



**LEGISLATIVE ASSEMBLY
NATIONAL CAPITAL TERRITORY OF DELHI**

**SECOND REPORT
COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES
(2020-21)
(SEVENTH ASSEMBLY)**

**SUBJECT: RECOMMENDATIONS FOR IMPROVED AND
EFFECTIVE FUNCTIONING OF THE COMMISSION FOR OBCs,
GOVERNMENT OF NCT OF DELHI**

(PRESENTED ON 10.03.2021)

ADOPTED BY THE HOUSE ON 11.03.2021

COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES
Legislative Assembly,
Old Secretariat,
Delhi – 110054

INDEX

Subject	<u>Page No.</u>
Composition of the Committee (2020-21)	iii
Preface	iv
Chapter I Introduction	1
Chapter II Observations of the Committee	4
Chapter III Recommendations	12
Annexures	13

DELHI LEGISLATIVE ASSEMBLY
COMMITTEE ON WELFARE OF OBCs (2020-21)
COMPOSITION OF THE COMMITTEE

1. Shri Sahi Ram	Chairperson
2. Shri Ajay Kumar Mahawar	Member
3. Shri Ajesh Yadav	Member
4. Shri Dinesh Mohaniya	Member
5. Shri Kartar Singh Tanwar	Member
6. Shri Madan Lal	Member
7. Shri Mahinder Yadav	Member
8. Shri Naresh Yadav	Member
9. Smt. Preeti Jitender Tomar	Member

ASSEMBLY SECRETARIAT

1. Shri C. Velmurugan	Secretary
2. Shri Sadanand Sah	Deputy Secretary
3. Shri Subhash Ranjan	Section Officer

PREFACE

1. I, the Chairperson, Committee on Welfare of Other Backward Classes (2020-21) having been authorised by the Committee to present the Report on their behalf, do present this Second Report of the Committee on 'Recommendations for improved and effective functioning of the Commission for OBCs, Government of NCT of Delhi'.
2. The need for this report arose while the Committee was examining a matter referred by the Hon'ble Speaker pursuant to some queries raised by the Hon'ble Justice (Retd.) Rohini Commission on certain entries of the Central List of OBCs pertaining to NCT of Delhi. The representatives of the Commission for OBCs, GNCTD in consecutive meetings of the Committee requested the Committee to kindly help the Commission in solving issues related to shortage of funds and staffs at the Commission thereby enhancing the functioning of the Commission. The Committee while preparing this report has also looked at the functioning and structure of the National as well other State OBC Commissions.
3. The Report was considered and adopted by the Committee at their sitting held on 05.03.2021
4. For facility of reference and convenience, the recommendations of the Committee have been separately mentioned in Chapter III of the Report.
5. The Committee would like to place on record its appreciation for the valuable and efficient assistance rendered to them by the officials of the Delhi Legislative Assembly Secretariat. A special mention has to be made for the valuable contribution of Shri Kumar Rajesh (Fellow-Delhi Assembly Research Centre) attached to the Committee who provided the required inputs and authentic resource materials in this matter.

New Delhi
05.03.2021



Sahi Ram
Chairman
Committee on the Welfare of Other Backward
Classes
Legislative Assembly of NCT of Delhi

Chapter 1

Introduction

The Hon'ble Commission to Examine the Sub-categorization of OBCs (CESOB) while working on the Point IV of its TOR¹, found that certain rectifications may be needed in some of the Entries of the Central List of OBCs for the Union Territory of Delhi. In this regard, the Hon'ble CESOB sent a questionnaire to the Hon'ble Chief Secretary, Government of National Capital Territory of Delhi (GNCTD) vide letter dated 27.08.2020, seeking opinion/comments/views of the concerned Department of GNCTD/Commission for Other Backward Classes, GNCTD on the issues raised in the questionnaire.

The matter was forwarded to the Commission for Other Backward Classes, GNCTD, pursuant to which, the Hon'ble Chairman of the Commission, vide letter dated 17.11.2020, apprised the Hon'ble Dy. Chief Minister of GNCTD that the Commission is not in a position to comment upon the issues raised by the Hon'ble CESOB.

Thereafter, Vide letter dated 18.11.2020 the Hon'ble Deputy Chief Minister requested the Hon'ble Speaker, Delhi Legislative Assembly that the issue be examined by a Committee of the Delhi Legislative Assembly.

On 23.11.2020 the Hon'ble Speaker, Delhi Legislative Assembly referred the matter to the **Committee on Welfare of OBCs**, Delhi Legislative Assembly with the subject 'Examining the issue of correction of any repetitions, ambiguities, inconsistencies, and errors of spelling or transcriptions of certain entries of the Central List of OBCs pertaining to NCT of Delhi.'

In the meeting of the Committee of OBCs on the above matter held on 11.12.2020, the Committee invited the Chairman and other representatives of the Commission for OBCs, GNCTD for their views on the matter. The Chairman of the Commission informed the Hon'ble Committee that due to lack of authentic data and inputs of registered organizations of these communities, the Commission would not be able to give its recommendation on the issues raised by the Hon'ble CESOB.

The representatives of the OBC Commission further submitted that lack of funds and human resources were the major reason behind the Commission's inability to further deliberate on the matter. In the meeting the Hon'ble Member of the Commission requested the Hon'ble

¹to study the various Entries in the central List of OBCs and recommend correction of any repetitions, ambiguities, inconsistencies and errors of spelling or transcription.

Chairman of the Committee for Welfare of OBCs to kindly help the Commission in solving the financial and human resource issue being faced by the Commission.

This report analyses the functioning as well as shortage of funds and staffs at the Commission for OBCs, GNCTD in light of the Constitutional provisions as well as the submissions made by the Commission before the Committee on Welfare of OBCs. The report in subsequent sections also provide some recommendations for enhancing the overall functioning of the Commission.

Constitutional Provisions & Mandate for Commission for the Other Backward Classes, GNCTD

The Commission for Other Backward Classes, GNCTD is a quasi-judicial authority constituted by the Lt. Governor of Government of National Capital Territory of Delhi in exercise of the powers conferred by Article 239, read with Article 16(4) vide Notification dated 20.04.1993 as a permanent body in pursuance of the judgment of the Hon'ble Supreme Court of India dated 16th November 1992 in the CWP No.930 of 1990 (Indira Sawhney and Others. Vs. Union of India and Others.)

