

NEWS ITEMS ON CAG/ AUDIT REPORTS (28.09.2022)

1. Early Childhood Care & Education: The Elephant in The Room ([livelaw.in](https://www.livelaw.in)) Sep 28, 2022

On the advent of the Constitution of India, 1950, the makers of the Constitution reposed faith in the State that it shall provide free and compulsory education for all children up till 14 years of age. Accordingly, Article 45 was inserted in the Constitution, as it originally stood, as a directive principle for the State to provide the same within a period of ten years from the commencement of this Constitution. However, even after half a decade of the Indian Republic, the constitutional trust reposed in the State was not at all fulfilled which led to growing public and civil society sentiment to provide such education as a matter of right. Such demands gained momentum more specifically after the National Policy of Education (NPE) was announced in 1986. Finally, giving in, the Government of India in 2002, while admitting that it has failed to abide by the constitutional trust for over a decade, brought in the 86th Constitutional Amendment, 2002 by which two articles were inserted and one was substituted in the Constitution of India. The said Amendment has been interesting in many ways. While it inserted Article 21-A under Part III of the Constitution which made the Right to Education (RTE) of a child between 6 to 14 years, a fundamental right, it also put a corresponding Fundamental Duty upon the parent/ guardian of such child/ ward to provide opportunities for education to his child/ ward by way of insertion of Article 51A(k). However, while much focus has been on these two Articles providing for Fundamental Right to Education for child between 6-14 years of age as also Fundamental Duty for providing such opportunities, Article 45 which was substituted vide the same Amendment and has been of far-reaching importance, seem to have lost its significance. The Article 45 so amended and supposed to be a directive principle to the State, introduced the concept of Early Childhood Care and Education (ECCE) and provided that the State shall endeavor to provide ECCE for all children until they complete the age of six years. ECCE is, therefore, provided under the Indian Constitution as a directive principle under the Part IV therein which essentially would mean that it provides for a directive to the State and that the State was at a liberty to make a legislation to bring in effect such directive for providing ECCE to children up to 6 years of age. It would be pertinent to mention that until and unless the said principle was/ is not translated into a legislation, the mandate to provide ECCE could not be enforced against the State as Directive Principles are not enforceable in the eyes of law.

Legislative Mandate And Its Enforceability

Since RTE for children between 6 to 14 years of age was enshrined as a Fundamental Right under the Constitution, the Parliament enacted the Right of Children to Free and Compulsory Education Act 2009 which is more popularly known as the RTE Act, with its object primarily being identical to Article 21 of the Constitution verbatim. The said Act, on all platforms, civil societies, education groups and academics was propagated and projected as RTE for children between 6-14 years of age as enshrined under Article 21 and other provisions therein to achieve the said goal. Less has been talked about one of the rather forgotten provisions of the said Act, which imposed a legislative mandate upon the respective Central and the State Governments for providing ECCE,

as provided for under Article 45, so discussed hereinabove. The said provision would be beneficial to be reproduced hereunder for ready reference:

"Section 11: With a view to prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangement for providing free pre-school education for such children." (emphasis added)

This is reinvigorated from the fact that Preamble of the RTE Bill refers to Article 45 as one of the recitals to the RTE Act. Therefore, in the aforesaid manner, what was enshrined under the Article 45 as a non-enforceable directive principle was fortified as an enforceable duty upon the State to provide for ECCE. The unenforceable Directive Principle for the State under the Constitution turned into an enforceable duty for the State, thereby creating a corresponding enforceable right in the citizens to demand ECCE in the law, as a matter of statutory right.

Section 11: ECCE In The Rulebook And Governing Ministry The RTE Act, more particularly under Section 35 and 38 of the Act, provides for directions, guidelines and rulemaking powers of the Central as well as Appropriate Government for the implementation of the provisions of the RTE Act, which encompasses powers for implementation of ECCE so provided under Section 11 of the Act. However, ECCE has not been up on the platters of any Government when it has come to making rules or guidelines for statutory duty enshrined under Section 11 of the Act. The interesting part to the entire debate around the implementation of statutory obligations with regard to ECCE is that which Ministry would be entitled to make such rules for the purposes of ECCE in terms of Section 11 of the Act. While the entire Act appears to be about the Right to Education which is to be administered by the Ministry of Education (MoE), an in-depth analysis would reveal that it is not quite so, at least in law.

The Ministries can administer and act only on the subject matters allocated to them under The Government of India (Allocation of Business) Rules, 1961 (the "Rules"). The said Rules provide for the name of Departments under each Ministry under First Schedule therein. It also provides for distribution of subject matter among all such departments of each Ministry relating which the said Ministry, through its designated Department, can make rules and administer. Interestingly, while "elementary education" has been allocated to the Ministry of Education through Department of School Education and Literacy as its Entry No. 1, there is no mention about ECCE. It clearly shows that the ECCE is not an allocated business of MoE. Moving further, a perusal of the entire Rules would reveal that ECCE is in fact a subject matter which relates to the Ministry of Women & Child Development (MoWCD). The Entry No. 4 under the MoWCD allocated business provides for "care of pre-school children including pre-primary education".

ECCE: A Chronicle Of Ignorance And Its Effect(s)

It is beyond doubt, upon perusal of the Rules, that ECCE is a subject matter falling squarely within the purview of business allocated to MoWCD and not the MoE. However, it appears that neither the MoWCD nor the MoE has a clear demarcation of such subject matter which has led to passing the buck between the two when it comes to ECCE, as also Section 11 to that extent. The sufferer is the Law and the

beneficiaries. Demarcation/ Allocation of business under the Rules is of prime importance, as firstly, it leads to recognition of a head of expense and secondly, allocation of funds towards such head. ECCE has no god father to bat for and there has been equal negligence in recognizing it as a head of expense for fund allocation in the Budget to the MoWCD, by all the arms of the Government.

The Rules are also important since the Comptroller and Auditor General of India (CAG) conducts its audit according to such subject matter. Interestingly, as would be evident from the CAG's Report No. 23 of 2017 which was undertaken specifically for the RTE Act and its compliance in terms of Funds allocated under the Act, a Constitutional Authority like CAG mentions that the R G TE Act is administered by the MoE. The entire audit admittedly was conducted only with respect to MoE (then MHRD) at the Central Level and not with respect to MoWCD. This reveals three logical conclusions. One, that the MoE, MoWCD as well as even CAG do not strictly recognize Section 11 of the Act i.e. ECCE as a subject matter of MoWCD and it shows the confusion and negligence of the Government. Two, even assuming that ECCE is recognized to be the subject matter of MoWCD, the non-audit of the same under the audit Report of RTE Act shows that there is no fund allocation to MoWCD specifically for ECCE which may require an audit. Third, as a consequence of such non-recognition of MoWCD's role for ECCE under the RTE Act, there would not be budgetary allocation in the subsequent Financial Years leading to rendering Section 11 and its mandate otiose. In fact, the budgetary allocation for the purposes of RTE Act itself is taken from the budget allocated to Sarva Siksha Abhiyan (SSA, now under Samagra Siksha Scheme) which makes things even worse for the ECCE.

The only manner in which the MoWCD has been taking up the task of providing ECCE is vide its ECCE Policy, 2013, a Draft Early Childhood Education Framework and through Integrated Child Development Scheme (ICDS) which administers the Anganwadis. However, the ICDS has four components as per MoWCD's own Scheme document which are, Early Childhood Care Education & Development (ECCED); Care & Nutrition Counselling; Health Services; Community Mobilisation Awareness, Advocacy & Information, Education and Communication. The data would reveal that there has been no major spend on the first component of ICDS by the MoWCD i.e. towards ECCE, which has made the concept of ECCE a forsaken one. ICDS rather being a solution to the problem has made it even more complex. The first problem as can be understood from the above discussion is about recognizing ECCE as a statutory obligation of MoWCD for all purposes including accountability for implementation. However, ICDS on the other hand, firstly dilutes the concept of ECCE as a statutory obligation and further attenuates its significance through diluting the responsibility of MoWCD by making it a responsibility of nine ministries/ departments as opposed to the Rules making it a sacrosanct responsibility of MoWCD alone. The result is an overlap of policies in relation to the already neglected ECCE, majorly between MoE and MoWCD. For instance, while as per law, ECCE, inclusive of pre-primary education, is a business allocated to MoWCD it is the MoE which has framed policies regarding pre-primary education under the banner name of Integrated Scheme for School Education, Samagra Shiksha Scheme (SSS) in 2018 by subsuming the erstwhile Centrally Sponsored Schemes of SSA, Rashtriya Madhyamik Shiksha Abhiyan (RMSA) and Teacher Education (TE). The recent directive of the SSS is also cognizant of the proposals made by the National Education Policy, 2020 towards integrating preprimary education into the ambit of formal school education.

This is not only in violation of the Rules but goes to the roots of constitutionality in addition to negligence of Section 11 and the entire concept of ECCE, adding up to the confusion. The irony is that while Section 11 which deals with ECCE and is a matter to be dealt by MoWCD has been forgotten, one of the objectives of SSS is Focus on ECCE that too by MoE who has no business dealing in the same. The horror of errors by creating a muddle by the Government, more specifically, MoE and MoWCD has led to the preparation of death bed for ECCE in India much before it could breathe.

The Mess Around: Reparations and Conclusion

The non-abidance of section 11 of the Act in relation to ECCE has been highlighted by a few orders of various High Courts including Bombay High Court in Dr. Jagannath S/o Shamrao Patil v. Union of India & Ors. wherein the Hon'ble High Court directed the State Authorities to formulate guidelines under Section 11 of the Act. However, the fault lines are with the Central Government as discussed above and therefore, as it is visible, such order could also not be effective for ECCE under Section 11.

The solution is as fundamental as the problem. The first step should be to recognize and be cognizant of the Ministry that has been allocated to provide for ECCE which would be MoWCD. The second step would be to recognize and popularize the concept of ECCE being as vital and a part of the RTE Act as that of elementary education provided under the Act. The third step, that would be consequential to the recognition, is budgetary allocation specifically for ECCE, simultaneous to repealing of overlapping and toothless schemes including SSS as also ICDS, both, to the extent these pertain to ECCE. This would serve two purposes. One, that it would avoid waste of financial and other resources and second, that it would direct the resources specifically towards ECCE. The fourth act which should be parallel to the above should be to formulate a definitive policy/ guidelines/ directions/ Rules strictly under Section 35 and 38 by the MoWCD as also the local authorities and State Governments in terms Section 11 of the RTE Act.

The most important aspect to all such steps would be justiciability. ECCE in terms of rulebook has come a long way from being non-existent under the Constitution initially, to being a non-justiciable directive principle under amended Article 45 and to finally be a part of the RTE Act under Section 11 as a justiciable provision. The right to enforce the concept of ECCE under Section 11 is one of the major ways to bring ECCE to the fore in Indian policymaking and legal framework. This can be done only by pin-pointing accountability to one of the Ministries i.e. MoWCD, which in turn can only be done by following the steps hereinabove. Until and unless there is clear demarcation in the minds and actions of the Ministries about its respective accountability on a subject matter there would not be any clarity within the masses/ citizens or civil societies working for ECCE and there would be no mandamus that can be sought in the courts 9/28/22, 2:02 PM Early Childhood Care & Education: The Elephant In The Room <https://www.livelaw.in/columns/constitution-of-india-article-45-national-policy-of-education-npe-right-to-education-rte-early-childhood-care-and-e...> 11/22 of law for implementation of Section 11 of the Act. Therefore, the principle of Cognizance, Recognition, Popularization, Finance, Framework and Accountability for ECCE needs to be adopted before moving towards the substantive part of what and how the ECCE should be materialized. To conclude, the situation seems to be like putting the house in order, before organizing a successful event or a party. In the present case,

organizing a party is a far-fetched idea until the house is in a mess due to too many organizers willing to implement their own contradictory ideas, while all of them having no penny for the party. <https://www.livelaw.in/columns/constitution-of-india-article-45-national-policy-of-education-npe-right-to-education-rte-early-childhood-care-and-education-ecce-210433>

STATES NEWS ITEMS

2. Land for Lucknow-Agra expressway purchased at higher rates: CAG ([livemint.com](https://www.livemint.com)) SEPTEMBER 28, 2022

The Uttar Pradesh Expressways Industrial Development Authority (UPEIDA) paid more than the actual price for the purchase of land for the construction of the Lucknow-Agra expressway, according to Comptroller and Auditor General (CAG) report.

As per the CAG report, UPEIDA made excess payment of ₹3.65 crore in 2014 due to the execution of sale deeds at higher than approved rates for the purchase of land in Kannauj district.

The CAG has advised the Uttar Pradesh government to investigate and fix responsibility.

The Uttar Pradesh government's order (September 2013) provides that according to the general policy to acquire land for all projects, the land will be directly purchased based on the agreement between the land owners and acquiring bodies, the CAG noted.

The compensation for the purchase of land for road or expressways projects will be decided by the District Level Rate Fixation Committee (Committee) headed by the District Magistrates and the rates will be fixed through mutual consent based on prevalent market rate and other related information.

"Further, the Committee will send these rates to the acquiring body with its recommendation for approval," the auditor noted.

The report noted that the UPEIDA, in its 22nd board meeting (June 17, 2014), authorised its chief executive officer (CEO) to approve the rates decided by the Committee on which the land was to be purchased.

The Committee of District Kannauj finalised (July 2, 2014) the rates (four times the prevalent circle rates of villages concerned for general agricultural land and agricultural land adjacent to population) of land for 50 villages required for the construction of the Lucknow-Agra Expressway.

"During test check of records, the audit noticed (August 2019) that UPEIDA purchased land in seven villages in Kannauj district and contravention to the provisions of government order (September 2013), executed 88 sale deeds at the rates higher than that recommended by the Committee and approved by the CEO of UPEIDA, because these lands were adjacent to road," the CAG report noted.

"The district magistrate of Kannauj in a letter (January 5, 2021) addressed to the CEO, UPEIDA mentioned the fact that in the sale deeds executed, there was no mention about existence of road in 'chauhaddi' hence, these sale deeds were executed on higher circle rate than approved circle rate for which UPEIDA's approval was required but was not taken in these cases.

The report noted that UPEIDA paid an excess land value amounting to ₹3.65 crore to the landowners.

Further, the audit scrutinised sale deeds and noticed that in 40 out of the 88 sale deeds, there was no mention of any road, and also acquired land was surrounded (Chauhaddi) by agricultural land only, according to the report.

