

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 89 of 2017**

Dinesh Kumar Jain S/o Late P. R. Jain, Aged About 56 Years R/o Kalash
19, Lodhipara, Old Sarkanda, Bilaspur, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Department Of Urban
Administration, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Commissioner, Municipal Corporation, Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner	: Shri Vivek Chopda, Advocate
For State	: Shri Y.S. Thakur, Additional Advocate General
For Corporation	: Shri A.S. Kachhawaha, Advocate

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Sharad Kumar Gupta, Judge****Order On Board****Per Thottathil B. Radhakrishnan, Chief Justice****10/11/2017**

1. This writ petition instituted as Public Interest Litigation voices certain grievances which are of critical importance in the management of potable water which, world over, is treated as depleting, though inexcusable for humans and other forms of life.
2. We have heard the learned counsel for the petitioner, the learned Additional Advocate General and the learned counsel appearing for the Municipal Corporation, Bilaspur.
3. The petitioner who is a Professor in a Government College in Bilaspur has pointed out various relevant aspects relating to improper management of potable water resources available

through the Public Distribution System for drinking water. We are told that the Public Health Engineering Department of the Government and the different local self government institutions are involved in the distribution of drinking water to the people in the Municipal and other areas of the State of Chhattisgarh. Though this litigation is specifically as regards the Bilaspur Municipal Corporation limits, we think that the underlying issues and the principles which should govern water management would be the same for all parts of the State which would be primarily focusing on the availability of the drinking water to the people as well as animals, birds etc. Availability of potable water through the pipelines is provided in such a way that drinking water is not abused. At the same time, it should also be ensured that the distribution mechanism is itself subjected to requisite audit to prevent waste of water as well as abuse by any person including the consumers. On the whole, the modality of controlling the distribution of drinking water and putting an appropriate system in place should be a primary concern as part of governance. The State Government, in particular the Public Health Engineering Department, and the different Municipal Authorities and other local self Government institutions have to be appropriately coordinated for such activities.

4. Taking stock of the entire facts and circumstances of the case in hand, we order this writ petition directing that the State Government, at its highest level, will immediately take a look into all the relevant issues raised by the petitioner and issue such guidelines that would regulate the utilization of drinking water

and augment effective control of the drinking water distribution system through the different municipal authorities including the Municipal Corporation, Bilaspur. We hope and trust that the Government will take this issue earnestly and that requisite directions and guidelines will be issued by the government without delay. This will be followed by periodical monitoring by the Government through appropriate department or agency as it may direct, so that there will be a continued audit and control of the drinking water distribution system.

5. The writ petition is ordered accordingly.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge