

National Environment Tribunal Act, 1995

Section 2 - DEFINITIONS -In this Act, unless the context otherwise requires,

a) "accident" means an accident involving a fortuitous or sudden or unintended occurrence while handling any hazardous substance resulting in continuous or intermittent or repeated exposure to death of, or injury to, any person or damage to any property or environment but does not include an accident by reason only of war or radio-activity; (b) "Bench" means a Bench of the Tribunal; (c) "Chairperson" means the Chairperson of the Tribunal; (d) "environment" includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property; (e) "handling", in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage transportation by vehicle, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance; (f) "hazardous substance" means any substance or preparation which is defined as hazardous substance in the Environment (Protection) Act, 1986 (29 of 1986)-and exceeding such quantity as specified by the Central Government under the Public Liability Insurance Act, 1991 (6 of 1991)-; (g) "Judicial Members" means a Member of the Tribunal appointed as such under this Act, and includes the Chairperson or a Vice-Chairperson who possesses any of the qualifications specified in sub-section (3) of section 10-; (h) "Member" means a Member (whether Judicial or Technical) of the Tribunal and includes the Chairperson and a Vice-Chairperson. (i) "notification" means a notification published in the Official Gazette; (j) "prescribed" means prescribed by rules made under this Act; (k) "rules" means the rules made under this Act; (l) "Technical Member" means a Member of the Tribunal who is not a Judicial Member within the meaning of clause (g); (m) "Tribunal" means the National Environment Tribunal established under section 8-; (n) "Vice-Chairperson" means the Vice-Chairperson of the Tribunal. (o) "owner" means a person who owns, or has control over handling, any hazardous substance at the time of accident and includes,- (i) in the case, of a firm, any of its partners; (ii) in the case of an association, any of its members; and (iii) in the case of a company, any of its directors, managers, secretaries or other officers who is directly in charge of, and is responsible to, the company for the conduct of the business of the company.