

Major juridical directions on Drought Management  
by Their Lordships Justices MB Lokur and N V Ramana

**“SC Judgement is a paradigm shift”**

The Supreme Court directed the Centre ( May 2016 ) to formulate a national plan on drought management at the earliest and revise the current drought manual.

This came after Swaraj Abhiyan, a Delhi-based non-profit, filed a PIL (public interest litigation) in the backdrop of drought declaration in nine states across India.

The opening line of the judgement by the **Supreme Court Bench comprising Justices Madan B Lokur and N V Ramana** in response to the PIL read, “The problem is not lack of resources or capability, but the lack of will.”

*Quoting Lokmanya Tilak* in response to the PIL filed by Swaraj Abhiyan, the Supreme Court categorically asked the petitioner whether it was a political party.

The response the apex court received was that it was an unregistered non-profit and not a political party. The Supreme Court said since Swaraj Abhiyan was not a political party and that the humanitarian concern was uppermost in its PIL, we proceeded to hear the petition on its merit.

The judgment is being seen as a **landmark decision**, indicating a **paradigm shift** in the way drought is handled in the country.

The Supreme Court said that ironically, towards the fag end of the hearing, Gujarat finally admitted the existence of drought in five of its districts , a fact that could have been admitted much earlier.

However, Bihar and Haryana continue to be in denial mode, the apex court added. It said drought required a far more proactive and nuanced response from the Centre.

The apex court has directed the formulation of *a national plan* relating to risk assessment, risk management, and crisis management in respect of a disaster (as required by Section 11 of the Disaster Management Act, 2005) at the very earliest and with immediate concern. Such a plan has not been formulated over the last 10 years.

extract from Article by MPost 16.05.2016 source Down to Earth

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