

Awareness of Farmers about NGT Act, 2010: An Analytical Study

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Abstract

Government of India has formed National Green Tribunal (NGT) during the year 2010. NGT is a 'quasi-judicial' body exclusively deals with the environment related civil litigations. Before NGT has evolved, there were two previous efforts to establish green courts in India. These were National Environment Tribunal Act, of 1995 (META) and National Environment Appellate Authority Act, of 1997 (NEAA). However, the most effective environment court in the form of NGT has come into reality in 2010. After its establishment, NGT has settled many environmental issues and has got overwhelm response from different corners. This study conducted an empirical study. Main purpose of this study to know about awareness of farmers of Rohtak district (Haryana) about NGT Act, 2010. It's found that farmers of Rohtak district (Haryana) are not aware about NGT Act.

Keywords: National Green Tribunal, NGT Act, Environmental awareness.

Introduction:

Many countries have globally established separate Green Courts or Green Tribunal or Environmental Court, to deal with the environment related litigations. Perhaps, India is the third country after Australia and New Zealand to have a specialized environment court. India is one of the pioneers in establishing the green court among developing countries. In India, National Green Tribunal (NGT) was established in 2010 under Article 21 of the Indian Constitution. This particular article of Indian constitution assured its citizens for the protection of life and personal liberty. Keeping in view of this constitutional right, the government has started a new green tribunal to exclusively deal with the environment related litigations. The newly established "Green Tribunal" is a unique judicial mechanism in the sense that it is a special fast-track, quasi-judicial body to ensure speedy justice on the environment related cases.

The Tribunal comprises of equal number of judges and environmental experts to ensure efficient disposal of cases. It has also provision of compensation to be paid by the polluter for damages caused to the effected parties. The tribunal has jurisdiction on environment related subjects. Tribunal is not bound by the Civil Procedure Code of 1908. It works on the principles of natural justice. The Principal Bench of the tribunal is located in New Delhi, the capital of India. There are circuit benches in Bhopal, Chennai, Kolkata and Pune. The objective behind these establishments in different part of the country is to reach the remote parts of India. By this way people from

different parts of the country can have access of tribunal. Principal bench as well as regional benches of the Green Tribunal is currently functional. Beside this, another major purpose for the establishment of green court in different cities, aimed to reduce the burden of litigation in the general courts. Indian courts are already overburdened with the cases in every court from lower to upper courts. This paper is an empirical study, deals with genesis and the gradual evolution of green court in India. The first section deals with the background of formation of green court in India followed by the literature review, structure of NGT and its jurisdictions. In the result section, from the analysis of NGT Act, awareness among the farmers, limitations and last section of the paper discusses the NGT and finally the concluding remarks.

Objective of the study:

- To know about the awareness of Farmers of Rohtak district (Haryana).

Hypothesis of the study:

- Farmers are not aware about NGT Act, 2010.

Research Methodology:

The nature of this study is empirical. The universe of the study Northern Zone Haryana (Rohtak) has been selected by random sampling method. Total sample size 150 (Farmers) has been selected for the research. Interview scheduled and observation method has been used for collected the primary data. For secondary data as books, journals, magazines, government reports and records, newspapers etc. has been used.

Limitations:

This study is confined only Farmers of Rohtak district (Haryana).

Review of Literature:

Diwan Paras, Diwan Peeyushi (1992) In this study man's ambition for limitless enjoyment and comfort has led him towards the exploitation of nature's wealth so indiscriminately and so shamelessly as to reduce nature's capacity for self-stabilization. Consequence of thousand's years indiscriminate exploitation of nature has created numerous environmental problems. Thus the main task before our contemporary society is the solution of environment crises. But this task has to be seen in the backdrop of human freedoms and liberty. It seems to be inevitable that for preventing loss of all liberty – by inviting environmental disaster- man will have to renounce some of his so far cherished liberties. This is a two-volume compendium on laws relating to environment protection and prevention of pollution. Divan Shyam, Rosencranz Armin (2001) This book also focused on environmental strategy in to India & constitutional and legal provision regarding to environmental protection. In his book discussed about cases, articles and statutes and interpretation of current cases dealing with whole range of environmental issues. During the procedure limits of basic right that the right to life in addition to personal liberty assured listed in the Article 21 were extended to comprise ecological safeguard. Apex Court construed that right to life as well as individual freedom to comprise right to wholesome Environment. He has paid particular interest towards equity issues and to environmental problems of the urban and rural poor & intercontinental

environment law and global problems like global warming, climate change, and Green House Gases effect is also discussed. Chatterjee Benimadhab (2002)

