

ENVIRONMENT AND LAND USE APPEAL TRIBUNAL

- 18.59 Established under Act No. 5 of 2012, as a quasi-judicial body, the Environment and Land Use Appeal Tribunal (ELUAT) hears appeals relating to land use and environmental matters, with mandate to provide environmental justice. The Tribunal has jurisdiction to review and determine appeals against decisions made by the Ministry of Environment, Solid Waste Management and Climate Change; Municipal and District Councils; the Morcellement Board; the Town and Country Planning Board; and any other jurisdiction assigned by relevant laws.
- 18.60 The staffing structure of the ELUAT comprises a Chairperson and Vice-Chairpersons appointed by the Public Service Commission and such other members as may be necessary. They are assisted in the exercise of their functions by a Secretary who is responsible for the day-to-day administration of the Tribunal. They are also supported by officers of the General Services grades.
- 18.61 Submissions of Management relate, among others, to: the creation of grades or posting of officers from other Ministries to the ELUAT; payment of allowances to officers servicing the Tribunal; and reviewing the qualifications requirement of the grade of Secretary, ELUAT. Requests that do not satisfy set requirements could not be retained and Management was so informed.
- 18.62 As regards the Tribunal's organisation structure, the Bureau considers that the present one is adequate. We are providing for the payment of a yearly Judicial and Legal Allowance to the Chairperson and Vice-Chairpersons in line with what obtains in other Tribunals, reviewing the qualifications requirement of the grade of Secretary, ELUAT and reiterating the provisions of the last Report regarding the posting of Court Officers, Judicial Research Assistant/Senior Judicial Research Assistants and Court Transcribers from the Judiciary to the Tribunal. As regards, the request for the creation of the grade of Deputy Secretary, same could not be taken on board for want of information as well as due to the absence of functional need.

Secretary, Environment and Land Use Appeal Tribunal

- 18.63 At present, the grade of Secretary, ELUAT is filled from among candidates who possess the qualification prescribed for the grade. We consider that there is need to review the qualifications requirement in consonance with the nature and level of duties devolving upon the grade and in line with what obtains for comparable grades in the Civil Service. We are recommending accordingly.

Recommendation 19

- 18.64** We recommend that, henceforth, appointment to the grade of Secretary, ELUAT should be made by selection from among candidates possessing a Degree in Law or Business Administration or Law and Management or an equivalent relevant qualification and reckoning at least two years' experience in administrative duties.

Judicial and Legal Allowance**Recommendation 20**

- 18.65** We recommend that the Chairperson and Vice-Chairpersons of the ELUAT should be paid a yearly Judicial and Legal Allowance of Rs 26680 as an assistance towards meeting the costs of certain items related to the exercise of their profession.

Posting of Court Officers, Judicial Research Assistant/Senior Judicial Research Assistants and Court Transcribers**Recommendation 21**

- 18.66** We recommend that Management of the ELUAT should continue to make necessary arrangements with the Judiciary for the secondment of officers in the grade of Court Officer, Judicial Research Assistant/Senior Judicial Research Assistant and Court Transcriber to the ELUAT. In this context an appropriate provision has been made at paragraph 6.35 of this Volume.

ENVIRONMENT AND LAND USE APPEAL TRIBUNAL**SALARY SCHEDULE**

Salary Code	Salary Scale and Grade
12 000 120	Rs 190000 Chairperson, Environment and Land Use Appeal Tribunal
12 000 115	Rs 162000 Vice Chairperson, Environment and Land Use Appeal Tribunal (Personal to officer in post as at 31.12.20)
12 000 112	Rs 150000 Vice Chairperson, Environment and Land Use Appeal Tribunal

Salary Code	Salary Scale and Grade
02 068 094	Rs 44960 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 58850 x 1750 - 62350 x 1850 - 67900 x 1900 - 75500 x 2250 - 86750 Secretary, Environment and Land Use Appeal Tribunal (Personal to officer in post as at 31.12.25)
02 060 090	Rs 37290 x 925 - 39140 x 970 - 46900 x 1050 - 49000 x 1100 - 54500 x 1450 - 58850 x 1750 - 62350 x 1850 - 67900 x 1900 - 75500 x 2250 - 77750 Secretary, Environment and Land Use Appeal Tribunal (Future Holder)
