



Supreme Court Judgments / Orders

Supreme Court stays NGT's order pertaining to the fire incident at the Baghjan oil well in Assam

Bonani Kakkar v. Oil India Limited & Ors., Order dated 1 July, 2021¹

A division bench of the Supreme Court of India ("Supreme Court") has stayed the operation of the order passed by the National Green Tribunal ("NGT") in the case pertaining to the issue of fire in the Bhagjan-5 oil well operated by Oil India Ltd. ("OIL") in Assam. Considering the damage and destruction caused to the biodiversity of Dibru Saikhowa National Park and Biosphere Reserve due to the blowout, NGT through the impugned order had constituted three committees: (a) a six-member committee to fix the responsibility for the failures of the concerned individuals present at the incident and to lay down a road map for ensuring compliance of safety protocols; (b) a seven-member committee to enquire into non-compliance with the statutory provisions; and (c) a ten-member committee to assess the damage to and restoration of the National Park and wetland and to take over all surviving issues from the earlier committee.

In the instant case before the Supreme Court, the petitioners contended that the constitution of the aforementioned three Committees will delay the process, and that the ten-member committee constituted for assessing the damage to the environment and remedial restoration plan includes the Managing Director of the OIL which will be a violation of the basic principles of natural justice.

Considering these issues, the Supreme Court has issued notice to the respondents and stayed the operation of this order till the next date of hearing.

Supreme Court stays the NGT order passed in Rourkela Steel Plant Gas leakage case

Rourkela Steel Plant v. Odisha Pollution Control Board & Ors.; Order dated 9 July, 2021²

A division bench of the Supreme Court has stayed the operation of the NGT judgment dated 11 February, 2021 passed in the *suo moto* matter registered by NGT pertaining to the gas leakage accident at the Rourkela Steel Plant.

In the impugned order, NGT had directed the plant to pay compensation to the families / heirs of the persons who died in the gas leakage. It had also constituted an Expert Committee for the purpose of suggesting safety measures to be taken by the industries. The appellant challenged the NGT's judgment on the ground that NGT has no jurisdiction to take up *suo motu* consideration of cases, and that this aspect is pending consideration before the Supreme Court in two appeals. It was also contended that plant has already given compassionate appointments to dependents of three out of four workers who died due to gas leakage.

While staying the NGT's judgment, the Supreme Court has also directed the plant to continue employment of these dependents till further orders.

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Supreme Court dismisses review petitions filed by the State of Goa and Vedanta Limited for review of the judgment cancelling the renewal of mining leases in Goa

Vedanta Ltd. (formerly known as M/s Sesa Sterlite Ltd.) v. The Goa foundation & Ors.; Judgment dated 9 July, 2021³

A division bench of the Supreme Court has dismissed the review petitions filed by the State of Goa and Vedanta Ltd. seeking the review of Supreme Court's judgment in the case of *Goa Foundation vs Sesa Sterlite Limited & Ors.* [SLP(C) No. 32138 / 2015] pronounced on 7 February 2018 which cancelled the measure by the State Government to renew 88 mining leases in Goa.

While dismissing these petitions, the Court observed that there are no cogent grounds for review of its judgment and that petitioners have filed these petitions beyond the limitation period prescribed in the Supreme Court Rules, 2013 without furnishing reasons for such delay. Hence, petitions were dismissed on grounds of limitation as well as merits.

It may be noted that in its judgment passed on 7 February, 2018, the Supreme Court had cancelled the renewal of mining lease granted in 2015 on grounds that these renewals were granted in haste and without application of mind. The Court subsequently called for a fresh auction following scrutiny of environmental clearances and protocols, in accordance with the applicable law. This judgment was passed pursuant to a petition filed by Goa Foundation and others challenging the renewal of these leases.

Supreme refuses to interfere with the NGT order directing Pune Municipal Corporation to take environmental clearance for its mass transport project

Pune Municipal Corporation v. Sarang Yadwadkar & Ors.; Judgment dated 9 July, 2021⁴

A three-judge bench of the Supreme Court has refused to interfere with the judgment passed by the NGT on 2 November, 2020 requiring

the Pune Municipal Corporation to take environmental clearance ("EC") for its High-Capacity Mass Transport Route ("HCMTR") project. Court noted that it found no reason to interfere in the impugned judgment.

It may be noted that the NGT, in its judgment dated 2 November, 2020 had directed the corporation to take prior EC for the project given its mammoth scale and the potential environmental damage embedded in its implementation. The NGT had refused to accept the rapid environmental impact assessment ("EIA") undertaken by the project proponent. HCMTR as proposed by the corporation is a 36 km-long, 80 foot-wide six-lane fully elevated route passing through Pune's most developed areas.

Supreme Court holds that prosecution sanction is not required for initiating prosecution against head of departments in case of offences committed by government departments under the Water Act

Noorulla Khan v. Karnataka State Pollution Control Board and Ors.; Judgment dated 13 July, 2021⁵

A division bench of the Supreme Court has directed that for offences committed by government departments under the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act"), there is a rebuttable presumption for the guilt of the head of such department. In such cases, prosecution can be initiated against the head of department without requiring the sanction for initiating prosecution against public servants as required under Section 197 of Code of Criminal Procedure, 1973. Requiring such sanction before starting the prosecution under Water Act would be contrary to objectives of the deeming legal fiction provided in Section 48 of the Water Act (covering 'offences by Government Departments').

In this case, Supreme Court was considering the appeal against the decision of Karnataka High Court setting aside the order of lower court and holding that governments' sanction would not be required for initiating

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prosecution under Section 48 of the Water Act. High Court had also observed that provisions of the Water Act would have an overriding effect over any other enactment in force.

Supreme Court upholds the NGT order relating to sale and use of firecrackers

Uttar Pradesh Udhog Vyapar Pratinidhi Mandal & Anr. v. Ministry of Environment, Forest and Climate Change & Anr.; Judgment dated 23 July, 2021⁶

A division bench of the Supreme Court has upheld the order passed by the NGT on 1 December, 2020 putting a total ban on sale and use of all kinds of fire crackers during Covid-19 pandemic only in areas where the air quality becomes “poor” or more than poor.

The Court also observed if the air quality of the concerned area is moderate or better, the authorities may permit the sale and use of green fire crackers, as specified in the order itself. It held that no further clarifications are required on this order and hence dismissed the appeals.

In this case, appellants had challenged the NGT’s order on the ground that such order goes against the Supreme Court’s order and prohibits all such activities which the Supreme Court did not even countenance in its directions. However, the Supreme Court found that the order is correct and it does not prohibit manufacturing activities in the concerned area where the air quality falls under poor category, as was alleged by appellants.

High Court Judgments / Orders

Bombay High Court sets aside the circular issued by GSPCB providing that hazardous waste could be recycled only by GSPCB authorised facilities operating in Goa

Shiva Petro-Synth Specialities Ltd. and Ors. v. Goa State Pollution Control Board and Ors.; Judgment dated 5 July, 2021⁷

Bombay High Court (Goa bench) has set aside a circular dated 27 March, 2019 issued by the Goa State Pollution Control (“GSPCB”) which *inter alia* provided that the hazardous waste generators within Goa can engage services of only the GSPCB authorised waste recycling facilities operating in Goa for recycling of certain categories of waste. The High Court found that Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 (“Hazardous Waste Rules”) clearly allow the receipt of hazardous waste in one State and its transportation to another State for recycling, etc. However, this circular contradicts this scenario without providing any substantial reasons.

Besides, the Court also observed that there are no provisions under the Environment

(Protection) Act, 1986 (“EPA”) or Hazardous Waste Rules to grant authority to GSPCB to issue such circular providing blanket restrictions. GSPCB also failed to substantiate the circular with blanket restrictions. The Court also observed that the circular seems to unduly favour one waste recycler based in Goa and held that such circular unduly benefitting only one party will be *ex facie* arbitrary, discriminatory, null and void. On the argument of reasonable restrictions on rights under Article 19(1)(g) of the Constitution of India, the Court held that such restrictions can only be placed by a “law” and not by a circular or resolution. As the impugned circular has no statutory unpinning, it is not “law” for Article 19(6) of the Constitution of India.

In this case, the petitioners had obtained authorization under the Hazardous Waste Rules for receipt and transportation of hazardous waste in the State of Goa and authorizations for recycling of such waste at their facility in the State of Maharashtra. The Petitioners challenged this circular on the ground of being issued without any application of mind and the restriction imposed being *ex facie* arbitrary, unreasonable, and discriminatory.

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Kerala High Court directs the State Government to take action for management of septic and latrine waste

C.V. Sebastian v. State of Kerala and Ors.; Judgment dated 8 July, 2021⁸

The Kerala High Court has directed the Kerala Government, local self-government institutions and other authorities to ensure that no septage waste is dumped in water bodies, paddy fields and other public places in Kerala. Any person dumping the septage waste in water bodies and other places shall be dealt with seriously and appropriately by all the law enforcing agencies, without fail. They should also ensure that the private transporters of septage waste are channelized through the septage treatment plants available in the districts or in the nearby districts.

In this case, the High Court was considering grievance that, despite several representations to authorities, there was indiscriminate and unscientific disposal of latrine and septic tank waste in rivers, canals, roads, paddy fields and other public places. Authorities have also failed to comply with the statutory provisions to regulate the functioning of the agencies collecting latrine and septic tank waste, which is necessary to ensure proper treatment facilities for such waste.

Uttarakhand High Court dismisses PIL seeking cancellation of hydel projects in Rishi Ganga river

Sangram Singh & Ors. v. Union of India & Ors., Judgment dated 14 July, 2021⁹

A division bench of the Uttarakhand High Court has dismissed the Public Interest Litigation ("PIL") filed against the Rishi Ganga, Tapovan-Vishnugarh and another hydel power project in Chamoli's Rishi Ganga river. It needs to be noted that these hydro power projects were affected by the flood caused by the glacial outburst in Chamoli district, Uttarakhand in 2021.

While dismissing this PIL, the High Court noted that it was not convinced with the *bona fide* of the petitioners in this case. There is no evidence of petitioners being social activists. Observing that the PIL seems to be highly motivated which has been filed at the behest of an unknown person or entity, the Court called this as an abuse of its PIL jurisdiction. Hence, cost of INR 10,000 was imposed on each petitioner.

Madras High Court stays the SOP issued by MoEFCC to deal with cases of violation under EIA Notification

Fatima v. Union of India; Order dated 15 July, 2021¹⁰

Madras High Court has stayed the operation of Standard Operating Procedure ("SOP") issued by the Ministry of Environment, Forest and Climate Change ("MoEFCC") to deal with cases of violation under the Environment Impact Assessment Notification, 2006 ("EIA Notification"). This SOP lays down a regulatory framework for authorities to take actions and / or regularize the projects that have commenced (for new projects) or expanded (for existing projects) without obtaining prior EC from relevant authority.

However, the detailed order has not yet been uploaded on the website of the High Court.

Sikkim High Court directs Central Ground Water Authority to record reasons for granting ground water extraction certificate

In re- Discharge of Effluents by Pharma Companies situated at Singtam; Order dated 27 July, 2021¹¹

The Sikkim High Court has observed that being a statutory body constituted under EPA, the Central Ground Water Board ("CGWB") should record satisfaction and assign reasons for granting certificate to extract groundwater. The High Court observed that no-objection certificate provided by CGWB do not explain the reasons for granting them. While certain

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conditions have been prescribed in these permissions, CGWB has failed to show the steps taken by it to ensure compliance with these conditions or whether it has conducted verification / inspection as to how much water has been extracted by industries. Without such measures, CGWB has noted its satisfaction related to compliance. Besides, High Court also observed that permissions granted by CGWB henceforth shall be subject to orders in this petition.

In this case, the High Court was considering the permissions granted by CGWB and reasons thereof to pharma companies to extract ground water for industrial operations regardless of availability of ground water in Sikkim.

Karnataka High Court holds the consent to establish granted by KSPCB to a port expansion project illegal and vitiated

Baithkol Bandharu Nirashrithara v. Chief Executive Officer, Karnataka Maritime Board; Judgment dated 29 July, 2021¹²

Karnataka High Court has set aside the consent to establish (“CTE”) granted by Karnataka State Pollution Control Board (“KSPCB”) to a port expansion project in Karnataka. In this regard, the Court found that KSPCB failed to make detailed inquiry about the project while considering the application for CTE under the Air (Prevention and Control of pollution) Act, 1981 (“Air Act”) and the Water Act. No material was produced for showing the discussion by KSPCB on the conditions to be imposed on the project for controlling pollution. Hence, CTE was found to be vitiated due to non-application of mind and non-consideration

of the relevant factors. KSPCB was directed to redo the exercise afresh.

In this case, the High Court was considering writ petitions filed under Article 226 of the Constitution of India for challenging the environmental clearance granted for expansion of the existing Karwar Port in Uttara Kannada district, Karnataka. The petitioners had also challenged the CTE granted by KSPCB. Moreover, issues related to adverse impacts of this project on environment were also raised before the Court.

The High Court observed that concerned project falls in Category B under EIA Notification based on its proposed capacity after expansion and as the project site is not an eco-sensitive zone as notified under the EPA, general conditions in the Schedule to EIA Notification will not apply. Hence, State Environment Impact Assessment Authority (“SEIAA”) had authority to grant the EC. Moreover, High Court accepted its jurisdiction to adjudicate these issues as it raised several interlinked issues including challenge to the EC, CTE, violation of fundamental rights under Article 19 and 21 of Constitution of India, loss of livelihood of petitioners, adverse impacts on the environment, etc. Accordingly, objection of existence of alternate remedy was rejected by the Court.

Additionally, the High Court also directed that it is the statutory obligation of the State Government to ensure that all the terms and conditions in CTE and EC are scrupulously followed and implemented, and SEIAA and KSPCB are required to keep a strict vigil to ensure this.

National Green Tribunal Judgment / Order

NGT directs M/s Jindal Saw Ltd. to deposit compensation for damage to property of local residents due to unscientific blasting and mining in Bhilwada, Rajasthan

Balkrishan Vyas v. State of Rajasthan; Judgment dated 1 July, 2021¹³

A five-member bench of the NGT has directed the M/s Jindal Saw Ltd. operating in Bhilwada, Rajasthan to pay compensation amounting to INR 0.1 million to each of 375 persons affected

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by blasting activities undertaken by it for mining. Accordingly, it directed the company to deposit INR 40 million to District Magistrate, Bhilwada, where the remaining amount after payment of compensation to affected persons will be used for ecological restoration.

In this case, NGT was considering an application seeking remedial action against illegal blasting and mining by M/s Jindal Saw Ltd. in Bhilwada, Rajasthan resulting in damage to number of houses in the vicinity. The Report submitted by Rajasthan State Pollution Control Board ("RSPCB") noted that 375 building structures have developed cracks in the area as a result of local shaking and vibrations. However, such cracks could not be definitely attributed to blasting but since no other reasons for such vibrations and cracks could be found, the NGT made a reasonable inference that unscientific blasting has caused such damage.

Accordingly, NGT directed the RSPCB and Department of Mining and Safety to lay down suitable regulatory measures to ensure blasting activities take place in a scientific manner and regular monitoring of compliances is also undertaken.

NGT rejects the challenge to the constitution of a joint committee by it without issue of formal notice to respondents

Harminder Singh & Anr. v. Union of India & Ors.; Order dated 2 July, 2021¹⁴

A five-member bench of the NGT has directed the joint committee constituted by it earlier to submit a supplementary report to look into the allegations against the residential complex project constructed by respondents obstructing natural flow of a river and diverting its flow to another place. Committee was also asked to provide the remedial measures in this respect.

In this case, NGT was considering an application related to obstruction of the natural flow of river Sisvan by filling up and closing a part of it in village Bharoujjan and diverting it to another place nearby in village

Kansala, District SAS Nagar, Mohali. The joint committee constituted by the NGT submitted its report wherein it found the allegations of the diversion and obstruction of the river to be true. It also found that these aspects were ignored while granting the EC to the project. However, the report did not elaborate on the issue with respect to village Kansala. Hence, it was directed to submit a supplementary report.

Respondents sought to challenge the constitution of the committee without a formal notice to respondents on ground of violation of principles of natural justice. However, NGT referred to precedents of the Supreme Court to justify that context of the principles of natural justice depends on facts and circumstances of the case. The constitution of a committee to provide a report without issuing a formal notice has not prejudiced the respondents in any manner as they were duly associated in all proceedings before NGT and also appeared before the committee before its report was prepared.

NGT directs Additional Chief Secretary, Uttar Pradesh to submit compliance report related to sand mining

Raj Kumar v. State of U.P. & Ors.; order dated 2 July, 2021¹⁵

A five-member bench of the NGT has directed the Additional Chief Secretary, Mining, Uttar Pradesh to submit a report providing the compliance status with directions issued by the NGT relating to sand mining in the State. In this case, NGT was considering an application relating to illegal mining in Banda district of Uttar Pradesh. Applicant contended that the mining is in violation of Sustainable Sand Mining Management Guidelines, 2016 and Enforcement and Monitoring Guidelines for Sand Mining, 2020 and binding orders of the NGT.

NGT directs PPCB to take strict action against the industrial units operating in violation of environmental laws

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Lakhwinder Singh v. State of Punjab; Order dated 2 July, 2021¹⁶

A five-member bench of the NGT has directed the Punjab Pollution Control Board (“PPCB”) to take strict actions against industries that have consistently failed to comply with environmental laws. When the industrial unit was found to be non-compliant in the report submitted by the joint committee, NGT held that PPCB has to perform its statutory obligation to close the unit as per law till compliances are ensured. For the past violations, accountability has to be fixed in terms of compensation. In case of failure to take actions, Chairman of PPCB will be personally liable.

In this case, NGT was considering the application relating to violation of environmental norms by M/s K.R.B.L. Ltd. which is in the business of manufacturing rice, rice bran oil, furfural and other related products in Punjab. The committee found several deficiencies in the operation of the industrial unit.

NGT directs MPPCB to take action against illegal sand mining

Taaran Taran Digamber Jain Teerthakshetra Nisai Ji Trust v. State of Madhya Pradesh and Ors.; Judgment dated 5 July, 2021¹⁷

A two-member bench of the NGT has directed the Madhya Pradesh Pollution Control Board (“MPPCB”) to take action against persons indulged in illegal sand mining in Betwa river of Madhya Pradesh. The NGT noted that authorities had made surprise inspection visit at the alleged place of mining and found certain persons indulged in illegal sand mining. Accordingly, the NGT directed MPPCB to take necessary action for the calculation and realization of environmental compensation for illegal sand mining, as per report submitted by the Collector, District Ashok Nagar. Such amount deposited in the MPPCB fund may be utilized for the restoration of the environment.

