

AS INTRODUCED IN THE RAJYA SABHA
ON 8TH DECEMBER, 2023

Bill No. XLII of 2023

THE ADAPTATION TO CLIMATE CHANGE (RESILIENCE,
REHABILITATION AND RESETTLEMENT) BILL, 2023

A

BILL

to identify areas of concern displaying vulnerability to the effects of climate change, to study and measure the risks posed as well as identify outcomes of climate change in such areas through a Climate Change Impact Assessment; to further formulate and implement Community Action Plans to build resilience, ensure rehabilitation as well as resettlement of the affected areas and of persons living in such areas, as the case may be, and provide for the rights and obligations of appropriate Governments and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Adaptation to Climate Change (Resilience, Rehabilitation and Resettlement) Act, 2023. Short title and commencement.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means in the case of a State, the Government of that State; in the case of a Union Territory, the Union Territory Administration; and in all other cases, the Central Government;

(b) "Area of Concern" means an area within the territory of India which is declared as such under section 3; 5

(c) "climate change" means a change of climate which is in addition to natural climate variability observed over a comparable time period;

(d) "Climate Change Impact Assessment" means the process of identifying, diagnosing, measuring, categorizing and documenting risks posed by climate change in an Area of Concern and its people, communities, economic activities etc., as laid down in section 4; 10

(e) "Climate Change Impact Assessment Report" means the report compiled and published by the appropriate Government in accordance with sub-section (4) of section 4; 15

(f) "effects of climate change" includes events as listed under sub-section (1) of section 3;

(g) "local authority" means a Municipal Corporation or Municipal Council or Town Planning Committee or Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes such other authority or body having administrative control or empowered by, or under any law for the time being in force to function as a local authority in any city, town or village; 20

(h) "prescribed" means prescribed by rules and/or orders made under this Act;

(i) "resilience" means the ability of an area to prepare for, absorb, and accommodate, the effects of climate change in a timely and efficient manner; 25

(j) "rehabilitation" means a planned process by which persons or groups of persons, who are forced to move or are obliged to move temporarily, from the places of their habitual residence due to the risk of occurrence of sudden-onset disaster, are assisted to move from such places, and are temporarily settled in a safe location, and provided with the conditions for supporting their lives as prescribed under section 7 for such temporary period until their return to the places of their habitual residence is ensured or until their resettlement elsewhere; and 30

(k) "resettlement" means a planned process by which persons or groups of persons, who are forced to move or are obliged to move permanently, from the places of their habitual residence due to the risk of loss of territory, are assisted to move from such places, and are permanently settled in a safe location, and provided with the conditions for rebuilding their lives as prescribed under sub-section (2) of section 8. 35

Notifying
Areas of
Concern.

3. (1) It shall be the duty of the appropriate Government to identify and notify regions within its territory, both urban and rural, as Areas of Concern where it has reasons to believe that an identified region is vulnerable to climate change and its effects and where such reason is based on previous or ongoing occurrences of any of the following events or where it has reasons to believe that any of the following events are most likely to occur and re-occur in the ordinary course:— 40

(a) sea level rise;

(b) desertification; 45

(c) glacial melt;

(d) increasing temperatures;

- (e) land/forest degradation;
- (f) precipitation changes;
- (g) salinization;
- (h) extreme weather events like floods and landslides; and/or
- 5 (i) any other disasters directly or indirectly attributable to climate change.

(2) Without prejudice to the generality of the provisions of sub-section (1), the appropriate Government shall notify Areas of Concern in such manner, subject to the considerations stipulated in sub-section (1) and based on such other considerations, as may be prescribed in this behalf by the Central Government.

- 10 (3) The appropriate Government shall as expeditiously as possible, but not later than three months from the date of commencement of this Act, notify areas within its territory as Areas of Concern in accordance with this provision.

4. (1) It shall be the duty of the appropriate Government to conduct Climate Change Impact Assessment in each Area of Concern within its territory, in such manner and according to such procedure, as may be prescribed in this behalf by the Central Government and as per the policy framed by it for the purpose of identifying and studying the effects of climate change in such area(s).

Conducting
Climate
Change
Impact
Assessment.

20 (2) Without prejudice to the generality of the provisions of sub-section (1), the process of Climate Change Impact Assessment shall, amongst other matters, identify relevant effects of climate change in the Area of Concern, as well as record projections, forecasts and results that are quantifiable and measurable wherever required, of any of the following outcomes occurring due to the identified effects of climate change in such area(s) and upon people living within such area(s):—

- (a) expected loss of livelihood;
- 25 (b) water or food security;
- (c) risk of sudden-onset disaster;
- (d) loss of territories etc.; and/or
- (e) such other results, projections or forecasts as may be considered necessary to be recorded by the appropriate Government or as may be prescribed by the Central Government.

30 (3) Whenever the appropriate Government intends to conduct a Climate Change Impact Assessment under sub-section (1), it shall consult the concerned local authorities in such area(s) as well as adequate number of persons, families and communities living in such area(s), and conduct the said assessment in consultation with them in such manner as may be prescribed by the Central Government in this behalf:

40 Provided that the appropriate Government shall ensure that adequate representation has been given to the representatives of each of the local authorities, and representatives of persons, families and communities living in such area(s), as the case may be, at the stage of carrying out the Climate Change Impact Assessment in such area(s).

45 (4) The appropriate Government shall, as expeditiously as possible but not later than six months from the date of notification of the Area of Concern, compile and publish a report containing all the information obtained during the process of Climate Change Impact Assessment including the results, projections and forecasts as stipulated in sub-section (2) and such other information as may be deemed necessary, in such form as may be prescribed by the Central Government in this behalf or as may be considered necessary to be recorded by the appropriate Government.

Community
Action Plan
for building
resilience and
ensuring
rehabilitation
and
resettlement.

5. (1) It shall be the duty of the appropriate Government to formulate and implement a specific Community Action Plan for each Area of Concern under its jurisdiction, consisting of localized solutions and specific actions to be undertaken for building resilience as well as ensuring rehabilitation and resettlement or any combination of them or all of them, as the case may be in accordance with the provisions of sections 6 to 8 and the policy framed by the Central Government for carrying out such purposes, in such manner and according to such procedure as may be prescribed by the Central Government in this behalf. 5

(2) For the purpose of formulating and implementing the Community Action Plan, the appropriate Government shall act in consultation with as well as take assistance of each of the concerned local authorities, and shall ensure adequate participation and representation of the persons living in such Area of Concern in the manner as may be prescribed by the Central Government in this behalf: 10

Provided that in the case of building resilience, the implementation of the Community Action Plan shall involve the participation of at least one member from each household living in a particular Area of Concern. 15

(3) The appropriate Government shall formulate and implement the Community Action Plan as expeditiously as possible, but not later than six months from the date of publishing of the Climate Change Assessment report as required under sub-section (4) of section 4 of this Act. 20

Building
resilience.

6. (1) Where the Climate Change Impact Assessment Report for an Area of Concern suggests that one of the impacts arising out of the identified effects of climate change in such area(s) or upon persons living in such area(s), among others, is loss of livelihood or water or food insecurity or both or such other impacts where measures to build resilience are considered necessary by the appropriate Government, as the case may be, then in such cases the appropriate Government shall formulate and implement a Community Action Plan to build resilience, in accordance with the general provisions of section 5 of this Act and the policy formulated in this behalf by the Central Government, in such form and manner as may be prescribed in this behalf by the Central Government. 25

(2) Without prejudice to the generality of the provisions of sub-section (1), the Community Action Plan for building resilience shall contain a detailed plan of action to ensure implementation of the following measures among others, in the relevant Areas of Concern and for the people living or employed in such area(s):— 30

- (a) watershed development;
- (b) promotion of climate resilient agriculture practices; 35
- (c) crop insurance;
- (d) water and forest conservation;
- (e) drought mitigation measure;
- (f) sustainable land management; 40
- (g) alternate rural livelihood skilling;
- (h) off farm livelihoods targeting the needs of the national labour market;
- (i) building climate proof housing and community infrastructure;
- (j) increasing green space and canopy cover;
- (k) building seawalls to prevent coastal erosion;
- (l) ensuring proper flood management through effective drainage and creating permeable surfaces; 45

(m) providing alternate skilling to vulnerable workers who are facing adverse productivity losses due to negative health outcomes of climate change in urban areas of concern, and providing suitable one-time monetary compensation, where such skilling is not possible on account of severe health issues faced by any such person;

5 (n) increasing capacity of public health institutions to manage the expected rise in adverse health issues due to climate change; and

(o) such other measures as may be deemed necessary by the appropriate Government or as may be prescribed by the Central Government in this behalf.

10 **7. (1) Where the Climate change Impact Assessment Report for an Area of Concern suggests that one of the impacts arising out of the identified effects of climate change in such area(s) or upon persons living in such area(s), among others, is risk of a sudden-onset disaster, then in such cases the appropriate Government shall formulate and implement a Community Action Plan to ensure rehabilitation, in accordance with the general provisions of section 5 of this Act and the policy formulated in this behalf by the Central Government, in such form and manner as may be prescribed in this behalf by the Central Government.** Ensuring rehabilitation.

(2) Without prejudice to the generality of the provisions of sub-section (1) the Community Action Plan to ensure rehabilitation shall stipulate a detailed plan of action to ensure implementation of the following measures among others, for all the persons and their families having their places of habitual residence in the concerned Area of Concern:—

20 (a) identification of the number of persons and families requiring rehabilitation;

(b) identification of an alternative safe location to accommodate all such persons and families;

(c) rescuing all such persons and families, and ensuring their temporary relocation in a planned manner to the location identified under clause (b);

25 (d) setting up in the safe location identified under clause (b), temporary medical services, health and sanitation awareness workshops and educational camps for children, and ensuring its access to all such persons and families;

(e) investing in early warning systems and effective dissemination of alerts to the vulnerable population; and

30 (f) such other measures as may be deemed necessary by the appropriate Government for ensuring rehabilitation or as may be prescribed in this behalf by the Central Government.

35 **8. (1) Where the Climate Change Impact Assessment report for an area of concern suggests that one of the impact arising out of the identified effects of climate change in such area(s) or upon persons living in such area(s), among others, in the risk of loss of territory, then in such cases the appropriate Government shall formulate and implement a Community Action Plan to ensure resettlement, in accordance with the general provisions of section 5 of this Act and the policy formulated in this behalf by the Central Government, in such form and manner as may be prescribed in this behalf by the Central Government.** Ensuring resettlement.

40 (2) Without prejudice to the generality of the provision of sub-section (1), the Community Action Plan to ensure resettlement shall stipulate a detailed plan of action to ensure implementation of the following measures, among others, for the all the persons or families belonging to a common household having their homes or places of habitual residence in the concerned Area of Concern:—

45 (a) identification of the persons and families belonging to a common household having their homes in such area(s) requiring resettlement;

(b) identification of an alternative safe location where land or a house could be allotted to all the persons, or to each of the families belonging to a common household having their homes or places of habitual residence in such area(s);

(c) allotment of a house or a land to each such persons or families belonging to a common household in the safe place identified under clause (b); 5

(d) ensuring access to basic amenities including safe drinking water, proper sanitation, electricity etc. to each land or house allocated under clause (c);

(e) providing an employment opportunity to at least one person belonging to each such family, near or within the place identified as per clause (c), or compensation in lieu of such opportunity; 10

(f) issuing an identity card to each such person for availing benefits of welfare schemes of the appropriate Government with distinction;

(g) providing appropriate skill training to at least one person belonging to each such family, in order to equip such person with requisite skills to avail basic employment; and 15

(h) such other measures as may be deemed necessary by the appropriate Government for ensuring resettlement, or as may be prescribed in this behalf by the Central Government.

Responsibilities
of the Central
Government.

9. (1) Subject to the provisions of this Act, the Central Government shall have the responsibility to take all such measures as it deems necessary or expedient for carrying out the purposes of building resilience and ensuring rehabilitation and resettlement, against or occurring due to or which might occur due to the effects of climate change. 20

(2) Without prejudice to the generality of the provision of sub-section (1), the Central Government shall in such manner as may be prescribed:—

(a) lay down, publish and execute a nationwide policy in this regard including formulation and implementation of Community Action Plans as laid down in sections 6 to 8, conducting Climate Change Impact Assessment and any other policies on such other matters as it deems necessary or expedient for carrying out the purpose(s) of this Act; 25

(b) ensure appropriate allocation of funds and extend financial assistance to the State Governments for building resilience, ensuring rehabilitation and resettlement against the effects of climate change and for carryig out all other purposes of this Act, as assigned to them thereunder; 30

(c) ensure coordination of actions of the Ministries of Departments of the Government of India, State Governments, authorities constituted and officers appointed under the provisions of this Act, in relation to the duties and functions assigned to them under the provisions of this Act; 35

(d) ensure co-operation of and assistance to State Governments, on all matters including conducting Climate Change Impact Assessment and preparing and implementing Community Action Plans in accordance with the provisions of this Act, either as requested by them or otherwise deemed appropriate by it for carrying out the purposes of this Act; 40

(e) plan and organise training of all persons either of the State Governments or of itself, as the case may be, engaged or proposed to be engaged for carrying out the purposes of this Act; 45

(f) collect, compile and publish technical and statistical data relating to climate change and its effects and necessary for building resilience, ensuring rehabilitation and resettlement against such effects;

(g) formulate and prescribe a detailed procedure and format for conducting Climate Change Impact Assessment by the appropriate Governments including rules for identifying and measuring risks posed by climate change and its effects, consultation with persons living within the Area of Concern, preparation and publication of Climate Change Impact Assessment reports and other relevant aspects thereof as the Central Government may deem necessary for carrying out the purposes of this Act;

(h) formulate and prescribe a detailed procedure and format for the preparation and implementation of Community Action Plans by the appropriate Government for building resilience, ensuring rehabilitation and resettlement against or due to the effects of climate change;

(i) research, compile, document and disseminate, amongst each of the appropriate Governments and to the public, data and information on possible adverse impact of climate change on public health, as well as recommend measures to be taken by the appropriate Government and health sector including measures to train their personnel, develop medical infrastructure and such other measures as the Central Government may deem necessary to deal with such adverse impact on public health; and

(j) take such other actions or measures as it may consider necessary for carrying out the purposes of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for carrying out the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities, by such name or names, as may be specified in the order, for the purpose of exercising and performing such of the powers and functions of the Central Government under this Act and for taking such measures with respect to all or any of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and in accordance with the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

10. (1) Without prejudice to the generality of the provisions of sub-section (3) of section 9, the Central Government may appoint such number of officers with such designation, as it thinks fit, and on such salary, allowances and other conditions of service, as may be prescribed, for carrying out the purposes of this Act and may entrust to them such powers and functions under this Act, as it may deem fit.

Appointment of officers by the Central Government.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub-section (3) of section 9 or of any other authority or officer, as it may deem fit.

11. (1) Subject to the provisions of this Act, the appropriate Government shall have the responsibility to take all such measures as may be prescribed under the nationwide policy formulated by the Central Government under clause (a) of sub-section (2) of section 9 and any other measures, as it may deem necessary or expedient for carrying out the purposes of building resilience and ensuring rehabilitation and resettlement, against or occurring due to or which might occur due to the effects of climate change and such other measures as prescribed by the Central Government in this behalf.

Responsibilities of the appropriate Government.

(2) Without prejudice to the generality of the provisions of sub-section (1), the appropriate Government in such manner as may be prescribed, shall:—

(a) identify and notify Areas of Concern in accordance with the provisions of this Act;

(b) conduct Climate Change Impact Assessment and publish report thereof in accordance with the provisions of this Act;

(c) formulate and implement Community Action Plans, wherever required, to build resilience, ensure rehabilitation and resettlement, as the case may be, against or occurring due to or may occur due to the effects of climate change, in accordance with the provisions of this Act;

(d) ensure coordination of actions of different Departments functioning under it as well as coordination of actions of the local authorities functioning under its jurisdiction for carrying out the purposes of this Act;

(e) where the appropriate Government is the State Government, ensure cooperation with, and provide assistance to, the Ministries or Departments of the Government of India for carrying out the purposes of this Act, as requested by them or otherwise deemed appropriate by it;

(f) ensure appropriate allocation of funds to its Departments and local authorities for building resilience, ensuring rehabilitation and resettlement against the effects of climate change and for carrying out all the other purposes of this Act;

(g) take measures to develop medical infrastructure, train personnel involved in providing medical services and such other measures as the appropriate Government deems necessary or as recommended by the Central Government, to deal with the possible adverse impact of climate change on public health; and

(h) take such other actions or measures as it may consider necessary for carrying out the purposes of this Act.

(3) The appropriate Government may, if it considers it necessary or expedient so to do for carrying out the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities, by such name or names, as may be specified in the order, for the purpose of exercising and performing such of the powers and functions of the appropriate Government under this Act and for taking such measures with respect to all or any of the matters referred to in sub-section (2) as may be mentioned in the order, and subject to the supervision and control of the appropriate Government and in accordance with the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

Appointment of officers by the appropriate Government.

12. (1) Without prejudice to the generality of the provisions of sub-section (3) of section 11, the appropriate Government may appoint such number of officers with such designation, as it thinks fit, and on such salary, allowances and other conditions of service, as may be prescribed, for carrying out the purposes of this Act and may entrust to them such powers and functions under this Act, as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of such appropriate Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub-section (3) of section 11 or of any other authority or officer, as it may deem fit.

Duties of local authorities.

13. (1) It shall be the duty of the local authorities in the concerned Area of Concern to assist the appropriate Government in conducting the Climate Change Impact Assessment as well as in the formulation and the implementation of the Community Action Plans to build resilience or ensure rehabilitation or resettlement, as the case may be, in each such area, in accordance with the provisions of this Act and policy(ies) formulated and rules made thereunder in this behalf by the Central Government.

(2) Without prejudice to the generality of the provisions of sub-section (1), the local authorities shall in such manner as may be prescribed:—

5 **(a) ensure that its officers and employees are trained adequately for carrying out the purposes of this Act including, among others, for conducting the Climate Change Impact Assessment, formulating and implementing the Community Action Plans for building resilience, ensuring rehabilitation and providing resettlement, as the case may be, etc.;**

10 **(b) ensure availability of adequate funds to support and carry out Climate Change Impact Assessment and formulate and implement the Community Action Plans for building resilience, ensuring rehabilitation and resettlement, as the case may be, etc.;**

(c) participate in, carry out and conduct Climate Change Impact Assessment including its consultation process in accordance with the provisions of this Act;

15 **(d) participate and support in the formulation as well as implementation of the Community Action Plans for building resilience, ensuring rehabilitation and resettlement, as the case may be, in accordance with the provisions of this Act;**

(e) build awareness and ensure dissemination of information amongst persons, families and communities living in the Areas of Concern regarding the actions taken under this Act;

20 **(f) encourage participation from amongst the persons, families and communities living in the Areas of Concern, in the activities undertaken by the appropriate Government and itself under this Act; and**

(g) take such other actions or measures as it may deem necessary for carrying out the purposes of this Act.

25 **14. (1) The Central Government may, by notification in the Official Gazette, make rules in respect of the following matters, namely:—** Power to make rules.

(a) the manner, procedure and considerations, subject to the consideration already stipulated under sub-section (1) of section 73 of this Act, based on which the appropriate Government shall notify Areas of Concern under section 73 of this Act;

30 **(b) the manner and procedure for conducting the Climate Change Impact Assessment by the appropriate Government, as required under sub-section (1) of section 4, including rules for the results, projections or forecasts to be recorded in such assessment, as required under sub-section (2) of section 4, rules for the form, manner and procedure of conducting consultation with the relevant local authority, persons, families and communities living in relevant area of concern, as required under sub-section (3) of section 4, and the rules for the procedure, form and manner of compiling and publishing the report of Climate Change Impact Assessment as well as the information, results and projections to be included in such report, as required under sub-section (4) of section 4, of this Act;**

40 **(c) the form, manner and procedure for formulating and implementing the Community Action Plan for building resilience by the appropriate Government, as required under sub-section (1) of section 5 and sub-section (1) of section 6, including rules for stipulating lists of measures to be formulated and implemented in such plans, as required under section (2) of section 6, rules for participation of local authorities and persons living in the relevant Areas of Concern, in the consultation as well as the implementation of such plans, as required under sub-section (2) of section 5, and sub-section (3) of section 5;**

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(d) the form, manner and procedure for formulating and implementing the Community Action Plan for ensuring rehabilitation by the appropriate Government, as required under sub-section (1) of section 5 and sub-section (1) of section 7, including rules for stipulating lists of measures to be formulated and implemented in such plans, as required under section (2) of section 7, rules for participation of local authorities and persons living in the relevant Areas of Concern, in the consultation as well as the implementation of such plans, as required under sub-sections(2) and (3) of section 5; 5

(e) the form, manner and procedure for formulating and implementing the Community Action Plan for ensuring resettlement by the appropriate Government, as required under sub-section (1) of section 5 and sub-section (1) of section 8 including rules for stipulating lists of measures to be formulated and implemented in such plans, as required under section (2) of section 8, rules for participation of local authorities and persons living in the relevant areas of concern, in the consultation as well as the implementation of such plans, as required under sub-sections (2) and (3) of section 5; and 10 15

(f) any other matter which has to be, or may be, prescribed, or is considered expedient for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 20 25

Act not in
derogation of
any other law.

15. The provisions of this Act shall be in addition to, and not in derogation of the provisions of any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

Today there are multiple reports and studies that prove the existence of climate change and its adverse effects on our planet and its diverse inhabitants. The Intergovernmental Panel on Climate Change in their assessment reports have concluded that human activities are altering our climate system. These changes are not only manifesting in the form of increased frequency and magnitude of extreme weather events but also through a gradual change in weather patterns. These slow onset effects of climate change are ensuring that the consequences are almost invisible to all except the ones that are facing their full brunt.

While climate change is a global phenomenon, the intensity and consequences of its impact are being shouldered unequally, both across and within countries. Those communities, whose livelihoods are dependent on natural resources are facing the maximum brunt of its effects, compounding their existing high vulnerabilities. Changes in temperature, precipitation, and land degradation are rendering agriculture and other natural resource-based livelihoods both unproductive and unreliable, leaving those reliant on it with very difficult choices. They can either stay and suffer or migrate out to sustain themselves. For some communities in coastal India, there isn't even a choice as increasing intensity of sea erosion has led to entire villages being abandoned.

These people are already amongst the poorest and are now having to use their constrained resources to cope with adverse climatic conditions. This extends to the poor in urban areas as well, whose daily livelihoods, unlike the more fortunate, aren't insulated from the vagaries of environment and hence are much more vulnerable.

While the effects of climate change are showing up in different forms throughout the country, a common feature however, is their disproportionate impact on the already vulnerable and poor. They are paying the highest price for the growth and development that has ironically evaded them the most. They are victims of climate change and it is therefore the duty of the State to ensure their protection.

This Bill seeks to lay out a strategy to build resilience and ensure rehabilitation and resettlement of the affected communities. While mitigation efforts need to continue with fervour and determination, they need to be complemented by building adaptive capacity to minimise the damage to livelihoods from climate change. For this purpose, there is a need for a systematic framework which institutionalises climate change adaptation at the national level while simultaneously allowing for localised strategies.

Hence, this Bill.

VANDANA CHAVAN.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides that the appropriate Government shall conduct Climate Change Impact Assessment in each Area of Concern within its territory and compile and publish a report thereon. Clauses 5 to 8 of the Bill provide that the appropriate Government shall formulate and implement a specific Community Action Plan for building resilience and ensuring rehabilitation as well as resettlement in each Area of Concern under its jurisdiction and chalk out a detailed action plan as well as take such specific measures as laid down in the provisions of these sections for implementation of each specific Community Action Plan.

Clause 9 of the Bill provides that it shall be the responsibility of the Central Government to take all such measures as it deems necessary or expedient for carrying out the purposes of building resilience and ensuing rehabilitation and resettlement, against or occurring due to or which might occur due to the effects of climate change, including formulation, publication and execution of a nationwide policy, ensuring appropriate allocation of funds and extend financial assistance to the respective State Governments, training of all persons, publishing technical and statistical data relating to climate change etc. as well as constitute an authority or authorities to carry out the provisions of the Bill, if deemed necessary.

Clause 11 of the Bill *inter alia* provides that the appropriate Government shall take all such measures as it deems necessary or expedient for carrying out the purposes of building resilience and ensuring rehabilitation and resettlement, against or occurring due to or which might occur due to the effects of climate change, including identifying and notifying Areas of Concern, conducting Climate Change Impact Assessment, implementing Community Action Plans, ensuring appropriate allocation of funds etc., as well as constitute an authority or authorities to carry out the provisions of the Bill, if deemed necessary.

Clause 10 and 12 of the Bill respectively provide for the appointment of such number of officers with such designations, as the Central and appropriate Governments may think fit, on such salary, allowances and other conditions of service, as may be prescribed.

Clause 13 provides that the local authorities shall *inter alia* in the concerned Area of Concern assist the appropriate Government in conducting the Climate Change Impact Assessment, as well as ensure training of its officers and employees, availability of adequate funds to support and carry out Climate Change Impact Assessment etc.

This Bill, therefore, if enacted will involve additional expenditure from the Consolidated Fund of India, both recurring or non-recurring. However, at this stage, it is difficult to make any estimate of the expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Act. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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to identify areas of concern displaying vulnerability to the effects of climate change, to study and measure the risks posed as well as identify outcomes of climate change in such areas through a Climate Change Impact Assessment; to further formulate and implement Community Action Plans to build resilience, ensure rehabilitation as well as resettlement of the affected areas and of persons living in such areas, as the case may be, and provide for the rights and obligations of appropriate Governments and for matters connected therewith or incidental thereto.

(Smt. Vandana Chavan, M.P.)