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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

CLIMATE-EXACERBATED DISASTERS AND LEGAL ACCOUNTABILITY: A CRITICAL STUDY

AUTHORED BY - DR. GAURI BAJAJ

Abstract

Climate change has intensified the frequency and magnitude of natural disasters, transforming them into climate-exacerbated disasters. These include floods, landslides, forest fires, and droughts whose destructive capacity is amplified by human-induced climate disturbances. In this context, the role of law in ensuring accountability becomes vital. India, being among the most climate-vulnerable countries, has faced a series of such disasters—most recently the 2025 Uttarkashi landslide. This paper critically examines the legal response to such disasters through the lens of constitutional rights, environmental statutes, landmark judicial decisions, and institutional mechanisms such as the National Green Tribunal (NGT).

The paper delves into the constitutional foundation of environmental protection, particularly under Article 21 (Right to Life) and Articles 48A and 51A(g), examining how the judiciary has interpreted these provisions to include climate justice. It also analyzes relevant statutory frameworks, such as the Environment Protection Act, the Disaster Management Act, and sector-specific rules. The role of the judiciary—especially the Supreme Court and NGT—in evolving doctrines like the Polluter Pays Principle, Precautionary Principle, and Public Trust Doctrine is critically explored through case law analysis. Recent incidents such as the Joshimath subsidence and Bengaluru floods are assessed to illustrate the practical application and shortcomings of legal accountability mechanisms. The paper concludes with suggestions for strengthening India's legal infrastructure to address the growing risks of climate-induced disasters.

Keywords: Climate Change, Legal Accountability, Constitutional Rights, National Green Tribunal, Disaster Law

1. Introduction

The phenomenon of climate change is no longer a distant or theoretical threat; it has become an immediate and tangible reality impacting ecosystems and human societies worldwide. Rising global temperatures have led to unprecedented changes in weather patterns, contributing to the intensification and increased frequency of natural calamities.¹ These events, when exacerbated by anthropogenic climate disturbances, are increasingly described as **climate-exacerbated disasters**. India, with its diverse geography and large vulnerable population, has experienced a significant rise in such disasters—ranging from glacial lake outburst floods in the fragile Himalayan region to severe urban flooding in major cities such as Bengaluru and Chennai. The recent 2025 Uttarkashi landslide stands as a tragic and vivid example of how natural fragility combined with climatic stress can lead to devastating consequences.

Such disasters compel us to ask critical questions about **legal accountability**. While the forces of nature themselves cannot be controlled or legislated, the human activities that contribute to climate change and the failures of governance in disaster preparedness and mitigation are subject to legal scrutiny.² The concept of legal accountability in this context encompasses the responsibility of governments, corporations, and individuals to adhere to environmental norms, ensure sustainable development, and protect vulnerable communities. It also involves mechanisms for redress and deterrence where negligence or harmful actions exacerbate disaster risks.

This study focuses on how the Indian legal system confronts the challenge of climate-exacerbated disasters. It first situates these disasters within the constitutional framework, particularly highlighting provisions that safeguard environmental rights and the right to life. It then explores statutory frameworks like the Environment Protection Act and the Disaster Management Act that establish duties and standards for environmental governance and disaster response. The paper also critically examines the evolving role of judicial bodies such as the Supreme Court and the National Green Tribunal (NGT),³ which have been instrumental in interpreting and enforcing environmental justice through principles like the Polluter Pays, Precautionary Principle, and Public Trust Doctrine.

¹ Charak, Akhil, Kumar Ravi, and Amit Verma. "Review of various climate change exacerbated natural hazards in India and consequential socioeconomic vulnerabilities." *IDRiM Journal* 13.2 (2024): 142-177.

² Mall, R. K., R. Kumar, and R. Bhatla. "Climate change and disaster in India." *Journal of South Asian Disaster Studies* 4.1 (2011): 27-76.

