

The National Green Tribunal (Practices and Procedure) Rules, 2011

UNION OF INDIA

India

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Rule

THE-NATIONAL-GREEN-TRIBUNAL-PRACTICES-AND-PROCEDURE-R of 2011

- Published on 4 April 2011
- Commenced on 4 April 2011
- [This is the version of this document from 4 April 2011.]
- [Note: The original publication document is not available and this content could not be verified.]

The National Green Tribunal (Practices and Procedure) Rules, 2011Published vide Notification No. G.S.R. 296(E), 4th April, 2011Ministry of Environment and ForestsG.S.R. 296(E). - In exercise of the powers conferred by sub-section (4) of Section 4 read with Section 35 of the National Green Tribunal Act, 2010 (19 of 2010), the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the National Green Tribunal (Practices and Procedure) Rules, 2011.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise requires.-(a)"Act" means the National Green Tribunal Act, 2010 (19 of 2010);(b)"agent" means a person duly authorised by a party to present an application, appeal, written reply, rejoinder or any other document on behalf of such party before the Tribunal;(c)"applicant" means person making an application or appeal to the Tribunal under section 18;(d)"appellant" means person making an appeal to the Tribunal under section 16 read with section 18;(e)"Environmental Relief Fund" means the Fund established under section 7A of the Public Liability Insurance Act, 1991 (6 of 1991);(f)"Form" means a form appended to these rules;(g)"legal practitioner" shall have the same meaning as is assigned to it in the Advocates Act, 1961 (25 of 1961);(h)"legal representative" means a person who in law represents the estate of the

deceased person and includes the person or persons in whom the right to receive compensatory benefits vests;(i)"Registrar" means an officer of the Tribunal appointed under the Act and designated as the Registrar and includes the Deputy Registrar;(j)"Registry" means the Registry of the Tribunal;(k)"section" means a section of the Act;(l)"transferred case" means the application or appeal or other proceeding which has been transferred to the Tribunal under sub-section (5) of section 38;(m)"Tribunal" means the National Green Tribunal established under section 3;(2)The words and expression used in these rules but not defined herein and defined in the Act shall have the same meanings, respectively, assigned to them in the Act.

3. Distribution of business amongst the different ordinary place or places of Sittings of Tribunal.

(1)The Chairperson may constitute a bench of two or more members consisting of at least one Judicial Member and one Expert Member.[Provided that in exceptional circumstances the Chairperson may constitute a single Member Bench] [Inserted by Notification No. G.S.R. 1473(E), dated 1.12.2017 (w.e.f. 4.4.2011).](2)The Chairperson shall have the power to decide the distribution of the business of the Tribunal amongst the members of the Tribunal sitting at different places by order and specify the matters which may be dealt with by each such sitting in accordance with the provisions of clause (d) of sub-section (4) of section 4 of the Act.(3)If any question arises as to whether any matter falls within the purview of the business allocated to a place of sitting, the decision of the Chairperson shall be final.Explanation. - The expression "matter" includes application for interim relief.

4. Circuit procedure.

- The Chairperson may, by general or special order, decide the cases or class of cases for which circuit procedure may be adopted by the Tribunal under clause (b) of sub-section (4) of section 4 of the Act and may delegate such powers to a Judicial Member as he may deem fit.

5. Minimum number of members who shall hear application or appeal.

(1)The Tribunal shall hear an application or appeal, as the case may be, consisting of at least by a Judicial and an Expert Member.(2)Where the Chairperson considers it necessary that a particular case or cases be heard and decided by the Tribunal consisting of more than two members he may by order in writing direct that such case or cases, be heard by such members of the Tribunal as may be specified in that order.

6. Sitting at place other than the place where it shall ordinarily sit.

- If at any time the Judicial Member of Tribunal is satisfied that circumstances exist which render it necessary to have its sitting at any place, other than the place at which it ordinarily sits, falling within its territorial jurisdiction, he may with the previous approval of the Chairperson direct that the sitting shall be held at any such appropriate place.

