

FOURTEENTH KERALA LEGISLATIVE ASSEMBLY

COMMITTEE
ON
PUBLIC ACCOUNTS
(2018-2021)

SIXTY EIGHTH REPORT
(Presented on 6th February, 2020)

SECRETARIAT OF THE KERALA LEGISLATURE
THIRUVANANTHAPURAM

2020

FOURTEENTH KERALA LEGISLATIVE ASSEMBLY

**COMMITTEE
ON
PUBLIC ACCOUNTS
(2019-2021)**

SIXTY EIGHTH REPORT

On

**Action Taken by Government on the Recommendations
contained in the 127th Report of the Committee
on Public Accounts (2008-2011)**

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**COMMITTEE ON PUBLIC ACCOUNTS
(2019-2021)**

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Smt. Manju Varghese, Joint Secretary

Shri R. Venugopal, Deputy Secretary

Smt. Chitra K. I., Under Secretary.

INTRODUCTION

I, the Chairman, Committee on Public Accounts, having been authorised by the Committee to present this Report, on their behalf present the Sixty Eighth Report on Action Taken by Government on the Recommendations contained in the 127th Report of the Committee on Public Accounts. (2008-2011)

The Committee considered and finalised this Report at the meeting held on 3rd February 2020.

Thiruvananthapuram,
4th February 2020.

V. D. SATHEESAN,
Chairman,
Committee on Public Accounts.

REPORT

This Report deals with the Action Taken by the Government on the Recommendations contained in the 127th Report of the Committee on Public Accounts (2008-2011).

The 127th Report of the Committee on Public Accounts (2008-2011) was presented to the House on 28th July 2010. This Report contain twenty recommendations related to Revenue and Finance Department. The Government was addressed on 31st July 2010 to furnish the Statements of Action Taken on the recommendations contained in the Report and final reply was received on 15th May 2018.

The Committee examined the Statements of Action Taken in its meetings held on 1-8-2012, 23-7-2014, 17-6-2015, 27-12-2016 and 31-10-2018. The Committee was not satisfied with the Action Taken by the Department on the Recommendations contained in para 40 and decided to pursue further. The Recommendation, reply furnished thereon and further recommendation of the Committee are included in Chapter-I of this Report. The Committee decided not to pursue further action on the remaining recommendations in the light of the replies furnished by Government. Such recommendations and Government replies are incorporated in Chapter-II of this Report.

CHAPTER-I

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

REVENUE (DISASTER MANAGEMENT) DEPARTMENT

Recommendation

(Sl. No. 11, Para No. 40)

1.1 The Committee observes that State Government had decided to allow full subsidy for repairs, replacement of crafts, Out board Motors and webbings

to fishermen in the traditional sector and had ordered to meet the expenditure on subsidy in excess of the Rajiv Gandhi Rehabilitation Package norms from the Chief Minister's Distress Relief Fund (CMDRF). Accordingly ₹ 2.39 crore was to be met from CMDRF, but the transfer of funds was not effected till May 2006. The Committee desires to be intimated whether ₹ 2.39 crore had since been credited from CMDRF to Calamity Relief Fund and if so, the date of transfer.

Action Taken

1.2 The fund of ₹ 2.39 crore has not been credited from the Chief Minister's Distress Relief Fund (CMDRF) to Calamity Relief Fund.

Further Recommendation

1.3 The Committee considered the statement of action taken and directed to obtain further clarification from the Secretary, General Administration Department on the reasons for not transferring the fund from Chief Minister's Distress Relief Fund (CMDRF) to Calamity Relief Fund.

Action Taken

1.4 The Tsunami Rehabilitation activities in the State has been carried out through various departments. By searching the documents and files available in the section it could not find out whether the amount of ₹ 2.39 crores was transferred from Chief Minister's Distress Relief Fund to Calamity Relief Fund and reason for non-transferring the fund.

Recommendation

1.5 The Committee expressed its strong dissatisfaction on the reply furnished by the Department and opined that the department knowingly furnished a vague reply even though there was mechanism to check whether the fund from Chief Minister's Distress Relief Fund (CMDRF) has been transferred to Calamity Relief Fund (CRF). The Committee directs the Department to furnish the reason for such an ambiguous reply and also insists to give a clear reply regarding the recommendation.

CHAPTER-II

REVENUE (DISASTER MANAGEMENT-TRP Cell) DEPARTMENT**Recommendation**

(Sl. No. 1, Para No. 30)

2.1 The Committee observes that the State Level Disaster Management Authority constituted in 2003 to study the requirements of disaster mitigation in an exhaustive manner, could not undertake any commendable action when Tsunami struck, due to the absence of a Disaster Management Plan for the State. The Committee, during examination of the audit paragraph, had sought to know whether any long term strategies were devised henceforth and the witness had agreed to furnish a detailed reply in this regard. But the Committee is distressed to note that the desired details has not been furnished to it till date. The Committee condemns the irresponsible attitude of the Disaster Management Department in the matter and urges to forward comprehensive reply within no time.

Recommendation

(Sl. No. 2, Para No. 31)

2.2 The Committee while examining the audit paragraph had directed to frame the Rules under the Disaster Management Act, 2005 within three months. Hence the Committee desires to know whether the said Rules have been framed and if not, the reasons for it.

Action Taken

2.3 In exercise of powers conferred by subsection (1) of Section 14 of Disaster Management Act , 2005 (Central Act of 53 of 2005) with rule 3 of Kerala Disaster management rules 2007, the Government of Kerala established the Disaster Management Authority for the State of Kerala by the name "The Kerala State Disaster Management Authority" vide G.O.(P)No.154/07/DMD. Dated, 4-5-2007.

2.4 The State Disaster Management Authority needs to conduct meetings at Government level to review the ongoing progress as well as during emergency situations. Moreover the State Disaster Management Authority performs the following functions.

1. The State Disaster Management Authority was established as per G.O. (P)No.154/2007/DMD Dated, 4-5-2007.
2. Monthly meetings are held twice at Government level to review the ongoing programmes as well as during emergency situations. Team meetings are also held as and when required.
3.
 - (a) The State Disaster Management Authority prepared and published the State Disaster Management Policy which affirms appropriate balance and interrelationship with the National Policy on Disaster Management and Disaster Management Act 2005. It ensures co-ordination amidst all agencies and departments related to Disaster Management including the corporate sectors.
 - (b) The State Disaster Management Authority in co-ordination with the District Disaster Management Authorities, prepared and released the District Disaster Management Plans for 14 districts of Kerala after a number of workshops and discussions at various levels.
 - (c) Conducted training programmes for Government Officials, PRIs and MLAs
 - (d) Prepared and submitted a detailed proposal to Government of India on National Cyclone Risk Mitigation Project which facilitate 106 permanent shelters at 9 Coastal districts.
 - (e) Prepared and submitted a proposal with guidelines to establish a permanent school safety programme at schools in the State.
Conducted Safety Pledge Programme on 1st December 2009 at Schools (State Level).
 - (f) Provide early warnings, mitigation measures and disaster preparedness on various disaster.
 - (g) Constituted a Media Award on Disaster Management from 2009 onwards.

DISASTER MANAGEMENT (REVENUE K) DEPARTMENT**Recommendation**

(Sl. No. 1, Para No. 30)

2.5 The Committee observes that the State Level Disaster Management Authority constituted in 2003 to study the requirements of disaster mitigation in an exhaustive manner, could not undertake any commendable action when Tsunami struck, due to the absence of a Disaster Management Plan for the State. The Committee, during examination of the audit paragraph, had sought to know whether any long term strategies were devised henceforth and the witness had agreed to furnish a detailed reply in this regard. But the Committee is distressed to note that the desired details has not been furnished to it till date. The Committee condemns the irresponsible attitude of the Disaster Management Department in the matter and urges to forward comprehensive reply within no time.

Action Taken

2.6 The departments concerned with the activities connected with the Disaster Management in the State have been instructed to prepare their own Disaster Management plan with long term strategies devised in the field of disaster. A comprehensive Disaster Management Plan for the State is under preparation with the assistance of National Disaster Management Authority in consultation with the departments and agencies concerned. A plan profile has already been submitted to National Disaster Management Authority for their approval.

Recommendation

(Sl. No. 2, Para No. 31)

2.7 The Committee while examining the audit paragraph had directed to frame the Rules under the Disaster Management Act, 2005 within three months. Hence the Committee desires to know whether the said Rules have been framed and if not, the reasons for it.

Action Taken

2.8 State Disaster Management Rules under DM Act 2005 has already been notified vide GO(P)No.71/2007/DMD dated 1-3-2007.

Recommendation

(Sl. No. 3, Para No. 32)

2.9 The Committee notices that the State Government could have utilized Central assistance upto ₹ 15 lakhs for adopting a new faculty structure at the Disaster Management Cell in the Institute of Land Management (ILM) as per the revised guidelines issued by the Ministry of Home Affairs (National Disaster Management Division) Government of India in August 2004. The department had failed miserably in submitting any fresh proposals for the purpose during 2004-05 and 2005-06. This inaction restricted the activities of the faculty in ILM only to give routine training to revenue staff. The Committee strongly criticises the lackadaisical attitude of the department in the matter and recommends that the Disaster Management Faculty in the ILM should be strengthened to impart training in the field of disaster prevention, to conduct research studies, development of database etc., in disaster management related aspects in accordance with the guidelines issued by the Ministry of Home Affairs. The Committee also desires to have detailed split up of the utilization of Government of India funds provided to ILM.

Action Taken

2.10 Institute of Land and Disaster Management has been fully utilizing the assistance from National Institute of Disaster Management for the past 5 years. Even though NIDM guidelines necessitate to conduct only 25 training programmes, the DM centre has organised 86 training programme (44 in-house training programmes and 42 off-campus training programmes during 2011-12) involving various departments like Agriculture, Animal Husbandry, Police, Fire & Rescue, Forest, Health and for professionals like Doctors, Engineers as well as to students and teacher community, NYK Volunteers, NSS Volunteers, NCC Cadets, Kudumbasree workers etc. During the last 5 years, Institute of Land & Disaster Management has conducted 121 in-house and 138 off home training programmes.

Faculty position in the Institute has been strengthened and the Hazard Vulnerability and Risk Assessment Cell (HVRA Cell) of Revenue Department has been placed under the Disaster Management Centre of Institute of Land and Disaster Management which acts as the research centre of SDMA. ILDM has consistently been adjudged as one of the high performing DM Centres in the country. Recognizing the potential of the Institute, the Finance Minister in his budget speech 2012-13 has declared to develop ILDM into a centre of excellence. Necessary proposal in this regard is under the consideration of Government. The Institute has received ₹ 27,50,000 as NIDM assistance during 2011-12 out of which ₹ 26,16,702 has been utilized. Split up is given below :

Total Grant-in-aid received from NIDM - ₹ 27,50,000

Expenditure

Sl.No.	Particulars	Amount
1	Pay & Allowance	₹ 21,82,462
2	Training Programmes	₹ 4,31,739
3	Purchase of equipments	₹ 2,501
Total		₹ 26,16,702
Balance Amount		₹ 1,33,298

REVENUE (DISASTER MANAGEMENT) DEPARTMENT

Recommendation

(Sl. No. 3, Para No. 32)

2.11. The Committee notices that the State Government could have utilized Central assistance upto ₹ 15 lakhs for adopting a new faculty structure at the Disaster Management Cell in the Institute of Land Management (ILM) as per the revised guidelines issued by the Ministry of Home Affairs (National Disaster Management Division) Government of India in August 2004. The department had failed miserably in submitting any fresh proposals for the purpose during 2004-05 and 2005-06. This inaction restricted the activities of the faculty in ILM only to give routine training to revenue staff. The Committee strongly criticises the

lackadaisical attitude of the department in the matter and recommends that the Disaster Management Faculty in the ILM should be strengthened to impart training in the field of disaster prevention, to conduct research studies, development of database etc., in disaster management related aspects in accordance with the guidelines issued by the Ministry of Home Affairs. The Committee also desires to have detailed split up of the utilization of Government of India funds provided to ILDM.

Action Taken

2.12 Against the sanctioned post during the period 2004-2006, DM Faculty had posted only one Research Officer, that too only for one year (2004-05). As per the scheme DMC was to conduct minimum 20 training programmes and the Centre should have a minimum faculty strength of four for which financial assistance from the Central Government would be provided. The Faculty has conducted 55 training and capacity building programmes though the requirement was only for 20 programmes (40 training, 11 workshop, 1 awareness and 3 seminars) and conducted Essay competition of Disaster Management for the High School students. DMC also conducted a field study in Tsunami hit regions in the State. The faculty prepared a rough damage and loss assessment report. During 2005-06, 42 programmes were organized and a documentary on disaster was also prepared. Based on the revised guidelines issued by the Government of India, two Assistant Professors were appointed at the ILDM. One on contract basis and the other on deputation basis.

2.13 The detailed split up of Utilization of Government of India funds provided to ILDM during 2004-2005 and 2005-2006 is as follows:-

Income			Expenditure		
Item	Amount	Amount	Item	Amount	Amount
1	2	3	4	5	6
Opening Balance	2,88,919.50		Training and Other Expenses	1,01,948.50	
Grant-in-aid received from GoI	10,00,000.00		Purchase of Equipments	92,445.00	

1	2	3	4	5	6
Interest received from the Bank	5,927.00		Salaries	5,39,965.00	
			Sub-Total		7,34,358.00
			Closing Balance		5,60,488.00
Total		12,94,846.50	Total		12,94,846.00

Recommendation

(Sl. No. 4, Para No. 33)

2.14 The Committee perceives that the relief and rehabilitation works on account of Tsunami were classified into three categories viz., short term medium term and long term. The Committee while going through the audit observation had sought for the details regarding the total amount utilized under the three categories, the total funds received from various agencies, the amount expended for each sector and the unutilised balances. The Committee also desired to have the data regarding the Central assistance received for relief and rehabilitation purposes, the share of the State Government and the aid received from ADB along with the split up of the expenditure incurred under various sectors in the three Schemes upto 31st March 2006 and from April 2006 to 31st March 2009. Even though the witness had vowed to submit the above details, it is not seen forwarded as such. The Committee vehemently criticises the callous attitude exhibited by the department in the matter and directs the department to furnish the reply without any more delay.

Action Taken

2.15 The Central Assistance sanctioned for Tsunami relief operations is under long term category. The Government of India sanctioned a Tsunami programme of ₹ 1441.75 crores for the rehabilitation of persons affected by Tsunami in coastal areas. The amount sanctioned is ₹ 1441.75 crores.

