04313



REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA



FOR THE YEAR ENDED 31 MARCH 2007

NORTH CACHAR HILLS AUTONOMOUS COUNCIL HAFLONG, ASSAM



REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA

FOR THE YEAR ENDED 31 MARCH 2007

NORTH CACHAR HILLS AUTONOMOUS COUNCIL HAFLONG, ASSAM



TABLE OF CONTENTS

	Paragraph (s)	Page
Preface		V
Overview		vii
SECTION-		
Introduction	1.1	1
Rules for the management of District	1.2	2
Fund		
Maintenance of Accounts	1.3	3
SECTION -I	Œ	
Receipts and expenditure	2.1	5
Revenue deficit	2.1.1	7
Receipts and expenditure compared	2.1.2	7
with the actual of previous year		
Variation in receipts and expenditure	2.1.3	8
compared to budget provision		1
Annual Accounts	2.1.4	
Comments on accounts		
Normal or Inherent Functions	2.2	11
Understatement of revenue receipts	2.2.1	11
Discrepancy in revenue receipts	2.2.2	12
Overstatement of revenue receipts	2.2.3	12
Understatement of revenue	2.2.4	12
expenditure		
Overstatement of revenue	2.2.5	13
expenditure		
Overstatement of capital expenditure	2.2.6	14
Understatement of opening and	2.2.7	14
closing balance		
Entrusted functions	2.3	15
Non-reconciliation of receipts	2.3.1	15
Non-reconciliation of disbursement	2.3.2	15
Diversion of funds	2.3.3	16
Personal Ledger Account	2.3.4	16
Overstatement of expenditure due to	2.3.5	17
non exhibition of cancelled cheque		

SECTION -I	u — — —	
Irregularities in transaction relating	to discharge of i	normal
functions		
Short realization of royalty and	3.1	19
failure to generate potential revenue		
Extra expenditure due to deployment	3.2	20
of excess teacher		
Non production of records	3.3	21
Irregularities in transaction relating	g to entrusted fur	ections
Public Works Depa	rtment	
Doubtful expenditure of ₹71.63 lakh	4.1.1	21
Doubtful expenditure of ₹14.21 lakh	4.1.2	22
Avoidable extra expenditure ₹98.91	4.1.3	24
lakh		
Public Health Engineering	g Department	
Doubtful expenditure on procurement	4.2.1	25
of materials ₹1.93lakh		
Internal Control Mechanism	4.3	26
Appendices	Reference to	Page
	paragraph	
Appendix - I	2.3.1 & 2.3.2	28
Appendix – II	2.3.5	31
Appendix – III	3.2	32
Appendix – IV	3.3a	33
Appendix - V	4.1.2	34

Preface

This Report has been prepared for submission to the Governor under paragraph 7(4) of the Sixth Schedule to the Constitution of India. It relates mainly to the points arising from the audit of the financial transactions of the North Cachar Hills Autonomous Council, (NCHAC) Haflong, Assam.

The observations included in the Report are those which came to notice in course of special audit of eight selected departments under administrative control of NCHAC executing entrusted functions conducted during May-July 2010 and test check of annual accounts for 2006-07 conducted during May-June 2011.

The Report contains three sections, of which the first section deals with the constitution of the Council, the rules for the management of the District Fund and maintenance of accounts by the Council. The remaining two sections include audit comments on the Council's financial position and various irregularities in transactions relating to the year 2006-07.



OVERVIEW

This Report contains three sections. Section-I deals with the constitution of the Council, rules for the of District Fund and relevant management constitutional provisions on maintenance of accounts. Section-II deals with comments arising out of audit of annual accounts of the Council for 2006-07 and contains seventeen paragraphs while Section-III of the Report details the audit findings pertaining transaction audit relating to discharge of normal or inherent and entrusted functions of the Council and eight paragraphs. contains The significant findings contained in the Report are given below:

Comments on annual accounts

NCHAC met its revenue deficit of ₹26.30 crore under normal functions by irregular diversion of funds advanced by the State Government for discharging entrusted functions.

(Paragraph 2.1.1)

Compared to the budget estimates, the revenue collection, excluding grants-in-aid, showed a shortfall of 17 *per cent*.

(Paragraph 2.1.3)

Revenue receipts were understated by ₹25.85 lakh due to non deposit of the revenue collected during the year into the Personal Ledger Account (PLA) of the Council.

(Paragraph 2.2.1)

Under entrusted functions, the Council diverted
 ₹21.41 lakh from one major head of account to another through un-authorized re-appropriation.

(Paragraph 2.3.3)

NCHAC did not reconcile the discrepancies in closing balances appearing in two different sets of records *viz.*, treasury records and cashbook despite these having been pointed out in earlier Audit Reports.

(Paragraph 2.3.4)

Audit findings on transaction audit of normal or inherent functions

Due to short extraction of bamboo, Council failed to generate revenue to the tune of ₹49.44 lakh and there was loss of revenue of ₹10 lakh due to short realization.

(Paragraph 3.1)

Deployment of primary school teachers in excess of prescribed norms resulted in extra expenditure of ₹7.88 crore by NCHAC.

(Paragraph 3.2)

Audit findings on transaction audit of entrusted functions

Due to failure to pay the contractors' bills in time, Department had to incur avoidable extra expenditure amounting to ₹98.91 lakh.

(Paragraph 4.1.3)

Section-I

1.1 Introduction

The North Cachar Hills District Council in Assam was set up in April 1952 under Article 244(2) read with the Sixth Schedule to the Constitution of India. It was renamed as North Cachar Hills Autonomous Council (NCHAC) on 13 September 1995. The district was renamed as "Dima Hasao" on 30 March 2010 and the Council is using the nomenclature "Dima Hasao Autonomous Council" in their official records. However, Amendment of Sixth Schedule to the Constitution of India has not yet been carried out.

