

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.263 OF 2010  
(For Prel. Hearing)

VOICE OF INDIA  
(Through its Chairman)

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. Respondent(s)  
(With appln(s) for exemption from filing O.T., permission to  
appear and argue in-person and permission to file additional  
documents)

Date: 20/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s) In-person

For Respondent(s)

UPON hearing petitioner in-person, the Court made the following  
O R D E R

Petitioner has filed this petition alleging that  
the right to free drinking water is part of Right to Life  
under Article 21 of the Constitution. Consequently,  
petitioner prays that water be supplied to every citizen  
in this country free of cost. In this connection,  
petitioner has submitted that the various State  
Governments, including, Delhi should be directed to  
arrange for free potable drinking water through MCDs and  
NDMCs.

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In this writ petition all the States and Union  
Territories are made party-respondents.

We are fully conscious of the fact that even  
after 60 years a citizen of this country is not getting  
clean potable water. In this regard, we agree with the  
petitioner. It is, however, not possible for this Court

to monitor and grant relief(s) to the petitioner on all India basis. Moreover, as stated above, the petitioner seeks relief(s) essentially against municipal corporations in each State because supply of clean potable water is the function of municipal corporations and other local bodies. Even instances given in the annexures relate to different sectors/localities within the municipalities in different States.

In the circumstances, we are of the view that the petitioner may move the concerned High Court with regard to its grievances, particularly, when such grievances are confined to municipal areas and to specific areas where citizens do not get clean potable water for drinking. We cannot monitor such local institutions under Article 32 of the Constitution. We refuse to believe that the concerned High Courts will not look into such grievances, if specific detailed instances are brought to its notice

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as submitted on behalf of the petitioner. The petitioner apprehends that if it has to move the High Court, it may take several years for redressal of its grievances. We do not share that perception. Lastly, the subject matter of this writ petition is a State subject under the Constitution.

Subject to what is stated above, this writ petition stands disposed of.

[ Kanchan Jain ]  
Assistant Registrar

[ Madhu Saxena ]  
Assistant Registrar