

NITI AAYOG SEEKS TO TRACK IMPACT OF GREEN VERDICTS

Relevant for: Environment | Topic: Environmental Conservation, Sustainable Development, and EIA

Projects to be analysed include the construction of an airport in Mopa, Goa; cessation of iron ore mining in Goa, and the shutting down of the Sterlite copper plant in Thoothukudi, Tamil Nadu.

The others are decisions by the NGT involving sand mining, and construction activities in the National Capital Region.

“These have been some of the most significant cases in the recent past that have caused substantial damage to the economy,” the brief notes. The study is to be undertaken by the Jaipur-headquartered CUTS (Consumer Unity and Trust Society) Centre for Competition, Investment and Economic Regulation, that also has an international presence.

“The judiciary needs to take into account environment, equity and economic considerations while deciding cases, and needs to institutionalise a mechanism for it,” the brief notes.

“The absence of ex-ante (before an event) analysis of the economic costs associated with a decision is further exacerbated when judicial activism by courts and tribunals is also in play.”

Vikrant Tongad, Uttar Pradesh-based environmentalist and founder, Social Action for Forest and Environment (SAFE) was among those whom CUTS reached out to, as an expert, because of his involvement in campaigns against sandmining operations. He told *The Hindu* that he found the study “surprising” in its intent. “Does the government now want to train judges not to give such judgements? Is the government forgetting that due to their negligence, courts have been forced to give strict orders. Will the NITI Aayog also study how much damage will be done if the courts do not give such orders,” he asked.

Vice-Chairman of NITI Aayog Rajiv Kumar said the study was a purely economic exercise.

“The intent of this study is to analyse the cost and benefit of certain judicial decisions. It doesn't question judicial intervention. I was, for example, happy to see how Supreme Court's intervention led to the adoption of CNG (compressed natural gas, in transport vehicles in Delhi) and the economic benefits from it.”

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