In this book author gave an elaborate idea on the growth of environmental laws in India as well as the protection by the Tribunal in the most elaborate and sophisticated manner has been dealt with proper concern. The author has bifurcated the book into various chapters for better understanding of the laws and other policies on environment and related to the matters of environmental justice for the nation. The book also gives a detailed idea followed by a description on environmental justice where the author has properly mentioned the role of the judiciary in administration of the environmental justice. Devi Rema, Ahsan Naved (2003)

The study contains the water links all members of the living world and is the very foundation on which civilizations have been built. An undesirable consequence of large scale industrialization is the perturbing disturbances on the quantity and quality of the fresh water, an essential but scarce resource. Through the international conference "Water and Wastewater: Perspective of Developing Countries" held at New Delhi during December 11-13, 2002. A major objective of the conference has been to emphasize that while fresh water availability is on the decline, wastewater availability is on the rise and that wastewater is no longer wastewater but sick water, which needs rehabilitation. The papers presented herein give a clue to the innumerable facets of water and wastewater issues and thereby the need for communication amongst the water community. In this respect, conferences serving as a for interdisciplinary interaction will therefore complement journals, wherein, in general, knowledge arrived at in isolated, specialized fields are presented for acceptance by experts in the respective fields. Upadhyaya J.J.R. (2009)

In this book the author observed and had talked about various forms of relation which plays a vital role between the Tribunal and court can be observed and figured in accordance with various judgments throughout the nationwide. The author has also mentioned about the Franks committee which has different definitions in regard to the Tribunal and its power stop it also states the status and reason for the growth of the NGT another working Tribunals which may dispose of the cases in a speedy and effective manner on time-to-time basis. However, in accordance with Part XIV A of the Constitution of India which was further inserted in accordance with the new article for the specialized Tribunal under Article 323-A and 323-B by the 42nd amendment. Narwal S.S., Szajdak Lech and Sampietro D.A. (2011)

Allelopathy is newly emerging multidisciplinary field of agricultural research. Allelopathy research work has been done in various fields of agriculture and plant science. However, no standard methods are being used by various workers due to lack of compendium on the Techniques, hence, the results obtained are not easily comparable with each other. It is causing lot of problems to researchers working in underdeveloped countries in small towns, where library and research facilities are not available. Therefore, to make available the standard methods for conducting allelopathy research work, this multi-volume book has been planned with one volume each for each discipline. In all the conferences held since 1990's in India or in foreign countries, a need has

always been felt for a Manual of Allelopathy Research Methods. Hence, Prof. S.S. Narwal has planned this multi-volume book Research Methods in Plant Sciences: Allelopathy. This book series aims to provide basic information about various methods to research workers, so that they can conduct research independently without the requirement of sophisticated equipment. Hazra Somnath (2013)

