

(2013) 05 JH CK 0017

In the Jharkhand High Court

Case No : Writ Petition (PIL) No. 445 of 2013

Nishikant Dubey

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 03-05-2013

Acts Referred:

Citation : (2013) 2 AJR 839

Hon'ble Judges : Prakash Tatia, C.J.;Jaya Roy, J

Bench : Division Bench

Advocate : S.N. Pathak, Fayyaz Ahmad and Rakesh Kumar Roy, for the Appellant; Sohail Anwar, A.G., for the Respondent

Judgement

1. The construction of Punasi dam was sanctioned decades ago and for which, even fund was sanctioned on 12th January, 1982. At that time, the cost of the dam was assessed to Rs. 26.09 Crores. The Government acquired 2586.7 Hectare of the land for construction of the aforesaid dam. Thereafter, nothing has been done and the matter was raised by the petitioner as a Member of Parliament in Lok Sabha, but it is State subject. Probably the dam may not be constructed in Rs. 26.09 Crores. Be that as it may, we have already come across another project wherein the Government decided to construct the dam/barrage as back as in the year 1974 and ultimately, in the year 2013, this Court had to constitute a committee so that it may be found out whether there will be dam or barrage. Therefore, it may be the way of working of various Governments since 1982. When the petitioner filed this petition on 23rd January, 2013, after raising the issue several times, then it appears that some steps are taken. Learned counsel for the State Advocate General appearing for the State has submitted that this project is a big project and work may be completed in a phased manner only looking to the various steps which are required to be taken.

2. Taking help from the past experience, we direct to State Government to give a complete data wise chart indicating that as to by what date what step will be taken and completed so that every body will know that by what time the Punasi

dam will be completed. We are making it clear that the public has already suffered heavily because of the raise of the price since 1982 and the public will have to pay more cost for the dam which may run in multifold to the sanctioned cost. In case, the steps will not be taken with full seriousness as well as the time schedule will not be adhered to, the concerned persons, who may be Principal Secretary, Chief Engineer and the lower Officers, all may be held responsible for the delay and if any cost is imposed, that will be recovered from salary of these persons only so as to avoid any burden on the State exchequer by putting the cost upon the State. The time frame programme be given by or before 02.07.2013.

3. Put up this case on 02.07.2013. The copy of the order be given to the learned Advocate General.