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## Chapter 3: Compliance Audit

### FIRE & EMERGENCY SERVICES DEPARTMENT

#### 3.1 Management of Fire Services in West Bengal

##### 3.1.1 Introduction

To provide protection against fire and ensure fire safety in the State, the West Bengal Fire Services (WBFS) was constituted under the West Bengal Fire Services Act 1950 (Act), enacted (March 1950) by the Government of West Bengal (GoWB). Subsequently, in June 2005, it was renamed as West Bengal Fire and Emergency Services (WBFES). WBFES functions under the aegis of 'Fire and Emergency Services Department' (FES), GoWB. Activities of the department *inter alia* included:

- All matters connected with development, utilisation and control of fire prevention, fire protection and fire fighting;
- Administration of the West Bengal Fire Services Act 1950; and
- Issue of fire licences.

This apart, its activities include mitigating other types of disasters like house collapse, accidents, human and animal rescue from wells, *etc.*

Of a total of 11,037 fire incidents in the Country, involving death of 10,915 persons and injuries to 441 persons, there were 591 fire incidents in the State, involving death of 528 persons and injuries to 12 persons. In terms of the All India Statistics<sup>82</sup> on Accidental Fire (excluding fire in Forest/ Open space), for the year 2019, the State of West Bengal was ninth highest amongst all States.

In December 2005, the Government of India (GoI) enacted the Disaster Management Act, which envisaged the creation of National Disaster Management Authority (NDMA) to spearhead and implement a holistic and integrated approach to Disaster Management in India. NDMA, being the apex body, is mandated to lay down the policies, plans and guidelines for Disaster Management to ensure timely and effective response to disasters. The National Disaster Management Guidelines- NDMG (April 2012), relating to fire services, stipulate that the planning and working out of requirement of urban and rural area of the State are to be based on the local vulnerabilities and norms laid down by the Standing Fire Advisory Council (SFAC)<sup>83</sup>.

Director General (DG), WBFES (Directorate), is the Executive-in-Charge of WBFES functioning under the administrative control of Principal Secretary/ Additional Chief Secretary, FES. WBFES has a Protection and Prevention Wing and one Institute for Fire Services-IFS (for Training). WBFES has a network of 138 fire stations under 23 Fire divisions. Each division is being controlled by a Divisional Fire Officer and each fire station is headed by a Station Officer.

The audit of 'Management of Fire Services in West Bengal' was conducted in two phases, *i.e.*, from June to August 2019 and from November 2019 to

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<sup>82</sup> Data sourced from National Crime Records Bureau, Ministry of Home Affairs. The statistics only included fire incidents for which First Information Report (FIR) was lodged.

<sup>83</sup> SFAC constituted in 1955 by the Ministry of Home Affairs, GoI makes recommendations in the technical problems in delivering Fire Services. All State Governments, Union Territories and other Central Ministries are the members of SFAC.

February 2020 covering the period from 2014-15 to 2018-19. During 2014-2019, a total<sup>84</sup> of 62,909 fire and other incidents, were attended to by the WBFES. Records of the FES, Directorate and 10 out of 23 fire divisions<sup>85</sup> along-with 71 out of 138 fire stations were scrutinised in the course of audit. Selection was made on the basis of Simple Random Sampling without Replacement. The FES is focussing on the recommendations of SFAC as the goal for delivering the Fire Services in the State, hence, the operational efficiency of FES was evaluated by Audit on the basis of SFAC norms. Deficiencies noticed in delivery of fire services as well as measures undertaken towards prevention of fire are discussed in the succeeding paragraphs.

## Audit findings

### 3.1.2 Fire-fighting infrastructure

Major infrastructural benchmarks in fire-fighting preparedness include adequacy of number of fire stations compared to coverage area with availability of fire tenders, equipment and safety appliances in fire stations.

#### 3.1.2.1 Availability of fire stations

As per the risk management strategy formulated (November 2013) by SFAC, one fire station per 10 sq km in urban area and 50 sq km in rural area is required to be set-up to limit the response time to seven minutes and 20 minutes respectively. On the other hand, one engine (pump) was required for each 50,000 population.

For revamping the fire services in the Country, fire hazard and risk analysis was conducted (November 2012) by Ministry of Home Affairs, GoI. The risk analysis report disclosed that there was a requirement of 435 fire stations in the State. Against that requirement, the State had 138 fire stations, as of February 2020, indicating a shortage of 297 fire stations (68 per cent).

The position in respect of the 71 fire stations in 10 test-checked divisions was as under:

**Table 3.1: Projections of requirement of fire stations in the test-checked fire divisions**

Division	No. of fire incidents responded to	Area covered (sq km)	Population covered (in lakh)	Fire Stations required	Existing Fire Stations	Shortage of Fire Stations (%)
Kolkata (North & South)	9,813	205	44.96	20	15	5 (25)
Howrah	3,133	1,467	48.50	22	6	16 (72)
North 24 Parganas	8,340	4,094	100.10	47	17	30 (64)
Jalpaiguri	3,361	3,044	38.70	14	9	5 (36)
Darjeeling	2,570	2,092	18.46	10	8	2 (20)
Malda	965	3,733	39.98	17	3	14 (82)
Murshidabad	1,334	5,324	71.02	29	5	24 (83)
Paschim Barddhaman	2,795	1,603	28.82	15	4	11 (73)
Paschim Medinipur	1,481	9,295	59.43	36	4	32 (89)
<b>Total</b>	<b>33,792</b>	<b>30,857</b>	<b>449.97</b>	<b>210</b>	<b>71</b>	<b>139 (66)</b>

Source: SFAC guidance and records of test-checked Divisional Offices

<sup>84</sup> 2014: 12,763 nos.; 2015: 9,838 nos.; 2016: 8,812 nos.; 2017: 12,755 nos.; 2018: 9,576 nos. and 2019: 9,165 nos.

<sup>85</sup> North 24 Parganas (17), North Kolkata (six), South Kolkata (four), Howrah (six), Jalpaiguri (nine), Darjeeling (eight), Malda (three) Murshidabad (five), Paschim Barddhaman (four) and Paschim Medinipur (four). Figures in brackets represent fire stations.

The situation is alarming in Paschim Medinipur, Murshidabad, Malda, Paschim Barddhaman, Howrah and North 24 Parganas. When compared to fire incidents<sup>86</sup> responded to, the shortage was especially alarming in the district of North 24 Parganas.

Keeping in view the huge gap between normative requirements and the number of existing fire stations in the State, DG, WBFES requested (December 2018) the FES to formulate a policy for prioritization. In view of the resource constraints, DG, WBFES proposed to Secretary, FES to take up one fire station in each Legislative Assembly segment<sup>87</sup>. However, no such policy was formulated as of February 2020. Deficiency in number of fire stations was bound to adversely affect the fire-fighting preparedness and cause longer response time in case of fire incidents.

DG, WBFES stated (September 2020) that with 11 new ongoing projects for setting up of new fire stations and a proposal for setting up 60 new ones, it was expected that norms of the SFAC, would be fulfilled in years to come. The reply neither indicated the details of new ongoing/ proposed fire stations, nor spelt out any specific timelines for setting up the same.

DG further added that based on Audit observations, the matter was being taken up with the Government, to secure the operational efficiency of the WBFES, in keeping with the SFAC norms, by way of framing of Act and Rule.

### 3.1.2.2 Delay in construction of fire stations

The Report of the C&AG of India for the year ended March 2010 (Civil) flagged that inordinate delay in construction of fire stations (Public Works divisions being the executing agencies) was an area of concern which called for special attention of the Department. The Department in its reply (July 2010 and February 2011), accepted the fact and intimated that due action would be taken. It was however observed in Audit that there has been no/ marginal improvement in the scenario even after 10 years as discussed below.

FES sanctioned construction of 42 fire stations<sup>88</sup> on the basis of proposals received from the District Magistrates. According to the guidelines, the fire stations (FSs) were to be constructed by Public Works Department within 15 months. Details of construction of fire stations are shown in [Appendix 3.1](#). It would be evident from the [Appendix 3.1](#) that construction of as many as 11 FSs were not completed as of February 2020, even after availability of sufficient funds. Of the completed 31 FSs, construction of 16 FSs was delayed by more than one year. It is a matter of serious concern that the following three FSs were incomplete even after lapse of one year or more from the scheduled dates of completion.

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<sup>86</sup> Fire incident may be termed as the situation where movement of fire tenders occur in response to a fire call. It may be classified as small, medium and serious/ major.

<sup>87</sup> Jalpaiguri: seven, Darjeeling: six, Malda: 12, Murshidabad: 22, North 24 Parganas: 33, Kolkata: 11, Howrah: 16, Paschim Medinipur: 15 and Paschim Barddhaman: 11.

<sup>88</sup> 32 fire stations during February 2014 to October 2018; two fire stations in August 2011; while dates of sanction of eight fire stations taken up prior to 2014-15 were not available from records.

**Table 3.2: Status of incomplete fire stations sanctioned during 2014-15 to 2018-19**

Sl. No.	Name of the Fire station	Date of Administrative approval	Schedule date of completion	Status of completion	Delay (in months)
1	Panskura, Purba Medinipur	15.12.16	March 2018	Ongoing	23
2	Joygaon, Alipurduar	02.03.17	June 2018	Ongoing	20
3	Rajarhat, North 24 Parganas	16.11.17	February 2019	Ongoing	12

*Source: Records of FES*

Such delays were mainly attributable to the following:

- Preparation of estimates for fire stations without any survey and soil test leading to subsequent revision of estimates owing to inappropriate soil condition and consequent execution of additional works with time and cost overrun.
- Slow processing of inter-departmental transfer of land.

In reply, the FES stated (February 2020) that several communications have been made with the executing agency (Public Works Department authority) for early completion of the fire stations, but the delay could not be avoided.

Thus, persistent delay in construction of FSs continued to be an area of concern even after almost 10 years after the same was flagged by Audit in 2010.

### **3.1.2.3 Delay in commissioning of newly constructed fire stations**

Above-mentioned time overrun in construction of FSs was further compounded by inordinate delays (ranging between 10 and 19 months) in operationalization of the following six newly constructed FSs even after their inauguration:

**Table 3.3: Statement showing details of delayed commissioning of newly constructed fire stations**

Name of fire station	Date of completion	Date of inauguration	Date of commissioning	Delay
(1)	(2)	(3)	(4)	(5) (Col 3 – Col 4)
Pandua, Hooghly	Not Available	01.06.2017	08.01.2019	Over 19 months
Chakda, Nadia	31.03.2017	13.02.2018	07.01.2019	Over 10 months
Bethuadhari, Nadia	31.03.2017	13.02.2018	07.01.2019	Over 10 months
Tehatta, Nadia	31.03.2017	13.02.2018	07.01.2019	Over 10 months
Domkal, Murshidabad	Not Available	19.02.2018	02.03.2019	Over 12 months
Ashok Nagar, North 24 Parganas	Not Available	27.02.2018	08.01.2019	Over 10 months

*Source: Records of FES*

Reasons for such delays were not forthcoming from records, though all these fire stations were suffering from dearth of manpower, while in case of Domkal fire station, it was being operated through deployment of staff from other fire stations as stand-by. There has been instance of delayed commissioning of FS leading to mobilisation of fire tenders from another FS, located afar from the spot of fire incident, as is evident from the following incident.

- Domkal FS<sup>89</sup> was inaugurated in February 2018, but was commissioned only in March 2019. In March 2018, there was a fire incident in its proximity (15 km). As Domkal FS was not commissioned at that point of time, Fire tenders had to be mobilised from Berhampore FS, which was 62 km away. As per norms the FS was to be within an area of 10 sq km, from the spot of the incident.

<sup>89</sup> comes under Urban Area.

### 3.1.2.4 Failure of Modernization of Control Room and Fleet Management project

With a view to improve the role of fire and emergency services in managing the distress calls at the control room, by effectively communicating with their fire units, M/s WEBFIL Ltd. (a State Public Sector Undertaking) initiated (January 2012) a proposal for Modernization of Control Room and Fleet Management System. It consisted of three major components, namely

- Vehicle Tracking System (VTS) facilitates tracing Current position and status of the vehicle;
- Navigation System guides the driver to reach the destination in emergency through shortest route; and
- Computer Aided Dispatch (CAD) system helps to locate the point of distress on the map and find the shortest distance between the point of distress and the location of the vehicle.

The system would provide a fully functional 'Dial 101' distress call response management system. The ultimate objective of the project could only be achieved if all the three major components were to operate at the optimum level.

Execution of the project was entrusted (March 2012) to M/s WEBFIL Ltd. at a cost of ₹ 6.07 crore. The administrative approval and financial sanction to the project was accorded for ₹ 2.40 crore and ₹ 3.67 crore in September 2012 and March 2013 respectively. An agreement was executed (December 2013) between Directorate, WBFES and M/s WEBFIL Ltd. to that effect. The project was scheduled to be completed by August 2014. The total value of the entire project was ₹ 6.07 crore (Supply: ₹ 4.24 crore and Execution: ₹ 1.83 crore) respectively, against which a payment of ₹ 5.46 crore was made to M/s WEBFIL Ltd.

It was observed from records that the components of Vehicle Tracking (VT) and Navigation System were not working properly. The problem areas were: (1) Identification of caller location and the place of incident, (2) Navigation to the point of distress using on-board navigator, (3) Finding an optimized route from the fire station to point of distress with overlays of traffic congestion points, (4) Implementation of the provision for real time vehicle tracking and playback using trail, (5) Monitoring response times, *etc.* It was decided in a meeting held in February 2019 that the inactive Global Positioning System (GPS) tracking system was to be replaced with modern standards. Subsequently, the Chief Mobilizing Officer, M/s WEBFIL Ltd. stated (May 2019) that VT connections of service provider (Airtel) at all stations of the vehicles were also not functional.

Thus, the project could neither be completed nor operationalized as of August 2019. Final bill<sup>90</sup> was also not submitted by M/s WEBFIL Ltd. There was nothing in record to indicate that the Directorate, WBFES had ever made any communication with the M/s WEBFIL Ltd. pursuing completion of the project.

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<sup>90</sup> As per agreement, the balance amount was ₹ 0.61 crore, which was not paid by WBFES, for non-completion of work.

Hence, the objective of Modernization of Control Room and Fleet Management System remained unachieved due to failure of VT application and Navigation System even after incurring an expenditure of ₹ 5.46 crore.

### ***3.1.2.5 Partially Functional Communication System***

Communication between Fire Station and fire personnel plays a crucial role to combat any fire incidence. Every fire station and fire vehicle, thus, should be provided with communication devices. SFAC specified the requirement of one Static Wireless Set for each fire station together-with one Mobile Wireless Set and one Walkie-Talkie for each vehicle. One Radio Technician for maintenance of every five pieces radio equipment and one Leading Fireman (equivalent to Radio Mechanic) for every twenty five pieces of such equipment should also be deployed.

In order to strengthen the communication system in the fire service, FES purchased (March 2012) 140 numbers of Handheld Walkie-Talkie set and 60 numbers of Static Walkie-Talkie set at a cost of ₹ 52.60 lakh. FES subsequently purchased (April 2015) another 200 numbers of Handheld Walkie-Talkie set at a cost of ₹ 57.48 lakh. DG, WBFES issued such Walkie-Talkie sets to different fire stations and divisional control rooms for its optimum use.

Scrutiny revealed that a total of 252 Walkie-Talkie sets were issued in favour of the test-checked divisions. Information submitted by the respective fire stations disclosed that only 190 Walkie-Talkie were accounted for against the total issue of 252 sets leaving an unexplained shortage of 62 sets.

Out of the available 190 Walkie-Talkie sets with the test-checked divisions, 97 sets (51 per cent)<sup>91</sup> were non-functional. Date from which such sets became non-functional couldn't be ascertained due to non-recording of periodical functional status of Walkie-Talkie sets, by the concerned fire stations. No action<sup>92</sup> was also taken to make the Walkie-Talkie sets functional. Moreover, communication between the fire station and fire personnel was being established by personal cell-phones as these Walkie-Talkie sets remained non-functional.

DG, WBFES was paying Airtime Charges for all procured sets (400 sets) without confirming their availability, functional status and effective communication range and consequently the State Government had spent ₹ 2.09 crore<sup>93</sup> towards the dedicated communication system, which was not functioning as per the desired objective.

***Recommendations: WBFES should prepare a suitable Plan of Action to ensure***

- ***Availability of Fire Stations in consonance with norms of SFAC regarding response time and revamping of fire services in the State and***

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<sup>91</sup> 23 in North 24 Parganas, five in North Kolkata, 23 in Howrah, 18 in South Kolkata, six in Jalpaiguri, three in Darjeeling, six in Murshidabad, six in Paschim Bardhaman and seven in Paschim Medinipur.

<sup>92</sup> in respect of Annual Maintenance Contract and deployment of fire personnel for maintenance of Walkie-Talkie sets.

<sup>93</sup> ₹ 52.60 lakh and ₹ 57.48 lakh for procurement of Walkie-Talkie sets together-with ₹ 99.14 lakh for payment of Airtime Charges for the period from April 2013 to March 2019.

- *Establishment of new fire stations and commissioning of newly constructed fire stations on an expeditious basis.*

### 3.1.3 Human Resource Management and Training

#### 3.1.3.1 Huge shortage under Operational category of manpower

Fire personnel are classified mainly into two categories, *i.e.*, Operational and Non-Operational category in terms of nature of their role in fire-fighting. The operational level staff of a Fire Brigade included Station Officer, Sub-Officer, Fire Engine Operator-*cum*-Driver (FEOD), Leader and Fire Operators. Scrutiny of the records disclosed that for the State as a whole there was huge shortfall of operational level staff in those categories as of April 2019, as shown in the table below:

**Table 3.4: Sanctioned strength *vis-à-vis* Staff-in-position under the Operational category of Fire personnel**

Sl. No.	Name of the Post	Sanctioned strength	Men-in-position	Shortfall in MIP compared to sanctioned strength
1	Station Officer	270	171	99 (37%)
2	Station Sub-Officer	517	145	372 (72%)
3	Fire Engine Operator- <i>cum</i> -Driver (FEOD)	1,352	848	504 (37%)
4	Leader	1,336	975	361 (27 %)
5	Fire Operator	5,441	1,396	4,045 (74 %)

*Source: Records of Directorate, WBFES and FES*

Vacancies were being created due to regular retirement on superannuation and creation of new fire stations. Fire Operator was the entry cadre of the department, which was to be filled only by direct recruitment. Other vacancies were to be filled-up through regular promotion and direct recruitment in specified percentage. This apart, against the sanctioned strength of 22 for the post of Divisional Fire Officer, the actual strength was 15 (as on 01 May 2019), leaving a vacancy of seven. Of these seven vacancies, three vacancies were to be filled-up through recruitment.

*Appendix 3.2* shows the position of actual vacancies, proposal for recruitments initiated by the WBFES, proposal forwarded by the Department to West Bengal Public Service Commission (PSC)/ West Bengal Staff Selection Commission (WBSSC) and actual recruitment done by PSC/ WBSSC. It may be seen that WBFES initiated proposal for recruitment in respect of only a part of the existing vacancies. There were also delays on the part of the Department to forward the proposals to the PSC/ WBSSC. Vacancies in following cadres - Divisional Officer (seven), Station Officer (99), Sub-Officer (372), FEOD (504), Leader (361) and Fire Operator (4,045), as of April 2019, remained a matter of concern, especially in view of a probable scenario of fire incidents occurring simultaneously in area of coverage of a fire station and its neighbouring fire station. Moreover, lack of fresh recruitment also resulted in increasing percentage (37 per cent) of over-aged firefighting personnel potentially jeopardizing the fitness and fire fighting capability as discussed in paragraph 3.1.3.3.

#### 3.1.3.2 Training

IFS was responsible for conducting training of fire-fighting personnel. It was observed that there was no system of familiarisation with the operation of

modern equipment having new technology. Nothing was forthcoming from records of the FES/ Directorate WBFES/ IFS to indicate that cadre-wise targets were set to impart training among the fire-fighting personnel. As of March, 2019, only 359 (18 per cent) out of total 1,993 fire-fighting personnel of test-checked divisions received training during the period covered under audit. Even Station Officers emphasised on the need of training for improving the services. This indicated that there was an urgent need to address the important issue of imparting training to the fire-fighting personnel.

### ***3.1.3.3 Non-conduct of Physical Assessment tests and engagement of fire-fighting personnel above 45 years of age***

Standing Fire Advisory Council (SFAC) mentioned in its recommendation that 45 years should be the upper limit of firemen who are involved in actual fire-fighting and rescue operation. The said council further recommended that physical assessment tests are to be held every six months to ensure fire-fighting personnel remain fit for the duties. However, no physical assessment test was conducted by the FES during the period covered under audit. Moreover, 742 (37 per cent) out of 1,993 number of fire-fighting personnel<sup>94</sup> were above 45 years of age in the test-checked divisions<sup>95</sup>. Divisions also never conducted any physical assessment tests to ascertain their fire-fighting capabilities.

#### ***Recommendations:***

- ***Recruitment of fire-fighting personnel needs to be prioritized to ensure higher level of preparedness in fire-fighting.***
- ***State Government needs to frame suitable policies on imparting training to the fire-fighting personnel and monitoring the physical fitness of the Firemen.***

### **3.1.4 Use of Fire-fighting vehicles and apparatus**

#### ***3.1.4.1 Sub-optimal use of fire tenders***

In the test-checked ten divisions, there was a total of 499 fire tenders with only 478 FEODs in position (against sanctioned strength of 841 FEODs) to run them as of April 2019. Considering three shift duty arrangement and stipulated leave and reserve duty factor, available FEODs per shift works out to 107 only for those 499 fire tenders indicating availability of less than one FEOD for every four fire tenders.

As the availability of FEOD, was disproportionately lower as compared to availability of fire tenders, engagement of FEODs and fire tenders of other fire stations was frequently done, in case of combating fire incidents, despite having sufficient number of fire tenders with the responding fire station.

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<sup>94</sup> All operational staff including Station Officer, Sub-Officer, Leader, FEOD and Fire Operator.

<sup>95</sup> 37 out of 173 fire personnel; in case of Howrah, 33 out of 67 fire personnel; in case of Malda, 142 out of 332 fire personnel; in case of Kolkata (South), 66 out of 178 fire personnel; in case of Jalpaiguri, 29 out of 86 fire personnel; in case of Murshidabad, 86 out of 168 fire personnel; in case of Darjeeling, 86 out of 255 fire personnel; in case of Kolkata (North), 141 out of 481 fire personnel; in case of North 24 Parganas, 84 out of 146 fire personnel; in case of Paschim Bardhaman and 38 out of 107 fire personnel in case of Paschim Medinipur.



### 3.1.4.2 Non-utilisation of 25 fire-fighting vehicles worth ₹ 3.88 crore due to excessive delay in fabrication

In accordance with the approved action plan of 13<sup>th</sup> Finance Commission for the year 2014-15, Directorate, WBFES purchased (November 2015) 25 Cowl Chassis<sup>96</sup> at a cost of ₹ 3.88 crore for fabricating those into Water Bowsers (Fire Tenders).

Directorate, WBFES, invited (February 2015) e-Tender for fabrication of these 25 chassis into water bowsers, which are meant to supply water to front runner fire-fighting fleet or extinguish fire on its own. Technical Committee selected a private agency as lowest bidder, as it quoted the lowest rate (₹ 4,67,92,500 for 25 at the rate of ₹ 18,71,700 each) for fabrication. FES issued (July 2016) Administrative Approval and Financial Sanction (AA&FS) for ₹ 4.68 crore in favour of the Joint Director (Accounts) of the Directorate, WBFES. Subsequently, the Directorate issued (November 2016) work order to the private agency after execution of an agreement between the agency and Director General, WBFES. As per the agreement, the date of completion of the entire work was September 2017.

It was observed (February 2020) that the agency failed to deliver all fabricated Water Bowsers within the stipulated timeline. In October 2018, the agency returned 13 un-fabricated chassis by expressing their inability to fabricate, along with delivery of seven completely fabricated and five partially fabricated water bowsers, to the Directorate, WBFES. No payment was released to the agency.

Physical inspection and endurance test (April 2019) on 12 water bowsers and 13 chassis showed that these vehicles had become un-serviceable and that extensive repair work was required to be carried out to make them serviceable. However, the FES/ Directorate, WBFES, neither took any action to turn the 12 water bowsers and 13 chassis serviceable nor initiated any penal action against the agency.

Thus, the FES/ Directorate, WBFES, failed to utilise the service of 25 vehicle chassis worth ₹ 3.88 crore even after a period of 3.5 years since procurement, rendering them un-serviceable. Consequently, the intended objective of utilising these vehicles as water bowsers, failed to materialise.

### 3.1.4.3 Failure in registration of 21 BS-III Cargo Mini Water Tenders



**Pic 3.1: Mini Water Tender**

To spray water and foam mix, Mini Water Tenders (MWT) were required to combat chemical fires in narrow approach roads. DG, WBFES purchased<sup>97</sup> (September 2011 and April 2014) 36 BS – III Cargo Cabin Chassis at a cost of ₹ 159.12 lakh<sup>98</sup>. Such chassis were handed over (December 2014) to a private agency for fabricating and converting to MWT at a cost of ₹ 139.90 lakh. All the fabricated MWTs were duly received (March 2015) back by the Central Store.

<sup>96</sup> A chassis with front fenders and hood as well as the instrument panel. It is used for organisations who want their own custom body and cab.

<sup>97</sup> Received six vehicles on 21 September 2011 and 30 vehicles on 09 April 2014.

<sup>98</sup> at the rate of ₹ 4.51 lakh each for 30 and ₹ 3.97 each for six respectively.

All the 36 vehicles were distributed (April – May 2015) among 27 fire stations without registration. Of these vehicles, only 15 vehicles were registered by the Divisional Fire Officers with the respective Regional Transport Officer under their jurisdiction. The remaining 21 vehicles had not yet been registered as of October 2020, reasons for which were not clarified to Audit, though called for. As such all the remaining 21 vehicles were lying unutilised, which resulted in wasteful expenditure of ₹ 1.74 crore. Further, one of the MWTs was out of commission and lying off-road at Bolpur fire station since May 2015.

#### **3.1.4.4 Deficiency in apparatus for rescue operation**

In terms of 35<sup>th</sup> SFAC meeting, one Hydraulic Platform/ Turn Table Ladder was required for each district depending upon presence of the high rise buildings (more than 15 mt height). To protect lives and property from fire, conduct of rescue operation in case of emergency, the FES procured (between April 2001 and November 2014) four Bronto Sky Lifts and two Turn Table Ladders<sup>99</sup>. These were supplied to Bidhan Nagar Fire Station (two Bronto Sky Lift), Behala fire station (one Bronto Sky Lift), and Head Quarters Fire Station (one Bronto Sky Lift and two Turn Table Ladder) under the North 24 Parganas Fire Division, South 24 Parganas Fire Division and Kolkata South Fire Division respectively. It was observed that two Bronto Sky Lifts were non-functional since July 2019 at Bidhannagar fire station and Behala fire station, due to mechanical fault. Also the cage of one Turn Table Ladder was broken since August 2011, as a result of which it could be used for fire-fighting only and not for rescue purposes.



*Pic 3.2: Bronto Sky Lift*



*Pic 3.3: Turn Table Ladder*

There are high rise buildings in Howrah, Siliguri and Durgapur Township, located under the ambit of Howrah Fire Division, Darjeeling Fire Division and Paschim Bardhaman Fire Division, respectively. So, there was need of such equipment. No Bronto Sky Lift and/ or Turn Table Ladder was procured for Howrah, Darjeeling and Paschim Barddhaman fire divisions for initiating rescue operations. It was noticed that in the following case, in Darjeeling, civilian life was lost in fire in absence of such apparatus.

- A serious fire incident took place in Siliguri. It was a G+4 storied *pucca* building occupying 25 boarders. The Siliguri fire station had a normal ladder of 35 ft with a reach upto 2<sup>nd</sup> floor level. Owing to which, the fire-fighting arrangements of Siliguri fire station could not reach the third floor of the building. Consequently two charred bodies were found on the staircase of the 3<sup>rd</sup> floor.

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<sup>99</sup> *Bronto Sky Lift has a moveable boom which can bend over roofs or other obstructions providing it greater flexibility whereas Turn Table Ladder has a longer reach and higher vertical capability and is faster to set-up for operations. Bronto Sky Lift and Turn Table Ladder were used to fight against fire and to initiate rescue operation in case of fire on the higher floor of a high-rise building.*

Had the fire station been equipped with Turn Table Ladder and Bronto Sky Lift, an attempt could have been made to save the victims.

**Recommendation:** *FES needs to enter into Annual Maintenance Contracts for all high value equipment/ apparatus to ensure that repairs/ maintenance of such equipment/ apparatus are prioritised, and these do not remain non-functional and as a consequence adversely affect delivery of fire services.*

#### 3.1.4.5 Missing equipment worth ₹0.60 crore

Records of DG, WBFES disclosed that 17 number of ASKA light<sup>100</sup> and six number of trolley mounted Foam Drum (50 lt) had been issued<sup>101</sup> in favour of North 24 Parganas division for onward distribution to the concerned fire stations.



*Pic 3.4: ASKA Light*



*Pic 3.5: Trolley mounted Foam Drum*

Both these items of equipment along with consumables had not been entered in the stock register of the division. As a result, stock worth ₹ 60.60 lakh<sup>102</sup> was found short in North 24 Parganas division. In response to an Audit query, the concerned Divisional Officer failed to explain the whereabouts of the 17 ASKA lights or the six trolley mounted Foam Drums (50 lt) in question. Despite the fact that over four years have passed since these items were issued to North 24 Parganas division, there is no evidence of the items being entered into the stock register of the division or its units. There was also no attempt on behalf of the Department to pinpoint the recipient to whom these items were issued or to locate the missing items.

**Recommendation:** *Steps need to be taken by the Department for fixation of responsibility for the said loss of equipment.*

#### 3.1.5 Response Time

As per the risk management strategy formulated (November 2013) by the SFAC, the first fire engine should reach the place of fire incidence within seven minutes and 20 minutes from the time of receipt of information for urban and rural area respectively. In this regard, it was observed in audit that there was no system either at the fire stations or at the Divisional level to record the arrival

<sup>100</sup> ASKA light is used to illuminate the surrounding for fire-fighting and rescue operations at night.

<sup>101</sup> Vide Indent No. 06576 dated 11 March 2016.

<sup>102</sup> 17 ASKA light at the rate of ₹ 1.92 lakh each and six Trolley Mounted Foam Drum at the rate of ₹ 4.66 lakh each.

time of the Brigade at the fire spot, though the Fire Reports of commercial fire<sup>103</sup> incidents recorded the Response Time.

An attempt in audit was undertaken to assess the time taken by the fire engines to reach the furthest points of the territory of an individual fire station *vis-à-vis* timelines prescribed. It showed that 56 (84 *per cent*) out of 67 fire stations<sup>104</sup> failed to ensure compliance to the prescribed response time (*Appendix 3.3*), as response time to reach the furthest points ranged between 8 and 90 minutes in urban areas, while it was between 21 and 180 minutes in rural areas. The test-checked fire stations had to cover a maximum distance of 40 km and 95 km in respect of an Urban and Rural fire station respectively. The issue of speeding up Response Time needs to be duly prioritised. In the following two cases (detailed in *Table 3.5*) of major fire incidents, shorter response time could have arrested the extent of loss of life and properties.

**Table 3.5: Statement showing some significant cases of fire incidents with delayed response time**

Date and time of fire	Responding fire station	Distance of fire incidence/ response time	Brief description of the incidence	Impact of the incidence
06.05.2015 at 10.00 pm	Kharagpur (Rural)	46 km/ 90 min	A cracker factory at Bamunbar under Pingla Police Station containing huge quantity of fire crackers with finished and unfinished crackers and raw materials along-with one Pick-up Van in standing position involved in fire. The Brigade extinguished the fire around 2.45 am of the next day by using two jets.	Twelve charred bodies were retrieved by the Brigade. In addition, three (one female and two male) persons received burn injuries and were admitted to the local hospital.
28.03.2019 at 6.36 am	Uluberia (Rural)	24 km/ 64 min	The premises contained mattress manufacturing raw material like foam, clothes, <i>etc.</i> , was on fire.	The fire claimed the life of a worker and property valuing ₹ 90 lakh

*Source: Records of concerned fire station*

*Appendix 3.4* captures some more fire incidents accounting for substantial loss of lives and property where the fire tenders had to travel long distances to reach the fire site and in some cases even before arrival of fire tenders, the fire was doused by local people.

Thus, it would emerge from above that the WBFES was unable to maintain the prescribed response time both in urban and rural areas, which was a matter of concern for the safety of the people.

**Recommendation: Necessary measures need to be taken to improve response time to bring it within the norms as recommended by the Standing Fire Advisory Council.**

### **3.1.6 Preventive measures**

The West Bengal Fire Service Act (WBFSA), 1950 and the SFAC norms laid down various fire prevention measures for ensuring safety of life and property

<sup>103</sup> In case of commercial fire, insurance claim was made for the loss of property due to fire incidence.

Fire Report was prepared for the purpose and duly issued to the party against payment of specific fees.

<sup>104</sup> Four fire stations (out of the test-checked 71 fire stations) did not furnish the information.

in case of fire related hazards. Measures, *inter alia*, included, issuance of ‘Fire Safety Certificates (FSCs)’ to high-risk buildings, ensuring that buildings storing hazardous substances had fire licences, engaging Licensed agencies for ensuring fire prevention measures were duly put in place in high-risk buildings, conducting physical tests for firemen, analysis of response time, *etc.* Shortcomings noticed in this regard are discussed below.

### 3.1.6.1 Issuance of Fire Safety Certificates

In terms of Section 11 C of the West Bengal Fire Services Act, 1950, a Fire Safety Certificate (FSC) is required to be obtained from the DG, FES, by the owner or occupier of a high-risk building for providing fire prevention and fire safety measures.

Applications were received at the Fire divisions both for fresh issue and renewal of FSCs. In this regard, the Directorate followed a practice of issuing Fire Safety Recommendations (FSRs) on the basis of application for fresh issue of FSCs. Fresh FSCs were to be issued only after compliance of recommendations to FSRs. Inspections were held in case of renewal of FSCs and FSCs were renewed on satisfactory maintenance of fire safety system in the building. Position of FSCs (fresh and renewal cases) and position of FSRs issued between April 2014 and March 2019, is detailed below:

**Table 3.6: Statement showing a profile of no. of FSRs, fresh FSCs and Renewal FSCs issued**

Sl. No.	Name of the fire division	No. of applications received	No. of FSRs issued	No. of FSCs issued	
				Fresh	Renewal
1.	North 24 Parganas	2,546	864	373	322
2.	North & South Kolkata <sup>105</sup>	22,851	14,138	1,904	3,780
3.	Howrah	1,535	874	356	283
4.	Jalpaiguri	1,392	321	192	398
5.	Darjeeling	4,541	1,179	561	2,731
6.	Malda	579	231	48	190
7.	Murshidabad	739	218	115	32
8.	Paschim Barddhaman	3,470	1,677	702	787
9.	Paschim Medinipur	772	329	75	41
	<b>Total</b>	<b>38,425</b>	<b>19,831</b>	<b>4,326</b>	<b>8,564</b>

Source: records of the Directorate and Divisional Offices.

It would be evident from the above table that

- In the test-checked divisions 25,525 (66 *per cent*) high risk premises were functioning without valid FSCs.
- Only 4,326 fresh FSCs (22 *per cent*) were issued against 19,831 FSRs issued. As seen in course of audit scrutiny, FSRs remained un-issued on account of non-deposition of requisite fees by applicants.

There was no system at the Directorate/ Divisional Offices to monitor the status of un-issued FSRs/ compliance status of FSRs/ premises running without FSCs.

<sup>105</sup> Only for the online period from July 2017 to March 2019, number of application received during March 2014 to June 2017 (offline period) was not available.

**3.1.6.2 Markets/ Industrial Zones/ Educational Institutions/ Lodge/ Hotels/ Government Hospitals operating without FSC**

It was found during Audit that there were large scale departure from the statutory norms of mandatory Fire Safety Certificate and fire-fighting arrangements at Government Hospitals, market complexes and other commercial/ industrial places as detailed below, which did not even apply for the FSC.

- i) Under Kolkata (North) Division, all the 18 Markets (*Appendix 3.5*) operated without FSC. Hence, notices were issued (May 2019) u/s 35 of the Act *ibid*. Under the Kolkata (South) Division also, there were no fire and life safety measures in 24 Markets (100 per cent) (*Appendix 3.6*).
- ii) Several Educational Institutions/ Lodge/ Hotels, etc., also being operated in Kolkata without FSC, as per *Appendix 3.7*. Notices were also issued to the defaulters u/s 35 of the Act. However, the compliance of the same was not ensured.
- iii) There were five Micro, Small & Medium Enterprises<sup>106</sup> (MSME) Industrial zones containing about 2,000 industrial units in the Madhyamgram–Sodepur–Nilganj area in North 24 Parganas district. None of the industries in these zones had even applied for FSCs though there were incidents of devastating fires<sup>107</sup>, which resulted in five deaths.
- iv) Hospital building<sup>108</sup> comes under Institutional Group of Occupancy as per National Building Code (India) Part-4. Considering the fire hazards, it was of paramount importance to provide in-built fire protection system in hospitals. The need for fire safety in hospitals was to be ensured through FES directives issued in February 2015. It was observed in audit that of the 116 Government Hospitals (with 100 beds or more), only one Government Hospital namely SSKM Hospital had the FSC.
- v) Murshidabad Medical College and hospital (MMCH, a Government Hospital), that operated without an FSC, had four incidents of fire (between August 2016 and March 2019), in which 12 people died and 29 people were injured in stampede. Even MMCH, did not respond, as of January 2020, to the FSR issued in February 2014 for installing fire safety measures. In the intervening period, an inspection was carried out (September 2018) by the Directorate, WBFES. Barring the inspection by its Directorate, no other action was taken by the FES.

It would thus be evident that there was lack of monitoring over installation of fire safety measures in high risk buildings and such buildings continued to function without FSCs. This indicated lack of adequacy in implementing fire prevention measures. Absence of adequate fire prevention measures exposes people to injury and loss of life and also to loss of assets, due to fire incidents in these premises, as has been discussed in this paragraph. Divisional Fire Officer, North 24 Parganas, accepted (January 2020) this contention and

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<sup>106</sup> Ganganagar, Badu, Bodai, Jugberia and Ruiya.

<sup>107</sup> Sharma Complex (Ganganagar), Bentwood Seating System Pvt. Ltd., Digberia Essence Stick Factory and Hosiery-cum-Dying factory at Bodai.

<sup>108</sup> Hospital Building is categorised as high risk area as good number of ambulatory and non-ambulatory patients stay in hospital for treatment purpose, extra care should be taken for life and safety. Considering the life safety from fire, it is of paramount importance to provide in-built fire protection systems in hospitals as per National Building Code (India) Part-4.

attributed the same to lack of co-ordination between WBFES and concerned Municipal Authorities/ Rural Local Bodies.

Some instances of major fire incidents at high risk buildings without valid FSCs would further vindicate the concern:

**Table 3.7: A brief profile of some fire incidents in Kolkata (two cases) and in North 24 Parganas (one case)**

Date and time of fire	Place of fire	Responding fire stations and duration of fire fighting	Loss of life/ property	FSC status and deficiencies noticed
16.09.18 at 2.35 am	Bagree Market, Kolkata	Central Avenue and 13 others 11 days	Huge quantity of food items, imitation jewellery, perfume, medicine & drugs, toys, office accessories and leather items. Valuation: ₹ 20.00 crore.	<ul style="list-style-type: none"> <li>The installed fire-fighting system was found defunct.</li> <li>There was no valid Fire Safety Certificate for the building, only a Conditional FSC for six months was issued subsequently only in April 2019.</li> </ul>
11.02.19 at 12.02 pm	Bentwood Seating System Pvt. Ltd. Talbanda Industrial Estate, Sodepur, Ghola	Madhyamgram and eight others; Five days	Life of five workers with huge quantity of finished and unfinished chair, raw materials like iron, foam, wire and chemical paints.	<ul style="list-style-type: none"> <li>The entity was running with serious fire and life safety threats.</li> <li>There was no Fire Safety Certificate for the building.</li> </ul>
13.07.19 at 3.00 am	Nandaram Market, Kolkata	Central Avenue and 10 others; 11 hours	One garment shop containing huge valuable dress materials.	<ul style="list-style-type: none"> <li>The installed fire fighting system was found defunct.</li> <li>There was no Fire Safety Certificate for the building</li> </ul>

Source: Records of the Directorate, WBFES

Similarly, an analysis of Fire Reports relating to incidents of fire (in commercial/ mercantile/ office premises) in the test-checked divisions has been depicted in [Appendix 3.8](#). It showed that 43 out of 53 owners/ occupiers of premises where fire incidents took place failed to obtain any FSC.

FES needs to identify all premises without FSCs, where incidents of fire occurred, and also identify the Responsibility Centres and in accordance fix responsibility for all such cases, including those highlighted in this Report.

### 3.1.6.3 Fire audit of high risk buildings

It was observed that no database of high-risk buildings was maintained either by Fire Stations or Divisional Offices for their respective territories. No system of regular inspections and monitoring was done by the FES to ascertain the status of in-built fire safety measure in high-risk buildings.

Fire audit was introduced (January 2019) by the FES in 24 fire stations under Kolkata (North & South), South 24 Parganas and North 24 Parganas divisions along-with related stakeholders like Police, Electricity and Municipal authority. Subsequently, it was introduced in the remaining Fire divisions w.e.f. August 2019. It was to be conducted in the High Risk and High Rise buildings including Malls, Hospitals, Markets, Big Housing Complex, Big Industries, etc., at least once in every year.

In absence of any database, it was not ascertained how FES identified high risk buildings for fire audit. The inspection status of test-checked divisions is shown below:

**Table 3.8: Statement of inspection status of test-checked divisions under Fire Audit**

Sl. No.	Fire Division	No. of inspection	Period of inspection	Premises without having FSC	Discrepancies found (no/ defunct/ inadequate in-built fire safety measure)	Notice issued u/s 35 of WBFS Act 1950 to take fire safety measures
1	North 24 Parganas	500	March'19 to Oct'19	244	285	285
2	Kolkata North	294	Jan'19 to June'19	206	266	238
3	Kolkata South	319	Jan'19 to Aug'19	178	187	187
4	Howrah	16	Aug'19 to Dec'19	7	7	0
5	Jalpaiguri	30	Aug'19 to Nov'19	13	13	7
6	Darjeeling	47	Aug'19 to Nov'19	25	22	17
7	Malda	11	Aug'19 to Dec'19	02	02	0
8	Murshidabad	44	Aug'19 to Dec'19	14	12	02
9	Paschim Barddhaman	Inspections not started				
10	Paschim Medinipur	41	Aug'19 to Dec'19	Nil	Nil	Nil
<b>Total</b>		<b>1,302</b>		<b>689 (53%)</b>	<b>794 ( 61% )</b>	<b>736 (57 %)</b>

Source: Records of the Divisional Offices

It would thus be evident that

- Fire audit was not started by the Paschim Barddhaman Fire Division, though it had industrial zone within its territory.
- It was also observed that 53 per cent of the inspected high-risk buildings did not possess FSC.
- There was non-existent/ defunct/ inadequate in-built fire safety measure in 61 per cent of the inspected premises.

Notices were duly served to the respective owner/ occupier against non-compliance to the Act *ibid*. There was, however, no system to monitor the compliance status of such notices. In spite of having enabling provisions under Section 11J of the West Bengal Fire Services Act 1950 (imprisonment for a term of three years, extendable up to five years or with fine of ₹ 20,000 which may extend to ₹ 5 lakh or with both), no penal action was initiated against the defaulters.



#### 3.1.6.4 Non-engagement of Licensed Agencies for fire safety measures

In terms of Section 11F (1) of the West Bengal Fire Services Act, 1950, the Director may grant any person or association of persons a licence to act as licensed agency in accordance with such qualifications, experience or other matter in this behalf as may be prescribed in respect of such classes of buildings. Section 11G of the Act also specified that no person, other than a licensed agency, shall carry out the work of providing fire prevention and fire safety measures required to be carried out in any high-risk building under this Act. Rule 14 (2) (c) of The West Bengal Fire Services (Fire Prevention and Fire Safety) Rules 2003, provides that licensed agencies were to take the responsibility for renewal of Fire Safety Certificates (FSCs) in the high-risk buildings and bring cases of failure to renew FSCs to the notice of the Director General, WBFES.

As already discussed in the earlier para, there was no information with the FES about the number of high-rise/ high-risk buildings situated under the territory of any particular municipal /panchayat area. As regards engagement of Licensed

##### **Good practices followed in Maharashtra**

In this matter good practices followed in Maharashtra may be referred to. It was observed that, as of December 2019, the Directorate of Maharashtra Fire Services approved 540 Licensed Agencies in accordance with Section 9 of “Maharashtra Fire Prevention and Life Safety Measures Act, 2006”. Responsibilities of such approved licensed agencies were explained through Rule 4(1) and 4(2) of “Maharashtra Fire Prevention and Life Safety Measures Rule, 2009”.

Agency also, the Director General, WBF&ES failed to introduce the system of appointment /engagement of Agencies in contravention to the Act *ibid*. Hence, owner or occupier of high-risk building installed fire prevention and fire safety measures through unapproved agencies in absence of any Licensed Agency.

In the absence of any Licensed Agency to verify

the fire safety measures installed in high-risk buildings, the Directorate resorted to the practice of issuing Fire Safety Recommendations (FSRs), though there was no provision for the same in the Act. On satisfactory compliance to these FSRs, FSCs were to be issued. Moreover, validity of the FSC in respect of an individual high risk building was to be monitored by the Licensed Agency. In the absence of such agencies, there was no monitoring on the compliance status of recommendations by the owner or occupier of a high-risk building. As a result, high risk buildings with expired FSCs were noticed.

It would thus be evident that the State failed to put in place a regular surveillance system of inbuilt fire safety measures of high-risk buildings and its operational status. Had the system of engagement of Licensed Agency been introduced, much higher assurance would have been available on the efficacy of the fire-safety measures built in the high-risk premises.

### **3.1.6.5 Establishments storing hazardous substances running without FSC**

Under Section 12 of the Act, storing or processing of hazardous substances in houses/ godowns was allowed subject to grant of fire licences by the collector<sup>109</sup> appointed by the department. Issue of fire licence should be made against application by the owner of the premises along-with a copy of FSC duly endorsed u/s 11C of the Act. However, test-check revealed that fire licences were issued in favour of the eight establishments in Kolkata without ensuring availability of FSC for the premises.

Such serious systemic deficiencies as listed from paragraphs 3.1.6.1 to 3.1.6.5 need to be addressed to arrest incidents of fire.

***Recommendation: A database of high-risk buildings needs to be prepared and a thorough review of all high-risk buildings need to be undertaken on a priority basis to identify shortcomings and remedial measures to ensure fire safety and prevention measures in high-risk buildings.***

### **3.1.7 Sensitization of public**

Chapter 24 of the norms prescribed by the SFAC provide that regular fire prevention exhibition through posters, educational films, *etc.*, would be conducted in all fire hazardous premises including high-rise residential clusters, educational institutes, cinema houses, *etc.*, for instilling a sense of fire consciousness among the public. In addition, the services of All India Radio (AIR) should also be taken for broadcasting of fire prevention programmes so that the expert opinion could reach a larger audience.

Scrutiny in audit revealed that

- No comprehensive plan was prepared by the FES for fire safety awareness during the years 2014-19.
- FES had only once broadcast fire prevention awareness programme in AIR. However, no exhibition was conducted through slides and films in cinema houses during the period covered in audit.
- FES had spent a sum of ₹ 5.88 crore (60 per cent of allotment) against the allotment of ₹ 9.85 crore out of plan budget for fire safety awareness during the period 2014-15 to 2018-19. This was mainly on account of awareness drive during the *Durga Puja* (for seven days) by displaying banners in *Puja Mandap* (where the Puja is held) indicating fire safety measures, largely around Kolkata. Thus, the awareness drive remained only as a seasonal campaigning.
- Fire awareness programmes were conducted<sup>110</sup> (1,237 nos.) during 2014-19 by the test-checked nine Fire divisions (excepting North 24 Parganas). Of these divisions, Howrah Division conducted a minimum of 27 programme and Jalpaiguri Division a maximum of 269 programme. Nothing, however, emerged from available documentation at the FES or divisions to indicate that any target was set in this regard. Available documentation, though, showed that a total of

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<sup>109</sup> At present, Addl. Secretary, WBFES Department is the collector for fire licence.

<sup>110</sup> Residential Buildings (61 nos.), Schools/ Colleges (257 nos.), Govt. Offices/ Banks/ Pvt. Hospitals (301 nos.), Industrial Undertakings (131 nos.), Markets/ Public Places (487 nos.), *etc.*

13,105 fire incidents occurred during 2014-19 in the test-checked fire divisions, as detailed below:

**Table 3.9: Fire Statistics showing Division-wise incidence of fire during 2014-19**

Sl. No.	Fire Division	Residential Buildings/ Govt. premises			Electrical Supply Line	Industries	Vehicles	Commercial Areas	Open Area	Garbage / Waste Material	Total
		LPG	Electrical Appliances	Household items							
1	North 24 Parganas	128	232	301	0	69	78	153	536	0	1,497
2	North Kolkata	54	126	97	72	125	39		186	0	699
3	Howrah	85	40	175	216	131	148	176	341	0	1,312
4	South Kolkata	184	291	452	900	35	173	455	1,009	0	3,499
5	Jalpaiguri	51	17	401	110	31	89	174	358	30	1,261
6	Darjeeling	159	50	336	201	17	112	161	293	127	1,456
7	Malda	10	5	181	8	9	39	72	42	16	382
8	Murshidabad	146	34	344	85	3	59	137	265	91	1,164
9	Paschim Bardhaman	54	21	137	69	42	62	86	293	73	837
10	Paschim Medinipur	61	21	221	32	16	128	101	262	156	998
<b>Total</b>		<b>932</b>	<b>837</b>	<b>2,645</b>	<b>1,693</b>	<b>478</b>	<b>927</b>	<b>1,515</b>	<b>3,585</b>	<b>493</b>	<b>13,105</b>

Source: Records of Fire divisions

**Recommendation:** Given the spate of fire incidents in almost all categories as shown above, it is imminent that this area of awareness campaign needs to be prioritised on an urgent basis. The prioritisation could be through laying down Comprehensive Plan, setting up targets for no. of awareness programme for each category of user, preparing user friendly awareness programme for due adoption of fire safety by user, carrying out impact assessment of such programme and consequently improving the approach path through lessons learnt, etc.

### 3.1.8 Financial Management & Planning

#### 3.1.8.1 Financial Management

The details of budgetary allocation of fund *vis-à-vis* expenditure incurred by FES during the period covered under audit is shown below:

**Table 3.10: Budgetary allocation *vis-à-vis* expenditure incurred**

Year	Budgetary Allocation (₹ in Crore)		Expenditure (₹ in Crore)		Percentage of Utilisation (%)	
	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan
2014-15	215.46	83.70	185.08	14.16	86	17
2015-16	213.74	92.10	183.13	99.34	86	108
2016-17	235.76	103.85	197.13	52.87	84	51
2017-18	229.41	101.89	203.27	63.62	89	62
2018-19	462.15		315.74		68	
<b>Total (2014-15 to 2017-18)</b>	<b>894.37</b>	<b>381.54</b>	<b>768.61</b>	<b>229.99</b>	<b>86</b>	<b>60</b>
<b>Grand Total</b>	<b>1,738.06</b>		<b>1,314.34</b>		<b>76</b>	

Source: VLC database

It is seen from the above that the FES could utilise only 60 *per cent* of the Plan funds during the period 2014-18. In 2018-19, of the total budgetary allocation, expenditure incurred by FES was 68 *per cent*. Analysis undertaken in this regard disclosed the following:

- Under the Object Heads<sup>111</sup> during 2014-19, the Department expended only ₹ 306.09 crore against the budgetary allocation of ₹ 567 crore. In reply to an audit query, the FES stated (February 2020) that the plan fund allotted towards construction of fire stations could not be utilized entirely by the State Public Works Department, despite repeated request for early utilisation of the same.
- Further, 13<sup>th</sup> Finance Commission's approved allocation of ₹ 37.50 crore meant for bridging the gap of infrastructure and equipment lapsed due to non-submission of utilization certificate in timely manner.

Under-utilisation of funds meant for infrastructure assumes significance in view of non-completion of 11 new Fire Stations as was discussed in *paragraph 3.1.2.2*.

### **3.1.8.2 Planning**

In terms of Chapter 5 of the NDMG, fire hazard response and mitigation plan (Plan) was to be prepared for revamping and strengthening of fire services. The NDMG envisages comprehensive planning for fire hazard response and mitigation which *inter alia*, included city review covering parameters such as population, density, land use, type of buildings, roads and accessibility (to assess the response time) and collection of historical hazard information (both natural and man-made). The NDMG also envisaged that the requirements of infrastructure and equipment for the entire State should be assessed in a planned manner as per the norms laid down by the SFAC. From the scrutiny of records of the Directorate, WBFES it was not apparent as to whether any such Plan was prepared in line with the guidance referred *ibid*. An audit query issued (February 2020) in this regard, failed to elicit any reply. Shortcomings as deliberated in preceding paragraphs would highlight the absence of a concerted approach to address the serious issue of fire hazard, which pose a threat to the safety of the people.

### **3.1.9 Conclusion**

In course of audit of Management of Fire Services in West Bengal, several areas of concern relating to operational and management deficiencies were identified, which may potentially affect the level of preparedness and call for attention. Serious shortcomings like high risk buildings/ markets running without Fire Safety Certificates and fire safety measures, absence of database of high risk buildings, *etc.*, allowed the fire hazards to loom over the safety of life and property. Delays in construction of fire stations and commissioning of newly constructed fire stations coupled with shortfall in fire stations affected the quality of delivery of fire services. Manpower management also remained a matter of concern, as there was substantial shortage of operational staff. Sensitization of public was found to be inadequate.

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<sup>111</sup> 52 - Machinery and Equipment and 53 - Major Works

No Fire hazard response and mitigation plan was found to have been prepared for assessing requirements of infrastructure and equipment for the entire State. On the financial management front, savings under major construction works was a matter of concern, given the fact that a number of under-construction fire stations had time overrun. Substantial expenditure incurred by the Government on procurement of fire fighting vehicles did not fructify into strengthening of the fleet.

The matters were referred to the Government in May 2020; replies were, however, awaited (November 2020).

## HEALTH & FAMILY WELFARE DEPARTMENT

### WEST BENGAL MEDICAL SERVICES CORPORATION LIMITED

#### 3.2 Excess payment to contractors on Integrated Facility Management Services at eight Super Specialty Hospitals

**West Bengal Medical Services Corporation Limited made an excess payment of ₹ 4.93 crore to three contractors for Integrated Facility Management Services in eight Super Specialty Hospitals during March 2018 to August 2020, as it allowed payment in excess of carpet area in deviation from bid documents.**

The Health & Family Welfare (H&FW) Department set-up (between October 2016 and July 2019) 42 Multi/ Super Specialty Hospitals (SSHs) in 15 districts of West Bengal, each with a capacity of 300/ 500 beds. West Bengal Medical Services Corporation Ltd. (WBMSCL), a State Government Corporation, has been entrusted to manage security, housekeeping and patient support services in these hospitals. WBMSCL decided (November 2017) to outsource the entire job (formally referred as Integrated Facility Management Services) by engaging private agencies.

WBMSCL invited bids in November 2017 and January 2018 and awarded contracts in February 2018 to three agencies selected for providing the services<sup>112</sup> in 42 hospitals for an initial period of three years.

WBMSCL, in the bidding document, had *inter alia* indicated hospital-wise tentative super-built areas (80,000 sq ft for 300 bedded G+4 buildings and 160,000 sq ft for 500 bedded G+9 buildings) and stipulated that financial bid would be quoted by the bidder on per square foot of carpet area per month basis. In accordance, rates were finalised on per square foot of carpet area per month basis.

Scrutiny of records of WBMSCL (March-April 2019 and September 2020) pertaining to the period from March 2018 to August 2020 showed that ₹ 39.53 crore was paid to three agencies against services provided to eight hospitals. Further scrutiny showed that the service providers claimed bills for areas in excess of carpet area and in most cases, based on the built-up areas. WBMSCL, however, accepted the claims and released payment accordingly as detailed in [Appendix 3.9](#).

<sup>112</sup> Services are broadly classified into three types of services, viz. Security Services, Housekeeping Services (including Pest Control and Horticulture Services) and Patient Support Services.

As a result, against a total carpet area of 6,04,397 sq ft in those eight hospitals, payment was released for 6,89,238 to 6,89,250 sq ft per month for various periods<sup>113</sup> starting from March 2018 (in six hospitals), January 2019 (one hospital) and April 2019 (one hospital). This practice was continuing as of August 2020 leading to excess payment of ₹ 4.93 crore against an aggregate excess area of 24,35,266 sq ft (adding all months).

It was not clear to Audit how the authority paid for Integrated Facility Management Services to the contractors on the basis of area in excess of carpet area and in most cases on built-up area instead of carpet area in violation of its own terms of contract.

The issue being pointed out by Audit, the Corporation stated (March 2020) that the matter would be looked into.

The matter was referred to the Government in October 2020; reply was, however, awaited (November 2020).

## **WEST BENGAL STATE HEALTH & FAMILY WELFARE SAMITI**

### **3.3 Avoidable expenditure**

**Payment of employees' contribution to the Employees Provident Fund Organisation without actual realization led to an avoidable outgo of ₹ 1.32 crore.**

Employees' Provident Funds and Miscellaneous Provisions (EPF & MP) Act 1952, aims to provide social security in the form of Employees' Provident Fund (EPF), Pension and Insurance to all employees who are employed for wages, in or in connection with the work of an establishment. Employees Provident Fund Organisation (EPFO), functioning under the aegis of the Ministry of Labour and Employment (MLE), Government of India (GoI), is entrusted to administer the EPF & MP Act. Under the EPFO, the Central Board of Trustees, is responsible for administering the Funds vested with it, which include the Employees' Provident Funds Scheme 1952, Employees' Pension Scheme, 1995 and Employees' Deposit-Linked Insurance Scheme, 1976. The referred Schemes, comprised contributions (at applicable rates as fixed from time to time by the MLE, GoI) payable by the employer of any establishment, in respect of Wages<sup>114</sup> payable to each employee. The employees' contribution<sup>115</sup>, applicable only for the Employees' Provident Funds Scheme 1952, was to be recovered by means of deduction from the wages of the employee and not otherwise.

During examination (August 2018 to December 2018) of records<sup>116</sup> of the West Bengal State Health & Family Welfare Samiti<sup>117</sup> (*Samiti*) it was observed

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<sup>113</sup> *As the coverage area gradually increased during the initial months of operation of the hospitals, calculation of excess payment has been made on a conservative way by considering only the period when the coverage area shown in bills surpassed the total carpet area and even reached built-up area.*

<sup>114</sup> *"Basic wages + dearness allowance (including cash value of any food concession) + retaining allowance".*

<sup>115</sup> *Employee contribution: 12 per cent of the wages.*

<sup>116</sup> *Pertaining to the Accounts of fiscal 2016-17.*

<sup>117</sup> *West Bengal State Health & Family Welfare Samiti, functions under the Health & Family Welfare Department, Government of West Bengal.*

that the Ministry of Labour and Employment (MLE), GoI had exempted<sup>118</sup> (May 2010) establishments like Societies, funded by Central and State Governments, registered under the Societies Registration Act, 1860, from the applicability of the EPF & MP Act for a period up to 31 March 2015. Subsequently, it was seen from a communication<sup>119</sup> (March 2016) of the Ministry of Health & Family Welfare (MHFW), to the State Governments, that the MLE had conveyed clarification to the MHFW that exemption to the Societies like State/ District Health Societies was not extended beyond 31 March 2015 and these Societies were included (from 01 April 2015) under the purview of the EPF & MP Act. MHFW had also requested the State Governments to complete the necessary formalities for registration and compliance of these Societies under the EPF & MP Act. Accordingly, under a special drive (January 2017), EPFO completed the enrolment process and 10,041 employees of the *Samiti* were allotted the Universal Account Numbers (UANs). Under the special drive, Employees' contribution for the period from April 2015 to December 2016, was waived.

During audit, while analysing the payments made towards employees' and employer's contribution by the *Samiti*, it was noticed that the *Samiti* paid ₹ 1.32 crore towards employees' contribution for the month of January 2017, but, it did not recover the amount from the concerned employees.

On this being pointed out, the *Samiti* stated (December 2018) that generation of UAN of huge number of employees took place within a very short time and frequent server problem led to this situation as there were no separate wing or expertise to manage it efficiently.

The matter was referred to the Government in June 2020. In reply, the Director of Finance, State Financial Management Group, National Health Mission, Health & Family Welfare Department, Government of West Bengal, intimated (October 2020) that steps were being taken, with the approval of the Appropriate Authority<sup>120</sup>, to recover the employees' contribution (Employees Provident Fund) for the month of January 2017 from the employees of the *Samiti*. The reply was endorsed (November 2020) by the Secretary, Health and Family Welfare Department.

## HOME & HILL AFFAIRS DEPARTMENT

### 3.4 Avoidable expenditure owing to delayed payment of Spectrum Charges

**Failure on the part of the Government of West Bengal to ensure timely payment of spectrum charges resulted in an avoidable expenditure of ₹ 1.09 crore towards late fees.**

Wireless Planning and Co-ordination Wing (WPCW) of the Ministry of Communication and IT (MCIT), Government of India (GoI) is the National Radio Regulatory Authority, responsible for frequency spectrum management including licensing and caters to needs of all wireless users<sup>121</sup> against payment of spectrum charges (Licence Fee and Royalty). Use of spectrum in

<sup>118</sup> Vide notification no. S.O. 1431 dated 14 May 2010.

<sup>119</sup> Order No. G 27034-8/2015-NHM (F) dated 10 March 2016.

<sup>120</sup> Executive Director, West Bengal State Health & Family Welfare Samiti.

<sup>121</sup> Within the country, Government or Private.

West Bengal, was for the Police Communication Network, which was related to the maintenance of public order. In the instant case, the establishment of the Director General and Inspector General of Police, Telecommunication, West Bengal, functioning under the aegis of Home & Hill Affairs Department (erstwhile Home Department), is the concerned establishment responsible for management of spectrum needs of the Police Communication Network.

In January 2008, the Ministry of Home Affairs (MHA) informed the State Government that, as conveyed by the WPCW of the MCIT, spectrum charges<sup>122</sup> of ₹ 5.00 crore were to be levied on ad-hoc basis on the State of West Bengal. Thereafter, from a communication (addressed to the State Government) of the WPCW, issued in November 2008, it was noticed that despite persistent persuasion, the Home & Hill Affairs Department neither reconciled nor cleared the spectrum dues (since June 2004). Government of West Bengal (GoWB) did not make payment of spectrum charges, as it was of the opinion that spectrum charges should be exempt considering the fact that the usage of spectrum in the State was solely for maintenance of public order. It was, however, observed that there was no such directive existent in this regard.

From a letter of the MHA issued in May 2016, it was further observed that keeping in view the efficient utilisation of natural resources, State Police Organisations could not be exempted from paying spectrum charges. The waiver of late payment fee on delayed payments, was under consideration. Subsequently, from a letter dated 18 June 2018 it was seen that GoI withdrew the late fee component upto June 2018 (on reconciled spectrum networks existing prior to 01.06.2004) and advised that any delay in annual advance payment of spectrum charges shall attract late fee beyond June 2018. It further advised the State Government, as its reconciliation process in respect of the networks referred *ibid* was yet to be completed, to make an ad-hoc payment (as per their own assessment) of spectrum charges by June 2018 to avoid applicable late fees thereon beyond June 2018.

