

Class 37

17.07.2023

Environment Ecology

2 topics

(1) NGT — National Green Tribunal

(2) CRZ — Coastal Regulation Zone

①

NGT

- 1. What? ✓
- 2. Why? ✓
- 3. Structure ✓
- 4. Jurisdiction ✓

① What?

↳ Tribunal → a judicial body (a type of Court)

↓
with limited mandate

① What?

NGT

Purpose

(P.T.O)

a tribunal
to hear the
matters related
to 7 environmental
laws in India

Statutory
Body

(under the
NGT Act, 2010)

est. 18.10.2010

in 2010

India → 3rd
Country

1) Australia

2) NZ

② WHY?

Purpose

To provide
speedy justice

To provide
justice with
specialisation

To reduce
the burden
of litigations
on other Courts

③ Structure

3.1. Locations

HQ: New Delhi

Central: Bhopal

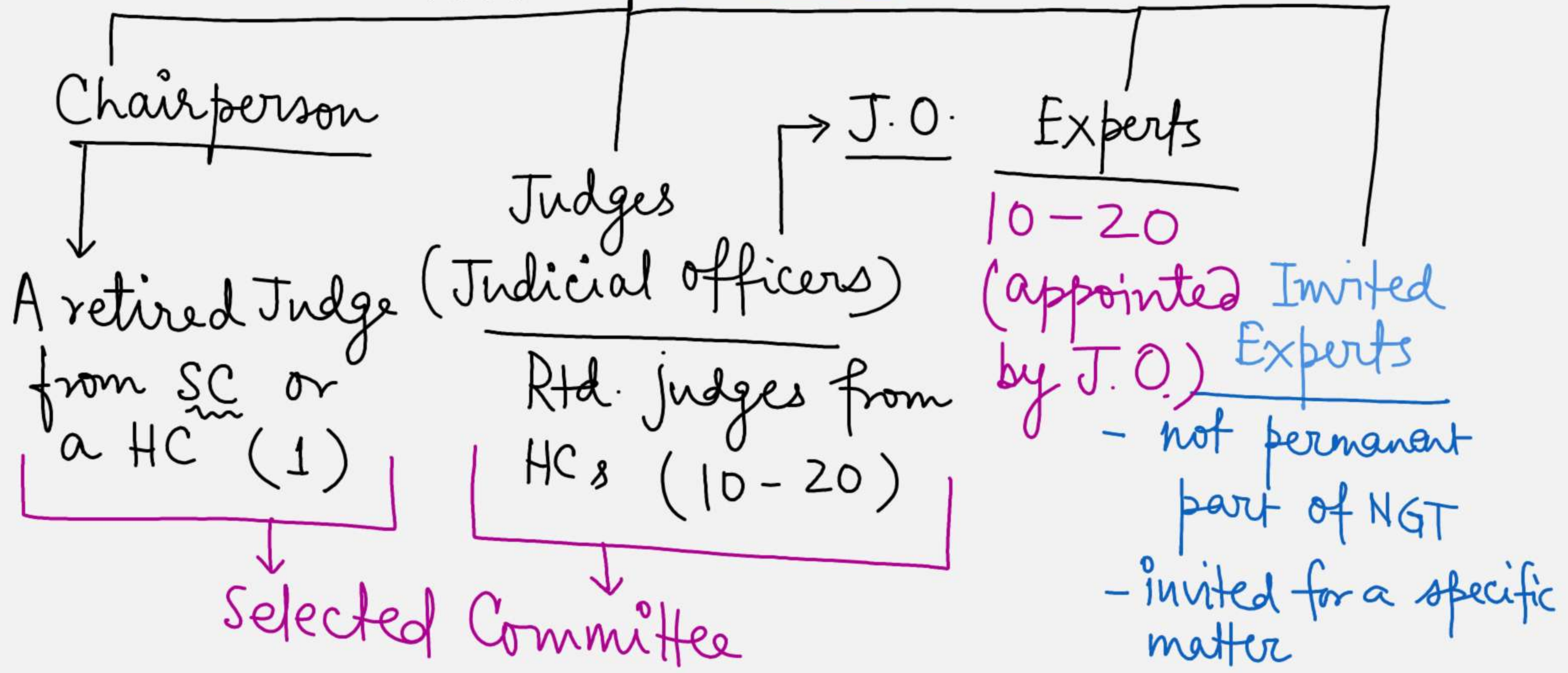
South: Chennai
(also a Bench in Kochchi)

West: Pune

East: Kolkata

4 other locations
of sitting of
the Bench

3.2 Composition



④ Jurisdiction

4. 1. Civil matters related to the

following ⑦ laws:

- | | |
|---|--|
| ① Water (Prevent & Control of Pollution) Act, 1974 | ⑤ EPA, 1986 |
| ② Water (P&C of P) Cess Act, 1977 | ⑥ Public Liability Insurance Act, 1991 |
| ③ Forest (Conservation) Act, 1980 | ⑦ Biological Diversity Act, 2002 |
| ④ Air (Prevention & Control of Pollution) Act, 1981 | |

4.2. 2 types of jurisdiction

Original

→ matter is filed originally before the NGT

Appellate

→ to challenge the decision of a lower Court.