Tsunami Emergency Assistance Programme ₹ 245.46 crores
ADB assisted

Japan Fund for Poverty Reduction Project ADB assisted	₹ 4.49 crores
Diversion of existing World Bank project for water supply scheme	₹ 43.80 crores
TRP funded by Government of India as Additional Central Assistance	₹ 1148.00 crores (Grant)
Total	₹ 1441.75 crores

2.16 However the diversion of existing World Bank project for water supply scheme ₹ 43.80 crores has been taken out of Tsunami Programme on the basis of decision taken in the EGOM dated, 11-2-2010. The total Tsunami package for Kerala is therefore ₹ 1397.95 crores

2.17 The TEAP came to an end on 31.10.2009 and JFPR on 6-10-2010. The total expenditure incurred and the amount reimbursed by the ADB are as follows:

		Expenditure incurred	Amount reimbursed
TEAP		272.53 crores	252.38 crores
	PWD	84.79 crores	76.04 crores
	HED	38.82 crores	37.62 crores
	KSEB	33.49 crores	31.43 crores
	Fisheries	45.32 crores	45.25 crores
	KWA	60.71 crores	53.27 crores
	IA & Consultancy		
JFPR		5.37 crores	5.29 crores

2.18 In TRP the total amount sanctioned by the Government of India is ₹ 1148 crores. The work of TRP has to be completed by 31st December 2011. ₹ 1089.40 crores has been released to various project implementing units as on

27-7-2011. The various Project implementing units furnished Utilization Certificate for an amount of ₹ 1001.64 crores. The Utilization Certificate for an amount of ₹ 882.75 crores has been furnished to the Government of India. Most of the Departments completed the works undertaken under TRP and are in the process of finalizing the accounts. However in certain sectors like Housing it is seen that they require some more time for the completion of the work. The year-wise details of amount sanctioned by Government of India and the fund released from the State Government for the project are as follows:

Fund Sanctioned from the GoI

Financial Year	Amount in crores
2006-2007	16.77
2007-2008	211.30
2008-2009	596.78
2009-2010	200.00
2010-2011	123.15
Total	1148.00

Fund released from the State Government for Implementing the TRP

Financial Year	Amount in crores
2006-2007	6.57
2007-2008	68.00
2008-2009	503.27
2009-2010	397.00
2010-2011	173.16
Total	1148.00

Recommendation

(Sl. No. 5, Para No. 34)

2.19 The Committee learns that audit could not assess the reliability, authenticity and accuracy of the damage assessment made by Government due to the non availability of the basic data relied upon for estimating the losses either in the Disaster Management Department of the State Government or in the test checked offices. Further the respective Departments were unable to spend even the funds received from various sources which was meagre when compared to the projected short term requirement of funds. The Committee emphasizes the need for preparing a basic data for assessment of damages so that it could be deployed for future use as well. The Committee insists to know the reasons for the non/under utilization of available funds by various departments for the intended sectors even at the time of Audit.

Action Taken

2.20 Assessment was done. Separate parameters for the assessment of damages was not prescribed by MHA. In the case of crops, the mainly damaged are coconut, paddy, banana, vegetables and aracanut. The field staff inspected and assessed the actual loss of crops. The assessment of quantum of crop loss is based on the expected income of the crop which is lost and the loss of infrastructure is assessed on the cost involved for repair/reconstruction of infrastructure cost. With regard to the materials lost, the assessment is based on market value of the damaged/lost materials. Whereas assistance given is as per Government of India norms. Hence there will be a large variation in actual loss reported and compensation given.

Recommendation

(Sl. No. 6, Para No. 35)

2.21 The Committee is bewildered to note that under the sector "Repairs, Reconstruction and Restoration of Infrastructure", no funds were projected for "Roads and Bridges" and "Repairs to other Public Buildings" under short term works and asserts to be informed of the rationality for not providing funds for these ventures.

Action Taken

2.22 As per the accounts of the AG, the expenditure has been incurred for an amount of ₹ 5.07 crores for the Repairs and restoration of damaged roads & bridges under Rajiv Gandhi package. Moreover works were undertaken by the PWD under TRP and under TEAP for the Rehabilitation of Roads and Bridges. The total expenditure incurred under TRP in this case is ₹ 19.64 crores and under TEAP is ₹ 84.79 crores by PWD. Out of the total expenditure incurred by the PWD under TEAP, ADB has reimbursed ₹ 76.04 crores [G.O.(Rt.) No.3011/ 2011/ DMD dated 14-7-2011]

Recommendation

(Sl. No. 7, Para No. 36)

2.23 The Committee notices that even NGOs had provided funds for Tsunami relief and rehabilitation, but Audit could not ascertain the amount received from them due to the absence of adequate records substantiating the same. The Committee implores the department to forward a detailed report regarding the number of building constructed by NGOs, the cost per square feet, the total area of each house and the expenditure incurred on this account.

Action Taken

2.24 In Alappuzha District 848 houses were constructed by NGO and 828 were handed over to beneficiaries. In Ernakulam a total number of 238 houses were constructed by NGO and handed over to the beneficiaries. There is no records available in Government regarding the fund from the agencies.

Recommendation

(Sl. No. 8, Para No. 37)

2.25 The Committee observes with serious concern the laxity on the part of the department in claiming ₹ 9 crores from Government of India being the amount spent for land acquisition when there was specific provision for reimbursement of the same. The Committee denounces the inaction in this respect and desires to be

informed whether any amount had been claimed by the department out of the ₹ 50 crores sanctioned by GoI for housing purposes, if so the amount received, the claim made if any for outside land and the amount obtained and the reasons for nonclaiming of any amount due to Government till the time of Audit. The Committee also intends to know the exact position (in detail) of the unspent balance of ₹ 16.73 crores in the Calamity Relief Fund.

Action Taken

2.26 From the provision of ₹ 100 crores under Rajiv Gandhi Package the total expenditure incurred is ₹ 113.29 crores.

Recommendation

(Sl. No. 9, Para No. 38)

2.27 The Committee at the time of witness examination had opined that the action of the District Collector, Ernakulam in depositing the contributions received towards Chief Minister's Distress Relief Fund amounting to ₹ 75.63 lakh, in the Savings Bank account of a Public Sector Bank, regardless of the Government direction that the amount ought to be deposited in the name of the Principal Secretary, Finance Department at the concerned District Treasury was unauthorized and unwarranted and had called for a detailed enquiry into the details of the said SB account by the Finance Inspection Wing. The Committee asserts to be informed of the outcome of the enquiry.

Action Taken

2.28 Apart from the main account of TDA 80 of CMDRF held in the name of Principal Secretary (Finance) at District Treasury, Thiruvananthapuram there are 13 more accounts maintained in each district in the name of Principal Secretary (Finance). These district accounts are maintained for making CMDRF more public friendly. The District Collectors can only remit the contributions into these District accounts. Withdrawals from all these can be made only by the Principal Secretary(Finance) who is also the treasury of CMDRF. The entire balance in 13 district accounts including the contribution remitted by 6 District Collectors was transfer credited to the main account of TPA 80 on 6/07 on 12/08. Now the allotment of funds are made only from TPA 80.

2.29 As per the direction of Audit team the contribution received towards Tsunami Relief Fund in District Collector's account No.5702500934 at SBT, Civil Station Branch, Kakkanad closed and the balance amount of ₹ 43,12,544.25 has been surrendered. This account has been closed and the interest of ₹ 40,323 in the above account has been transferred to TPA 54 or the Principal Secretary to Government (Finance) Fund Department at District Treasury, Ernakulam on 6-9-2007.

FINANCE DEPARTMENT

Recommendation

(Sl. No. 9, Para No. 38)

2.30 The Committee at the time of witness examination had opined that the action of the District Collector, Ernakulam in depositing the contributions received towards Chief Minister's Distress Relief Fund amounting to ₹ 75.63 lakh in the Savings Bank account of Public Sector Bank, regardless of the Government direction that the amount ought to be deposited in the name of the Principal Secretary, Finance Department at the concerned District Treasury was unauthorized and unwarranted and had called for a detailed enquiry into the details of the said Savings Bank account by the Finance Inspection Wing. The Committee asserts to be informed of the outcome of the enquiry.

Action Taken

2.31 Finance Inspection (NT-D) Wing has conducted an inspection in the office of the District Collector, Ernakulam, as recommended in para 38 of 127th Report of the Public Accounts Committee (2008-2011).

2.32 The inspection reveals that the amount collected by the District Collector towards the contributions from the general public as well as NGOs, Nationalized Banks etc. were deposited in the State Bank of Travancore, Civil Station branch Kakkanad in account No.300517 (New MCR No. is 5702500934) opened on 4-1-2005 for the reason explained by District Collector here under.

2.33 Viewing the devastating tragedy, people from all walks of life came forward with help in the form of money, food, clothing etc. from the next day

onwards. When the District Collector contacted Government it was orally instructed to open a Bank Account and remit the amount received by way of donations from the public. Accordingly bank account at SBT Civil Station branch Kakkanad was opened on 4-1-2005 with account No.300517 and remitted the amount collected from public in that account.

2.34 The balance fund as per the Savings Bank Account as on 6-8-2007 was ₹ 43,12,544.25 after incurring expenses relating to Tsunami relief activities. This whole amount was surrendered to Government vide cheque No. 10599 dated 25-7-2007. Thereafter as per Government direction, the Savings Bank Account was closed and the interest of the above amount ₹ 40,323 transferred to the TP Account No.54 of the Principal Secretary to Government, Finance(Funds) Department at District Treasury, Ernakulam on 6-9-2007 in chalan No.274.

2.35 Opening of Savings Bank account and keeping the Government money in a public sector bank without the prior sanction of Government is irregular. The District Collector explained that the Savings Bank Account was opened in good faith and presumption that the action will be ratified by the Government considering the timely and effective implementation of TRP.

REVENUE (DISASTER MANAGEMENT) DEPARTMENT

Recommendation

(Sl. No. 10, Para No. 39)

2.36 The Committee had directed the department to intimate the details regarding the total assistance received from ADB under the Tsunami Emergency Assistance Project the amount claimed by Government from ADB for reimbursement and the reimbursed amount as on 31-10-2008 and the witness had agreed to submit a detailed reply in the matter. But the Committee is displeased to find that the desired details had not been forwarded till date. Hence the Committee calls for an exhaustive reply in this respect within no time.