In this case, the NGT was considering an application for controlling illegal sand mining

(including river sand mining) and updating enforcement and monitoring mechanism to control and regulate illegal sand mining in Betwa river.

NGT directs Rajasthan authorities to comply with guidelines related to activities in eco-sensitive zone of Sariska Tiger Reserve and prevent illegal mining therein

Mukesh Sharma v. State of Rajasthan and Ors.; Order dated 7 July, 2021¹⁸

NGT has directed Rajasthan authorities to ensure that no activities which are prohibited under the MoEFCC guidelines and Supreme Court’s judgments takes place within the 10 km periphery of Sariska Tiger Reserve, Rajasthan. It also directed the Rajasthan State Pollution Control Board (“RSPCB”) to take necessary steps and recover environmental compensation from the offenders. The authorities have been directed to file further action taken report in this regard.

In this case, the NGT was considering the issue of illegal mining in the pasture land situated within 10 km periphery of Sariska Tiger Reserve of village Baldevgarh, District Alwar in Rajasthan. It was contended that the area in question falls in the eco-sensitive zone of the Sariska Tiger Reserve. Since the eco-sensitive zone of the Sariska Tiger Reserve has not yet been notified, the 10 km area from its boundary has to be kept as buffer zone and no mining activities can be permitted in the area in question.

NGT directs meeting of authorities for the protection of elephants on railway lines

In re: News item published in The Hindu, dated 29.05.2021 titled “Night, early morning trains cause most elephant deaths”; Order dated 8 July, 2021¹⁹

A five-member bench of the NGT has directed the Central Monitoring Committee constituted by MoEFCC to coordinate with Railways, States of Tamil Nadu and Kerala and Wildlife Institute

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of India to work out necessary modalities for protecting elephants from being killed by the railway passing through ecologically sensitive areas.

In this case, NGT took *suo motu* cognizance of the matter of killing of elephants by railways passing through the Western Ghats between Kottekad and Madukkarai. The NGT passed these directions after considering the report of State of Tamil Nadu explaining the steps taken for protection of elephants on such routes. The MoEFCC had constituted the Central Monitoring Committee after the Supreme Court direction in *Vidya Athreya & Anr v. Union of India & Ors. [Writ Petition (C) No. 275 of 2015]* and *Prerna Singh Bindra & Ors v. Union of India & Ors. [Writ Petition (C) No. 489 of 2018]*.

NGT directs Railways to take preventive measures to control pollution from the proposed coal yard

Sanjay Namdeo v. Union of India and Ors.; Judgment dated 8 July, 2021²⁰

A division bench of the NGT has directed the Railways to obtain mandatory permission from SPCB for operation of railway siding and comply with guidelines issued by the Central Pollution Control Board (“CPCB”) to provide screen of adequate length and width on both sides of railway siding. It has also been directed to undertake certain measures such as mixed type jet sprinkler, waste water treatment facility, zero liquid discharge and green belt to control the potential pollution that may be caused during operation of railway siding.

In this case, NGT was considering an application against the proposal by the Railway to establish a coal yard for loading and unloading coal in the Bargawan Railway Station. It was contended that such yard will not only become a health hazard to local population but also ruin the economy. To determine this case, NGT discussed the principle of ‘environmental rule of law’ and emphasised that no development is possible without some adverse effect on the ecology

and environment, and the projects of public utility cannot be abandoned. Hence it is necessary to adjust the interest of the people as well as the necessity to maintain the environment.

NGT directs all states and UTs to prepare District Environment Plans by 31 October, 2021

Shree Nath Sharma v. Union of India & Ors.; Order 9 July, 2021²¹

A five-member bench of the NGT has directed the chief secretaries of all the States and Union Territories (“UTs”) to ensure completion of District Environment Plans by October 31, 2021. These plans should cover different areas of environment like waste management, water quality, sewage treatment, air quality, mining, noise pollution, etc. These plans have also been directed to contain data on each environmental issue covering each city, town and village, and to provide review mechanisms, extent of compliance, execution plans and targets. The States then shall consolidate these plans to prepare respective State Environment Plans which shall be uploaded on their websites.

While expressing its dissatisfaction over the lack of seriousness shown by all the States / UTs over this subject, NGT observed that there is a dire need for compiling information on vital environmental issues and planning to address the gaps in compliances.

In this case, the NGT was considering an application for measures to check pollution in Sujanganga river in Rajasthan. The NGT observed that these measures don’t require one-time action but there is need for effective and functional mechanism for continuous planning and monitoring in terms of mandate of the Constitution. Accordingly, the NGT directed all State governments to ensure all their districts have District Environmental Plans describing current status on environmental issues, desirable level of compliance to be achieved, identifying gaps in current status and desired levels, methodology and means to address such gaps and persons responsible for compliance. These district

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plans would then to be used for preparing State and National level environmental plans.

NGT issues directions in the matter concerning encroachment of forest land by Medanta hospital in Gurugram

Sarv Jan Kalyan Sewa Samiti v. Union of India & Ors.; Judgment dated 13 July, 2021²²

A four-member of the NGT has directed Haryana Shehari Vikas Parishad (“HSVP”) to pay compensation equal to five times of the net present value and also the compensatory afforestation charges for illegally acquiring the protected forest land and selling to Medanta Hospital through auction. Besides, the NGT has also directed the Medanta hospital to provide an alternative land in lieu of the forest land proposed to be diverted for non-forest purposes.

In this case, the NGT was considering an application concerning the use of protected forest land for non-forest purposes in violation of the Forest (Conservation) Act, 1980 (“FCA”). Applicant contended that HSVP illegally acquired this land and sold it to Medanta through auction without following the process of FCA. Out of total area of forest land, i.e. 5530 sq. yards, Medanta has agreed to surrender 3200 sq. yards. Whereas, for the remaining 2330 sq. yards, Medanta has stated that surrender is not possible as it will lead to closure of the hospital as electricity stations have been set up on that land. Hence, proposal for ex post facto diversion of 2330 sq. yards of forest land is currently pending before the MoEFCC which has granted the Stage – I clearance for such diversion.

The NGT noted that, while on principle, original position should be restored and protected forest should be maintained as such. However, given the irreversible situation in this case, proposal pending before MoEFCC for diversion of the remaining forest land need not be interfered with. However, conditions for such diversion should provide for payment of compensatory afforestation by Medanta. It should also provide that Medanta will give alternative equal land, at its cost, for forest purposes in lieu of the land allowed to be diverted which will be used

exclusively for forest purposes by the forest department. Such alternative land offered should be suitable for the purpose and such suitability may be finally decided by the forest department as per law.

