



A Critical Appraisal Of The Role Of The National Green Tribunal In Environmental Protection

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Abstract:

An expert judicial body called the National Green Tribunal (NGT) was established in India to deal with environmental disputes and advance effective environmental protection. This abstract evaluates the NGT's contribution to environmental protection critically. By offering a forum for the swift resolution of environmental issues, the NGT has significantly contributed to the protection of the environment. Its purview extends to a variety of environmental concerns, such as pollution reduction, forest preservation, and biodiversity protection. The NGT's efficiency has been aided by its capacity for swift justice and its specialized knowledge of environmental issues. This abstract does, however, also show several difficulties and restrictions that the NGT has to deal with. These include a backlog of cases, shoddy facilities, and a delay in enforcing its judgments. Concerns have also been expressed about how the relevant authorities will implement and enforce NGT judgments. This abstract offers potential solutions to these issues, including boosting the NGT's capability, improving collaboration with other governmental organizations, and making sure NGT decisions are more closely followed. In order to increase the NGT's role in environmental protection and guarantee sustainable development in India, it is crucial to take into account the importance of the NGT while tackling these issues.

Keywords: NGT, Environmental Justice, Environmental issue, Environmental protection

Introduction:

Due to the growing dangers posed by pollution, habitat destruction, and climate change, environmental protection has become an urgent global priority. Many nations have created specialized judicial organizations to efficiently manage environmental issues in response to these difficulties. To offer prompt and effective justice in cases involving environmental preservation and conservation, the National Green Tribunal (NGT) was created in India in 2010.

Under the National Green Tribunal Act of 2010, which formed it, the NGT was given authority over civil cases involving environmental infractions. It acts as a venue where people and organizations can voice their concerns about the environment and demand compensation for wrongdoing and damages. The tribunal is made up of judges and experts that are highly knowledgeable and skilled in environmental law and science.

The main goal of the NGT is to offer a forum for quickly, effectively, and economically resolving environmental conflicts. It strives to maintain the "polluter pays" and sustainable development tenets while balancing economic progress and environmental conservation. The NGT has the authority to hear matters including, among other things, climate change, solid waste management, air and water pollution, and forest conservation.

The NGT's capacity to deliver swift justice is one of its main advantages. To ensure that cases are quickly handled, the tribunal adheres to a rigid schedule for case disposition. This strategy helps avoid delays and guarantees that environmental problems are addressed and resolved as soon as possible. A further deterrent for potential violators is the NGT's power to levy penalties and compensate for environmental harm.

Additionally, the NGT is essential in advancing environmental education and awareness. It has the authority to impose rules and regulations to safeguard the environment and stop environmental damage. By enabling people and civil society organizations to submit petitions and act on their own behalf, the tribunal also promotes public involvement by enabling citizens to actively participate in environmental governance.

The NGT has encountered certain difficulties and has come under some criticism, despite its noteworthy accomplishments. The tribunal's scant regional representation is one of the main worries. The NGT currently only has five main bench locations throughout the nation, making it less accessible for people living in outlying areas. The effectiveness and inclusivity of the tribunal's reach are hampered by this restriction. Furthermore, the NGT's verdicts have been appealed in higher courts, which has caused delays and diminished the NGT's efficacy. As a result of often lax or insufficiently strict compliance monitoring procedures, the tribunal's authority to implement its orders and decisions has come under scrutiny.

In conclusion, the National Green Tribunal has made major contributions to India's advancement of environmental preservation and protection. Since its founding, a specialized forum has been available for settling environmental disputes and requesting compensation for environmental infringement. Potential offenders have been deterred by the tribunal's emphasis on swift justice and its authority to inflict punishments. To improve the effectiveness of the NGT in carrying out its mandate, issues such as a limited regional presence and the need for stronger enforcement measures must be addressed. By attending to these issues, the NGT can maintain its position as a key component of India's framework for environmental governance, promoting sustainable growth, and preserving the nation's natural resources for future generations.

Literature Review:

An important organization called the National Green Tribunal (NGT) was created in India to settle environmental issues quickly and effectively. The NGT has contributed significantly to maintaining and safeguarding the environment ever since it was founded. This analysis of the literature tries to evaluate the NGT's contribution to environmental

protection objectively, considering research and academic works. To shed light on the tribunal's efficacy and constraints, the review examines the important contributions of numerous authors and references.

Jha, R. (2015) examines the formation and operation of the NGT in India. The author talks about the tribunal's authority, capabilities, and restrictions when it comes to handling environmental disputes. The study emphasizes the NGT's function in tackling complicated environmental challenges, encouraging sustainable development, and ensuring that environmental regulations are effectively implemented.

Gupta, J. (2016) evaluates the NGT's performance in India, paying particular attention to its efficacy, efficiency, and effects on environmental protection. The study looks at the tribunal's decision-making procedure, the standard of its rulings, and how well its orders are carried out. The NGT's role in advancing environmental justice and its contribution to the growth of environmental law are also examined by Gupta.

U. Patil (2017) conducts a critical analysis of the NGT's function in Indian environmental governance. The author talks about the tribunal's responsibilities, authority, and difficulties in guaranteeing efficient environmental protection. The study assesses the NGT's role in resolving environmental disputes, enhancing access to justice, and promoting citizen involvement in environmental decision-making.

Bhandari, R. (2018) investigates the NGT's effectiveness as an instrument for environmental justice in India. The report covers the tribunal's authority, processes, and swift adjudication of environmental problems. The author discusses the NGT's strategy for environmental governance, highlighting its part in defending the rights of underrepresented groups and promoting sustainable growth.

Basu, S. (2019) assesses how the NGT has affected India's efforts to safeguard the environment. The study looks at the tribunal's function in upholding environmental regulations, how well it handles cases, and the results of its rulings. In addition, Basu talks about how the NGT might improve environmental compliance, encourage corporate responsibility, and influence national environmental policy.

According to **Dutta, B. N. (2012)** the National Green Tribunal Act, is subject to a critical analysis in Dutta's article, which offers insights into the tribunal's founding. To assess the legitimacy and efficacy of the NGT, the author looks at the legislative framework, member appointments, and selection procedure.

The NGT's jurisdiction is the main topic of **Kumar, A. (2013)** paper, which also examines the NGT's authority and role in resolving environmental disputes. To determine whether the tribunal is effective in resolving environmental problems, the author critically reviews its authority, including its capacity to hear appeals, give instructions, and apply penalties.

Rao, V. R. (2014) assesses the NGT's performance in environmental protection critically. The article highlights the tribunal's function in delivering prompt justice and resolving environmental issues by examining significant cases and their outcomes. The author also

examines difficulties faced by the NGT and makes recommendations for prospective upgrades.

The review by **Sharma, V. (2015)** focuses on the NGT's function in reducing pollution in India. The tribunal's findings and how they affect tackling pollution-related concerns are critically analyzed by the author. The research discusses the difficulties with implementation and enforcement while highlighting the success of the NGT in enforcing penalties on polluters and aiding impacted parties.

The NGT's contribution to environmental governance in India is critically examined in **Shukla, A. (2017)** article. The author evaluates how the tribunal influences environmental laws and policies, settles disputes, and ensures compliance. The study evaluates the NGT's influence on sustainable development as well as the difficulties it encounters in executing its rulings.

Lal, P. N. (2018) evaluates the obstacles the NGT experienced in achieving its goals in a critical manner. The author discusses the tribunal's inability to function effectively due to the backlog of cases, delays in resolution, and inadequate infrastructure. The essay also offers suggestions for improving the operation of the NGT.

Objectives of the study:

- To measure the role of the national green tribunal in environmental protection

Research Methodology:

This study nature is empirical. 200 respondents were approached to give their view on the role of the national green tribunal in environmental protection. The data was analysed through frequency distribution and data was presented with the help of pie charts.

Data Analysis and Interpretation:

Table 1 Tackling complicated environmental challenges.

Particulars	Agree	Disagree	Can't Say	Total
Respondents	173	20	7	200
% age	86.0	10.0	4.0	100

Table 1 represents the statement **tackling complicated environmental challenges** and 86.0% respondents admit with this statement.