In the remaining 48 sale deeds, there was a mention of road, however, these were also surrounded by agricultural land. But, in none of these 48 cases, pucca (asphalted) road shown in the revenue maps prepared (October 2013) for the acquisition of land for the expressway, the CAG noted.

UPEIDA, in its reply (May 2021), said the amount of difference in rates was due to the difference in the amount of the circle rate for agricultural land and the land situated on the road, according to the report. <https://www.livemint.com/news/india/land-for-lucknow-agra-expressway-purchased-at-higher-rates-cag-11664351773138.html>

3. CAG report: UPEIDA purchased land for Lucknow-Agra expressway at higher rates in Kannauj (ptinews.com, devdiscourse.com) SEPTEMBER 28, 2022

For the construction of the Lucknow-Agra expressway, the Uttar Pradesh Expressways Industrial Development Authority (UPEIDA) made excess payment of Rs 3.65 crore due to execution of sale deeds at higher than approved rates for the purchase of land in Kannauj district, a CAG report has revealed.

The Comptroller and Auditor General (CAG) has suggested the Uttar Pradesh government to investigate and fix responsibility in the matter that took place in 2014 as highlighted in its compliance audit report for the year ended March 2020.

The report, accessed by PTI, was tabled during the recently-concluded monsoon session of the state assembly.

The Uttar Pradesh government's order (September 2013) provides that according to the general policy to acquire land for all projects, the land will be directly purchased on the basis of agreement between the land owners and acquiring bodies, the CAG noted.

The compensation for purchase of land for road or expressways projects will be decided by the District Level Rate Fixation Committee (Committee) headed by the District Magistrate of the districts concerned and the rates will be fixed through mutual consent based on prevalent market rate and other related information, it stated.

"Further, the Committee will send these rates to the acquiring body with its recommendation for approval," the auditor noted.

UPEIDA, the acquiring body for the land to be used in the construction of the Lucknow-Agra Expressway, was required to comply with procedures defined in the government order.

The report noted that the UPEIDA, in its 22nd board meeting (June 17, 2014), authorised its chief executive officer (CEO) to approve the rates decided by the Committee on which the land was to be purchased.

The Committee of District Kannauj finalised (July 2, 2014) the rates (four times of the prevalent circle rates of village concerned for general agricultural land and agricultural land adjacent to population) of land for 50 villages required for the construction of the Lucknow-Agra Expressway.

The CEO of UPEIDA approved (July 7, 2014) the rates recommended by the Committee, it added.

"During test check of records, the audit noticed (August 2019) that UPEIDA purchased land in seven villages in Kannauj district and in contravention to the provisions of government order (September 2013), executed 88 sale deeds at the rates higher than that recommended by the Committee and approved by the CEO of UPEIDA, on the grounds that these lands were adjacent to road," the CAG report noted.

"The district magistrate of Kannauj in a letter (January 5, 2021) addressed to the CEO, UPEIDA mentioned the fact that in the sale deeds executed, there was no mention about existence of road in 'chauhaddi' hence, these sale deeds were executed on higher circle rate than approved circle rate for which UPEIDA's approval was required but was not taken in these cases.

"Resultantly, UPEIDA paid an excess land value amounting to Rs 3.65 crore to the landowners," it noted.

Further, the audit scrutinised sale deeds and noticed that in 40 out of the 88 sale deeds, there was no mention of any road and also acquired land was surrounded (Chauhaddi) by agricultural land only, according to the report.

In the remaining 48 sale deeds, there was a mention of road, however, these were also surrounded by the agricultural land. But, in none of these 48 cases, pucca (asphalted) road was shown in the revenue maps prepared (October 2013) for the acquisition of land for the expressway, the CAG noted.

UPEIDA, in its reply (May 2021), said the amount of difference in rates was due to the difference in amount of the circle rate for agricultural land and the land situated on the road, according to the report.

"The government needs to investigate the matter for executing the sale deeds at the higher rates and fix the responsibility for the same. The matter was reported to the

government (March 2021). The reply is awaited (November 2021)," the CAG stated. <https://www.ptinews.com/news/national/cag-report-upeida-purchased-land-for-lucknow-agra-expressway-at-higher-rates-in-kannauj/425253.html>

4. Yamuna Expressway Authority paid for non-existent land, lost Rs 2.71 crore: CAG report ([moneycontrol.com](https://www.moneycontrol.com/news/business/real-estate/yamuna-expressway-authority-paid-for-non-existent-land-lost-rs-2-71-crore-cag-report-11525253.html)) SEPTEMBER 27, 2022

The Yamuna Expressway Industrial Development Authority (YEIDA) had purchased a land parcel in Gautam Buddh Nagar around seven years ago but did not verify the land records leading to losses worth Rs 2.71 crore, a CAG report has revealed.

It said that the UP Power Transmission Corporation Limited had requested YEIDA in June 2012 to allot 75 acres (30.3514 hectare) of land at Jahangirpur village in Gautam Buddh Nagar near the Yamuna Expressway for the construction of a 765 KV sub-station. A proposal for the acquisition of land for the sub-station was initiated in September 2012 by YEIDA officials which was approved in the same month by its then chief executive officer (CEO).

The YEIDA executed 159 sale deeds between December 2012 and December 2015 for the purchase of 54.365-hectare land spread over 150 khasras, it noted.

The audit noticed in March 2019 that out of 150 khasras of revenue records, the actual area in 17 khasras was 6.3990 hectares. The Authority, however, overlooked the area actually available in land records or verification reports submitted by the District Authority, and purchased an area measuring 7.98935 hectares through executing sale deeds relating to aforesaid 17 khasras. This has resulted in payment against 1.59035 hectare land which was not actually available in respective khasras or verification reports, observed the CAG report, tabled recently in the UP assembly.

The YEIDA paid Rs 13.60 crore as compensation, annuity and additional compensation for the purchase of 7.98935 hectares of land. Consequently, due to not reconciling purchased land with land records/verification reports, the YEIDA suffered a loss of Rs 2.71 crore on purchase of 1.59035-hectare land, the report said.

"Further, the YEIDA also incurred an expenditure of Rs 0.10 crore as stamp duty on the purchase of land against an area not available in records," the Comptroller and Auditor General (CAG)'s compliance audit report for the year ended March 2020 revealed.

The CAG report said that in its reply, the YEIDA accepted in July 2021 that there was a difference of 1.5935 hectare between area mentioned in the 17 sale deeds and revenue records. Further, it stated that the purchase of land was done on the basis of land records made available by the District Authority.

The reply that the purchase was done on the basis of land records made available by the District Authority is not acceptable as the land mentioned in verification reports of the District Authority was less than the area against which payment was made. Hence, the YEIDA is fully responsible for purchasing unavailable land due to not exercising due diligence by its officials of the Land Department, the auditor said in its report. [https://www.moneycontrol.com/news/business/real-estate/yamuna-expressway-](https://www.moneycontrol.com/news/business/real-estate/yamuna-expressway-authority-paid-for-non-existent-land-lost-rs-2-71-crore-cag-report-11525253.html)

5. UP: Yamuna Expressway Authority Paid for Land Unavailable on Record Incurring Rs 2.71cr Loss: CAG ([newsclick.in](https://www.newsclick.in)) SEPTEMBER 27, 2022

YEIDA also incurred an expenditure of Rs 0.10 crore as “stamp duty” on purchase of the land against an area not available in records, the audit revealed.

Noida: Uttar Pradesh government's Yamuna Expressway Industrial Development Authority (YEIDA) had purchased a land parcel in Gautam Buddh Nagar in 2015 but not verifying land records led to a loss of Rs 2.71 crore, a CAG report has revealed.

Further, the YEIDA also incurred an expenditure of Rs 0.10 crore as “stamp duty” on purchase of the land against an area not available in records, the Comptroller and Auditor General (CAG)'s compliance audit report for the year ended March 2020 revealed.

The report, tabled recently in the UP Assembly and accessed by PTI, states that the UP Power Transmission Corporation Limited had requested (June 2012) YEIDA to allot 75 acre (30.3514 hectare) land in village Jahangirpur in Gautam Buddh Nagar near the Yamuna Expressway for the construction of 765 KV sub-station.

A proposal for acquisition of land for sub-station was initiated (September 2012) by YEIDA officials which was approved the same month by its then chief executive officer (CEO).

The YEIDA executed (December 2012 to December 2015) 159 sale deeds for the purchase of 54.365 hectare land spread over 150 khasras, it noted.

"The Audit noticed (March 2019) that out of 150 khasras of revenue records, the actual area in 17 khasras was 6.3990 hectares. The YEIDA, however, overlooked the area actually available in land records or verification reports submitted by the District Authority, and purchased an area measuring 7.98935 hectares through executing sale deeds relating to aforesaid 17 khasras," the CAG report noted.

"This has resulted in payment against 1.59035 hectare land which was not actually available in respective khasras or verification reports. The YEIDA paid Rs 13.60 crore as compensation, annuity and additional compensation for purchase of 7.98935 hectares of land. Consequently, due to not reconciling purchased land with land records/verification reports, the YEIDA suffered a loss of Rs 2.71 crore on purchase of 1.59035 hectare land," the report said.

"Further, the YEIDA also incurred an expenditure of Rs 0.10 crore as stamp duty on the purchase of land against an area not available in records," it stated.

The CAG report mentioned that in its reply, the YEIDA accepted (July 2021) that there was a difference of 1.5935 hectare between area mentioned in the 17 sale deeds and revenue records.

Further, it stated that the purchase of land was done on the basis of land records made available by the District Authority, according to the report.

However, the CAG said “the reply” that the purchase was done on the basis of land records made available by the District Authority “is not acceptable” as the land mentioned in verification reports of the District Authority was less than the area against which payment was made.

“Hence, the YEIDA is fully responsible for purchasing unavailable land due to not exercising due diligence by its officials of the Land Department,” the auditor stated.

The CAG report added that the matter was reported to the government (March 2021) but the reply was awaited (November 2021). <https://www.newsclick.in/UP-yamuna-expressway-authority-paid-land-unavailable-record-incurring-Rs-2.71-loss-CAG>

6. U.P.'s Yamuna Expressway Authority paid for land unavailable on record: CAG report (thehindu.com, millenniumpost.in, news18.com) UPDATED: SEPT EMBER 27, 2022

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Uttar Pradesh Government's Yamuna Expressway Industrial Development Authority (YEIDA) had purchased a land parcel in Gautam Buddh Nagar in 2015 but not verifying land records led to a loss of ₹2.71 crore, a CAG report has revealed.

Further, the YEIDA also incurred an expenditure of ₹0.10 crore as “stamp duty” on purchase of the land against an area not available in records, the Comptroller and Auditor General (CAG)'s compliance audit report for the year ended March 2020 revealed.

The report, tabled recently in the U.P. Assembly and accessed by PTI, states that the U.P. Power Transmission Corporation Limited had requested (June 2012) YEIDA to allot 75 acre (30.3514 hectare) land in village Jahangirpur in Gautam Buddh Nagar near the Yamuna Expressway for the construction of 765 KV sub-station.

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“The Audit noticed [March 2019] that out of 150 khasras of revenue records, the actual area in 17 khasras was 6.3990 hectares. The YEIDA, however, overlooked the area actually available in land records or verification reports submitted by the District Authority, and purchased an area measuring 7.98935 hectares through executing sale deeds relating to aforesaid 17 khasras,” the CAG report noted.

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“Hence, the YEIDA is fully responsible for purchasing unavailable land due to not exercising due diligence by its officials of the Land Department,” the auditor stated.

The CAG report added that the matter was reported to the government (March 2021) but the reply was awaited (November 2021). <https://www.thehindu.com/news/national/ups-yamuna-expressway-authority-paid-for-land-unavailable-on-record-cag-report/article65941620.ece>

7. Vigilance dept initiates probe into land-use conversion charge ‘waiver’ ([hindustantimes.com](https://www.hindustantimes.com)) Sep 28, 2022

Ghaziabad: The vigilance department has initiated an inquiry into objections raised by the Comptroller and Auditor General (CAG) during the audit of accounts of the Ghaziabad Development Authority (GDA) and highlighted that the authority did not include land use conversion charges to the tune of about ₹500 crore for projects under the Uttar Pradesh government’s ‘hi-tech city’ policy.

GDA officials said that the CAG in 2017 conducted an audit of the accounts and raised objections for not charging land use conversion charges. Against this, authority officials said that they submitted their replies to the state government as well as to the CAG.

“Now, taking cognisance of the matter, the vigilance department has taken up an inquiry. They have asked us to provide a list of required documents for the purpose and we have submitted the same. There were objections raised in the CAG audit that the authority did not charge about ₹500 crore for land use conversion for projects under the hi-tech city policy,” said Rajiv Ratan Sah, GDA town planner.

The authority generally charges a fixed amount when there is conversion of land, for instance from agriculture to residential or commercial, etc.

The projects under the policy rolled out in 2003 were initially proposed to cover about 8,800 acres of land adjacent to the National Highway (NH-9) in Ghaziabad. Presently, the state government has also accepted the proposal for downsizing the project areas and the process is on at public hearing stage.

“With respect to land conversion charges, we replied that it was not any arbitrary decision taken by the authority, but it was done on the basis of a government order issued in 2010. The order was approved by the UP cabinet as well and we acted in accordance with the order. The order also said that the area of the townships was indicatively marked as residential in the Master Plan-2021,” Sah added.

The GDA town planner said that initially the authority had raised a demand for recovery of charges but later the state government waived them off by rolling out the order in 2010.

The authority has also nominated one of its officers who will act as a nodal officer. He will help and coordinate between the two departments and also fulfil requirement of documents sought by the vigilance department, sources said. <https://www.hindustantimes.com/cities/noida-news/vigilance-dept-initiates-probe-into-land-use-conversion-charge-waiver-101664305643446.html>

8. 2014 में UPEIDA ने लखनऊ-आगरा एक्सप्रेसवे के लिए ऊंचे दामों पर खरीदी जमीन: CAG रिपोर्ट में बड़ा खुलासा (hindi.news18.com) 28 Sep, 2022

उत्तर प्रदेश सरकार के यूपी एक्सप्रेसवे औद्योगिक विकास प्राधिकरण (UPEIDA) ने 2014 में कन्नौज में लखनऊ-

आगरा एक्सप्रेसवे के लिए ऊंची दरों पर जमीन खरीदी गई थी. इस बात खुलासा भारत के नियंत्रक एवं महालेखा परीक्षक (CAG) की एक रिपोर्ट में हुआ है. इससे सरकार को करोड़ों रूपए का नुकसान भी हुआ है.

