

AIR LAW & POLICY

Reporter

Judgment Alert !

November 23, 2016

The National Green Tribunal in continuance with its directions passed on 10.11.2016 in the case *Vardhaman Kaushik Vs. Union of India & Ors*, O.A No. 21/2014, further directed the Central Government to issue directions under Section 5 of the Environment (Protection) Act, 1986.

Section 5 of the Environment (Protection) Act, 1986 states:

“Power to give directions:

Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Explanation--For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct--

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) stoppage or regulation of the supply of electricity or water or any other service.”

The Tribunal directed for a minimum environmental audit to be undertaken by all hotels, hospitals, public offices, schools and colleges in order to ensure proper prevention and control of air pollution.



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