



JSA Newsletter Environmental Disputes and ESG Regulatory

March - April 2026 Edition

National Green Tribunal

National Green Tribunal declares environmental clearances for river sand mining illegal and orders environmental compensation assessment by Central Pollution Control Board

The National Green Tribunal (“NGT”) Southern Zone, Chennai, in its judgment dated March 27, 2026, in the case of *T. Saravanakumar vs. Tamil Nadu State Environment Impact Assessment Authority & Ors.*¹, held that the environmental clearances granted in both cases relating to river sand mining were illegal and not in accordance with the applicable environmental rules and conditions. It found that the projects were wrongly treated under the category that did not require an environmental impact assessment study, and that mining was carried out using mechanical excavators despite the clearance permitting only manual operations, which violated the conditions of approval. It further observed that the environmental clearances had expired or were improperly extended and that the subsequent modifications allowing mechanical mining rendered the approvals invalid. As a result, NGT set aside both environmental clearances and held that the project proponent had carried out illegal mining activities. It directed that environmental compensation for the damage caused must be assessed and levied by the Central Pollution Control Board (“CPCB”) within 3 (three) months in accordance with law.

Regulatory updates

Revised norms for appointment of an independent third-party reviewer/ certifier for green debt security

The Securities and Exchange Board of India (“SEBI”), *vide* circular dated February 27, 2026, has revised the norms relating to the appointment of an independent third-party reviewer or certifier for green debt securities in order to align the framework applicable to green debt securities with the requirements prescribed for social bonds and sustainability bonds. Under the revised provisions, issuers are required to appoint an independent third-party reviewer or certifier to ascertain compliance of the issuance with the definition of ‘green debt securities’ under the SEBI (Issue and Listing of Non-Convertible Securities) Regulations, 2021, including review or certification of project evaluation and selection processes and eligible project categories. The reviewer or certifier must be independent of the issuer and its management, be remunerated in a manner that avoids conflicts of interest, and possess expertise in assessing Environment, Social and Governance debt securities. Further, the scope of the review and details of the reviewer or certifier are required to be disclosed in the offer document.

¹ Original Application No. 77 of 2023 (SZ) with Appeal No. 80 of 2022 (SZ), National Green Tribunal, Southern Zone, Chennai, Judgment dated 27 March 2026

Draft notification for creation of standing authority

The Ministry of Environment, Forest and Climate Change (“**MoEFCC**”), *vide* draft notification dated March 5, 2026, has proposed amendments to the Environment Impact Assessment Notification, 2006 to reduce delays, improve institutional continuity, and strengthen regulatory efficiency under the Environment Impact Assessment framework. It proposes to streamline and ensure continuity in environmental clearance processes by increasing the tenure of State Level Environment Impact Assessment Authorities and State Level Expert Appraisal Committees to 4 (four) years and introducing Standing Authorities on Environment Impact Assessment and Standing Committees on Environment Impact Appraisal to function for up to 6 (six) months (extendable by another 6 (six) months) in cases where the regular authorities become non-functional or face delays in reconstitution. The draft further provides for automatic escalation of projects to these standing bodies through the project lifecycle management system if appraisal or decision timelines are exceeded, while also ensuring that environmental clearance processes continue without interruption.

Extension of National Control Room for effective implementation of the ban on identified single-use plastic items.

CPCB, *vide* office order dated March 9, 2026, has extended the operation of the National Control Room for a further period of 6 (six) months from March 1, 2026 to August 31, 2026 to strengthen the countrywide enforcement and monitoring of the ban on identified single-use plastic items. The order provides that the control room will remain responsible for providing guidance to stakeholders, coordinating with State Pollution Control Boards and Pollution Control Committees, monitoring enforcement actions, supporting grievance redressal mechanisms, compiling weekly compliance reports, and ensuring nationwide coordination and effective implementation of the single-use plastic ban through continuous oversight and reporting to MoEFCC.

Order for adjudication of penalty under Section 454 of the Companies Act, 2013 for violation of Section 137(3) of the Companies Act, 2013

The Ministry of Corporate Affairs (“**MCA**”), *vide* notification dated March 11, 2026, has issued an adjudication order through the Registrar of Companies, Chennai, under Section 454 of the Companies Act, 2013 (“**Act**”), in relation to Sri Abhinandan Foundation Private Limited and its directors for delay in filing financial statements for the financial year 2023–24. The company had filed its statutory financial statements with a delay of 229 (two hundred twenty-nine) days in violation of Section 137(1) of the Act, thereby attracting proceedings under Section 137(3) of the Act. After considering the company’s submissions that the delay was inadvertent and that the filings were completed prior to issuance of the adjudication notice, no penalty was imposed on the company or its officers in default by exercising powers under Section 454(2) of the Act.

Van (*Sanrakshan Evam Samvardhan*) Amendment Rules, 2026

MoEFCC, *vide* notification dated March 11, 2026, has notified the *Van (Sanrakshan Evam Samvardhan)* Amendment Rules, 2026 amending the *Van (Sanrakshan Evam Samvardhan)* Rules, 2023. Pursuant to the amendment, Rule 9(12) of the *Van (Sanrakshan Evam Samvardhan)* Rules, 2023 has been substituted to provide that, in addition to field verification by the concerned Divisional Forest Officer, every proposal involving more than 40 (forty) hectares of forest land must also be simultaneously inspected in the field by the Conservator of Forests, Chief Conservator of Forests, or Regional Chief Conservator of Forests holding charge of the concerned forest circle.

Extension of timeline for connectivity to the new Online Continuous Emission Monitoring System Portal of CPCB

CPCB, *vide* letter dated March 25, 2026, has extended the compliance timeline by 15 (fifteen) days for industries in Delhi-NCR to complete connectivity with the New Online Continuous Emission Monitoring System Portal, in continuation of its earlier directions dated March 11, 2026 and March 16, 2026 issued under the Air (Prevention and Control of Pollution) Act, 1981.

Guidelines for Storage and Handling of Waste Solar Photo-Voltaic Modules or Panels or Cells

CPCB, in March 2026, issued the 'Guidelines for Storage and Handling of Waste Solar Photo-Voltaic Modules or Panels or Cells' under the E-Waste (Management) Rules, 2022. The guidelines have been issued to provide technical guidance for environmentally sound transportation, handling and storage of waste solar photo-voltaic modules, panels or cells, including their components, consumables, parts and spares, with the objective of protecting health and the environment from adverse impacts arising from improper disposal and management of solar waste. Some of the key aspects of the guidelines are as follows:

1. the guidelines are applicable to producers, manufacturers and recyclers of waste solar photo-voltaic modules, panels or cells;
2. the guidelines prescribe detailed requirements relating to collection, transportation, storage and handling of solar waste. *Inter alia*, they prohibit disposal or dumping of solar waste in open areas or landfills and require that waste intended for recycling be handed over only to registered recyclers, while collection and storage activities may also involve registered producers and manufacturers;
3. producers and manufacturers are required to establish and publicise collection and take-back mechanisms, including collection points and consumer support systems;
4. the guidelines require transportation of solar waste in covered vehicles and prescribe specific standards for storage areas, including use of covered and ventilated spaces, non-leachable and impervious flooring, separate storage of broken or disintegrated waste, fire protection systems, inventory maintenance and periodic inspections; and
5. personnel handling solar waste are required to be provided with appropriate personal protective equipment to ensure worker safety and environmentally sound management of solar waste.

Draft Environment Protection (End-of-Life Vehicles) Amendment Rules, 2026

MoEFCC, *vide* notification dated March 27, 2026, has issued draft amendments to the Environment Protection (End-of-Life Vehicles) Rules, 2025. The draft amendments seek to strengthen the extended producer responsibility regime applicable to end-of-life vehicles and related waste streams. Some of the key amendments proposed are as follows:

1. the definition of 'waste management rules' is introduced to mean extended producer responsibility rules for environmentally sound management of wastes notified under the Environment (Protection) Act, 1986;
2. producers are required to declare the details of vehicles, along with quantity (in weight) of steel, tyres, oil, electrical and electronic products, batteries and plastic used in the vehicles that were introduced in the domestic market in previous financial years (from financial year 2005-06 to financial year 2024-25), by June 30, 2026;
3. producers would be required to fulfil the obligations of extended producer responsibility for various categories of waste generated from end-of-life vehicles;
4. insurance companies and insurers undertaking insurance of vehicles will need to be registered on the centralised online portal. They must handle end-of-life vehicles in an environmentally sound manner and mandatorily deposit such vehicles at registered vehicle scrapping facilities or designated collection centres; and
5. extended producer responsibility certificates will be generated for waste categories other than steel scrap where such certificates are not generated under existing waste management regulations.

Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Second Amendment) Rules, 2026

The Ministry of Mines (“**MoMines**”), *vide* notification dated March 30, 2026, has notified the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Second Amendment) Rules, 2026 amending the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016. Some of the key amendments are as follows:

1. the amendments introduce a framework for inclusion of contiguous areas in mining leases and composite licences for deep-seated minerals, defined as minerals occurring at a depth of more than 200 (two hundred) meters from the surface with poor surface manifestations;
2. the amendments revise provisions relating to reporting and inclusion of newly discovered minerals in existing mining leases and permit mining lease holders to apply for inclusion of additional minerals, including minor minerals, within their lease areas. Further, captive mine lessees are now permitted to sell surplus minerals after meeting the requirements of their end-use plants operating at full capacity, subject to specified limits;
3. Chapters VIII-A and VIII-B are inserted prescribing detailed procedures for one-time extension of mining lease areas and composite licence areas to include contiguous areas, subject to conditions relating to geological continuity, area limits, prospecting requirements and regulatory approvals;
4. the amendments also provide for payment of additional amounts by lease holders in respect of minerals dispatched from included contiguous areas;
5. exploration requirements are inserted for grant of mining leases in respect of minor minerals above 2 (two) hectares and establish a mechanism for inclusion of minerals other than minor minerals in leases originally granted for minor minerals, subject to specified exploration and reporting requirements. In cases where atomic minerals above threshold grades are discovered, the State Government is empowered to refuse inclusion and terminate the lease; and
6. the amendments also impose obligations relating to maintenance of separate accounts, compliance with mineral conservation requirements and payment of additional amounts or royalties upon inclusion of new minerals in existing lease areas.

Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Third Amendment) Rules, 2026

MoMines, *vide* notification dated April 10, 2026, has notified the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession (Third Amendment) Rules, 2026 amending the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016. The amendments introduce changes relating to royalty calculation and publication of average sale prices for low-grade iron ore. A proviso has been inserted in Rule 39(1) to provide that where processing of run-of-mine mineral results in a decrease in its economic value, royalty will be chargeable on lumps and fines after the initial screening of unprocessed run-of-mine material. Further, a new sub-rule has been inserted in Rule 45 requiring the Indian Bureau of Mines to publish the average sale price of Haematite Iron Ore having iron content below the threshold value, including Banded Haematite Quartzite and Banded Haematite Jasper. Under the revised framework, the average sale price for iron ore with 35% to below 45% iron content will be deemed to be 75% of the average sale price of 45% to below 51% grade iron ore, while iron ore with iron content below 35% will be valued at 50% of the average sale price of 45% to below 51% grade iron ore.

Bio-Medical Waste Management (Amendment) Rules, 2026

MoEFCC, *vide* notification dated April 17, 2026, has notified the Bio-Medical Waste Management (Amendment) Rules, 2026 amending the Bio-Medical Waste Management Rules, 2016. The amendments primarily seek to incorporate

representation from the Ayush sector within the institutional framework under the Bio-Medical Waste Management Rules, 2016. Accordingly, in Rule 11(1), the word “Ayush” has been inserted after the words “Departments of Health”. Further, in Rule 12(6), provision has been made for inclusion of a representative nominated by the State or Union Territory Department of Ayush alongside the District Health Officer in the relevant monitoring and implementation framework under the principal rules.

