



## Governance

# A blueprint for caste-conscious climate policy: Why the Supreme Court's report on judicial conceptions of caste matters now

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The Supreme Court in New Delhi. Photo: iStock

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cases. Between 2020 and 2024, India officially reported [277](#) deaths of workers

cleaning sewers and septic tanks—a death roughly every six days. Yet these statistics mask a deeper reality. The deaths disproportionately claim Dalit workers labouring without protections.

The recent release of the [Report on Judicial Conceptions of Caste](#) from India's Supreme Court Centre for Research and Planning arrives at a critical institutional moment. The highest court has exhaustively documented how caste operates as “an entrenched structure of social power”—providing climate policymakers with an unprecedented analytical framework for understanding and addressing injustices like thermal injustice: the systemic inequality where marginalised communities disproportionately suffer from extreme temperature exposure while lacking the critical resources needed to protect themselves. What makes this Report essential is not what it critiques, but what it offers—a rigorous institutional blueprint for integrating caste analysis into climate governance.

The Supreme Court Center for Research and Planning has previously [released](#) handbooks on gender stereotypes and disability rights, demonstrating consistent institutional capacity for systematic analysis of how language and law reproduce bias. The Report on Judicial Conceptions of Caste extends this model with meticulous precision. Critically, it documents how institutions invoke “neutral” language—poverty, merit, informality, vulnerability—that obscures structural determinants of inequality. When India's National Action Plan on Climate Change treats vulnerability as a “neutral, technical problem,” or when heat action plans describe vulnerable populations as “informal workers” or “slum dwellers,” these frameworks replicate the very erasure the Report identifies. The Report's analytical tools now provide climate policymakers with the capacity to decode and address these mechanisms.

The Report documents the judicial evolution of ‘substantive equality,’ a doctrine championed by Justice Chandrachud which holds that treating unequals as equals is a form of discrimination and differential treatment is a means through which the promise of citizenship becomes real. This principle renders current climate policies constitutionally suspect. While [research](#) shows SC/ST workers endure 150 per cent higher heat exposure due to their occupational status, Heat Action Plans in 23 states



The Report's importance also lies in providing institutional legitimacy for caste-conscious climate policy. By documenting how institutions invoke 'neutral language'—poverty, informality, vulnerability—that obscures structural determinants of inequality, the Report demonstrates that neutrality in policy design is itself a choice that encodes hierarchy. Policymakers can no longer claim that caste-conscious climate governance represents a departure from neutrality; rather, environmental blindness or a caste-blindness which represents a specific institutional choice with measurable consequences. By limiting heat protection provisions to dock workers, India's 2020 labour code effectively exempts 380 million informal workers from heat safety standards. This regulatory gap falls hardest on Dalit workers, who comprise the [majority](#) of heat-exposed informal labor. This is not a technical oversight but a structural failure that the Report's framework can rectify.

Chief Justice Balakrishnan's characterisation of the caste-occupation nexus in *Ashoka Kumar Thakur v. Union of India (2008)* as an "unbreakable bondage" reveals how caste perpetuates the caste-occupation-poverty cycle—and consequently, the caste-occupation-heat-vulnerability cycle. The Report also documents how courts have historically invoked poverty as a catch-all category, obscuring caste. Climate policymakers can now recognise this pattern in their own frameworks. When relief is allocated based on formal land ownership, systematically excluding landless Dalit communities, this echoes the judicial erasure of the Report critiques. The Report also provides institutional diagnosis, enabling climate policy architects to recognise and correct these patterns before they become entrenched in new governance structures.

The Report also demonstrates that the Supreme Court Centre possesses both the methodology and institutional authority to conduct systematic analysis of how language reproduces power and hierarchy. It has previously applied this methodology to gender stereotypes and disability rights publications—now extending it to caste through this groundbreaking analysis. This model must be extended urgently to climate governance and environmental law. Research on climate jurisprudence could examine how the landmark *Ranjitsinh v. Union of India (2024)* judgment—recognising climate protection as a fundamental right—contains not a single acknowledgment of





Most critically, the absence of caste-disaggregated climate vulnerability data is not a technical gap but a political choice resulting in disastrous consequences for the marginalised castes. The government should take steps to consider and produce a report on climate data governance that could establish protocols for integrating caste census data into heat exposure mapping, occupational hazard assessment, and water access studies. Once the Supreme Court Centre has demonstrated this analytical capacity in one domain, extending it to climate governance is not an additional burden but a logical institutional evolution.

The Ranjitsinh judgment called for inter-ministerial coordination and reduction of accountability deficit—precisely what the Report on Judicial Conceptions of Caste equips us to address. Research by the Women Gender Constituency demonstrates that when decision-making power flows to affected communities, transformation becomes possible—grassroots programs led by tribal and Dalit women have trained 5,000+ women in climate-resilient practices and secured 120,000 individual forest land titles. Yet these initiatives remain disconnected from formal climate governance frameworks. The Report's analytical rigor could provide the institutional mechanism to integrate community-led climate knowledge into policy architecture.

The Supreme Court has provided an analytical blueprint through the groundbreaking Report. The importance of this document is that it is not an external critique of climate policy but an internal institutional resource—authored by India's highest court and grounded in constitutional jurisprudence that is already binding law. What is required now is not political revolution but institutional implementation and will.

The millions of Dalit workers facing lethal heat, the communities denied water access during droughts, the families excluded from disaster relief—these are not failures of individual climate programs but symptoms of governance structures that the Report has now equipped us to diagnose and transform. The question is whether institutions will employ these tools with the urgency the moment demands.

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