Guidelines for Implementation of Accelerated Rural Water Supply Programme (August 2000);
- Guidelines on Swajaldhara (June 2003);
- Guidelines on Survey of Drinking Water Supply Status in Rural Habitations (February 2003);
- Guidelines for National Rural Drinking Water Quality Monitoring and Surveillance Programme (January 2006);
- Guidelines for Implementation of Schemes and Projects on Sustainability; and
- Draft Project Report and Project implementation Plan for individual schemes.

3.3.5 Audit coverage and methodology

The implementation of ARWSP including Swajaldhara during 2002-08 was reviewed in July-September 2007 and February-May 2008 through test-check of records of the Department/Directorate and 11 Divisions¹ in six Districts² selected by 'Simple Random Sampling Without Replacement' method. Besides, records of the Zilla Parishads of the selected Districts including records of the 59 Village Water and Sanitation Committees in these six districts were checked in course of audit. An Entry Conference was held in July 2007 with the Principal Secretary of the Department, in which audit objectives were explained. The audit findings were also discussed in an Exit Conference held in September 2008. The Government sent a written response to the draft report in September 2008 and the views of the Department have been suitably incorporated in this report.

¹ Malda, Malda Arsenic Area Water Supply, Bankura, Bankura Mechanical, Medinipur, Medinipur Mechanical, Barasat, North 24-Parganas Water Supply-I, Alipore, South 24-Parganas Water Supply-I and Murshidabad Division

² North 24-Parganas, South 24 Parganas, Bankura, Paschim Medinipur, Malda and Murshidabad

Audit findings

3.3.6 Survey of habitations

3.3.6.1 Delay in conducting survey

Delay in completion of survey

For reliable information on the status of drinking water supply, the Government of India (GOI) instructed (February 2003) the State Government to complete a survey by March 2003 and submit the results by September 2003, which, however, was submitted to GOI in August 2005 after a delay of two years.

3.3.6.2 Deficiencies in survey

The following deficiencies in the survey were noticed by audit:

- In contravention of the guidelines, survey forms were not translated into the local languages for effective and reliable collection of information by the grass root/village level workers.
- Survey maps, required to be prepared for a complete understanding of the villages surveyed, were not prepared.
- Five *per cent* of the survey reports were required to be test-checked by Supervisory Officers at District and Sub Divisional levels to ensure correctness of data. There was no evidence to show that this was done.

Based on the survey, the State Government reported (August 2005) to GOI the status of 96020 habitations, including 66799 as fully covered (FC); 20424 as partially covered (PC) and 8797 as not covered (NC). However, GOI considered 96265 habitations (FC: 61634, PC: 25103 and NC: 9528) after the validation of the survey data in October 2005. This notwithstanding, the State Government planned for 96020 habitations only, the gap of 245 habitations has not been suitably explained by the State Government.

3.3.7 Planning

Annual Action Plans were not prepared adequately

The guidelines required preparation of the Annual Action Plans (AAPs) showing details of the habitations planned to be covered, their status, the requirement of the funds and the works to be taken up etc. Scrutiny of the records revealed that the planning was not comprehensive. The AAPs were prepared only for three years (2002-05), though the AAP for 2002-03 was not made available to Audit, and a consolidated plan for 2005-09 was prepared, which did not have the details required by the guidelines. Thus, the planning lacked the necessary direction and details and could not provide the annual framework for programme implementation and performance evaluation.

There were also wide divergences in the targets set by the State Government and the GOI, the targets set by the State Government being much lower as shown in the following table.

Year	Target as per AAP/Consolidated Plan		Target set by GOI for execution		Achievement	
	PC	NC	PC	NC	PC	NC
2003-04	6752	--	37222	--	6752	--
2004-05	5806	--	12870	5819	2906	2693
2005-06	2337	339	15196	1464	2448	295
2006-07	2606	--	13417	2424	2686	353
2007-08	2624	--	6248	2200	5992	652
2008-09	2641	--	--	--	--	--

The following other deficiencies were noticed in the Action Plans prepared by the State Government :

- The Action Plans did not focus on prioritisation of activities; they did not lay emphasis on completion of incomplete works as opposed to new works.
- The plans also did not indicate the year-wise targets for coverage of NC/PC habitations, shelf of schemes, likely carry over of unspent funds, and population of SC/ST to be benefited.
- The Action Plans were not revised as per availability of funds.

The Government stated (September 2008) that the consolidated plan for 2005-09 was prepared as per guidelines laid down in Bharat Nirman which had embraced the rural water supply programme. The reply was not tenable as the necessary details were not incorporated in the plan, which also did not conform to the goal of Bharat Nirman that every habitation has to be provided with safe source of drinking water under a time bound action plan by 2009.

3.3.8 Financial management

3.3.8.1 Over-reporting of expenditure

Year	Funds released by GOI	Expenditure against GOI Share	Funds released by State Government	Expenditure against State Share
<i>(Rupees in crore)</i>				
2002-03	101.15	79.30	80.48	80.48
2003-04	68.27	83.62	82.69	82.69
2004-05	82.70	85.55	85.39	85.39
2005-06	150.78	142.38	117.97	117.97
2006-07	171.18	144.54	139.50	139.50
2007-08	191.37	230.55	271.91	271.91
Total	765.45	765.94	777.94	777.94

The above table shows that over the period 2002-03 to 2007-08, the State Government reported expenditure which was almost the same as the amounts received from GOI/State sources. The Department admitted during the Exit Conference that expenditure was being reported as soon as the amounts were being released for expenditure. The test audit findings indicated that a significant amount of scheme funds had been lying unspent or had been diverted for other purposes or for which Utilisation Certificates (UCs) had not been received from the implementing authorities, as discussed in subsequent paragraphs. Thus, it was evident that not all of the reported expenditure had been spent on the programme.

3.3.8.2 Failure to utilise the funds

Rs 9.20 crore of Central assistance withheld by GOI

GOI imposed a total cut of Rs 72.69 crore during 2002-08³ as penalty for the savings and shortfall in the State's share of MNP. However, the cuts were later on partly⁴ restored at request of PHED. The Department attributed (January 2008) it to late release of funds by GOI (Rs 11.59 crore and Rs 13.12 crore in 2005-06 and 2006-07 respectively). This was not tenable in view of the fact that the savings of GOI funds (Rs 15.71 crore in 2005-06 and Rs 42.35 crore in 2006-07) were much higher than the amounts stated to have been released late during the respective years.

3.3.8.3 Delay in release of funds

Delay of 23 to 301 days in release of funds

As per ARWSP guidelines, GOI funds are to be released along with the State's share to the executing agencies within 15 days of receipt. Scrutiny revealed that there was delay of 23 to 301 days in release of funds by the State Government to the PHED during 2003-04 to 2006-07. Only five *per cent* of funds were released within the prescribed time limit of 15 days. Government stated that due to observance of necessary formalities it was not possible to release the entire amount within 15 days' time.

3.3.8.4 Parking of funds

Scheme funds of Rs 17.76 crore were parked for three months to three years

PHED released funds to the Divisions without assessing the actual requirement which resulted in parking of funds of Rs 17.76 crore for three months to three years in two⁵ of the test-checked districts and four of the test-checked Divisions (*Appendix-3.2*). Government admitted the fact of parking but did not specify the measures to address it.

3.3.8.5 Diversion of funds

Scheme funds of Rs 1.49 crore were diverted

Five of the 11 test-checked Divisions diverted Rs 1.49 crore for expenditure that was outside the purview of the scheme (*Appendix- 3.3*) and included payment towards providing water in urban areas, office/godown rent, purchase of stationery, repairing/hiring of vehicles, renovation of office/godown/staff quarters etc. which were to be met out of AUWSP⁶/ Non-Plan Fund. This resulted in reduction in the availability of funds. Admitting the fact the Government stated that strict instructions had been issued to the divisional offices not to make any diversion of fund.

