

TRIBAL SUB-PLAN

**MINISTRY OF HUMAN RESOURCE DEVELOPMENT,
MINISTRY OF HEALTH & FAMILY WELFARE AND
MINISTRY OF AYUSH**

**PUBLIC ACCOUNTS COMMITTEE
(2017-18)**

EIGHTY FIFTH REPORT

SIXTEENTH LOK SABHA



**LOK SABHA SECRETARIAT
NEW DELHI**

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MINISTRY OF HEALTH & FAMILY WELFARE AND
MINISTRY OF AYUSH**



Presented to Lok Sabha on: 18/12/2017

Laid in Rajya Sabha on: 18/12/2017

**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2017 / Agrahayana, 1939 (Saka)

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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE (2016-17)

Prof. K.V. Thomas

Chairperson

MEMBERS

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3. Shri Prem Singh Chandumajra
4. Shri Nishikant Dubey
5. Prof. Richard Hay
6. Shri Gajanan Chandrakant Kirtikar
7. Shri Bhartruhari Mahtab
8. Smt. Riti Pathak
9. Shri Neelhu Rich
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12. Dr. Kirit Somaiya
13. Shri Anurag Singh Thakur
14. Shri Shivkumar C. Udasi
15. Dr. P. Venugopal

RAJYA SABHA

16. Shri Naresh Agrawal
17. Shri Satyavrat Chaturvedi
18. * Shri Bhupender Yadav
19. Shri Bhubaneswar Kalita
20. Shri Shantaram Naik
21. Shri Sukhendu Sekhar Roy
22. Shri Ajay Sancheti

* Elected w.e.f. 09.08.2016 vice Shri Vijay Goel, MP appointed as Minister of State w.e.f. 05.07.2016.

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE (2017-18)

Shri Mallikarjun Kharge

Chairperson

MEMBERS

LOK SABHA

2. Shri Sudip Bandyopadhyay
3. Shri Subhash Chandra Baheria
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6. Shri Gajanani Chandrakant Kirtikar
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18. Shri Bhubaneswar Kalita
19. Shri Shantaram Naik*
20. Shri Sukhendu Sekhar Roy†
21. Shri Ajay Sancheti
22. Shri Bhupender Yadav

SECRETARIAT

- | | | |
|---------------------------|---|----------------------|
| 1. Shri A.K. Singh | - | Additional Secretary |
| 2. Shri Jaya Kumar | - | Director |
| 3. Shri Paolienlal Haokip | - | Deputy Secretary |
| 4. Shri Ashikho Alemo | - | Executive Assistant |

* Ceased to be a Member of Committee consequent upon his retirement from Rajya Sabha on 28 July, 2017.

† Ceased to be a Member of Committee consequent upon his retirement from Rajya Sabha on 13 August, 2017.

Sub-Committee -- IV (Civil Ministries and Non-compliance of timely submission of Action Taken Notes) (2016-17 & 2017-18)

Convener	:	1. Shri Bhadrubhai Mahtab
Alternate Convener	:	2. Shri Gajanan Chandrakant Kirtikar
Members	:	3. Shri Nishikant Dubey
		4. Dr. P. Venugopal
		5. Shri Ajay Sancheti
		6. Shri Shivkumar C. Udasi

INTRODUCTION

1. I, the Chairperson, Public Accounts Committee (2017-18), having been authorised by the Committee, do present this Eighty Fifth Report (Sixteenth Lok Sabha) on 'Tribal Sub-Plan' based on Report No.33 of 2015 of Comptroller and Auditor General of India, Union Government pertaining to the Ministries of Human Resource Development, Health & Family Welfare and AYUSH.

2. The Report of the Comptroller and Auditor General of India was laid on the Table of the House on 8th December, 2015.

3. The Public Accounts Committee (2016-17) took up the subject for detailed examination and report. The Sub-Committee-IV was constituted under the Convenorship of Shri Bhartuhari Mahtab, M.P and Member of PAC that took evidence of the representatives of the Ministries of Human Resource Development, Health & Family Welfare and AYUSH on the subject at their sittings held on 20th September, 2016 and 5th January, 2017. Accordingly, a draft Report was prepared and finalized by the Sub-Committee and placed before the Committee for their consideration.

4. The Public Accounts Committee (2017-18) considered and adopted this draft Report at their sitting held on 13th October, 2017. Minutes of the sittings are appended to the Report.

5. For facility of reference and convenience, the Observations/Recommendations of the Committee have been printed in bold and form Part II of the Report.

6. The Committee would like to express their thanks to the representatives of the Ministries of Human Resource Development, Health & Family Welfare and AYUSH for tendering evidence before them and furnishing information in connection with the examination of the subject.

7. The Committee place on record their appreciation of the assistance rendered to them in the matter by the office of the Comptroller and Auditor General of India.

NEW DELHI;
4 December, 2017
13 Agrahayana, 1939 (Saka)

SHRI MALLIKARJUN KHARGE
Chairperson,
Public Accounts Committee

REPORT

PART - I

I INTRODUCTION

This Report is based on Report No.33 of 2015 of C&AG's Performance Audit Report on Tribal Sub-Plan for the year 2011-12 to 2013-14, pertaining to the Ministry of Human Resource Development, Ministry of Health & Family Welfare and Ministry of AYUSH.

2. The Sub-Committee -IV of Public Accounts Committee (2016-17) took up the subject for detailed examination and took oral evidence of the representatives of the Ministries of Human Resource Development, Ministry of Health & Family Welfare and Ministry of AYUSH and obtained written replies on the subject. Based on these oral evidences and written replies, the Sub-Committee examined the subject in detail.

3. The persistence and perpetuation of socio-economic backwardness in spite of the development efforts had warranted a special and focussed strategy and a need for a separate policy instrument for the Scheduled Tribes (STs) to enable them to share the benefits of developmental growth in a more equitable manner. A comprehensive policy of protection, welfare and development of the STs was prepared by an Expert Committee set up in 1972 which finally gave birth to Tribal Sub-Plan for Scheduled Tribes in 1976. The Tribal Sub-Plan (TSP) was adopted for the first time in the Fifth Five Year Plan (1974-79). The principal aim of the TSP is to bridge the gap between the STs and the general population with respect to all socio-economic development indicators in a time bound manner. The Tribal Sub-Plan aims to channelize the flow of outlay and benefits from the general sectors in the Central Ministries/Departments for the development of STs both in physical and financial terms.

