

(Presented on 16th December, 2014)

THIRTEENTH KERALA LEGISLATIVE ASSEMBLY

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

EIGHTIETH REPORT

On

**Action Taken by Government on the Recommendations contained
in the 114th Report of the Committee on
Public Accounts (2001)**

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COMMITTEE ON PUBLIC ACCOUNTS (2014-2016)

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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 Eightieth Report on Action Taken by Government on the Recommendations contained in the 114th Report of the Committee on Public Accounts (2001).

The Committee considered and finalised this Report at the meeting held on 9th December, 2014.

Thiruvananthapuram,
16th December, 2014.

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

REPORT

This Report deals with the Action Taken by Government on the recommendations contained in the Hundred and Fourteenth Report of the Committee on Public Accounts (2001).

The Hundred and Fourteenth Report of the Committee on Public Accounts (2001) was presented to the House on 2nd March, 2001 and it contained eleven recommendations relating to Higher Education Department. Government were addressed on 11-4-2001 to furnish the Statement of Action Taken on the recommendations contained in the Report on 22nd September, 2001 and the final replies were received on 3rd March, 2014.

The Committee examined the Statement of Action Taken at its meetings held on 23-12-2003, 14-2-2007, 1-8-2012 and 23-7-2014 and was not satisfied with the Government reply on recommendation Nos. 1, 2, 6, 7 and 8 (Para Nos. 5, 6, 18, 21 and 22) and decided to pursue them further. These recommendations, their replies and further recommendations of the Committee are incorporated 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. Regarding to reply furnished by Government on recommendation Sl. No. 5 (Para No. 15), the Committee approved the same with a remark. These recommendations and the replies furnished by Government and the remarks of the Committee are included in Chapter II of this Report.

CHAPTER I

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

HIGHER EDUCATION DEPARTMENT

Recommendation

(Sl. No. 1, Para No. 5)

1.1 The Committee understands that installation of the microfilming unit purchased in 1982 for microfilming the rare books in the State Central Library, Thiruvananthapuram was delayed by two years for want of running water connection and AC room and even after installation it had been kept idle for eight years owing to reasons like mechanical defect, non-availability of technical hand etc. The Committee are surprised to note that the Higher Education Department purchased the machine without ensuring the availability of

water supply and AC room, which are pre-requisites for the installation and working of such a machine. The Committee cannot approve the tendency of the department to accuse PWD for the delay in providing water supply and AC room. The Committee are of the view that the officials in the Higher Education Department showed reprehensible negligence in intimating the requirement to PWD in time. If there was co-ordinated effort between the PWD and the Higher Education Department the unnecessary delay occurred in its installation could have been avoided. Nobody was bothered about the idling of a costly machine imported for a useful purpose. The Committee deplore the irresponsibility shown by the Library authorities in installing the camera and thereafter rectifying the mechanical defects of the machine from time to time and in appointing the technical hand. The Committee express grave concern over the fact that the Higher Education Department was not in a position to furnish the details of correspondence between the PWD and the Higher Education Department with regard to the provision of AC rooms and water supply as the files are not traceable and recommend that the person responsible for the missing of file should be punished suitably. The Committee blame the grave lapse on the part of the department in not keeping a file relating to matters connected with audit objection. Likewise, the ignorance of the State Librarian about the matters such as the volume of work done using the machine, target fixed, nature of mechanical defect resulting in idling of the machine etc. are also very much deplorable. The Committee recommend that the files which include matters of audit objection should be traced out and kept safely until such time when the audit objection is cleared.

Action Taken

1.2 Sanction was accorded for the purchase of microfilm unit for Public Library, Thiruvananthapuram as per Government Order dated 13-1-1982 and the unit was commissioned in January 1984. The delay in commissioning the unit was not purposeful. There was administrative delay occurred in this case. The installation was delayed by two years for want of water connection and AC rooms. Even after the installation, the unit was at frequently faulty. These defects were also not rectified in time as the unit is outdated and the original supplier company ceased to exist years back. The mechanical defects could not be identified or rectified by local servicing agencies. Steps were also taken for the appointment of technical hands from the PRD.

1.3 The delay occurred in the installation of the unit could have been avoided by the joint effort of Higher Education Department and PWD as observed by the Committee.

1.4 Files relating to the correspondence made on the installation of microfilm unit were handled by the State Librarian, Thiruvananthapuram, Public Library and the communications made with PWD were in that file. As such there is no Government file in this regard. The connected files have since been located by the State Librarian. It may kindly be seen that there was no missing of the files but there was only a misplacing of file. The State Librarian who was not able to furnish the concerned file during the meeting had retired from service on 31-10-2002.

Additional Information sought by the Committee

1.5 The Committee opined that the reply was not satisfactory and urged the Department to take suitable action against the responsible officer even though he had retired from service.

Action Taken by Government

1.6 The Department furnished the same reply again in response to the direction of the Committee.

Further Recommendation

1.7 The Committee opined that the reply from the Department is not satisfactory. The Committee notes that, the expiry of guarantee period of microfilming unit is not mentioned in the report. The Committee suggests that as the microfilming unit is very costly, an annual maintenance contract should have been entered into with the supplier company which should have ensured proper maintenance and service by the suppliers even after the expiry period. Had there been such a contract in place, enormous loss suffered by the Government could have been avoided. Hence the Committee recommends that all departments should consider it seriously while making costly installation. The Committee observes that misplacement and missing of files are of the same nature and should be viewed as a serious lapse.

Recommendation

(Sl. No. 2, Para No. 6)

1.8 The Committee further recommended that the details such as the date on which the mechanical defects of the machine was found out, steps taken for rectifying the defects, amount spent for rectifying defects, reasons for frequent mechanical defects, steps taken for the appointment of technical hand, reasons for the delay in appointment, total number of valuable books microfilmed with

the use of the machine, present condition of the unit, present position of disciplinary steps taken against the 3 officers found guilty for the idling of the machine etc. should be furnished to the Committee immediately.

