



ISSN: 2583-7753

LAWFOYER INTERNATIONAL JOURNAL OF DOCTRINAL LEGAL RESEARCH

[ISSN: 2583-7753]

Volume 4 | Issue 1

2026

DOI: <https://doi.org/10.70183/lijdlr.2026.v04.34>

© 2026 LawFoyer International Journal of Doctrinal Legal Research

Follow this and additional research works at: www.lijdlr.com

Under the Platform of LawFoyer – www.lawfoyer.in

After careful consideration, the editorial board of LawFoyer International Journal of Doctrinal Legal Research has decided to publish this submission as part of the publication.

In case of any suggestions or complaints, kindly contact (info.lijdlr@gmail.com)

To submit your Manuscript for Publication in the LawFoyer International Journal of Doctrinal Legal Research, To submit your Manuscript [Click here](#)

WHY CLEAN WATER IS A BASIC HUMAN RIGHT IN INDIA

T. Jeba Vasanth¹

I. ABSTRACT

Access to clean water is an indispensable component of human dignity and survival so fundamental, in fact, that it has been recognized by the United Nations as a basic human right under Resolution 64/292 (2010), which calls on states to ensure affordable, safe, and physically accessible water for all. The judiciary in India has gradually construed the right to life under Article 21 of the Constitution to include access to clean water as a fundamental component of living with dignity and in a healthy environment, despite the fact that the right to water is not specifically stated in the statute. Access to clean water is an indispensable component of human dignity and survival and has been recognized by the United Nations as a basic human right under Resolution 64/292 (2010), which calls upon States to ensure safe, affordable, and accessible drinking water for all. Although the Constitution of India does not expressly guarantee a right to water, the judiciary has interpreted Article 21 to encompass access to safe drinking water as intrinsic to the right to life and a healthy environment. The Government of India's Jal Jeevan Mission (Har Ghar Jal), launched in 2019, seeks to provide 55 litres per capita per day (LPCD) of potable water to every rural household, reflecting a significant policy commitment toward universal access. However, implementation gaps persist. Reports, including Greenpeace India's Thirsty Cities: A Survey of Access to Water in Urban India, highlight acute shortages in informal settlements, where households often incur disproportionate financial burdens to secure basic water supply. Judicial developments have also reflected evolving environmental consciousness; notably, the Uttarakhand High Court in Mohd. Salim v. State of Uttarakhand (2017) declared the Ganga and Yamuna rivers as legal persons. However, this decision was subsequently stayed by the Supreme Court of India, rendering the declaration non-operative. Therefore, while India's constitutional jurisprudence and policy initiatives demonstrate progressive intent, the realization of clean water as a fully enforceable human right requires strengthened legal recognition, institutional accountability, and sustained implementation. Still, tangible implementation lags behind hopeful rhetoric. Hence, while India's legal and policy framework is moving in the right direction, realizing

¹ BA.LLB (Hons) 3rdyear, Bharath institute of law, Chennai, (India). Email- jebavasanth4@gmail.com

clean water as a basic human right requires sustained enforcement, equitable infrastructure, and systemic socio-economic reform.

II. KEYWORDS

Human Right to Water, Article 21: - Right to Life, Jal Jeevan Mission, Water Inequality, Environmental Personhood

III. INTRODUCTION

Clean water is far more than a mere commodity, it is the lifeblood of human dignity, health, and societal equity. Since time immemorial, access to water has shaped civilizations; in modern India, it remains an existential necessity for survival and well-being. The United Nations formally recognized water as a basic human right in 2010, urging States to guarantee its availability, quality, and accessibility for all, including marginalized and vulnerable groups. This global recognition reinforces the understanding that water is indispensable not only for physical survival but also for the realization of broader civil, cultural, and socio-economic rights.

Within the Indian constitutional framework, although the right to water is not expressly enumerated, it has been judicially read into Article 21 as part of the right to life and a healthy environment. In addition, Article 48-A of the Constitution directs the State to protect and improve the environment and safeguard forests and wildlife, while Article 51-A(g) imposes a fundamental duty upon every citizen to protect and improve the natural environment, including rivers and water bodies. These constitutional provisions collectively establish an environmental ethic that directly supports the recognition of access to clean water as an integral constitutional value.

At the policy level, initiatives such as the Jal Jeevan Mission (Har Ghar Jal), launched in 2019, represent an ambitious attempt to translate constitutional principles into practical access by providing functional household tap connections in rural areas. Nevertheless, persistent challenges including groundwater depletion, industrial pollution, infrastructural deficiencies, and socio-economic disparities continue to undermine equitable distribution.

