

**COMMITTEE
ON
PAPERS LAID ON THE TABLE
(1995-96)**

(TENTH LOK SABHA)

NINETEENTH REPORT

Presented on 19-12-1995



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**LOK SABHA SECRETARIAT
NEW DELHI**

November, 1995/Kartika, 1917 (Saka)

Price : Rs. 14-00

Corrigenda to Nineteenth Report of the Committee
on Papers Laid on the Table.

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COMPOSITION OF THE COMMITTEE

Shri T.J. Anjalose — *Chairman*

MEMBERS

2. Shri Narain Singh Chaudhari
3. Shri M. Krishnaswamy
4. Dr. N. Murugesan
5. Shri Subash Chandra Nayak
6. Shri Govindrao Nikam
7. Shri Chandresh Patel
8. Shri Somabhai Patel
9. Shri N.J. Rathava
10. Shri Sanipalli Gangadhara
- *11. Shri Ebrahim Sulaiman Sait
12. Shri Moreshwar Save
13. Shri Brij Bhushan Sharan Singh
14. Shri Khelsai Singh
15. Shri Braja Kishore Tripathy

SECRETARIAT

- | | |
|-----------------------|-------------------------------|
| 1. Shri S.N. Mishra | — <i>Additional Secretary</i> |
| 2. Shri G.C. Malhotra | — <i>Joint Secretary</i> |
| 3. Shri Ram Autar Ram | — <i>Deputy Secretary</i> |
| 4. Shri J.P. Jain | — <i>Under Secretary</i> |

*Nominated w.e.f. 9 August, 1995.

INTRODUCTION

I, the Chairman of the Committee on Papers Laid on the Table of Lok Sabha, having been authorised by the Committee to present the Report on their behalf, present this their Nineteenth Report.

2. As a result of examination of some papers laid on the Table of the House (Tenth Lok Sabha) the Committee have come to certain conclusions in regard to delay in laying of the Annual Report on the (i) Protection of Civil Rights Act, 1955 for the year 1991; and the Annual Reports and Audited Accounts of the (ii) Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91; (iii) Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92 and (iv) Power Finance Corporation for the year 1992-93 and have made certain recommendations. The conclusions of the Committee are reflected in the Report.

3. The Committee considered and adopted this Report at their sitting held on 17.11.1995.

4. A statement showing summary of recommendations/observations made by the Committee is appended to the Report (Appendix).

NEW DELHI;
17 November, 1995

26 Kartika, 1917 (Saka)

T. J. ANJALOSE,
*Chairman,
Committee on Papers Laid
on the Table.*

CHAPTER I

DELAY IN LAYING ANNUAL REPORT ON THE PROTECTION OF CIVIL RIGHTS ACT, 1955 FOR THE YEAR 1991

Article 35 (a) of the Constitution empowers the Parliament to enact law providing for punishment for those acts which are declared to be offences under Part III of the Constitution. In furtherance of this provision, the Parliament enacted the Untouchability (Offences) Act, 1955 which was subsequently amended and renamed as the Protection of Civil Rights Act, 1955. In this Act, the term "Civil Rights" has been clearly defined as any right accruing to a person by reason of abolition of untouchability under Article 17 of the Constitution.

1.2 The Annual Report on the Protection of Civil Rights Act, 1955 was laid for the year 1991 together with Review and Delay Statements on the Table of Lok Sabha on 24 February, 1994. As per recommendation of the Committee on Papers Laid on the Table as contained in para 1.17 of their First Report (Fifth Lok Sabha), the said documents should have been laid within six months of the close of the calendar year i.e. by 30 June, 1992. Thus, the delay in laying the Annual Report comes to about 20 months.

1.3 Earlier the Annual Report on the working of Protection of Civil Rights Act, 1955 for the calendar years viz. 1989 and 1990 (combined) was laid on the Table of Lok Sabha on 2.4.1992. The Annual Reports for the calendar years 1992 and 1993 are yet to be laid before Parliament.

1.4 The statement as laid alongwith the Annual Report explained the reasons for delay as under:—

"Rule 5 of the PCR rules 1977 stipulates that every State shall, for the purpose of enabling the Central Government to place a report referred to in sub-section (4) of Section 15A on the Table of each House of Parliament, furnish to the Central Government before 15th day of February, each year, a summary of the measures taken by it under sub-Section (1) and (2) of that Section during the preceding calendar year and shall also furnish such other information as may be required by the Central Government from time to time.

Sub-Section (4) of Section 15A of PCR Act, 1955 makes it obligatory for the Central Government to place on the Table of both the Houses of Parliament a report on the measures taken by the Central Government as well as the State Governments for enforcing provisions of that Act.

The Central Government is required to place the Report in both the Houses of Parliament by 30th of September of the following year. For preparation of Annual Report for the year ending 31st December, 1991, the Ministry initiated action as early as 11th December, 1991 i.e. even before the end of the calendar year 1991,

by way of requesting all the State Governments/UT Administrations to furnish material/information before 15th of February, 1992.

The State Governments were reminded periodically. The information received from some of the State Governments was either incomplete or the statistics furnished by the State Governments did not tally, with the result that clarification had to be sought from the State Governments more than once. Since the State Governments have to collect information from the lower levels, it normally takes time for the State Governments to collect and compile the information and furnish it to the Central Government.

Since the information from the State Governments took a lot of time, the report could not be laid on the Table of both the Houses of Parliament by the stipulated date."

1.5 The Ministry of Welfare, who were asked to furnish clarification on certain points in this connection, furnished the same as under:—

"I. The dates when—

| POINTS | REPLIES |
|---|---|
| (a) the Annual Report was finalised; | The Annual Report was finalised on 29.7.1993. |
| (b) the Annual Report was taken up for translation and printing and the time taken in it; | The Annual Report on the working of PCR Act, 1955 for the year 1991 was taken up for translation and printing simultaneously on 3.8.93. Printed copies of the report in English were received on 21.12.93 and in Hindi on 5.1.94. |
| (c) the delay statement and review were prepared by the Ministry; | The delay statement was prepared by the Ministry on 5.1.94. |
| (d) the annual report and delay statement were got authenticated from the Minister; and | On 12.1.1994. |
| (e) the annual report for the last three years were laid on the Table of Lok Sabha. | The annual report on the working of PCR Act, 1995 for the last three calendar years viz. 1989 and 1990 (combined) and for the calendar year 1991 was laid on the Table of Lok Sabha on 2.4.92 and 24.2.94 respectively. |

POINTS

- II. The latest position regarding finalisation of the annual reports for the subsequent years 1992 and 1993 when these are expected to be laid on the Table of Lok Sabha.

REPLIES

The latest position regarding finalisation of the annual report for the calendar years 1992 and 1993 is as given below:—

For the year 1992—the report was due to be laid on the Table of both Houses of Parliament by 30th September, 1993.

The States/U.T. were expected to furnish material by 15.2.1994 and as the information from States was not forthcoming, action was initiated to call for the report from the State Governments *vide* letter dated 4th May, 1993.

Another D.O. reminder was issued on 7.6.1993.

3rd reminder was sent on 6th July, 1993.

The State Govts. were again reminded on 16th August, 1993.

Another D.O. letter was sent from Joint Secretary (SCD) to the defaulting States on 22nd October, 1993.

State Govts. were again reminded on 14.1.1994 through a D.O. from Additional Secretary (Welfare) addressed to Chief Secretaries.

Still another reminder was sent on 1st March, 1994 at the level of JS(SCD) to the Chief Secretaries and copy to Secretary incharge of SC/ST Welfare.

Another D.O. reminder from Dir.(S) addressed to Secy. incharge of SC/ST Welfare was again sent on 14th April, 1994.

Next reminder would be from Secretary Welfare.

The latest position regarding receipt of information is as under:—

State Governments/UT Admns. of Orissa, Tripura, Chandigarh,

| POINTS | REPLIES |
|--------|---|
| | <p>Delhi, Pondicherry and Goa have furnished full information.</p> |
| | <p>Nil information has been received from Arunachal Pradesh, Manipur, Mizoram, Sikkim, Andaman & Nicobar Islands, Dadra and Nagar Haveli, Daman & Diu, Lakshadweep and Nagaland.</p> |
| | <p>State Govts. of Gujarat, Haryana, Kerala, Tamil Nadu have furnished some information and they have been requested to furnish further details which are still awaited.</p> |
| | <p>States of Himachal Pradesh, Maharashtra, J&K and Punjab have yet to furnish detailed write-up about the measures taken by them for implementation of PCR Act. The above States from which only part information is received, have been reminded.</p> |
| | <p>Information from State Govts. of Andhra Pradesh, Assam, Bihar, Karnataka, Madhya Pradesh, Rajasthan, U.P. and West Bengal is however still awaited despite a number of reminders issued to them.</p> |
| | <p><i>For the year 1993</i>—the report for the calendar year 1993 is due to be laid on the Table of both the Houses of Parliament by 30th September, 1994.</p> |
| | <p>The action was initiated as early as on 31st January, 1994 requesting the State Govts./UTs to furnish information/material.</p> |
| | <p>Another reminder has been issued on 29 April, 1994 giving the target date of 30th June to the State Govts. to supply information/material.</p> |
| | <p>Information has been received from Govt. of Mizoram, Lakshadweep, State Govt. of</p> |

POINTS

REPLIES

III. The remedial measures taken or proposed to be taken in the Ministry to ensure timely laying of the annual reports on the table of the House within the prescribed period of six months from the close of the calendar years, in future.

Tamil Nadu and UT of Chandigarh has also furnished part of information. Information from other States is awaited.

The need for timely submission of material/information in respect of PCR Act, 1955 was emphasised upon the State Govts. during the course of regional conferences held in Thiruvananthapuram on 28-29 August, 1992, in Delhi on 18-19 September, 1992 and in Bombay on 24-25 September, 1992.

During the special component plan discussions also, this aspect is emphasised upon the State Govts. officials.

The Ministry also keeps on reminding the State Govts. from time to time at various levels."

1.6 The matter was considered by the Committee on Papers Laid on the Table at their sitting held on 14.6.1994. As the reasons given by the Ministry regarding delay in laying the Annual Report on the Protection of Civil Rights Act, 1955 were not convincing, the Committee decided to take oral evidence of the representatives of the Ministry of Welfare. The representatives of the Ministry of Welfare accordingly appeared before the Committee on 30.11.1994 and tendered oral evidence.

1.7 When asked to explain, the witness referred to the late submission of reports by the State Governments to them as the main reason which resulted in a delay of 20 months in laying the Annual Report on the Table of the House. He stated that the Annual Report contained the efforts made by the Centre and the State Governments in the implementation of the Act. They had, therefore, to collect information from all the State Governments and Union Territory Administrations. Since the reports from some States were received late and sometimes these were incorrect/inconsistent, they had to pursue with the State Governments for furnishing the proper information which caused delay in compiling the Annual Report. He admitted that there had been delay every year in laying the report.

1.8 To improve the situation, he added, they had requested the State Governments to have a nodal officer in the State to whom they could contact for expediting the report. But, that decision could not materialise due to lack in response from the State Governments. The witness stated

that the Ministry would pursue the matter vigorously with the State Governments. He hoped that there would be some improvement after the proposed welfare officers conference to be held in February, 1995.

1.9 On the question of amending the rules under the Act, in conformity with the recommendations of the Committee, the witness stated that the rules were already very strict which required the State Governments to submit the reports to Central Government within one and a half months after the close of the preceding year.

1.10 In regard to the latest position of reports for the years 1992 and 1993, the Committee was informed that the Ministry would try that the report for 1992 was finalised before 28 February, 1995. However, in respect of 1993 report, the Ministry had either not received or received incomplete information from some State Governments. They would persuade them to send the reports.

1.11 The Committee are unhappy to note that the Annual Report on the working of the Protection of Civil Rights Act, 1955 for the year 1991 was laid on the Table of Lok Sabha on 24.2.1994 after a delay of about 20 months. The Committee also note that the Annual Report for the calendar years 1989 and 1990 (combined) was laid on 2.4.1992 with inordinate delay of about 21 months and 9 months respectively.

