



ADVOCATING CHANGE

**Climate Liability
Justice & Jurisprudence**



**MOBIUS
FOUNDATION**

Advocating Change—Climate Liability, Justice and Jurisprudence

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Garg, P., Joshi, A., & Gill, J. (Eds). (2025).

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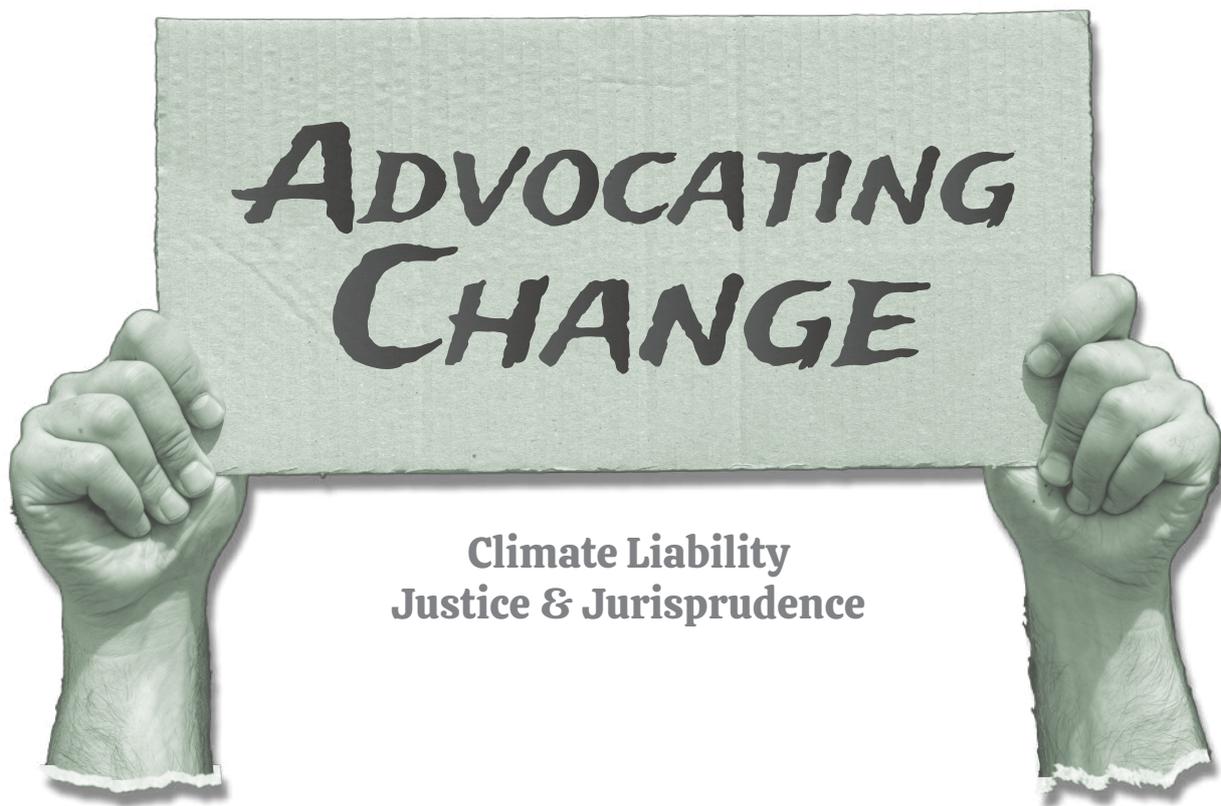
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FOREWORD

The escalating climate crisis presents humanity with one of the most profound challenges of our era. While its environmental implications are clear, the legal, social, and ethical dimensions are equally pressing. Climate justice lies at the intersection of these domains, highlighting the disproportionate burden faced by vulnerable communities and underscoring the urgent need for accountability and action.

At the Mobius Foundation, we are committed to fostering sustainable futures through education, awareness, and collaboration. Our recent initiative, in partnership with the Environment Law & Development Foundation (ELDF), brings to the forefront critical conversations on "Climate Liability, Justice, and Jurisprudence." This panel discussion, enriched by the insights of eminent jurists, environmentalists, and policymakers, represents a significant step in addressing the evolving legal frameworks necessary to combat climate change effectively.

This treatise serves as both a record of that important event and a call to action. It encapsulates the wisdom shared during the discussion, explores landmark cases, and examines the role of jurisprudence in advancing climate accountability and justice in India. The insights contained within aim to inspire further dialogue, legislative reform, and inclusive action that prioritizes both ecological preservation and social equity.

I extend my heartfelt gratitude to all contributors and participants who made this initiative possible.



Pradip Burman

Pradip Burman
Chairman, Mobius Foundation





Some instances of extreme climate-related events in India between 2023 and 2024 that claimed many lives and caused destruction; Cyclone Biparjoy in the North-west, flash floods in Himachal Pradesh, heat wave in Rajasthan with temperatures touching 50°C.

Chapter 1

A CASE FOR CHANGE

Raising Awareness on Climate Justice

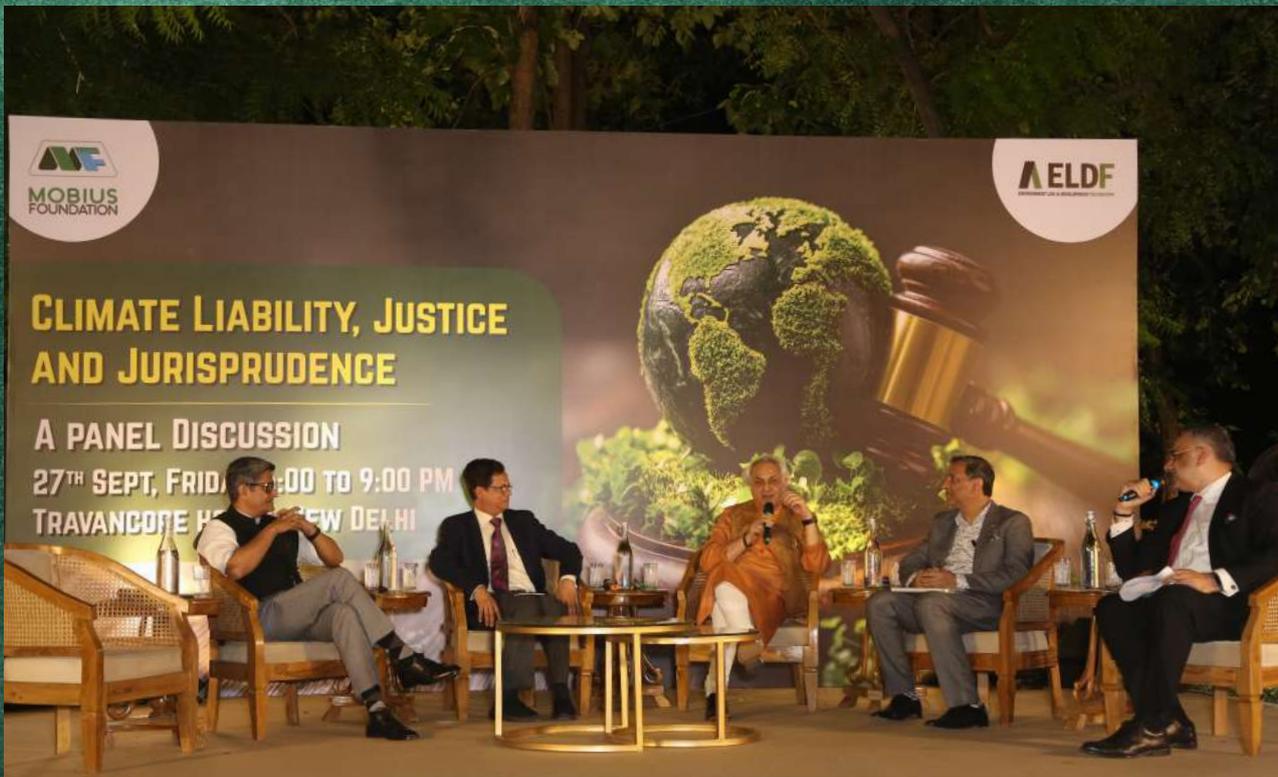
Climate-induced occurrences have become more frequent and intense in the recent past. Nations across the globe are struggling with the often catastrophic fallouts of such events. Along with the environmental concerns of climate change related events, has come a greater awareness of the social and legal dimensions to the problem.

With an increased consciousness of the serious impacts of climate change, the concept of climate liability has also gained prominence. Climate liability essentially means trying to establish how various players like governments, NGOs and individuals can be held accountable for their actions or inaction, as the case may be.

This complex issue is also gaining attention in India and is actioning legal reform and interpretation. Justice in climate issues is subjective,

considering that it affects different sections of society in different ways, especially the marginalised and vulnerable communities. In order to understand what justice means in the context of climate; and whether climate justice is distinct from environmental justice, Mobius Foundation, a New Delhi-based not-for-profit, in conjunction with ELDF—the Environment Law & Development Foundation, brought together environmentalists and luminaries from the legal world for an insightful and thought-provoking panel discussion.

For a conversation surrounding climate, the event was befittingly held in the leafy environs of Delhi's beautifully restored Travancore House—a palace that once belonged to the erstwhile royal family of Travancore in modern day Kerala. The discussion "*Climate Liability, Justice and Jurisprudence*" sought to examine the nature of accountability, responsibility, and existing redressal frameworks, in order to address the



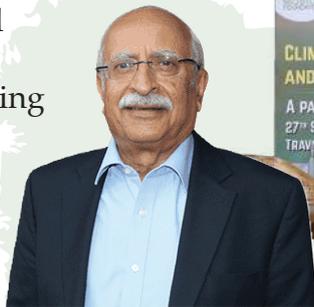
Top to bottom: Panel members during the talk (L-R: Mr. Chandra Bhushan, Mr. Praveen Garg, Dr. Afroz Ahmad, Mr. Sanjay Upadhyay and Mr. Jatinder 'Jay' Cheema ; Hon'ble Ms. Hima Kohli delivering the key-note address and Ms. Jessica Gill, Senior Research Associate at Mobius Foundation welcoming the audience; Esteemed guests and audience members gathered at the event.

evolving legal dimensions that are associated with climate change.

The event was attended by stakeholders from different walks of life—members of civil society, policymakers, bureaucrats and conservationists. Encouragingly, a number of budding young lawyers—future arbitrators of climate justice—not only attended the event, but also asked the distinguished panellists several pertinent questions.

The evening began with Chairman, Mobius Foundation, **Mr. Pradip Burman's** inaugural speech that stressed on building a future wherein no community bears a disproportionate burden of the climate crisis, population pressure and trying to find balance to live in harmony with the eco-systems that sustain the human race.

He also made special mention of Mobius Foundation's upcoming collaboration with Warner Brothers Discovery Channel to produce a 10-part documentary series



on climate change, environmental degradation and sustainability issues.

With the Hon'ble Hima Kohli, former Supreme Court judge, as Chief Guest; Dr. Afroz Ahmad, Hon'ble Expert Member of the National Green Tribunal, as Guest of Honour; Mr. Chandra Bhushan, President & CEO of the International Forum for Environment and Technology, as Special Guest; and Mr. Sanjay Upadhyay, Senior Advocate and Honorary Managing Trustee ELDF, the interactive session was deftly moderated by Mr. Jatinder 'Jay' Cheema, Projects Energy and Natural Resource lawyer.

The main objectives of the discussion were to examine the



intersection of climate change liability and legal framework by focussing on key points:

1. Climate Liability:

Exploring accountability mechanisms for governments, NGOs, corporations, and individuals in the Indian context.

2. Climate Justice:

Discussing the disproportionate impacts of climate change on communities that are vulnerable and marginalised.

3. Evolving Jurisprudence:

Reviewing landmark cases and innovative judicial approaches in climate litigation within the Indian legal system.

Addressing the gathering, Chief Guest Justice Kohli highlighted the pressing need for a comprehensive legislation dedicated specifically for climate change. India already has several environmental laws in place, but they are often fragmented and are sometimes insufficient to address the multifaceted challenges posed by climate change. Elaborating, she said, "A robust

national climate law grounded in constitutional principles and aligned with international obligations is, to my mind, the way forward." Citing the *M. K. Ranjitsinh and Others vs the Union of India* case which stemmed from concerns over the impact of overhead power lines from renewable energy projects on the Great Indian Bustard, she lauded the top court's April 2024 landmark judgment for paving the way to strengthen India's environmental laws. The ruling not only integrated human rights into climate discussions, but also recognised the right to protection from the adverse effects of climate change as a distinct fundamental right.

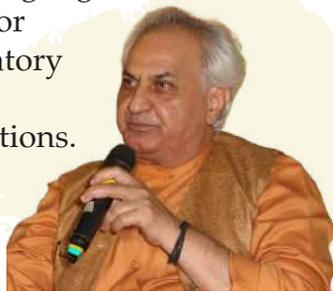
Justice Hima Kohli also highlighted the importance of Public Interest Litigations (PILs) in advancing climate justice in India, "Public Interest litigations have been a powerful tool in India's legal system, particularly in the realm of environmental protection. PILs can play a pivotal role in advancing



climate justice in India by empowering civil society to challenge inadequate climate action by governments, corporations, and public bodies," she said.

Guest of Honour **Dr. Afroz Ahmad**, Hon'ble Expert Member of the National Green Tribunal, drew attention to the environmental hazards posed by fly ash generation in which India is a key offender. "This problem highlights the pressing need for

stringent regulatory measures and innovative solutions. We must focus on sustainable practices that



not only mitigate this waste but also harness its potential in a manner that benefits society," he explained.

Mr. Chandra Bhushan, President & CEO of the International Forum for Environment and Technology, and Special Guest for the evening, stressed the need to navigate the complex relationship between environmental conservation and community displacement. He remarked, "The pursuit of

sustainability often leads to conflicts, particularly for marginalised communities. We must recognise that our environmental policies must be inclusive, addressing the rights and needs of those who are most affected.



True sustainability requires a holistic approach that balances ecological preservation with social justice."

Representing the event partner, **Mr. Sanjay Upadhyay**, Senior Advocate and Honorary Managing Trustee, ELDF, suggested the integration of climate liability into Indian law. "We need to approach climate liability with a sense of urgency and responsibility. It is crucial that our legal frameworks reflect the realities of climate change, ensuring justice for those affected. An overarching



law is essential, and it must be informed by both legal expertise and practical considerations, ensuring that we are prepared for future challenges."



The discussion concluded with a robust interactive session that saw the panellists answering a host of questions from the audience, which included a large number of law and environmental science students. The experts gathered at the Mobius Foundation “Climate Liability, Justice, and Jurisprudence” event, lauded the initiatives taken by the government and judiciary by taking positive steps in aligning Indian law to climate concerns, both domestic and global. The eminent group drew on their vast experience in the diverse areas of their personal expertise and also invited all stakeholders to continue engaging in discussions around climate liability and justice, emphasising the importance of the involvement of youth in this critical dialogue.

Q&A Session



“Given the on-going tension between addressing climate change and maintaining profitability in the corporate sector, what steps can be taken to make laws both stricter and more incentivizing?”

Specifically, can we create a legal framework that offers clear incentives for companies to adopt sustainable practices while also enforcing penalties for non-compliance, ensuring that businesses balance environmental responsibilities with financial viability?”

In response to this question asked by a postgraduate student from TERI SAS, **Mr. Praveen Garg**, IAS (Retd.) Former Special Secretary MoEFCC, and President, Mobius Foundation provided insight into how corporate sectors are handling this balance. He highlighted SEBI's introduction of



Parameters on the Business Responsibility & Sustainability Report



the BRSR - Business Responsibility and Sustainability Reporting standards. These standards are significant because they mandate the top 1,000 listed companies in India, covering about 96 per cent of market capitalisation (approx. INR 3 lakh crore), to report on their Environmental, Social, and Governance (ESG) parameters.

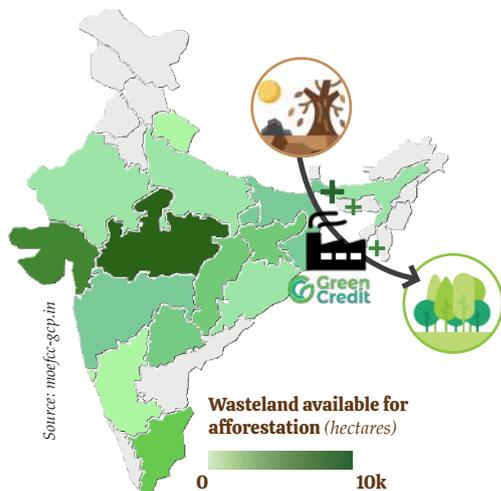
The focus here is not just on direct incentives, but more on indirect incentives. By adhering to ESG criteria, these companies demonstrate their responsibility toward sustainability and ethical practices, which, in turn, boosts market confidence and drives the value of their shares upwards. Investors and stakeholders, particularly those interested in sustainable business practices, tend to favour companies with robust ESG performance. This creates incentives which are market-driven, as companies complying with ESG

standards see increased demand for their shares, leading to higher stock prices.



“How can Public Private Partnerships (PPPs) be leveraged to promote environmental sustainability?”

This question was asked by a student from Faculty of Law from the University of Delhi. Mr. Garg, once again responded by highlighting that while (PPPs) are more commonly heard of in the infrastructure sector, they are



The Green Credits program by MoEFCC aims to:

- Enhance India's forest cover.
- Take stock of restorable degraded land.
- Accredite entities planting trees in these areas.

beginning to gain traction in the green sector due to proactive government initiatives. The new forest guidelines now introduce the concept of *green credits*, which ties into PPPs, especially in the context of environmental conservation. While the PPP framework involves both public and private players working together, government mechanisms like *carbon credits* create a platform where joint ventures can leverage the incentives and benefits provided to the sector. This offers an opportunity for the private sector to engage more in sustainable environmental projects, ensuring long-term ecological and financial gains.



“When are we going to create values in our agriculture livestock farming system for making villages truly sustainable and protected from the risk of planet assault?”

Guest of Honour Dr. Afroz Ahmad, Hon'ble Expert Member of the National Green Tribunal, pointed out to the significant number of migrant labour from rural areas of Uttar Pradesh and Bihar for example, working in states like Gujarat and Maharashtra who needed to return to their villages during the COVID-19 pandemic. This mass movement highlighted the critical need for sustainable rural development, serving as a wake-up call regarding the viability of livelihoods in rural India. He stressed that if villages were adequately developed, there would be less incentive for people to migrate to urban areas, where they often face severe health challenges, including air pollution, poor water quality, and respiratory issues. Dr. Ahmad noted that the GOI is actively working towards creating self-sustainable village ecosystems.

Drawing from his extensive experience, including his 28 years at Narmada, he recommended adapting successful models like Banas and Anand dairy systems from Gujarat as a framework for sustainable development. Such models could provide a blueprint for enhancing the agricultural livestock farming system, contributing to the long-term sustainability of rural communities and protecting them from the impacts of climate change.



“Can a climate law address the issues of social justice, ecological justice and resource justice to all sets of society?”

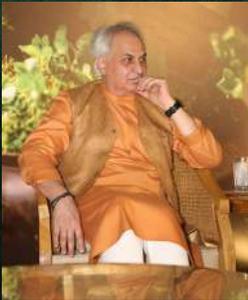
Mr. Chandra Bhushan, President & CEO of the International Forum for Environment, Sustainability, and Technology provided insight on this topic by stating that addressing climate change fundamentally is about economic transition.

Elaborating, he said, “Historically, every major transition such as moving from horse carts to automobiles has caused significant

shifts that impacted various sectors, from the cart owners to the drivers, and even the animals involved. The current transition driven by climate change is far larger in scale and complexity, requiring changes across every sector of the economy.”

He added, “The concept of transition justice must be embedded in climate law to ensure that it does not replicate the historical injustices experienced in past economic transitions, such as those related to land acquisitions for coal mining or other resource extraction. Legal frameworks must address this transition in a way that is equitable, ensuring that the burden of change is fairly distributed and that the most vulnerable are protected. This form of climate justice needs to ensure that historical wrongs are not repeated, particularly in the case of marginalised communities who are affected by environmental exploitation.

Thus, the role of climate law is not just environmental but also social and economic, requiring an integrated approach that provides for justice across society.”



Top: Young lawyers engaging in the Q&A round post the talk; Panel members (L-R): Dr. Afroz Ahmad, Hon'ble Expert Member of the National Green Tribunal, Mr. Chandra Bhushan, President & CEO of the International Forum for Environment and Technology, Mr. Praveen Garg, IAS (Retd.) Former Special Secretary MoEFCC, President Mobius Foundation, Mr. Sanjay Upadhyay, Senior Advocate and Honorary Managing Trustee ELDF, and Mr. Jatinder 'Jay' Cheema, Projects Energy and Natural Resource lawyer).

Bottom: Dr. Ram Boojh and Mr. Aditya Joshi, Advisors to Mobius Foundation, felicitating the dignitaries.



THE HEAT IS ON

What is Climate Change and Why is Everyone Talking About It?

Simply put, climate change refers to long-term shifts in the earth's temperatures and weather patterns. Such shifts can be natural, caused by changes in the sun's activity or due to the occurrence of large volcanic eruptions. Since the Industrial Revolution in the 1800s however, human activities have been the main driver of climate change, primarily due to the burning of fossil fuels like coal, oil and gas. Climate scientists have shown that humans are responsible for virtually all global heating over the last 200 years.

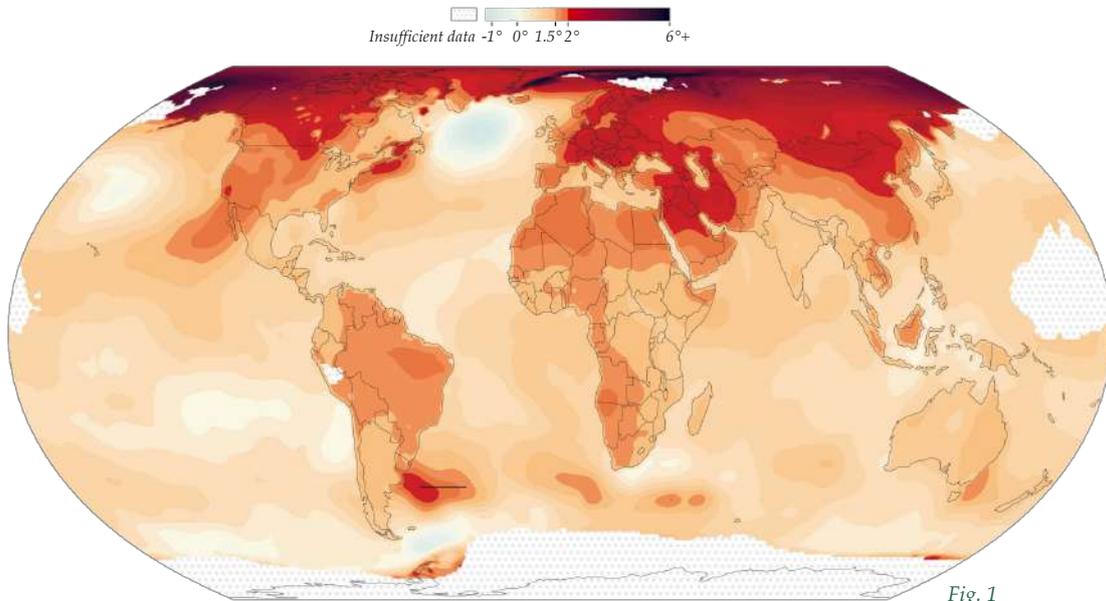
Burning fossil fuels generates greenhouse gas emissions that act like a blanket wrapped around the

earth, trapping the sun's heat and resulting in rising temperatures. Like the glass of a greenhouse roof, CO₂ and other GHGs allow sunlight to pass through to the Earth but hold in the heat. This is due to the incoming sunlight being reflected by the earth as infrared radiation, which can not easily escape to outer space because of the increasing concentrations of GHGs. Energy, industries, transport, agriculture, and land use are among the main sectors causing emissions. While several greenhouse gases cause climate change, the main culprits are CO₂ and methane. These arise from using various types of fuel; for instance, petrol or diesel for driving a car or burning coal to generate energy, which in turn is used for heating buildings and other human establishments. Clearing land and cutting down forests also releases carbon dioxide. Agriculture, oil and gas operations are major sources of methane emissions.

The average temperature of the earth's surface is now about 1.2 degrees Celsius warmer than it was in the late 1800s—prior to the Industrial Revolution—and warmer



Global Temperature Changes Since 1800s



than at any given time in the last 100,000 years. The decade between 2011 and 2020 was the warmest on record, and each of the last four decades have been warmer than any previous decade since 1850.

The most commonly held belief is that climate change primarily means warmer global temperatures. Temperature rise however is only the tip of the iceberg. The earth is a system, in which everything is inter-connected; changes in one area can influence changes in all the others. The consequences of climate change now include among others, intense droughts, water scarcity,

raging forest fires like those that recently devastated the city of Los Angeles in U.S.A, rising sea levels, flooding, melting polar ice, catastrophic storms and declining biodiversity. For instance, Greenland itself is losing about 270 billion tonnes of ice each year—roughly about the equivalent weight of 70 Eiffel Towers per day. This is causing sea levels to rise, putting coastal regions at grave risk. At this rate 10 per cent of the land in cities as far away as Mumbai could get submerged by as soon as 2040.

The fallout of climate change is not limited to only the impact on our

environment, but also on the very well being of mankind as a whole. Not only does it impact human health but also housing, safety, work and the ability to grow food.

Today, roughly half the world's population already lives in the climate "danger zone," where people are 15 times more likely to die from climate-change impacts. Populations residing in small island nations and developing countries face the brunt of changing weather patterns. Conditions like sea-level rise and saltwater intrusion have advanced to the point where whole communities have had to relocate, and protracted droughts are putting people at risk of famine.

In the future, the number of people displaced by weather-related events is expected to rise.

The chilling reality of a fast-changing climate scenario, led to the creation of the first Conference of the Parties to the UN Framework Convention on Climate Change (COP1), which met in Berlin, Germany in 1995. At COP1, the Berlin Mandate was adopted, which required the participating parties to initiate talks to reduce emissions by the year 2000, by means of quantitative objectives and specific deadlines. Two years of negotiations eventually led to the signing of the Kyoto Protocol in Japan at COP3.

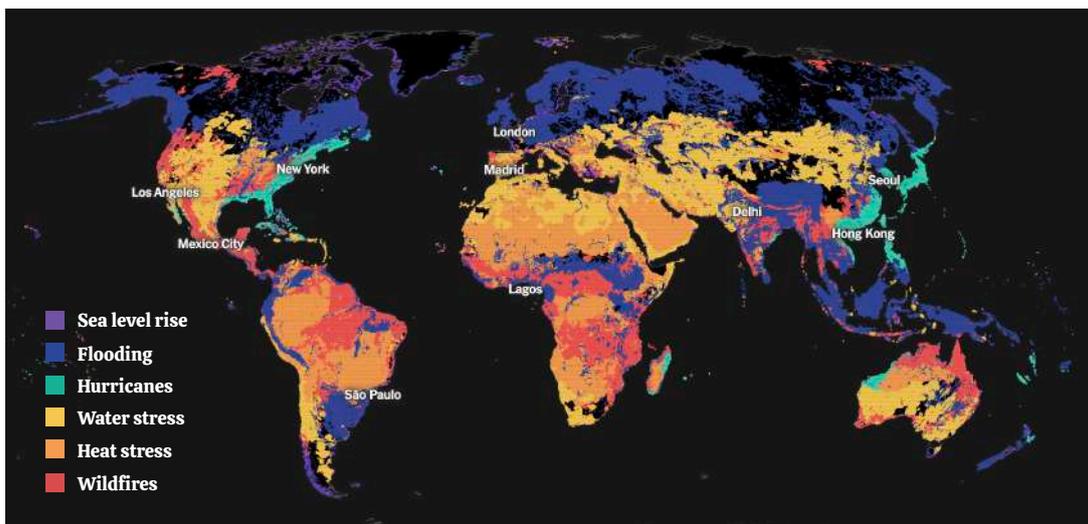


Fig. 2 - Potential climate risks that face each country across the globe.

What is COP?

The Conference of Parties (COP) is the supreme decision-making body of the UN Framework Convention on Climate Change (UNFCCC). All nations that are parties to the Convention are represented at the COP, where they review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements.

A key task for the COP is to review the national communications and emission inventories submitted by parties. Based on this information, the COP assesses the effectiveness of the measures taken by parties and the progress made in achieving the ultimate objective of the Convention. From the original 118 countries that were part of COP1 in Berlin, 20 years later by 2015, the number had grown to 198. COP21 Paris, proved historic as for the first time a universal agreement was reached in the fight against climate change. All the negotiating parties committed to drawing up long-term low greenhouse gas emission



Fig. 3 - Journey and milestones of the Conference of Parties (COP) by the UN Framework Convention on Climate Change (UNFCCC).

development strategies, resulting in the Paris Agreement. The Paris Agreement (also called the Paris Accords or Paris Climate Accords) is an international treaty on climate change that was signed in 2016. The treaty aims to help countries adapt to climate change effects, and mobilise enough finance.

The Paris Agreement set out a long-term temperature goal: To keep the rise in global surface temperature to well below 2 °C, ideally no more than 1.5 °C above pre-industrial levels.

Lower temperature increases go a long way in mitigating the adverse effects of climate change. For instance, if global warming exceeds 1.5 °C above pre-industrial levels, there will be more heat waves, longer warm seasons and shorter cold seasons. At a 2 °C increase, extreme heat would more often exceed critical tolerance thresholds with devastating impacts on agriculture and human health; and also cause increasing changes to wetness and dryness, to winds, snow and ice, coastal areas and oceans, will affect different regions in different ways. In order to achieve this temperature goal, greenhouse gas emissions need to be reduced quickly and by as much as possible. They should ideally reach net zero by the middle of the 21st century. To stay below the 1.5 °C mark, emissions need to be cut by roughly 50 per cent by 2030 and reach net zero by 2050.

What is Net Zero?

Net Zero refers to the balance between the amount of greenhouse gases (GHGs) released and the

amount removed from the atmosphere. While balancing the amount of GHG emitted and removed, when what is added is no more than what is removed, we reach Net Zero.

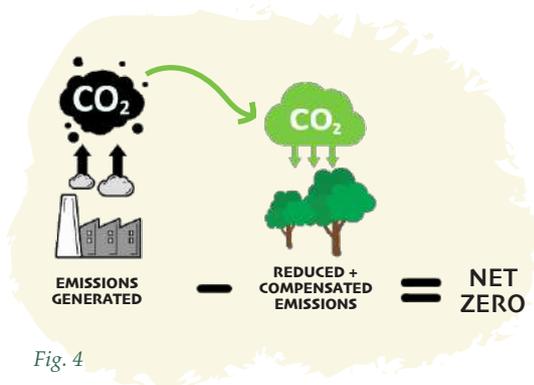
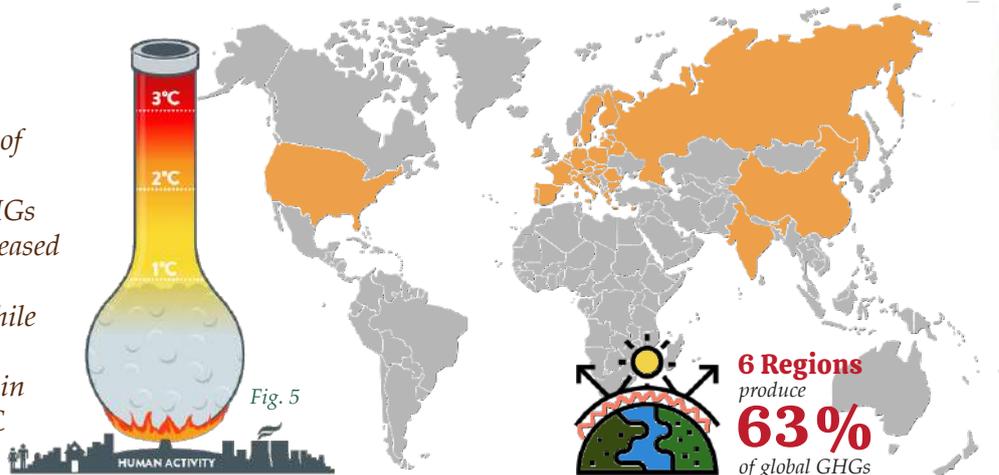


Fig. 4

Currently, the earth is already about 1.2 °C warmer than it was in the late 1800s, and emissions continue to rise. Transitioning to a world with net-zero emissions is one of the greatest challenges that global economies face. It calls for nothing less than a complete re-imagining of how we manufacture, produce, consume, and commute. The 6 largest emitters, China, USA, India, EU, Russian Federation and Brazil, accounted for 63 per cent of global emissions in 2023. The 47 least developed countries—by contrast—accounted for only 3 per cent.

“Carbon Budget”

is an estimate of the maximum amount of GHGs that can be released into the atmosphere while keeping global warming within the 1.5 - 2.0°C limit.



The G20—a grouping of the world’s 20 largest economies—Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Republic of Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, U.K., U.S.A., and the European Union, are together responsible for about 77 per cent of global greenhouse gas emissions.

The energy sector alone, is the source of nearly three-quarters of global greenhouse gas emissions today. Replacing polluting coal, gas and oil-fired power with energy from renewable sources, such as wind or solar, is critical to dramatically reducing emissions.

As of June 2024, 107 countries, responsible for approximately 82 per cent of global greenhouse gas emissions, had adopted net zero pledges either in law, or in a policy document such as a strategic long-term national climate action plan. Getting to net zero requires all governments—spearheaded by the largest emitters—to significantly strengthen their Nationally Determined Contributions (NDCs) and take bold, immediate steps towards reducing emissions now. A growing coalition of countries, cities, businesses and other institutions have joined the ‘Race to Zero’ by pledging to get to net-zero emissions by 2030.

Adapting to and Financing Climate Change

Beyond efforts to cut greenhouse gas emissions and decelerate the pace of global warming, adapting to the unavoidable fallout of climate change is vital. Climate change has already impacted a staggering 3.6 billion people—nearly half of the global population—and this number will only continue to rise as long as global temperatures keep climbing.

Droughts, floods and storms, heat stress and food insecurity are the immediate results of climate change. With increasing global warming, losses and damages will increase and more human and

natural systems will reach the limits of their ability to adapt. Many species and ecosystems are already near or beyond their adaptation limits. Our economies and societies as a whole need to become more resilient to climate impacts.

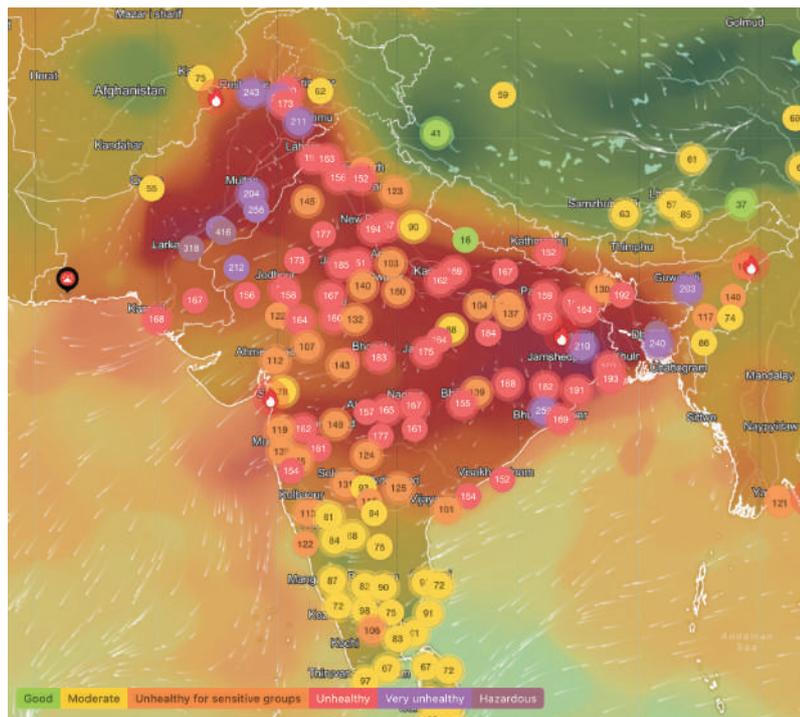


Fig. 6 - India's air quality index showing barely a couple of regions with good AQI.

This will require large-scale efforts, most of which need to be orchestrated and implemented by governments across the globe.

For instance, roads and bridges may need to be built that can withstand higher temperatures and more powerful storms. Coastal cities may need to establish systems to prevent urban flooding.

Mountainous regions may have to find ways to limit landslides and overflow from melting glaciers.

Investing in adaptation is the smart way ahead. Protecting communities today will save more lives and reduce risks moving forward in the future.

It makes financial sense too: The longer the delay, the higher the escalation in cost. Environmental economists posit that a global outlay of USD 1.8 trillion investment in early warning systems, climate-resilient infrastructure, improved agricultural methodology, global mangrove protection along coastlines and resilient water resources could generate USD 7.1 trillion through a combination of avoided costs and a variety of social and environmental benefits.