7. Functions of Registrar.

(1)The Chairperson may, by general or special order, entrust the following functions to the Registrar, namely:-(a)to receive all applications, appeals and other documents including transferred applications or appeals;(b)to decide all questions arising out of the scrutiny of the applications and appeals before they are registered;(c)to require any application or appeal presented to the Tribunal to be amended for compliance with the provision of the Act or the rules made thereunder;(d)subject to the directions of the Tribunal to fix the date of hearings and to issue notices therefor;(e)to direct any formal amendment of records;(f)to order grant of copies of documents to parties to the proceeding;(g)to grant leave to inspect the records of the Tribunal;(h)to dispose of all matters relating to the service of notices or other processes, application or appeals for the issue of fresh notices and for extending the time for filing such application or appeals, to grant time not exceeding thirty days for filing a reply or rejoinder, if any, and to place the matter before the Tribunal for appropriate orders after the expiry of the aforesaid period;(i)to requisition or transfer of any records of such suit, claim or other legal proceedings as are transferred to the Tribunal from any court or other authority;(j)to receive and dispose of application for substitution, except where the substitution would involve setting aside an order of abetment;(k)to receive and dispose of application by parties for return of documents; and(l)to call for information and records and to inspect or cause to be inspected the registry of the other place of sittings under general or special orders as may be issued by the Chairperson from time to time.(2)The official records shall be kept in the custody of the Registrar.

8. Procedure for filing application or appeal.

(1)An application or appeal to the Tribunal under section 18 shall be presented in Form I by the applicant or appellant, as the case may be, in person or by an agent or by a duly authorised legal practitioner, to the Registrar or any other officer authorised in writing by the Registrar to receive the same or be sent by registered post with acknowledgement duly addressed to the Registrar of the Tribunal at and sent to concerned place of sitting:Provided that where the application is for relief and compensation, it shall be made in Form II.(2)The application or appeal, as the case may be, under sub-rule (1) shall be presented in triplicate in the following two compilations-(i)Compilation No. 1 - application or appeal, as the case may be, along with the impugned order, if any;(ii)Compilation No. 2 - all other documents and annexures referred to in the application or appeal, in a paper book form.(3)Where the number of respondents is more than one, as many extra copies of the application or appeal, in paper-book form as there are respondents together with unused file size envelope bearing the full address of each respondent shall be furnished by the applicant or appellant, as the case may be:Provided that where the number of respondents is more than five, the Registrar may permit the applicant or appellant, as the case may be, to file the extra copies of the application or appeal, as the case may be, at the time of issue of notice to the respondents.(4)The applicant or appellant, as the case may be, may attach to, and present with, his application or appeal, as the case may be, a receipt slip in Form III which shall be signed by the Registrar or the officer receiving the application or appeal on behalf of the Registrar in acknowledgement of the receipt of the application or appeal.(5)Notwithstanding anything contained in sub-rules (1) to (3), the Tribunal may permit more than one person to join together and file a

single application or appeal, as the case may be, if it is satisfied, having regard to the cause and the nature of relief prayed for that they have a common interest in the matter: Provided that such permission may also be granted to an agent representing the person desirous of joining in a single application or appeal provided, however, that the application or appeal shall disclose the class, grade, categories or persons on whose behalf it has been filed: Provided further that at least one affected person joins such an application or appeal.

9. Presentation and scrutiny of application or appeal.

(1) The Registrar, or the officer authorised by him under rule 8, shall endorse on every application or appeal, as the case may be, the date on which it is presented or deemed to have been presented under that rule and shall sign the endorsement. (2) If, on scrutiny, the application or appeal, as the case may be, is found to be in order, it shall be duly registered in a register in Form IV and assigned a serial number.

