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

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