

SUPREME COURT OF INDIA

Gandhi Sahitya Sangh

Vs.

Union of India

(V Khare, Y Sabharwal and A Pasayat JJ.)

04.04.2003

ORDER

1. By means of this transferred petition, the petitioner which was allegedly formed by a cross-section of people residing in the State of Karnataka, challenges the constitutional validity of the *Inter-State Water Disputes Act, 1956* (hereinafter referred to as "the Act") and the order passed by the Union of India setting up and constituting the Cauvery Water Disputes Tribunal under Section 4 of the Act and referring the Cauvery water disputes between the State of Karnataka and the State of Tamil Nadu, the State of Kerala and the Union Territory of Pondicherry, to the Tribunal for adjudication.

2. It is not disputed that the Tribunal was set up under the order of this Court and since its inception it is engaged in monitoring and adjudicating the dispute. Under Article 131 of the Constitution of India, the water disputes between two States can only be brought by a State and not by an individual or a society. We are, therefore, of the view that the petitioner has no locus standi to challenge the validity of the Act or setting up of the Tribunal and also to the reference of the disputes for adjudication to the Tribunal.

3. In this view of the matter, the transferred cases are dismissed.