³ Gill, Gitanjali. *Environmental Justice in India: The National Green Tribunal*. Routledge, 2016.

Through a detailed analysis of landmark judicial pronouncements and recent climate-induced disasters—including urban floods in Bengaluru and the Uttarkashi landslide—the research identifies both the strengths and limitations of existing legal accountability mechanisms. The ultimate goal is to propose reforms and strategies to strengthen India’s legal framework, enabling it to effectively mitigate and respond to the growing threats posed by climate-exacerbated disasters.

2. Climate-Exacerbated Disasters in India: Patterns, Causes, and the Role of Human Actions

India’s diverse topography, ranging from the towering Himalayas to vast plains and coastal areas, renders the country vulnerable to a spectrum of natural disasters, including earthquakes, floods, droughts, and landslides.⁴ In recent decades, the frequency and severity of these events have increased significantly, driven largely by climate change. This has given rise to the concept of climate-exacerbated disasters, wherein natural hazards are intensified by human-induced climatic disturbances such as rising temperatures, erratic monsoons, and accelerated glacial melt.

A particularly alarming contributor to such disasters in the Himalayan states of Himachal Pradesh and Uttarakhand is blind and poor construction practices in ecologically sensitive zones. Rapid infrastructure development—such as the expansion of highways, hydroelectric projects, and urban construction—is often undertaken without comprehensive environmental impact assessments (EIAs) or proper adherence to scientific guidelines.⁵ This “blind construction” disregards the delicate geology of the young fold mountains of the Himalayas, which are still tectonically active and inherently unstable. The mountains’ steep slopes, fractured rock layers, and loose soil structures lack the capacity to sustain heavy, unplanned loads imposed by massive concrete structures and earthworks.⁶

Poor construction exacerbates natural fragility by disturbing slope stability and natural drainage patterns, triggering landslides and soil erosion. For example, the 2025 Uttarkashi landslide, triggered by heavy rainfall, was made far more devastating by road-widening projects and

⁴ Ali, Sk Ajim, and Farhana Parvin. "Climate Change and Escalating Disaster Risk in the Indian Himalayan Region." *Livelihoods and Well-Being in the Era of Climate Change: Risk to Resilience Across India*. Cham: Springer Nature Switzerland, 2025. 37-65.

⁵ Gill, Gitanjali Nain. "Environmental justice in India: the National Green Tribunal and expert members." *Transnational Environmental Law* 5.1 (2016): 175-205.

⁶ Hydrological, Marine, and Satish Modh. "Managing Natural Disasters."

tunnel excavations for hydroelectric power that weakened the slopes. Similarly, in Himachal Pradesh's Kullu-Manali region, the combination of heavy monsoon rains and indiscriminate construction catering to booming tourism has led to frequent flash floods, slope failures, and road collapses, endangering lives and livelihoods.

The problem is compounded by unregulated deforestation and quarrying, which remove critical vegetation cover that anchors soil and buffers water flow. This, combined with improper drainage systems and lack of maintenance, disrupts natural hydrology, increasing vulnerability to floods and landslides. In urban contexts such as Bengaluru and Chennai, the issue manifests differently but with equally catastrophic results. Here, encroachment on wetlands, lakes, and natural waterways, along with rampant concretization, limits the land's natural absorption capacity. During rains, this leads to increased surface runoff, overwhelming drainage infrastructure and causing severe urban flooding.⁷

These examples demonstrate that climate-exacerbated disasters are not merely natural events but are closely linked to human actions—particularly policy failures, negligent governance, and economic pressures that prioritize short-term development over ecological balance. As climate change pushes natural systems beyond their limits, these human-induced vulnerabilities amplify disaster risks.⁸ Therefore, legal and regulatory frameworks must focus not only on post-disaster relief but also on proactive governance to regulate construction and development activities, especially in ecologically fragile areas, to mitigate future disasters.⁹

3. Constitutional Foundation of Environmental Protection and Climate Justice in India

India's constitutional architecture provides a robust foundation for environmental protection, although climate change as a specific issue is not explicitly mentioned in the Constitution. Over the years, the **Supreme Court of India** has progressively interpreted various constitutional provisions to integrate principles of climate justice, situating environmental concerns within the broader ambit of fundamental rights and constitutional duties. This evolving jurisprudence

⁷ Tadakhe, Sandeep Sampat, et al. *Foundations of Environmental Science and Disaster Management*. Academic Guru Publishing House, 2025.

