

# CENTRE FOR ENVIRONMENTAL LAW INSTITUTE OF LAW NIRMA UNIVERSITY

# NEWSLETTER (SEPTEMBER 2021 ISSUE





It is a pleasure to bring to you the SEPTEMBER issue of the Centre for Environmental Law at the Institute of Law Nirma University, Newsletter! We hope that all our readers are safe in these times of the COVID19 pandemic. We are elated to share with you some of the relevant recent news in the area of Environmental Law. We would love your feedback and suggestions, as to how to make the newsletter more relevant for you. THANK YOU! HOPE YOU ENJOY READING!

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### INDIA-JAPAN DISCUSS CLIMATE CHANGE, GREEN HYDROGEN IN HIGH-LEVEL POLICY DIALOGUE ON ENVIRONMENT

On 7th September 2021 just a few months ahead of the 26th COP (Conference of the Parties) being held at Glasgow, India's Union Minister of Environment – Mr Bhupendra Yadav and his Japanese counterpart Mr Koizumi Shinjiro talked virtually about strengthening bilateral cooperation in areas such as resource efficiency, low carbon technology and green hydrogen. The Union Environment Ministry said in a statement that issues such as air pollution, sustainable transport and technologies, climate change and marine litter, fluorocarbons and COP26 were discussed during the virtual dialogue. India acknowledged the importance of Indo-Japan bilateral environmental cooperation and recognized that Japan's efforts to bring new technologies to India, the ministry said.

"India greatly appreciates Japan's efforts in adopting new technologies to address global environmental challenges", the minister tweeted. Given Japan's expertise and technology in low-carbon technologies, the Minister of the Environment also urged Japan to join the Industry Transition Leadership Group, a global initiative spearheaded by India and Sweden. The Japanese Environment Minister mentioned that both countries can strengthen bilateral cooperation through the Joint Credit Mechanism (JCM) and the Coalition for Disaster Resilience Infrastructure (CDRI), as well as cooperation in the areas advocated by the G20, especially in the areas of climate and environment and energy, according to testimony. Both parties agreed to further strengthen bilateral cooperation in the environmental field and advance the discussion on the JCM.

We hope that this collaboration can bring fruitful changes in the future between the two countries.



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### NATIONAL CLEAN AIR PROGRAMME DASHBOARD NAMED PRANA TO BE LAUNCHED ON 7 SEPTEMBER

As pollution is a critical problem, Union Minister for Environment, Forest and Climate Change, Bhupender Yadav, launched the National Clean Air Programme dashboard—PRANA—or the Portal for Regulation of Air pollution in non-attainment cities for the abatement of air pollution in 132 cities along with a smog tower in Delhi. This air pollution dashboard will have real-time information in a user-friendly manner for all polluting parameters being monitored in 132 cities currently under the National Clean Air Programme (NCAP).

The Ministry of Environment, Forest and Climate Change, and GIZ, an arm of the German government working in tandem with several Indian ministries and states on environmental issues have developed the dashboard. The smog tower will be inaugurated at Anand Vihar, one of the most polluted areas in the national capital. The Central Government has launched several initiatives to improve air quality in the entire country. The Prime Minister set a goal for holistic improvement in air quality in more than 100 cities. In 2020, 104 cities showed better air quality. This increased from 86 cities in 2019 in comparison to 2018, the Union Environment Minister informed.

PRANA's approach is multidisciplinary, spanning across several ministries, regional institutes including IITs, NITs, laboratories across India, as well as international organisations. In this way, PRANA aims to increase public awareness and capacity-building measures. All these small measures would lead to a bigger change someday collectively and will help to eradicate pollution in the long run.





## CLIMATE TALKS: INDIA LINKS SUCCESS OF COP26 WITH CLIMATE FINANCE AND TRANSFER OF GREEN TECH AT LOW COST

Linking the success of the 26th session of the UN climate conference (COP26) with climate finance and transfer of green technologies at low cost, India said these two issues were the "critical enablers for climate action" without which meaningful pathways to low carbon development would not be realized. "Climate finance shall not be seen as a commercial investment, but as help to

develop countries to meet climate goals with no one left behind," said environment minister Bhupender Yadav.

He appealed to participants from developed countries, including UK PM Boris Johnson, French president Emmanuel Macron and German Chancellor Angela Merkel, to act on climate finance issues with a focus on three essential 'Ss' – "scope, scale, and speed". Yadav also underlined the need to focus on 'adaptation' so that the developing countries could prepare themselves for facing the challenges of climate change.

"We need to show the urgency of climate finance now in order to address the urgency of climate action which science is telling us," Yadav said referring to the failure of the developed nations to mobilize \$100 billion per year of climate finance to help poor and developing countries take adaptation measures.

"As many countries have pointed out, those responsible for it, take responsibility to help all countries achieve our collective goal. The action on this front,

unfortunately, has not been assured for developing countries," he said. India has enhanced its ambition manifold and has announced an ambitious target of 450 GW of renewable energy by 2030. This is amongst the most ambitious targets in the world.



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### NEW DELHI STATEMENT ADOPTED AT 7TH BRICS ENVIRONMENT MINISTERIAL MEET 2021

On the 27th of August 2021, the 7th BRICS Environment Ministerial Meeting 2021 was conducted virtually at the Sushma Swaraj Bhawan in New Delhi, under India's presidency. BRICS, is a prominent term in international relations that refers to a group of five emerging economies: Brazil, Russia, India, China, and South Africa.

The BRICS countries are well-known for their clout in regional affairs. The 7th BRICS Environment Meeting was headed by Union Minister for Environment, Forests and Climate Change, Bhupender Yadav.

The adoption of the Delhi Statement on Environment was the main take away from this year's BRICS Ministerial Meeting. There were also talks and deliberations on important environmental issues. The New Delhi statement on the environment intends to promote the BRICS nations' spirit of cooperation for continuity, consolidation, and consensus in the environment.

As part of the New Delhi statement, detailed discussions were held on pressing environmental issues such as resource efficiency and circular economy, air pollution and marine plastic litter, biodiversity conservation and sustainable use,

forest cover assessment, and forest fire management, among others. At the 7th BRICS Ministerial Meeting, India emphasised the importance of taking concrete global collective actions to address environmental and climate challenges that are guided by equity, national priorities, and circumstances, as well as the principles of "common but differentiated responsibilities and respective capabilities" (CBDR-RC).





### CLIMATE CHANGE IS THE BIGGEST THREAT TO INDIAN OCEAN SECURITY .

Most of us know or read about the disastrous experiences of the 2004 Indian Ocean Tsunami that killed around 2 lakh people and displaced millions of others, which of course led to a humanitarian crisis. Such disasters must be remembered not for the experience of grief but to remind ourselves that it is just the tip of the iceberg that we have witnessed or at least know. The recent southwest monsoons also act as evidence for the change of trajectories due to climate change. The problem of climate change has many more potential threats in the Indo-Pacific region which includes one-third of the world's population and some of the fastest-growing economies, especially the coastal areas which now have an existential crisis. Based on the recent report of the Intergovernmental Panel on Climate change, a meteorological scientist at the Indian Institute of Tropical Meteorology, Swapna Panickal, has said that the temperature of the Indian Ocean is increasing at alarming rates, that is, the ocean is getting warmer. This not only affects the areas having coastal boundaries but also serious problems of environmental degradation.

So, it is important that all the countries do their part in order to tackle climate change. But in order to do it effectively, governments must work multilaterally, co-operate with each other and work hard though it is already too late, it is better to start than never. It is not a situation that we do not have such multilateral institutions, there is the Indian Ocean Rim Association in which there are 23 states that are members. This association is dormant. But it is capable enough to take the initiative. Climate change and the potential havoc must serve as a wake-up call to IORA to prevent further natural disasters and the decline of the economy.





### HYDROGEN LEVEL IN ATMOSPHERE INCREASED 70% TO HEAT UP PLANET, SAYS OZONE DAY STUDY

According to a new study published in PNAS, the amount of molecular hydrogen (H2) in the atmosphere has increased by 70% in recent years as a result of human actions. Scientists from the University of Colorado Boulder and the University of California, San Diego studied air samples trapped in

Antarctic ice and discovered that molecular hydrogen levels in Earth's atmosphere grew from 330 parts per billion to 550 parts per billion between 1852 and 2003. Although hydrogen is not a greenhouse gas and hence does not contribute to global warming directly, its abundance in gaseous form can have an indirect impact on ozone and methane distribution. Methane

and ozone, together with carbon dioxide, are the most significant contributors to global warming. As a result, too much molecular hydrogen in the atmosphere contributes to climate change indirectly. This presents a

bleak picture of how humans have grossly overestimated hydrogen emissions, which are going to be released unchecked. Non-automobile sources of gas, according to scientists, have been mainly untapped. It's worth noting that polluting businesses have carefully freed themselves of considerable culpability by coining words like "carbon footprint," which focuses the blame for Earth's health on individual activities rather than megacorporation's decades-long damage.





### DELHI TO START SPRAYING PUSA BIO-DECOMPOSER FROM 5 OCTOBER TO PREVENT STUBBLE BURNING:

According to state environment minister Gopal Rai, the Delhi government will begin spraying Pusa bio-decomposer on 5 October to avoid stubble burning. He went on to say that the central government has yet to schedule a meeting to discuss the decomposer and other pollution-related issues.

This comes only days after Delhi Chief Minister Arvind Kejriwal accused neighbouring state governments of failing to help farmers affected by stubble burning. Gopal Rai stated that a meeting on bio-decomposers and stubble burning is urgently needed so that a method may be devised to use the microbial solution in other states while there is still time.