1.12 The Committee note that the Annual Reports on the Protection of Civil Rights Act, 1955 reflect various measures taken by the Central and the State Governments for speedy and effective implementation of the provisions of the Protection of Civil Rights Act, 1955 with a view to protecting the Civil Rights of the people accruing to them by reason of abolition of untouchability by article 17 of the Constitution. Collection of information by the State Governments from the lower levels, its compilation and then furnishing it to be Central Government takes sufficient time and is often received very late. Sometimes information received from State Governments are incorrect or inconsistent and the Central Government have to pursue with the State Governments for furnishing the proper information which causes delay in compiling the Annual Report.

1.13 Section 15A (4) of the Protection of Civil Rights Act, 1955 provides for laying of the reports before Parliament as under:—

“(4) The Central Government shall, every year place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this Act.”

1.14 The Committee note that while the Act makes it obligatory on the Central Government to lay the reports on the Table of each House of Parliament, it does not specify any time limit for laying the reports before Parliament. Nonetheless, absence of provision regarding time limit should not be taken to imply that laying of reports could be delayed to any length

of time. But at the same time, the Committee do appreciate the difficulty in laying the report within six months of the close of the Calendar year as recommended by the Committee on Papers Laid on the Table of Lok Sabha in para 1.17 of their First Report (Fifth Lok Sabha), keeping in view the time taken in collection of correct information from the State Governments in this particular case of the preparation and laying of annual reports under the Protection of Civil Rights Act, 1955.

15. The Committee, therefore, recommend that the report on the Protection of Civil Rights Act, 1955 for a particular year should be laid on the Table of Lok Sabha within 9 months of the close of the Calendar year. The Government should take suitable steps and make constant efforts for timely collection of information and submission of the report within the prescribed time limit of 9 months.

CHAPTER II

DELAY IN LAYING ANNUAL REPORTS AND AUDITED ACCOUNTS OF THE REGIONAL ENGINEERING COLLEGE, JALANDHAR FOR THE YEARS 1989-90 AND 1990-91

The Annual Reports and Audited Accounts of the Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91 were laid together with Review and the delay statement on the Table of Lok Sabha on 8 March, 1994. As per recommendation of the Committee on Papers Laid on the Table contained in para 3.5 of their First Report (Fifth Lok Sabha), the said documents were to be laid within nine months of the close of the accounting years *i.e.* by 31 December, 1990 and 1991 respectively. Thus, the delay in laying Annual Reports and Audited Accounts came to about 38 months and 26 months respectively.

2.2 The Ministry of Human Resource Development (Department of Education), who were asked to furnish clarifications on certain points in this connection, furnished the same as under:—

| POINTS | REPLIES |
|---|---|
| I. The dates when— | |
| (a) the Company Law Board/ C&AG was approached for appointment of statutory auditors; | 10.1.1986 |
| (b) the statutory auditors were appointed; | 19.7.1989 |
| (c) the accounts of the college were compiled and were ready for being handed over to auditors; | May, 1990 (1989-90) May, 1991 (1990-91) |
| (d) the accounts were handed over to auditors for auditing | 17.8.1990 (1989-90) 18.7.1991 (1990-91) |
| (e) the auditing of accounts commenced by the auditors and the time taken in it; | 29.10.1990 to 13.11.1990 (1989-90) 9.9.1991 to 20.9.1991 (1990-91) |
| (f) the annual report was finalised; | June, 1991 (1989-90 and 1990-91) |

| POINTS | REPLIES |
|--|---|
| (g) the annual report and audited accounts were got approved from the Annual General Meeting/Governing Body/Executive Committee/Finance Committee of the College; | 1989-90—3.7.1991 1990-91—3.7.1991 (Annual Report) 14.2.1992 (Audit Report) |
| (h) the annual report and audited accounts were taken up for translation and printing and the time taken in it; | July 1991 and two months for printing and binding (1989-90 and 1990-91) |
| (i) the finalised annual report and audited accounts in both Hindi and English version were sent to the Ministry of Human Resource Development for being laid in Parliament; | The College prepared the reports for 1989-90 and 1990-91 jointly during September, 1991 but these were not accepted by the Ministry and were returned. The year-wise seperated Reports (English version) were received on 4.10.1991 and Hindi version on 17.2.1992 in the Ministry but these were not again accepted and were returned with the remarks that these may be prepared on the prescribed pattern being followed by the other RECs. Finally the reports were supplied by the College to the Ministry on 22.1.1993 as per Ministry's requirement. |
| (j) the delay statement and review were prepared by the Ministry; | 6.8.1993 (1989-90) 12.8.1993 (1990-91) |
| (k) the annual report and audited accounts alongwith review statement and delay statement were got authenticated from the Minister; and | Authenticated on 24.12.1993 and the file was received in the Section on 3.1.1994 when the Parliament was not in Session. |
| (l) the annual report and audited accounts of the REC, Jalandhar for the last three years i.e. 1986-87, 1987-88 and 1988-89 were laid on the Table of Lok Sabha. | The annual report and audited accounts of REC, Jalandhar has been laid for the first time for the year 1989-90 in the Parliament on 8.3.1994. |

| POINTS | REPLIES |
|--|--|
| (II) The latest position regarding finalisation of the annual report and audited accounts for the subsequent years 1991-92 and 1992-93 when these are expected to be laid on the Table of Lok Sabha. | The annual reports for the years 1991-92 and 1992-93 are under print and are likely to be supplied to the Ministry by 31st May, 1994 and 15th June, 1994 respectively. Hence, the same will be placed on the Table of the House during next Monsoon Session. |
| (III) The remedial measures taken or proposed to be taken both in the Ministry and the College to ensure timely laying of the annual reports and audited accounts within the prescribed period of nine months from the close of the accounting year in future. | A time schedule has been prescribed to finalise the annual accounts by 15th May and submit the same for Audit after completing all the required formalities, College has been requested to furnish all the documents in requisite numbers to the Ministry by first week of November of every year. |

2.3 At their sitting held on 12 July, 1994 the Committee on Papers Laid on the Table considered the reasons for delay advanced by the Ministry of Human Resource Development (Department of Education) in respect of delay in laying Annual Reports and Audited Accounts of the Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91. As the reasons given by the Ministry were not convincing, the Committee decided that the representatives of the Ministry might be asked to appear before the Committee to elaborate the reasons for delay in laying these documents on the Table of the House. Accordingly, on 28.10.1994, the representatives of the Ministry of Human Resource Development tendered oral evidence before the Committee.

