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Supreme Court Judgments / Orders

Supreme Court directs State of Odisha to implement Comprehensive Wildlife Management Plan in the ESZ around Kuldiha Wildlife Sanctuary before allowing mining in the area

Binay Kumar Dalei & Ors. v. State of Odisha & Ors.; Judgment dated 02 March, 2022¹

The Supreme Court of India (“Supreme Court”) has directed State of Odisha to implement Comprehensive Wildlife Management Plan in the Eco-Sensitive Zone (“ESZ”) around Kuldiha Wildlife Sanctuary, Odisha. The State was also directed to complete the process of declaration of the traditional elephant corridor as a conservation reserve under Section 36A of the Wildlife (Protection) Act, 1972.

In this case, Supreme Court was considering the appeal against an order passed by the National Green Tribunal (“NGT”) to stop mining activities in the vicinity of Hadgarh - Kuldiha - Similipal Elephant Corridor in Odisha. The area in the vicinity of mining activities was declared as an ESZ by MoEFCC, which also covered the corridor used by elephants linking Kuldiha Wildlife Sanctuary of Balasore district and Hadgarh Wildlife Sanctuary of Keonjhar district.

The Court noted the submissions of the original applicant before NGT that mining activity cannot be permitted in the vicinity of ESZ unless the Comprehensive Wildlife Management Plan is implemented under the Act, as suggested by the Standing Committee of National Board for Wildlife while recommending these mining activities in the ESZ. Accordingly, Court directed the State Government to ensure these aspects before mining operations can be permitted.

Supreme Court dismisses appeal challenging grant of EC for being barred by limitation

Raza Ahmad v. State of Chhattisgarh & Ors.; Judgment dated 07 March, 2022²

The Supreme Court has dismissed an appeal filed to challenge an Environmental Clearance (“EC”) on the ground of it being barred by limitation. The Court observed that EC was issued on 1 May 2008, prior to the enforcement of the National Green Tribunal Act, 2010 (“NGT Act”) but the appellant took no steps to challenge it. In its judgment dated 02 August, 2013 passed in the appeal challenging this EC, the NGT had dismissed the appeal as barred by limitation.

The appellant further submitted that it had also challenged the State Government’s notification before the NGT under which the use of the said land was changed to industrial purpose. NGT stated that it has no jurisdiction under the NGT Act to entertain challenge to such notification altering the land use. Supreme Court noted that the challenge to this notification will be within the NGT’s jurisdiction as the land use change will violate a condition prescribed in the EC. In this respect, the Court remitted the matter back to NGT to determine whether challenge to the notification can be entertained considering the statutory limitation prescribed under the NGT Act.

Supreme Court sets aside NGT order directing closure of units operating without prior EC

M/s Pahwa Plastics Pvt. Ltd. & Anr. v. Dastak NGO & Ors.; Judgment dated 25 March, 2022³

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The Supreme Court has set aside an order passed by the NGT directing that the manufacturing units of the appellants, which did not have prior EC, not be allowed to operate until the EC is granted. The Supreme Court has provided relief to such units that were operating after obtaining Consent to Establish (“CTE”) and Consent to Operate (“CTO”) from the Haryana State Pollution Control Board (“HSPCB”) and had filed applications for *ex post facto* EC.

The Court noted that at the time of granting consents, HSPCB was not certain whether prior EC was required for appellant’s units. The EC was therefore not taken. HSPCB later issued an order stating that the appellant is operating without prior EC and in violation of the law. However, it was granted time to obtain the EC and continue its operations in the meantime. The appellant applied for the EC pursuant to notifications issued by Ministry of Environment, Forest, and Climate Change (“MoEFCC”) allowing *ex post facto* approval but the NGT directed it to

stop operations.

The Court noted that units provide livelihood to 8,000 employees and have a huge annual turnover. It cannot be closed only on the ground of the technical irregularity of not obtaining prior EC irrespective of whether the unit causes pollution or not. *Ex post facto* EC should not ordinarily be granted, but it can be granted in exceptional circumstances considering all relevant environmental factors. Where the adverse consequences of its denial outweigh the consequences of regularization of operations by its grant, *ex post facto* approval should be given in accordance with law if the unit otherwise conforms to the requisite pollution norms.

In this case, appellant was operating units to manufacture and sale basic organic chemicals, namely, formaldehyde. The NGT had directed closure of these units as they were operating without prior EC.

High Court Judgments / Orders

[Bombay High Court allows Tata Power to implement power transmission line project passing through mangrove buffer zone in Mumbai](#)

[Tata Power Company Limited & Ors. v. Union of India & Ors.; Judgment dated 02 March, 2022⁴](#)

The High Court of Bombay has directed Government authorities to permit petitioners including Tata Power Company Ltd. to implement the project for 220 KV transmission line between Kalwa and Salsette. The Court noted that petitioners have requisite initial permissions including CRZ clearance and Stage-I forest clearance. The Court noted that the project will pass through the mangrove buffer zone in Mumbai. They have undertaken the EIA study regarding the possible impact of the project on mangroves in the existing right of way, and compliance with mitigation measures suggested in the report will be ensured. The Court observed that destruction of forest/mangroves can only be permitted for a project which is necessary for public good and is a project of *bonafide* public utility. It noted that electricity supply is an essential service under the Essential Services Maintenance Act, 1968.

It has become a necessity in modern life and hence this project is of public importance.

[Kerala High Court prohibits sand dredging activities in Valapattanam river without requisite clearances](#)

[Suo Motu v. State of Kerala & Ors.; Judgment dated 04 March, 2022⁵](#)

The Kerala High Court has observed that any dredging activity and washing and cleaning of sand so dredged should not be done without requisite clearances/permissions under the law. In this case, the Court considered whether the permission/consent of the Kerala Coastal Zone Management Authority and the Kerala State Pollution Control Board (“KSPCB”) were required to conduct dredging and cleaning of dredged sand.

The Court observed that Coastal Regulation Zone (“CRZ”) Notification, 2011 mandates an EIA study to be conducted by the Kerala State Maritime Board for this activity. The matter should then be placed before the Coastal Zone Management Authority for its permission. This is a mandatory requirement before carrying out even manual dredging operations in the

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port area. The Court further directed the KSPCB to immediately inspect the site and issue directions for abating the nuisance and the pollution caused due to the washing of sand by the riverside. The inspection report earlier filed by KSPCB had noted that solid waste containing seashells and other stone particles was dumped at the site.

This Public Interest Litigation was filed against illegal sand mining being carried out by Kerala State Maritime Board and the Port Conservator in Valapattanam river under the pretext of channel clearing for Azheekal Port in Kannur District by dredging.

Meghalaya High Court directs Chief Secretary, Meghalaya to stop illegal coal mining in the State

In Re Suo Motu Illegal Mining of Coal in the State of Meghalaya v. State of Meghalaya; Order dated 07 March, 2022⁶

The High Court of Meghalaya has observed that the Chief Secretary is responsible for implementing judicial directions and he/she remains obliged to ensure that all illegal mining activities are stopped without further ado or delay. The Court noted that during site visit in the area, they observed huge mounds of freshly mined coal and evidence of rampant coal mining being undertaken in the area. Although reports have been filed by the Chief Secretary and the Director General of Police indicating some remedial actions, directions issued by the Supreme Court, NGT and recommendations of the committee constituted by the NGT have not been adhered to. The Court observed that State Government officials have failed in their duty to prevent rampant mining.

National Green Tribunal Judgments / Orders

NGT directs company handling solid waste management in Pune to pay interim compensation of INR 12.5 crore

Anand Uttarkar & Ors. v. The Municipal Corporation of the City of Pune & Ors.; Order dated 03 March, 2022⁷

NGT has directed a company handling solid waste management in Pune to pay interim compensation of INR 12.5 crore for past violations of applicable waste management rules and for future remedial actions. NGT had constituted a committee to inspect the project which found various violations at the project site. The legacy waste was also found at the site. NGT noted that the project is currently not operational and therefore it needs to consider the company's liability for past violations and remedial action for scientific handling of the solid waste in future. NGT also referred to the directions issued in *Bhagwan Laxman Bhadale v. The Commissioner Pune Municipal Corporation & Ors.*⁸, for remediation of the legacy waste in an expeditious and scientific manner.

