



## Ludhiana Gas Leak Tragedy

**For Prelims:** [National Green Tribunal \(NGT\)](#), Neurotoxic Gases, [Other Legal safeguards available in cases of chemical disasters.](#)

**For Mains:** National Green Tribunal: powers; Safeguards against chemical disasters

### Why in News?

The [National Green Tribunal \(NGT\)](#) has formed an eight-member fact-finding committee to look into the death of 11 people due to a recent gas leak in Ludhiana district of Punjab.

- The NGT took [suo motu cognisance](#) of the matter based on media reports.

### What happened in Ludhiana?

#### ▪ Background:

- A gas leak has claimed the lives of 11 people in the Giaspur area of Ludhiana.
- The Police has suspected that a poisonous gas may have emanated from a partially open manhole in the locality and spread to the shops and houses nearby.
  - The inquiry for the cause of the leak is on.
- The autopsy reports suggested that the deaths were due to **“inhalation poisoning”**.
  - Forensic experts have suspected **Hydrogen Sulphide - a neurotoxic gas** - to be responsible for the tragedy.
  - According to an expert - Probably some acidic waste was thrown into sewer which reacted with methane, carbon monoxide and other sewerage gases to produce hydrogen sulphide.

#### ▪ Neurotoxins:

- Neurotoxins are poisonous substances which can **directly affect the nervous system**.
  - These substances can disrupt or even kill neurons or nerve cells, which are important for transmitting and processing signals in the brain and other parts of the nervous system.
- **Neurotoxic Gases:**
  - **Methane, hydrogen sulphide, carbon monoxide and carbon dioxide** are common neurotoxic gases.
  - **Methane and carbon monoxide are odourless gases**, but **hydrogen sulphide has a pungent odour** and in higher concentration can be fatal for humans.
    - Hydrogen sulphide is so toxic that even one breath of it taken inside can kill a person.

### What are the Safeguards Against Chemical Disasters in India?

- **Background:** Prior to the [Bhopal Gas tragedy](#), the **IPC 1860** was the only law providing safeguards against such disasters; however, soon after the tragedy, the government came with a series of legislations regulating the environment and prescribing and specifying safeguards and

penalties. Some of the laws are:

- **Bhopal Gas Leak (Processing of Claims) Act, 1985** gave powers to the central government to secure the claims arising out of or connected with the Bhopal gas tragedy.
  - Under the provisions of this Act, such claims are dealt with speedily and equitably.
- The [Environment Protection Act \(EPA\), 1986](#) gives powers to the central government to undertake measures for improving the environment and set standards and inspect industrial units.
- **The Public Liability Insurance Act, 1991** is an insurance meant to **provide relief to persons affected by accidents** that occur while handling hazardous substances.
- Under the [Hazardous Waste \(Management Handling and Transboundary Movement\) Rules, 1989](#), **industries** are required to **identify major accident hazards, take preventive measures** and submit a report to the designated authorities.
- Under the **Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989**, importers must furnish complete product safety information to the competent authority and must transport imported chemicals in accordance with the amended rules.
- **Chemical Accidents (Emergency, Planning, Preparedness and Response) Rules, 1996** requires the central govt to **constitute a central crisis group for management of chemical accidents**; set up quick response mechanism termed as the crisis alert system.
  - Each state is required to set up a crisis group and report on its work.
- **The National Environment Appellate Authority Act, 1997**: Under this Act, the National Environment Appellate Authority can hear appeals regarding the restriction of areas in which any industries, operations or processes or class of industries shall not be carried out or shall be carried out subject to certain safeguards under the EPA1986.

## What is the National Green Tribunal?

### ▪ About:

- It is a **statutory body set up under the [National Green Tribunal \(NGT\) Act, 2010](#)** for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- With NGT, **India became the 3<sup>rd</sup> country in the world to set up a specialised environmental tribunal**, only **after Australia and New Zealand**, and the first developing country to do so.
- NGT is mandated to **make disposal of applications or appeals finally within 6 months** of filing of the same.
- The NGT has five places of sitting, New Delhi is the principal place of sitting and Bhopal, Pune, Kolkata and Chennai are the other four.

### ▪ Powers:

- The Tribunal has **jurisdiction over all civil cases involving substantial questions relating to the environment** (including enforcement of any legal right relating to environment).
- **It can take Suo Motu cognizance** of the environmental cases.
- Apart from original jurisdiction side on filing of an application, NGT also has **appellate jurisdiction** to hear appeal as a Court (Tribunal).
- NGT is not bound by the procedure laid down under the [CPC 1908](#) but shall be **guided by principles of 'natural justice'**.
- An order/decision/**award of Tribunal is executable as a decree of a civil court.**

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

### Prelims:

**Q. How is the National Green Tribunal (NGT) different from the Central Pollution Control Board (CPCB)? (2018)**

1. The NGT has been established by an Act whereas the CPCB has been created by an executive order of the Government.
2. The NGT provides environmental justice and helps reduce the burden of litigation in the higher courts whereas the CPCB promotes cleanliness of streams and wells, and aims to improve the quality of air in the country.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Ans: b**

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