National Green Tribunal (NGT) has directed the Ministry of Environment, Forest and Climate Change (MoEFCC) to modify the National Clean Air Programme (NCAP) which proposes 20-30% reduction of air pollution by 2024.

Key Points

- **NCAP:**
  - It was launched by the MoEFCC in January 2019.
  - It is the first-ever effort in the country to frame a national framework for air quality management with a time-bound reduction target.
  - It seeks to cut the concentration of coarse (particulate matter of diameter 10 micrometer or less, or PM10) and fine particles (particulate matter of diameter 2.5 micrometer or less, or PM2.5) by at least 20% in the next five years, with 2017 as the base year for comparison.
  - The plan includes 102 non-attainment cities, across 23 states and Union territories, which were identified by the Central Pollution Control Board (CPCB) on the basis of their ambient air quality data between 2011 and 2015.
    - **Non-attainment cities:** These are those that have fallen short of the National Ambient Air Quality Standards (NAAQS) for over five years.

- **NGT’s View:**
  - The enforcement of the ‘Sustainable Development’ principle and ‘Public Trust Doctrine’ require stern measures to be adopted to give effect to the mandate of international obligations related to environmental quality, for which the Environment (Protection) Act, 1986 was enacted.
    - **Public Trust Doctrine:** It states that the sovereign, or state, holds the trust of people to manage the designated resources for the benefit of the people.
  - The Right to Clean Air stood recognized as part of Right to Life and failure to address air pollution is a denial of Right to Life under Article 21.
NGT’s Directions:

- The **timeline** to reduce air pollution by 20-30% by 2024 needs to be **reduced**.
- The **target** of reduction needs to be **increased**.
- It suggested the Ministry to review and action in terms of **shift to e-vehicles and CNG vehicles**, intensifying public transport system, mechanical cleaning of roads, enhancement of public parking facilities, improvement in fuel quality, and traffic management.
- It directed the state pollution control boards to ensure the **assessment and installation** of the requisite number of real-time online continuous **Ambient Air Quality Monitoring Systems within six months**.
- It also directed an expert team of the **Central Pollution Control Board** to **design a model** for source apportionment and carrying capacity assessment within two months which may be replicated for all the non-attainment cities.
  - **Source Apportionment**: It is the practice of deriving information about pollution sources and the amount they contribute to ambient air pollution levels.
  - **Carrying Capacity**: The concept of “carrying capacity” addresses the question as to how many people can be permitted into any area without the risk of degrading the environment there.

National Green Tribunal

- It is a specialised body set up under the **National Green Tribunal Act, 2010** for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- It draws inspiration from India’s constitutional provision of **Article 21**, which assures the citizens of India the **right to a healthy environment**.
- **Original Jurisdiction**: It is related to matters of “substantial question relating to the environment” and “damage to the environment due to specific activity”.
- It follows **principles of Natural Justice**.
- NGT is mandated to make disposal of applications or appeals finally **within 6 months** of filing the same.
- The NGT has **five places** of sittings, **New Delhi is the Principal** place of sitting and **Bhopal, Pune, Kolkata** and **Chennai** are the other four.

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