

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:1077
ANSWERED ON:12.08.2013
AMENDMENT IN NGT ACT .
Shekhar Shri Neeraj;Singh Shri Yashvir

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the National Tribunal Act, 2010 does not provide suo motto powers to National Green Tribunal (NGT);
- (b) if so, the details thereof;
- (c) whether the NGT had requested to the Ministry to amend the Act and provide suo motto powers to the NGT;
- (d) if so, the decision taken by the Ministry and the date when this was intimated to the NGT;
- (e) whether the Government has noticed that NGT and its regional benches has issued suo motto notice in certain matters;
- (f) if so, the details of such cases where NGT has issued suo motto notice; and
- (g) the details of the action taken by the Ministry to ensure that the NGT functions as per the provisions of the NGT Act in so far suo motto powers is concerned?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

- (a)&(b) Yes, Sir. The National Green Tribunal (NGT) Act, 2010 does not provide suo motto powers to the NGT.
- (c) & (d) Yes, Sir. However, the Ministry did not agree with the request of the NGT for conferring the suo motto powers on the Tribunal. The decision of the Ministry was conveyed to the NGT on 18.12.2012.
- (e)&(f) Yes, Sir. A suo motto application No.4 of 2013 was issued by the NGT to State of Haryana through the Chief Secretary, Haryana, Principal Chief Conservator of Forests, Haryana and Pollution Control Board, Haryana on the basis of a news article that appeared in "The Times of India" on 7.1.2013 titled "How private players grab forest land in the Aravalis" came to the notice of the Ministry. As per the information furnished by NGT, only one Application No.4/2013 (Suo Motto) titled as Tribunal on its own motion v/s State of Haryana is pending before the Tribunal and the same has been clubbed with Application No.91/2012 titled as Devendra Kumar Vs. Union of India and Others filed by Ms. Parul Gupta, Advocate.
- (g) The Government of India has not agreed to confer suo motto powers on the Tribunal. It is for the NGT, an adjudicatory body, to follow the provisions of the NGT Act, 2010.