

ABSTRACT

RIGHT TO DRINKING WATER IN INDIA

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Human being as beings wants & deserves freedom of life, together with all possible equalities. Such natural desire for equality indicates that treated equally is not only a desire but a question of status: that a man & woman wish to maintain in all situation & in the all spheres of life. There is also a human rights dimension which supports the existing legal frameworks regarding water. Though the Constitution does not specifically recognise a fundamental right to water, the Supreme Court has recognized in Article 21 that the right to life 'includes the right of enjoyment of pollution free water and air for full enjoyment of life'.² In the *Sardar Sarovar* case, the Supreme Court went further and directly derived the right to water from Article 21. It stated that 'water is the basic need for the survival of the human beings and is part of right to life and human rights as enshrined in Article 21 of the Constitution of India'.³

Keywords: freedom, water, survival, human rights

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² Subhash Kumar v. State of Bihar, AIR 1991 SC 420.

³ Narmada Bachao Andolan v. Union of India, Writ Petition (Civil) No. 319 of 1994, Supreme Court of India, Judgment of 18 October 2000, AIR 2000 SC 3751. Also A. P. Pollution Board II v. M.V. Nayudu, (2001) 2 SCC 62.