



# NGT Notice to Haryana Government

## Why in News?

[The National Green Tribunal \(NGT\)](#) has issued notice to the Rajasthan and Haryana governments to comply with its 9th December 2022, judgment.

- The tribunal instructed both states to establish a **monitoring committee and conduct periodic reviews to remove illegal constructions** from protected [Aravali land](#) in Gurgaon, Faridabad, Nuh (Haryana), and Alwar (Rajasthan).

## Key Points

- **Compliance with 2022 Judgment:**
  - These lands are classified as '**gair mumkin pahar**' (uncultivable hill), where **construction is prohibited**.
  - Despite clear instructions, the **states had not submitted any compliance report** or taken necessary action.
- **Background of the Case:**
  - Activists had originally filed a **plea highlighting encroachments on Aravali land**.
  - The case has been under NGT's scrutiny for over a decade, focusing on violations of [the Ministry of Environment, Forest, and Climate Change \(MoEF&CC\)](#) notification **dated 7th May 1992**, which prohibits construction in designated areas.
  - The **tribunal had monitored the matter for over 10 years** before issuing the December 2022, judgment.
- **NGT's 2022 Judgment and Directions:**
  - NGT had noted that **encroachers were identified**, and both states had formed a monitoring mechanism.
  - **Chief secretaries of both states were instructed to oversee** compliance through quarterly reviews.
  - **Aggrieved parties were allowed to seek legal remedies** for any violations.
- **Extent of Illegal Constructions:**
  - **A forest department survey** revealed that **at least 500 illegal farmhouses were built on Aravali land in Gurgaon**.
    - These were concentrated in areas like Gwalpahari, Abheypur, Gairatpur Bas, Sohna, Raisina, and Manesar.

## Aravali Mountain Range



- The Aravallis, is the **oldest fold mountains on Earth**. Geological studies indicate that it is three billion years old.
- It spans over **800 km from Gujarat to Delhi** (through Rajasthan and Haryana).
- The **highest peak** in the Aravalli Range is **Guru Peak on Mount Abu**.
- **Influences Climate:**
  - The Aravallis have an impact upon the climate of northwest India and beyond.
  - During monsoons, the mountain range gently guides the monsoon clouds eastwards towards Shimla and Nainital, thus **helping nurture the sub-Himalayan rivers and feeding the north Indian plains**.
  - During the winter months, it **shields the fertile alluvial river valleys of the Indus and Ganga** from the harsh **cold westerly winds blowing in from Central Asia**.

## NATIONAL GREEN TRIBUNAL

*The National Green Tribunal (NGT) is a specialised body for swift resolution of environmental and natural resource cases.*

### About

- ⊙ **Establishment:** By National Green Tribunal Act 2010
- ⊙ **Objective:** Quick resolution of environmental & natural resource cases
- ⊙ **Case Resolution:** Within 6 months
- ⊙ **Places of Sitting:** New Delhi (Principal), Bhopal, Pune, Kolkata, and Chennai

### Structure

- ⊙ **Composition:** Chairperson, Judicial Members, and Expert Members
- ⊙ **Tenure:** Up to 5 years/until age 65 (no reappointment)
- ⊙ **Appointments:** Chairperson - Central Government (with the CJI's consultation)
  - 10-20 judicial members & 10-20 expert members - Selection Committee

*India is the third country globally (after Australia and New Zealand) and the first developing nation to establish a specialised environmental tribunal like NGT.*

### Powers & Jurisdiction

- ⊙ **Jurisdiction:** Civil cases on environmental issues and rights
- ⊙ **Suo Motu Powers:** Granted since 2021
- ⊙ **Roles:** Adjudicatory, preventative, and remedial
- ⊙ **Procedures:** Follows Principles of natural justice
  - Not bound by the CPC, 1908 or Indian Evidence Act, 1872
- ⊙ **Principles:** Sustainable Development; Precautionary; Polluter pays
- ⊙ **Orders:** Executable as civil court decrees; offers relief and compensation (**decisions are binding**)
- ⊙ **Appeals:** Tribunal can review its decisions.
  - If decision fails - Appeal to the SC to be filed within 90 days

### NGT deals with Civil Cases under

- ⊙ Water (Prevention and Control of Pollution) Act, 1974
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- ⊙ Forest (Conservation) Act, 1980
- ⊙ Air (Prevention and Control of Pollution) Act, 1981
- ⊙ Environment (Protection) Act, 1986
- ⊙ Public Liability Insurance Act, 1991
- ⊙ Biological Diversity Act, 2002



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