बताते चलें कि सीएजी ने 2015 में गौतम बुद्ध नगर में एक भूमि पार्सल खरीद में 2.71 करोड़ रुपये का नुकसान होने के मामले का भी खुलासा किया है. सीएजी रिपोर्ट में बताया गया है कि उत्तर प्रदेश सरकार के यमुना एक्सप्रेसवे औद्योगिक विकास प्राधिकरण (वाईआईडीए) ने 2015 में गौतम बुद्ध नगर में एक भूमि पार्सल खरीदा था. लेकिन भूमि रिकॉर्ड की पुष्टि नहीं करने से 2.71 करोड़ रुपये का नुकसान हुआ.

इसके अलावा,

YEIDA ने रिकॉर्ड में उपलब्ध नहीं होने वाले क्षेत्र के खिलाफ भूमि की खरीद पर स्टॉप शुल्क के रूप में दस लाख रुपये का खर्च भी किया। जैसा कि मार्च 2020 को समाप्त वर्ष के लिए भारत के नियंत्रक और महालेखा परीक्षक (CAG) की अनुपालन ऑडिट रिपोर्ट से पता चला है। सीएजी रिपोर्ट को हाल ही में यूपी विधानसभा में पेश किया गया। <https://hindi.news18.com/news/uttar-pradesh/lucknow-cag-report-revealed-upeida-purchased-land-for-lucknow-agra-expressway-at-higher-rates-in-kannauj-in-2014-4662001.html>

9. सीएजी की रिपोर्ट में खुलासा: जो जमीन रिकॉर्ड में ही नहीं, यमुना एक्सप्रेस-वे ने उसका कर दिया भुगतान (amarujala.com) 27 Sep 2022

उत्तर प्रदेश सरकार के यमुना एक्सप्रेसवे औद्योगिक विकास प्राधिकरण (वाईआईडीए) ने 2015 में गौतम बुद्ध नगर में एक भूमि पार्सल खरीदा था। लेकिन भूमि रिकॉर्ड की पुष्टि नहीं करने से 2.71 करोड़ रुपये का नुकसान हुआ। इसका खुलासा सीएजी की एक रिपोर्ट में हुआ है। इसके अलावा,

YEIDA ने रिकॉर्ड में उपलब्ध नहीं होने वाले क्षेत्र के खिलाफ भूमि की खरीद पर स्टॉप शुल्क के रूप में दस लाख रुपये का खर्च भी किया। जैसा कि मार्च 2020 को समाप्त वर्ष के लिए नियंत्रक और महालेखा परीक्षक (CAG) की अनुपालन ऑडिट रिपोर्ट से पता चला है। हाल ही में यूपी विधानसभा में पेश की गई और पीटीआई द्वारा एक्सेस की गई रिपोर्ट में कहा गया है कि यूपी पावर ट्रांसमिशन कॉर्पोरेशन लिमिटेड ने यमुना एक्सप्रेसवे के पास गौतम बुद्धनगर के गांव जहांगीरपुर में 75 एकड़ (30.3514 हेक्टेयर) भूमि आवंटित करने के लिए येडा से अनुरोध किया था। (जून 2012) 765 केवी सब-स्टेशन का निर्माण।

सब-

स्टेशन के लिए भूमि अधिग्रहण का प्रस्ताव येडा अधिकारियों द्वारा शुरू किया गया था (सितंबर 2012) जिसे उसी महीने इसके तत्कालीन मुख्य कार्यकारी अधिकारी (सीईओ) द्वारा अनुमोदित किया गया था। YEIDA ने 150 खसरे में फैली 54.365 हेक्टेयर भूमि की खरीद के लिए 159 बिक्री विलेख निष्पादित (दिसंबर 2012 से दिसंबर 2015) किया, यह नोट किया। लेखा परीक्षा ने देखा (मार्च 2019) कि राजस्व अभिलेखों के 150 खसराओं में से, 17 खसरा में वास्तविक क्षेत्र 6.3990 हेक्टेयर था। हालांकि, YEIDA ने भूमि अभिलेखों या जिला प्राधिकरण द्वारा प्रस्तुत सत्यापन रिपोर्ट में वास्तव में उपलब्ध क्षेत्र की अनदेखी की, और सीएजी की रिपोर्ट में कहा गया है कि उक्त 17 खसराओं से संबंधित बिक्री विलेखों को निष्पादित करके 7.98935 हेक्टेयर क्षेत्र को खरीदा है।

इसके परिणामस्वरूप 1.59035 हेक्टेयर भूमि का भुगतान हुआ है जो वास्तव में संबंधित खसरा या सत्यापन रिपोर्ट में उपलब्ध नहीं था। YEIDA ने 7.98935 हेक्टेयर भूमि की खरीद के लिए मुआवजे, वार्षिकी और अतिरिक्त मुआवजे के रूप में 13.60 करोड़ रुपये का भुगतान किया। नतीजतन, खरीदी का मिलान नहीं करने के कारण भूमि रिकॉर्ड / सत्यापन रिपोर्ट के साथ,

YEIDA को 1.59035 हेक्टेयर भूमि की खरीद पर 2.71 करोड़ रुपये का नुकसान हुआ, "रिपोर्ट में कहा गया है। इसके अलावा,

YEIDA ने रिकॉर्ड में उपलब्ध नहीं होने वाले क्षेत्र के खिलाफ जमीन की खरीद पर स्टॉप शुल्क के रूप में 0.10 करोड़ रुपये का खर्च भी किया। सीएजी की रिपोर्ट में उल्लेख किया गया है कि अपने उत्तर में, येडा ने स्वीकार किया (जुलाई 2021) कि 17 बिक्री विलेखों और राजस्व अभिलेखों में उल्लिखित क्षेत्र के बीच 1

.5935 हेक्टेयर का अंतर था। इसके अलावा, यह कहा कि भूमि की खरीद रिपोर्ट के अनुसार जिला प्राधिकरण द्वारा उपलब्ध कराए गए भूमि रिकॉर्ड के आधार पर की गई थी।

हालांकि, सीएजी ने कहा कि यह जवाब कि खरीद जिला प्राधिकरण द्वारा उपलब्ध कराए गए भूमि अभिलेखों के आधार पर की गई थी, स्वीकार्य नहीं है क्योंकि जिला प्राधिकरण की सत्यापन रिपोर्ट में वर्णित भूमि उस क्षेत्र से कम थी जिसके खिलाफ भुगतान किया गया था। इसलिए, भूमि विभाग के अपने अधिकारियों द्वारा उचित परिश्रम नहीं करने के कारण अनुपलब्ध भूमि खरीदने के लिए YEIDA पूरी तरह से जिम्मेदार है, लेखा परीक्षक ने कहा। कैग की रिपोर्ट में कहा गया है कि मामले की सूचना सरकार को दी गई, लेकिन जवाब प्रतीक्षित था। <https://www.amarujala.com/delhi-ncr/the-land-which-was-not-in-the-record-the-yamuna-expressway-paid-its-tax-disclosed-in-the-cag-report>

10. यूपी: जिस जमीन का कोई रिकॉर्ड ही नहीं, उसे यमुना अथॉरिटी ने खरीद लिया-सीएजी ने पकड़ी गलती (jansatta.com) 27 Sep 2022

यूपी में जिस जमीन का कोई रिकॉर्ड ही नहीं है, उसे यमुना अथॉरिटी ने खरीद लिया था। नियंत्रक एवं महा लेखा परीक्षक (CAG) ने जब इस गलती को पकड़ा तो खुलासा हुआ। प्राधिकरण ने भूमि के रिकॉर्ड का सत्यापन नहीं कराया था। इसकी वजह से दो करोड़ 71 लाख रुपये का नुकसान उठाना पड़ा। रिपोर्ट में यह भी खुलासा किया गया है कि प्राधिकरण ने रिकार्ड में अनुपलब्ध भूखंड की खरीद पर 'स्टाम्प' शुल्क के रूप में 10 लाख रुपये खर्च किए थे।

हाल में उत्तर प्रदेश विधानसभा में पेश की गई रिपोर्ट में कहा गया है कि उप्र पावर ट्रांसमिशन कॉरपोरेशन लिमिटेड ने (जून 2012 को) प्राधिकरण से 765 केवी की क्षमता वाले सब-स्टेशन के निर्माण के लिए यमुना एक्सप्रेसवे के नजदीक गौतम बुद्ध नगर के जहांगीरपुर गांव में 75 एकड़ जमीन आवंटित करने का अनुरोध किया था।

सब-

स्टेशन के लिए जमीन खरीदने की प्रक्रिया प्राधिकरण के अधिकारियों ने शुरू की और इस सिलसिले में एक प्रस्ताव को उसी महीने तत्कालीन मुख्य कार्यकारी अधिकारी (सीईओ) ने मंजूरी प्रदान की। प्राधिकरण ने (दिसंबर 2012 से दिसंबर 2015 तक) 150 खसरा में विस्तारित 54.365 हेक्टेयर जमीन के लिए बैनामा किया।

सीएजी की रिपोर्ट में साफ बताया गया है,

"ऑडिट में पाया गया कि राजस्व रिकार्ड के 150 खसरा में 17 खसरा 6.3990 हेक्टेयर था। हालांकि, प्राधिकरण ने भूमि रिकार्ड में वास्तविक रूप से उपलब्ध क्षेत्र को नजरअंदाज किया, या जिला पदाधिकारी द्वारा सौंपी गई सत्यापन रिपोर्ट की अनदेखी की। और इस 17 खसरा से जुड़े बैनामा के जरिये 7.98935 हेक्टेयर जमीन खरीदी।"

प्राधिकरण ने भूमि के लिए 10 लाख रुपये स्टाम्प शुल्क पर भी खर्च किये

रिपोर्ट में कहा गया है,

"नतीजतन,

1.59035 हेक्टेयर जमीन के लिए भुगतान किया गया, जो संबद्ध खसरा या सत्यापन रिपोर्ट में असल में उपलब्ध नहीं थी।" रिपोर्ट के अनुसार,

“प्राधिकरण ने 7.98935 हेक्टेयर जमीन की खरीद के लिए मुआवजे के तौर पर 13.60 करोड़ रुपये का भुगतान किया। इसके परिणामस्वरूप, प्राधिकरण को 2.71 करोड़ रुपये का नुकसान हुआ।” इसमें कहा गया है, “प्राधिकरण ने रिकार्ड में अनुपलब्ध भूमि के लिए 10 लाख रुपये स्टाम्प शुल्क पर भी खर्च किया।”

सीएजी ने इस बात का उल्लेख किया है कि प्राधिकरण ने (जुलाई 2021 को) स्वीकार किया कि 17 बैनामा और राजस्व रिकार्ड में जिक्र किये गये क्षेत्र में 1.5935 हेक्टेयर का अंतर है।” सीएजी ने कहा, “प्राधिकरण अनुपलब्ध भूमि को खरीदने के लिए पूरी तरह से जिम्मेदार है।” इसने कहा कि विषय की जानकारी सरकार को मार्च 2021 को दी गई, लेकिन जवाब (नवंबर 2021 तक) नहीं मिल सका था। <https://www.jansatta.com/rajya/up-land-of-which-no-record-bought-by-yamuna-expressway-industrial-development-authority-cag-caught-the-mistake/2399219/>

11. उग्र के यमुना एक्सप्रेसवे प्राधिकरण ने रिकार्ड में अनुपलब्ध भूखंड के लिए भुगतान किया (navbharattimes.indiatimes.com) 27 Sept 2022

उत्तर प्रदेश सरकार के यमुना एक्सप्रेसवे औद्योगिक विकास प्राधिकरण (वाईईआईडीए) ने 2015 में गौतम बुद्ध नगर में एक भूखंड खरीदा था, लेकिन भूमि रिकार्ड का सत्यापन नहीं करने के चलते उसे 2.71 करोड़ रुपये का नुकसान हुआ। नियंत्रक एवं महालेखा परीक्षक (कैग) की एक रिपोर्ट में यह खुलासा हुआ है।

साथ ही, कैग के मार्च 2020 को समाप्त हुए वित्त वर्ष के लिए ऑडिट रिपोर्ट में यह खुलासा किया गया है कि प्राधिकरण ने रिकार्ड में अनुपलब्ध भूखंड की खरीद पर ‘स्टाम्प’ शुल्क के रूप में 10 लाख रुपये खर्च किए थे।

हाल में उत्तर प्रदेश विधानसभा के पटल पर रखी गई रिपोर्ट में कहा गया है कि उग्र पावर ट्रांसमिशन कॉरपोरेशन लिमिटेड ने (जून 2012 को) प्राधिकरण से 765 केवी की क्षमता वाले सब-स्टेशन के निर्माण के लिए यमुना एक्सप्रेसवे के नजदीक गौतम बुद्ध नगर के जहांगीरपुर गांव में 75 एकड़ जमीन आवंटित करने का अनुरोध किया था।

सब-

स्टेशन के लिए जमीन खरीदने की प्रक्रिया प्राधिकरण के अधिकारियों ने शुरू की और इस सिलसिले में एक प्रस्ताव को उसी महीने तत्कालीन मुख्य कार्यकारी अधिकारी (सीईओ) ने मंजूरी प्रदान की। प्राधिकरण ने (दिसंबर 2012 से दिसंबर 2015 तक) 150 खसरा में विस्तारित 54.365 हेक्टेयर जमीन के लिए बैनामा किया।

कैग की रिपोर्ट में उल्लेख किया गया है,

“ऑडिट में पाया गया कि राजस्व रिकार्ड के 150 खसरा में 17 खसरा 6.3990 हेक्टेयर था। हालांकि, प्राधिकरण ने भूमि रिकार्ड में वास्तविक रूप से उपलब्ध क्षेत्र को नजरअंदाज किया, या जिला पदाधिकारी द्वारा सौंपी गई सत्यापन रिपोर्ट की अनदेखी की। और इस 17 खसरा से जुड़े बैनामा के जरिये 7.98935 हेक्टेयर जमीन खरीदी।”

रिपोर्ट में कहा गया है, “नतीजतन, 1.59035 हेक्टेयर जमीन के लिए भुगतान किया गया, जो संबद्ध खसरा या सत्यापन रिपोर्ट में असल में उपलब्ध नहीं थी।”

रिपोर्ट के अनुसार, “प्राधिकरण ने 7.98935 हेक्टेयर जमीन की खरीद के लिए मुआवजे के तौर पर 13.60 करोड़ रुपये का भुगतान किया। इसके परिणामस्वरूप, प्राधिकरण को 2.71 करोड़ रुपये का नुकसान हुआ।”

इसमें कहा गया है, “प्राधिकरण ने रिकार्ड में अनुपलब्ध भूमि के लिए 10 लाख रुपये स्टाम्प शुल्क पर भी खर्च किया।”

कैग ने इस बात का उल्लेख किया है कि प्राधिकरण ने (जुलाई 2021 को) स्वीकार किया कि 17 बैनामा और राजस्व रिकार्ड में जिक्र किये गये क्षेत्र में 1.5935 हेक्टेयर का अंतर है।”

कैग ने कहा, “प्राधिकरण अनुपलब्ध भूमि को खरीदने के लिए पूरी तरह से जिम्मेदार है।” इसने कहा कि विषय की जानकारी सरकार को मार्च 2021 को दी गई, लेकिन जवाब (नवंबर 2021 तक) नहीं मिल सका था। <https://navbharattimes.indiatimes.com/state/uttar-pradesh/noida/ups-yamuna-expressway-authority-pays-for-plot-unavailable-on-record/articleshow/94478187.cms>

12. Delhi says it has no manual scavengers. How have over 45 of them died in 5 years? ([newslaundry.com](https://www.newslaundry.com)) 27 Sep, 2022

In 2013, with much fanfare, India’s Supreme Court abolished manual scavenging. It sought to “correct the historical injustice and indignity suffered by manual scavengers” – and directed states to do the same.

