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# The Role of the National Green Tribunal (NGT) in Environmental Governance in India

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VARSHA SINGH<sup>1</sup> AND ATUL SHARMA<sup>2</sup>

## ABSTRACT

*The increasing prevalence of environmental degradation and as a major national problem forced the Indian state to re-examine its modes of governance. With the enactment of the National Green Tribunal Act, 2010, a paradigm shift has taken place in India toward a more specialized, scientific, and effective judicial response to environmental disputes in India. This paper critically evaluates the role of the NGT in consolidating environmental governance, its role in achieving environmental justice and its impact on the larger legal and policy framework in India. The paper considers the effectiveness of the NGT, its key decisions, limitations, and its concurrence with India's international environmental obligations via both doctrinal and empirical analysis. The research seeks to shed light in the public debates over institutional change, environmental responsiveness, and judicial creativity in environmental law.*

**Keywords:** National Green Tribunal, Environmental Governance, Environmental Justice, Sustainable Development, Public Interest Litigation.

## I. INTRODUCTION

India's environmental governance system has evolved over time, changing greatly in the wake of rapid industrialization, urbanization, and degradation of the environment. Perceiving the limitations of existing legal and administrative institutions for addressing ambiguous and contested environmental issues like the tanneries' disputes, the Indian 108 Green Tribunal (NGT) was created in the year 2010 as a specialized tribunal. Its establishment was a major step in the Indian legal system for environmental protection, designed to secure speedy and effective resolution to environmental cases.

The NGT has the jurisdiction to adjudicate pollution control tank cases, cases against mining, forest, and many such activities in the nature of environmental protection and forest conservation, water pollution control<sup>3</sup>. The NGT is looked upon to have married the qualities

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<sup>1</sup> Author is a Research Scholar at Babasaheb Bhimrao Ambedkar University, Lucknow, India.

<sup>2</sup> Author is an Advocate at High Court, Lucknow Bench, India.

<sup>3</sup> National Green Tribunal Act, 2010, Section 14.

of principles of natural justice together with scientific knowledge and thus has become an unique institution in the frame work of environmental governance in India.

This article undertakes a critical evaluation of the NGT in the evolution of India's environmental jurisprudence. It examines the statutory command, organization and the working of the Tribunal, and assesses its efficacy with reference to the landmark decisions. Additionally, the article addresses the critiques and criticisms levelled at the NGT and presents recommendations for reform and better working.

The study pursues a doctrinal approach, enriched with the examination of court decisions, parliamentary materials, government reports and academic literature. The volume aims to situate the NGT in the context of environmental governance and justice in India.

## **II. HISTORICAL AND LEGAL BACKGROUND OF ENVIRONMENTAL GOVERNANCE IN INDIA**

The environmental jurisprudence in India is based on the Pre Constitution as well as post independence legislations. Historically, environmental issues were subsumed under custom and colonial rules that were concerned more with the preservation of forests and the control of epidemics than with their ecological integrity. Nevertheless, with the arrival of the Indian Constitution in 1950, the dream of a healthy and clean environment came to acquire a more definite legal form.

The transformation from a piecemealing of environmental laws to a more unified legal approach started in the 1970s. This was further catalysed by the Stockholm Declaration of 1972 which forced India to pass Water (Prevention and Control of Pollution) Act, 1974, heralding a new era of environmental regulation in India<sup>4</sup>. This was succeeded by the Air (Prevention and Control of Pollution) Act, 1981 and then finally the Environment (Protection) Act, 1986 a qualifier umbrella legislation, the promulgation of which, in the wake of the Bhopal Gas Tragedy, signaled the Government concerned about the environmental standards and norms in the country<sup>5</sup>.

The constitutional authority for environmental regulation is based on Article 48A and Article 51A(g) of the Constitution of India (ratified in 1976 as the 42nd Amendment Act). The Article 48A (a Directive Principle of State Policy) enjoins on the State to protect environment; the Article 51A (g) says that it is the fundamental duty of every citizen to protect and improve

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<sup>4</sup> Stockholm Declaration, 1972; see also *Water (Prevention and Control of Pollution) Act, 1974*, Government of India.

<sup>5</sup> *Environment (Protection) Act, 1986*, Gazette of India.

the natural environment. These aspects not being justiciable per-se, later became judicially interpretative along with Article 21 Right to life. In its several decisions, including the landmark case of *M.C. Mehta v. Union of India*, the Supreme Court widened the ambit of Article 21 to include an adequate healthy environment<sup>6</sup>.