3.3.8.6 Non submission of UCs by Zilla Parishads (ZP)

Status of utilisation of Rs 169.05 crore allotted to Zilla Parishads was not available

Non-submission of utilisation certificates by the ZPs was rampant. Out of Rs 169.05 crore allotted by PHED to 18 ZPs /DGHC during 2002-03 to 2007-08 for construction of tube wells, wells and mini piped water supply schemes, UCs for only Rs 0.54 crore had been received as of September 2008. As a

³ (Rs 13.22 crore in 2002-03, Rs 2.56 crore in 2004-05 and Rs 53.91 crore in 2007-08)

⁴ Though cut of Rs 72.69 crore was restored, Rs 9.29 crore was withheld by GOI while releasing 2nd installment of ARWSP funds to the state during 2004-05 to 2006-07 (Rs 2.57 Cr in 2004-05, Rs 1.68 Cr in 2005-06 and Rs 5.04 Cr in 2006-07).

⁵ Medinipur-Rs.3.53 crore, Malda-(Rs.14.23 crore).

⁶ Accelerated Urban Water Supply Programme.

result, the audit could not verify the utilisation of almost the entire funds. In six test-checked Districts, the ZPs were found to have retained with them Rs 9.30 crore of Rs 43.10 crore received from Government, and had not submitted UCs for Rs 25.90 crore (77 *per cent*) out of Rs 33.80 crore passed on to panchayat samitis or PHE divisions as shown in *Appendix 3.4*.

The Government admitted that the Zilla Parishads did not furnish the UCs despite constant pursuance, but did not specify the measures to address the matter.

3.3.9 Programme Implementation and Physical Performance

The ARWSP aimed at providing drinking water supply to all rural habitations by 2009. As of March 2008, the number of habitations without adequate and safe drinking water in the state was 16606 (PC-11071 and NC-5535). A review indicated that the targets were consistently not achieved. A number of factors contributed to under-performance, including delays in implementation, wasteful and unrelated expenditure, inability to spend the funds and non-prioritisation of the work etc. The following points were noticed in audit:

3.3.9.1 Poor progress of work

Poor coverage of PC and NC habitations was noticed

The coverage of habitations was extremely poor as the achievement was only 16-20 *per cent* of the target of PC habitations (except 2007-08 where coverage was reported as 95.90 *per cent*) and 15-46 *per cent* for NC habitations as shown in *Appendix 3.5*. It is noteworthy that the state had depicted non-existence of NC habitations during 2002-03 and 2003-04; the sudden emergence of 9528 NC habitations at the beginning of 2004-05 (post survey) indicated that many habitations had slipped back to NC/PC status and that the status of habitations was not properly monitored and updated by PHED. Government replied (September 2008) that coverage of habitations for a particular year was depending upon availability of funds and the target set for GOI for coverage of habitations was not in conformity with the available funds; the fact however remained that the State Government not only failed to adequately plan for all the habitations but also to use the available funds to cover the maximum number of habitations.

3.3.9.2 Slip-back of habitations

Periodic assessment of habitations not done

The results of the survey (2003), after validation, showed an increase in the number of total habitations from 79036 to 96265 and a decline in the number of FC habitations from 72284 to 61634, indicating that many FC habitations had slipped back to PC/NC status. Subsequent to the survey, year-wise assessment of slip-back of habitations was not done; hence the data maintained by PHED regarding status of habitations could not be said to be authentic or up-to-date. Continuous monitoring of the habitations to determine their status was essential as a preventive measure against slip-back of FC habitations to PC/NC status.

3.3.9.3 Prioritisation of works not followed

The Guidelines stipulated priority for coverage of NC habitations. During 2002-08, coverage of NC habitations ranged from 15 to 46 *per cent* while the coverage of PC habitations ranged from 16 to 96 *per cent*. Thus, priority was given to PC habitations in comparison to NC habitations. The Government asserted that due priority was given to cover NC habitations but this was not borne out by the records that revealed poor coverage of NC habitations.

3.3.9.4 Irregularities in implementation of piped water supply schemes

PHED did not maintain the records regarding year-wise target and achievement of PWSSs schemes, habitations involved, funds available, expenditure incurred etc. during 2002-07. As a result, year-wise assessment of implementation of PWSSs could not be done in audit. The programme also suffered due to various irregularities that reduced the availability of funds. For example, in the 11 test-checked divisions, irregularities like excess expenditure over sanctioned cost (Rs 3.75 crore), wasteful expenditure (Rs 1.31 crore), undue benefit to the contractor (Rs 2.04 crore), delay in completion of the scheme/non-completion of the scheme (Rs 11.63 crore), etc were observed (*Appendices 3.6-3.9*), which showed that the expenditure of Rs 18.73 crore in these schemes remained unfruitful and the target beneficiaries were deprived of the intended benefits.

3.3.9.5 Failure to supply drinking water in rural schools

Under ARWSP, drinking water facility was to be provided to all rural schools by the end of the Tenth Plan (March 2007). Out of 16848 schools without water facility 12155 were covered during 2002-03 to 2006-07, leaving 4693 schools (28 *per cent*) without drinking water facility. For 2007-08, 2174 schools had been planned, but only 1119 schools were reported as covered.

In four of the test-checked districts, against the target of 2156, only 1163 tube wells (54 *per cent*) were sunk during 2002-03 to 2007-08 for the rural schools having no source of drinking water. The reasons varied from non availability of earmarked sites to lack of funds as shown in *Appendix-3.10*.

3.3.10 Operation and Maintenance

As per guidelines, up to 15 *per cent* of the ARWSP funds should be spent on operation & maintenance (O&M) of assets created subject to ceiling of matching grant provided by the State out of MNP funds. It was observed that only Rs 51.28 crore (10.13 *per cent*) was utilised from State funds against the utilisation of ARWSP funds of Rs 73.61 crore (14.31 *per cent*) for O&M. This resulted in less allocation of Rs 25.33 crore from the State funds for O&M during 2002-07. The Government replied that it provided funds for O&M under Non-Plan budget head over and above the State Plan budget as the State share. Reply is not tenable as the matching share was to be provided out of the State Plan.

Audit scrutiny revealed that in spite of the expenditure of Rs 127.89 crore on O&M, a large number of existing water sources remained non-functional or

The state did not provide its matching share of O&M expenditure

performed below par due to inadequate attention paid to O&M and sustainability measures as discussed in the succeeding paragraphs.

3.3.10.1 Inadequate maintenance of spot sources

Due to lack of proper maintenance, 10 to 11 per cent of tubewells remained defunct for one to four years

The following table shows that during April 2005 to April 2008, about 10 to 11 per cent of total tube wells were lying defunct for one to four years due to lack of proper repair and maintenance. Government replied that PHED took up repair on demand of the situation.

Position as on 1 st April	Total No. of tube wells (Ordinary + DWP + Rig bored)	Total No of tube wells lying defunct due to non-maintenance viz. shortage of spare parts etc.	Total No of tube wells lying defunct due to lowering of water table	Total No of defunct tube wells
(Percentages in respect of total number are indicated in brackets)				
1	2	3	4	5=3+4
2005	401088	41563 (10.36)	15648 (3.90)	57211 (14.26)
2006	422143	43983 (10.41)	18909 (4.48)	62892 (14.90)
2007	435809	46133 (10.58)	21034 (4.82)	67167 (15.41)
2008	455659	49157 (10.79)	21693(4.76)	71850 (15.77)

3.3.10.2 Lack of sustainability measures

Sustainability issues were not addressed

It was noticed in audit that four to five per cent of total tube wells were defunct due to lowering of water table caused by excess drawal of ground water during last four years due to lack of sustainability measures (Table). Water conservation measures like rainwater harvesting and ground water recharging were not taken up for recharging of depleted ground water reserve in these areas. The report of the committee⁷ constituted in August 2004 to assess the deterioration of water quality of traditional sources and rapid depletion of ground water had not yet been submitted to PHED even after nearly four years. The Government stated that the finalisation of the report will be reactivated.

3.3.10.3 Poor yield of the tubewells attached to PWSS

Delay in completion of rejuvenation work led to poor yield of the tubewells

Eighty three Piped Water Supply Schemes (PWSS) were commissioned between 1966-67 and 2007-08 to cover a rural population of 9.94 lakh in two districts⁸. Scrutiny revealed that 70 schemes were yielding an average of 18.33 lpcd (litres per capita per day) water, against the requirement of 40 lpcd. The yield in 14 schemes was less than 10 lpcd, mainly due to lowering of water table. As per ARWSP norms, habitations covered under these 14 schemes should be categorised as NC but PHED had categorised these as FC.

PHED stated (January 2008) that action had been taken to rejuvenate the existing schemes by re-sinking of tubewells and re-laying of pipelines so as to revitalise the old water supply schemes but records showed that only 25 (38 per cent) out of 70 schemes had been taken up for rejuvenation till date. The rejuvenation work was yet to be completed, which led to inadequate supply of water to a population of 9.94 lakh. The Government stated that rejuvenation of water supply schemes in the affected areas was being implemented in full swing and was expected to be over by March 2009.

⁷ Action Group on Rain Water Harvesting

⁸ Paschim Medinipur (43) and Malda (40)

3.3.11 Water quality

As per Guidelines, priority should be given first to coverage of quality affected habitations with acute toxicity. Periodic testing and monitoring of water quality was essential for providing safe drinking water to rural population on a sustained basis. Audit scrutiny revealed that the water quality monitoring, testing and treatment were not optimal even though funds were available. As a result, a sizeable population was exposed to chemically affected/polluted water, as discussed in the succeeding paragraphs.

3.3.11.1 Large number of habitations remaining affected by water quality problems

12817 habitations were exposed to chemical/ bacteriological contamination of water

ARWSP provided for execution of sub-mission projects for rural habitations facing water quality problems like excess arsenic, fluoride, brackishness, iron etc. Audit scrutiny revealed that as of March 2008, 12,817 habitations (13.31 per cent) were still affected with quality problems (Arsenic: 5272, Fluoride: 586, Iron: 6265 and Salinity: 694), as shown in the table.

Year	No. of quality affected habitations	Quality affected habitations covered during the year				Total habitations covered during the year
		Arsenic	Fluoride	Salinity	Iron	
2004-05	19351 ⁹	927	--	--	--	927 (five per cent)
2005-06	18424	250	55	85	--	390 (two per cent)
2006-07	18034	102	11	28	238	379 (two per cent)
2007-08	17655	72	8	4	4754	4838 (27 per cent)
31 March 2008	12817 ¹⁰					

Source: PHED.

After the habitations survey in March 2004, 19351 quality affected habitations were identified, but no specific target was fixed for coverage of quality affected habitations in the AAP for 2004-05. In the consolidated plan 2005-09, 7134 quality affected habitations were targeted for coverage at an estimated cost of Rs 2183.88 crore. Table shows that the coverage of affected habitations during the last four years has not only been poor (two to 27 per cent) but worsening since the number of habitations covered in respect of arsenic, fluoride and salinity had steadily declined.

3.3.11.2 Problem of chemical contamination not addressed

(I) Arsenic contamination

Very poor coverage of arsenic affected habitations in spite of availability of funds

According to a State Government estimate, 79 out of 341 blocks in the state are under the risk of arsenic contamination, affecting a rural population of 1.66 crore (out of 5.77 crore) and urban population of 1.2 crore (out of 2.25 crore). The Master Plan prepared in 2004-05 for arsenic affected areas of the state targeted 6623 habitations through 349 schemes (11 surface water based and 338 ground water based) at a cost of Rs 2503.64 crore. Scrutiny of records showed that out of the 11 surface based water supply schemes, only five had been completed by June 2008¹¹, three were in progress¹² and three schemes¹³

⁹ Arsenic: 6623, Fluoride: 660, Salinity: 811 and Iron: 11257.

¹⁰ Arsenic: 5272, Fluoride: 586, Salinity: 694 and Iron: 6265.

¹¹ Balupur W/S, Gour W/S, North 24-Parganas Surface W/S-I&II and Mahyampur W/S.

¹² Nadia (Northern Sector) W/S, Murshidabad Central Sector and Raghunathgunj-I W/S.

¹³ Nabadwip Block (part), Berhampore (part) & Murshidabad Jiaganj (part) and Purbasthali W/S.

had not been taken up at all. Of the 338 ground water based supply schemes, only 276 were approved, out of which only 59 were taken up.

In 2006-07 a sub-mission programme was launched by the GOI for quality affected habitations and GOI released Rs 392.29 crore during 2006-07 to 2007-08 for execution of five surface water based schemes in two years time to cover 648 arsenic affected habitations. The PHED could utilise only Rs 195.20 crore (50 per cent) covering only 174 (27 per cent) arsenic affected habitations. Scrutiny revealed that the progress in respect of three schemes was only five to 45 per cent.

Government replied that all the schemes under the Master Plan could not be taken up due to non-clearance of the schemes by Government of India; the fact, however, remained that the department had not even been able to utilise the funds released by GOI. Huge savings of funds (Rs 197.09 crore) showed lack of serious efforts to cover the quality affected habitations.

(II) Fluoride contamination

No Master Plan was prepared for mitigation of fluoride contamination in 586 habitations

For mitigating the problem of fluoride pollution in the ground water of seven affected districts¹⁴ of the State, a Fluoride Task Force¹⁵ set up by the PHED in December 2003 suggested (June 2007) to undertake three important measures, viz. mapping the entire fluoride affected areas of West Bengal, undertaking research studies by the experts and implementing pond based water supply schemes. Scrutiny revealed that none of the suggested measures had been implemented except setting up of 16 fluoride testing laboratories in seven districts and imparting trainings to the chemists of the laboratories till March 2008. Unlike in the case of arsenic contamination, there was no Master Plan for the mitigation of fluoride contamination. The Government stated that the Master Plan would be prepared after 100 per cent testing of the drinking water sources in the affected blocks was complete, but did not specify the time frame in which the task would be completed. As a result, the problem of fluoride contamination in 586 habitations as of March 2008 remained unaddressed.

(III) Salinity and iron contamination

No Master Plan for tackling salinity and iron contamination

No master plans existed for tackling the salinity and iron contamination, though the Chief Engineer (CE), PHED stated (October 2007) that 100 per cent testing of water sources in the 53 salinity affected blocks had been planned in order to prepare a Master Plan; however, no time frame was indicated to accomplish this task.

In respect of iron contamination too, there was no master plan, although almost all the blocks of the state were stated to be affected. The CE stated that iron was not considered a major health problem, hence no master plan was considered; that excess iron could be tackled in the course of arsenic removal; and that iron was also being tackled at the domestic level by the households themselves.

¹⁴ Bankura, Birbhum, Purulia, Uttar/Dakshin Dinajpur, Malda and South-24 Parganas.

¹⁵ constituted by PHED in December 2003

The above indicated major lacunae in the State's strategy to improve the quality of the drinking water supply.

3.3.11.3 Inadequate quality control measures

Prescribed guidelines for periodic testing of water not adhered to

Bureau of Indian Standard (BIS) stipulates that water containing Iron and Arsenic beyond 1.00 mg/litre and 0.05 mg/litre respectively and Maximum Probable Number (MPN) of Total Coliform and Faecal Coliform beyond 10 col/100ml and nil/100ml respectively is not considered safe for drinking. CE's guidelines also prescribed that water samples from existing PWSSs should be tested once in a month for all physico-chemical parameters and residual chlorine.

Scrutiny revealed that of the 261 Piped Water Supply Schemes (PWSSs) commissioned under ARWSP and MNP in five Districts¹⁶, 85 PWSSs (32 per cent) covering a population of 12.78 lakh were affected either chemically or bacteriologically or both. However, the water from these schemes was not being tested monthly as prescribed (April 2008). No referral institute was identified for cross-check of the results of the samples tested in the District laboratories, wherever this was done as shown in the table below.

District	Total No. of schemes	Schemes affected with		Bacteria	Either of the problems
		Iron	Arsenic		
North 24-Parganas	91	26	10	14	36
Paschim Medinipur	43	06	-	01	07
Malda	40	04	02	-	06
Murshidabad	63	31	15	03	33
Bankura	24	3	-	-	03
Total	261	70	27	18	85

Scrutiny of the Departmental Laboratory Test Registers in three districts (Paschim Medinipur, Malda and Bankura) revealed that water quality tests in 38 out of 107 PWSSs (36 per cent) were not conducted at all in 2007-08 whereas in Murshidabad District the bacteriological tests of 47 out of 63 (75 per cent) PWSSs were never conducted after commissioning till March 2008. This reflected very poor water quality monitoring, having serious implications for public health. As per the Directorate of Health Services, West Bengal, 50.17 lakh population of the State were victims of water borne diseases during last two years (2007-08, upto September 2008). The number of deaths caused by these diseases was 1360 (diarrhoea) and 126 (enteric fever) during last two years. Further, 2095 cases of arsenicosis were reported during 2004-07, out of which there were 10 casualties.

