

THIRTEENTH KERALA LEGISLATIVE ASSEMBLY

**COMMITTEE
ON
PUBLIC ACCOUNTS
(2014-2016)**

ONE HUNDRED AND SEVENTEENTH REPORT

(Presented on 18th February, 2016)



**SECRETARIAT OF THE KERALA LEGISLATURE
THIRUVANANTHAPURAM
2016**

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ONE HUNDRED AND SEVENTEENTH REPORT

On

**Action Taken by Government on the Recommendations contained in the
3rd Report of the Committee on
Public Accounts (2011-2014)**

CONTENTS

	<i>Page</i>
Composition of the Committee	.. v
Introduction	.. vii
Report	.. 1
Appendix : Summary of Main Conclusions/Recommendations	.. 16

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INTRODUCTION

I, the Chairman, Committee on Public Accounts, having been authorised by the Committee to present this Report, on their behalf present the 117th Report on Action Taken by Government on the Recommendations contained in the 3rd Report of the Committee on Public Accounts (2011-2014).

The Committee considered and finalised this Report at the meeting held on 15th February, 2016.

Thiruvananthapuram,
18th February, 2016.

DR. T. M. THOMAS ISAAC,
Chairman,
Committee on Public Accounts.

REPORT

This Report deals with the Action Taken by Government on the recommendations contained in the 3rd Report of the Committee on Public Accounts (2011-2014).

The 3rd Report of the Committee on Public Accounts (2011-2014) was presented to the House on 20th March, 2012. The Report contained 13 recommendations relating to Food, Civil Supplies and Consumer Affairs and Local Self Government Departments. Government were addressed on 24th March, 2012 to furnish the Statements of Action Taken on the recommendations contained in the Report and the final reply was received on 7th August, 2014.

The Committee examined the Statement on Action Taken at its meeting held on 29-12-2014, 31-3-2015 and decided to pursue the recommendation on para 28 received from Local Self Government and it is included in Chapter I.

The Committee decided not to pursue further action on the remaining recommendations in the light of the replies furnished by the Government. Such recommendations and Government replies are incorporated in Chapter II of this Report.

CHAPTER I

RECOMMENDATION IN RESPECT OF WHICH ACTION TAKEN BY GOVERNMENT IS NOT SATISFACTORY AND WHICH REQUIRE REITERATION

LOCAL SELF GOVERNMENT DEPARTMENT

Recommendation

(Sl. No. 7, Para No. 28)

1.1 The Committee finds that the lackadaisical attitude exhibited by the department in identifying beneficiary families under Antyodaya Anna Yojana resulted shortfall in providing 54.617 MT of food grains costing ₹ 16.38 crore to the poorest of the poor families. The Committee understands that responsibility for the preparation of AAY list is with the Local Self Government Department and therefore directs the department to finalise the list urgently and review the same considering the frequent changes in the income of families so listed.

Action Taken

1.2 Local Self Government Department on the basis of survey conducted in May-June, 2009, BPL list was prepared and published in February, 2011. Implementation of the project Antyodaya Anna Yojana rests with Food and Civil Supplies Department. Hence preparation of the list of beneficiaries of Antyodaya Anna Yojana project also rest with Food & Civil Supplies Department. The AAY Programme is implemented through Civil Supplies Department and AAY beneficiaries were identified by Food & Civil Supplies Department themselves. Rural Development Department has no role in the identification of beneficiaries and in the implementation of AAY Scheme.

Further Recommendation

1.3 The Committee expresses its dissatisfaction over the Department's reply wherein it was stated that Rural Development Department has no role in the identification of beneficiaries and in the implementation of AAY Scheme.

The Committee opines that a joint effort of Food and Civil Supplies Department, Local Self Government Department and Rural Development Department is required for the successful implementation of AAY Scheme.

The Committee points out that the responsibility for conducting survey and identification of beneficiaries for the AAY scheme is vested with Local Self Government Department.

CHAPTER II

**RECOMMENDATIONS IN RESPECT OF WHICH THE COMMITTEE DO NOT
DESIRE TO PURSUE FURTHER IN THE LIGHT OF THE REPLIES
FURNISHED BY THE GOVERNMENT**

FOOD AND CIVIL SUPPLIES (B) DEPARTMENT

Recommendation

(Sl. No. 1, Para No. 22)

2.1 The Committee notes that identification of Below Poverty Line families under Targeted Public Distribution System in the State was entrusted with

local bodies as per the guidelines issued by Government of India as well as State Government. There exist complaints regarding the published draft selection list of BPL beneficiaries. In that ineligible families are enjoying the benefits and eligible families are being excluded. Likewise there exists remarkable variation in the number of BPL families approved by the State Government and the Government of India. No corrective steps were taken by the department to settle the issues. Further, the Committee expressed concern that recommendations contained in the 43rd Report of PAC (2001-2004) regarding the identification of household coming under BPL category were not yet acted on. Hence the Committee emphatically recommends to prepare, finalise and publish the BPL list in a time bound manner not later than the end of this year itself.

Action Taken

2.2 The present BPL Cards in circulation were issued based on the BPL list prepared and published by LSGD. This was done during the year 1997. Thereafter, renewal of ration cards took place twice, but the BPL list prepared during 1997 remained the same. It is a fact that, there are so many exclusions/inclusions errors in the present BPL list. It is quite natural to occur drastic socio-economic changes in the status of families as years pass by and those families identified on BPL during 1997 would have become ineligible for holding BPL cards. There are also possibilities for reversal of the APL families to BPL. In the absence of periodical survey at regular intervals, this could not be rectified. It cannot be hoped that those ineligible would voluntarily come forward to surrender their BPL cards on improvement of their living standards.

Now, a house to house survey for identifying BPL families was done through LSG Department and the revised BPL list was approved by Government. The Government have also issued orders to District Collectors to convert the APL cards of those BPL families enlisted in the revised BPL list, after conducting proper enquiry. The above process is in progress.

LOCAL SELF GOVERNMENT DEPARTMENT

Action Taken

2.3 In the State BPL survey was conducted by Local Self Government Department in May-June 2009 using the service of teachers. On the basis of this survey, BPL List was published in February 2011. Public was given opportunity to file objections/complaints on the published BPL list. As per G. O. (Rt.) 1205/12/LSGD dated 27-4-2012, Government have ordered to examine the complaints after the Socio-Economic and Caste Census 2011, if necessary. The Government Order has not been implemented so far as the Socio-Economic Caste Census has not come to an end. The draft list of Socio-Economic and Caste Census 2011 will be published shortly. However the Food and Civil Supplies Department as per G.O. (Ms.) 38/11/F&CSD. dated 5-11-2011 has given direction to all District Collectors to examine the cases of eligible applicants on the basis of BPL list and to issue them BPL cards.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Recommendation

(Sl. No. 2, Para No. 23)

2.4 The Committee Expresses concern that during the test check 58 per cent of the cards showed the same income of ₹ 300. The Committee concludes that there was no mechanism to ensure the accuracy of the income furnished by some of the NRIs, Agriculturists, Businessmen etc., whose earning are much higher than Government Employees. The Committee severely expresses displeasure with the Local Self Government Department for furnishing unrealistic data for including ineligible ones. The Committee further desires to know the current income limit prescribed for classifying the BPL and APL category.

Action Taken

2.5 While renewal of Ration Card took place, the existing card holders were provided with a declaration form in which the card holders are expected to make a

self declaration regarding their income. This was done based on the direction of Government to the effect that card holders should not be insisted to produce any proof of income while renewing their cards. Thus the department official had to accept the income shown in the declaration forms what ever it is. There was no mechanism to check the actual income of a card holder while renewal application is received. But, while issuing fresh ration cards, the applicants were requested to produce income certificate issued by Village Officer.

The Civil Supplies Department is issuing BPL ration cards to the eligible families based on the BPL list prepared by the LSGD. The guidelines for identification of APL/BPL category is finalized by LSGD, and the parameters/ income limit for classification of APL/BPL is determined by LSGD.

LOCAL SELF GOVERNMENT DEPARTMENT

Action Taken

2.6 In Kerala, no specific income limit was considered for APL/BPL category. BPL list was prepared on the basis of marks/weightage obtained as per the indicators of deprivation and entitlements prescribed vide G.O. (Ms.) No. 16/2011/LSGD dated 14-1-2011.