Action Taken

2.37 The ADB has reimbursed ₹ 252.38 crores under TEAP and ₹ 5.29 crores under JFPR. The year wise details for reimbursement from ADB

on the basis of the statement furnished by the CAAA (Controller of Aid Accounts & Audit) are as follows:

Year	Amount
2005-2006	₹ 9,57,41,063
2006-2007	₹ 12,38,92,932
2007-2008	₹ 43,90,24,842
2008-2009	₹ 98,93,33,756
2009-2010	₹ 87,58,72,456
Total	₹ 2,52,38,65,049

Year wise details of reimbursement of ADB under JFPR.

Financial Year	Amount in Crores
2008-2009	0.95
2009-2010	1.80
2010-2011	2.54

The details of reimbursement claim of various department involved in the TEAP are as follows:

	Department	Amount
1.	PWD	₹ 76,03,85,706
2.	HED	₹ 37,62,30,152
3.	KSEB	₹ 31,43,14,006
4.	Fisheries	₹ 45,24,91,672
5.	KWA	₹ 53,27,29,795
6.	DMD Design & Consultancy & Technical support	₹ 3,27,46,016
7.	DMD Incremental Administration	₹ 5,49,67,702
	Total	₹ 2,52,38,65,049

Recommendation

(Sl. No. 12, Para No. 41)

2.38 The Committee understands that the amount already spent by the State Government for restoration of livelihood of fishermen was eligible for reimbursement from ADB under Retro Active Financing (RAF). The Committee impleads the department to inform whether ₹ 8.13 crore claimed by Government has been refunded by ADB and if so, the details of the account to which the amount has been credited. The Committee also suggests that the assistance received under RAF towards expenditure already defrayed out of Calamity Relief Fund should be credited in it for future utilization.

Action Taken

2.39 The total expenditure reimbursed by the ADB under Fisheries is ₹ 45.25 crores. The reimbursement of expenditure of the Fisheries department includes the expenditure of ₹ 8,03,20,863 of the Matsyafed under Retroactive Financing.

Recommendation

(Sl. No. 13, Para No. 42)

2.40 The Committee had instructed the department to initiate urgent disciplinary action against the miscreants who had purposefully misutilized Calamity Relief Fund for meeting the expenditure towards TA/DA of the Staff of Matsyafed instead of meeting the same from the normal budgetary allocation of the department. The Committee seeks to be informed of its present position. The Committee also insists to know whether the distribution of subsidy to the fishermen has been completed.

Action Taken

2.41 The expenditure of ₹ 7.5 lakhs incurred by Matsyafed towards administrative expenses, had been recouped to the expenditure of repair/replacement of damaged fishing implements due to Tsunami and spent the amount for the purpose.

Distribution of subsidy to Fishermen has been completed and the scheme has been closed.

Recommendation

(Sl. No. 14, Para No. 43)

2.42 The Committee notes that the Harbour Engineering Department could only utilise ₹ 4.63 crore out of ₹ 13.07 crore allotted to it by GOI for repair and rectification works of fishing harbours and fish landing centres. Government had stated in July 2006 that the unspent balance would be utilised during 2006-07 since the majority of works were on the verge of completion. The Committee demands to know the current position in the matter.

Action Taken

2.43 During the year 2005-2006 an amount of ₹ 13.07 crores was allotted to Harbour Engineering Department under the Head of Account 2245-02-800-77-15- Repairing and Rectification works of Fishing Harbours and Fish Landing Centres, consequent to Tsunami disaster. Out of the total amount of ₹ 1306.50 lakhs an amount of ₹ 4,63,39,506 was expended and balance surrendered. During the year 2006-2007 an amount of ₹ 500 lakhs was allotted and an amount of ₹ 4,98,36,354 was utilized and balance ₹1,63,643 surrendered.

Recommendation

(Sl. No. 15, Para No. 44)

2.44 The Committee notices that Government had identified 4053 beneficiaries to be provided with houses and that GOI had sanctioned ₹ 50 crore as financial assistance for housing sector as part of the Rajiv Gandhi Rehabilitation Package. The Committee urges to know the number of beneficiaries who have been provided with permanent houses, the number of house under construction and its current position.

Action Taken

2.45 There is no fund allotted exclusively for housing under RGRP. The said amount of ₹ 50 crores is released along with the TRP fund to the tune of ₹ 1148 crores.

Recommendation*(Sl. No. 16, Para No. 45)*

2.46 The Committee is surprised to note that the District Collector, Kollam had purchased 1.71 acres of land in Sakthikulangara village in October 2005 spending ₹ 26.35 lakhs to rehabilitate Tsunami victims, which was not at all congenial to their living conditions or occupation. Merely for that reason, substitute land of 1.41 acres had to be purchased causing extra financial burden of ₹ 31.02 lakhs to Government. Denouncing the lack of vision in selecting the first site which was in no way helpful for the desired purpose, the Committee insists to be informed of the number of houses that had been constructed in the alternative land and the number of houses under construction with their proposed date of completion. The Committee also beseeches to know whether the monthly grant of ₹1000 is still being provided to each family as per Government direction. The Committee may be informed of the purpose for which the 1.71 acres of land was utilized.

