

## *List of Pending Para*

### **LAW DEPARTMENT**

Year	Pending Para as per PAC	Compliance Report Received from Administrative Deptt. as on 31/12/2010	Compliance Report not Received from Administrative Deptt. as on 31/12/2010
2003-04	Civil	—	
		<a href="#">4.3.1</a> , <a href="#">4.3.4</a>	<a href="#">4.3.1</a> , <a href="#">4.3.4</a>

### **LAW DEPARTMENT**

#### ***4.3.1 Unauthorised payment to irregularly appointed staff***

***Irregular continuation of 124 temporarily appointed staff over the years in the District Court Nawada resulted in unauthorised payment of Rs 4.05 crore.***

Rule 80 of Bihar Financial Rules Vol. I stipulates that no permanent or temporary posts under the Government could be created without the sanction of the Government and the payment of salary and allowances to the staff in excess of sanctioned strength was not permissible.

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Scrutiny of records of the District and Sessions Judge (DSJ), Nawada revealed (January 2004) that in addition to the posts of 25 Clerks, 3 Stenos, 21 Peons, 1 Daftari and 5 Drivers sanctioned by the Law Department, Government of Bihar, posts of 59 Clerks, 12 stenos and 53 peons were created and filled between March 1984 to June 1998 by the DSJ, Nawada on temporary basis for one year and allowed to continue over the years without sanction of the Government.

However, the DSJ, Nawada took up (August, 2000) the matter with the High Court, Patna for obtaining the sanction of the Government to regularise 124 posts of additional staff. The High Court, Patna, in turn asked him (August 2000) to explain the reasons under which these posts were used and staff were appointed without the sanction of the posts by the Government. The DSJ, Nawada did not furnish any explanation to the High Court as of April 2004.

Thus unauthorised continuation of 124 temporarily appointed staff over the years resulted in unauthorised payment of Rs 4.05 crore on their pay and allowances during 1999-2004.

The matter was referred to the Government (May 2004); their reply had not been received (February 2005).

#### ***4.3.4 Unfruitful expenditure on computerisation of district courts***

***In seven test-checked district courts, computer sets supplied were either not installed or non functional making expenditure of Rs 33.06 lakh unfruitful.***

Based on the memorandum of understanding signed (December 1996) by the National Informatics Centre (NIC), the Planning Commission, Government of India and the High Court of Judicature at Patna, the NIC supplied (April 1997) computer sets with accessories valued at Rs 72.32 lakh to 28 district courts of Bihar for establishing computer centres. The centres were intended to develop Management Information System and facilitate

Information resources and national level networking of the district courts. Training on computer operation to trainers was to be provided by the NIC whereas infrastructure facilities like furniture, civil and electric works, and telephone were to be provided by the State Government. The task of computerisation was to be accomplished by May 1997.

Scrutiny revealed (February-March 2004) that the State Government spent Rs 71.16 lakh on infrastructure up to March 2004, but the Registrar (Administration) High Court of Judicature at Patna stated (February, 2004) that the date on which the computers were put to use and the number of skilled staff deployed in computer centres was not available. He also stated that the main reasons for under utilisation of computer centers were poor power supply, non-functioning of uninterrupted power supply system (UPS), non-availability of vendors to take up annual maintenance contract for the UPS systems installed in district courts, lack of trained persons, non-availability of funds to meet expenditure on consumables etc.

In seven test-checked district courts<sup>1</sup> it was seen (March, 2004) in audit that computer sets valued at Rs 18.08 lakh were supplied by the NIC as of April

1997 and Rs 14.98 lakh<sup>2</sup> were spent on development of infrastructural facility. However, the computer sets could not be installed in five districts courts<sup>3</sup> as of

February 2004 as the State Government did not provide complete infrastructure facility even after incurring expenditure of Rs 14.98 lakh. Though the computers were installed (October 1999 and August 2001) in two of the seven test-checked district courts, those were not functioning since inception due to defects in CVT of UPS as of February 2004. Thus the expenditure of Rs 33.06 lakh on computer sets and infrastructure in these seven districts was totally unfruitful.

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Further, the Registrar (Administration) High Court Patna, stated (October 2004) that the computers supplied in the year 1996-97 had become obsolete.

The matter was referred to the Government (May 2004); their reply had not been received (February 2005)

1. *Bhagalpur, Hajipur, Muzaffarpur, Motihari, Patna, Sitamarhi, Samastipur*
2. *Furniture (Rs 5.04 lakh), Civil and electrical works (Rs 9.56 lakh), CVT (Rs 0.33 lakh) and Telephone (Rs 0.05 lakh)*
3. *Bhagalpur, Muzaffarpur, Patna, Sitamarhi, Samastipur*