



TENTATIVE FRAMEWORK OF THE CLIMATE PROTECTION BILL

PROPOSED BY: Centre for
Environmental Law,
Education, Research and
Advocacy (CEERA), National
Law School of India
University, (NLSIU) Bengaluru

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TENATIVE OUTLINE OF THE CLIMATE PROTECTION BILL

- SHORT TITLE – THE CLIMATE CHANGE PROTECTION BILL
- LONG TITLE

“An Act to provide for a framework for the protection of areas deemed vulnerable due to the effects of climate change, with a view to provide relief for persons inhabiting them in the form of compensation, climate change adaptation, rehabilitation and climate risk insurance, identifying businesses having material adverse effect on the climate and the measures to regulate their impact, and for matters connected therewith or incidental thereto.”

- STATEMENT OF OBJECTS AND REASONS

“WHEREAS India due to its topography and geography is susceptible to impacts of climate change such as glacier melt, sea-level rise, floods, excessive rainfall and droughts, extreme weather events.

WHEREAS India being a signatory to the United Nations Framework Convention on Climate Change, the Kyoto Protocol and the Paris Agreement, it is considered necessary to implement international obligations in so far as they relate to minimizing and combating the adverse effects of climate change.

AND WHEREAS it is considered necessary to take steps to introduce a regulatory framework for enhanced response to climate change and protection from drastic climate events and for purposes connected therewith.

*BE it enacted by Parliament in the * * * Year of the Republic of India”*

1. SHORT TITLE, EXTENT AND COMMENCEMENT

2. DEFINITIONS

- Areas deemed vulnerable due to climate change
- Climate Change Commission
- Climate Protection
- Climate Refugee
- Climate Risk Insurance
- Climate Sustainability Plan
- Drastic Climate Event
- Material Adverse Impact

- Vulnerable Community

PART I

3. CLIMATE CHANGE COMMISSION

- Constitution of the Commission
- Structure of the Commission
- Role of the Commission
- Functions of the Commission
 - Identifying and recognising vulnerable communities
 - Compensation, Adaptation and Rehabilitation
 - Research
 - Awareness Programs and Training
 - Integrated Environmental Assessment, Review and Reporting
 - Prepare National Action Plans to tackle Climate Change
 - Public Consultations
 - Encouraging collaboration on climate change in the national and international level
 - Other Functions

PART II

4. IDENTIFICATION OF AREAS DEEMED VULNERABLE DUE TO CLIMATE CHANGE

- *Suo moto* & on request made by community inhabiting an area deemed vulnerable due to climate change
- Procedure for identifying and declaring vulnerable communities
- Parameters to declare community as vulnerable

5. RELIEF MEASURES FOR THE VULNERABLE COMMUNITIES

6. CLIMATE PROTECTION COMPENSATION

- Persons eligible for claiming compensation
- Grounds on which climate protection compensation may be claimed

7. CLIMATE ADAPTATION RELIEF

- Grant of relief for climate adaptation - *suo moto* & on request made by vulnerable community.
- Nature of work to be carried out -
 - Adaptation Plan –assessment of damage and components involved)
 - Parameters for assessment
 - Measures to be taken
 - Authorities and departments involved in planning and implementation

8. CLIMATE REHABILITATION RELIEF

- Nature of work to be carried out -
 - Rehabilitation Plan – assessment of damage and components involved
 - Parameters for assessment
 - Measures to be taken

- Authorities and departments involved in planning and implementation

PART III

9. CLIMATE RISK INSURANCE

- Risk Insurance to mitigate losses and provide financial support to vulnerable communities/regions.
- Identification of vulnerable communities / regions
- Financing the risk insurance
- Insuring the identified vulnerable communities against the risks of climate change;

PART IV

SUSTAINABILITY AND GOVERNANCE FRAMEWORK

10. Businesses having “material adverse effect” on Climate

- Power of Central/State Government to identify
- Issue of directions to State Governments/CPCB

11. Sustainability and Governance Reporting Framework

- EIA
- EC
- Environment Audit

12. Climate Sustainability Impact Regulations and Other Standards

PART V

13. OFFENCES AND PENALTIES

- Punishment for obstruction of work
- Punishment for false claims
- Offences by Departments of Government
- Failure of Officers in-charge of carrying out work/non-adherence of timelines
- Offences by companies
- Cognizance of offences

PART VI

14. MISCELLANEOUS

- Rulemaking power of Government
- Overriding effect or Act etc/ Interpretation of Clauses of Act.
- Climate Education and Awareness
- Duties of Citizens
- Other provisions

