

Rescheduling of Mohmand dam opening irks CJP

ISLAMABAD: Chief Justice of Pakistan Mian Saqib Nisar on Monday expressed his dismay over not being informed about the rescheduling of Mohmand dam groundbreaking and said he might consider not attending the opening ceremony.

The government had last week shelved the inauguration ceremony of the Mohmand dam project and rescheduled its groundbreaking from Jan 2 to Jan 13.

The chief justice, while taking up a case relating to construction of the Nai Gaj dam in Sindh, regretted that the government did not have the courtesy to inform the court about the change of date and said “you did not think it was necessary to inform me”.

Supreme Court holds only it is competent to resolve any dispute over construction of dams

The chief justice asked Water and Power Minister Faisal Vawda to inform the prime minister to inaugurate the dam without him. The government did nothing for the dam project on its own except that the country would run out of water in 2025, he said.

The minister offered an apology on behalf of the government and requested the chief justice to attend the ceremony when it takes place.

Taking up another case relating to a campaign/propaganda against construction of dams in the country, the Supreme Court held that no other forum but the apex court would be competent to resolve any dispute that might surface during the construction of Diamer-Bhasha and Mohmand dams.

A four-judge SC bench headed by the chief justice ordered avoiding any undue hindrance as all disputes would ultimately come to the apex court.

The directives were issued following a presentation by Water and Power Development Authority (Wapda) chairman retired Lt Gen Muzammil Hussain who assured the court that the construction of spillways, powerhouse and reservoir filling of Mohmand dam would be completed by May-June 2023 at a cost of Rs310 billion. He said that 37 per cent — Rs114bn — of the cost would be provided by the government whereas 63pc would be injected by Wapda as its equity.

Wapda will take nine more weeks to mobilise contractors whereas gauge stations and automatic digital weather system will be installed soon.

The Wapda chief, however, feared that the authority would be in trouble in case the release of Rs17bn fund each year got impeded.

“I am telling with the pitch of my voice that I am not satisfied with the progress made so far,” the chief justice observed and wondered why no company had been created on public-private partnership as a special vehicle to help generate funds by floating bonds.

Justice Ijaz-ul-Ahsan also wondered whether Wapda had asked the government for providing sovereign guarantees by floating the bonds for generating funds.

During the hearing, the Wapda chairman also bemoaned a malicious campaign in the media regarding the allegation of single bidding in the award of contract to Descon for the construction of Mohmand dam when it was not the case.

At this, Justice Ijaz-ul-Ahsan regretted that it was a tragic that politics was being played on a national issue. The chief justice suggested not heeding to any propaganda campaign and whosoever had any complaint would ultimately come to the Supreme Court.

Justice Umar Ata Bandial asked the Wapda chairman to concentrate more on achieving the financial close, adding that when people were supporting the dam then such malicious propaganda did not matter. “What matters is the priority of Pakistan,” he observed.

The Supreme Court ordered Federal Board of Revenue (FBR) chairman Jehanzeb Khan to suggest whether the annual amount of Rs36 billion collected as withholding tax on mobile phone recharge cards could be diverted as a special donation for dams and other water management purposes. The FBR chairman is also required to suggest whether the Rs10bn cess being imposed on mineral bottled companies exclusively could be dedicated to the dam funds.

State Bank of Pakistan (SBP) Governor Tariq Bajwa was asked by the apex court to simplify collection of donations as overseas Pakistanis were facing difficulties in sending donations. The court asked all the stakeholders, including the chairmen Wapda and FBR and the SBP governor, to furnish their proposals in writing so that they could be made part of the court order.

The court also asked Pemra chairman Saleem Baig to consider whether the undue campaign against the dam was motivated with malicious reasons and whether such campaign violated laws of the land.

The Newspaper's Staff Reporter