The NGT also observed that this case should not be used as a precedent in future and such arrangement should not be considered as condonation of illegality done by authorities. It should be ensured that such instances are not repeated in future as such arrangement can never result in satisfactory solution and irretrievably result in the failure of law.

NGT directs authorities in Haryana to ensure that no illegal sand mining takes place in Sonipat

Krishan Chander v. Union of India & Ors.; order dated 14 July, 2021²³

A four-member bench of the NGT has directed statutory authorities in Haryana to ensure that no illegal sand mining takes place in Sonipat. For past cases of illegal mining, the NGT has issued directions to various authorities for recovery of adequate compensation from offenders, setting up of monitoring mechanism to prevent such mining in future, preparation and execution of a restoration plan, and taking actions against erring officials who submitted a false report before NGT that there was no illegal mining. In this case, NGT was considering an application seeking remedial actions against illegal mining by respondents involving diversion of the natural flow of river by digging a man-made pit i.e. 20 ft. deep and 1 km long and making a bund to stop the natural river flow.

NGT had constituted the committee to submit an action taken report on this aspect. The report showed that the mining was going on and natural flow of river was disturbed through embankments. It found that illegal mining continued for 824 days, sand bund was illegally erected, instream mining was done and river flow was illegally diverted. However, in the earlier report filed on 8 October, 2020, Haryana SPCB (“HSPCB”) falsely reported that there was no violation.

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Based on this, NGT held that continuation of mining for three years without any action by the statutory authorities shows failure of the statutory regulatory mechanism. Hence, remedial actions need to be taken. It also held that the compensation for illegal mining should take into account the value of mined material, cost of restoration of damage to the environment and cost of ecological services forgone forever, apart from deterrent element where violations are continuing.

NGT directs States of Rajasthan and Punjab to prevent pollution in Satluj and Beas rivers

Yuva Mandal Sansthan Mithdiya v. State of Punjab & Ors.; Judgment dated 14 July, 2021²⁴

A four-member bench of the NGT has directed States of Rajasthan and Punjab to ensure continuous monitoring to prevent pollution in Satluj and Beas rivers. The NGT noted that the same issue has been considered earlier by the NGT in *Sobha Singh & Ors. v. State of Punjab & Ors.* [Original Application No. 101/201 and Original Application No. 916/2018] wherein the NGT had issued directions. However, state authorities need to ensure compliance with these directions. The NGT directed the Chief Secretary, Punjab to take initiative in the matter in coordination with the River Rejuvenation Committee, and directed the Ministry of Jal Shakti to take follow up action in this matter in coordination with the concerned States. Quarterly compliance report for remedial actions taken are also required to be provided by State Governments to the committee.

In this case, NGT was considering an application concerning issue of pollution in Satluj and Beas rivers in States of Punjab and Rajasthan which has severely impacted the lives of people staying around the Indira Gandhi canal in Rajasthan.

NGT directs joint committee to submit another report regarding illegal dumping of garbage and waste in Gurugram

Rajender Singh v. State of Haryana & Ors.; Order dated 15 July, 2021²⁵

A four-member bench of the NGT has directed the joint committee comprising members of HSPCB and Deputy Commissioner, Gurgaon to submit another report concerning the issue of illegal dumping of waste and garbage in Gurugram. In its previous order, the NGT had directed the committee to submit an action taken report. The report was submitted, but, it did not provide how much was the quantity of the waste, source thereof, information about other sites in the area and in what manner such waste has been disposed of. The NGT noted that the compliance of the Solid Waste Management Rules, 2016 was also not mentioned in the report.

In this case, NGT was considering an application against the illegal dumping of garbage and waste in the Panchayat land in village Nawada Fatehpur in District Gurugram. Applicant contended that unscientific dumping of garbage is affecting the ground water which is the source of drinking water in the region.

NGT directs Haryana Government to ensure waste management in Gurugram and prevent burning of waste at the landfill site

Poonam Yadav v. M/s. Ecogreen Energy Pvt. Ltd. & Ors.; Order dated 19 July, 2021²⁶

A five-member bench of the NGT has directed the State of Haryana to comply with waste management rules and prevent burning of waste at the landfill site in Gurugram which is causing serious health hazards for residents in the region.

In this case, the NGT was considering an application filed due to the failure of authorities to maintain environmental norms in handling Bandhwari landfill site at Gurugram. It was submitted that waste management project had to be developed but adequate steps have not been taken in this regard. The waste burning at the landfill causes air pollution which has potential to affect not only the inhabitants but also the Asola Bhati Wildlife Sanctuary.

NGT observed that there appears to be serious lapses and continuing failure on the part of the authorities of the State of Haryana

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in performing constitutional obligation of providing clean environment and upholding the rule of law. Hence, NGT constituted a three-member committee to visit the site, interact with the stakeholders and take assistance from any other individual / institution and give its report within one month. It also directed the Chief Secretary, Haryana to give response within one month thereafter about remedial action taken to comply with the law and steps taken against erring officers for failure for long time to remedy the situation resulting into such ugly situation.

NGT directs Madhya Pradesh authorities to take action to prevent pollution of river and other water bodies in Bhopal

Subhash C. Pandey v. Chief Secretary, State of Madhya Pradesh; Judgment dated 19 July, 2021²⁷

A division bench of the NGT has directed the state authorities to remove encroachments around the course of river Kaliasote and to ensure that no domestic sewage or industrial effluent is discharged into the river. In case it is found that untreated sewage / untreated water is being discharged in water bodies, MPPCB should calculate, assess and realise the environmental compensation according to the parameter laid down by the CPCB.

It further directed the State Monitoring Committee to prepare the action plan to deal with various aspects of pollution of river and water bodies. It may also monitor the setting up of biodiversity parks, wetlands and other alternative measures to reduce the pollution load. It should also ensure that the treated sewage water is utilised for secondary purposes.

In this case, the NGT was considering the grievance related to inaction on the part of the respondents in failing to implement the mandate of 33 metres no construction zone as well as maintaining 33 metres green belt area from the boundary of the river Kaliasote in Bhopal and consequently causing harm to the environment. The construction and real estate development projects have also not ensured

compliance in this regard. Applicant also contended that non-implementation of the sewage and municipal solid waste disposal laws is giving rise to the pollution in the river.

