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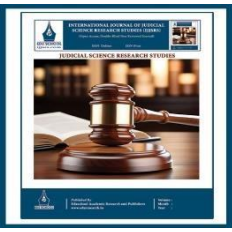

Climate Change Regulations in India

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Abstract

While one of the major policy decisions made by every prior government since the late 1990s has been ensuring "food security" for wider communities, the method on which this program has been carried out speaks volumes about the neoliberal perspective. Given that India is predominantly an agricultural nation, this supported the idea that the neo-liberal recommendations for policy will remain a part of the agricultural security framework in the realm of the changing climate. Indian agriculture is highly susceptible to temperature and weather. In politics & climate policy, India is a significant player. Despite having spoken opinions before international climate communicates its stance has changed over time. With an interaction connection between national policy & international viewpoints, India has developed into a challenge ground for the policies that incorporate climate considerations into growth. This essay critically observes that how Indian politics & environmental policies have tremendously changed over time. It is believed that man-made greenhouse gas emissions into the atmosphere are the main factor contributing to current climate change. The repercussions of these emissions on the world's climate and environment have a substantial influence on the occupation of humans, even though climate change is not recent. Numerous examples of how the earth's temperature has fluctuated substantially throughout time and not maintained constant may be found in the geological record. Discussions in India's national and international policies reflect on the advantages of action on climate change and changes in the global setting.

Keywords:- Climate Change, Policy and Politics, Greenhouse Gases, Global Context, India's Domestic, Human Occupation, Geological Record, Food Security, Climate Negotiations, Anthropogenic Emissions.

I. INTRODUCTION

India is a major factor in political and climate policy. India, a sizable developing country with low wealth, is home to a sizable portion of the global population that is susceptible to the good effects of the changing climate. India, a developing country with rapid growth, contributes to emissions in two ways: it is actually not a major contributor to previous emissions but it will be one in the future, albeit not on a per-capita basis. India has contributed to international negotiation by setting the agenda for important issues and concepts in the beginning. It has also progressively embraced a more flexible stance on the climate regime, one that has created lot of internal disagreement. In addition, India is now an experimentation site for a policy aiming to include climate factors in growth since the country has progressively incorporated environmental considerations into its internal strategies.

Climate change is currently one among the biggest environmental issues facing the planet. Numerous problems face South Asian countries, including India. Many negative consequences on health, agriculture, the availability of water, forests, biodiversity, and coastal management are associated with climate change. The Inter-governmental Panel upon Climate Change (IPCC) was established in 1988 by the (UNEP) & the World Meteorological Organization (WMO). When the IPCC was first established, its main goal was to assess scientific facts regarding climate change, its consequences on society as well as the environment, and the generation of mitigation strategies. Any rise or fall in the worldwide temperature over some time, whether due to natural variability or human activity, is considered climate change, according to the analysis of IPCC. Temperature

increases are expected to accelerate the burden on the natural world in general agriculture in particular, and will have an immediate impact on the contents of the food safety system

In addition, every state is currently developing a State Action Plan on Climate Change, which includes recommendations on how mitigation and adaptation efforts could be incorporated into advancement policy; at the stage of the federal government, India developed a National Action Plan upon Climate Change (NAPCC), plus eight a subsidiary "Missions",

"Group of Experts on Low-Carbon Approaches for Inclusive Development"
has published a preliminary report. India has an expanding collection of climate-related policies.

There have been startling scientific and media accounts in the past few decades confirming the undeniable truth that the average temperature of the world is rising at an alarming rate. Since the beginning of the industrial period, the global temperature has increased by an estimated 0.74 °C. Several lines of evidence point to an increase in the quantity of greenhouse gases present in the earth's lower atmosphere as the cause of this rise. Carbon dioxide, which is currently present in these gaseous forms at a concentration of 380 parts per million, is one of their primary contributors. As has frequently occurred throughout geological history, global warming brought about by a rise in the troposphere's mean temperature is causing the climate to shift. The scientific community strongly agrees about changes in climate is real and that the world's climate is changing quickly. In its recent assessment report, the IPCC estimated that, based on current climate change patterns, global temperatures might rise by 1.4° to 5.8°C over the next 100 years.

Climate Change's Effects

The IPCC analyses that climate change is a serious problem with a number of repercussions on biotic and abiotic resources that differ from place to place and from latitude to latitude. Climate models indicate that global temperatures have increased by several degrees during the 20th century. Increasing trend in both global and regional temperatures have altered the environmental situations of the planet's regions and ecosystems. This has affected many countries' economies, people's means of subsistence, and environmental quality. The melting of glaciers and sea ice raises sea levels and floods low-lying areas, among other consequences of climate change and global warming. Extreme storms are also becoming more frequent and intense.

The Greenhouse Effect and the Climate

"The general meaning associated with climate is "average weather." The term "weather" refers to the physical phenomena such as temperature, humidity, precipitation, velocity of the wind, and amount of cloud cover that exist in a particular area of the upper atmosphere over hours or days. The climate system is one of the planet's most complex and dynamic processes. The hydrosphere, lithosphere, environment, biological community, cryosphere, and outgoing ultraviolet (UV) rays are some of its constituent parts. It also covers the periodic motion and rotation of the Earth around the Sun. In actuality, the averages of available temperature and precipitation during the periods ranging from months to centuries, and their changes over these time intervals (a typical range is *30 years), determine the climate. Because of this, the climate system fluctuates over time and is impacted by both internal and external factors, such as solar radiation, volcanic eruptions, and alterations in the natural environment developed by humans.

Setting the Scene for Climate Change Lawsuits in India

India, being with very low per capita emissions and limited historical emissions, today has the third-highest annual emission rate for greenhouse gases globally. In addition, because of its topography, demographic dispersion, and different levels of economic development, India is particularly vulnerable to the consequences of climate change. The 2008 Indian government release, the National Action Plan upon Climate Change (NAPCC), advocated for a "co-benefits approach"—a tactic that effectively addresses climate change while furthering India's goals for development. As an effect of the NAPCC, national climate policy and institution development in India evolved. Numerous laws also address different aspects of climate change, particularly its causes and impacts, which could soon be the focus of litigation about climate change. However, India lacked extensive legislation on the topic of climate change.

Five of the reported cases belong to the second category, among which the petitioners sought the court to make sure that a government policy or law was effectively implemented. Climate change was the primary concern in two of these five cases, which concentrated on the development and implementation of climate action plans. Initially, the petitioners requested that the NGT issue orders requiring both the national and state governments to furnish records of the steps they had made to implement the NAPCC. While the Tribunal held that it may be addressed in the future with specific cases relevant to NAPCC infractions, their impact, or their ramifications, it did not specifically decide in its final finding whether it had jurisdiction to regulate NAPCC's implementation. Also, the Tribunal has directed the Hon'ble Ministry of the Environmental, Forestry, and Climate Change (MoEFCC) to expeditiously approve state action plans that are still not made by the NAPCC. In the following case, the petitioner approached the Tribunal about the municipality of Delhi's action plan creation, with climate change being the main worry. The issue was resolved when Delhi submitted the action plan for final approval to the entire government. The plan was not actually formulated with proper input from the Tribunal, according to the analysis of a review of the Tribunal's instructions; nonetheless, judicial scrutiny may have hastened the plan's long-awaited presentation.

Climate Change: The Case of India

India is a developing nation whose rapid growth is contributing to a steady increase in its greenhouse gas emissions. It was the sixth-largest global producer of greenhouse emissions in 2004 (behind the US (22%), India (14%), the EU (13%), Russia (6%), and Korea (5%). (Miller 2007). According to estimates, it contributes 4% of global emissions of greenhouse gasses. The principal reasons responsible for the documented emissions include forest destruction, fuel from fossil combustion, biomass created by combustion, and agricultural practices. From more than 20 million metric tons in 1950 to an increased rate of one hundred fifty million metric tons in 1988, India's carbon dioxide production increased at a rate of over 5.6% per year (Roy and Prasad 1991). India is predicted to move up to the third spot globally in terms of carbon dioxide emissions by 2030. China is expected to surpass the United States in emissions during the next 20 to 30 years, putting the BASIC countries—Brazil, South Africa, India, and Beijing—collectively the world's largest producers of our greenhouse gas.

II. LITERATURE REVIEW

(Dimitrov, R. S. 2016) The Paris Agreement has significant ramifications for academic research and represents a political victory in both traditional state diplomacy and climate discussions. The study analyses how politics operate in Paris along with aspects of the process that provide light on the result, all based on participatory research. It outlines heated discussions on important subjects that took place between closed doors, summarizes and assesses the new accord, names political victors and losers, and presents theoretical justifications for the result.

(Dhanya, P., 2016) Climate change is acknowledged as a primary obstacle impacting agricultural productivity and human well-being. Farmers are seriously affected because they should constantly adapt to changing weather conditions. After the 2012 southwest monsoon season (Kharif crop season in India), focus groups and semi-structured survey questionnaires were conducted to learn how farmers see and perceive climate change and its effects to identify adaptation needs. This made it easier to get their quick reactions following the 2012 southwest monsoon's poor performance. Locally referred to as "Kuruvai," Shariff agriculture is constantly influenced by rainfall from the southwest monsoon.

(Shah, T. 2020) In the lowlands of South Asia, which include the Countries like Sri Lanka, Bangladesh, Pakistan, India, and southern Nepal, irrigation remains essential to daily life and society. The country's water policy-making has been not fully taken yet into account the revolutionary shift in how India's farmers irrigate their crops, or the successive governments continued to spend millions of dollars building new surface-level reservoirs and canal systems even as the current ones are beginning to be abandoned. The explosive growth of atomistic groundwater economics demanded bold new thinking and resource allocation to make a groundwater governance system with practical supply- & demand-side methods.

(Hickman, C., 2021) Given that they have no control over warming temperatures and it will have a major impact on their health and future, children and young adults are especially vulnerable to climate anxiety. This is the first thorough investigation of young people's worries over climate change and their perceptions of government measures currently available.

2.1 Objectives of the study

- Assess the national, state, and local climate change regulations that are currently in place in India.
- Evaluate India's climate change laws against those of other nations or areas, paying particular attention to those that share comparable socioeconomic traits or are dealing with comparable climate-related issues.

2.2 The Scope of the Study

Depending on its goals and focus, a study on the effect of Climate Change policies in India may cover a wide range of topics. These are a few possible areas that the scope might cover:

- Legal Framework: Examining the national, state, and local legislation, procedures, and regulations that are currently in place in India about climate change. Examining laws like the Energy Conservation Act, the most important role of National Action Plan on Climate Change (NAPCC), and pertinent changes in ecological laws could be part of this.
- Policy Analysis: Evaluating policies, plans, and programs put in place by the government to reduce the impact of climate changes and prepare for it. This could entail researching how the sustainable development strategies of our country, the emission reduction targets, and the challenging renewable energy targets are being implemented.
- Institutional Mechanisms: Examining India's institutional framework for climate governance, including the functions of governmental entities, oversight committees, and non-governmental organizations (NGOs) engaged in climate action.
- International Commitments: evaluating India's responsibilities under international accords, like the Paris Agreement, and how they affect national climate policies. This could entail evaluating India's progress towards achieving the goals and it's Nationally Determined Contributions (NDCs).
- Sectorial Analysis: Examining laws and programs related to climate change that are crucial and important to industries, transportation, energy, and agriculture. This could entail assessing sector-specific laws, regulations, and incentives to support low-carbon activities and technologies.
- Stakeholder Engagement: Examining how different stakeholders—such as companies, communities, research institutes, and civil society organizations—have shaped laws and initiatives to combat climate change. This can entail researching frameworks for collaboration and stakeholder participation

III. METHODOLOGY

The Indian government usually uses a multifaceted approach that includes different phases of study, consultation, drafting, implementation, and monitoring when creating rules related to climatic changes. It is a general overview of the approach that is frequently used:

- Scientific Research: To comprehend the present status of climatic changes, its effects on many sectors, and anticipated future scenarios, government agencies, academic institutions, and scientific bodies carry out comprehensive research.
- Data Collection: Collecting information on climatic patterns, our greenhouse gas emissions, vulnerability evaluations, and mitigation and adaption plans.
- Stakeholder Analysis: identifying the important parties, such as governmental bodies, business representatives, environmental advocacy organizations, local communities, and global institutions.
- Government Approval: Completed regulations are sent to the relevant government agencies, such as the Ministry of Environment, Forests, and Climate Change, for approval.
- Implementation Planning: Creating schedules, plans, and resources for enforcement and compliance monitoring during implementation

IV. CONCLUSION

The issues related to climatic changes have been attempted to be addressed and questions raised in this study. The first mention of climate change in history counts back to the sixteenth century when the Greeks realized that humans could modify the climatic system. But when the effect of humans on the climate system became more generally acknowledged in the latter half of the 20th century, it picked up speed. In 2014, the Indian government authorized the "Climate Change Action Programme," a Central Sector Scheme. A program called "Long Term Ecological Observatories (LTEO)" is the most important one of the components. Its goal is to establish a field site network so that observations may be made to investigate the impact of climate change. The network strategy is probably going to produce several beneficial uses. Climate change is a real issue that humanity is currently dealing with. Climate change and its effects has a significant impact on natural resources (biotic and abiotic variables), which are heterogeneous and vary from country to country and longitude to latitude. Climate change has already affected drastically in India and much further developments and regulations are needed in a very critical necessity.

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