Constitution of the Commission

The Commission consists of five persons as under:-

- i. A Chairperson, who is or has been a Judge of the High Court or the Supreme Court or a retired or serving Civil Servant or a prominent public figure.
- ii. Chairperson, Delhi Social Welfare Advisory Board (Member-Ex-Officio).
- iii. Two non-official Members, who have special knowledge in matters relating to backward classes, to be nominated by the Government.
- iv. Member-Secretary of the Commission.

Functions

The main function of the Commission is to entertain, examine and recommend upon requests for inclusion and complaints of over inclusion and under-inclusion in the list of Other Backward Classes. Further, to tender such advice to the Government, as it deems appropriate.

Powers of the Commission

- i. To summon and enforce the attendance of any person from any part of India and examine him/ her on oath.
- ii. Requiring the discovery and production of any documents.

- iii. To receive evidence on affidavit(s);
- iv. To requisition any public record or copy thereof from any court or office.
- v. To issue summons for examination of witnesses and documents and
- vi. Any other matter, which may be prescribed.

Grants by the Government of NCT of Delhi

The GNCTD in every financial year pay sums of money for the purposes of the Commission in the form of Grant in Aid under two heads: i. Grants-in-aid-General ii. Grants-in-aid-Salaries.

Annual & Audit Report

The Commission is required to:

- i. Prepare Annual Report for each financial years giving a full account of its activities during the previous financial year and forward a copy to the Government.
- ii. The Commission shall maintain proper accounts and other relevant records and also prepare an Annual Statement of accounts in such forms as may be prescribed by the government.
- iii. The accounts of the Commission shall be audited at such intervals as may be specified by the government and any expenditure incurred in connection therewith shall be paid by the Commission.

Chapter II

Observations of the Committee

This section of the report analyses the performance of the Commission against its constitutional mandate as well as the issues raised by the Commission in the Committee meetings as highlighted above.

I. Functioning Against the Constitutional Mandate

At the Outset, the Committee would like to draw the attention towards the fact that the subject matter of the reference received from the Justice Rohini Commission was strictly within the statutory mandate of the Commission for OBCs, Government of NCT of Delhi. Moreover, the Notification dated 20.04.1993 of the Hon'ble Lt Governor of GNCTD vide which the Commission was established provides necessary powers to the Commission to deliberate upon the issues raised by the Justice Rohini Commission and submit its final recommendation/opinion in the matter.

However, keeping in view the decision of the Hon'ble Speaker to refer the subject to the Committee for examination, the Committee examined the issue and sent its final report and recommendations to the Hon'ble Dy Chief Minister on 15.01.2021.

The Commission is required and duty-bound to prepare Annual Report for each financial years giving a full account of its activities during the previous financial year and forward a copy to the Government. **However, till 04.02.2021 the Commission for the OBCs, GNCTD has so far issued just four reports since its constitution.** The Commission published its last Annual Report on 18.04.2001. **Since the last twenty years the Commission has not prepared any Annual report. Due to lack of the Annual Reports, monitoring and evaluating the performance of the Commission and thereby fixing accountability will be difficult for the Government.**

Moreover, the Government Order No.F.12/3/2010-AC/DSFA/DSIII/914-921 of Finance and Accounts Department, GNCTD (Annexure I) dated 18.07.2011 mandates all the autonomous bodies/grantee institutions including the Delhi OBC Commission to **prepare Annual Reports along with audited statements of accounts.** The said reports/statements needs to be submitted to the Administrative Department concerned for **placing the same on the table of Delhi Legislative Assembly.**

The same order also noted that all autonomous bodies/grantee institutions shall **prepare an Annual Action Plan** indicating the physical targets for their various programs/schemes with the approval of the administrative department concerned for each financial year in the

month of April every year and submit a copy of the same to Planning/Finance/Audit Departments.

Similarly, the Finance (EST.III) Department, GNCTD vide a Circular No.F.4(14)/Fin.(T&E)/08-09/dsv/639 dated 14.07.2015 (Annexure II) issued guidelines regarding the procedures and formalities to be completed by the departments before submitting their proposals relating to release of grant-in-aid (GIA). The circular noted that the proposal for GIA should have following information/documents:

- i. The Annual Report and Audited statement of the accounts of the grant-in-aid institution.
- ii. Physical performance-cum-achievement report with regard to GIA received during previous FYs may also be explained.
- iii. Whether the specified, quantified and qualitative targets that should have been attained against the amount released, were in fact attained, and if not, the reasons thereof.

However, against the required documents/information to be placed before the Delhi Legislative Assembly vide the above mentioned circular/orders of the Finance Department, GNCTD, the Delhi OBC Commission/Department for the Welfare of SC/ST/OBC has not placed any of the documents before the Delhi Legislative Assembly. Similarly, the Delhi OBC Commission has not prepared any annual action plan in the recent years.