NGT constitutes a joint committee to assess groundwater contamination in Punjab

H. C. Arora v. State of Punjab & Ors.; Order dated 20 July, 2021²⁸

A five-member bench of the NGT has constituted a five-member joint committee to assess the situation of groundwater contamination in Sangrur district, Punjab and suggest remedial measures to be taken. In this case, the NGT was considering an application filed against the failure of state authorities to take remedial measures against contamination of ground water in village Aloarakh, District Sangrur, Punjab. It was contended that the ground water in the region is contaminated and coloured water is coming out of the tube-wells which has potential for damage to the public health.

NGT directs WBPCB to initiate action to ensure compliance with biomedical waste management rules by hospitals

Subrato Mookherjee v. West Bengal Pollution Control Board and Ors.; Order dated 22 July, 2021²⁹

A division bench of the NGT has directed the CPCB and West Bengal Pollution Control Board ("WBPCB") to regularly monitor the hospitals so as to ensure that they are complying with Bio-Medical Waste Management Rules, 2016 ("BMW Rules"). It also directed that the effluent treatment plants should be installed for facilities wherever required. For hospitals not complying with BMW Rules, environmental compensation should be recovered from them.

In this case, NGT was considering the application alleging that respondents are operating their nursing homes without following the BMW Rules relating to disposal of medical waste. While the case was initially filed against twelve private hospitals in

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Kolkata, during the course of proceedings, the NGT issued several directions for remedying the situation and reports were called for from the WBPCB. Later, seventeen hospitals including five Government hospitals were impleaded as parties to proceedings of this case.

NGT had constituted a joint committee to assess the compliance of BMW Rules by hospitals which in its report found many hospitals not complying with BMW Rules.

NGT imposes INR 0.1 million cost on PPCB for non-compliance with its earlier orders

Beant Singh Bajwa, President, National Anti-Corruption Council v. State of Punjab; Order dated 29 July, 2021³⁰

A four-member bench of the NGT has imposed the cost of INR 0.1 million on PPCB for failure to comply with its orders and take actions against the polluting industry in Barnala, Punjab.

In this case, the NGT was considering an application for non-compliance with directions passed by the NGT in its earlier orders in this case as per which *inter alia* the PPCB was required to take actions against the polluting industry for violation of environmental laws. However, in these proceedings, the NGT found that neither such actions have taken nor any explanation has been furnished by PPCB in this regard. Due to this unexplained delay in ensuring compliance, the NGT imposed the cost of INR 0.1 million on PPCB which need to be deposited with CPCB. Besides, it also directed PPCB to ensure adequate compliance with its orders and file compliance report with respect to actions taken against the polluter.

NGT sets aside the EC granted to Godrej Properties for real estate project in Bangalore

H.P. Ranjanna v. Union of India & Ors.; Judgment dated 30 July, 2021³¹

A five-member of the NGT has set aside the EC granted to a real estate project in the vicinity of the buffer zone of Kaikondarahalli Lake and Kasavanahalli Lake in Bengaluru, Karnataka. Besides, the NGT has also directed the

demolition of construction done at the project site being in violation of environmental laws. It has also directed the project proponent to pay the compensation at 10% of the project cost, i.e., INR 310 million for restoration of the project area as per the restoration plan to be prepared by State authorities. Besides, it levied the compensation of INR 1 million on Bengaluru Municipal authority for illegally granting permissions to the project; and the litigation cost of INR 2 million on the project proponent to be deposited with CPCB which shall be used for protection and preservation of the environment.

In this case, the NGT was considering an appeal filed against the EC granted by SEIAA, Karnataka to a real estate project in Bengaluru. The NGT observed that project proponent had submitted incorrect and incomplete information to SEIAA to obtain EC. The proponent disclosed material information like built-up area differently in different documents, as it found suitable, apparently to avoid deeper scrutiny by authorities. This was deliberately done to change the category of the project under EIA Notification from A to B. Accordingly, NGT observed that SEIAA was not competent to grant EC to this project.

Besides, NGT also found that proponent did not disclose complete information about the construction of the project in the buffer zone of Kaikondarahalli Lake and Kasavanahalli Lake (both are identified as wetlands). NGT found that substantial area of buffer zone of lake has been claimed by proponent for development of park and open space in the project which will abut the lake. Accordingly, the proponent also violated laws related to wetlands.

The NGT also found other critical deficiencies in this case: there was no disclosure in application for EC about flora and fauna around the project site and impacts thereon due to construction; SEIAA had made no inspection / site visit or further inquiry before granting the EC; Consent for Establishment ("C FE") was granted by KSPCB without detailed verification and scrutiny and its inspection officer merely proceeded with information and data provided by proponent; and proponent had commenced the construction activities before the EC was granted.

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Regulatory and Policy Developments

MoEFCC issues SOP for identification and handling of violation cases under the EIA Notification, 2006 in compliance with the NGT order; 7 July, 2021³²

In compliance with various judgments of the Supreme Court and NGT directing the MoEFCC to deal with cases of violation of EIA Notification, 2006, the MoEFCC has issued Standard Operating Procedure (“SOP”) for identification and handling of violation cases under the EIA Notification, 2006.

SOP has defined ‘violation’ cases as instances where a person has either commenced the new project or expanded the existing project without obtaining prior EC. The SOP has also laid down guiding principles related to different violation cases as: projects that are not permissible will be demolished; and projects that are permissible will be either closed until prior EC is obtained or reverted to the permitted production level until prior EC for expansion is taken. SOP lays down the steps to be taken to deal with following cases: if no prior EC has been taken; if prior EC is not taken for existing / old unit; and if prior EC was not required earlier but is now required.

SOP also provides that the appraisal of violation cases would be done to assess if the project is permissible altogether. If found not permissible, construction will be demolished. If found permissible, projects would be required to obtain EC from regulatory authorities and undertake steps like damage assessment, remedial plan and community augmentation plan, as per the instructions of regulatory authorities. SOP also prescribes the penalty for such projects based on their period of non-compliance and turnover, however, such penalties will be halved if the project proponent *suo moto* reports cases of its violations.

Additionally, SOP has also issued various directions to CPCB and SPCBs for identification of violation cases so as to bring such projects into the regulatory regime.

MoEFCC issues guidelines for transfer of forest clearances for mining leases allotted

to new lessee as per the provisions of the Mines and Minerals (Development and Regulation) Amendment Act, 2021; 7 July, 2021³³

In light of the notification of the Mines and Minerals (Development and Regulation) Amendment Act, 2021, MoEFCC has issued guidelines under Forest (Conservation) Act, 1980 (“FCA”) related to the transfer of forest clearance to new lessees of mines.

These guidelines stipulate that the forest clearance for a mining lease can be transferred in the name of new lessees subject to certain conditions. Some of these conditions include:

- Complete compliance with terms and conditions in the forest clearance by the previous allottee. Any non-compliance of such conditions will be transferred as liabilities to the new allottee and such compliance should be ensured before the forest land is handed over to the new allottee.
- In case of violation of any of the conditions done during the tenure of previous allottee constituting offence under the FCA, the penal action will be taken only against the previous allottee and not the new allottee.
- Approval under FCA was valid on the date of expiry of previous lease.
- Mining operations will be restricted to the forest area for which approval under FCA has been obtained by the erstwhile user agency. No non-forest use of such forest lands falling within the lease shall be allowed, for which approval under FCA has not been obtained by the State Government. Mining in such areas may be allowed only after obtaining prior approval of the Central Government under FCA.
- The State Government shall ensure that the amount of net present value, safety zone plantation and compensatory afforestation (“CA”), if not deposited earlier, has been deposited prior to handing over of the forest land to the new allottee. Also, in case the CA land has not been made available previously, the forest land shall be handed over to the new

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allocattee only after the corresponding CA land has been accepted by the competent authority as per the extant procedures for acceptance of CA lands for a new proposal.

- Transfer of approvals to new allocattee may be accorded by the concerned State Government / UT Administration subject to fulfilment of conditions / provisions stipulated in the relevant guidelines of the MoEFCC.

CPCB extends the validity of recognition of environmental laboratories; 9 July, 2021³⁴

In light of COVID-19 situation, CPCB has extended till 30 October, 2021 the validity (one-time extension) of recognition of all government and private environmental laboratories, whose recognition under EPA expired between March, 2021 to June, 2021. The same terms and conditions shall continue to apply on these laboratories.

MoEFCC constitutes the SEIAA and SEAC for the State of Manipur; 12 July, 2021³⁵

MoEFCC has notified the constitution of SEIAA and State Expert Appraisal Committee ("SEAC") for the State of Manipur under the EIA Notification. As per this notification, the Chairman and Members of the said authorities will hold office for a term of three years from the date of publication of this notification in the Official Gazette.

MoEFCC amends the EIA Notification to align it with the Mines and Minerals (Development and Regulation) Amendment Act, 2021; 13 July, 2021³⁶

In line with amendments done in 2021 to Mines and Minerals (Development and Regulation) Act, 1957 related to the transfer of valid approvals or clearances to the new lessee subsequent to the transfer of mining lease, MoEFCC has now amended the EIA Notification to provide that the new lessee should be deemed to have acquired the prior EC (subsequent to the transfer of mining lease) for the remaining period of validity of such clearance as calculated from the initial date of grant of the clearance. However, this is subject to the new lessee registering online on PARIVESH portal along with an undertaking to comply with all the conditions of the transferred environmental clearance.

Earlier, after the transfer of mining lease, it was lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee for a period of two years from the date of commencement of the new lease or till the new lessee obtains a fresh environmental clearance, whichever is earlier. It was also required that the new lessee shall apply and obtain prior EC from the regulatory authority within a period of two years from the date of grant of new lease.

Maharashtra Government releases the EV Policy, 2021 to incentivize electric vehicle; 13 July, 2021³⁷

Maharashtra Government has released the Electric Vehicle ("EV") Policy, 2021 focussing on both public and private transport infrastructure. It aims to make 10% of newly registered vehicles in its major cities to be electric ones by 2025. It also targets to set up around 2,500 charging stations in seven urban agglomerates in the next four years. It also offers rebates for installation of charging facilities on private property.

As per the policy, the state government will give demand and supply side incentives to generate demand and incentivize production of such vehicles. For buyers, policy offers certain basic subsidy on all kinds of EVs depending on the capacity of the battery installed, however, the maximum incentive has been capped for different categories of vehicles. The policy also offers an early bird discount for vehicles bought before December 31, 2021. All EVs sold in the State will also be exempted from the payment of road tax and registration charges.

Government has also announced that it will incentivise setup of EV production facilities, advanced chemistry cell battery factories, EV component manufacturing plants in the State. It also targets setting up at least one gigafactory in the State and a facility for manufacturing of hydrogen fuel cells.

Government approves the MoU with Russia on cooperation regarding coking coal; 14 July, 2021³⁸

Union Cabinet has approved the Memorandum

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of Understanding (“MoU”) between India and Russian Federation on cooperation regarding coking coal, which is used for steel making. As per the official release, this MoU will benefit the entire steel sector by reducing their input cost. It will also provide an institutional mechanism for co-operation in the coking coal sector between India and Russia. The objectives of the MoU is to strengthen cooperation between India and Russia in the steel sector. The activities involved in the cooperation are aimed at diversifying source of coking coal.

Karnataka Government releases Electric Bike Taxi Scheme, 2021; 14 July, 2021³⁹

Karnataka Government has released the Electric Bike Taxi Scheme, 2021 to provide for the operation of bike taxis or bike taxi agencies. The user would be required to obtain registration to operate electric bikes as taxis in the State which shall be valid for a period of five years.

The policy is applicable only to electric bikes (motorcycles) and have to comply with various conditions prescribed in the policy such as distance between origin and destination, colour of the driver’s helmet, etc.

MoEFCC amends the EIA Notification to provide relief to API manufacturers; 16 July, 2021⁴⁰

In view of the COVID-19 pandemic and the requirement to expedite drug manufacturing, MoEFCC has amended the EIA Notification (as amended on 27 March, 2020) wherein it was notified that all proposals for projects or activities in respect of Active Pharmaceutical Ingredients (“API”), received up to 30 September, 2020, shall be appraised as Category ‘B2’ projects. Subsequently, this period was extended by six months from 30 September, 2020 to 30 March, 2021 through a notification dated 15 October, 2020.

Now, the MoEFCC has determined to provide another window to API manufacturers in view of the second wave of COVID-19 pandemic and continued requirement of expeditious drug manufacturing. Accordingly, EIA Notification has been further amended to provide that all proposals for projects or activities in

respect of API, received from 16 July, 2021 to 31 December, 2021, shall be appraised as Category ‘B2’ projects.

