



Climate Change and Environmental Justice in India: A Doctrinal Analysis of Human Rights Jurisprudence

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Abstract:

Climate change is one of the biggest challenges we face as a global community; it has far-reaching implications for both human rights and environmental sustainability. In India, it has become a significant constitutional issue demanding the scrutiny of environmental governance according to justice and equity. Fundamental Rights, Directive Principles of State Policy and a Fundamental Duties enshrined in the Indian Constitution provide directions for protecting the environment. Judiciary has defined Article 21 to include the right for a clean and healthy environment by raising environmental protection with the sanctity of right to life and personal liberty.

*Articles 14, 19, 48A and 51A(g) strongly advocate for environmental justice & equitable responsibility. Since the Rio Declaration, the UNFCCC, the Kyoto Protocol and, more recently, the Paris Agreement have reinforced themes of fairness in climate action and sustainable development. This study adopts a doctrinal methodology to investigate the evolution of environmental justice in Indian constitutional jurisprudence. It brings note of the pathbreaking *M.K. Ranjitsinh v. Union of India (2024)* which said, among other things, that right to protection against the deleterious effects of climate change is a fundamental right.*

Keywords: Climate Change, Environmental Justice, Human Rights, Judicial Activism, Sustainable Development,

Introduction

Climate change is one of the most significant challenges of the 21st century, posing major threats to environmental sustainability, economic growth, and the realization of fundamental human rights. The growing incidence of extreme weather events, biodiversity loss, and environmental degradation has encouraged advancement from conventional environmental safeguarding to a more comprehensive model of climate justice based on human rights legislation.

Thousands of scientists and government reviewers concurred in a number of UN reports that keeping the rise in global temperatures to no more than 1.5°C would help us prevent the worst effects of climate change and preserve a convenient climate. However, present strategies indicate that by the end of the century, temperatures could rise by up to 2.8 degrees Celsius.¹ Everyone has been affected by the emissions that cause climate change, although some nations emit significantly more carbon than others. Over half of the world's greenhouse gas emissions are produced by the six largest carbon emitters: China, the United States of America, India, the European Union, the Russian Federation, and Indonesia. In comparison, only 3% of the world's greenhouse gas emissions come from the 45 least developed nations.²

a) Conceptual Framework

Climate Change

Climate change refers to “*long-term shifts in temperatures and weather patterns driven primarily by human activities, especially fossil fuel burning*”. It is seen as a systemic ethical and human rights challenge in the framework of environmental justice and legislation, rather than merely an ecological problem. The Intergovernmental Panel on Climate Change (IPCC) has defined “*the concept of climate change as a change in the state of the climate identifiable by shifts in the mean or variability of its properties, persisting for an extended period (decades or longer)*.”

¹ Reuters Staff, *New Climate Pledges Only Slightly Lower Dangerous Global Warming Projections*, Reuters (Sept. 17, 2021), URL.

² United Nations, *What Is Climate Change?* UNITED NATIONS, <https://www.un.org/en/climatechange/what-is-climate-change> (last visited May 25, 2026).

The Supreme Court recognised in various cases it as a basic right the freedom from the harmful effects of climate change.³

b) Environmental & Climate Justice (Equity, Fairness, and Distributive Justice)

In order to ensure that no group, especially marginalised populations, bears an excessive amount of environmental harm, the concept of environmental justice refers to the fair allocation of environmental benefits and costs. In order to achieve climate justice, decisions and actions on climate change must prioritise equity and human rights. The expression has been used extensively to describe the disparate historical accountability that communities and nations have for the global warming crisis.⁴

The idea of climate justice causes climate change to become more of an equity issue rather than merely a scientific one. It necessitates both procedural justice (fair, inclusive participation in the creation of climate laws) and distributive justice (fairly allocating the burdens of climate change). Article 14 and Article 21 of the Indian Constitution, which protect the concept of equality and the right to life, are strongly related to environmental justice. Judicial rulings have shown how economically and socially disadvantaged groups are disproportionately impacted by environmental deterioration, raising concerns about substantive inequality.⁵

c) Human Rights and Environment (Right to Life, Health, and Dignity)

In Indian constitutional law, the connection between environmental preservation and human rights is now well-established. The enjoyment of fundamental human rights, such as the right to life, health, and dignity, is adversely affected by environmental degradation. The right to a clean and healthy environment has been included in the broad understanding of Article 21 through judicial interpretation.⁶ The Supreme Court has maintained this relationship in several important decisions, holding that maintaining the conservation of environment and its surroundings is essential to achieving human dignity and a high standard of living.⁷ The human rights component of environmental law has been reinforced more recently by the

³ *M.K. Ranjitsinh v. Union of India*, Writ Petition (C) No. 838 of 2019 (Sup. Ct. India Mar. 21, 2024).

⁴ United Nations Development Programme, *Why Climate Change Matters to Justice—Here's Why*, Climate Promise (Oct. 21, 2022), <https://climatepromise.undp.org/news-and-stories/climate-change-matter-justice-heres-why>

⁵ *M.C. Mehta v. Union of India*, (1987) 1 S.C.C. 395 (India).

⁶ *Subhash Kumar v. State of Bihar*, (1991) 1 S.C.C. 598 (India).

⁷ *Virender Gaur v. State of Haryana*, (1995) 2 S.C.C. 577 (India).

acknowledgement of rights connected to climate change, which reflects a move towards climate justice as a constitutional mandate.⁸

Therefore, the relationship between environmental law and human rights in India highlights how environmental protection has evolved from a policy issue to a legally enforceable right that is essential to attaining climate justice and sustainable development.

Climate Change as a Global Legal Challenge

The constitutional aspect of climate change has recently been considerably strengthened by judicial developments in the contemporary eco-friendly era. The scope of environmental rights under the constitution was expanded by certain landmark rulings. For example, the Court ruled in one case (M. K. Ranjit Singh Case) that, for the first time in 75 years of Indian history, there is a right against the negative impacts of climate change in addition to the right to a clean and healthy environment under Article 21.⁹

In a landmark decision, a Division Bench led by former Chief Justice D.Y. Chandrachud ruled that “*the Constitution of India confers the right against the adverse effects of climate change. This right, the bench held, flows from Article 48A (a Directive Principle of State Policy which states that the State should endeavour to protect and improve the environment), Article 51A (g), (a fundamental duty on citizens to protect and improve the natural environment), Article 21 & 14.*”¹⁰

a) Scope and Impotence: Intersection of Environmental Justice and Human Rights

The study's current focus is on the relationship between environmental justice and human rights within the framework of Indian constitutional law. The study's primary focus is on the interpretation of fundamental rights, particularly Articles 14 and 21 COI, and their expansion to include the right to a clean, healthy, and sustainable environment. In the Indian context, environmental justice includes problems of equity, fairness, and access to environmental resources in addition to ecological protection. It strongly coincides with the principles of substantive equality under Article 14 COI by addressing the disproportionate impact of climate change and environmental degradation on underprivileged and marginalised populations.

⁸ M.K. Ranjitsinh v. Union of India, Writ Petition (Civil) No. 838 of 2019 (S.C. India Apr. 21, 2024).

⁹ “Supreme Court Review 2024: Speaking Green, Acting Grey on Key Environmental Issues,” *Supreme Court Observer*, <https://www.scobserver.in/journal/supreme-court-review-2024-speaking-green-acting-grey-on-key-environmental-issues/> (last visited Apr. 23, 2026, 2:45 PM).

¹⁰ M.K. Ranjitsinh v. Union of India, Writ Petition (Civil) No. 838 of 2019 (S.C. India Apr. 21, 2024).

b) New Dimensions on Climate Litigation

The critical assessment of how Indian courts have developed a rights-based approach to environmental regulation is what makes the research effort significant. Environmental protection is not merely a policy objective but a constitutional mandate. The Supreme Court strengthened the connection between climate justice and human rights in ‘the M.K. Ranjitsinh Case’ by recognising protection against the negative effects of climate change as a component of the fundamental rights framework.¹¹ The Indian Supreme Court ruled in support of a protected forest in ‘the State of Telangana versus Mohd. Abdul Qasim Case’ on April 18, 2024, taking into account eco-centrism, rights of nature, climate change, and their connection to the economy. The Court addresses the rights of nature in a series of rulings titled "Need for Change: From Anthropocentric to Ecocentric," declaring that "the time has come for mankind to live sustainably and respect the rights of rivers, lakes, beaches, estuaries, ridges, trees, mountains, seas, and air." This is necessary because the ever-growing population poses a constant threat to forests. The law of nature binds man. For the sake of the environment, it is therefore imperative to go from an anthropocentric to an ecocentrism approach. Justice J. M.M. Sundresh, who has a long history of environmental advocacy, wrote the ruling.¹²

The judiciary's quest to strike a balance between economic growth and environmental preservation is highlighted in *Vanashakti v. Union of India (2025)*, especially with regard to post-facto environmental clearances. The Court established regulations to stop illicit sand mining, expanded environmental protections to include artificial water bodies, and strengthened safeguards for specific sanctuaries and forest areas.¹³

More recently, the Aravali Range mining issue started in the year of 2025 when ranges less than 100 meters from the Aravallis were excluded by a Bench headed by former Chief Justice B. R. Gavai. Procedural issues were raised when CJI Surya Kant later stayed the order and established an expert panel for further investigation in to the matters of alleged unlawful mining of Aravali range below 100 meters

¹¹ M.K. Ranjitsinh v. Union of India, Writ Petition (Civil) No. 838 of 2019 (S.C. India Apr. 21, 2024).

¹² *India Supreme Court Case Ruling in the State of Telangana v. Mohd Abdul Qasim Considering the Rights of Nature*, ECO JURISPRUDENCE, <https://ecojurisprudence.org/initiatives/india-supreme-court-case-ruling-in-the-state-of-telangana-v-mohd-abdul-qasim-considering-the-rights-of-nature/> (last visited Apr. 23, 2026, 3:05 PM).

¹³ *Supreme Court Review 2025: Lacking a Principled Stance on Environmental Rights*, Supreme Court Observer (last visited Apr. 23, 2026, 3:15 PM).

Constitutional Framework in India

Through the dynamic interpretation of Fundamental Rights, India's Constitutional framework offers a strong basis for climate justice and environmental conservation. Even while "climate change" and "environmental rights" are not specifically mentioned in the Constitution of India.

a) Fundamental Rights

Article 21: Right to Life and Climate Justice

Judicial interpretation holds that Article 21 of the Constitution, which protects the right to life and personal liberty, includes the right to a clean, healthy, and pollution-free environment. The Supreme Court has held time and time again that the right to life includes both the right to survive and the right to live with human dignity, both of which are impossible without a healthy environment.¹⁴ The Court clearly acknowledged in *Subhash Kumar v. State of Bihar* that the right to pollution-free air and water is part of the right to life under Article 21, creating a clear connection between environmental preservation and fundamental rights.¹⁵

Article 21 has expanded throughout time to include more general environmental and climate issues, such as ecological balance, sustainable development, and intergenerational equality. The right to be free from the adverse effects of global climate change under Articles 14 and 21 was recently acknowledged by the Supreme Court. As a result, Article 21 is the cornerstone of Indian environmental and climate jurisprudence, allowing courts to apply a human rights perspective to new ecological concerns.¹⁶

Article 14: Equality Principle and Environmental Justice

The fundamental basis of substantive environmental justice in India is Article 14, which ensures both "equality before the law" and "equal protection under the law." The fact that marginalised and vulnerable people are often disproportionately impacted by environmental degradation and climate change raises concerns about discrimination and inequality. Article 14 is essential in dealing with these disparities because it ensures that environmental decisions are fair, non-arbitrary, and rational.¹⁷

The State holds natural resources in trust for the benefit of all residents and that they must be administered fairly, according to the public trust doctrine, which was created through the court's interpretation. Additionally, the intergenerational equity concept, which ensures future

¹⁴ *India Const.* art. 21.

¹⁵ *Subhash Kumar v. State of Bihar*, (1991) 1 S.C.C. 598 (India).

¹⁶ *M.K. Ranjitsinh v. Union of India*, Writ Petition (Civil) No. 838 of 2019 (India Apr. 21, 2024).

¹⁷ *India Const.* art. 14.

generations have equitable access to environmental resources, is given constitutional legitimacy by Article 14's guarantee of equality.

b) Directive Principles of State Policy

Article 48A: Constitutional Mandate for Environmental Protection

The State's duty to preserve forests, wildlife, and the environment is embodied in Article 48A of the Indian Constitution. In the context of environmental governance and climate justice, this clause provides an essential constitutional foundation for state obligations regarding ecological sustainability and preservation of biodiversity.

Recent case law has reaffirmed this fundamental obligation in light of climate change. The Supreme Court affirmed the ruling under Article 48A in *M.K. Ranjitsinh v. Union of India* and acknowledged the State's obligation to address the effects of climate change, aligning environmental protection with fundamental rights. This is a sign of the growing effort to incorporate constitutional governance with climate justice. As a result, Article 48A is a fundamental component of environmental governance in India, directing state action, influencing court interpretation, and strengthening the convergence of environmental protection with human rights and climate justice.

c) Fundamental Duties

Article 51A (g): Duty to Protect and Improve the Environment

Article 51A (g) imposes a fundamental duty upon every citizen “to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures.” The Constitutional provision which places environmental protection on both the State and the people, embodies the constitutional idea of shared responsibility in the context of environmental governance and climate justice.

The importance of Article 51A (g) in climate governance is further reinforced by recent developments. The Supreme Court implicitly reinforced the duty under Article 51A (g) in the context of climate justice by highlighting the State's and people' combined responsibilities to address climate change in the *M.K. Ranjitsinh Case*. This exemplifies a new legislative trend

in which environmental obligations and commitments regarding climate change have become increasingly intertwined.¹⁸

Evolution of Human Rights Jurisprudence and Environmental Law

a) Judicial Activism in Environmental Protection: Expansion of Environmental Rights

The evolution of environmental jurisprudence in India is largely due to continuous legal action, particularly through the Public Interest Litigation (PIL) framework. In the absence of any constitutional provisions on the matter, the judiciary has greatly broadened the implementation of Fundamental Rights to address issues concerning the environment. Because of this judicial activism, safeguarding the environment is now effectively a justiciable human right under Article 21 of the Constitution.¹⁹

The Court established governance of the environment through continuous surveillance and the emergence of creative remedies in *M.C. Mehta v. Union of India*.²⁰

Since its inception, judicial activism has evolved from resolving regional environmental issues to more broad ones like climate change, environmentally friendly development, and environmental justice. This expansion is a sign of a shift toward a rights-based viewpoint, where preservation of the environment is intrinsically correlated with human dignity, health, and standard of life.

b) Doctrinal Principles in Environmental Jurisprudence

The judiciary has developed several foundational doctrines that underpin environmental and climate justice in India:

i) Precautionary Principle

The precautionary principle states that when there is environmental uncertainty, preventive steps must be taken even in the lack of scientific assurance. In *Vellore Citizens' Welfare Forum v. Union of India*, the Supreme Court recognised this concept as part of Indian law, emphasising the need for preventative actions to prevent environmental harm.²¹

¹⁸ *M.K. Ranjitsinh v. Union of India*, Writ Petition (Civil) No. 838 of 2019 (India Apr. 21, 2024).

¹⁹ *India Const.* art. 21.

²⁰ *M.C. Mehta v. Union of India*, (1987) 1 S.C.C. 395 (India).

²¹ *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647 (India).

ii) Polluter Pays Principle

According to this notion, polluters bear financial responsibility for environmental damage and repair. According to the Court's decision in *Indian Council for Enviro-Legal Action v. Union of India*, polluters are completely responsible for any environmental and public health damage they cause.²²

iii) Public Trust Doctrine

According to the public trust doctrine, the State holds natural resources in trust for the public's benefit and cannot use them for private gain. The Court used this theory to stop the exploitation of natural resources for financial gain in *M.C. Mehta v. Kamal Nath*.²³

iv) Sustainable Development

The goal of sustainable development is to strike a balance between the needs of development and protecting the environment. The Court stressed in *Narmada Bachao Andolan v. Union of India* that development must continue without jeopardising ecological integrity and future generations' rights.²⁴

Thus, these doctrines collectively form the backbone of India's environmental jurisprudence and have been instrumental in integrating environmental protection with human rights.

c) Recent Judicial Developments on Environmental Conservation (2023–2025)

Recent judicial pronouncements reflect a significant evolution toward Climate-Conscious Constitutionalism and the integration of environmental justice with human rights.

i) Climate Rights Recognition

- *M.K. Ranjit Singh v. Union of India*, W.P. (C) No. 838/2019(2024)

“The right to be free from the negative consequences of climate change was expressly acknowledged by the Supreme Court as a fundamental right under Articles 14 and 21. This landmark decision reflects a doctrinal shift and strengthens the foundation of climate justice in India by elevating the concept of climate change from an administrative concern to a constitutional recognised right.”

²² *Indian Council for Enviro-Legal Action v. Union of India*, (1996) 3 S.C.C. 212 (India).

²³ *M.C. Mehta v. Kamal Nath*, (1997) 1 S.C.C. 388 (India).

²⁴ *Narmada Bachao Andolan v. Union of India*, (2000) 10 S.C.C. 664 (India).

ii) Environmental Governance Issues

- *Vanashakti v. Union of India*, (2025) India

“The present instance highlights the tension between environmental preservation and economic expansion, particularly with regard to post-facto environmental certification. The Court's approach, which highlights the complexities and inconsistencies in ecological regulation, is an act of balance.”

iii) Ecocentric Jurisprudence

- *State of Telangana v. Mohd. Abdul Qasim*, (2024) (India)

“The Court adopted an environmentally conscious position, recognising the environment's intrinsic value independent of human benefit. This is a departure from humanistic reasoning and aligns Indian jurisprudence with global trends that recognise the rights of clean water and fresh air in environment.”

d) Role of Public Interest Litigation (PIL): Access to Environmental Justice

From a legal standpoint, by enabling court action in issues of public concern, PIL has been crucial in bridging the gap between environmental rights and human rights. The Supreme Court has improved access to environmental justice, particularly for underprivileged and marginalised groups, by handling letters and petitions as writ applications under its epistolary jurisdiction.²⁵ In compliance with constitutional duty under Articles 32 and 226 of the Constitution of India, this approach guarantees the implementation of fundamental rights, particularly the right to a clean and healthy environment under Article 21.

Landmark cases demonstrate the critical importance of PIL in environmental governance. The Court's assessment of PILs addressing issues such as industrial pollution, car emissions, and river contamination in "M.C. Mehta v. Union of India" led to the development of important theories concerning the environment and standardised regulatory systems.

Statutory Framework

a) Key Environmental Laws

²⁵ *S.P. Gupta v. Union of India*, 1981 Supp. S.C.C. 87 (India).

The primary foundation for environmental governance in India is provided by several comprehensive statutory enactments that operationalize constitutional obligations under Articles 21, 48A, and 51A (g). These laws offer the legal framework for preventing pollution, protecting resources of nature, and mitigating ecological degradation.

i) Environment (Protection) Act, 1986

Following the Bhopal Gas Tragedy, a comprehensive piece of legislation known as the Environment (Protection) Act, 1986 (EPA) was passed. It grants the Central Government the power to control industrial activities, prevent pollution, and protect and improve environmental quality. The Act gives a wide range of powers, including the issuance of directives, the establishment of environmental standards, and the closure of polluting companies.

In *Vellore Citizens' Welfare Forum v. Union of India*, the Supreme Court recognised sustainable development and precautionary principles as crucial elements of environmental laws under the Act.²⁶

ii) Water (Prevention and Control of Pollution) Act, 1974

Following the Bhopal Gas Tragedy, a comprehensive piece of legislation known as the Environment (Protection) Act, 1986 (EPA) was passed. It grants the Central Government the power to control industrial activities, prevent pollution, and protect and improve environmental quality. The Act gives a wide range of powers, including the issuance of directives, the establishment of environmental standards, and the closure of polluting companies.

In *Vellore Citizens' Welfare Forum v. Union of India*, the Supreme Court recognised sustainable development and precautionary principles as crucial elements of environmental laws under the Act.²⁷

iii) Air (Prevention and Control of Pollution) Act, 1981

The Air Act of 1981 was enacted to prevent, control, and lessen air pollution. It grants Pollution Control Boards the power to set standards for emissions and regulate industrial emissions. The Act is essential for combating industrial emissions and urban air pollution, two major causes of climate change.

²⁶ *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647 (India).

²⁷ *M.C. Mehta v. Union of India*, (1988) 1 S.C.C. 471 (India).