Observation of the Committee

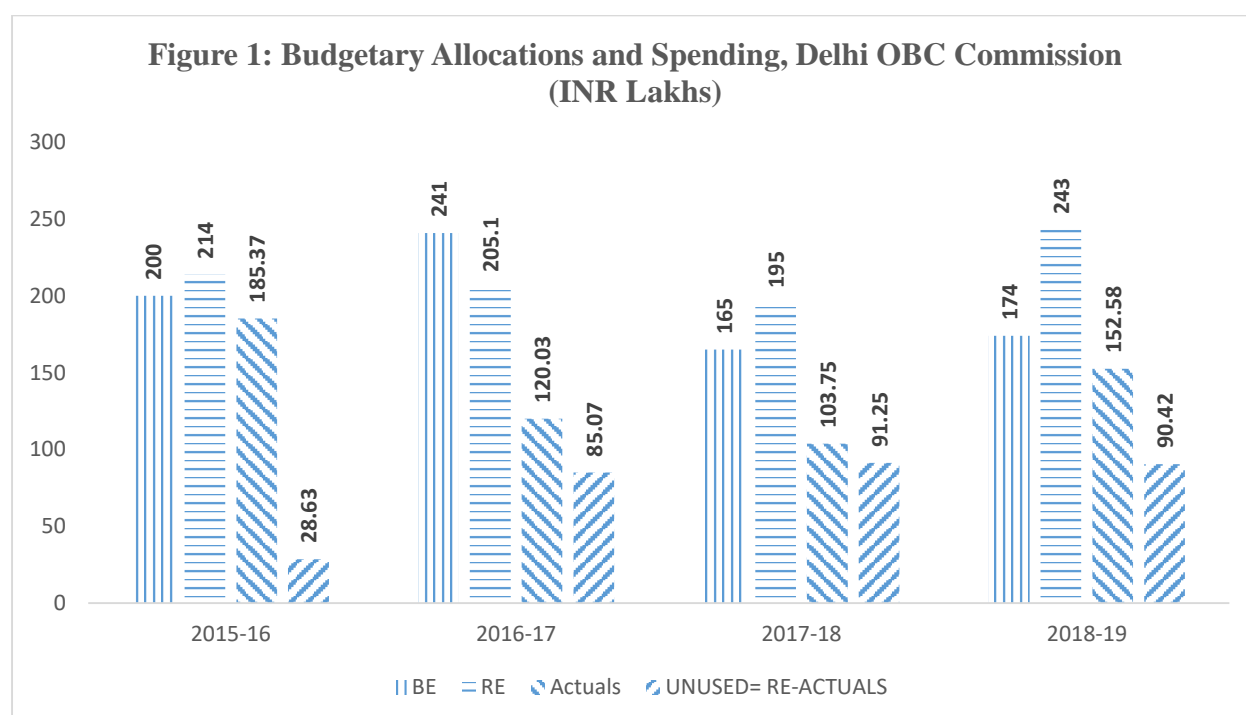
The Committee observed that the Commission for OBCs, GNCTD has not prepared necessary documents viz. Annual Report, Annual Action Plan as mandated vide notification dated 20.04.1993 of the Hon'ble Lt Governor of GNCTD through which the Commission was established. Similarly, the Commission appears to be in non-compliance of the directives/instructions of the Finance Department, GNCTD issued vide an order and circular dated 18.07.2011 and 14.07.2015 respectively that requires all autonomous bodies/grantee institutions to prepare and lay Annual Reports along with audited statements in the Delhi Legislative Assembly.

II. Utilization of Budgetary Allocations

The GNCTD in every financial year pay sums of money to the Commission in the form of Grant in Aid (GIA) under two heads: i. Grants-in-aid-General ii. Grants-in-aid-Salaries. The

representatives of the Commission for the OBC, GNCTD in the meeting of the Committee for the Welfare of OBCs dated 11.12.2020 shared that they are facing scarcity of funds at the Commission. However, the analysis of Grant in Aid made to the Commission over the last few years shows that the GIA have remained considerably un-utilized (See Figure 1 & Table 1). For example, in the year 2018-19, out of the total funds allocated to the Commission, more than INR 90 Lakhs remained un-utilized.

Moreover, the CAG Appropriation Accounts Report 2016-17 for GNCTD noted that Grant-in-Aid to Commission for the OBCs of the NCT of Delhi-Saving of 121.97 lakhs was mainly due to unspent balance available with the grantee organization.



Source: Demand for Grants No 8, GNCTD

Table 1: Total Grant in Aid to Commission for OBCs, GNCTD (In INR)

Year	BE	RE	Actuals	UNUSED= RE- ACTUALS
2015-16	20000000	21400000	18537000	2863000
2016-17	24100000	20510000	12003000	8507000
2017-18	16500000	19500000	10375000	9125000
2018-19	17400000	24300000	15258000	9042000
2019-20	21000000	24600000		
2020-21	22600000			

Source: Demand for Grants No 8, GNCTD

Observation of the Committee

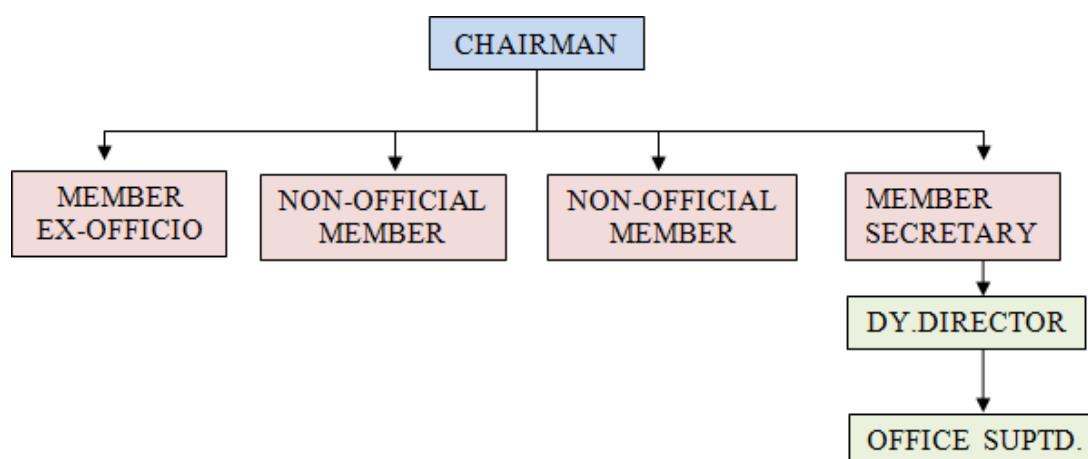
After analyzing the budgetary allocations and their utilization by the Commission for OBCs, GNCTD, it appears that there is no dearth of funds at the Commission. In the last 5 years, a considerable amount of funds has remain un-utilized which has also been highlighted in the report of the Hon'ble CAG.

The Committee observed that the likely reason for the unspent fund is the fact that the Commission does not prepare an Annual Action Plan in advance highlighting the targets to be achieved every year. The Committee would like to emphasize again that the Commission is bound to prepare an Annual Action Plan and Annual Report every year. The preparation of the Annual Action Plan will enable the Commission to anticipate its expenditure and thereby prepare its budgetary estimate effectively. Moreover, the preparation of the Annual report shall help the Commission in monitoring and evaluating its activities and the Government and Legislative Assembly to be abreast of the functioning of the Commission.

III. Human Resource

The representatives of the Commission for the OBC, GNCTD in the meeting of the Committee for Welfare of OBCs dated 11.12.2020 shared with the Committee that they are facing scarcity of staff which is acting as a hindrance in the effective functioning of the Commission. In this regard, the Committee looked at the human resource structure available with the National Commission for Backward Classes as well as other State OBC Commissions viz. Uttar Pradesh, Bihar, Kerala, etc.

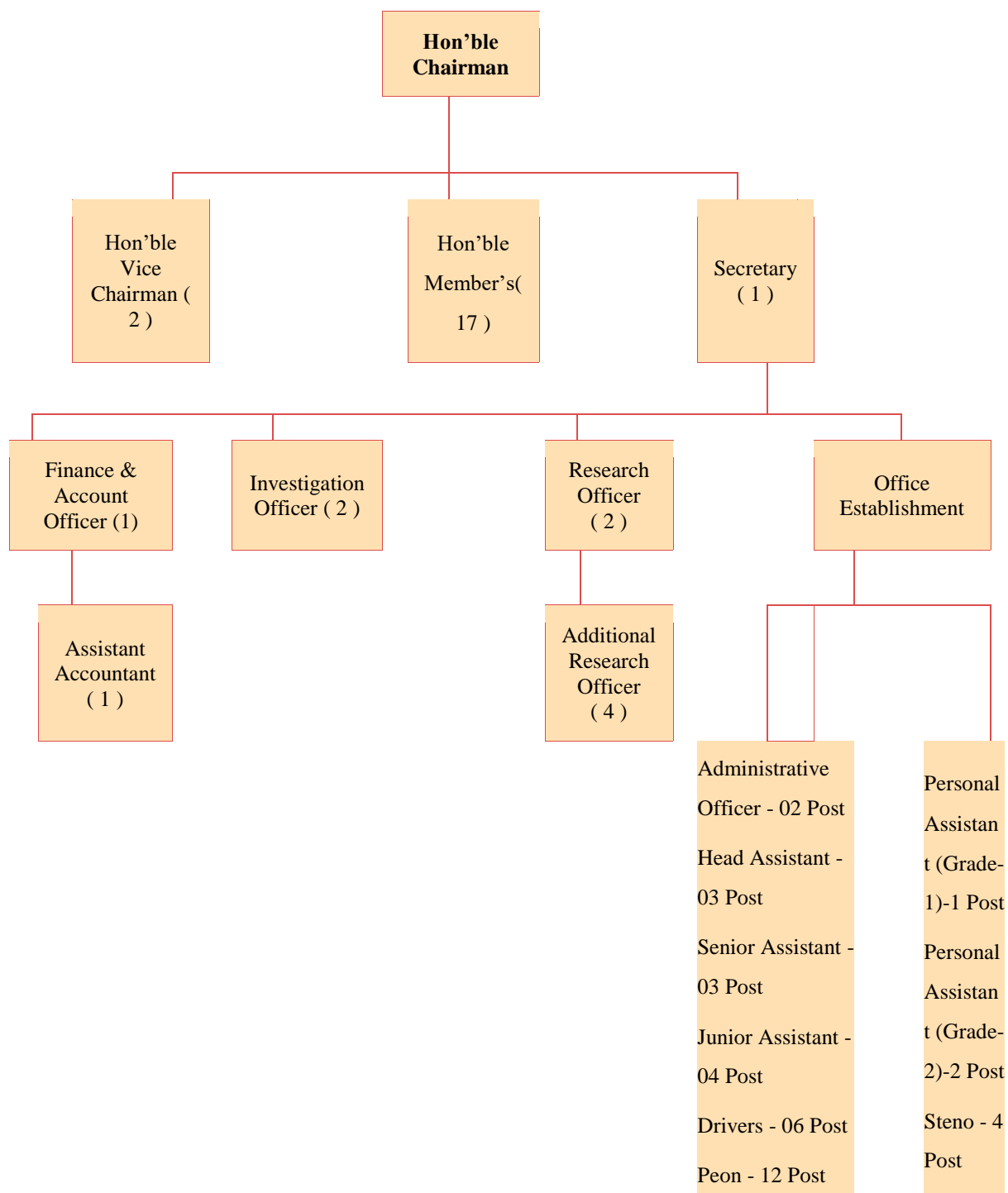
Organization Structure in Commission for OBCs, GNCTD



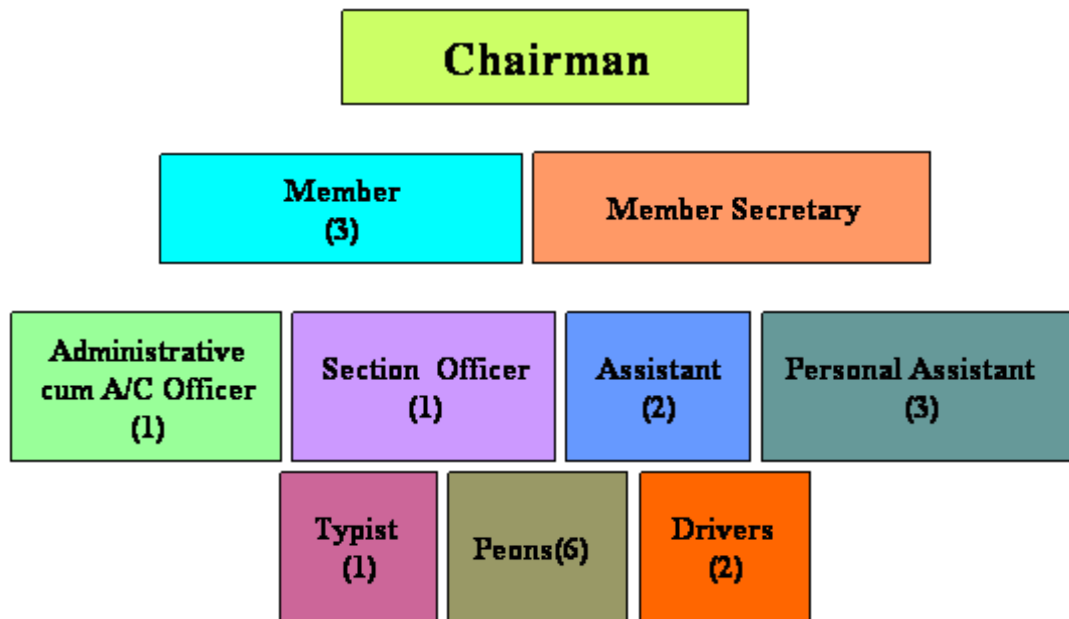
National Commission for Backward Classes