Rajasthan announces the release of Rajasthan Electric Vehicle Policy, 2021 offering incentives for electric vehicles buyers; 16 July, 2021⁴¹

Rajasthan Government has announced the release of the Electric Vehicle Policy, 2021 to subsidise customers of electric vehicles. As per the policy, customers will be offered the reimbursement of State Goods and Services Tax (amounting to 2.5% of the vehicle cost) besides a one-time incentive between INR 5,000 and INR 20,000 based on the battery capacity of the vehicle. This is valid for vehicles sold from April 1, 2021, until March 31, 2022 in Rajasthan. Between the said period, while the tax reimbursement will be applicable for all electric vehicles, the one-time benefit will be applicable only for electric two and three wheeler vehicles.

It also provides that these incentives are over and above those announced by the Central Government under its flagship phase-2 of the Faster Adoption and Manufacturing of Hybrid and Electric Vehicles (FAME-2) scheme. Recently, Central Government had also doubled the subsidy on two and three wheelers under FAME-2 to improve their demand among consumers.

Ministry of Power releases various initiatives for ensuring energy efficiency in buildings; 16 July, 2021⁴²

In order to promote energy efficiency measures in buildings sector in India, Ministry of Power has released various initiatives under the programme “Aiming for Sustainable Habitat: New Initiatives in Building Energy Efficiency 2021”. The initiatives taken in this include: (a) Eco Niwas Samhita 2021 and Online Compliance Tool; (b) Revised version of Energy Conservation Building Code, 2017; (c) web-based platform ‘The Handbook of Replicable Designs for Energy Efficient Residential Buildings’ as a learning tool, which can be used to create a pool of ready-to-use resources of replicable designs to construct energy-efficient homes in India; (c) online directory of building materials that

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would envisage the process of establishing standards for energy efficient building materials; and (d) Online Star Rating tool for energy efficient Homes to improve energy-efficiency and reduce energy consumption in individual homes.

This initiative will be implemented by Bureau of Energy Efficiency under the Ministry of Power.

China launches the online carbon trading market; 16 July, 2021⁴³

China has launched online trading on its carbon trading market which will initially cover more than 2200 companies in the power sector which are responsible for 14 per cent of the global greenhouse gas emissions [or 40-50 per cent of the country's greenhouse gas ("GHG") emissions]. It is expected that, over time, other major emitters will also be added to the market such as airlines, building materials industry and iron and steel makers.

China has announced that the step is meant to help curb worsening pollution in China and meeting its targets under the Paris Agreement, 2015. As per news reports, these companies were assigned emission targets in the beginning of the year. After trading, they would be required to submit compliance to government authorities by end of the year. Companies that over-performed and have surplus targets in hand will sell them in this market, whereas, those polluting more than emission targets will have to buy the carbon credits to submit their compliance statement.

IOC to build India's first green hydrogen plant at Mathura; 20 July, 2021⁴⁴

Indian Oil Corporation Ltd. ("IOC") has announced that it will build the India's first 'green hydrogen' plant at its Mathura refinery, in view of its future strategy to cater to the growing demand for both oil and cleaner forms of energy.

Previously, projects have been announced to produce 'grey hydrogen' using fossil fuels such as natural gas. Hydrogen, in itself, is a clean fuel but manufacturing it is energy-intensive and has carbon by-products. Brown hydrogen is created through coal gasification while the process of producing grey hydrogen throws

off carbon waste. Blue hydrogen uses carbon capture and storage for the greenhouse gases produced in the creation of grey hydrogen. Green hydrogen production - the ultimate clean hydrogen resource - uses renewable energy to create hydrogen fuel.

Kandla SEZ in Gujarat becomes the first Green SEZ in India; 26 July, 2021⁴⁵

Kandla Special Economic Zone ("SEZ") has been awarded the Green Cities Platinum Rating by the Indian Green Building Council of the Confederation of Indian Industry. It has become the first SEZ to be awarded such rating and is a part of Governments' Green SEZ Mission.

Government launches the calculator for GHG emissions in the logistics sector; 28 July, 2021⁴⁶

In order to reduce the environmental impacts of the logistics sector, Government has launched the GHG emission calculator. This calculator is an efficient, user-friendly tool and provides for calculating and comparing GHG emissions across different modes used for transport. It allows for commodity-wise comparison of GHG emissions and total cost of transportation, including their environmental cost, between movement by road and rail. The tool is intended to facilitate appropriate modal choice for the sector and would promote green and sustainable logistics by helping to determine the modal choice based on environmental costs estimates.

NTPC REL invites tender to set up India's first Green Hydrogen Fuelling Station in Leh; 29 July, 2021⁴⁷

NTPC Renewable Energy Ltd. ("NTPC REL"), NTPC Ltd.'s wholly owned subsidiary has invited a domestic tender to set up India's first Green Hydrogen Fuelling Station in Leh, Ladakh. The sale of bid documents would commence from 31st July, 2021.

This tender is followed by the recent tender floated by NTPC Vidyut Vyapar Nigam Limited ("NVVN") for procurement of Fuel Cell Buses for Ladakh. It may be noted that NTPC REL and NVVN are set to jointly execute the Green Hydrogen Mobility Project in the Union Territory of Ladakh for which a MoU has been signed with Ladakh administration. They have

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also announced a dedicated 1.25 MW Solar plant in Leh to make the Hydrogen Fuelling Station completely green.

MoEFCC issues notifications regarding ESZ around different protected areas in India; July, 2021

MoEFCC has issued several notifications regarding declaration of Eco-Sensitive Zones ("ESZ") around different protected areas in India. It has issued draft ESZ notification for the Nandini Wildlife Sanctuary (District Jammu in the Union Territory of Jammu & Kashmir)⁴⁸; Rupi Bhaba Wildlife Sanctuary (Nuchar sub-division of Kinnaur district in

Himachal Pradesh)⁴⁹ and Nokrek National Park (East Garo Hills, West Garo Hills and South Garo Hills Districts of Meghalaya)⁵⁰.

Besides, it has also issued the final ESZ notification for Kugti Wildlife Sanctuary located in Chamba district of Himachal Pradesh.⁵¹

Moreover, MoEFCC has also amended the ESZ notified around the Valmiki Wildlife Sanctuary, Valmiki National Park and Valmiki Tiger Reserve in the State of Bihar considering the Bihar govt's request regarding the same.⁵²

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