

# Adoption of Sustainable Development Goals for Equitable Water Distribution in India: Promoting Inter-State Harmony and Streamlining River Water Dispute Adjudication

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## Abstract

Water scarcity and inter-state river water disputes pose persistent challenges to India's federal structure and sustainable development. Despite constitutional mechanisms and tribunal-based adjudication, conflicts over river water sharing continue to strain inter-state relations and delay equitable allocation. This paper argues that the systematic adoption of the United Nations Sustainable Development Goals (SDGs)<sup>1</sup>, particularly SDG 6 (Clean Water and Sanitation) and SDG 16 (Peace, Justice and Strong Institutions), can provide a more equitable, transparent, and cooperative framework for water distribution in India. By integrating sustainability principles, data-driven governance, and institutional reform, SDG-aligned policies can streamline adjudication processes, reduce conflict, and promote harmony among Indian states.

**Keywords:** Sustainable Development Goals, Inter-State River Water Disputes, Water Governance, Federalism, India, SDG 6, SDG 16

## Introduction

India's river systems are lifelines for agriculture, industry, and domestic consumption, yet they are also sources of prolonged inter-state conflict. Disputes such as those involving the Cauvery, Krishna, Ravi-Beas, and Mahadayi rivers highlight the limitations of existing adjudicatory mechanisms<sup>2</sup>. Climate change, population growth, and uneven development have intensified competition for water resources. The Sustainable Development Goals, adopted by India in 2015, offer a comprehensive framework that links environmental sustainability, social equity, and institutional effectiveness.

This paper examines how adopting SDG principles can transform water governance in India by ensuring equitable distribution, preventing disputes, and improving the efficiency of dispute resolution mechanisms.

## Water Governance and Inter-State Disputes in India

India's constitutional framework places water primarily under State List (Entry 17), while Inter-State river disputes fall under Article 262. The Inter-State River Water Disputes Act, 1956 provides for tribunals to adjudicate disputes. Indian Constitution (Article 262) for adjudicating inter-state river water disputes allows the Parliament to pass laws and permits Parliament to block judicial review by the Supreme Court of India or High Courts in such conflicts. It permits exclusion of Supreme Court and High Court authority in inter-state river water conflicts through legislation (Inter-State River Water Disputes Act, 1956). Despite this restraint, the judiciary has followed a confined but a very important role in ensuring constitutional adherence, interpretation of tribunal awards and execution of decisions. This balance between judiciary and parliament maintains institutional stability, a core objective of SDG 16. This constitutional basis led to the Inter-State River Water Disputes Act, 1956, which structures how disputes are to be referred to Tribunals rather than courts.

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<sup>1</sup> U.N. Gen. Assemb., *Transforming Our World: The 2030 Agenda for Sustainable Development*, U.N. Doc. A/RES/70/1 (Oct. 21, 2015).

<sup>2</sup> Puthucherril, Tony George. (2022). Article: Water Federalism, Tribunalization of water justice and hydro-politics: India's Inter-State River Water Disputes Act at 65 years. *Columbia Journal of Asian Law*. 35. 1. 10.52214/cjal.v35i1.9192.

However, key challenges persist that is there is delays in adjudication, often extending for decades. Adversarial and politicized negotiations hinder meaningful progress and deepened existing divisions among stakeholders. Moreover, without access to scientific, real-time hydrological data, policies are often based on assumptions rather than evidence. Most importantly, absence of cooperative federalism has led to fragmented decision-making and institutional deadlock.

However, significant challenges remain and don't fade away. Adjudication processes are marred by inordinate delays, frequently stretching across decades. Politically charged and adversarial negotiations not only hinder meaningful progress but also intensify existing fault lines among stakeholders. Worsening this, the lack of access to legal, scientific, real-time hydrological data forces policymakers to depend on unverified claims rather than evidence-based approaches. Above all, the absence of cooperative federalism has resulted in shattered decision-making and continuing institutional deadlock.

These shortcomings have eroded inter-state harmony and given rise to recurring conflicts. India continues to suffer with the challenge of just, reasonable and equitable river water distribution, compounded by ever increasing demand, the accelerating effects of climate change, and well established inter-state river water disputes. Contentious disputes over river water sharing such as the Krishna, Cauvery and Ravi-Beas have exposed critical limitations in the existing adjudicatory framework particularly under Article 262 of the Constitution and the Inter-State River Water Disputes Act, 1956. Against this background, the United Nations Sustainable Development Goals (SDGs) present a comprehensive and forward-looking framework to foster equity, sustainability, and cooperative harmony among Indian states.

#### Constitutional Basis for Judicial Intervention

The Judiciary has played a commendable role in promoting equitable distribution & SDGs. Judicial decisions have helped in reinforcing equitable allocation principles by affirming Tribunal awards and refined allocations based on basin hydrology, demand and riparian rights e.g. Cauvery 2018 judgment<sup>3</sup>. The judiciary through its decisions has ensured compliance e.g., SC's directives on SYL<sup>4</sup> and Mokedatu Project, reflecting *SDG 16* indicators of transparent, accountable institutions. It has promoted cooperative federalism by urging states to negotiate within constitutional and legal frameworks rather than resort to unilateral actions.

The Judicial Interpretations have supported broader rights in the way that Supreme Court jurisprudence e.g., recognizing water within the right to life under Article 21 supports equitable distribution beyond just inter-state technical disputes, aligning with SDG 6.1 (universal access to safe water).

#### Key Judicial Decisions & Cases

**Cauvery Water Disputes Tribunal<sup>5</sup>:** - A Tribunal was constituted in 1990 to adjudicate the water allocation dispute among Karnataka, Tamil Nadu, Kerala, and Puducherry over the Cauvery Basin. This Supreme Court 2018 judgment is significant because it accepted the Tribunal's role but exercised appellate and interpretative authority to refine allocation thus balancing technical, ecological, and equity considerations. It upheld the Cauvery Water Disputes Tribunal award with modifications based on equity, drinking water need, and basin realities. Furthermore, it recognised drinking water as a higher priority use. It mandated the formation of the Cauvery Water Management Authority (CWMA) and related regulatory mechanisms for implementation, thus strengthening institutional cooperation consistent with SDG 6.5 (integrated water resource management). The Supreme Court recognised equitable apportionment and priority of drinking water: "Drinking water requirement has to be placed on a higher pedestal as compared to irrigation." Further, the Court emphasised cooperative federalism: "The solution to the inter-state river water dispute lies in institutional arrangements and mutual cooperation." Therefore, the SDG principles were incorporated and linked in the order as prioritisation of drinking water (SDG 6.1); formation of integrated river basin management (SDG 6.5); formation of rule-based dispute resolution replacing political confrontation (SDG 16) and SDG 17 (partnerships).

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<sup>3</sup> *State of T.N. v. State of Karnataka & Ors.*, Civil Appeals No. 2453-2456 of 2007 (Supreme Court of India, 16 February, 2018)

<sup>4</sup> (Sutlej-Yamuna Link) Canal

<sup>5</sup> *Supra* note 5

### ***Sutlej-Yamuna Link (SYL) Canal Case (Punjab vs. Haryana) & Ravi-Beas Water Dispute***<sup>6</sup>

The SYL canal dispute arising from an agreement in 1981 to share waters between Punjab and Haryana has prompted repeated Supreme Court interventions to enforce equitable water distribution and compliance. The Court observed that: “Federalism does not permit a State to defy constitutional authority under the guise of political expediency.” The said judgement signifies the reinforcement of rule of law and institutional accountability<sup>7</sup>. In 2025, it directed both states to work with the Centre to find an amicable resolution, underscoring the need for dialogue before prolonged conflict. These actions demonstrate how judicial pressure can promote cooperative compliance rather than unilateral resistance. The Apex court reiterated that inter-state agreements and tribunal awards are binding. It criticised unilateral actions by states undermining cooperative federalism. The Court also simultaneously encouraged dialogue and negotiated settlement under judicial supervision<sup>8</sup>. Thus leading to integration of SDG 16 by strengthening rule of law and institutional accountability. Thus, also blending SDG 17 by encouraging cooperative federalism as a form of partnership.

### **Krishna Water Dispute**<sup>9</sup>

In the Krishna Water Dispute, the Supreme Court accorded the Tribunal sufficient time and functional autonomy to adjudicate complex inter-State water claims, while retaining limited supervisory jurisdiction to ensure constitutional compliance and enforceability of the award. In doing so, the Court emphasized the indispensability of scientific data, transparency in proceedings, and basin-wide planning approaches, recognizing that technical accuracy and institutional clarity are essential for equitable and durable water allocation.

The judiciary further acknowledged that protracted water disputes not only stall economic development but also strain federal relations and disrupt social harmony among riparian States. By stressing the need to minimize institutional delays, encourage cooperative resolution, and promote efficient and sustainable utilization of freshwater resources, the Court’s approach reflects the objectives of SDG 16 (effective, accountable institutions and conflict reduction) and SDG 6.4 (improving water-use efficiency and ensuring sustainable withdrawals).

### **Other Judicial Engagements and contributions aligned with SDGs**

In a scenario between Supreme Court v/s Tribunals, while Article 262 seeks to keep water disputes within Tribunals’ domain, the Supreme Court has clarified that it can interpret Tribunal powers and enforce awards. In *State of Andhra Pradesh v/s State of Karnataka (2000)*<sup>10</sup> and *Gandhi Sahitya Singh v/s Union of India (2003)*<sup>11</sup>, the Court outlined its jurisdiction concerning implementation and legality of Tribunal awards. Various decisions have confirmed that once a dispute is referred and adjudicated under the 1956 Act, courts are generally barred from revisiting the core adjudication but retain authority to enforce or interpret awards. In the case of *Subhash Kumar v/s. State of Bihar (1991)*<sup>12</sup>, the Supreme Court explicitly linked environmental protection and water access to the right to life under Article 21: “Right to life includes the right of enjoyment of pollution-free water and air for full enjoyment of life.” The significance is that it establishes water as a fundamental human right. In the said judgment, the Supreme Court held that the right to life includes the right to access clean and sufficient water. It forms the constitutional foundation for equitable water distribution. It also directly supports SDG 6.1 (universal and equitable access to safe water). Thus stressing right to water as a human right under Article 21 Jurisprudence. This jurisprudence expands water disputes beyond inter-state allocation to equity, access, and dignity. Thus reinforcing SDG 6.1 which caters to universal and equitable access to safe water.

The Court stressed the importance of scientific and precautionary approaches in *A.P. Pollution Control Board v. Prof. M.V. Nayudu (1999)*<sup>13</sup> relating to water governance as follows: “Water is the most important natural resource and its scarcity and pollution pose serious threats to human survival.” Thus introducing the precautionary principle in water management and supporting SDG 6.4 (sustainable and efficient use of

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<sup>6</sup> The Eradi Tribunal (Ravi & Beas Waters Tribunal), constituted under Section 14 of the Inter-State Water Disputes Act, 1956 via Notification dated April 2, 1986.

<sup>7</sup> *State of Haryana v. State of Punjab (2002) 2 SCC 507*

<sup>8</sup> *State of Haryana v. State of Punjab (2004) 12 SCC 673*

<sup>9</sup> *State of Andhra Pradesh Vs. State of Karnataka & Ors [2000] INSC 251 (25 April 2000)*

<sup>10</sup> *Supra* note 11

<sup>11</sup> *Gandhi Sahitya Sangh v Union of India (2003) 9 SCC 356. 509*

<sup>12</sup> *Subhash Kumar v. State of Bihar AIR 1991 SC 42*

<sup>13</sup> *A.P. Pollution Control Board v. Prof. M.V. Nayudu (Retd.) & Ors., (1999) 2 SCC 718.*

freshwater). Again in the case of *State of Andhra Pradesh v. State of Karnataka (2000)*<sup>14</sup>, the Apex Court clarified the scope of judicial review: “Once a water dispute is referred to a Tribunal, the jurisdiction of courts in respect of that dispute stands excluded.” However, it also affirmed enforcement authority: “The Court retains jurisdiction to ensure implementation of the Tribunal’s award.”

Thus balancing tribunal independence with judicial supervision and preventing institutional vacuum and resulting in aligning with SDG 16 in context of establishment of effective institutions.

The Court highlighted sustainable development in *Narmada Bachao Andolan v. Union of India (2000)*<sup>15</sup> as: “Sustainable development means that the present generation should not compromise the ability of future generations to meet their needs.” So it applies inter-generational equity to water governance and reinforces SDG 6 and SDG 13 which relates to climate action that there should be no adverse impact on environment. Similarly in *State of Rajasthan v. Union of India (1977)*<sup>16</sup>, the court emphasized that the “The essence of federalism lies in cooperation and coordination, not confrontation.” So this very judgement signified the importance of negotiated solutions over litigation thus supporting alignment with SDG 17 (partnerships for sustainable development).

### Judicial Role in Promoting Equitable Water Distribution & SDGs: International Water Law Parallels

#### 1. Equitable Apportionment: Indian & International Parallels

In *State of Karnataka v. State of Tamil Nadu (Cauvery, 2018)*<sup>17</sup>, the Supreme Court adopted the principle of equitable apportionment, holding that: “Equitable distribution does not mean equal distribution but a fair and reasonable allocation considering all relevant factors.” This mirrors global norms governing transboundary waters. On the same lines the UN Convention on the Law of the Non-Navigational Uses of International Watercourses, 1997 in the Article 5 recognises “equitable and reasonable utilisation” as the governing principle. The factors include population dependence, existing uses, climate, and sustainability. In the case of *Gabcikovo–Nagymaros Project (Hungary/Slovakia)*, ICJ (1997)<sup>18</sup>, the International Court of Justice held: “Modern development of international law has strengthened the principle of sustainable development.” Thus both the cases as above stated above have linked SDG 6.5 (Integrated Water Resources Management) and SDG 17 (International & inter-state cooperation). Thus, India’s Cauvery ruling closely reflects this ICJ reasoning.

#### 2. Right to Water as a Human Right

In *Subhash Kumar v. State of Bihar*<sup>19</sup>, the Supreme Court of India asserted that the “right to life includes the right of enjoyment of pollution-free water,” resulting in enhancing the scope of Article 21 to include environmental protection and provision to clean water. By interpreting the right to life with a broad and clear intent, the Court effectively constitutionalized access to safe water as a fundamental requirement inherent to human dignity and survival. This judicial recognition by placing the direct responsibility on the State to prevent contamination transforms river water from a mere resource commodity into a rights-based guarantee and ensure ecological sustainability. Such an approach directly supports SDG 6.1, which advocates for universal and equitable access to safe and affordable drinking water for all.

At the international level, UN General Assembly Resolution 64/292 (2010) formally recognized the right to clean and safe drinking water and sanitation as a right necessary for human beings and benefit of the society as a whole. Further, CESCR General Comment No. 15 clarified that access to sufficient, safe, acceptable, physically accessible, and affordable water is indispensable for leading a life in human dignity. The convergence between Indian constitutional jurisprudence and these international standards demonstrates a harmonized rights-based framework for water governance. Through progressive interpretation of Article 21, Indian courts align domestic constitutional law with evolving international human rights norms, reinforcing the global commitment to equitable and sustainable water access.

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<sup>14</sup> Supra note 11

<sup>15</sup> *Narmada Bachao Andolan v. Union of India*, (2000) 10 SCC 664.

<sup>16</sup> *State of Rajasthan v. Union of India*, AIR 1977 SC 1361

<sup>17</sup> Supra note 5

<sup>18</sup> *Gabcikovo-Nagymaros Project (Hungary/Slovakia)*, Judgment, [1997] ICJ Rep 7

<sup>19</sup> Supra Note 10

### 3. Sustainable Development & Inter-Generational Equity

In *Narmada Bachao Andolan v. Union of India*<sup>20</sup>, the Supreme Court articulated that “sustainable development means that development should not compromise the ability of future generations to meet their needs,” embedding the principle of inter-generational equity within Indian environmental jurisprudence. The Court recognized that large-scale developmental projects, particularly those involving water resources, must balance economic progress with ecological preservation. This approach reflects a shift from purely utilitarian resource exploitation to a model of governance that integrates environmental safeguards into decision-making. By doing so, Indian water adjudication increasingly incorporates sustainability considerations, advancing SDG 6 on sustainable water management and SDG 13 on climate action. Similarly, at the international level, the *Trail Smelter Arbitration* (USA v. Canada, 1941)<sup>21</sup> established the foundational “no-harm” principle, holding that a State must not use its territory in a manner that causes serious environmental injury to another State. This doctrine was later reinforced in the Rio Declaration (1992)<sup>22</sup>, particularly Principles 3 and 4, which emphasize inter-generational equity and the integration of environmental protection into the development process. Together, these norms create a coherent global framework requiring States to pursue development responsibly and cooperatively. Indian judicial reasoning in water and environmental disputes resonates strongly with these international principles, demonstrating a convergence between domestic constitutional interpretations and evolving standards of global environmental law.

### 4. Cooperative Federalism & Peaceful Dispute Resolution

In the Satluj Yamuna Link Canal dispute<sup>23</sup>, the Supreme Court of India firmly observed that “federalism does not permit a State to defy constitutional authority under political expediency,” underscoring that constitutional mandates prevail over partisan considerations. The Court emphasized that inter-State disputes, particularly over shared water resources, must be resolved through dialogue, negotiation, and adherence to institutional mechanisms established under the Constitution. By discouraging unilateral action and political defiance, the judiciary reinforces cooperative federalism as a structural principle of governance. This approach promotes constitutional discipline, strengthens institutional credibility, and aligns with SDG 16, which advocates for peaceful dispute resolution and effective, accountable institutions.

A comparable stance is reflected in the ICJ’s decision in *Pulp Mills on the River Uruguay* (2010)<sup>24</sup>, where the Court underscored that procedural cooperation and information sharing are essential obligations in the peaceful settlement of disputes. By mandating prior notification, consultation, transparency, and good-faith engagement, the ICJ strengthened rule-based international adjudication and reduced the risk of conflict escalation. Such procedural duties align both SDG 16 and SDG 17, which calls for global partnerships based on cooperation, collaboration and shared responsibility. India’s emphasis on cooperative federalism reflects these international principles. It prioritizes structured dialogue and harmonious relation over confrontation and conflicts. It weighs institutional solutions over unilateral defiance. This approach aligns domestic constitutional practice with changing global standards of cooperative dispute resolution.

### 5. Institutional Governance & Rule of Law

In *State of Andhra Pradesh v. State of Karnataka*<sup>25</sup>, The Supreme Court of India clarified that when an inter-State water dispute goes to a Tribunal under the Inter-State Water Disputes Act, courts cannot get involved, except for enforcement purposes. This decision protects the independence and function of specialized bodies that make decisions. It also makes sure that the overall framework of the rule of law stays in place. By reducing judicial involvement and upholding the legal process for dispute resolution, the Court highlighted the need for institutional discipline, a balance between states, and finality in disputes over resources that are both technical and sensitive. This approach supports SDG 16, which focuses on building effective, accountable, and transparent institutions.

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<sup>20</sup> Supra Note 17

<sup>21</sup> *Trail Smelter Arbitration* (United States v. Canada), 3 R.I.A.A. 1905 (1941)

<sup>22</sup> *Report of the United Nations Conference on Environment and Development: Rio Declaration on Environment and Development*. A/CONF.151/26 (Vol. I), 12 August 1992, Annex

<sup>23</sup> Supra Note 8

<sup>24</sup> *Pulp Mills on the River Uruguay* (Arg. v. Uru.), 2010 I.C.J. 14 (Apr. 20)

<sup>25</sup> Supra Note 11

A similar international model can be found in the International Joint Commission (IJC), which was established under the 1909 USA-Canada Boundary Waters Treaty<sup>26</sup>. The IJC functions as an independent body that tackles cross-border water issues using technical knowledge, scientific evaluation, and teamwork instead of conflict through legal battles. Its focus on evidence-based and science-driven governance shows the principles of SDG 6.5. This goal encourages integrated water management at all levels, including cooperation across borders. Both the Indian tribunal system and the IJC illustrate how well-structured institutions, free from regular political pressures, can promote sustainable and peaceful water management based on knowledge and collaboration.

### **Relevance of Sustainable Development Goals to Equitable Water Distribution, Streamlining Adjudication and promoting harmony**

At its core, SDG 6 (Clean Water and Sanitation) is about making sure everyone has fair access to water, using it wisely, and managing it in a way that works for both people and the planet. This is where Integrated Water Resources Management, or IWRM, comes in<sup>27</sup>. Rather than clinging to outdated rules about who gets what water based on historical claims, this approach asks a more practical question as to what do people actually need based on verified claims and how to ensure that there's enough to meet the demands in the present as well as future. When these principles are put into practice, the focus naturally shifts toward the things that matter most: safe drinking water, food security, and keeping ecosystems healthy. By accounting for ecological flows and anticipating future demands, this kind of thoughtful water sharing can go a long way in easing the tensions that so often arise when communities compete over a shared resource<sup>28</sup>.

SDG 16 (Peace, Justice and Strong Institutions) is built on a simple but powerful idea that when institutions are accountable, open and genuinely inclusive, they're far better equipped and prepared to handle competing interests without things resulting in conflicts<sup>29</sup>. At the crux of this is the rule of law. When people have access to justice and decisions are made fairly and transparently, it establishes a foundation of trust that holds even under pressure. In the context of water governance, this matters enormously<sup>30</sup>. Disputes over shared rivers and water sources have a long history of turning political but when governance is grounded in evidence and guided by clear, impartial processes, those tensions tend to disappear. In practice, bringing SDG 16 into water management could mean more space for mediation before things escalate, fewer delays in resolving disputes and smarter, data-driven decisions made through permanent river basin authorities instead of political back-and-forth complexities.

The SDG framework promotes cooperative federalism by considering rivers as common ecosystems instead of separable resources. Transparent, verified and collaborative data sharing, watershed-level planning, and inclusive governance creates trust between riparian states and diminish political conflicts<sup>31</sup>. Nonetheless, obstacles exist in execution, such as political interference, organizational resistance, and inconsistent state capacity. In spite of these restrictions, incorporating SDGs into judicial processes and national water legislation and can notably diminish inter-state disputes, guarantee just, equitable and reasonable river water allocation, and foster long term peace among Indian states<sup>32</sup>.

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<sup>26</sup> Boundary Waters Treaty, U.S.-Gr. Brit., Jan. 11, 1909, 36 Stat. 2448.

<sup>27</sup> Arora, N.K., Mishra, I. Sustainable development goal 6: Global Water Security. *Environmental Sustainability* 5, 271–275 (2022)

<sup>28</sup> Guansu Wang, Sameer Kumar, Zhihong Huang, Ruoyi Liu. Water resource management and policy evaluation in Middle Eastern countries: Achieving sustainable development goal 6, Desalination and Water Treatment, Volume 320, 2024, 100829,

<sup>29</sup> Wrangle P. SDG 16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels. In: Ebbesson J, Hey E, eds. *The Cambridge Handbook of the Sustainable Development Goals and International Law*. Cambridge Law Handbooks. Cambridge University Press; 2022:399-421.

<sup>30</sup> Smith-Simonsen, Christine, 'SDG 16 – The Many Pieces of Peace', in Martin Gutmann, and Daniel Gorman (eds), *Before the UN Sustainable Development Goals: A Historical Companion* (Oxford, 2022; online edn, Oxford Academic, 24 Mar. 2022), <https://doi.org/10.1093/oso/9780192848758.003.0017>, accessed 18 Mar. 2026.

<sup>31</sup> Dkhar, Nathaniel & Bharat, Girija. (2018). Aligning India's water resource policies with the SDGs.

<sup>32</sup> Pandey, A and Subedi, SP (2020) Changing notions of sovereignty and governance of water in India: an analysis of the Inter-state Water Disputes Tribunal. *The Journal of Water Law*, 26 (4). pp. 167-181. ISSN: 1478-5277

When states in India fight over river water, it is not only about river water sharing rather it is about human livelihoods, politics, and the kind of future communities can hope for. These disputes highlight as to in what way India governs itself as a federation, and how seriously it takes the concept of shared, collaborative and sustainable development. The tribunals set up to resolve such conflicts have, more often than not, dwindled resulting in years of legal wrangling, pitting states against each other, and rarely arriving at the awards or decisions that could actually lead to fair outcomes<sup>33</sup>.

That is where the Sustainable Development Goals offer something genuinely functional and practical. Rather than treating water as a political and community conflict to be resolved, SDG 6 makes to think about it as a shared resource that must be managed wisely with just, equity, ecological health, and long-term sustainability in mind. The concept, Integrated Water Resources Management (IWRM), shifts the conversation from the quantity or river water share which the state can be allotted to the optimum utilisation with equitable and reasonable river water sharing<sup>34</sup>. In practice, this means using real-time data on river flows, groundwater levels, and climate trends to guide decisions instead of letting political pressure or historical grievances take the front seat. It is a more practical and rational way of dividing a resource that passes through various state borders. Moreover, in a vast country like India where the stakes of making this river water sharing go inconsistent are so high, that shift in approach could make all the difference.

This is where SDG 16 proves its capacity by building systems that people can actually trust. The systems that are transparent, accountable, and capable of getting things done without dragging on indefinitely. But good, transparent and verifiable data and smart planning alone are not enough, the institutions handling these disputes also need to work in tandem and partnership. Applied to river water disputes, this means shifting from the current model where states wait years sometimes decades for a tribunal to arrive at a decision. Instead, it means establishing permanent river basin authorities and setting firm time limits so that the quantum of river water shares can be monitored and managed on an ongoing basis, and opening the path to alternative ways of resolving disagreements before they escalate into full-blown legal conflicts. When the concerned states can share the verified data, access the reliable information, and engage with the same institutions in good faith, trust begins to build and trust, in the long run, can be established which can make cooperation amongst the concerned states possible<sup>35</sup>.

Taken together, the SDGs push India's approach to water governance in a healthier direction that is by minimising river water disputes and conflicts, and subsequently moving towards a model where states work together to prevent conflicts before they arise<sup>36</sup>. This is what cooperative federalism symbolises in practice. The road is not easy as political rivalries are complex, and overhauling entrenched institutions takes time and commitment. But weaving SDG principles into India's legal and constitutional framework is not just an idealistic aspiration. It is, arguably, the most realistic and practical path towards lasting peace over shared river waters.

### **Sustainable Development Goals as a Framework for Equitable Water Distribution**

One of the most prominent problems in resolving the river water sharing disputes in India is the complex nature of the political set up in India wherein politically considerations are accorded priority. The SDGs offer a way to deviate from such a challenge. By anchoring water governance in technical, legal and scientific fields like satellite data, hydrological tailoring, environment projections etc. the basis of decision-making shifts from what states demand to what the evidence actually shows<sup>37</sup>. When allocation decisions are based on reliable, verified and transparent data rather than political pressure or historical claims, they become difficult to be dismissed as

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<sup>33</sup> Khanna, Arush, *Inter-State River Disputes and the Indian Federal Order: Constitutional Challenges and Political Realities* (May 05, 2025).

<sup>34</sup> Devashish Kar, Chapter 2 - Researchers' contribution: A review, Editor(s): Devashish Kar, *Community-based Fisheries Management*, Academic Press, 2021, Pages 27-98,

<sup>35</sup> UN.ESCAP, et. al. (2019) SDG 16 : Peace, justice and strong institutions : promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

<sup>36</sup> Nilanjan Ghosh and Ambar Kumar Ghosh, "Revamping Water Governance in India: The Pathway to a New National Water Policy," ORF Occasional Paper No. 427, February 2024, Observer Research Foundation. Nilanjan Ghosh and Ambar Kumar Ghosh

<sup>37</sup> Dhanasekaran, N. C., Maheshwari, B., Donovan-Mak, M., & Huda, S. (2026). Assessing Water Sustainability for the Sustainable Development Goals: A Systematic Review and Bibliometric Analysis Highlighting Gaps in Current Assessment Frameworks. *Sustainability*, 18(5), 2514

biased and easier for all the concerned parties to accept as just, equitable and non-discriminatory. That, in itself, is a significant step towards rightful and legitimate water equity.

There is also a deeper shift in perspective that the SDG framework encourages one that is instead of considering each state's claim, it takes into account the requirements of each state on the basis of verifiable and genuine data. This emphasis of SDG on requirements of a state over the claim of the state's projections makes it more rightful and legitimate<sup>38</sup>. It puts ecological health, adequate drinking water availability and sufficient food production at the centre stage, rather than treating them as inferences from political negotiation. When the concerned states start to consider a river not as a resource to be divided up and fought over, but as a living ecosystem that they all require and depend on and share responsibility for, the entire dynamics of the subject changes. Cooperation is accorded priority and stops being a concession. Shared monitoring, joint management and collective supervision becomes not just idealistic goals but practical necessities. The long-term thinking that no single state can protect a river alone, it is the property that is jointly shared leads to sustainable water governance<sup>39</sup>.

SDG adoption can reform adjudication processes by setting-up multidisciplinary and permanent river basin authorities. It can introduce time-bound dispute resolution mechanisms by increasing transparency through open data sharing. Incorporating SDGs in the process of dispute resolution shall encourage prior mediation and consensus-building before litigation<sup>40</sup>. Adopting of such reforms align with SDG 16's emphasis on effective institutions, avoidance of disputes and peaceful conflict resolution. By replacing adversarial litigation with cooperative governance, SDG-based water management can reduce political pressure around water disputes. SDGs can build trust through data sharing, joint decision-making and encouraging long-term inter-state collaboration. Thus, this approach emboldens the cooperative federalism which is an important cornerstone of India's constitutional<sup>41</sup>.

### **Challenges in SDG Implementation**

Recognising the relevance of the SDG framework is entirely different from actually putting SDG framework into realistic practice. The obstacles in adoption of SDG are actual and existent therefore it would be difficult to avoid or neglect them. Primarily, India's water governance landscape is disarranged as multiple agencies, ministries, and state bodies often have overlapping responsibilities. Moreover, instead of working in collaboration, they frequently end up working contrary to each other. Coordinated action becomes onerous when no one clearly takes up the charge resulting in stalling of meaningful reform.

Then there is the huge difference in operation between states. The states lack administrative infrastructure, technical expertise, or the financial resources to meaningfully employ with SDG goals which means implementation ends up being unproductive and uneven across the country. However, a well-resourced state can devote in establishing institutions, developing data systems and train officials and the root cause of all this obstacle is politics complexities<sup>42</sup>. Water is never just a resource instead it is a symbol of regional identity, a tool to gain vote bank and a bargaining ground. When political considerations comes in play, the long-term sustainability goals tend to get pushed backward. So, the political interferences remains one of the hardest problems to solve.

Inadequate understanding of SDG-based approaches along with lack of public awareness restrict material participation and accountability thus reducing community motivation for reform. Overcoming of these hindrances requires targeted capacity-building initiatives along with strong and sustained political will to strengthen institutions with maximum degree at all levels. The legal integration of SDG principles into national water laws and regulatory mechanisms is equally relevant to ensure that sustainability objectives are not merely

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<sup>38</sup> Sustainable Development Goal 6 Synthesis Report 2018 on Water and Sanitation, Published by the United Nations New York, New York 10017, United States of America

<sup>39</sup> Sultana, F. (2025). From hydro-hegemony to hydro-coercion: Politics of precarity in India–Bangladesh transboundary water conflicts. *Human Geography*, 0(0).

<sup>40</sup> Phillips, FK., Harrington, . (2022). Legal Approaches Toward the Achievement of SDG 14. In: Leal Filho, W., Azul, A.M., Brandli, L., Lange Salvia, A., Wall, T. (eds) *Life Below Water*. Encyclopedia of the UN Sustainable Development Goals. Springer, Cham.

<sup>41</sup> Patra, Bipasa & Saha, Soumen & Bhattacharyya, Paramita & Adhikary, Sudipta. (2025). SDGs and the Future of Governance: Legal, Managerial and Technological Approaches. 10.62778/int.book.602.

<sup>42</sup> Ali Akbar Firoozi, Ali Asghar Firoozi, Taoufik Saidani. Advancing sustainable water management: The pivotal role of civil engineering in navigating environmental and urban challenges,. *Alexandria Engineering Journal*, Volume 137, 2026, Pages 360-385, ISSN 1110-0168,

desires but enforceable<sup>43</sup>. Confluence of these operations can lead to transform the SDGs from global commitments into effective national and local measures.

Even though judicial role can be pivotal in maintaining accountability and protecting rights, but excessive activism can delay adoption of practical solutions to complex river water sharing governance and challenges. The judiciary has also accepted its legal limits especially when it comes to water governance as the courts have acknowledged that they are not technical water managers<sup>44</sup>. Prolonged litigation results in lack of effective water management by diverting attention and resources away from technical and scientific based decisions and absence of collaborative efforts. Accordingly, long-term positive outcome in addressing water governance challenges depends more on transparent and verifiable data sharing, sustained political commitments, comprehensive institutional reform and less on judicial activism. Minimal judicial intervention ensures that the Sustainable Development Goals' emphasis is focussed on effective, accountable, and inclusive institutions. So absence of judicial interference in this context is not a weakness but a strength. By giving due consideration to institutional competencies, the judiciary contributes to a governance mechanism that supports just, reasonable and equitable river water management solutions while at the same upholding legal principles.

### **Conclusion**

The adoption of Sustainable Development Goals can guide India in setting up a dynamic mechanism to address chronic inter-state river water disputes. SDGs can ensure fair, just, equitable and reasonable river water distribution, streamline adjudication, and promote harmony and collaboration among states by integrating institutional equity, efficiency and sustainability<sup>45</sup>. The Indian judiciary plays a crucial role in complementing, interpreting and enforcing statutory adjudication of inter-state river water conflicts. Leading cases such as Cauvery River Water Dispute, Krishna River Water Dispute, Mahanadi River Water Dispute and other ongoing river water disputes highlight that judicial decisions play an integral role to just, equitable and reasonable water distribution and federal harmony among the states. Cooperation and collaboration with transparent data sharing among the states and science-based water governance is essential for India's long-term ecological and environmental soundness and federal stability. While not a substitute for robust institutions, the verdicts and decisions of judiciary reinforce cooperative governance among the states and help in establishment of SDG-focussed water resource management that are legally binding and socially responsive.

The Indian judiciary has made significant contributions in the field of SDG-aligned sustainable development through its decisions and awards. It has evolved from a mere adjudicator to a constitutional mediator and institutional stimulus in river water sharing governance. The Indian courts have significantly contributed to just and equitable water distribution and application of SDGs through landmark judgments, recognition of water as a human right, effective implementation of tribunal awards and promotion of cooperative federalism. However, judicial intervention is most effective when complemented by robust institutions, positive political will, and scientific and technical based water management. Together, these steps can change water from a source of conflict into a foundation for inter-state collaboration and harmony and sustainable growth.

The Indian judiciary has consistently asserted that just and equitable river water distribution must be guided by cooperation, sustainability and rule of law. The Indian courts have repeatedly reiterated that water is not merely a commodity but a constitutional right and entitlement<sup>46</sup>. As the Supreme Court aptly observed in the Cauvery judgment: "Water disputes cannot be resolved by political brinkmanship; they demand institutional and constitutional solutions." The Indian judiciary has significantly progressed India's commitment to the Sustainable Development Goals, particularly in ensuring water sharing equity, amity and harmony among states and sustainable governance. The courts have achieved the objective of aligning SDGs through rights based interpretations, enforcement of tribunal awards, and promotion of cooperative federalism.

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<sup>43</sup> Fallah Shayan, N., Mohabbati-Kalejahi, N., Alavi, S., & Zahed, M. A. (2022). Sustainable Development Goals (SDGs) as a Framework for Corporate Social Responsibility (CSR). *Sustainability*, 14(3), 1222.

<sup>44</sup> Naik, Gayathri D., "Role of Courts in Ensuring Water Justice in India: Brasilia Declaration on Water Justice and Beyond" (2022). Articles. 43. [https://repository.nls.ac.in/nls\\_articles/43](https://repository.nls.ac.in/nls_articles/43)

<sup>45</sup> Supra Note 33

<sup>46</sup> Cullet, Phillippe (2019) "Fostering the Realisation of the Right to Water: Need to Ensure Universal Free Provision and to Recognise Water as a Common Heritage," *National Law School of India Review*: Vol. 31: Iss. 1, Article 5

Indian courts have lead the nation in both constitutional mandates and global SDG commitments by incorporating equity, cooperation, sustainability and institutional integrity. Indian judicial decisions on water sharing governance are not isolated or limited but they acknowledge and incorporate evolving international water law principles. The judiciary thus acts as a bridge between domestic federal water conflicts and international norms of sustainable and peaceful water governance. The Indian judiciary has ensured that shared water resources are managed sustainably and in harmony among states by linking local water disputes to international standards.

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