10. Rectification of defects.

(1) If on scrutiny, any application or pleadings filed in the Tribunal is found to be defective, the Registrar or the authorised officer of the Registry shall notify in Form V on the Notice Board of the Tribunal fixing the time for rectifying the same. (2) The papers shall be returned to the party or his legal practitioner only after obtaining acknowledgment thereof in the Inward Register. (3) The Registrar may, for good and sufficient reasons extend the time for rectifying the defects, provided the total period for rectification including the extended period does not exceed thirty days. (4) If the party or his legal practitioner contests the office objection and the Registrar is not satisfied, the matter shall be placed before the Tribunal for appropriate orders. (5) If the party or his legal practitioner rectifies the defects and represents the application or appeal or pleading within the time granted, the Registrar on being satisfied may order for its registration and acceptance and numbering as specified in rule 9.

11. Place of filing application or appeal.

- An application or appeal, as the case may be, shall ordinarily be filed by an applicant or appellant, as the case may be, with the Registrar of the Tribunal at its ordinary place of sitting falling within the jurisdiction, the cause of action, wholly or in part, has arisen.

12. Fee.

(1) An application or appeal where compensation has been claimed, shall be accompanied by a fee of equivalent to one per cent of the amount of compensation claimed, subject to a minimum of one thousand rupees: Provided that where the Tribunal permits a single application or appeal to be filed either by more than one person or by an association of persons, the fee payable shall be equivalent to one per cent of the total amount of compensation claimed. Provided further that, there shall be no fee for filing of application or appeal for claiming compensation by any person who is below the

poverty line determined in accordance with the guidelines or instructions issued by the Central Government or the State Government from time to time in this regard or indigent person determined in accordance with the provisions of the Code of Civil Procedure, 1908 (5 Of 2008).(2)An application or appeal where no compensation has been claimed shall be accompanied by a fee of one thousand rupees.(3)The fee under this rule shall be remitted either in form of a crossed demand draft drawn on a nationalised bank in favour of the Registrar payable at the main branch of that bank at the station where the place of sitting of the Tribunal is situated or remitted through a crossed Indian Postal Order drawn in favour of the Registrar and payable at the Post Office of the station where the sitting of the Tribunal is situated.

13. Contents of application or appeal.

(1)Every application or appeal filed under rule 8 shall set forth concisely under distinct heads the grounds for such application or appeal and such grounds shall be numbered consecutively.(2)Every application or appeal including any miscellaneous application shall be typed in double space on one side on thick paper of good quality.(3)It shall not be necessary to present a separate application or appeal to seek an interim order or direction if in original application or appeal the same relief is prayed for.(4)An applicant or appellant may, subsequent to the filing of an application or appeal under section 18 of the Act, apply for an interim order or direction by way of an application in Form I or Form II, as the case may be.(5)Every application or appeal, as the case may be shall be accompanied by the following documents, namely:- (a) attested true copy of the order against which the application or appeal, as the case may be, is filed;(b)copies of the documents relied upon by the applicant or appellant, as the case may be, and referred to in the application or appeal;(c)an index or the documents.(6)The documents referred to in sub-rule (5) may be attested by a legal practitioner or by a gazetted officer and each document shall be marked serially as Annexures - A1, A2, A3 and so on.(7)Where an applications or appeal, as the case may be, is filed by any agent, the documents authorising him to act as such agent shall also be appended to the application or appeal:Provided that where an application or appeal, as the case may be, is filed by a legal practitioner, it shall be accompanied by a duly executed 'Vakalatnama'.

14. Plural remedies.

- An application or appeal, as the case may be, shall be based upon a single cause of action and may seek one or more relief provided that they are consequential to one another.

15. Service of notice and processes.

(1)Notices to be issued by the Tribunal may be served by any of the following modes-(i)by hand delivery (dasti) to the party itself or to the authorised agent, as the case may be, through process server;(ii)by registered post with acknowledgement due;(iii)through the concerned head of Office of the same Department involved in the proceedings.(2)Where notice issued by the Tribunal is served by the party himself by hand delivery' (dasti), he shall file in the Registry of the Tribunal, the acknowledgement together with an affidavit of service.(3)Notwithstanding anything contained in sub-rule (1), the Tribunal may, taking into account the number of respondents and their places of

residence or work and other circumstances, direct the notice of the application or appeal, as the case may be, shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient.(4)Notwithstanding anything contained in sub-rule (1), the Tribunal, may in its discretion, having regard to the nature of the case, direct the service of the notice on the Standing Counsel, authorised to accept the service, for any Department or Organisation of the Central Government or the State Government or Union territory, or an authority, a corporation or a body owned or controlled by the Central Government or the State Government or Union territory, as the case may be.(5)Every notice issued by the Tribunal shall unless otherwise ordered, be accompanied by a copy of the application or appeal, as the case may be, and a copy of the impugned order.(6)Notwithstanding anything contained in sub-rules (1) to (4), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of application or appeal, as the case may be, upon all the respondents, it may, for reasons to be recorded in writing, direct that the application or appeal, as the case may be, shall be heard notwithstanding that some of the respondents have not been served with notice of the application or appeal:Provided that no application or appeal, as the case may be, shall be heard unless-(i)the notice of the application or appeal, as the case may be, has been served on the Central Government or the State Government or Union territory, as the case may be, if such Government is a respondent;(ii)the notice of the application or appeal, as the case may be, has been served on the authority which passed the order against which the application or appeal has been filed; and(iii)the Tribunal is satisfied that the interests of the respondents on whom notice of the application or appeal, as the case may be, has not been served are adequately and sufficiently represented by the respondents on whom notice of the application or appeal, as the case may be, has been served.(7)Every applicant or appellant, as the case may be, shall pay for the service or execution of processes, in respect of an application or appeal where the number of respondents exceeds five, as under -(a)a sum of five rupees for each respondent in excess of five respondents;(b)where the service is in such manner as the Tribunal may direct under sub-rule (3) such a sum not exceeding the actual charges incurred in effecting the service as may be determined by the Tribunal.(8)The fees for the service or execution of process under sub-rule (7) shall be remitted in the manner specified under rule (12) within one week of the date of order determined the fees or within such extended time as the Registrar may permit.

16. Filing of reply and other documents by respondents.

(1)Each respondent intending to contest the application or appeal, as the case may be, shall file in triplicate the reply to the application or appeal, as the case may be, and the document relied upon in paper book form with the Registry within one month of the service of notice of the application or appeal on him.(2)In the reply filed under sub-rule (1), the respondent shall specifically admit, deny or explain the facts stated by the applicant or appellant, as the case may be, in his application or appeal, as the case may be, and may also state such additional facts as may be found necessary for the just decision of the case.(3)The reply shall be signed and verified as a written statement by the respondent or any other person duly authorised by him in writing in the same manner as provided for in Order VI, rule 15 of the Code of Civil Procedure, 1908 (5 of 1908).(4)The documents accompanying reply shall also be filed along with the reply and the same shall be marked as R1, R2, R3 and so on.(5)The respondent shall also serve a copy of the reply along with documents as mentioned in sub-rule (1) on the applicant or appellant, as the case may be, or his legal practitioner,

if any, and file proof of such service in the Registry.(6)The Tribunal may allow filing of the reply after the expiry of the specified period with or without cost.(7)The Tribunal may permit the parties to amend the pleadings in the same manner as provided under Order 6, Rule 17 of the Code of Civil Procedure, 1908 (5 of 1908).

17. Date and place of hearing.

- The Tribunal shall notify to the parties the date and the place of hearing of the application or appeal in such manner as the Chairperson may by general or special order direct.

18. Calendar of cases.

(1)The Tribunal shall draw up a calendar for the hearing of transferred cases and, as far as possible, hear and decide the cases according to the calendar.(2)The Tribunal shall have the power to decline an adjournment and also to limit the time for oral arguments.(3)Every application or appeal shall be heard and decided finally, as far as possible within six months from the date of filing an application or appeal, as the case may be.

19. Maintenance of diary.

(1)The concerned officer of the Tribunal shall maintain legibly a case diary, wherein he shall record the proceedings for each case listed in the daily cause list.(2)The matters to be recorded in the diary shall include details as to whether the case is adjourned, or part-heard or heard and disposed of or heard and orders reserved, as the case may be.

