

# **Making Polluters Liable – An Orientation on National Green Tribunal in India**

The Legal Initiative for Forest and Environment (LIFE) organised a two-day orientation on ‘Making Polluters Liable : making effective use of the National Green Tribunal (NGT) Act, 2010’ at Bhubaneswar, Odisha on 22-23 December 2012. This is part of LIFE’s continuing effort to conducting orientation on the provisions of the NGT Act to communities, NGOs and other concerned persons so that justice can be accessed by more and more people.

The orientation was attended by over 45 participants from different districts of Odisha. It began with an overview of the NGT Act. Special focus was on issues with respect to claiming compensation and damages for environmental degradation including restoration of the ecology. Social activist Prafulla Samantre also addressed the gathering.

Ritwick Dutta, environmental lawyer and Secretary of the National Green Tribunal Bar Association, New Delhi provided insight into how NGT could be approached both for challenging environmental and forest clearances as well as seeking compensation. Participants were informed that despite nearly a year and a half of the Tribunal becoming functional, most cases are actually appeals against forest and environmental clearances and hardly any community has approached the NGT to seek compensation and damages.

Participants from Angul, Kalahandi, Talchar, Sambhalpur, Jhasuguda, Keonjhar participated at the training and shared the major environmental issues faced by them. Issues like silicosis, depleting ground water, cumulative impact due to sponge iron plants in Talcher, loss of agricultural output due to air pollution, arbitrary removal of the moratorium imposed as a result of the CEPI were discussed in detail at the training. Areas where specific problem were discussed at length was the issue of sponge iron plants at Sundargarh, impact on Brahmini river, problem of silicosis in Rajgangpur, cumulative impact due to diversion of forest land for Mandakini Coal Block in Angul district, problem due to high presence of Hexavalent Chromium in Sukhinda, loss of agriculture and mango production in Kalahandi district.

The highlight of the orientation was the interactive session with the Acting Chairperson of NGT, Justice A.S Naidu, who was present on the second day of the orientation. Without discussing any specific cases or problems, Justice Naidu clarified many of the provisions of the NGT Act specially with respect to making the forest and environmental clearance process transparent.

It was decided at the end of the orientation that specific follow up will be undertaken by EIA Resource and Response Centre (ERC) and LIFE in association with local groups to take the issues to the NGT.