

NGT orders panel review of green nod to Nicobar Port

Panel to study 'unanswered deficiencies', stays further development for 2 months

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Amid public uproar against the Centre's mega infrastructure project — Great Nicobar Port — the National Green Tribunal (NGT) has put a two-month stay on any further work in the environmental clearance granted to the project.

The ₹72,000-crore project would be on hold till an NGT-appointed committee scrutinises the green nod granted by the Centre.

The environmental tribunal has formed a high-powered committee to look into "unanswered deficiencies" in the clearance granted for the international transshipment terminal. These "unanswered deficiencies" include potentially inadequate planning for protection of flora and fauna and proposed construction activity in prohibited areas.

"These aspects may call for revisiting the clearance by a High-Powered Committee (HPC), which we propose to constitute. It will be headed by the secretary, ministry of environment, forest and climate change (MoEF&CC), Government of India. Other members will be chief secretary, Andaman & Nicobar, Zoological Survey of India, Botanical Survey of India, Central Pollution Control Board, nominee of vice-chairman of NITI Aayog, nominee of secretary, ministry of shipping and director, Wildlife Institute of India," the Kolkata Bench of the tribunal said in its order dated April 3.

The committee will meet within two weeks and is expected to prepare its report within two months. Based on the report, the Centre may be forced to review the clearance or its conditions. Till then, further work in pursuance of clearance may not proceed except for the work, which may not be of irreversible nature, NGT said.

What are the issues?

The NGT Bench, comprising chairperson Justice A.K. Goel and judicial members Justice Sudhir Agarwal, Justice B Amit Sthalekar, and Justice Arun Kumar



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Tyagi, focussed on three core issues in the operative parts of its order.

"It is pointed out that out of 20,668 coral colonies, 16,150 are proposed to be translocated without any mention of threat to the remaining 4,518 coral colonies. It is pointed out that ICRZ (Island Coastal Regulation Zone) prohibits destruction of corals," the Bench said.

"A part of the project is in the CRZ (Coastal Regulation Zone)-IA area where port is prohibited," it added.

Over 1 million trees are likely to be felled and displace local tribes and species.

Of the total 160 sq. km of land, around 85 sq. km falls under a 'Tribal Reserved Area' and is inhabited by the Nicobarese and Shompen tribes. The project will involve the diversion of around 130.75 sq. km of lush forest land

The Bench also pointed out that data collected for impact assessment is only of one season against the requirement of three seasons.

Panel's autonomy in question

Notably, the committee is headed by environment secretary Leena Nandan, who represents the competent authori-

ty, which granted clearance to the project.

Environmentalists welcomed the NGT's order but questioned the independence of the HPC.

"The HPC does not have a single independent expert. Even the non-bureaucratic members are scientists employed by government-controlled institutes. Therefore, one is concerned about how independent this committee can be," Sharad Lele, a senior researcher with the Ashoka Trust for Research in Ecology and Environment, said.

Lele had previously said that there is no way to minimise the project's impact, asking for it to be called off.

Along with the development of a ₹41,000-crore international container transshipment terminal, the project also involves the development of a military-civil dual-use airport, gas, diesel, and solar-based power plants, and a township.

On March 26, Union shipping minister Sarbananda Sonowal had told Business Standard that the Centre had no second thoughts about the project. It plans to implement it, despite widespread criticism regarding damage to the environment.