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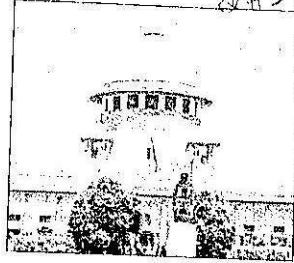
Water bodies can't be given away to industrialists: SC

**Says it is essential
to safeguard
Fundamental Rights**

**ASHISH TRIPATHI
NEW DELHI, DHNS**

The Supreme Court on Monday said water bodies, which are a source of livelihood for rural population and life for local flora and fau-

na, cannot be allowed to be taken away by a few industrialists. A bench of Justices Arun Mishra and Surya Kant said although it might be possible to superficially replicate a waterbody elsewhere, however, there is no guarantee that the adverse effect of destroying the earlier one would be offset. "Water bodies, specifically, are an important source of fishery and much needed potable water. Many areas of this country perennially face a water crisis and access to drinking water is woefully



inadequate for most Indians. Allowing such invaluable community resources to be taken over by a few is hence grossly illegal," the bench said. The top court allowed a

plea by Greater Noida resident, Jitendra Singh against allotment of ponds and canals to a private company in 2016 by the Uttar Pradesh government.

Lifeline of village

"Protection of such village-commons is essential to safeguard the fundamental right guaranteed by Article 21 of our Constitution. These common areas are the lifeline of village communities, and often sustain various chores and

provide resources necessary for life," the bench said.

The court quashed the state government's decision, saying their attempt to justify it by creating a geographically larger artificial water body, fails to capture the spirit of the Constitutional scheme and was, therefore, impermissible.

It said destroying the lake would kill the vegetation around and would prevent seepage of groundwater affecting the already low water-table in the area.

The people living around

the lake would be compelled to travel all the way to the alternative site, in this case allegedly almost three km away the court said.

"Many animals and marine organisms present in the earlier site would perish, and wouldn't resuscitate by merely filling a hole with water elsewhere. Further, the soil quality and other factors at the alternate site might not be conducive to growth of the same flora, and the local environment would be altered permanently," the court said.