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World Environment Day

Why in news?

Acting Head of UN Environment announced that China will host the global World Environment Day celebrations on 5 June 2019 with a theme of air pollution.

Highlights:

- Approximately 7 million people worldwide die prematurely each year from air pollution, with about 4 million of these deaths occurring in Asia-Pacific.
- World Environment Day 2019 will urge governments, industry, communities, and individuals to come together to explore renewable energy and green technologies, and improve air quality in cities and regions across the world.
- The country has demonstrated tremendous leadership in tackling air pollution domestically. It can now help spur the world to greater action. Air pollution is a global emergency affecting everyone. China will now be leading the push and stimulating global action to save millions of lives.
- China with its growing green energy sector, has emerged as a climate leader. The country owns half the world's electric vehicles and 99 percent of the world's electric buses.
- By hosting World Environment Day 2019, the Chinese government will be able to showcase its innovation and progress toward a cleaner environment.

Air Pollution facts:

- 92 per cent of people worldwide do not breathe clean air
- Air pollution costs the global economy \$5 trillion every year in welfare costs
- Ground-level ozone pollution is expected to reduce staple crop yields by 26 per cent by 2030.

About UN Environment:

- UN Environment is the leading global voice on the environment. It provides leadership and encourages partnership in caring for the environment by inspiring, informing, and enabling nations and peoples to improve their quality of life without compromising that of future generations.
- UN Environment works with governments, the private sector, civil society and with other UN entities and international organizations across the world.

About World Environment Day:

- World Environment Day (WED) is celebrated on the 5th of June every year, and is the United Nation's principal vehicle for encouraging awareness and action for the protection of our environment.
- First held in 1974, it has been a flagship campaign for raising awareness on emerging environmental issues from marine pollution, human overpopulation, and global warming, to sustainable consumption and wildlife crime.
- WED has grown to become a global platform for public outreach, with participation from over 143 countries annually. Each year, WED has a new theme that major corporations, NGOs, communities, governments and celebrities worldwide adopt to advocate environmental causes.
- World Environment Day [WED] was established by the UN General Assembly in 1972 on the first day of the Stockholm Conference on the Human Environment, resulting from discussions on the integration of

human interactions and the environment.

Theme for 2018 is "**Beat Plastic Pollution**". The host nation is **India**.

UN Environment Report

Highlights of Report:

- The resource extraction has more than tripled since 1970 in the world, including a five-fold increase in the use of non-metallic minerals and a 45 per cent increase in fossil fuel use, informed a UN report - 'Global Resources Outlook 2019'.
- From 1970 to 2017, the annual global extraction of materials grew from 27 billion tonnes to 92 billion tonnes, tripling in that time and continuing to grow. Since 2000, growth in extraction rates have accelerated to 3.2 per cent per annum, driven largely by major investments in infrastructure and higher material living standards in developing and transitioning countries, especially in Asia.
- While the use of metal ores increased by 2.7 per cent annually, the fossil fuel usage went from 6 billion tonnes in 1970 to 15 billion tons in 2017. Biomass increased from 9 billion tonnes to 24 billion tonnes - mostly for food, feedstock and energy.
- Over the past five decades, the population has doubled and global domestic product has increased four times. The report finds that, in the same period, annual global extraction of materials grew from 27 billion tonnes to 92 billion tonnes (by 2017). This will double again by 2060 on current trends.
- Released on the second day of UN Environment Assembly, 'Global Resources Outlook 2019' is a major global report on the status and trends of natural resource use and management.
- The report analyses the demographic and socioeconomic forces driving the extraction and use of natural resources worldwide, and reports on how these drivers and pressures have determined our current state. The report is prepared by the UN's International Resource Panel (consists of eminent scientists).

- The International Resource Panel has 40 expert members from a wide range of academic institutions and scientific disciplines.
- With the theme, 'Innovative Solutions for Environmental Challenges and Sustainable Consumption and Production,' UNEA-4 is focussing on food systems, resource efficiency through life-cycle approaches, and sustainable business development.
- The sixth edition of the Global Environment Outlook from the UN Environment Programme has come as another stark warning: the world is unsustainably extracting resources and producing unmanageable quantities of waste.
- The linear model of economic growth depends on the extraction of ever-higher quantities of materials, leading to chemicals flowing into air, water and land. This causes ill-health and premature mortality, and affects the quality of life, particularly for those unable to insulate themselves from these effects.
- The UN report, GEO-6, on the theme "Healthy Planet, Healthy People," has some sharp pointers for India. It notes that East and South Asia have the highest number of deaths due to air pollution; by one estimate, it killed about 1.24 million in India in 2017.
- As India's population grows, it must worry that agricultural yields are coming under stress due to increase in average temperature and erratic monsoons. The implications of these forecasts for food security and health are all too evident, more so for the 148 million people living in severe weather 'hotspots'.
- The task before India is to recognise the human cost of poorly enforced environment laws and demonstrate the political will necessary to end business-as-usual policies. That would mean curbing the use of fossil fuels and toxic chemicals across the spectrum of economic activity.
- There are some targeted interventions that only require the resolve to reduce air and water pollution, and which in turn promise early population-level benefits.
- Aggressive monitoring of air quality in cities through scaled-up facilities would bring about a consensus on cutting emissions of greenhouse gases, and provide the impetus to shift to cleaner sources of energy.
- It is significant that GEO-6 estimates that the top 10% of populations globally, in terms of wealth, are responsible for 45% of GHG emissions, and the bottom 50% for only 13%.