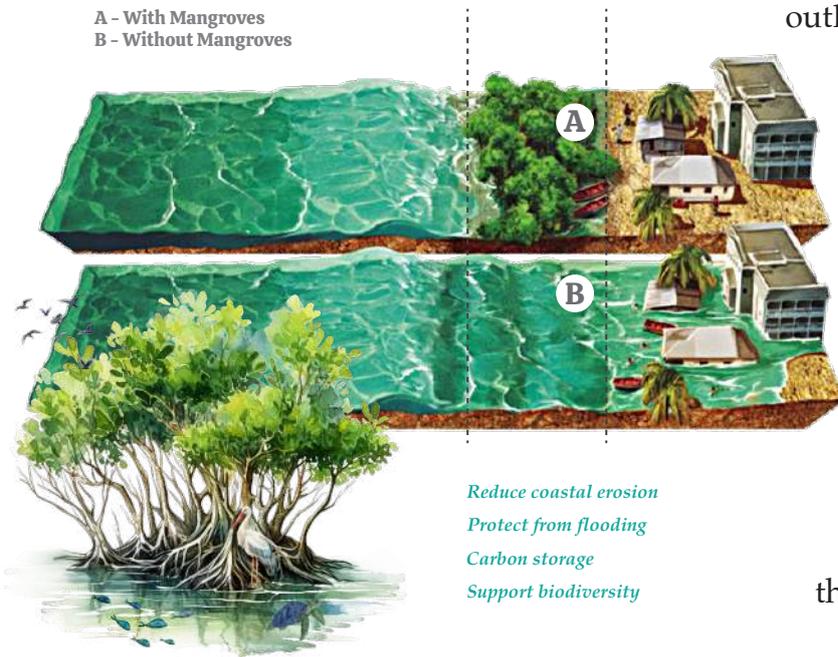
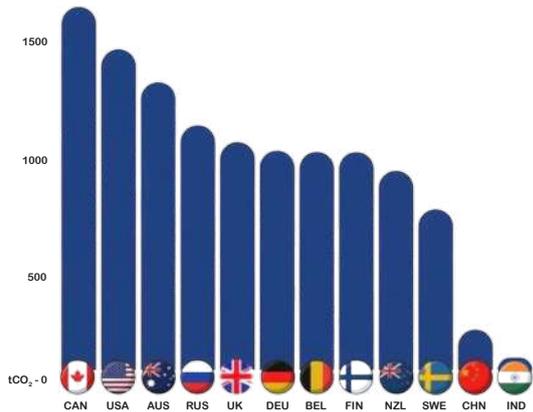
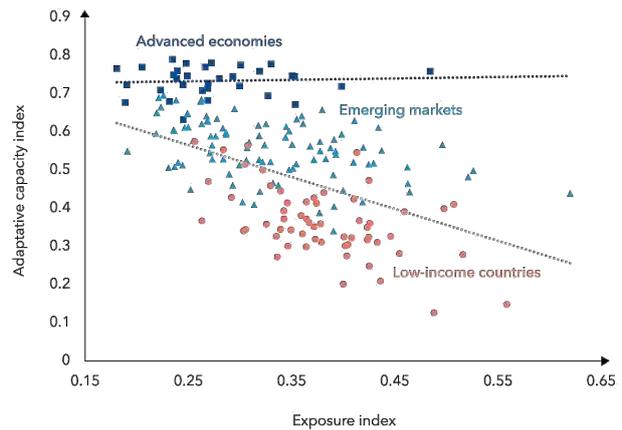


Fig. 7- Role of mangroves in coastal flood prevention and ecological stability.

Cumulative Carbon Emissions (1850-2021)



Unequal Costs of Climate Change



Two graphs representing the global disparity between the magnitude of actions and repercussions—highlighting the principle of CBDR (Common but Differentiated Responsibilities) where all countries are equally responsible for addressing climate change issues, but the actions taken by them should be based on their individual capabilities and historical contributions.

Fig. 8 - Represents the cumulative emissions by various economies over a span of ~170 years.

Fig. 9 - Highlights that advanced economies are more capable of protecting themselves from the effects of climate change while low-income countries are at greater risk and poorer capacity to safeguard themselves.

Universal access to early warning systems can deliver benefits up to 10 times the initial cost. In the agricultural sector, for example, increased solar-powered irrigation, use of new crop varieties and access to weather alert systems and other adaptive measures, would avoid a drop-off in global agricultural yields of up to 30 per cent by 2050.

Every government needs to act on climate change, but justice demands that those who have contributed

more to the problem assume a greater responsibility towards solving it.

While the case for adaptation is clear, often times, communities that are most vulnerable to climate change, are the least able to adapt due to economic constraints. In many of these cases, typically these are developing countries that are already struggling to generate adequate resources for basic needs like health care and education.

Climate justice depends on wealthier nations providing finance to countries with more limited means so they can keep up with enormous financial burdens as climate change accelerates. The scale of finance needed is significant. Estimates say that emerging markets and developing countries, excluding China, will need close to USD 2.4 trillion annually by 2030 to meet climate goals. That is four times the amount that is currently invested. Worryingly, over 60 per cent of adaptation finance involves loans instead of grants, a proportion that has been rising. UN Secretary-General Antonio Guterres has called for doubling finance for adaptation that must be equitably distributed in ways that do not impose additional constraints. Climate adaptation is becoming more expensive as the magnitude of climate change sets in. Countries may need to spend up to USD 387 billion a year by

2030, and significantly more by 2050, according to UNEP.

The recently concluded COP29 held in November 2024, in Baku, Azerbaijan, however offered some positive outcomes. With a central focus on climate finance and attended by nearly 200 countries, COP29 reached a breakthrough agreement that aims to triple finance to developing countries, from the previous goal of USD 100 billion annually, to USD 300 billion annually by 2035; as well as to drastically reduce greenhouse gas emissions and protect lives and livelihoods from the worsening impacts of climate change.

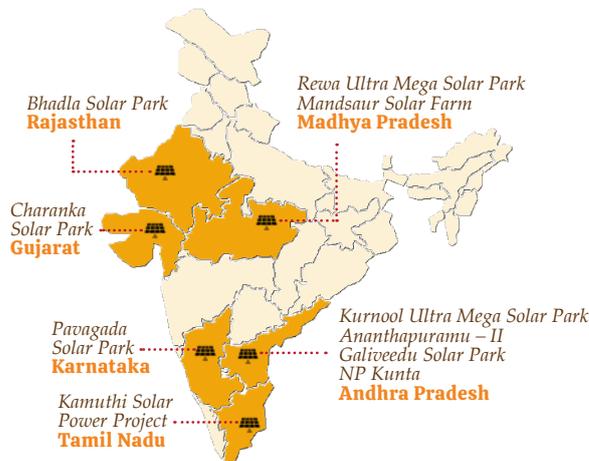


Fig. 10 - Chairperson of NGT (second from left), Justice Prakash Shrivastava's visit to COP-29 event at Baku, Azerbaijan with his other international counterparts.

Reducing Emissions

Switching energy systems from fossil fuels to renewables like solar or wind power will reduce the emissions that drive climate change. While clean energy technologies—from wind turbines and solar panels to electric vehicles and battery storage—do require a wide range of minerals and metals, and produce certain levels of emissions, the figures are still far less compared to fossil fuels.

Most solar panels produced these days need to operate for only between four and eight months—the average solar panel has a lifetime of around 25-30 years—to make up for their manufacturing emissions. Wind turbines—with a typical lifespan of 20-25 years—similarly take roughly only seven months to produce enough clean electricity to make up for the carbon pollution that is generated during the manufacturing process. Once the turbine is up and spinning, it



10 Largest Solar Parks in India

The 'National Solar Mission' was launched in 2010 with an objective to establish India as a global leader in solar energy. This is in line with India's Nationally Determined Contributions (NDCs) target to achieve about 50% cumulative electric power installed capacity from non-fossil fuel-based energy resources and to reduce the emission intensity of its GDP by 45% from 2005 level by 2030. As of 2022, India ranked 5th in solar PV deployment across the globe.



Fun Facts:

Bhadla region in Rajasthan has been described as 'almost unlivable' due to its climate. It is now the world's largest solar park with a 2.25 GW capacity.

Rewa is the first project in India to be supplying power to an inter-state open access customer—the Delhi Metro.

generates close to zero pollution. Even the most carbon-intensive wind turbine is responsible for far less emissions per kilowatt-hour of electricity produced than any coal or natural gas-fired power plant. A coal or natural gas plant, in contrast, burns fuel and releases carbon dioxide every moment that it runs.

Coal-fired power plants produce 675 to 1.689 grams of CO₂ per kilowatt-hour, while natural gas power plants produce between 437

and 758 grams—far more than on- and offshore wind which produce, on an average, 15 and 12 grams, respectively or even the most carbon-intensive wind turbine pegged at 25.5 grams.

Electric vehicles, over their lifecycle, from manufacturing to disposal, produce about half the emissions of the average internal combustion engine car, with the potential for a further 25 per cent reduction with low-carbon electricity.



Fig. 11 - The Bhadla Solar Park in Jodhpur district of Rajasthan started in 2015 under the Ministry of New & Renewable Energy (MNRE). It spans 14,000 acres and comprises 10 million solar panels.

Chapter 3

CLIMATE CHANGE & THE LEGAL LANDSCAPE



Over the past three decades, the Indian judiciary has played a pivotal role in transforming environmental law and governance within the nation. Through a series of landmark judgments, it has addressed a broad spectrum of environmental concerns, including but not limited to industrial pollution, exploitative mining practices, unchecked deforestation, waste management, harmful vehicular emissions, and rampant poaching. The judiciary's interventions have underscored the often-overlooked costs of economic growth and development, as well as the inequitable distribution of these burdens across different segments of society.

In its rulings, the judiciary has articulated a constitutional obligation, aligned with statutory provisions, to safeguard the environment and protect individuals' rights to a healthy environment.

Simultaneously, it has established a robust framework of legal principles that now constitute the foundation of Indian environmental jurisprudence and are consistently invoked in environmental litigation.

The subsequent sections examine the origins and evolution of India's environmental laws, delineating the principal statutes and regulations shaping public discourse. This analysis is followed by an exploration of ongoing legal developments in the international domain concerning climate change and a review of the current state of climate change legislation in India.



CONSTITUTIONAL FOUNDATIONS

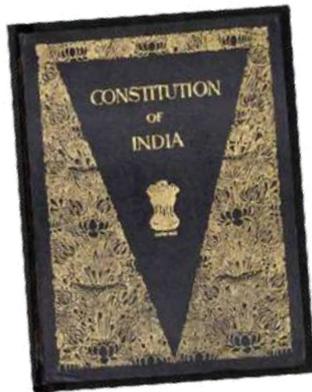
Article 21 of the Constitution of India

The primary source of the right to the environment is Article 21, which guarantees the fundamental right to life. Article 21 of the Constitution of India, 1950 states:

“No person shall be deprived of his life or personal liberty except in accordance with the procedure established by law.”¹

The judiciary has recognized the right to the environment as an extension of the right to life guaranteed under Article 21. The Supreme Court, while interpreting this provision, held: “Every citizen has a fundamental right to have the enjoyment of quality of life and living as contemplated by Article 21 of the Constitution of India. Anything which endangers or impairs, by the conduct of anybody either in violation or in derogation of laws, that quality of life and living by the people is entitled to be

taken recourse of Article 32 of the Constitution.”² Although the courts have not explicitly articulated a separate right to the environment in all cases concerning environmental issues, the right is inherently included within the ambit of the right to life under Article 21.



Directive Principles of State Policy

The DPSPs also provide a basis for environmental protection. The Supreme Court has referred to Articles 47 and 48A in this context.

Notably, Article 48A, inserted by the Constitution (Forty-second Amendment) Act, 1976, Section 10, expressly outlines the duty of the State regarding environmental protection. Article 48A of the Constitution states:

“The State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.”³



Fig. 12 - Prime Minister Narendra Modi planting a tree on the occasion of World Environment Day, 2024.

The term "environment" in Article 48A has been interpreted broadly by the judiciary to include a "hygienic atmosphere and ecological balance." The State is tasked with maintaining ecological balance and ensuring a hygienic environment through its policies. Although the DPSPs are not enforceable by courts, they are "fundamental in the governance of the country", and it is "the duty of the State to apply these principles in making laws." The Supreme Court has harmonized the fundamental rights with the DPSPs, stating that they function as "two wheels of a

chariot, one no less important than the other."⁴ Through a combined reading of Article 21 and Article 48A, the judiciary has interpreted the right to a healthy environment as both a positive and negative duty of the State, requiring it to protect, respect, and fulfill this right.⁵

Fundamental Duties of Citizens

Through the provision of Article 51A(g), the Indian Constitution also imposes a fundamental duty on the citizens to protect and improve the environment:

"It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures."

The Supreme Court emphasized the role of citizens in preserving the environment, stating: "Preservation of the environment and keeping the ecological balance unaffected is a task which not only governments but also every citizen must undertake. It is a social obligation,

and let us remind every Indian citizen that it is his fundamental duty as enshrined in Article 51-A(g) of the Constitution.⁶

The National Green Tribunal (NGT) has also invoked Article 51A(g) to expand the interpretation of “person aggrieved” under the National Green Tribunal Act, 2010 (NGT Act)⁷. By this interpretation, citizens can fulfill their fundamental duty by bringing cases before the NGT to highlight instances where the

environmental rights of others are compromised.

In conclusion, the right to a healthy environment, while not explicitly codified in the Constitution, has been effectively established and protected through judicial interpretation, relying on the provisions of Articles 21, 48A, and 51A(g). These constitutional principles collectively impose State and citizen obligations to safeguard the environment.



Fig. 13 - On the occasion of Earth Day in 2024, volunteers belonging to 50+ organisations took part in 'Jalosh - Clean Coasts', a massive, recurring clean-up drive led by Project Mumbai. Nearly 15,000 kilos of waste was cleared from 7 beaches, 5 mangrove sites and 3 river banks across the city of Mumbai.

LEGISLATIVE PROVISIONS



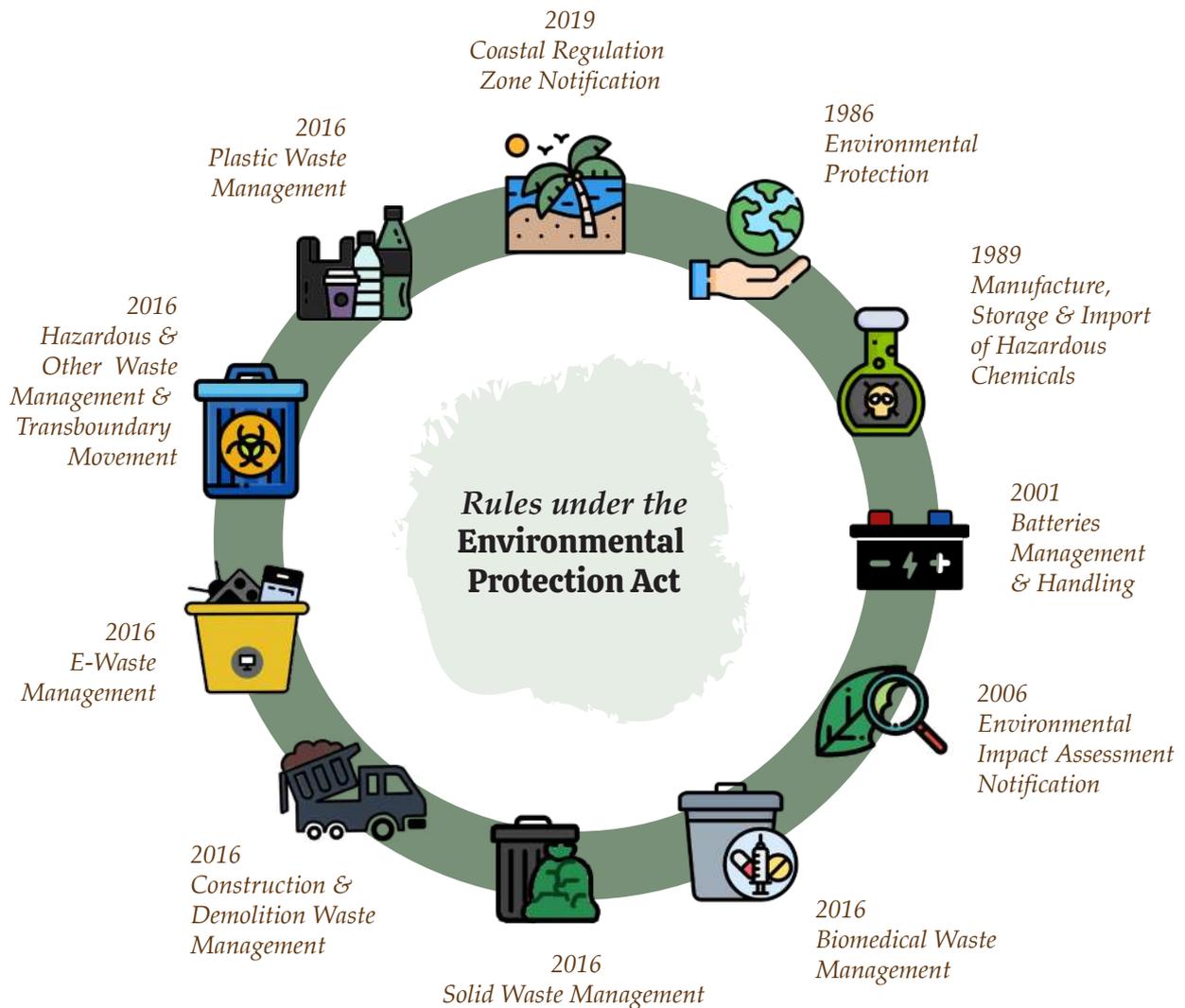
Environmental laws in India consist of a comprehensive framework of legislation and rules enacted by the Parliament and various institutions. These legislative measures are significantly influenced by judicial pronouncements of higher courts and decisions of quasi-judicial bodies. The laws are designed to address critical aspects of public life requiring clarity in the interaction between citizens, authorities, and the environment.

Environmental Protection Act, 1986

The Environmental Protection Act, of 1986, serves as an umbrella legislation aimed at establishing a comprehensive framework for coordinating the activities of central and state authorities instituted under the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981. Under this Act, the central government is vested

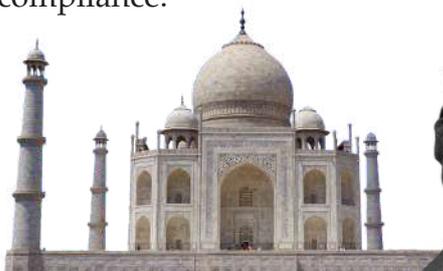
with powers to undertake all necessary measures to protect and improve the environment. These measures include setting standards for emissions and discharges, regulating industrial locations, managing hazardous waste, and

safeguarding public health and welfare. The central government, in pursuance of its mandate, periodically issues notifications under the Act to protect ecologically sensitive areas and provide guidelines for its implementation.



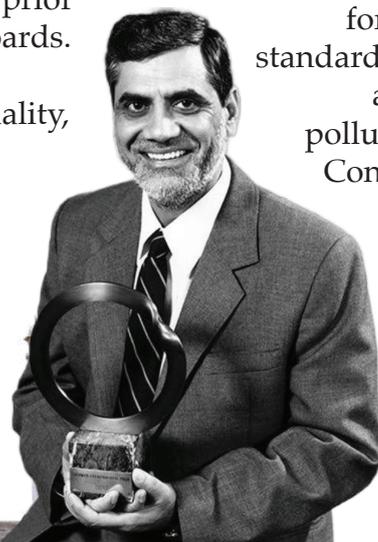
Air (Prevention and Control of Pollution) Act, 1981

The Air (Prevention and Control of Pollution) Act, of 1981, was enacted to address air pollution and establish ambient air quality standards. It seeks to control and abate air pollution by prohibiting the use of polluting fuels and substances and regulating appliances that generate air pollution. The Act mandates that industries within designated pollution control areas obtain prior consent from relevant state boards. Additionally, the boards are tasked with monitoring air quality, inspecting pollution control equipment, and overseeing industrial processes to ensure compliance.



Water (Prevention and Control of Pollution) Act, 1974

This Act of 1974 marked India's first comprehensive legislative effort to address environmental concerns. It prohibits the discharge of pollutants into water bodies beyond prescribed standards and imposes penalties for non-compliance. The Act was amended in 1988 to align its provisions more closely with the Environmental Protection Act, of 1986. It established the Central Pollution Control Board (CPCB) to formulate and enforce standards for the prevention and control of water pollution. State Pollution Control Boards (SPCBs) operate under the direction of the CPCB and respective state governments to implement the Act at the state level.



M.C. Mehta with the Goldman Environmental Prize. A public interest attorney, he single-handedly won numerous landmark judgments from India's Supreme Court since 1984.

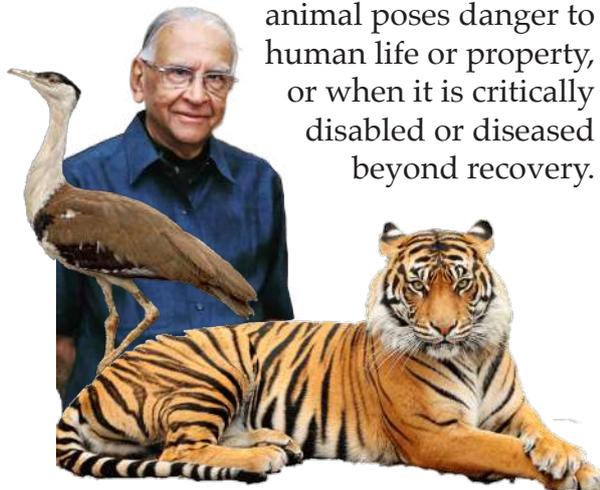
The Taj Mahal Case—Mehta noticed the marble turning yellow and filed a petition to protect the monument from pollution. The court ordered the industries to reduce emissions and shut down thermal power stations.

Ganga Pollution Case—River Ganga, lifeline to many civilizations, was being polluted with domestic and industrial waste. He filed a PIL under article 32 of the constitution which led to the closing of many factories, installation of pollution control devices and sewage treatment plants across the river basin.

Wildlife (Protection) Act, 1972

The Wildlife Protection Act, of 1972, provides for the conservation of species listed as endangered flora and fauna and establishes a network of ecologically significant protected areas. It empowers central and state governments to designate wildlife sanctuaries, national parks, and closed areas. The Act imposes a blanket prohibition on industrial activity within these protected zones. It also regulates hunting, trade in wildlife and their derivatives, and the protection of specified plants. Exceptions to hunting prohibitions are allowed only with authorization when an

animal poses danger to human life or property, or when it is critically disabled or diseased beyond recovery.



M.K. Ranjitsinh vs. Union of India, 2024.

The Supreme court mandated undergrounding of certain power lines when it was found that the Great Indian Bustard had become critically endangered due to collisions with overhead transmission lines.

Dr. Ranjitsinh also played a crucial role in the drafting of the Wildlife Protection Act, conservation of Royal Bengal tigers and the reintroduction of cheetahs in India.



T.N. Godavarman Thirumulpad vs. Union of India, 2012
Also known as "the green man", Thirumulpad filed a petition to stop illegal timber operations in the Nilgiris in Tamil Nadu. A landmark judicial intervention, the case led to Sandalwood being declared an endangered species and the court cancelling all licenses for wood-based industries.

Forest (Conservation) Act, 1980

The Forest (Conservation) Act, of 1980, was enacted to protect and conserve forest areas. The Act restricts state governments from de-reserving forest land or diverting it for non-forest purposes without prior approval from the central government. Non-forest purposes include the use of forest land for activities such as agriculture, horticulture, or plantation of cash crops, except for reforestation.

Biological Diversity Act, 2002

This Act of 2002 aims to ensure the conservation of biological diversity, sustainable utilization of its components, and equitable sharing of benefits arising from the use of biological resources and associated knowledge.

National Green Tribunal Act, 2010

The National Green Tribunal was established for the expeditious resolution of cases regarding environmental protection and conservation of forests and natural resources. The NGT is empowered

to enforce legal rights related to the environment and to provide urgent relief and compensation for damages to persons and property arising from environmental harm.



Public Liability Insurance Act, 1991

This Act mandates public liability insurance to ensure immediate relief to individuals affected by accidents involving hazardous substances. It holds owners liable in cases of death or injury resulting from such accidents.



Union Carbide Corporation vs. Union of India, 1989

'Bhopal Gas Tragedy' killed thousands of people with a toxic gas leak in 1984. The GOI filed a suit against the UCC, under the Public Liability Insurance Act, which resulted in a monetary settlement to provide immediate relief to the victims. Three decades later, children in Bhopal are still being born with physical and mental disabilities owing to that fateful night.

Fig. 14 - Brothers Vikas Yadav and Aman Yadav, victims of the Gas Tragedy, who have muscular dystrophy, being cared for by their mother at their home (2018).

Fig. 15 - Women in Bhopal seeking reopening of the case.

INTERNATIONAL CLIMATE LAW

The United Nations Framework Convention on Climate Change (UNFCCC), adopted in 1992 following the First Assessment Report by the Intergovernmental Panel on Climate Change (IPCC) in 1990, constitutes a multilateral treaty aimed at stabilizing greenhouse gas concentrations "at a level that would prevent dangerous anthropogenic (human-induced) interference with the climate system." Entering into force in 1994,

the UNFCCC has served as the foundation for international climate negotiations, leading to pivotal agreements such as the Kyoto Protocol (1997) and the Paris Agreement (2015).

According to Article 2 of the UNFCCC: *"The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions*



Fig. 16 - The United Nations Framework Convention on Climate Change opens for signature at the Earth Summit in Rio de Janeiro in 1992, bringing the world together to curb greenhouse gas emissions and adapt to climate change.

of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner.⁸

The UNFCCC has been instrumental in coordinated global action addressing climate change mitigation and adaptation. It establishes the governing principles for international climate treaties, including the principle of Common but Differentiated Responsibilities (CBDR). According to Article 3: *"The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof."⁹*

Under Article 4.1, the Convention delineates the responsibilities of States to mitigate climate change, as follows: *"All Parties, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives, and circumstances, shall: Formulate, implement, publish and regularly update national and, where appropriate, regional programs containing measures to mitigate climate change by addressing anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, and measures to facilitate adequate adaptation to climate change."¹⁰*

The Paris Agreement of 2015, adopted under the UNFCCC framework, represents a landmark in the evolution of international climate law. The Agreement seeks to limit global temperature rise to below 2°C above pre-industrial levels while striving to restrict the increase to 1.5°C. The Agreement further aims to achieve its objectives by: "Increasing the ability to adapt to the adverse impacts of climate

	Source	Target year	Covers all sectors and gases	Transparent information on carbon removal	Published plan	Review process	Annual reporting	
G20 members whose emissions have peaked								
	Argentina	in policy document	2050	✓	✗	✗	?	✗
	Australia	in law	2050	✓	✓	[inconclusive]	✓	✓
	Brazil	in policy document	2050	?	✗	✗	?	✗
	Canada	in law	2050	✓	✓	✓	✓	✓
	European Union	in law	2050	✓	✓	✓	✓	✓
	France	in law	2050	✓	✓	✓	✓	✓
	Germany	in law	2045	✓	✓	✓	✓	✓
	Italy	in policy document	2050	✓	✓	✓	[not evaluated]	✓
	Japan	in law	2050	✓	✗	✓	✓	✓
	Russian Federation	in law	2060	✓	✓	✓	✓	✗
	South Africa	in policy document	2050	✓	✗	✗	?	✗
	United Kingdom	in law	2050	✓	✓	✓	✓	✓
	United States of America	in policy document	2050	✓	✓	✓	✓	✓
G20 members whose emissions have not yet peaked								
	African Union	no net-zero target						
	China	in policy document	2060	?	✗	✓	✓	✓
	India	in policy document	2070	✓	✗	✗	?	✗
	Indonesia	in policy document	2060	✓	✗	[inconclusive]	?	✗
	Mexico	no net-zero target						
	Republic of Korea	in law	2050	✓	✓	✓	✓	✓
	Saudi Arabia	government announcement	2060	?	✗	✗	?	✗
	Türkiye	in policy document	2053	✓	✗	✓	?	✗

Fulfilled
 Partially fulfilled
 Not fulfilled
 No information

Fig. 17 - UNEP Emissions Gap Report 2024: Status of G20 countries in how they are going about fulfilling their NDCs.



emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.¹²

change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.¹¹ According to Article 4 of the Paris Agreement:

"Parties are to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic

Accordingly, each Party is mandated to prepare, communicate, and maintain successive NDCs that it intends to achieve. Furthermore, parties are required to pursue domestic mitigation measures to fulfill these contributions.



Fig. 18 (top) - US Secretary-General Ban Ki-moon and France's Foreign Minister Laurent Fabius, the president of the climate conference, patiently and brilliantly worked with the more than 190 delegations to forge a balanced package of obligations and commitments that convinced every country that the others were also acting fairly according to what is famously called "common but differentiated responsibilities."

Fig. 19 (bottom) - 195 Parties out of 198 Parties to the UNFCCC are Parties to the Paris Agreement. Implementation of the Paris Agreement requires economic and social transformation, based on the best available science. It works on a five-year cycle of increasingly ambitious climate action carried out by countries.

