



Environmental Protection Charge

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Why in News?

According to a [CPCB \(Central Pollution Control Board\)](#) report submitted to the [National Green Tribunal](#), a significant portion of the **Environment Protection Charge (EPC)** and Environmental Compensation (EC) collected by the CPCB remains unspent.

- As much as 80% of the EPC and EC collected by the Central Pollution Control Board remains unspent.

What is the Environment Protection Charge?

- The EPC is a fund used by the **Central Board of Pollution Control (CPCB)** to provide scientific inputs for improving air quality in **Delhi NCR**. The CPCB works with other institutions like IIT and NEERI under the EPC fund.
- The EPC is received as per an order of the [Supreme Court \(M.C. Mehta Vs Union of India Case, 1985\)](#), and for air quality improvement and related work in Delhi-NCR such as research and development activities and vehicular pollution control health impact studies and specific projects to control pollution in Delhi-NCR and Punjab.
- The CPCB also receives 25% of the environmental compensation collected by state pollution control boards. It also collects environmental penalties directly from polluters/defaulters in various matters.
 - In 2016, the **SC (Supreme Court)** imposed an **EPC of 1% on the sale of 2000cc and above diesel cars in Delhi and NCR**.

What is Environmental Compensation?

- The EC is a tool **aimed at protecting the environment and mitigating the damage** caused by pollution. It operates on the [principle of "polluter pays,"](#) which means that those who are responsible for polluting the environment should bear the cost of its restoration or compensation for the damage caused.
- In simple terms, environmental compensation involves **imposing monetary penalties on individuals, companies,** or entities that pollute the environment or adversely affect human health.
- These penalties are intended to recover the costs associated with the environmental damage and to deter future violations.

What is CPCB?

- The [Central Pollution Control Board \(CPCB\)](#), is a statutory organisation, was constituted in 1974 under the [Water \(Prevention and Control of Pollution\) Act, 1974](#).
- CPCB was also entrusted with the powers and functions under the [Air \(Prevention and Control of Pollution\) Act, 1981](#).
- It serves as a field formation and also provides technical services to the Ministry of Environment

and Forests and Climate change of the provisions of the [Environment \(Protection\) Act, 1986](#).

What is the National Green Tribunal?

- **Foundation:** The NGT was established in October, 2010, under the [National Green Tribunal Act 2010](#).
 - Its primary focus is to facilitate the swift and efficient resolution of cases related to environmental protection, conservation of forests, and preservation of natural resources.
 - Currently, **New Delhi serves as the principal place of sitting of NGT**, with Bhopal, Pune, Kolkata, and Chennai designated as the other four places of sitting for the Tribunal.
- **Structure:**
 - The Tribunal is headed by the Chairperson who sits in the Principal Bench and has at least 10 but not more than 20 judicial members and expert members.
 - The Chairperson is appointed by the Central Government in consultation **with the Chief Justice of India (CJI)**.
 - A Selection Committee shall be formed by the central government to appoint the Judicial Members and Expert Members.
- **Legal Mandate:** The Tribunal's jurisdiction extends to **enforcing environmental rights, granting relief and compensation** for damages to individuals and property, and addressing matters associated with environmental protection and conservation.
 - It operates independently of the **procedural rules laid down in the Code of Civil Procedure, 1908, guided instead by principles of natural justice**.
 - Any person seeking relief and compensation for environmental damage involving subjects in the legislations mentioned in **Schedule I of the National Green Tribunal Act, 2010**, may approach the Tribunal. The statutes in **Schedule I** are:
 - [The Water \(Prevention and Control of Pollution\) Act, 1974](#)
 - [The Water \(Prevention and Control of Pollution\) Cess Act, 1977](#)
 - [The Forest \(Conservation\) Act, 1980](#)
 - [The Air \(Prevention and Control of Pollution\) Act, 1981](#)
 - [The Environment \(Protection\) Act, 1986](#)
 - [The Public Liability Insurance Act, 1991](#)
 - [The Biological Diversity Act, 2002](#).

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims:

Q.1 In the cities of our country, which among the following atmospheric gases are normally considered in calculating the value of Air Quality Index? (2016)

1. Carbon dioxide
2. Carbon monoxide
3. Nitrogen dioxide
4. Sulphur dioxide
5. Methane

Select the correct answer using the code given below:

- (a) 1, 2 and 3 only
- (b) 2, 3 and 4 only
- (c) 1, 4 and 5 only
- (d) 1, 2, 3, 4 and 5

Ans: (b)

Mains:

Q.1 Describe the key points of the revised Global Air Quality Guidelines (AQGs) recently released by the World Health Organisation (WHO). How are these different from its last update in 2005? What changes in India's National Clean Air Programme are required to achieve revised standards? **(2021)**

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