Action Taken

2.47 For the rehabilitation of Tsunami victims in Kollam taluk an extent of 1.71 acres of land in Sakthikulangara village of Kollam taluk has been identified and same was purchased through negotiation basis. The identified land was best suited for rehabilitation and is located 2 ½ k.m. South from Kollam harbour and 175 meters East from sea. While proceeding with the construction of houses the beneficiaries objected to accept the said place pointing out their inconvenience of their occupation. Moreover, the inhabitants of the adjacent land also objected the rehabilitation. Due to these objections the land has not handed over to the NGO in time of house construction. The matter was discussed in the Tsunami Review meeting convened by the Hon'ble Chief Minister on 26-10-2005. As per the decision of the meeting alternative site for an extend of 1.41 acres have been identified and the same was purchased based on Government sanction and handed over to NGOs for house construction. After providing houses Government have stopped the payment of monthly grant of ₹ 1000. In the meantime Kollam Corporation submitted a proposal to hand over the unutilized 1.71 acres of land

to them for the rehabilitation of the inhabitants shifted for the construction of Bypass. During 2008 Government have accorded sanction for the construction of 2356 houses in Kollam district under CHRP to those who are residing in the vulnerable coastal areas. For implementing housing project the land was acquired through the land acquisition procedures. The availability of vacant 1.71 acres of land enabled the construction of 112 houses which are now completed. Thus the financial commitment of 31.02 lakh for the purchase of 1.71 acres of land through negotiation basis in 2005 is not a burden compared to the hike in the price of land in the subsequent years.

Recommendation

(Sl. No. 17, Para No. 46)

2.48 The Committee opines that the payment of ₹ 5,000 each to 1166 undeserved beneficiaries as compensation without getting proper clarification on the Government order is very unfair.

Action Taken

2.49 Government vide letter No.10547/K1/2005/RD, dated 4-2-2005 have directed to constitute a Committee consisting of one Engineer (PWD, KSHB or any other Agency), an officer of the Revenue Department of Deputy Tahasildar rank and a People Representative for a realistic assessment of damages actually caused to the houses due to Tsunami disaster and directed to pay minimum compensation of ₹ 2,000 and maximum of ₹ 25,000 for the eligible. Later Government vide G.O.(Rt.)No.1804/2005/DMD. Dated 29-3-2005 have modified the compensation payable for the repair of partially damaged houses to the Tsunami affected families to a minimum of ₹ 5,000 and maximum of ₹ 25,000. All the cases in which compensation was paid were deserving cases and compensation was fixed and paid as per the eligibility criteria stipulated in the Government letter dated 4-2-2005 and G.O.(Rt.)No.1804/2005/DMD. Dated 29-3-2005.

DISASTER MANAGEMENT (REVENUE K) DEPARTMENT**Recommendation***(Sl. No. 18, Para No. 47)*

2.50 The Committee perceives that as per the revised guidelines issued by State Government in September 2004, no tender excess need be allowed for execution of works relating to repairs/restoration of damaged infrastructure caused due to natural calamities. Dissenting with this decision, the Committee opines that such a stipulation is not beneficial since re-tender and related procedures would cause more expenditure and loss of time. Hence the Committee urges the Finance Department to refrain from issuing such directions in future.

Action Taken

2.51 The Government Order in question where in directions issued regarding tender excess in Calamity Relief Fund works stands cancelled. Such a stipulation has not been included in the revised guideline for road maintenance works utilizing State Disaster Response Fund.

REVENUE (DISASTER MANAGEMENT) DEPARTMENT**Recommendation***(Sl. No. 18, Para No. 47)*

2.52 The Committee perceives that as per the revised guidelines issued by State Government in September 2004, no tender excess need be allowed for execution of works relating to repairs/restoration of damaged infrastructure caused due to natural calamities. Dissenting with this decision, the Committee opines that such a stipulation is not beneficial since re-tender and related procedures would cause more expenditure and loss of time. Hence the Committee urges the Finance Department to refrain from issuing such directions in future.

Action Taken

2.53 Emergency relief and rescue operations were started coordinating other departments soon after the disaster in Kerala. Temporary shelters and relief camps were provided immediately after the tragedy by the State Government with the aid of NGOs. At present no pre contract agreements for the procurements of goods/services in an emergency situation. However, the same is worth considering.

FINANCE DEPARTMENT

Recommendation

(Sl. No. 18, Para No. 47)

2.54 The Committee perceives that as per the revised guidelines issued by State Government in September 2004, no tender excess need be allowed for execution of works relating to repairs/restoration of damaged infrastructure caused due to natural calamities. Dissenting with this decision, the Committee opines that such a stipulation is not beneficial since re-tender and related procedures would cause more expenditure and loss of time. Hence the Committee urges Finance Department to refrain from issuing such directions in future.

Action Taken

2.55 The recommendation of the Committee to the Finance Department is to refrain from issuance of similar directions like the revised guidelines issued by State Government in September 2004. On scrutiny it is seen that those guidelines were issued as per G.O. (Ms.) No. 272/2004/RD dated 1-9-2004 and subsequently modified vide order No. G.O. (Rt.) No. 3483/2004/RD dated 16-9-2004 by the Revenue Department. Revenue Department has been instructed to refrain from issuing such directions, besides forwarding the PAC Recommendations for follow-up in the matter as instructed.

REVENUE (DISASTER MANAGEMENT) DEPARTMENT

Recommendation

(Sl. No. 19, Para No. 48)

2.56 The Committee comprehends that the District Administration, Alappuzha had constructed 17 semi-permanent sheds for accommodating 329 Tsunami affected families and that the land on which the temporary structures were built belonged to private organizations including religious/social groups. The Construction cost of these sheds was more than that incurred for permanent houses and in the absence of any agreement between Government and the land owners, the possibility of their utilization in future is very bleak. Hence the Committee implores the department to enter into an agreement with the land owners in such a way that the semi-permanent sheds could be used without any difficulty in future.

Action Taken

2.57 At the onset of Tsunami Disaster on 26-12-2004 about 40,000 persons were rendered homeless and 766 houses were fully destroyed. The displaced were accommodated in schools immediately. The local people demanded for the opening of the schools at the earliest. The District Administration have then decided to shift those people to semi permanent shelters instead of temporary so as to use these in future also, since constructing 766 houses for rehabilitation is a time consuming process.

2.58 The Arattupuzha village is a calamity prone area. Hence semi permanent shelters with internal partition and cubicles were provided. This was done in anticipation of future use during calamities. Even now after completion of 5 years, the semi permanent shelters are still there and the families evacuated during the sea erosion in the monsoon were accommodated in the same shelter. Arattupuzha village is a narrow strip of land having a total length of 14 k.m. The eastern side is TS canal and in the western side is Arabian Sea. The construction of semi permanent shelters were taken up on war footing. No suitable land was available in that locality. The authorities were thus forced to construct the shelters in the land occupied by the karayogam schools and temples.

2.59 The land proposed for the construction of the semi permanent shelters were water logged and slushy. The construction of shelters was done with MS pipes and angles to withstand the wind load in the seashore. The land was developed by raising the level using gravel which was to be brought from distant areas. The sand available in the area was controversial Karimarial which is radio active and it could not be used for the development works. The amount spent for yard development has also added to the cost of construction of the shelters. The estimate was prepared based on the 1999 schedule of rates. The work was arranged on Negotiated Quotation basis and started without waiting for approval. Even though the name is temporary shelter, actually the shelters were with all the facilities required for a refugee camp. It has dwelling areas, nursing area, kitchen, bathroom, septic tank, washing area etc. Internal partition and cubicles were also provided. The expenditure was therefore reasonable.

Recommendation

(Sl. No, 20, Para No. 49)

2.60 The Committee learns that on account of the first anniversary of Tsunami disaster, Government had accorded sanction for eight new schemes in nine affected districts stipulating that the expenditure in their regard should be met from Chief Minister's Distress Relief Fund. Government had stated in July 2006 that the schemes could not be implemented in view of paucity of funds in CMDRF. The Committee requires the department to cite the reasons for sanctioning the eight new schemes when there was shortage of funds in the CMDRF and its present position.

Action Taken

2.61 As part of the first anniversary of Tsunami Disaster Government accorded sanction for eight new schemes in nine districts vide G.O.(Ms.) 393/2005/DMD. dated 24-12-2005, stipulating that the expenditure on account of the above schemes should be met from CMDRF.

2.62 In the case of Kollam and Alappuzha districts, five schemes were implemented. No schemes were implemented in Thrissur, Malappuram, Kozhikode and Kasargod districts. Three schemes were implemented in Ernakulam District. The fourth scheme sanctioned in the G.O. i.e., Financial assistance to widows is being implemented from the non plan fund. Widow pension for the period till 31-3-2013 has been granted to the eligible persons in the districts of Thiruvananthapuram, Alappuzha, Ernakulam and Kannur. The statement dated July 2006 that the schemes sanctioned on account of first anniversary of Tsunami disaster could not be implemented in view of paucity of funds in CMDRF is not correct.

V. D. SATHEESAN,

Chairman,

Committee on Public Accounts.

Thiruvananthapuram,
4th February 2020.

APPENDIX
SUMMARY OF MAIN CONCLUSION/RECOMMENDATION

Sl. No.	Para No.	Department Concerned	Conclusion/Recommendation
1	1.5	Revenue (Disaster Management) Department	The Committee expressed its strong dissatisfaction on the reply furnished by the Department and opined that the department knowingly furnished a vague reply even though there was mechanism to check whether the fund from Chief Minister's Distress Relief Fund, (CMDRF) has been transferred to Calamity Relief Fund (CRF). The Committee directs the Department to furnish the reason for such an ambiguous reply and also insists to give a clear reply regarding the recommendation.

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