

GSR 556 (E), DATED 11072012 - NATIONAL GREEN TRIBUNAL (MANNER OF APPOINTMENT OF JUDICIAL AND EXPERT MEMBERS, SALARIES, A

REGI) NO. D. L-33004,99 Che Gazette of •tidia 3491 No. 3491 EXTRAORDINARY PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY 11, 20, 1934 NEW DELHI, WEDNESDAY, JULY 11, 2012iASADHA 20, 1934 Xia-ra-a 1 1 , 2012 2010 (2010 19) 6 (3) 35 (2) (3 -G Afib?41) 2010 1. (ZITfi7F \$ 2012 • I 3. aft. f*zq, 2010 (34) - : (71) - , GA'/.WIE,OF .tNDIA :EXTRAORDINARY (ii) (iii) frv-jrh fäg fäkl 3tffät&a g, 2010 1 e, fib. "qvq fib, 7TöTT 7. & 352id. f&Nfi 3r;a fea 2010 1 [PART II—SFG. : St .3Fü q. 927(30, 26 2010 I MINIS'I'RY OF ENVIRONMENT AND FORESTS NOTIFICATION New Delhi, the 1th July, 2012 GS.R. exercise of the powers conferred by clause (e) of sub-section (2) of Section 35 read with sub-section (3) of Section 6 ofthe National Green Tribunal Act, 20 IO (No. 19 of 20 IO), the Central Government hereby makes the following rules to amend the National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, Allowances and other Terms and Conditions of Service of Chairperson and other Members and Procedure for Inquiry) Rules. 20 IO. 1. These rules may be called 'the National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, A liowances and other Terms and Conditions of Service of Chairperson and other Members and Procedure for Inquiry) (Amendment) Rules, 2012 2. They shall come into force on the date of their publication in the Official Gazette

3. Forrule 3 of the National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, Allowances and other Terms and Conditions of Service of Chairperson and other Members Rules, 20 IO (hereinafter referred to as the said rules), the following rule shall be substituted, namely ."(3) Selection Committee.—The Judicial Members and Expert Members of the

Tribunal shall be appointed by the Central Government on the recâmmendation ofa Selection Committee comprising the following, namely (a) (b) (c) (d) (e) 4. Sitting Judge of the Supreme Court to be nominated by the Chief Justice of India in consultation with the Minister for Law and Justice—Chairperson; Chairperson of the Tribunal—Member; Director, Indian Institute oflZchnology, (By An expert in Environmental Policy to be nominated by the Minister for Environment and Forests—Member An expert in Forests Policy to be nominated by the Minister for Environment and Forests—Member, Secretary to the Government of India in the Ministry of Environment and Forests—Member-Secretary". In rule 5 of the said rules, in sub-rule (3), for the words "if necessary, by the Central Government" the words "by a committee comprising : (i) Additional Secretary, Ministry of Environment and Forests, to be nominated by the Minister for Environment and Forests, (ii) An officer not below the level of Additional Director General of Forests, to be nominated by the Minister for Environment and Forests, and (iii) Joint Secretary, dealing with the subject matter in the Ministry of Environment and Forests to be nominated by the Secretary, who shall be the Member-Convenor" shall be substituted

5. For rule 6 of the said rules, the following rule shall be substituted, namely : "6.Declaration of financial or other interest—H l) Every person, on his appointment as the Chairperson or the Judicial Member or the Expert Member, as the case may be. shall give a declaration in a form appended to these rules, to the satisfaction of the Central Government, that he does not have any such financial or other interests; or has not been involved either Member or as an Official in institutions at the !eve! ofGovcmmnt of India, State Government , Boards and Autonomous Bodies in making recommendations and also in decision-making in matters where a substantial question relating to environment (including enforcement of legal right relating to envijontnenL) is involved and such question arises Olit of the implemenlation of the regulatory or prescriptive or directory measures of the enactments specified in Schedule I of the National Green Tribunal Act, 2010. that are likely to affect prejudicially his functions as such Chairperson or the Judicial Member or the Expen Member, as the case may be. 4 GAZETTE OF HNDIA : EXTRAORDINARY [PART II—SFC. 3(i)] (2) The Judicial and Expert Membetsalreadyso:appöintécßhallswithdraw (recuse themselves) from decisions that present potential conflicts"

6. In rule 8 Of the said rules, itiSOB-rulg thefollowing proviso shall be inserted, namely ' 'Provided that the leave sancLioninguuthorityYfortheChairperson, Judicial and Expert Member, as the case may be, shall be competent to sanctionleavefor.jmvetoutside• India." 7. For 'Form' appended tathe said

rules, the following 'Form'. shall be substituted, namely . 'FORM ((Seenile 6) Deciaratiomagainst;acquiSiiiantafany adverse financial or other interest having been appointed as the Chairperson or Judicial Member or Expert Member (cross out portion not applicable) of the National Green Tribunal* Osohnnlyaffirm and declare that I do not have any such financial or other interests; or have not been involved eitharasManba•a-asan Official in institutions at the level of Government of India, State Government, Boards and Autonomous Bodies in making recommendations and also in decision-making in matters where a substantial question relating to enviroxxnt(including enforcement or legal right relating to environment) is involved and such question arises out of the implementation of the regulatory or prescriptive or directory measures of the enactments specified in Schedule I of the National Green Tribunal Act, 2010, that are likely to affect prejudicially my functioning as the Chairperson or Judicial Member or Expett Member (cross out portion not applicable) of the National Green Tribunal.' Dated . Place : (Name of the Chaimerson/Judicial Member/Expert Member) National Green Tribunal [F. No. SURJIT SINGH, Jt. secy. Note: The National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, Allowances and other Terms and Conditions of Service of Chairperson and other Members and Procedure for Inquiry) Rules, 20 IO were published in the Gazette of India vide notification No.GS.R. 927(E), dated the 26th November, 20 IO. Printed by the Manage', Government of India Ring Road, Mayapwi, Nev' Delhi-! !0064 and Published by the Controller Of Publications, Delhi-1 1 0054.