In this case, NGT was considering the issue of violation of environmental norms by Rochem Separations Systems Pvt. Ltd. at Pune in the matter of handling and disposal of solid waste under a contract from the Pune Municipal Corporation.

NGT directs authorities to comply with the committee recommendations in firecracker accident case

In Re: News item published in The News Indian Express dated 12.02.2021 titled "At least 19 dead in Virudhunagar firecracker factory blast, more than 30 injured"; Order dated 03 March, 2022⁹

NGT has directed the Chief Secretary, Tamil Nadu to hold a meeting with all relevant stakeholders for undertaking remedial actions to prevent future recurrence of fire incidents at firecracker industries. NGT also accepted the recommendations provided by the committee constituted by it. It directed the authorities to comply with these recommendations and to study the carrying capacity of the area to sustain the extent of such activities having regard to the potential for accidental, occupational and environmental hazards.

In this case, NGT took *suo motu* cognizance of the fire incident and remedial action against violation of environmental norms in the operation of firecracker factories in Virudhunagar, Tamil Nadu, resulting in an incident on 12 February, 2021 wherein 19 persons died and 30 were injured.

NGT directs railway contractors to pay interim compensation of INR 20 crore for illegal mining in forest area

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Sasee Bhoosan Patnaik v. State of Odisha & Ors.; Order dated 07 March, 2022¹⁰

NGT has directed two companies working to execute construction projects for a railway line in Odisha to pay interim compensation of INR 20 crore for mining in forest area without permissions. Such mining activities have degraded the environment for which environmental compensation has to be recovered. The law does not provide any exemption for mining in execution of railway projects.

While the NGT imposed an interim compensation of INR 20 Crore, it constituted a joint committee to determine the final compensation. In this case, NGT was considering grievances against illegal extraction of soil/morrum/earth and other minor minerals by M/s Woodhill Hillways and M/s Hillways Construction Company Pvt. Ltd, who are contractors for Indian Railways, in connection with construction of earth bed of Angul – Duburi-Sukinda Railway line in Odisha.

NGT directs Jammu & Kashmir authorities to take steps to clean river Doodh Ganga and pay interim compensation of INR 3 crore for restoration of environment

Raja Muzaffar Bhat v. Union of India & Ors.; Order dated 08 March, 2022¹¹

NGT has directed the Chief Secretary, Jammu & Kashmir to take immediate remedial action for cleaning of river Doodh Ganga and Mamath Kull and initiate coercive action against erring officials. It also directed the authorities to pay interim compensation of INR 3 crore for restoration of environment. NGT observed that Government authorities are obliged to take appropriate measures to prevent pollution of the river and other violations of environmental norms and to determine the source of funding in this regard.

In this case, the application raised the issues of failure to prevent illegal mining, discharge of sewage and dumping of solid waste into river Doodh Ganga and Mamath Kull in violation of the provisions of Water (Prevention and Control of Pollution) Act, 1974 and the binding judgments of the Supreme Court and NGT.

NGT upholds the amendment in EC issued to Jindal Power Ltd. for thermal power generation

Ramesh Agarwal v. Union of India & Ors.; Order dated 09 March, 2022¹²

NGT has upheld the amendment in EC for change in location of fly ash dyke for thermal power plant. NGT observed that Expert Appraisal Committee (“EAC”) had duly considered the data/information provided in Environment Impact Assessment (“EIA”) reports. These reports provided relevant details about the proposal and there was no deliberate concealment of information or misinformation. There was also due application of mind by EAC. The objections raised in the appeal regarding change in location of ash dyke were also raised before the EAC, which provided its recommendations after considering these objections. Accordingly, there is no illegality in this amendment.

In this case, appellant challenged the approval of MoEFCC to amend the EC issued to Jindal Power Ltd. for thermal power generation. The said EC issued to company approved the area and location of ash dyke, however, company sought to amend the EC seeking a change in its location due to the approved area being a part of another coal mine.

NGT upholds the EC issued for coal mine expansion in Singrauli and Sonebhadra districts

Bhudsen Rathore v. Union of India & Ors.; Order dated 09 March, 2022¹³

NGT has upheld the EC issued by MoEFCC for expansion of production capacity of a coal mine in Singrauli, Madhya Pradesh and Sonebhadra, Uttar Pradesh. NGT observed that the EIA report prepared by the project proponent was sufficient and complete. The updated data was provided in this report. The aspects related to natural drainage, water balance, air pollution, impact of blasting, noise, vibration etc. were also duly considered. Public hearing was also conducted as per the prescribed procedure. It further observed that EAC had duly considered these information / datapoints and provided its recommendation. In this case, appellant challenged the grant of EC for expansion of mine from 17.50 MTPA to 25 MTPA.

NGT directs SPCBs to ensure compliance by brick kilns in NCR

Dinesh Chahal & Ors. v. Union of India & Ors.; Order dated 10 March, 2022¹⁴

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NGT has passed an order regarding the operation of brick kilns in the National Capital Region ("NCR") wherein it has discussed various issues relating to brick kilns including permissibility of FCBTK (fixed chimney bull's trench kiln) technology kilns, use of agro fuel and carrying capacity of air quality to sustain brick kiln activities in NCR and nearby areas. It has also referred to its previous order passed in the case of *Utkarsh Panwar v. Central Pollution Control Board & Ors.*¹⁵

Based on the current expert report and the expert study report mentioned in the earlier order, NGT directed State Pollution Control Boards ("SPCBs") to comply with these aspects while granting consents under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. It further directed them to strictly comply with the notification dated 22 February, 2022 issued by MoEFCC regarding revised emission standards for brick kilns, technology to be used and conversion of existing brick kilns to new technology. It also directed that in view of changing air quality levels in NCR, expert studies need to be undertaken periodically.

In this case, applicant had raised concerns regarding statutory orders extending time limit for adoption of zig-zag technology by brick kilns in NCR without any scientific study on carrying capacity for such activity and without any safeguards.

NGT dismisses an application seeking permission to use coal gasification technology in industries in Morbi, Gujarat

Babubhai R. Saini v. Gujarat Pollution Control Board & Ors.; Order dated 10 March, 2022¹⁶

NGT has dismissed a miscellaneous application filed by industrial units in Morbi, Gujarat to permit usage of coal gasification technology. NGT observed that directions were previously issued to industries to shift to cleaner fuels for combustion. It noted that the area in question is highly polluted, and as per the Precautionary Principle, only proven environmentally benign activities can be allowed in such areas. Such experiments cannot be permitted that will endanger the lives of people. The technology in question is not proven to be environmentally benign. It also has the potential to cause air pollution in the area which will result in loss of health and lives of inhabitants.

In this case, the application was originally filed to raise grievances against the severe pollution in Morbi, Gujarat due to the operation of ceramic, silicate and frit industries in the area.

NGT directs project proponent to pay around INR 94 lakhs for commencing construction without prior EC and CTO

Ankur Sharma v. State of West Bengal & Ors.; 14 March, 2022¹⁷

NGT has directed a project proponent to pay around INR 94 lakhs to West Bengal Pollution Control Board ("WBPCB") as penalty and environmental compensation for commencing construction on the site without obtaining prior EC and CTE/CTO from the WBPCB. NGT had constituted a committee to inspect the project site. The committee observed violations by the project proponent. It accordingly recommended environmental compensation for the violations. NGT thereby ordered the proponent to stop construction until requisite permissions are obtained.

In this case, the applicant had alleged that the proponent is constructing 'Swayam City' project in West Bengal without prior EC and CTO from relevant authorities.

