

NGT forms National Task Force to combat air pollution

Synopsis

A bench headed by NGT Chairperson Justice A K Goel said holistic and coordinated efforts at all levels in the government is dire need of the hour. Accountability in terms of adverse entries in the Annual Confidential Reports and recovery of compensation for non-compliance are imperative for fixing accountability, the tribunal said.



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Noting that about 1.5 million people in India die annually due to air pollution, the National Green Tribunal has formed an eight-member National Task Force (NTF) to monitor remedial steps to improve the status of air quality.

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Accountability in terms of adverse entries in the Annual Confidential Reports and recovery of compensation for non-compliance are imperative for fixing accountability, the tribunal said.

This requires authorities at higher level to function as trustees for discharge of constitutional and statutory obligation to the citizens. There is no other magic wand to protect people against acknowledged sorry state of affairs. India has world's highest death rate from chronic respiratory diseases, the bench said.

The NTF is to be headed and coordinated by the Secretary Ministry of Environment and Forests with nominees (not below the rank of Joint Secretaries) of Ministries from Housing and Urban Development, Road Transport, Petroleum, Power, Agriculture, Health and Chairman of Central Pollution Control Board.

NTF may also monitor enforcement of laid down air quality standards beyond Non-Attainment Cities' in other identified air polluted areas where air quality is poor and above.

The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels, the bench said.

The tribunal said that consistent with Digital India initiatives, MoEF or CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) and District Environment Data Grids (DEDGs) and further linked to available portals like online air quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject.

The Chief Secretaries of all States/UTs may continue to monitor progress in execution of action plans at State level with

the assistance of monitoring cells in their offices and the Air Quality Monitoring Committee.

The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other concerned departments, the bench said.

The green panel said the matter has been monitored by the tribunal for about two and a half years and primarily the tribunal is an adjudicatory body and beyond giving directions necessary for protection of environment under section 15 of the NGT Act, execution has to be by administrative authorities.

Under public trust doctrine, the State authorities are under obligation to take effective measures to control pollution. Tribunal monitoring cannot be for indefinite period. Road map has crystalised to an extent.

The ownership of monitoring must be now taken over by the statutory and administrative authorities for enforcement of rule of law for which a national level task force needs to be constituted, the bench said.