Other developments

Indian Institute of Corporate Affairs convenes fifth inter-ministerial consultation on responsible business conduct and social dimension of environmental, social, and governance

MCA, *vide* press release dated March 15, 2026, has reported that the Indian Institute of Corporate Affairs convened the Fifth Inter-Ministerial Consultation on Responsible Business Conduct and the Social Dimension of Environmental, Social and Governance Framework in collaboration with the International Labour Organisation to enhance policy coordination and strengthen sustainability governance in India. The consultation brought together senior representatives from multiple ministries and regulatory bodies, including MCA, SEBI, the Food Safety and Standards Authority of India, the Insolvency and Bankruptcy Board of India, and others, who discussed integrating responsible business conduct principles into corporate governance, supply chain practices, labour reforms, insolvency frameworks, and sustainability disclosures, while emphasising the role of initiatives such as the national guidelines on responsible business conduct, business responsibility and sustainability reporting framework, and labour codes in promoting sustainable and inclusive economic growth.

National Biodiversity Authority constitutes expert committee on invasive alien species

The National Biodiversity Authority, *vide* press release dated March 21, 2026, has constituted an expert committee on invasive alien species to address the ecological and socio-economic risks posed by invasive alien species across India. The committee has been mandated to prepare a consolidated national list of invasive alien species using State inputs, identify and prioritise high-risk species, and recommend science-based strategies for prevention, control, eradication, and ecological restoration, along with guidelines, research initiatives, and best practices for long-term management. The multi-disciplinary body includes experts from key scientific institutions and government bodies such as the Zoological Survey of India, Botanical Survey of India, Indian Council of Agricultural Research, Indian Council of Forestry Research and Education, and Wildlife Institute of India, along with State Forest Departments and international organisations, and will function for a period of 2 (two) years to strengthen coordinated biodiversity conservation efforts in the country.

Environmentally sustainable production practices

The Ministry of Textiles, *vide* press release dated March 24, 2026, has stated that the Government of India has undertaken multiple initiatives to promote environmentally sustainable production practices in the textile sector. These include the constitution of an Environment, Social and Governance Task Force, approving 6 (six) Common Effluent Treatment Plants with Zero Liquid Discharge technology and introducing pilot projects aimed at reducing hazardous chemical use, promoting eco-friendly textiles, improving waste management, and assessing environmental footprints across the value chain.

Cabinet approves India's Nationally Determined Contribution for 2031–2035

The Union Cabinet, *vide* press release dated March 25, 2026, has approved India's Nationally Determined Contribution for the period 2031 to 2035 under the United Nations Framework Convention on Climate Change, reaffirming the country's commitment to climate action, sustainable development, and the long-term goal of net-zero emissions by 2070 in alignment with the vision of *Viksit Bharat* by 2047. The approved commitments include reducing emissions intensity of gross domestic product by 47% from 2005 levels by 2035, achieving 60% cumulative installed electric power capacity from non-fossil fuel-based energy sources by 2035, and creating an additional carbon sink of 3.5 to 4.0 billion tonnes of carbon dioxide equivalent through forest and tree cover, supported by expanded renewable energy, green hydrogen initiatives, carbon capture technologies, and large-scale adaptation and resilience measures.

Environment, ESG and Climate Change Practice

The Firm advises and represents clients in environmental disputes before the National Green Tribunal, High Court(s) and the Supreme Court of India. We also advise clients on environment, social and governance (ESG) issues and assist them in ensuring compliance with the relevant laws. The firm has been regularly advising clients in matters relating to climate change and energy transition.

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19 Practices and
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15 Practices and
20 Ranked Lawyers



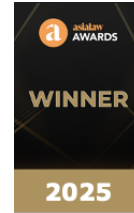
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