In Delhi, the government has boasted that there are no manual scavengers. So, it has no specific programmes for their rehabilitation either. Three years ago, the Arvind Kejriwal government bought 200 machines to take over the work of cleaning sewage.

Yet manual scavenging continues – around 46 manual scavengers died in Delhi in just the last five years. The latest case is that of Rohit Kumar, who died on September 9 while cleaning a sewer in outer Delhi.

“He was made to go inside the manhole,” his wife Pinky Kumari told Newslaundry. “I want my husband back.”

So, what has India’s capital really done to eradicate manual scavenging? Newslaundry takes a deep dive into the issue.

Death in the drain

Rohit Kumar had no prior experience or training in cleaning sewers. He worked as a sweeper at DDA apartments in Outer Delhi’s Bakkarwala. These flats are government housing provided under the Delhi Development Authority.

On September 9, he was at his home in Bakkarwala's JJ Colony having lunch when he was allegedly summoned back to his place of work, asking him to go into the sewer line to clean it.

"He had never worked inside a sewer line before," his brother Deepak Kumar said. "He was made to go inside."

An eyewitness, Suresh Kumar, told Newslandry there had been a "blockage" and that a security guard named Ashok purportedly urged Rohit to open the manhole and descend. But Deepak said this was at the behest of the building's pradhan.

"First, he went inside and cleared the blockage," Suresh alleged. "Then he came out, even had a bath. But Ashok was not convinced it was cleared and asked Rohit to enter the sewer again. This time, he went down and fell unconscious."

Rohit never came back up. Suresh alleged he and another bystander tried to rescue him, but passed out as well from the fumes, leading to a fourth person to pull them up.

"It was then that Ashok entered the manhole to save Rohit," Suresh said, "but he too fell unconscious. Both of them died."

The police filed an FIR at Mundka police station under section 304A (causing death by negligence). The DDA said Rohit, a "private" individual, had "entered into the sewer manhole without any instruction/intimation to the DDA".

Suresh also said Rohit had not been provided with any safety gear before being "forced" into the manhole. Munna Kumar, a resident of the complex, told Newslandry sewers in the area are routinely cleaned manually.

Bakkarwala village is spread over 50 acres, with four DDA societies. Residents say they aren't serviced by the Delhi Jal Board, the nodal authority that looks after water supply and sewage management in the national capital region, because, as one resident put it, "the DDA is yet to hand over the housing scheme to the DJB".

This was confirmed by a DDA official who said in the case of DDA flats, the handover gets "stuck" because the Jal Board requires the sewer lines to be constructed as per a particular standard. "It asks the DDA to either reconstruct or pay deficiency charges," the official said. "This is where the process gets delayed."

In the nine years since India "banned" manual scavenging, Rohit's is just one of many cases of manual scavengers losing their lives during the course of their work. The central government only acknowledges manual scavenging deaths as involving dry latrines. Farcically, in April this year, the government said India has reported "no death due to manual scavenging" since 1993, but 971 have died since then "while cleaning sewers or septic tanks".

Delhi reported 42 deaths "while cleaning sewers and septic tanks" since 2017 – the third highest in the country after Uttar Pradesh and Tamil Nadu. Ninety-seven people have died in Delhi from 1997 to April 2022.

Newslandry learned that the capital lacks a well-planned waste management system, a problem compounded by negligence from the multiple government agencies involved in its maintenance and operation. Every year, its drains clog and its sewer lines overflow, often into residential areas like JJ Colony in Wazirpur.

Residents live with this sludge while those deputed to clean it sometimes die in the process. Delhi's much-touted mechanisation of sewer cleaning has not fixed the problem.

Importantly, according to the Delhi Sewage Master Plan 2031, 50 percent of Delhi is still not connected with the sewage system. The majority of manual scavenging, and its associated deaths, take place while cleaning the non-sewer system, such as septic tanks.

A 40-year-old drainage system

"See, this is a rainwater drain. An hour ago, this was cleaned manually by a worker," said Govind Birlan, pointing at a heap of sludge as we stroll through the narrow lanes of Wazirpur's JJ Colony.

Birlan, who worked as a sewer cleaner in Delhi for over a decade, added, "There is no system. One cannot say which is a rainwater drain and which is a sewer. Both contain sewage."

Delhi's drainage network, which is astoundingly based on a plan that is 40 years old, comprises stormwater drains and rainwater drains, and a separate system of sewer lines.

Rainwater drains are four feet deep and are used to drain out rainwater and wastewater generated from sources other than toilets. Stormwater drains are larger and are meant to drain excess rain- and groundwater from impervious surfaces such as paved streets, parking lots, footpaths, sidewalks and roofs. Sewer lines are underground networks of pipes that channel waste from toilets, tubs and sinks in households.

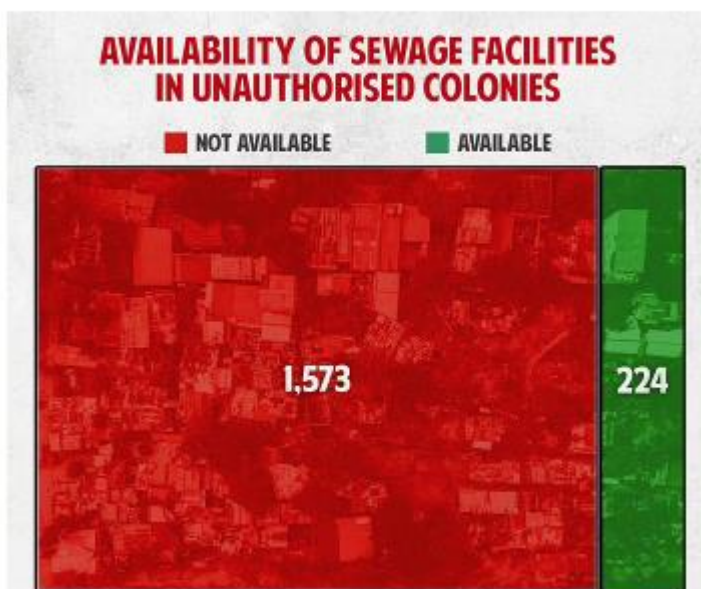
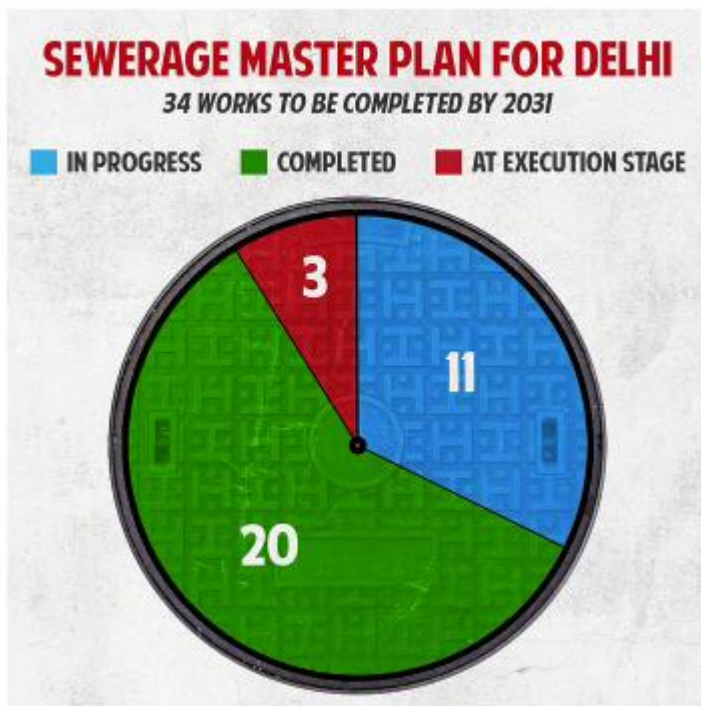
In Delhi, the Municipal Corporation of Delhi maintains rainwater drains while the public works department is in charge of stormwater drains. Sewer lines come under the purview of the Delhi Jal Board.

While all three are distinct networks on paper, they bleed into each other on the ground.

For instance, unauthorised colonies – and Delhi has 1,797 unauthorised colonies and 675 JJ colonies – often don't even have sewer lines, so sewage flows into the colonies' stormwater drains.

Importantly, a performance audit report, issued on July 5 by the Comptroller and Auditor General of India, noted "out of 34 works" of Phase I of the Sewerage Master Plan for Delhi - 2031 to be completed by 2016, "only 11 works were completed by July 2018 with 20 works being in progress and three still at pre-execution stage".

It also noted that out of 1,797 unauthorised colonies, 1,573 – or 88 percent – “were not provided with sewerage facilities as of March 2018”. As a result, the sewage from these 1,573 colonies “flowed into stormwater drains and eventually into River Yamuna in its untreated form”.



A sub-inspector with the Delhi Jal Board admitted that in “some congested localities”, sewer lines and rainwater drains are “interconnected to avoid overflowing”. This was also corroborated by sanitation workers, but the official line taken by the MCD and PWD is that their drains have nothing to do with sewage.

“We maintain drains with a depth of four feet and it contains rainwater only,” said Amit Kumar, public relations officer with the MCD, which oversees Delhi’s rainwater drains.

“It has nothing to do with sewage. We have our sanitation workers who are provided with all equipment to clean these drains.”

The same line was taken by a PWD official. When pressed, however, he admitted on condition of anonymity that sewage “sometimes” enters the PWD’s stormwater drains.

“But sewage lines don’t come under our jurisdiction,” he pointed out.

All three bodies – the MCD, PWD and Jal Board – categorically told Newslaundry they do not employ manual scavengers to clean the waste systems under their jurisdictions in accordance with the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, passed in 2013.

The act describes the cleaning of sewers and septic tanks as “hazardous cleaning”. But it only prohibits it if an individual is not provided with protective gear.

What this means on the ground is that individuals are employed to clean human waste by hand in Delhi. Their work is simply not recognised as manual scavenging.

Delhi has around 30,000 sanitation workers, who clean sewers, septic tanks, public toilets, and others. Ninety percent of them, according to officials, belong to the Valmiki community, a Dalit sub-caste.

Enter the machine

In 2019, the Delhi government under Arvind Kejriwal launched an ambitious project to “end manual scavenging” in the capital by flagging off a fleet of 200 sewer cleaning machines.

The headlines sounded extremely virtuous at the time – a government paying to mechanise a process that humans were forced to do, while making sure the humans themselves did not lose employment.

Of course, this isn’t really what happened.

The government issued tenders to own 200 sewer cleaning machines, offering preference to sanitation workers who had lost a family member to manual scavenging; and members of SC/ST communities. These machines would be used solely to clean sewer lines in Delhi.

Each machine cost Rs 40 lakh. Beneficiaries would have to pay Rs 4 lakh upfront while the rest came from a State Bank of India guarantee-free loan that had to be paid off over five years.

A firm named Smart Green Infra & Logistics Management India Private Limited, or SGL, was given the contract to work as an aggregator company for these machines. SGL also acts as the point of contact between the government and those operating the machines.

As of August 2022, 189 beneficiaries operate machines in Delhi. The loans of the remaining 11 were not approved. Of these 189, only six have lost a family member to manual scavenging. Fifty are women, and the remaining belong to SC communities.

The beneficiaries don't run the machines themselves. Everything is handled by SGL.

Sagar Ranawat, a representative from SGL, told Newslaundry, "We are the aggregator company of all these 189 vehicles. These vehicles work in different wards under different junior engineers across Delhi. Our work involves supervision of these vehicles, looking after technical and operational problems faced by these vehicles, and providing drivers and helpers for these vehicles."

According to Ranawat, it costs between Rs 2 lakh and Rs 2.5 lakh – termed "monthly billing" – to run the machine per month. Each machine is staffed by a driver and two helpers, hired on contractual basis and paid Rs 12,000-15,000 per month.

After deducting "monthly instalments and other expenses", a machine's owner earns "around Rs 30,000-40,000 per month", he said. SGL handles all the paperwork and takes a five percent cut of the monthly billing per machine.

At least six beneficiaries confirmed to Newslaundry that they earn between Rs 30,000 and Rs 35,000 per month. But they were clueless as to where or how these machines actually work – they are engaged in other jobs and leave the running of the machines to SGL. This seems a far cry from how the scheme had initially been envisioned, which was to transform the beneficiaries into "entrepreneurs".

"I have no idea about how these machines function," said Rekha, a beneficiary whose husband died in 2017 while cleaning a sewer in Lajpat Nagar. "SGL looks after everything and we only get the dues for the machine every month."

Newsaundry had filed an RTI seeking details of these sewer cleaning machines. In response, the Delhi Jal Board said the Delhi government's budget allocation was Rs 26,22,83,917 in 2019-20. The budget rose dramatically to Rs 47,70,84,212 in 2020-21, and again to Rs 57,48,89,996 in 2021-22. Until May this year, the budget allocation stood at Rs 13,43,32,349.

A top official at the Jal Board told Newsaundry the department spends at least Rs 4 crore per month to pay the bills for the sewer cleaning machines. If this is correct, it puts SGL's monthly revenue at around Rs 20 lakh.

That's not all.

We mentioned earlier that beneficiaries had to pay Rs 4 lakh upfront for the machines. In some cases, where beneficiaries could not afford to pay the amount upfront, the Dalit Indian Chamber of Commerce and Industry stepped in and paid it for them – at least two beneficiaries confirmed this to Newsaundry.

DICCI's national president is Ravi Kumar Narra – who is also a director at SGL.

Newsaundry reached out to Narra for comment, but received no response.

‘Do you think 189 machines are enough?’

But have these machines helped?

For operational purposes, each machine is mounted on a vehicle the size of a pickup truck. Deployed to clear blockages in the sewage system, its work comprises grabbing (removing silt with a mechanical claw), jetting (releasing high-pressure streams of water from a hose), and rodding (where rods are rotated at high speeds to break the sludge).

The Jal Board says these machines have ended manual scavenging in the city. Sanitation workers, however, said the machines aren’t enough to clean all the sewage lines in the capital.

“The machines are here, but these machines cannot clean in narrow lanes,” said Ramkumar, a sewer cleaner in Okhla, referring to the fact that the machines can’t squeeze into lanes of this size. “This is why the lines need to be cleaned manually.”

Bezwada Wilson, founder of the Safai Karamchari Andolan, told Newslaundry the machines can barely cover five to 10 percent of the total work – and the remaining work is done manually.

“Knowing the size of Delhi and its population, do you think 189 machines are enough?” he said. “Besides, many of these machines are non-functioning and cannot enter the narrow lanes in many colonies.” Newslaundry could not verify whether or why any machines are non-functioning.

According to a Jal Board official, the Jal Board has allotted the 189 machines across 70 executive engineers in the union territory. But residents of Wazirpur’s JJ Colony alleged the machines have never been brought to their area, despite repeated complaints about overflowing sewer lines.

And, if the machines are unable to clear blockages, workers are called in.

Govind Birlan alleged the Jal Board, MCD and PWD engage workers for manual scavenging “through private contractors” at a daily wage of Rs 200-300.

“When there is some blockage in sewer lines or drains and the machine cannot clean it, the contractors call us for work,” said a sanitation worker in south Delhi. “They give us a daily wage ranging from Rs. 250 to Rs. 350, depending on the work.”

At least eight sanitation workers told Newslaundry the majority of their work is manual scavenging. They get work through these “private contractors” except for cases where private individuals hire them to clean toilets or septic tanks.

Septic tanks are privately owned, and the government plays no role in their cleaning. Omi Lal, 50, a sanitation worker in East Delhi’s Nand Nagri, said cleaning septic tanks is “risky and dangerous”.

“In septic tanks, one has to go down and take out the human excreta. Two or more others need to be outside holding a rope. Another has to throw the excreta we take out from the tank,” Lal explained. “Septic tanks are often closed for years and so, when you open them, an unbearable gas is leaked. The gas is so harmful that it can even make you unconscious. That is when accidents happen.”

Srinivas Chary, director of the Centre for Environment, Urban Governance and Infrastructure Development in Hyderabad, told Newslandry that in cities like Delhi, Hyderabad and Bengaluru, only half of the localities have sewer connections. The rest make do with non-sewer systems such as septic tanks, latrines and sewage treatment plants.

“Most of the deaths happen in these non-sewer systems,” Chary said. “In sewer lines, there are at least some mechanised systems in place. But non-sewer cleaning systems are privately arranged.”

He added, “Ideally, the government should be responsible for cleaning non-sewer areas. But in a complex system like Delhi – where you have a sewer system and a non-sewer system and peripheral areas where multiple agencies are involved – there should be a single responsible sanitation authority. This should be the DJB.”

Newslandry reached out to Bhupesh Kumar, additional chief executive engineer of the Delhi Jal Board. He said the Jal Board is “planning to hire machines for septic tank cleaning as well”.

“It is under process,” he said.

A dearth of safety gear

In the absence of an accountable sanitation authority in the national capital, the safety of its sanitation workers also falls by the wayside. This is in absolute violation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

It was also reiterated in a 2021 advisory issued by the National Human Rights Commission, while said all sanitary workers “entering/cleaning septic tanks/sewer lines” are required to be provided with “helmet, safety jacket, gloves, mask, gumboots, safety eyeglasses, torchlight along with oxygen cylinder.”

The advisory said: “It should be the responsibility of the local authority/hiring agency to provide all necessary personal protective gear/safety equipment to the sanitary workers irrespective of their type of employment, i.e., permanent, temporary, part-time or contractually hired/engaged.”

However, at least eight sanitation workers told Newslandry they are not given protective equipment while cleaning sewer lines or septic tanks. It should be remembered that they’re technically hired by private contractors, not directly by the government.

“We enter them only in our underwear,” said Santosh Kumar, a sanitation worker in Nand Nagri. “Nothing is provided.”

Pradip Kumar, a sanitation worker in Okhla, said, “Sometimes we get gloves, clothes and other equipment from NGOs. That’s it. We don’t get any protective gear from our contractors or other agencies.”

On who is responsible for providing protective gear, Srinivas Chary said, “If it is an area with sewer lines, the government has to enforce it. But if it is a non-sewer area, the government has no jurisdiction. So, it is the responsibility of citizens to enforce the guidelines on protective gear.”

Ravi Shankar, a member of the Delhi Commission for Safai Karamcharis, a state-level statutory body to safeguard the interests of sanitation workers, said citizens also need to be more aware.

“The government is making an effort to end the practice of manually cleaning sewer lines,” he said. “If you complain, machines are sent to clean it up. But people are in a hurry. They will ask some drunk or inexperienced guy to clean it. That’s how these untoward incidents take place.”

He added, “Unemployment in the country is so high. It is because of widespread unemployment that people have no option but to take up work such as cleaning sewer lines.”

Compensation and rehabilitation

In July 2022, the Delhi Commission for Safai Karamcharis demanded an increase in compensation – from Rs 10 lakh to Rs 25 lakh – paid to families of those who die while cleaning sewer lines in Delhi.

“The compensation amount of Rs 10 lakh was directed by the Supreme Court in 2014,” Ravi Shankar said. “Given the rate of inflation and current situation, is it enough? That’s why we demanded an increase in this compensation amount.”

Ravi and his colleague Anita Ujjainwal also flagged delays in the compensation. Out of 99 manual scavenger deaths in Delhi that they surveyed until May 2022, they said no compensation had been paid in four cases. In 15 cases, families of the deceased had allegedly been paid less than the assured sum of Rs 10 lakh.

Compensation aside, the Supreme Court in 2014 had directed authorities to “identify and rehabilitate” manual scavengers across states and union territories. Last July, the social justice ministry told the Lok Sabha that two surveys – one in 2013 and the other in 2018 – had been carried out to identify manual scavengers as per the PEMSR Act. The surveys identified 58,098 manual scavengers eligible for rehabilitation.

But Delhi is not on the list of beneficiaries.

Delhi also does not figure as a beneficiary of the central government’s Self Employment Scheme for Rehabilitation of Manual Scavengers, or SRMS, under which identified manual scavengers are given one-time cash assistance of Rs 40,000 and helped to switch occupations.

Meanwhile, the Delhi government conducted its own survey in 2018 and identified 45 manual scavengers in the capital. In June 2019, the Delhi government approved a rehabilitation programme to provide identified manual scavengers with cash assistance of Rs 40,000, concessional loans up to Rs 15 lakh, and credit-linked capital subsidies of Rs 3.25 lakh.

In its 2019–20 budget speech, the Delhi government said it had initiated “successful” programmes to uplift Dalit communities, such as the Jai Bhim Mukhyamantri Pratibha Vijas Yojana and the mechanisation of sewer cleaning.

However, since 2019, its budget has contained no specific mention of the budgetary allocation for rehabilitation of manual scavengers. Newslandry also filed an RTI in July requesting the details of schemes launched by the Delhi government for the rehabilitation of manual scavengers and the budgets allocated for the same. We did not receive a response.

However, did its slew of programmes and initiatives have an impact?

The beneficiaries we spoke to seemed unconvinced.

Bishnoo, a resident of Kalyan Puri, was identified as a manual scavenger in 2018 by the Shahdara district magistrate. Under the skill development ministry, he was enrolled in a skill-training course to become a housekeeper. Bishnoo was then given a certificate and an offer letter promising employment at the Sadik Masih Medical Social Servant Society with a gross salary of Rs 14,000 per month.

When Bishnoo turned up for the job, he was told the offer letter was fake. He was too upset to speak to Newslandry about it in detail, saying, “I have told my stories to a lot of media persons but nothing happens. I don’t want to say anything to anyone.” His neighbour, Pintu Parch, told Newslandry two others from the same area had also been “cheated” but we could not confirm this.

The office of the subdivisional magistrate of Shahdara told Newslandry it is unaware of any cases of “cheating”.

And yet, there are other manual scavengers in Delhi who are not formally “identified” as manual scavengers – so they don’t qualify for any of these programmes or schemes.

Munna Lal, 55, and his Sharda, 50, both residents of Nand Nagri, told Newslandry they left their work as manual scavengers 10 years ago.

“But we have not received anything other than some ration a few days after I quit the work,” Munna Lal said. “What can we do now? Nobody looks after us. So we have no option but to work as ragpickers to earn our livelihood.” <https://www.newslandry.com/2022/09/27/delhi-says-it-has-no-manual-scavengers-how-have-over-45-of-them-died-in-5-years>

13. A tale of vanishing lakes and drains that bring the city to its knees during rain ([thehindu.com](https://www.thehindu.com)) UPDATED: SEPTEMBER 28, 2022

A year ago, in its report on ‘Performance Audit of Management of stormwater in Bengaluru Urban Area’, the CAG had exposed how the Bruhat Bengaluru Mahanagara Palike and other civic agencies had played a role in the vanishing of lakes

Recent flooding in Mahadevapura zone and other areas, following heavy rain, exposed how the civic agencies failed miserably in protecting lakes and storm water drains.

A year before, in its report on “Performance Audit of Management of stormwater in Bengaluru Urban Area”, the Comptroller and Auditor General of India (CAG) had exposed how the Bruhat Bengaluru Mahanagara Palike (BBMP) and other civic agencies played their role in the vanishing of lakes and deterioration of storm water drains over the years.

No data

It revealed that the BBMP, which runs the tech capital of the country, does not possess fool-proof data on the total number/length and nature of different types of drains in its jurisdiction. The CAG also noted that there were “significant discrepancies in details pertaining to water bodies and storm water drains in master plans prepared by BDA and BBMP.” The civic agencies ignoring encroachments of storm water drains, poor execution and ‘undue’ favours to contractors while executing storm water related works and many other derelictions were exposed in the report.

The report states that as per the information provided by the lake division of the (in December 2020) BBMP, the city had 210 lakes in its jurisdiction out of which 66 lakes were yet to developed, 18 lakes with a total area of over 254 acres reported as disused lakes that include Chennamana Kere, Chikkalasandra, Lingarajapuram lakes, and others.

Back in 1800s

Quoting the Indian Institute of Science studies, the report states that the city (covering an area of 741 sq km) had 1,452 water bodies with a total storage capacity of 35 tmcft during the early 1800s. By 2016, the number of water bodies in the same area reduced to 194 with a storage capacity of 5 tmcft. The current storage capacity which has further declined due to silting is merely 1.2 tmcft (2016).

The report made a revelation that 41 and 51 water bodies, which existed in Koramangala and Vrishabhavathi valleys, respectively, as per the cadastral map (prepared through field survey during early 1900s) were reduced to 8 and 13 by the year 2008 indicating the severity of lake conversion. Further, the wetland system (lakes, tanks, kere and katte), which contributed about 479.48 ha (0.75%) and 215.46 ha (2.24%) to the geographical area of the valleys as per the cadastral map decreased to 262.37 ha and 62.05 ha during 2016/2017 indicating erosion due to land use changes.

As per the study, total length of drains (primary and secondary) as per cadastral maps (early 1900s) was 113.24 km and 226.29 km in Koramangala and Vrushabhavathi

valleys respectively, which was reduced to 62.84 km and 111.72 km by 2016/2017. In Koramangala Valley, which witnessed severe flooding, the length of two drains which merge before entering into Bellandur Lake was reduced from 338 m to 136 m between the years 2008 and 2016 which allowed constructions thereby affecting the free flow of stormwater. In Vrishabhavathi valley, the drain passing along the border of Hosakerehalli lake was remodeled and diverted to flow through the lake, thereby reducing the area of the lake.

Mixing of sewage

In its observation on the status of storm water drains in the city, the report states that rampant mixing of sewage (780MLD) with storm water is a serious problem.

“Sewerage lines were drawn inside the SWDs and a large quantity of sewage was illegally let into SWDs. Joint inspection of drains confirmed the existence of sewerage lines within SWDs and sewage being discharged into the SWDs directly or through fractured manholes at many places. Since the water in SWDs is not treated in the same manner as sewage, the untreated sewage is flowing into water bodies and affecting the quality of ground water adversely. This carries substantial risk of spurt in vector/water borne diseases such as dengue, typhoid, cholera, hepatitis and adverse environmental outcomes including disappearance of biodiversity and aquatic ecosystems,” states the report.

The Chief Health Officer (Public Health), BBMP, confirmed an outburst of cholera in the city during March 2020 and stated that seven out of the 25 suspected cases had been confirmed as cholera. The officer had attributed that sewage flowing in open SWDs to the spreading of the epidemic.

The CAG report had made several recommendations to fix the flooding problem in the city. However, the report has been gathering dust and most of the recommendations not implemented. Here are the key recommendations:

Formulation of comprehensive policy that recognizes urban run off as potential source of water requiring a clear plan of action for conservation in consonance with NDM guidelines.

BBMP and BWSSB should jointly prepare a plan of action to prevent sewage flow into storm water drains, exploring letting treated water to water bodies in the city.

Notifying revised master plan to prevent encroachments water bodies.

BBMP to come up with an action plan to recover cost amounts from all the contractors who had violated norms and blacklist them. Action to be initiated against officials responsible for violations.

State Government should conduct a detailed investigation into the issues regarding preparation of incomplete and deficient DPRs, loss of files by SWD division, payments made under questionable circumstances and take appropriate action based on the findings of the investigation.

