

# CLIMATE CHANGE MITIGATION AND ADAPTATION: LEGAL FRAMEWORKS AND GLOBAL CHALLENGES

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## ABSTRACT

For a very long time, scientists have researched climate change. The landscape around us has undergone a dramatic transformation, as we can witness. Glaciers melt as a result of warm heat waves brought on by the rising earth's temperature. At this point, the world has begun to take climate change seriously and to take action to control it. A novel environmental conservation measure is taken by man courtiers. In addition to being discussed in the U.N.O. summit, countries contribute law and regulation.

The primary objective of climate change law is to limit greenhouse gas emissions and reduce the overall carbon footprint. This is achieved through the establishment of emission reduction targets and the implementation of various mitigation measures. These actions might involve promoting alternate source of energy, improving utilization of energy, and implementing greener technology to the manufacturing and transportation sectors. By implementing effective climate change laws, countries can contribute to global efforts in reducing greenhouse gas emissions, protecting vulnerable communities, and building a sustainable future for generations to come.

Each branch of the government will play a significant part in this. There is no time to waste, as we are aware. If we want to reduce our greenhouse gas carbon by half, we as a species only have around nine years remaining, according to top scientists in the world. Therefore, it is crucial that people begin to become aware of it and begin leading a life that is in harmony with

the environment. In order to protect the ecosystem and enforce strict rules and regulations relating to climate change, this article discusses ecological and greenhouse impact legislation.

**Keywords:** Climate Change, Climate Emergency, Carbon emissions etc.

## INTRODUCTION

In this century, the biggest risk to the survival of people is a changing climate, the ecosystem, and the existence of the planet. Hazards' gas has been present in our environment for a long period of time, and it is increasing from time to time. There are many heat-trapping gases, but part of the CO<sub>2</sub> gas in the environment is higher than every other gas, and it has a very bad impact on nature, which causes climate change. Since 1990, the standard deviation of surface temperatures throughout the globe has risen by almost 1°C. This gas has resulted in the warming of the sea, an increase in the sea level, and the intensity of heat waves that caused the decline of glaciers. The amount of carbon dioxide in the earth's atmosphere has reached a maximum over hundreds of thousands of years. We started smashing carbon dioxide (CO<sub>2</sub>) records throughout the industrial revolution in 1950 and haven't stopped since. According to experts, there's a 95% possibility that it is caused by human activities. In order to power our houses, industries, airplanes, and automobiles, we consume an increasing amount of petroleum and other fossil fuels like coal and oil, which generate CO<sub>2</sub>. We also eat more goods from animals that generate a different pollutant called methane due to the fact that the world population has quadrupled in the last 70 years. As a result of all these gases being present in the environment and daylight penetrating the earth's atmosphere, the globe warms up. It was given the name "greenhouse effect" for this reason. However, the issue has nothing to do with that the world is warming up; rather, it relates to the fact that it is doing more and more rapidly. According to scientific predictions by 2030, the surface of the planet temperature would have increased by 1.5°C on average.

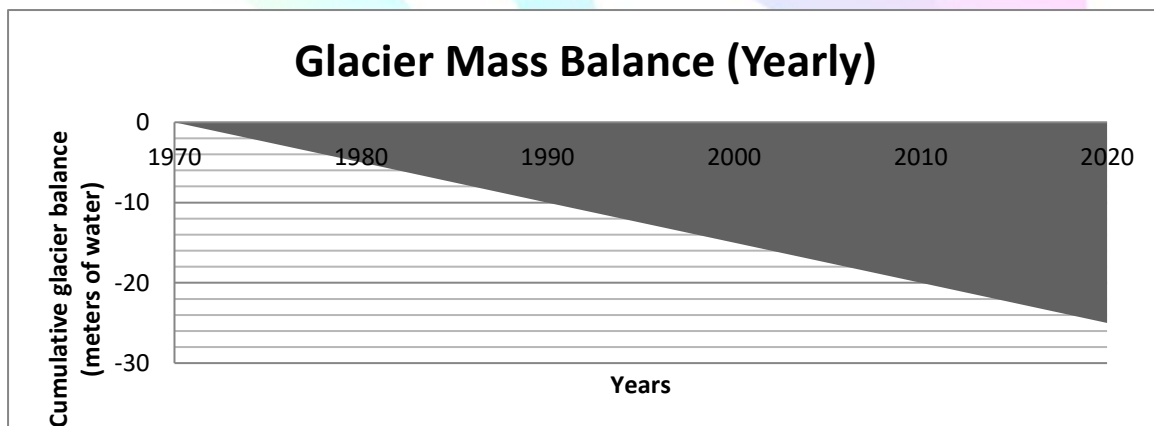
Due to the ocean evaporation as an outcome of rising temperatures, sea levels continue to rise by around 3 millimetres year. Trillions of metric tons of pure water are also added to our oceans by melting glaciers and ice sheets. Millions of people will have to relocate if the current trend continues, as people throughout the world have begun to lose their houses. Within 80 years,

whole coastal cities including Miami in the US or Osaka within the nation of Japan may be underwater. In the Pacific, an entire island country may vanish entirely. A paper published in Nature says that between 2000 and 2019, we almost lost 267 gig tons of ice every year and 21% of sea level rise due to this equivalent of England's 2 meter surface area submerging into water every year.

## GLACIER RETREAT



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## INTERNATIONAL FRAMEWORK

Climate change, a global concern that poses significant threats to the environment and human society, has become a prominent issue in recent decades. As the impact of climate change becomes increasingly evident, international and domestic legal frameworks have evolved to

address the challenges it presents. There is an evolution of climate change law, tracing its development from early international agreements to contemporary approaches.

### **1. Early International Agreements:**

The United Nations Framework Convention on Climate Change (UNFCCC), which was approved in 1992, was the first important step towards tackling climate change on a global scale<sup>iii</sup>. The UNFCCC stressed the significance of maintaining emissions of greenhouse gases in the atmosphere and created the groundwork for later climate change discussions. It also introduced the concept of shared but distinct obligations, taking into account the various obligations of industrialized and developing nations. The Framework Convention does not, however, contain any legally binding commitments to reduce carbon dioxide emissions by a particular number by a specific date. Although it is not a requirement, the Convention assumes that in the future, more precise agreements or protocols will achieve that goal. The Convention also distinguishes between developed and developing nations. Due to the long atmospheric residence times of these gases, the historical greenhouse gas emissions contributions of developed nations have long-term compounded consequences.

### **2. Kyoto Protocol:**

Kyoto Protocol was implemented in 1997 and established strict carbon reduction goals for wealthy nations. It developed flexibility mechanisms including the collaboration on implementation (JI) and the clean development methodology (CDM), as well as the idea of carbon trading. The Kyoto Protocol signalled a dramatic turn toward a more thorough and legally enforceable strategy for combating climate change. The United States is the only sizable industrialized country that is not a signatory to the Kyoto Protocol. Industrialized countries agreed, as part of the Kyoto Protocol, to reduce their net emissions of carbon dioxide and other pollutants by no more than 5% over 1990 levels by throughout the period 2008 until 2012. There is no equivalent promise made for underdeveloped nations. Six a greenhouse gases—carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, per fluorocarbons, and sulphur fluoride—are included by the Kyoto Protocol. The use of market-based trading systems to decrease greenhouse emissions is a crucial component of the Kyoto Protocol and one that the United States actively pursued.

On March 13, 2001, President George W. Bush repudiated the Kyoto Protocol<sup>iv</sup>. Referring to the Byrd-Hegel resolution, he said he opposed the Protocol “due to the fact that it waives 80% of the human population worldwide, particularly significant population centres like China and India, from complying and would seriously affect the U.S. economy”<sup>v</sup>. In the meantime, the U.S. is making an effort to secure emissions reduction commitments from major emitting countries, both developed and developing<sup>vi</sup>.

### **3. Paris Agreement:**

The 2015 adoption of the Paris Agreement marks a significant turning point in the battle to tackle climate change on an international level. It pursues attempts to keep temperature increases to 1.5 degrees Celsius and to keep global warming beneath 2 degrees Celsius over the period prior to industrialization. The Paris Agreement introduced a bottom-up approach, requiring each country to submit nationally determined contributions (NDCs) outlining their climate actions. It also emphasized the importance of adaptation, finance, technology transfer, and capacity-building support for developing countries. To better frame the efforts towards the long-term goal, the Paris Agreement invites countries to formulate and submit long-term strategies<sup>vii</sup>.

### **4. Domestic Climate Change Legislation:**

In addition to international agreements, many countries have implemented domestic legislation to address climate change. These laws vary in scope and ambition but generally focus on reducing greenhouse gas emissions, promoting renewable energy, and adapting to the impacts of climate change. Examples include the Clean Air Act in the United States, the Climate Change Act in the United Kingdom, and the Renewable Energy Act in Germany.

### **5. Evolving Legal Approaches:**

As the understanding of climate change deepens and the urgency to address it intensifies, legal approaches are continuously evolving. This includes efforts to strengthen climate change laws, enhance transparency and accountability, and integrate climate considerations into various sectors such as finance, agriculture, and transportation. There is also a growing recognition of the rights of vulnerable groups, such as indigenous peoples, in climate change decision-making processes.

### ***New Zealand introduce first Climate Change Law***

Climate changes in the environment are a merger problem and each country takes it very seriously. New Zealand always introduces progressive law and implements those laws. As the first nation to do so, New Zealand has passed legislation requiring banks, insurers, and investment advisers to disclose how climate change is affecting their operations. Financial companies are required to describe how they would handle risks and possibilities connected to climate change under the measure, which has been submitted to the nation's parliament and is anticipated to receive its first reading.

All banks with in excess of one billion dollars in total assets, all insurers with more than \$1 billion in total assets under administration, and all debt as well as equity issuers quoted on the local stock exchange will be required to disclose their financial information. Once the law is implemented, notifications will be necessary for the financial year commencing the following year; thus, businesses will have to make their initial disclosures in 2023.

### ***Climate Change Response (Zero Carbon) Amendment Act***

This law introduces by Prime Minister Jacinda Ardern<sup>viii</sup> (The Labour Led Coalition) they called climate change the “nuclear free moment of our generation”.

- Introduce many emission-reducing measures during its second term.
- Making a commitment to have an environmentally friendly public economy by 2025.
- From the central portion of this decode, exclusively purchase public transportation vehicles with zero emissions.

### ***Climate Emergency***

As the word of the year for 2019, according to the University of Oxford Dictionaries, "climate emergency" captures "the ethos, mood, or anxieties of the year and have lasting possibilities as a term with societal significance." Climate emergency is defined as "a situation requiring urgent action to reduce or halve climate change and eliminate potential irreversible environmental damage." On December 2, 2020, New Zealand declared a climate emergency and committed to having a carbon-neutral public sector by the year 2025. New Zealand has joined three other nations in declaring a climate emergency, including Japan, Canada, France, and the United Kingdom.

The worldwide panel's climate change conclusions, which indicated that emissions must be reduced by 45 percent from 2010 levels until 2023 and hit zero by 2050 in order to prevent global warming of more than 1.5 degrees Celsius, served as the foundation for the declaration of a climate emergency. Agriculture is the largest source of methane emissions, which make up more than fifty percent of New Zealand's total emissions.

The nation's government agencies will now be required to monitor, report, and offset any emissions they are unable to reduce by 2025:

- The proposal also calls for phasing out the biggest and busiest coal boilers, lowering the number of cars on the road, and acquiring more electric vehicles. The government will also establish an ecological benchmark for structures used by the public.
- The scheme will be supported by a fund of \$200 million NZD, which will pay for the substitution of cooling oilers and assistance with the purchase of electric appliances.

## **NATIONAL FRAMEWORK**

Environmental law is one of the important elements of the governance system. In it they have part of laws and regulation on the subject of air and water aspect, wild life reserve, forest conservation etc. The environment law in the India are guided by the environment legal principal who regulates administration of each particular natural resource like as forest, mineral/ore, etc. The environment law in India are the reflection of Indian constitution frame. The need of conservation and protection of environment and sustainable use of natural resources are also in the international community of India.

### **1. The Constitution of India**

The Indian constitution as a set of directive principle of state policy and also in fundamental rights environment protection is mentioned.

- Stockholm Conference and increasing awareness of the environmental crisis prompted the Indian Government to enact 42nd Amendment to the Constitution in 1976(Indian Bar Association).
- Directive principal of State Policy (Part VI) Article 48A Safeguard of forest, protection and improvement of environmentix.
- Fundamental Duties (part IV A) Article 5A

To improve and protect the natural element of environment including wildlife, soil, water, air, and forest for living creatures in the environment.

Article 51-A (g) state; to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creaturesx.

The Supreme Court interpreted Article 21 of the Constitution's fundamental right to life to include the right of living in a pollution-free atmosphere in the case of M.C. Mehta versus Union of India, AIR 1987xi. Further, the rulings with regard to the expansion of the principle of locus Standi for invoking these provisions were applied to protect against environmental degradationxii.

## **2. The Wildlife (Protection) Act, 1972**

This law is necessary to protect the country's wild life, including all plants, birds, and animals that are related to or supplementary to it. It was relevant to all of India. It includes 6 schedules which offer protection in various ways or to varying degrees. The court has even gone so far as to enforce limits on car use inside the sanctuary's boundaries. In the case of Bombay Burma Trading Corporation v Field Director (Project Tiger)xiii.

## **3. The Water (Prevention and Control of Pollution) Act, 1974**

It is provided for the preservation of water and control the water pollution. It regulate through the authority of Central Pollution Control Board and State Pollution Control Board. To encourage capital investment in pollution control, the Act gives a polluter a 70% rebate of the applicable cess upon installing effluent treatment equipmentxiv .

CPCB and SPSB are created with in Water Act, 1974. They regulate which type and amount of Pollution Company discharge in water bodies. CPCB also inspect on the work of SPSB in



the different state of the country. SPSB control the sewage and industrial waste discharge by approving, rejecting and granting permission to discharge.

#### **4. The Air (Preservation and Control of Pollution) Act, 1981**

This act is for the prevention of Air Pollution in India. The sources of air pollution such as vehicles, industry and power plant etc., are not permit table to release particular matter in the air like nitrogen oxide, sulphur dioxide, carbon monoxide, and other toxic gas beyond the limit. U/S 19 of the Act, the State Gov. in consultation with SPCB is vested with power to declare Air Pollution Control Area in which provisions of the Act shall be applicabl<sup>xv</sup>.

#### **5. The Environment (Protection) Act, 1986**

With the aim of enhancing environmental services and incorporating environmental concerns into development programs, the EAP (Environmental Action Programme) was created in 1993<sup>xvi</sup>. Following the Bhopal Gas Tragedy during December 1984, this was approved. This was done in order to accomplish the 1972 UN conference on the human environment. According to the EPA of 1986, a 10 km buffer zone surrounding conservation areas is designated as an eco-sensitive region or an environmentally vulnerable region. It empowers the Central Government to establish authorities [under section 3(3)] charged with the mandate of preventing environmental pollution in all its forms and to tackle specific environmental problems that are peculiar to different parts of the country<sup>xvii</sup>.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for the protection and improvement of human environment<sup>xviii</sup>.

#### **6. The National Green Tribunal Act, 2010**

This law was put into place in conjunction with the Rio Summit in 1992 to offer legal and administrative relief to anyone who had been harmed by pollution as well as additional environmental harm. The National Green Tribunal Act of 2010's Section 19 grants the Tribunal authority to control its own administrative process. The Tribunal is also not constrained by the Indian Evidence Act of 1872 or the Code of Civil Procedure, and it is instead guided by the principles of natural justice<sup>xix</sup>. Nevertheless, the Tribunal is granted the authority of a civil court under the Code of Civil Procedure in order to carry out its duties. The NGT has the power

to hear all civil cases relating to environmental issues and questions that are linked to the implementation of laws listed in Schedule I of the NGT Actxx .

Additionally, it supports the constitutional provision in article 21 that guarantees citizens a safe environment. The NGT must decide the matters that are brought before it within six months of their submissions.

## **ENVIRONMENT AND CLIMATE LITIGATION IN INDIA**

### **1) The Polluter Pays Principle**

In 1996, the Indian Supreme Court established the polluter pays principle in the case of Indian Council for Environ-Legal Action v Union of India (ICELA)<sup>xxi</sup>. In ICELA, the Court faced the issue of remedying pollution and environmental damage caused by dumping untreated wastewater and sludge in the environment at Bichri village in the State of Rajasthan. The Court held the chemical companies had polluted the environment and were liable to pay damages and costs incurred to clean the pollution caused<sup>xxii</sup>. ICELA was the first instance of the polluter pays principle being adopted by any Indian court. Post-ICELA, polluter pays as a principle has been statutorily recognised and used in many subsequent cases before various Indian courts and tribunals.

In ICELA, the court utilized the "universally acknowledged" polluter-pays concept to decide the "question of accountability of the parties in question to pay for the costs of preventive measures. By doing this, the Court basically adopted the polluter pays principle in order to assign "the obligation for rectifying damage caused (to) that of the violating industry as opposed to pursuing tortuous law about liability and compensation. Indian courts consequently embraced the polluter pays idea as a more straightforward interpretation that would encourage environmental preservation.

### **2) The Public Trust Doctrine**

The Public Trust doctrine was established in the case of M. C. Mehta v Kamal Nath<sup>xxiii</sup>. In this case, issues regarding activities of a private company on government leased land were brought to the Court's notice by an environmental activist M. C. Mehta<sup>xxiv</sup>. Regardless of the private

nature of the activity in question; the Court established the public trust doctrine. The Court found the doctrine of public trust to emerge from common law holding further "(the) public at large is the beneficiary of the sea shore, running waters, airs, forests and ecologically fragile lands. The State as a trustee is under a legal duty to protect the natural resources. According to the Court, no exploitation of the environment or natural resources would be allowed unless "the courts find it needed, in an honest manner for the benefit of the community and in the best interests of the public"<sup>xxv</sup>.

Although the Court wasn't required to embrace the public trust principle in this particular case, it did so because it believed that doing so would assist provide a foundation for evaluating government actions that have a detrimental effect on the ecosystem. In order to avoid the exploitation of environmental resources, courts all over the world regularly apply the Public Trust concept.