The Sixth Schedule (Schedule) to the Constitution of India provides for administration of specified tribal areas. For that purpose, it provides for the constitution of a District Council for each autonomous district with powers to make laws on matters listed in paragraph 3(1) of the Schedule, mainly in respect of allotment, occupation, use of land, management of forests (other than reserve forests), use of any canal or watercourse for agriculture, regulation of the practice of 'Jhum' or other forms of shifting cultivation, establishment of village or town committees or councils and their powers, village or town administration including, Public Health and Sanitation and inheritance of property. Paragraph 6(1) of the Schedule empowers the Councils to establish, construct or manage primary schools, dispensaries, markets, cattle pounds, ferries, fisheries, roads, road transport and waterways in the respective autonomous districts. The Councils also have the powers to assess, levy and collect within the autonomous districts, revenue in respect of land and buildings, taxes on professions, trades, callings and

employments, animals, vehicles and boats, tolls on passengers and goods carried in ferries, and the maintenance of schools, dispensaries or roads as listed in paragraph 8 of the Sixth Schedule. The above functions are called normal or inherent functions of the council in the common parlance.

In addition, under paragraph 6(2) of the Schedule, ibid, the State Government entrusted additional functions (called entrusted functions) to NCHAC in relation to agriculture, animal husbandry, cottage industries, soil conservation, social welfare, fisheries, forests etc. since June 1970 (as revised in November 1979, November 1992 and December 1996). According to the terms of latest entrustment, the State Government is to make funds available to NCHAC in advance so that the latter can finance the expenditure relating to entrusted functions. NCHAC is to render monthly detailed accounts to the Principal Accountant General (A&E) for making necessary adjustments. Budget provision for these functions is to be made in the State budget, and the Council is responsible to the State Legislature in respect of all matters relating to such funds provided for discharging the functions entrusted to it in terms of Office Memorandum (31 December 1996) of the Government of Assam.

1.2 Rules for the management of District Fund

The Sixth Schedule to the Constitution of India provides for the constitution of a District Fund for each autonomous district, to which shall be credited all moneys received by the Council in the course of administration of the district in accordance with the provisions of the Constitution. In exercise of the powers conferred under Sub-Paragraph (2) of Paragraph 7 of the Schedule (as it stood originally), the affairs of the

District Councils are being regulated under the respective District Council Fund Rules. In respect of this District Council, these are regulated under the North Cachar Hills District Fund Rules, 1953 (called Fund Rules) as approved by the Governor of Assam. In view of the amendment to paragraph 7(2) of the Schedule (made with effect from 2 April 1970 which provides that rules are to be framed by the Governor for the management of the District Fund) and for the procedure to be followed in respect of payment of money into the said Fund, the withdrawal of money therefrom, the custody of money therein and any other matter connected with or ancillary to these matters, the State Government prepared draft District Fund Rules, in 1972 common to Councils that existed in Assam at that time. These draft rules were subsequently revised as the draft District Fund Rules (DFR), 1978, the Autonomous District Fund Rules, 1989, 1992 and 1995. The revised Draft DFR, 1995 were not finalised due to nonamendment of the Sixth Schedule to the Constitution of India. However, the State Government constituted (October 2010) a committee to finalise the amendments and draft DFR of NCHAC and Karbi Anglong Autonomous Council without taking up the requirement of amendment of the Sixth Schedule to the Constitution of India. The proposed draft amendments are also yet to be finalized (June 2012).

1.2 Maintenance of Accounts

In pursuance of paragraph 7(3) of the Sixth Schedule to the Constitution, the form in which the accounts of the District Council are to be maintained was prescribed by the Comptroller and Auditor General of India with the approval of the President in April 1977. The State Government forwarded this format of accounts to the NCHAC in March 1978. The annual accounts for the year 2006-07 have been prepared in the prescribed format and submitted to Audit in April 2010. Audit was, however, taken up belatedly as NCHAC had requested (June and November 2010) for postponing the audit on account of their preoccupation in the investigation being carried out by CBI and other agencies. Audit was, therefore, conducted during May-June 2011 and followed up in November 2011 by field visit for subsequent clarification and updation.

Results of test check of annual accounts of NCHAC for 2006-07 are given in the succeeding paragraphs.

Section-II

2.1 Receipts and Expenditure

As per the Annual Accounts, the receipts and expenditure of NCHAC for the year 2006-07 and the resultant revenue and capital deficits were as shown in Table -1:

Table-1

(₹ in lakh)

	Part I District Fund	
	A Revenue Receipt and Expenditure	
Revenue Receipts		Revenue Expenditure
(1)	(2)	(3)
2006-07		2006-07
142.43	Taxes on Income and Expenditure	
221.37	Land Revenue	141.23
3.00	Stamps and Registration	
23.95	Taxes on Vehicle	-
0.00	Interest Receipt	
	Education	2718.73 ¹
260.38	Forests	636.94
43.00	Mines and Minerals	-
	District Council	28.74
	Executive Members	27.15
	Administration of Justice	20.24
-	Secretariat Central Services	361.87
	Other administrative services	<u> </u>
= 4	Pension and other Retirement Benefits	64.29
*:	Art and Culture	38.14
	Urban Development	14.76
-	Information and Publicity	
-	Social security and Welfare	8.84
	Relief on account of Natural calamities	1.50
3.67	Roads and Transport Services	47.96
0.08	Stationery and Printing	26.23
5.08	Public Works	313.89
88.98	Other General Economic Services	86.34
1115.18	Grants in Aid from State Government	

¹ Includes Plan expenditure of ₹20 lakh

(1)	(2)	(3)
1907.12	Total -A: Revenue Receipts and	4536.85
	expenditure	
2629.73	Revenue Deficit	
В	Capital Receipts and Disbursements	
	Capital account	54.46
	Debt	
	Loans and Advances	
0.02	Recoveries of Loans and Advances	
	Disbursement of Loans and Advances	*
0.02	Total-B: Capital Receipts and	54.46
	Disbursements	
54.44	Deficit under Capital and Loans and	
	Advances	
1907.14	Total Receipts and Payments under	4591.31
	Part I- District Fund	
4591.31	Total Part-I District Fund	4591.31
	PART-II Deposit Fund	
Receipts	C Receipts and Disbursements	Disbursements
	under entrusted functions of the	
	State Government	
15262.50	Funds Received from the State	
	Government	
	Expenditure incurred out of Deposit	12692.43
	Fund	
	Surplus/Savings on Deposit Fund	2570.07
15262.50	Total-C: Part-II Deposit Fund	15262.50
17169.64	Total Receipts and Disbursement	17283.74
	under Part-I & II	
D	Opening balance/ Closing balance	
20.44	Cash	-93.66
17190.08	Grand Total (A+B+C+D)	17190.08

Source: Annual Accounts

Discrepancy between opening and closing balance in the annual accounts 2006-07 has been mentioned in Para 2.2.7.