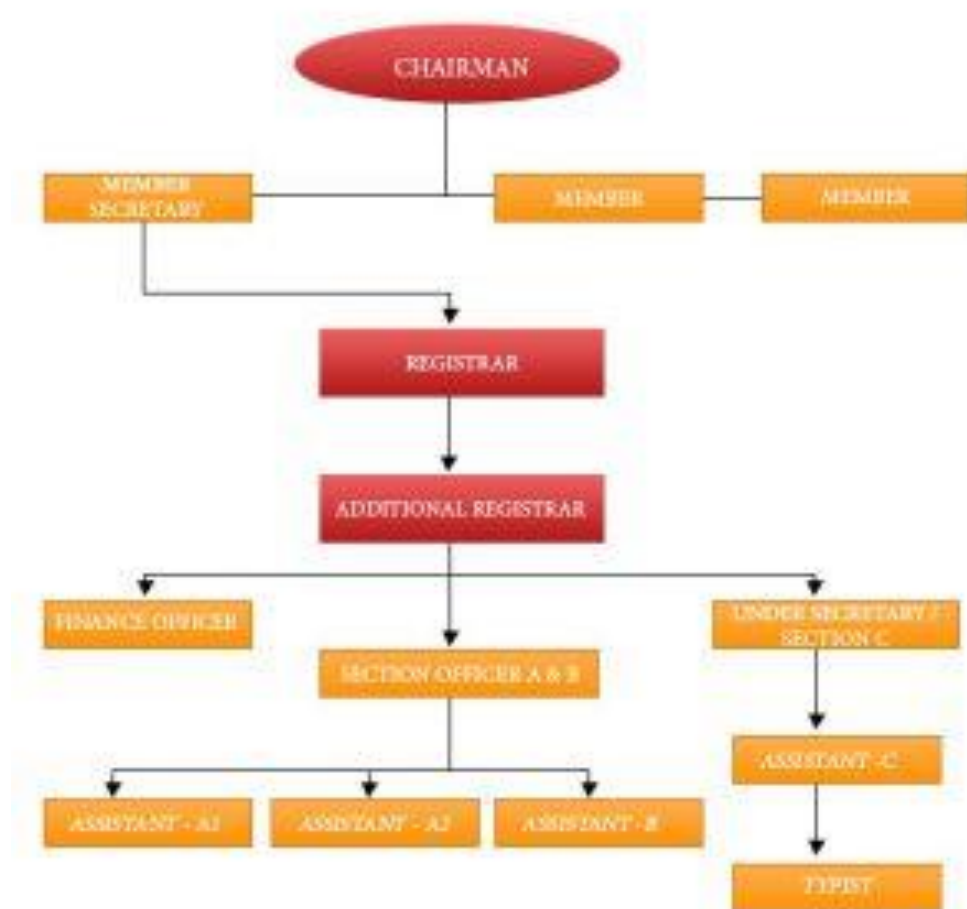
Uttar Pradesh



Bihar



Kerala



Observation of the Committee

It is evident from the comparison of human resource structure available with the Delhi OBC Commission and other state/national commission that the Delhi OBC Commission lacks a dedicated research wing at the organizational level. A dedicated research wing will help the Commission in enquiring and deliberating upon the subject matter brought before it as per its mandated functions. For example, due to lack of research experts at the organizational level the Delhi OBC Commission showed its inability in deliberating upon the issues highlighted by Justice (Retd.) G Rohini Commission. As a result the matter was referred to the Committee on Welfare for OBCs, Delhi Legislative Assembly.

The Government Order No.F.12/3/2010-AC/DFSA/DSIII/914-921 of Finance and Accounts Department, GNCTD dated 18.07.2011, instructs regarding creation of posts in an autonomous bodies/grantee institutions, that *“in view of functional requirement, if any post is to be created, the autonomous bodies/grantee institutions shall submit a consolidated proposal for seeking the prior concurrence of FD through their administrative department with full justification before obtaining the approval of the competent authority for creation.”*

The Committee is of the opinion that a dedicated research wing should be created in the Delhi OBC Commission at the organizational level. The Commission should pursue this matter with the Finance Department through Department for the Welfare of SC/ST/OBC. The possibility of using the unspent funds available with the Commission may also be explored to hire expert research staff at the Commission.

Chapter III

Recommendations of the Committee

1. The Commission for OBCs, GNCTD should prepare the following documents at the end of every financial year:
 - i. The Annual Report and Audited statement of the accounts of the grant-in-aid institution.
 - ii. Physical performance-cum-achievement report with regard to GIA received during previous financial years may also be explained.
 - iii. Whether the specified, quantified, and qualitative targets that should have been attained against the amount released, were attained, and if not, the reasons thereof.
2. The Commission should ensure that the above-mentioned documents are submitted to the Department for the Welfare of SC/ST/OBC, GNCTD on time to be tabled in Delhi Legislative Assembly every year.
3. The Commission should also prepare an Annual Action Plan indicating physical targets each financial year in April every year.
4. The Department for the Welfare of SC/ST/OBCs, GNCTD should ensure that the grant-in-aid proposal submitted by the Commission for OBCs, GNCTD is complete with all required information and annexed with the mandated documents viz. Annual Reports, Audit Statement, Physical performance-cum-achievement report, etc.
5. The Commission should pursue the matter of establishing a dedicated research wing at the commission with the Finance Department, GNCTD through the Department for the Welfare of SC/ST/OBC, GNCTD. The possibility of using the unspent funds available with the Commission may also be explored to hire research staffs at the Commission.