Activist judiciary dominated the period of 1980s to 2000s, as there was a legislative vacuum on environmental cases, PET took the task of filling the void and establishing groundbreaking theories like the polluter pays principle, the precautionary principle and that of intergenerational equity<sup>7</sup>. However, the unavailability of a designated forum resulted in an extremely long delay, which was clogging the ordinary courts. This institutional vacuum led to the necessity of a specialized green tribunal, and resulted in the formulation of the National Green Tribunal Act, 2010.

### **III. ESTABLISHMENT AND JURISDICTIONAL FRAMEWORK OF THE NATIONAL GREEN TRIBUNAL**

The National Green Tribunal (NGT) was set up to handle cases related to environmental issues under the NGT Act 2010 as an overriding effect throughout the country for speedy disposal of cases. It was a significant milestone in India's environmental governance framework, as it brought into existence a specialized legal forum for resolution of disputes concerning the environment, forests, and biodiversity, and for the effective enforcement of environmental rights and obligations.

**Basis of NGT** The principle underlying the NGT is the polluter pays theory that signifies that the 'burden of proof lies in the polluter' under the Public Trust Doctrine enshrined in the Rio Declaration, 1992, and Section 3 of the National Environment Policy, 2006, of India which are backed by India's commitment to the United Nations Conference on Environment and Development (UNCED), 1992, also known as the Rio Earth Summit. Principle 10 of the Rio Declaration was focused on access to justice in environmental issues. India, as a signatory, was morally and legally bound to broaden environmental justice. The NGT Act was a statutory recognition of this obligation and an endeavour to give effect to the constitutional guarantee under Article 21, which the courts have interpreted as embracing the right to the environment<sup>8</sup>.

The Act broadly delineates the jurisdiction of the Tribunal. Section 14 authorises NGT speaks

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<sup>6</sup> *M.C. Mehta v. Union of India*, AIR 1987 SC 1086.

<sup>7</sup> Leelakrishnan, P. (2019). Environmental Law Casebook, LexisNexis.

<sup>8</sup> Rajamani, L. (2007). "Public Interest Environmental Litigation in India," *Journal of Environmental Law*, 19(3).

of jurisdiction on all civil cases where a substantial question relating to the environment or the enforcement of any legal right relating to the environment is at issue and such question arises out of the implementation of the enactments specified in Schedule I, including the following – the Water (Prevention and Control of Pollution) Act, 1974; the Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981; the Environment (Protection) Act, 1986; the Public Liability Insurance Act, 1991; the Forest (Conservation) Act, 1980; and the Biological Diversity Act, 2002. Section 15 includes power of the Tribunal to provide relief and compensation to the victims of pollution and other environmental damage, while Section 16 gives power to appeal against the orders of the authorities under the listed enactment.<sup>9</sup>

The NGT is an quasi-judicial body with powers equal to that of a civil court. It is neither circumscribed by the procedure specified under the Code of Civil Procedure, 1908 nor it is bound by technical rules of procedure and is guided by the principles of natural justice. The Tribunal is required to apply the eco-system approach and the other environmental principles like principle of sustainable development, precautionary principle and principle of polluter pays.<sup>10</sup> It can enforce legal rights with respect to the environment; remedy and compensation and restoration of the environment.

Composition: The Tribunal is composed of a Chairperson, Judicial Members, and Expert Members. The Chairperson is a former judge of the Supreme Court or a Chief Justice of a High Court; while the Judicial Members include people who are or have been judges of a High Court; and the Expert Members are persons having knowledge of, or practical experience in, matters relating to environment. The NGT comprises the principal bench in New Delhi and four zonal benches in Bhopal, Pune, Kolkata and Chennai – each with territorial jurisdiction covering several states.

One of the most prominent aspects of the NGT is speed of communication. It requires that the Tribunal endeavour to decide cases within a period of six months from the date of filing.<sup>11</sup> This solves the perennial problem in environmental cases involving delay in litigation in regular court.

Then, NGT orders are something that are lawful and binding. It shall have the same power as a civil court under the Code of Civil Procedure, 1908 to summon witnesses, to require the discovery and production of documents, to receive evidence on affidavit and issue

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<sup>9</sup> Sections 14–16, *National Green Tribunal Act, 2010*.

