

FOURTEENTH KERALA LEGISLATIVE ASSEMBLY

**COMMITTEE
ON
PUBLIC ACCOUNTS
(2016-2019)**

**TWENTY SIXTH REPORT
(Presented on 12th June, 2018)**



**SECRETARIAT OF THE KERALA LEGISLATURE
THIRUVANANTHAPURAM**

2018

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**COMMITTEE
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PUBLIC ACCOUNTS
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On

**Action taken by Government on the Recommendations
contained in the 21st Report of the Committee on
Public Accounts (2011-2014)**

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(2016-2019)

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INTRODUCTION

I, the Chairman, Committee on Public Accounts, having been authorised by the Committee to present this Report, on their behalf present the 26th Report on Action Taken by Government on the Recommendations contained in the 21st Report of the Committee on Public Accounts (2011-2014).

The Committee considered and finalised this Report at the meeting held on 7th June, 2018.

Thiruvananthapuram,
7th June, 2018.

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 21st Report of the Committee on Public Accounts (2011-2014).

The 21st Report of the Committee on Public Accounts (2011-2014) was presented to the House on 13th December, 2012. The Report contained 5 recommendations relating to Forest and Wild Life department. The Government was addressed on 19-12-2012 to furnish the Statements of Action Taken on the recommendations contained in the Report and final reply was received on 6-4-2016.

The Committee considered the Action Taken Statements at its meetings held on 31-3-2015 and 21-6-2017.

The Committee decided not to pursue further action on the recommendation in the light of the replies furnished by the Government. These recommendations and the Action Taken by Government are included in this Report.

FOREST AND WILD LIFE DEPARTMENT

Recommendation

(Sl. No.1, Para No. 10)

1.1 The Committee observes that Gandhi Smrithivanam Project sanctioned during 8th plan could not be realised even in 12th plan period resulting in the expenditure to the tune of ₹ 1.54 crore become infructuous. The Committee views the project as an ill-conceived one and laments the lackadaisical approach of the Revenue Department in acquiring, demarcating and handing over the acquired land to Forest Department in time.

Action Taken

1.2 Now Kerala Forest Development Corporation is in the process of going ahead with the project work in already acquired land after demarcating the boundaries of the acquired land with the assistance of Revenue Department. Land acquisition procedures are being carried out by Revenue Department.

Recommendation

(Sl. No.2, Para No. 11)

1.3 The Committee is of the strong opinion that the project could not be implemented as envisaged, and opines that Forest Department should be more cautious and realistic in implementing projects of similar nature in future. The Committee understands that since the enactment of the Kerala Conservation of Paddy land and Wetland Act, 2008 the landscape of the proposed site could not be altered any more. Considering the series of issue involved in the case, the Committee suggests that the Smrithivanam Project should be terminated forthwith and recommends that the entire project should be recasted in accordance with the existing landscape of the area and by maintaining the sustainability of the wetland and by planting mangroves and other suitable plants in order to preserve the entire flora and fauna of the wetland ecosystem and to develop it as a sustainable eco-friendly tourism project.

Action Taken

1.4 Government vide G.O.(Ms.) No. 86/12/F&WLD dated 25-7-2012 have accorded Administrative Sanction for implementation of Gandhi Smrithivanam Project and have decided to implement the project through Kerala Forest Development Corporation. The project aims at conservation of Bio-diversity of Kuttanand region having demonstrative and educational value. The concept is to develop 600 acres of paddy field under the process of acquisition for Gandhi Smrithivanam into Wetland Conservation with facilities for eco-tourism. The total project cost is ₹ 2 crore as per the Budget Speech for 2012-13 and a draft MOU to be executed between Kerala Forest Development Corporation and Kerala Forest Department.

For the implementation of the project of Gandhi Smrithivanam at Purakkad the MOU with Kerala Forest Development Corporation was signed by Chief Conservator of Forests (Social Forestry), Kollam on 1-1-2013 and an amount of ₹ 1 crore was allotted to Kerala Forest Development Corporation. Now the project is being implemented through Kerala Forest Development Corporation.

Recommendation

(Sl. No.3, Para No. 12)

1.5 The Committee also recommends that immediate steps should be taken to acquire the patch of land lying between the T.S. Canal and the project site to envisage a separate entry from the T.S. Canal to the site and suggests that the Department should not acquire any more land except the patches of land that left unacquired within the project site.

Action Taken

1.6 Land acquisition procedures are being carried out by Revenue Department. Now Kerala Forest Development Corporation is in the process of going ahead with the project work in already acquired land after demarcating the boundaries of the acquired land with the assistance of Revenue Department.

Recommendation

(Sl. No. 4, Para No. 14)

1.7 The Committee cannot justify the act of the Forest Department in appointing Data Entry Operator and Computer Operator on daily wage basis by passing the order issued by the Finance Department in this regard. The Committee recommends the department to take disciplinary action against the delinquent officers and opines that only permanent staff should be entrusted with the routine work. The Committee also emphasizes the necessity of imparting computer training to all the regular employees in a time bound manner.

Action Taken

1.8 For about the past one decade, engagement of Computer Operator and Data Entry Operator were necessitated in Forest Department where conventional typists were found incapable of implementation of Forest Management Information System Software and during the implementation of new Schemes. Now the Right to Information Act, Right to Service Act etc. introduced by the Government demand storage of each and every data and point out the need of skilled Computer Operator. However, to safeguard interest of Government, now the earlier practice of engaging Computer Operators has been dispensed with except under sanctioned projects. With the Co-operation of KELTRON and similar Companies, Computer Training to all Staff in a phased manner is now under way and is in its final stage. The engagement of Data Entry Operators as compared to earlier stage is very few now. Now maximum and routine works are entrusted with permanent staff.

The Additional Principal Chief Conservator of Forests (D&P) has reported the circumstances that led to the engagement of Data Entry Operator on daily wages basis and requested to reconsider the Direction to initiate Disciplinary Action against the officers since those officers engaged Data Entry Operators on daily wage basis, in the best interest of the department to speed up the works and for the effective functioning of the offices at a time when the existing staff were not able to perform with the new gadgets of Information Technology. Considering the good intention of the then officers the Government have accepted

the report of Additional Principal Chief Conservator of Forests (D&P) and therefore the para may be treated as dropped.

Recommendation

(Sl. No. 5, Para No.20)

1.9 The Committee observes that the projects aimed for rehabilitating and resettling land less tribals could not be implemented so far and expresses its displeasure over futile expenditure of ₹ 1.32 crore for the functioning of the Tribal Rehabilitation Commissioner without any project work. The Committee recommends that for reaping the intended benefits to the landless tribals the department should revitalize the project at once. The Committee urges the department to develop a scheme with the assistance of Government of India for rehabilitating tribals living in deep forests to the periphery and imparting essential facilities to them. The Committee also recommends the departments to frame a time bound action plan for the new rehabilitation programme.

Action Taken

1.10 It is submitted that the main responsibilities of the Tribal Rehabilitation Commissioner (TRC), were to prepare integrated development and rehabilitation schemes on 7693.2257 Ha. of forest area diverted by the Government of India for rehabilitating landless tribals in the year 2004 and not rehabilitating tribals living in deep forest areas to the periphery of forests. In the diversion order, the Government of India directed the State Government to deposit Net Present Value (NPV) of nearly ₹ 577 crore. The Government of Kerala moved the Honourable Supreme court by filing IA-1137 in Writ petition No. 202/95 to get exemption from payment of NPV. The Honourable Supreme Court ordered that question of payment of NPV is to be decided after assignment of the land to the land less tribals. The order was issued on 30-4-2010. The delay in implementing the rehabilitation of landless tribals in 7693 Ha. of land was mainly due to delay in getting the judgement of the Honourable Supreme Court waiving NPV. This matter was perused by the Tribal Rehabilitation Commissioner.

The Wildlife wing of the department has already taken up schemes for rehabilitating tribals living in deep forest areas to outside forest areas under

voluntary relocation scheme by paying an amount of ₹ 10 lakh per family. The Kerala Forest & Wildlife Department has prepared a scheme for rehabilitating people from 14 settlements of Wayanad Wildlife Sanctuary with the assistance of Government of India as detailed below:

Sl. No.	Settlement	Range	Eligible families	Amount Required (Lakhs)
1	Kurichiat	Kurichiat	75	750
2	Golur	Kurichiat	34	340
3	Ammavayal6	Kurichiat	21	210
4	Arakunchi	Sultan Bathery	25	250
5	Kottangara	Sultan Bathery	98	980
6	Vellakkode	Sultan Bathery	12	120
7	Puthur	Sultan Bathery	53	530
8	Manimunda	Sultan Bathery	116	1160
9	Pambaumkolly	Sultan Bathery	63	630
10	Pankalam	Muthanga	22	220
11	Kolat	Muthanga	15	150
12	Chettiyalathur	Muthanga	231	2310
13	Narimundakolly	Tholpetty	26	260
14	Eswarakolly	Tholpetty	9	90
Total			800	8000

Government of India has approved the project and started relocation process in the year 2012. So far 184 eligible families were relocated by paying ₹ 10 lakh/family utilizing the amount of ₹ 17.80 crore released by Government of India as detailed below:

Sl. No.	Name of Settlement	No. of Eligible families	Amount paid (Crore)	Remarks
1	Golur	29	2.90	Completed
2	Ammavayal	20	2.00	Completed
3	Kottangara	65	6.50	In progress
4	Arakunchi	4	0.36	Relocated (An amount of ₹ 4.00 lakh of Sri Bhaskaran is pending for payment for want of legal heirship certificate)
5	Vellakkode	2	0.20	Relocated
6	Kurichiat	64	3.84	Total 93 eligible families in Kurichiat settlement. Ist installment of ₹ 6.00 lakhs each paid to 64 eligible families. 27 tribal families not willing for relocation and 2

				families willing for relocation, their application submitted before the District level Committee.
		184	15.80	

The office of Tribal Rehabilitation Commissioner has been revitalized and merged with the office of Additional Principal Chief Conservator of forests (E&TW), and hence the functions of the Tribal Rehabilitation Commissioner are now performed by the APCCF (E&TW). Out of that an area of 7693.2257 Ha. was previously identified for distribution, an extent of 1549.16 Ha. has been assigned to landless tribals and Record of Rights was issued to an extent 979.2627 Ha. of land under the Forest Rights Act. The process of distribution of remaining land will be done after completion of the Joint Verification.

The infrastructure in connection with developing habitat of the rehabilitated landless tribals will be carried out by the Scheduled Tribes Development Department. The means of livelihood based on afforestation and value addition of NWFP will be attended by the Forest Department, through the Tribal Rehabilitation Commissioner.

In these circumstances, it may please be seen that there is no absolute necessity for reviving the post of Tribal Rehabilitation Commissioner or formulating any new schemes as the Scheduled Tribes Development Department has sufficient schemes for resettlement of tribals.

Further it is submitted that, the post of CCF & TRC has been created as an ex-cadre post only by posting an IFS officer from existing strength of IFS officers of Kerala cadre and hence there is no additional burden on the state exchequer. Also, other staff engaged were redeployed from various existing offices of the Forest Department. Hence an amount of ₹ 1.32 crore expended for functioning of Tribal Rehabilitation Commissioner's office may not be treated as futile expenditure.

Thiruvananthapuram,
7th June, 2018.

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

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