

The right to water gets a strong vote

Kerala High Court order against a Coke petition bolsters democracy and gives a huge fillip to a fundamental right

CSE applauds the order, seeks support from media

New Delhi, November 15, 2003: In a recent landmark decision, the Kerala High Court has reportedly rejected a plea by soft drinks major Coca Cola against the show cause notice issued to it by the Perumatti Panchayat. The Panchayat's notice had asked the multinational to explain why its company should not be closed down for depriving local people of water and for endangering their health.

Delivering his order in the case, Justice K Balakrishnan Nair accepted the Panchayat's argument that drinking water was the right of every citizen. The Panchayat had also stated that it was its constitutional duty and statutory obligation to provide water to its people. Recognising in effect the Panchayat's power to decide on the company's fate, the Court pointed out that the company in turn had the right to question the Panchayat's decision in an appropriate forum.

The Centre for Science and Environment (CSE) welcomes this legislatively significant order of the High Court. CSE strongly believes that the **implications of this decision are enormous and far-reaching** -- for two vital reasons. One, the order establishes the primacy of our democracy and our democratic institutions and will certainly go a long way in further strengthening them. Two, it reaffirms support in what CSE has been always fighting for: the citizen's right to clean and safe water.

These are issues of national concern. They are, in fact, issues that impact on the way we chose to live as Indians. The Panchayat and people of Perumatty and the Kerala High Court have taken a significant step towards addressing these issues. This step now needs all our support and encouragement.

As a mediaperson, you are well equipped to provide this support. CSE urges you to report on this case and its implications extensively in your newspapers and magazines and help turn it into a *cause celebre*. We owe it to the courageous people of Perumatty. We also owe it to the countless other Indians across the nation who are fighting for their right to water – every day, almost every moment.

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