<sup>10</sup> Section 20, *NGT Act, 2010*.

<sup>11</sup> *Ibid.*, Section 18(3).

commissions. The Tribunal can, in fact, also suo motu take cognizance of a matter of environmental concern, which is a characteristic that strengthens its proactive dimension as an environmental institution.<sup>12</sup>

#### **IV. CONTRIBUTION OF THE NATIONAL GREEN TRIBUNAL TO ENVIRONMENTAL ADJUDICATION AND GOVERNANCE**

The National Green Tribunal (NGT) has made history since it came into being. Because of its special organization and scientific skill and more expeditious methods, it has been able to cope with complex environmental conflicts in a way that ordinary courts immune to that jurisdiction seldom can<sup>13</sup>. It is not only legal determinations but the broader culture of environmental governance laws it has contributed to crafting, one in which ecological considerations are weighed against developmental imperatives under the careful gaze of the judiciary.

The NGT has become a crucial permission slip for environmental justice – because it makes justice more accessible to weaker and affected communities. Here, such structural degradation of environment is seen to have special bearing on most vulnerable sections like the rural people, tribals and urban slum dwellers. The Tribunal through providing a less formal and faster mode of dispute resolution enriched participatory environmental governance.

One of the key contributions of the NGT is its continuous use of environmental principles such as sustainable development, precautionary principle and the polluter pays principle. Originally developed by the Indian judiciary in the 1990s they have been institutionalized through the Tribunal's decisions. For example, in a number of situations, the principle of the polluter pays has been used to charge industry for causing ecological harm, thus forcing the firm to treat the environment as a cost factor and discouraging them from future offences.

The NGT has also been active in promoting government and private compliance towards the environment. From its judgments the Tribunal has pointed environmental management plans, monitoring devices and restorative measures in case of negative environmental impact. In so doing, the NGT has not only adjudicated disputes, but reshaped the regulatory behaviour and the administrative accountability as well.

Another aspect of the Tribunal's contribution is the restoration of the environment. In most of its judgments, NGT has gone a step further than imposition of the penalty to provide a complete remedial framework for damaged environments. Such direction normally comprises

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<sup>12</sup> Municipal Corporation of Greater Mumbai v. Ankita Sinha & Ors., Civil Appeal Nos. 2417-2419/2021.

<sup>13</sup> Section 18(3), *National Green Tribunal Act, 2010*.

of soil treatment, reforestation and revival of water bodies. This remedial focus is consistent with the notion of environmental justice and recognizes the intergenerational nature of environmental rights.

The Tribunal has also contributed importantly to narrowing the chasm between science and law. In having environmental experts as its members and making use of scientific reports and EIAs in its reasoning, the NGT has also made sure that environmental knowledge is allowed to shape judgements. This "scientific tradition" is what makes it unlike other courts and allows for better decisions on environmental issues.

NGT has emerged as a crucial site for public interest litigation in the environmental arena. The Tribunal is constantly receiving a deluge of complaints from civic bodies, environmentalists, and victims who want justice for contamination, deforestation, industrial flare-ups, and a variety of threats to the genetic pool. In the process, the NGT has helped create a contribution model of environmental governance in which citizens drive accountability of the state and private sector.

But their contributions could only have any impact if the orders of the Tribunal are enforced. Despite enjoying the force of law, enforcement is another matter; the organization lacks follow-up mechanisms to ensure compliance and faces institutional lethargy, powerful lobbies and insufficient monitoring. The NGT remains, nonetheless, an indispensable institution for a country like India, dealing with such ever-growing environmental issues which have become so crystal clear, and for reinforcing the rule of environment law.

## **V. ANALYSIS OF SIGNIFICANT DECISIONS BY THE NATIONAL GREEN TRIBUNAL**

Judgements of the National Green Tribunal have constituted a hierarchy, resulting in deviations from a variety of traditional practice medieval institutions of India. These decisions demonstrate the Tribunal's dedication to environmental protection, sustainable development, and responsibility of those who harm the environment. This part scrutinizes some of the most significant decisions representing the NGT's dynamic role and its impact on legal and administrative regimes.