⁸ Rani, Seema. "Land and Water Nexus: Exploring the Interplay of Resources in South Asia: An Introduction." *Land and Water Nexus in South Asia: Exploring the Interplay of Resources*. Cham: Springer Nature Switzerland, 2025. 1-48.

⁹ Sharma, Satish K., and Suman Lata Pathak. *Urbanization, Population and Environment*. Springer, 2024.

reflects the judiciary's increasing recognition of the intrinsic link between environmental degradation and the erosion of basic human rights.

Central to this framework is **Article 21**, which guarantees the *right to life and personal liberty*. The courts have expansively interpreted this right to include the *right to a wholesome environment*, encompassing clean air, safe drinking water, and sustainable development. Landmark cases such as *Subhash Kumar v. State of Bihar* and *MC Mehta v. Union of India*¹⁰ firmly established that the right to life guarantees protection against environmental harm and pollution. This constitutional interpretation elevated environmental protection from a mere policy objective to a justiciable right enforceable by courts.

Supporting this are the Directive Principles under **Article 48A**, which direct the state to *protect and improve the environment and safeguard forests and wildlife*. Additionally, **Article 51A(g)** imposes a fundamental duty on every citizen to protect and improve the natural environment. While these provisions are non-justiciable, the Supreme Court has relied on them extensively to reinforce the state's responsibility and to justify robust environmental regulations.

The judiciary has also infused constitutional mandates with established environmental jurisprudential doctrines such as the **Polluter Pays Principle**, **Precautionary Principle**, and **Public Trust Doctrine**. The seminal case of *Vellore Citizens' Welfare Forum v. Union of India*¹¹ officially recognized these doctrines as integral to Indian environmental law, expanding the scope of legal accountability particularly concerning industrial pollution and developmental activities.

In recent years, the judiciary's engagement with climate justice has deepened. For instance, in *Paryavaran Suraksha Samiti v. Union of India*¹², the Supreme Court emphasized the necessity of proactive climate action, underscoring state accountability in mitigating climate risks. The **NGT has also entertained multiple PILs** addressing climate-exacerbated disasters, such as petitions against illegal construction and deforestation in Himalayan regions contributing to landslides and floods.

¹⁰ (1987) 1 SCC 395.

¹¹ (1996) 5 SCC 647.

¹² (2021) 5 SCC 251.

Moreover, the **Delhi High Court's 2023 order on air pollution mitigation** exemplifies judicial activism addressing climate-linked environmental harm. Courts increasingly consider climate resilience, disaster preparedness, and **intergenerational equity**, recognizing that the right to life must protect future generations from the catastrophic impacts of climate change.

Thus, India's constitutional framework and judicial interpretation provide a dynamic and evolving foundation for climate justice.¹³ This approach not only empowers citizens to seek redress for environmental harm but also places a proactive onus on the state to prevent and mitigate climate-exacerbated disasters through effective policy and administrative measures.

4. Statutory Frameworks Governing Environmental and Disaster Accountability in India

India's legislative framework encompasses several statutes aimed at environmental protection and disaster management, which collectively seek to regulate activities contributing to climate-exacerbated disasters and ensure accountability.¹⁴ These laws provide the legal basis for preventive, remedial, and punitive measures in response to environmental harm and disasters.

The **Environment (Protection) Act, 1986 (EPA)** stands as the umbrella legislation empowering the central government to take comprehensive measures to protect and improve the environment.¹⁵ It authorizes the formulation of rules and standards related to pollution control, hazardous substances, and environmental clearance processes. The EPA's broad scope makes it a critical tool for enforcing environmental safeguards, particularly through the imposition of penalties for violations and the power to direct polluters to undertake remedial actions.¹⁶

Complementing the EPA is the **Water (Prevention and Control of Pollution) Act, 1974**, and the **Air (Prevention and Control of Pollution) Act, 1981**, which specifically regulate water and air pollution, respectively. These laws establish Pollution Control Boards at the central and

¹³ Gill, Gitanjali N., and Gopichandran Ramachandran. "Sustainability transformations, environmental rule of law and the Indian judiciary: connecting the dots through climate change litigation." *Environmental Law Review* 23.3 (2021): 228-247.

¹⁴ Mushtaq, Basharat, Suhaib A. Bandh, and Sana Shafi. "Environmental acts and legislation." *Environmental Management: Environmental Issues, Awareness and Abatement*. Singapore: Springer Singapore, 2020. 149-184.

¹⁵ Ramesh, M. R. "The Role of Environmental Laws in Sustainable Development: A Focus on India." *Interdisciplinary Approaches and Emerging Trends*: 31.

¹⁶ Fiorino, Daniel J. *The new environmental regulation*. MIT Press, 2006.

state levels, responsible for monitoring, enforcing standards, and issuing consents to industrial operations. Their role is pivotal in mitigating environmental degradation that can escalate disaster risks, especially in industrial and urban areas.

The **Disaster Management Act, 2005**, enacted after the 2004 Indian Ocean tsunami, provides a comprehensive statutory framework for disaster preparedness, response, and mitigation. It establishes the **National Disaster Management Authority (NDMA)** and state authorities with mandates to formulate policies, plans, and coordinate responses.¹⁷ The Act emphasizes a proactive approach to disaster risk reduction, mandating vulnerability assessments, capacity building, and early warning systems. However, challenges persist in implementation, especially concerning the integration of climate change considerations into disaster management plans.¹⁸

Sector-specific regulations, such as those governing mining, construction, and hydroelectric projects, also play a critical role in controlling environmental impact. The **Forest Conservation Act, 1980** restricts deforestation and land-use changes in forest areas, while the **Coastal Regulation Zone (CRZ) Notification** limits harmful development along coastlines vulnerable to climate impacts.¹⁹

Judicial bodies such as the **National Green Tribunal (NGT)** enhance the enforcement of these statutory provisions by providing a specialized forum for speedy resolution of environmental disputes. The NGT's proactive interventions in cases involving illegal construction, pollution, and habitat destruction demonstrate the judiciary's critical role in ensuring accountability under these laws.

Despite these frameworks, gaps remain in coordination, enforcement, and integrating climate change mitigation within environmental and disaster laws. The increasing frequency of climate-exacerbated disasters calls for strengthening statutory provisions, improving inter-agency collaboration, and embedding climate resilience at all levels of governance.

¹⁷ Hanspal, Manindra Singh, and Bijayananda Behera. "The Disaster Management Act, 2005: A Critical Review." *DME Journal of Law* 5.01 (2024): 42-53.

¹⁸ Carter, Becky, and Pamela Pozarny. *National Disaster Management Authorities*. GSDRC Helpdesk Research Report 1359, 2016.

¹⁹ Agarwal, Amisha. "Climate change and coastal zone regulation: dilution of coastal protection, an analysis of CRZ notification, 2018." *IOSR Journal of Environmental Science, Toxicology and Food Technology* 13.8 (2019): 49-56.

5. Judicial Interpretation and Doctrines in Climate Accountability

The Indian judiciary, especially the Supreme Court and the National Green Tribunal (NGT), has played a pivotal role in shaping environmental jurisprudence and enhancing legal accountability in the context of climate-exacerbated disasters. Through progressive judicial interpretation, several key doctrines have been assimilated into Indian law, reinforcing the constitutional and statutory frameworks discussed earlier.

