



Nawneet Vibhaw

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Practice Area

Disputes

Environment & Climate Change

Environment, Social, Governance (ESG)

About

Nawneet Vibhaw is a Partner at JSA and specialises in environmental advisory, environmental disputes and Environment, Social and Governance (ESG) matters. He regularly advises clients on diverse regulatory environmental issues and also appears on their behalf in matters before the Hon'ble Supreme Court of India and various benches of the National Green Tribunal (NGT). Nawneet has been advising clients in diverse environment related matters in sectors like cement, pharmaceuticals, chemicals, automotive, construction and real estate, power, fast-moving consumer goods, healthcare, hospitality, mining, oil and gas, steel and waste management. Nawneet has also been advising clients on issues relating to ESG and has served as a member of FICCI's task force on ESG in the past.

Nawneet has authored three books on environment, energy and climate change law and policy, which have been published by LexisNexis India. He has also been actively contributing to India chapters on Environment and Climate Change in international publications like Getting the Deal Through (GTDT), Legal 500, Lex Mundi's Global Climate Change Guide and Environment and Climate Change Law Review.

Nawneet has authored and co-authored more than eight publications including columns and articles in mainstream media and publications such as Economic Times, Financial Express, LiveMint, The Hindu, Fortune India, The Statesman, Business Standard, VCCircle, DNA, Mondaq and Lexology. Due to his keen interest in environmental education, Nawneet has offered regular lectures in Environment, Energy and Climate Change Laws at National Law University Delhi and Jindal Global Law School, Sonapat between 2011 and 2015. He has been involved in several speaking engagements at prestigious seminars and conferences related to environment, sustainability and climate change in India, USA, UK, Australia,

Germany, Spain, Philippines and Belgium. Nawneet has also been serving as an Adjunct Professor of Environmental Law at NALSAR University of Law, Hyderabad since March, 2023. He is regularly interviewed by Indian news channels like NDTV, CNN News18, DD News for his views on various environmental issues. Nawneet has also been interviewed by international channels like BBC News several times for his thoughts on India's stance on climate change during the G20 Summit, heat wave, climate change etc.

As one amongst the few lawyers in India specialising in Environmental Law practice, Nawneet has gained an enviable experience in dealing with environmental matters. He has been actively advising clients on environmental issues in transactions where he examines regulatory compliance, consents and clearances, historic liability, past regulatory action, instances of non-compliances and identifies issues and challenges to assist the client in addressing them and arriving at an effective long-term solution. He has advised clients across sectors on environmental issues in mergers and acquisitions and similar transactions. Nawneet has been advising clients on their ESG compliance strategies including their ESG policy, audits etc. He regularly assists clients in responding to the notices from the regulatory authorities besides representing them in environmental disputes before the Supreme Court of India, NGT, high courts and other courts and authorities.

Experience

Some of the key assignments in these areas handled and being handled by Nawneet amongst others, cover the following: -

Environment and ESG Advisory

- A Chinese export and credit insurance company on the regulatory framework regarding emission standards / norms applicable to thermal power plants in India, the policy support and incentives for compliance and the potential liability for non-compliance with these norms.
- A multinational electric car manufacturing company on the environmental consents and approvals and the strategy to be adopted for electrical vehicle manufacturing, servicing and waste management in India.
- A global FMCG company on the regulatory framework pertaining to the use of single-use plastic and plastic carry bags in its cigarette packaging for domestic consumption as well as for export purposes.
- A private equity firm on the regulatory obligations of parties in its agreements with waste management companies for the collection, disposal and management of garbage and hazardous waste being generated at its facilities.
- A Japanese electric and electronics products manufacturer on preparing its compliance checklist as per the environmental regulatory framework in India.
- An electronic waste management company on the regulatory framework pertaining to extended producer responsibility, electronic waste management and circular economy in India.
- A chemical manufacturing company on the environmental regulatory framework relating to environmental clearances, consents and authorisations required for setting up its chemical manufacturing unit in Maharashtra.

- An alcohol manufacturer on issues relating to the criminal liability of the company and its directors in a matter pertaining to release of pollutants beyond permissible limits from its distillery.
- A British multinational regarding environmental regulatory framework relevant for construction, infrastructure and building sector in India.
- A furniture and home décor company on aspects related to Environment, Social and Governance (“ESG”) under the Indian regulatory framework.
- An Indian telecommunications company on the regulatory framework pertaining to emission standards for diesel generator sets in India.
- An Indian electronics company on the consents and approvals required under the environmental regulatory framework for setting up and operating its service centres in India.
- A leading US multinational on the environmental regulatory framework pertaining to hazardous waste, storm water collection, disposal and potential liability arising due to contamination of storm water.
- A multinational data centre company on the potential liability that could be imposed on the buyer of real estate premises for environmental non-compliances committed by the seller of such premises before the transaction and on other issues relating to clean up and remediation costs.
- An American multinational chemical company on issues relating to applicable emission standards and on various aspects of the environmental regulatory framework in India.
- Several companies on environmental issues in corporate and commercial transactions, especially those relating to the target company, including the regulatory issues and disputes, compliance issues, remediation and past liability.
- Several companies across sectors on issues relating to management and handling of plastic waste in light of the extended producer responsibility (EPR) requirements and plastic ban across states. Also advised companies on issues relating to handling of biomedical, electronic, hazardous, construction and demolition wastes. This included advising on issues relating to seeking authorizations from the state pollution control boards (SPCBs) and Central Pollution Control Board (CPCB), responsibilities of various stakeholders including manufacturers, brand owners, producers etc. under various waste management laws.
- A prominent e-commerce company on issues relating to management and recycling of plastic waste used in packaging of their products.
- Companies on issues relating to corporate environmental responsibility (CER) and corporate social responsibility (CSR) and what expenses would be covered under such categories.
- A leading US manufacturer of packaging and labelling material on issues relating to environmental compliance at its manufacturing facility. This included review of consultant’s report and identification of risks and also advising on the strategy to be adopted for mitigating the potential risk due to past noncompliances and shifting the plant to another site.
- One of India’s largest steel manufacturers on issues relating to seeking environmental clearance for expansion of a ‘red category’ industry located in the vicinity of an ecologically sensitive zone.

- Global alcoholic beverages company in a matter pertaining to usage of ground water in water scarce areas.

Environmental Disputes

- An association of solar power producers before the Supreme Court of India in the matter relating to protection of the habitat of Great Indian Bustards and involving environmental issues relating to undergrounding of power transmission lines in various areas of Rajasthan and Gujarat.
- Two cement companies before the Supreme Court of India in their respective appeals filed against the order of the National Green Tribunal dealing with issues relating to alleged environmental damage and imposition of penalty on cement industries for use of illegally mined coal in the state of Meghalaya.
- A global steel giant before the National Green Tribunal in a matter involving allegations pertaining to disposal of fly ash and coastal regulation zone related violations.
- India's largest association of cement manufacturers, the only calcium carbide company in India, the only two graphite electrode manufacturers in India and one of India's largest steel manufacturers before the Supreme Court of India to seek an exemption for the usage and import of pet coke in India.
- Advisory and dispute resolution of one of the largest cement companies in India before the NGT in a dispute relating to grant and subsequent revocation of environmental clearance for their proposed plant in Rajasthan.
- A prominent power company before the NGT in an environmental dispute relating to mining of coal and closure of mines located in the state of Odisha.
- Successful dismissal by the Hon'ble Supreme Court of India in the case of a five-star hotel proposed in Uttarakhand, in a dispute relating to violation of forest conservation laws.
- A chemical industry before the NGT in a matter where closure orders were issued against the chemical industry by the SPCB.
- A graphite electrode manufacturer in a matter before the NGT and the Supreme Court of India relating to air pollution caused due to the industry in its vicinity thereby resulting in alleged health issues to the people residing around the industry in a prominent locality in Bengaluru.
- A leading real-estate company in a litigation before the NGT with respect to usage of groundwater in construction related activities in Gurgaon.

Environmental Due Diligence

- Japanese corporation to conduct an environmental due diligence on a leading Indian agricultural equipment and machinery manufacturer for their investment in the Indian company.
- US investment firm by undertaking a due diligence exercise from the perspective of environmental regulatory compliance for its investment in a medical diagnostic company with centres in various states in India.

- Japanese global printing company by undertaking environmental due diligence for its investment in a plastic films and other products manufacturing company in India.
- Canadian investment company by undertaking an ESG due diligence exercise for its investment in an Indian content and news aggregator company.
- American manufacturing company on various environmental issues associated with the industrial site of the target and the scope of the Phase-II due diligence that was required to be conducted.
- A Swiss multinational to assess the potential environmental liability that could be imposed on the acquirer of an asset in a commercial transaction for environmental non-compliances committed by the seller of such asset before the transaction.
- An asset management company to assess material compliances under the environmental regulatory framework in the acquisition of an aluminium tubes manufacturing company.
- An international investment fund by assessing and advising on the potential liability of the company and its directors for material non-compliances under environmental regulatory framework, in relation to its investment in a cement manufacturing and limestone mining company in India.
- US investment firm by undertaking an environmental due diligence exercise on an Indian pharmaceutical company for a proposed investment in its drug manufacturing units.

Awards and Recognition

Environmental Lawyer of the Year by BusinessWorld Legal (2024)

Key lawyer for Environmental Disputes in India by Legal 500 (2022)

Amongst the top 100 Lawyers in India by Forbes Legal Powerlist (2021)

Amongst the top 40 legal professionals in India under the age of 40 by Business World Legal (2020)

Environmental Law Champion Development Award by Asian Development Bank in Manila, Philippines (March, 2015)

Emerging Environmental Leader by Institute for Advanced Sustainability Studies (IASS) and Robert Bosch Foundation, Potsdam, Germany (July, 2013)

Belgian Science and Policy Office (BELSPO) Fellowship for pursuing research at University of Antwerp, Belgium (March 2013)

Environmental Ambassador Scholarship by Lewis & Clark Law School, Portland, Oregon, USA for pursuing LL.M. (July 2009)

Memberships

Supreme Court Bar Association

National Green Tribunal Bar Association

International Bar Association

Education

B.A., LL.B. (Hons.), NALSAR University of Law, Hyderabad

LL.M., Lewis & Clark Law School, Portland, Oregon, USA

Languages Spoken

English

Hindi