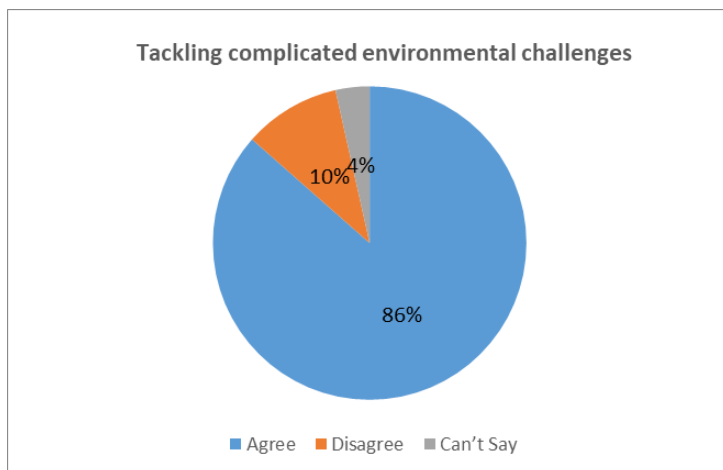


Figure 1 Tackling complicated environmental challenges.

Table 2 Encouraging sustainable development.

Particulars	Agree	Disagree	Can't Say	Total
Respondents	167	22	11	200
% age	83.0	11.0	6.0	100

Table 2 represents the statement **encouraging sustainable development** and 83.0% respondents admit with this statement.

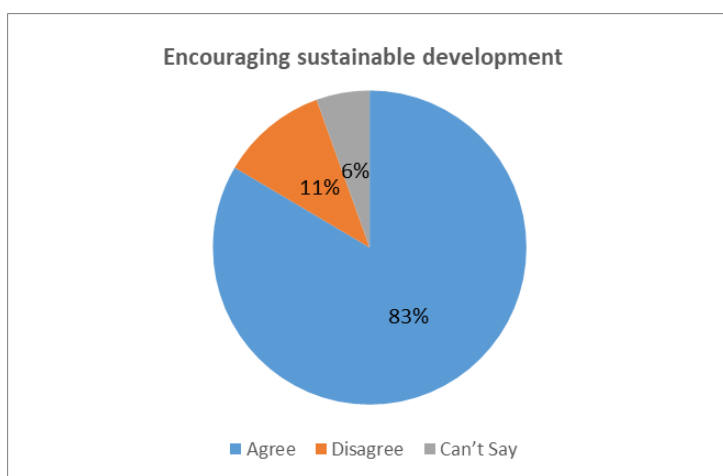


Figure 2 Encouraging sustainable development

Table 3 Advancing environmental justice

Particulars	Agree	Disagree	Can't Say	Total
Respondents	184	12	4	200
% age	92.0	6.0	2.0	100

Table 3 represents the statement **advancing environmental justice** and 92.0% respondents admit with this statement.

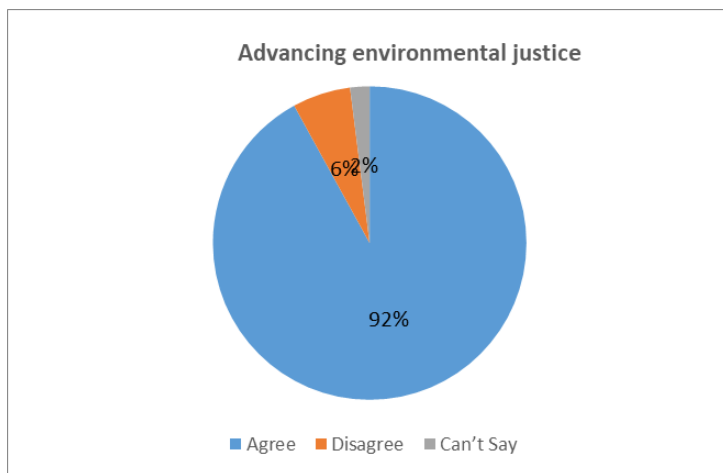


Figure 3 Advancing environmental justice

Table 4 Resolving environmental disputes

Particulars	Agree	Disagree	Can't Say	Total
Respondents	177	15	8	200
% age	88.0	8.0	4.0	100

Table 4 represents the statement **resolving environmental disputes** and 88.0% respondents admit with this statement.