4. TSP strategy has twin objective, namely, socio-economic development of Scheduled Tribes and protection of tribals against exploitation. Guidelines on formulation, implementation and monitoring of TSP have been issued by the Planning Commission from time to time to the States/UTs and Central Ministries for the formulation and effective implementation of the TSP. The last revision was done in 2005, which inter-alia suggested (as per guidelines issued in 2006): (i) earmarking of plan funds in proportion to the Scheduled Caste (SC) and Scheduled Tribe (ST) population both at the Central and State levels; (ii) Scheduled Caste Sub Plan & Tribal Sub-Plan funds should be non-divertible and non-lapsable; (iii) designing proper and appropriate developmental programmes/schemes/activities; (iv) Creation of separate budget heads/sub-heads for different sectors; and (v) Creation of effective monitoring mechanism. In 2010, a task force identified 28 Central Ministries/departments in terms of their obligation to earmark allocation in proportion to the population of STs. In accordance with these policy guidelines, 28 Central Ministries/Departments allocated ₹ 64399.73 crore as TSP fund during 2011-12 to 2013-14. Further, the guidelines also provide that the Tribal Welfare Departments will be nodal Departments for the formulation of the TSP in the States. The TSP concept is not applicable to the tribal majority States where tribals represent more than 60 per cent of the population, since the Annual Plan in these States/UTs is itself a Tribal Plan.

5. In their Report, Audit has made the following observations on the financial management of TSP, implementation, monitoring and achievements of TSP.

A. WEAK FINANCIAL MANAGEMENT OF TSP FUNDS

6. In their Report, Audit revealed that the strategy for development of STs through Tribal Sub-Plan included earmarking of Plan funds of Central Ministries/Departments into a separate head of account i.e. 0796-Plan head strengthening of administrative arrangement for implementing and monitoring the TSP funds. Audit observed that no segregation of TSP funds under each scheme in the 0796-Plan Head at State/district/block level was available. The Department of School Education & Literacy, Department of Higher Education and Department of Health and Family Welfare had not adopted the specified earmarking norms i.e. 10.7 %, 7.5 %, 8.2 % and 2% respectively. There was short release of TSP funds by ₹13138.05 crore during 2011-12 to 2013-14.

7. Audit also observed that no segregation of TSP funds and release of TSP funds did not synchronise with the allocations made by the Departments. Audit also noticed that there was incorrect release of TSP funds to tribal majority States, where tribals represent more than 60 per cent of the population as well as release of TSP funds to non ST populated States- where ST population was Nil as per Census 2011.

8. With regard to earmarking of Tribal Sub-Plan funds of Central Ministries/Departments into a separate head of account and monitoring of the same, the Department of School Education & Literacy stated as follows:

"Earmarking of central funds is done as per the MHRD's Guideline for Implementation of Programmes and Schemes under Scheduled Castes Sub Plan (SCSP) and Tribal Sub Plan (TSP) which provides 20% for SC Component and 10.7% for ST Component in respect of Department of School Education & Literacy.

~~In order to ensure the uniform and continuous availability of~~
funds for implementation of SSA programme, the central share is released as ad-hoc instalment (in the beginning of the financial year i.e. April-May), balance of the 1st instalment (July-August) and 2nd instalment (October-November). The release of central share is done as per the provisions of General Financial Rule (GFR) and Manual on Financial Management and Procurement (FM&P) of SSA. After release of the ad-hoc instalment, the balance of the 1st instalment and 2nd instalment are released after submission of required documents by States and UTs that include provisional UCs, expenditure statement, statement showing the cumulative release of state share, statement on settlement of outstanding advances, audit report, audited utilization certificate and Annexure-IX, XVI and XXV of Manual on FM&P.

The release of state share is ensured by the fact that the central share is released only after the commensurate state share is released by the States. The sanction letter issued by the Department also clearly mentions that the commensurate state share has to be released within one month from the receipt of central share.

Quarterly meetings of Finance Controllers (FCs) of State Implementing Societies (SISs) are convened by the Department to review the financial progress and financial management. This would, now, also be monitored through the SSA-SHAGUN portal developed for online monitoring of SSA.

Sanction orders explicitly mention the central share & corresponding state share to be released immediately by State to State Implementing Agency. The release of funds and utilization is also monitored through online Project Monitoring System (PMS) of RMSA.

Mid Day Meal Scheme (MDM)

The funds are earmarked for General, Scheduled Caste Sub Plan (SCSP) & Tribal Sub Plan (TSP) categories in the ratio of 69.10 %, 20.20 % & 10.70 % respectively as per the direction of the erstwhile Planning Commission. The funds are released under Mid Day Meal Scheme in two instalments in the ratio of 60:40. In order to ensure smooth implementation of the scheme, the 1st instalment is segregated into ad-hoc release at the rate of 25 % of the 1st instalment. The ad-hoc release is made in the month of April without insisting for any information from the State Government. The balance of 1st instalment (35%) is released after receiving information about the unspent balance from the releases of previous year and matching contribution by the State against the minimum mandatory share for the sharable components (cooking cost, honorarium to cook-cum helpers & construction of kitchen-cum stores). The balance 40% is released after receiving the utilisation certificate for the previous releases, expenditure statement, confirming that the state has incurred 60% or more expenditure against the available funds (unspent balance & releases under ad-hoc as well as balance of 1st instalment) and confirmation that the

state has released the minimum mandatory share against sharable components."

To ensure compliance, the Department further stated as under:

"It has been emphasized to all States to ensure strict compliance on maintenance of the separate account/record/Head for the funds received and expenditure incurred under TSP from this Financial Year itself wherever possible, but strictly from next financial year. This may also be reflected in the Final Utilization Certificate submitted to the Department. This would enable the Department to ensure that the expenditure reported under the head 0796 is actually linked with the flow of benefits to STs. This would also be monitored through the SSA-SHAGUN portal developed for online monitoring of Sarva Shiksha Abhiyan (SSA). Similarly, for other schemes also, funds are released in proportion to population of STs in respective States."

The Department of Higher Education stated as under:

"In Department of Higher Education funds are released to UGC under General, SC, ST components, which in turn releases funds to Central Universities and other institutions, recognized under 2(f) and 12B of UGC Act, 1956, under these heads. As such there is no question of segregating of TSP funds at State/District/Block level."

During oral evidence the representatives of the Department of Higher Education further stated that:

"Higher Education – unlike the other departments – is institution-centric. We have a network of Central Universities and

~~other institutions. We do not follow or we do not release to the~~
States, primarily to the institutions. In that, there are established frameworks for this; of which, the University Grants Commission is the key but we also have the All India Council for Technical Education as well as the institution. We are now almost entirely automatized in our financial flows. But those are the flows in which the framework is still budgetary and it consists block grants that are released to the institutions and the segmentation, which is part of the plan, has been followed. As of now, there is a very clear segmentation of the Tribal Sub-Plan and it is a part of the Plan."

9. The Ministry of Health and Family Welfare have stated that all the States/UTs have been directed to report head wise expenditure in FMR for General, SC and ST under the National Health Mission (NHM). Further to ensure proper reporting of expenditure under these components under the NHM, the Ministry with support of NIC has developed PIP software that would help in proposing separate component wise planning and budgeting for different activities. This has been made operational and all future PIPs will be received electronically through the PIP software.

10. With regard to release of TSP fund to tribal majority States and non-ST populated States, the representatives of the Ministry of AYUSH have stated as under:

"The issue here is again that tribal majority States do not qualify under TSP. Somehow this clarity was not there and the funds have been released by two of our Councils to tribal majority States. This mistake is acknowledged and it will not happen in future."

11. In reply to the Audit finding of short/non-release of TSP funds, the Ministry of Health & Family Welfare stated as follows:

"Immunization programme targets children which are eligible for vaccination. The supplies are based on the birth cohort in Routine Immunization and target beneficiaries in Pulse Polio Immunization programme, irrespective of the fact that the child belongs to which category. Thus, the programme addresses the equality issue. Hence, the supplies of the vaccines are based on the target, so is the operational cost. The Department has never received any stock out information from the entire country including tribal areas.

• National Programme For Prevention and Control of Cancer, Diabetes, Cardiovascular Disease and Stroke (NPCDCS) and National Programme for Health Care for the Elderly (NPHCE) have been brought under the umbrella of NHM during the F.Y. 2013-14.

Full amount was not released for NPHCE and NPCDCS due to high unspent balance in these programmes. However, the savings under these programmes under TSP were utilized for other programmes under TSP only. Thus, there was no overall shortfall in utilization of TSP budget under the NHM."

B. NON-CREATION OF NON-LAPSABLE CENTRAL POOL OF TSP FUND

12. Audit, in their Report noted that as per revised guidelines, TSP funds remaining unutilized at the end of a financial year may be transferred into a non-lapsable pool of TSP funds and funds from the Non-Lapsable Central Pool of TSP fund (NLCPTF) may be allocated to Ministry of Tribal Affairs for

implementing schemes exclusively for development of STs. The recommendation of Inter-Ministerial Committee (2013) also clarified that in case it was found that the earmarked funds for TSP in a particular year was not spent in proportion to the share of ST population in the State, it must be ensured that the gap was funded suitably for providing funds to that extent in the non-lapsable pool to be administered by the nodal Ministry i.e Ministry of Tribal Affairs which may in turn, allocate the funds for implementing schemes exclusively for the benefit of STs. Audit found that NLCPTF had not been formulated so far and thus, the concept of transfer of unutilised TSP fund to NLCPTF remain a non-starter, indicating inadequate control on the management of funds by the Departments. Audit noticed several deficiencies in the financial management of TSP funds in the selected schemes in the states such as non-maintenance of separate account of TSP fund, short/delay in release by Central Government/State Government, non/under utilisation of TSP fund etc.

13. When enquired as to why Non-lapsable Central Pool of TSP fund (NLCPTF) was not formulated as given in the TSP guidelines, the Department of School Education & Literacy had stated that:

"As per the Allocation of Business Rules, 1961 (amended from time to time), the Ministry of Tribal Affairs shall be the nodal Ministry for overall policy, planning and coordination of programmes of development for the Scheduled Tribes. Accordingly, the formulation of Non-Lapsable Pool of TSP Fund (NLCPTF) may be explored by Ministry of Tribal Affairs. This Department will extend the full cooperation in materializing the formulation of NLCPTF."

----- The Department of Higher Education had stated the following: -----

"The utilization of funds for TSP are checked before releasing further grants. Since the utilization is complete, no non-lapsable pool was constituted."

14. In reply to the query of the Committee as to how unused TSP funds are surrendered and tracked in the absence of a non-lapsable pool, the Departments of School Education & Literacy and Higher Education had stated that the amount released as central share under SC component, ST component and General Component, are utilized for incurring expenditure for implementation of the approved intervention during financial year. The unspent balance as on 1st April of the next financial year is proportionately divided between central share and state share as per the existing funding pattern. The unspent balance on 1st April is adjusted while releasing the central share during subsequent financial year. The unspent balance is to be used for the implementation of approved intervention during the next financial year. The Department of Higher Education further stated that UGC has opened separate Bank Accounts for the unutilized amount under the head comes back into the same account.

15. With regard to the current status of Non-lapsable Central Pool of TSP fund (NLCPTF), Departments of School Education & Literacy and Higher Education have stated that it is for the Ministry of Tribal Affairs to provide information on the status of NLCPTF. In this regard, the Ministry of Tribal Affairs have stated as follows:

"The issue of Non-lapsable pool of funds is being handled by NITI Aayog. (The Non-lapsable Pool of Central Resources (NLCPR) scheme for North East region was mooted by the Planning Commission and approved by the Union Cabinet.)

In a meeting taken by Principal Secretary to Prime Minister on 11th November, 2016, the issue was discussed and NITI Aayog has been asked to examine, in consultation with relevant Ministries and Cabinet Secretariat, if the allocations under TSP be made non-lapsable, and recommend appropriate action. This Ministry has given its suggestions to NITI Aayog in this regard."

During oral evidence the representatives of the Ministry of Tribal Affairs also stated that the Ministry want TSP fund to be made non-lapsable and have suggested accordingly.

C. DELAYS IN THE FORMATION OF NODAL UNITS

16. Audit highlighted that as per the guidelines of Planning Commission (2006), the TSP was to be implemented by constitution of dedicated unit in every Ministry/Department. The basic objective of Tribal Sub-Plan was to channelize the flow of outlays from central Ministries/Departments by earmarking funds for the development of Scheduled Tribes in the States, at least in proportion to their population. However, even though funds from central level were released under trifurcated head Gen/SC/ST to the States and States to district implementing agencies, the accounts for such expenditure was not maintained separately at each level. Audit observed that at the grass root level, there was no proper earmarking of TSP funds and hence, no assurance that the final objective of earmarking was getting fulfilled could be derived. Though TSP was a planning based strategy, allocations or earmarking were not based on tribal specific plans. Ministry of Tribal Affairs was neither involved in the annual planning exercise nor there were any guidelines detailing the processes for such oversight. As per the guideline, a dedicated unit was to be constituted in every Central Ministry/Department as nodal unit for formulation and implementation of TSP.

Audit noticed that there were delays in formation of nodal units in the Ministries/Departments.

17. On enquiry regarding the reasons behind the non-creation of nodal unit in the Ministries/Departments for formulation and implementation of TSP, the Departments of School Education and Literacy stated as under:

"As per the Allocation of Business Rules, 1961 (amended from time to time), the Ministry of Tribal Affairs shall be the nodal Ministry for overall policy, planning and coordination of programmes of development for the Scheduled Tribes. A dedicated Unit (SC/ST Cell) exists in the MHRD to formulate and implement Tribal Sub Plan."

The Department of Higher Education stated as follows:

"There is a dedicated nodal unit viz. SC/ST cell functioning in the Ministry of HRD. Besides, the various bodies also have a nodal setup viz. UGC vide Order dated 26.12.2013 had constituted a separate nodal committee to oversee the implementation of TSP component in various Schemes being implemented by them. AICTE has setup a monitoring committee on 20.1.2016 to oversee the implementation of TSP guidelines and for formulation of new schemes to implement the TSP norms."

The Ministry of Tribal Affairs stated as under:

"The information has been sought from concerned Central Ministries / Departments. As soon as replies from concerned Central Ministries / Departments are received, the Hon'ble Committee will be apprised. In a meeting of social sector Ministries held on 11.1.2017 in NITI Aayog, it was suggested that the TSP Ministries/Departments

should set up monitoring units and indicate State specific allocation and release for the vulnerable sections separately under centrally sponsored schemes and Central Sector Schemes."

D. POOR MANAGEMENT OF PROGRAMMES UNDER TSP

18. Audit pointed out that in Sarva Shiksha Abhiyan (SSA), implemented by the Department of School Education and Literacy there were inter-alia shortfall in establishment of Kasturba Gandhi Balika Vidhyalaya (KGBV); non establishment and non-functioning of 'Model Cluster School for Girls' due to non allocation of funds; lack of basic amenities and facilities noticed in Manipur, J&K and Gujarat; school uniform had not been distributed as per norms in the state of Maharashtra, Chhattisgarh, Jharkhand, J&K, Assam and Andhra Pradesh; deficiencies noticed in appointment of local language native teachers and non availability of text books in the state of Madhya Pradesh, Jharkhand, Chhattisgarh, Gujarat, Assam, Maharashtra and J&K; and shortage of teachers also noticed in the state of Chhattisgarh, Gujarat and Assam.

19. With regard to shortfall in establishment of KGBV, the Department has stated that in respect of the State of Gujarat, the State has clarified that all 89 KGBVs are operational in their own building. In the case of the KGBV in Dahod-Khangela block, initially, the classroom and dining hall were utilized for teaching purpose and the two dormitories were utilized as hostel during night. Now, an additional facility for the hostel has been provided by the State. This has made separate space available for classroom as well as hostel. In the case of Maharashtra, SSA, the Department has stated that there are 43 Educationally Backward Blocks (EBBs) located in 10 districts of Maharashtra. As per the provisions of the Scheme, 43 KGBVs have been sanctioned in these EBBs. The remaining 25 districts of Maharashtra do not fulfil the criteria for establishing the KGBVs. In respect of Doongi, Rajouri, Jammu and Kashmir, the State has

reported that the classes are held in the KGBV owned building, but the students stay in rented accommodation. The building is free from encroachment. The construction of the KGBV would be completed once adequate funds become available. The KGBV under construction at Doongi, Rajouri has become operational and is being run in the rented building where the hostel is available. The Department has further stated that despite repeated written reminders for providing a compliance report, no reply has been received from J&K, SSA so far.

20. With regard to non establishment and non-functioning of 'Model Cluster School for Girls', the Department has stated that the National Programme for Education of Girls at Elementary Level (NPEGEL) Scheme was discontinued w.e.f. 01.04.2014 and the unspent balance lying with the States and UTs in their NPEGEL account would be utilized for implementing the approved interventions under SSA. The necessary instruction in this regard is being issued in consultation Internal Finance Division, MHRD.

21. With regard to lack of basic amenities and facilities, non distribution of school uniforms, exclusion issues of ST students and shortage of teachers, the Department has stated that Madhya Pradesh, SSA is trying to fulfil the vacant post of teachers by qualified residents and teachers and have been instructed to use local language while teaching to bridge learning gaps in primary classes (Class I & II). Madhya Pradesh, SSA has also stated that there is no shortage of text books in schools for tribal areas. The Department also stated that Maharashtra, SSA has developed multi-lingual books for Tribal students. These books are developed in ten different tribal languages. Tribal teachers are also provided teachers guide in different tribal language from 2015-16. Maharashtra has initiated to develop 60 titles in current year 2016-17. Maharashtra, SSA has also issued instructions to an Education Officer, Dhule & Nandubar to enquire into the matter of non distribution of school uniforms. The report is awaited. The Department has stated that despite repeated reminders to concerned States to

~~provide a compliance report, no reply have been received so far, besides~~
Madhya Pradesh and Maharashtra.