- Pollution impacts are, however, borne more by the poorer citizens. Combating air pollution would, therefore, require all older coal-based power plants in India to conform to emission norms at the earliest, or to be shut down in favour of renewable energy sources.
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Lokpal

Why in news?

Congress leader Mallikarjun Kharge has, for the seventh time, rejected the government's invitation to him to attend meeting of the Lokpal selection panel, arguing that there was no provision for a special invitee to attend such a meet.

About Lokpal:

- The word "Lokpal" is derived from the sanskrit word "loka" meaning people and "pala" meaning protector or caretaker. Together it means "protector of people".
- The aim of passing such a law is it to eradicate corruption at all levels of the Indian polity. For a nation to develop it needs to have an extremely well organized and meticulously planned organization.
- A failure of the administrative set up reflects on the holistic growth of the state, the biggest reason for the failure of the administration can be attributed to the ill effects of corruption.
- The growth of the country has been plagued by corruption and it has extended its wings through out the entire administrative set up.
- To root out the menace of corruption the institution of "ombudsman" came up and has played a great role in fighting administrative malpractices.

Need For Lokpal

- There are several deficiencies in our anti-corruption systems because

of which despite overwhelming evidence against the corrupt, no honest investigation and prosecution takes place and the corrupt are hardly punished. The whole anti-corruption set up ends up protecting the corrupt.

- **Lack of Independence** Most of our agencies like CBI, state vigilance departments, internal vigilance wings of various departments, Anti-corruption Branch of state police etc are not independent. In many cases, they have to report to the same people who are either themselves accused or are likely to be influenced by the accused.
- **Powerless** Some bodies like CVC or Lokayuktas are independent, but they do not have any powers. They have been made advisory bodies. They give two kinds of advise to the governments - to either impose departmental penalties on any officer or to prosecute him in court. Experience shows that whenever any minister or a senior officer is involved, their advice is rarely followed.
- **Lack of Transparency and internal accountability** In addition, there is the problem of internal transparency and accountability of these anti-corruption agencies. Presently, there isn't any separate and effective mechanism to check if the staff of these anti-corruption agencies turns corrupt. That is why, despite so many agencies, corrupt people rarely go to jail. Corruption has become a high profit zero risk business. There is absolutely no deterrence against corruption.

Lokpal and Lokayukta Act, 2013

- The Lokpal and Lokayukta Act, 2013 seeks to provide for the establishment of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries and for related matters.
- The act extends to whole of India, including Jammu & Kashmir and is applicable to "public servants" within and outside India.

Structure of lokpal

- The institution of Lokpal is a statutory body without any constitutional backing. Lokpal is a multimember body, made up of one chairperson and maximum of 8 members.

- The person who is to be appointed as the chairperson of the Lokpal should be either the former Chief Justice of India Or the former Judge of Supreme Court Or an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
- Out of the maximum eight members, half will be judicial members. Minimum fifty per cent of the Members will be from SC / ST / OBC / Minorities and women.
- The judicial member of the Lokpal should be either a former Judge of the Supreme Court or a former Chief Justice of a High Court.
- The non-judicial member should be an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
- The members are appointed by the president on the recommendation of a selection committee. The selection committee is composed of the Prime Minister who is the Chairperson; Speaker of Lok Sabha ,Leader of Opposition in Lok Sabha ,Chief Justice of India or a Judge nominated by him / her, and One eminent jurist.

Jurisdiction of lokpal

- The jurisdiction of the Lokpal will include the Prime Minister except on allegations of corruption relating to international relations, security, the public order, atomic energy and space and unless a Full Bench of
- the Lokpal and at least two-thirds of members approve an inquiry.
- It will be held in-camera and if the Lokpal so desires, the records of the inquiry will not be published or made available to anyone.
- The Lokpal will also have jurisdiction over Ministers and MPs but not in the matter of anything said in Parliament or a vote given there. Lokpal's jurisdiction will cover all categories of public servants.
- Group A, B, C or D officers defined as such under the Prevention of Corruption Act, 1988 will be covered under the Lokpal but any corruption complaint against Group A and B officers, after inquiry,

will come to the Lokpal.

