



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 109 of 2024

In The Matter Of Suo Moto Public Interest Litigation

Versus

State Of Chhattisgarh

Order Sheet

08/01/2025	This is an office reference. Heard Mr. Prafull N Bharat, learned Advocate General appearing for the State/respondents. Pursuant to the order dated 26.12.2024 passed by this Court, the Secretary, Government of Chhattisgarh, Department of Public Health & Engineering, has filed an affidavit dated 03.01.2025, the relevant portion of the same reads as under: <i>“4. That, in compliance of the order dated 26/12/2024 passed by the Hon'ble Court, the deponent most humbly and respectfully submits as under :-</i> <i>a. That, at the very outset, the deponent respectfully submits that he is a law abiding citizen and has the highest regards and great respect for the lawful authority of this Hon'ble</i>

Court as well as its orders and directions issued from time to time.

b. That, the deponent respectfully submits that the Jal Jeevan Mission is an ambitious project of the Government of India which was launched on 15/08/2019 It is further respectfully submitted that the Jal Jeevan Mission is a centrally sponsored scheme wherein under the coverage head, the Central Government provides 50% of the fund and respective States give their shares of 50%. It is submitted that under the head of support activities and Water Quality Monitoring Surveillance, the funds are provided in the ratio of 60:40 The basic object of the Jal Jeevan Mission is to provide the safe and clean drinking water to every household in the rural areas throughout the country. It is further respectfully submitted that as per the guidelines framed with respect to Jal Jeevan Mission by the Union of India, at the State level, the entire project is monitored and implemented by the State Water and Sanitation Mission (SWSM) and the same is headed by the Chief Secretary of the State and the Secretary of the Department of Public Health Engineering is the Member Secretary of the said Mission whereas in the respective districts, the Project is being carried out by the District Water and Sanitation Mission which is headed by the District Collector and the Executive Engineer, PHE Department being the Member Secretary It is

submitted that in the State of Chhattisgarh, the first meeting of the Apex Committee of the State Water and Sanitation Mission was conducted on 28/12/2020 in which various decisions were taken Copy of the decisions taken by the Apex Committee of the State Water and Sanitation Mission on 28/12/2020 is filed herewith as Annexure A/1.

c. It is respectfully submitted that in the meeting of Cabinet of the State of Chhattisgarh held on 13/02/2021, the decisions with respect to implementation of project taken in the previous meetings of the Apex Committee was principally approved and thus, it can be safely stated that the Jal Jeevan Mission was formally started in the State of Chhattisgarh from the said date and the same was duly notified in the official gazette of State of Chhattisgarh on 27/05/2021 Copy of the gazette notification dated 27/05/2021 is filed herewith as Annexure A/2. It is submitted that as per the guidelines issued by the Ministry of Drinking Water, Govt of India, the deadline was fixed for completion of the Jal Jeevan Mission throughout the country till the end of year 2024.

d. It is respectfully submitted that as per the guidelines of Jal Jeevan Mission, the project is to be carried out in every district of the State of Chhattisgarh and the Jal Jeevan Mission project comprises of 4 major components viz (1) Identification / development of source by drilling

Tube-wells (2) construction of RCC Overhead Tank (3) Providing and laying of pipeline to the household and (4) installation of Tap connection.

e. It is submitted that as on today, in the State of Chhattisgarh, approx. 75.18% of water sources have either been identified or developed whereas approx 24.82% of source is balance. Similarly, approx. 51% R.C.C. Overhead Tank has been constructed whereas the balance figure is approx. 49% Similarly, 5141 Solar Pumps are yet to be installed whereas 12563 Solar Pumps have already been installed near the water sources in the State of Chhattisgarh It is further respectfully submitted that in the entire State of Chhattisgarh, presently 2568 villages have been certified to be "Har Ghar Jal Village" under the Jal Jeevan Mission and in Bilaspur District, total 38 villages have been certified as "Har Ghar Jal Village" It is submitted that approx. 80 15% of work of pipe laying and tap connection has been completed. As of now, as per the work order and contract agreement, approx. 60% physical work has been completed and the remaining works are yet to be done. To demonstrate this fact, copy of the charts showing the progress report is being filed herewith as Annexure A/3 colly.