Judicial actions have reinforced enforcement even more. The Supreme Court demonstrated the role of courts in guaranteeing adherence to statutory mandates in *M.C. Mehta v. Union of India* (Vehicular Pollution Case) by issuing directives for the adoption of cleaner fuels and emission standards.²⁸

b) Institutional Framework

i) National Green Tribunal (NGT)

The National Green Tribunal Act, 2010, constituted the National Green Tribunal, a specialised tribunal for the prompt resolution of environmental matters. It enforces environmental rights and has jurisdiction over civil disputes involving significant environmental issues.²⁹

By offering a specialised forum with technical competence, the NGT has drastically enhanced access to equitable environmental justice. The Supreme Court strengthened the ruling of the Tribunal role in ensuring environmental governance by upholding its extensive powers, including suo-moto jurisdiction, in ‘the *Municipal Corporation of Greater Mumbai v. Ankita Sinha*.’³⁰

ii) Pollution Control Boards

Two important regulatory bodies, the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs), have been established under the Water Act and given authority under the Air Act. They are in charge of keeping an eye on pollution levels, licensing businesses, and upholding environmental regulations.³¹

Climate Justice and Human Rights Dimensions

The interaction of human rights, social justice, and environmental conservation is embodied in climate justice theory, which highlights the unequal distribution of the costs associated with climate change. Climate change exacerbates vulnerabilities in India, where socioeconomic disparities are firmly embedded; **therefore**, it is crucial to examine its human rights aspects through a doctrinal and constitutional lens. The judiciary has come to understand that climate

²⁸ *M.C. Mehta v. Union of India*, (1998) 6 S.C.C. 60 (India)

²⁹ National Green Tribunal Act, 2010, No. 19 of 2010, India Code (2010).

³⁰ *Municipal Corp. of Greater Mumbai v. Ankita Sinha*, (2021) 8 S.C.C. 703 (India).

³¹ *Water (Prevention and Control of Pollution) Act*, No. 6 of 1974, INDIA CODE (1974); *Air (Prevention and Control of Pollution) Act*, No. 14 of 1981, INDIA CODE (1981).

change is a human rights issue that affects equality, life, dignity, and health in addition to being an environmental one.

In order to ensure that current development does not jeopardise future generations' capacity to meet their needs, the concept of intergenerational equality is essential to climate justice. This idea is closely related to sustainable development and has been acknowledged as a component of the environmental legislations in India. The Supreme Court underlined the need of maintaining ecological balance for future generations in *State of Himachal Pradesh v. Ganesh Wood Products*.³²

In similar way, the Court indirectly acknowledged intergenerational rights by incorporating sustainable development as a guiding concept in *Vellore Citizens' Welfare Forum v. Union of India*.³³

International Legal Framework

a) Global Agreements & Convention

i) United Nations Framework Convention on Climate Change (UNFCCC)

The fundamental international agreement addressing climate change is the United Nations Framework Convention on Climate Change (UNFCCC), which was ratified in 1992. In order to avoid hazardous human involvement with the climate system, it sets the goal of stabilising greenhouse gas concentrations. The Convention acknowledges that richer nations are more accountable for past emissions and includes important principles like equity, sustainable development, and shared but differentiated responsibilities (CBDR).³⁴

In international climate negotiations, India has continuously placed a strong emphasis on equality and CBDR as a developing nation. India's policy approach has been impacted by the UNFCCC framework, which strikes a balance between developmental priorities and climate duties.

³² *State of Himachal Pradesh v. Ganesh Wood Products*, (1995) 6 S.C.C. 363 (India).

³³ *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647 (India).

³⁴ *United Nations Framework Convention on Climate Change*, May 9, 1992, 1771 U.N.T.S. 107.

ii) Paris Agreement

Adopted in 2015 under the UNFCCC, the Paris Agreement is a historic international attempt to tackle climate change. While working to keep the rise in global temperatures to 1.5°C, it seeks to keep it well below 2°C Celsius over pre-industrial levels. The Agreement establishes a flexible structure that mandates that nations submit Nationally Determined Contributions (NDCs) and periodically strengthen their obligations.³⁵ The Paris Agreement acknowledges the significance of human rights, environmental integrity, and intergenerational justice while emphasising mitigation, adaptation, climate financing, and transparency. The Agreement gives India a platform to pursue both climate action and sustainable development.

b) India's Commitments: Nationally Determined Contributions (NDCs)

India's Nationally Determined Contributions (NDCs), which explain its policy objectives and climate obligations, were filed in accordance with the Paris Agreement³⁷. These topics of interest :

- Reducing the GDP's intensity of emissions
- Increasing the proportion of energy derived from non-fossil fuels
- Enhancing the number of trees and forests as carbon sinks

India has revised its NDCs to reflect increased climate ambition, including pledges to increase the use of renewable energy and achieve carbon neutrality. In line with the CBDR principle, these pledges show India's efforts to strike a balance between environmental sustainability and economic development.

Challenges in Human Rights-Based Climate Justice

Even though India's ecological and climate-related jurisprudence has advanced, there are still many obstacles in the way of converting judicial rulings and constitutional provisions into meaningful climate justice accomplishments. There are still institutional, judicial, and structural barriers to incorporating human rights into environmental governance. The implementation of a thorough rights-based strategy for environmental preservation has been impeded by these obstacles.

³⁵ *Paris Agreement*, Dec. 12, 2015, T.I.A.S. No. 16-1104.

a) Enforcement Issues: Weak Implementation

The poor implementation of environmental laws and policies is one of the biggest obstacles to attaining climate justice in India. Despite India's strong legal framework, which includes the Environment (Protection) Act of 1986, the Water Act of 1974, and the Air Act of 1981, its application is nonetheless diverse and frequently unproductive.³⁶

Attempts have been made to close the deficiencies by judicial interventions. However, the conflict between stringent enforcement and economic concerns is reflected in the changing judicial position on post-facto clearances in cases like *Vanashakti v. Union of India*. This discrepancy dilutes accountability and lessens the deterrent effect of environmental legislation.³⁷

b) Institutional Challenges: Coordination Gaps

A number of organisations are involved in environmental governance in India, such as the National Green Tribunal (NGT), the Ministry of Environment, Forests, and Climate Change, and the Central and State Pollution Control Boards. Although this multi-layered structure is intended to provide thorough control, it frequently leads to bureaucratic inefficiencies, a lack of collaboration, and overlapping jurisdictions.

Inadequate funding, little autonomy, and capacity limitations often plague Pollution Control Boards, which are essential to enforcement. In a similar way even though the NGT has greatly increased access to environmental justice, its efficacy is occasionally impeded by a lack of statutory instruments and delays in the execution of its rulings.

c) Judicial Constraints: Balancing Development and Environment

Although the judicial system has played a significant role in promoting environmental justice, it is inherently limited in its ability to strike a balance between environmental preservation and economic expansion. Conflicts between infrastructure expansion, environmental sustainability, and industrial growth frequently need to be resolved by courts.

The judiciary has taken a balanced stance in a number of cases, occasionally giving developmental requirements precedence over environmental concerns. This is evident in

³⁶ Environment (Protection) Act, 1986, No. 29, Acts of Parliament, 1986 (India); Water (Prevention and Control of Pollution) Act, 1974, No. 6, Acts of Parliament, 1974 (India); Air (Prevention and Control of Pollution) Act, 1981, No. 14, Acts of Parliament, 1981 (India).

³⁷ *Vanashakti v. Union of India*, (2025) SCC OnLine SC (India).

decisions addressing infrastructure projects, mining activities, and environmental clearances. The lack of a consistent doctrinal approach creates uncertainty in environmental jurisprudence.

Suggestions

A change from piecemeal regulatory methods to a cogent, rights-based governance structure based on constitutional principles is necessary for India to achieve climate justice. The efficacy of environmental protection depends on institutional responsibility, structural reforms, and the explicit incorporation of climate justice into the legal system, even though judicial innovations and statutory processes have established a solid foundation.

a) Strengthening Legal Framework: Explicit Recognition of Climate Justice

The explicit inclusion of climate justice in the legal framework is a crucial reform requirement. There is a need for comprehensive climate law that clearly outlines rights, obligations, and enforcement mechanisms, even though the judiciary has interpreted Article 21 to encompass rights relating to the environment and climate **change**.³⁸ Such legislation should integrate principles of sustainable development, intergenerational equity, and precautionary action.

The M.K. Ranjitsinh case represents a significant doctrinal advancement in the recognition of climate-related rights; but, without legislative support, judicial recognition is insufficient. A specific climate law might set enforceable goals, guarantee accountability for both public and private actors, and clarify obligations for adaptation and mitigation. To guarantee openness, scientific integrity, and public involvement, environmental impact assessment (EIA) procedures also need to be improved. To maintain the preventive aspect of environmental law, the process of issuing post-facto clearances should be tightly controlled.

b) Institutional Reforms: Accountability and Transparency

Strong and responsible institutions are necessary for effective environmental governance. Increased autonomy, technology support, and capacity building are necessary to fortify Pollution Control Boards and regulatory agencies.³⁹ Ensuring independence from political and industrial influence is essential for unbiased enforcement of environmental norms.

³⁸ *India Const.* art. 21.

³⁹ Water (Prevention and Control of Pollution) Act, 1974, No. 6, Acts of Parliament, 1974 (India); Air (Prevention and Control of Pollution) Act, 1981, No. 14, Acts of Parliament, 1981 (India).

To guarantee adherence to its directives, the National Green Tribunal (NGT) ought to be given more authority and improved enforcement tools. The Supreme Court upheld the Tribunal's extensive authority, including suo-moto powers, in *Municipal Corporation of Greater Mumbai v. Ankita Sinha*. These powers should be properly applied to address new environmental issues.⁴⁰

Establishing a centralised climate governance framework to integrate policies across sectors like energy, agriculture, and urban development is another way to increase institutional coordination. Accountability and public trust can be strengthened by increased transparency through digital monitoring systems and public publication of environmental data.

c) Rights-Based Governance: Inclusive and Participatory Approach

In order to implement a rights-based approach to climate governance, impacted communities especially marginalised and vulnerable groups must actively participate. Accessible consultation procedures, community involvement, and awareness campaigns should increase public participation in environmental decision-making. A comprehensive approach including institutional development, legal change, and participatory governance is needed to achieve climate justice in India.

Conclusion

Climate justice and ecological preservation have benefited considerably from India's human rights jurisprudence. Stronger enforcement, institutional coherence, and a comprehensive integration of human rights into climate governance are necessary for effective realisation, nevertheless. The aforementioned research shows how human rights concepts, international environmental standards, and constitutional obligations have dynamically converged to shape India's environmental and climatic law. Although environmental and climate rights are not specifically recognised in the Indian Constitution, court interpretation, especially under Articles 21 and 14, has made environmental protection a basic right that can be challenged. This doctrinal modification enables courts to address emerging climate change issues within a rights-based framework centred on equality, sustainability, and dignity⁴¹

⁴⁰ *Municipal Corp. of Greater Mumbai v. Ankita Sinha*, (2021) 8 S.C.C. 703 (India).

⁴¹ *India Const.* art.14, 21.

The research claims that judicial activism has played a significant role in shaping environmental governance in India. Through important decisions, the judiciary has established basic notions such as the precautionary principle, polluter pays principle, public trust concept, and sustainable development. These ideas have not only improved environmental protection but also brought domestic jurisprudence into line with international environmental law.⁴²

A major turning point has been reached with the recent recognition of climate-related rights in *M.K. Ranjitsinh v. Union of India*, which indicates a move toward climate constitutionalism and strengthens the connection between human rights and climate change.⁴³

As far as International legal frameworks are concerned, especially the Paris Agreement and the UNFCCC, have had a major impact on India's judicial reasoning and climate policies. A progressive approach to balancing international obligations with constitutional values is shown in the integration of international concepts into domestic legislation. However, more institutional coordination and legislative support are necessary for successful implementation.⁴⁴

In the end, a comprehensive, rights-based approach to climate policy is the only way to realise the constitutional goal of justice like social, economic, and environmental, ensuring that current and future generations can live with dignity in a sustainable and equitable environment.

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⁴² *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647 (India); *M.C. Mehta v. Union of India*, (1987) 1 S.C.C. 395 (India).

⁴³ *M.K. Ranjitsinh v. Union of India*, Writ Petition (Civil) No. 838 of 2019 (S.C. India Apr. 21, 2024).

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