GoWB, released ₹ 5.00 crore towards ad-hoc payment of spectrum charges to GoI only in August 2018. Subsequently, WPCW, raised (December 2018) a claim of reconciled spectrum charges of ₹ 41.20 crore (after adjustment of ₹ 5.00 crore) for the period from June 2004 to March 2019. The same was released by the State Government in March 2019. After necessary reconciliation (considering the period from April 2019 to March 2020 also), a further payment<sup>123</sup> of ₹ 0.53 crore was made (November 2019) by the State Government. In the entire process, the GoWB paid a late fee of ₹ 1.09 crore for the period July 2018 to November 2019.

Superintendent of Police, Telecommunication, O/o Director General and Inspector General of Police, Telecommunication, West Bengal, had communicated (March 2020) that as waiver of late fees were applicable upto June 2018, hence spectrum charges were to attract late fees beyond June 2018. Further, he also stated that the State of West Bengal was supposed to complete the reconciliation process of the network and make an ad-hoc payment by June 2018 to avoid applicable late fees.

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<sup>122</sup> Included Royalty Charges and License Fees.

<sup>123</sup> Leaving an unpaid amount of ₹ 93,152 upto March 2020.



It was evident from the above that the State Government failed to ensure timely payment of spectrum charges and such an action resulted in an avoidable expenditure of ₹ 1.09 crore towards late fees on account of delayed payment of spectrum charges from the exchequer of the GoWB.

The matter was referred to the Government in May 2020; reply was, however, awaited (November 2020).

## JUDICIAL DEPARTMENT

### 3.5 Defalcation of money

**Lack of control over financial transactions in the functioning of District Legal Services Authority, Kolkata, resulted in a defalcation of ₹ 2.45 lakh by way of overwriting of sub-vouchers, in contravention of stipulation of the West Bengal Financial Rules.**

In terms of Sections 6 (1) and 9 (1) of The Legal Services Authorities Act 1987, the State Legal Services Authority (SLSA) and District Legal Service Authority (DLSA), are constituted. DLSA aims to organise *Lok Adalats* within the District and perform such functions within the District, which the SLSA may delegate to it from time to time like free, competent, effective and comprehensive legal services by organising Legal Literacy and Awareness Camps.

District Legal Services Authority, Kolkata (DLSA), was established in July 1998. In terms of West Bengal Legal Services Authority Regulations 1998 (WBLSAR<sup>124</sup>), the management of the DLSA was vested upon a board, headed by a Chairman. The Chief Judge, City Civil and Sessions Court, Kolkata held the post of Chairman<sup>125</sup> of the DLSA. Secretary, DLSA, Kolkata, functioned under the Chairman, DLSA and the post of Secretary, DLSA, Kolkata, was held by a Judicial Officer of the West Bengal State Judicial Service. DLSA, Kolkata, received funds<sup>126</sup> from different sources and such funds were kept in the current account<sup>127</sup> maintained with the State Bank of India, which the Secretary, DLSA, was authorised to operate.

West Bengal Financial Rules-WBFR (Rule 49) specifies that erasures and overwriting in any bill are absolutely forbidden and shall be avoided. If any correction becomes necessary, the incorrect entry shall be cancelled neatly in red ink and the correction shall be entered. Each such correction or alteration or addition shall be authenticated by the Head of the Office with his dated initials.

Scrutiny of vouchers<sup>128</sup> (including sub-vouchers) and Cash Books of DLSA, Kolkata for the period from 1998-99 (Inception) to 2018-19 revealed that there were instances of excess payments, by way of overwriting of sub-vouchers, which led to defalcation of ₹ 2.45 lakh as detailed below:

<sup>124</sup> In exercise of power conferred by Section 29A of the Legal Services Authorities Act 1987, the West Bengal State Legal Services Authority made the West Bengal Legal Services Authority Regulations, 1998.

<sup>125</sup> As per regulation no. 19 of WBLSAR.

<sup>126</sup> DLSA, Kolkata received funds from Government of West Bengal, Government of India, fines in respect of Motor Vehicles Act, donations, etc.

<sup>127</sup> Account no. 37660108136, Specialized Institutional Banking Branch, State Bank of India, Kolkata.

<sup>128</sup> Undertaken between 30 July 2019 and 30 August 2019.

- In respect of seven vouchers<sup>129</sup> (24 sub-vouchers) related to purchase of items<sup>130</sup> (specified as Administrative expenses), it was seen that the connected sub-vouchers were altered by way of over-writing in contravention of codal provision referred *ibid*, just to inflate the expenditure. This resulted in actual expenditure of ₹ 0.33 lakh being shown as ₹ 2.78 lakh, leading to a defalcation of ₹ 2.45 lakh.
- It was further observed that none of the vouchers/ sub-vouchers were authenticated by the Chairman/ Secretary.

On this being pointed out the DLSA responded (August 2019) that sufficient time would be required to look into the matter and appropriate steps taken after careful scrutiny.

The matter was referred to the Government in May-June 2020; reply was, however, awaited (November 2020).

## PANCHAYATS & RURAL DEVELOPMENT DEPARTMENT

### 3.6 *Undue benefit to contractors on PMGSY road works by way of short realisation of royalty*

**Contractors engaged for PMGSY road works under Programme Implementation Unit (PIU), Paschim Medinipur were allowed an undue financial benefit of ₹ 5.19 crore at the cost of State Government revenue by way of short-recovery of royalty (including cess) on excavated earth.**

West Bengal State Rural Development Agency (WBSRDA), an autonomous body under the Panchayats & Rural Development (P&RD) Department, is the nodal agency for implementation of Pradhan Mantri Gram Sadak Yojana (PMGSY), a Centrally Sponsored Scheme<sup>131</sup>, in West Bengal. WBSRDA implements the projects through Programme Implementation Units (PIUs) functioning under it at various districts/ sub-divisions.

National Projects Construction Corporation Limited (NPCC), a Central Government PSU, was engaged (April 2014) as a PIU to execute PMGSY road works in Paschim Medinipur through an agreement. As per the agreement, NPCC, as the PIU, would be primarily responsible for selection of contractors, monitoring the execution, processing of contractors' bills and final payment thereof. WBSRDA was to release funds (by way of bank authorisation) to NPCC as per its requisition (based on progress of works) for final disbursement to the contractors. Under this agreement, WBSRDA was empowered to monitor implementation of the projects by calling for specific data/ information from NPCC as and when required.

One item of road works under PMGSY is 'Construction of Embankment/ Shoulder with materials obtained from Borrow pits', *i.e.* construction of road side space/ embankment using earth collected by digging pit at another location. Such excavation of natural resource (earth) involves payment of royalty and cess to the State Government under the West Bengal Minor Mineral Rules<sup>132</sup>,

<sup>129</sup> Voucher Nos. 772 of January 2017, 634-636 of March 2019 and 671-673 of March 2019.

<sup>130</sup> Sweets, water bottles, food, xerox items, office stationery, handloom items, etc.

<sup>131</sup> Initially a cent per cent Government of India funded scheme, subsequently revised (November 2015) to 60:40 ratio between the Government of India and the State Government.

<sup>132</sup> These Rules were repealed after introduction of West Bengal Minor Mineral Concession Rules 2016.

2002. The rates<sup>133</sup> of royalty were notified by the Industry, Commerce & Enterprises Department (erstwhile Commerce and Industries Department) from time to time. As per the Schedule of Rates of WBSRDA, which is applicable for PMGSY road works, the rates for construction of embankment/ shoulder included royalty against earth extracted for earthwork (volume being measured in finished work). The same was, therefore, to be recovered from the contractors' bills and deposited to State Government accounts. In the instant arrangement, NPCC, being the PIU, was responsible for such recovery and remittance of Government dues.

Scrutiny (February 2020) of records of PIU in respect of 208 finished project works completed between February 2016 and December 2019 in Paschim Medinipur showed that in terms of the total quantum of the earthwork (in finished work) recorded in the bills, total royalty charge (including cess) works out to ₹ 9.42 crore. Hence, the same stood recoverable from the contractors' bills. Against ₹ 9.42 crore, NPCC deducted only ₹ 4.23 crore and deposited the same in the Government account. Such short-recovery of ₹ 5.19 crore towards Government dues from Contractors' bills was tantamount to an undue benefit extended to the contractors at the cost of Government revenue and represented failure of NPCC in discharging its responsibilities as PIU. Lack of monitoring of the WBSRDA was also evident as it did not exercise check on the amounts requisitioned by the NPCC.

Neither the NPCC nor the WBSRDA explained the reasons for such short-recovery to Audit, though called for. Moreover, NPCC made final payments to the contractors against these projects, leaving remote prospect of recovery of the above-mentioned short-realised amount.

Thus, contractors engaged for PMGSY road works under PIU, Paschim Medinipur were allowed an undue financial benefit of ₹ 5.19 crore at the cost of State Government revenue by way of short-recovery of royalty charge and cess on excavated earth. Though the primary responsibility lies on the concerned PIU (*i.e.*, NPCC), the same was facilitated by deficient monitoring by WBSRDA.

The matter was referred to the Government in May 2020; reply was, however, awaited (November 2020).

### 3.7 Payment to contractor for non-executed works

**Contractor allowed a payment of ₹ 90.71 lakh against unexecuted length of road/ drain work under a PMGSY project in Gopiballavpur-II, Jhargram.**

West Bengal State Rural Development Agency (WBSRDA), an autonomous body under the Panchayats & Rural Development (P&RD) Department, is the nodal agency for implementation of Pradhan Mantri Gram Sadak Yojana (PMGSY), a Centrally Sponsored Scheme<sup>134</sup>, in West Bengal. WBSRDA implements the PMGSY projects through Programme

<sup>133</sup> Rates of royalty (with cess) per cubic metre of finished work were ₹ 19.47 from January 2012, ₹ 23.30 from December 2015 and ₹ 34.30 from December 2016.

<sup>134</sup> Initially a cent per cent Government of India funded scheme, subsequently revised (November 2015) to 60:40 ratio between the Government of India and the State Government.

Implementation Units (PIUs) functioning under it at various districts/sub-divisions.

National Projects Construction Corporation Limited (NPCC), a Central Government Public Sector Undertaking (PSU), was engaged as a PIU to execute PMGSY road works in Bankura, Purulia and Paschim Medinipur districts through an agreement (April 2014). As per the agreement, NPCC, as the PIU, would be primarily responsible for selection of contractors, monitoring the execution, processing of contractors' bills and final payment thereof. WBSRDA was to release funds to NPCC as per its requisition (based on progress of works) for final disbursement to the contractors. The agreement empowered WBSRDA to inspect any record of NPCC or ask for any report relating to execution of PMGSY works. Moreover, NPCC had to allow State Quality Monitor<sup>135</sup> (SQM), the 2<sup>nd</sup> tier of quality control as per PMGSY guidelines, to inspect the quality of works during execution of works.

It was observed that the construction of PMGSY road from Borojansol to Dangarbilla<sup>136</sup> in Gopiballavpur-II block (under Jhargram district, which was earlier a part of Paschim Medinipur) was one such project executed under NPCC. The work started in October 2014 and was completed in February 2017 and a sum of ₹ 388.69 lakh was paid to the contractor in 11 Running Account (RA) bills between February 2015 and January 2018.

Examination of records, in this regard, showed that there were substantial deviations in the quantum of work shown in the bills as actually executed and measured *vis-à-vis* that approved under the Detailed Project Report (DPR). In view of such deviations and anomaly in the quantum of works, a joint physical inspection of the work was done by Audit in January 2020 along with the Engineering official of NPCC. As per measurements made by the NPCC Officials in presence of Audit during inspection, it was observed that the actual length of work in respect of certain items was substantially less than quantum paid for by the WBSRDA.

**Table 3.11: Comparison of length of various items of road works approved, paid for and found in subsequent measurement and payment made for short-executed length of work**

Item of work		Length as approved in DPR	Length paid for as per final RA bill	Length measured by NPCC Engineer in presence of Audit during joint physical inspection	Short-executed length of work as compared to length paid for	Payment made for short-executed length of work (₹ in lakh)
A		B	C	D	E = C minus D	F
Road	Cement Concrete pavement	890	890	232	658	29.22
	Flexible pavement	5,328	5,918	5,918	Nil	Payment was made for actually executed length of 5,918 metres
	<b>Total length</b>	<b>6,218</b>	<b>6,808</b>	<b>6,150</b>	<b>658</b>	--
Drain alongside the road		6,700	4,720	93	4,627	61.49

Source: Records of WBSRDA and joint physical inspection

<sup>135</sup> State Quality Monitor (SQM) is set-up/ engaged by the State Government to oversee the Quality in the programme Districts. SQM is independent of the Executing agency.

<sup>136</sup> Package No. WB20 452 (Borojansol to Dangarbilla).

From the table it can be seen that:

- (i) Short length of Cement Concrete pavement of 658 metres: Quantum of payment made to the contractor against such short-executed length of 658 metres of Cement Concrete pavement work stood at ₹ 29.22 lakh.
- (ii) Excess length of road with flexible pavement of 590 metres (5,918 metres *minus* 5,328 metres): The contractor was also paid for the excess executed length of 590 metres.
- (iii) Short length of drain alongside road of 4,627 metres: For the short executed length of drain alongside road, ₹ 61.49 lakh was paid to the contractor.

Thus, there was a total payment of ₹ 90.71 lakh (₹ 29.22 lakh *plus* ₹ 61.49 lakh) on account of the unexecuted length of road and the drain.

The photos of different stretches of the road, taken (March 2019) during SQM of maintenance work, showed no trace of drain alongside the road.



**Pic 3.6 to 3.9 (clockwise from above): Photographs of various stretches of Borojansol to Dangarbilla Road; Source: PMGSY Website ([www.pmgys.nic.in](http://www.pmgys.nic.in))**

Such short execution was indicative of failure on the part of the NPCC, to discharge its functions, as per the agreement, referred above.

Even the WBSRDA did not give cognizance to the SQM Reports, which did not show existence of any drain. Had this matter been pursued by the WBSRDA by accessing into the records of construction at NPCC’s end, such un-executed/short-executed quantum of drain would have been detected. Evidently, there were deficiencies in monitoring by WBSRDA on the PIU, as it kept on releasing funds to NPCC in a routine manner based on its requisitions for making onward payments to the contractor. This facilitated payment against short-executed/non-executed works.

The Zonal Manager of NPCC also confirmed (January 2020) the measurements made by the engineering staff during the joint physical inspection. Neither WBSRDA nor P&RD Department, however, furnished any reply in this regard, as of October 2020.

Thus, the contractor was allowed an undue payment of ₹ 90.71 lakh against unexecuted lengths of road work and drain work under PMGSY. While the PIU failed to discharge its primary responsibilities of diligent monitoring and measurement of the executed works, inaction of the WBSRDA in monitoring on the PIU was also evident. Such monitoring deficiencies facilitated payment against fictitious work.

The matter was referred to the Government in October 2020; reply was, however, awaited (November 2020).

### **3.8 Misappropriation of Government receipts**

**Out of ₹ 59.02 lakh collected as water tax by the River Lift Irrigation (RLI) and Deep Tube Well Irrigation (DTW) operators, only ₹ 1.29 lakh was remitted into Government account.**

West Bengal Treasury Rules<sup>137</sup> (WBTR) prescribe that all moneys received by or tendered to a Government employee on account of revenue of the State should, without undue delay, be remitted in full into Government Account. For remitting amounts into Government account, challans are prepared in quadruplicate and initialled as a token of verification by the Drawing & Disbursing Officer (DDO). All copies of challans are produced to the bank while depositing the money, of which the original one is returned to the depositor with acknowledgement. In terms of Government Order 12155-F dated 04 December 1990, issued by the Finance Department, collector of such money on the behalf of the Government should issue Duplicate Carbon Receipt (DCR) against such collection and deposit the amount so collected with the Cashier. Cashier is to enter the amount in the receipt side of the Cash Book. It is the responsibility of the DDO to check and attest the corresponding entries in the Cash Book with reference to the acknowledged copy of the challan/ counterfoil of Duplicate Carbon Receipt (DCR) which are retained as documentary support against the remittance into treasury/ receipt by the DDO. At the end of each month, DDO has to verify all such remittances made in the Cash Book with treasury receipt schedules.

River Lift Irrigation (RLI) and Deep Tube Well Irrigation (DTW) operators under the Block Development Officer (BDO) collect water tax from cultivators/ users under RLI and DTW schemes. Water tax so collected is first remitted by the collectors to the respective cashiers of the Block Development Offices. The Cashier in turn remits the collected amount in to banks on behalf of the BDO following the above procedure.

Mentions were made in the C&AG's Reports on the General & Social Sector for the years ended March 2015 and March 2016 that laxity on the part of

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<sup>137</sup> Rule 3.01 of West Bengal Treasury Rules, 2005 read with Rule 3.06 sub-rule (2).

five BDOs<sup>138</sup> facilitated defalcation of water tax of ₹ 1.38 crore. It was also mentioned in the para (included in C&AG's Report on the General & Social Sector for the year ended March 2016) that as the said observation had arisen only out of some of the sampled BDOs, Government should take necessary steps (including sensitising the BDOs) to ensure similar malpractice was not happening elsewhere.

During test-check (December 2019) of Cash Books of the office of the BDO, Kandi it was seen that, during September 2011 to November 2019, there was no entry on account of collection of water tax either in the receipt side of the Cash Book or any particulars for deposition through treasury challans in the payment side of the Cash Book except for an amount of ₹ 1.29 lakh (two entries for ₹ 78,851 and ₹ 50,419 both on 26.02.2014) in February 2014.

Office of the BDO, Kandi did not furnish DCR books and stock register of DCR books for entire period of audit, though called for. However, from the registers maintained<sup>139</sup> by RLI and DTW operators, it was observed that during the period<sup>140</sup> 2013-14 to 2019-20 (till November 2019), the RLI and DTW operators collected ₹ 59.02 lakh on account of water tax, which was also certified by the BDO, Kandi. In contravention of the provisions of WBTR, referred *ibid*, an amount of ₹ 57.73 lakh (₹ 59.02 lakh *minus* ₹ 1.29 lakh) collected as water tax was not entered in the Cash Book of the BDO, Kandi. Moreover, BDO could not furnish treasury challans in support of deposit of this amount to Government account.

Monthly treasury receipt schedules of Kandi Treasury, collected by Audit in respect of remittance of water tax, also showed that there was no remittance (other than ₹ 1.29 lakh in February 2014) from the BDO, Kandi during the above period.

Thus, failure on the part of the BDO in exercising statutory checks on receipt and accounting of Government receipts facilitated defalcation of Government receipts of ₹ 57.73 lakh<sup>141</sup>, spread over a period of more than six years.

BDO Office did not furnish any response to the audit memo issued in this regard.

It is reiterated that such persisting instances call for serious attention of the Department including appropriate actions against the delinquent officials.

The matter was referred to the Government in October 2020; reply was, however, awaited (November 2020).

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<sup>138</sup> Ghatal (Paschim Medinipur district), Gangarampur (Dakshin Dinajpur district), Patrasayer (Bankura district), Gopiballavpur-II (Paschim Medinipur district-(currently Jhargram district) and Beldanga-I (Murshidabad district).

<sup>139</sup> RLI and DTW operators maintain register of collection showing the amount of water tax collected from the users and deposited with the cashier periodically. Collection Register for collection of DTW water tax from 2016-17 onwards was not produced before Audit.

<sup>140</sup> Collection for the period from September 2011 to March 2013 and its corresponding deposition to the BDO Office could not be ascertained as RLI and DTW operators did not produce any record pertaining to this period.

<sup>141</sup> ₹ 59.02 lakh *minus* ₹ 1.29 lakh.

**PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT**

**3.9 Non-Utilisation of an Auditorium**

**Decision to construct an Auditorium, involving an amount of ₹ 8.98 crore, at the selected area and failure to utilise it for intended purpose, proved to be a burden on the State Exchequer.**

Government of West Bengal decided (February 2006) to shift the District Headquarters<sup>142</sup> of South 24-Paragana from Alipore (in Kolkata Municipal Corporation Area) to Baruipur (in the district of South 24-Paragana). Personnel & Administrative Reforms and e-Governance Department<sup>143</sup> (Department) was to function as the Administrative Department in-charge of the project. Kolkata Metropolitan Development Authority (KMDA) was to act as the executing agency.

During 2008-10 (February 2009 and March 2010), the Department released a sum of ₹ 19.49 crore in favour of KMDA for acquiring 130 *acres* of land and site development, for implementing the project. From the minutes of a meeting<sup>144</sup> (19 March 2013) held in the context of implementation of the project, it emerged that an Auditorium<sup>145</sup> in Baruipur was to be constructed, in keeping with the Developmental Plan of the proposed District Headquarters. Regarding actual implementation of the project of shifting of District Headquarters, it was observed that the progress was restricted only to acquisition of 130 *acres* of land. Further progress regarding actual implementation of the project, was not evident from records of the Department and KMDA.

Subsequently, the Department accorded (May 2013) Administrative Approval for the construction of the Auditorium at Baruipur, at an estimated cost of ₹ 4.99 crore, which was again revised (February 2015) to ₹ 8.98 crore<sup>146</sup>. From the records of the Department and KMDA, there was no indication as to whether any Feasibility Study/ Detailed Analysis was conducted prior to construction of the Auditorium to assess i) the need to construct an Auditorium prior to completion of the shifting process of District Headquarters, ii) locational suitability and availability of connectivity to the location, iii) sources from which the operational and maintenance expenses were to be funded, iv) expertise required to handle and operate the equipment and machinery to be installed therein, *etc.* During 2013-2016, ₹ 8.53 crore was released to KMDA for this purpose, against which it utilised ₹ 8.05 crore, as of January 2017. In May 2017, the residual amount of ₹ 0.45 crore (₹ 8.98 crore *minus* ₹ 8.53 crore) was released to KMDA. KMDA had drawn and spent the entire amount of ₹ 8.98 crore.

On completion<sup>147</sup> of the work of construction of the Auditorium, the KMDA submitted the Completion Report to the Department in September 2016. The Auditorium named as '*Karmashree*' was handed over (December 2017) to

<sup>142</sup> *The scheme of shifting of District Headquarters was to be treated as a State Government project.*

<sup>143</sup> *Erstwhile Personnel & Administrative Reforms Department.*

<sup>144</sup> *Chaired by the Secretary of the Department.*

<sup>145</sup> *Located in an outskirts area, around six km from the Office of the Sub-Divisional Officer, Baruipur.*

<sup>146</sup> *Civil works: ₹ 6.61 crore; Electrical works: ₹ 1.88 crore; Consultancy fees: ₹ 0.06 crore and Agency charges: ₹ 0.43 crore.*

<sup>147</sup> *Date of completion was not ascertainable from records of KMDA.*



Sub-Divisional Officer (SDO), Baruipur. As regards utilisation of the Auditorium, the SDO stated (September 2019) that the Auditorium had so far been used only during ‘Training, Segregation, First Level Checking of EVMs and Safe keeping of EVMs in connection with the Parliamentary General Election 2019’ and never been hired by any Private Party due to its location in an outskirt area, adjacent area being underdeveloped and lack of other facilities available around that area to organise large programme. It was also observed from the reply of the SDO that though the Department handed over the Auditorium to the SDO in December 2017, no funds were released by the Department or any other Department of the Government of West Bengal for maintenance of the same.

A joint inspection<sup>148</sup> on 02 September 2019 undertaken by Audit along with officials of the SDO office, to see the condition of the Auditorium, disclosed that there was deterioration in the condition of the building as a) the plaster on the outside wall of the Auditorium was badly damaged, b) water seepage from the roof, c) water seepage in the chamber of the District Magistrate (located in the first floor of the Auditorium) which was damaging the furniture placed therein as well and d) wood works inside the Auditorium were termite affected. Photographic evidence is given below.



*Pic 3.10: Dilapidated condition of false ceiling of the Auditorium*



*Pic 3.11: Ceiling of corridor at 1<sup>st</sup> Floor leading to DM's chamber*



*Pic 3.12: Collapsed false ceiling of the Electrical Unit at ground floor of the Auditorium*

Joint Secretary of the Department stated (August 2019) that after acquiring the land, the project of shifting of District Headquarters of South-24 Parganas did not materialise due to unsettled technical, financial, political and social issues and as the resolution of shifting was still pending, the decision of construction of Auditorium for the sake of local people was not imprudent. The reply needs to be viewed in the light of the fact that the Auditorium was not utilised, excepting for use during Parliamentary Elections 2019. Further, since handing over of the auditorium, no funds were placed for operation and maintenance by the Government of West Bengal, leading to damages within two years of handing over.

Thus, construction of an Auditorium, involving an amount of ₹ 8.98 crore, in a remote, underdeveloped area without facilities led to its non-utilisation and

<sup>148</sup> Along with the Junior Engineer (Civil) and Head Clerk of the Office of the SDO, Baruipur.

proved to be a burden on the State Exchequer. Government of West Bengal needs to explore alternative avenues to put this asset to use.

The matter was referred to the Government in June 2020; reply was, however, awaited (November 2020).

## **URBAN DEVELOPMENT & MUNICIPAL AFFAIRS DEPARTMENT**

### **3.10 Intended objective of a Sewage Treatment Plant remaining unachieved**

**Even after establishment of a Sewage Treatment Plant (STP) in the Gayeshpur Municipal Area at a cost of ₹ 146.09 crore, the objective of prevention of discharge of untreated sewage to the river Ganga remained largely unachieved. This was due to non-completion of the work of connecting households of the Municipal Area to the STP.**

To reduce pollution load at priority locations on the river Ganga, Government of India (GoI) decided to finance infrastructure investments<sup>149</sup> under the National Ganga River Basin Authority (NGRBA) programme. With this objective, a Detailed Project Report (DPR) for construction of a Sewage Treatment Plant (STP) with a capacity of 8.33 Million Litres per Day (mld), for the Gayeshpur Municipal Area<sup>150</sup>, was sanctioned (February 2011) for ₹ 168.67 crore. The work was to be completed by February 2014.

