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SC Bats Against the Transfer of Community Resources

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Why in News

Recently, the **Supreme Court of India** held that the Government has no right to transfer “invaluable” **community resources** like village water ponds to powerful people and industrialists for commercialisation of the property.

It is necessary to protect village commons for safeguarding the fundamental right guaranteed by **Article 21 of our Constitution**. These common areas like water ponds and wells are the lifeline of village communities and often sustain various chores and provide resources necessary for life.

- **Article 21:** Protection of life and personal liberty. No person shall be deprived of his life or personal liberty except according to the procedure established by law.
- It is fundamental, non-derogable and is available to every person. Even the State cannot violate that right.

Key Points

- The judgment came on a **plea against the transfer of village ponds' sites of Saini village** in the **National Capital Region** to some private industrialists by the Greater Noida Industrial Development Authority.
- The **National Green Tribunal (NGT) refused to intervene** on the plea but the apex court ordered the authorities and the industrialists to remove all obstructions and restore the water bodies within three months.

- SC said the **State can not deprive the villagers of their existing source of water** and other community resources even after the promise of providing them with an alternative source. There is no guarantee that the adverse effect of destroying the existing water body would be offset and people would be compelled to travel miles to access the alternative site

Resources which are available for everyone's use in a community, village or town are called community resources. For example- ponds, playgrounds, public parks etc.

Source: TH