

## CHAPTER 6

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# Climate Action Plans and Justice in India

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### Introduction

‘Climate change seems to be the last of the priorities of the state and central government. Despite various climate plans, we continue to privatize coal and divert forest land. How does one reconcile these decisions with the objectives of the climate action plan?’ asked a senior administrative officer in the Odisha Revenue and Disaster Management Department when questioned about the auctioning of new coal blocks and the state’s climate action plan.<sup>1</sup> His grim observation points to the political and economic barriers against implementing an effective climate policy that addresses climate justice in India.

In this chapter, we argue that India’s climate policy fails to adequately address difficult political questions related to climate justice and rising inequality. As our analysis of state and national climate action plans show, India’s engagement with questions of climate justice remains merely symbolic. This directly follows from the country’s stance in international climate negotiations, during which it has shied away from undertaking rigorous domestic climate action citing high levels of poverty and a need to focus on economic growth (Kashwan and Mudaliar 2021).

Our analysis of India’s national and state climate action plans offers insights into the often-unstated normative principles that guide decision-making on climate change within the country. In this study, we demonstrate how, if at all, these action plans incorporate questions of justice and equality. We argue that most of India’s

<sup>1</sup> Interview with the senior bureaucrat by Arpitha Kodiveri in August 2019.

climate action plans demonstrate a superficial understanding of socio-economic inequalities and hence fail to adequately address the disproportionate impact of climate events on the poor and marginalized.

We begin by discussing the principles that guide climate policy internationally and domestically. We then provide a critical overview of national and state climate action plans. We then scrutinize these action plans in terms of substantive equality and climate justice criteria, namely caste, gender, poverty, and co-benefits for development. We then analyse the action plans with regard to their treatment of these substantive criteria, the limitations in their approach, and possible strategies to address these limitations.

## Background

Internationally, India is known to have pioneered the approach of common but differentiated responsibilities (CBDR), which allows developing countries to prioritize poverty alleviation and economic growth over climate mitigation. CBDR assigns developed countries greater responsibility in combatting climate change due to their historical emissions. This approach is justified; however, India has failed to pay the same attention to climate equity within the country (Buda 2016). As Prakash Kashwan and Parineeta Mudaliar argue:

India has been right to raise the question of climate injustice between North and South, but climate justice within countries is equally compelling ... Reversing historically entrenched socioeconomic inequalities is closely intertwined with [domestic] climate action. (Kashwan and Mudaliar 2021)

While advocating for greater responsibility of wealthier nations in the international area, India has failed to mitigate the per-capita income of the super-rich back at home. The push for CBDR internationally allows India and other developing nations to realize their energy transition faster through technology transfer and adaptation funding from the developed world. While the demand for funding from the developed world is legitimate, it needs to be accompanied with aggressive domestic efforts to reduce rising inequality (Hurrell and Sengupta 2012).

A 2007 report by Greenpeace highlighted India's failure to address climate injustices domestically (Ananthapadmanabhan, Srinivas, and Gopal 2007). The emissions of India's richest escape notice due to the low per capita emissions of India's large poor population. The CBDR principle is intended to support India's efforts to address poverty domestically; however, socio-economic and political inequalities

within the country act as a barrier against achieving such outcomes. As Haimanti Bhattacharya shows in this volume, after 1991, rising economic inequality in India can be linked to an increase in carbon emissions. Addressing inequality domestically is at the heart of addressing climate change in India and should serve as the bedrock for designing climate change policy.

India's National Action Plan on Climate Change (NAPCC) is based on the co-benefits approach or the notion that climate mitigation and adaptation interventions produce development co-benefits. For example, solar energy projects help reduce energy emissions but also produce the co-benefit of increased energy security. This co-benefits approach is inherently attractive to the bureaucracy at the national and sub-national levels due to its linkage to economic growth. However, it is being used as an excuse to continue business as usual (Dubash et al. 2013).

The co-benefits approach is a form of legacy framing in that it prioritizes economic growth as an antidote to poverty. Climate change policies based on this framing presume that there is a trade-off between climate action and development and try to minimize this trade-off by identifying development co-benefits. In this sense, the co-benefits approach confounds economic development with distributional questions of addressing rising inequality, as opposed to taking meaningful climate action that simultaneously addresses socio-economic inequalities. The Indian government is now considering an ambitious net zero target following international pressure from countries in the Global North (Panwar 2021). This essentially means that India's greenhouse gas emissions will be compensated for by negative emissions, through the creation of carbon sinks.

As climate policy in India is governed by the co-benefits approach, it is useful to reflect on its relationship with existing environmental law. Upendra Baxi, in his important work on law and poverty, argues that law can be a site of emancipation and empowerment while simultaneously being a site of exclusion and impoverishment. Environmental law in India is rooted in the impoverishment and exclusion of the poor – forest-dwelling communities are deprived of their rights due to exclusionary conservation while citizens are excluded from environmental decision-making which is concentrated in the hands of the Indian state (Baxi 1979). A robust grassroots environmental justice movement has led to changes in the enviro-legal landscape, which now includes considerations of the rights of the poor. However, these legal gains are being diluted to create an enabling environment for business (Kodiveri 2016). An example of this is the proposed amendment to the Environment Impact Assessment Notification (EIA) of 2006 in 2010. EIA 2006 requires that a public hearing be held to note the opinions of those impacted by development projects prior to the granting of an environmental clearance. This provision was

already not being adequately implemented, and the proposed amendments further undermined these legal gains (Bakshi 2020).<sup>2</sup> The design and implementation of socially just climate policies and programmes, therefore, depend quite significantly on the extent to which different groups, actors, and agencies are represented in the policymaking process.

