

of Pollution) Cess Act, 1977; (v) under section 2 of the Forest (Conservation) Act, 1980; (vi) under section 31 of the Air (Prevention and Control of Pollution) Act, 1981; (vii) under section 5 of the Environment (Protection) Act, 1986; (viii) against an order made granting environmental clearance in the area, in which any industries, operations or processes or class of industries, operations and processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986; (ix) against an order refusing to grant environmental clearance for carrying out any activity or operation or process under the Environment (Protection) Act, 1986; (x) against any determination of benefit sharing or order by the National Biodiversity Authority or a State Biodiversity Board under the provisions of the Biological Diversity Act, 2002. Any person aggrieved by an order under the aforesaid provisions can file an appeal before the National Green Tribunal within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him. Against the order of Green Tribunal an appeal can be filed only in the Supreme Court under section 22 of the National Green Tribunal Act, 2010. The jurisdiction of High Courts over the Green Tribunal has been excluded under the 2010 Act.

REFERENCES

1. For a list of High Courts, their seat and territorial jurisdiction, see Table XVII.
2. By the Constitution (15th Amendment) Act, 1963, the age of retirement of high court judges has been raised from 60 to 62.
3. *Supreme Court Advocates-on-Record Association v UOI*, AIR 1994 SC 268 : (1993) 4 SCC 441.
4. *Re Special Reference No 1 of 1998*, AIR 1999 SC 1 : (1998) 7 SCC 739 [nine judge Bench].
- 4A. *Shanti Bhushan v UOI*, (2009) 1 SCC 657, pp 675, 676 : [2009] 3 Mad LJ 144.
- 4B. The Constitutional (Ninety Ninth Amendment) Act, 2014 (w.e.f. 13-4-2015) which was held invalid by the Supreme Court.
- 4C. The National Judicial Appointment Commission Act, 2014 (w.e.f. 13-4-2015) which was held invalid by the Supreme Court.
5. The salaries of Chief Justice and other judges of the high courts has been enhanced *vide* the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2018 (10 of 2018) (w.e.f. 1-1-2016).
6. *Constituent Assembly Debates*, dated 22 November 1948.
7. *S P Gupta v President of India*, AIR 1982 SC 149 (seven-judge Bench).
8. *Re Special Reference No 1 of 1998*, (1998) 7 SCC 739.
9. In this context, see *UOI v Jyoti Prakash*, AIR 1971 SC 1093, and the comments of the author thereon, *Author's Commentary on the Constitution of India*, 6th edn, vol G, pp 246ff.
10. *Statesman*, Calcutta, 14 April 1994, 16 April 1994, p 5.
11. *SC Advocates v UOI*, AIR 1994 SC 268 : (1993) 4 SCC 441, para 472, — nine-judge Bench.
12. See Table XVII as to the territorial jurisdiction of the several high courts. Delhi which was under the jurisdiction of the Punjab High Court has now its own high court since 1996.
13. *Basu's Criminal Procedure Code*, Prentice-Hall of India, 1979, p 29.
14. *Puran Ram v Bhaguram*, AIR 2008 SC 1960 : (2008) 4 SCC 102, p 109; see also *TS Ashok v Alex Thompson*, (2011) 2 Ker LT 1037 (includes judicial superintendence).
- 14A. *Rajendra Diwan v Pradeep Kumar Ranibala*, AIR Online 2019 SC 1711 : (2019) SCC OnLine SC 1586 : LNIND 2019 SC 991.
15. The 42nd Amendment Act, 1976, also took away this jurisdiction of the high courts over tribunals, under Article 227(1), by omitting the word "tribunals" therefrom; but the 44th Amendment Act, 1978, has *restored* the word, so that a high court retains its power of superintendence over any tribunal within its territorial jurisdiction. This jurisdiction of the high court was taken away in respect of Administrative Tribunals set up under Article 323A, by the Administrative Tribunals Act, 1985 but the provisions in these Articles and in the legislations enacted in pursuance thereof excluding the jurisdiction of SC and HCs under