2.1.1 Revenue Deficit

Revenue Receipts (including Grants-in-Aid from the State Government) of NCHAC for 2006-07 pertaining to the functions as specified in the Sixth Schedule to the Constitution were ₹19.07 crore. Against this, NCHAC spent ₹45.37 crore resulting in revenue deficit of ₹26.30 crore. The excess expenditure was met during the year by irregular diversion of funds provided by the State Government for discharging entrusted functions despite this being pointed out in previous Audit Reports. This irregular diversion was bound to adversely affect the outcome of the allotments made by Government as earmarked in the state budget for different specific programme/ functions. Occurrence of such irregularities is needed to be avoided.

2.1.2 Receipts and Expenditure compared with the actual of previous year

Decrease in receipts and increase in expenditure under different heads of account during 2006-07 as compared to previous year (2005-06) were noticed. A few instances of such cases are given in Table-2:

Table-2 A-Receipts

Sl. No.	Heads of Account (Receipts)	Actual Receipts in 2005-06	Actual Receipts in 2006-07	Decrease in receipt	Percentage of variation
			(₹in lakh)		125772
1.	Taxes on income	166.87	142.43	24.44	15
2.	Other General Economic Services	134.07	88.98	45.09	34

Source: Annual Accounts

B-Expenditure

SI. No.	Heads of Account (Expenditure)	Expenditure in 2005-06	Expenditure in 2006-07	Increase in expenditure	Percentage of variation
			(₹in i	akh)	and the second
1.	Administration of Justice	18.12	20.24	2.12	12
2.	Land Revenue	118.03	141.23	23.20	20
3.	Stationery and Printing	12.18	26.23	14.05	115
4.	Pubic Works	286.73	313.89	27.16	9
5.	Pension and other Retirement Benefits	45.22	64.29	19.07	42
6.	Urban Development	10.15	14.76	4.61	45

Source: Annual Accounts

Reasons for decrease in revenue receipts ranging from 15 to 34 *per cent* were attributed (March 2012) to abnormal law and order in the district by NCHAC. Increase in expenditure ranging from 9 to 115 *per cent* with reference to the previous year as depicted in the above cases, though called for, had not been intimated by the NCHAC (June 2012).

Appropriate remedial measures in the cases of abnormal increase in expenditure and decrease in receipts needs to be undertaken by NCHAC.

2.1.3 Variation in receipts and expenditure compared to budget provision

Revenue Receipts (excluding Grants-in-Aid of ₹11.15 crore) during 2006-07 were ₹7.92 crore against the estimated amount of ₹ 9.56 crore (overall shortfall by 17 per cent). Significant shortfall ranging from 5 to 100 per cent was noticed under nine heads of account as shown in Table-3:

Table-3

SI.	Heads of Account	Revenue (Collection	Shortfall	Percentage
No.		Estimated amount as per Budget 2006-07	Actual Receipts as per Annual Accounts		of shortfall
			(₹ in lakh)		
1.	Taxes on Income and Expenditure	155.00	142.43	12.57	8
2	Interest Receipts	1.00	0	1.00	100
3	Public Works	12.25	5.08	7.17	59
4	Other Administrative Services	3.03	0	3.03	100
5	Other General Economic Services	244.84	88.98	155.86	64
6	Fisheries	1.00	0	1.00	100
7	Forests	273.17	260.38	12.79	5
8	Mines and Minerals	200.00	43.00	157.00	79
9	Roads and Transport Services	7.50	3.67	3.83	51

Source: Annual Accounts and Budget document.

The shortfall in collection of revenue against estimated provision as shown above indicated lackadaisical attitude of NCHAC in resource mobilization from its own sources. NCHAC in reply (March 2012) attributed the reasons for decrease in revenue receipts over budget provisions to abnormal law and order situation of the district. The reply is not convincing as the relation between law and order situation and collection of revenue is not understood.

Similarly, abnormal excess receipts over the budgetary projections under two heads of account was also noticed as shown in Table-4:

Table-4

Sl. No.	Heads of Account	Revenue (Collection Excess		Percentage of excess	
		Estimated amount as per Budget	Actual Receipts as per Annual Accounts 2006-07	er		
			(₹in lakh)			
1.	Land revenue	32.55	221.37	188.82	580	
2.	Stamp and Registration fees	1.50	2.99	1.49	99	

Source: Annual accounts and Budget document.

Instances of excess expenditure over budget estimates ranging between 14 to 160 *per cent* under 3 heads of account were also noticed during 2006-07 as shown in Table-5:

Table-5

SI. No.	Heads of Account	Budget Provision	Actual expenditure as per Annual Accounts	Excess	Percentage of excess
				(₹in lakh	
1.	Land Revenue	92.39	141.23	48.84	53
2.	Education	1044.10	2718.73	1674.63	160
3.	Urban Development	13.00	14.76	1.76	14

Source: Annual accounts and Budget document.

Reasons for excess receipts and expenditure over the budget provisions had not been intimated by NCHAC (June 2012). Thus efforts should be made to prepare budgetary estimates more realistically by NCHAC.

2.1.4 Annual Accounts

Funds made available as advance from the State budget provision to NCHAC in terms of modalities of entrusted functions were subject to submission of monthly detailed accounts of expenditure for adjustment of advance and final accounting of expenditure. As the position of such adjustment was not depicted in the annual accounts, actual expenditure made out of disbursements and unspent balances lying with Drawing and Disbursing Officers of line departments, if any, remained undisclosed. NCHAC in reply (March 2012) accepted the audit observation. Thus, appropriate disclosure of such cases needs to be ensured by NCHAC.

Comments on Accounts

2.2 Normal or Inherent Functions

2.2.1 Understatement of revenue receipt

Forest Royalty of ₹25.85 lakh collected during February to March 2007 under the head of account '13-Forest' was deposited into the Personal Ledger Account (PLA) of NCHAC during May 2007 by the Divisional Forest Officer, (DFO) NC Hills Division, Haflong. These receipts were not accounted for in 2006-07 due to delay in deposit by the DFO, which led to understatement of receipts to the above extent in the Councils' account. NCHAC in reply (March 2012) accepted the audit observation.

2.2.2 Discrepancy in revenue receipt

NCHAC accounted for revenue receipts of ₹3.67 lakh under the heads of accounts 'XVI-Roads & Transport Service' against actual receipt of ₹4.78 lakh during 2006-07, as per cash book, cheque receipt register of Transport Department and information furnished to audit. Thus, there was a discrepancy of receipts by ₹1.11 lakh which needed to be reconciled. NCHAC in reply (March 2012) accepted the audit observation.

2.2.3 Overstatement of revenue receipts

Revenue receipts aggregating ₹5.25 crore were accounted under three heads of account against actual revenue receipts of ₹3.55 crore as detailed in Table-6 which led to overstatement of receipts by ₹1.70 crore.

Table-6

Sl. No	Heads of account	As per Annual accounts	As per verification of records and information furnished by the Deptt.	Overstatement of Revenue receipts	
		(₹ in lakh)			
1	II Land Revenue	221.37	72.11	149.26	
2	XIII Forest	260.38	251.86	8.52	
3	XIV Mines & Minerals	43.00	30.88	12.12	
	Total	524.75	354.85	169.90	

Source: Cash book, information furnished by respective departments

On this being pointed out, NCHAC in reply (March 2012) accepted the audit observation.

2.2.4 Understatement of revenue expenditure

Revenue expenditure aggregating ₹31.54 crore was registered under five heads of account under normal functions against actual expenditure of ₹33.43 crore as

detailed in Table-7 leading to understatement of revenue expenditure by ₹1.89 crore.

Table-7

Sl. No	Heads of account	As per Annual accounts	As per verification of records and information furnished by the Deptt.	Understatement of Revenue expenditure
			(₹in lakh)	
1	7-Secretariate General Services	361.87	378.77	16.90
2	16- Social Security & Welfare	8.84	13.08	4.24
3	8-Stationery & Printing	26.23	26.25	0.02
4	12-Art & Culture & Publicity	38.14	38.85	0.71
5	11-Education	2718.73	2885.84	167.11
	Total	3153.81	3342.79	188.98

Source: Cash book, information furnished by respective departments.

NCHAC in reply (March 2012) accepted the audit observation.

2.2.5 Overstatement of revenue expenditure

Revenue expenditure aggregating ₹12.25 crore was accounted under six heads of accounts under normal function against actual expenditure of ₹11.52 crore as detailed in Table-8 leading to overstatement of revenue expenditure by ₹0.73 crore.

Table-8

SI. No	Heads of account	As per Annual accounts	As per verification of records and information furnished by the Deptt.	Overstatement of Revenue expenditure
	F10 6 6 5 5 5 5 10		(₹in lakh)	
1	4-Land Revenue	141.23	130.53	10.70
2	3-dministration of Justice	20.24	16.31	3.93
3	22-Forest.	636.94	596.58	40.36
4	18-OGES	86.34	85.51	0.83
5	2- Executive Member	27.15	26.99	0.16
6	9-PWD	313.89	296.41	17.48
	Total	1225.79	1152.33	73.46

Source: Cash book, information furnished by respective departments.

NCHAC in reply (March 2012) accepted the audit observation.

2.2.6 Overstatement of capital expenditure

NCHAC accounted for ₹45.21 lakh as capital expenditure under the head 'Capital Outlay on Road Transport Services' against actual capital expenditure of ₹30.21 lakh during the year as per subsidiary cash book, ledger and information furnished to audit by the Addl. Secretary, Transport Department. Thus, there was overstatement of capital expenditure by ₹15 lakh. NCHAC in reply (March 2012) accepted the audit observation.

2.2.7 Understatement of opening and closing balance

Figures of opening and closing balance were exhibited in the annual accounts 2006-07 of NCHAC as ₹19.27 lakh and (-) ₹59.38 lakh instead of ₹20.44 lakh

and (-) ₹93.66 lakh respectively (Table-I refers). This resulted in understatement of both opening and closing balance by ₹1.17 lakh and (-) ₹34.28 lakh respectively and thus needed to be reconciled.

2.3 Entrusted Functions

2.3.1 Non-reconciliation of receipt

Annual accounts for 2006-07 exhibited ₹152.63 crore as receipts from State Government during the year in respect of entrusted functions, under Part-II Deposit Fund. However, the statement showing the major headwise details of fund received, furnished to audit (June 2011) showed receipts of ₹143.94 crore (Plan: ₹69.27 crore and Non-plan: ₹74.67 crore) as detailed in *Appendix-I*.

Details of fund received as depicted in Part-II Deposit Fund, were not disclosed major head-wise in the form of statement/schedule to annual accounts. Consequently, discrepancy of ₹8.69 crore could not be correlated and reconciled and the correct position of receipts was not ascertainable. NCHAC accepted (March 2012) the audit observation and stated that necessary steps for reconciliation would be initiated.

2.3.2 Non-reconciliation of disbursement

Annual accounts for 2006-07 exhibited ₹126.92 crore as amount disbursed towards discharging of entrusted functions by NCHAC under Part-II Deposit Fund. However, statement showing major head-wise details of funds disbursed, furnished to audit (June 2011) showed disbursement of ₹125.40 crore (Plan: ₹59.64 crore; Non-plan: ₹65.76 crore) as detailed in *Appendix-I*.

Details of fund disbursed to line departments (as depicted in Part-II Deposit Fund) were not disclosed major head-wise in the form of statement/schedule to annual accounts. Consequently, discrepancy of ₹1.52 crore could not be correlated and reconciled. NCHAC accepted (March 2012) the audit observation and stated that necessary steps for reconciliation would be initiated.

2.3.3 Diversion of funds

According to the terms of entrustment of functions as envisaged in OM issued on 31 December 1996, NCHAC is empowered to re-appropriate funds within the same major head of account while approval of State Government is required for re-appropriation of funds between two major heads of account.

Scrutiny revealed that NCHAC incurred expenditure of ₹21.41 lakh² in excess of the funds released from the State budget under the head of account "5054 Capital Outlay on PWD Roads" by diversion of funds from other heads of account without obtaining the mandatory approval of the State Government.

Such irregularity persisted over the years despite having been pointed out in previous Audit Reports.

2.3.4 Personal Ledger Account

NCHAC maintains a Personal Ledger Account (PLA) with the Haflong Treasury into which all receipts on account of its own regular functions as well as entrusted functions are credited and from which all expenditure on both the functions is met. The balance held in the

² Fund received: ₹ 1164.85 lakh; Expenditure incurred ₹ 1186.26 lakh

PLA as per Cash Book, as of 31 March 2007, was required to be reconciled with the balance shown in the records of the Treasury and discrepancies, if any, between the two sets of records, were to be reconciled.

Scrutiny of records of the treasury with the PLA Cash Book maintained by NCHAC revealed that, as of 31 March 2007, there was a difference of ₹247.07 lakh in the closing cash balance between the two sets of records as shown in Table – 9:

Table – 9
(₹in lakh)

SI. No.		As per Treasury records	As per annual accounts and PLA Cash Book	Discrepancy excess (+) Less (-) in Cash Book
1	Opening balance as on 1 April 2006	79.83	20.44	(-) 59.39
2	Closing balance as on 31 March 2007	187.69	(-) 59.38	(-)247.07

Source: Information furnished by the council

Such discrepancies have been persisting since 1985-86, and have not been reconciled despite the same having been pointed out in earlier Audit Reports.

NCHAC stated (March 2012) that reconciliation of discrepancies with the treasury records have been done upto April 2010. As such, subsequent annual accounts would be submitted with reconciled figures.

2.3.5 Overstatement of expenditure due to non exhibition of cancelled cheque

Twelve cheques indicating an amount of ₹45.97 lakh issued to different drawing and disbursing officers during the period June 2006 to March 2007 were

entered in the payment side of the PLA cash book maintained by NCHAC. Though the cheques were cancelled subsequently as the accounts were objected to by treasury, expiry of time limit *etc.*, the same were not written back in the PLA cash book till 31 March 2010 by NCHAC. This resulted in exhibition of excess disbursement to the extent of ₹45.97 lakh as detailed in *Appendix-II*. NCHAC in reply (March 2012) accepted the audit observation.

Appropriate remedial action to prevent occurrence of such irregularities needs to be ensured through a separate action plan and timelines by NCHAC.

Section-III

- (A) Irregularities in transactions relating to discharge of normal functions
- 3.1 Short realization of royalty and failure to generate potential revenue

NCHAC entered into an agreement for a period of 21 years with a firm (01 March 2005) for supply of bamboo to different paper mills, departments and private users. The terms and conditions of the agreement *inter-alia* provided that NCHAC would allot bamboo for extraction (felling series-wise) and the firm would pay royalty to NCHAC @ ₹85 per Metric Tonne Green (MTG) (subject to yearly increase of 5 *per cent*) on the quantity of bamboo extracted. It was also provided that in the event of failure to extract the allotted quantity, the firm would have to pay compensation @ ₹5 lakh for each un-operated felling series.

NCHAC allotted 73118 MTG of bamboo to the firm covering three³ felling series, during 2006-07 for which the firm was to pay royalty @ ₹93.50 per MTG. Scrutiny of records (June 2011) revealed that during the year the firm extracted 48042.12 MTG of bamboo from only one⁴ felling series and the firm paid royalty of ₹18.92 lakh against the payable royalty of ₹44.92 lakh

³ Longkua: 56700 MTG; Harangajao: 6648 MTG; Khepre: 9770 MTG

⁴ Longkua (less than allotted quantity)

on extracted bamboo. This resulted in short realization of royalty by ₹26 lakh. NCHAC did not generate revenue to the tune of ₹49.44 lakh⁵ due to non extraction of the allotted bamboo and did not impose penalty of ₹10 lakh⁶ on the firm to compensate for shortfall in generation of revenue.

Reasons for failure to generate potential revenue, short realization of royalty and non imposition of penalty were neither ascertainable from records produced to audit nor stated by NCHAC.

3.2 Extra expenditure due to deployment of excess teachers

According to the prescribed norms for granting permission/recognition of primary schools by NCHAC, the maximum enrolment in a section/class should be 40 and minimum 20 which was relaxed to 15 in areas inhabited by SC/ST population and for North Cachar Hill areas by Government of Assam. Thus, in primary schools of NC Hills district, teacher-student ratio was required to be maintained at 1:15. The Government, vide notification of 23 January 2004 has also stressed the need for rational deployment of teachers in primary schools.

Scrutiny of records of Education Department however, revealed that, during 2006-07, 1044 teachers were deployed in excess of norms which resulted in extra expenditure of ₹7.88 crore during 2006-07 alone, as

⁵ (73118 x 93.50)= ₹68.36 lakh minus amount paid ₹18.92 lakh = ₹49.44 lakh

⁶ (₹5 lakh x 2 Nos felling series = ₹10 lakh)

detailed in *Appendix III.* Reasons for the same, though called for, were not furnished by NCHAC.

3.3 Non production of records

- (a) Supporting vouchers and actual payee receipts (APR's) detailed in *Appendix-IV* against the payment of ₹7.96 lakh shown in the cash book could not be produced by Transport department. Thus, the expenditure of ₹7.96 lakh remained unverified and is fraught with the risk of possible misutilisation.
- (b) The cash book (PLA) maintained from 1 April 2006 to 31 January 2007 showed release of ₹4.97 crore to Divisional Forest Officer (DFO), N C Hills Division Haflong. However, the subsidiary cash book of DFO for the period from 1 April 2006 to 31 January 2007 was not produced, though called for. Thus, the utilization of entire amount of ₹4.97 crore remained unverified and the situation is fraught with the risk of possible misutilisation.
- (B) Irregularities in transactions relating to entrusted functions

4.1 Public Works Department

4.1.1 Doubtful expenditure of ₹71.63 lakh

Test check of cash book of the Executive Engineer (EE), PWD Road Division, Mahur, revealed that a total amount of ₹71.63 lakh was recorded as having been disbursed against 177 vouchers pertaining to the months of July 2002 and February 2003 to different

claimants. The cash book neither indicated the reasons and details of payment nor the vouchers were produced during audit (February 2005)⁷. Though the EE stated (May 2005) that the related vouchers would be produced during next audit, but the same were not produced as assured (February 2007). The matter was again taken up (November 2011) with no positive response from EE till December 2011. Thus the expenditure *ibid*; remained unverified and doubtful in the absence of documents.

4.1.2 Doubtful expenditure of ₹14.21 lakh

Estimate for the work 'Improvement of Langting Mithadisa Road for 2000-01' was framed in January 2001 by the Executive Engineer (EE), PWD (R&B) Maibong Division, Maibong, including a provision for clearing of landslide (debris) during 2000-01 at chainage from 1 - 12 KM. This included landslide clearance of 11302.063 cum of debris at 6 to 12 KM. The estimate was prepared to make the road suitable for all types of vehicular traffic in view of the then forthcoming Assembly election. But there was however nothing on record to show that any work (including landslide clearance) was executed in the chainage from 6-12 KM until 23 March 2004 against the above estimate.

Subsequently, another estimate was framed for improvement of the same road in November 2005 as the road had been badly damaged. The said estimate did

 $^{^{7}}$ Audit of EE,PWD Road Division, Mahur was conducted during February 2005

not spell out whether the slips that had occurred in 2000-01 had remained to be cleared. Provision for slip clearance of 3000 cum at 6 to 11 KM was however again included.

Scrutiny of records revealed that 41199 cum of debris was cleared under the first estimate during the period 23 April 2004 to 10 June 2006 at chainage from 6 to 11 KM. Again, in the same chainage (6-12 KM), 43062.18 cum of debris was cleared during 30 December 2005 to 20 January 2006 under second estimate. Details are in *Appendix V*.

On this being pointed out, the Division stated (December 2009) that the first estimate for improvement of the road including slip clearance from 1-12 KM was prepared on the basis of site condition of the year 2000-01 and the works were allotted. But the contractors did not start work timely allegedly on the apprehension of irregular payment. However, after several requests contractors completed the works from April 2004 to June 2006. The Division also stated (December 2009) that the second estimate was prepared on the basis of site condition as heavy rainfall occurred in 2004-05, and included unexecuted works of debris clearance of first estimate and quantity of execution of works were measured on actual basis.

Thus, there was no transparency in framing the estimate especially regarding disclosure of work in progress of debris clearance at the same stretch, of the road under separate estimates and quantity of debris estimated to be removed as of November 2005 were evaluated on the basis of work already done under first estimate. Further, no reason was put forward justifying clearance of debris of 84261.18 cum against total estimated

quantity of 14302.63 cum (together under both the first and second estimates) and no approval for such huge excess execution was obtained. Moreover, reason for keeping both the estimates open for execution simultaneously was neither on record nor stated. This rendered expenditure of ₹14.21⁸ lakh under second estimate doubtful.

4.1.3 Avoidable extra-expenditure -₹98.91 lakh

Administrative approval for the construction of RCC bridge No. 10/1 over river Lunglai on Dehangi Dayangmukh Road was accorded at a cost of ₹150 lakh by the Government of Assam, Public Works Department (March 1995) which was subsequently revised to ₹370 lakh and approved by NCHAC (March 1998).

Chief Engineer, PWD (R&D) Hills, Assam, awarded the work to a contractor on 4 October 1997 at the tendered value of ₹342 lakh with the stipulation to complete the work within 3 October 1999. The work commenced on 7 October 1997 and was completed on 19 May 1999. The contractor preferred his claims in eight bills totaling ₹360.87 lakh (Bridge proper: ₹342 lakh; Price variation: ₹18.87 lakh) during November 1997 to March 2000. The department failed to make payment of ₹88.79 lakh in time in terms of clause 56.3 of Section III of the contract agreement due to non-availability of funds. The contractor thus prayed for arbitration of the case (19 April 2000) and claimed ₹205.65 lakh (principal: ₹88.79 lakh; interest for delayed payment: ₹40.36 lakh; compensation: ₹75 lakh and cost of arbitration: ₹1.50 lakh). The Arbitrator

^{8 430628.18} cum X ₹ 33 per cum=₹ 1421051.94

(February 2002) awarded his verdict to pay ₹133.26 lakh (principal: ₹88.79 lakh; interest for delayed payment ₹43.37 lakh and cost of arbitration: ₹1.10 lakh) to the contractor within 60 days from the date of award, failing which simple interest @18 per cent per annum was to be paid on the unpaid balance till payments were made. The contractor filed a case (No. 2/2003) in the Court of District Judge, Kamrup due to non-receipt of payment and the Court directed (April 2004) the department to make payment of the awarded amount on or before (30 May 2004). Accordingly, the Division paid ₹187.70 lakh (principal: ₹88.79lakh; interest for delayed payment: ₹97.81 lakh and cost of arbitration: ₹1.10 lakh) between June 2002 and October 2008. This would not have been the amount payable if the department paid the amount of ₹88.79 lakh due to the contractor in time.

Failure to make payment of the contractors' bills in time which arose because of improper financial planning led to the department incurring avoidable extra expenditure ₹98.91 lakh (interest for delayed payment: ₹97.81 lakh and cost of arbitration: ₹1.10 lakh).

4.2 Public Health Engineering Department

4.2.1 Doubtful expenditure on procurement of materials ₹ 1.93 lakh

Executive Engineer(EE), Public Health Engineering, (PHE) Umrangsu Division, procured galvanised iron fittings worth ₹2.12 lakh for 6 Water Supply Schemes during May to July 2006 against which part payment of ₹1.93 lakh was made during July 2006 through hand

receipts. Though the materials were certified as accounted for in the respective site accounts of the scheme, the relevant site account in support of receipt and utilisation of the materials was not produced during audit (March 2007).

During exit meeting (March 2007) EE assured that the site account would be traced but the same was not furnished (December 2011) in spite of subsequent request made (November 2011). The latest position of further payment, if any, was also not furnished (June 2012) though called for in audit.

4.3 Internal Control Mechanism

Internal control is an integral process which is designed to provide reasonable assurance about achieving the organizational objectives *viz.*, fulfilling accountability obligations, complying with applicable laws and regulations, executing programmes/schemes in an orderly, economical, efficient and effective manner and safeguarding resources against loss. An effective internal audit (IA) wing is necessary to strengthen the internal control system and enforce effective management.

Scrutiny of the records indicated that NCHAC had no IA wing. Consequently, the internal control in the Council was ineffective as would be seen from the following.

A series of financial irregularities were observed in Inspection Reports (IR) on Special Audit and other IRs on the accounts of NCHAC containing 334 paragraphs pertaining to the period 1994-95 to 2007-08 were yet to be settled (June 2012).

Figures in PLA cash book were not reconciled with those of treasury over the years leading to discrepancies between these two sets of records.

Guwahati The (K.P. Anand) Accountant General

Countersigned

New Delhi

(Vinod Rai)

The Comptroller and Auditor General of India

Appendix-I

(Reference: Paragraphs No. 2.3.1 & 2.3.2)

Financial Statement of North Cachar Hills Autonomous Council for the year 2006-07

(₹in lakhs)

Sl.	Head of	Pl	an	Non Plan		
No.	Account	Fund Received	Fund Disbursed	Fund Received	Fund Disbursed	
(1)	(2)	(3)	(4)	(5)	(6)	
1	5054- COPWD(Roads)	1164.85	1186.26	0.00	0.00	
2	3054- R&BPWD(Road s)	0.00	0.00	1062.87	1062.47	
3	2059-PWD Building	0.00	0.00	201.98	192.77	
4	2216-H PWD Building	0.00	0.00	41.00	9.00	
5	4059-CO-PWD Building	20.00	20.00		0.00	
6	4202-CO-PWD Building	45.00	45.00		0.00	
7	5452-CO-PWD Building	17.80	6.45		0.00	
8	4210-CO-PWD Building	20.00	20.00	-	0.00	
9	4211-CO-PWD Building	5.00	5.00		0.00	
10	2406-F-Forest	390.00	297.71	323.72	272.42	
11	4702-CO- Irregation	204.89	188.26	3 Sei	0.00	
12	4705-CAD- Irregation	8.00	6.50	-1-	0.00	
13	4701-CO- Irregation	16.00	4.60	-	0.00	
14	2702-Minor Irregation		0.00	301.16	300.56	
15	2202-Higher Education	115.00	94.28	179.20	164.00	
16	2202- Elementary/ Secondary Education	455.30	248.92	1717.69	1587.11	

(1)	(2)	(3)	(4)	(5)	(6)
17	2204-Sport-	4.00	3.43	10.66	6.85
	Physical				
	Education				
18	2205-	2.00	1.72	0.50	0.50
LIA.	Archeology				
19	2205-Libarian	7.00	6.89	10.49	10.05
20	2205-Museum	7.80	7.76	0.00	0.00
21	2205-Culrural	10.00	9.51	28.03	26.05
- 1	centre.				
22	2215-WSS-	363.67	253.50	1270.51	1084.18
	PHE(GEN)				
23	2215-WSS-	114.00	69.00	0.00	0.00
	PHE(ARP)				
24	4711-FC	110.00	95.37	0.00	0.00
25	2711-FC		0.00	19.30	9.99
26	2039-Excise		0.00	40.35	31.62
27	2225-HA-Hill	36.40	36.40	0.00	0.00
	Area/Article-				
	275(i)				
28	2225-HA-	275.00	275.00		0.00
	WDPSCA				
29	2225-HA-UDP	200.00	200.00		0.00
30	2225-	-	0.00	23.30	10.23
	P.Secretary.A.Co				
	uncil				
31	2408-Food &	-	0.00	32.34	18.02
	civil Supply				
32	2515-Panchayat	278.00	212.62	130.94	44.33
33	2402-Soil	87.50	79.08	192.32	160.67
	Conservation				
34	2403-Veterinary	229.91	155.60	300.60	268.14
35	2415-AR-	8.09	5.04	10.38	8.59
	Veterinary				
36	2404-Dairy	69.00	39.50	95.81	43.12
	Development				
37	2217-Urban	10.00	12.93	18.39	15.46
	Development				
38	2220-	25.00	24.66	32.24	29.45
	Information and				
	publicity.				
39	2851-VSI-	17.80	13.52	83.47	57.53
	Handloom &				
	Textile				
40	2851-VSI-	70.00	54.10	237.70	213.48
	Sericulture				

(1)	(2)	(3)	(4)	(5)	(6)
41	2851-VSI- Industries	28.00	12.21	151.91	113.72
42	4851-CO- Industries	6.00	4.00	0.00	0.00
43	6851-CO- Industries	3.00	0.00	0.00	0.00
44	2210-Medical	344.84	266.20	479.71	463.96
45	2215- WSS/Medl. Jt Director	0.00	0.00	9.09	8.64
46	2211-Family Welfare	141.15	134.18	9.01	8.09
47	3475-Weight & Measure	3.00	3.00	7.58	2.77
48	3452-Tourism	2.20	0.50	9.60	7.20
49	2405-Fishery	71.80	36.85	27.69	26.17
50	2415-AR- Fishery	0.20	0.00		
51	2235-Social Welfare	989.72	989.72	47.51	47.08
52	2235-ICDS	425.92	420.41		
53	2236-Nutrition- Social Welfare	7.00	7.00	6.30	6.30
54	2401-CH- Agriculture	468.00	380.69	247.56	172.67
55	2415-AR- Agriculture	7.00	0.00	0.00	
56	2435-Marketing	15.00	11.90	16.12	14.37
57	2425- Cooperation	27.40	18.84	89.58	78.20
	Total	6927.24	5964.11	7466.61	6575.76