2.4 During the evidence when asked to comment on the delay in laying the Annual Reports and Audited Accounts of the Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91, the Education Secretary stated that due to the infrastructural and staff problems in disturbed area of Punjab, annual reports and accounts of 1989-90 and 1990-91 were clubbed. Subsequently, the exercise had to be redone and the Annual Reports and accounts were to be made on yearly basis. The respective Annual Reports and Audited Accounts could therefore, be given to the Ministry sometime in January, 1993 for placing before Parliament. He conceded that there was a delay in the Ministry to the extent of about 8 to 10 months in processing the matter. He assured the Committee that in future there would be no delay at the level of the

Ministry of Human Resource Development. He informed that the Annual reports and Audited Accounts for the year 1992-93 had been received in the Ministry and they had taken action on them. These documents for the subsequent year 1993-94 have not been received in the Ministry but the audit has taken place.

2.5 The Committee note that the Annual Reports and Audited Accounts of the Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91 were laid on the Table of the House after a delay of about 38 months and 26 months respectively.

2.6 It is evident from the information furnished by the Ministry that the delay had occurred at each stage right from the compilation of accounts upto the laying of these documents. The Committee note that 3 months and 2 months were taken by the College in handing over the accounts to the auditors for auditing for the years 1989-90 and 1990-91 respectively after their compilation; 14 months were taken in finalising the Annual Report for the year 1989-90; 2 months were taken in printing the documents; 15 months were taken by the College in separating the Reports after these were received back from the Ministry; 7 months were taken in preparing review and 4 months for authentication from the Minister by the Ministry.

2.7 The Committee feel that the delay at each of these stages shows that there is no coordination between the Ministry of Human Resource Development and the College. The Ministry very well knew that the Annual Reports and Audited Accounts of the College were being laid in the House for the first time and it would be the duty of the Ministry to make the College aware of the processes and procedures involved in preparation and laying of the documents on the Table of the House. Instead the Ministry left everything on the College and did not make serious efforts to set the things right so that the documents could be laid on the Table in time. Had the Ministry guided the College at various stages and given them clear-cut instructions to send the reports of the two years separately much of the delay could have been avoided. The Committee are also distressed to note that the Ministry unnecessarily took about 11 months in processing the matter at their end after the documents were finally received by them on 22.1.1993.

2.8 The Committee stress the need for laying a time schedule for each and every stage right from compilation of accounts to the laying of these documents on the Table of the House. There should be proper coordination on and inter-action between the Ministry and the College and some responsible officer must be given the responsibility to ensure that the time schedule is being adhered to at each stage, so that the Annual Report and Audited Accounts could be laid in time.

CHAPTER III

DELAY IN LAYING ANNUAL REPORT AND AUDITED ACCOUNTS OF SARDAR VALLABHBHAI REGIONAL COLLEGE OF ENGINEERING AND TECHNOLOGY, SURAT FOR THE YEAR 1991-92

Sardar Vallabhbhai Regional College of Engineering and Technology, Surat is one of the 17 Regional Engineering Colleges and is established as a joint venture of the Government of India and the Government of Gujarat. It was established in June, 1961 with facilities to run Bachelor's Degree Programmes in Civil, Electrical and Mechanical Engineering disciplines.

3.2 The Annual Report and Audited Accounts of the Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92 were laid together with Review on the Table of Lok Sabha on 8 March, 1994. As per recommendation of the Committee on Papers Laid on the Table as contained in para 3.5 of their First Report (Fifth Lok Sabha), the said documents should have been laid within nine months of the close of the accounting year *i.e.* by 31 December, 1992. Thus, the delay in laying the Annual Report and Audited Accounts came to about 14 months.

3.3 Earlier the Annual Reports and Audited Accounts on the working of the Sardar Vallabhbhai Regional College of Engineering and Technology for the last 3 years *viz.* 1988-89, 1989-90 and 1990-91 were laid on the Table of Lok Sabha on 14.7.1992, 25.3.1992 (Accounts on 14.7.1992) and 20.8.1992 respectively.

3.4 The Ministry of Human Resource Development, Department of Education did not lay the delay statement alongwith the Annual Report and Audited Accounts in respect of Sardar Vallabhbhai Regional College of Engineering and Technology, Surat.

3.5 The Ministry of Human Resource Development, who were asked to furnish clarification on certain points in this connection, furnished the same as under:—

| POINTS | REPLIES |
|---|--|
| I. the dates when— (a) the company Law Board/ C&AG was approached for appointment of statutory auditors; (b) the statutory auditors were appointed; | The Statutory Auditors were appointed on 17.4.1990 for audit of accounts for the years 1988-89 to 1992-93. |

| POINTS | REPLIES |
|--|---|
| (c) the accounts of the college were compiled and were ready for being handed over to auditors for auditing; | The accounts for the year 1991-92 of the College were compiled and were ready for being handed over to auditors on 15.7.1992. |
| (d) the accounts were handed over to the auditors for auditing; | The accounts were handed over to Auditors for auditing on 10.8.1992. |
| (e) the auditing of accounts commenced by the auditors and the time taken in it. | 24.8.1992 to 12.9.1992. |
| (f) the annual report was finalised; | 27.8.1992. |
| (g) the annual report and audited accounts were got approved from the Annual General Meeting/ Governing Body/Executive Committee / Finance Committee of the College; | The audited accounts were got approved by the Chairman, Board of Governors before audit and subsequently got ratified by the Board of Governors in the meeting held on 27.8.1992. |
| (h) the annual report and audited accounts were taken up for translation and printing and the time taken in it; | The Annual Report in Hindi version was taken up for translation on 1.9.92 and received back on 25.9.92. The same Hindi version was sent for printing on 26.9.92 and received back on 2.11.92. |
| | The Annual Report in English version was sent for printing on 26.9.92 and received back on 20.10.92. |
| | The final audit report alongwith audit certificate and audited accounts in English version were received by the College from the Accountant General, Rajkot on 22.12.92. Thereafter, it was printed/bound and 60 copies were dispatched by the College to the Ministry on 30.12.1992. The Hindi version of audited accounts were received by the College from the |