Action Taken

1.9 The mechanical defect of the machine was found out on 28-3-1984. The unit was repaired on 3-5-1984 and again on many occasions. On 30-10-1998 the repair was entrusted with the LBS Centre. An amount of ₹ 25,000 is seen involved in these repair works. The LBS Centre could not rectify the machine. The unit is an outdated one and the original supplier company ceased to exist years back. The mechanical defects could not be identified or rectified by local servicing agencies. Steps were taken for the appointment of technical hand from PRD as shown below to the post of Camera Operator-cum-Section-in-charge.

<i>Name</i>	<i>From</i>	<i>To</i>
N. Krishnan Nair	17-3-1983	31-5-1986
B. Sadasivan Nair	13-7-1989	20-4-1990
C. Muthukumara Swamy	8-10-1990	16-1-1992
Hariharan Nair	20-6-1992	16-6-1997

1.10 The reason for delay in appointment was shortage of adequately qualified and willing hand for deputation. About 35000 pages have been microfilmed with machine. The Library is not having skilled person at present to assess the exact number of books microfilmed, as this can be possible only after projecting the film rolls. The unit is not in working condition now. It has been decided to dispose of the unit in auction.

1.11 The three officers who were responsible for the idling of the unit are Sri P. V. Varghese, Sri T. S. Narayanan Nair and Sri Sukumaran Nair. Sri P. V. Varghese has been removed from service. Sri T. S. Narayanan Nair got released the payments due to him by obtaining court order. Sri Sukumaran Nair was a deputationist from the Kerala University and he had been reverted to his parent department. All these officers have been retired from the service a few years ago and it is not possible to fix further liabilities on them now.

Additional Information sought by the Committee

1.12 The Committee disagreed with the content of reply that it was not possible to fix further liabilities on the retired officers.

Action Taken by the Government

1.13 The mechanical defect of the machine was found out on 28-3-1984. The unit was repaired on 3-5-1984 and again on many occasions. On 30-10-1998 the repair was entrusted with the LBS Centre. An amount of ₹ 25,000 is seen involved in these repair works. The LBS Centre could not rectify the machine. The unit is an outdated one and the original supplier company ceased to exist years back. The mechanical defect could not be identified or rectified by local servicing agencies. Steps were taken for the appointment of technical hands from PRD as shown below to the post of Camera Operator-cum-Section-in-charge.

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1.14 The reason for delay in appointment was due to shortage of qualified and willing hands for deputation. About 35000 pages have been microfilmed with the machine. The Library is not having a skilled person at present to assess the exact number of books microfilmed as this can be possible only after projecting the film rolls. The unit is not in working condition now. Hence it has been decided to dispose of the unit in auction and quotation is invited for the same. The three officers who were responsible for the idling of the unit are Sri P. V. Varghese, State Librarian, Thiruvananthapuram Public Library, Sri T. S. Narayanan Nair, Deputy Librarian in Additional charge and Sri Sukumaran Nair on deputation from University of Kerala.

1.15 It may be noted that as per Rule 3 Part III KSR Government can withhold the pension of an employee for any pecuniary loss caused to Government if in a departmental proceeding or judicial proceeding, the pensioner is found guilty of grave misconduct or negligence during the period of his service. In such cases, the liabilities of an employee should be quantified either before or after his retirement and intimated to him before retirement within a period of 3 years on becoming a pensioner. The liabilities should be quantified and intimated to him.

1.16 In this case the State Librarian has reported that the three officers were retired from service long ago.

1.17 Government initiated steps to fix the liability of the officers responsible on the basis of the Audit Report of the Accountant General for the year 1992-93. But disciplinary action has not been taken for the reasons mentioned below. Three persons viz. Sri P. V. Varghese, Sri T. S. Narayanan Nair and Sri Sukumaran Nair were in charge of the Public Library during the reported period. Of these Sri P. V. Varghese has been removed from service and has been sanctioned only compassionate allowance and hence there is no scope for fixing any further liability against him.

1.18 Regarding Sri T. S. Narayanan Nair, Retd. Deputy Librarian of Thiruvananthapuram Public Library, he had secured a court direction to disburse his gratuity and all other pensionary benefits with 12% interest till the date of payment. Though this department explored the feasibility of filing appeal against the judgment, the Advocate General opined that there is no scope for appeal. Hence no action could be taken against Sri T. S. Narayanan Nair, a retired hand.

1.19 As regards Sri Sukumaran Nair, he was on deputation to Thiruvananthapuram Public Library from the University of Kerala and had already been reverted back to his parent institution i.e., University of Kerala. Pension contribution due to him has also been remitted to the University.

1.20 As disciplinary action has not been taken against the officers within the period stipulated in Rule 3 Para III KSR, further disciplinary action is not possible against them now.

Further Recommendation

1.21 The Committee is of the view that the officials who ordered for the installation of the machine without ensuring the availability of pre-requisites such as lack of water supply and AC room is responsible for the loss. Committee expresses grave concern over the fact that AC room and water supply was not included in that project. The Committee recommends that action should be taken against the officials who made project and also against the custodian of the machine. The Committee opines that the guilty officials had to be punished before their retirement. The Committee also suggests an amendment in KSR Part III. The Committee was surprised to note that the amount of loss hadn't been recovered from the delinquent officials through Revenue Recovery or from their pensionary benefits. The Committee made a general observation that action has to be taken against the guilty officials immediately according to the Public Accounts Act.

In the case of guilty official who was on deputation to Thiruvananthapuram Public Library from University of Kerala though he had retired from service the University has to be intimated the steps to be taken to punish the officials according to the Public Accounts Act.

