

The River Personhood and Protection Bill, 2025

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The River Personhood and Protection Bill, 2025

Recognizing India's sacred rivers as living entities deserving legal rights and acknowledging the urgent need to combat pollution and depletion threatening their existence while seeking to harmonize reverence with robust legal protection.

1. Short Title, Extent, and Commencement

- a. This act may be called or referred to as The River Personhood and Protection Bill, 2025.
- b. It shall come into force on the 1st day of June, 2025.
- c. It extends to the States and Union Territories of India as defined under Article 12 of the Constitution.

2. Definitions

- a. **“River”** in the context of this bill means a natural flowing body of surface water, often with tributaries, and holding significant ecological and economic importance, particularly when traversing state boundaries.
 - b. **“Board”** means a State or Central Board establishment under section 5.
 - c. **“Industrial Stakeholders”** are individuals or entities such as businesses, regulators, employees, and consumers who have a direct or indirect interest in the functioning, regulation, or outcome of an industry under Indian law and policy.
 - d. **“Jurisdiction”** refers to the legal authority of a court or body to hear and decide cases. It is determined by factors like territory, subject matter, and pecuniary value under Indian law.
 - e. **“Local Communities”** means any community directly affected by the environmental regulations, conservation efforts, or developmental projects proposed or governed by the bill.
 - f. **“River Guardian Authority (hereinafter referred to as RGA)”** means a statutory organization mandated to be rivers' legal guardians, with the responsibility to defend their rights and sue individuals, companies, or government entities that harm or neglect rivers.
 - g. **“River Rejuvenation Fund”** means an environmental fund specifically reserved for restoring and rehabilitating polluted or harmed river ecosystems, into which judges can impose penalties or fines.
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Chapter 1
Rights of Rivers

3. **Constitutional Provisions for Rivers-** Article 21 of the Indian Constitution which talks about the right to life shall now also include clean rivers. Article 48(a) of the Indian Constitution which is currently under directive principles of state policy which states that the government shall come up with schemes like the Jal Jeevan Mission ,Atal Bhujal Yojana (Atal Jal) , and Amrut 2.0 to maintain rivers shall be made mandatory for every state to implement, in case any state violates it, there shall be consequences determined by the Union government which the state will have to face.
4. **Role of Citizens-**
 - a. Awareness programs in schools shall be held to emphasize the importance of clean rivers and article 51(a)(g) of the constitution which talks about the rights of the citizens to maintain the environment.
 - b. Cleanliness drives will be mandatory for students to participate in at school. There will be a day off every month .These drives will be carried out by the respective boards the school follows such as CBSE, ICSE etc.

Chapter 2
Duties of the State

5. **There will be a river protection board for each state and one for the country as a whole-**
 - a. The structure and appointment process of appointing members of committees formed under the River Boards Act, 1956, shall be changed. Only the Union Government will appoint the head of the committee who will then appoint 4 other members. No power shall be given to the opposition-
 - i. Boards of State-Each state will come up with a list of names of people which it would like to nominate to be part of the board. Then the Union Government shall form the board.
 - ii. Boards of Centre-Union Government will come up with names of the people then the board shall be formed.
 - iii. The head of each board will make a report and submit it to the Union government on a monthly basis. These reports can be randomly evaluated by the District Collector, and the District Court Judge.
6. **Money Allocation and Powers of the Boards-** The budget decided for these boards is Rs 4000 crore which shall come from the Consolidated Fund of India. Depending upon the status of the rivers the money shall be further divided.
7. **Jal Bachao App-**An app named Jal Bachao App shall be made by the Union Government wherein the people can upload photos and videos of the rivers in their locality. A team will be sent to that place for cleaning the river.

Chapter 3

Balancing Ecological Conservation with Human Needs

8. **Rivers as Legal Entities-** In 2017, the Uttarakhand High Court recognized the Ganga and Yamuna as legal people considering their poor health and ecological significance. The current bill goes a step further by extending legal person status to all Indian rivers, which would entitle them to protection, preservation, and restoration. Rivers shall be represented in law under this bill by a River Guardian Authority (hereinafter referred to as RGA), who will act as their guardian and take legal action against-
- Polluters from the industrial or agricultural sectors.
 - Local authorities that are negligent in protecting the river.
 - Individuals or groups responsible for ecological or physical damage.
9. **Enforcement, Penalties, and Liability-**In order to protect rivers-
- CCTV monitoring will cover principal river stretches 24/7.
 - A ₹10,000 penalty will be levied on those caught littering or polluting, to be paid in court under section 10 (a).
 - Repeat offenders can go to jail for up to 6 months or be sentenced to community service.
 - Corporates or heavy polluters will be fined up to ₹10 crores and sentenced up to 7 years for serious offences.
 - Courts may also order payments into a River Rejuvenation Fund.

Chapter 4

Representation of Rivers in Courts

10. **To ensure efficient adjudication, the following judicial bodies shall be established-**
- Within each State and Union Territory of India, a specialized set of Fast Track River Courts (hereinafter referred to as FTSC) shall be established. Such judicial forums shall be constituted by a bench comprising retired Justices of the Supreme Court or High Courts, qualified environmental scientists and recognized social welfare advocates. These courts are envisioned as a necessary response to the urgent need for efficient resolution of environmental disputes, particularly those impacting river systems.
 - The FTSC shall possess exclusive jurisdiction over matters directly impacting the health, flow, and well-being of the rivers.
 - Complementary to the aforementioned Fast Track River Courts, a set of Riverine Tribunals shall be established at the national level.
 - These tribunals shall function as appellate bodies for decisions rendered by the FTSCs, ensuring consistency and higher scrutiny.
 - Appointments to these tribunals shall be made solely by the Union Government.
11. **The following subsidiary bodies shall be established-**
- A guardian body, the Jal Atma Sanrakshan Sanghatan office, which shall be composed of two officers, one state representative appointed by the Union Government and one local representative appointed by the local communities, who shall have the power to act and speak on behalf of the river and take reasonable action to protect the health and well-being of the river.

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- b. A strategy group, comprising 19 members from various sectors, including conservation groups and industry stakeholders, shall develop strategies for the river's long-term health and management of the river's resources. They shall have monthly meetings with the river protection board, resulting in policies furthering the protection of rivers.

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Statement of Object and Reason

Until 2025, India's river basins are under severe threats due to uncontrolled pollution, over extraction, encroachment, and degradation caused by climate change. Despite the availability of environmental legislation such as the Environment Protection Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974, enforcement is weak, and rivers continue to languish. This Act, taking its sanction from constitutional practice in Article 21 (Right to Life), Article 48A (protection of the environment), and Article 51A(g) (every citizen's duty to protect and preserve the natural environment), suggests conferring India's greatest rivers with legal personality in order to be judicially and administratively protected more effectively. This Act has taken its lessons from international precedents like New Zealand's Whanganui River and Colombia's Arato River. Legal personhood will make the rivers voice their concerns in the court, and guard themselves against the polluters. As living creatures, the bill responds to the urgent environmental question and urges India's cultural and spiritual dedication towards rivers. The project is solely about preserving crucial ecosystems, bestowing well-being on the riverine people, and ensuring future generations' ecological security.

Gurugram
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Cabinet