| POINTS | REPLIES |
|---|---|
| | Auditor General, Rajkot on 3.3.1993 and the College had sent 60 copies of the same to the Ministry on 15.3.1995 after printing and binding. |
| (i) the annual report and audited accounts in both Hindi and English versions were sent to the Ministry of Human Resource Development for being laid in Parliament; | <p>The finalised Annual Report in English version was sent by the College to the Ministry on 23.10.1992 which was received in the Ministry on 23.10.1992. The Hindi version of the annual Report was sent by the College to the Ministry on 6.11.1992 as the same was received in the Ministry on 13.11.92.</p> <p>The finalised audited accounts in English version was sent by the College to the Ministry on 30.12.92 which were received in the Ministry on 7.1.93. Hindi version of Audit Report alongwith audit certificate and audited accounts was sent by the College to the Ministry on 15.3.93 and the same was received in the Ministry during March, 1993.</p> |
| (j) the review was prepared by the Ministry; | Draft review submitted to DM (E&C) on 20.8.1993 and the same was approved by DM (E&C) on 7.9.1993. |
| (k) the annual report and audited accounts alongwith review statement were got authenticated from the Minister; and | The Annual Report and Audited Accounts alongwith review statement were got authenticated from the Minister on 24.12.93 and the file was received back in the Section on 3.1.1994. |

| | |
|--|-------------------------------------|
| (I) The annual reports and Audited accounts of Sardar Vallabhbhai Regional College of Engineering and Technology, Surat, for the years 1988-89, 1989-90 and 1990-91 were laid on the Table of Lok Sabha. | Year Annual Report Audited Accounts |
| | 1988-89 14.7.1992 14.7.1992 |
| | 1989-90 25.3.1992 14.7.1992 |
| | 1990-91 20.8.1992 20.8.1992 |

II. The latest position regarding finalisation of the Annual Report and Audited Accounts for the subsequent year 1992-93. When these are expected to be laid on the Table of Lok Sabha.

The requisite number of copies of Annual Report and Audited Annual Accounts including Audit Report both in English and Hindi versions have been received in the Ministry on 22.2.1994. After completing all the required formalities, the above documents may be placed on the Table of the House during next session.

III. The remedial measures taken or proposed to be taken both in the Ministry and the College to ensure timely laying of the Annual Reports and Audited Accounts within the prescribed period of nine months from the close of the accounting years in future.

A time schedule has been prescribed to finalise the Annual accounts before 15th May and submit the same for audit. After completing all the required formalities, College has been requested to furnish all the documents in requisite numbers to the Ministry by first week of November of every year.

3.6 At their sitting held on 12 July, 1994, the Committee on Papers Laid on the Table considered the reasons given by the Ministry of Human Resource Development regarding delay in laying Annual Report and Audited Accounts of Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92. As the reasons given by the Ministry were not convincing, the Committee decided to call the representatives of the Ministry to elaborate the reasons for delay.

3.7 On 28.10.1994 the representatives of the Ministry of Human Resource Development appeared before the Committee and tendered oral evidence.

3.8 When asked to justify the delay in submitting the annual reports and audited accounts in respect of the Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92, the Education

Secretary admitted that there was an omission on their part as they did not lay on the Table of the House the delay statement along with the annual report and audited accounts. He also admitted that there was delay on the part of the Ministry in preparing "review" on the working of the College for the year under report. He assured that in future, such delay would be avoided.

3.9 When asked to explain the reasons for delay of about 8 months for laying these documents for the year 1992-93, the Education Secretary stated that the audit report and the Annual Accounts had been received from the Accountant General, Gujarat. The accounts were finalised in July, 1993. The inspection commenced in September, 1993 and final report thereon was received on 31.1.1994. They had given initial draft audit report on 16 November, 1994. Some time was taken for the inspection of records. On that draft report, answers to the objections were prepared by the Institute which took 20 days, and the Institute submitted its report on 4.12.1993. This has been submitted to the Ministry on 21.2.1994. He also stated that the documents for the year 1993-94 are ready and have been approved by the Board on 26 October, 1994. The Committee directed the witnesses to submit the Annual Reports and Audited Accounts in time and avoid recurrence of such delays in future.

3.10 The Committee are concerned to note that the Ministry of Human Resource Development while laying the Annual Report and Audited Accounts of Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92 did not lay the delay statement while they were aware of the fact that whenever documents are laid on the Table of the House with delay, the delay statement in that respect is also to be laid on the Table of the House. The Committee find that the College took unnecessary one month in handing over the accounts to the auditors for auditing after they were compiled. The Committee also note that the English version of the final audit report along with audit certificate was received from the auditors after 3½ months of the completion of the auditing of the accounts and no convincing reasons were put forward by the Ministry in this regard. The Committee feel that the College authorities did not take the matter seriously and left the things to take their own time without giving any consideration to the Annual Report and Audited Accounts of the College which are to be laid on the Table of the House within the prescribed period of 9 months from the close of the accounting year. The Committee are of the opinion that if the College was aware of the delay in receiving the audit certificate, they should have approached the concerned authorities and pursued the matter with them for furnishing the Audit Accounts and Audit Certificate early.

3.11 The work of the Ministry starts as soon as they receive the copies of Annual Report and Audited Accounts from the concerned organisation for laying them on the Table of the House. The Committee are distressed to find that the Ministry did not pay adequate attention to the Annual Reports

and Audited Accounts received by them from the College and took nearly one year in laying the same on the Table of Lok Sabha and that also without the delay statement. The Committee feel that the work in the Ministry in this regard needs to be streamlined so as to ensure that due attention is paid at appropriate levels to adhere to the time limits prescribed by the Committee for laying these documents on the Table of the House. The Committee feel that some responsibility should be fixed for this type of delay. The Committee hope that the Ministry of Human Resource Development would make all out efforts to see that avoidable delays are eliminated and the documents are laid on the Table of the House in time. For this purpose, the Committee recommend that the Ministry in coordination with the College should prepare a time schedule for completion of work at each of the stages and some officers in the College as well as in the Ministry should be entrusted with the work of monitoring each of the stages so that the Annual Report and Audited Accounts of the College could be laid on the Table of the House within the prescribed period of nine months.

CHAPTER IV

DELAY IN LAYING ANNUAL REPORT AND AUDITED ACCOUNTS OF THE POWER FINANCE CORPORATION FOR THE YEAR 1992-93

The Annual Report and Audited Accounts of the Power Finance Corporation for the year 1992-93 were laid together with Review and Delay Statements on the Table of the House on 12 December, 1994. As per recommendation of the Committee contained in para 4.16 of their Second Report (Fifth Lok Sabha) the aforementioned documents should have been laid by 31 December, 1993 *i.e.* within nine months of the close of the accounting year. Thus, the period of delay in laying Annual Report and Audited Accounts comes to about 11½ months.

4.2 In the statement laid alongwith the Annual Report and Audited Accounts, the reasons for delay have been explained as under:—

“The Annual Accounts of the Power Finance Corporation (PFC) for the year 1992-93 were originally finalised and approved by the Board of Directors on 8th September, 1993. Thereafter, the accounts were submitted to the Statutory Auditors who gave their report on 25.9.1993. The Annual Accounts were then taken up by the Government auditors, as required under Section 619(4) of the Companies Act, 1956. Certain queries were raised by them *vide* their letter dated 22.10.1993. With a view to elaborate certain notes on accounts and also to incorporate such other changes as required by the audit, the Board of Directors in its meeting held on 31.12.1993 decided to reopen the accounts.

This was done after discussions with the Statutory Auditors and also with Government Auditors and after taking into consideration their suggestion/advice.

Accordingly, the revision was done in the Accounts and the revised completed accounts were given to Auditors on 28.1.1994 after the same were approved by the Board of Directors in its meeting held on the same date, *i.e.* 28.1.1994. The audit report on those Accounts was given by Statutory Auditors only on 5.5.1994 after considerable delay.

The accounts, as revised on reopening of the accounts together with statutory auditors report were sent to C&A.G. of India for the purpose of supplementary audit under Section 619(4) of the Company's Act on 6.5.1994 and the comments of the C&A.G. were received only on 12.8.1994. Subsequent to that, the accounts were adopted by the Board of Directors in its meeting held on 18 and 19

August, 1994 and the Annual General Meeting of the share-holders of the Corporation was held on 22nd August, 1994.

In the circumstances, mentioned above, the Annual Report of the PFC for the year 1992-93 could not be placed on the Table of the both Houses of Parliament within the stipulated time."

4.3 The Ministry of Power who were requested to furnish information on certain points in this regard, have furnished the same as under:—

| POINTS | REPLIES |
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| I. The dates when: | |
| (a) the action was initiated for appointment of auditors; | In case of Govt. Companies the Deptt. of Company Affairs appoints auditors on the recommendation of C&AG of India. |
| (b) the auditors were appointed; | M/s R.N. Bahl & Co. were appointed <i>vide</i> letter No. P. 002/2629862/90-IGC dated 10.2.1993 of Deptt. of Company Affairs, for the year 1992-93. |
| (c) the accounts of the Power Finance Corporation Ltd. were compiled and were ready for being handed over to auditors; | 25.06.1993 |
| (d) the accounts were handed over to auditors for auditing; | 08.07.1993 |
| (e) the auditing of accounts commenced by the auditors and the time taken in it; | The auditing of accounts by the statutory auditors commenced on 8.7.1993. Their report was received on 25.9.1993 and submitted to CAG for their comments (in terms of Sec. 619(4) of the Companies Act, 1956) on 6.10.1993. C&AG completed its audit on 22.10.1993. In view of the issues raised both by the Statutory Auditors and C&AG, the Corporation with the approval of its Board of Directors, reopened the accounts for |

| POINTS | REPLIES |
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| | 1992-93. The revised Accounts were given to the statutory auditors on 28.1.1994. But the latter gave their final report only on 5.5.1994. These Audited Accounts were sent to Principal Director (Audit) in C&AG's office on 6.5.1994. The same were received with the comments of C&AG on 12.8.1994. |
| (f) the Annual Report was finalised; | 20.8.1994 |
| (g) the Annual Report and Audited Accounts were got approved from the Annual General Meeting/Governing Body/ Executive Committee of the Corporation; | 22.8.1994 |
| (h) the Annual Report and Audited Accounts were taken up for translation and printing and the time taken in it; | In view of the delay that had already taken place in the audit, simultaneous action was taken after receipt of audited accounts to get the document translated and printed. These were thus made available immediately on 22.8.1994. |
| (i) the finalised Annual Report and Audited Accounts in both Hindi and English versions were sent to the Ministry of Power for being laid in Parliament; | 23/24 August, 1994 (English) 26 August, 1994 (Hindi) |
| (j) the delay statement and review were prepared by the Ministry; and | Such documents are required to be placed in Parliament during its Session. The report of PFC was received in the Ministry on 24.8.1994 (English) and 26.8.1994 (Hindi). |

| POINTS | REPLIES |
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| (k) the Annual Report and Audited Accounts alongwith review statement and delay statement were got authenticated from the Minister. | Since the Parliament Session was over on 27.8.1994, the report could only be placed during the winter session. In the meantime, action was initiated to prepare the Government Review and the delay statement, got it approved by the MOS(P), and subsequently translate it into Hindi. The authentication by the Minister of State for Power was done in November, 1994 and the report was sent to Lok Sabha Secretariat on 6.12.1994 for laying in the Lok Sabha on 12.12.1994. |
| *II. The latest position regarding finalisation of the annual report and audited accounts for the subsequent year 1993-94. When these are expected to be laid on the Table of Lok Sabha. | The compilation of accounts for 1993-94 was completed on 28.6.94 and the Auditors were invited the same day to begin the Audit. The Statutory Auditors cleared the Accounts only on 22.11.1994 and the same were approved by the Board of Directors on 25.11.1994. The Statutory Audit Report was received on 14.12.1994 and submitted to the C&AG for their audit on 14.12.1994. These are presently under consideration of the C&AG. The Annual Report is expected to be laid on the Table of the Lok Sabha in the coming Session. |

* The Annual Report and Audited Accounts for the year 1993-94 were laid on the Table of the House on 31.3.1995.