BBMP needs to escalate its efforts to conduct robust surveys to identify and evict all encroachments on SWDs and maintain the stipulated buffer zone,” the report states. <https://www.thehindu.com/news/national/karnataka/what-ails-our-lakes-a-tale-of-vanishing-lakes-and-drains-that-bring-the-city-to-its-knees-during-rain/article65937389.ece>

14. JD(U) counters Shah’s Bihar ‘big talk’, cites CAG on incomplete border roads ([indianexpress.com](https://www.indianexpress.com)) September 27, 2022

Days after Union Home Minister Amit Shah opened five border outpost buildings in Kishanganj district and assured people of “safety and development”, the ruling JD(U) has flagged the Centre’s failure in completing the crucial roads project at the Indo-Nepal border.

In an attempt to counter what it called “Shah’s big talk” on security of people and development in border areas, the JD(U) cited the CAG’s 2021 report on the project, which was originally scheduled for completion in 2016.

Tabled in the Lok Sabha this April, the CAG report — “Performance audit of Indo-Nepal border road project”— shows that even one-third of the project isn’t complete.

“We are not making any political allegations against the Centre,” JD(U) chief spokesperson Neeraj Kumar told The Indian Express, “We are only showing the NDA government the mirror... Since the Home Minister talked big about the security of people along Indo-Nepal and also the Indo-Bangladesh border owing to sundry illegal activities.”

According to Kumar, in 2010, the Cabinet Committee on Security (CCS) had decided to construct 1,377 km of road, of which 564 km was to be built along the Indo-Nepal border covering its eight districts in Bihar. The estimated project cost was Rs 3,853 Crore.

The project was cleared in 2012, with a scheduled deadline of 2016. The Centre, however, changed the project deadline “to 2018 and later to 2019 and finally to December 2022”, Kumar said.

He said the Centre had also changed the alignment of some roads under the project, causing damage to 15 bridges constructed by the state.

The Centre also changed the project cost in 2017 causing a loss to the state, Kumar said further, citing the CAG report.

“It was decided that Rs 3,935.13 crore would be spent for the Bihar stretch... Out of it, the Centre’s share stood at Rs 1,656.56 crore, as was decided in 2012, but Bihar’s share went up from Rs 896.30 crore to Rs 2,278.57 crore. While the Centre did not release funds in time, Bihar had to take a loan of Rs 928.77 crore,” he added.

Countering Shah’s claims on security, the JD(U) leader said the Centre had also not taken Shastra Seema Bal (SSB)’s advice to ensure border roads are not built more than 500 metres away from the border outposts.

But the roads being built are “20 km away from the outposts at some places, and 40 km away at others”, Kumar added.

The BJP hit back saying the former ally in the state had no “moral authority” to lecture the Centre.

BJP spokesperson Nikhil Anand told The Indian Express: “The JD(U) likes to pursue politics of appeasement...It has no moral authority to give us lectures on the functioning of PM Narendra Modi-led Union government or on the issues of internal and border security”. <https://indianexpress.com/article/india/bihar-jdu-counters-shah-cites-cag-incomplete-roads-8176763/>

SELECTED NEWS ITEMS/ARTICLES FOR READING

15. Power imbalance: The governance shift in the power sector needs centre-state cooperation (indianexpress.com) September 28, 2022

A paradigm shift is being proposed by the central government in power sector governance. The scheme under consideration is the market-based economic dispatch (MBED). As is usually the case, when it comes to any drastic change in the power sector, there is a clash between the Centre and the states. This is exactly what is happening now.

Under the present regime, each distribution company (discom) is bound by the power purchase agreements (PPAs) that it holds. It can schedule power only from its own PPAs, starting from the cheapest PPA and then moving up; it cannot schedule power from the PPA of some other discom. For example, let us consider the case of two discoms, A and B. Let's say both have PPAs totalling 1,000 MW each. Discom A has three PPAs of 500 MW, 300 MW and 200 MW with a cost of Rs 3.00/unit, Rs 3.25/unit and Rs 3.50/unit, respectively. Discom B also has three PPAs of similar capacity but costing Rs 3.25/unit, Rs 3.50/unit and Rs 3.75/unit, respectively. If on a certain day, due to rains, discom A wants only 800 MW of power (as against its kitty of 1000 MW), it will forgo the most expensive PPA of Rs 3.50/unit. If this share of 200 MW is transferred to discom B, it stands to gain since it can then avoid drawing power from its most expensive PPA which costs Rs 3.75/unit, thus saving Rs 0.25/unit. This is the basic logic of MBED. Instead of all discoms operating in silos, restricting themselves to their own PPAs only, the entire demand of the country will be met by pooling together all the PPAs and there will be a centralised dispatch (as against decentralised dispatch) starting from the cheapest PPA.

The centralised dispatch will be done with the assistance of electricity exchanges. Each discom and each generator will place a bid in the day-ahead market of the electricity exchanges, which will indicate how much power is being demanded/supplied at what price. These bids will enable the load dispatcher to construct a pan India demand and supply curve, the intersection of which will determine the market clearing price (MCP). All generators whose variable cost of generation is below the MCP will be asked to dispatch and all of them will receive the same MCP irrespective of what they had bid. Generators whose variable cost is higher than the MCP will sit idle.

This, however, is not the end of the story. The MBED is so devised that its operation will not affect the current finances of either the discoms or the generators for the following reasons. First, the fixed cost of the generators will still be paid by the discoms outside the market as determined by the regulator. Second, if the MCP comes out to be Rs 3 per unit, and if in the case of any PPA, the variable cost is Rs 2.75 per unit, then the generator will compensate the discom to the extent of Rs 0.25 per unit. Similarly, if the MCP so determined is Rs 2.50 per unit, then the discom will compensate the generator to the extent of Rs 0.25 per unit. So why this elaborate exercise? The logic is that by adopting MBED, only the relatively efficient plants will generate, without affecting the revenues of either the discoms or generators. Hence, the total cost of generation under the MBED system would be less and there would be less coal consumption and less carbon dioxide injected into the atmosphere. It would also mean less movement of coal leading to decongestion of railway tracks. Further, there would be enhanced renewable integration since the balancing area would shift from state to national level.

Incidentally, since there are three electricity exchanges in operation today, there would be three different MCPs determined. What we need is a single MCP for which there will be an institution called the “market coupler”. It will be the job of the coupler to determine a national MCP based on what has arrived at the three different exchanges. The government could appoint the national load dispatcher as the coupler or the responsibility can also be given to the three exchanges, by rotation. The latter arrangement is followed in some Western countries.

Why are the states objecting to the MBED scheme? The reason is the state-owned generators are relatively inefficient and may have to sit idle as their variable cost of generation is likely to be more than the MCP. Today, the states are operating their own generators to the hilt, even though they are inefficient, and drawing only the balance from the more efficient interstate generating stations. Keeping state generators idle has its own political implications and no state would be enamoured of this idea.

On paper, the MBED scheme seems to be a good proposition though not all experts are convinced. Some pilot studies, however, have been conducted, which suggest monetary gains if the MBED system is adopted. In any case, a lot of groundwork needs to be done including redrawing of regulations before introducing the MBED. The plan was to introduce the pilot scheme by the beginning of the current financial year but things seem to have got delayed. There are rumours that the regulators are yet to make up their minds and would like further deliberations in the matter before taking a leap. <https://indianexpress.com/article/opinion/columns/power-imbalance-the-governance-shift-in-the-power-sector-needs-centre-state-cooperation-8176818/>

16. India's infrastructure funding gap (financialexpress.com) September 28, 2022

The answer to the success of the National Infrastructure Pipeline (NIP) lies in institutional investors backing projects at the development stage of their life cycle, while domestic retail investors participate in the secondary market for operational and revenue generating assets.

At the heart of the government's plans to make India a \$5 trillion economy lies the timely completion of 9,364 projects that are valued at approximately \$1.9 trillion, lined up under the NIP 2019-25. In particular, the success of India's manufacturing sector and the focus on "Make in India" are directly influenced by how strong the backbone of India's infrastructure is. However, the biggest challenge to implement this pipeline might be the huge financing gap, which is estimated to be more than 5% of the gross domestic product (GDP). To bridge the gap in infrastructure development, access to the massive pool of global institutional capital for under-construction projects is key.

To its credit, the government has left the field wide open for the private sector to seize this once-in-a-lifetime opportunity and complete these projects on a mission mode. However, it is a no-brainer that domestic capital—both the public and private sector put together—may find it difficult to meet the funding requirement of this quantum. With an annual investment requirement of approximately ₹1.4 trillion (BE 2022-23), it is probable that conventional sources of finance may face a shortfall in meeting this massive funding need. Neither the government with its borrowing programme of over ₹14.31 trillion in the current fiscal, nor the domestic institutional investors can match such a massive demand for finance, to fund the infrastructure pipeline, leaving behind a huge funding gap to the tune of 5% of the GDP.

The government's hands are tied as it is already straying away from its fiscal glide path risking slippages in sovereign ratings. On the other hand, a handful of domestic financial institutions that are into long-term project financing might not have the capital required to meet the funding requirement to complete these projects. Thus, a way forward to solve this financing puzzle may be to tap into the massive pool of finance from global endowment funds, sovereign wealth funds, pension funds, insurance funds, etc, that remain abundant at a global scale despite major central banks' pivot towards policy normalisation and repeated hikes in the interest rates.

Interestingly, there are silver linings. First, infrastructure projects in India offer the right fit for the investment thesis of global institutional investors given their steady long-term revenue models and reduced volatility. Secondly, foreign investors such as infrastructure-focused funds, insurance companies and pension funds, which look for opportunities to invest in long-term assets, have shown keen interests in investing in such assets. This is evident from the success of real estate investment trusts (REITs) and infrastructure investment trusts (InvITs). Therefore, a robust pipeline of viable projects in the infrastructure space will indeed attract them to double down on India's evolving infrastructure growth story.

Even though pension funds and sovereign wealth funds are already investing in India, they are investing in completed projects and already operational assets that are revenue-generating. However, to unleash the maximum potential that can be derived from foreign capital, the focus should shift towards deployment of these funds in projects in their development stage. With significant enhancement in the concessionary framework, if developers package projects in a manner which mitigates risks for capital providers, under-construction projects might appeal to foreign investors strongly. Additionally, with opportunities in the secondary market for stable and operational projects being limited, international investors should look for participation at an earlier stage of the project's life, to secure long-term revenue generating projects for their portfolio. Retail investors, family offices, and high net

worth individuals (HNIs) may invest in operational assets with low leverage; these assets could give investors the potential to earn higher returns without taking on additional risks. Hence, this route may prove to be a win-win for all—fast-tracked infrastructure development for the economy, rewarding long-term investments for global investors, and risk mitigation in the investment portfolio of retail investors in our country.

India may turn its infrastructure story inside out if developers are able to undertake successful financial engineering and structure appealing financial instruments for institutional investors. If this is achieved, the NIP may be considered a 'mission accomplished' and the country will undoubtedly breeze closer to the \$5-trillion economy mark. <https://www.financialexpress.com/opinion/indias-infrastructure-funding-gap/2693163/>

17. Banks' Outstanding Jumps over 3 Times to Rs8.58 Lakh Crore in Just 5 Years (moneylife.in) September 27, 2022

Whenever anyone questions bad loans of scheduled commercial banks, the Union government and banking regulator often claims that written off does not mean that there would not be a recovery of dues. However, data available in the public domain from TransUnion CIBIL Ltd (CIBIL) shows that as of 31 March 2022, there were 30,359 records amounting to a whopping Rs8,58,396.32 (Rs8.58 lakh) crore for the suit filed accounts for defaults worth Rs1 crore and above. The amount is more than three times higher than 17,236 accounts, with the lawsuit filed cases amounting to Rs2,58,266.97 (Rs2.58 lakh) crore recorded on 31 March 2017.

Data obtained from CIBIL shows that as of 31 March 2022, there were 30,359 records amounting to Rs8.58 lakh crore spread over 32 states. Maharashtra tops the list of the suit filed cases for defaults of Rs1 crore and above with 7,954 accounts worth Rs3.82 lakh crore. It is followed by New Delhi and Telangana. New Delhi had 2,862 records for lawsuits filed for recovery of Rs1,14,063.68 crore, while Telangana had suits filed in 1,319 records for recovering dues worth Rs59,082.57 crore.

As of 31 March 2017, there were 17,236 records with CIBIL showing an outstanding amount of Rs2.58 lakh crore. Maharashtra was at the top of the list with 4,726 suits filed records involving an amount of Rs81,023.78 crore. It was followed by Delhi and West Bengal with 1,507 and 1,795 records with outstanding of Rs28,817 crore and Rs26937.83 crore, respectively.

Year	State/Union Territory	No. of records	Outstanding Amount (Rs. in Cr)
31 March 2017	Maharashtra	4,726	Rs81,026.78
	Delhi	1,507	Rs28,817
	West Bengal	1,795	Rs26,937.83 crore
	Total	17,236	Rs2,58,266.97
31 March 2022	Maharashtra	7,954	Rs3,82,123.74
	Delhi	2,862	Rs1,14,063.68
	Telangana	1,319	Rs59,082.57
	Total	30,359	Rs8,58,396.32

Source: <https://www.transunioncibil.com>

Irrespective of big claims by the government of having recovered overdue from corporate defaulters, where are things going wrong, asks Devidas Tuljapurkar, general secretary of Maharashtra State Bank Employees Federation. "We have debt recovery tribunal (DRT), insolvency and bankruptcy code (IBC), securitisation and reconstruction of financial assets and enforcement of securities interest (SARFAESI) act, for debt recovery. However, banks are made to sacrifice for one-time settlements (OTS), haircuts and write-offs. Yet the figure (Rs8.58 lakh crore) remains so huge."

"The Union government should come out with a white paper on non-performing assets (NPAs), write-offs and movement of NPA in banking. It should also evolve a mechanism to fix the accountability of those who are responsible for the NPA menace. Those corporate defaulters should be weeded out of the banking system. This is an abuse of the common person's hard-earned savings and scares the government's financial resources. Who will do it? Who can do it? The savers and common person have to rise to the occasion and stand for 'people's money for people's welfare," he added.

In March this year, Dr Bhagwat Karad, minister of state for finance, told the Rajya Sabha that public sector banks (PSBs) had effected a total recovery of Rs3,12,987 crore in NPA accounts and written-off loans from FY18-19 to FY20-21. As a result of the Union government's recognition, resolution, recapitalisation and reforms strategy, they have since declined to Rs5.60 lakh crore as of 31 December 2021, the minister stated.