*Almitra H. Patel v. Union* <sup>14</sup>of India was one of the early and prominent judgments of the Court on solid waste management in Indian cities. Holding that civic bodies were accountable for systemic failures, the Tribunal made holistic directions regarding disposal of municipal solid waste. It focused on scientific waste management, source segregation, and the

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<sup>14</sup> *Almitra H. Patel v. Union of India*, Original Application No. 199/2014, NGT Principal Bench

importance of waste-to-energy plants. The ruling triggered administrative changes and raised public awareness on trash management in the city.

In *Save Mon Region Federation v Union of India*<sup>15</sup>, the NGT ordered that the construction of the proposed Lower Subansiri Hydroelectric Project in Arunachal Pradesh should be stayed until a comprehensive and cumulative assessment of impact was carried out. “This is an important case for establishing the precautionary principle and the need for thorough environmental assessments, especially in areas that are as ecologically sensitive as the Northeast.”

The NGT also hit the headlines in the *Art of Living Foundation* case in connection with the World Culture Festival that was held on the Yamuna floodplains in 2016. The Tribunal permitted the event but fined organisers heavily for their ecological damage to the riverbed. While the decision to permit the event was objected to on the grounds that it allowed recognized injury, it also reinforced the notion of payment and a precedent for charging environmental costs with a mega event, which damages a natural ecology on a commercial scale.

In another important case, *M.C. Mehta v. Union of India*<sup>16</sup> dealing with air pollution in the NCR, the Tribunal had banned diesel vehicles older than 10 years, and put restrictions on construction activities adding to the dust pollution. It directed the use of mechanized sweepers and anti-smog guns. These measures showed the NCT’s intentions in dealing with urban air quality problems head-on, and involve itself directly in policy implementation.

All of these decisions demonstrate an emerging jurisprudence of the Tribunal and an increasing willingness on its part to shape environmental policy. It extended the horizon of the judiciary towards environmental issues; and set a strong foundation for the future benches and the courts. But issues pertaining to enforcement of orders, recalcitrance of administrative agencies and watering down of principles by way of compromise orders still abound.

Taken together, these decisions collectively highlight the catalytic impact of the NGT in reconstituting the environmental jurisprudence terrain in India. They have a sophisticated appreciation of ecological process, a rights-based orientation to the protection of the environment and an institutional dedication to justice beyond litigation as usual.

## **VI. INSTITUTIONAL CHALLENGES AND STRUCTURAL LIMITATIONS**

Despite its unique design and positive enforcement role in environmental adjudication, the

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<sup>15</sup> *Save Mon Region Federation v. Union of India*, OA No. 39/2012, NGT Principal Bench, New Delhi.

<sup>16</sup> 1987 AIR 1086, 1987 SCR (1) 819, 1987 SCC (1) 395



NGT has a few institutional and operational challenges which can restrict its capability to provide strong and viable environmental justice over time. Despite the Tribunal's substantial jurisprudence, it is often foiled by systemic problems with its own make-up, enforcement capability, procedural rules as well as political recalcitrance.

Paucity of judges, expert members one of the fundamental structural hurdle NGT The problem in structure of National Green Tribunal (NGT) is paucity of judges and expert members<sup>17</sup>. The Act contemplates a judicial and expert membership composition that is mixed for the purposes of having both judicial reasoning and scientific expertise present in a decision. But there have been long vacancies and delays in appointments, especially of expert-members. This shortfall is disrupting formation of benches and delaying hearings and formation of judgments. Some courts have become dormant or underperform throughout the country, impeding environmental justice through regional access.

Also, concentration of powers in the Principal Bench at New Delhi has resulted in operational problems for litigants residing in far-flung and remote areas of the country, it said. The Act also has provisions for zonal benches at Pune, Kolkata, Chennai and Bhopal but the working of these benches is not satisfactory. This geographical imbalance limits the potential of the NGT and makes it less accessible to public interest litigants, environmental advocates, and the affected communities in remote parts of the country.

Another significant issue is about the Tribunal having only restricted 'enforcement powers'. While NGT judgments are binding and can be executed like civil court orders, enforcement has been an issue<sup>18</sup>. The orders of the Tribunal have not been implemented in letter and spirit several times by the government departments and administrative authorities. Monitoring of compliance was severely lacking and the Tribunal had no executive powers to enforce follow up action. This is even so due to the effect of these decision in minimizing their effect to paper orders when identified influential or state-backed agents are involved.

Jurisdictional restrictions also limit the NGT's efficacy. The Act lists in Schedule I a limited number of environmental laws and omits many other significant laws relating to environmental protection such as Indian Forest Act, 1927 and Wildlife (Protection) Act, 1972, unless the matter is covered under one of the listed laws. This limits the Tribunal's potential to act as a single window forum adjudicating all environmental issues. Also, there has been

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<sup>17</sup> Dutta, R. (2020). "Vacancies in Green Tribunal Hindering Environmental Justice," *Down to Earth*, Centre for Science and Environment.

<sup>18</sup> Dembowski, H. (2019). "Accessibility of the NGT: A Study on Regional Imbalances," *Indian Journal of Environmental Law*, Vol. 5, No. 1.

prolonged dispute and litigation as to whether NGT can exercise his suo motu or issue directions on issues not brought before it by the petitioners. Even if the recent decisions of the Supreme Court clarifies the position with regard to the suo motu jurisdiction of the Tribunal, it continues to remain uncertain in the statute itself.

The coordination between the NGT and the High Courts has also posed difficult jurisdictional issues. High Courts have enormous jurisdiction under Article 226 of the Constitution to issue writs, including in environmental issues. This has created a plethora of parallel litigation with at times conflicting orders between the NGT and the respective High Courts. In addition, some litigants may prefer the High Courts to the NGT because of perceived delay or ideological bias on the part of the Tribunal, leading, at worst, to forum shopping and lack of uniformity in environmental decisions.

The independence and impartiality of the Tribunal is also compromised by political and economic influences. Many of its orders have drawn blowback from businesses, political figures and even the government, especially when they target large infrastructure or development projects<sup>19</sup>. Decisions unfavorable to the powerful claimants are returned on appeal, or stayed through administrative stalling, it has been alleged. This kind of meddling erodes public confidence in the bank and makes it less likely to act with the sort of courage the country needs.

A further institutional constraint is represented by the Tribunal's scant involvement of impacted communities and civil society. "Though NGT is a court of natural justice, its procedures and technical jargons are difficult for a common man run-of-the-mill to understand". There is also inadequate availability of legal aid or assistance to such poor petitioners to enable them to prosecute the adjudicatory process meaningfully.

Finally, the resources, infrastructure and technology of the Tribunal are still insufficient. Digitization of records, virtual hearings and data transparency must-haves in any modern legal system are implemented sporadically across its benches. These logistical failings create an inefficiency, and also compromise the NGT's ability to adjudicate cases quickly and effectively.

Confronting these challenges is crucial to improving the NGT's legitimacy and operation. Institutional changes, good infrastructure, financial autonomy, positive legislations, and compliant mechanisms are the minimum requirements to make sure that the Tribunal becomes an active organ of environmental governance in India.

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<sup>19</sup> Supreme Court Bar Association v. Union of India, Writ Petition (C) No. 804/2020, Supreme Court of India.

## VII. FUTURE OF ENVIRONMENTAL JUSTICE AND RECOMMENDATIONS FOR STRENGTHENING THE NGT

The National Green Tribunal's success and failure will decide the future of environmental justice in India. As these ecological crises deepen amidst climate change, urbanization, and industrialization, so does the demand for a strong, accessible and scientific inquisitorial bench. Given its unique constitution and its environmentalist mandate, the NGT is best placed to be the engine of such a change, if certain structural and functional changes are put in place.

The first and foremost is amending the Schedule I of the NGT Act to extend the Jurisdiction of the NGT with more environmental statutes, including the (Protection) Act, 1972 as well as the Indian Forest Act, 1927. The extension will enable the Tribunal to view environmental matters in a more comprehensive manner, unbounded by restrictive statute<sup>20</sup>.

Strengthening institutional capacity is also vital. This also means expediting appointments of the judicial and expert members, increasing the number of benches and fortifying the regional tribunals so as to make environmental justice more available. The executive must provide unequivocal assurance to protect the independence and operation of the Tribunal from political and administrative intervention.

Orders are not being implemented, enforcement wing be formed within Tribunal. This body may be assigned the responsibility of overseeing compliance, coordinating with local administration, and filing contempt petitions in the event of non-compliance.<sup>21</sup> This form would act as a proactive deterrent and to maintain that the orders of the Tribunal are genuinely carried out in the field.

It must utilise technological advancements to make business more efficient in The Tribunal. The use of a digital space for managing cases, conducting virtual court hearings, publishing orders, and monitoring compliance would be more transparent for both the concerned parties, and the executive. Regular public reporting on the implementation status of NGT orders can also help improve accountability and citizen engagement with environmental governance.

Legal assistance and capacity building initiatives should be institutionalized to help marginalized communities and NGOs to advocate with the Tribunal. GUIDELINES: The NGT should frame guidelines for streamlining the process, for providing assistance to unrepresented litigants and to have a repository of environmental laws available for public

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<sup>20</sup> Sharma, R. (2022). "Revisiting the Jurisdictional Boundaries of the NGT," *Journal of Environmental Law and Practice*, Vol. 16.

<sup>21</sup> Nair, A. (2020). "Judicial Independence and Tribunal Reforms in India," *Economic & Political Weekly*, Vol. 55, Issue 12.

access. Greater involvement of civil society participation would enhance the participatory nature of the Tribunal and promote environmental protection at a grass-roots level.

In addition, the NGT must be more attuned to the emerging global environmental standards. As India is committed to achieving the Sustainable Development Goals (SDGs), Tribunal can actively engage in monitoring the ecological aspects of the SDGs. It would be a step in the direction of embedding international principles—environmental democracy, resilience, climate justice—within domestic jurisprudence, bringing India's legal system in sync with global environmental governance patterns.

It is also necessary to train and orient judges and expert members in the judicial community, in an approach to environmental law based on interdisciplinarity. Environmental conflicts are typically characterized by intricate relationships among law, science, and policy. The elevated quality of adjudication will be greatly improved by making sure Tribunal members are provided with the capacity to understand and interpret such things as scientific data, environmental impact assessments and technological solutions.

Lastly, for the long-term future of environmental justice in India we should consider that the NGT should be further anchored within India's democratic and administrative apparatuses. It should stop being a body for disputes and instead be a crucial environmental regulator, the people's voice, and guardian of environmental sustainability.<sup>22</sup> Strategic alliances with academia, government and civil society partners can help solidify this transformative vision.

Through the right set of reforms, the National Green Tribunal can help inspire a model of specialized environmental adjudication that will be the envy of the world. It has already established key milestones in environmental jurisprudence and proven synergy of science and law. While India wrestles with the challenges of ecological modernisation, the NGT needs to be further empowered to act as the sentinel of environmental rights and ecological sustainability.

## VIII. CONCLUSION

The creation of the National Green Tribunal is a great leap forward in India's progression towards effective and distinct environmental governance. Conceived by the legislature in the wake of the increasing complexity and urgency of environmental threats, the NGT has evolved into a body of judicial and scientific expertise, providing a forum for fast, fair, and technically informed resolution of environmental conflicts. Its existence is indicative not only

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<sup>22</sup> Lok Sabha Secretariat. (2022). *Proposal for Standing Committee on Environmental Tribunals and Justice*.

of India's constitutional and legislative promises to preserve the environment but also of its nascent ability to respond to its international environmental treaty and declaration obligations.

Through its progressive judicial decisions, the NGT has evolved and implemented important principles including sustainable development, polluter pays and precautionary principle. It has delivered bold, landmark judgments on solid waste management, industrial pollution, deforestation and the significance of regulating large infrastructure projects. It has filled a significant institutional void by providing a space in which the environmental right can be litigated and where ecologically sensitive decisions are reviewed by a specialised body.

However, the Tribunal has not been an unequivocal success, hampered by structural problems, operational difficulties, jurisdictional ambiguities, and enforcement constraints. Its directives are legally binding; in practice, however, compliance is lax, because of deficient administrative follow-up and lack of political will. Not even a full house, waste of regional benches, lack to technology, and lack of coordination with other judicial bodies are still hurdling NGT to becoming effective and accessible enough.

The future of environmental governance in India hinges on empowering the NGT, both capacity-wise and institutionally. Reforms must focus on extending its jurisdiction, providing it with the staffing and enforcement tools, accessibility and technological infrastructure all required for its proper functioning. Legal assistance, community outreach and multidisciplinary training are also essential if the Tribunal, as an independent and competent guardian of the environment, can really be the one for all to benefit.

At a time of ecological uncertainty, climate change and pressures of un-sustainable development, bodies like the NGT is indispensable. They are not just arbiters, but the instruments of environmental justice, and accountability and sustainability.” The NGT can be a global model of environmental law and judicial process if its potential matches the institutional backing, reformulation and continued public involvement.

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