POINTS

REPLIES

III. The remedial measures taken or proposed to be taken both in the Ministry and the Power Finance Corporation Ltd. New Delhi to ensure timely laying of the Annual Reports and Audited Accounts within the prescribed period of nine months from the close of the accounting years, in future.

Remedial measures taken by PFC.

The Corporation will continue to compile its Annual Accounts within 3 months of closing of the financial year. The Corporation maintains close liaison with Statutory Auditors so as to ensure that clarifications sought are given expeditiously. To facilitate the finalisation of Annual Report further, the Corporation has been taking action simultaneously on the various components of the Annual Report *i.e.* drafting, translating, printing and proof-checking, so that once the Annual Report receives the necessary approvals, alongwith the audited accounts, the printed copies are available soon thereafter, for being laid on the Table of the Parliament.

Remedial measures taken by the Ministry of Power.

Ministry of Power closely monitors the timely laying of the Annual Report and Audited Accounts of the Power Finance Corporation. The Corporation has been pursued assiduously in this regard. This process begins well before the prescribed period of 9 months from the close of the accounting year *i.e.* 31st December. The issue is also taken up by the part-time Directors who represent the Government on PFC's Board. Most importantly, in case there

| POINTS | REPLIES. | | | | | | | | |
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| | is a likelihood of delay in the submission of the Annual Report and Annual Accounts, the matter invariably forms a part of the agenda of PFC's Quarterly Performance Review Meeting, where it is discussed in detail. | | | | | | | | |
| | The Budget Wing of the Ministry separately also takes up the timely compilation of the Annual Accounts with the PSU. | | | | | | | | |
| IV. The dates on which the Annual Reports and Audited Accounts for the years 1989-90, 1990-91 and 1991-92 were laid on the table of Lok Sabha. | <table> <tr> <th data-bbox="584 716 643 740">Year</th><th data-bbox="584 749 986 870"><i>Date on which the Annual Report and Audited Accounts were Laid on the Table of Lok Sabha</i></th></tr> <tr> <td data-bbox="584 876 677 903">1989-90</td><td data-bbox="853 876 986 903">08.01.1991</td></tr> <tr> <td data-bbox="584 908 677 935">1990-91</td><td data-bbox="853 908 986 935">16.12.1991</td></tr> <tr> <td data-bbox="584 940 677 967">1991-92</td><td data-bbox="853 940 986 967">15.03.1993</td></tr> </table> | Year | <i>Date on which the Annual Report and Audited Accounts were Laid on the Table of Lok Sabha</i> | 1989-90 | 08.01.1991 | 1990-91 | 16.12.1991 | 1991-92 | 15.03.1993 |
| Year | <i>Date on which the Annual Report and Audited Accounts were Laid on the Table of Lok Sabha</i> | | | | | | | | |
| 1989-90 | 08.01.1991 | | | | | | | | |
| 1990-91 | 16.12.1991 | | | | | | | | |
| 1991-92 | 15.03.1993 | | | | | | | | |

4.4 The matter was considered by the Committee on Papers Laid on the Table at their sitting held on 23 June, 1995.

4.5 The Committee regret to note that the Annual Report and Audited Accounts of the Power Finance Corporation, New Delhi for the year 1992-93 were laid on the Table of the Lok Sabha after a delay of about 11½ months.

4.6 The Committee find from the delay statement and subsequent information furnished by the Ministry of Power that about 13 months were taken in compilation of accounts, auditing and disposing of audit objections etc. The fact that a number of issues/objections were raised both by the Statutory Auditors and the C&AG to the extent that the accounts had to be reopened and revised indicates either violation of certain financial or accounting norms/procedures or lack of care in proper maintenance and compilation of accounts at various levels in the Corporation which led to avoidable delay in completion of audit in time which in turn led to delay in laying of the documents on the Table of the House within the stipulated time. The Committee are of the opinion that the Corporation should have concurrent audit system so that at the time of auditing of accounts, audit

objections are minimised and unnecessary delay in auditing is avoided. It would also help in detecting financial or accounting irregularities or lapses before it is too late.

4.7 With a view to obviate delay in laying the Annual Report and Audited Accounts before Parliament, the Committee recommend that a time bound schedule should be drawn by the Ministry in consultation with the Corporation for completion of various stages involved in preparation, finalisation and laying of these documents and some responsible officers in the Corporation as well as in the Ministry should be entrusted with the task of monitoring the completion of work at each stage.

NEW DELHI;
17 November, 1995

26 Kartika, 1917 (Saka)

T.J. ANJALOSE,
Chairman,
Committee on Papers Laid on the Table.

APPENDIX

Summary of Recommendations/Observations contained in the Report

| Sl. No. | Reference to para No. of the Report | Summary of Recommendations/Observations |
|---------|-------------------------------------|--|
| 1 | 2 | 3 |
| 1. | 1.11 | The Committee are unhappy to note that the Annual Report on the working of the Protection of Civil Rights Act, 1955 for the year 1991 was laid on the Table of Lok Sabha on 24.2.1994 after a delay of about 20 months. The Committee also note that the Annual Report for the calendar years 1989 and 1990 (combined) was laid on 2.4.1992 with in ordinate delay of about 21 months and 9 months respectively. |
| 2. | 1.12 | The Committee note that the Annual Reports on the Protection of Civil Rights Act, 1955 reflect various measures taken by the Central and the State Governments for speedy and effective implementation of the provisions of the Protection of Civil Rights Act, 1955 with a view to protecting the Civil rights of the people accruing to them by reason of abolition of untouchability by Article 17 of the Constitution. Collection of information by the State Governments from the lower levels, its compilation and then furnishing it to be Central Government takes sufficient time and is often received very late. Sometimes information received from State Governments are incorrect or inconsistent and the Central Government have to pursue with the State Governments for furnishing the proper information which cases delay in compiling the annual Report. |
| 3. | 1.13 | Section 15A (4) of the Protection of Civil Rights Act, 1955 provides for laying of the reports before Parliament as under: “(4) The Central Government shall, every year place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this Act.” |

