The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2026

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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TEN YEARS OF NATIONAL GREEN TRIBUNAL

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Abstract

Established in 2010, National Green Tribunal founded as India's first specialized forum in the form of a quasi-judicial body, a tribunal to handle environmental disputes. This article assesses its first ten founding years focusing on its contribution to environmental jurisprudence including its principal judgements in various complex cases such as the matters related to water pollution, waste management and sustainable development. It also examines the key challenges which are still persistent due to weak enforcement of orders and unfilled seats on the bench. Combining these strands together, this article asks what the NGTs first decade reveals about the promise and limits of tribunals aimed at access to environmental justice in India, while suggesting reforms to strengthen environmental jurisprudence.

INTRODUCTION

In the year 2010, one of the world's few dedicated environmental courts, the National Green Tribunal was established by National Green Tribunal Act 2010. Dedicated to resolve environmental disputes, the tribunal expected to provide specialized institutional support for environmental justice. After more than a decade on, it is important to examine the founding decade of the National Green Tribunal in order to assess the effectiveness of environmental jurisprudence in India.

The Tribunal was founded as a result of years old numerous pending litigations related to ecological conservation and environmental protection. The requirement of a specialized body for disposal of such matters was first suggested in 1986 by Justice P.N. Bhagwati. Another

attempt emphasizing necessary expertise in adjudication of environmental disputes was made by Supreme court in 1999 during *A.P. Pollution Control Board v. Prof. M.V. Nayudu.* [1]As a result, the jurisdiction of the tribunal encompasses broad spectrum of ecological conflicts disputes with judicial bench comprising not only of judges but also of technical experts and scientific specialists. The principal headquarter of the tribunal is located in New Delhi while regional benches are operated in Bhopal, Pune, Kolkata and Chennai. The NGT has to dispose the appeals concerning environmental issues within six months from the date of filing. Its jurisdiction spans seven laws listed in Schedule l of NGT Act, some of which notably include, the Water (Prevention and Control of Pollution) Act, 1974, Forest (Conservation) Act, 1980, Environmental (Protection) Act, 1986, Air (Prevention and Control of Pollution) Act, 1981 and Biological Diversity Act, 2002.

KEY DELIVERABLES

The National Green Tribunal delivered key rulings during its first ten founding years on issues relating to the environment. In 2012, the NGT suspended the environmental license given to a South Korean Company called POSCO to build a steel plant in Odisha.[2] In a landmark decision in case of *Save Mon Region Federation v.Union of India*, the NGT halted a Rs.6,400 crores hydro project to save the habitat of a bird. It also compelled states to enforce solid waste management rules and prohibited the open burning of waste. The NGT served not only as a multi-faceted body to adjudicate cases but also as a binding enforcement agency. It issued a landmark judgment in 2017, declaring a 100 metre No- Development Zone along the river Ganga.[3] In environmental jurisprudence, the NGT introduced the Polluter Pays Principal in

[1] *A.P. Pollution Control Board v. Prof. M.V. Nayudu (Retd.) & Others* (1999) 2 SCC 718, AIR 1999 SC 812 https://indiankanoon.org/doc/764031/ accessed 19 October 2026.

[2] BBC News, '*India Suspends POSCO Steel Plant Environment Licence*' (2012) https://www.bbc.com/news/world-asia-india-17558595 accessed 14 September 2026.

[3] *The Hindu 'Green Tribunal declares area near Ganga as 'no-development zone'* (2017). https://www.thehindu.com/news/national/no-development-zone-near-river-ganga/article19269513.ece (Accessed: 14 September 2026).

Manoj Misra v Delhi development Authority. [4] It cancelled or directed assessments to the projects which violated the environmental laws such as in Aranmula airport in Kerela, Chhattisgarh's coal blocks and Goa mining leases. The National Green Tribunal's high disposal rate of cases enhanced the credibility in environmental justice. [5]

KEY CHALLENGES

The National Green Tribunal face structural limitations and enforcement gaps. The lack of independent machinery to execute laws express the jurisdictional reach of the tribunal. Institutionally, the NGT has struggled from the basics of capacity. The looming vacancies and lack of financial resources have slowed the disposal timelines. The vision of 'fast justice' which was conceptualized during the establishment of NGT has gradually faded due to rising case backlogs. In addition, limited access to environmental justice to those living in small towns and tribal areas as NGT offices and regional branches are in located in major cities of India, posing one of the major obstacles in delivering justice in cases related to environmental exploitation in villages and remote areas. The NGT could claim a victories during a decade on from its founding moment but its achievements got overshadowed by vacant benches, pending case files and questions on ground implementation of laws.

WAY FORWARD

The growing scale of India's environmental disputes spanning from conflicts related to renewable energy to urban air quality crises has placed more burden on an institution which already lacks effective implementation machinery. A decade on, the balance sheet is genuinely

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[4] Record Of Law (2026) '*Environmental jurisprudence and role of NGT –success and gaps, Record Of Law'*. https://recordoflaw.in/environmental-jurisprudence-and-role-of-ngt-success-and-gaps/ (Accessed: 14 September 2026).

[5] Drishti IAS (2020) '*10 years of National Green Tribunal, Drishti IAS'*. Available at: https://www.drishtiias.com/daily-updates/daily-news-editorials/10-years-of-national-green-tribunal (Accessed: 14 September 2026).

mixed but not discouraging. The tribunal's docket today reads like an inventory of India's environmental crises - untreated sewage in the Ganga, air-quality action plans for the National Capital Region, hazardous and biomedical waste, single-use plastics, depleting groundwater and shrinking floodplains. That is evidence of reach, if not always of results.

Bringing forward to the present, the environmental adjudication delivered access but issues related to compliance and implementation remain unresolved. The next years must be able to prove National Green Tribunal remains accessible and active forum delivering judicial binding justice to issues concerning environment. The tribunal should be considered as a partner in sustainable development by government and ministries to foster collaborative efforts further increasing the credibility of tribunal judgements and verdicts.