

GAHC010287652019



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/72/2019**

KAMALSING BEY

VERSUS

THE UNION OF INDIA AND 7 ORS.  
REP. BY THE SECY., MINISTRY OF DEVELOPMENT OF NORTH EASTERN  
REGION, NEW DELHI

2:THE STATE OF ASSAM  
REP. BY COMM. AND SECY.  
GOVT. OF ASSAM  
PUBLIC HEALTH ENGINEERING DEPTT.  
DISPUR  
GHY-06

3:THE CHIEF ENGINEER  
PUBLIC HEALTH ENGINEERING DEPTT.  
GOVT. OF ASSAM  
LICHUBAGAN  
HENGRABARI ROAD  
HENGRABARI  
GHY- 36

4:THE ADDL. CHIEF ENGINEER  
PUBLIC HEALTH ENGINEERING DEPTT.  
KARBI ANGLONG AUTONOMOUS COUNCIL ZONE  
DIPHU  
KARBI ANGLONG

ASSAM

5:THE PRINCIPAL SECRETARY  
KARBI ANGLONG AUTONOMOUS COUNCIL  
KARBI ANGLONG  
DIPHU  
ASSAM

6:THE DY. COMMISSIONER  
KARBI ANGLONG DISTRICT  
DIPHU  
ASSAM

7:SUM RONGHANG  
THE THEN EXECUTIVE MEMBER  
KARBI ANGLONG DIST.  
DIPHU  
ASSAM

8:THE CENTRAL BUREAU OF INVESTIGATION  
REP. BY THE DIRECTOR  
BLOCK NO. 3  
CGO COMPLEX  
LODHI ROAD  
NEW DELHI- 11000

**Advocate for the Petitioner** : MR. A GOYAL

**Advocate for the Respondent** : ASSTT.S.G.I.

**BEFORE**  
**HONOURABLE THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 26.07.2023**

The instant Public Interest Litigation raises the issue of non-implementation of the scheme named "Augmentation of Greater Diphu Water Scheme in Karbi Anglong District" under the Non-Lapse Central Pool of Resource (NLCPR). Affidavit on behalf of the Chief Engineer, PHE, Karbi Anglong Autonomous Council has been filed wherein it is reflected that the total project cost in the year 2008 was fixed at Rs. 2767.44 lakhs.

The share of the Central Government towards this project was 90% and the remaining 10% was to be borne by the State Government. The Central Government released a sum of Rs. 854.64 lakhs and the works were got executed through different contractors. The State share was released to the tune of Rs. 110.12 lakhs on 15.12.2016 and no Central Government's share of funds towards the project has been released thereafter. Hence, the scheme has not progressed any further.

It is apparent from the assertions made in the affidavit that out of the Central Government's share of Rs. 2490.69 lakhs only an amount of Rs. 854.11 lakhs has been released so far and the outstanding amount is Rs. 1636.05 lakhs.

In view of the admitted position, as emanating from the records, we hereby direct that the concerned authority of the Government of India shall forthwith proceed in the direction of releasing the Central Government's share for completion of the project in question.

Ms. A. Gayan, learned Central Government counsel shall file affidavit of the officer concerned by the next date fixed.

List on **24.08.2023**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**