20. Action on application for applicant's or appellant's default.

(1)Where on the date fixed for hearing of the application or appeal, as the case may be, or on any other date to which such hearing may be adjourned the applicant or appellant, as the case may be, does not appear when the application or appeal, as the case may be, is called for hearing, the Tribunal may in its discretion, either dismiss such application or appeal for default or hear and decide it on merit.(2)Where an application or appeal, as the case may be, has been dismissed for default and the applicant or appellant, as the case may be, files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the application or appeal was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application or appeal, as the case may be, and restore the same:Provided that where the case was disposed of on merits the decision shall not be reopened except by way of review.

21. Ex-parte hearing and disposal of cases.

(1)Where on the date fixed for hearing the application or appeal, as the case may be, or on any other date to which such hearing may be adjourned, the applicant or appellant, as the case may be,

appears and the respondent does not appear when the application or appeal is called for hearing, the Tribunal may, in its discretion adjourn the hearing, or hear and decide such application or appeal ex-parte.(2)Where an application or appeal, as the case may be, has been heard ex-parte against a respondent or respondents such respondent or respondents may apply within thirty days from the date of the order to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was not duly served, or that he or they were prevented by any sufficient cause from appearing when application or appeal was called for hearing, the Tribunal may make an order setting aside the ex-parte order as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with such application or appeal:Provided that where the ex-parte order of the application or appeal is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also:Provided further that the Tribunal shall not set aside ex-parte order of an application or appeal, as the case may be, merely on the ground that it was not served upon a respondent or respondents.

22. Application for review.

(1)No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed.(2)A review application shall ordinarily be heard by the Tribunal at the same place of sitting which has passed the order, unless the Chairperson may, for reasons to be recorded in writing, direct it to be heard by Tribunal sitting at any other place.(3)Unless otherwise ordered by the Tribunal sitting at the concerned place, a review application shall be disposed of by circulation and the Tribunal may either dismiss the application or direct notice to the opposite party.(4)When an application for review of any judgment or order has been made and disposed of, no further application for review shall be entertained.(5)No application for review shall be entertained unless it is supported by a duly sworn affidavit indicating therein the source of knowledge, personal or otherwise, and also those which are sworn on the basis of the legal advice.(6)The counter affidavit in review application shall also be on a duly sworn affidavit wherever any averment of fact is disputed.

23. Order to be signed and dated.

(1)Every order of the Tribunal shall be signed and dated by the Members constituting the sitting of the Tribunal, which pronounced the order.(2)The order shall be pronounced in open court.

24. Order and directions in certain cases.

- The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its order or to prevent abuse of its process or to secure the ends of justice.

25. Publication of orders.

- The Tribunal shall get its decisions or orders reported, to be fit for publication in any authorised legal report or Journal or such of the order of the Tribunal as are deemed fit for publication in any

authoritative report or Journal or the press may be released for such publication on such terms and conditions as the Chairperson may specify by general or special order.

26. Dress of the Members and staff of the Tribunal.

- The dress for the Members of the Tribunal (including Chairperson) and members of the staff shall be such as the Chairperson may specify.

27. Dress of the parties.

- A legal practitioner or, as the case may be, the presenting officer shall appear before the Tribunal in his professional dress as prescribed for appearance before the courts and if there is no such dress, then-(a)in the case of a male, a suit with a tie or close coat or any other customary dress of sober colour;(b)in case of female, in a saree or any other customary dress of sober colour.

28. Communication of order to parties.

(1)Every interim order, granting or refusing or modifying interim relief or final order shall be communicated to the applicant or appellant, as the case may be, and to the concerned respondent either by hand delivery or by Registered Post, free of costs:Provided that unless ordered otherwise by the Tribunal, a copy of the final order need not be sent to any respondent who has not entered appearance:(2)The applicant or, as the case may be, the appellant or the respondent who is duly represented by an Advocate, or other authorised agent requires a copy of any document, proceeding or order, the same shall be supplied to him on such terms and conditions on payment of such fees or cost as may be fixed by the Chairperson by general or special order.

29. Inspection of records.

(1)The parties to any case or their counsel may be allowed to inspect the record of the case on making an application in Form VI to the Registrar.(2)Subject to such terms and conditions as may be specified by the Chairperson by a general or special order, a person who is not a party to the proceeding, may also be allowed to inspect the proceeding after obtaining the permission of the Registrar in writing.(3)The applicant or his Counsel or other authorised representative shall pay such fees or charges as may be specified by the Chairperson by general or special order for the inspection of the records of a case.

30. Working hours of Tribunal.

- Except on second Saturday of month, Sundays, and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairperson remain open from 9:30 hours to 17:30 hours of a day.

31. Sitting hours of Tribunal.

- The sitting hours of the Tribunal shall ordinarily be from 10:30 hours to 13:30 hours and 14:30 hours to 16:30 hours subject to any general or special order made by the Chairperson.

32. Seal and emblem.

(1)The official seal and emblem of the Tribunal shall be such as the Central Government may, in consultation with the Chairperson, specify and the same shall be kept in the custody of the Registrar.(2)The seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing given by the Tribunal to the Registrar.(3)The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing given by the Tribunal to the Registrar.

33. Language of Tribunal.

(1)The language of the Tribunal shall be English:Provided that the parties to a proceeding before the Tribunal may file documents drawn up in Hindi, if they so desire:Provided further that-(a)the Tribunal may, in its discretion permit the use of Hindi in the proceedings;(b)the Tribunal, hearing the matter may in its discretion direct English translation of pleadings and documents to be filed;(c)the Tribunal may, in their discretion, make final orders either in Hindi or in English.(2)Notwithstanding anything contained in sub-rule (1), where a final order is made in Hindi, and authenticated English translation thereof shall simultaneously be prepared and kept on record.

34. Manner of giving notice.

- The manner of giving notice under clause (b) of sub-section (1) of section 30 of the Act shall be as follows:- (a)the notice shall be in writing in Form V; and (b)the person giving notice shall send a copy of the same - (i)to the person concerned against whom the order or award has been passed by the Tribunal or the Central Government or the State Government or Union territory or the Board or Authority or Committee dealing with the matters relating to environment or forests constituted under the Act specified under Schedule I to the Act; (ii)to the District Collector of the concerned District where the cause of action has arisen or the property damaged is situated or environmental damage has arisen; (iii)to the authority specified under sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 (6 of 1991).

35. Manner and the purposes for which amount of compensation or relief or restitution credited to Environment Relief Fund shall be utilised.

(1)The amount by way of compensation or relief to the victim or restitution of property and the environment, ordered by the Tribunal to be paid shall be remitted to the authority, specified under sub-section (3) of section 7A of the Public Liability Insurance Act, 1991 (6 of 1991), within a period

of thirty days from the date of order or award or as otherwise ordered by the Tribunal.(2)In the case of failure to remit the amount by the concerned person, under sub-rule (1), within the time so specified, the District Collector of the concerned district shall file a complaint, before the Court having jurisdiction, under clause (a) of sub-section (1) of section 30 of the Act.(3)The amount referred to in sub-rule (1), shall be credited to the Environment Relief Fund under section 24 of the Act for utilisation under any heads specified in Schedule II to the Act.(4)A separate account shall be created and maintained by the authority referred to in sub-rule (1) for the purpose of receiving and disbursement of the amount pursuant to the order or award of the Tribunal.

36. Procedure for disbursement of relief or compensation or restitution of property damaged.

(1)A copy of the award or order or decision of the Tribunal passed under clause (a) or clause (b) of sub-section (1) of section 15 of the Act shall be transmitted to the authority referred to in sub-rule (1) of rule 35 and the District Collector having local jurisdiction for disbursement.(2)The authority referred to in sub-rule (1) of rule 35 shall transfer the amount so deposited in the Environment Relief Fund to the concerned District Collector within a period of thirty days from the date of deposit.(3)The District Collector shall arrange to disburse the amount of compensation or relief and restitution of property damaged within a period of thirty days of the receipt of the amount under sub-rule (2), to the affected persons or victims of pollution or other environmental damages arising under the enactments specified in Schedule-I, under the heads specified in Schedule II, to the Act.

37. Procedure for disbursement of amount for restitution of environment.

(1)For the purpose of restitution of environment of such area or areas, affected by pollution and other environmental damages arising under the enactments specified in the Schedule-I to the Act, the concerned Department of the State Government dealing with environment and forests shall be the Nodal Agency for execution of projects or scheme or schemes for restoration and remediation of environment in accordance with the direction or award of the Tribunal.(2)A copy of the award or order or decision of the Tribunal passed under clause (c) of sub-section (1) of section 15 of the Act shall be transmitted to the authority referred to in sub-rule (1) of rule 35 and the Nodal Agency for disbursement.(3)The authority referred to in sub-rule (1) of rule 35 shall transfer the amount so deposited in the Environment Relief Fund to the concerned Nodal Agency within a period of thirty days from the date of receipt of the order of the Tribunal.(4)The Nodal Agency shall execute such projects or scheme or schemes by itself or through other Department or authority or agency of the State Government or in such manner as may be directed by the Tribunal.(5)The projects or scheme or schemes referred to in sub-rule (4) prepared by the Nodal Agency shall commence within a period of one hundred eighty days from the date of the order or award of the Tribunal.(6)The Nodal Agency or other Department or authority or agency referred to in sub-rule (4) may associate expert agencies, like, the State Pollution Control Board or other technical institutions having expertise in the formulation and execution of project or schemes for restitution of environment, in accordance with the directions of the Tribunal.
Form I[See rule 8(1)]
Before The National Green Tribunal sitting atMemorandum of Application/ Appeal(Under Section 18(1) read with Sections 14, 15, 16 & 17 of National Green Tribunal Act, 2010)Application/Appeal No ofBetween:

1.

2.

.... Applicant(s)/Appellant(s)And

1.

2.

.... Respondent/s

1.

) The addresses of the Applicant/ Appellant/s is/ are as given above for the service of notices of this application/ appeal and that of their representative(s)

2.

) The addresses of the Respondent/s is/ are as given above for service of notices of the application/ appeal

3.

) The Applicant(s)/ Appellant(s) above-named begs to present the Memorandum of Application/ Appeal against the order dated of Respondent/s on the grounds set-out hereunder:Facts in brief:

1.

2.

3.

Grounds:

1.

2.

3.

Limitation:

1.

2.

Prayer:.....Signature ofApplicant(s)/Appellant(s).....Signature of authorised representative of applicant(s)/appellant(s)VerificationI (Name of the applicant/ appellant) S/o, W/o, D/o , age resident of , do hereby verify that the contents of paras to are true to my personal knowledge and paras to believed to be true on legal advice and that I have not suppressed any material fact.Date PlaceSignature of the applicant/appellantForm II[See rule 8(1)]Form of Application for Relief and Compensation(Under section 15, read with section 18(1), of National Green Tribunal Act, 2010)Before The National Green Tribunal sitting atApplication No ofShri/Srimati/Kumari ----- Son of/ Daughter of/ Widow of Shri ----- who died/ had sustained injuries in an accident on ----- at ----- particulars in respect of accident and other information are given below:

1. Name and father's name of person injured/ dead (husband's name in case of married woman of widow)

2. Address of the person injured/ dead

3. Age ----- Date of birth -----

4. Sex of the person injured/ dead:

5. Place, date and time of the accident:

6. Occupation of the person injured/ dead:

7. Nature of injuries sustained:

8. Name and address of Police Station in whose jurisdiction accident took place or was registered:

9. Name and address of the Medical Officer/ Practitioner who attended on the injured/ dead:

10. Name(s) and addresses of the claimant/ claimants:

11. Relationship with the deceased:

12. Facts of the case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

13. Grounds for relief with legal provisions:

14. Details of the remedies exhausted:

The applicant(s) declares that he/they has/have availed of all the remedies available to him/them under the relevant rules etc.(Give here chronologically the details of representations made and the outcome to such representations with reference to the number of Annexure to be given in support thereof).

15. Matters not previously filed or pending with any other court:

The applicant further declares that he/they had not previously filed any application/appeal, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other place of sitting of the Tribunal nor any such application/appeal, writ petition or suit is pending before any of them. In case the applicants had previously filed any such application/appeal, writ petition or suit, the stage at which it is pending, and if decided, the list of the decisions should be given with reference to the number of Annexure to be given in support thereof.

16. Relief sought:

In view of the facts mentioned above the applicant(s) prays for the following relief(s):- (Specify below the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).

17. Interim order, if any, prayed for:

Pending final decision on the application/appeal, the applicant seeks the following interim relief: (Give here the nature of the interim relief prayed for).

18. In the event of application/appeal being sent registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he/she shall attach a self addressed Post Card or Inland

Letter, at which intimation regarding the date of hearing could be sent to him.

19. The applicant/appellant who is below the poverty line or indigent in terms of the provisions contain in the order of Code of Civil Procedure, 1908, shall attach an attested copy of proof of below the poverty line or indigent to claim waiver of fee.

20. Particulars of Banks Draft/Postal Order filed in respect of the application fee.

21. List of enclosures:

1.

2.

Signature of the applicant(s) Signature of authorised representative of applicant(s) Date: Place: Form III [see rule 8 (4)] Receipt Slip Receipt of the application/ appeal filed in the National Green Tribunal Sitting at by Shri/ Kum/ Smt..... Residing at is hereby acknowledged. Dated: For Registrar The National Green Tribunal Seal: Place of Sitting Form IV [See rule 10] Before The National Green Tribunal sitting at Application / Appeal No of Applicant(s)/ Appellant(s) Versus Respondent(s) The papers filed in the following cases have been found on Scrutiny to be defective. Hence, it is hereby notified that the applicant(s) / appellant(s) / Respondent(s) or his/their Legal practitioner is/are required to rectify the defects in the Registry itself if they are formal in nature or to take back the papers for rectification of the defects and representation if they are not formal in nature, within the time shown against each case.

Sl. No.	Diary No. Application/Appeal No.	Papers/ documents in which defects are notified	By whom Defects are to be rectified	Defects for rectification	Time allowed for rectification/ representation
1	2	3	4	5	6
1					
2					
3					

Dated this day of 20..... Signature of the Registrar or Authorised officer Form V [See rule 34] Form of Notice By registered post Acknowledgement due From (1) Shri

..... To under Section 30 (1) of the National Green Tribunal Act, 2010 Whereas an offence under the National Green Tribunal Act, 2010 has been committed/is being committed by

(2) I/we hereby give notice of 60 days under section 30(1) of the National Green Tribunal Act, 2010 of my/our intention to file a complaint in the court against (2) for violation of section of the National Green Tribunal Act, 2010. In support of my/our notice, I am/we enclosed the following documents (3) as evidence of proof of the National Green Tribunal Act, 2010. Signature(s) Place Dated Explanation:

1.

) In case the notice is given in the name of a Company, documentary evidence authorising the persons to sign the notice on behalf of the company shall be enclosed to this notice. Company for this purpose means a company defined in explanation to section 27 (1) of the Act.

2.

) Here give the name and address of the alleged offender. In case of a manufacturing/ processing/ operation unit, indicate the name/ location/ nature of activity etc.

3.

) Documentary evidence shall include photograph/ technical reports/ health report of the area, etc. for enabling enquiry into the alleged violation/ offence. Form VI [See rule 29] Before The National Green Tribunal sitting at Application / Appeal No

of..... Applicant(s)/

Appellant(s) Versus..... Respondent(s) Application for Inspection of documents/records I hereby apply for grant of permission to inspect the documents / records in the above case. The details are as follows:-

1. Name and address of the person seeking inspection :
2. Whether he is a party to the case or his legal practitioner :
3. Details of the papers/documents sought to be inspected :
4. Reasons for seeking the inspection :
5. The date and duration of the inspection sought :
6. Whether any fee is payable and if So, the mode of payments :

Place: Date: Applicant Office use: Granted/Rejected inspection for _____ hours on _____ Registrar