The survey was conducted in Rural areas as well as in Urban areas. Two forms were used for conducting the survey. Form A was used to survey all the families. While conducting survey in Form A, families which fall in any one of the following categories were deemed as prima facie non-poor and they were excluded from conducting detailed survey in Form B:

- (1) Families with a member who is an employee under Class I to IV in Government/Private/Semi Government/Aided institutions.
- (2) Families with a member who is a Regular Employee of Public/Private institutions.
- (3) Families with a member who is an employee in Co-operative institution.

- (4) Families with a member who is a Government/Service pensioner.
- (5) Families with a member who is a pensioner from Semi Government/Aided institutions.
- (6) Families having a member who is a pensioner from Co-operative Institution.
- (7) A family having a concrete house having a plinth area of 1000 Sq. Ft. or more.
- (8) Families having 4 wheeler vehicle for private use.
- (9) Families having a member working in foreign country.
- (10) Families having 1 acre of land, excluding ST.

Detailed survey was conducted in Form-B in the families who were not excluded (other than the families excluded through the exclusion criteria listed above) to assess the Socio-Economic status of the families. From the data of families so surveyed, the State Government ordered to prepare the BPL list on the basis of the marks obtained on nine indicators of deprivation and six indicators of entitlements.

5. State Government had also instructed to follow the following norms for preparing the list.

In the case of urban areas, all the families who were surveyed through B-Form were included in the BPL list (i.e., all families other than those excluded through exclusion criteria). In the case of Rural Areas, all the families which had received 16 marks or more and all SC/ST families who were surveyed in B-Form were included in the BPL list.

- (i) All SC/ST families surveyed in 'B' Form were included in the BPL list.
- (ii) All the families other than SC/ST getting a mark of 16 or above were included.

6. Accordingly, BPL List in the order of priority of marks obtained by the families was published in February, 2011. The income limit marked in the BPL ration card is not based on the BPL list published by LSGD.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Recommendation

(Sl. No. 3, Para No. 24)

2.7 The Committee expresses dissatisfaction that the Department had miserably failed to frame a methodology for verifying the accuracy of the BPL list even after a lapse of thirteen years. The Committee understands that the present practice is to renew the ration cards on the basis of data included in the old cards and as per the details furnished by the card holders without ascertaining its reliability. Regarding the identification of beneficiaries under BPL scheme, the Committee recommends that a suitable methodology should be evolved. The District Collectors should be entrusted to examine and finalise the complaints regarding the non-inclusion of BPL category and to include the families eligible for enjoying the benefits under BPL system by empowering an appellate authority.

Action Taken

2.8 A house to house survey for identifying BPL families was conducted in 2010 by LSGD. The list of BPL beneficiaries so prepared was approved by Government. Now, Government as per Order No. G. O. (Ms.) No. 38/11/F&CSD dated 5-11-2011 have entrusted the District Collectors to examine and finalise the complaints regarding non-issuance of BPL ration cards after conducting proper enquiry based on the BPL list prepared by LSGD.

Recommendation

(Sl. No. 4, Para No. 25)

2.9 The Committee observes that 23 card holders in BPL category had reflected annual income of ₹ 30,000 and above in their cards rendering them ineligible for consideration under BPL, which caused heavy loss to the State.

The Committee holds that both Food, Civil Supplies and Consumer Affairs Department and Local Self Government Department are responsible for this lapse. The Committee concludes that distribution of food grains to ineligible families paved way to forfeit the proportionate quantity of ration allotted by the Government of India. The Committee views the action of the Food and Civil Supplies Department in issuing BPL ration cards to households with annual income of more than ₹ 30,000 as very serious and recommends that the department should ensure that food grains provided to BPL families is in accordance with the norms prescribed by Government of India. The Committee further recommends that Government should take corrective steps to rectify the discrepancies that crept in the identification of BPL families and conduct annual reviews as envisaged in the PDS (Control) Order, 2001.

Action Taken

2.10 Food & Civil Supplies Department was only entrusted with issue of BPL ration cards as per the list of beneficiaries prepared by LSGD. It may be noted that, list of BPL beneficiaries prepared by LSGD is based on household survey and vetted by Gramasabhas. The parameters and methodology adopted for identifying BPL beneficiaries are not known to this department and hence, the reason for inclusion of ineligible families in the BPL list cannot be furnished by this Department.

Now, Government have arranged a house to house survey in LSGD to identify BPL families. The list so prepared was approved by Government and District Collectors have been authorized to entertain and finalise the complaints regarding exclusion/inclusion in the BPL list after conducting enquiries.

LOCAL SELF GOVERNMENT DEPARTMENT

Action Taken

2.11 The income limit marked in the BPL ration card is not based on the BPL list published by LSGD.

FOOD & CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT**Recommendation**

(Sl. No. 5, Para No. 26)

2.12 Regarding the proposal for amendment of the Kerala Rationing Order, the Committee expresses concern over the inordinate delay in finalizing the proposed amendment and directs the department to ensure speedy implementation of the amended Kerala Rationing Order.

Action Taken

2.13 The Committee has directed to amend the Kerala Rationing Order based on the PDS Control Order 2001. Presently, the Government of India have passed National Food Security Act, 2013 which has come into force w.e.f. 5-7-2013. The Government of Kerala vide G.O. (Ms.) No. 53/13/F&CSD. dated 2-12-2013 have decided in principle to implement the Act. In order to implement the Act, exhaustive amendments to Kerala Rationing Order 1966 would be necessary. As the process of implementation of the National Food Security Act is in force, the amendment of Kerala Rationing Order on the basis of PDS Control Order, 2001 is irrelevant at this stage.

Recommendation

(Sl. No. 6, Para No. 27)

2.14 As far as the distribution of commodities is concerned, low off take of APL food grains during the last five years ranged from 0.3% to 4.7% in respect of rice and from 18.98% to 58% in respect of wheat. APL families were therefore not dependent on public distribution system for their food grain requirement. Hence the Committee recommends the low off take by APL card holders should be reviewed to ascertain the causes and to take corrective action.

Action Taken

2.15 At present the entire allocations made under APL category are being completely lifted. During 2012-13, 51514 MT of rice and 16826 MT of wheat have been sanctioned under APL category. The allotments made towards April and

May, 2012 have been completely lifted. During the year 2011-12, a monthly allocation of 36056 MT of rice and 11777 MT of wheat was sanctioned. In addition to this, a monthly ad hoc allotment of 15458 MT of rice and 5049 MT of wheat was also sanctioned from June 2011 to March 2012. All the above allotments were also completely lifted. Further, all the allotment sanctioned during the year 2010-11 has also been completely lifted (530586 MT of rice and 166452 MT of wheat). Earlier the difference between PDS price and open market price was nominal and people preferred the better quality rice available in the open market. At present the open market price has escalated to about three times that of PDS price, the allocations made under different categories including that of APL category are being lifted entirely.

Recommendation

(Sl. No. 7, Para No. 28)

2.16 The Committee finds that the lackadaisical attitude exhibited by the department in identifying beneficiary families under Antyodaya Anna Yojana resulted shortfall in providing 54.617 MT of food grains costing ₹ 16.38 crore to the poorest of the poor families. The Committee understands that responsibility for the preparation of AAY list is with the Local Self Government Department and therefore directs the department to finalise the list urgently and review the same considering the frequent changes in the income of families so listed.

Action Taken

2.17 The responsibility for preparation of the list of AAY beneficiaries is vested with LSGD. The direction of the Committee is to finalise the list urgently and review the same considering the frequent change in the income of families.

The estimated number of AAY beneficiaries in the State is 595800 and now there is no shortfall in the number of beneficiaries.

Recommendation

(Sl. No. 8, Para No. 29)

2.18 The Committee learns that wheat supplied by Government of India was converted into Atta and Maida violating the Central Government guidelines and the

complaint regarding the mixing of atta and maida together with a view to reap profit to the Kerala Civil Supplies Corporation still remains. Therefore the Committee directs the departments to look into the matter seriously and take appropriate action.