- However, in the case of Group C and D officers, the Chief Vigilance Commissioner will investigate and report to the Lokpal.
- However, it provides adequate protection for honest and upright Public Servants. Also any person who is or has been in charge (director / manager/ secretary) of anybody / society set up by central act or any other body financed / controlled by central government and any other person involved in act of abetting, bribe giving or bribe taking.

Salient features of The Lokpal and Lokayuktas Act, 2013

- The Lokpal and Lokayuktas Act, 2013 provided for Lokpal at the centre having jurisdiction of trying cases of corruption against all Members of Parliament and central government employees. The Lokayuktas have functions similar to the Lokpal, but they function on a state level.
- The office of the Lokpal and Lokayuktas deals with charges of corruption against any public official and includes the office of the prime minister of the court but with reasonable safeguards. Both the Lokpal and the Lokayukta deal with charges of corruption against the government and its employees, in fact they even conduct investigations and based on the findings from such investigations they conduct trials.
- The act lays down the provision to set up a Lokayukta and its set of powers for each state without clearly defining the extent of the same, this has led to various different Lokayuktas being setup, some with more power than the others. In order to create uniformity a proposal to implement the Lokayukta uniformly across Indian states has been made.
- The Act provides that all states set up office of the Lokpal and/or Lokayukta within one year from the commencement of the said Act.
- On the other hand, Lokpal will consist of a chairperson and a maximum of eight members, of which 50% will be judicial members, 50% members of Lokpal shall be from SC/ST/OBCs, minorities and women.
- The newly enacted Lokpal Act provides for confiscation and attachment of any property of any government official which he or

she has come to own through corrupt practices and the same can be done during pendency of proceedings against the said official.

- The Lokpal Act mandates that all public officials should furnish the assets and liabilities of themselves as well as their respective dependents. In fact the said Act even guarantees protection to any government official who acts as a whistle blower and as an ancillary a Whistle Blowers Protection Act has also been enacted.

Powers of lokpal

- It has powers to superintendence over, and to give direction to CBI.
 - If it has referred a case to CBI, the investigating officer in such case cannot be transferred without approval of Lokpal.
 - Powers to authorize CBI for search and seizure operations connected to such case.
 - The Inquiry Wing of the Lokpal has been vested with the powers of a civil court.
 - Lokpal has powers of confiscation of assets, proceeds, receipts and benefits arisen or procured by means of corruption in special circumstances
 - Lokpal has the power to recommend transfer or suspension of public servant connected with allegation of corruption.
 - Lokpal has power to give directions to prevent destruction of records during preliminary inquiry.
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National Green Tribunal

Why in news?

The Principal Bench of National Green Tribunal (NGT), New Delhi, has ordered the suspension of the Environmental Clearance of August 1, 2017, granted for the expansion of the thermal plant of Udupi Power Corporation Ltd. (UPCL) at Yellur in Udupi district.

Major Reasons:

- The tribunal held that clearances granted for the setting up of the power plant were illegal. The tribunal invoked the “Polluter Pays” principle and appointed a Committee of Experts to ascertain damage to crops and environment in the area.
- This committee shall assess the damage on account of environmental violations in the areas of fly ash management, ash pond, ambient air quality and fugitive emissions, which had damaged the environment and ecology and submit its report in three months.
- Awaiting this report, the tribunal directed UPCL to pay Rs.5 crore as interim environmental compensation to the Central Pollution Control Board (CPCB).
- The compensation would be subject to the assessment of final damages by the Committee of Experts. It directed the State government to conduct a study of carrying capacity of the area. It also ordered the company to pay ₹ 1 lakh as cost to the petitioners.
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About National Green Tribunal:

- The National Green Tribunal has been established on 18.10.2010 under the National Green Tribunal Act 2010 for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.
- It is a specialized body equipped with the necessary expertise to handle environmental disputes involving multi-disciplinary issues. The Tribunal shall not be bound by the procedure laid down under the Code of Civil Procedure, 1908, but shall be guided by principles of natural justice.
- The Tribunal's dedicated jurisdiction in environmental matters shall provide speedy environmental justice and help reduce the burden of litigation in the higher courts.
- The Tribunal is mandated to make and endeavour for disposal of applications or appeals finally within 6 months of filing of the same. Initially, the NGT is proposed to be set up at five places of sittings and will follow circuit procedure for making itself more accessible.

- New Delhi is the Principal Place of Sitting of the Tribunal and Bhopal, Pune, Kolkata and Chennai shall be the other four place of sitting of the Tribunal.

Members:

- The tribunal shall consist of a full time chairperson, judicial members and expert members. The minimum number of judicial and expert member prescribed is ten in each category and maximum number is twenty in each category.
 - Another important provision included in the law is that the chairperson, if found necessary, may invite any person or more person having specialized knowledge and experience in a particular case before the tribunal to assist the same in that case.
 - A judge of the Supreme Court of India or Chief Justice of High Court are eligible to be Chairperson or judicial member of the Tribunal. Even existing or retired judge of High Court is qualified to be appointed as a Judicial Member.
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