

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.13216 of 2011

ORDER:

The relief sought for in this Writ Petition is to declare the failure of the respondents to take action for implementation of the Swajala Dhara Scheme, and in not completing the work as per agreement dated 04.07.2006 by using the funds raised from the general public by the village water sanitation committee as arbitrary and illegal, and for a consequential direction to the respondents to issue house tap connections.

It is the petitioners' case that, for development of the protected drinking water supply scheme, Swajala Dhara Scheme was launched by the then Prime Minister; as per the Scheme, 10% of the project cost was required to be contributed by the villagers, and the remaining 90% was to be provided by the Central Government through the Member Secretary, District Committee, Water and Sanitation Committee, Vijayawada, Krishna District; an agreement was entered into between the Member Secretary, Vijayawada and the President/Sarpanch, Water and Sanitation Committee, Alapadu Village; a committee was formed in 2002 which collected Rs.1,000/- each from 256 villagers/contributors aggregating to Rs.2,56,000/- promising them tap connections for drinking water in the village; these funds were deposited in the joint account of the Sarpanch and the Assistant Engineer, RWS, Kaikaluru Mandal; Central Government funds of Rs.18.00 Lakhs were released in the year 2006; thereafter, an agreement was signed on 04.07.2006 for completion of the project but, in the month of August, 2006, the panchayat elections were conducted,

and the president and committee were changed; while a part of the works were executed through a contractor, the remaining works were stopped; after stoppage of the work, a new contractor was entrusted with the task of completion of the PVC pipelines, and his bill was cleared for the work done; again the works were stopped and, on enquiry, they were informed that the contractors were not willing to undertake the remaining works as they may suffer loss.

In the counter-affidavit filed by the Superintending Engineer, Rural Water Supply and Sanitation, Vijayawada, it is stated that the committee meeting was held on 16.09.2009; the funds position, and the progress of the work and accounts were discussed; Rs.1,50,000/- was released to the Chairman, Village Water and Sanitation Committee, Alapadu; the scheme was completed and Athmarpanam was done by Committee on 28.03.2010; it was handed over to the Chairman/Sarpanch, Village Water and Sanitation Committee, Alapadu on 01.04.2010 after successful completion of the trial run; a committee meeting was held on 16.05.2011; all the accounts, pertaining to Swajala Dhara Scheme, were explained to the committee members and villagers by the Assistant Engineer; the scheme was completed with an expenditure of Rs.13,49,167/-, thereby saving Rs.6,17,316/- which was refunded by the Assistant Engineer to the Member Secretary, District Water and Sanitation Circle, Vijayawada; the saving was because old existing pipe lines were utilized; and the water was released to the entire village.

As water is said to have been released to the entire village, it is evident that the cause in the Writ Petition does not survive

necessitating any further adjudication by this Court, and the Writ Petition has become infructuous.

The Writ Petition is, accordingly, dismissed as infructuous. The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:02-02-2018.
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