Action Taken

2.19 Government of India has accorded sanction for the conversion of 5000 MT of APL wheat to fortified atta for sale through the fair price shops in Kerala and the scheme was entrusted to SUPPLYCO. At first, the scheme was implemented in five districts on experimental basis and later to all 14 districts in Kerala. Government of Kerala has also enhanced the allotment of APL wheat to SUPPLYCO to 6750 MT. The conversion of wheat into fortified atta is entrusted to seven millers on a contract and the millers lift the wheat from FCI on behalf of SUPPLYCO and process and convert the same into fortified atta in 1 kg. packet and deliver to the depots of KSCS Corporation, from where the ARDs lift as per the authority list issued by the Taluk Supply Officers and City Rationing Officers concerned. The conversion of wheat to Fortified Atta is at 95% extraction after removing 3% bran and 2% wastage. The selling price to ARD is ₹ 11.25/packet and to ration card holders is ₹ 12 in all districts.

At present Supplyco is distributing atta through ration shops after fortifying with iron (42 mg/kg) and Folic acid (1.5 mg/kg). The fortification project is being widely accepted by the consumer for its good quality and lowest price. Only fortified atta is being distributed by SUPPLYCO and the quality is being analyzed in an NABL accredited lab. Not even a single complaint regarding the mixing of maida in SUPPLYCO fortified Atta has been received either from ARDs or from the Ration card holders till date and SUPPLYCO has not made any profit in the implementation of the scheme.

Recommendation

(Sl. No. 9, Para No. 30)

2.20 The Committee recommends the department to strictly adhere to the compliance of rules and regulations and to take remedial action in respect of irregularities detected by audit such as closing of Authorised Retail Distribution

Shops during working hours, shortage of stock of food grains, non-exhibition of essential formalities like entitlement to the beneficiaries, stock position etc. The Committee directs the department to strengthen the inspection to ensure that Authorised Retail Distribution System functions as per rules.

Action Taken

2.21 In order to avoid irregularities such as closing of ARDs, AWDs and KWDs during working hours, shortage of stock of food grains, non-exhibition of stock and price board, diversion of food grains—proper and effective inspection is being conducted by Rationing Inspectors, Taluk Supply Officers, District Supply Officers, Deputy Rationing Controllers, Vigilance Officer, Special Squads constituted by the Director of Civil Supplies and Controller of Rationing. Apart from this Panchayat, Taluk, Municipal and District level Food Advisory Committee and Vigilance Committee is also constituted and functioning to avoid corruption and to ensure transparency.

Recommendation

(Sl. No. 10, Para No. 31)

2.22 In the light of the departmental reply, the Committee expressed its satisfaction that sealed samples of food grains collected from Food Corporation of India were exhibited in Taluk Supply Officers and Ration Shops. However, the Committee opines that it would be more fruitful to convene separate Regional conference of Rationing Inspectors and ration dealers and give directions about the quality control measures.

Action Taken

2.23 In order to ensure quality of food grains distributed through PDS, the departmental officers along with FCI authorities inspect the stock intended for release before lifting and the samples are given to the AWDs. The AWDs issue the samples to the ARDs and they are keeping the same in the Ration Shops in order to ensure that the same stock has been received there and distributing from there.

In the case of CMR, the stock is inspected jointly by the Paddy Quality Assurance Officers (Agricultural Officers), Junior Manager of KSCSC and representative of Taluk Supply Officers and the stock are released in their presence. Moreover, proper training is given to the staff of this Department on Quality Control Measures with the assistance of Quality Control Cell of the department of Public Distribution Government of India.

Recommendation

(Sl. No. 11, Para No. 32)

2.24 While examining the audit findings in connection with decentralized procurement of Paddy pointing the misappropriation of 4345.20 MT of Paddy costing ₹ 3.07 crore in Ernakulam district where storage milling and subsequent operations were outsourced by Kerala State Civil Supplies Corporation, the Committee notes that criminal prosecution as well as RR proceedings were being taken against M/s Poonoli Rice and Foods Private Limited, Ernakulam District against the loss sustained to Government and there exists a stay order on the criminal prosecution procedure. The Committee urges the department to take steps to vacate the stay. The Committee further recommends to take stringent action against those who committed malpractice. The Committee recommends to perceive the matter vigorously and to impose suitable punishment on the defaulters.

