



## **Police not implementing prison Act: RAA**

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Almost 10 years after the enactment of the Prison Act of Bhutan 2009, the Royal Bhutan Police (RBP) did not implement certain provision of the Act.

This was pointed out in the annual report of the Royal Audit Authority (RAA) 2018, which was launched last month.

RAA found out that free amenities like food, clothing, bedding, toiletry and sanitary items were provided to prisoners based on draft prison rules and regulations.

“The non-implementation of the provision of the Prison Act of Bhutan 2009 is a failure on the part of the RBP headquarters,” the audit report stated.

Chapter 6 of the Prison Act mandates prisoners to be provided with free amenities.

It stated that during the audit of prison service division (PSD) in Chamgang, it was found that the prison rules and regulations was not in place. “In absence of rules and regulations, the RAA team could not ascertain the basis for the supply of food, clothing, beddings, toiletry and sanitary items to the prisoners.”

It also stated that the draft prison rules and regulations, drafted in 2015, is still in a draft form.

Prison authorities, in its response stated that it was still in a draft form because of “technicalities.” They, however, did not specify the details.

They reported that the present practice of procurement of prisoners’ uniform, extension kits and linens was based on section 48 of the Prison Act of Bhutan 2009 and section 110 of the draft Prison Rules and Regulations 2015.

“As for the quantities of the items, it is based on prisoners’ strength on the day of placement of orders,” the response stated. “The prison authority is not in a position to provide item quantities during procurement since the prisoners’ strength fluctuates on a daily basis. We cannot ascertain the number of incoming prisoners annually.”

It stated that toiletries and sanitary items issued are also based on section 115 of the draft Prison Rules and Regulations 2015.

RAA mentioned that there is no valid justification as to why the rules and regulations drafted in 2015 remained in draft form.

RAA asked the PSD management to expedite the follow-up with competent authority for the endorsement of the draft prison rules and regulations 2015 and ensure compliance to the provisions of the Prison Act of Bhutan 2009.

The report stated that a prison rules and regulation would help in proper management of the prisons around the country.

### **Irregularities**

According to the audit report, the RBP headquarters had also accepted items other than specified in the Bills of Quantities (BoQ), amounting to Nu 66,000 in the construction of family quarters at Samdrupcholing, Samdrupjongkhar, Jigmeling and Tashigatshel. “The contractor had provided plastic cisterns in the toilets instead of vitreous China cisterns.”

Auditors pointed out that the tender committee did not seek approval for change of items and RBP management did not carry out rate analysis for the changes. “The handing-taking committee also certified and accepted works executed without due regard to the specification.”

Police responded that white vitreous China low-level cistern was not available in the market and not even in the nearby markets of Indian border towns. Keeping all the other parts as specified in the BoQ, only the CI cisterns were replaced by PVC cisterns and paid less after deducting the difference.

RAA pointed out that there was a delay in construction of academic block of RBP Training Institute in Jigmeling and construction of temporary family quarters at Rinchending checkpoint, Phuentsholing.

It also found out that PSD in Chamgang had granted unjustified time extension to a contractor constructing prison block in Lungzor.

RAA asked RBP to ask dealing officials including division heads of concerned region to monitor and supervise the work progress, and held them accountable for lapses besides instituting appropriate internal control procedures and remedial measures to avoid such lapses in future.

### **Tashi Dema**