f. It is submitted that as submitted in the preceding paragraphs, the Project is a centrally funded project and hence, the State of Chhattisgarh is dependent on the allocation of

fund made by the Central Government. It is most humbly submitted that till date, the State has received Rs. 6178.33 crores out of Rs. 13497.55 crores of Central Fund and 7292.28 crores out of Rs. 12968.21 crores of State fund have been utilized for implementation of the said Jal Jeevan Mission in the State of Chhattisgarh and the allocation of funds are provided in the ratio given in the guidelines framed by the Central Government. It is submitted that to make available the funds from the Central Government, the State Government is continuously pursuing at different levels so that the work can be carried out in smooth manner. It is noteworthy to mention that a provision has been made in the State Budget 2024-25 of Rs. 4499.99 crores for executing the Project as State share. A copy of the details of the amount received and expenditure made from 2019-20 to 2024-25 is being filed herewith as Annexure A/4 colly.

g. It is most humbly submitted that as per scheme of "Jal Jeevan Mission" floated by the Central Government, the State of Chhattisgarh is committed to complete the project so that every rural household gets safe and clean drinking water and due to delay of 2 years in commencement of the Scheme and 50% fund is still balance, the balance work could not be completed as per the deadline set by the Central Government However, it is submitted that there

has been substantial progress in the work and the rest of the work would be completed as soon as the allocation is received from the Union of India. Furthermore it is submitted that the decision with respect to extension of time and availability of funds is yet to be taken at Govt. of India level.

h. It is submitted that the news item published in Daily News Paper Dainik Bhaskar Bilaspur Bhaskar Chhattisgarh dated 24/12/2024 does not portray the correct and real facts In the news item, it has been reported that on the basis of false approval of the Gram Panchayat, the entire village has been certified and further it has been reported that total 8 villages have been certified in Bilaspur District. The figures given in the news item are not correct and after publication of the said case, an inspection was carried out by the Chief Engineer, PHE alongwith the EE, PHE Bilaspur. The said team visited 8 villages and took the statements of villagers and it was found that only 3 villages have been certified as "Har Ghar Jal Village as per the guidelines of the Jal Jeevan Mission.

i. It is respectfully submitted that at this juncture, it is necessary to mention that the certification is done in accordance with para 5.4 of the guidelines of the Jal Jeevan Mission and the said certification is done by the Sarpanch and Secretary and a certificate to this effect is issued. It is submitted that total 38 villages have been

certified in Bilaspur district as "Har Ghar Jal Village" and out of 8 villages reported in the news item, only 3 villages have been certified as "Har Ghar Jal Village" namely Nevra, Bhouvakapa, Bannakdih. Copy of the relevant page of Har Ghar Jal Village certificates issued by the respective Gram Panchayats is being filed herewith as Annexure A/5 colly.

j. It is respectfully submitted that the State of Chhattisgarh is duty bound to provide the safe and clean drinking water to every household in the State of Chhattisgarh for which all best and sincere efforts and endeavours are being made by the Department so that the main object and purpose of the scheme of Jal Jeevan Mission could be achieved by providing the safe and clean drinking water to every rural households in the State of Chhattisgarh."

Mr. Bharat, learned Advocate General submits that the newsreport is incorrect to the effect 8 villages have been certified by the concerned Gram Panchayats to have achieved 100% target of giving water connection to the households whereas fact of the matter is that only 3 Gram Panchayats have achieved and issued certificate to the effect that the households in the said village have been given water supply connections.

Mr. Bharat further submits that 60% of the funds for the Jal Jivan Mission is granted by the Central Government and

40% of the funds is provided by the State Government. Though the State Government has made efforts to get the balance fund from the Central Government, the same has not been released because of which only 86% of the project on the part of the State Government could be completed.

In view of the above, this Court hopes and trusts that the State Government shall make some more effort to get funds released from the Central Government and shall achieve the object of Jal Jivan Mission.

Let the matter be listed on **24.02.2025**.

Before the next date of hearing, the Secretary, Department of Public Health & Engineering, Government of Chhattisgarh, shall file a fresh affidavit and apprise the Court with regard to the further progress in completion of the work of Jal Jeevan Mission and the issue involved in this petition.

Sd/-

(Ravindra Kumar Agrawal)
JUDGE

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE