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SC Upholds Culture as Fundamental Right in Nicobar Project

The Supreme Court refused to stay Calcutta High Court proceedings regarding the Great Nicobar Island Project, emphasizing 'preservation of culture' as a fundamental right.

The Great Nicobar Island Project is a large-scale development plan challenged for its environmental impact and potential threat to indigenous communities.

KEY EXAM POINTS

- The **Supreme Court** declined the **Union government**'s plea to stay **Calcutta High Court** proceedings concerning the **Great Nicobar Island Project**.
- The **apex court** affirmed that '**preservation of culture**' is a constitutionally protected **fundamental right**.
- The ruling was delivered on **Monday**, **October 5, 2026**.
- Former **Union Environment Secretary** **Meena Gupta** had filed a petition challenging the project.
- High Court petitions alleged diversion of over **130 sq. km** of pristine **tropical forest** for the project.
- The petitions claimed the project violated the **2006 Act** and threatened the **Shompen** and **Nicobarese communities**' way of life.

DID YOU KNOW..!?

Fundamental Rights are enshrined in **Part III** of the **Indian Constitution**.

Article 29 of the Indian Constitution protects the **interests of minorities**, including their **distinct culture**.

Article 21 guarantees the **protection of life and personal liberty**, which can encompass the right to a **dignified way of life** and culture.

The **Shompen** and **Nicobarese** are indigenous **tribal communities** primarily residing in the **Andaman and Nicobar Islands**.

The **Great Nicobar Island** is the **southernmost island** of the **Nicobar Islands** archipelago.

The **Calcutta High Court**, established in **1862**, is the **oldest High Court** in India.

The **Supreme Court of India** is the **highest judicial court** and the **final court of appeal** under the **Constitution of India**.

Particularly Vulnerable Tribal Groups (**PVTGs**) are a sub-category of **Scheduled Tribes**, identified based on specific criteria like pre-agricultural level of technology.

REVISION FLASHCARD

Supreme Court ruled 'preservation of culture' as a fundamental right in the Great Nicobar Island Project case.

Syllabus Relevance: High

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