While the DPR was only for construction of a STP, the sanction also emphasised on a plan of action to connect all the households in the area to sewer network by February 2014. However, the authority which was to ensure the household connections, was not clearly spelt out in the Sanction. Also no fund was allocated for this purpose. From response of the Kolkata Metropolitan Development Authority (KMDA) (June 2017) it was, however, seen that the household connections were the responsibility of the Gayeshpur Municipality. This was also acceded to by the Gayeshpur Municipality. As per the Sanction, a suitable provision was also to be made in the bye-laws of Gayeshpur Municipality to enforce compulsory sewer connection and user charges on the beneficiaries.

As per the DPR, waste water generated from the Municipal Area, was to be taken to the STP for necessary treatment. Thereafter, the treated waste water was to be disposed to the *Kulia-Beel*<sup>151</sup>, for final disposal into the river Ganga. As per the sanction, the work was to be completed by February 2014, however, the work order for establishment of the STP and laying of sewer network (for carrying waste water to the STP) was issued in favour of a contractor only in October 2013, with the scheduled date of completion being October 2016.

The work of construction of the STP was completed (January 2017) at a cost of ₹ 146.09 crore. However, the house connection work was yet to be taken up by the Municipality. The operation and maintenance<sup>152</sup> of the STP was also awarded (September 2017) to the same contractor for five years. The project

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<sup>149</sup> *The investments were aimed at preventing discharge of untreated sewage into the river Ganga and thus aiding abatement of river water pollution and improvement in water quality.*

<sup>150</sup> *Ward No. one to eighteen.*

<sup>151</sup> *A lake with static water.*

<sup>152</sup> *As of May 2020, an expenditure of ₹2.35 crore was incurred on account of operation and maintenance of the STP.*

was put on trial run<sup>153</sup> for six months (from March 2017 to August 2017) with sullage<sup>154</sup> to maintain the flow through the inlet network. During the trial run the STP treated less than one mld due to non-completion of house connection work and consequent shortage of sewage inflow.

On the request of Gayeshpur Municipality, in November 2017, the Urban Development & Municipal Affairs Department in the Government of West Bengal decided to release funds for individual house connections, and sanctioned (November 2017) ₹ 17.53 crore<sup>155</sup>. Out of ₹ 7.30 crore placed at the disposal of the Chairman, Gayeshpur municipality for the purpose, ₹ 6.35 crore had been utilised, as of May 2020. The Municipality issued a total of 19 work orders (April 2018 to September 2018) for construction of 11,342 numbers of house connection (65 per cent of the total of 17,423 houses) with the stipulation to complete the work within six months. As of May 2020, only 6,100 (35 per cent of total houses) numbers of house connection were completed.

The delay in completion of work was mainly attributable to lack of awareness among the residents of the municipality towards switching over from existing systems to modern sewerage systems as well as delay in handing over of sites to the contractors. In September 2020, the Municipality admitted that, awareness campaign were to be organized to motivate the residents of the Municipality. However, as no bye-laws were framed by the State Government, compulsory sewer connections could not be enforced. This indicated that as of October 2020, there was no certainty, as to when, the balance of household connections would be completed.

The average outflow of treated water from the STP, in 2018-19 was 0.670 mld and 2.346 mld in 2019-20, against the rated capacity of 8.33 mld. Hence, the plant remained operational with only 8 to 28 per cent of its rated capacity during 2018-19 and 2019-20 respectively, as a consequence, untreated sewage continued to be discharged through *Kulia-Beel* into the river Ganga. A physical verification undertaken (June 2020) by Audit, in presence of i) Assistant Engineer, Kolkata Metropolitan Development Authority and ii) Project Manager, contractor, also brought the issue of inadequate supply of influents, due to lesser number of household connections.



**Pic 3.13 & 3.14: Drain carries waste into Kulia-Beel**

<sup>153</sup> Trial run is meant to see whether the plant is capable of handling the designed capacity efficiently and if there is any deficiency in its operation, it has to be rectified before starting the Operation & Maintenance.

<sup>154</sup> Sewage collected from the upper layer of the surface drain.

<sup>155</sup> This was to cover around 15,000 households of the Municipality, of the total of 17,423 houses.

Thus, even after establishment of a STP in the Gayeshpur Municipal Area at a cost of ₹ 146.09 crore, the objective of prevention of discharge of untreated sewage to the river Ganga remained largely unachieved. This was due to non-completion of the work of connecting households to the STP and lack of synchronisation between the construction work of the STP and that of connecting households to the STP. Moreover, the prospect of future functioning of the STP at its optimal capacity, seems bleak due to uncertainty in completion of the residual works.

The matter was referred to the Government in June 2020; reply was, however, awaited (November 2020).

## **KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY**

### **3.11 Extra expenditure on construction of a car-parking**

**Non-adoption of design specifications of Indian Road Congress for laying block pavement, relating to construction of car-parking space at *Subhas Sarobar* in Salt Lake, Kolkata, resulted in extra expenditure of ₹ 1.31 crore.**

For the U-17 FIFA World Cup, Urban Development & Municipal Affairs (UD&MA) Department accorded (August 2017) Administrative Approval<sup>156</sup> to Kolkata Metropolitan Development Authority (KMDA) for execution of Parking Places, Lighting and other associated works<sup>157</sup> at *Subhas Sarobar*<sup>158</sup>, at an estimated cost of ₹ 11.70 crore. KMDA awarded (September 2017) the work of construction of car parking space to two contractors at a total tendered value of ₹ 4.51 crore.

The execution of the work was to be carried out as per latest WBPWD<sup>159</sup> Schedule of Rates<sup>160</sup> -SOR, prepared considering the specifications of Indian Road Congress (IRC)<sup>161</sup>, which envisaged the following design and drawing parameters for laying block pavement required for construction of car parking:

1. For lightly trafficked pavements like car parks, *etc.*, the pavement should consist of blocks 60 millimetres (mm) thick laid over sand bedding 20-30 mm and a base course<sup>162</sup> 200 mm thick over compacted earth. The base course could be in WBM<sup>163</sup>/ WMM<sup>164</sup>/ crushed stone/ soil-cement.
2. The sub-grade soil having a CBR<sup>165</sup> of not less than five would suffice for this purpose.

<sup>156</sup> *The Housing sector (erstwhile Kolkata Improvement Trust (KIT)) of KMDA was the implementing sector.*

<sup>157</sup> *Construction of footpath and painting blocks of Kolkata Improvement Trust Housing Scheme adjacent to Subhas Sarobar, providing drinking water kiosks, providing security personnel and sweeper during U-17 FIFA World Cup, etc.*

<sup>158</sup> *It is a lake near to the stadium where the U-17 FIFA World Cup was organised.*

<sup>159</sup> *West Bengal Public Works Department.*

<sup>160</sup> *SOR 2015 and also considering the 7<sup>th</sup> corrigendum of SOR 2015 (published on 28 June 2017)*

<sup>161</sup> *IRC SP 063-2004.*

<sup>162</sup> *Base course is the bottom layer of material and down in the construction of a pavement.*

<sup>163</sup> *Water Bound Macadam.*

<sup>164</sup> *Wet Mix Macadam.*

<sup>165</sup> *California Bearing Ratio (CBR) is meant for the evaluation of sub-grade strength of soil and derived through penetration test. The results obtained by these tests are used to determine the thickness of pavement and its component layers.*

While awarding the work and subsequently while executing the work, the KMDA did not adhere to these specifications and as a consequence, 11,913.26 cubic metre (cu mt) of materials were laid in excess which resulted in an excess expenditure of ₹ 1.31 crore from the Government exchequer as detailed below:

**Table 3.12: Execution of works in non-adherence to stipulations of SOR and IRC**

Sl. No.	Description of items	Requirement as per SOR/ IRC	Actually Executed	Impact
1	Compacted sand laid over compacted earth	Not required as the CBR value of sub grade soil was seven	Executed 5,361.03 cu mt	Excess laying of 5,361.03 cu mt of compacted sand worth ₹ 40.61 lakh.
2	Thickness of WBM base layer	200 mm	Executed 300-360 mm	Excess execution of thickness resulted in excess execution of 2,197.41 cu mt of WBM layer worth ₹ 39.57 lakh.
3	Stone dust layer above WBM Base layer to obtain desired density/ CBR	No stabilisation required for sub-grade soil as the CBR value of soil was seven, which was more than five.	Executed 2,405.06 cu mt as extra item of work	Execution of 2,405.06 cu mt of stone dust layer in contravention of codal provision led to excess expenditure of ₹ 38.27 lakh.
4	Thickness of Sand bed under paver block	20-30 mm	Executed 150 mm	Excess provision of thickness resulted in excess execution of 1,949.76 cu mt sand layer worth ₹ 12.80 lakh under paver block.

*Source: Records of KMDA*

Reasons for execution of the works by way of non-adherence to the SOR/ IRC specifications were not on record, except for the extra item of work (Serial No. 3 of the table) which KMDA attributed to heavy rain and urgency of work for the upcoming U-17 FIFA World Cup 2017 event. It was, however, noticed that the extra item of work, as per methodology of construction adopted by the KMDA, involved laying of stone dust layer above WBM. IRC specifications referred above, stipulates that sub-grade soil having a CBR of more than five, would suffice for the purpose. As in the instant case, the stone dust layer was laid above WBM layer and the sub-grade soil also had a CBR of more than five, this extra work violated the IRC specifications.

Thus, non-adoption of design specifications of IRC, as was included in the Schedule of Rates of the West Bengal Public Works Department, by KMDA for laying block pavement, relating to construction of car-parking space at *Subhas Sarobar* in Salt Lake, Kolkata, resulted in extra expenditure of ₹ 1.31 crore.

The matter was referred to the Government in May 2020; reply was, however, awaited (November 2020).

**3.12 Deviation from work specifications leading to additional expenditure**

**In an Elevated Road Corridor project under Kolkata Metropolitan Development Authority (KMDA), reversal of normative and approved order of layers in the bituminous wearing coat during execution led to damage of the road within one year of completion of work. KMDA could not invoke the defect liability clause of the contract as the said deviation had been done with full knowledge of KMDA. This led to an additional expenditure of ₹ 3.72 crore on re-laying of the layers.**

Kolkata Metropolitan Development Authority (KMDA) had taken up the construction of an Elevated Road Corridor (ERC) from Park Circus to Eastern Metropolitan Bye-pass near Parama Island. The work, which commenced in December 2009, was executed by a private contractor and was opened to traffic in October 2015. The work contract *inter alia*, envisaged that the contractor was to operate and maintain the work for a period of 24 months from the date of completion of work and was to stand guarantor for the works for a period of 36 months from the date of completion of construction and defects, if any, was to be made good by the contractor at his own cost.

Besides, in terms of bid document, the construction work was to be executed in conformity with specifications of the Ministry of Road Transport and Highways (MORTH).

Section 2702.1 of the MORTH specification for Roads and Bridge Works provided that 25 mm thick Mastic Asphalt (MA) layer was to be laid over 40 mm thick layer of Bituminous Concrete (BC) to make a 65 mm thick Bituminous Wearing Coat (BWC). The same was also adopted in the detailed drawing of the road.

Though the work was executed under the supervision of KMDA, it was observed in audit that during execution, the normative sequence of the BC and MA layers (*i.e.* MA layer to be laid above the BC layer) was reversed by the contractor without any recorded justification and 40 mm thick BC was laid over the 25 mm MA.

Records showed that within a year of opening of traffic (*i.e.* within the defect liability period), the elevated road corridor developed surface defects at a few locations. From responses given (January 2019 and February 2019) by the Superintending Engineer (SE), KMDA, to Audit, it was evident that the reversal of layer sequence (laying of BC over MA), done in deviation from MORTH specifications and detailed drawing, had been done under the aegis of KMDA authorities. He, however, opined that laying of MA over BC would have provided an impervious topping to prevent surface defect on account of heavy rainfall.

Further scrutiny showed that KMDA had in fact pointed out (August 2016) the issue of surface defects on the flyover to the contractor and also raised the issue of deviation from the desired specification. The contractor, however, refused (August 2016) to accept any fault on its part citing that the entire work of bituminous had been carried out under strict supervision of Engineers of KMDA meeting all the quality parameters. Contractor further referred to the undue haste shown by KMDA to make this flyover ready by October 2015 forcing it to execute bituminous work in rainy season.

No further communications to the contractor were forthcoming from the records of KMDA on the above issue, though there were enabling clauses of defect liability in the contract and clear deviation from prescribed order of laying of layers.

Consequently, KMDA spent ₹ 3.72 crore for removing the 25 mm thickness of the existing surface of Bituminous Concrete and re-laying the surface topping with a layer of 25 mm Mastic Asphalt by engaging two other contractors during November 2016 to May 2017.


The matter was referred to the Government in June 2020; reply was, however, awaited (November 2020).

Kolkata  
The 31 March, 2021

  
(SARAT CHATURVEDI)  
Principal Accountant General (Audit-I)  
West Bengal

Countersigned

New Delhi  
The 13 APR 2021

  
(GIRISH CHANDRA MURMU)  
Comptroller and Auditor General of India