An Action Taken Report on the recommendations of the Committee should be submitted to the Committee within three months of adoption of this Report.



New Delhi
05.03.2021

Sahi Ram
Chairman
Committee on the Welfare of Other Backward
Classes
Legislative Assembly of NCT of Delhi

No.F.12/3/2010-AC/dsfa/ *DSM/914-921*
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (ACCOUNTS) DEPARTMENT

'A' Wing, 4th Level,
Delhi Secretariat,
I.P. Estate, New Delhi.

Dated: *12.07.2011*

Government Order

Subject: Instructions and Guidelines regarding Expenditure Management in Autonomous Bodies/Grantee Institutions, etc. – regarding.

Expenditure management by administrative departments, in respect of autonomous bodies/grantee institutions under their respective jurisdictions, leaves much to be desired. Without prejudice to the general applicability of 'economy instructions' issued, so far, for regulating expenditure, Government have decided to enforce financial discipline in autonomous bodies/grantee institutions in regard to incurring of expenditure out of grant-in-aid sanctioned by government through the following guidelines:-

- (1) **Expenditure out of grant-in-aid:** Expenditure out of grant-in-aid shall be incurred only on essentials and in public interest. Expenditure shall be incurred by the autonomous body/grantee institution only for purposes/schemes/projects for which it has been sanctioned.
- (2) **Financial propriety:** While incurring expenditure utmost prudence and financial propriety should be exercised by autonomous bodies/grantee institutions and no wasteful expenditure whatsoever should be incurred in any manner.
- (3) **Adherence to economy instructions:** All the autonomous bodies/grantee institutions shall observe the economy instructions issued by the Government of India/Government of NCT of Delhi, from time to time, in toto, to ensure financial discipline and expenditure management. Wherever any relaxation in respect of economy instructions is required, prior concurrence of Finance Department shall be obtained through the Administrative Department, concerned. However, post facto approval shall be an exception and should not be assumed as a norm.
- (4) **Generation of revenue/internal resources:** All the autonomous bodies/grantee institutions shall evolve suitable mechanisms to maximize generation of internal resources so as to attain self-sufficiency/self-sustainability to the maximum extent. Administrative Departments are in a position to encourage this through both advice and supervision.
- (5) **Review of activities:** The administrative departments shall review the working of autonomous organizations receiving grant-in-aid, periodically, depending on the scale and nature of activities/programmes/schemes being carried out by the grantee institutions so as to ensure that the objectives for which the organizations were set up have been or are being achieved or if there has been a substantial failure in achievement of objectives, remedial actions required to be taken.

(contd.....P/2)

- (6) **Memorandum of Understanding:** All the autonomous bodies/grantee institutions having budgetary support of more than Rupees Five crore per annum from the government are required to enter into a memorandum of understanding (MOU) with the administrative department, spelling out clearly the output targets in respect of the activities/programmes/schemes being carried out and qualitative improvements in output, along with commensurate input requirements. The output targets, prescribed in measurable units of performance, shall form the basis of budgetary support extended to these organizations.
- (7) **Pattern of assistance:** All the administrative departments shall formulate a pattern of assistance in respect of the autonomous bodies/grantee institutions under their administrative control, in consultation with Finance Department. All sanctions of grants-in-aid should conform to the pattern of assistance and rules governing such grants-in-aid. The administrative departments should ensure that the sanction/release of grants is considered only on the basis of viable and specific schemes drawn up in sufficient detail by the grantee institutions or organizations. The budget for such schemes should disclose, *inter alia*, the specific quantified and qualitative targets to be attained against the outlay.
- (8) **Instalments of grants-in-aid:** The administrative department shall prescribe conditions regarding quantum and periodicity for release of grants-in-aid in instalments in consultation with Finance Department. However, the release of last installment of the annual grant must be conditional upon the grantee institutions providing satisfactory evidence of proper utilization of installments released earlier and achievement of targets assigned by the administrative departments, concerned.
- (9) **Recurring and non-recurring grant:** Every order sanctioning a grant shall indicate whether it is recurring or non-recurring and specify clearly the object for which it is being given and the general and special conditions, if any, attached to the grant.
- a. In the case of non-recurring grants for specified object, the order shall also specify the time-limit within which the grant, or each installment of it, is to be spent.
 - b. When recurring grant-in-aid is sanctioned to an institution or an organization for the same purpose, the unspent balance of the previous grant shall be taken into account in sanctioning the subsequent grant installments.
 - c. All grantee institutions/autonomous bodies which receive more than fifty percent of their recurring expenditure in the form of grants-in-aid, shall formulate terms and conditions of service of their employees which are, by and large, not higher than those applicable to similar categories of employees in Government.
 - (d) All grantee institutions/autonomous bodies shall avail the advantage of pension or gratuity schemes or insurance schemes or house building loans or vehicle loans schemes, etc., available in the market for their employees instead of undertaking liability on their own or government account.

(contd.....P/3)

