

**Bill No. XIII of 2017**

THE CONSTITUTION (AMENDMENT) BILL, 2017

A  
BILL

*further to amend the Constitution of India.*

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force with immediate effect.

5 **2. After article 24A of the Constitution, the following article shall be inserted namely:—**

Insertion of new article 24A.

**“24A. (1) All citizens shall have the right to adequate contamination free potable water, *swachhata* and sanitation.**

Right to contamination free potable water, *swachhata* and sanitation.

10 **(2) The State shall take steps by suitable legislation or schemes or in any other way to provide adequate contamination free potable water, *swachhata* and sanitation to every citizen.**

**(3) The Union Government shall provide funds required for the implementation of the right conferred under clause (1)”.**

## STATEMENT OF OBJECTS AND REASONS

Water is essential for the survival of all living things be it humans, animals, insects, reptiles, trees, plants etc. Water is also required for other necessities of life and cleanings. It is also required for irrigation, producing electricity etc. But unfortunately there is acute shortage of water particularly potable water though Seventy per cent of our earth is covered with water mostly of the Oceans. Mother nature also blesses the earth with adequate water in the form of rain and snow but most of it goes waste due to lack of conservation. In fact the pathetic condition today is that people are forced to drink water from stagnated ponds in some places from drains and such other sources. Most of the people particularly in rural India are compelled to consume ground water which is often contaminated with dangerous arsenic, fluoride, zinc, iron and such other metals and minerals which cause various diseases affecting the bones and other parts of the body as they have no other source of potable water.

Then there are drought prone and water scarce regions like Marathwada, Vidharbha and Madhya Maharashtra, Bundelkhand and areas in Eastern, Western and Southern parts of the Country where drinking water is a luxury. Sanitation is another requirement for healthy life of the people. The present Government has launched nationwide *Swachhata Abhiyan* but much more needs to be done in this regard because heaps of waste can be seen everywhere including the National Capital.

In the recent past the Supreme Court of India has interpreted article 21 of the Constitution as encompassing the right to food, safe water and sanitation as part of right to life. Though Parliament has enacted a law to provide food to every citizen, right to contamination free water and sanitation does not find any clear mention in either the constitution or any other law of the land. Though there is no denying the fact that Union Government and Governments of the States are making consistent efforts to provide potable water and sanitation facilities to the citizens but much more desired to be done.

If the right to contamination free potable water, *Swachhata* and sanitation is made fundamental right the Union and State Governments will be forced to provide potable water and sanitation to all the citizens otherwise citizens can go to courts for enforcement of their fundamental right. This deterrence will force the Union and States to prepare comprehensive potable water and Sanitation schemes and implement them more seriously.

Hence this Bill.

RAJKUMAR DHOOT

## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides right to contamination free potable water, *Swachhata* and sanitation to all the citizens. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is not possible to quantify the expenditure at this juncture. However, it is estimated that a sum of rupees one thousand crore may involve as recurring expenditure per annum.

RAJYA SABHA

---

A

**BILL**

further to amend the Constitution of India.

---

*(Shri Rajkumar Dhoot, M.P.)*