



Right to Water as a Human Right: The Constitutional and Judicial Perspectives in India

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Abstract

Climate Action refers to the challenges and efforts which is taken to combat climate change and to reduce its impact. Whereas Environmental Sustainability means taking major steps to reduce harmful emissions, reusing resources, water production mainly maintaining the balance of our ecosystem. Together Climate Action and Environmental Sustainability constitute a central pillar of the Sustainable Development Goals [SDG 13]. India due to rising global temperatures, extreme weather events, biodiversity loss, ocean warming, and climate-induced food and water insecurity and many more other will impact its land to the extent that can lead to widespread bleaching and ecosystem collapse, if necessary, steps are not been taken immediately. To hold the earth's long term average temperature below the 1.5 C threshold, the world will have to reach net zero emissions by the Year 2050. This Research Paper delves into the multifaceted challenges to human rights from right to safe and clean drinking water including right to health, adequate food to the increasing frequency of extreme weather events, loss of biodiversity, and the degradation of ecosystems. According to the scientific evaluation global temperatures has already increased by approximately 1.1°C above pre-industrial levels, intensifying heatwaves, floods, droughts, and cyclones, with severe socio-economic and ecological consequences. The Paper examines research-based solutions such as rapid decarbonisation through renewable energy transitions, nature-based climate mitigation strategies, climate-resilient infrastructure, biodiversity restoration, and climate-smart agriculture. This paper is contextualizing the issue of climate action within Human Rights along with the Indian Constitution. While the International Covenant on Economic, Social and Cultural Rights and UN General Assembly Resolution 64/292, which recognize environmental conditions as integral to human dignity where Our Indian constitutional framework embeds environmental sustainability within the protection of the right to life under Art.21. The Indian Judiciary has consistently affirmed that access to a pollution-free environment is essential for the meaningful enjoyment of fundamental rights under Art.48(A) and 51A(g) makes it a fundamental duty of every citizen to protect the natural environment. In conclusion environmental sustainability has found its place within the umbrella of Human Rights along with our Indian Constitution. The paper has established the relationship between the climate change in need for the right of water as human rights for the entire nation highlighting that the challenge of climate action is essentially a challenge within the context of the Human Rights and Indian Constitution.

Keywords: Climate Action; Environmental Sustainability; Human Rights; Right to Water; Right to Life; Climate Change; Sustainable Development Goals (SDG 13); Environmental Justice; Indian Constitution.

Introduction

The sacred manifestation of Divine – The natural world our environment where land, water, air came together to let humanity survive our nature blessed us with animals and plants not just making our live easier and possible but more sustainable. Environment is not just a word but a Supreme Spirit that has eight visible forms of nature (earth, water, fire, air, and ether) along with a subtle force of the mind, reason, and the sense of 'I' together creating this universe and human existence.

"*Paryavaranam*" the word used in ancient India is a Sanskrit word for environment. Our ancient India has always been an eco-friendly land thousands of years before the birth of modern science. Ancient Indian always had a profound sense of awareness they understood the necessity of maintaining a balanced relationship between humans and the environment and held an immense reverence and respect for nature. While the ancient Indians believed nature as the true foundation of life, the modern age and developed states has drifted away from that wisdom, forgetting the very essence of the life is to protect, preserve, and coexist with the environment. The

growing challenges of rising global temperatures, extreme weather events, biodiversity loss, ocean warming, and climate-induced food and water insecurity and many more other demands a deeper awareness of climate action and a more sustainable approach towards our environment.

The Climate Action refers to the challenges and efforts which is taken to combat climate change to reduce its impact. The core objective of the climate action is to cut down the greenhouse gas emissions and also aims to limit the earth's global temperature. And to hold the earth's long term average temperature below 1.5C threshold, the world will have to reach net zero emissions by the Year 2050. Whereas Environmental Sustainability means taking major steps to reduce harmful emissions, reusing resources, water production mainly maintaining the balance of our ecosystem and to conserve natural resources. It is the management of natural resources to meet the present needs of the people without compromising the ability of future generations to meet theirs. It also focuses on maintaining the ecological balance, protecting ecosystems through practices like using renewable energy, reducing waste and conserving water. Together Climate Action and Environmental Sustainability constitute a central pillar of the Sustainable Development Goals [SDG 13].

This Research Paper will delve into the multifaceted challenges to human rights from right to safe and clean drinking water including right to health, adequate food to the increasing frequency of extreme weather events, loss of biodiversity, and the degradation of ecosystems.

Concept of Environment (Paryavaranam): Life-Sustaining Element in Ancient Indian

As stated above 'Paryavaranam' is a Sanskrit term used for Environment in Ancient India where the word environment originally derived from French word 'environner' which means 'surrounds'. The word environment or paryavaranam both represents the aggregate of surrounding conditions, including air, water, land, and living things, that influence life on earth. Environment has always been an important part in the Indian tradition, our ancient Indian philosophy stated that it's our dharma to protect our paryavaranam.

"माता भूमि पुत्रुहान पृथ्व्या"

"Earth is my mother and I am her son."

This Sanskrit Shloka highlights the pure relationship of our existence with the earth comparing it to a mother and child and it's our dharma to protect our own surrounding. The Ancient Indian Philosophy also laid down the foundation of the Vedas. Vedas, is the oldest texts of Indian civilization which offered the profound insights of the relationship between humans with nature, portraying the balance as an essential condition for cosmic and social order. Vedas reflects the consciousness of the environment not just as a resource, but as divine power the Vedic literature includes the Rig, Sama, Yajur, and Atharva Veda. As Rig Veda explains about Vanaspathi, a tree with a thousand of branches in it is seen as the lord of forests and each and every veda explains that the earth is an object to worship and not meant for exploitation. It was then believed by the people that life is present in both biotic and non-biotic elements and the whole world is made up of five elements earth (shristi), water (apah), fire (teja), air (vayu) and space (vyoma). And after death, the human body returns to nature, dissolving into the very elements from which it was formed.

Water as a Sacred Source of Life: Foundation of the Right to Water

The Water is not just a fundamental element of our environment but a life support system to be alive. Indigenous people have always believed water as a sacred and divine. Throughout history and in every corner of the world and in every religion, water is worshiped as a symbol of purity, fertility, and renewal, and its cultural and spiritual significance is evident in many varied belief systems.

The Water has a deep connection with manifestation and spirituality and considered as a 'Cultural Water' as it originates from various sources such as river, lakes, springs, or wells which has its own hidden history in their location. People worship water as its also seen as a lifeblood for the land by providing water for agricultural. The Water holds its significance in its own form like River Nile in Egypt considered as a divine entity 'Father of Life', referring to God 'Hapi'. In Ancient India Hinduism played very vital role in highlighting the importances of water by representing it as a Supreme Spirit and being one of the five fundamental elements (earth, water, fire, air and space) that collectively constitute nature.

"आपो वा इदमग्र आसीत्।"

"In the beginning, all this was water."

The mantra has been taken from Chandogya Upanishad which symbolizes water as the original life-giving cosmic principle out of which creation is unfolded.

Evolution of the Right to Water as a Human Right

The first Greek philosopher 'Thales of Miletus' stated the dynamic and transformative properties of water, which symbolized the ability of water to transform and evolve. Thales explained that water is essential for life and without which living creature would not survive and also explained that water exists in three different forms- liquid, solid and gas and it can transform from one form to another. This concept was groundbreaking as it moved away from

mythological perceptions of attributing everything to the Gods to understanding the observation of nature and application of reason.

The Evolution of water being dynamic and transformative in nature human explored its application from being centrally use in agriculture, irrigation ensuring food security to be use into trade, industry, and urban development, enabling technological advancements such as mechanized production, hydroelectric power, and modern sanitation systems and its role expanded.

Normally water used in various fields includes:

- a. Domestic use- On a daily basis 15%-17% of water is used for domestic purposes such as drinking, bathing, cooking food and washing dishes, clothes, fruits, vegetables and brushing teeth and many more.
- b. For agriculture- The largest consumer of water is Agriculture around 70% of water is used in irrigation, gardening, farming and fisheries
- c. Used in Industries- Water used in Industrial for washing, cooling, processing, transporting, diluting, fabricating of a product. The maximum amount of water is used in the production of chemical, paper and food other uses includes transportation, manufacturing, hydroelectric power, removal of body wastes, tourism and recreation.

As our global population increased there has been an urgent need to balance the commercial demands on water, so that societies have enough for their needs. At the human level, water cannot be seen in isolation as it is the core of sustainable development and is critical for socio-economic development from being source of energy from food production to creating healthy ecosystems for human survival. In year 2010 United Nation General Assembly recognized the right of every human being to have access to enough water for personal and domestic uses, having 50 and 100 litres of water per person per day. The Sustainable Development Goals (SDG) 6 states that is to "Ensure availability and sustainable management of water and sanitation for all" which cover all aspects of both the water cycle and sanitation systems. Safe drinking water and sanitation are indispensable to sustain life and health and it's the fundamental right to the dignity for all, yet around 2.1 billion people globally still lacks access to safely managed drinking water including 106 million who drink directly from untreated surface sources launched by WHO and UNICEF during World Water Week 2025¹, and others lack access to improved sanitation facilities. People in the least developed countries are more than twice as likely as people in other countries to not have safe drinking water and proper sanitation, and are over three times more likely to lack basic hygiene facilities.

The Water, sanitation and hygiene are not privileges, they are basic human rights, when children lack access to safe water, sanitation, and hygiene, their health, education, and futures are put at risk, these inequalities are especially stark for girls, who often bear the burden of water collection and face additional barriers during menstruation. Data from WHO states that 70 countries show that while most women and adolescent girls have menstrual materials and a private place to change, many lack sufficient materials to change as often as needed. The last five years of the Sustainable Development Goals period, achieving the 2030 targets for ending open defecation and universal access to basic water, sanitation and hygiene services the promise of safe water and sanitation for every child is slipping further from reach reminding us that we must act faster and more boldly to reach those who need it most.

Water As A Human Right

While water was not explicitly recognized as a self-standing human right in international treaties, international human rights law entails specific obligations related to access to safe drinking water, the concept of basic water requirements to meet fundamental human needs was first established at the 1977 United Nations Water Conference in Mar del Plata, Argentina. In 2007, Asia-Pacific leaders agreed to recognize people's right to safe drinking water and basic sanitation as a basic human right and fundamental aspect of human security. In year 2010 the United Nations General Assembly recognised the right to water as a human right and in year 2015, it acknowledged that the human rights to drinking water and sanitation constituted two distinct rights.

Under Universal Declaration of Human Rights (UDHR), 1948 Article 25(1) states that '*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control*'. Which clearly highlights the importances of the right to an adequate standard of living, including health and well-being and safe drinking water is considered essential to this standard of living.

Under International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966 under Article 11 and 12 explains the Right to an adequate standard of living where water is understood as a core component of this right and Right to the highest attainable standard of physical and mental health providing access to clean water and

¹ <https://www.who.int/news/item/26-08-2025-1-in-4-people-globally-still-lack-access-to-safe-drinking-water---who--unicef>

sanitation is essential for health. Under above two articles UN Committee clarifies that the right to water is a human right. Under UN General Assembly Resolution (2010) it explicitly recognizes safe and clean drinking water and sanitation as a human right, essential for the full enjoyment of life as a Human Rights. Conventions like (CRC)² Art.24, (CEDAW)³ Art.14(2)(h), (CRPD)⁴Art.28 also recognizes right to water as a Human Right in their specific Articles.

Constitutional Framework for the Right to Water in India

Although not explicitly enumerated as a basic right, the right to water in India is judicially honoured as natural to the right to life and mortal quality under Composition 21, interpreted in harmony with Directive Principles of State Policy (DPSPs), Abecedarian Duties, and doctrines similar as the Public Trust Doctrine.

A. Article 21 Right to Life and Its Expansion

Article 21 guarantees life and particular liberty, and the SC has expansively interpreted it to include access to clean drinking water. In *Subhash Kumar v. State of Bihar*⁵, the Court held that *pollution of water violates Article 21, making clean water anon-negotiable element of life*. In *A.P. Pollution Control Board v. Nayudu*⁶ corroborated the link between water, public health, and mortal survival, emphasizing preventative measures and the disproportionate impact on vulnerable communities. Article 21 therefore secures "*conditions for life with quality, making water foundational*".

B. Directive Principles Articles 39(b), 47, and 48

The DPSPs, though non-justiciable, shape state scores toward water governance. Article 39(b) authorizations indifferent distribution of community coffers; Article 47 emphasizes public health; and Article 48A obligates environmental protection. In *State of Karnataka v. Andhra Pradesh*, the Court observed that *the water controversies interlace public interest and survival, buttressing state responsibility toward sustainable access*.

C. Fundamental Duties: Article 51A(g)

The Citizens' duty to cover the terrain complements state scores, legitimizing community- grounded water governance and enhancing conservation, pollution control, and sustainable use.

D. Public Trust Doctrine

The SC, in *M.C. Mehta v. Kamal Nath*⁷ and *Fomento Resorts v. Minguel Martins*⁸, affirmed that *the water and other natural coffers are held in trust by the State. Arbitrary privatization or pollution violates both environmental principles and public rights, including that governance aligns with ecological sustainability and mortal rights*.

E. Constitutional Synthesis

Together, Article 21, DPSPs, Fundamental Duties, and the Public Trust Doctrine form a cohesive frame. Water is fairly honoured, immorally commanded, and socially participated, taking both the State and citizens to insure sustainable and indifferent use.

Impact of Climate Change on Water Resources

The Climate change is a major stress on India's water coffers, impacting both the volume of water and its capability to remain clean. However, you get dearth's and cataracts, the recharge of groundwater diminishments, if rains come changeable. The Himalayan glaciers are melting, which at first increases the inflow of water downstream but can ultimately lead to overall water failure.

The quality of water is impacted, as advanced temperatures lead to algal blooms, and cataracts can contain artificial and sewage accoutrements. The worst-affected are the pastoral communities and slum residers, who are formerly vulnerable and have lower access to water and face health hazards. From a rights perspective, climate change is a major exacerbator of inequalities. The better- off communities can cover themselves with their own coffers, and the marginalized communities will struggle and fall before. From a rights perspective, climate change is a major exacerbator of inequalities. The better- off communities can cover themselves with their own coffers, and the marginalized communities will struggle and fall before.

Challenges in Realizing the Right to Water in India

Though the right has been conceded by the bar, the reality of access to water is still fractured and precarious. The lapping part of the centre, state, and original governments generates confusion in policy expression and

² The Convention on the Rights of the Child, 1989

³ The Convention on the Elimination of All Forms of Discrimination Against Women, 1979

⁴ The Convention on the Rights of Persons with Disabilities, 2006

⁵ 1991 AIR 420

⁶ 1999 (2) SCC 718

⁷ 2000 (6) SCC 213

⁸ AIRONLINE 2009 SC 694

perpetration. The part of terrain, economics, and land power patterns determines who has access to water, leaving the vulnerable sections of society exposed. The reduction of groundwater and the lack of acceptable birthright rights favour large co-proprietors and business groups. Climate change, population growth, and urbanization emulsion these problems. Immediate and drastic measures to address these issues disregard long-term sustainability and the protection of rights. The basic gap between law and reality must be bridged by the comprehensive and responsible governance approach that impact on the water quality and environmental justice.

Community Participation and Indigenous Knowledge in Water Conservation

The Original Local communities and indigenous knowledge are vital for sustainable water governance. Stepwells, tanks, johads, and bamboo drip irrigation illustrate decentralized, & the climate-flexible practices that align water use with terrain and ecology system. The Community participation which democratizes water governance, inclusivity and protection of marginalized groups. Indigenous practices round climate adaption, furnishing low-cost, ecologically sensitive results. Integrating traditional wisdom with an ultramodern wisdom to creates a cold-blooded governance model. The DPSPs further support these liabilities Article 39(b) promotes indifferent resource sharing, Article 47 connects water with public health, and Article 48A delas with the environmental protection. Together, legal, ethical, and social fabrics validate community stewardship as a indigenous and ecological necessity for water sustainability.

State Responsibility and Governance of Water Resources

The fulfilment of the right to water in India is dense with the character and quality of State governance. Although judicial construction has given the right to water indigenous status as a fundamental right under Article 21, the task of rephrasing the right into reality is mainly the responsibility of the State. This responsibility is not optional but naturally grounded in the Directive Principles of State Policy, which provide a normative framework for water governance. The Article 39(b) authorizations that the material coffers of the community should be distributed for the benefit of the common good, giving water a status as a participated public resource rather than a profitable commodity. This indigenous directive provides a check on unbounded privatization and requires the State to regulate the distribution of water in a way that ensures equity, especially for the disadvantaged and water-stressed sections. Article 47 further emphasizes the responsibility of the State by associating access to safe drinking water with public health concerns, giving water governance a status as a weal responsibility rather than a sectoral policy decision. The Environmental protection constitutes the third pillar of indigenous governance through Article 48A, which obligates the State to protect and improve natural reservoirs, including gutters, lakes, and groundwater. This provision brings sustainability and inter-generational equity into water policy, requiring the State to reconcile current use with unborn needs. Taken together, these vital transform water policy into an indigenous right informed by equity, health, and preservation. Although this frame, State activity is fractured and reactive. Lapping institutional authority, lack of nonsupervisory enforcement, and short-term force-acquainted initiatives corrode indigenous intentions. Governance failure often appears as unstable access, ecological declination, and the prioritization of profitable interests over mortal quality. A rights-based paradigm of water governance requires institutional cooperation, translucency, scientific planning, and community engagement. Synchronizing State programs with indigenous authorizations can shift water operation from executive control to indigenous responsibility, that access to water is defended not as an honour, but as an abecedarian requirement of staid life.

Judicial Construction of the Right to Water: From Environmental Protection to Human Rights Enforcement

The development of the right to water in India is primarily a judicial construct, developed through purposive interpretation of Article 21. Instead of viewing water as a specific environmental issue, the judiciary has increasingly transformed it into a life, dignity, and substantive equality requirement. This development indicates a transition from reactive adjudication to rights-based constitutional enforcement.

In the case of *Subhash Kumar v. State of Bihar*⁹, the SC held that *the right to pollution-free water is implicit in the right to life. This decision was pivotal because it moved environmental degradation from the realm of policy failure to constitutional violation.* Nevertheless, its significance is in recognizing that water quality is as important as water availability, a fact that is commonly overlooked in administrative regulation. The development of the right to water in India reached an advanced stage in the case of *M.C. Mehta v. Kamal Nath*¹⁰, where the Court applied *the Public Trust Doctrine, recharacterizing the State as a trustee of water resources. This development corrected a structural problem of governance, the arbitrary diversion and commercialization of common water resources.* By curbing State discretion, the Court brought constitutional accountability into resource management.

In the case of *A.P. Pollution Control Board v. Prof. M.V. Nayudu*¹¹, the judiciary recognized *the scientific complexity involved in the management of water resources and the need for the precautionary principle to be followed.* This case

⁹ 1991 AIR 420

¹⁰ AIR ONLINE 1996 SC 711

¹¹ 1999 (2) SCC 718

represented a shift from post-damage relief to preventive constitutional governance, as water pollution often results in irreversible damage, particularly to the vulnerable.

The issue of distributive justice in water distribution was addressed in the case of *State of Karnataka v. State of Andhra Pradesh*¹², where inter-state conflicts were conceptualized not only as federal disputes but as concerns that implicate the survival and equity of humanity. The Court has implicitly *acknowledged water as a common constitutional resource that cuts across political divisions*. However, despite these developments, judicial intervention remains sporadic and corrective. The judiciary deals with violations only after the damage has been done, while the systemic problems of groundwater depletion, privatization, and climate change continue. This reveals a crucial weakness for judicial recognition is insufficient to fill the gap for institutional change.

As such, the role of the judiciary must change from the declaration of rights to the facilitation of governance, promoting statutory regulation, scientific planning, and participation. Judicial interpretation has established the normative framework; the sustainable fulfilment of the right to water is now contingent on the translation of constitutional ideals into operational governance frameworks.

Reimagining a sustainable and rights-based water governance framework

A sustainable and rights-based water frame in India needs to go beyond symbolic recognition and focus on the structural failures that impede access, equity, and sustainability. Although indigenous interpretation has placed water within the right to life, the lack of a collective governance vision has continued to shred responsibility and responsibility. The problem is not one of legal inadequacy but the restatement of indigenous values into functional systems. A rights-based frame needs to begin by re-conceptualizing water as a social-ecological annuity rather than just a resource to be delivered. This involves aligning mortal rights values with ecological constraints, icing that policy views are shaped by sustainability levels rather than immediate demand. Incorporating indigenous values such as quality, equivalency, and inter-generational justice into water policy can transform governance from executive action to indigenous stewardship.

Institutional harmony is inversely essential. The being manifoldness of authorities frequently results in policy imbrication without responsibility. A coordinated governance medium, guided by indigenous authorizations, can align regulation, enforcement, and service delivery. Responsibility must operate not only through courts but also through transparent data systems, public participation, and grievance redressal processes that allow communities to assert water entitlements before privation occurs. Technological intervention should serve as a right enabling tool rather than a request- driven result. Decentralized treatment, exercise systems, and climate- adaptive structure can enhance access while esteeming ecological constraints. still, technology must round, not replace, indigenous knowledge and community- grounded practices that have historically sustained water systems. Eventually, a sustainable frame demands a shift from reactive extremity operation to anticipant governance, where law, wisdom, and community participation meet. Such a model secures water not as a contingent benefit but as a naturally defended condition of staid and sustainable life.

Reorienting Strategies to Combat Water Pollution: A Rights-Centric Approach

The Water pollution in India represents not simply an environmental failure but indigenous and governance extremity, as polluted water directly negates the right to life, health, and quality. Addressing this challenge demands a shift from fractured non-supervisory compliance to a rights-centric and precluding-acquainted frame that treats clean water as anon-negotiable public annuity. At the normative ranking, pollution control must be secured in the principle of integral trusteeship, where the State acts as a guardian of water bodies rather than a permissive controller. Being legal fabrics constantly fasten on post-damage forfeiture, which unsatisfactorily inhibit polluters and dissatisfy to recreate ecological balance. A re-calibration toward-ante bylaw, including compulsory environmental hazard assessments and uninterrupted acquiescence monitoring, can stave off irrecoverable pollutant before it occurs. Institutionally, non-supervisory bodies bear functional autonomy, scientific capacity, and translucency. The Pollution control mechanisms should move beyond periodic examinations to real- time water quality surveillance, supported by intimately accessible data platforms. This translucency empowers communities to act as indigenous stakeholders, strengthening popular responsibility in environmental governance. From a problem- working perspective, and decentralized waste water treatment and which localized sanctification systems offer scalable results that reduce dependence on overburdened central structure. similar systems are particularly effective in peri-urban and pastoral surrounds, where undressed discharge is most current. Integrating nature-grounded results similar as swamp restoration and bio-remediation can contemporaneously ameliorate water quality and ecosystem adaptability. Inversely critical is behavioral and social intervention. Community stewardship, informed by indigenous conservation ethics, fosters long- term compliance and environmental knowledge. Pollution control therefore becomes a participated indigenous responsibility, aligning State action, technological invention, and communal duty.

¹² 1998 (9) SCC 671A

Combating water pollution, thus, requires an intertwined rights grounded strategy that restores water bodies not barely as resources, but as living foundations of constitutional life and inter-generational justice.

Conclusion

This paper demonstrates that the right to water in India is not an aspirational ideal but an indigenous pledge bedded within the evolving interpretation of life, quality, and environmental justice. By tracing water from its artistic saint ship to its judicial recognition under Article 21, the study reveals that the challenge lies not in legal acknowledgment but in structural failures of governance, equity, and sustainability. The analysis highlights that water failure, pollution, and climate stress aren't insulated environmental enterprises they're systemic instantiations of policy fragmentation, request-driven exploitation, and exclusionary access. These failures convert water instability into a rights violation, disproportionately impacting vulnerable communities and eroding indigenous guarantees of equivalency and mortal quality. The central donation of this paper lies in reframing water governance as a problem-working indigenous exercise rather than a sectoral executive task. It argues for a rights-grounded governance model that integrates Directive Principles, the Public Trust Doctrine, community participation, and climate adaptability into a coherent institutional frame. Such an approach shifts the focus from reactive force addition to preventative, indifferent, and sustainable operation. Importantly, the paper advances the idea that results to India's water extremity must be decentralised, participatory, and ecologically predicated. Indigenous knowledge systems, when combined with scientific invention and transparent regulation, offer feasible pathways to rebuild original water security while conserving indigenous values. The part of citizens is re-imagined not as unresistant donors of State action, but as indigenous stakeholders in water stewardship. Eventually, securing the right to water requires a metamorphosis in legal knowledge one that recognises water as both a public trust and a mortal right. guarding this binary character is essential for securing inter-generational equity, environmental integrity, and the indigenous vision of a staid life for all.

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