Recommendation

(Sl. No. 6, Para No. 18)

1.22 The Committee do not understand the logic in purchasing a second Mini Offset Printing Machine without studying the requirement and the availability of the trained personnel when another machine of the same type already available had been idling. The authorities should have shifted the idle Machine, in the Library to the Press earlier and thereby avoid unnecessary purchase of another machine. The Committee feels these purchases as mysterious and opine that the University authorities tried to give undue monetary benefit to the firm which supplied the machines. The Committee expresses strong displeasure over the non-receipt of certain details called for by the Committee during the examination of audit paragraph.

Action Taken

1.23 As part of modernization of University Library, a mini offset printing machine was purchased in 1987 to print Library compilations like annotated bibliographics and catalogues as the University Press was not in a position to handle such works. Owing to non-availability of trained operators and consumables, the machine could not be put to use in the library. To avoid idling of the machine, it was transferred to the University Press for the introduction of a full fledged offset unit there. Even while this machine remained largely unutilized, a similar offset printing machine was purchased by the University Press in 1988, the purchase of machines at the two points could not be correlated, but no monetary benefit was offered to the firm.

1.24 While a full fledged offset machine costs more than ₹ 10 lakh, the total cost of the two machines work out to ₹ 3 lakh. Based on the hourly printing rate of the Government Press, works for ₹ 5 lakh were performed using these two machines with the available staff. Hence there is no under utilization as mentioned in the report.

1.25 The University has admitted that there was lack of co-ordination between the University Library and University Press which resulted in the non-furnishing of details called for by the Committee during the examination of audit para.

1.26 In the meeting of the concerned Head of Department's convened by the Pro Vice-Chancellor, it has been directed to avoid infructuous expenditure and to ensure that departmental accounts are periodically subjected to internal audit.

Further Recommendation

1.27 The Committee opines that the purchase of a second Mini Offset Printing Machine was unnecessary one. Committee recommends to take action against the officers responsible for the purchase.

Recommendation

(Sl. No. 7, Para No. 21)

1.28 The Committee vehemently criticizes the action of the University in extending five times the date of completion of the balanced work of the construction of the building for the Department of Chemistry, University of Kerala at Kariavattom. The Committee notes that the University paid an additional amount of ₹ 1.54 lakh to the contractor.

1.29 The Committee express strong displeasure over the non-receipt of certain details called for by the Committee.

Recommendation

(Sl. No. 8, Para No. 22)

1.30 The Committee in this connection reproves the evasive manner in which the witnesses responds to the Committee's queries when they come before the Committee for evidence and opines that since bureaucratic set-up is a continuous process the responsible officers are expected to study all the facts coming under their jurisdiction whether those facts relate to the past or present.

Action Taken on Para Nos. 21 & 22

1.31 The construction of a building for Department of Chemistry, University of Kerala, Kariavattom entrusted to a contractor in 1988 had to be completed in 1990. The work got delayed at certain times, the University had difficulty to make payment to the contractor within the stipulated time limit.

1.32 In the interest of the students undergoing study in the Department of Chemistry, the work had to be completed and as re-tendering was not feasible at that point, the University was constrained to enhance the rate by 5% at the request of the contractor, though the enhancement was not in the terms of agreement of the University.

1.33 As regards the observations made by the Committee that the responsible officers are expected to study all the facts coming under their jurisdiction whether those relate to past or present, the Registrar, University of Kerala has informed that it has been noted for future guidance.

Further Recommendation on Para Nos. 21 & 22

1.34 The Committee recommends to take action against the officers who extended five times the date of completion of the construction work of building for the Department of Chemistry, University of Kerala at Kariavattom.

CHAPTER II

RECOMMENDATION WHICH THE COMMITTEE DOES NOT DESIRE TO PURSUE IN THE LIGHT OF THE REPLIES FURNISHED BY GOVERNMENT

HIGHER EDUCATION DEPARTMENT

Recommendation

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

2.1 The Committee expresses grave concern over the laxity in releasing an amount of ₹ 1 crore received from Government of India by way of grant to the Sree Sankaracharya University of Sanskrit, Kalady for providing infrastructure facilities for the establishment of the University. Though the State Government provided ₹ 225 lakh to the University through Supplementary Demands for Grants, which has since been drawn by the Special Officer, Sree Sankaracharya University, the money received from the Government of India remained as a receipt with the State Government. The Committee are of the view that the Finance Department should have pointed out this fact when the supplementary demands for grants was moved and specified while releasing the amount that it included ₹ 1 crore received from Government of India. Since the Higher Education Department has not furnished the Utilisation Certificate in respect of ₹ 1 crore to the Government of India, they would be forced to refund the money. Therefore, the Committee recommend that immediate steps should be taken for regularising the payment by adjusting it against the grant of ₹ 230 lakh released in March 1993 and to intimate Government of India that ₹ 1 crore has been utilised for providing infrastructure facilities to the University.

2.2 It may please be noted that the Committee of Public Accounts has recommended to regularise the payments of ₹ 1 crore by adjusting it against the grant of ₹ 230 lakh released to the Sree Sankaracharya University of Sanskrit, during March 1993 and to intimate Government of India that ₹ 1 crore

had been utilised for providing infrastructure facilities to the University. It is true that the University has received ₹ 230 lakh during 1992-93 as grant from State Government as per G.O.(Rt.) No. 501/93/H.Edn. dated 18-3-1993 and the University has utilised this amount for providing infrastructure facilities. The utilisation certificate received from the Registrar of SSUS for ₹ 1 crore has been forwarded to Government of India by Government of Kerala in Higher Education Department vide letter No. 26878/B4/2008/H.Edn. dated 28-4-2010 under intimation to Finance Department.