22. Audit also highlighted that in the National Programme of Mid-day Meal (NPMDM), it was, inter alia, found that in the test checked districts in eight states, the Annual Work Plan & Budget were neither prepared with aggregated data from schools/blocks nor there were any special plan or projects for ST students; non-availability of kitchen sheds, incomplete infrastructure in kitchen, inadequate kitchen devices and insufficient drinking water, the children were exposed to health hazards as the meals were being prepared and served in open and unhygienic conditions; the grievance redressal mechanism was found to be non-existent/deficient in seven States i.e. J&K, Gujarat, Andhra Pradesh, Karnataka, West Bengal, Maharashtra, Madhya Pradesh and Tamil Nadu; and Audit noticed that supply of food grains, cooking cost and utilisation of funds for MDM was not found to be sufficient and regular to meet the needs of the children in the selected states of Chhattisgarh, Assam, Andhra Pradesh, Rajasthan, West Bengal and Tripura.

23. The representatives of the Department of School Education & Literary replied as under:

"The releases under MDMS correspond to the minimum mandatory 10.7 percent prescribed of BE for TSP by the erstwhile Planning Commission. The sanction orders for release of TSP or any other category of central assistance mentions that the funds should be utilised for that purpose only and separate and proper account of the funds received under TSP. The schools have population of all categories of children i.e. General, SC & ST and Mid Day Meal is provided to all students on school days irrespective of their caste.

However, MDM Division will follow all the instructions of audit as and when received.

All States/UTs have set up Public Grievance Redressal mechanism under Mid day Meal Scheme. The States have installed toll free no. at State, District/Block levels for receiving complaints on the implementation of Mid Day Meal Scheme. Complaint Boxes have also been installed by some States in the schools for submission of grievances. Public hearings are also organised in States for grievance redressal. Prompt action is also taken by this Department on the complaints received through media/newspapers, RTI applications etc."

24. Audit also noted that Information, Education & Communication (IEC) key activities under the health schemes i.e. NPCDCS and NPHCE were not carried out for the benefit of the tribal people during the period 2011-12 to 2013-14. Audit further noted that the TSP fund had been amalgamated with other funds and no segregation was available at the state level. In the National Programme for Prevention and Control of the Cancer, Diabetes, Cardiovascular Diseases & Stroke (NPCDCS) being implemented by the Ministry of Health and Family Welfare there were non conduct of behavior and life style changes activities; non screening of persons for early diagnosis; treatment facilities not provided; deficiency in training activities; non-establishment of Tertiary Cancer Centres (TCCs); Infant diseases etc. In National Programme for Health Care for the Elderly (NPHCE) there were non conducting of IEC and mass media activities; no health facilities provided; deficiencies in training activities were pointed out by the Audit. In Immunisation there were less control over Infant diseases, shortfall in targets and achievements, deficiencies in check-ups & distribution of IFA tablets to pregnant women and shortfall in training etc. On Infrastructure Maintenance Scheme (IMS) there were inadequate infrastructures, shortage of

health facility, non availability of UFWCs, deficiencies in basic training for ANM/LHVs/MPWs (Male) etc. In Flexible Pool for State Programme Implementation Plan (FPSPIP) and Reproductive Child Health Flexible Pool (RCHFP) there were inadequate maternal health facilities, lack of child health facilities, inadequate training for family planning and non conducting of ARSH activities etc.

25. During oral evidence, the Committee highlighted shortfalls in the implementation of National Health Mission (NHM) and raised concerns on matters like non-availability of basic health care facilities, primary health care centres, shortage of doctors and nurses in the remote areas, inaccessibility to basic/first aids in the far-flung areas etc. and desired to be apprised of the measures undertaken by the Ministry of Health and Family Welfare to resolve the shortfalls and ensure that the tribal population, especially in the remote areas can avail basic medical assistance under NHM.

26. With regard to the efforts towards addressing the concerns pointed out by the Committee, the representatives of the Ministry of Health and Family Welfare stated as under:

"We made sure that we had 184 districts identified in the country which had a low percentile of health indicators. But for tribal population we said that any district which has a lower average than the State will be selected for this and they are known as the high priority districts and what we do with the high priority districts is that we allocate 30 per cent additional resources to those districts so that infrastructure can come up. We have also, under the National Health Mission, taken special care to relax norms. For example, for a sub-centre, the standard norm is 5000 population, but for a tribal area it is 3000; for a PHC it is 30000 for a normal area, it is 20000 for the

tribal population; and while it is 120000 for CSC in a normal area it is 80000 for a tribal population.

Many States have come up with innovations. For example, Chhattisgarh realise that in a far-flung area, it was extremely difficult to get any doctor to serve in the PHC. They have said now that a doctor who gets posted to PHC goes there for two years and his appointment order says that on this date, he stands relieved to a particular post which is his choice post. That is the incentive they are giving. We have already put in an incentive that we will give incentive of 30 per cent in PG examination if they go to rural areas.

We have now introduced a time to care approach where we have told the States that if a person is unable to reach a health facility, if he walks for half an hour, the State is entitled to additional infrastructure. For such areas we have removed all population norms and taken a time to care approach. Many States have responded well in this, there are other States which have not responded so well. This inequity, particularly in the health sector, will continue because there are inter-State disparities, inter-State inequities and intra-State inequities. We are trying to address this by identifying these 184 odd districts. I will give you another example as to how we are catering to this and how the expenditure has gone up in the tribal areas. It was a difficult job to get a specialist in any of the tribal areas and the States were finding it very difficult to recruit on contractual basis. We had a meeting with the States and we took a decision that for such areas there will be no cap on the money to be paid to the specialist if he is recruited. It could be ₹ 1 lakh or it could be ₹ 2 lakh."

E. WEAK MONITORING MECHANISM

27. The TSP guideline envisaged that central Ministries/Departments would be responsible for monitoring compliance with TSP component of Centrally Sponsored Schemes. The Planning Commission was to monitor the progress of TSP at the time of half yearly and annual performance reviews of the Ministries/Departments. The nodal dedicated unit of the respective Ministry was to ensure that funds were released to the concerned implementing agency timely which in turn was to release funds to their field level implementing agencies. Dissemination of information to STs about the schemes/programmes available for their development was the responsibility of the nodal dedicated unit of STs in the Ministries. The dedicated units were also to ensure follow up of the schemes implemented and maintenance of proper records on assets created under TSP in the Ministry. Audit observed that non-functional dedicated TSP unit and non-monitoring of Quarterly Progress Report by Planning Commission and non-formation of Nodal Unit in the Ministry of Tribal Affairs and Ministry of Health & Family Welfare. It also noticed non-establishment of Sub Plan Research Centre and non-formation of Scheduled Tribe Education Management Information System (SEMIS) in the Ministry of Human Resource Development.

