

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN
ZONE, CHENNAI**

Original Application No. 131 of 2023 (SZ)

Parthiban J

... Applicant

Vs

The District Collector and Ors.

... Respondents

**AFFIDAVIT FILED BY THE 4th RESPONDENT –
APOLLO TYRES PVT LTD**


**M/S. AAV PARTNERS
M VIJAYA MEHANATH
S SARAVANAN
R SURESH
E KARTHIKEYAN
TASHI ANIL**

COUNSEL FOR 4th RESPONDENT

**No. 74-76, Marshall's Enclave, Marhsall's Road,
Egmore, Chennai – 600 008.
Email : saleemperson@gmail.com Ph – 95000 69660**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI

Original Application No. 131 of 2023 (SZ)

BETWEEN

Parthiban J
2/18, Dharmaraja Koil Street,
Chozhavaram Post,
Karanodai, Tiruvallur,
Tamil Nadu - 600 067

... Applicant

AND

1. The District Collector,
First Floor, Collectorate,
Kancheepuram.
2. The Chairman
Tamil Nadu Pollution Control Board.
76, Mount Salai,
Guindy, Chennai - 600 032.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No. CP-5B, SIPCOT Industrial Growth Centre,
Vandalur - Wallajahabad Road, Oragadam,
Kancheepuram District.
4. Apollo Tyres Ltd.,
Rep. by its Manager Environment Health Safety (EHS)
B-25, SIPCOT Industrial Growth Centre,
Sriperumpudur - Singaperumal Koil State Highway,
Oragadam, Sriperumpudur Taluk,
Kancheepuram District - 602 105.

... Respondents



AFFIDAVIT FILED ON BEHALF OF 4TH RESPONDENT

I, G Balasubramanyam , Son of Mr. S Gopalan, aged 61 years, having address at B-25, SIPCOT Industrial Growth Centre, Oragadam, Sriperumbudur, Tamil Nadu, India - 602105, do hereby solemnly affirm and sincerely state as follows:

1. I state that I am the Head Commercial of M/s. Apollo Tyres Ltd., the 4th Respondent herein and as such I am well acquainted with the facts of the case from the available records.

2. That the present Original Application has been filed by the Applicant for the following relief: -

- "1. To direct the Respondents 1 to 3, to take immediate action against the 4th Respondent for improper/illegal disposal of HDPE/PP/Carbon Jumbo bags, as per law;*
- 2. To direct the Respondents 2 and 3 to assess Environmental Compensation, for the pollution caused by illegal disposal of the HDPE PP/Carbon jumbo bags, by the 4th Respondent, and levy the penalty as per Section 5 of the Environmental (Protection) Act, 1986 for causing damage to the environment without following the environmental norms.*
- 3. and to pass such further or other orders as this Hon'ble Tribunal may deem fit and necessary in the interest of justice."*

3. That this Respondent has already filed its reply statement along with documents in the present O.A and the same may be treated as part and parcel of this present affidavit.

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4. That it was submitted on behalf of the applicant that, the uncleaned carbon jumbo bags were being misused and circulated to the public which are being used without knowing its impact on them and also on the environment. However, the said statement was strongly denied by this Respondent, and that the carbon jumbo bags after its use, were and are handed over to the authorized recycler after thoroughly cleaning.

5. That during the course of hearing, this Hon'ble Tribunal vide order dated 25.01.2024, was pleased to observe as follows :

"1. Pursuant to our earlier order dated 18.12.2023, the 4th Respondent represented today that they are working out the possibilities of constructing a silo to facilitate the carbon black brought in tankers, as they are doing it in their own Andhra Pradesh unit.

2. The learned counsel appearing for the applicant would request that till then the jumbo bags in which they procure the carbon black may be damaged and given to the recycler which would prevent the reuse. However, that may depend upon the agreement the unit has got with the recycler.

3. Let the unit address and take care of the said aspect considering the pollution that is alleged. The feasibility of constructing the silo and getting the carbon black through tankers is being explored by the respondent unit.

4. Hence, we direct them to file a report as to what would be the timeline that may be taken by them for the said process."

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6. That in compliance with the above direction of this Hon'ble Tribunal, the officials of this Respondent made an inspection of the subject plant, and it was observed that since the unit was established in the year 2010 and the capacity was expanded twice thereafter, there is neither any provision nor any space available to put up silos in the subject plant for handling carbon bulk tankers, however, to comply with the direction of this Hon'ble Tribunal and to address the grievance raised by the Applicant, a decision was taken by this Respondent, to **cut the bags into two pieces**, after emptying and cleaning the bags and thereafter, handover the same to recycler for processing, in order to curb the illegal/unauthorized use of carbon black bags by the people in the market. Though such an exercise would increase the cost expenses to this Respondent, however, as a law abiding citizen with social responsibility this Respondent is willing to bear the same.

7. It is further submitted that this Respondent is duly complying with all precautions and conditions imposed in the approvals by the authorities, and there is neither any Environmental Violation nor any statutory violation on the part of this Respondent and this Respondent is ready and willing to comply with any directions that this Hon'ble Tribunal be pleased to impose towards ensuring no damage to the environment or health.

Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to take on record the above affidavit and pass such orders and thus render justice.

Solemnly affirmed at Chennai

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On this the th26 day of August, 2024
And put his signature in my presence

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*

BEFORE ME

For APOLLO TYRES LTD.


Authorised Signatory

Zahid N. Zahid Ahmed
KAR/2160/18
No. 225, LC, MC, CH-104