Recommendation

(Sl. No. 4, Para No. 13)

2.3 The Committee deplors the action of the University in having given advance of ₹ 20 lakh for land proposed to be purchased without observing the formalities of negotiated land purchase. Though five negotiated land purchases were made the University could take possession of only one piece of land. The Committee cannot approve the inaction of the University and the Higher Education Department for accelerating the efforts for setting the legal proceedings with regard to all land purchases. The Committee recommends that immediate steps should be taken for the settlement of litigation in land purchase and for recovering all the advances paid. The Committee also urge that the progress in realising the advances should be intimated.

Action Taken

2.4 It is true that University has given advances for the purchase of land at Koyilandy, Palakkad and Thiruvananthapuram. The University has given advance of ₹ 20 lakh for the purchase of land at Koyilandy. The University has filed suit 5/98 before the Sub Court, Koyilandy to realise the advance amount of ₹ 20 lakh. The suit was finalised and decreed on 28-2-2000 directing the defendants to pay the plaintiff jointly a sum of ₹ 20 lakh with 12% interest from 12-2-1998. The University has filed EP on 12-4-2002 to execute the above decree.

2.5 Later the Syndicate constituted a sub committee to settle the issues based on a request from the party forwarded by the Government. The Syndicate subcommittee has further made a discussion with landowners on 17-12-2005 and decided to make an out of court settlement. The total amount due to the University was ₹ 40,86,000 i.e., advance amount of ₹ 20 lakh + interest @ 12%. The subcommittee after the discussion with the landowners, has suggested to settle the matter by producing 13.62 acres of land @ ₹ 3,000 per cent. The Syndicate approved the above proposal and entrusted the Subcommittee to purchase the land by negotiation talk. A land of 13.62 acres had been got registered to the University on 4-1-2006 for ₹ 40,86,000 including the advance amount and the interest.

2.6. 55 cents of land was got registered in favour of Sree Sankaracharya University of Sanskrit, Kalady at Thiruvananthapuram as detailed below:

- (a) vide Reg. No. 2884/96 dated 28-6-1996 in Thiruvananthapuram District and Taluk, Chalai Sub District, Vanchiyoor Farkka, Manacaud Village, Iranimuttom Muri 26 cent land registered in favour of SSUS for ₹ 13,00,000.
- (b) vide Reg. No. 3318/96 dated 26-6-1996 in Thiruvananthapuram District and Taluk, Chalai Sub District, Vanchiyoor Farkka, Manacaud Village, Iranimuttom Muri 29 cent land registered in favour of SSUS for ₹ 14,50,000 (copy of the document enclosed).

Recommendation

(Sl. No. 5, Para No. 15)

2.7 The Committee observes that the University officials concerned had shown laxity in replacing the defective parts of the Electron Microscope which the Zoology Department of the University obtained as gift. The Committee also understands that the studies on ultra structure of cells suffered a lot since 1982, the year in which the instrument went out of order, and desire to know-how those studies were conducted after that period and the present position of the instrument. The Committee opines that had the University officials shown more care and responsibility in replacing the defective parts of such a costly and very useful instrument in time, the instrument would not have fell into disuse for a long period.

Action Taken

2.8 The Electron Microscope gifted by the Ford Foundation and installed in the Department of Zoology, University of Kerala in 1970 was found out of order by the Service Engineer during a routine service check-up in 1982. Though steps requiring immediate redressal of the defects were taken up by the then Professor and Head of Department funds for the expenditure of its repair to the tune of about ₹ 2 lakh (including cost of imported spare parts worth ₹ 1.7 lakh) could be mobilized from the UGC only in 1989. The service of the equipment which commenced in 1990 could be concluded only in August 1994 due to unexpected interim change of the service engineer by the original manufacturers of the Electron Microscope M/s. Carl Luis (Germany). In spite of repairs undertaken, the instrument could not be brought back to normal working condition.

2.9 Since 1982, the students depend on the Electron Microscope facility of SCIMS (Thiruvananthapuram), VSSC, Thumba, CRCRI, Kayamkulam and RRL, Pappanamcode at their own expenses.

2.10 The repairing of the equipment remained unfruitful and is non-functional since 1982.

2.11 Genuine attempts were made by the University to get the equipment repaired. All efforts turned futile. The equipment was optimum utilized during the period from 1970 to 1982. Due to non availability of experienced servicing agents and technical reasons like voltage fluctuation, the Electron Microscope could not be brought back to its normal working condition.

2.12 From the correspondences made by the University, it can be seen that University had been trying to retrack the prestigious equipment at least nearer to its normal specification but unfortunately became futile at the end. Also it is a fact that the equipment had become obsolete in the event of technology advancement.

Remarks of the Committee

2.13 The Committee viewed it as a serious matter that the University could neither find out money for repair nor could they demand financial assistance from the Government.

Recommendation

(Sl. No. 9, Para No. 31)

2.14 The Committee observe that there were large scale malpractice in the printing, accounting and sale proceeds of the tickets intended for raising funds for the planetarium in the Kerala State Science and Technology Museum. Out of the total number of 19.75 lakh tickets printed, tickets valued to ₹ 6.61 lakh were missing and an amount of ₹ 2.25 lakh towards the sale proceeds was not accounted for. It is distressing to note that 6.90 lakh extra tickets were got printed and among them large quantities were unnumbered. Though the former Director of the Museum requested for an enquiry by an outside agency to bring out the foul play, the committee is constrained to opine that the Government and the present Director purposefully ignored the real facts and acquitted the accused person.

