

# Ascribing legal rights to rivers

#### What is the issue?

- Rivers are getting polluted in such a manner that giving legal rights to them would help counter pollution.
- Ascribing legal rights to the rivers may revive these water bodies.

### How many rivers are there in India?

- In India, there are many more than 7 rivers that are mentioned in the shlokas recited.
- Since there is no proper definition of a river, it is impossible to answer how many rivers are there.

#### How the rivers are listed?

- They are listed in **terms of river basins**, so that the main river and its tributaries are both included.
  - 1. For Himalayan Rivers, the list has the Indus basin, Ganga basin, Brahmaputra basin, Barak basin, etc.
  - 2. In the south, the list has basins of the rivers flowing east and those flowing west.
- This still leaves some loose ends minor rivers along the coast and rivers that don't drain into oceans.
- Depending on what is included, there can be more than 100 river basins and more than 600 rivers in the listing.

# Do rivers have legal rights?

- Yes, they have it. It all started with rivers in Victoria. Then, in 2017, the Whanganui River in New Zealand, and the Ganga and Yamuna got it.
- The Rivers Ganga and Yamuna and their tributaries, every natural water flowing with flow continuously or intermittently of these rivers, are declared as legal persons/living entities in order to preserve and conserve them.

Who are Loco parentis and why are they needed?

- Loco parentis as the **human face to protect, conserve and preserve** the Rivers Ganga and Yamuna and their tributaries
  - 1. The Director NAMAMI Gange,
  - 2. The Chief Secretary of the State of Uttarakhand and
  - 3. The Advocate General of the State of Uttarakhand.
- These Officers are bound to uphold the status of Rivers Ganges and Yamuna and also to promote the health and well-being of these rivers.
- These rivers have legal rights, but as minors so, they need guardians.
- Granting legal rights to water-bodies opens up a new area of environmental jurisprudence.

## Why do the Ganga and Yamuna need legal rights?

- The core issue is pollution. The Central Pollution Control Board (CPCB) brings out reports on water quality in our rivers.
- These are measures of water quality along stretches of rivers.
- There is hierarchy of pollution, based on levels of BOD (biochemical oxygen demand). If BOD values exceed 8 mg/litre, the river will be regarded as severely polluted.
- However, BOD is only a partial indicator. There are other measures of a river's well-being.

## What do the list on the rivers say?

- Lists float around of the most polluted rivers in the world, and the Ganga and Yamuna will invariably figure on these lists.
- One should be skeptical of lists and rankings, because of data problems and because of the way numbers are used.
- Similarly, there are also lists of most polluted rivers in India and these lists will include the Ganga, Yamuna, Sabarmati and Damodar.
- These lists are based on CPCB findings and, therefore, mean stretches of rivers, not entire rivers.
- There are also lists of cleanest rivers in the world and cleanest rivers in India. E.g. Stretches of the Chambal, Narmada, Teesta, etc., are clean.

## What are the reasons of Ill-being of rivers?

- It's primarily due to raw sewage and industrial waste. In Britain, a Royal Commission on Sewage Disposal was established in 1898.
- Between 1901 and 1915, this produced 10 reports. For decades, these reports were used to frame policy in Britain.

### What is the Kashi Ganga Prasadini Sabha?

- It was established by concerned citizens of Varanasi in 1886 with an objective to introduce drainage and clean up the river.
- The Royal Commission and Namami Gange are primarily about what the government does, but the latter has a public awareness component.
- But the Sabha was about what citizens did because in addition to the government bit, the citizen bit is also needed.

**Source: The Indian Express** 