Appeal against an
order of NGT



The SC of
India

4.3. Limitations

Not covering the
following 3 laws

- 1) Indian Forest Act, 1927
- 2) Wildlife (Protection) Act, 1972
- 3) Forest Rights Act, 2006

only Civil
matters
&
NOT
Criminal
matters

4.4. Unique Aspects

- (1) Speedy justice → generally within 6 months
- (2) Governed mainly by the principle of Natural Justice (not necessarily by the CPC, 1908)

③ Provision of punishment
(for non-compliance)

(A) Prison
upto 3 yrs.

(B) Penalty
upto 10 cr.

(C)
A + B

2

Coastal Regulation Zones

CRZ

1) What

2) Why

3) Legal provision

4) Present CRZ

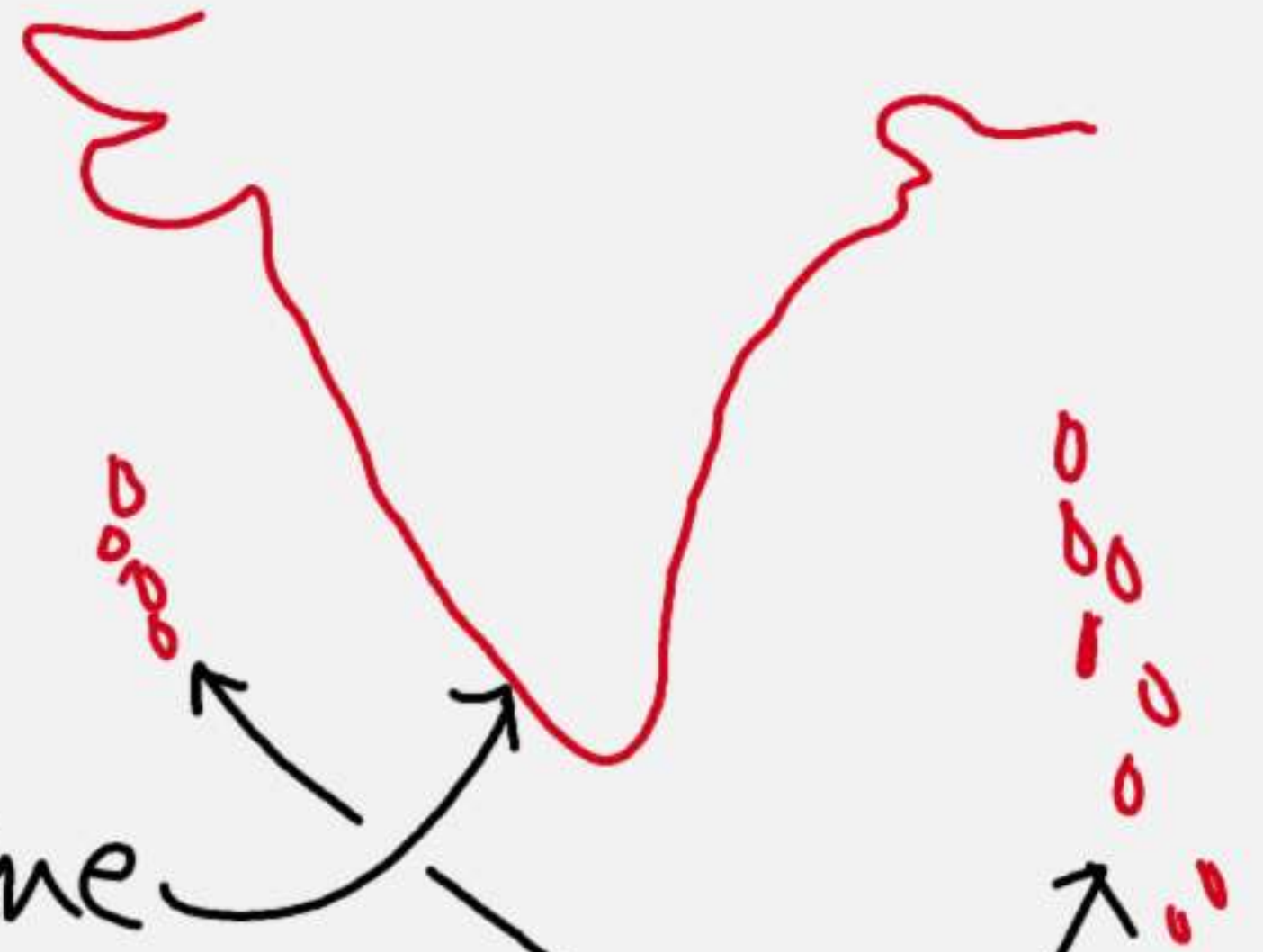
5) Latest Amendment

① What are CRZs

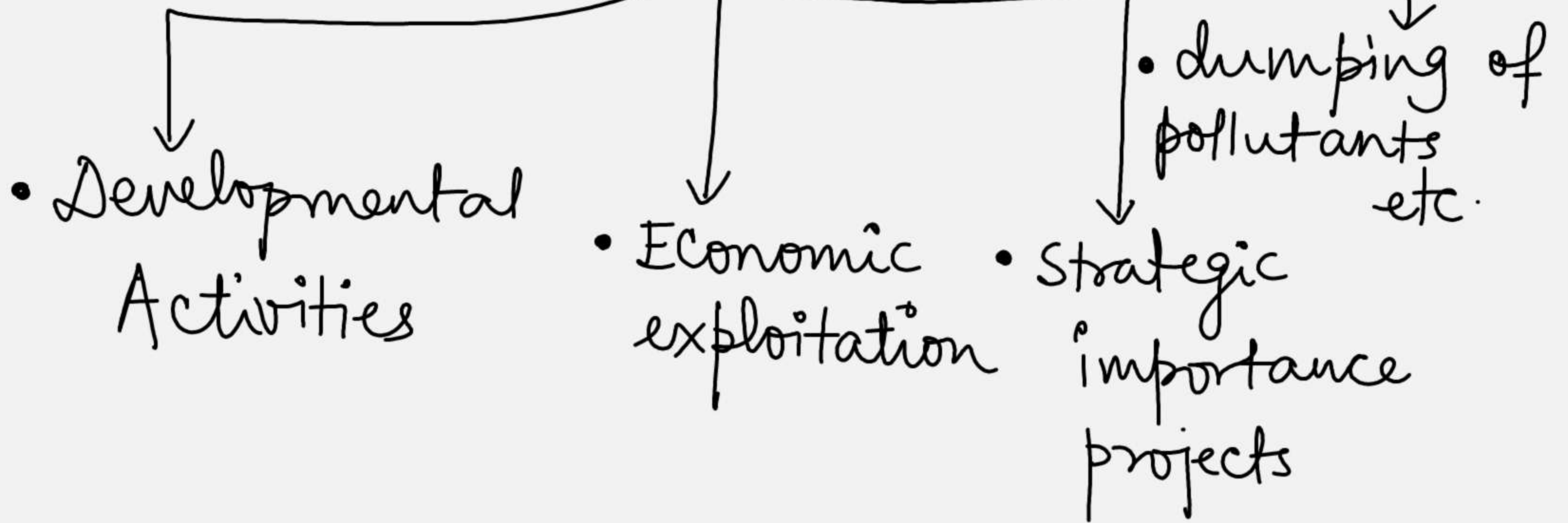
Areas of
specific
regulations
along

• Indian
Coast line

• Indian islands



Regulations about



2. Why

To create a
balance among

3 factors

(1) Protection of Coastal
ecosystem & biodiversity

(2) Economic
& Strategic
use of Coastal
resources

(3) Interests
of Coastal
Communities

3. Legal Provisions

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graph TD; A[3. Legal Provisions] --- B[issued under EPA, 1986]; A --- C[Legally binding]; A --- D[Issued by the Central Govt.]; A --- E[Implemented by State Govts.]
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issued
under
EPA, 1986

Legally
binding

Issued
by the
Central
Govt.

Implemented
by State
Govts.

④ 4 types of CRZs

CRZ I

- most protected
- no construction allowed except projects of National or strategic importance

CRZ-II

- Urban & built-up coastal areas

↳ no sea-ward construction allowed

CRZ-III

- Rural & Not built-up Coastal area

↳ No Dev. zone established (NDZ)

↳ Relaxation for local comm.

CRZ-IV

- Applicable for islands & 12 nautical miles of sea around it.

⑤ Recent Changes

2019 & 2020



→ Based on Shailesh Naik Committee Report

→ Several relaxation given for CRZ II, III & IV

↳ NDZ → reduced to 20 meters

↳ State Govt. → Tourism projects

↳ High populⁿ density CRZ III

↳ Constrⁿ allowed

↳ Greater freedom for infra. projects.