### **3) The Precautionary Principle**

A group of citizens approached the Indian Supreme Court in the case of *Vellore Citizens' Welfare Forum v Union of India*<sup>xxvi</sup> to take action against tanneries in the State of Tamil Nadu, which were polluting the Parlar River. For the residents, the Parlar River served as their main water supply. In reply to the appeal, the court instructed the government of India to set up a body to supervise the assessment of damages and the distribution of recompense to those who were harmed. By requiring the use of the polluter pays concept, it required that the polluting leather tanning facilities pay for clean-up and rehabilitation<sup>xxvii</sup>. The notion of precautionary precaution was further broadened by the Court to guide forthcoming actions taken by governments to stop this pollution.

The doctrine of precaution includes three elements, according to the Court. According to the first stipulation, "the constitutional Entities shall believe, mitigate and oppose the underlying factors of ecosystem pollution." Second, if there is a possibility of severe and unchangeable destruction, "scientific accuracy ought not to be employed as a justification for delaying measures aimed at avoiding natural depredation," and third, "the responsibility of verification was on the owner of the property to show how the decisions they made were ecologically friendly."

The doctrine of precaution said that it was these enterprises' duty to prove that they were unlikely to have a detrimental effect on the surroundings. The notion of precaution thus served as the guiding concept for every government decisions, including those pertaining to the sanctioning of new projects. Finally, a controlled Environment Impact Assessment approach was put into place as a result.

## **INDIA & THE CLIMATE CHANGE LAW**

Some people retort by saying that India doesn't have a legislation that addresses climate change. Contrary to countries like the Swedish nation, the United Kingdom, New Zealand, and Italy, India has not yet embraced CCL. Unquestionably true, but does India truly need one at the moment? Senior most experts argue out that the laws enacted by British and Indian legislators before and after independence are sufficient to tackle global warming.

"Global Climate is a crucial component of the environment," we undoubtedly hear some expert whispers, as though we ought not to upset the authorities. The babu's, however, get up and raise the plethora of bilateral, tripartite, and multilateral accords that have been approved to alert us of the "Vienna Convention, Nairobi Convention, as well as Brundtland Report, Montréal and Madrid Protocols, UNFCCC, CBD, Rio Declaration, UNCCD, Kyoto Protocol, and a number of other agreements." The bulk of them come under the category of "Soft Acts," but some fall under the category of "Hard Acts," depending on how closely they bind nations. These numerous ratifications and legal agreements guarantee.

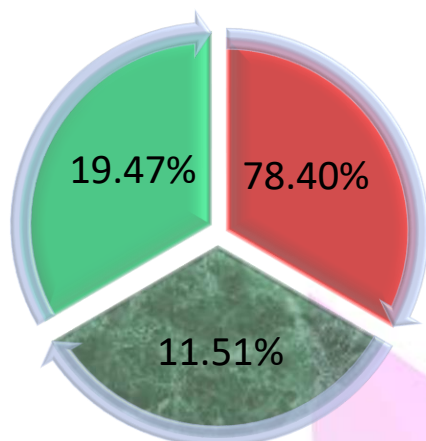
India must codify all of the numerous laws and rules governing the ecosystem and all of its aspects under the "Indian Environmental Law" and enact all fresh guidelines and limitations to stop and lessen the consequences of greenhouse gas emissions under the "Indian Climate Change Law." With the use of these effective measures, India can effectively and efficiently manage the large organizations and industries that produce a lot of carbon dioxide while also serving as a powerful reminder to the populace of its responsibility to protect, preserve, and handle our natural resources.

### *The Climate Change Bill, 2015*

The creation of a national panel upon addressing climate change, the establishment of carbon financial planning and carbon trades strategies, the encouragement of further comparable efforts to reduce the emission of greenhouse gases carbon dioxide pollution, as well as any issues related to or incidental to those activities are all mentioned.

- Reasons and its objects-

A development that is ecologically sustainable should not clash with India's rapid economic growth or its efforts at comprehensive development. India is sixth in the world in terms of total emissions of carbon dioxide and other greenhouse gases, while its per-capita emissions are still far lower than the global average. Therefore, it is critical that India move proactively to reduce emissions and increase energy efficiency. India has been noted as a significant participant in the global climate change debates. Therefore, setting greater domestic emission restrictions (despite the lack of a legally enforceable international treaty) would serve as a blueprint for other nations, encouraging them to adopt comparable measures for a better world for future generations. Additionally, despite the fact that there are several regulations for lowering emissions from different sectors, there isn't a complete legislation that outlines the reduction in carbon dioxide goals, outlines the activities that must be followed to reduce emissions, and establishes a schedule. It is insufficient to merely have a national action plan for climate change. Because of this, it is essential to set up a suitable institutional structure for carrying out, overseeing, and accepting novel responsibilities. The Department of the Ministry of Climate Change, the Environment, and Forestry is only one of several Ministries that are concerned about climate change. In order to achieve the ultimate goal of lowering Green House Gas emissions and to play a role in India's efforts to combat temperature rise and other climate change occurrences, it is the responsibility of the government to bring together, organize, and effectively channel the activities of all the different Departments. The main objective behind this Bill is to solve the aforementioned problems.



