

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPIL No. 109 of 2024**

In The Matter Of Suo Moto Public Interest Litigation

Versus

State Of Chhattisgarh & Others

Order Sheet

08/04/2025	Proceedings of this matter have been taken through Video Conferencing. This is an office reference. Heard Mr. Prafull N Bharat, learned Advocate General assisted by Mr. Shashank Thakur, learned Deputy Advocate General for the State, Mr. Ramakant Mishra, learned Deputy Solicitor General alongwith Ms. Anmol Sharma, learned counsel for the Union of India and Ms. Aditi Singhvi, learned counsel for the Intervenor. On the last date of hearing i.e. on 24.02.2025, the intervention application filed by Ms. Singhvi, being IA No. 1/2025,

was allowed wherein it was prayed that the intervenor may also be heard in the matter.

Mr. Bharat, learned Advocate General submits that in response to the said IA filed by the intervenor, an affidavit has been filed by the Executive Engineer, Public Health Engineering Department, Surguja, the relevant portion of which reads as under:

“3. That, the deponent most respectfully submits that the intervener has filed the present petition without verifying the correct factual petition and has made incorrect statements in the application. It is most respectfully submitted that the intervener has submitted that work completion certificate has been issued by the concerned Gram Panchayat under the Jal Jeevan Mission and has annexed the certificates as Annexure I.O.-1. It is most respectfully submitted that the said certificates are issued by the Sarpanch of the concerned Gram Panchayat however, the said certificates are not in the prescribed format of Jal Jeevan Mission It is most respectfully submitted that a village is declared as Har Ghar Jal Village only after the completion of the entire project work and the said certificate is issued by the Gram Panchayat and the same is uploaded in the official website of the Jal Jeevan Mission. As far as four villages namely Balsedi, Kulhadi, Khaliba and Sargawan are concerned, it is most respectfully submitted that these have never been certified as Har Ghar Jal villages under the mission because the project work

is not complete and it is still under way. The deponent most respectfully submits that in Surguja district as on date total 48 villages has been certified as Har Gahr Jal villages and this fact can be very well ascertained from the list of villages certified as Har Ghar Jal Village (100% HFTC coverage certified villages) in Format J8 as per the manual of the mission. A copy of the said documents is annexed as ANNEXURE X-1.

4. That, it is further most respectfully submitted that the villages namely Balsedi, Kulhadi, Khaliba and Sargawan fall under the Group Water Supply Scheme Khairbar. It is submitted that total 32 villages including the above mentioned four villages are included in the Khairbar water supply scheme, wherein there is a provision of drawing water from river and after treating the same the clean drinking water will be supplied in the total 32 villages through pipe lines and in this regard work order has been issued on 28.02.2024 to an agency for construction, testing and commissioning of project. The completion date of the said works was up to the month of February 2025, however the same could not be completed and the same has been extended for a further period of one year i.e. up to February 2026). It is submitted that as soon as the abovementioned work is completed the water drawn from the river will be supplied to these 32 villages after treating the same. A copy of work order has annexed herewith as ANNEXURE X-2.

5. That, it is further most respectfully submitted that it has been contended in the intervention application that there is scarcity of water in the above mentioned villages. Above stated contention is factually incorrect because there are total 13 handpumps in village Balsedi, 11 handpumps in village Kulhadi, 27 in village Khaliba and 34 in village Sargawan and all the handpumps are in working conditions and the villagers are drawing clean water from the said handpumps. A copy of the details with respect to the handpumps and population of the said villages is annexed as ANNEXURE X-3."

Pursuant to the order dated 24.02.2025 passed by this Court, another affidavit has been filed by the State, which reads as under:

"2. That, on earlier occasions affidavits have been filed on behalf of the State in compliance of the Hon'ble Court's order dated 26.12.2024 and 08.01.2025 and the deponent respectfully submits that, he is duty bound to follow all the directions & orders passed by this Hon'ble Court from time to time and is having deepest & highest regard for this Hon'ble Court.

3. That, the deponent most respectfully submits that there has been substantial increase in the overall certification of villages as Har Ghar Jal village in the affidavit filed on 21.02.2025, there were total 2,857 villages whereas as on date (ie, up to 02.04.2025) total 3,266 villages have been certified as Har Ghar

Jal Village in the State of Chhattisgarh and thus, there is increase of 409 villages. A copy of the relevant data in format J8 is annexed herewith as ANNEXURE D-8.

4. That, it is further submitted that as far as the water sources are concerned in the earlier affidavit it was submitted that total 32,092 sources were either identified or developed and presently that is up to 01.04.2025 the total number of sources has increased up to 34,164. Thus, there is increase of 2,072 sources. That as far as over head tanks (OHT) is concerned in the earlier affidavit it was reported that total 8,732 tanks have been constructed. Presently the total number of over head tanks were under construction have been completed and the figure has risen to 9,183. Thus, there is substantial increase of total 451 numbers of over head tanks. Similarly, there has been substantial increase in the numbers of installation of Solar pumps under the mission. Earlier total 13,721 solar pumps were reported to be installed but as on date total 13998 solar pumps have been installed. Thus, there is an increase in installation of 277 solar pumps. A copy of the relevant data of the progressed report with respect to OHT sources and Solar pumps is annexed herewith as ANNEXURE D-9.

5. That, it is further submitted that the funds which have been received then the status report were carried out the various work under the mission has

been increased from 7292.28 Cr. to 9042.28 Cr. That, the deponent most respectfully Chhattisgarh submits is the that Government towards committed of successful completion of the desirous project and is taking every steps to complete the same within time frame.”

The relevant portion of the affidavit filed by the Union of India, in compliance of the order dated 24.02.2025, reads as under:

“7. That the Jal Jeevan Mission (JJM) was launched in the financial year 2019-20 with the objective of providing every rural household with a functional tap water connection in adequate quantity and of prescribed quality, on a regular and sustainable basis, at an affordable cost, thereby improving the living standards of rural communities.

8. That the Mission period for JJM was upto 31 March, 2024 with an outlay of Rs. 3.60 Lakh Crore. All the States/ UTs were informed that the Central share will be available only within that period. For, FY 2024-25, extension was given from Union Ministry of Finance to spend the savings from the outlay till 31 March, 2025 and the same has been exhausted.

9. That the Hon'ble Finance Minister, in her budget speech for the financial year 2025-26, has announced the extension of the Jal Jeevan Mission until 2028. The allocation of additional funds to the States/Union Territories shall be considered as per the applicable guidelines upon formal approval of the extension by the Cabinet and completion of requisite administrative processes.

10. That drinking water supply falls within the domain of the State Governments, and the

Government of India provides technical and financial assistance to support their efforts under the Jal Jeevan Mission. The planning, approval, and execution of rural drinking water supply schemes, including those under the Jal Jeevan Mission, are undertaken by the respective State Governments. Therefore, it is the responsibility of the State Government to take further action."

Ms. Singhvi submits that she has received the affidavit filed by the Union of India today itself and she may be granted some time to go through the same and make appropriate submissions.

Prayer is allowed.

Let the matter be listed on **17th June, 2025** for further monitoring.

Sd/-
(Arvind Kumar Verma)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE