

SCHEDULE III  
(See section 36)

AMENDMENT TO CERTAIN ENACTMENTS

PART I

AMENDMENT TO THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974  
(6 OF 1974)

Insertion of new section 33B.—After section 33A, the following section shall be inserted, namely:—

Appeal to National Green Tribunal.—"33B. Any person aggrieved by,—

(a) an order or decision of the appellate authority under section 28, made on or after the commencement of the National Green Tribunal Act, 2010; or

(b) an order passed by the State Government under section 29, on or after the commencement of the National Green Tribunal Act, 2010; or

(c) directions issued under section 33A by a Board, on or after the commencement of the National Green Tribunal Act, 2010,

may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART II

AMENDMENTS TO THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977  
(36 OF 1977)

1. Amendment of section 13.—In section 13, in sub-section (4), for the words "shall be final", the words, figures and letters "shall, if no appeal has been filed under section 13A, be final" shall be substituted.

2. Insertion of new section 13A.—After section 13, the following section shall be inserted, namely:—

"13A. Appeal to National Green Tribunal.— Any person aggrieved, by an order or decision of the appellate authority made under section 13, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART III

AMENDMENT TO THE FOREST (CONSERVATION) ACT, 1980  
(69 OF 1980)

Insertion of new section 2A.—After section 2, the following section shall be inserted, namely:—

"2A. Appeal to National Green Tribunal.—Any person aggrieved, by an order or decision of the State Government or other authority made under section 2, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

PART IV

AMENDMENT TO THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981  
(14 OF 1981)

Insertion of new section 31B.—After section 31A, the following section shall be inserted, namely:—

"31B. Appeal to National Green Tribunal.—Any person aggrieved by an order or decision of the Appellate Authority under section 31, made on or after the commencement of the National Green

Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

#### PART V

##### AMENDMENT TO THE ENVIRONMENT (PROTECTION) ACT, 1986

(29 OF 1986)

Insertion of new section 5A.—After section 5, the following section shall be inserted, namely:—

"5A. Appeal to National Green Tribunal.—Any person aggrieved by any directions issued under section 5, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."

#### PART VI

##### AMENDMENTS TO THE BIOLOGICAL DIVERSITY ACT, 2002

(18 OF 2003)

1. Amendment of section 52.—In section 52, after the proviso, the following provisos shall be inserted, namely:—

"Provided further that nothing contained in this section shall apply on and from the commencement of the National Green Tribunal Act, 2010:

Provided also that any appeal pending before the High Court, before the commencement of the National Green Tribunal Act, 2010, shall continue to be heard and disposed of by the High Court as if the National Green Tribunal had not been established under section 3 of the National Green Tribunal Act, 2010."

2. Insertion of new section 52A.—After section 52, the following section shall be inserted, namely:—

"52A. Appeal to National Green Tribunal.—Any person aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, on or after the commencement of the National Green Tribunal Act, 2010, may file an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010, in accordance with the provisions of that Act."