One of the foremost principles is the Polluter Pays Principle, which mandates that those responsible for environmental harm bear the cost of remediation and damages. This doctrine was firmly established in *M.C. Mehta v. Union of India*²⁰, where the Supreme Court held industries accountable for pollution damages, setting a precedent for liability in climate-related environmental degradation. Closely linked is the Precautionary Principle, which directs that in the face of scientific uncertainty about potentially serious or irreversible environmental harm, preventive action must be taken. The Court in *Vellore Citizens' Welfare Forum v. Union of India*²¹ explicitly incorporated this principle into Indian environmental law, emphasizing that lack of full scientific certainty should not delay protective measures. This doctrine is critical in addressing climate risks where the exact scale and timing of impacts may be uncertain.

The Public Trust Doctrine is another significant judicial innovation wherein natural resources and the environment are held in trust by the state for public use and benefit. Courts have used this doctrine to restrict unauthorized exploitation of resources and hold the government accountable for safeguarding ecological assets. For instance, in *M.C. Mehta v. Kamal Nath*²², the Supreme Court held the state liable for permitting environmentally harmful activities on trust lands.

Recent jurisprudence reflects a growing judicial awareness of the complexities of climate change. The NGT has entertained PILs challenging illegal construction in fragile Himalayan zones and unregulated quarrying, linking these activities directly to increased landslide and flood risks. In the landmark *Ashwini Kumar Upadhyay v. Union of India*²³ case, petitions highlighted the failure to adequately incorporate climate change into policy decisions, urging

²⁰ (1987) 1 SCC 395.

²¹ (1996) 5 SCC 647.

²² (1997) 1 SCC 388.

²³ (2021) 16 SCC 1.

courts to mandate stronger climate governance.

Moreover, courts have increasingly adopted a rights-based approach to environmental protection, viewing climate resilience and disaster preparedness as intrinsic to the right to life under Article 21.²⁴ This shift not only empowers citizens to seek judicial remedies but also imposes positive obligations on the state to proactively mitigate disaster risks.

However, judicial activism faces limitations in enforcement and institutional capacity. The growing frequency of climate-exacerbated disasters necessitates more robust coordination between courts, executive agencies, and legislative bodies to translate judicial pronouncements into effective ground-level action.

6. Case Studies of Recent Climate-Exacerbated Disasters and Legal Responses

India has witnessed numerous climate-exacerbated disasters in recent years, testing the robustness of its legal accountability framework. The following case studies, arranged chronologically, highlight the evolving judicial and legal responses to these catastrophes and reveal both progress and persistent challenges.

- 1. 2013 Kedarnath Disaster:** One of the most devastating floods and landslides in the Himalayan region, triggered by extreme cloudbursts and heavy monsoon rains, resulted in massive loss of life and infrastructure in Uttarakhand. Investigations pointed to unregulated construction, hydropower projects, and deforestation as factors exacerbating the disaster. Public Interest Litigations (PILs) were filed in the Supreme Court and National Green Tribunal (NGT), which ordered expert assessments and mandated stricter regulatory oversight of developmental activities in ecologically sensitive zones.²⁵
- 2. 2015 Chennai Floods:** Severe urban flooding, caused by intense monsoon rainfall, was worsened by unchecked urban sprawl, encroachment of wetlands, and inadequate drainage infrastructure. Judicial interventions via PILs compelled city authorities to

²⁴ Downs, Jennifer A. "A healthy and ecologically balanced environment: an argument for a third generation right." *Duke J. Comp. & Int'l L.* 3 (1992): 351.

²⁵ Champati Ray, P. K., et al. "Kedarnath disaster 2013: causes and consequences using remote sensing inputs." *Natural Hazards* 81.1 (2016): 227-243.

restore water bodies and improve stormwater management, emphasizing the need for integrating environmental considerations into urban planning.²⁶

3. **2018 Kerala Floods:** Kerala experienced unprecedented flooding due to extreme rainfall coupled with poor dam management and widespread deforestation in catchment areas. PILs in the Kerala High Court highlighted failures in disaster preparedness and environmental governance, prompting recommendations for better water resource management and afforestation initiatives.²⁷
4. **2019 Assam Floods:** Severe floods impacted millions, with climate change-induced rainfall variability and deforestation contributing to the severity. Legal petitions demanded improved flood forecasting systems, community-based disaster management, and reforestation efforts to mitigate future risks.²⁸
5. **2020 Cyclone Amphan:** Striking the eastern coast, this super cyclone's intensity was linked to warming sea temperatures. It caused extensive damage, compounded by coastal encroachments. The NGT and Supreme Court addressed petitions concerning violations of Coastal Regulation Zone (CRZ) norms, reinforcing enforcement of coastal protection laws.
6. **2021 Uttarakhand Glacier Burst (Chamoli Disaster):** A glacier collapse triggered a sudden flash flood in Chamoli district. Climate change-induced glacier retreat was identified as a major factor. PILs pushed courts to mandate climate adaptation policies and stricter controls on hydroelectric projects in the Himalayan region.²⁹
7. **2025 Uttarkashi Landslide:** Triggered by heavy monsoon rains, the landslide's destructiveness was magnified by blind construction activities, including road widening and hydroelectric tunneling in unstable mountainous terrain. PILs filed before the NGT led to suspension of projects and stronger environmental compliance directives.³⁰
8. **Joshimath Land Subsidence (2025):** Extensive tourism and infrastructure construction destabilized slopes, causing land subsidence and threatening local

²⁶ Vasantha Kumaran, T., O. M. Murali, and S. Rani Senthamarai. "Chennai floods 2005, 2015: Vulnerability, risk and climate change." *Urban health risk and resilience in Asian cities*. Singapore: Springer Singapore, 2020. 73-100.

²⁷ Hunt, Kieran MR, and Arathy Menon. "The 2018 Kerala floods: a climate change perspective." *Climate Dynamics* 54.3 (2020): 2433-2446.

²⁸ Sachdeva, Shruti, and Bijendra Kumar. "Flood susceptibility mapping using extremely randomized trees for Assam 2020 floods." *Ecological Informatics* 67 (2022): 101498.

²⁹ Verma, Sunita, et al. "Rapid flash flood calamity in Chamoli, Uttarakhand region during Feb 2021: An analysis based on satellite data." *Natural Hazards* 112.2 (2022): 1379-1393.

³⁰ Vashistha, Akshat, Shivani Joshi, and Srikrishnan Siva Subramanian. "Scenario-based probabilistic risk assessment of earthquake-induced landslides in Uttarakhand, India." *Stochastic Environmental Research and Risk Assessment* (2025): 1-21.

communities. Courts ordered halting construction, rehabilitation plans, and stricter land-use policies to address ecological fragility.³¹

7. India's Environmental Dilemma: People's Expansion vs. Government's Development

India faces a complex dilemma at the intersection of climate vulnerability, population pressures, and development ambitions. On one hand, **local communities are increasingly encroaching into fragile ecosystems**—settling deep into Himalayan forests, cutting trees, and clearing land for agriculture or habitation in ecologically sensitive zones. These human activities, often born out of necessity or lack of livelihood alternatives, significantly disturb environmental equilibrium and heighten disaster risks like landslides, flash floods, and forest fires.

On the other hand, the **government continues to push forward large-scale infrastructure and development projects**—highways, hydropower dams, rail networks, and urban expansion—often **without rigorous environmental impact assessments or climate risk analysis**. Many of these projects are sanctioned under pressure of economic growth, regional connectivity, or political agendas, bypassing scientific scrutiny or ignoring ecological warnings. This duality—**grassroots-level ecological disruption and top-down unsustainable development**—creates a compounded vulnerability. Both contribute to increasing the frequency and intensity of climate-exacerbated disasters. The absence of integrated land use planning, inadequate enforcement of forest and environment laws, and insufficient rehabilitation policies for affected communities reflect a **systemic governance crisis**.

The Indian legal framework—while strong on paper with statutes like the Environment (Protection) Act, 1986, and the Forest (Conservation) Act, 1980—often fails in proactive enforcement and early preventive action. This dilemma calls for a **paradigm shift**: a balanced model that combines **climate-conscious development** with **community-inclusive conservation**, backed by strong legal mandates and scientific oversight.

³¹ Singh, Divya, et al. "Recent events of land subsidence in Alaknanda valley: a case study of sinking holy town Joshimath, Uttarakhand, India." *Environment, Development and Sustainability* 27.4 (2025): 9539-9567.

8. Suggestions and Conclusion

Suggestions:

To address the growing crisis of climate-exacerbated disasters and ensure meaningful legal accountability, India must adopt a multi-pronged, coordinated strategy:

- 1. Climate-Risk Mandates in Developmental Planning:** All infrastructure and development projects, especially in ecologically fragile zones like the Himalayas and river basins, must undergo climate vulnerability assessments and long-term ecological impact analysis before approval. Legal provisions should mandate climate-conscious planning under the Environment (Protection) Act, 1986, and Disaster Management Act, 2005.
- 2. Strengthening Enforcement Mechanisms:** Statutory bodies like the State Pollution Control Boards, Forest Departments, and Disaster Management Authorities must be given autonomy, better funding, and accountability tools to ensure swift and effective implementation of environmental safeguards.
- 3. Community-Centric Disaster Governance:** People living in vulnerable regions must be integrated into early warning systems, land-use decision-making, and evacuation planning. Legal provisions must empower communities under the Panchayati Raj Acts, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and similar decentralised mechanisms.
- 4. Institutional Coordination:** There must be improved synergy between climate change bodies, disaster response teams, environmental authorities, and planning commissions. A dedicated National Commission on Climate Disasters could be instituted under parliamentary legislation to harmonise response and resilience.
- 5. Judicial Oversight with Legislative Backing:** Judicial pronouncements must be backed with codified environmental jurisprudence. Parliament may consider introducing a Climate Impact Accountability Bill that integrates existing legal provisions into a unified statutory framework.
- 6. Integration of Technology and Data:** Use of satellite imagery, GIS tools, and AI-based forecasting models must be legally mandated in the monitoring of climate risks and project approvals.
- 7. Urgent Reforms in Compensation and Rehabilitation Laws:** Existing laws under the Land Acquisition Act, 2013 and Disaster Management Act must be amended to ensure

timely compensation, transparent relief distribution, and long-term rehabilitation for victims of climate-induced disasters.

Conclusion:

Climate-exacerbated disasters are no longer rare or unpredictable—they are a recurring reality in India, with devastating consequences on lives, livelihoods, and ecosystems. From the 2013 Kedarnath tragedy to the 2025 Uttarkashi landslide and Varanasi floods, the patterns reveal a disturbing link between environmental negligence, unchecked human expansion, and weak legal enforcement. While India's legal framework—anchored in constitutional rights, statutory laws, and judicial activism—offers a robust foundation, the gap lies in its operationalisation and foresight. The fragmentation of governance, lack of climate-integrated project planning, and delayed institutional responses continue to worsen disaster outcomes. What India needs now is a paradigm shift in legal thinking: one that treats climate accountability not merely as a matter of post-disaster compensation, but as a preventive constitutional obligation. Legal reforms must weave together environmental justice, disaster resilience, and climate ethics into a unified national strategy. Ultimately, it is only through a conscious blend of legal enforcement, scientific planning, and public participation that India can hope to avert future catastrophes—and uphold the constitutional promise of life, dignity, and sustainable development for all.

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