

KARNATAKA LOKAYUKTA, BENGALURU

No:

Date: 02-06-2022

ORDER

In 'Samyukta Karnataka daily' dated 01.06.2022, a news item with the heading "ಇದ್ದೂ ಇಲ್ಲದ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕ" has been published. Instead of repeating the news item, it is useful to extract the same, which reads as hereunder:

“ತಾಲ್ಲೂಕಿನ ಸೋಂಪುರ ಹೋಬಳಿ ನರಸೀಪುರ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ನರಸೀಪುರ ತೋಪಿನಲ್ಲಿ ಪಂಚಾಯತ್ ಇಲಾಖೆಯಿಂದ ನಿರ್ಮಾಣವಾಗಿದ್ದ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕ ಕಳೆದ ಸುಮಾರು ಒಂದು ತಿಂಗಳಿಂದ ಕೆಟ್ಟು ಹೋಗಿದೆ. ಇದರಿಂದ ನರಸೀಪುರ, ನರಸೀಪುರ ತೋಪು, ಸಣ್ಣಪ್ಪನಪಾಳ್ಯ, ಹುಚ್ಚಿರಪ್ಪನಪಾಳ್ಯ, ಸುತ್ತಪ್ಪನಪಾಳ್ಯ ಗ್ರಾಮಸ್ಥರು ಕುಡಿಯುವ ನೀರಿಗಾಗಿ ಪರದಾಡುವಂತಾಗಿದೆ. ನರಸೀಪುರ ವಾಸಿ ಸಿದ್ದರಾಜು ಮಾತನಾಡಿ ಶುದ್ಧ ನೀರಿನ ಘಟಕವನ್ನು ಸುಮಾರು 10 ಲಕ್ಷ ರೂ ವೆಚ್ಚದಲ್ಲಿ ಸರ್ಕಾರ ನಿರ್ಮಿಸಿದೆ. ಆದರೆ ಸಮರ್ಪಕ ನಿರ್ವಹಣೆಯಿಲ್ಲವೇ ಇಂದು ಜನರು ಕುಡಿಯುವ ನೀರಿಗಾಗಿ ಪರದಾಡಬೇಕಾಗಿದೆ. 5 ಕಿ.ಮಿ. ದೂರದಿಂದ ನೀರು ತರುವ ಅನಿವಾರ್ಯತೆ ಎಂದು ಬೇಸರ ವ್ಯಕ್ತಪಡಿಸಿದರು.

ಪ್ರತಿಕ್ರಿಯೆ: ನರಸೀಪುರ ಗ್ರಾಮ ಪಂಚಾಯ್ತು ಅಧ್ಯಕ್ಷೆ ತರನಂ ಭಾನು ಮಾಡನಾಡಿ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕದಲ್ಲಿ



ತಾಂತ್ರಿಕ ದೋಷವಿದ್ದು ನೀರಿಗೆ ಸಮಸ್ಯೆ ಉಂಟಾದ ಗಮನಕ್ಕೆ ಬಂದಿದೆ. ಇದರ ದುರಸ್ತಿಗೆ ಕ್ರಮವಹಿಸಲಾಗುವುದು ಎಂದರು”.

2. The news item extracted above indicates that Drinking Water Purification Unit installed at Narasipura Thopu, Narasipura Grama Panchayath, Sompura Hobli, Nelamangala Taluk for the purpose of providing pure and safe drinking water has not been working since one month and no steps have been taken by the concerned authority to get the same repaired. As per the news item, Rural Development and Panchayath Raj Department has installed the unit by spending a sum of Rs.10 lakhs. Therefore, it is the duty and responsibility of the concerned Grama Panchayath to maintain the unit regularly.

3. It is settled position of Law that Right to access to drinking water is a fundamental right to life guaranteed under Article 21 of the Constitution of India. In this context, reference may be had to

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the Judgement of Hon'ble Supreme Court in the case of **A.P. Pollution Control Board -II Vs Prof. M.V. Naidu (retd.) and ors (2001 (2) SCC 62)** where the Hon'ble Supreme Court has held as follows;


3. Drinking water is of primary importance in any country. In fact, India is a party to the resolution of the UNO passed during the United Nations Water Conference in 1977 as under:

"All people, whatever their stage of development and their social and economic conditions, have the right to have access to drinking water in quantum and of a quality equal to their basic needs."

Thus, the right to access to drinking water is fundamental to life and there is a duty on the State under Article 21 to provide clean drinking water to its citizens.

4. Adverting to the above right declared in the aforesaid Resolution, in Narmada Bachao Andolan v. Union of India [(2000) 10 SCC 664 : (2000) 7 Scale 34] (Scale at p. 124 : SCC p. 767, para 248), Kirpal, J. observed:

"248. Water is the basic need for the survival of human beings and is part of the right to life and human rights as enshrined in Article 21 of the Constitution of India...."



4. Further, as per Sec.58 of the Karnataka Grama Swaraj and Panchayath Raj Act, 1993, it is the function of the Grama Panchayath to maintain and monitor water supply schemes within Grama Panchayaths.

5. Government of Karnataka has implemented 'Shuddha Neeru', 'Jal Jeevan Mission' etc., with a larger object of providing safe drinking water to all households in rural area. Under this scheme, Drinking Water Purification Units have been installed with a view to provide pure and safe drinking water to the villagers. However, as could be seen from the news item, since one month, the concerned authorities have failed to maintain the Drinking Water Purification Unit installed at Narasipura Thopu, Narasipura Grama Panchayath, Sompura Hobli, Nelamangala Taluk, Bengaluru Rural District. It is needless to mention that it is

the duty and obligation of the Grama Panchayath as well as Taluk Panchayath in monitoring and maintaining the units installed. Failure on the part of concerned authorities in not maintaining the Drinking Water Purification Unit, not only amounts to violation of fundamental right guaranteed under Article 21 of the Constitution of India, but also amounts to mal-administration within the meaning of Sec.2(10) of the Karnataka Lokayukta Act, 1984.

6. The object of the Karnataka Lokayukta Act 1984 (hereinafter referred to as 'K.L. Act') is to redress the grievance of the public as a consequence of mal-administration and also to prevent mal-administration in the State Administration. The negligence on the part of the concerned authorities who are entrusted with the responsibility of maintaining the Drinking Water Purification Unit, in my considered view falls within



the meaning of 'mal-administration' under Sec. 2(10) of the K.L. Act.

7. Therefore, I am of the view that it is desirable to consider the news item published in 'Samyuktha Karnataka' as source material to exercise the power conferred on me under Sec. 7(2) and 9(3)(a) of the K.L. Act. Accordingly, I exercise my suo-motu power and the office is directed to register this proceedings as suo-motu proceeding.

8. With a view to examine the issues raised in the news item referred to above, I am of the view, that it is necessary to implead the officers mentioned herein below as parties/respondents to this proceeding and issue notice to them and call for comments from them.

1.	The Executive Officer, Taluk Panchayath, Nelamangala, Bengaluru Rural District.
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2.	The Panchayath Development Officer, Narasipura Grama Panchayath, Sompura Hobli, Nelamangala Taluk, Bengaluru Rural District.
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9. The Officers/Officials referred to above are directed to examine the issues raised in the news item extracted above and take such other steps to carryout repair of the Drinking Water Purification Unit installed at Narasipura Thopu and provide pure and safe drinking water to the villagers forthwith. They are given two weeks time to submit their report/comments i.e., on or before 21.06.2022.

10. Communicate copy of this order to the respondents referred to above along with the copy of news item published in 'Samyuktha Karnataka Daily' and also to the Chief Executive Officer, Zilla Panchayath, Bengaluru Rural District to hold an



enquiry into the issues published in the news item and submit a report to this authority.

11. The respondent no.1 and 2 are directed to appear before this authority on **21.06.2022 at 3:30 P.M.** for hearing.

List this matter on 21.06.2022 at 3:30 P.M.

K.N. Phaneendra
02/06/22
(Justice K.N. Phaneendra),
Upalokayukta-2,
Karnataka State.

12) ARLO-4 (Complaints Section)}

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ಬುಧವಾರ
ಬೆಂಗಳೂರು

ಬೆಂಗಳೂರು

ಇದ್ದೂ ಇಲ್ಲದ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕ

ಸಂ.ಕ.ಸಮಾಚಾರ ನೆಲಮಂಗಲ ತಾಲೂಕಿನ ಸೋಂಪುರ ಹೋಬಳಿ ನರಸೀಪುರ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿಯ ನರಸೀಪುರ ತೋಟಿನಲ್ಲಿ ಪಂಚಾಯತ್ ಇಲಾಖೆಯಿಂದ ನಿರ್ಮಾಣವಾಗಿದ್ದ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕ ಕಳೆದ ಸುಮಾರು ಒಂದು ತಿಂಗಳಿನಿಂದ ಕೆಟ್ಟು ಹೋಗಿದೆ. ಇದರಿಂದ ನರಸೀಪುರ, ನರಸೀಪುರ ತೋಟ, ಸ್ನೇಹಪುರವಾಳ,

ಹುಚ್ಚಿರಪುನವಾಳ, ಸುತ್ತಪುನವಾಳ ಗ್ರಾಮಸ್ಥರು ಕುಡಿಯುವ ನೀರಿಗಾಗಿ ಪರದಾಡುವಂತಾಗಿದೆ. ನರಸೀಪುರ ವಾಸಿ ಸಿದ್ದರಾಜು ಮಾತನಾಡಿ ಶುದ್ಧ ನೀರಿನ ಘಟಕವನ್ನು ಸುಮಾರು ರೂ. 10 ಲಕ್ಷ ರೂಪಾಯಿಗಳಲ್ಲಿ ಸರ್ಕಾರ ನಿರ್ಮಿಸಿದೆ. ಆದರೆ ಸಮರ್ಪಕ ನಿರ್ವಹಣೆಯಿಲ್ಲದೇ ಇಂದು ಜನರು ಕುಡಿಯುವ ನೀರಿಗಾಗಿ ಪರದಾಡಬೇಕಾಗಿದೆ 5 ಕಿ.ಮಿ ದೂರದಿಂದ

ನೀರು ತರುವ ಅನಿವಾರ್ಯತೆ ಎಂದು ಬೇಸರ ವ್ಯಕ್ತಪಡಿಸಿದರು. ಪ್ರತಿಕ್ರಿಯೆ: ನರಸೀಪುರ ಗ್ರಾಮ ಪಂಚಾಯ್ತಿ ಅಧ್ಯಕ್ಷ ತರನಂ ಭಾನು ಮಾತನಾಡಿ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕದಲ್ಲಿ ತಾಂತ್ರಿಕ ದೋಷವಿದ್ದು ನೀರಿಗೆ ಸಮಸ್ಯೆ ಇರುವುದು ಗಮನಕ್ಕೆ ಬಂದಿದೆ. ಇದರ ದುರಸ್ತಿಗೆ ಕ್ರಮವಹಿಸಲಾಗುವುದು ಎಂದರು.