Recommendation

(Sl. No. 10, Para No. 32)

2.15 The Committee understands from the Enquiry report submitted to them by the Government that the then Assistant Director, Senior Superintendent etc. were guilty for not numbering, not keeping correct accounts and for the

missing of tickets. Though the Enquiry Report brings out no evidence to put the guilt on the suspended U.D. Clerk, the Committee sees dereliction of duty on his part in not keeping the tickets under safe custody. The committee understand that though the enquiry report accused the then Assistant Director and Senior Superintendent as guilty for the malpractices, no penal action was taken against them by the department. The reasons for not proceeding further in the case have not been furnished to the Committee. The committee is at a loss to understand why the Government did not take any steps to punish the other guilty persons. The Committee are of the view that the enquiry conducted was a planned one for exonerating the real guilty at the expense of the retired Senior Superintendent and the demised Assistant Director. Since the enquiry report does not give the answer to the real questions raised by the Committee and as the witness could not offer a convincing reason for the Government's decision to not to conduct any further enquiries with regard to the misappropriation of huge amounts of sale proceeds of tickets the Committee are at a loss to understand why the department did not entrust the enquiry to an outside agency suggested by the former Director.

Recommendation

(Sl. No. 11, Para No. 33)

2.16 The Committee therefore recommends that an independent enquiry should be conducted into the whole deal and related matters so as to bring to book the real culprits.

Action Taken on Para Nos. 31, 32 & 33

2.17 An enquiry into the matter was conducted by the Vigilance and Anti Corruption Bureau as ordered by Government. The allegation is that sale of donation tickets having the face value of ₹ 500, ₹ 250 and ₹ 100 of Kerala State Science and Technology Museum are being sold in Abudhabi by two persons of Kannur and it is suspected that some foul play in the printing and sale of donation tickets might have happened.

2.18 One Sri Sathesh Chandran, P.B. No. 771108, Shahama, Abudhabi submitted a petition dated 30-5-1996 before the Hon'ble Chief Minister of Kerala levelling allegation that the donation tickets having face value of ₹ 500, ₹ 250 and ₹ 100 of Kerala State Science and Technology Museum were sold at Abudhabi by two persons hailing from Kannur. The original of a donation ticket with serial number '003' having face value of ₹ 500 photo copies of one donation ticket with serial number '063' having face value of ₹ 500 another photocopy of donation ticket with No. '634' having face value of ₹ 250 were

also enclosed with the petition. During the course of Vigilance Enquiry the petitioners could not be traced out as the petitioner's whereabouts mentioned in the petition are insufficient to locate him in a foreign country.

2.19 Kerala State Science and Technology Museum was established by Government of Kerala during 1981 under the provisions of Travancore Cochin Literary, Scientific and Charitable Societies Act, 1955. The meeting of the Governing Body of Kerala State Science and Technology Museum (KSS&TM) held in 22-11-1985 resolved to collect donation from students and Public to raise fund for the construction of Planetarium in the Museum Compound. As per the request of the then Director of Kerala State Science and Technology Museum, Sri K. Ramachandran Nair, vide letter No. STM/239/85 dated 10-12-1985 the Government have accorded sanction to collect subscriptions from students as well as public vide G.O. Ms. No. 150/86/H. Edn dated 11-6-1986. Based on the above Government order a committee was constituted in Kerala State Science and Technology Museum for raising the fund in which the Director was the convenor. The Fund Collection Committee in its 1st meeting held on 30-8-1986 decided to print donation tickets as follows:

(1) Donation Tickets having face value of ₹ 1	..	40 lakh
(2) Donation Tickets having face value of ₹ 2	..	40 lakh
(3) Donation Tickets having face value of ₹ 3	..	2 lakh
(4) Donation Tickets having face value of ₹ 5	..	1 lakh
(5) Donation Tickets having face value of ₹ 10	..	50000 Nos.
(6) Lucky Dip Tickets having face value of ₹ 10	..	50 lakh
(7) Lucky Dip Tickets having face value of ₹ 1,000	..	5000 Nos.
(8) Lucky Dip Tickets having face value of ₹ 2,500	..	1000 Nos.
(9) Lucky Dip Tickets having face value of ₹ 10,000	..	1000 Nos.

2.20 The Committee had also decided to print the tickets from Kerala State Audio Visual and Reprographic Centre, Thiruvananthapuram.

2.21 Even though the Committee had taken a clear decision regarding the printing of tickets having the above denominations, the entries seen in the invoice No. AVR-2391/88 dated 30-3-1988 of Audio Visual and Reprographic Centre would show that the following tickets are got printed:

(1) ₹ 1	..	12 lakh
(2) ₹ 2	..	6 lakh
(3) ₹ 3	..	75000 Nos.

(4)	₹ 5	..	50000 Nos.
(5)	₹ 10	..	25000 Nos.
(6)	Lucky Dip ticket of ₹ 2	..	60000 Nos.
(7)	VIP Tickets of ₹ 100	..	3000 Nos.
(8)	VIP Tickets of ₹ 250	..	1500 Nos.
(9)	VIP Tickets of ₹ 1,000	..	500 Nos.
(10)	VIP Tickets of ₹ 10,000	..	25 Nos.

2.22 The above details shows that tickets having denomination of ₹ 100 and ₹ 250 were printed without the decision of the Committee.

2.23 The entries seen in the stock registers of Kerala State Science and Technology Museum prove that Sri N. Kumar, Formerly Assistant Director of Kerala State Science and Technology Museum (subsequently expired on 4-6-1996) acknowledged the receipt of all tickets mentioned in the invoice dated 30-3-1988 of Audio Visual and Reprographic Centre except the tickets with denomination of ₹ 10,000 and Lucky Dip Tickets for the denomination of ₹ 2. The following irregularities are also noticed in the stock register:

- (1) As per the above invoice 12 lakh tickets having denomination of ₹ 1 is seen printed. In the stock register the receipt of 13 lakh tickets is seen entered. Thus accounting of an excess of one lakh Tickets noticed.
- (2) As per the invoice, 6 lakh tickets having denomination of ₹ 2 is seen printed. But in the stock register receipt of only '470526' tickets of this denomination is seen entered. Thus there is a shortage of '129474' tickets is noticed.
- (3) As per the invoice, '75000' tickets having denomination of ₹ 3 is seen printed. But in the stock register receipt of '72950' tickets of this denomination is seen entered. Thus there is a shortage of '2050' tickets is noticed.
- (4) In the invoice, '50000' tickets having denomination of ₹ 5 is seen printed. But in the stock register receipt of '49950' tickets of this denomination is seen entered. Thus there is a shortage of '50' tickets is noticed.
- (5) In the invoice, 6000 Lucky Dip Tickets having denomination of ₹ 2 is seen printed. But it is not seen taken into stock.

- (6) As per the invoice, 3000 tickets having denomination of ₹ 100 is seen printed. In the stock register receipt of 3100 tickets of this denomination is seen entered. Thus there is an excess of 100 tickets is noticed.
- (7) As per the invoice, 1500 tickets having denomination of ₹ 250 is seen printed. In the stock register receipt of '1400' tickets is seen entered. Thus there is a shortage of '100' tickets is noticed.
- (8) As per the invoice, '500' tickets having denomination of ₹ 1,000 is seen printed. In the stock register receipt of '2712' tickets of this denomination is seen entered. Thus there is an excess of '2212' tickets is noticed.
- (9) As per the invoice, 25 tickets having denomination of ₹ 10,000 is seen printed. But it is not seen entered in the stock register. In addition to the receipt of tickets mentioned in the invoice, donation tickets of the following denomination is also seen entered in the stock register.
- (10) Receipt of '134' tickets having denomination of ₹ 50 is seen entered in stock register.
- (11) Receipt of '1000' tickets having denomination of ₹ 500 is also seen entered in the stock register.
- (12) Receipt of '1628' tickets having denomination of ₹ 2,500 is seen entered in the stock register.

2.24 Sri Salim, Managing Director, Audio Visual And Reprographic Centre and Sri K. Ramachandran Nair, then Director, Kerala State Science and Technology Museum were questioned to ascertain the details of the discrepancy in the number of tickets printed and taken into stock. Both of them have stated that they are unaware of the details regarding the excess accounting of donation tickets in the stock register.

2.25 The above details would show that no proper accounting of the donation tickets which are equivalent to another form of cash were made in the Kerala State Science and Technology Museum during relevant period. In certain cases no supporting documents are available to prove that donation tickets are printed from Audio Visual and Reprographic Centre (Sl. Nos. 10, 11 and 12 above). The Director and Members of the Fund Collection Committee of Kerala State Science and Technology Museum were least bothered about the importance in

the collection and distribution of donation tickets and hence there were every chance for misuse of the tickets and defalcation of funds. In the absence of supporting evidence it is not possible to establish the details of the defalcation.

2.26 Regarding the distribution of the donation tickets, the entries seen in the concerned stock registers given a picture that only those tickets having denomination of ₹ 2, ₹ 3, ₹ 5, ₹ 10, ₹ 100 and ₹ 250 are seen distributed to various Educational Institutions all over the state. As per the above stock register the donation tickets are seen issued to '358' Institutions during the year 1987 and 1988.

2.27 The entries seen in the stock register are totally insufficient to give clear picture about the sale proceeds of donation tickets having each denomination. Some institutions had remitted certain amount relating to the sale proceeds without mentioning anything about the details of amount collected towards the sale of tickets in each denominations. Thus in short the officials of the Kerala State Science and Technology Museum are not in a position to explain the details of sale relating to the tickets of all denominations. It has been noticed that almost all Education Institutions had neither remitted the full value of the tickets nor returned the balance of unsold tickets. So entire officials of Kerala State Science and Technology Museum were and are in a darkroom regarding the accountability of tickets in each demomination. They have got a clear account about the distribution of tickets whereas no idea about the sale proceeds and balance of unsold ticket. It is not known to anybody that whether any subsequent sale of the ticket had been taken place by those institutions on a later stage. At present after elapsing a period nearly 15 years it is not possible to get a clear account on this matter. The chance for getting back the unsold tickets is very remote.

2.28 It is revealed during the Vigilance enquiry that a large number of unsold donation tickets having various denomination are still kept idle in Kerala State Science and Technology Museum. The details are given below:

<i>No. of unused Tickets</i>	<i>Total value of the Tickets</i>
718992 (Seven lakh eighteen thousand nine hundred and ninety two)	₹ 96,21,732 (Ninety six lakh twenty one thousand seven hundred and thirty two)

2.29 As per the stock register the following persons were the custodians of the tickets during the period notice against each:

- | | | | |
|-----|--|----|----------------------------|
| (1) | Sri N. Kumar,
Assistant Director,
Kerala State Science and Technology Museum
(Expired on 4-6-1996) | .. | 30-3-1988 to
23-11-1988 |
| (2) | Sri C. J. John,
U.D. Clerk,
Kerala State Science and Technology Museum | .. | 23-11-1988 to
14-3-1995 |
| (3) | Sri S. L. P. Mahamood,
Gallery Supervisor-cum-Design Officer,
Kerala State Science and Technology Museum | .. | 14-3-1995 to
22-4-1996 |
| (4) | Smt. L. Rema,
U.D. Clerk,
Kerala State Science and Technology Museum | .. | 22-4-1996 to
1-8-1996 |
| (5) | Director,
Kerala State Science and Technology Museum | .. | 2-8-1996
onwards |

2.30 The tickets of various educational institutions were distributed during the period of Sri N. Kumar.

2.31 In the meantime the Government received a petition which was sent by one Sri Sathesh Chandran from Abudhabi. The above petition was received in the Vigilance and Anti Corruption Bureau without the envelope which contained the above petition. So, the Bureau is not in a position either to agree or to deny the place of origin of the petition. In this context they are of the opinion that anybody can send such a petition by showing an address of a Foreign Country. In the absence of the envelope, the chance for dispatching the petition from any place of Kerala cannot be ruled out. In the above petition it is mentioned that two persons who are the natives of Kannur found engaged in the sale of donation tickets of Kerala State Science and Technology Museum in Abudhabi. Their address are also not written in the petition and thereby they could not be located. Any how the allegation contained in the petition was subjected for a confidential verification and it is revealed that some tickets having the denomination of ₹ 500, ₹ 250 and ₹ 100 kept in Kerala State Science and Technology Museum were replaced with similar quantity of forged tickets. The officer who conducted confidential verification recommended for the vigilance enquiry.

2.32 During the Vigilance enquiry a physical verification of entire donation tickets kept in the Kerala State Science and Technology Museum in the presence of the officials of Kerala State Science and Technology Museum and Audio Visual and Reprographic Centre were made. No discrepancy relating to the quantity is noticed. The total number of tickets are tallying with the figures of stock register relating to the tickets of various denomination.

2.33 A major foul play noticed during the physical verification of tickets is that the following quantity of tickets are found forged:

- (1) 176 numbers of tickets in Book Nos. 1 to 8 having the denomination of ₹ 500 with a total face value of ₹ 88,000
- (2) 150 numbers of donation tickets in Book Nos. 20 to 26 having the denomination of ₹ 250 with a total face value of ₹ 37,500
- (3) 126 numbers of donation tickets in Book Nos. 31 to 36 having the denomination of ₹ 100 with a total face value of ₹ 12,600.

2.34 The above mentioned foul play relating to the replacement of original ticket with forged one was noted on 20-1-2003, 22-1-2003 and 23-1-2003. Prior to that nobody except the concerned guilty person(s) are in the know-how of the foul play. The exact date on which the foul play was taken place and the persons responsible for the above act could not be ascertained in the vigilance enquiry. It is a fact that the foul play might have been committed by somebody between 30-3-1988 and 30-5-1998, the date on which the Confidential verification was conducted. It is a fact that the original tickets having the above mentioned quantity were actually taken out by somebody with some ulterior motive either for sale or to commit mischief. No evidence is forthcoming to establish the above fact. Similarly no evidence is available to prove the sale of the above tickets. On a close reading of the present petition there is an indication that there is every chance for the replacement of original tickets with newly printed one. This has been written in the last paragraph of the petition. It is not known how the petitioner got such an information about the replacement and reprinting of donation tickets. This normally a suspicion against the petitioner also cannot be ruled out in the foul play.

2.35 The original ticket for ₹ 500 having Sl. No. '003' is also found enclosed with the petition. So it is very clear that it has been reached in the hands of the petitioner. Similarly the photocopy of two tickets enclosed with the petition are revealed as the verbatim reproductions of original tickets. All the above three tickets are also revealed as removed from the Kerala State Science and Technology Museum. It is mentioned in the petition that he got the

same from Abudhabi. This version cannot be fully believable since no evidence is available to establish that the petition was sent from Abudhabi. So normally it seems the person who prepared the petition had some vengeance towards the custodian of the tickets during the year 1996 and hence he along with somebody might have taken out some tickets exclusively to harass the custodian of the tickets during the year 1996.

2.36 It is revealed from the enquiry that no authorized sale of donation tickets was taken place from Kerala State Science and Technology Museum after the year 1988. There is absolutely no complaint from anywhere regarding the unauthorized sale till 1996. Thus normally it seems that the custodian of the tickets during the above period were free from any complaint or allegation from the year 1988 to 1995. In the above circumstances a fresh sale of donation tickets after a period of 7 years by somebody in a foreign country is not believable and hence the allegation that the donation tickets have been sold in Abudhabi does not contain any merit. This allegation might have been originated as a result of the after thought of the person who prepared the petition.

2.37 It is also revealed that the Hon'ble Justice of 'Upa Lok Ayukta' had also conducted an enquiry into the same allegation through the Superintendent of Police. During the course of the above enquiry the Superintendent of Police has taken one book each containing 24 forged donation tickets to the denomination of mentioned ₹ 500 (Book No. 2), ₹ 250 (Book No. 22) and ₹ 100 (Book No. 33). In the enquiry report of Superintendent of Police to 'Upa Lok Ayukta', it has been reported that no evidence could be gathered during the enquiry to substantiate the allegation that donation tickets have been sold in foreign country. It is also reported that the Vigilance and Anti Corruption Bureau is conducting an enquiry on the similar allegation. On the basis of the above report an order was passed on 14-12-2001 by 'Upa Lok Ayukta' by closing the above complaint on file. The complaint is seen filed by name Nandakumaran Nair of Kunnukuzhy, Thiruvananthapuram. A total number of 4 Advocates are seen engaged by the complainant to file the above complaint containing allegation relating to the irregularity in the printing, sales etc. of the donation tickets of Kerala State Science and Technology Museum during the year 1988. It is very clear that the above allegation is of general in nature and not at all connected with matters relating to a private person. Even then a private person had shown much interest by spending money to engage the service of 4 Advocates in filing a complaint before the 'Lok Ayukta'. So normally a man of ordinary prudence can understand that either the complainant or somebody behind him had some ill motive to harass the 1st respondent

viz. Sri S. L. P. Mahamood, formerly Gallery Supervisor-cum-Design Officer of Kerala State Science and Technology Museum. In this context it is pertinent to note that the officials of 'Lok Ayukta' as well as Vigilance and Anti Corruption Bureau who conducted an exhaustive enquiry were not able to collect any fruitful evidence to establish the responsibility against any custodians of the donation tickets which were printed nearly 15 years back. The 1st respondent in the above complaint was one of the custodians of the donation tickets and it is strange to note that the petitioner has levelled no allegation against the previous and subsequent custodians of the donation tickets. The above complaint had levelled the allegation against the 1st respondent without any supporting evidence. The only allegation levelled by him as seen in the order dated 14-12-2001 of 'Upa Lok Ayukta' was that some donation tickets were found sold in Abudhabi. Similar allegation is also levelled by another person by name Sri Sathesh Chandran in the present enquiry. No other details viz. the persons who sold the tickets, the persons who purchased the tickets, the exact place in Abudhabi where the alleged sale was taken place etc. are not furnished by the petitioner to strengthen the veracity of the allegation. At present the officials of the Vigilance and Anti Corruption Bureau and 'Lok Ayukta' are exercising futile efforts and spending valuable time on the above flimsy allegation levelled by the above persons with their ill motive to harass one of the employees of Kerala State Science and Technology Museum. Moreover it is fact that the sale of the donation tickets was actually freezed during the year 1988 itself and the remaining unsold tickets are having only paper value at present. The reason for not destroying the unsold donation tickets was because of the pendency of the present vigilance enquiry. No action on the part of any officers of Kerala State Science and Technology Museum who were in charge as Director was initiated for the opening of the sale of donation tickets after the year 1988. Thus the old aged donation tickets are kept idle for the last '15' years by occupying the space of Kerala State Science and Technology Museum.

2.38 It is also revealed that no sale of donation tickets was taken place for the last '15' years. It is a fact that some donation ticket books which were seen kept in an abandoned condition were removed by somebody during the above period and similar quantity of forged tickets were replaced, no evidence is forthcoming to prove that the sale of those original ticket anywhere in the state of Kerala or outside. Except the present petition containing a concocted story regarding the sale of some donation tickets in a foreign country, no genuine complaint on the above matter has been received so far from any corner.

2.39 The information received from the reliable sources during the course of the vigilance enquiry would show that a strong rivalry was existing among the employees of Kerala State Science and Technology Museum especially against Sri S. L. P. Mahamood, Gallery Supervisor-cum-Design Officer. The complaint filed before 'Lok Ayukta' by a private person who is not at all concerned with the affairs of Kerala State Science and Technology Museum by spending large amount in engaging the service of '4' Advocates as explained above is an example to support the above information. Thus, it is revealed that the allegation contained in the present petition is an after thought of somebody who is maintaining a hostile attitude towards the custodians of the donation tickets from 1988 to 1996. In the circumstances the Vigilance and Anti Corruption Bureau has opined that continuance of the vigilance enquiry or any other enquiry relating to the matters of the very old and unused donation tickets of Kerala State Science and Technology Museum is not necessary and has recommended Government to give necessary direction to the Director, Kerala State Science and Technology Museum to destroy the above mentioned unused tickets and also to close all files relating the matters of the donation tickets of Kerala State Science and Technology Museum. Hence Government has decided to place the above details before the PAC to consider the enquiry made by the Vigilance Department as an independent one as recommended by the PAC and also suggested that the charges levelled against the officers may be dropped. The unused 'tickets' kept in the Kerala State Science and Technology Museum may be destroyed.

Further Details called for by the Committee on Para Nos. 31, 32 & 33

2.40 The Committee expressed strong displeasure over the fact that Science and Technology Department is not keeping correct accounts.

Additional Details furnished by Government on Para Nos. 31, 32 & 33

2.41 Kerala State Science and Technology Museum is keeping the accounts as per norms and there is no discrepancy in the same. Accounts of the institution are regularly audited internally by Chartered Accountant nominated by the Governing Body since the organisation is not having sufficient staff for departmental auditing and also by Principal Accountant General (Audit) every year. The present Chartered Accountant nominated by Governing Body of the museum is S. Suresh Babu and Associates. Copies of the Audit Statement and Balance Sheet of the last 5 years is enclosed for ready reference.

Thiruvananthapuram,
16th December, 2014.

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

APPENDIX

SUMMARY OF MAIN CONCLUSION/RECOMMENDATION

<i>Sl.No.</i>	<i>Para No.</i>	<i>Department concerned</i>	<i>Conclusion/Recommendation</i>
(1)	(2)	(3)	(4)
1	1.7	Higher Education	The Committee opined that the reply from the Department is not satisfactory. The Committee notes that, the expiry of guarantee period of microfilming unit is not mentioned in the report. The Committee suggests that as the microfilming unit is very costly, an annual maintenance contract should have been entered into with the supplier company which should have ensured proper maintenance and service by the suppliers even after the expiry period. Had there been such a contract in place, enormous loss suffered by the Government could have been avoided. Hence the Committee recommends that all departments should consider it seriously while making costly installation. The Committee observes that misplacement and missing of files are of the same nature and should be viewed as a serious lapse.
2	1.21	"	The Committee is of the view that the officials who ordered for the installation of the machine without ensuring the availability of pre-requisites such as lack of water supply and AC room is responsible for the loss. Committee expresses grave concern over the fact that AC room and water supply was not included in that project. The Committee recommends that action

(1)	(2)	(3)	(4)
			<p>should be taken against the officials who made project and also against the custodian of the machine. The Committee opines that the guilty officials had to be punished before their retirement. The Committee also suggests an amendment in KSR Part III. The Committee was surprised to note that the amount of loss hadn't been recovered from the delinquent officials through Revenue Recovery or from their pensionary benefits. The Committee made a general observation that action has to be taken against the guilty officials immediately according to the Public Accounts Act.</p>
			<p>In the case of guilty official who was on deputation to Thiruvananthapuram Public Library from University of Kerala though he had retired from service the University has to be intimated the steps to be taken to punish the officials according to the Public Accounts Act.</p>
3	127 Higher Education		<p>The Committee opines that the purchase of a second Mini-offset Printing Machine was unnecessary one. Committee recommends to take action against the officers responsible for the purchase.</p>
4	134 "		<p>The Committee recommends to take action against the officers who extended five times the date of completion of the construction work of building for the Department of Chemistry, University of Kerala at Kariavattom.</p>