28. With regard to non-preparation of Annual Plans the Ministry of Tribal Affairs have stated as follows:

"There was no direct involvement of Ministry of Tribal Affairs (MoTA) in preparation in the preparation of Annual Plans of Central Ministries / Departments, as Allocation of Business Rules, 1961 provided that, "in regard to sectoral programmes and schemes of development of these communities policy, planning, monitoring, evaluation etc. as also their coordination will be the responsibility of the concerned Central Ministries/ Departments, State Governments

and Union Territory Administrations". However, MoTA has prepared a list of tribal majority districts, and also identified development gaps for prioritizing interventions of line Ministries.

Consequent upon the mandate for monitoring of TSP by this Ministry, the monitoring of TSP will be done through online monitoring system. The reports will provide inputs for annual plans of the TSP Ministries/ Departments."

29. With regard to the plan of action to improve the monitoring of expenditure of TSP fund and output against budget provisions, the Ministry of Tribal Affairs stated that:

"In a meeting of social sector Ministries held on 11.1.2017 in NITI Aayog, it was suggested that the TSP Ministries/Departments should set up monitoring units and indicate State-specific allocation and release for the vulnerable sections separately under centrally sponsored schemes and Central Sector Schemes. This would facilitate nodal Ministries/Departments for better monitoring of expenditure, output and outcome against budget provisions made for the weaker sections.

PMO has taken a decision that monitoring of TSP of Central Ministries / Departments will be done by Ministry of Tribal Affairs. Accordingly, the Ministry of Tribal Affairs is in the process of developing an online monitoring system for monitoring of TSP of Central Ministries/ Departments. This will, inter-alia, encompass:

- Monitoring of allocations.
- Monitoring of expenditure vis-à-vis allocations.

Monitoring of physical performance to assess / review Output / Achievement against physical targets i.e. scheme-wise performance of each Ministry / Department.

- Outcome monitoring in the intermediate term and long term for each Ministry / Department, scheme-wise. Overall Monitoring will be quarterly, half-yearly and annual basis.

As per the monitoring system, implementing agencies (Central Ministries / Departments) are to report their performance by 15th of the month following the quarter / financial year. Ministry of Tribal Affairs is to assess and review both financial and physical performance on the basis of the quarterly / annual performance by the central Ministries / Departments and publicize the review report by 25th of the month following the quarter / financial year. Ministry / Department-wise performance will also be reviewed on a half yearly basis jointly by Ministry of Tribal Affairs and NITI Aayog."

The Department of Higher Education stated as follows:

"All schemes ending on 31st March 2017 are being evaluated by third parties. Based on their recommendations, action would be taken to further strengthen the scheme implementation."

The Department of School Education & Literacy stated as under:

"To ensure effective implementation of schemes, there are robust monitoring systems in place which includes an annual audit by independent Chartered Accountants empanelled with the Comptroller and Auditor General (CAG) of India, a regular CAG

~~audit, a system of concurrent financial reviews, as well as regular~~
internal audit. Component wise quarterly reviews, an annual Educational Management Information System (EMIS) and regular meetings with State officials are also held to ensure effective implementation of the programme. The quarterly meeting Finance Controllers (FCs) of State Implementing Societies (SISs) are convened by the Department to review the financial progress and financial management. A Manual on Financial Management and Procurement also assists States in streamlining implementation and financial management."

OBSERVATIONS/RECOMMENDATIONS

On perusal of the Audit Report, oral evidence tendered and written replies/submissions furnished by the Ministries of Tribal Affairs, Health and Family Welfare, AYUSH and Departments of School Education & Literacy and Higher Education, the Committee find a number of shortcomings/discrepancies in the implementation of Tribal Sub-Plan (TSP) like non-adoption of specific norms for earmarking and release of TSP funds, non-creation of a non-lapsable pool for TSP funds, weak management of programmes under TSP, delays and non-formulation of nodal units, deficient monitoring system, non-implementation of Information Education and Communication Programmes for the benefit of the tribal people, incorrect release of TSP fund to the tribal majority States which do not qualify under TSP etc. Based on these findings, the Committee have given their considered opinion in the succeeding Paragraphs for effective implementation of the Tribal Sub-Plan.

1. BETTER FINANCIAL MANAGEMENT

The strategy for development of STs through TSP includes earmarking of Plan funds of Central Ministries/Departments into a separate head of account to strengthen the administrative arrangements for proper utilisation and monitoring of the TSP funds. However, the Committee find that there has been no segregation of TSP funds under a separate Head at State/District/Block level. The Department of Secondary Education & Literacy has written to all States/ UTs for strict compliance on maintenance of separate account/record/Head for the funds received and expenditure incurred under TSP from the Financial Year 2016-17 wherever possible, and strictly from the next financial year i.e. 2017-18 and reflected in the Final Utilization Certificate submitted to the Department. The Committee, opining that such instructions should have been issued much earlier to the States/UTs, recommended that the Department should now take a more proactive approach in monitoring and keeping track of fund utilisation and progress in the implementation of the Scheme so as to ensure efficient and timely achievement of targets set under the plan. The Committee further recommend that strict adherence to earmarking of funds into separate head at every level be made mandatory for release of funds.

2. IMPOSITION OF PENALTY UPON ERRING OFFICIALS

The Committee are deeply concerned to note that TSP funds have been released even to non-tribal populated States alongwith tribal majority States in violation of TSP guidelines. The Ministry of AYUSH have admitted to the incorrect release of funds due to lack of clarity and have assured to avoid such lapses in future. The Committee are surprised that lack of clarity and co-ordination between the Ministry of Tribal Affairs and Ministry of AYUSH has resulted in inappropriate calculation of the percentage of tribal population in a State, tribal concentrated districts, etc. leading to incorrect release of funds. While expressing their serious displeasure over the state of affairs, the Committee exhort the Ministries concerned to improve upon their coordination and information showing mechanism and take recourse to all precautionary and corrective/remedial measures including imposition of penalty upon the erring officials and recovery of incorrectly released funds so as to obviate recurrence of such lapses/mistakes.

3. CREATION OF A NON-LAPSABLE POOL FOR TSP FUND

The Committee note that despite the revised TSP guidelines and the recommendations of the Inter-Ministerial Committee to transfer unutilized TSP funds at the end of a financial year into a non-lapsable pool of TSP fund and allocation of proportionate funds from the Non-Lapsable Central Pool of TSP fund (NLCPTF) to the Ministry of Tribal Affairs for implementing schemes exclusively meant for development of STs, such a modality has not been devised till date. The Ministry of Tribal Affairs have informed that the issue of Non-lapsable pool of funds is being handled by NITI Aayog in consultation with the Ministries concerned. The Ministry have simultaneously advocated the creation of a non-lapsable pool for TSP fund. The Committee are also of the considered opinion that concerted efforts should be made towards optimal utilisation of the allocated TSP fund within the given financial year and Non-lapsable pool for TSP fund be created at the earliest to pool funds that could not be utilized due to unforeseen eventualities and unavoidable circumstances, within the specific time period.

4. BETTER PROGRAMME MANAGEMENT

The Committee note that full amount was not released for National Programme for Health Care for the Elderly (NPHCE) and National Programme For Prevention and Control of Cancer, Diabetes, Cardiovascular Disease and Stroke (NPCDCS) due to high unspent balance in these programmes under TSP. The Committee find that, in the case of NPHCE, there was lack of health care and training facilities and the Ministry of Health and Family Welfare have not conducted IEC and mass media activities to inform the elders of different health risks and treatments. In the case of NPCDCS, there was lack of activities for behaviour and life style changes, non screening of persons for early diagnosis, deficiency in treatment facilities and training activities, non-establishment of Tertiary Cancer Centres (TCCs); deficient treatment for Infant diseases etc. The Committee are of the view that had the Ministry of Health and Family Welfare formulated a comprehensive plan to spend the allocated fund under these programmes and diversify the expenditure on IEC activities, training and health centres, health counselling camps, screening and health check-ups, etc., there would not have been any unspent balance of funds, and more importantly, these programmes would have achieved their goals. The Committee, therefore recommend that hence forth, while formulating a comprehensive plan for the implementation of these programmes, the Ministry of Health and Family Welfare should take into consideration IEC activities for widening the reach of these programmes through awareness, trainings and health counselling, health centres and innovative and interactive activities etc. so as to ensure effective and efficient utilization of the allocated funds under NPHCE and NPCDCS for betterment of the intended beneficiaries.

5. CREATION OF NODAL UNITS AT THE STATE/DISTRICT LEVEL

As regards creation of nodal units for the implementation of TSP, by the Ministries/ Departments concerned, the Committee note that the Departments of School Education & Literacy and Higher Education have a dedicated Unit (SC/ST Cell) to formulate and implement Tribal Sub Plan under the Ministry of Human Resource Development. Both the Departments have stated that as per the Allocation of Business Rules, 1961 (amended from time to time), the Ministry of Tribal Affairs is the nodal Ministry for

overall policy, planning and coordination of programmes of development for the Scheduled Tribes. The Committee further note that NITI Aayog had suggested that the TSP Ministries/Departments should set up monitoring units and indicate State-specific allocation and release for the vulnerable sections separately under centrally sponsored schemes and Central Sector Schemes. However, information regarding the creation of nodal units at the State and District level is awaited from the concerned States/District. The Committee, recommend that all Ministries/Departments concerned should set up their own dedicated nodal units to ensure effective monitoring of Tribal Sub Plan at the implementation stage. The Committee further recommend that the Ministry of Tribal Affairs issue instructions to all States to ensure timely formation of nodal units at the State and District levels and consider withholding release of TSP funds to those States which have not created the nodal units.

6. CENTRAL NODAL UNIT FOR OVERVIEW

The Committee note that as per the guidelines of Planning Commission (2006), TSP was to be implemented by constitution of dedicated unit in every Ministry/Department. The Committee, however, note that there were delays in formation of nodal units in the Ministries/Departments. Moreover, the Ministry of Tribal Affairs was neither involved in the annual planning exercise nor were there any guidelines detailing the processes for an oversight. As the basic objective of Tribal Sub-Plan is to channelize the flow of outlays from central Ministries/Departments by earmarking funds for the development of Scheduled Tribes in the States, at least in proportion to their population; the Committee are of the view that a central unit for oversight is an absolute necessity. The Committee, therefore, recommend that as suggested by NITI Aayog, the Ministry of Tribal Affairs should create a central nodal unit for oversight so as to facilitate better co-ordination and efficient implementation of TSP through an online monitoring system.

7. MAINTENANCE OF EXPENDITURE ACCOUNTS UNDER SEPARATE HEADS

The Committee find that even though funds from the Central Government were released under trifurcated head Gen/SC/ST to the States and from States to District implementing agencies, the accounts for such expenditure have not been maintained separately at each level. Also there is no proper earmarking of TSP funds at the grass root level and allocations of funds have not been based on tribal specific plans. The Committee find it absurd that expenditure of funds released under three heads namely, Gen/SC/ST are not earmarked under separate head of accounts. Since funds released under TSP are meant exclusively for the tribals, it is pursuant to maintain separate expenditure account for each category which would enable the Ministry to keep track of the expenditure, targets/ achievements and effective implementation of the TSP Scheme. The Committee therefore exhort the Ministry to impress upon all States and District implementing agencies to strictly adhere to maintenance of separate expenditure accounts and submit UCs under separate heads. The Committee further recommend that the Ministry review the TSP strategy to ensure that funds allocated are not diverted elsewhere and expenditure reported are linked with actual accrual of benefits to STs.

8. PENALISING NON-COMPLIANT STATES/DISTRICTS

The Committee find various deficiencies in the implementation of Sarva Shiksha Abhiyan (SSA) under TSP which *inter-alia* include shortfall in establishment of Kasturba Gandhi Balika Vidhyalayas (KGBVs); non establishment and non-functioning of 'Model Cluster Schools for Girls'; lack of basic amenities and facilities; non distribution of school uniforms as per norms; deficiencies in appointment of local language native teachers and non availability of text books and shortage of teachers. The Department of School Education & Literacy has clarified that beside the States of Madhya Pradesh and Maharashtra, other States concerned have not provided a compliance report despite repeated reminders. Taking serious note of the brazen negligence towards efficient implementation of SSA at the State and District levels, the Committee, recommend that the

~~Ministry take a more pro-active approach by imposing a deadline for implementation and target achievement, set a minimum standard/quality of infrastructure and penalize the non-compliant States by withholding central share of funds. The Committee further recommend that the Ministry conduct online inspections apart from periodical on the spot inspections/verifications to ensure proper implementation of programmes as per SSA guidelines/norms.~~

9. INCLUSIVE ONLINE MONITORING SYSTEM

The Committee note that monitoring of TSP of Central Ministries/Departments would be by the Ministry of Tribal Affairs and accordingly the Ministry is developing an online monitoring system for Central Ministries/ Departments. The system would encompass monitoring of fund allocations and expenditure and achievement of physical targets i.e. scheme-wise performance of each Ministry/Department. The Committee are of the view that in order to ensure implementation of programmes under TSP as per guidelines and also to ensure flow of benefits to the tribals, it is imperative for nodal units at the Central level as well as the State level to have real time information sharing system. The Committee are also of the view that online monitoring system only at the Central Ministries/Departments would be incomplete and ineffective as the Ministry is unable to gain/collect/gather information on the actual needs of the tribals at the grass root level. The Committee, therefore, recommend that nodal units at the State level as well as District level be included in the online monitoring system being developed by the Ministry at the earliest. The Committee desire to be apprised of the status report in this regard within six months of the presentation of this report.

10. COMPREHENSIVE APPROACH IN THE IMPLEMENTATION OF NHM

The Committee find a number of deficiencies in the implementation of National Health Mission (NHM) like non-availability of basic health care facilities, primary health care centres, shortage of doctors and nurses in the remote areas, inaccessibility to basic/first aids in the far-flung areas etc. The Committee also note that the Ministry of Health and Family Welfare

are undertaking innovative concepts like incentives to attract doctors and nurses, providing mobile vans in remote areas etc. to ensure basic medical accessibility in remote areas. While appreciating the initiatives being taken by the Ministry, the Committee stress that funds allocated for programmes under NHM be streamlined and utilized, keeping in mind, the varied needs of the beneficiaries in order to ensure a more comprehensive approach in the implementation of NHM. The Committee, further recommend that in addition to the remedial measures, the Ministry should also focus on preventive/precautionary measures and undertake IEC activities to educate the tribal population on healthy living habits, benefits of sanitation, training for basic first aid treatments, etc.

11. STRENGTHENING THE IMPLEMENTATION OF MDMs

In the implementation of Mid-Day Meal (MDM) Scheme, the Committee find that no Annual Work Plan & Budget was prepared nor was there any special plan or projects for ST students. The Committee also note non-availability of kitchen sheds, incomplete infrastructure in kitchens, inadequate kitchen devices and insufficient drinking water, exposure of children to health hazards as the meals were being prepared and served in open and un-hygienic conditions; absence of grievance redressal mechanism etc. The Department of School Education & Literacy have stated that schools have population of all categories of children i.e. General, SC & ST and Mid Day Meal is provided to all students on school days irrespective of their caste. The Department have further submitted that all States have public grievances redressal mechanism and grievances, if any, are promptly resolved. The Committee feel that the Department has not conducted proper inspection of all concerned States/ Districts to gauge the actual state of affairs in the implementation of MDMs across the country, in terms of schools and infrastructure being used for MDMs, quality of food, construction of kitchens as per guidelines etc. The Committee, therefore, recommend that the Department of School Education and Literacy should either constitute a team of its own or engage an independent agency to conduct thorough inspection of all schools under MDM Scheme for requisite remedial action wherever warranted. The Committee desire to be apprised of the action taken by the Department in this regard within six months of the presentation of this report.

12. INVOLVEMENT OF LOCAL COMMUNITY IN THE PLANNING PROCESS

Audit have highlighted that planning for implementation of Schemes was deficient as the plans were formulated without specific consideration of tribal beneficiaries as required under TSP. The Committee feel the need to strengthen the planning process with the involvement of the community especially in tribal dominant blocks. The Committee opine that it is imperative to identify and prioritize issues/concerns of the local community in the planning and decision making process. The Committee therefore recommend that inputs/suggestions of local tribal community should be sought before finalizing the plan for implementation of any programme under the TSP. The Committee are of the view that this would enable the implementing agency to pin point issues that need special attention and devote additional fund, human resource and time for resolution of the same and ensure flow of benefits to tribal communities under the respective programmes/schemes.

13. PROMPT ACTION ON ISSUES HIGHLIGHTED BY THE COMMITTEE

The Committee note that during the sitting of the Sub-Committee IV on 05.01.2017, the representatives of the Ministries of Tribal Affairs, Health and Family Welfare, AYUSH and Departments of School Education & Literacy and Higher Education were requested to furnish their written replies and comments on some issues and points relating to their Ministries/Departments. While the Ministry of Tribal Affairs, Departments of School Education & Literacy and Higher Education and the Ministry of AYUSH have furnished the requisite written information, the Ministry of Health and Family Welfare have not furnished written replies to the relevant points relating to them in spite of repeated reminders. Taking a serious note of such aberration, the Committee caution the Ministry of Health and Family Welfare to be more alert and careful in future and undertake immediate measures to tackle issues like discrepancies/lacunae in the implementation of immunisation programme, shortfalls in providing maternal health facilities, child health facilities etc. under the Child Health Flexible Pool, loopholes in the implementation of Flexible Pool for State

~~Programme Implementation Plan (FPSIP) and Reproductive Child Health Flexible Pool (RCHFP) etc. The Committee desire to be apprised of the action taken by the Ministry of Health and Family Welfare on these issues within six months of the presentation of this report.~~

NEW DELHI;
4 December, 2017
13 Agrahayana, 1939 (Saka)

SHRI MALLIKARJUN KHARGE
Chairperson,
Public Accounts Committee