In the study physical environment is the most important feature of the human habitat in this world. Till recently the western world treated them as free goods and exploited it without knowing its crucial importance in human life. In brief, this book consists of as many as 32 research articles authored by distinguished scholars from all parts of India and even abroad from countries like Australia. The articles are distributed over areas like water, air, land, forest, bio-diversity, energy, climate change, environmental pollution and waste management besides a few articles on general issues but relevant for India. Iwata Shingo, Tabuchi Toshio, Warkentin Benno P. (2015) This book shown that soil has three unique physical characteristics. The first and most conspicuous is that soil is a porous medium, and consequently possesses a filtering function. Soil consists of particles with various shapes and sizes- clay, silt, sand and larger gravel and stones. Second, soil has a very large specific surface area, which leads to a large interaction between ions and water molecules with the soil particles. Third, soil contains a high concentration of electrical charges due to clay and organic matter, a characteristic that allows soil to retain a high concentration of ions. These characteristics present particular problems that are different from those in other scientific fields. The first problem is related to physical heterogeneity, such as no uniform distribution of ions in the soil solution. The second is concerned with complicated physical and physicochemical phenomena such as frost heaving and soil swelling. The third is connected with peculiarities of water movement such as infiltration into soil with macropores, unsaturated flow in soil under a near-saturated condition and unsaturated flow at low water content. This book provides a stimulating discussion of these problems, based on new viewpoints developed in the very useful interdisciplinary study for the interactions between soil and water. Puggioni Antonio (2016) The role of tribunals and of access to justice assumes a significance insofar as it guarantees the respect of the rule of law that has been highlighted as the fundamental aspect for achieving sustainable development. In this regard, experiences of national implementation of the principle of sustainable development in the field of human rights are crucial for understanding current developments and for studying legal systems that are mutually influencing and reinforcing each other. In this framework, a “fourth”, legal leg of sustainable development has been envisioned as a necessary complement to realise the 2030 Agenda, through the role of inclusive and effective institutions. Concerning the guarantee of environmental rights, three main strategies can be outlined: the maintenance of general jurisdictions; the establishment of “green benches” as sections of ordinary tribunals dealing with environmental cases; the creation of specialised tribunals, with experts in scientific subjects and judges specifically trained in this field. The thesis thus analyses the advantages brought forward by the newly established tribunal - expanded access to tribunals,

through new rules and a more flexible procedure; enhanced expertise due to the change in the composition of courts; consistency in decisions, thanks to the specialisation - as well as possible drawbacks caused by the resort to creeping jurisdiction and by the monopolisation of the interpretation of sustainable development by a single environmental court. Singh Aprajita (2021) It has been more than a decade since the establishment of the National Green Tribunal in India and in this context, the effectiveness of the National Green Tribunal as an institution comes to the forefront specifically from the lens of access to justice. To fill in the gap that is existing in the environmental area in the social and economic dimension role of an effective institution created for environment protection is a matter of utmost relevance. The judicial mechanism as a means of access to justice in environmental matters as one of the pillars of environmental governance is seen as means for achieving environmental justice and bringing in environmental democracy. National Green Tribunal is a quasi-judicial body dealing specifically with environment-related civil litigations, which brings about the plurality of justice with its multidisciplinary approach. This paper through the analysis of judgments of the year 2019 of the specific months where the tribunal has done significant intervention, through analysis looks into the impact the judgments have concerning environmental protection and innovations brought and jurisprudence created through its judgments and impact on the access to environmental justice. The idea behind creating or improving environmental courts is the desire to improve the third pillar of environmental democracy (Pring & Pring, 2016). The National Green tribunal of India was created for speedy environmental justice in environmental matters. It was established on 18 October 2010 under the National Green Tribunal Act 2010. The preamble to the NGT Act 2010 starts with emphasizing the purpose for which the National Green Tribunal is created. The tribunal has a dedicated civil jurisdiction in environmental matters, which helps in reducing the burden of the higher courts. The methodology followed for functional analysis is the assessment of the corpus of the judgments for specific months which were significant interventions done by the National Green tribunal. As per the data on the NGT website as per data provided on the website gives the picture that the National Green tribunal, as an institution is very efficient with the number of cases that are coming to it and amount of the cases that has been disposed and pendency of the cases, is very low. Coggins Chris, Chen Bixia (2022)

This book presenting a thorough examination of the sacred forests of Asia, it engages with dynamic new scholarly dialogues on the nature of sacred space, place, landscape and ecology in the context of the sharply contested ideas of the anthropocene. Given the vast geographic range of sacred groves in Asia, this volume discusses the diversity of associated cosmologies, traditional local resource management practices and environmental governance systems developed during the precolonial, colonial and post-colonial periods. Adopting theoretical perspectives from political ecology, the book views ecology and polity as constitutive elements interacting within local, regional and global networks. Readers will find the very first systematic comparative analysis of sacred forests that include the karchall mabhuy of the Katu people of Central Vietnam, the leuweng

kolot of the Baduy people of West Java, the fengshui forests of southern China, the groves to the goddss Sarna Mata worshiped by the Oraon people of Jharhand India, the mauelsoop and bibosoop of Korea and many more. Comprising in depth, field based case study, each chapter shows how the forest's sacrality must not be conceptually delinked from its role in common property regimes, resource security, spiritual matters of ultimate concern and cultural identity. Singh Manjit, Kumar Vinod, Kumar Ajay (2024)

Environmental justice is an effective medium for making government responsible and guaranteeing that environmental laws and regulations executed for the protection of environment. Earlier the enforcement of these environmental rights was possible through Article 32 and 226 of the Constitution and regular court were approached for the conservation of environmental issues. Access to regular courts for environmental justice was time-consuming, and ineffective in resolving environmental disagreements because of the growing complexity of environmental laws and wisdom. Therefore, National Green tribunal was passed with the aim of tackle these scientific and technical issues with the help of Judicial and Expert members in less expensive and speedy manner. In Asian context, India has a leading role to play being "the world's largest democracy". Our country is able to influence positively not only other States of the Sub continent but Asian democracies as a whole. With reference to judicial enforcement of environmental law, India being a third country after the Australia and New Zealand which have specialized environmental court to deals with environmental litigation in speedy and effective manner. NGT Act implements the commitments of India made in Stockholm Declaration of 1972 and in Rio Conference of 1992. India is committed to take appropriate steps for protection and improvement of human environment and to provide effective access to judicial and administrative proceedings, including redress and remedies. At global level origin and development of international environmental justice can be traced through various sources like customary principles of international law, decision of judicial or arbitration bodies at the international level, codifications, conventions, treaties, binding or non-binding declarations, protocols and resolutions. Singh Varsha, Sharma Atul (2025)

The increasing prevalence of environmental degradation and as a major national problem forced the Indian state to re-examine its modes of governance. With the enactment of the National Green Tribunal Act, 2010, a paradigm shift has taken place in India toward a more specialized, scientific, and effective judicial response to environmental disputes in India. This paper critically evaluates the role of the NGT in consolidating environmental governance, its role in achieving environmental justice and its impact on the larger legal and policy framework in India. The paper considers the effectiveness of the NGT, its key decisions, limitations, and its concurrence with India's international environmental obligations via both doctrinal and empirical analysis. The research seeks to shed light in the public debates over institutional change, environmental responsiveness, and judicial creativity in environmental law. At a time of ecological uncertainty, climate change and pressures of un-sustainable development, bodies like the NGT is indispensable.

They are not just arbiters, but the instruments of environmental justice, and accountability and sustainability.” The NGT can be a global model of environmental law and judicial process if it’s potential matches the institutional backing, reformulation and continued public involvement.

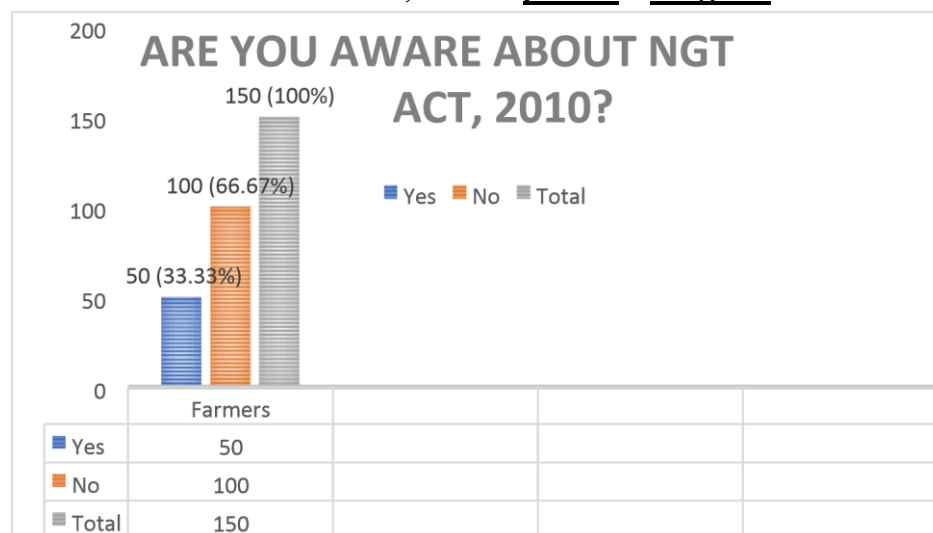
Table No. 1

Statement: Are you aware about NGT Act, 2010?		
Farmers of Rohtak district (Haryana)		
Yes	No	Total Data
50 (33.33%)	100 (66.67%)	150

Source: Primary Data

The table (1) shows that 66.67% Farmers of Rohtak district (Haryana) are not aware about NGT Act, 2010, while 33.33% Farmers are aware about it. It means government has been failed to get aware the Farmers about this Act.

H-1 Farmers are not aware about NGT Act, 2010 is **proved**. **Diagram**



Result:

- 66.67% Farmers of Rohtak district (Haryana) are not aware about NGT Act, 2010, while 33.33% Farmers are aware.

References:

1. Diwan Paras, Diwan Peeyushi, “Environment Administration, Law and Judicial Attitude, Environment Protection Acts and Rules”, Deep and Deep Publications, New Delhi, 1992.
2. Divan Shyam, Rosencraz Armin, “Environmental Law and Policy in India: Cases, Materials and Statutes”, Oxford University Press, 2001.
3. Chatterjee Benimadhab, “Environmental Laws: Implementation Problems and

Perspectives”, Deep Publication Pvt. Ltd., New Delhi, 2002.

4. Devi Rema, Ahsan Naved, “Water and Wastewater Perspectives of Developing Countries”. Anamaya Publishers, New Delhi, 2003.
5. Jha, Shreyasi, and Shanti Gamper-Rabindran. "Environmental impact of India's trade liberalization." Cornell University International Colloquium on S75 Years of Development Research. 2004.
6. Sharma, R., Green Courts in India: Strengthening Environmental Governance? 4/1 Law, Env Dev J, (4)2008.
7. Upadhyaya J. J. R., “Administrative Law”, Central Law Agency, Allahabad, 2009.
8. The National Green Tribunal Act, 2010, Ministry of Law and Justice, New Delhi, June 2, 2010.
9. Narwal S.S., Szajdak Lech, Sampietro D.A., “Soil Allelochemicals”, Studium Press LLC, Texas (USA), 2011.
10. Yadav, N. K., & Kesav, P. K. B., Centre for Science and Environment, National Green Tribunal: A new beginning for environmental cases? (<http://www.cseindia.org/print/2900>), 2011.
11. Hazra Somnath, “Environmental Problems and Challenges: Recent Issues and Opportunities”, Regal Publications, New Delhi, 2013.
12. WWF India, Green Tribunal (http://www.wwfindia.org/about_wwf/enablers/cel/national_green_tribunal/) 2014.
13. Iwata Shingo, Tabuchi Toshio, Warkentin Benno P., “Soil-Water Interactions: Mechanisms and applications”, Marcel Dekker, Inc., New York, 2015.
14. Puggioni Antonio, “Access to Justice and Sustainable Development: The National Green Tribunal of India”, IMT School for Advanced Studies, Lucca (Italy), 2016.
15. Singh Aprajita, “A Decade of National Green Tribunal of India: Judgement Analysis and Observations”, University of Petroleum and Energy Studies, Dehradun, 2021.
16. Coggins Chris, Chen Bixia, “Sacred Forests of Asia: Spiritual Ecology and the Politics of Nature Coservation”, Published by Routledge, 2022.
17. Singh Manjit, Kumar Vinod, Kumar Ajay,” Environmental Justice an Overview”, EPRA International Journal of Multidisciplinary Research (IJMR) - Peer Reviewed Journal, Vol. – 10, Issue- 9, September, 2024.
18. Singh Varsha, Sharma Atul, “The Role of the National Green Tribunal (NGT) in Environmental Governance in India”, International Journal of Law Management & Humanities, Vol.8, Issue – 4, 2025.