

National Green Tribunal

May 7, 2020

What is the National Green Tribunal?

- The National Green Tribunal has been established on 18.10.2010 under the **National Green Tribunal Act 2010** for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.
- It is a specialized body equipped with the necessary expertise to handle environmental disputes involving multi-disciplinary issues. The National Green Tribunal Act, 2010 under **Section 19 gives the Tribunal power to regulate its own procedure**. Additionally, the Tribunal is not bound by procedure under the Code of Civil Procedure, 1908 or the Indian Evidence Act, 1872 and is guided by **principles of natural justice**. However, the Tribunal is vested with the **powers of a civil court** under the Code of Civil Procedure for discharging its functions.

Functions of National Green Tribunal

- The Tribunal is mandated to make and endeavour for disposal of applications or appeals finally **within 6 months of filing** of the same. Initially, the NGT is proposed to be set up at five places of sittings and will follow circuit procedure for making itself more accessible. **New Delhi is the Principal Place of Sitting of the Tribunal** and Bhopal, Pune, Kolkata and Chennai shall be the other four places of sitting of the Tribunal.
- The Tribunal entertains petitions which bring to light

instances of substantial environmental damage. A valid complaint is taken note of even in the absence of any representation from the aggrieved party and can be filed even without an advocate.

- Directions to submit a '**factual and action taken**' report are issued to identified statutory authorities and/or experts identified by the Tribunal, as deemed appropriate, to investigate the claims of environmental damage. An executable order is passed requiring concerned authority to take steps including restricting pollution, recovering compensation and initiating prosecution.
- Upon adjudication of claims by the Tribunal, select members or committees, including those comprising former high court judges, former chief secretaries or subject matter experts may be appointed to ensure timely execution of the orders, in cases where it is deemed appropriate by the Tribunal.
- In the absence of full strength of judicial and expert members in regional benches of the Tribunal situated in Chennai, Pune, Bhopal and Kolkata, the Principal Bench in New Delhi is hearing applications from other jurisdictions remotely by video conferencing to meet the needs of the litigants.