3.3.11.4 Water Quality test not conducted on newly created spot sources

The chemical or bacteriological test of water samples of 1094 rig bored tubewells sunk during 2005-06 to 2007-08 by Bankura Mechanical Division in NC/PC habitations in Bankura district were not conducted. Thus, there was no assurance about their water quality.

¹⁶ North 24-Parganas, Paschim Medinipur, Malda, Murshidabad and Bankura

3.3.11.5 Water Quality Monitoring & Surveillance

National Rural Drinking Water Quality Monitoring and Surveillance Programme was not implemented

To institutionalise the Water Quality Monitoring and Surveillance System, the National Rural Drinking Water Quality Monitoring and Surveillance Programme (NRDWQM & SP) was launched in February 2006, with full assistance from GOI. Scrutiny revealed that the entire amount (Rs 83.83 lakh) released by GOI in February 2006 remained unutilised. The Government stated that the State had adopted laboratory based testing approach instead of field kit testing as a policy matter as it had a good number of water testing laboratories that could handle the testing efficiently. However, the Government did not clarify why the funds were being retained since February 2006, or why the laboratories were not being used to test water at the prescribed periodicity as discussed in paragraph 3.3.3.

In addition, Rs 3.33 crore released (March 2007) by the GOI for Information, Education and Communication (IEC) and Human Resources Development (HRD) activities under the above Programme was not transferred by the PHED to the Communication and Capacity Development Unit (CCDU). Similarly, Rs 4.67 crore released by GOI in July 2007 for monitoring and surveillance activities during 2007-08 remained unutilised. Thus, due to non-utilisation of Rs 8.87 crore, the objective of institutionalising the water quality monitoring and surveillance programme in the State was defeated.

3.3.12 Material management

A few cases showing serious deficiencies in the material procurement resulting in scarce funds getting needlessly tied up, are described below:

Blocking of funds in unnecessary purchases reduced the availability of funds

- PHED, Malda made advance payment of Rs 24.69 lakh to the Resources Division, for Asbestos Cement (AC) pipes with couplers, against which it received pipes of higher diameter worth Rs 9.04 lakh (September 2007). The pipes, not being of the required specification, the material was lying in open stack yard blocking Rs 9.04 lakh.
- In Medinipur Division, AC Pipes worth Rs 14.75 lakh procured (April 2001) for eight¹⁷ PWSS were lying idle in the open stack yard for over seven years.
- For the Malda Arsenic Water Supply Scheme, excess materials worth Rs 3.29 crore purchased by the Executive Engineer were lying unutilised (April 2008) in the open stack yard since their procurement between 1995-96 and 2002-03. No action was taken against the officials responsible for unnecessary purchase that resulted in blockage of funds.

The Government stated that steps were being taken to utilise the material.

3.3.13 Swajaldhara

Swajaldhara programme was not successful in the State

Swajaldhara was launched in December 2002, as a part of the reforms in the rural drinking water sector and implied a paradigm shift from supply driven to demand driven, centralised to decentralised implementation and Government's role from service provider to facilitator. It is based on empowerment of

¹⁷ Pingla Dohijuri, Madpur, Belaberia, Lalgarh, Sonakhali, Daspur and Debra.

villagers to ensure their full participation in the project through a decision making role in the choice of the drinking water scheme, planning, design, implementation, control of finances, management arrangements including full ownership of drinking water assets. The community has to share partial capital cost (at least 10 *per cent*), and 100 *per cent* responsibility of operation and maintenance (O&M). An integrated service delivery mechanism is also promoted which includes taking up conservation measures through rainwater harvesting and ground water recharge systems for sustained drinking water supply.

The scheme envisaged earmarking of 20 *per cent* of the outlay of ARWSP for the reform programme; the unutilised sector reform funds of any state would be given to the states reporting better implementation. GOI would release the funds directly to DWSM¹⁸ (District Water & Sanitation Mission) for further allotment to VWSC (Village Water & Sanitation Committees). The scheme was to eventually replace the ARWSP (normal).

3.3.13.1 Poor progress of implementation of Swajaldhara

Audit analysis revealed that the scheme did not make any significant progress since its introduction. The State Government did not enter into Memorandum of Understanding (MOU) with the GOI as required in the guidelines. Audit scrutiny revealed that only 37 (11 *per cent*) out of total 340 schemes in the State were completed as of March 2008 as shown in the table below.

(Rupees in lakh)

Year	No. of Schemes	GOI Share	Released by GOI	Fund allotted by DWSM	Status
2002-03	8	47.76	33.73	33.85	4 schemes completed
2003-04	93	943.00	621.50	422.24	26 schemes completed
2004-05	85	773.27	605.63	375.22	All in progress
2005-06	154	1938.90	1504.18	595.47	7 schemes completed
2006-07 ¹⁹					
Total	340	3705.93	2768.04	1423.78	37 completed

It was observed that:

- Due to non-submission of the Utilisation Certificates and audited accounts, GOI did not release Rs 9.38 crore of its share of second instalment even though the beneficiaries' contribution had been collected (as shown in the Table);
- Out of Rs 27.68 crore released by GOI, DWSM allotted Rs 14.27 crore to VWSCs and the balance Rs 13.41 crore (48 *per cent*) was lying unutilised in their bank accounts since 2005-06;

In six test-checked districts, it was seen that out of Rs 10.30 crore received from GOI during 2003-2008, Rs 3.58 crore (35 *per cent*) was lying in the account of ZPs as of April 2008. Against the released amount of Rs 3.72 crore, UCs for Rs 2.48 crore were outstanding. The Government attributed the poor progress of Swajaldhara to lack of interest among the beneficiaries, poor performance of implementing agencies, no releasing of funds by ZPs etc. and stated that vigilance would be kept to enhance the performance of the programme.

¹⁸ DWSM is the implementing agency under the aegis of Zilla Parishad.

¹⁹ Swajaldhara was discontinued from the F Y 2006-07 as per decision of GOI however sanctioned schemes to be completed by 50:50 funding under ARWSP

3.3.13.2 *Miscellaneous irregularities in working of VWSCs/DWSCs*

Audit scrutiny revealed the following deficiencies in the functioning of the VWSCs/ DWSCs:

- Accounts of 25 out of 35 test-checked VWSCs in four districts²⁰ (expenditure of Rs 1.04 crore during 2004-2008) were not audited;
- In respect of nine VWSCs in Malda District, community contribution collected (Rs 3.35 lakh) fell short of the prescribed amount (Rs 8.98 lakh);
- Out of total 291 members nominated in 21 VWSCs in four districts²¹, only 34 (12 *per cent*) female members were nominated against minimum representation of 97 (33 *per cent*) as per guidelines;
- None of the VWSCs in the test-checked districts was registered, in contravention of the guidelines;
- In six districts²², no provision was made in any of the schemes approved during 2002-03 to 2005-06 for recharging of ground water resources and for encouraging the communities for such activities, which were an essential component of the project funding under the Swajaldhara guidelines.
- In Malda district, nine schemes were implemented through Government agencies²³ though the guidelines required Swajaldhara to be implemented by the community (VWSCs).
- Three schemes in Paschim Medinipur district costing Rs 31.63 lakh could not be commissioned till April 2008 due to non-energisation, although Rs 2.79 lakh was paid to WBSEB²⁴ between June 2005 and October 2003. The ZP/VWSCs did not take any initiative for early commissioning of the schemes, depriving a population of 4155 of the benefit of drinking water.
- None of the DWSCs had submitted the monthly and annual progress report as required by the guidelines.
- The expert team of SWSM did not conduct random inspection of projects taken up under Swajaldhara in violation of the norms for ensuring quality control.

Government assured of the steps to address the above issues.