NGT directs Taj Trapezium Authority and state government authorities to prepare a remedial plan for preventing over-extraction of groundwater in Agra

Ashok v. Uttar Pradesh Pollution Control Board; Order dated 16 March, 2022¹⁸

NGT has directed the Taj Trapezium Zone Pollution (Prevention and Control) Authority, SPCB and other relevant departments to prepare a remedial action plan for groundwater conservation in Agra, in light of the sustainable development principle. NGT had constituted a joint committee to assess the applicant's allegations. As per the committee's report, some units were found operational while others were shut. They were extracting groundwater without any permission as they were exempted by the State Government.

NGT observed that these industries may be small but blanket exemption from taking prior permission for extraction of groundwater in water scarce areas will adversely affect the right of other people to drink potable water.

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In the present case, industries were also not ensuring replenishment of groundwater. Such blanket exemption, as per NGT, was against the binding judicial precedents and thus cannot be sustained. NGT observed that the exemption should be revisited in light of the law laid down by the Supreme Court and in the interest of the protection of environment and public health, and it should be put on hold till then.

In this case, applicant alleged that stone crushers and other industries are operating in District Agra, Uttar Pradesh in violation of environmental norms.

NGT dismisses application alleging illegal utilisation of fly ash for reclamation of low-lying areas

Roshni Patel v. Union of India & Ors.; Order dated 21 March, 2022¹⁹

NGT has dismissed an application alleging that Hazira Freight Container Station Pvt. Ltd. ("HCFS") and M/s. Essar Steel India Ltd. (now Arcelor Mittal Nippon Steel India Limited ("AMNS")) are carrying out construction in CRZ-1B area in violation of Coastal Regulation Zone Notification, 2019. NGT observed that the area in question does not fall in CRZ-1B area as per the approved CRZ map. NGT further observed that respondents are using fly ash for filling low lying areas as per the approved procedure. GPCB in its action taken report also found no such illegality by the respondents.

NGT observed that if the fly ash being sold by AMNS to HCFS is not as per the permitted norms, GPCB can take appropriate action in accordance with the law. In this case, the applicant alleged that the waste generated from respondent's activities is not scientifically handled and therefore it adversely affects the environment including the rights of traditional fishermen. It was alleged that fly ash and slag were illegally used for reclamation of low-lying areas without requisite authorisation under the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.

NGT dismisses application alleging

Regulatory / Policy developments

Resolution on Plastic Pollution adopted by 175 countries at 5th United Nations

operation without EC by ferro manufacturing units

Takam Xavier v. Union of India & Ors.; Judgment dated 23 March, 2022²⁰

NGT has dismissed an application filed against the respondents alleging that they are running the ferro alloy manufacturing unit in Papumpare District, Arunachal Pradesh without obtaining prior EC under Environment Impact Assessment Notification, 2006 ("EIA Notification"). NGT observed that units are not required to obtain prior EC due to their production capacity being less than the prescribed quantity (30,000 MTA) in the notification. In respect of water discharge and air pollution, SPCB found that they have ensured requisite compliances. Accordingly, the application was dismissed.

In this case, applicant raised grievances against the respondent's units being operated without prior EC. The applicant also alleged discharge of untreated effluents into nearby rivers and air pollution being caused by these units.

NGT directs Chief Secretary, Karnataka to finalise action for rehabilitation of Chandapura lake

In re: News item published on 21.11.2021 in the Indian Express titled "Lakes of Bengaluru: Industrial effluents, raw sewage; stinky tale of Chandrapura lake"; Order dated 29 March, 2022²¹

NGT has directed Chief Secretary, Karnataka to hold a meeting with the relevant authorities to finalise an action plan for rehabilitation of Chandapura lake in a time-bound manner. It observed that the State should also ensure compliance with the applicable law and judicial precedents. NGT noted that the lake is being polluted by different sources, including sewage and industrial pollution, particularly effluents from pharma industries. There is a high chemical oxygen demand and concentration of zinc and other heavy metals in its water. The joint committee formed by the NGT analysed the lake water quality and found it to be highly polluted.

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Environment Assembly concluded with the adoption of a resolution to end plastic pollution by addressing the full life cycle of plastic – from production to disposal. Through this resolution, countries including India have agreed to set up an intergovernmental negotiating committee for concluding a new international legally binding treaty by the year 2024 for driving global action on plastic pollution.

