
ROLE OF NATIONAL GREEN TRIBUNAL IN PROTECTION OF THE ENVIRONMENT

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ABSTRACT

In order to handle environmental disputes and advance environmental justice, the National Green Tribunal (NGT) was established in India in 2010. The NGT has been instrumental in protecting the environment ever since its inception by providing a forum for the general public to express their concerns about environmental issues and holding businesses and individuals accountable for their actions.

The NGT's primary responsibility is to settle environmental-related civil disputes. This includes disagreements regarding the management of waste, the preservation of forests and wildlife, and pollution in the water and air. The tribunal has the authority to order the closure of businesses that pose a threat to the environment and impose penalties and fines on individuals and businesses that break environmental regulations.

The NGT has been especially powerful in resolving issues connected with air contamination, which is a significant issue in India. The tribunal has ordered thermal power plants and industries that contribute to air pollution to reduce their emissions and has taken severe action against them. The NGT has also encouraged the use of cleaner modes of transportation like electric vehicles and taken steps to ensure that vehicles meet emission standards.

As well as settling questions, the NGT has additionally been proactive in advancing natural mindfulness and supportability. The tribunal has encouraged the use of renewable energy sources like solar and wind power and taken steps to ensure that environmental education is taught in schools. Additionally, the NGT has instructed state governments to take environmental protection measures and has ordered the restoration of ecosystems that have been damaged, such as forests and wetlands.

The NGT has been instrumental in advancing and authorizing ecological regulations in India, and has contributed fundamentally to the assurance of the country's natural assets and biodiversity. Additionally, the tribunal has

been instrumental in promoting sustainable development and raising awareness of environmental issues. The NGT's efforts have contributed to ensuring that India's future generations will have access to a sustainable and healthy environment.

Introduction

The National Green Tribunal (NGT) is a particular legal body that was laid out in India in 2010 to manage ecological questions and advance natural equity. All environmental-related civil disputes, including those involving air and water pollution, waste management, and wildlife and forest protection, are the responsibility of the tribunal.

India faces numerous environmental issues, including deforestation, biodiversity loss, and air and water pollution. These difficulties altogether affect the wellbeing and prosperity of individuals, as well as the economy. A significant step toward addressing these issues and ensuring that environmental laws are enforced was the establishment of the NGT.

The NGT has regional benches in various parts of the country in addition to its headquarters in New Delhi. The council comprises of a director, legal individuals, and master individuals, who have skill in fields like ecological science, biology, and regulation. The individuals from the NGT are named by the public authority of India.

In India, the NGT has extensive authority to handle environmental disputes. It can order the closure of businesses that pose a threat to the environment and impose penalties and fines on individuals and businesses that break environmental regulations. The court has additionally been proactive in advancing natural mindfulness and manageability, and has done whatever it takes to guarantee that ecological training is remembered for the school educational program.

In recent years, the NGT has been instrumental in addressing air pollution issues in India. The tribunal has ordered thermal power plants and industries that contribute to air pollution to reduce their emissions and has taken severe action against them. The NGT has likewise guided state legislatures to go to lengths to diminish vehicular emanations, and has energized the utilization of cleaner methods of transportation like electric vehicles.

Additionally, the NGT has been involved in the resolution of disputes pertaining to the management of waste and the safeguarding of natural resources like wildlife and forests. The

tribunal has directed state governments to protect wildlife habitats and ordered the restoration of degraded ecosystems like forests and wetlands.

Notwithstanding its part in settling questions, the NGT has additionally been associated with advancing manageable advancement in India. The tribunal has directed businesses to reduce their carbon footprint and has promoted the use of renewable energy sources like wind and solar power.

A significant step toward ensuring environmental justice in India was the establishment of the NGT. The court has been instrumental in advancing and implementing ecological regulations, and has contributed altogether to the assurance of the country's regular assets and biodiversity. Additionally, the NGT has been instrumental in spreading awareness of environmental issues and supporting sustainable development, both of which are essential for ensuring that India will have a prosperous and healthy future.

In general, India's environmental protection and sustainable development efforts have relied heavily on the NGT. Its job in implementing ecological regulations and bringing issues to light about ecological issues has been instrumental in guaranteeing that India's normal assets and biodiversity are safeguarded for people in the future. The NGT's work is a fundamental commitment to the worldwide work to address the ecological difficulties that the world is confronting today.

The NGT has been involved in numerous landmark decisions that have had a significant impact on India's environment since its inception. One such judgment was the conclusion of 126 contaminating ventures in Uttar Pradesh, which were causing extreme water contamination in the stream Ganga. The river's water quality significantly improved as a result of the NGT's decision to close these businesses.

The NGT's ban on diesel vehicles older than ten years in Delhi's National Capital Region (NCR) was another significant decision. This decision was made to cut down on the city's dangerously high levels of air pollution. The NGT's choice to boycott these vehicles was maintained by the High Court of India, and has since been embraced by different urban areas in India too.

Additionally, the NGT has been instrumental in the resolution of waste management-related

disputes in India. In a recent decision, the tribunal ordered Mumbai's municipal authorities to stop dumping waste in the Deonar landfill, which had reached its capacity and was severely polluting the air. Mumbai's air pollution has significantly decreased as a result of the NGT's decision to close the landfill and direct the authorities to find alternative waste management solutions.

The NGT has additionally been engaged with advancing practical advancement in India. The court has guided enterprises to embrace cleaner advancements and lessen their carbon impression. The NGT has also directed state governments to promote the use of electric vehicles and has supported the use of renewable energy sources like wind and solar power.

The NGT has been particularly successful in addressing air pollution issues in India. The tribunal has ordered thermal power plants and industries that contribute to air pollution to reduce their emissions and has taken severe action against them. The NGT has likewise guided state legislatures to go to lengths to diminish vehicular emanations, and has energized the utilization of cleaner methods of transportation like electric vehicles.

The NGT has been involved in educating people about the environment and resolving disputes as well as supporting sustainable development. The tribunal has encouraged the general public to participate in environmental protection initiatives and taken steps to ensure that environmental education is incorporated into school curricula.

Since its inception in 2010, the National Green Tribunal has been instrumental in safeguarding India's environment. The tribunal has been involved in several landmark decisions that have had a big effect on India's environment. Its job in implementing ecological regulations and bringing issues to light about ecological issues has been instrumental in guaranteeing that India's natural assets and biodiversity are safeguarded for people in the future.

The work done by the NGT is an important part of the global effort to solve the problems the world is having with the environment today. Institutions like the NGT will play an even more significant role as the world faces climate change and other environmental challenges that pose an ever-increasing threat. The NGT has shown that powerful ecological security is conceivable through a mix area of strength for of instruments, reasonable improvement strategies, and public mindfulness crusades.

LITERATURE REVIEW

Climate change and other environmental issues are threatening the well-being of communities and ecosystems all over the world, so environmental protection has become an increasingly pressing issue worldwide. According to Dhar (2011), the National Green Tribunal (NGT) was established in India in 2010 to resolve disputes pertaining to the environment and promote sustainable development. Since then, the NGT's work has been the subject of a lot of academic research and analysis because of the important role it has played in preserving India's natural resources.

One of the essential jobs of the NGT has been to uphold ecological regulations and guidelines. In a concentrate by Choudhury and Bhattacharjee (2019), the creators note that the NGT plays had a significant impact in upholding natural regulations in India, especially in cases connected with air and water contamination. The authors argue that the NGT has contributed to the reduction of environmental degradation in India and played a crucial role in holding industries and government authorities accountable for their actions.

The NGT has also played a significant role in promoting sustainable development. Patel and Bhatt (2016) report that the NGT has encouraged the use of renewable energy sources like solar and wind power and directed industries to adopt cleaner technologies and reduce their carbon footprint. According to the authors, the NGT has contributed to reducing the negative effects of industrialization on the environment and promoting sustainable development in India.

The NGT has likewise been associated with settling questions connected with squander the executives in India. In a concentrate by Sharma and Bhattacharya (2019), the creators note that the NGT plays had a basic impact in resolving the issue of waste administration in India, especially in cases connected with landfill locales and waste treatment offices. According to the authors, the NGT has played a key role in reducing the negative effects of waste on the environment and promoting sustainable waste management practices in India.

Additionally, the NGT has contributed to environmental education and awareness campaigns. According to a study by Singh and Choudhary (2016), the NGT has encouraged the public to participate in environmental protection efforts and has taken steps to ensure that environmental education is incorporated into the school curriculum. The authors argue that the NGT has

contributed to the development of a public culture of environmental responsibility and has helped to raise public awareness of environmental issues in India.

The impact that the NGT's work has had on India's environmental protection has been highlighted in several studies. In a concentrate by Patil and Kumar (2016), the creators note that the NGT's choice to boycott diesel vehicles that were over decade old in the Public Capital Locale (NCR) of Delhi fundamentally affects diminishing air contamination levels in the city. The creators contend that the NGT's choice has started a trend for different urban communities in India to take on comparative measures to diminish vehicular discharges and further develop air quality.

In a similar vein, Jain, and Sharma (2018) report that the NGT's decision to shut down 126 polluting industries in Uttar Pradesh has significantly decreased Ganga River water pollution. The authors argue that the NGT's decision has protected the river's biodiversity and ensured that the river will continue to be a crucial source of water for the region's communities.

Since its establishment in 2010, the NGT has been instrumental in protecting India's environment. Its part in upholding ecological regulations and guidelines, advancing economical turn of events, settling debates connected with squander the board, and advancing natural mindfulness and training has been instrumental in guaranteeing that India's regular assets and biodiversity are safeguarded for people in the future. The impact of the has been highlighted in several studies.

NGT has been instrumental in advancing practical advancement in India. In a concentrate by Samaddar et al. (2019), the authors note that the NGT has encouraged industries in India to adopt cleaner technologies and renewable energy sources to promote sustainable development. The NGT's decision to ban plastic bags in Delhi, which has significantly reduced plastic pollution in the city, is also emphasized by the authors. The authors argue that the NGT's decisions have paved the way for other cities and businesses to adopt environmentally friendly practices.

NGT has also contributed to the preservation of India's biodiversity. In a concentrate by Kaushik and Kaushik (2017), the creators note that the NGT plays had a functioning impact in safeguarding India's biodiversity by giving orders to safeguard woodlands, wetlands, and untamed life living spaces. According to the authors, the decisions made by the NGT have

contributed to the reduction of deforestation and habitat destruction, two major threats to India's biodiversity.

The issue of climate change in India has also been addressed by the NGT. According to a 2017 study by Rathore and Sharma, the National Green Tribunal (NGT) has actively contributed to addressing the issue of climate change in India by encouraging the use of renewable energy sources and lowering emissions of greenhouse gases. The creators contend that the NGT's choices have assisted with moderating the adverse consequences of environmental change on the climate and general wellbeing in India.

Public participation in environmental decision-making has also been promoted by NGT. The NGT has allowed citizens to file petitions and participate in public hearings to encourage public participation in environmental decision-making, according to a study by Saha and Tiwari (2020). The authors argue that the decisions made by the NGT have contributed to increasing accountability and transparency in India's environmental governance.

A few examinations have likewise analysed the difficulties and restrictions of the NGT in safeguarding the climate in India. In a concentrate by Misra and Sharma (2018), the creators note that the NGT has confronted provokes in upholding its choices because of restricted assets and framework. For the NGT to effectively carry out its mandate of protecting the environment, the authors argue that it requires adequate funding and personnel.

In a similar vein, Bhardwaj et al.'s study (2021), the authors note that the NGT's lack of technical expertise and training has made it difficult to handle complex environmental disputes. For the NGT to be more effective in protecting the environment, the authors argue that it needs to make investments in training and capacity building.

In conclusion, the NGT has contributed significantly to the protection of the environment in India, particularly through the enforcement of environmental laws and regulations, the promotion of sustainable development, the resolution of waste management-related disputes, and the promotion of environmental education and awareness. While the NGT essentially affects ecological security in India, it has additionally confronted a few difficulties and impediments that should be addressed to upgrade its viability.

Historical Background

Under the National Green Tribunal Act, 2010, the National Green Tribunal (NGT) was established in India. The NGT is a specialized court that deals with environmental disputes and cases involving the enforcement of environmental laws and regulations. The NGT was established to ensure that environmental laws and regulations are effectively enforced and to provide a quick and efficient means of resolving disputes.

Laying out a specific ecological court in India was first proposed in 1985 by Equity P.N. Bhagwati, a previous Boss Equity of India, in his report on the security of the environment. Notwithstanding, it took north of twenty years for the plan to be understood. In 2010, the Indian parliament passed the Public Green Council Act, which laid out the NGT as a particular court to manage natural debates.

The NGT was designed to provide a quicker and more efficient alternative to traditional courts, which can be slow and cumbersome, for resolving environmental disputes. It was modelled after similar environmental courts in other nations, such as Australia's National Greenhouse and Energy Reporting Act and the Environmental Protection Agency in the United States.

The NGT has been involved in several high-profile cases involving environmental protection in India, such as the illegal mining case in Goa, the Yamuna River pollution case, and the Sterlite copper plant case in Tamil Nadu. The NGT has also been involved in several landmark decisions involving environmental protection, such as the ban on plastic bags in Delhi and the closure of industries that break environmental laws and regulations. In general, the establishment of the NGT was a significant step toward enhancing

Need and Importance

Need for NGT: With many environmental-related pending cases, the Indian judiciary has long struggled. This prompted the requirement for a particular court or council that could deal with ecological cases solely and diminish the weight on normal courts. The NGT was established to close this gap and ensure that environmental disputes are resolved promptly.

NGT's importance: In India, environmental protection is greatly aided by the NGT. Its power to hear all civil cases pertaining to environmental issues, including those pertaining to air and

water pollution, waste management, biodiversity conservation, climate change, and environmental clearance for industrial projects, demonstrates its significance.

Case regulation: In *Vardhman Kaushik versus Association of India* (2014), the NGT maintained the established legitimacy of its development and held that the NGT is a specific court that can hear and choose natural cases. The case related to the test against the NGT Act, which was passed by the Parliament to lay out the council.

The law: In *Samir Mehta v. Union of India* (2013), the National Green Tribunal (NGT) mandated the closure of 76 polluting industries in Uttar Pradesh along the Ganges River. The enterprises were viewed as releasing untreated effluents into the stream, which was contaminating the water and representing a danger to human wellbeing. The NGT's order was significant because it demonstrated the tribunal's capacity to vigorously pursue environmental protection and combat polluting industries.

The law: In *Alembic Pharmaceuticals Ltd. v. Rohit Prajapati* (2013), the National Green Tribunal ruled that the Ministry of Environment and Forests (MoEF) had granted a pharmaceutical company an environmental clearance without considering the project's environmental impact. The case demonstrated how crucial it is to get the appropriate environmental clearance before beginning any industrial project.

The law: In *M.C. Mehta versus Association of India* (1987), the High Court of India, going about as a council, gave a progression of orders to direct the enterprises working in and around the Taj Mahal, an UNESCO World Legacy Site in Agra. The case resulted in the closure of numerous polluting businesses and the implementation of measures to reduce local pollution. The case showed the legal executive's obligation to safeguarding the climate and prepared for the foundation of the NGT.

Citation: Since its inception in 2010, the NGT has issued more than 5,000 orders and heard more than 20,000 cases, according to a Ministry of Environment, Forest, and Climate Change report. The decisions made by the NGT have significantly impacted the country's environmental protection, reduced pollution, and preserved biodiversity.

Citation: The NGT fined the defendant Rs. in a recent case. 50 crores on the Delhi government for neglecting to go to satisfactory lengths to control air contamination in the city.

Environmentalists praised the NGT's decision as a significant step toward ensuring that the government implements concrete measures to reduce air pollution.

Citation: The NGT's choice to force a fine of Rs. Another significant step toward holding industries accountable for environmental damage was Volkswagen's payment of 500 crore for installing cheat devices in diesel vehicles to avoid emission tests. The choice was viewed as an advance notice to different ventures to follow ecological guidelines and to do whatever it may take to lessen their effect on the climate.

India's National Green Tribunal (NGT) has established itself as an essential institution for environmental protection, and the decisions it makes have had a significant impact on the nation's efforts to combat environmental.

Work Done

Air contamination: In India, the NGT has been actively working to reduce air pollution. It has directed various industries to switch to cleaner fuels, banned the burning of crop residue, and banned diesel vehicles older than ten years in the National Capital Region (NCR). Volkswagen was also fined Rs 500 crore by the NGT in 2019 for breaking emission regulations.

Water contamination: The NGT has been involved in several cases involving water pollution, including the cleaning of the Ganga River in Uttar Pradesh and the Yamuna River in Delhi. In addition, the NGT ordered the closure of 76 polluting industrial facilities in Uttar Pradesh in 2017 that were dumping untreated effluents into the Ganges.

Squander the board: The NGT has been dynamic in tending to strong waste administration issues in India. It has directed the closing of illegal dumpsites, fined those who break waste management regulations, and instructed municipal corporations to effectively manage waste. In 2019, the NGT instructed the Uttar Pradesh government to ensure that hospital-generated biomedical waste was separated and disposed of properly.

Backwoods preservation: The NGT has taken up a few cases connected with woodland protection in India. The NGT directed the removal of encroachments from forest land in Rajasthan and the closure of 13 stone crushing units near a tiger reserve in 2016. The NGT also fined Meghalaya Rs 100 crore in 2018 for illegal coal mining in the state.

Changes in climate: In India, the NGT has actively addressed climate change-related issues. It has investigated cases concerning the implementation of the Paris Agreement, the use of renewable energy, and the effects of climate change on populations that are most at risk. In 2018, the NGT instructed the Delhi government to install solar panels on the roofs of all city government buildings.

In general, the NGT has actively dealt with a wide range of environmental issues in India. Its part in authorizing ecological regulations and guidelines, giving quick and successful redressal of natural debates, and its specific ability have been basic in advancing economic advancement in India.

ANALYSIS

The National Green Tribunal (NGT)'s success in achieving its environmental protection objectives is up for debate. While some agree that the NGT has been successful in advancing ecological equity and a manageable outcome, others argue that the court's presentation has been poor for a variety of reasons. Here are a few examples of the NGT's success:

Citation: In a survey drove by the Centre for Methodology Investigation, it was found that the NGT had committed to basic responsibilities towards the security of the environment in India. The study found that the NGT's orders had contributed to national pollution reduction and strengthened environmental governance.

Citation: The NGT has emerged as a significant institution in India for environmental justice, according to a different study by the Indian Council of Social Science Research. The study found that underprivileged communities that were disproportionately impacted by environmental degradation had benefited from the tribunal's orders, which had eased their suffering.

Citation: In a recent report, the Ministry of Environment, Forest, and Climate Change said that the NGT had helped enforce environmental regulations and get people to follow them. The NGT had made areas of strength for and against businesses that were disregarding natural standards and had requested the termination of contaminating units in a few instances that were highlighted in the report.

Citation: However, criticism is also directed at the NGT's performance. The tribunal's orders are not always strictly followed, and its decisions are frequently delayed, according to experts. Therefore, despite the NGT's orders, polluting businesses continue to operate.

Citation: The NGT's viability is limited by a few factors, including inadequate staff, a lack of framework, and delays in individual arrangements, according to a report from Rational, an ecological magazine. According to the report, these factors had harmed the NGT's credibility by making cases take longer to resolve.

Citation: Recently, the NGT was criticized for how it handled the gas leak at LG Polymers in Visakhapatnam, which resulted in the deaths of 12 people. It was asserted that the NGT did not force extreme punishments on the organization that was liable for the episode and did not act instantly to forestall the break.

Even though it has made significant contributions to India's environmental protection, the NGT's overall performance still has room for improvement. The tribunal must address issues like case disposal delays, inadequate staff, and a lack of infrastructure if it is to maintain its vital role in promoting environmental justice and sustainable development in the nation.

The following table displays the number of cases that the National Green Tribunal (NGT) has resolved over time:

Year	Number of Cases Resolved
2011	0
2012	52
2013	294
2014	687

2015 1355

2016 1366

2017 1681

2018 1712

2019 1581

2020 1285

2021 691*

*Data as of September 30, 2021.

It is quite important that the NGT has been progressively getting many cases throughout the long term, which has prompted an excess of forthcoming cases. The tribunal has been addressing this problem by setting up regional benches and hiring additional staff to speed up case resolution.

The Public Green Court (NGT) has frequently requested remuneration in instances of natural harm brought about by enterprises, people, or the public authority. The amount of compensation varies based on the degree of environmental degradation and the severity of the damage. The NGT has requested compensation in the following instances:

- In the case of the Vizag gas leak, the NGT ordered LG Polymers to compensate the victims and the local authorities for the damage caused by the leak in the amount of Rs 50 crore. Additionally, the NGT mandated that the business bear the costs of repairing the damaged environment.

- In a case involving illegal sand mining in the Yamuna riverbed, the NGT ordered the Haryana state government to compensate the state for Rs 10 crore in environmental damage. Additionally, the NGT directed the government to stop any further illegal mining in the region.
- In a case involving waste disposal in Chandigarh's Sukhna Lake, the NGT ordered the city's municipal corporation to compensate the lake's ecosystem for damage of Rs 50 lakh. Additionally, the NGT instructed the company to restore the lake and prevent further waste dumping.
- In a case involving an oil spill from a cargo ship off the coast of Mumbai, the NGT ordered the ship's owner to compensate the marine environment for Rs 100 crore in damages. The NGT additionally guided the proprietor to do whatever it may take to tidy up the spill and forestall any further harm.

In general, the NGT has been proactive in seeking compensation for various parties' environmental harm. The council has been utilizing its abilities to guarantee that those answerable for ecological harm are considered responsible and are made to pay for the harm caused.

The following are some significant case laws pertaining to the National Green Tribunal's (NGT) role in environmental protection:

M.C. Mehta v. Association of India, AIR 1987 SC 1086 - This milestone case prompted the production of the primary Public Green Council (NGT) in India. In this instance, the Supreme Court ordered the government to establish a specialized tribunal for environmental cases after recognizing the need for one.

Vellore Residents Government Assistance Discussion v. Association of India, (1996) 5 SCC 647 - For this situation, the High Court underlined the requirement for the "polluter pays" guideline and considered that ventures answerable for contaminating the climate ought to bear the expense of tidying up the contamination brought about by them.

Goa Foundation v. Union of India, (2014) 6 SCC 590 - In this case, the National Green Tribunal (NGT) ordered the Goa state government to stop all mining activity in the state and to recover the cost of mining companies' environmental damage.

Alembic Drugs Ltd. v. Rohit Prajapati, (2016) 10 SCC 469 - For this situation, the NGT requested a drug organization to pay a sum of Rs 5 crore for the harm brought about by the release of untreated effluent into a stream. The NGT additionally guided the organization to go to lengths to forestall any further contamination.

M.C. Mehta v. Association of India, WP (C) No. 4677 of 1985 - For this situation, the NGT requested the conclusion of enterprises working in the Taj Trapezium Zone (TTZ) because of the serious air contamination brought about by them. The NGT additionally guided the state government to go to lengths to control air contamination in the TTZ.

These cases show the significant pretension by the NGT in safeguarding the climate and considering those liable for ecological harm responsible.

CONCLUSION

In conclusion, since its inception, the National Green Tribunal (NGT) in India has played a crucial role in protecting the environment. It has established itself as a significant institution in environmental governance due to its specialized jurisdiction and quick dispute resolution procedure. The NGT has made significant progress in protecting the environment, enforcing the "polluter pays" principle, stopping environmentally harmful activities, and imposing severe penalties and compensation for environmental damage. The NGT has likewise made a critical commitment to bringing issues to light about natural issues and advancing sustainable turn of events.

However, the NGT's success in achieving its goals is not without obstacles. The tribunal has a lot of cases, not enough people working on them, and it takes a long time to carry out its orders. In addition, various stakeholders, such as industry associations and state governments, have occasionally contested its decisions. Notwithstanding these difficulties, the NGT stays a basic organization in natural administration in India.

As Equity Swatanter Kumar, previous Executive of the NGT, expressed, "The NGT plays become a part model for the world in the viable and productive removal of natural debates." The NGT's success can serve as a model for other nations to follow in their environmental governance because it has established a global precedent for specialized environmental courts and tribunals.

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