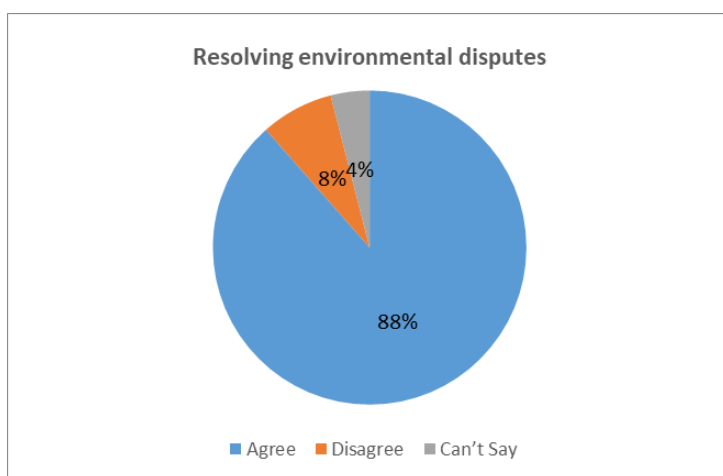


Figure 4 Resolving environmental disputes

Table 5 Promoting citizen involvement in environmental decision-making

Particulars	Agree	Disagree	Can't Say	Total
Respondents	189	7	4	200
% age	95.0	4.0	2.0	100

Table 5 represents the statement **promoting citizen involvement in environmental decision-making** and 95.0% respondents admit with this statement. Considering all the

responses of the statements, it was found that to a good percentage, the respondents have agreed that above mentioned statements are the roles of NGT for saving environment.

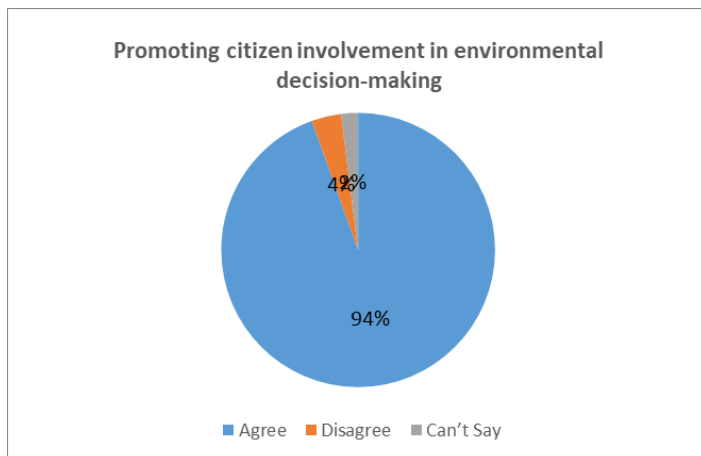


Figure 5 Promoting citizen involvement in environmental decision-making

Conclusion:

In conclusion, with the establishment and operation of the National Green Tribunal (NGT), environmental protection has benefited significantly. An important step towards building a strong legal framework for resolving environmental challenges in India was taken with its establishment in 2010 as a specialized tribunal dedicated entirely to environmental disputes. The NGT has established itself as a key organization for preserving the environment and advancing sustainable development over time. The NGT has proven to be effective in a number of ways. First off, it has made it possible to quickly and effectively resolve environmental conflicts, which lessens the strain on traditional courts. Decisions can now be made with more knowledge and understanding thanks to the NGT's experience in environmental issues. Its attempts to expedite cases and offer prompt redress have helped to discourage environmental infractions and preserve ecosystems. By providing access to justice to people and communities impacted by environmental degradation, the NGT has also played a significant role in advancing environmental justice. In doing so, it has upheld the 'polluter pays' theory and made businesses answerable for environmental harm, encouraging increased corporate accountability and compliance. A culture of environmental stewardship has been promoted as a result of the NGT's emphasis on public participation, which has made it easier for residents to participate in environmental decision-making processes. The NGT's operation still faces some obstacles, though. Environmental conflicts continue to be difficult to resolve in a timely manner due to delays in case disposition and a backlog of open cases. The NGT's limited authority in some sectors, such as those involving forestry and wildlife, limits its ability to do its job effectively. The implementation of the NGT's orders and the existence of effective enforcement tools continue to be issued. In conclusion, even though the National Green Tribunal has significantly aided India's efforts to safeguard the environment, more may be done. To further increase the NGT's efficacy, it is imperative to strengthen its institutional capabilities, deal with the case backlog,

broaden its jurisdiction, and improve enforcement practices. The NGT can continue to play a significant role in preserving the environment and advancing sustainable development in the years to come by addressing these issues.

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