The debate of whether climate change is better addressed through law or policy is important, but perhaps what is equally important is the need to enforce existing environmental laws. The Air Act, 1981, Water Act, 1974, Environment Protection Act, 1986, and Forest Rights Act, 2006 provide a framework to check emissions, regulate pollution, prevent deforestation, and recognize the role of forest-dwelling communities in conservation. A recent report by Chandra Bhushan and Tarun Gopalakrishnan identified key legislations, namely the Air Act, 1981, Water Act, 1974, and Forest Rights Act, 2006, that address different aspects of climate change. The report concludes that none of these laws currently contributes to ambitious climate action (Bhushan and Gopalakrishnan 2021). Addressing climate vulnerabilities and climate injustice requires synergistic coordination between environmental law and climate policy. An example of this can be seen in the relationship between the Forest Rights Act, 2006 (FRA), and the Green India Mission, which is meant to promote afforestation to create carbon sinks. These afforestation efforts often marginalize forest-dependent people who are forced out of lands that they have historically used and called their home. Further, these programmes often violate the requirement of securing the consent of the *gram sabha* or village assembly as per the FRA. This is one example of how climate action must comply with protective legal frameworks that secure the rights of the poor and impoverished (Arasu 2020).

### Climate action in India: a critical overview

Internationally, India is a signatory to the Paris Agreement and has adopted mitigation and adaptation measures as per its nationally determined contributions (NDCs) (Government of India 2015). India's NDCs focus on three quantifiable goals: first, reduce the emission intensity of the gross domestic product (GDP) by 33 per cent to 35 per cent (relative to 2005 figures) by 2030; second, increase the share of renewable energy in India's energy mix to 40 per cent by 2030; and finally,

<sup>2</sup> Under the 2006 EIA notification, six major project types were exempted from holding public hearing. These included the building of area development projects and townships, projects of strategic importance, and expanding roads and highways that do not involve the further acquisition of land.

create additional carbon sinks by expanding forests and tree cover amounting to 2.5–3 billion tonnes of carbon dioxide equivalent by 2030 (Ministry of Environment, Forest and Climate Change 2015). The NAPCC has not been updated in light of these ambitious voluntary targets adopted in the NDCs.

India does not have a coherent climate change law or policy. Instead, climate action is driven by executive orders and ad-hoc documents such as climate action plans. Not much has been mentioned about the process that went into the formulation of the NAPCC, though some scholars note that it was drafted without adequate public consultation (Dubash and Jogesh 2014; Kashwan 2017). As *Down To Earth* reports, it was a quick response to international scrutiny and did not significantly engage the Prime Minister's Council on Climate Change (PMCCC):

While [the] PMCCC had representation of diverse sectors on paper, the document's content was primarily shaped by a three-member group from within the council – the principal scientific advisor, former secretary to the then Union Ministry of Environment and Forests, and the director general of Delhi-based non-profit The Energy and Resources Institute (TERI). The final draft was prepared by the Prime Minister's Office, further limiting the significance of inputs from the council. (Rattani et al. 2018)

The international pressure to draft the NAPCC could be one reason why the plan is focused on mitigation efforts and does not pay adequate attention to climate adaptation. The plan focuses on energy efficiency, the transition to renewable energy, and afforestation instead of measures for climate adaptation.

The NAPCC was drafted in 2008 and is coordinated by the PMCCC, an ad-hoc body meant to serve as the primary institutional node in the implementation of this action plan. This gives the executive branch enormous discretion over the planning and enforcement of climate action without parliamentary and public scrutiny. For example, the PMCCC did not consult representatives from the urban poor, women workers, fisherfolk, land rights movements, and farmers' groups. Subsequently, the council's work turned out to be a technocratic exercise instead of a serious attempt to design a climate action plan that addresses India's socio-economic realities (Kashwan 2017, 194).

The NAPCC consists of eight missions that cover a broad spectrum of areas for targeted action – such as forests, the Himalayan region, energy efficiency, water, solar, sustainable habitat, sustainable agriculture and Green India Mission – and relies on specific ministries to ensure its implementation. The ministries are required to submit their proposed plans for the implementation of their assigned mission (Dubash and Jogesh 2014). For example, the Ministry of Environment,

Forests and Climate Change is the nodal ministry for implementing the Green India Mission. Some missions recommend that states be consulted when drafting policies – for example, the National Water Mission requires that states be consulted, as water is listed in the concurrent list of the Indian Constitution and states have significant policymaking authority in this sector (Ministry of Water Resources 2009). Perhaps the most important role of the NAPCC is that it provides direction for the development of State Action Plans on Climate Change (SAPCCs).

The SAPCCs were formulated based on a common framework drafted by the Ministry of Environment, Forests and Climate Change along with the United Nations Development Program in India (Ministry of Environment, Forests and Climate Change 2010). The common framework enables states to identify region-specific vulnerabilities to climate change and align regional development priorities to the national plan. The common framework document required states to undertake three activities:

1. Identify and document the climate profile of the state, which would form a baseline assessment for developing strategies
2. Conduct an assessment of the state's vulnerability to climate change
3. Assess sector-specific emissions and develop a concrete strategy to address climate change while exploring possible sources of funding to support the implementation of the action plan. (Dubash and Jogesh 2014, 4)

While the NAPCC laid down broad guiding principles for the SAPCCs like the co-benefits approach, the common framework document goes a step further and enables states to identify vulnerabilities to climate change and accordingly devise plans. It influences the process and content of the SAPCCs to a greater extent than the NAPCC (Dubash and Jogesh 2014).

### **Scrutinizing climate action plans for considerations of equity and justice**

Despite the many weaknesses of the NAPCC and SAPCCs, these documents represent the current thinking of the central and state governments on domestic climate action in India. Moreover, the NAPCC and SAPCCs have the potential to become conduits for the creation of new norms and expectations in specific policy fields (Lagoutte, Gammeltoft-Hansen, and Cerone 2016). It is important to study such 'norm incubation' with regards to domestic climate action. This chapter aims to investigate how the baselines, norms, and expectations embedded in these documents intersect with marginalization and experiences of injustice.

With this in mind, we analysed the contents of the NAPCC and SAPCCs to understand how and to what extent they incorporate considerations of social justice in climate planning. We specifically searched for the key terms 'co-benefits', 'poor', 'equity', 'inequality', 'women', and 'caste'. These key words were carefully chosen to understand how economic inequality, class, caste, and gender are addressed in these plans.

## NAPCC

The NAPCC adopts a co-benefits approach that balances development and climate priorities to realize benefits for both. As seen in Table 6.1, carbon mitigation in buildings ensures the co-benefit of energy security. Such energy savings could improve energy access for the poor, enhance air quality, and create jobs in the renewable energy sector, among others. The co-benefits approach boosts the appeal of mitigation measures, as it has the potential to improve quality of life and the environment and reduce inequality (Dubash et al. 2013). However, this approach does not provide adequate guidance on the question of who bears the burden of mitigation and adaptation and how. The final report by the expert group on 'Low Carbon Strategies for Inclusive Growth' highlights the need for a macro-level development model that considers inclusive growth alongside low carbon strategies (Planning Commission of India 2014). While the proponents of the co-benefits approach read it through the lens of inclusivity, the question remains whether it can alter the present political economy, which is dependent on fossil fuels, or if it will deepen fissures of caste, class, and gender. In Table 6.1, we provide notable quotes from our survey of the NAPCC for the substantive criteria of co-benefits, poor as representative of poverty, equity, inequality, gender, and caste.

The NAPCC identifies the poor as being vulnerable to climate change and emphasizes the need for inclusive and sustainable development as a strategy for reducing poverty. When referring to equity, the plan reverts to referencing common but differentiated responsibility, the framework for ensuring equity in combatting climate change *globally*. The NAPCC is silent on the key terms of inequality and caste – which deal more with some criteria of domestic inequities. This shows that the plan recognizes justice and equity in the arena of global governance but lacks a concerted plan to address domestic equity on the basis of caste and class. The plan, however, does identify women as being vulnerable to the adverse impacts of climate change on multiple fronts, including access to water, healthcare, and nutrition. It goes a step further and explains how women are further marginalized by adaptation efforts and calls for programmes on adaptation to be sensitive to questions of gender.

**Table 6.1** Analysis of the NAPCC on social justice considerations

Criteria	Notable Quote/s
Co-benefits (13)	'Implementing carbon mitigation options in buildings is associated with a wide range of co-benefits, including improved energy security and system reliability ... jobs and business opportunities, while the energy savings may lead to greater access to energy for the poor, leading to their improvement and wellbeing. (p. 25)
Poor (7)	'Protecting the poor and vulnerable sections of society through an inclusive and sustainable development strategy, sensitive to climate change.' (p. 2)
Equity (3)	'India looks forward to enhanced international cooperation under the UNFCCC. Overall, future international cooperation on climate change should address the following objectives: <ul style="list-style-type: none"> <li>• Provide fairness and equity in the actions and measures</li> <li>• Uphold the principle of common but differentiated responsibilities in actions to be taken, such as concessional financial flows from the developed countries, and access to technology on affordable terms' (p. 48)</li> </ul> 'We are convinced that the principle of equity that must underlie the global approach must allow each inhabitant of the earth an equal entitlement to the global atmospheric resource.' (p. 2)
Inequality (0)	None
Women (4)	'The impacts of climate change could prove particularly severe for women. With climate change, there would be increasing scarcity of water, reduction in yields of forest biomass, and increased risks to human health with children, women, and the elderly in a household becoming the most vulnerable. All these would add to deprivations that women already encounter and so in each of the Adaptation programmes, special attention should be paid to the aspects of gender.' (p. 14)
Caste (0)	None

Source: Author's compilation based on data from Government of India (2008, 2, 14, 25, 48).

Note: \* Parentheses in the 'criteria' column indicate the number of times the term occurred.

## Climate justice and the state action plans

For the analysis of SAPCCs, we chose the following states: Odisha, Chhattisgarh, Rajasthan, Assam, Bihar, and Uttarakhand. The selection of states reflects their vulnerability to various effects of climate change, along with some consideration of their geographic representation. These state action plans provide a glimpse into



how states have attempted to assess their vulnerability and address inequality and livelihood concerns. We also examine the case of Kerala, which has an exemplary network of civic groups and locally elected governments that enable the relatively successful implementation of state-led initiatives that promise to promote climate justice.

