Legal Rights to Ganga and Yamuna

What is the issue?

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- On March 15th for the first time in the country, the **Uttarakhand High Court** has declared that the rivers **Ganga and Yamuna** were **"living persons."**
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- They were inspired by lawmakers in New Zealand. Barely a week earlier, had the New Zealand Parliament conferred legal personhood or human status to the Whanganui.
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What did the verdict say?

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- The Uttarakhand High Court **declared the rivers Yamuna and Ganga as legal or juridical persons,** enjoying all the rights, duties and liabilities of a living person.
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- The Ganga and Yamuna, **all their tributaries, streams are declared** as juristic or legal persons or living entities having the status of a legal person with all corresponding rights, duties and liabilities of a living person **in order to preserve and conserve river Ganga and Yamuna.**
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- The **two rivers thus have the right to be legally protected and not be harmed/destroyed**.
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- The court ordered that the **Director of the Namami Gange programme**, the Uttarakhand Chief Secretary, and the Advocate-General of Uttarakhand would serve as "parents" for the rivers and would be the human faces to "protect, conserve and preserve" the rivers and their tributaries.
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What is the status of Ganga and its conservation?

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- Over 1500 million litres of **raw sewage is discharged into the Ganga every day**.
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- This joins 500 million litres of industrial waste dumped by more than 700 highly polluting industries located along it.
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- Rs 20,000 crore has been spent over five years on the Namami Gange Project. But the project that took off last year is an improvement on its predecessor in very few respects.
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- There are programmes to develop interceptor drains, plant trees and improve the composition of river species.
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- There are also plans to develop Ganga Grams villages where people will be educated in reducing pollution.
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- Other than that, the project is a replica of the Ganga Action Plan in its emphasis on sewage treatment plants.
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What is the way forward?

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- Granting legal rights to the Whanganui took eight years of careful negotiation and intense public debate that was not without its moments of fun.
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- New Zealanders joked if the river might now vote or be penalised for murder if a swimmer drowns.
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- There is no such criticism in India; Legalese can only afford a small and plain expression to important characteristics of Ganga.
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- In India, where the river is venerated and abused at the same time, the Uttarakhand court took an easy way out of the paradox.
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- This verdict is very important, since it guides the government in protecting and preserving water.

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Source: Indian Express

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