Action Taken

2.25 On detecting the malpractices and fraud during the inspection by Corporation Officials in the premises of Poonoli Rice & Food (P) Ltd. on 14-12-2005 & 15-12-2005, two police cases were registered.

The net amount due from the miller is calculated at ₹ 2,56,38,790. Revenue Recovery steps were initiated against the properties of the mill and an amount of ₹ 19,00,192 has been recovered through revenue recovery. Kerala State Civil Supplies Corporation is proceeding with the revenue recovery for recovering the balance amount.

Action was taken to seize the 16 lorries belonging to the rice mill. The Regional Transport Officers, Aluva & Tripunithura were requested to prevent sale of vehicles of Shri P. P. Johnson. However, since the vehicles were on H.P. loan, Kerala State Civil Supplies Corporation did not get any amount on confiscation.

Five cheque of ₹ 50,00,000 each given by the miller as Security Deposit were presented and the same were dishonoured. Five criminal cases under section 138 of Negotiable Instrument Act have been filed which is in progress.

On the bail application of the accused, the Hon'ble High Court of Kerala, considering the gravity of the offences committed, had ordered CBI investigation. The CBI has filed the chargesheet in Chief Judicial Magistrate Court, Ernakulam.

Recommendation

(Sl. No. 12, Para No. 33)

2.26 The Committee observes that the department had not made any serious efforts for inter connectivity at State, District and Taluk levels for monitoring of the distribution system. The Committee also finds that online monitoring system was not completed in all districts. The Committee recommends to take speedy action in order to strengthen the Monitoring and Management at different levels of the public distribution system.

Action Taken

2.27 In order to strengthen the Monitoring and Management at different levels of the Public Distribution System, the department is on the way to introduce End-to-End Computerisation and the proposal is under consideration.

Recommendation

(Sl. No. 13, Para No. 34)

2.28 And finally, regarding the existing Public Distribution System, the Committee is of the general view that there are a lot of problems in the classification of people as APL and BPL, as per the norms prescribed by the Government of India. Taking into account the above difficulties, the Committee

recommends that the System of Universal Rationing which is more desirable than the existing system, shall be adopted in the State of Kerala. In this regard, the Committee suggests that in the implementation of the new system, some exclusion criteria such as gazetted rank among employees, holders of 5 acres of land and above, certain income limit among other persons shall be fixed to exclude persons from the scheme. The provision for periodical upgradation of the list of eligible persons shall also be incorporated in the new scheme for its successful implementation in the State.

Action Taken

2.29 The National Food Security Act, 2013 enacted by the Government of India has come into force w.e.f. 5-7-2013. The Government of Kerala vide G. O. (Ms.) No. 53/13/F&CSD dated 2-12-2013 have decided in principle to implement the Act in the State. As per this Act, the categorization of APL/BPL shall not be in effect any more. Instead, the beneficiaries shall be grouped as priority households and non-priority households. Out of the total population of 333.877 lakh, 154.80 lakh will come under priority households and the rest 179.077 lakh will be under non-priority households. The steps for implementing the National Food Security Act in the State has already been initiated. While finalizing the list of priority households, the guidelines issued in G. O. (Rt.) No. 112/12/LSGD dated 27-4-2012 for exclusion of ineligible BPL card holders will also be considered.

Thiruvananthapuram,
18th February, 2016.

DR. T. M. THOMAS ISAAC,
Chairman,
Committee on Public Accounts.

APPENDIX

SUMMARY OF MAIN CONCLUSIONS/RECOMMENDATIONS

Sl. No.	Paragraph No.	Department concerned	Conclusions/Recommendations
1	1.3	Local Self Government	<p>The Committee expresses its dissatisfaction over the Department's reply wherein it was stated that Rural Development Department has no role in the identification of beneficiaries and in the implementation of AAY Scheme.</p> <p>The Committee opines that a joint effort of Food and Civil Supplies Department, Local Self Government Department and Rural Development Department is required for the successful implementation of AAY Scheme.</p> <p>The Committee points out that the responsibility for conducting survey and identification of beneficiaries for the AAY Scheme is vested with Local Self Government Department.</p>

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