This paper first examines the constitutional and jurisprudential evolution of the right to clean water in India. It then analyses the statutory framework and major policy initiatives governing water access. Subsequently, it evaluates the ground realities and structural challenges impeding effective implementation. Finally, the paper proposes a rights-based legal and governance framework to ensure that access to clean water becomes a fully enforceable and universally realized human right in India.

Affirming clean water as a basic human right therefore requires not only judicial recognition and policy formulation but also sustained enforcement, institutional accountability, and participatory governance. It is not merely about meeting physical needs; it is about upholding dignity, equality, and sustainable development for present and future generations.

A. RESEARCH OBJECTIVES

1. To examine whether access to clean water qualifies as a fundamental human right under Indian constitutional jurisprudence.
2. To analyze the judicial interpretation of Article 21 in relation to environmental rights and access to safe drinking water.
3. To evaluate the effectiveness of existing statutory provisions and policy initiatives such as the Jal Jeevan Mission in ensuring equitable water access.
4. To assess the socio-economic and environmental challenges hindering the realization of the right to clean water in India.

B. RESEARCH QUESTIONS

1. Does the Constitution of India implicitly recognize the right to clean water as part of the right to life under Article 21?
2. How have Indian courts interpreted environmental protection laws in safeguarding access to safe drinking water?
3. To what extent have governmental policies effectively addressed water inequality and infrastructure deficits?

4. What structural reforms are necessary to transform access to clean water into a legally enforceable and universally realized right?

C. RESEARCH HYPOTHESES

1. The right to clean water is constitutionally protected under Article 21 through judicial interpretation, despite the absence of explicit textual recognition.
2. Existing legislative and policy frameworks are adequate in principle but suffer from weak enforcement and implementation gaps.
3. A statutory recognition of the right to water would significantly strengthen accountability and equitable distribution mechanisms.

D. RESEARCH METHODOLOGY

This research adopts a doctrinal legal research methodology, primarily based on the analysis of constitutional provisions, statutory enactments, judicial precedents, policy documents, and international instruments relating to the human right to water.

Secondary sources such as law commission reports, government publications, academic commentaries, journal articles, and reports from institutions including NITI Aayog and the Ministry of Jal Shakti have been examined to assess ground realities.

The study also employs a comparative and analytical approach, evaluating India's legal framework in light of international standards, particularly the recognition of the right to water under United Nations General Assembly Resolution 64/292 (2010).

E. LITERATURE REVIEW

Scholarly discourse on the human right to water in India largely centers around constitutional interpretation and environmental jurisprudence. Legal scholars argue that the expansion of Article 21 by the Supreme Court has transformed socio-economic rights into enforceable guarantees, including access to clean water. Judicial decisions have consistently linked environmental protection with the right to life, thereby strengthening water rights jurisprudence.

Policy-based literature examines initiatives such as the Jal Jeevan Mission and Atal Bhujal Yojana, highlighting both progress and persistent implementation challenges. Reports by NITI Aayog and independent organizations emphasize groundwater depletion, water stress, and urban-rural disparities as structural barriers.

International scholarship, particularly following the United Nations General Assembly Resolution 64/292, recognizes water as indispensable for the realization of other human rights. However, academic commentary also critiques the absence of binding enforcement mechanisms in many jurisdictions, including India.

The existing literature therefore establishes a strong normative foundation for recognizing water as a human right, while identifying enforcement, governance fragmentation, and socio-economic inequality as continuing challenges.

IV. EVOLUTION OF CLEAN WATER IS A BASIC HUMAN RIGHT

The recognition of the right to clean water in India reflects a gradual evolution shaped not only by legislative reform but also by constitutional interpretation and judicial activism. Although the Constitution does not expressly guarantee a right to water, the Supreme Court has progressively expanded the ambit of Article 21 to include environmental protection and access to safe drinking water as integral to the right to life.

A significant contribution to this evolution emerged through a series of environmental public interest litigations. In *M.C. Mehta v. Union of India* (Ganga Pollution cases), the Supreme Court emphasized the State's obligation to prevent water pollution and enforce environmental standards. Similarly, in *Vellore Citizens' Welfare Forum v. Union of India*, AIR 1996 SC 2715, the Court formally recognized the "precautionary principle" and the "polluter pays" principle as part of Indian environmental law, thereby strengthening the legal framework for protecting water resources. In *Narmada Bachao Andolan v. Union of India*, (2000) 10 SCC 664, while upholding the construction of the Sardar Sarovar Dam, the Court underscored the need to balance development with environmental protection and rehabilitation, reflecting the complexity of water governance in a constitutional democracy.

Parallel to judicial developments, Parliament enacted statutory safeguards. The Water (Prevention and Control of Pollution) Act 1974 (Act 6 of 1974) established Pollution Control Boards and created a regulatory mechanism to prevent and control water contamination. This legislation was complemented by the Environment (Protection) Act 1986 and subsequent environmental regulations, reinforcing the State's duty under Articles 48-A and 21.

The 73rd and 74th Constitutional Amendments further decentralized water governance by empowering local self-government institutions to manage water resources. More recently, policy initiatives such as the Jal Jeevan Mission have sought to operationalize these constitutional and statutory commitments by expanding rural water infrastructure.

Thus, the evolution of the right to clean water in India represents a synthesis of judicial innovation, legislative intervention, and policy reform. The courts have played a foundational role in transforming environmental protection into an enforceable dimension of the right to life, thereby embedding water security within India's constitutional framework.

V. LEGAL PROVISIONS FOR CLEAN WATER IS A BASIC HUMAN RIGHT

The right to clean water in India derives its strength from constitutional interpretation, statutory enactments, judicial pronouncements, and international human rights law. Although not expressly enumerated, the Supreme Court has consistently interpreted Article 21 of the Constitution to include the right to a wholesome environment and access to safe drinking water as intrinsic to the right to life. In *M.C. Mehta v. Union of India* (Ganga Pollution cases), the Court directed closure and regulation of polluting industries, thereby affirming that environmental degradation affecting water sources violates Article 21.

Article 48-A further mandates the State to protect and improve the environment, while Article 51-A(g) imposes a fundamental duty upon citizens to safeguard natural

resources. These provisions have been judicially relied upon to reinforce environmental governance and water protection.

Statutorily, the Water (Prevention and Control of Pollution) Act 1974 (Act 6 of 1974) establishes Pollution Control Boards and regulatory mechanisms to prevent and control water contamination. The Supreme Court, particularly in *Vellore Citizens' Welfare Forum v. Union of India*, AIR 1996 SC 2715, read principles such as “polluter pays” and “precautionary principle” into Indian law, strengthening enforcement under environmental statutes. Additionally, Section 3 of the Environment (Protection) Act 1986 empowers the Central Government to adopt measures necessary for environmental protection, including water quality control.

At the policy level, the Jal Jeevan Mission (2019) operationalizes these constitutional commitments by seeking to ensure functional household tap connections with prescribed potable water supply standards. While primarily executive in character, such schemes reflect the State’s obligation to progressively realize water access.

A. International Legal Framework

India’s obligations must also be understood in light of international human rights law. Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognize the rights to an adequate standard of living and the highest attainable standard of health. The most authoritative interpretation of the right to water is contained in General Comment No. 15 (2002) of the UN Committee on Economic, Social and Cultural Rights, which explicitly affirms that the right to water is indispensable for leading a life in human dignity and is a prerequisite for the realization of other human rights.²

Although General Comments are not binding treaties, Indian courts have frequently relied upon international instruments to interpret fundamental rights, particularly where domestic law is silent or ambiguous. Consequently, the ICESCR and General

² UN Committee on Economic, Social and Cultural Rights, *General Comment No. 15: The Right to Water (Arts 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)* (20 January 2003) UN Doc E/C.12/2002/11.

Comment No. 15 strengthen the normative and interpretative foundation for recognizing clean water as a legally protected right under Article 21.

Collectively, constitutional mandates, judicial interpretation, statutory safeguards, and international commitments establish a multi-layered legal framework that supports the recognition of access to clean water as a human right in India.

VI. WATER CRISIS IN INDIA AND GROUND REALITY

India is facing a severe water crisis that threatens public health, food security, and the fundamental right to life. Although the country supports nearly 18% of the world's population, it possesses only about 4% of global freshwater resources, a structural imbalance acknowledged in recent governmental and international assessments.³ This disparity places immense pressure on already stressed water systems.

According to the NITI Aayog *Composite Water Management Index (2018)*, nearly 600 million Indians face high to extreme water stress, and approximately 200,000 deaths occur annually due to inadequate access to safe water.⁴ Water contamination remains a pressing concern: a significant proportion of India's surface water is polluted by untreated sewage, industrial discharge, and agricultural runoff. Groundwater constituting the primary source of drinking water in rural India is increasingly contaminated with arsenic, fluoride, and nitrates, resulting in serious health consequences including diarrhoeal diseases and skeletal fluorosis.

The crisis is deeply intertwined with social inequality. Caste-based discrimination continues to influence access to common water sources in several parts of India. Empirical studies and socio-legal reports have documented instances where Dalit communities are denied access to village wells, segregated at public taps, or compelled to depend on distant and inferior water sources. Such practices not only violate constitutional guarantees of equality under Articles 14 and 15 but also undermine the substantive realization of the right to life under Article 21. The

³ Ministry of Jal Shakti, *Annual Report 2022–23* (Government of India 2023) [relevant page]; see also UN World Water Assessment Programme, *United Nations World Water Development Report 2023*.

⁴ NITI Aayog, *Composite Water Management Index: A Tool for Water Management* (Government of India 2018).

intersection of caste, poverty, and geography therefore converts water scarcity into a question of structural injustice rather than mere resource limitation.

Urban regions simultaneously confront irregular supply, infrastructural inefficiencies, and inequitable distribution, while India's status as the world's largest extractor of groundwater has resulted in alarming depletion levels in several states. Climate change further exacerbates water stress through erratic monsoons, prolonged droughts, and glacial retreat. Despite policy initiatives such as the Jal Jeevan Mission, implementation deficits and regulatory weaknesses persist. Without comprehensive legal, institutional, and social reform, the ongoing water crisis will continue to impede the meaningful realization of clean water as a fundamental human right.

VII. CURRENT CHALLENGES IN ENSURING THE RIGHT TO CLEAN WATER IN INDIA

Despite constitutional protections and growing policy attention, India continues to struggle with multiple challenges in ensuring the right to clean water for all. These challenges are legal, infrastructural, environmental, and socio-economic in nature.

- 1. Lack of Legal Recognition and Enforcement:** Although the Supreme Court has interpreted the right to clean water as an integral component of Article 21, there is no standalone legislation expressly codifying it as a justiciable fundamental right. In *Subhash Kumar v. State of Bihar*, AIR 1991 SC 420, the Court explicitly held that the right to life includes the right to enjoyment of pollution-free water and air. However, in the absence of a specific statutory framework declaring water access as an enforceable right, implementation largely depends on public interest litigation and judicial intervention. This creates inconsistency in enforcement and weakens institutional accountability.
- 2. Infrastructure Deficit and Mismanagement:** Poor infrastructure leaky pipelines, outdated treatment plants, and inefficient distribution networks contributes to substantial water loss and contamination. A significant proportion of piped water in urban areas is reportedly lost due to leakage and theft. Rural regions often lack adequate purification facilities, compelling

reliance on unsafe groundwater or tanker supply. Such systemic inefficiencies undermine the effective realization of the right to water.

- 3. Water Pollution and Industrial Discharge:** Unregulated discharge of untreated sewage and industrial effluents continues to pollute major rivers and water bodies. Inadequate wastewater treatment capacity and weak regulatory oversight dilute the effectiveness of environmental statutes. The persistence of pollution despite judicial recognition of the “polluter pays” principle reflects an enforcement deficit rather than a normative gap.
- 4. Groundwater Over-extraction:** Groundwater constitutes the principal source of drinking water in rural India and a substantial portion of urban supply. Excessive extraction for agricultural, industrial, and domestic purposes has led to alarming depletion in several states, threatening long-term sustainability. Weak regulatory control over private borewells further aggravates the crisis.
- 5. Gender-Specific Barriers and Disproportionate Burden on Women:** The water crisis in India carries a distinct gender dimension. Women and girls, particularly in rural and marginalized communities, bear the primary responsibility for water collection, often walking long distances daily to secure basic household supply. This unpaid labour limits educational opportunities, economic participation, and personal safety, thereby implicating not only the right to water but also the rights to equality and dignity under Articles 14 and 15. The failure to ensure proximate and safe access to water therefore perpetuates structural gender inequality and reinforces socio-economic disadvantage.
- 6. Climate Change and Water Stress:** Erratic monsoons, rising temperatures, and recurrent droughts linked to climate change intensify water scarcity. Semi-arid and agrarian regions are particularly vulnerable, compounding existing inequalities. Without adaptive governance and climate-resilient water management, the right to clean water will remain precarious for large segments of the population.

VIII. POLICY FRAMEWORK AND GOVERNMENT INITIATIVES ON THE RIGHT TO CLEAN WATER IN INDIA

Recognizing the growing severity of the water crisis, the Indian government has launched several policy frameworks and schemes aimed at ensuring universal access to clean and safe water. However, the effectiveness of these efforts depends not only on their design but also on consistent implementation, community participation, and long-term sustainability.

- 1. National Water Policy (2012):** The National Water Policy (NWP) serves as the foundational document guiding India's water governance. It recognizes water as a "scarce natural resource" and promotes its equitable distribution, conservation, and sustainable use.⁵ However, it lacks statutory backing, making its provisions non-binding.
- 2. Jal Jeevan Mission (2019):** Launched by the Ministry of Jal Shakti, the Jal Jeevan Mission (JJM) aims to provide Functional Household Tap Connections (FHTCs) ensuring 55 litres per capita per day of potable water to every rural household. According to the Jal Jeevan Mission Dashboard (Government of India, latest available data), rural tap water coverage has expanded substantially since 2019, with over 14 crore rural households reported to have been provided tap connections as of 2024, marking a significant increase from baseline coverage at the scheme's inception. Despite this expansion, concerns remain regarding service regularity, water quality testing, source sustainability, and long-term maintenance of infrastructure.
- 3. National Action Plan on Climate Change (NAPCC) and National Water Mission:** Water governance in India must also be viewed within the framework of climate policy. The National Action Plan on Climate Change (2008) includes the National Water Mission as one of its eight core missions. The National Water Mission seeks to ensure integrated water resource management, enhance water use efficiency by 20%, and promote basin-level planning to address the growing impact of climate variability on water availability. By linking water

⁵ Government of India, *National Water Policy*, Ministry of Water Resources, 2012.

security with climate adaptation strategies, the Mission recognizes that sustainable realization of the right to water depends upon long-term ecological resilience and conservation-oriented governance. These initiatives, read together with the National Water Policy (2012) and groundwater management schemes, reflect a progressively integrated policy approach. However, their effectiveness ultimately depends on enforceability, inter-governmental coordination, community participation, and transparent monitoring mechanisms to ensure that policy commitments translate into substantive rights-based outcomes.⁶

4. **Swachh Bharat Mission (2014):** Though primarily focused on sanitation, the Swachh Bharat Mission (SBM) indirectly contributes to water safety by reducing open defecation and improving hygiene.⁷ This initiative has led to behavioral change and reduction in fecal contamination of water sources.
5. **Atal Bhujal Yojana (2020):** The Atal Bhujal Yojana is a World Bank-assisted scheme focused on groundwater management in water-stressed states.⁸ It promotes community-led water budgeting and sustainable extraction practices. While these initiatives mark progress, challenges such as bureaucratic delays, poor monitoring, and urban-rural disparities continue to hinder their full impact. A rights based legal framework is essential to hold authorities accountable and ensure that water security becomes a lived reality for every Indian citizen.

IX. RECOMMENDATIONS AND WAY FORWARD

India's water crisis is not just a question of resource scarcity, but of governance, equity, and legal recognition. Ensuring clean water as a basic human right requires multi-layered reforms that go beyond policy announcements. The following recommendations can form the core of a sustainable and rights-based water management system:

⁶ Jal Jeevan Mission Dashboard, Government of India, Accessed August 2025.

⁷ Ministry of Housing and Urban Affairs, *Swachh Bharat Mission Report*, 2021.

⁸ Ministry of Jal Shakti and World Bank, *Atal Bhujal Yojana Framework*, 2020.

1. **Statutory Recognition of the Right to Water:** India must enact laws that expressly acknowledge the right to clean water as a fundamental one, rather than relying solely on court rulings.⁹ A specific "Right to Water Act" would give citizens the authority to demand access and accountability from governments and establish legally binding duties.
2. **Strengthening Water Governance:** Water governance in India is fragmented across various departments. An integrated approach through decentralized, community-led water management especially empowering Panchayati Raj Institutions and local user groups can ensure better accountability and equitable access.¹⁰
3. **Investment in Infrastructure and Technology:** Water infrastructure, including as treatment facilities, piped supply systems, and smart meters, urgently needs to be updated. Losses can be considerably decreased by implementing digital water monitoring and leak detection technologies.¹¹
4. **Groundwater Regulation and Conservation:** Groundwater must be treated as a public trust resource, with stricter regulation on extraction and incentives for rainwater harvesting and aquifer recharge.¹² Public awareness campaigns should promote water conservation at the household and agricultural levels.
5. **Legal Action against Pollution and Strengthening of Adjudicatory Mechanisms:** Industries and municipalities discharging untreated effluents must face strict civil and criminal liability under existing environmental statutes. The National Green Tribunal Act, 2010 (Act 19 of 2010) was enacted to provide effective and expeditious disposal of environmental cases, including matters relating to water pollution. The National Green Tribunal (NGT) has, in several instances, imposed environmental compensation and directed remedial measures in cases involving contamination of rivers and groundwater. For example, in *Paryavaran Suraksha Samiti v. Union of India* (NGT, 2017), directions were issued to ensure the establishment and proper

⁹ *Subhash Kumar v. State of Bihar*, AIR 1991 SC 420.

¹⁰ UNDP, *Water Governance in India*, 2020.

¹¹ Ministry of Jal Shakti, *National Water Infrastructure Report*, 2022.

¹² World Bank, *Groundwater Management in South Asia*, 2021.

functioning of effluent treatment plants to prevent discharge of untreated industrial waste into water bodies. Strengthening the NGT's monitoring capacity and ensuring strict compliance with its orders are essential for meaningful enforcement of the right to clean water.

6. Comparative Constitutional Perspective - Lessons from South Africa:

A comparative constitutional analysis offers valuable guidance for reform. Section 27(1)(b) of the Constitution of the Republic of South Africa, 1996 expressly guarantees that "everyone has the right to have access to sufficient food and water." This express constitutional recognition is supported by a rights-based statutory and policy framework, including the Free Basic Water policy, which ensures a minimum quantity of water to households irrespective of income. South African jurisprudence has treated access to water as a justiciable socio-economic right subject to progressive realization and reasonableness review. India, by contrast, relies primarily on judicial interpretation of Article 21 without an explicit constitutional or statutory declaration. Enacting a dedicated "Right to Water Act," drawing inspiration from the South African model, could clarify minimum core obligations, establish enforceable standards, and institutionalize accountability mechanisms.

Water security cannot be achieved through executive schemes alone; it requires a constitutionally grounded, legally enforceable, and socially inclusive framework. By integrating comparative constitutional insights, strengthening environmental adjudication under the National Green Tribunal Act, 2010, and codifying minimum entitlements, India can move from declaratory recognition toward substantive realization of the right to clean water.

X. CONCLUSION

The foregoing analysis demonstrates that the right to clean water in India has evolved primarily through judicial interpretation, particularly under Article 21, and has been reinforced by environmental statutes, policy initiatives, and international human rights commitments. Landmark decisions such as *Subhash Kumar v. State of Bihar* and

M.C. Mehta v. Union of India have embedded water protection within the constitutional right to life, while statutory frameworks like the Water (Prevention and Control of Pollution) Act 1974 and the National Green Tribunal Act, 2010 provide regulatory and adjudicatory mechanisms. Nevertheless, the absence of an express constitutional or statutory guarantee continues to limit uniform enforcement and accountability.

The structural challenges examined groundwater depletion, pollution, caste and gender-based inequities, climate vulnerability, and infrastructural deficits reveal that policy expansion alone cannot secure substantive water justice. Comparative constitutional experience, particularly South Africa's explicit recognition of access to water as a fundamental right, illustrates the transformative potential of clear normative codification.

Accordingly, the principal reform emerging from this study is the enactment of a dedicated "Right to Water Act" in India. Such legislation should define minimum core entitlements, establish enforceable service standards, mandate time-bound implementation, provide grievance redressal mechanisms, and clarify institutional accountability across Union, State, and local authorities. By converting judicially inferred rights into a clearly articulated statutory guarantee, India can move from fragmented enforcement toward a coherent, rights-based water governance framework.

Ultimately, the recognition of clean water as a justiciable and enforceable right is not merely an environmental imperative but a constitutional necessity grounded in dignity, equality, and sustainable development. A comprehensive legislative framework would transform the right to water from an interpretative principle into a tangible and universally realizable entitlement.

XI. REFERENCES

1. Constitution of India, 1950.
2. The Water (Prevention and Control of Pollution) Act, 1974.
3. The Environment (Protection) Act, 1986.
4. The Factories Act, 1948.

5. United Nations General Assembly Resolution 64/292 (2010) – The Human Right to Water and Sanitation.
6. National Water Policy, 2012.
7. Ministry of Jal Shakti, Government of India – Jal Jeevan Mission Guidelines (2019).
8. NITI Aayog, Composite Water Management Index Report (2018).
9. Relevant Supreme Court judgments interpreting Article 21 in environmental and water-related matters.