



# Constitution Day 2023

## Climate Change and Constitutional Response

26<sup>th</sup> November 2023

Ministry of Environment, Forest and Climate Change  
Government of India

# The Constitution and Environment



## Part III – Fundamental Rights

**Article 21** - *Protection of life and personal liberty – Right to Healthy Environment construed as part of Right to Life – Preamble of NGT Act, 2010*

## Part IV - Directive Principles of State Policy

### Article 48A.

*“Protection and improvement of environment and safeguarding of forests and wild life. — The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.”*

## Part IV A - Fundamental Duties

### Article 51A

*It shall be the duty of every citizens of India-*

*“(g) to protect and improve the natural environment including forests, lakes, rives and wildlife, and to have compassion for living creatures”*

# Key Environmental Legislations



The **Ministry of Environment, Forest and Climate Change** is the nodal ministry in the Government of India deals with policies and programmes related to environment, forest and climate change.

Some key environmental legislations include:

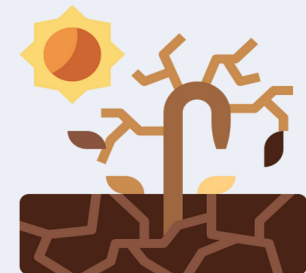
1. Wildlife (Protection) Act, 1972
2. Water (Prevention & Control of Pollution) Act, 1974
3. Forest (Conservation) Act, 1980
4. Air (Prevention & Control of Pollution) Act, 1981
5. Environment (Protection) Act, 1986
6. Public Liability Insurance Act, 1991
7. Biological Diversity Act, 2002
8. National Green Tribunal Act, 2010

International Agreements and Obligations

# Climate Change

The United Nations Framework Convention on Climate Change (UNFCCC) defines climate change as:

***“a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods”.***





# International Treaties

Countries founded three sister “**Rio Conventions**” at the **1992 Earth Summit** in Rio de Janeiro, Brazil in response to the challenges of climate change.

India is party to all three Rio Conventions pertaining to climate change.

1. **United Nations Framework Convention on Climate Change (UNFCCC)**
2. **United Nations Convention to Combat Desertification (UNCCD)**
3. **United Nations Convention on Biological Diversity (UNCBD)**

# UNFCCC



United Nations Framework Convention on Climate Change (UNFCCC) is an international treaty agreed upon in 1992.

*“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 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.”*

**198 signatories**

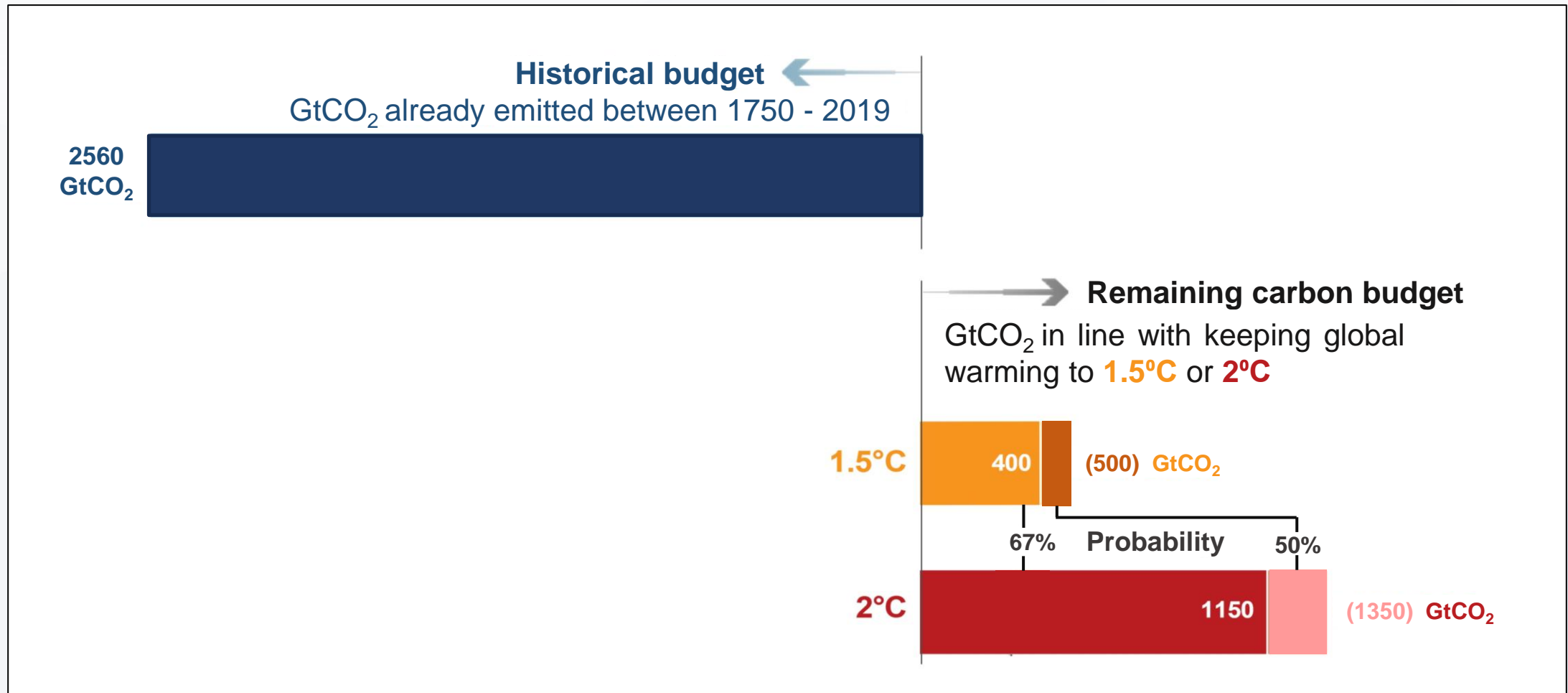
43 Annex I Parties (Developed Countries)

155 Non-Annex I Parties

# Global Carbon Budget



Refers to the total net amount of CO<sub>2</sub> that **can still be emitted by human activities** while limiting global warming to a specified level.



# India's Nationally Determined Contributions (NDCs)



## 5 NDCs are Qualitative



Healthy and sustainable living



Climate friendly and clean development



Adaptation to climate change



Finance Mobilization



Climate Technology





# India's Nationally Determined Contributions (NDCs)

NDC (2015)	TARGET (2030)	ACHIEVEMENT
Reduce emissions intensity of GDP	33-35% over 2005 level  (45% by 2030)	24 % (2016)*
Non-fossil based electric generation installed capacity	40% cumulative  (50% by 2030)	41% (2022)
Carbon sink	2.5-3.0 billion tonnes by 2030  (No Update)	1.97 billion tonnes (2021)

\* As per India's Third Biennial Update Report submitted to UNFCCC in 2021

# Combating Climate Change – A Collective Responsibility



- Ministries, Departments, Organizations,
- Societies and Communities
- Private Entities
- Individuals



**One for all, all for One – protect, preserve and conserve environment – combat climate change**

# Climate Change Mitigation Actions and Programmes



## Energy Efficiency:

1. Pradhan Mantri Ujjwala Yojana
2. Perform, Achieve and Trade
3. Unnat Jyoti by Affordable LEDs for All
4. Street Lighting National Programme

## Forests and Ecosystems:

1. Green India Mission
2. Nagar Van Yojana
3. MISHTI
4. Amrit Dharohar

## Transportation:

1. Green Highways Policy
2. The Faster Adoption and Manufacturing of Electric Vehicles (FAME)
3. Ethanol Blended Petrol Programme
4. Sustainable Alternative Towards Affordable Transportation (SATAT)
5. Use of Hydrogen as a fuel



# Climate Change Mitigation Actions and Programmes

## Agriculture

1. National Innovations in Climate Resilient Agriculture (NICRA)
2. Pradhan Mantri Fasal Bima Yojana

## Livelihoods

1. National Rural Livelihood Mission
2. Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)

## Coasts and Fisheries

1. Pradhan Mantri Matsya Sampada Yojana
2. National Coastal Mission

## Habitats & Disaster Management

1. National Disaster Management Policy 2009 & DM Act 2005 & NDMP-2019
2. National Mission for Sustaining the Himalayan Ecosystem (NMSHE)

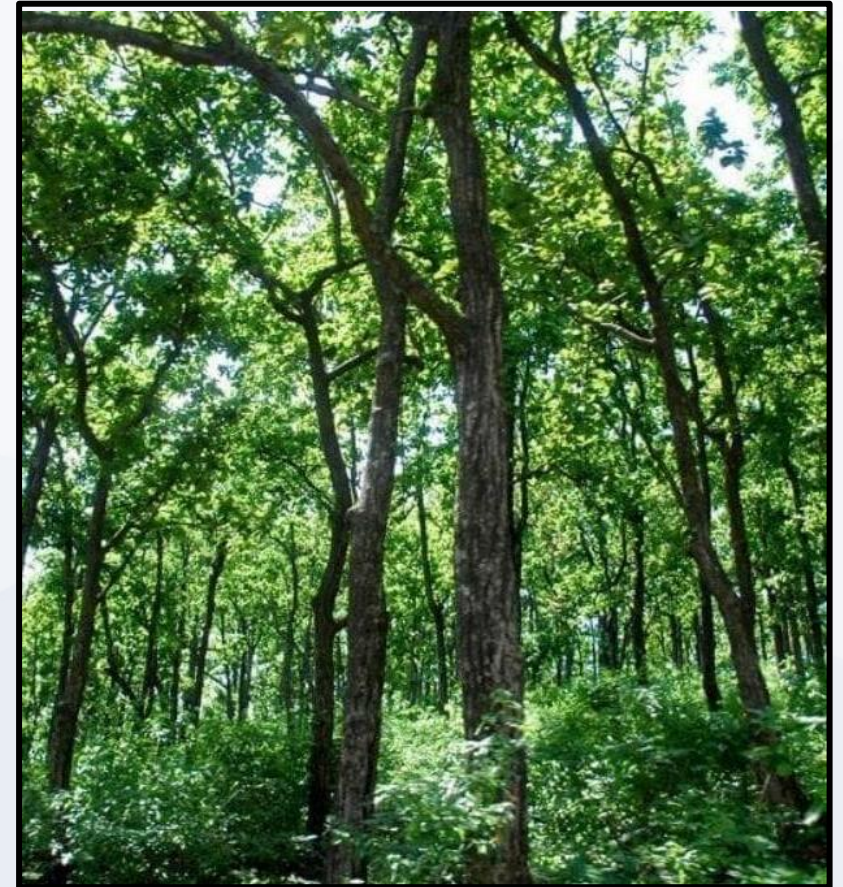
# Economy and Ecology



- Environmental Clearance
- Forest Clearance
- Wildlife Clearance
- CRZ Clearance
- Revamped Pro Active and Responsive facilitation by Interactive and Virtuous Environmental Single window Hub (PARIVESH)
- Enforcement through National Green Tribunal Act, 2010:  
*“An Act to provide for the establishment of a National Green Tribunal for the **effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.**”*

# Prakriti and Pragiti

Net increase in forest cover of 20,373 sq. km since 2013



# Prakriti and Pragiti

Increase of **364 sq. km** of mangrove cover since 2013

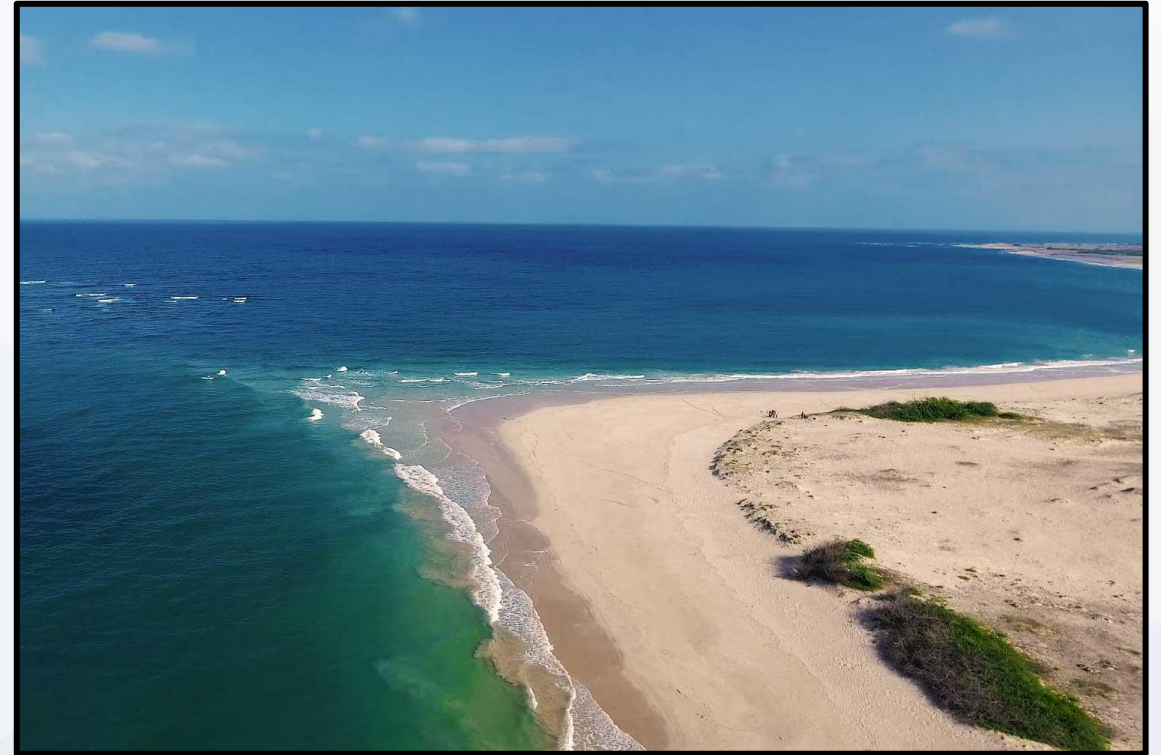


# Prakriti and Pragiti

## 12 Flag Blue Beaches



Golden Beach – Odisha.



Shivrajpur Beach – Gujarat.



# Prakriti and Pragiti

Increase in **Ramsar sites** from 26 in 2014 to **75 in 2023**



Loktak Lake - Manipur



Vedanthangal Bird Sanctuary – Tamil Nadu

# Other Key Achievements



- **44% reduction of HFCCs** against the target of 35% phase out of HFCCs as on January 1, 2020.
- Complete **phase out of HCFC 41B** used in rigid foam manufacturing as on January 1, 2020.
- **Ban on Singe-use Plastics effective from July 1, 2022.**
- Resource Efficiency and Circular Economy:
  - Construction and Demolition Waste Management Rules, 2016
  - Biomedical Waste Management Rules, 2016
  - Fly Ash Management and Utilization Mission, 2021
  - Guidelines for Extended Producer Responsibility on Plastic Packaging, 2022
  - E-Waste (Management) Rules, 2022
  - Battery Waste Management Rules, 2022
- **4 new Biosphere reserves** added in last 9 years.

# International Climate Initiatives by India

India has promoted, along with other international partners, many international coalitions for addressing climate change, such as:



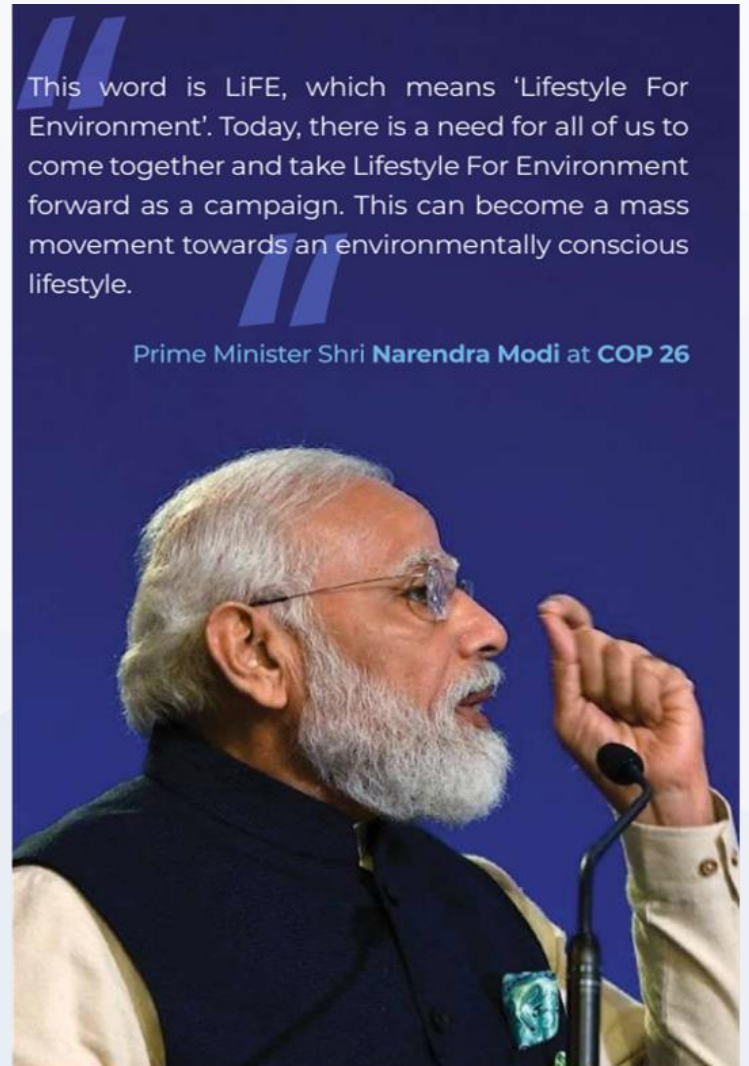
# LiFE - Lifestyles for Environment

Climate change impacts individuals across the world and climate action must be taken up by individuals across the world

LiFE was introduced by Prime Minister Narendra Modi at CoP26 in Glasgow as an India-led global mass movement for **“mindful and deliberate utilization, instead of mindless and destructive consumption”** to protect and preserve the environment. It was also a cover page item of CoP27 in Egypt.

LiFE is part of India’s **updated Nationally Determined Contributions** to propagate a healthy and sustainable way of living based on the ancient Indian traditions and values of conservation and moderation.

LiFE highlights Indian traditions and love for nature and draws upon this to nudge individual and community behavior.





# Impacts of LiFE Actions Adopted Globally

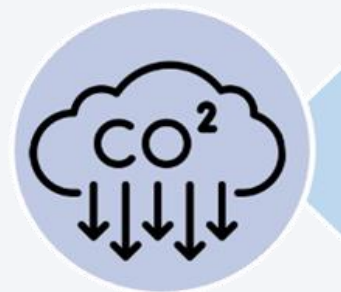
Key Findings from the International Energy Agency's report "LiFE lessons from India", 2023



Reduction of annual global CO2 emissions by more than **2 billion tonnes of CO2 equivalent** in 2030.



Around **60% of the emissions saving** by LiFE measures could be directly influenced by **Governments**.



Reduction of per-capita CO2 emissions in **advanced economies will be 3 – 4 times greater** than developing economies



# LIFE

Lifestyle for Environment







# THANK YOU



Scan the QR code to take the LiFE pledge and be a part of a sustainable future!





# Reporting Obligations under UNFCCC and Paris Agreement

Under **Article 13 of the Paris Agreement**, each party shall provide a **National Inventory Report of Anthropogenic Emissions** along with information necessary to track their NDCs.

Under the **UNFCCC and its Paris Agreement**, each party shall provide

1. National Communications (**UNFCCC Articles 4.1 and 12.1**)
2. Biennial Update Reports (BUR)/Biennial Transparency Report (**Decisions 1/CP.16 and 2/CP.17 of COPs**)
3. Nationally Determined Contributions (NDCs) (**Article 4 of Paris Agreement**)
4. Long-term Low Greenhouse Gas Emission Development Strategy (LT-LEDs) (**Article 4 of Paris Agreement**)
5. Adaptation Communication (**Article 7.10 of Paris Agreement**)

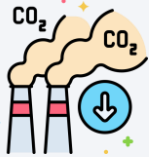
# India's Updated NDCs (2022)



To put forward and further propagate a healthy and sustainable way of living based on traditions and values of conservation and moderation, including through a mass movement for 'LIFE'– 'Lifestyle for Environment' as a key to combating climate change **[UPDATED]**.



To adopt a climate friendly and a cleaner path than the one followed hitherto by others at corresponding level of economic development.



To reduce Emissions Intensity of its GDP by 45 percent by 2030, from 2005 level **[UPDATED]**.



To achieve about 50 percent cumulative electric power installed capacity from non-fossil fuel-based energy resources by 2030, with the help of transfer of technology and low-cost international finance including from Green Climate Fund (GCF) **[UPDATED]**.

# India's Updated NDCs (2022)



To create an additional carbon sink of 2.5 to 3 billion tonnes of CO<sub>2</sub> equivalent through additional forest and tree cover by 2030.



To better adapt to climate change by enhancing investments in development programmes in sectors vulnerable to climate change, particularly agriculture, water resources, Himalayan region, coastal regions, health and disaster management.



To mobilize domestic and new & additional funds from developed countries to implement the above mitigation and adaptation actions in view of the resource required and the resource gap.



To build capacities, create domestic framework and international architecture for quick diffusion of cutting edge climate technology in India and for joint collaborative R&D for such future technologies.





# National Action Plan on Climate Change (NAPCC)

**NAPCC** was launched as a strategy for combating climate change.

The missions under NAPCC focus on **promoting understanding of climate change, adaptation and mitigation, energy efficiency, and natural resource conservation.**

1. National Solar Mission
2. National Mission for Enhanced Energy Efficiency
3. National Mission on Sustainable Habitat
4. National Water Mission
5. National Mission for Sustaining the Himalayan Ecosystem
6. National Mission on Strategic Knowledge for Climate Change
7. National Mission for a Green India
8. National Mission on Sustainable Agriculture
9. National Mission on Climate Change and Human Health



# Paris Agreement

Article 2 of the Paris Agreement states -

*1. This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by:*

*(a) **Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;***

*(b) **Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and***

*(c) **Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.***

*2. This Agreement will be implemented **to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.**(CBD-RC & NC)*