CLIMATE CHANGE LAW IN INDIA



Nationally Determined Contribution to UNFCCC

India submitted its inaugural Intended Nationally Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC) on 2nd October 2015. In August 2022, under Article 4 of the Paris Agreement, read in conjunction with relevant decisions, India updated its original NDC, outlining its commitments for the period up to 2030.¹³

The updated NDC is as follows:

1. To promote and further disseminate a sustainable and health-conscious way of living, rooted in the traditions and values of conservation and moderation, including through the mass movement for 'LiFE' – 'Lifestyle for Environment' as a critical strategy to combat climate change.



2. To adopt a climate-friendly and cleaner developmental trajectory, distinguishing it from the path followed by other nations at corresponding levels of economic development.

3. To achieve a 45% reduction in the Emissions Intensity of GDP by 2030, based on the 2005 levels.



4. To ensure that approximately 50% of the total installed electric power capacity is derived from non-fossil fuel-based energy sources by 2030, with the assistance of technology transfer and low-cost international financing, including from the Green Climate Fund (GCF).

5. To create an additional carbon sink of 2.5 to 3 billion tonnes of CO₂ equivalent through enhanced forest and tree cover by 2030.



6. To improve resilience to climate change by increasing investments in development programs targeting sectors particularly vulnerable to climate change, including agriculture, water resources, the Himalayan region, coastal zones, health, and disaster management.



7. To mobilize both domestic resources and new & additional financial contributions from developed nations to implement the aforementioned mitigation and adaptation measures, considering the substantial financial requirements and resource gaps.

8. To develop capacities and establish a domestic framework and international architecture to facilitate the rapid dissemination of advanced climate technologies in India, including joint collaborative Research and Development (R&D) for emerging climate technologies.

The NDC has served as a guiding framework for India's national climate policy. These commitments also encompass the domains where issues of rights, violations and environmental justice may arise. This has become particularly evident in the rise of climate-related litigation in India, underscoring the need for an expanded definition of environmental laws in the country to encompass the growing scope of climate change law.

Climate change, and its attendant consequences, are gaining increasing attention from the public. This heightened awareness is expected to give rise to climaterelated litigation, with courts likely to be more amenable to

such claims. The growing recognition of the risks posed by climate change can motivate civil society to pursue legal action, leading to the potential for increased litigation against governments and commercial entities.

Some potential sources of such litigation may include breaches of advertising regulations and standards, failure by corporations to adequately disclose the environmental impact of their activities, and negligence by government or business entities. Liability issues could arise where climate change is a direct or indirect causal factor. Furthermore, failure by authorities to regulate



Over the decades, environmental activism in India has strengthened with people becoming more aware of their rights and better legal structures coming in place to address these issues.

Fig. 20 - The Chipko Movement in 1970s where villagers in Uttarakhand hugged trees to save them from felling.

Fig. 21 - 2018 protests in Tamil Nadu against the Sterlite Copper factory's alleged contamination of the ground water.

greenhouse gas emissions may give rise to administrative law claims against public bodies.¹⁴

Indian citizens have various legal remedies available for redress in cases of environmental rights violations. These remedies include filing a writ petition for the enforcement of existing environmental laws, seeking compensation under the Public Liability Insurance Act, 1991 for damages resulting from hazardous accidents, or pursuing common law actions for negligence or nuisance.¹⁵

Climate Change Bill, 2015

Introduced in the Lok Sabha in 2015, this Bill proposed several progressive measures aimed at systematically reducing carbon emissions in India.¹⁶ The primary provisions of the Bill included:

Carbon Budgeting

The central government was tasked with prescribing a net carbon target for 2050 under international commitments made by India.

A baseline year for the absolute reduction of carbon emissions would be specified, along with the establishment of the Energy Intensity Index of GDP. A carbon budget for each budgetary period was to be set to achieve the net carbon target by 2050.

Carbon Trading Scheme

The Bill proposed the creation of a carbon trading scheme to limit activities that generate greenhouse gas emissions and encourage activities that reduce or eliminate emissions. A Carbon Trading Authority would be established to oversee this system and consult with relevant stakeholders.

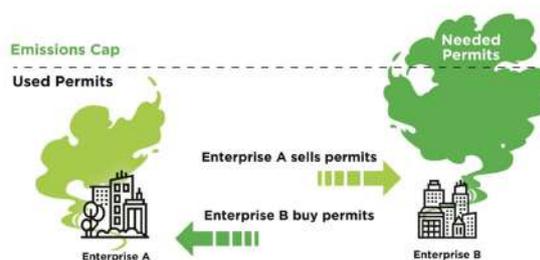


Fig. 22 - Carbon Trading is the use of a marketplace to buy and sell credits that allow companies or other parties to emit a certain amount of carbon dioxide. A low emitter that has surplus credits can sell them to a high emitter that has exceeded its cap.

National Committee on Climate Change

The Bill proposed the establishment of a National Committee on Climate Change, tasked with advising the government on matters related to climate change, such as making modifications to carbon emission targets and the developing laws and policies related to environmental protection and climate change. The Committee would also monitor India's progress toward fulfilling its NDC and achieving net-zero emissions.

India's evolving legal framework for environmental protection and recent developments in climate law are influenced by a range of social, political, and economic factors, which, in turn, shape the implementation of judicial orders and directives.

However, there are inherent limitations to the effectiveness of judicial enforcement mechanisms. Without significant reforms to streamline and strengthen the current environmental regulatory framework, even the most robust judicial directives may prove ineffective. Therefore, there is a pressing need for developing standardized methodologies for assessing environmental damage, calculating compensation, and establishing principled guidance for executive authorities tasked with addressing these issues.



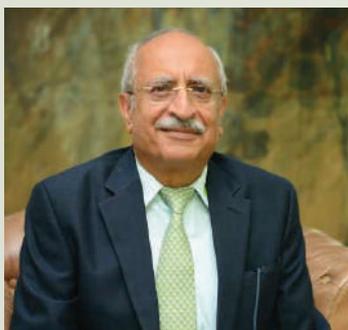
Fig. 23 - Prime Minister Narendra Modi at COP26 in Glasgow in November 2021, announced India's promise to bring emissions to net zero by 2070.

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Annexure

Chairman's Address



Good evening, Honourable Ms. Justice Hima Kohli, Dr. Afroz Ahmad, Mr. Chandra Bhushan, Mr. Sanjay Upadhyay, Mr. Jatinder 'Jay' Cheema, ladies, gentlemen, and dear students.

Today, we find ourselves at a critical juncture where climate change is reshaping not only our environment but also the very foundations of our legal system. This crisis is not just an environmental issue—it is fundamentally a matter of justice. Climate change impacts various areas of law, from environmental protection to human rights, corporate responsibility, and international agreements. The question we must ask ourselves is: how do we ensure justice for both our planet and the people most affected by its impact?

The effects of climate change are not confined to one region or one group. As climate-induced displacement becomes more common, we are confronted with the legal and moral challenge of addressing the status of "climate refugees." Current international law does not recognize the term "climate refugee" and thus leave millions of displaced people without legal protection. This gap in our legal system demands urgent reform in asylum and immigration laws.

Climate change is also a human rights crisis. Its impacts—rising temperatures, extreme weather events, and loss of natural resources—disproportionately affect vulnerable populations who have limited means to adapt. Climate change impedes the right to health, the right to life, the right to food and water, and even the right to self-determination. All nations must act collectively to prevent further environmental and human harm.

We are witnessing a rise in climate-related litigation and landmark verdicts such as, the Great Indian Bustard verdict of the Supreme Court of India. In these cases, governments, corporations, and individuals are being held accountable for their role in contributing to climate change. Plaintiffs argue that emissions from companies or inaction by governments violate environmental protection laws and constitutional rights. A decade ago, climate change law largely focused on compliance with

environmental regulations. But today, new regulatory frameworks are being enacted globally, and climate cases are on the rise. According to the Climate Change Litigation Databases, more than 230 cases were filed across 55 countries in 2023 alone, addressing everything from breach of regulations to human rights violations. These legal battles not only impact the courtroom but also shape policy and decision-making at national and international levels.

At the heart of these efforts is climate justice—a concept where the rights of people and the health of our planet intersect. Climate justice seeks to balance thriving ecosystems with healthy communities, where decision-making is participatory, equitable, and inclusive. It means putting human rights and fairness at the core of climate action, ensuring that disadvantaged groups can seek remedies for the damage they have suffered.

At the Mobius Foundation, we are deeply committed to raising awareness about these challenges. No discussion on climate change is complete without addressing the social justice concerns of vulnerable communities. As we look toward the future, we must integrate these growing social concerns into the evolving landscape of India's climate and environmental laws. We aim to create a platform for the progressive exchange of ideas and hope that through our efforts, we can contribute to advancing legal thought in India.

Mobius Foundation is also partnering with Warner Brothers and Discovery Channel on a ground-breaking 10-episode documentary series. This series will illuminate the challenges the planetary boundaries are facing in India and highlight innovative ways to conserve our environment. A special episode will be dedicated to the crucial environmental issue of population growth.

We should strive to build a future where no community bears a disproportionate burden of the climate crisis. A future where the dignity and rights of all people are protected, and where we live in harmony with the ecosystems that sustain us.

I hope that with this event, we will make a significant contribution towards the emerging field of climate change and environmental law. Thank you!

Pradiip Burman

Image Credits:

1. *Washington Post/Dangerous new hot zones are spreading around the world*
2. *The New York Times/Every Country Has Its Climate Risks. What's Yours?*
3. *Climate Partner/From pledges to binding commitments – a review of key milestones in previous COP conferences*
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18. *The Lancet*
19. *VICE/The US Is the Last Country to Remain Outside the Paris Climate Agreement*
20. *Sugi project/The Chipko Movement*
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22. *IAS Baba*
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“ We are the first generation
to feel the effect of climate change
and the last generation
who can do something about it. ”

—Barack Obama
Former U.S. President



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