3.3.13.3 *Communication and Capacity Development Unit (CCDU)*

Objective of CCDU in organising awareness campaign and training programme remained largely unfulfilled

For effective implementation of Swajaldhara schemes, CCDU was entrusted with organising awareness campaign and training programme among the beneficiaries. The GOI is responsible for hundred *per cent* funding for IEC (Information, Education and Communication) and HRD (Human Resource Development) activities under Swajaldhara. The funds were released to

²⁰ Bankura, Paschim Medinipur, Malda and Murshidabad

²¹ Paschim Medinipur, Malda, Bankura and Murshidabad

²² Bankura, Paschim Medinipur, Malda and Murshidabad, North 24-Parganas, South 24-Parganas.

²³ West Bengal Agro Industries Corporation Limited (four) and Malda Division, PHED (five)

²⁴ West Bengal State Electricity Board

SWSM (State Water & Sanitation Mission) and then to CCDU under PHED which disbursed the amount to the DWSCs.

Audit scrutiny showed that out of Rs 14.86 crore released by GOI, SWSM released only Rs 3.83 crore (46 *per cent*) to CCDU and that too after delays of three to 15 months. Rs 8 crore received by SWSM during March 2007 and September 2007 were not released to CCDU till May 2008 (**Appendix 3.11**).

CCDU released only Rs 4.31 crore to the DWSCs, spent Rs 0.75 crore on IEC & HRD activities and establishment cost and the balance amount of Rs 1.78 crore was lying in the account of CCDU (May 2008).

Against Rs 4.31 crore released by CCDU, DWSCs had submitted UCs for Rs 40.55 lakh (nine *per cent*) only as of May 2008. CCDU did not maintain any record showing the details of awareness campaign and training organised except booking the disbursed amount under the appropriate heads. No evaluation or assessment had been done by CCDU to ascertain the effectiveness of the training organised so far.

The Government stated that the CCDU could not take up the awareness campaign and training programmes due to lack of response from Panchayat Samitis, though the CCDU was making efforts constantly.

3.3.14 Management Information System not established

ARWSP envisaged Information Technology based Management Information System (MIS). Audit scrutiny revealed that the MIS was not established properly despite spending Rs 3.02 crore. Out of Rs 4.64 crore received during 2004-08 from GOI for installation of computer system, training of officials and connecting all offices with communication network, PHED had utilised only Rs 3.02 crore. The implementation of the project suffered due to the delay by State Government (five months) in according administrative approval. Consequently, the preparatory actions for utilising the first instalment of GOI funds (Rs 1.39 crore released in September 2004) were not completed by March 2005.

Government appointed (May 2005) WEBEL²⁵ as nodal agency for implementation of the MIS project. The performance of WEBEL was not satisfactory as revealed from the minutes of the meeting of SLCCP²⁶. As a result, the hardware/software could not be installed in 27 out of 89 offices, LAN could not be established in 56 out of 89 offices and training could not be imparted to 2700 out of the targeted 3000 officials. The NICNET facility to establish connectivity as well as for sharing information was not provided in any of the offices.

The Government replied that Rs 1.62 crore could not be utilised due to late receipt and that WEBEL had been appointed as nodal agency as per order of Finance Department.

²⁵ A Government of West Bengal Undertaking

²⁶ State Level Committee on Computerisation Programme.

3.3.15 Monitoring and evaluation

3.3.15.1 Vigilance and Monitoring Committees not set up

As per ARWSP guidelines, Vigilance and Monitoring Committees at state, district and village levels were to be set up and regular meetings of the same were required to be held. However, no such committees were set up (May 2008).

3.3.15.2 Unsatisfactory working of Monitoring and Investigating Units (MIU)

ARWSP guidelines stipulated that Monitoring and Investigating Units (MIU), with technical posts of hydrologists, geophysicist, computer specialists and data entry operator, be set up and work in co-ordination with Research and Development (R&D) Cell. As per the guidelines, MIUs were required to monitor quality of water, adequacy of service and other related qualitative aspects of the programme at field level and to collect information from the executing agencies, maintenance of the data and timely submission of the same to the Central Government.

It was observed that the state MIU, which was functioning under a Superintending Engineer with other engineering and support staff, did not have any hydrologist, geophysicist and computer specialist. The MIU did not maintain records regarding details of inspection carried out for monitoring, year-wise reports/returns received from the executing agencies, and the date of submission of the reports/returns etc to the GOI. The R&D Cell was not established (May 2008). Thus, the objective of setting up MIU was not fully achieved in spite of the expenditure of Rs 1.51 crore on its establishment during 2002-03 to 2007-08. Admitting the need to have the specialist staff, the Government stated that it was outsourcing the work to outside specialist agencies.

3.3.15.3 Progress reports not submitted

As per guidelines, monthly, quarterly and annual progress reports showing physical and financial status of the water supply schemes were required to be submitted to the Department/Directorate by the Divisions. Scrutiny revealed that out of 11 test-checked divisions, four divisions²⁷ did not submit the required reports/returns to the higher authorities.

3.3.15.4 Records of assets created under ARWSP not maintained

A manual or computerised data base of a complete inventory of the drinking water sources created under different programmes like ARWSP, MNP, Swajaldhara etc. showing date of the starting and completion of the project, cost of completion, depth in case of spot sources, agency responsible for O&M and other relevant details should be maintained at different levels (*viz.* Sub-Division, Division, Circle etc.) and overall information should be available with the implementing Department (PHED) for proper monitoring and evaluation of the programme.

²⁷ Medinipur PHE, Medinipur Mech, Malda Arsenic and Malda PHE Divisions

Scrutiny revealed that the required data base was not maintained at all by eight²⁸ out of 11 test-checked divisions. In the remaining three divisions²⁹, these were not maintained properly as the required information (*viz.* depth of water sources, agency responsible for O&M etc.) was lacking. At the Departmental level also, these were not maintained properly as important information *viz.*, the number of water sources created out of ARWSP funds allotted to ZPs during 2002-08, their depths, up to date expenditure, year-wise target and coverage of source-less schools during 2002-08 under the ARWSP etc., were not available. The Government stated that a web based application had been developed and data entry was in progress at the division and sub-division levels.

3.3.16 Conclusion

The implementation of the ARWSP suffered from several drawbacks and in spite of availability of funds, thousands of rural habitations and schools remained without adequate drinking water. The Annual Action Plans were not drawn up properly. Poor financial management led to delay in release of funds to the implementing agencies, savings, inadmissible expenditure and diversion of funds. Many habitations suffered due to unacceptable water quality, including arsenic and fluoride contamination, and inadequate yield of water sources created. Periodic testing and monitoring of quality of water sources were not done. A large number of ongoing schemes remained incomplete due to lack of initiative and proper planning. Similarly, the implementation of Swajaldhara Schemes was marred by lack of financial control, maintenance of records, audit of accounts and non adherence to norms. Cases of non-submission of utilisation certificates were rampant. Provision of ground water recharge had not been made compulsory to prevent over-exploitation of ground water.

3.1.17 Recommendations

For effective implementation of the programme, it is recommended that:

- *Annual Action Plans should be prepared in accordance with the guidelines indicating the prioritisation of works and the time frame of implementation; these plans should be used for enforcing accountability;*
- *Time bound measures should be taken for early completion of incomplete projects, with priority to the coverage of NC habitations;*
- *A computerised monitoring system for the projects should be established and enforced with accountability;*
- *A sound system for testing and monitoring the water quality at prescribed intervals should be established and enforced;*
- *Adequate emphasis should be given for recharging of the ground water sources to ensure sustainability of drinking water systems and sources.*

²⁸ Medinipur, Malda, Medinipur Mechanical, Malda Arsenic Area Water Supply, North 24-Parganas Water Supply, South 24-Parganas Water Supply, Murshidabad and Bankura Mechanical Division.

²⁹ Alipore, Bankura and Barasat Division.

ENVIRONMENT AND HEALTH & FAMILY WELFARE DEPARTMENTS

3.4 Management of Bio-Medical and Plastic Waste

3.4.1 Introduction

To control the health hazards and environmental menace due to inappropriate management of Bio-Medical Waste (BMW), Government of India (GOI), notified the Bio-Medical Waste (Management and Handling) Rules, 1998, (BMW Rules)¹ under the Environment (Protection) Act, 1986 (EP Act). According to these rules every occupier² of institutions, which generate/handle/dispose BMW in any form, was responsible for ensuring that such waste was handled without any adverse effect to human health and the environment. Besides, in order to regulate the use and manufacture of new as well as recycled plastic carry bags and containers, GOI, notified the Recycled Plastics Manufacture and Usage Rules in 1999 (Plastic Rules) with an amendment in 2003.

Organisation

In West Bengal, the West Bengal Pollution Control Board (WBPCB) under Environment Department (ED) was the prescribed authority for enforcement of BMW Rules and Health and Family Welfare Department (H&FWD) was responsible to provide funds and other infrastructural support to the occupiers under it to implement the BMW Rules. The Deputy Director of Health Services and the Chief Medical Officers of Health (CMOH) were the licensing authorities for private health care units (HCU) in Kolkata and other districts respectively.

Under the Plastic Rules, WBPCB was the prescribed authority for enforcement of its provisions relating to manufacture, recycling and granting authority of registration for manufacturers; whereas, the District Magistrates were the prescribed authorities for enforcement of the provisions relating to use, collection, segregation, transportation and disposal of stock. In West Bengal, ED was the nodal administrative Department for Management of Plastic Waste.

Audit had test-checked the records of ED, WBPCB and its four Regional/Sub-Regional offices³, H&FWD, one Common Bio-Medical Waste Treatment Facility (CBWTF) operated by a private agency⁴, four District Magistrates⁵ (DM) Offices, eight Municipal Corporations/Municipalities⁶, four CMOs⁷, 20 Government Medical Colleges and Hospitals/District Hospitals/ Sub-division Hospitals/

¹ amended twice- in June 2000 and September 2003

² "Occupier" means a person who has control over that institution and/or its premises, generating bio-medical waste

³ Asansol, Durgapur, Malda and Siliguri.

⁴ M/S Sembramky Environmental Management Pvt.Ltd.

⁵ South 24Parganas, Bardhaman, Malda and Darjeeling.

⁶ Diamond Harbour, Bardhaman, Asansol, Durgapur, Kalyani, Malda, Siliguri and Darjeeling

⁷ Bardhaman, Murshidabad, Malda and Darjeeling.

General Hospitals/Rural Hospitals⁸ in seven sampled districts⁹. Important points noticed during audit are discussed in the following paragraphs.

Audit findings

3.4.2 Management of Bio-Medical Waste

3.4.2.1 Generation and treatment of BMW

The quantities of untreated BMW generated, treated and disposed of in the State during 2002-2008 were as follows:

Year	BMW generated (tonnes)	BMW treated (tonnes)	BMW disposed of untreated (tonnes)	Percentage of untreated waste
2002-03	8595.39	487.52	8107.87	94
2003-04	7767.62	3239.38	4528.24	58
2004-05	8490.26	3309.82	5180.44	61
2005-06	8729.34	3899.29	4830.05	55
2006-07	8647.03	4147.13	4499.90	52
2007-08	8972.70	4936.00	4036.70	45

Source: Annual Reports of WBPCB

Test-check, however, showed that the quantum of BMW generated and treated shown above was only an estimate (projected) (300gm/bed/day for 2002-03 and 250gm/bed/day for 2003-08), and not based on actuals. The WBPCB stated (October 2007) that due to non submission of annual report (AR) by most of the HCUs, though required under Rule 10 of the BMW Rules, the actual generation/treatment of BMW could not be worked out. Thus, WBPCB submitted reports to CPCB based on projected figures without any consideration to Rule 10.

3.4.2.2 Segregation of Waste

Segregation of waste helps to contain the spread of infection. WBPCB had advised use of four colour coded bags (red, yellow and blue for infectious, anatomical, sharps/needles/syringes respectively and black bags for municipal solid waste (MSW)). BMW was required to be segregated at the points of generation by using the said colour coded plastic bags/containers with 'bio hazard' or 'toxic hazard' symbol.

Inspection done by WBPCB disclosed that segregation at various government or private HCUs was not done properly. Central Pollution Control Board (CPCB), East Zone Office also reported (May 2007) mixing of BMW with MSW after

⁸

Kolkata	SSKM Hospital (1250), NRS MC&H (1890), Kolkata MC&H (1800)
South 24 Parganas	Diamond Harbour SDH (125),
Nadia	JNM Hospital, Kalyani (350)
Bardhaman	Bardhaman MC&H (1099), Durgapur SDH(157), Asansol SDH (215), Mankar RH (30), Memari RH (60)
Darjeeling	North Bengal MC&H (599), DH Darjeeling (308), Siliguri SDH (320).
Malda	DH Malda (500), Chanchal RH (68),
Murshidabad	DH Murshidabad (391), Berhampur GH (225), Lalbag SDH (206), Sagar Dighi RH (30), Krishnapur RH (50).

⁹ Kolkata, South 24 Parganas, Bardhaman, Nadia, Murshidabad, Malda and Darjeeling

random inspection of 17 private HCUs in Kolkata leaving substantial risks of spread of infectious wastes. There was also possibility of health hazard by recycling/ reuse of these untreated wastes.

The Joint Director of Health Services attributed (October 2007) the same to non-availability of colour coded bags in adequate quantity and lack of awareness due to inadequate training of the handling staff.

3.4.2.3 Transportation

According to Rule 6 of BMW Rules, untreated wastes should be transported only in dedicated, closed vehicles with BMW sign. In violation of the Rules, the municipal authorities used to carry both treated and untreated and sometimes even non-segregated BMW for disposal in dump site without considering the health hazards. Five Municipal authorities¹⁰, out of eight test-checked, used to carry BMW from six sampled HCUs in uncovered vehicles causing serious environmental contamination.

3.4.2.4 Disposal of waste

H&FWD procured 16 waste treatment facilities (WTF)¹¹ for management of BMW, between September 2001 and March 2004 at a cost of Rs 3.76 crore under West Bengal State Health System Development Project II (WBSHSDP-II), a World Bank aided project. These 16 WTFs were installed at 16¹² government hospitals located in 16 districts.

Due to delay in engaging agencies for annual operation and maintenance (O&M), 11¹³ autoclaves with shredders became functional in February 2006 after remaining inoperative for nearly two years. Out of eleven WTFs, five¹⁴ remained inoperative since installation due to absence/ non co-operation of operator and non availability of consumables and two¹⁵ remained functional for only two to five months up to December 2006 due to theft/ damage of parts. In six districts of North Bengal, against 258 HCUs (8799 beds) under H&FWD there were only two¹⁶ autoclaves in working condition out of four installed. Thus, due to lackadaisical attitude of the Department in operationalising the WTFs, the autoclaves though installed could not be used.

Status of WTF in the form of burial/ campus pits dug in 49 Government HCUs in the districts other than Kolkata were not even known either to the H&FWD or WBPCB.

¹⁰ Bardhaman, Asansol, Memari, Berhampore, Lalbagh

¹¹ two microwaves, three autoclaves without shredder and 11 autoclaves with shredders.

¹² Out of these 16 hospitals, six were test checked.

¹³ Bardhaman MC&H, Bankura MC&H, DH Purulia, Chinsurah, Krishnanagar, Barasat, Malda, Jalpaiguri, Suri, Siliguri SDH, Berhampore GH.

¹⁴ Bankura MC&H, DH Purulia, DH Suri, DH Jalpaiguri, Siliguri SDH

¹⁵ DH Malda, Berhampore GH

¹⁶ DH Malda, MJNH, Cooch behar.

The Advisory Committee on BMW constituted in June 2002 under Rule 9 of BMW Rules stressed upon the need to build common storage, treatment and disposal facilities for treatment of Bio Medical Waste. The facility would be built and funded by the Government but maintained and operated by a private party. Government, instead of creating such common WTF, made a resolution to designate all the 16 WTFs installed for respective hospitals as common WTF. However, records revealed that out of these 16 WTFs, only two¹⁷ with a capacity to treat BMW generated from 1198 beds/day were being operated as common WTFs.

Apart from these two, four common WTFs in private/ joint sector¹⁸ had also been set up between November 2003 and September 2007 with treatment capacity of BMW of 1.10 lakh beds per day covering the HCUs of 13 districts in South Bengal.

No common WTF was set up for 510 HCUs in six districts of North Bengal either by H&FWD or by any private agency

3.4.2.5 Violation of Bio Medical Waste Rules by hospitals

Test check of 20 Government HCUs revealed the following violations of BMW Rules.

- Only one HCU¹⁹ maintained records for generation and treatment of waste (under Rule 11). Only eight HCUs²⁰ submitted annual report once or twice during the period covered in audit, but no initial records could be shown to audit.
- Segregation of BMW at the point of generation was done only in seven HCUs²¹, partially done in seven HCUs²² and not done in another six HCUs. In CBWTF at Diamond Harbour SD Hospital, non-segregation of BMW by the HCUs at generating point was reported. Except Durgapur SD Hospital, no HCU used labelled bags/containers with 'bio hazard' and 'toxic hazard' symbols.
- In three HCUs in Kolkata, disposal of BMW to CBWTF for treatment, ranged between nine and 31 per cent of the projected estimate due to improper segregation.

¹⁷ J.N.M. Hospital, Kalyani (operation started from October 2002) in Kalyani Municipality and Diamond Harbour SDH (operation started from May 2004) in Diamond Harbour Municipality

¹⁸ M/s Sembramky Environmental Management Pvt Ltd set up the facilities at Howrah, Haldia (jointly with Haldia Development Authority), Asansol and Kalyani.

¹⁹ Durgapur SDH

²⁰ SSKM and Bardhaman MC&H, Durgapur SDH, Berhampur GH, Diamond Harbour SDH, JNM Hospital, Kalyani, Chanchal RH, DH, Malda

²¹ Diamond Harbour SDH, Durgapur SDH, Mankar RH, Berhampore GH, Sagardighi RH, DH, Darjeeling and Malda

²² SSKM, NRS MC&H, Kolkata MC&H, Bardhaman MC&H, JNMH Kalyani, Siliguri SDH, Krishnapur RH

- In seven HCUs²³, untreated BMW was stored inside/outside the vats and cleared from hospital premises by the respective municipalities once in a week/ once in 10 days, instead of the mandatory frequency of at least once in 48 hours. During joint inspections by Audit and hospital authority in three²⁴ HCUs, soiled and blood stained BMW were found lying untreated in the hospital campus outside the unlocked vat exposed to stray animals, patients/escort of the patients. A rag picker was also seen collecting used saline/ medicine bottles.
- In nine HCUs²⁵, used and untreated saline/IV fluid bottles were pilfered/ collected by rag pickers/patient party. Two HCUs²⁶ even sold untreated bottles showing utter disregard to the rules.
- Three HCUs²⁷ at Kolkata, even after joining CBWTF, disposed of huge quantity of contaminated linen articles (*viz* cotton mattress, bed cover, towels etc) by selling or burning in hospital campus or keeping that in store without considering those as BMW. Infected linen articles were also dumped and burnt in five HCUs²⁸ outside Kolkata.
- In SSKM Hospital, Kolkata, BMW mixed with MSW was kept in MSW bins (December 2007) for disposal by Kolkata Municipal Corporation (KMC). Mixing of BMW with MSW at generating point was also observed at Barddhaman Medical College & Hospital (January 2008).
- Out of nine deep burial pits in 6 test-checked districts, only one at the JNM Hospital, Kalyani was found operational (October 2007). However, treated as well as untreated BMW were dumped in it defeating the very purpose of segregation. In other cases the pits were not being used as those had either been filled up or closed due to local objection.
- In two Rural Hospitals²⁹ (RH), untreated BMW were dumped in campus pit and in two other RHs³⁰ anatomical wastes were dumped in campus pit but non-anatomical wastes were burnt within hospital campus.
- Liquid waste was discharged into drains by 13 HCUs without disinfection, partly done by two HCUs and disinfection was fully done only by five HCUs.

²³ DHs Darjeeling, Malda, Murshidabad, Durgapur SDH, Asansol SDH, Memari RH, Lalbag SDH,

²⁴ Durgapur and Asansol SDH and Malda DH

²⁵ DHs, Darjeeling, Malda, Murshidabad, Diamond Harbour SDH, Durgapur SDH, Asansol SDH, Siliguri SDH, Sagardighi and Krishnapur RHs

²⁶ Diamond Harbour SDH and Sagardighi RH

²⁷ SSKM Hospital, Kolkata MC&H and NRS MC&H

²⁸ DHs, Darjeeling, Murshidabad, Berhampore GH, Asansol SDH, Siliguri SDH.

²⁹ Mankar and Chanchal RHs

³⁰ Sagardighi and Krishnapur RHs.



BMW dumped and burnt within the premises of North Bengal Medical College and Hospital

- North Bengal Medical College and Hospital with 589 beds, the only referral Government HCU in North Bengal (situated under a Gram Panchayat near Siliguri town) had no facilities for treatment of BMW, not even a vat for storing of the BMW. The BMW was found dumped in different places inside the hospital premises and even within the vacant courtyard between wards and by the side of the walk away corridor and burnt under the open sky.

Thus, the BMW rules were not implemented due to lack of infrastructure, awareness and initiative on the part of the local authorities as well as the Department.

3.4.2.6 HCUs running without treatment facility

Under Rule 5(2) of the BMW Rules, every ‘occupier’ should either set up requisite BMW treatment facilities or ensure requisite treatment of waste at a CBWTF or any other waste treatment facility. The time-schedule set out in the Rules for setting up facilities was between December 1999 and December 2002 depending upon number of beds of the HCUs and population of city/town in which the HCUs situated.

Position of HCUs running without treatment facility in the State (under category A³¹ and B³²) during 2002-08 is shown below:

	Position as of					
	March 2003	March 2004	March 2005	March 2006	March 2007	March 2008
1) Number. of HCUs in the State	1956	3106	3326	3508	3578	3741
2) Number. of HCUs utilizing CBWTF	15	326 (including 3 HCUs joining CBWTF for incineration of wastes)	456	713	886	1476
3) Number of HCUs having own facility	21	20 (excluding 10 HCUs that joined CBWTF)	20	20	17	17
4) Total number of HCUs either having own facility or joining CBWTF (2+3)	36	346	476	733	903	1493
5) HCUs running without treatment facility or did not join the CBWTF(1-4) (Percentage in parenthesis)	1920 (98)	2760 (88)	2850 (86)	2775 (79)	2675 (75)	2248 (60)

Source: Annual Reports of WBPCB

³¹ Hospitals and Nursing Homes in towns with population of 30 lakh and above

³² Hospitals and Nursing Homes in towns with population of below 30 lakh

Above table shows that position has improved over the years but still far of the target. Further, out of 2975 HCUs under category C³³, only 1188 HCUs (40 per cent) joined CBWTF as of March 2008. The delay in operationalising and non-functioning of the facilities, as mentioned earlier, was, however, not taken into account by WBPCB in their reports (2002-08) leading to over-statement of coverage.

CMOH of Purulia district and Secretary, District Health & Family Welfare Samity, Purulia brought all the 76 HCUs under H&FWD in Purulia district under the fold of CBWTF but such initiatives were not taken by other CMOsH having same set up.

Under Section 15 of Environment (Protection) Act, whoever fails to comply with the provisions of the Act, shall be punishable with imprisonment or with fine or with both. There were, however, no instances of action initiated by the WBPCB against such non-compliance of the rules, except issuing closure orders only to seven HCUs during the period of audit.

3.4.2.7 Functioning of hospitals without obtaining authorisation.

As authorisation/renewal by WBPCB was subject to verification of compliance of pollution control norms, it was construed as an important control mechanism. Under Rule 8(1) of BMW Rules, every occupier should obtain authorisation for generating or handling bio-medical waste. HCUs running without authorisation indicated possibility of non-adherence to rules leading to contamination of environment. The status in respect of authorisation of HCUs under the categories A and B was as under:

	Position as on					
	March 2003	March 2004	March 2005	March 2006	March 2007	March 2008
Total number of HCU	1956	3106	3326	3508	3578	3741
Number of HCU applying and granted authorisation	935	1017	1269	1529	1606	1976
HCU running without authorisation (percentage in parenthesis)	1021 (52)	2089 (67)	2057 (62)	1979 (56)	1972 (55)	1765 (47)

Source: Annual Reports of WBPCB

Thus, as of March 2008, 1765 HCUs (47 per cent) were running without authorisation, of which 1243 HCUs (70 per cent) were under H&FWD. Test-check showed abysmally low coverage of authorisation of HCUs under H&FWD in South 24 Parganas (2 out of 95), Bardhaman (6 out of 143), Murshidabad (6 out of 105) and Malda (3 out of 53). It was also evident from test check that 14 HCUs³⁴ had not renewed authorisation after lapse of initial validity period and two HCUs³⁵ had not applied at all. No effective step, except issuing notices, had been taken by WBPCB against the HCUs running without authorisation.

³³ All other institutions like pathological laboratories X-ray clinics, etc generating BMW and not included in A and B.

³⁴ Kolkata MC&H, Bardhaman MC&H, North Bengal MC&H, Durgapur, Asansol, Siliguri, Lalbag SDHs, DGs, Darjeeling, Murshidabad, Malda, Berhampur GH, Mankar, Chanchal, Memari RHs

³⁵ Krishnapur and Sagardighi RHs

3.4.2.8 Monitoring over management of BMW

The WBPCB was the monitoring authority for implementation of the BMW Rules. However, regular monitoring over segregation of wastes into colour coded bags/containers with necessary labelling, transportation, etc. was not carried out by it, which was attributed by the WBPCB to absence of proper monitoring infrastructure.

No periodicity schedule was drawn up for monitoring/testing of operating standard of different facilities. Except for the CBWTF run by private agencies, working conditions of treatment and disposal facilities of HCUs were not monitored. Standards of 10 deep pit burials were claimed to have been monitored by WBPCB, but no reports could be produced. No effective action had been taken against the municipalities which used to dispose of untreated BMW in municipal dumping ground.

The Joint Director of Health Services (PH&CD), entrusted to monitor the management of BMW in the Government HCUs joining CBWTF, could not produce any monitoring report. Test-checked HCUs also confirmed the absence of monitoring on the part of the Department. H&FWD accepted (October 2007) the deficiencies.

Two sampled CMOsH,³⁶ during issuance of new clinical establishment licenses or its renewal, did not verify the compliance of BMW rules by the licensee.

3.4.2.9 Co-ordination between WBPCB and H&FW Department

There was no co-ordination mechanism between WBPCB and H&FWD as was evident from non-updation of the number of HCUs in the ARs of WBPCB according to the list of HCUs published each year by H&FWD. Licensing authorities under H&FWD did not endorse copy of license issued in favour of private HCUs to WBPCB for taking further action. In spite of issuance of notices by WBPCB to Government HCUs for compliance of BMW Rules, no action was found to have been taken by H&FWD. Permission sought (August 2007) for taking legal action by WBPCB against SSKM Hospital authority for violation of BMW Rules was denied (December 2007) by the H&FWD.

In view of dismal performance in management of BMW in the State, the Standing Committee of West Bengal Legislative Assembly on Environment, Forest and Tourism in its report (July 2007) recommended creation of a co-ordination mechanism among Environment Department, WBPCB and H&FWD for proper management of BMW, continuous monitoring by WBPCB and if necessary, enactment of an Act to penalise the violators of rule. Accordingly one Monitoring Committee³⁷ was constituted in December 2007. As per decision (March 2008) of the Committee, H&FWD issued (April 2008) direction to CMOsH to ensure submission of application for authorisation by defaulting HCUs under H&FWD.

³⁶ Bardhaman and Malda

³⁷ Involving H&FWD, KMC, ED and WBPCB

3.4.2.10 Inspections of hospitals by WBPCB

For effective implementation of BMW Rules, regular inspection of the hospitals has to be conducted. It was, however, observed that out of 6436 HCUs in the State, WBPCB inspected only 1513 HCUs (23 per cent) during 2002-07 for checking compliance to rules. In four test-checked regional and sub regional offices, monitoring of compliance of rules by HCUs was either limited or non-existent. In two³⁸ test-checked regional and sub regional offices authorisation to HCUs was granted without any preliminary inspection regarding compliance of BMW Rules. Lack of manpower was the reason for such poor monitoring as attributed by WBPCB.

3.4.3 Management of Plastic Waste

3.4.3.1 Prohibitory orders and enforcement mechanism

WBPCB prohibited (September 2001) use of plastic carry bags in the ecologically sensitive areas of the State namely, entire Sunderban area, coastal regulation zone areas, Hilly areas of Darjeeling and entire forest areas of the State. It also banned (May 2003 to June 2007) the entry, use, sale of plastic carry bags in 40 heritage/tourist places in the State. Government also banned (March 2004) the use of plastic carry bags / cup / containers less than four inches in height and 40 micron in thickness in all Government buildings and offices and restricted (May 2007) the manufacture, use and storage of plastic carry bags of thickness below 40 microns and of size 12x16 inches in the State and finally empowered (February 2008) the competent authorities to realise 'pollution cost'³⁹ from violators. Despite restriction imposed on use of plastic carry bags in different areas, the orders were not implemented in a meaningful manner as would be evident from the following paragraphs:

3.4.3.2 Enforcement of rules by DM and WBPCB

Records of three DMs⁴⁰ showed that no steps were taken either to prohibit the vendors using carry bags/containers made of recycled plastics for storing/carrying/dispensing/packaging of foodstuffs (Rule 4) or to verify/ensure compliance to the Bureau of Indian Standard specification (Rule 6) in recycling of plastics.

WBPCB could complete the inventory of plastic manufacturers only for nine districts as of April 2008, while only 30 plastic manufacturing units applied for and were granted registration. WBPCB accepted its failure in this matter and stated (May 2008) that majority of the said manufacturing units were tiny in nature and were mostly operating without any regulatory permission.

³⁸ Malda, Siliguri

³⁹ At the rate of Rs 500 for shop owners and Rs 50 for users

⁴⁰ Bardhaman, Malda and Darjeeling

3.4.3.3 Deficiencies in the Rules relating to Management of Plastic Waste

The rules did not specify the nature of action to be taken by the DM for the enforcement of the Rules. The Rule also remained silent on the role of Local Bodies in implementing the various provisions which hindered the enforcement of prohibitory orders.

To overcome such deficiencies and also as per opinion of Calcutta High Court, a draft bill titled 'The West Bengal Plastic Carry Bags and Garbage (Control) Bill, 2004' specifying duties and powers of each authority including penalty clause was sent (July 2005) to GOI, approval to which was awaited (July 2008). The Government, however, claimed (July 2008) that the orders so far issued under the Environment (Protection) Act, 1986 were more effective than enactment of a separate Act. Unless the orders were implemented properly, the claim of the Government regarding effectiveness of orders was not tenable.

3.4.3.4 Monitoring over Management of Plastic Waste

A State Level Plastic Management Committee (SPMC) was constituted (May 2007) to monitor the implementation of Plastic Rules. In its first meeting (June 2007), WBPCB was directed to take different vigilance measures for implementation of the rule. Municipal authorities and Zilla Parishads were also requested to keep vigil on implementation of the order. WBPCB had monitored to some extent through surprise check of markets, food shops, sweet shops, etc. in a sporadic or scattered manner. After hearing, penalty was imposed on the defaulting vendors by the WBPCB according to the nature of violation. However, in the third meeting (January 2008) of SPMC, the Chairman SPMC opined that Municipalities and Government agencies were very much reluctant to implement different orders regarding control of use of plastic carry bags and such apathy had a serious consequence upon the plastic waste management in the State.

No monitoring was done by test checked offices of District Magistrates to implement the Rules.

3.4.4 Conclusions

Thus, the basic objective of scientific disposal of BMW for preventing the environmental pollution remained largely unachieved owing to various operational deficiencies coupled with lax monitoring on the part of WBPCB as well as H&FWD.

Meaningful efforts for implementation of rules and orders regulating manufacture and use of plastic carry-bags and containers were also not forthcoming from the enforcement mechanism which might lead to serious health and environmental hazards.

3.4.5 Recommendations

- *Hundred per cent segregation of BMW in colour coded bags according to its types should be enforced in each HCU. The concerned HCU authorities should be held responsible for any lacuna on their part in proper segregation, storage and disposal of hazardous waste;*
- *Training on handling of BMW should be imparted to the staff of HCU's at regular intervals;*
- *The recommendations (July 2007) of the Standing Committee of West Bengal Legislative Assembly on Environment, Forest and Tourism should be implemented on priority basis;*
- *An inventory of all plastic manufacturing units in the State has to be prepared and brought under the fold of registration, otherwise it would not be possible to enforce the Plastic Rules.*