

Green Verdict

February 8, 2021

In News: NITI Aayog has commissioned a study that seeks to examine the “unintended economic consequences” of judicial decisions that have hindered and stalled big-ticket projects on environmental grounds.

What is Green Verdict?

- Judicial decisions of the Supreme Court or the National Green Tribunal on environmental grounds hindered and stalled big-ticket projects informally known as Green Verdict.

Obstacle course
Some projects/companies which have hit the hurdle grounds

MOPA AIRPORT, GOA The SC in 2019 suspended environmental clearance but lifted it in Jan. 2020 after imposing several conditions		SAND MINING, UTTAR PRADESH The National Green Tribunal in 2013 suspended sand mining operations and directed that environmental clearances be obtained from authorities	
STERLITE COPPER, THOOTHUKUDI, T.N. The SC in Dec. rejected a proposal made by Vedanta to operate its closed copper plant. The Madras HC and the T.N. govt. had ordered the closure of the plant		CONSTRUCTION ACTIVITIES AROUND DELHI The NGT imposed a ban on construction activities but specific instances are not known	
IRON ORE MINING, GOA In 2018, the SC quashed 88 mining leases for violation of mining procedures and asked the State govt. to issue fresh leases			

The National Green Tribunal (NGT)

- The National Green Tribunal (NGT) is a specialized body that was formed under the NGT Act, 2010 for effective and expeditious disposal of cases that are related to the protection and conservation of the environment, forests, and other natural resources.

Objectives of National Green Tribunal (NGT)

Some of the major objectives

- Effective and expeditious disposal of cases that are related to the protection and conservation of the environment, forests, and other natural resources.
- To give relief and compensations for any damages caused to persons and properties.
- To handle various environmental disputes that involve multi-disciplinary issues.

Structure of NGT

- The National Green Tribunal (NGT) comprises three major bodies namely: the Chairperson, the Judicial Members, and the Expert Members.
- Also, there should be a minimum of 10 and a maximum of 20 fulltime Judicial as well as Expert members in the NGT.
- All these members are required to hold the office for five years and are not eligible for reappointment.
- The Chairperson of the National Green Tribunal (NGT) is appointed by the Central Government of India in accordance with the Chief Justice of India.
- A Selection Committee is formed by the central government of India for the appointment of Judicial Members and Expert Members.

Powers of NGT

Some of the major powers of the National Green Tribunal include:

- NGT provides a way for the evolution of environmental jurisprudence through the development of an alternative dispute resolution mechanism.
- It helps in the reduction of the litigation burden on environmental matters in the higher courts.
- NGT provides a faster solution for various environment-related disputes that are less formal and less

expensive.

- It curbs environment-damaging activities. NGT ensures the strict observance of the Environment Impact Assessment process.
- NGT provides reliefs and compensations for any damages caused to persons and properties.

The National Green Tribunal resolves various civil cases under the following seven laws that are related to the environment:

- Water Act (Prevention and Control of Pollution), 1974
- Water Cess Act (Prevention and Control of Pollution), 1977
- Forest Act (Conservation), 1980
- Air Act (Prevention and Control of Pollution), 1981
- Environment (Protection) Act, 1986
- Public Liability Insurance Act, 1991
- Biological Diversity Act, 2002