

LAWDA was rejected (November 2016) on the grounds that the Building Permission Authority cannot regularise the structures constructed before seeking proper permission. It was also confirmed (August 2017) by the Directorate, ISM that the Government of India had released an amount of ₹6.38 crore for this project in December 2011, out of which, ₹three crore were released to R&B Department and the balance ₹3.38 crore were lying in the bank account⁵². Thus, failure to seek prior permission for construction resulted in unfruitful expenditure of ₹three crore, blocking of ₹3.38 crore for more than five years, creation of liability of ₹2.75 crore and denial of benefits of the Project.

On this being pointed out, the EE, PW (R&B) Construction Division 2nd Srinagar stated (December 2016) that the work was started as per the orders of the higher Authorities with the intimation that necessary clearance from LAWDA is being obtained. It was also stated that the higher Authorities are in touch with the LAWDA Authorities for obtaining the necessary permission so that the expenditure can be made productive by way of starting the work on the project. The reply is not tenable, as LAWDA has informed that Building Permission Authority cannot regularise the structures constructed before seeking proper permission.

The matter was referred to the Government in June 2017; reply was awaited (December 2017).

3.8 Unauthorised functioning of healthcare institutes and non-realisation of revenue

Failure to renew the licenses of the Nursing Homes/ Clinical establishments and recover the licenses renewal fee resulted in unauthorised functioning of these establishments and non-recovery of revenue of ₹0.44 crore.

Jammu and Kashmir Nursing Homes and Clinical establishments (Registration and Licensing) Act, 1963 regulate the system of registration and licensing of Nursing Homes and Clinical establishment in the State. Section 3 of the Act envisage that no person shall open, keep or carry on the Nursing Homes or Clinical establishments without being registered in respect thereof and except under and in accordance with the terms of a license granted therefor. The Department of Health, Family Welfare and Medical Education issued norms for registration and licensing of Nursing Homes and Clinical establishments 2006, modified in March 2007⁵³ for registration and licensing of Nursing Homes and Clinical establishments and prescribed rates for registration/ renewal fee for different healthcare institutes in rural/ urban areas. The registered healthcare institutes were to deposit the renewal fees every three years and health Authorities were at liberty to inspect these institutions at any time in the year.

Audit scrutiny of records of the Directors of Health Services (DHS) Jammu/ Kashmir revealed that out of 1,883⁵⁴ healthcare institutes registered in the State, 990⁵⁵ (53 per cent) had not renewed their licenses on due dates during July 2009 to

⁵² No. CD-321

⁵³ Govt. Order No. 191-HME of 2007 dated 22.03.2007

⁵⁴ Jammu: 700; Kashmir: 1,183

⁵⁵ Jammu: 359; Kashmir: 631

December 2016. This not only resulted in unauthorised functioning of these health care institutes and non-realisation of license renewal fee of ₹0.44 crore, but also in the life of patients being put to risk since in the absence of timely renewal of licenses, there was no assurance on quality of services provided.

The matter was brought to the notice of Government and DHS Jammu/ Kashmir (May 2017) but the reply of Government and DHS Jammu was awaited (December 2017). DHS Kashmir sought (May 2017) the details and functional status of Nursing Homes/ Clinical establishments from the Chief Medical Officers in the Districts. A tentative list of healthcare centres depicting the outstanding amounts was prepared (October 2017) by the Directorate and the Chief Medical Officers were impressed to recover the outstanding liabilities and take action against the defaulting healthcare centres. However, the action taken by the Chief Medical Officers of the Districts was awaited (December 2017).

Higher Education Department

3.9 Unproductive expenditure due to improper human resources planning

Improper human resources planning by the Higher Education Department in deploying four Science faculty members in the Government Degree College Paloura, without giving approval for teaching science subjects in that College resulted in unproductive expenditure of ₹1.53 crore on their salaries.

Government Degree College, Paloura, was granted temporary affiliation in June 2009 by the University of Jammu, for imparting education to Three Year Degree Course in the Subjects of General English, Education, Political Science, Hindi and Urdu for the academic session 2008-09. The permanent affiliation was granted in May 2010 in relaxation of the Statute as a onetime exemption with the condition that annual review of the college be made for the next five years in order to ensure that the College fulfils the minimum eligibility criteria for permanent affiliation including National Academic Accreditation Council (NAAC) accreditation.

Audit scrutiny (July 2016) of the records of the Government Degree College, Paloura revealed that the Higher Education Department posted (June 2013) four faculty members of Botany, Zoology, Chemistry and Physics in the College though Science courses had not been approved to be taught in the college. While the Principal of the college had approached (September 2013, April 2014 and October 2015) the Higher Education Department for sanction to start these four subjects along with Mathematics and Computer Applications, the approval was not granted as of March 2017. One of the Science faculty members was transferred in August 2015, but the other three members continued (December 2016) to be posted in the college. It was also noticed that although there was requirement of faculties under these science subjects in various other Colleges⁵⁶, the services of Science faculty posted in Paloura College were not utilised there. Thus, improper human resources planning in the

⁵⁶ Government College for Women Parade Jammu: Chemistry, Degree College R.S.Pora: Chemistry and Zoology, Government Degree College Akhnoor: Botany, Chemistry and Physics