The news comes as the nation's capital prepares to combat the threat of high levels of air pollution as winter approaches, a season that coincides with stubble burning in neighbouring states.

The question arises, what is Pusa Bio-decomposer? Pusa is a bio-decomposer, a microbial solution that may transform stubble into manure, according to reports. The

Delhi administration has urged for the Pusa bio-decomposer to be adopted, encouraging the Centre to encourage neighbouring states to distribute it to farmers for

free.

The minister further stated that the Delhi government will begin planning the solution on September 24 at a central location. "Arvind Kejriwal, the Chief Minister of Delhi, will launch off the process at Kharkhari Nahar. After October 5, we will begin spraying the remedy " added Delhi's environment minister, Gopal Rai.





# LATEST UN REPORT ON GLOBAL WARMING

According to a new UN Framework Convention on Climate Change report on global emissions targets, the earth is on track to warm by 2.7 degrees Celsius above pre-industrial levels by the end of the century. Global temperatures should stay below 1.5 degrees Celsius, according to scientists.

UN Secretary-General António Guterres commented on the findings, calling the planet's present trajectory "catastrophic." He added that "This is a betrayal of the promise made six years ago to pursue the Paris Agreement's 1.5 degree Celsius goal. "The tremendous loss of lives and livelihoods will be quantified in failure to attain this goal."

According to scientists, the world must reduce emissions by 45 percent by 2030 in order to achieve carbon neutrality by the middle of the century. According to existing country emissions commitments, emissions will increase by 16% in 2030 compared to 2010. According to the report, this will result in warming of 2.7 degrees Celsius above pre-industrial levels by the end of the century. The real-life effects of this were evident this summer, when wildfires ravaged the western United States and southern Europe, while China and Germany were hit by severe floods.

António Guterres urged developed countries to follow through on a ten-year pledge of \$100 billion to help developing countries meet their commitments. He urged all countries to set more ambitious climate goals, known as Nationally Determined Contributions (NDCs), to make the 1.5-degree target more achievable. The NDCs contain information on national greenhouse gas emission reduction objectives, policies, and strategies. They also detail the financial and technological requirements for achieving the goals.

"Those countries who have submitted new and ambitious climate plans are already bending the curve of emissions downwards by 2030," remarked Alok Sharma, the incoming President of the COP26.

The United States and the European Union have launched a global pact to reduce methane emissions by about 30% by the end of the decade, according to US President Joe Biden. Denmark's and Costa Rica's energy and climate ministers have also established an initiative to encourage countries to move away from oil and gas production.





### WHO RAISES THE BAR ON CLEAN AIR

The World Health Organisation (WHO), in its first-ever update since 2005, has tightened global air pollution standards. It acknowledges the scientific evidence that the impact of air pollution on health is much more serious than earlier envisaged. The government has a dedicated project, National Clean Air Programme that aims for a 20%-30% reduction in particulate matter concentrations by 2024 in 122 cities, with 2017 as the base year. This move doesn't have any immediate ramifications in India even if a concerted effort was initiated immediately, it would take several years for us to achieve these new standards. WHO's move paves the way for an eventual shift in policy in the government towards evolving newer strict standards. The upper limit of

annual PM2.5 as per the 2005 standards, which is what counties follow, is 10 micrograms per cubic meter. That has now been revised to five micrograms per cubic meter. The upper limit of PM 10, of size exceeding 10 micrograms, is 20 micrograms and has now been revised to 15.

The improvement in air quality comes in direct conflict with keeping the industries up and running, the reason for relaxation of application of stringent norms. But there are also several areas where clean air comes out as a collateral benefit. Several flagship government programs – Swachch Bharat, Namami Gange, and other river and lake cleaning projects, Smart City Mission, the push for electric vehicles – would all lead to a significant improvement in air quality. The awareness among the masses about the risks involved with rising in air pollution must be high and no laxity must be shown while implementing the norms. We should have a focused effort to mitigate the risks associated with air pollution and prevent the loss of lives.





## STUBBLE BURNING: CENTRAL COMMISSION DIRECTS THERMAL PLANTS AROUND DELHI TO CO-FIRE BIOMASS PELLETS

To address the issue of stubble burning, the central commission for air quality management has asked all 11 thermal power plants within a 300-kilometer radius of Delhi to co-fire biomass pellets with coal.

According to the commission, the approach has the ability to use millions of tonnes of biomass while also reducing pollutants.

Paddy straw burning is a serious problem in the NCR and surrounding areas. Ex-situ paddy straw use is a crucial approach for preventing and controlling paddy straw burning, according to the panel.

Within a 300-kilometer radius of Delhi, the commission mandates all 11 thermal power plants to co-fire biomass-based pellets/torrified pellets. This will ensure that rice straw is managed ex situ, that air pollution is reduced, and that paddy straw is better utilised as an economic resource.

Meanwhile, the Delhi government is preparing a bio-decomposer solution that will be sprayed across farmlands in the national capital. To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.

— Theodore Roosevelt