Note: Amount of Budget allotment not furnished

Appendix-II (Reference: Paragraphs No. 2.3.5)

Statement showing the issue of cheque during 2006-07 and cancelled subsequently in that year but not received back in the receipt side of the cash book in that year

SI. No.	Date of issue of cheque as per PLA cash book	Cheque No & date	Amount (in₹)	Particulars of Payment	Remarks
1	13.6.06	437/43671dt 13.6.06	142434	Pay	eq
2	17.8.06	439/43815dt 17.8.06	1286878	Pay	of
3	19.8.06	439/43827dt 19.8.06	1168606	Pay	E T
4	22.9.06	442/44128dt 22.9.06	3786	Pay	of c
5	16.10.06	443/44230 dt 16.10.06	103519	Pay	eipt back of cancelled against the entry of cheques.
6	14.9.06	440/43995dt 14.9.06	18300	Pay	pt gain equ
7	16.12.06	612/61110 dt 16.12.06	191291	Pay	No remark regarding receipt bacheque was recorded against cancelled cheques
9	22.1.07	615/61439dt 22.1.07	100000	Works	ding ecor acel
10	22.1.07	615/61440dt 22.1.07	850000	Works	remark regarding rec cheque was recorded cancelled o
11	22.1.07	615/61441dt 22.1.07	150000	Works	ark ue
12	22.1.07	615/61442dt 22.1.07	400000	Works	bəu
16	12.3.07	619/61866dt.12.3.07	182136	Contingency	Non
	To	tal	4596950		

Appendix-III (Reference: Paragraphs No. 3.2)

Statement showing the minimum extra expenditure for entertainment of teacher in excess of prescribed norms of Teachers & Student ratio 2006-07

SL No	Name of Circle	Number of L.P.School	Total Enrollment of Student	Number of teacher should be on roll as per teacher and student Ratio(1:15)	Number of teacher actually deployed	Entertainme nt of excess teacher (as per teacher Student Ratio i.e.1:15)	Minimum Pay & allowance of one teacher as on 1/4/06	Period 1/4/06 to 31/3/07 (Month)	Total minim expenditure involved for entertainme nt of excess teacher	Actual Teacher Student Ratio
	1	2	3	4	5	6	7	8	9	10
1	Haflong'B' Circle	30	2208	147	453	306	6290	12	23096880	1:05
2	Haflong'A' Circle	25	1050	70	297	227	6290	12	17133960	1:04
3	Jatinga Circle	31	1228	82	220	138	6290	12	10416240	1:06
4	Maibong'E' Circle	19	702	47	118	71	6290	12	5359080	1:06
5	Maibong'W' Circle	21	801	53	153	100	6290	12	7548000	1:05
6	Harangajao 'E'Circle	29	958	64	113	49	6290	12	3698520	1:08
7	Mahur Circle	37	1262	84	149	65	6290	12	4906200	1:09
8	Kalachand	24	668	45	99	54	6290	12	4075920	1:07
9	Gunjung	31	688	46	80	34	6290	12	2566320	1:09
	Total	247	9565	638	1682	1044	6290	12	78801120	

Minimum Salary of one teacher as on 1/4/06 in his Scale of Pay Rs.3130-60-3490-90-4030-4480-120-5200-175-6600(allowance:50%DearnessPay,17 % on Basic +DP, DA 7.5% on Basic, HRA 5% on Basic, HRA 6. ₹ 350& ₹ 55/-Ch.Allowance = ₹6290/- per month.

Source Information furnished by the Council

Appendix-IV (Reference: Paragraphs No. 3.3.a) Statement of payment shown in the cash book against which no supporting vouchers could be made available

		77				
Department	SI No.	Voucher No/Cheque & date	Amount shown paid(₹)	Particulars of Payment	To whom Paid	
Transport	1	Nil dt.7/11/06	6000	N/A	Shri S.Sen,AEE(M)	
	2	Nil dt .30/12/06	640000	Reimbursement bill of CEM/EMs (no other detail was written)	Shri B.Langthasa	
	3	Nil dt .30/12/06	60000	Reimbursement bill(no other details was written)	Shri B.M.Langthasa, MAC	
	4	Nil dt .30/12/06	20000	do	Shri A Bodo,Dy, Chairman	
	5	Nil dt .30/12/06	47664	do	Shri S.Sen,AEE(M)	
	6	Nil dt .12.1.07	10000	do	Shri S.L. Purkayastha	

12795

796459

do

Shri

R.J.Laishram

Nil dt

Total Transport

.12.1.07

Appendix-V (Reference: Paragraphs No 4.1.2)

Statement showing the execution of the work 'Clearing of land slide at 6th to 12th KM' against the work 'Improvement of Langting Mithadisa Road'

Against the est	imate of the wok prepa	red in January 2001	Against the estimate of the wok prepared in November 2005			
Chainage	Period of execution	Quantity executed (CUM)	Chainage	Period of execution	Quantity executed (CUM)	
6 th to 8 th KM	15.5.06 to 10.6.06	16052.29	6 th to 12 th KM	30.12.05 to 20.1.06	43062.18	
9 th to 11 th KM	15.5.06 to 10.6.06	15963.09		十二十四 日本日本		
10 th to 11 th KM	21.1.06 to 31.1.06	2347.94				
11 th KM	23.4.04 to 6.6.04	1242.62				
6 th to 7 th KM	21.3.05 to 31.3.05	5594.03				
	Total	41199.97		Total	43062.18	