## Caste

As can be seen in Table 6.2, the SAPCCs propose diverse strategies to address the question of caste and identify the vulnerability of SC communities based on their livelihoods. Uttarakhand, for instance, speaks to the discrimination experienced by Dalits and women, which makes them more vulnerable to the impacts of climate change. Odisha's SAPCC speaks to the challenge of rapid urbanization and the impact it will have on SC communities. Assam's SAPCC examines the link between caste and access to clean water, but stops at identifying the problem and does not propose ways to address it like the other SAPCCs examined here. However, as will be shown in the next section there are limitations in how caste is addressed in the SAPCCs on aspects of discrimination.

## Gender

The SAPCCs mention these tools of integrating with existing policy and gender budgeting, but do not provide an overarching framework for responding to gender concerns. The SAPCCs address gender in various ways. Chhattisgarh addresses the question of gender by integrating its SAPCC with its women empowerment policy. Uttarakhand seeks to incorporate the tools of gender budgeting and participation of women in energy planning. Odisha addresses gender concerns within specific sectors.

## Co-benefits

The SAPCCs identify climate action–development co-benefits for several sectors, though they differ in how they approach the co-benefits principle. Odisha, for example, further divides co-benefits into resilience-related and mitigation-related, thus expanding the scope of how the co-benefits principle can be deployed. Rajasthan limits the co-benefits approach to mitigation and uses greenhouse gas inventorization to assess where mitigation is occurring. The co-benefits approach as understood in these plans, as the next section will argue, fails to address rising inequality.

**Table 6.2** SAPCCs and climate justice considerations

State Action Plan	Caste	Women	Poor	Co-benefits	Inequality	SC/ST (A legally recognized category within the Indian constitution)
Assam	Identifies that Scheduled Castes (SC) living in rural areas are vulnerable to climate change without access to clean water and sanitation (p. 52).	Does not mention women.	The effects of climate change will be felt most strongly by the poor. Poverty is a major challenge for Assam, as the poverty rate is 36 per cent higher than the Indian national average. Apart from economic growth, availability and access to public health services has been a challenge (p. 55).	Does not mention co-benefits.	Does not mention inequality.	In 2011–2012, as 31.98 per cent of the state's population lived below the poverty line against an all-India average of 21.92 per cent, with majority of the population, especially the people living in interior rural areas, in areas inhabited by Scheduled Caste & Scheduled Tribe population, tea garden areas and far flung 'char' (riverine) lack facilities of safe drinking water, sanitation, etc. (p. 52).

(Contd)

(Contd)

State Action Plan	Caste	Women	Poor	Co-benefits	Inequality	SC/ST (A legally recognized category within the Indian constitution)
Bihar	Assesses the socio-economic vulnerability of the masses in various remote locations of the state with a particular emphasis on gender, class, caste, ethnicity, physical ability, community structure, existing decision-making processes, and other local factors (p. 81).	Recognizes the different roles that men and women play in society and the unequal power relations between them. While a large number of poor, rural women depend on climate-sensitive resources for survival and their livelihoods, they are also less likely to have the education, opportunities, authority, decision-making power, and access to resources they need to adapt to climate change. Women's vulnerability to climate change differs from men, and climate change interventions that are not gender-responsive often result in deepening the existing gender divide (p. 26).	The state emphasizes inclusive development, as articulated in its Approach Paper to the 12th Five Year Plan (FYP). By extension, the state also recognizes that since climate change can disproportionately impact the poor, women, children, and the aged and can also impact livelihoods, sectoral planning under the BAPCC needs to explicitly integrate poverty, livelihoods, and equity concerns (p. 26).	Multiple 'Sector Co-Benefit Identification Studies' will take place to identify co-benefits (p. 174). The co-benefit approach is one of the tenets of Bihar's Action Plan (page xiii). The NAPCC seeks to promote better understanding of sectors like climate change, adaptation, mitigation, energy efficiency, and natural resource conservation while pursuing economic development resulting in co-benefits for climate change' (p. 2).	Reduced intra-state inequality between the various regions of Bihar along with reduced inter-district inequality, especially in infrastructure and service provision, as these have a bearing on livelihoods and thus adaptive capacity as well (p. 26).	Ensure social equity in distribution of assets for drinking water so that the SC/ST population and other poor and weaker sections, including minority communities, are fully covered (p. 70).

(Contd)

(Contd)

State Action Plan	Caste	Women	Poor	Co-benefits	Inequality	SC/ST (A legally recognized category within the Indian constitution)
Chhattisgarh	The combined Scheduled Tribe (ST) and Schedule Caste (SC) population is 43.37 per cent, which is one of the highest among major states, and the difference among them and other social groups in terms of assets, attainment, and access to entitlements is stark. Geographical isolation and social exclusion compound the problems in mainstreaming these vulnerable communities (p. 11–12).	The 12th FYP of Chhattisgarh will aim at addressing these development challenges by reducing inequality and deprivation and fostering an accelerated and inclusive economic growth. It will work across all sectors to further promote human development that impacts and improves the lives of all – the marginalized, women, aged, minorities, and differently abled (p. 3).	Does not mention poor.	Does not mention co-benefits.	States that in a functioning democracy, responsive governance is about ensuring symmetry of power in the elected representative-functionary-community praxis, citizen-centric administration, accountability and transparency of processes/procedures, strong outcome orientation, and above all, delivering public goods and services in a manner that reduces inequality and vulnerabilities (p. 30).	Presently, in the 2010–2011 plan, the outlay has been increased to INR 2,985.40 lakh, and with more availability of funds due to changes of some heads from plan to non-plan, the department is planning to distribute 18,000 backyard poultry units, 500 male pigs and 500 pig trios, and 6,000 male bucks to different SC and ST beneficiaries (p. 42).
Odisha	The rural poor in Odisha depend mostly on agriculture and forest resources (especially the SCs and STs). The high level of poverty in Odisha is closely tied to the state's low productivity in agriculture (p 4). "The population of scheduled castes and tribes are higher, the inequality increases because of rapid urbanisation." (p. 28)	Therefore, gender mainstreaming requires a contextual analysis of the needs, priorities, roles, and experiences of women and men as well as the integration of specific actions proposed under the SAPCC to address any gender-related inequalities (p. 160).	Odisha is India's eighth-largest state, comprising 4.7 per cent of India's land mass, 3.37 per cent of its population (around 42 million people), and over 5 per cent of its poor (p. xi).	Co-benefits are divided into two categories: (i) resilience-related and (ii) mitigation-related in the agricultural sector (p. 58). It also discusses the co-benefits of coastal zone management (p. 65).	Does not mention inequality.	Poverty among the scheduled tribe (ST) and scheduled caste (SC) communities has been falling at a faster rate; however, the ST communities remain poorer than other social classes (Odisha Economic Survey Report, 2013–2014, 36).

(Contd)

(Contd)

State Action Plan	Caste	Women	Poor	Co-benefits	Inequality	SC/ST (A legally recognized category within the Indian constitution)
Rajasthan	Does not mention caste.	High infant mortality rate, maternal mortality rate, malnutrition among children and women, high incidence of childhood diseases, child marriage, declining sex ratio of girls under six years, low female literacy in comparison to the national average, inadequacies in water supply and sanitation, and poor health and poor socioeconomic status of women along with social discrimination are causes of concern for population health in the state (p. 94).	The state aims to implement an inclusive and sustainable development strategy that protects the poor and vulnerable sections of society from adverse effects of climate change (p. 3).	The Rajasthan Action Plan on Climate Change has been prepared 'building on the adaptation priorities and mitigation co-benefits in the state...' (p. 7). 'The Rajasthan Pollution Control Board will be guided by GHG inventORIZATION process to plan measures and generate other co-benefits' (p. 35).	Does not mention inequality.	Does not mention SC/ST significantly.

(Contd)

(Contd)

State Action Plan	Caste	Women	Poor	Co-benefits	Inequality	SC/ST (A legally recognized category within the Indian constitution)
Uttarakhand	Economically vulnerable groups, including SCs and STs, have a high dependence on forest resources for the collection of fodder, medicinal plants, and firewood. These ecosystem services are highly climate-sensitive, and the regional economy is thus more vulnerable (p. 23).	Climate change will have differentiated impacts, which will be more severe for women, children, and for poor and marginalized groups in hill communities. As such, livelihood activities in the Indian Himalayan Region have a higher level of sensitivity and a disproportionate exposure to climate change. (p. 23)	Impacts of climate change are also likely to be iniquitous – the poor, women, the aged, and the very young, especially in underdeveloped or developing area contexts, are relatively more vulnerable due to their greater dependence on climate-sensitive sectors such as agriculture, fisheries, and forestry for their livelihoods or their limited adaptive capacity (p. 21).	Uttarakhand, since its creation in 2000, has set up institutions and promoted programmes that are bound to facilitate mainstreaming various adaptation measures, build the resilience of vulnerable communities and households, deepen the impacts of national missions, and provide co-benefits through developmental interventions (p. 25).	Data from the United Nations Development Programme suggest that Uttarakhand's Human Development Index (HDI) and the corresponding Inequality Adjusted Index (IHHI) stand at 0.515 and 0.345, respectively in 2013. The state's HDI and IHHI ranks 7 and 10, respectively, among Indian states. Considering the state's HDI ranking of 18 in 2005, it has made significant progress in human development (p. 35).	Mentions how the SC and ST communities livelihoods depend on ecosystem services that are climate-sensitive (p. 23)

Source: Authors' compilation based on state climate plans: Department of Environment and Forest, Government of Assam (2015, 52, 55); Government of Bihar (2015, 2, 26, 70, 81); Government of Chhattisgarh (2013, 3–4, 11–12, 31, 42); Forest and Environment Department, Government of Odisha (2018, 4, 28, 36, 65, 160); Government of Rajasthan (2014, 3, 7, 35, 94); Government of Uttarakhand (2014, 21, 23, 25, 35).

## Poverty

The SAPCCs understand poverty to be a vector of vulnerability and aim to address it through inclusive and sustainable development. The approaches mentioned here are closely aligned with the ways the SAPCCs understand inequality. Bihar identifies the poor as being vulnerable and goes a step further by incorporating sectoral planning that is sensitive to the livelihood requirements of the poor. Uttarakhand similarly deepens the understanding of the poor with a focus on the young and their dependence on climate-sensitive sectors for their livelihood. Assam's action plan highlights the issue of lack of access to good healthcare infrastructure, which renders the poor more vulnerable to the public health impacts of climate change.

## Inequality

The SAPCCs vary in their understanding of inequality. In the five plans that we examined, inequality does not find mention in two of them. Bihar's state action plan focuses on inequality between districts and seeks to reduce these gaps by improving infrastructure and service delivery. Chhattisgarh's state action plan emphasizes the need for transparency and increased citizen participation in the governance process. Uttarakhand takes stock of the degree of inequality within the state by relying on the United Nations Development Programme's Human Development Indicators, including an inequality-adjusted measure of inequality.

## SC/ST

The SAPCCs also take into account SC and ST communities and estimate their vulnerability while discussing the state programmes that they can access. In Assam, it speaks to the vulnerability of SC and ST communities in access to sanitation and safe drinking water. In Bihar's state action plan, what stands out is the acknowledgment of how SC and ST communities are discriminated against in accessing water and the government's aim to address it. In Chhattisgarh's state action plan, it specifically refers to these communities as beneficiaries to livestock-specific government schemes as ways of enhancing climate resilience of these communities. In Odisha's state action plan, it identifies that the rate of poverty within the SC and ST community is falling, though the STs remain poorer than other communities. In Uttarakhand's state action plan, it identifies the vulnerability of the SC and ST community based on their livelihood dependence over forest resources, which are sensitive to adverse impacts of climate change.

## Analysis

As the survey of the keywords across the NAPCC and SAPCCs show, they serve as good starting points to begin thinking about climate action, but they propose limited interventions targeting climate justice. Some scholars argue that the SAPCCs serve as localized versions of climate action plans. The SAPCCs need to be considered an iterative process; the plans in their current form work as documents that lay out the broad objectives but lack a granular strategy (Dubash and Jogesh 2014). We will begin with a substantive analysis of the key terms to understand the limitations of the NAPCC and SAPCCs in this regard.

## Caste and action plans

The analysis above shows a lack of serious attention to questions of caste and other forms of inequality in the NAPCC and SAPCCs. It reinforces Mukul Sharma's argument that environmentalism in India suffers from 'Dalit blindness'. Environmental movements and the discourse on environmental justice do not adequately accommodate questions of untouchability and caste-based exclusion from access to resources (Sharma 2012, 2017, 1–60). For example, Dalit communities in Kandhamal, Odisha, are dependent on access to forest produce for their livelihoods, but they are excluded from accessing these areas by Adivasi communities recently converted to Hinduism (Kodiveri 2016). Addressing discrimination against Dalits and other so-called lower caste groups in accessing resources, particularly land and water, remains an important challenge in environmental and climate justice in India (Sharma 2017, 1–60).

A study by the National Commission on Dalit Human Rights (NCDHR) showed that Dalits are vulnerable to the impacts of climate change due to loss of livelihood and lack of access to resources for climate adaptation (National Dalit Watch of National Commission on Dalit Human Rights and Society for the Promotion of Wastelands Development 2013). The SAPCCs acknowledged that SC groups, whose livelihoods depend on forest resources and agriculture, are highly vulnerable to the impacts of climate change but does not speak to the aspects of discrimination faced by these communities. It is noteworthy to see that Chhattisgarh has proposed specific schemes of agro-forestry to support the livelihood strategies of SCs. By virtue of their caste identity, Dalit communities are often denied access to resources such as land and water in India's rural and urban areas. Landlessness is highest among Dalit communities, rendering them socially and economically weaker to combat the impact of climate change on their livelihood. None of the SAPCCs speak to the need to ensure equitable distribution of land and access to water as well as commons (Thorat and Newman 2007).



Perhaps the starkest form of caste-based discrimination is experienced by Dalits who serve as sanitation workers. In Chennai, after the floods in 2018, Dalit communities were called upon to clean the entire city and get rid of the bodies. Despite providing these essential services, they were discriminated against and were denied access to food and water (Rehman 2017). Similarly, when the floods hit Cuddalore, Tamil Nadu, in 2013, Dalit communities living in low-lying areas were denied access to drinking water from neighbouring villages as the floods had damaged their homes (National Dalit Watch of National Commission on Dalit Human Rights and Society for the Promotion of Wastelands Development 2013). These examples tell us that the burdens and costs of climate change are unevenly distributed. The SAPCCs do not fully capture the complex nature of the relationship between caste-based discrimination and the impacts of climate change.

They neglect two significant aspects – the discrimination that communities considered lower in the caste hierarchy face and an intersectional understanding of the discrimination faced by Dalit women. As Behl and Kashwan argue in this volume, the intersectionality of gender, caste, and class means that poor Dalit women face the severest forms of discrimination in accessing water given increasing scarcity. This places them in a precarious situation when confronting the impacts of climate change, especially in the context of disasters. As the report by the NCDHR argues, Dalit women struggle after disasters:

Declining food production due to climate change has turned entire populations, particularly men in the Dalit dominated village into migrants. The Dalit women are left behind and are vulnerable to greater sexual harassment. They would have to bear the double brunt of caste and gender; men are more equipped to handle situations of extreme distress as compared to women. (National Dalit Watch of National Commission on Dalit Human Rights and Society for the Promotion of Wastelands Development 2013, 26)

The SAPCCs incorporate caste as one of the relevant socio-economic parameters. However, these plans do not address caste-based discrimination, which leads to the exclusion of Dalit communities from access to basic resources. The experience of exclusion is also gendered in nature – Dalit women are more vulnerable to disasters and the livelihood impacts of climate change.

### **Women and the action plans**

The SAPCCs identify women as being vulnerable to climate change, but the plans are not gender-responsive. The Climate and Development Knowledge Network

(CDKN), a network of organizations working to enhance the climate resilience of poor communities that will be impacted by climate change, conducted a systematic study of how gender is understood and articulated in the SAPCCs (Sogani 2016). They concluded that women are specifically vulnerable to lower food production, water scarcity, and distress migration due to climate change. The study further stated that women face a heavier burden in terms of climate adaptation because of the feminization of agriculture (also see Khadse and Srinivasan in this volume).

The CDKN's gender-responsive framework suggests that each SAPCC should collect data on the impact of climate change on women, forge strong ties with the state department of women and child welfare, harness local women's groups in tackling climate change through a bottom-up approach, and work towards standardizing gender budgeting for climate-change schemes and plans. While a gender-responsive framework provides a robust starting point, the CKDNs proposed framework views women as a homogenous group, when in reality women face different circumstances based on their class, caste, and sexual orientation. This intersectional understanding of how women experience the impacts of climate change is missing across the different state action plans (Sogani 2016).

In 2018, Kerala prepared a gender-inclusive climate action plan that identified women's vulnerability to climate change in terms of agriculture, forestry, coastal communities, water resources, disasters, and social exclusion. Kerala also addresses these vulnerabilities through its Kudumbashree Mission, which seeks to alleviate poverty by creating decentralized support networks for women. It further integrated the Kudumbashree Mission with the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, as is mentioned in the gender-inclusive state action plan developed in 2018:

The poverty eradication mission called Kudumbashree and the wage labour available under MGNREGA (employment guarantee scheme) has proved to be of help for women to get engaged in agriculture and related tasks. They have leased land and started cultivating and a recent study has pointed out that 52,995 hectares is presently under cultivation. Most of this was land that was lying fallow. Using the employment guarantee scheme, about 300 local governments (Panchayats) have utilised the labour of women in soil conservation, recycling of plastics, and reclaiming water bodies. (State of Kerala 2018, 24)

The state government has also harnessed women's self-help groups for capacity-building for climate adaptation (Jain 2020). This initiative uses a threefold approach: recognizing the land rights of women, creating local groups of women called joint liability groups, and incentivizing organic farming to enable women to

keep practising agriculture as a form of livelihood. In the district of Wayanad, the state is supporting Adivasi women by integrating the Panchakrishi programme for sustainable agriculture with the National Rural Livelihoods Mission to assist women farmers by ensuring market access and biodiversity conservation. This approach is significant in how it seeks to address the complex problem of gender-based climate vulnerability through an existing scheme (Jain 2020).

### Poverty, inequality, and the action plans

K. N. Ninan argues that climate change will aggravate poverty in two ways: the population living under poverty will increase, and the conditions of those living in poverty will subsequently worsen (Ninan 2019). Haimathi Bhattacharya clearly articulates in this volume that with increased inequality, there will be a rise in emissions. This alerts us to the relationship between poverty, emissions, and climate action. Reducing inequality and poverty are thus essential ingredients of realizing equitable climate action.

Unfortunately, the political economy of India is characterized by rising poverty and inequality – India dropped a spot to occupy the 131st rank among 189 countries in the Human Development Index (United Nations Development Programme 2019). Poverty eradication programmes, particularly the National Rural Employment Guarantee Act and Food Security Act, that were meant to reduce inequality have not been adequately implemented. Similarly, as Atul Kohli argues, the Indian government is pro-business and is characterized by a narrow alliance of interests of the state and business (Kohli 2009).

The welfare state thus has been in retreat in the Indian context, given the lack of access to healthcare, education, nutrition, agricultural productivity, and jobs for large sections of the population. India has not sufficiently invested in welfare services and has chosen a path of deregulation of environment and labour laws to further the interest of big business (Jacob 2020).

As has been pointed out in the previous section, the NAPCC and SAPCCs lack an intersectional understanding of the forces and effects of the injustices and vulnerability experienced by women, Dalits, and the poor. The poor are mentioned frequently in the SAPCCs but are described as an all-encompassing and monolithic category. The state plans do not tease out the underlying conditions that push groups, individuals, and communities into poverty. A significant variation is expected in the specific ways in which these vulnerabilities manifest in different geographic, agro-ecological, and sociocultural contexts; factors of caste, class, gender, and intersectional inequalities matter everywhere. As such, any vulnerability assessment in India must account for them.

## Co-benefits and the SAPCCs

Navroz Dubash and others offer a clearer path for co-benefits through their multi-criteria approach wherein they state that it must be accompanied with a clear decision-making framework that will assist states to understand the trade-offs involved, their possible impacts, and the multiplicity of factors to be considered, including growth, inclusion, and environment. They argue that low carbon growth can be achieved using a framework for decision-making called a multi-criteria analysis. This tool offers a way out of potential implementation failures (Dubash et al. 2013). In contrast, the co-benefits approach fails to challenge the political economy of extraction and rising inequality. It prioritizes economic growth as a pathway to redress poverty, while enabling the state to protect the status quo. For example, the action plans espouse renewable sources of energy for their co-benefits of cleaner air and lesser carbon emissions; however, such a selective focus on the 'benefits' of renewable energy excludes the problems of land acquisition and dispossession linked to large-scale renewable energy projects. Such a selective focus on specific benefits mitigation obscures the root causes of socio-economic and political inequalities – an extreme reliance on extractive models of development.

The SAPCCs examine how co-benefits can be achieved in sectors like agriculture, organic farming, manufacturing, afforestation, and renewable energy. These are much-needed strategies, but the action plans do not address the difficult questions of inequality and the pathway to low carbon growth. Building enduring climate resilience requires public investment in infrastructure, affordable housing, health, education, social safety nets, land redistribution, and recognition of rights to land and forest commons. These remain the most important pathways to reducing vulnerability, but the plans do not address them sufficiently.

## State accountability, laws, and action plans

The plans do not offer strategies for effective enforcement of existing environmental laws. India's laws regarding air, water, and environmental protection, and those governing forests and concerning pollution and deforestation, are seldom enforced or implemented. This is a significant challenge and threat to climate change that SAPCCs do not identify. There is a need to limit the dilution of these laws and strengthen their implementation while keeping in mind the need for community participation and recognizing their rights over resources. Ensuring state accountability to these plans and laws requires citizens file public interest litigations, as the action plans do not chart out an institutional framework for monitoring and enforcement (Chatterjee 2018).

India is seeing the emergence of a nascent form of climate jurisprudence, which uses existing legislations as the basis to legally challenge state inaction. The judicial response has been uneven – at times it has pushed back against state inaction, but at others has deferred to the executive. The National Green Tribunal in Delhi has ruled in 2015 that it can be approached for violations of the NAPCC, but no cases have been filed in light of this expanded jurisdiction (National Green Tribunal, 2015). Environmental law and policy, including climate change policy, fail to address the difficult question of the rights and entitlements of the poor and equitable distribution of the burdens and costs of environmental destruction (Rajamani 2013).

An important feature of environmental governance in India has been the centralization of decision-making power and regulatory authority with the Ministry of Environment, Forests and Climate Change. This centralization is accompanied by a failure to enforce public accountability mechanisms. Thus, holding powerful political and economic actors like corporations accountable in compliance with environmental law has been difficult. India's environmental governance failures and accountability gap can be seen in the wide discretionary power and unaccountable exercise of authority by the Ministry of Environment, Forests and Climate Change. The current spate of dilution of progressive environmental laws and policies is evidence of the shrinking space for citizens to hold the state and corporations accountable (Kashwan and Kodiveri 2021).

## Conclusion

In this chapter, we analysed the inclusion of justice and equity in the NAPCC and SAPCCs. The main conclusion we draw from the analysis is that they acknowledge the vulnerability of groups based on caste, gender, and poverty. However, their analyses are based on a rather superficial understanding of the production of vulnerabilities. They are also yet to offer specific strategies for addressing these vulnerabilities. Concerted action is needed to address the serious consequences of the retreat of the welfare state, which was exposed during the second wave of the COVID-19 pandemic.

The Indian government continues to pursue an aggressive development pathway marked by a dependence on fossil fuels, mining, and extractive industrial development projects that lead to deforestation, air pollution, ecological destruction, and violation of community rights. It is imperative for climate action in India to take on the difficult question of addressing the root causes of climate vulnerability, including caste-based injustices, socio-economic inequalities, and a lack of social safety nets.

In this chapter, we have shown that the national and state action plans fail to incorporate the substantive criteria of climate justice. The gaps identified are a lack of intersectionality, the need for serious treatment of inequality, and mechanisms of state accountability. Filling these gaps can offer possible avenues to inform the potential reworking of existing policy and law or shape future law and policy.

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## स्टेज

आम्ही स्टेजवर गेलोच नाही  
आणि आम्हाला बोलावलेही नाही.  
बोटाच्या इशाऱ्यांनी—  
आमची पायरी आम्हाला दाखवून दिली.  
आम्ही तिथेच बसलो;

आम्हाला शाबासकी मिळाली.  
आणि 'ते' स्टेजवर उभे राहून—  
आमचे दुःख आम्हालाच सांगत राहिले.  
'आमचे दुःख आमचेच राहिले  
कधीच त्यांचे झाले नाही...'

—वाहरु सोनवणे

## Stage

We didn't go to the stage,  
nor were we called.  
With a wave of the hand  
we were shown our place.  
There we sat  
and were congratulated,  
and "they", standing on the stage,  
kept on telling us of our sorrows.  
Our sorrows remained ours,  
they never became theirs.

—Translated by Bharat Patankar and  
Gail Omvedt

This excerpt from Waharu Sonawane's poem 'Stage' created a bit of a storm in India's activist circles. This poem and its simple, yet lyrical, translation is quite self-explanatory. Waharu is a Bhil Adivasi, poet, and long-time social activist. It is not easy to map the relationship between Waharu's poetry and activism. Seeing that Adivasis did not have leadership, even in movements that sought to speak on behalf of Adivasis, he co-founded the Adivasi Ekta Parishad (AEP). As I learned recently, in the events that AEP holds, there is a big stage, but nobody is seated on it; there is only a microphone. This reflects AEP's belief that everyone is equal, and anyone among the Adivasis can take center stage while everyone else listens attentively.

Moreover, as Waharu argued in an interview, this is a 'fight between Adivasi values and Brahmanic values—not between Adivasis as persons and Brahmins as persons. It's a fight between democracy and autocracy.' India's environmental and climate justice movements would grow stronger roots by adopting such a truly democratic approach.