According to the CIBIL data, as of 31 March 2022, State Bank of India (SBI) and its associate banks have an outstanding of Rs1.60 lakh crore from 4,717 suits filed cases.

SBI AND ITS ASSOCIATE BANKS		
STATE BANK OF INDIA	4,717	16,011,327.57

Public sector banks (PSBs) Bank of Baroda, Bank of India, Bank of Maharashtra, Canara Bank, Central Bank of India, IDBI Bank Ltd, Indian Overseas Bank, Punjab

And Sind Bank, Punjab National Bank, UCO Bank, and Union Bank of India have filed 17,264 cases to recover an outstanding of Rs4.30 lakh crore.

NATIONALISED BANKS		
BANK OF BARODA	3,243	5,454,790.06
BANK OF INDIA	1,341	2,815,693.17
BANK OF MAHARASHTRA	1,033	1,593,916.82
CANARA BANK	1,361	3,039,338.50
CENTRAL BANK OF INDIA	1,078	1,029,409.00
IDBI BANK LIMITED	2,311	6,340,964.29
INDIAN OVERSEAS BANK	1,229	3,110,724.61
PUNJAB AND SIND BANK	389	366,753.86
PUNJAB NATIONAL BANK	3,274	10,823,992.48
UCO BANK	981	3,127,521.97
UNION BANK OF INDIA	1,024	5,339,571.17
TOTAL	17,264	43,042,675.93

Private sector lenders have reported 6,897 suit filed cases to recover Rs1.32 lakh crore from defaulters who owe Rs1 crore and more. Foreign banks too have lawsuit filed in 572 accounts for recovering Rs13,669.32 crore.

PRIVATE SECTOR BANKS		
AXIS BANK LTD	1,829	3,378,436.00
CATHOLIC SYRIAN BANK	130	69,971.30
DCB BANK LTD	36	33,669.16
DHANLAXMI BANK LIMITED	212	215,802.00
EQUITAS SMALL FINANCE BANK LIMITED	19	3,455.38
HDFC BANK LIMITED	736	847,563.53
ICICI BANK LIMITED	1,273	3,657,870.23
IDFC FIRST BANK LIMITED	12	20,981.54
INDUSIND BANK LTD	262	381,091.39
JANA SMALL FINANCE BANK LTD	14	2,802.18
KARNATAKA BANK LTD	231	208,905.79
KARUR VYSYA BANK LTD	105	220,477.34
KOTAK MAHINDRA BANK	393	385,983.95
NAINITAL BANK LTD	8	2,934.82
TAMILNAD MERCANTILE BANK LIMITED	194	331,998.83
THE FEDERAL BANK LTD	416	346,762.25
THE JAMMU AND KASHMIR BANK LIMITED	281	837,534.39
THE LAKSHMI VILAS BANK LIMITED	213	184,503.78
THE RATNAKAR BANK LTD	38	29,261.00
THE SOUTH INDIAN BANK LIMITED	289	345,835.15
YES BANK	206	1,725,015.08
TOTAL	6,897	13,230,855.09

About 20 cooperative banks have filed 442 suits to recover Rs3,599.10 crore from defaulters.

CO-OPERATIVE BANKS		
ABHYUDAYA CO-OP. BANK LTD.	54	52,012.21
AMANATH CO-OPERATIVE BANK LTD.	16	5,012.50
APNA SAHAKARI BANK LTD.	27	29,413.14
BHARATI SAHAKARI BANK LIMITED	14	6,387.69
CITIZEN CREDIT CO-OPERATIVE BANK LTD.	6	2,401.70
JALGAON JANATA SAHAKARI BANK LTD.	10	5,219.88
NKGSB CO-OPERATIVE BANK LTD.	38	45,001.73
NUTAN NAGARIK SAHAKARI BANK LTD.	3	1,346.65
RAJKOT NAGARIK SAHAKARI BANK LTD.	50	25,118.03
RUPEE CO-OPERATIVE BANK LTD.	52	14,344.65
SBPP CO-OPERATIVE BANK LTD.	8	1,365.75
SHIKSHAK SAHAKARI BANK LTD.	13	25,517.08
SOLAPUR JANATA SAHAKARI BANK LTD.	1	522.55
THANE BHARAT SAHAKARI BANK LTD.	32	17,037.77
THE AKOLA URBAN CO-OPERATIVE BANK LTD.	1	124.16
THE COSMOS CO-OP. BANK LTD.	35	66,628.24
THE GREATER BOMBAY CO-OP. BANK LTD.	12	4,560.00
THE KALUPUR COMMERCIAL CO-OP. BANK LTD.	12	4,001.37
THE KALYAN JANATA SAHAKARI BANK LTD.	5	2,151.62
THE SARASWAT CO-OP. BANK LTD.	53	51,743.75
TOTAL	442	359,910.47

Financial institutions, including Export-Import Bank of India, General Insurance Corporation of India, IFCI Ltd, Life Insurance Corporation of India (LIC), SIDBI, Specified Undertaking of Unit Trust of India and UTI Mutual Fund, have reported 467 accounts as a default of more than Rs1 crore, amounting to Rs1.18 lakh crore, data from CIBIL shows.

FINANCIAL INSTITUTIONS		
EXPORT IMPORT BANK OF INDIA	82	745,931.90
GENERAL INSURANCE CORPORATION OF INDIA	4	37,978.97
IFCI LIMITED	115	491,651.63
LIC (LIFE INSURANCE CORPORATION OF INDIA)	68	10,314,637.03
SIDBI	93	90,518.55
SPECIFIED UNDERTAKING OF UNIT TRUST OF INDIA	87	125,284.00
UTI MUTUAL FUND	18	21,928.04
TOTAL	467	11,827,930.12

<https://www.moneylife.in/article/banks-outstanding-jumps-over-3-times-to-rs858-lakh-crore-in-just-5-years/68465.html>

18. Gun systems procured in last 5 yrs indigenous except Ultra-Light Howitzer ([business-standard.com](https://www.business-standard.com)) September 28, 2022

All Gun systems procured in the last five years or being procured, apart from Ultra-Light Howitzer, are indigenous Gun Systems being manufactured in India, as per the Defence establishment sources.

"Indian Army is also progressing the development of indigenous Advanced Towed Artillery Gun System, commonly known as ATAGS, and Mounted Gun Systems (MGS)," sources said.

An influx of indigenously more advanced Pinaka weapon systems is in the offing where six more regiments have been contracted and delivery would commence soon.

"These Regiments will be equipped with electronically and mechanically improved weapon system capable of firing variety of ammunition over longer ranges," sources mentioned.

Defence establishment sources said Pinaka will provide long-range firepower in High Altitude Areas along Northern Borders.

"Pinaka regiments have been enabled at high altitude and Mobility validation of equipment carried out in harsh high altitude terrain. One regiment has been inducted along Northern borders in high-altitude areas after extensive validation. High altitude firing validation is planned," it adds.

Ultra Light Howitzers have been procured to address sector-specific operational requirements, especially in the tough terrain & high altitude areas of the Northern Borders of the country.

"Highly transportable for rapid deployment to meet any operational situation, the gun can be air-lifted & transported using Chinook helicopter and deployed at short notice.

Regiments have been operationally validated and deployed along Northern Borders," as per sources.

Dhanush Gun Systems has been inducted and operationalized in High Altitude along Northern Borders.

Dhanush gun is an electronically and mechanically upgraded version of the Bofors gun and the first regiment inducted along Northern borders after extensive validation.

Dhanush Gun System is a major milestone in the history of indigenous development of Artillery Guns and a huge step towards Atmanirbharta in defence manufacturing.

Sharang gun is also going for enhancement of 130 mm gun system and with a successful up-gunned gun with better range, accuracy and consistency corroborating Indigenous Defence Capability. https://www.business-standard.com/article/economy-policy/gun-systems-procured-in-last-5-yrs-indigenous-except-ultra-light-howitzer-122092800037_1.html

19. The draft of India's new telecom law requires a relook ([livemint.com](https://www.livemint.com)) Updated: September 27, 2022

Last week, the Department of Telecommunications (DoT) followed up its recent consultation on a new telecommunications regulatory framework with a draft bill. This bill is intended to replace the Indian Telegraph Act, which has, since 1885, regulated all aspects of telecommunications in the country. I spent the better part of the weekend poring over the draft, and my feelings about it are mixed, at best.

At the outset, it's clear that the government has tried to re-imagine how the sector will be regulated. Section 3 affirms the government's exclusive privilege to provide telecommunication services, establish telecom networks and allocate spectrum—

thereby giving it the authority to permit private sector participation through licences, registrations and authorizations. This is similar to Section 4 of the Telegraph Act on which all of telecom regulation in India is currently based.

Other than this, much of the rest of the law is new, moving obligations that are today set out in licence agreements into the main body of the statute. This includes rules about telecom spectrum—how it is assigned, shared and transferred, regulations about how violations will be addressed and how disputes will be resolved. It also includes regulations around how rights of way can be exercised—over public and private property alike, the insolvency of licensees and various user protection measures.

Bringing these provisions into the statute not only improves regulatory efficiency, it offers a legislative legitimacy absent in today's licences. No longer will the government be able to amend terms with a stroke of the executive pen—it will need Parliamentary approval.

All of this suggests that the draft bill is just one part of a much larger reform. With so many provisions being brought into the statute, the licences from which they were taken will have to be overhauled. This is where things could get interesting. The logical next step for the government would be to move licence obligations into purpose-specific regulations. Taken to its logical conclusion, this could mean that telecom companies will only have to sign a simple document recording the type of services they can provide and the regulations they must adhere to.

What's more, now that the government has shown that it is not afraid to take an axe to the way things have been done so far, I see no reason why it should not go further and do away with redundant licences altogether. Better still, it could collapse the entire licensing regime, as I have suggested before, into two broad categories of service—carriage and access.

Much of the criticism in the media has been levelled at the breadth of the law. In particular, the inclusion of over-the-top (OTT) services within the definition of "telecommunication services" is being seen as a step too far—requiring firms to obtain licences even if they are just providing services on top of telecom services.

If this is in fact what the government intends, it is unfortunate. The telecommunications law should only regulate the hard infrastructure that facilitates communications and stop short of regulating what happens in the software layers above that. Diluting this principle—by including even a small subset of those software layers in the definition of telecom infrastructure—would, to my mind, risk the future of data innovation.

But simply because a category of service falls within the exclusive privilege of the state to perform does not mean that companies under all circumstances will have to obtain a licence to provide it. Section 3(3) allows the government, in public interest, to exempt the requirement for licences wherever it deems fit. As a result, even though OTT services fall within its authority to regulate, the government could choose to exercise its powers under Section 3(3) and exempt OTT players from the requirement to obtain licences.

Dare we hope that it will?

For me, the real problem with the draft is in the definitions. Loosely defined terms can transform otherwise sound legislation into a law riddled with loopholes. To my mind, this is where the draft falls drastically short of its promise. Some terms have been defined circularly—referring back to themselves in paradox loops that are next to impossible to unravel. “Telecommunication services” has been defined to mean services made available to users by telecommunication, which is not particularly helpful—even when read along with the list of illustrative examples.

Other terms have been defined so expansively that the synonyms strung together result in absurd outcomes in some of the contexts in which these defined terms are used. The term “messages” has been defined to not only mean signs and signals, but also “data streams, intelligence and information”, which in various contexts in which the term ‘messages’ has been used has strange implications.

I draw comfort from the fact that this is a draft for consultation, that it will likely be amended before it is placed in Parliament. Hopefully, these concerns will be addressed based on feedback received.

Finally, if this draft is in fact part of a larger game plan for how the sector will be regulated, it would help to have all the other elements (regulations and revised licences) in front of us before we comment. How else will we be certain that the comments we make today will not affect some other part of the proposed framework? <https://www.livemint.com/opinion/columns/the-draft-of-india-s-new-telecom-law-requires-a-relook-11664297762635.html>

20. 0% work, 80% bill: How corruption in infra contracts works in Bengaluru (thenewsminute.com) Updated: September 27, 2022

The Karnataka government is facing serious allegations of corruption with contractors claiming that ministers demand a 40% cut for granting contracts for infrastructure projects. If contractors are paying bribes to politicians, then it follows that they are cutting costs to ensure profits. A Lokayukta report about one single constituency in Bengaluru has laid out exactly how corruption in road works plays out in road works, and how local government officials help them get away with substandard work — and in some cases, no work at all. In the middle of this corruption scandal is a government agency called Karnataka Rural Infrastructure Development Limited (KRIDL), which is given contracts without tenders.

At the time the report was submitted, Justice P Vishwanatha Shetty was the Lokayukta of Karnataka and his term ended on January 27, 2022. The current Lokayukta is Justice BS Patil. TNM has accessed the report, which was filed based on a complaint by Congress MP DK Suresh. The Lokayukta conducted a probe and found that there was misappropriation of funds in 114 works, including development of roads, maintenance of drains, removal of debris, drilling of borewells etc. The corruption, according to the Lokayukta, has caused the exchequer a loss of Rs 118.25 crore.

The Lokayukta report published in January 2022, that TNM has accessed, details how exactly funds are misappropriated. RR Nagar lies in the southwest part of Bengaluru,

with some wards from north and north east too being included in the constituency. A total of 14 BBMP wards come under this constituency. The MLA is Munirathna Naidu, an influential legislator who jumped from Congress to BJP in 2019.

The funds for developmental works that have come under the Lokayukta scanner was allotted as part of Chief Minister's Nava Nagarothana scheme for the year 2019-20, and the BBMP handed over the work to Karnataka Rural Infrastructure Development Limited (KRIDL) which is a government agency that carries out infrastructure projects. KRIDL, in turn, gave the work to private contractors.

The report found that only two of the total 116 works scrutinised were carried out properly. The value of each of the works allotted is just under Rs 2 crore.

The Lokayukta investigation reveals that the scam was broadly done in four ways.

Complete 20% but bill for 80%

In a majority of the 116 works that were probed, only 20% to 30% of the total work was completed, but bills for 80% of the amount were raised and cleared.

For example, in Nanjappa Garden area in north Bengaluru, in ward number 73, an estimated cost for improvement of 9th main road, 10th main road and surrounding cross roads at Rs. 1,95,99,826 (Rs 1.9 crore) was granted. "The said work was entrusted to KRIDL which has carried out substandard work to the extent of 30% and submitted a bill for Rs 1,70,53,540 (Rs 1.7 crore)," the report said. Bills are cleared after engineers of the BBMP conduct an inspection, and this suggests they might be getting kickbacks from contractors in order to submit false reports.

The pattern has been repeated in many places. For example, for improvement of roads at Marilinganapalya extension, Nagarabhavi 5th Block and other surrounding cross roads in Ward number 73 Kottigepalya, an amount of Rs 1.9 crore was sanctioned. But KRIDL carried out substandard work to the extent of 25% and submitted a bill for Rs 1.7 crore.

A similar scam was found in several areas like Vinayaka Layout, Nanjappa Garden and BEML Layout. According to the report, a total of 45 works were manipulated in this manner.

No work executed at all

In the projects we have listed above, at least some part of the work has been completed. But in several other places, the contractors decided to bill the government without finishing any work. The Lokayukta has found at least 57 cases where absolutely no work has been done on ground, but bills have been submitted and cleared for them.

For example, in ward number 73, BBMP had given works worth Rs 1.7 crore to KRIDL for improvement of seven cross roads. The Lokayukta found that without executing the works at all, fake bills have been submitted and funds have been released too.

The estimated cost for improvement of roads at Nagarabhavi 5th Block and BDA complex surrounding cross roads in Ward Number 73, BBMP, Kottigepalya was at Rs.

1.96 crore The said work was entrusted to KRIDL which without executing the above work submitted the bill for Rs 1.7 crore towards the work earlier executed in BDA.

A similar pattern was seen in many areas in the constituency like Marilingappa extension, Nagarbhavi, Kempegowda Layout, Jnanabharathi ward, and Pramod Nagara.

Hollow bricks used instead of concrete slabs

Another way in which fake bills were produced was by using substandard quality materials in construction, hampering the safety of citizens. One such example is using hollow bricks instead of concrete slabs in drains. The Lokayukta found that in at least 23 places, this had been done.

Using hollow bricks in place of concrete slabs reduces the cost of construction significantly, but can pose serious safety issues to citizens. S Harish, former Mayor of Bengaluru says that if hollow bricks are used in construction of drains, especially for load-bearing pillars, it could jeopardise the drain.

In Dwaraka Layout, BEML Layout, and surrounding areas in Rajarajeshwari Nagar Ward Number 160, improvement and maintenance of drains was entrusted to KRIDL at Rs 1.96 crore. But when Lokayukta officials inspected the works completed, it was found that cement was not applied over the drain, and hollow bricks were used. But still, bills worth Rs. 1.7 crore were raised and cleared.

The same modus operandi was followed in another place — improvement and maintenance of drains in Ideal Homes Township and Kenchenahalli surroundings in Rajarajeshwari Nagar Ward Number 160.

Substandard asphalt works and excess measurements

The Lokayukta report notes that some of the works were of substandard quality and some works have not been executed as per the tender specifications. They have also found that in the Measurement Books (MB) to be maintained by the contractors and engineers, excess measurements were reported, allowing for further misappropriation of funds

Lokayukta's recommendations

In the Lokayukta report, it has been recommended that infrastructural development work or any other works required to be executed by the BBMP should not be entrusted to KRIDL.

Also, Justice Vishwanath Shetty has suggested constituting a special committee of experts with a high ranking public servant as its chairperson to make a sample survey of 10% of the work executed or being executed by the KRIDL which has been entrusted to it for the last two years by BBMP.

The report was submitted to the government on January 24, 2022. But no action has been taken against the officials named in the report so far, a senior officer at the Karnataka Lokayukta confirmed to TNM. After the state government accepted the report, another inquiry is underway to probe the allegations, and action may be

initiated only after its conclusion, the official said. There is no timeframe for the inquiry to be completed, he added.

KRIDL — a hub of corruption?

But there is more to this scam. The BBMP has given a bulk of the work to KRIDL, a very contentious agency. KRIDL is a government agency which was earlier called Directorate of Land Army. Their stated aim is to provide employment in rural areas through infrastructure projects and to undertake all rural development construction by eliminating middlemen. But there is a huge issue of transparency and accountability that plagues the agency.

“KRIDL can be called in for construction only during emergencies like floods. But there is a practice in BBMP of calling them for all routine works too,” says S Harish, a former mayor of Bengaluru. “There is no tender required to give the work to KRIDL so whatever price they quote is often given to them without scrutiny. On top of it, they officially charge a 11% commission,” Harish adds.

He alleges that KRIDL hardly has any manpower and machinery. So they have to give subcontractors to get work done.

Retired IAS officer and former BBMP Commissioner H Siddaiah agrees with Harish. “When BBMP gives work to KRIDL, there is no need for a tendering process. But after it is given to KRIDL, it can be given to other contractors. So there can be a huge problem of transparency,” Siddaiah told TNM.

A member of the Contractors Association told TNM that the money is divided between BBMP engineers, KRIDL engineers and the contractors.

In the complaint, DK Suresh had alleged that the public living in the constituency complained to him that funds given by the state and Union governments for developmental works in the year 2019-20 and that funds to the tune of Rs 250 cr have been released to contractors despite substandard work or no work done at all in some cases. He has alleged that despite their complaints to the BBMP senior engineers, no action was taken. <https://www.thenewsminute.com/article/how-kickback-bengaluru-road-contracts-work-step-step-guide-168358>

21. Institutional adoption of cryptocurrencies, boon or bane ([financialexpress.com](https://www.financialexpress.com)) September 28, 2022

It seems that that mass institutional adoption of cryptocurrencies, across different sectors, can help legitimise the Web3.0 economy. Experts believe that cryptocurrency-based use cases can help communities with the development of products meant for specific purposes, and ensure free-flow trading of the asset class for traders, hedgers, and even non-financial users.

Insights provided by Acuiti, a management intelligence platform, stated that there has been a greater adoption of digital assets among sellside service providers (26%) compared to traditional trading platforms (17%). Of the traditional trading firms surveyed that traded digital assets, 57% were trading Bitcoin derivatives and 29% traded Ethereum derivatives. “The institutional adoption of cryptocurrencies will unlock

the value potential, thus, helping the decentralised ecosystem in a better way. Institutional adoption carries the potential to boost the creation of a formal regulatory framework. With increased adoption, organisations across the globe will be pushed to look at ways to integrate digital assets in their business models,” Prashant Kumar, founder and CEO, weTrade, a cryptocurrency platform, told FE Blockchain.

Insights from market behaviour stated that cryptocurrencies such as Bitcoin and Ethereum can help drive institutional adoption, in terms of market capitalisation (cap) and popularity. Data provided by The Minnesota Group, a financial consulting firm, highlighted that Bitcoin has already gained significant traction in institutional adoption and its market cap has exceeded many S&P 500 companies and country money supplies. “In terms of trading, cryptocurrencies such as Bitcoin and Ethereum represent a decentralised paradigm to ensure interactions between different parties without centralisation. Institutional regulations will help add Bitcoin and Ethereum in pension funds. Addition of these currencies to Indian stock exchanges will help unleash a new wave of liquidity,” Reggie Raghav Jerath, CEO, Gather Network, a Web3.0 and blockchain platform, said.

Reportedly, digital currencies-based payment systems have started to be accepted by brands such as coffeehouse company Starbucks, telecom company AT&T, and technology company Microsoft. Previously, countries such as El Salvador and the Central African Republic both recognised Bitcoin as a legal tender. In recent developments, Goldman Sachs, an investment banking company, announced that it is offering bitcoin-backed loans as part of its cryptocurrency footprint expansion.

However, industry analysts believe that Indian institutional adoption of cryptocurrencies will need the implementation of a proper regulatory framework. Despite shortage of regulatory transparency, reports have shown that India has been at the top cryptocurrency adoption charts. As per an October, 2021, report by Chainalysis, a blockchain-based research firm, India was among the top three markets in its Global Cryptocurrency Adoption Index, along with a 59% share of activity on decentralised finance (DeFi) platforms. “Soon, regulations will have to be in place for India’s cryptocurrency future. I believe institutions are preparing themselves for a future where cryptocurrencies are expected to be important as an asset class. As the sector was mainly comprised of technology enthusiasts and early adopters a few years ago, the involvement of large institutions is expected to frame a promising future for cryptocurrencies and blockchain in India, Satvik Vishwanath, co-founder and CEO, Unocoin, a cryptocurrency exchange, mentioned. <https://www.financialexpress.com/blockchain/institutional-adoption-of-cryptocurrencies-boon-or-bane/2693383/>

22. What is the solution to India’s garbage disposal problem? ([indianexpress.com](https://www.indianexpress.com)) Updated: September 28, 2022

This monsoon, several parts of India have found themselves literally swimming in filth and sewage. Gutters have choked with garbage, plastics being the primary culprit. Single-use plastic carry-bags have been singled out for particular attention and regular meetings have been held to educate – as well as admonish — people about their use. Thus once more, the buck has stopped at the doorstep of the people – their good behaviour is seen as the key to change.

A cursory exploration of a clogged gutter will, however, show that branded packaging material — metal foil wrappers, bottles and boxes of various grades of plastics — are a substantial part of the mess inside. So, who is going to clean that up? For this, we need to understand the science and economics of how this packaging matter got there. Let us begin with some data (see accompanying table) taken from a recent annual report of a large consumer goods (FMCG) company whose products — shampoos, soaps, ketchup, squashes etc — are available all over India. The company had 18,000 employees of which 5,800 employees were permanent. The CEO, a Harvard graduate, was paid 170 times the median salary.

There are many interesting things here. We see that the revenue per employee is about Rs 2 crore, while for a permanent employee this figure is about Rs 6 crore. Wages constitute less than 5 per cent of the revenue but spending on promotion and advertising is more than double of that. This is a transfer of wealth from the consumer, both rural and urban, to an elite urban class — the so-called creative people.

Let us come to garbage and sustainability — the expenditure on packaging, carriage and freight. The freight expenditure tells us that out of every Rs 100 of the company's product that we buy, Rs 5 has gone up in vehicular smoke and Rs 8 for the package that we hold in our hand. This packaging is required because the products must have a long shelf life, and withstand heat, sunlight and rough handling during freight.

So where should this piece of plastic go? As usual, the Centre and state governments have grandiose laws, but there is little scientific know-how or bureaucratic ability to implement them. According to the law, the ultimate manufacturers (UMs) of the plastic films — the raw material for the much-reviled carry-bags and also the much larger volume of branded packaging — are responsible for the collection of this waste and its processing. They must set up collection networks and work with state pollution control boards and the city and town administrations to ensure that this waste reaches recyclers and manufacturers. The rural regions are, of course, ignored.

Garbage and sustainability — Revenue generated and the expenditure on packaging, carriage and freight.

This system has not worked for a very simple reason. While Rs 8 out of 100 was spent on packaging the product, the cost of the packaging materials is barely Rs 1. The rest of the cost is in shaping this raw material into packaging units — filling these up and sealing them, labelling and branding, and finally putting them into bulk cartons ready for transport. Given the volumes at the FMCG manufacturing plant, hundreds of shampoo bottles need to be filled per minute and soaps need to be packed. The machines which do this are some of the most intricate combinations of sensors and control systems. Most of them are imported and contribute significantly to the cost.

Of the Re 1 of the reusable material, even with the most advanced recycling technology, the value of that piece of garbage in our hand to the ultimate manufacturer is less than 50 paise. Therefore, it is simply not economical to transfer the waste back to the manufacturer. Hence, only where this waste is concentrated and there are abjectly poor people available to segregate, can supply chains exist to take it back to the chemical plants. This is why the garbage dumps, ragpickers and the

neighbourhood kabadi shops are necessarily the only viable last mile of our recycling system.

For Chiplun, a taluka town in Ratnagiri district of Maharashtra, this means about 75 per cent of the plastic garbage is left on the streets, blowing in the wind, clogging up gutters, strewn on playgrounds and beaches, reaching streams and rivers, and finally the sea. The remaining 25 per cent is collected by the city's stressed garbage collection system and a few good Samaritans at the Sahyadri Nisarga Mitra — an NGO. Much of this accumulates in ever-rising garbage dumps or is incinerated and the rest goes back to the ultimate manufacturer. As with most public services, such as education or drinking water, the goodness of heart of a few and the noble intentions of our leaders, rather than a professionally run system, form the basis of delivery of this important environmental service.

What is to be done? One attempt in Maharashtra addresses the most visible waste, PET bottles and milk bags, and puts a large value, Rs 1 and 50 paise respectively, as the collection price to be paid by the bottlers and milk producers to anybody who presents them with the waste. This has worked with PET bottles, simply because they are easily collected in bulk, at railway stations and restaurants, and easily picked up in garbage dumps. But that has not happened with milk bags. Even with PET bottles, the artificially large price of Rs 1 exceeds the production cost of 60 paise and thus there is money to be made in making fresh PET bottles.

But there is an important insight here of holding the product manufacturer, and not the packaging material manufacturer, responsible for the disposal of waste. Just as it took Rs 8 to convert the packing material into a packaged product and Rs 5 to transport it and put it in our hands, it will take a commensurate amount of money — say Rs 3 — to take it back to its ultimate source. This may be implemented as a sustainability tax on the packaging and carriage cost components of a given product. Given the elaborate bureaucratic machinery of the GST and the formal nature of the dealer network of large FMCG companies, this tax can be easily administered and transferred to the districts and towns. Chiplun would then get about Rs 2.1 crore per annum to address its garbage disposal problem.

Such a consumption tax based on concrete aspects of sustainability, and its local devolution, would create the right incentives for a scientific analysis of garbage and the logistics of its disposal. It will also create a clutch of professional companies who specialise in this sector and provide their services to the hundreds of cities and towns of Maharashtra.

It will also help citizens of Chiplun ask the right questions about the items they consume and the production processes behind them. Do I really need shampoo manufactured in Gujarat or potato wafers from Kanpur? Do they offer superior quality or better hygiene? Or is it merely branding? Is it not possible for young entrepreneurs in SMEs of Ratnagiri to manufacture good quality shampoo but package and sell it differently? Does it need a revenue of Rs 2 crore to create a job?

In fact, this sets up a different agenda — of communities and regions that are atmanirbhar about simple things. Of a decentralisation of sophistication that would create more jobs for our youth and give them more dignity. And improve the quality of our lives and help preserve the environment.

The road to sustainability goes through such cultural questions. <https://indianexpress.com/article/opinion/columns/what-is-the-solution-to-indias-garbage-disposal-problem-8176816/>