- (10) **Accounts of grantee institutions/autonomous bodies:** All the institutions or organizations receiving grants-in-aid should, irrespective of the amount involved, maintain subsidiary accounts of the government grant and furnish to the Administrative Department a set of audited statement of accounts. The audited statement of accounts is required to be furnished after utilization of the grants-in-aid or whenever called for. The accounts of all grantee institutions or organizations shall be open to inspection by the sanctioning authority, Directorate of Audit and CAG.
- (11) **Audit of accounts:** All autonomous bodies/grantee institutions shall appoint chartered accountants for audit of their accounts and complete audit within three months after the close of the financial year. Thereafter, they shall inform the Directorate of Audit of Government of NCT of Delhi, so as to enable them to conduct the audit of the autonomous Bodies/grantee institutions.
- (12) **Settlement of CAG paras/audit paras:** All autonomous bodies/grantee institutions shall initiate necessary steps to settle the CAG audit paras as well as audit paras raised by the Directorate of Audit within the prescribed time-frame.
- (13) **Annual reports and financial statement:** All autonomous bodies/grantee institutions shall prepare Annual Reports along with audited statements of accounts. The said reports/statements will be submitted to the Administrative Department concerned for placing the same on the table of Delhi Legislative Assembly every year.
- (14) **Achievement-cum-performance report:** All autonomous bodies/grantee institutions shall prepare an **Annual Action Plan indicating the physical targets for their various programmes/schemes** with the approval of the administrative department concerned for each financial year in the month of April every year and submit a copy of the same to Planning/Finance/Audit Departments. All the autonomous bodies/grantee institutions shall submit performance-cum-achievement reports soon after the end of the financial year. The performance-cum-achievement reports shall be made available to the Directorate of Audit also. The Administrative Departments, concerned, shall insist upon submission of the said reports. Consequent upon submission of said reports, the administrative departments shall examine the same and issue appropriate directions to the grantee institutions wherever required for taking corrective measures.
- (15) **Utilization certificates:** All the autonomous bodies/grantee institutions shall submit a certificate of actual utilization of the grants received for the purpose for which it was sanctioned as laid down in Rule-212 of GFR, 2005.
- (16) **Register of grants:** Administrative departments/sanctioning authorities shall maintain a Register of Grants in the format given in Form GFR-39.

(contd.....P/4)

-
- (17) **Procurement of various items:** Autonomous bodies/grantee institutions shall follow the procedure as laid down in GFR, 2005, Circulars/O.Ms issued by Finance Department/Central Vigilance Commission from time to time, in toto, in respect of all cases of procurement of goods, general store items, laboratory equipments, research/training equipments, etc., as well as in the matter of outsourcing of services, appointment of consultants and execution of works.
- (18) **Execution of projects/works:** Prior approval of competent authority as notified in Order No.PA/DSF/Misc./2010-11/DSIV/2505-2515, dated June 02, 2011, issued by FD shall be obtained by all grantee institutions/autonomous bodies in the matter of execution of projects/schemes keeping in view the estimated cost/value of the project.
- (19) **Creation of posts:**
- (a) In view of functional requirement, if any post is to be created, the autonomous bodies/grantee institutions shall submit a consolidated proposal for seeking the prior concurrence of FD through their administrative department with full justification before obtaining the approval of the competent authority for creation. However, the terms and conditions of service, i.e., pay scales, allowances, etc., shall not be higher than those applicable to similar categories of employees in this government.
- (b) Further, autonomous bodies/grantee institutions receiving grant-in-aid of Rupees 10 crore and above shall initiate action to create posts of accounts functionaries with an appropriate designation (i.e., as equal in terms of pay scale as well as duties and responsibilities to the post of Deputy Controller of Accounts and Accounts Officer of Government of NCT of Delhi) with prior approval of FD, so as to ensure stringent control over expenditure and proper financial management. The said posts will be filled from the accounts cadre of the Government of NCT of Delhi on deputation basis failing which on contract basis.
- (20) **Appointment of officers of All India Services/DANICS/Accounts Cadre in autonomous bodies/grantee institutions on deputation basis:** The grantee institutions/autonomous bodies shall ensure that the officers who join the autonomous bodies/grantee institutions on deputation basis draw their salary either in their own pay scale *plus* Deputation Allowance or in the pay scale one step higher than their own pay scale in the parent cadre without deputation allowance.
- (21) **Purchase of new vehicles:** There will be a complete ban on purchase of new vehicles including purchase against condemned vehicles. However, if for functional requirement of the grantee institution, it is essential to purchase a vehicle then prior concurrence of Finance Department must be obtained through the administrative department concerned.

(contd.....P/5)

- (22) **Purchase of furniture, air-conditioners, fax machines, photocopiers and refrigerators, etc.**: Purchase of furniture, air-conditioners, photocopiers, fax machines, refrigerators, etc. may be made, only if it is necessary and in public interest to do so, after seeking relaxation of economy instructions from Finance Department. Proper assessment of the actual requirement may be carried out before seeking relaxation of economy instructions and before undertaking the tendering process. The prior approval of the Technical Evaluation Committee (TEC) of IT Department, GNCTD, shall be obtained for the purchase of IT related hardware and software.
- (23) **Official lunches and dinners**: Official lunches and dinners should be rare and the guest list should as far as possible not exceed 20 (twenty). The rate of working lunches/dinners should not exceed the rate approved by the government.
- (24) **Diversion of funds**: Funds received as grant-in-aid under plan/non-plan shall not be diverted to any other scheme or purpose without the prior concurrence of Planning Department (in respect of plan funds) and Finance Department.
- (25) **Concurrence of Finance Department**: Presence of the Principal Secretary (Finance) or his nominee in meetings of any of the committees/boards of autonomous bodies/grantee institutions does not amount to concurrence/approval of Finance Department. Hence, autonomous bodies/grantee institutions shall seek the concurrence of Finance Department through their administrative department, wherever concurrence is required.
- (26) **Release of Grant-in-aid**: Henceforth grant-in-aid in respect of aided institutions shall be released only if the administrative department after satisfying itself in the light of aforesaid instructions recommends that the grant-in-aid be released.

The aforesaid instructions intend to set out an overall policy on expenditure management with special emphasis on economy and avoidance of wasteful expenditure. The autonomous bodies/grantee institutions will have to take steps to become self-reliant and should exercise stringent control over expenditure and ensure that utmost prudence and diligence is exercised in incurring expenditure out of grants-in-aid. Release of grants or sanction of financial assistance by this government to autonomous bodies/grantee institutions shall henceforth be linked to their compliance with these instructions.

Cases of clarification/interpretation/relaxation of the aforesaid instructions, if any, may be referred to the Finance Department through the administrative department, concerned. The 'Executive Head' of the autonomous body/grantee institution shall be held personally responsible for any deviations from the above guidelines without the prior approval of Finance Department.

This issues with the prior approval of Hon' Finance Minister.


(B.L. Sharma),
18.7.2011

Spl. Secretary (Finance).