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| 4. | 1.14 | <p>The Committee note that while the Act makes it obligatory on the Central Government to lay the reports on the Table of each House of Parliament, it does not specify any time limit for laying the reports before Parliament. Nonetheless, absence of provision regarding time limit should not be taken to imply that laying of reports could be delayed to any length of time. But at the same time, the Committee do appreciate the difficulty in laying the report within six months of the close of the Calendar year as recommended by the Committee on papers laid on the Table of Lok Sabha in para 1.17 of their First Report (Fifth Lok Sabha), keeping in view the time taken in collection of correct information from the State Governments in this particular case of the preparation and laying of annual reports under the Protection of Civil Rights Act, 1955.</p> |
| 5. | 1.15 | <p>The Committee, therefore, recommend that the report on the Protection of Civil Rights Act, 1955 for a particular year should be laid on the Table of Lok Sabha within 9 months of the close of the calendar year. The Government should take suitable steps and make constant efforts for timely collection of information and submission of the report within the prescribed time limit of 9 months.</p> |
| 6. | 2.5 | <p>The Committee note that the Annual Reports and Audited Accounts of the Regional Engineering College, Jalandhar for the years 1989-90 and 1990-91 were laid on the Table of the House after a delay of about 38 months and 26 months respectively.</p> |
| 7. | 2.6 | <p>It is evident from the information furnished by the Ministry that the delay had occurred at each stage right from the compilation of accounts upto the laying of these documents. The Committee note that 3 months and 2 months were taken by the College in handing over the account to the auditors for auditing for the years 1989-90 and 1990-91 respectively after their compilation; 14 months were taken in finalising the Annual Report for the year 1989-90; 2 months were taken in printing the documents; 15 months were taken by the College in separating the</p> |

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| | | Report after these were received back from the Ministry; 7 months were taken in preparing review and 4 months for authentication from the Minister by the Ministry. |
| 8. | 2.7 | The Committee feel that the delay at each of these stages shows that there is no coordination between the Ministry of Human Resource Development and the College. The Ministry very well knew that the Annual Reports and Audited Accounts of the College were being laid in the House for the first time and it would be the duty of the Ministry to make the College aware of the processes and procedures involved in preparation and laying of the documents on the Table of the House. Instead the Ministry left everything on the College and did not make serious efforts to set the things right so that the documents could be laid on the Table in time. Had the Ministry guided the College at various stages and given them clear-cut instructions to send the reports of the two years separately much of the delay could have been avoided. The Committee are also distressed to note that the Ministry unnecessarily took about 11 months in processing the matter at their end after the documents were finally received by them on 22.1.1993. |
| 9. | 2.8 | The Committee stress the need for laying a time schedule for each an every stage right from compilation of accounts to the laying of these documents on the Table of the House. There should be proper coordination and interaction between the Ministry and the College and some responsible officer must be given the responsibility to ensure that the time schedule is being adhered to at each stage, so that the Annual Report and Audited Accounts could be laid in time. |
| 10. | 3.10 | The Committee are concerned to note that the Ministry of Human Resource Development while laying the Annual Report and Audited Accounts of Sardar Vallabhbhai Regional College of Engineering and Technology, Surat for the year 1991-92 did not lay the delay statement while they were aware of the fact that whenever documents are laid on the Table of the House with delay, the delay statement in that respect is also to be laid on the Table of the House. The Committee find that the College took unnecessary one month in handing over the accounts to |

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| | | <p>the auditors for auditing after they were compiled. The Committee also note that the English version of the final audit report alongwith audit certificate was received from the auditors after 3½ months of the completion of the auditing of the accounts and no convincing reasons were put forward by the Ministry in this regard. The Committee feel that the College authorities did not take the matter seriously and left the things to take their own time without giving any consideration to the Annual Report and Audited Accounts of the College which are to be laid on the Table of the House within the prescribed period of 9 months from the close of the accounting year. The Committee are of the opinion that if the College was aware of the delay in receiving the audit certificate, they should have approached the concerned authorities and pursued the matter with them for furnishing the Audit Accounts an Audit Certificate early.</p> |
| 11. | 3.11 | <p>The work of the Ministry starts as soon as they receive the copies of annual Report and Audited Accounts from the concerned organisation for laying them on the Table of the House. The Committee are distress to find that the Ministry did not pay adequate attention to the Annual Reports and Audited Accounts received by them from the College and took nearly one year in laying the same on the Table of Lok Sabha and that also without the delay statement. The Committee feel that the work in the Ministry in this regard needs to be streamlined so as to ensure that due attention is paid at appropriate levels to adhere to the time limits prescribed by the Committee for laying these documents on the Table of the House. The Committee feel that some responsibility should be fixed for this type of delay. The Committee hope that the Ministry of Human Resource Development would make all out efforts to see that avoidable delays are eliminated and the documents are laid on the Table of the House in time. For this purpose, the Committee recommend that the Ministry in coordination with the College should prepare a time schedule for completion of work at each of the stages and some officers in the College as well as in the Ministry should be entrusted with the work of monitoring each of the stages so that the Annual Report and Audited Accounts of the College could be laid on the Table of the House within the prescribed period of months.</p> |

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| 12. | 4.5 | The Committee regret to note that the Annual Report and Audited Accounts of the Power Finance Corporation, New Delhi for the year 1992-93 were laid on the Table of the Lok Sabha after a delay of about 11½ months. |
| 13. | 4.6 | The Committee find from the delay statement and subsequent information furnished by the Ministry of power that about 13 months were taken in compilation of accounts, auditing and disposing of audit objections etc. The fact that a number of issues/objections were raised both by the Statutory Auditors and the C&AG to the extent that the accounts had to be reopened and revised indicates either violation of certain financial or accounting norms/procedures or lack of care in proper maintenance and compilation of accounts at various levels in the Corporation which led to avoidable delay in completion of audit in time which in turn led to delay in laying of the documents on the Table of the House within the stipulated time. The Committee are of the opinion that the Corporation should have concurrent audit system so that at the time of auditing of accounts, audit objections are minimised and unnecessary delay in auditing is avoided. It would also help in detecting financial or accounting irregularities or lapses before it is too late. |
| 14. | 4.7 | With a view to obviate delay in laying the Annual Report and audited Accounts before Parliament, the Committee recommend that a time bound schedule should be drawn by the Ministry in consultation with the corporation for completion of various stages involved in preparation, finalisation and laying of these documents and some responsible officers in the Corporation as well as in the Ministry should be entrusted with the task of monitoring the completion of work at each stage. |