Delhi Government issues draft policy for making PUC mandatory at petrol pumps; 07 March, 2022²³

Delhi government has issued the draft policy to direct all dealers of petrol, diesel, and CNG to dispense or sell petrol, diesel or CNG to motor vehicles only on production of valid Pollution under Control Certificate (“PUC”). This step has been proposed to tackle the rising air pollution levels in NCR.

MoEFCC issues clarification regarding EC requirement for making certain products from bitumen; 09 March, 2022²⁴

MoEFCC has clarified that production of bitumen emulsions, modified bitumen, and road bond from bitumen does not attract the provisions of EIA Notification. Hence, EC is not required for such projects.

Union Government issues draft amendment to create framework for vehicle scrapping; 10 March, 2022²⁵

The Ministry of Road Transport and Highways has issued draft amendments to provide a regulatory framework in relation to the issuance of no dues certificate for vehicle scrapping and voluntary cancellation of the certificate of registration by the vehicle owner.

Ministry of Power releases guidelines related to battery energy storage systems; 10 March, 2022²⁶

The Ministry of Power has released the Guidelines for Procurement and Utilization of Battery Energy Storage Systems as part of Generation, Transmission and Distribution assets, along with Ancillary Services. The objective of these guidelines is to facilitate the procurement of Battery Energy Storage Systems to address issues related to variability in power supply with deployment of renewable energy power projects.

Union Government issues draft rules for vehicle scrapping facilities; 10 March, 2022²⁷

The Ministry of Road Transport and Highways has issued a draft notification to amend the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. Through this amendment, the Government has *inter alia* proposed the framework to be followed by scrapping facilities for scrapping the end-of-life vehicles and provision for vehicle owners to apply digitally for vehicle scrapping.

MoEFCC issues clarification regarding application of Forest (Conservation) Act, 1980 to railway lands; 10 March, 2022²⁸

MoEFCC has clarified that Forest (Conservation) Act, 1980 will not apply for execution or maintainance of railway works in case of railway owned lands within its right of way under Section 11 of Railways Act, 1989. This clarification will apply notwithstanding directions of the Supreme Court in TN Godavarman v. Union of India, W.P.(C.) No. 202/1995 or in the Wildlife (Protection) Act, 1972. All other cases will be dealt as per the provisions of Forest (Conservation) Act, 1980.

MoEFCC releases project reports for rejuvenation of 13 rivers in India; 14 March, 2022²⁹

MoEFCC has released detailed project reports for rejuvenation of thirteen major rivers through forestry interventions at a cost of nearly Rs. 19,300 crores (Rs. 193 billion). These rivers include Jhelum, Chenab, Ravi, Beas, Sutlej, Yamuna, Brahmaputra, Narmada, Godavari and Cauvery. The report outlines various treatment models for natural, agricultural and urban landscape in each of the delineated riverscapes.

Mumbai releases Climate Action Plan; 14 March, 2022³⁰

State of Maharashtra has released the Mumbai Climate Action Plan. The plan has laid down a 30-year roadmap for the city to tackle the challenges of climate change by adopting inclusive and robust mitigation and adaptation strategies. The action plan has set short, medium and long-term climate goals aimed towards zero emission of greenhouse gases or a net-zero target for 2050. Mumbai has become the first city in South Asia to announce such a target. The plan has proposed exhaustive changes to the way city manages energy, water, air, waste, green spaces and transport.

MoEFCC issues clarification regarding definition of integrated paint industry under

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EIA Notification; 21 March, 2022³¹

MoEFCC has issued a clarification regarding the definition of integrated paint industry under EIA Notification. It has clarified that any industry involved in manufacturing of ingredients like resins, lacquers, varnishes, polymers/copolymers, etc. which are used for manufacturing of paints shall require prior EC.

MoEFCC issues clarification regarding revised NPV rates; 22 March, 2022³²

MoEFCC has issued clarifications regarding application of the revised rates of Net Present Value ("NPV") for diversion of forest land. It has been clarified that revised rates will be applicable in cases where: (i) Stage-I forest clearance was granted after 6 January, 2022; or (ii) Stage-I clearance was granted prior to 6 January, 2022 but Stage-II clearance has not yet been granted due to non-submission of complete compliance report for all conditions in Stage-I approval.

MoEFCC issues clarification regarding *ex post facto* forest clearance; 22 March, 2022³³

MoEFCC has issued a clarification stating that Integrated Regional Offices shall consider such cases of violation relating to *ex post facto* forest clearance and forward them to MoEFCC along with their comments/recommendations for appropriate decision.

CPCB starts a centralised portal for registration of producers, importers, brand-owners and plastic waste processors; 23 March, 2022³⁴

CPCB has started the centralised portal for registration of producers, importers, brand-owners and plastic waste processors as per the Extended Producer Responsibility mechanism under Plastic Waste Management Rules, 2016.

Union Government issues draft notification for Automated Testing Stations; 25 March, 2022³⁵

The Ministry of Road Transport and Highways has issued a draft notification proposing amendments in the rules for Automated Testing

Stations published on 23 September, 2021. These draft rules *inter alia* propose amendments in eligibility criteria for establishing these stations, automatic transmission of test results from equipment to the server, enabling vehicles registered in one state to be tested in another state, and the criteria to declare a vehicle as end-of-life vehicle.

MoEFCC issues procedure for abandonment or surrendering of projects for which EC was issued; 29 March, 2022³⁶

MoEFCC has issued the procedure for abandonment or surrendering of projects by proponents who were granted EC for execution of the project. Proponents will need to submit an application along with requisite documents before surrendering the EC or abandoning the project. The application will be considered as per the prescribed flowchart and until final order of MoEFCC is passed the proponent will have to ensure compliance with EC conditions.

MoEFCC issues clarification regarding activities allowed at the site before EC is issued; 29 March, 2022³⁷

MoEFCC has clarified that activities like fencing of the boundary wall using civil construction, barbed wire, construction of temporary sheds, provision of temporary electricity and water for site office / security only, etc. can be done before issue of EC for such land. However, these activities will be subject to specified conditions.

MoEFCC issues notification for declaration of ESZ around protected areas

MoEFCC has notified ESZ around Nargu Wildlife Sanctuary (Mandi and Kullu district of Himachal Pradesh)³⁸ as well as Kazinag National Park, Limber Wildlife Sanctuary and Lachipora Wildlife Sanctuary (Kashmir province, Jammu and Kashmir)³⁹.

MoEFCC has also issued the draft notification for declaration of ESZ around Neyyar Wildlife Sanctuary and Peppara Wildlife Sanctuary (Kerala).⁴⁰

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- 1 Civil Appeal Nos. 1627-1628 of 2022.
- 2 Civil Appeal No. 2804 of 2014.
- 3 CIVIL APPEAL NO. 4795 of 2021.
- 4 Writ Petition No. 1207 of 2022.
- 5 WP (C) No. 41341 of 2017.
- 6 PIL No. 2 of 2022.



- 7 Original Application No. 270/2020.
- 8 E.A. No. 02/2021(WZ)vide order dated 06.01.2022.
- 9 Original Application No. 44/2021 (I.A. No. 49/2022).
- 10 Original Application No. 150/2017/EZ.
- 11 Original Application No. 241/2021.
- 12 Appeal No. 24/2017, M.A. No. 332/2017 and I.A. No. 54/2021.
- 13 Appeal No. 06/2020 , I.A. Nos. 67 and 68/2020.
- 14 Original Application No. 1088/2018.
- 15 O.A. No. 1016/2019.
- 16 M.A. Nos. 15 and 16/2021 in OA No. 20/2017(WZ).
- 17 Original Application No. 32/2021/EZ.
- 18 Original Application No. 259/2021.
- 19 Original Application No. 27/2020(WZ).
- 20 Original Application No. 114/2017/EZ.
- 21 Original Application No. 324/2021.
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