To

1. All Pr. Secretaries/Secretaries/HODs with the request to ensure that these instructions are strictly followed by the autonomous bodies/grantee institutions functioning under their control.
2. Heads of all autonomous bodies/grantee institutions of Government of NCT of Delhi.
3. Controller of Accounts, Pr. Accounts Office, Vikas Bhawan, New Delhi.
4. Controller of Accounts, Directorate of Audit, Delhi Secretariat, I.P. Estate, New Delhi.

Copy forwarded to the following for information and further necessary action:-

1. Addl. Secy. (Fin.)/DSF(I)/DSF(II)/DSF(III)/DSF(IV)/USF(B)/USF(A/Cs)/all Desk Officers of Finance Department.
2. Website of Finance Department.

No.F.4(14)/Fin.(T&E)/08-09/dsv/639
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (ESTT.III) DEPARTMENT
 'A' Wing, 4th Level, Delhi Secretariat, I.P. Estate, New Delhi.

Dated: 14.07.2015

CIRCULAR

22.9.

During the meeting of the Pr. Secretaries / Secretaries / HODs in the chamber of Hon'ble Deputy CM / FM, it has been desired that Finance Department should issue guidelines regarding the procedures and formalities to be completed by the departments before submitting proposals to Finance Department for obtaining concurrences.

All the departments are, therefore, requested to submit the proposals relating to works along with the certificate that the estimate is prepared in consultation with PWD and it fulfills the principle of technical and financial prudence and the estimates are economical to fulfill its objective. The department should also certify that all administrative formalities, statutory clearance, green building features, rain water harvesting and recycling of water, parking facilities, etc., have been complied. In respect of all EFC / Cabinet proposals relating to works, the departments are requested to submit their proposals as per FD's Circulars dated 12.07.2011, 21.07.2011 and 24.08.2011 on the subject.

Similarly, in respect of procurement of goods and / or services, the department should certify that the assessment is realistic with reference to the consumption pattern of last five years. It should also ensure that all procedures laid down in GFR, 2005, has been followed and the proposed rate is responsive in all respects. All the departments are requested to submit their proposals relating to expenditure sanction, release of grant-in-aid and relaxation of economy ban in the format enclosed as Annexures "A", "B" and "C".

This issues with the prior approval of the competent authority.


 (S.N. Sahai)

Pr. Secretary (Finance).

To

1. All Pr. Secretaries/Secretaries/ HODs of Departments of Government of NCT of Delhi.
2. Pr. Secretary to Hon'ble Lt. Governor, Delhi.
3. Pr. Secretary to Hon'ble Chief Minister, Delhi.
4. Secretary to Hon'ble Deputy CM / FM, Delhi.
5. Secretaries to Hon'ble Ministers, Delhi.
6. Controller of Accounts, Pr.AO/ Controller of Accounts, Audit / All PAOs.
7. Deputy Secretaries / Under Secretaries, Finance Department.
8. Guard File / Web Site of FD.

3240/16
29/9/15

SLC/805/CHS/Kul
11/10/15

7/10/15 DSC/CT
A.O.
A2C(A)

SLC/CHS

11/08/2015
08/10/15

M. Circulate to
all concerned.

Circulate to
EDP, CT, Planning,
DBOCWA, DLUB,
IO (Rajya & App.)

5/10

DA

"A"

Proforma for submission of grant-in-aid proposals

S.No.	Particular		
1	Name of approved Scheme		
2	Plan or Non-Plan		
3	Head of Account and Availability of approved budget/fund during CFY		
4	Total amount released till date:		
5	The details of unspent balance, if any, of the previous grant		
6	Proposed grant is recurring or non-recurring		
7	Whether applied for grants for the same purpose or activity from any other Ministry or Department		
8	The Utilization Certificate (UC) in respect of grants disbursed in the previous FYs:		
9	The Annual Report and Audited statement of the accounts of the grant-in-aid institution:		
10	Is there any objection/para of the Audit (CAG/AG) or Dte. of Audit pending and, if so, action taken by the Institution as well as the Administrative Department to settle such paras:		
11	Whether Previous advances, if any, drawn have been settled or are pending settlement and if so, the reasons for non-settlement and the timeline when they are expected to be settled. Details may be given.		
12	Physical performance-cum-achievement report with regard to grant-in-aid received during previous FYs may also be explained.		
13.	Whether the specified, quantified and qualitative targets that should have been attained against the amount released, were in fact attained, and if not, the reasons thereof;		
14	The details of internal resources generation, if any, by the grantee institution.		
15	Copy of the Minutes of Statutory meetings, i.e. Finance Committee, Governing Council, etc., held in the previous FY may be appended. In case the meetings are not held, the reasons may be recorded.		

"B"

Proforma for submission of Expenditure Sanction proposals which are beyond the delegated powers of HOD/Secretary/Pr.secretary

S.No.	Particular	
1	Detailed Head of Accounts (Major/Minor/Object Head)	
2	Proposed Expenditure is under Plan or Non-Plan and Voted or Charged	
3	Availability of approved budget/fund during CFY under BE/RE.	
4	Expenditure incurred out of above till date:	
5	Balance amount available under Object Head	
6	Competent authority to sanction the proposed expenditure as per the existing delegation:	
7	If HOD is competent to concur the proposal, reasons for referring the proposal to FD	
8	If the proposed purchase is of office equipments, it may clarify if it is a banned item under economy instructions;	
9	If the proposed purchase is of office equipments, it may clarify as to whether it is proposed against condemnation or otherwise:	
10	Certificate to the effect that the proposed item is the most cost effective as well as economical.	
11	If the proposal is of purchase of new vehicle, the details regarding number of vehicles available with the Department, owned/hired, may be given. Whether it is against condemned vehicle or otherwise. The details of filled/vacant posts of Drivers may also be given.	
12	In case the proposed expenditure is out of the object head "Office Expenses", it may certify that the balance funds will be sufficient to meet the committed expenditure like electricity, Water, Telephone charges, etc., for the remaining part of FY	
13.	In case the proposal is for advance drawal, it may certify that no outstanding advances are pending. If any outstanding advance is pending, the reasons for non-settlement of such advance may be given.	