xxviii

- Forest cover area
- Non forest area
- Dense forest area

### *Net Zero*

The concept of net zero has gained popularity among governments, cities, corporations, and investors all around the globe since the 5th Assessment Report of the IPCC and UNFCCC Structured Expert Dialogue, which led to Article 4 of the Paris Agreement. In the building sector, NZEB (Net zero energy building) is seen as a holistic solution to the problems of energy conservation, environmental protection, and CO<sub>2</sub> emission reduction. A situation known as net zero occurs when greenhouse gas emissions are balanced by their removal from the atmosphere. The concept of "net zero" refers to not adding any more carbon to the environment than you are removing. According to climate experts, the entire globe must arrive there by the year 2050 if we hope to prevent the worst outcome of climate change.

Net zero has become popular. But much like a simple phrase, actually executing it is quite more difficult. The earth is warming as a result of humans using fossil fuels, which has increased atmospheric carbon dioxide. The amount of greenhouse gases in the surrounding environment must cease growing in order to put an end to warming up the planet. Stopping their emission is the obvious approach to do it. However, it is simpler said than done. Eliminating omission is extremely difficult in some areas, including manufacturing and aviation. Scientists began to

realize in the year before the 2009 Copenhagen climate summit that it would not be able to reduce emissions quickly and substantially enough to achieve the desired temperature target. There was additionally a requirement to actively eliminate atmospheric greenhouse gases. People start speculating about a scenario in which net-zero global warming results from a balance between emissions of greenhouse gases and removals. The nations who ratified the Paris Agreement promised to implement their ideas by balancing their emissions of greenhouse gases and removal in the second part of the century. Since 2015, an increasing number of nations (58 as of now, accounting for 53% of all worldwide emissions) have stated that they will remain committed by establishing "net zero emissions" goals by the middle of the century. This includes the G20 members Argentina, Brazil, Canada, China (2060), the EU, France, Germany, Japan, South Africa, Korea, UK, and US<sup>xxix</sup>. In 2015, Bhutan became the first nation to adopt a net-zero goals.

We must reduce the volume of emissions of greenhouse gases from stuff like combustion fossil fuels in order to reach net-zero emissions by 2030. The other, however, actively removes pollutants from the air. And that is the more challenging and occasionally opaque component of achieving net zero.

India, the third-largest producer of greenhouse gases in the world after the United States of America and China, is the only significant actor defying the trend. One of the goals of Karry's visit is to see whether or not the capital of India can be persuaded to remove its staunch opposition and consider committing to 2015 with no goals. Early on, there was talk of setting emissions reduction goals for wealthy, industrialized nations whose long-term, unrestricted emissions are the principal cause of global warming and the ensuing climate disruption, for 2050 or 2070. There is no emission reduction objective assigned to any country under the net zero framework.

According to theory, a nation can achieve emissions neutrality by maintaining its existing emission levels or even expanding them if it will take in or eliminate more carbon dioxide from the atmosphere. From the western world's perspective, it is a huge relief since now every person has to contribute the load and not just them.

***India's Objection –***

India is the only country that is opposed to this aim since it stands to suffer the most from it. Indians' situation is distinct. As it pushes for faster growth to lift thousands of millions of people out of poverty, India is expected to have the fastest growth in the world during the next two or three decades. The increased emission cannot be made up for by whatever amount of a forestation or replanting. Currently, the majority of carbon removal systems are either highly costly or unreliable.

However, it is difficult to deny India's case on both theoretical and practical grounds. The 2015 Paris Agreement, the new global framework to combat climate change, does not mention net zero goal. Every member to the Paris Agreement is simply required to take the best possible climate action. Countries must establish five to ten climate targets for themselves and be able to prove they have met them. The other prerequisite is that every succeeding timeframe's aim must be higher than the one before it.

India has been arguing the case that nations should put more emphasis on keeping their promises than on starting a separate conversation on the net zero aim outside of the Paris Agreement framework. In an effort to set an example, New Delhi is on track to surpass its three Paris Agreement targets and is even likely to do so. Numerous analyses have revealed that the only G20 nation to have taken climate action or objected to the Paris accord is India. The aim is to prevent a rise in the global temperature of more than 2°C. Even the measures of the US and the EU, two countries regarded as leading the way in addressing climate change, are judged to be insufficient. In other words, compared to many other nations, India is already making greater environmental progress.

The carbon reduction target established for them under the Kyoto Protocol, a climate change policy that came before the Paris Agreement, is not met by any important country. A few Kyoto Protocol signatories made a public exit without suffering any consequences. None of the countries have met their promises for 2020. Even worse do they have a track record of providing resources and technology to impoverished and emerging countries to help them deal with the consequences of climate change?



Although several nations are already legally committing themselves, India has argued that the 2050 carbon neutral guarantee may suffer a similar fate. It has insisted that wealthy nations should adopt more aggressive climate action right away to make up for broken early pledges. It has also stated that it does not completely rule out the idea of attaining carbon neutrality by 2050 or 2060. Simply put, it doesn't want to commit to anything internationally so far in ahead.

## CONCLUSION & SUGGESTION

In this paper, the environment and climate change are examined. We are a part of the environment, and as stated in our constitution, having a healthy environment is one of our fundamental rights. However, owing to climate change, many people are finding it difficult to afford this. Climate change is causing exceptionally high temperatures to rise worldwide, and in 2023 India will experience a heat wave sooner than scientists had predicted. A sustained balance between nature and all living things requires the government to make substantial efforts to limit climate change and to enact strong laws and regulations that every individual, organization, and company must abide by. In the point of word lever climate emergency is a very imitative step taken by many countries. And it is also important to understand how war in this world creating a mess in the environment and create a great climate change in the nature that has to be stop.

Here are some important recommendations for combating climate change:

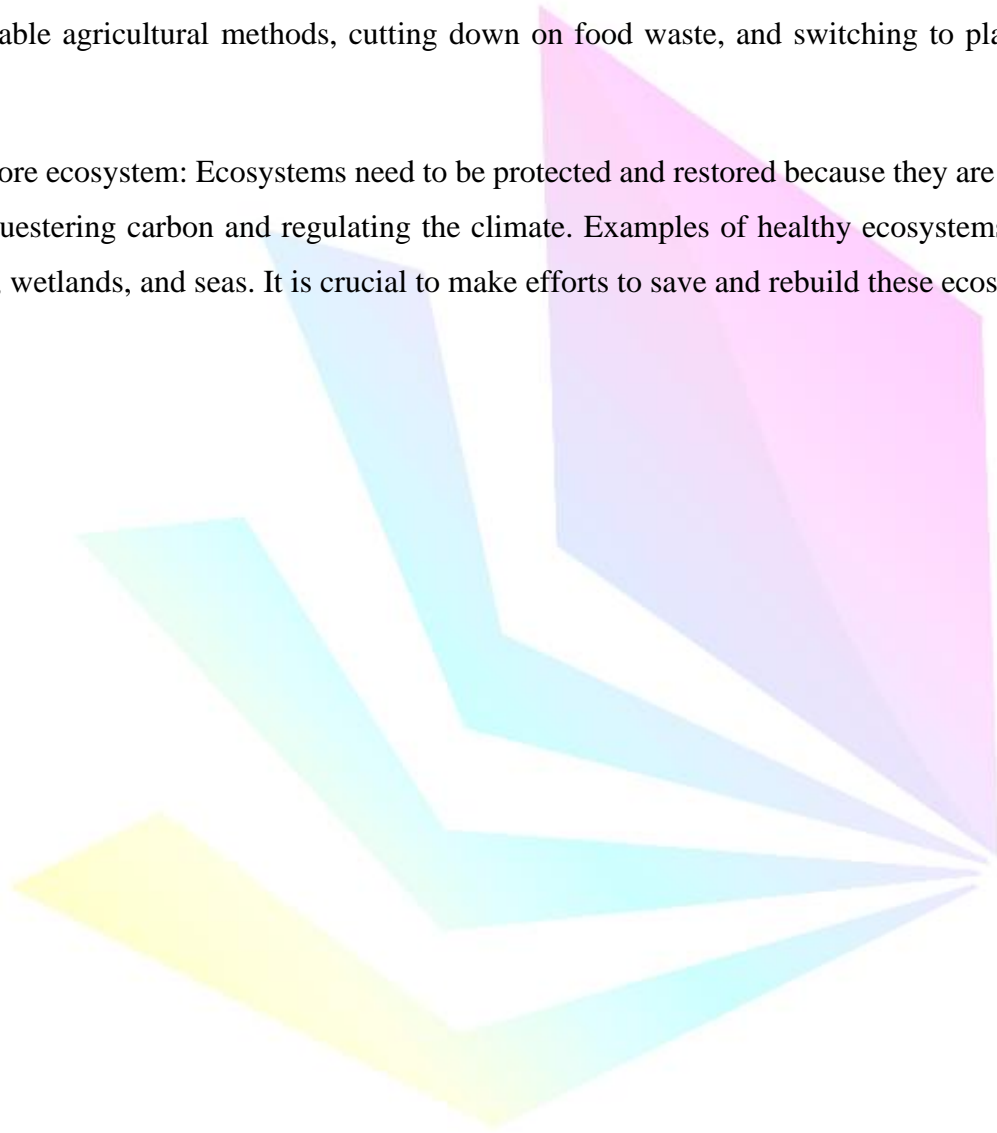
1. Reduce Greenhouse Gas Emissions: Cutting greenhouse gas emissions greatly is the most effective approach to tackle climate change. This may be done in a number of ways:

- Make the switch to alternative energy sources including hydroelectric, solar, and wind.
- Boost the use of energy in buildings, transportation, and industry.
- Create carbon pricing schemes, such as carbon taxes or cap-and-trade programs.
- Encourage wise land use, and reduce deforestation.
- Promote the use of public transit and electric automobiles.

2. The transition to a low-carbon economy: should be supported by governments, companies, and people everywhere. This entails funding environmentally friendly innovations, generating green employment, and encouraging sustainable business practices across a range of industries.

3. Encourage Sustainable Agriculture: Agriculture is a major contributor to deforestation and a large source of greenhouse gas emissions. These effects can be lessened by encouraging sustainable agricultural methods, cutting down on food waste, and switching to plant-based diets.

4. Restore ecosystem: Ecosystems need to be protected and restored because they are essential for sequestering carbon and regulating the climate. Examples of healthy ecosystems include forests, wetlands, and seas. It is crucial to make efforts to save and rebuild these ecosystems.



## ENDNOTES

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<sup>iii</sup> Framework convention on climate change, <https://www.lse.ac.uk/granthaminstitute/explainers/what-is-the-un-framework-convention-on-climate-change-unfccc/>

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<sup>v</sup>Id.

<sup>vi</sup> John C. Demback & Seema Kakade, Climate Change Law, Energy Law Journal, vol.29, No.1, p.g.12 (2008).

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<sup>xiii</sup> AIR 2000 Mad 163 The Indian Wildlife (Protection) Act, 1972.

<sup>xiv</sup> Water (Preservation and control of pollution) Act, 1974, Journal Of India, <https://journalsofindia.com/water-prevention-control-of-pollution-act-1974/>

<sup>xv</sup> International Centre for Environment Audit and Sustainable Development

[https://iced.cag.gov.in/?page\\_id=1050](https://iced.cag.gov.in/?page_id=1050)

<sup>xvi</sup> CHAPTER 2, The legal and regulatory framework for environmental protection in India,

<https://moef.gov.in/wp-content/uploads/wssd/doc2/ch2.html>

<sup>xvii</sup> <https://cpcb.nic.in/env-protection-act/>

<sup>xviii</sup> THE ENVIRONMENT (PROTECTION) ACT, 1986 ACT NO. 29 OF 1986.

<sup>xix</sup> <https://www.greentribunal.gov.in/methodology-ngt>

<sup>xx</sup> Bhargav & Praveen, <https://www.conservationindia.org/resources/ngt>

<sup>xxi</sup> Indian Council For Environ-Legal Action v. Union of India, (1996) 3 SCC 212 (India)

<sup>xxii</sup> Id. at 70

<sup>xxiii</sup> M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388 (India)

<sup>xxiv</sup> See About, M C Mehta, M C MEHTA ENVIRONMENT FOUNDATION, <http://mcmef.org/web/m-c-mehta/>

<sup>xxv</sup> M. C. Mehta (1997) at 35

<sup>xxvi</sup> Vellore Citizens Welfare Forum v Union of India (1996) 5 SCC 647 (India)

<sup>xxvii</sup> Id. at 12

<sup>xxviii</sup> PIBIndia, [https://www.google.com/url?sa=i&url=https%3A%2F%2Ftwitter.com%2FPIB\\_India%2Fstatus%2F1211620608108220421&psig=AOvVaw0DMCAs6yiRdnDQwvjpziMS&ust=1695392721121000&source=images&cd=vfe&opi=89978449&ved=0CBIQjhxqFwoTCJDNo5T0u4EDFQAAAAAdAAAAABAE](https://www.google.com/url?sa=i&url=https%3A%2F%2Ftwitter.com%2FPIB_India%2Fstatus%2F1211620608108220421&psig=AOvVaw0DMCAs6yiRdnDQwvjpziMS&ust=1695392721121000&source=images&cd=vfe&opi=89978449&ved=0CBIQjhxqFwoTCJDNo5T0u4EDFQAAAAAdAAAAABAE)

<sup>xxix</sup> G20: REACHING NET ZERO EMISSIONS, <https://www.imf.org/external/np/g20/pdf/2021/062221.pdf>