

IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN

SMC NO. 24/2011

Original Jurisdiction

(Clean drinking water at Sikandar Abad Nagar)

Advocate General Gilgit-Baltistan.

Mr. Muhammad Ali Akhtar Minister Finance Gilgit-Baltistan.

XEN Hunza Nagar.

Order Dated:- 29.11.2011

XEN Hunza Nagar has submitted report duly supported by documents wherein he admitted that original scheme was for supply of drinking and irrigation water but in PC-1, the scheme of supply of water for drinking was excluded. The XEN states that the water scheme was started in 2004 and now a revised proposal is required to be submitted to include drinking water in the area in respect of use of water of Nallah in question in scheme, Muhammad Ali Akhtar Minister Finance Government of Gilgit-Baltistan who is also elected public representative of the area in the assembly of Gilgit-Baltistan and is by chance present in Court has informed us that the dispute inter se, the resident of area on the question of use of water of the Nallah in question in the area has already been resolved and settled but the department for no good reason has been delaying the scheme on one or the other pretext and that existing scheme also includes the supply of drinking water. This is stated that further delay in the completion of scheme not only will deprive the people from their legitimate right of water but may also put the exchequer under extra burden and at the same time if scheme is revised at this stage, it may cause great inconvenience to the people and also may not be executed within the allocated funds.

The Secretary works is directed to execute the existing scheme for supply of water for drinking and irrigation and if need be may also approve additional expenditure, the finance department will provide the funds accordingly on priority, to complete the scheme in the current financial year.

The XEN has given undertaking that scheme in question in all respect will be completed, before June, 2012 subject to availability of funds. The Secretary finance will ensure the release of funds and if despite release of funds, the scheme is not completed, departmental action will be taken against the officials responsible for causing delay in the project. The XEN at this stage has pointed out that the pipe for laying water pipeline is available at the site and digging work shall be completed during winter whereas pipeline shall be laid on start of summer season. The learned Advocate General Gilgit-Baltistan at this stage has pointed out that the pipes available on the site are not usable for supply of drinking water and can only be utilized for irrigation purpose. The XEN shall ensure that proper pipe should be used in the scheme for drinking water and in case of any defect in pipes, he and Contractor both will be responsible. The application with above direction stands disposed of.

Chief Judge

Judge