

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 73 OF 2020

IN THE MATTER OF:

In Re: Gas Leak at LG Polymers Chemical Plant in RR Venkatapuram
Village in Andhra Pradesh

LG Polymers India Pvt Ltd

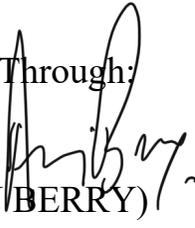
... Applicant

**AFFIDAVIT ON BEHALF OF LG POLYMERS INDIA PRIVATE
LIMITED TO BRING ON RECORD THE ORDERS PASSED BY THE
HON'BLE SUPREME COURT**

PAPER-BOOK

[FOR INDEX – SEE INSIDE]

Filed Through:


(ANUJ BERRY)

Shardul Amarchand Mangaldas & Co.

Advocate for the Respondent

216 Amarchand Towers, Okhla Industrial Phase III, New Delhi – 110020

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PLACE: NEW DELHI

DATED: 02 February 2021

INDEX

S. No.	Particulars	Page(s)
1.	Affidavit on behalf of L.G. Polymers India Private Limited to bring on record the orders passed by the Hon'ble Supreme Court	1 – 2
2.	<u>ANNEXURE “A” (COLLY):</u> A copy of the orders dated 29 October 2020, 16 November 2020, 18 November 2020, 16 December 2020 and 22 January 2021 passed by the Hon'ble Supreme Court	3 – 12

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 73 OF 2020

IN THE MATTER OF:

In Re: Gas Leak at LG Polymers Chemical Plant in RR Venkatapuram
Village in Andhra Pradesh

LG Polymers India Pvt Ltd. ... Applicant /
Respondent

**AFFIDAVIT ON BEHALF OF L.G. POLYMERS INDIA PRIVATE
LIMITED TO BRING ON RECORD THE ORDERS PASSED BY
THE HON'BLE SUPREME COURT**

I, P. Arun Kumar, son of Mr. P. Bhaskar Rao, aged about 50 years, working as the Dy. Manager – Legal with L.G. Polymers India Private Limited having my office at R.R. Venkatapuram, Visakhapatnam – 530 029, presently at Visakhapatnam, do hereby solemnly affirm and state as under:

1. That I am the Authorized Signatory of LG Polymers India Pvt. Ltd. (“Respondent”).
2. The present Affidavit is being filed in continuation of the earlier Affidavits filed by the Respondent to bring on record the orders passed by the Hon’ble Supreme Court in Civil Appeal No. 2816 of 2020 & Civil Appeal No. 2665 of 2020.

It is submitted that the Hon’ble Supreme Court had by its order dated 29 October 2020 directed this Hon’ble Tribunal “to defer the hearing of the matter till further orders by this Court.” That thereafter the



02/02/2021
NOTARY
VISA KHAPATNAM
ANDHRA PRADESH
INDIA

P. Arun Kumar
Authorized Official
LG Polymers India Pvt. Ltd.
R.R. Venkatapuram, Visakhapatnam-530029

proceedings before the Hon'ble Supreme Court were listed on 16 November 2020, 18 November 2020, 16 December 2020 and 22 January 2021 on all of which dates the matters could not be taken up due to paucity of time. The proceedings have now been directed to be listed on 16 March 2021. A copy of the orders dated 29 October 2020, 16 November 2020, 18 November 2020, 16 December 2020 and 22 January 2021 passed by the Hon'ble Supreme Court are annexed herewith and marked as ANNEXURE "A" (COLLY).

4. The Affidavit is without prejudice to the rights and contention of the Respondent before the Hon'ble Supreme Court in Civil Appeal No. 2816 of 2020 and Civil Appeal No. 2665 of 2020 arising from the orders passed by this Hon'ble Tribunal.
5. It is stated that the facts stated in the Affidavit are true to the best of my knowledge as per the records of the case and the submissions made therein are based on legal advice received by me and believed to be true and correct.



P. Arun Kumar
Authorized Official
LG Polymers India Pvt. Ltd.
R.R.Venkatapuram, Visakhapatnam-530029

DEPONENT

VERIFICATION:

I, the Deponent above named, do hereby verify that the contents of foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Vishakhapatnam on this 02nd February 2021.

GANTI SUBRAHMANYAM
ADVOCATE & NOTARY
45-35-26/1, Sri Sai Residency
Jagannadhapuram, Akkayyapalem
VISHAKHAPATNAM -530 016

P. Arun Kumar
Authorized Official
LG Polymers India Pvt. Ltd.
R.R.Venkatapuram, Visakhapatnam-530029

My Commission Expires
On 27-05-2024

DEPONENT

NOTARY
VISHAKHAPATNAM
ANDHRA PRADESH
INDIA

02/02/2021



ITEM NO.6 Court 4 (Video Conferencing) SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 2816/2020

LG POLYMERS INDIA PRIVATE LIMITED Appellant(s)

VERSUS

ANDHRA PRADESH POLLUTION CONTROL BOARD & ORS. Respondent(s)

(IA No. 69139/2020 - EX-PARTE STAY
IA No. 69140/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 52395/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 69138/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 50073/2020 - INTERVENTION/IMPLEADMENT
IA No. 69141/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 52391/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 69142/2020 - PERMISSION TO PLACE ON RECORD SUBSEQUENT
FACTS)

WITH

C.A. No. 2665/2020 (XVII)
(IA No. 57476/2020 - EX-PARTE STAY)

Date : 29-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s) Mr. Mukul Rohatgi, Senior Advocate
Mr Shyam Divan, Senior Advocate
Mr Anuj Berry, Advocate
Mr. Aashish Gupta, Advocate
Mr Chaitanya Safaya, Advocate
Mr P S S Bhargava Advocate
Mr Shardul S Shroff Advocate on Record

For Respondent(s) Mr. Nikhil Nayyar, Sr. Adv.
Mr. T. V. S. Raghavendra Sreyas, AOR
Ms. Sugandha Batra, Adv.
Mr. Siddharth Vasudev, Adv.

Mr. Saurabh Mishra, AOR

Ms. Aishwarya Bhati, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Shovan Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Mr. Mukul Rohatgi, learned Senior Advocate for the appellants submits that the Report of the Committee having been uploaded on 28.05.2020 and the matter having been listed on 01.06.2020, appropriate response to the said Report could not be filed by the appellant.

In the circumstances, we give an opportunity to the appellant to file response to the Report of the Committee within 10 days from today.

Let a copy of the reply to the report be also placed on record before this Court.

Mr. Rohatgi, learned Senior Advocate further submits that the matter is posted before the NGT on 03.11.2020.

Considering the fact that this Court is now seized of the matter, we direct the NGT to defer the hearing of the matter till further orders by this Court.

List these matters alongwith SLP(C)Nos.10117-10119/2020 on 16.11.2020 at the end of the Board before the appropriate Court.

(INDU MARWAH)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)

Mr. T. V. S. Raghavendra Sreyas, AOR

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Amitabh Sinha, Adv.
Mr. Shrey Sharma, Adv.

Mr. Saurabh Mishra, AOR
Mr. Onkar Singh, Adv.
Mr. Rakesh Chander, Adv.
Mr. Arun Verma, Adv.
Ms. Neha Tripathi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

List on 18.11.2020.

(MUKESH NASA)
COURT MASTER

(BEENA JOLLY)
BRANCH OFFICER

ITEM NO.47 Court 3 (Video Conferencing) SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2816/2020

LG POLYMERS INDIA PRIVATE LIMITED

Appellant(s)

VERSUS

ANDHRA PRADESH POLLUTION CONTROL BOARD & ORS.

Respondent(s)

(IA No.69138/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.69139/2020-EX-PARTE STAY and IA No.52395/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.69140/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.50073/2020-INTERVENTION/IMPLEADMENT and IA No.69142/2020-PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS and IA No.69141/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES and IA No.52391/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES)

WITH

SLP(C) No. 10117-10119/2020 (XII-A)
(FOR ADMISSION and I.R.)

C.A. No. 2665/2020 (XVII)
(IA No. 57476/2020 - EX-PARTE STAY)

Date : 18-11-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

Counsel for the Parties:

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Anuj Berry, Adv.
Mr. Aashish Gupta, Adv.
Mr. Chaitanya Safaya, Adv.
Mr. PSS Bhargava, Adv.
Mr. S. S. Shroff, AOR

Ms. Aishwarya Bhati, ASG
Mr. Gurmeet Singh Makker, AOR
Mr. Ashish Rana, Adv.
Mr. Shovan Mishra, Adv.

Mr. Nikhil Nayyar, Sr. Advocate
Mr. TVS Raghavendra Sreyas, AOR
Ms. Sugandha Batra, Adv.
Mr. Siddharth Vasudev, Adv.
Ms. Gayatri Gulati, Adv.

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Amitabh Sinha, Adv.
Mr. Shrey Sharma, Adv.

Mr. Saurabh Mishra, AOR
Mr. Onkar Singh, Adv.
Ms. Samridhi Pal, Adv.
Mr. Arun Verma, Adv.
Ms. Neha Tripathi, Adv.

Mr. Rakesh Chander, Adv.

UPON hearing the counsel the Court made the following
O R D E R

List on 16.12.2020.

(INDU MARWAH)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)

Mr. Nikhil Nayyar, Sr. Adv.
Mr. T. V. S. Raghavendra Sreyas, AOR
Ms. Sugandha Batra, Adv.
Mr. Siddharth Vasudev, Adv.

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Shaik Mohamad Haneef, Adv.
Mr. T. Vijaya Bhaskar Reddy, Adv.
Mr. Amitabh Sinha, Adv.
Mr. Shrey Sharma, Adv.

Mr. Saurabh Mishra, AOR
Mr. Onkar Singh, Adv.
Ms. Neha Tripathi, Adv.
Mr. Rakesh Chander, Adv.

UPON hearing the counsel the Court made the following
O R D E R

List on 22.01.2021, at the end of the Board.

(MUKESH NASA)
COURT MASTER

(POONAM VAID)
BRANCH OFFICER

ITEM NO.36 Court 4 (Video Conferencing) SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 2816/2020

LG POLYMERS INDIA PRIVATE LIMITED

Appellant(s)

VERSUS

ANDHRA PRADESH POLLUTION CONTROL BOARD & ORS.

Respondent(s)

(IA No.69138/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.69139/2020-EX-PARTE STAY and IA No.52395/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.69140/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.50073/2020-INTERVENTION/IMPLEADMENT and IA No.69142/2020-PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS and IA No.69141/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES and IA No.52391/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ ANNEXURES

WITH

SLP(C) No. 10117-10119/2020 (XII-A)
(FOR ADMISSION and I.R.)

C.A. No. 2665/2020 (XVII)
(IA No. 57476/2020 - EX-PARTE STAY)

Date : 22-01-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s) Mr. Mukul Rohatgi, Senior Advocate
Mr Shyam Divan, Senior Advocate
Mr Anuj Berry, Advocate
Mr Aashish Gupta, Advocate
Mr Chaitanya Safaya, Advocate
Mr P S S Bhargava Advocate
Mr. S. S. Shroff, AOR

For Respondent(s) Mr. Nikhil Nayyar, Senior Advocate
Mr. T. V. S. Raghavendra Sreyas, AOR
Ms. Sugandha Batra, Advocate
Mr. Siddharth Vasudev, Advocate
Ms. Gayatri Gulati, Advocate

Mr. Mahfooz A. Nazki, AOR
Mr. Polanki Gowtham, Advocate
Mr. Shaik Mohamad Haneef, Advocate
Mr T. Vijaya Bhaskar Reddy, Advocate
Mr. Amitabh Sinha, Advocate
Mr. Shrey Sharma, Advocate

Mr. Saurabh Mishra, AOR
Mr. Onkar Singh, Adv
Mr. Rakesh Chander, Adv
Mr. Neha Tripathi, Adv

Ms Aishwarya Bhati, Asg
Mr. Gurmeet Singh Makker, Aor
Ms. Ashish Rana, Adv.
Mr. Shovan Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

List on 16.03.2021.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER