

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI

APPEAL NO. 36 of 2024

IN THE MATTER OF:

Petro Carbon and Chemicals Limited ... Appellant

Vs.

Commission for Air Quality Management in NCR and

Adjoining areas & Anr. .... Respondent (s)

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FILED BY

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI**

**APPEAL NO. 36 of 2024**

**IN THE MATTER OF:**

**Petro Carbon and Chemicals Limited**

**...Appellant**

**Vs.**

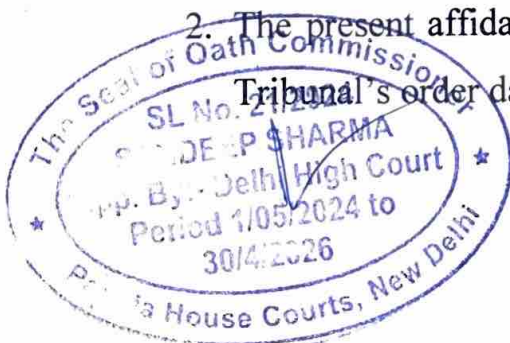
**Commission for Air Quality Management in NCR and  
Adjoining areas & Anr.**

**..... Respondent (s)**

**AFFIDAVIT ON BEHALF OF RESPONDENT No. 2- MINISTRY OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE, NEW DELHI.**

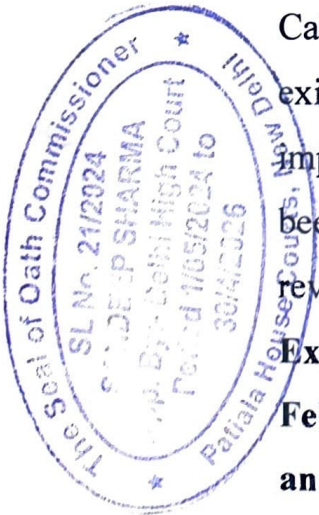
I, Mukesh Balodhi S/o Sh. D.N Balodhi aged about 42 years, presently working as Scientist 'E' with the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEFCC) having office at Indira Paryavaran Bhawan, Jor Bagh, New Delhi -110003, do hereby solemnly affirm and state as hereunder:

1. That, I am well acquainted with the facts and circumstances of the case and competent to swear this affidavit on behalf of MoEFCC being Respondent No. 2 in the present Appeal Application.
2. The present affidavit is filed in respectful compliance with this Hon'ble Tribunal's order dated 13.09.2024.



*M. Balodhi*

3. It is humbly submitted that, M/s Petro Carbon and Chemical Private Limited submitted an online application on 08.02.2024, under proposal number IA/WB/IND1/455497/2023. The application included the necessary forms, a pre-feasibility report, and proposed Terms of Reference (ToRs) for conducting a detailed Environmental Impact Assessment (EIA) study, as required under the EIA Notification, 2006. The project listed under Schedule 4(b) for Coke Oven Plants and classified as Category "A," was to be appraised at the central level.
4. It is humbly submitted that, the proposal was initially reviewed during the 55th meeting of the Expert Appraisal Committee (EAC) for the Industry-I sector, held on February 29 and March 1, 2024. At that time, the EAC recommended granting the Terms of Reference. However, while processing the application, the Ministry's Industry-I division came across an Order dated 15.02.2024 issued by the Commission for Air Quality Management (CAQM). This Order, aligned with directions from the Hon'ble Supreme Court, placed restrictions on the establishment of new Calcined Petroleum Coke (CPC) manufacturing units or the expansion of existing ones, citing environmental concerns. It also clarified that current import and allocation limits for Raw Petroleum Coke (RPC) and CPC had been carefully set to meet sectoral needs for the next five years, with reviews only in exceptional cases. **A true copy of the 55th meeting of the Expert Appraisal Committee (EAC) for the Industry-I sector, held on February 29 and March 1, 2024 and CAQM order dated 15.02.2024 is annexed as Annexure A**
5. Additionally, CAQM, through a letter dated 19.04.2024, informed the Ministry of Environment, Forest, and Climate Change (MoEF&CC) about these restrictions. It was also highlighted that a representation of M/s Petro Carbon and Chemical Private Limited dated 13.03.2024 to CAQM, pointed



*MBalodi*

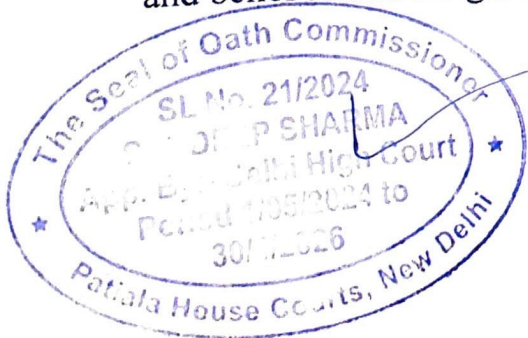
- out that the EAC had recommended the project's expansion on 12.03.2024 i.e. well after issuance of CAQM order dated 15.02.2024. **A true copy of the CAQM letter dated 19.04.2024 is annexed as Annexure -B.**
6. It is humbly submitted that, in light of the above submission, the proposal was reconsidered during the 57th meeting of the EAC for the Industry-I sector on April 24-25, 2024. After examining the information provided by the project proponent, the EAC identified discrepancies and decided to withdraw its earlier recommendation made during the 55th meeting. The Committee further recommended returning the proposal in its current form due to the reasons outlined above. **A true copy of the 57th meeting of the EAC for the Industry-I sector on April 24-25, 2024 is annexed as Annexure-C**
7. That, given the foregoing submissions, this Hon'ble Tribunal may be pleased to pass such or further orders as it may deem fit in the given circumstances of the case.

*M Balodhi*  
**DEPONENT**

**VERIFICATION:**

(मुकेश बलोधी)  
 (MUKESH BALODHI)  
 वैज्ञानिक 'ई'/Scientist 'E'  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
 Min. of Environment, Forest and Climate Change  
 भारत सरकार, नई दिल्ली  
 Govt. of India, New Delhi

Verified at New Delhi on the **18 FEB 2025** of February, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been suppressed or concealed therein.



Solemnly sworn before me read over & explained to the deponent  
 Admitted to be correct

Oath Commissioner, New Delhi

**18 FEB 2025**

*M Balodhi*  
**DEPONENT**

(मुकेश बलोधी)  
 (MUKESH BALODHI)  
 वैज्ञानिक 'ई'/Scientist 'E'  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
 Min. of Environment, Forest and Climate Change  
 भारत सरकार, नई दिल्ली  
 Govt. of India, New Delhi



सत्यमेव जयते

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**IA Division**  
**(Industrial Projects - 1)**

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**Minutes of AGENDA FOR 55th MEETING OF THE EXPERT APPRAISAL COMMITTEE -(INDUSTRY-1 SECTOR), SCHEDULED TO BE HELD ON 29th FEBRUARY, 2024 & 1st MARCH 2024 meeting Industrial Projects - 1 held from 29/02/2024 to 01/03/2024** Date: 12/03/2024

**MoM ID:** EC/MOM/EAC/956238/2/2024

**Agenda ID:** EC/AGENDA/EAC/956238/2/2024

**Meeting Venue:** N/A

**Meeting Mode:** Virtual

**Date & Time:**

29/02/2024	10:00 AM	06:00 PM
01/03/2024	10:00 AM	06:00 PM

### 1. Opening remarks

Opening Remarks by the Chairman, EAC Shri Rajive Kumar, Chairman EAC welcomed the Committee members and opened the EAC meeting for further deliberations. Shri Rajive Kumar also appreciated the efforts of the Ministry's Team (Industry 1 Sector) for preparation and uploading the Agenda of the EAC meetings and draft record of discussion very scientifically, systematically, transparently and timely on Parivesh Portal. The EAC has also appreciated various decision tools available in Parivesh Portal. -----\*\*\*\*\*----- Note - Due to Editor issue, Final Approved Minutes of the EAC is enclosed herewith in PDF as a ANNEXURE]. Please refer this document and Treat as approved Minutes of the EAC [Industry 1 Sector].

### 2. Confirmation of the minutes of previous meeting

Confirmation of the Minutes of the 53rd meeting of the EAC for Industry-I sector held on 12th – 14th February, 2024 and 54th meeting of the EAC for Industry-I sector held on 15th February, 2024 at MoEF&CC through Video Conferencing. The EAC, having taken note that final minutes were issued after incorporating comments offered by the EAC (Industry-1 Sector) members on the minutes of its 53rd meeting of the EAC for Industry-I sector held on 12th – 14th February, 2024 and 54th meeting of the EAC for Industry-I sector held on 15th February, 2024 conducted through Video Conferencing Mode, and noted that there is one modification/factual correction, in the minutes of the 53rd EAC meetings. Agenda No. 53.14: Increasing of production capacity of Axles from 75,000 axles/annum (36,750 Tonnes) to 1,65,000 axles/annum (80,850 Tonnes) & Existing capacity of Wheel shop of 2,00,000 no's/annum (97,000 Tonnes) by M/s Rail Wheel Factory, located at Puttenahalli Village & Yelahanka Village, Doddaballapur Road, Yelahanka Hobli, Bengaluru North Taluk, Bengaluru District, Karnataka - Consideration of Environmental Clearance. [Proposal No. IA/KA/IND1/425156/2023; File No. IA-J-11011/130/2022-IA-II(IND-I)] [Consultant: AM Enviro Engineers; Valid upto 30.06.2026] The aforementioned proposal was considered and recommended by EAC in its 53rd meeting of the EAC for Industry-I sector held on 12th–14th February, 2024 wherein after detailed deliberations, the committee recommended the proposal for grant of Environment Clearance under the provisions of EIA Notification, 2006 subject to the stipulation of specific conditions and general conditions. The matter has been examined in the Ministry and it is observed that the para related to certified compliance report was missing in the MoM as detailed below: The status of

**3.5.4. Deliberations by the EAC in current meetings****Deliberations by the Committee**

1. The EAC observed that PP has not prepared and presented the Drone survey of the project site during the appraisal of the project although the same has been clearly mentioned in the agenda of the meeting. In view of the same, the EAC advised Project proponent to present the drone survey during appraisal of the proposal. The EAC advised the Project proponent to read the instructions/guidelines given in the Agenda before coming to the EAC meeting.
2. The EAC also deliberated on the project title mentioned by the PP in its application and is of the view that the name of the project shall reflect the facilities proposed in the proposal with capacity and configuration. PP shall revise the same in its application.
3. The EAC also noted that there is a Nandibanda Reserve Forest at a distance of 0.57 km in the NW of the project site. PP shall submit the action plan to conserve such sensitive areas.
4. The EAC further is of the opinion that PP shall obtain a certificate from the State Forest department, affirming that the proposed project site does not fall within the forest area. The certificate should include geographical coordinates of the proposed project site and shall be accompanied with an authenticated map indicating the distance from the nearest forest area to the project site.
5. The PP agreed to the suggestions of EAC and requested EAC to allow reappear after the revision of the application with the desired information.

**Recommendations of the Committee:****3.5.5. Recommendation of EAC**

Returned in present form

**3.6. Agenda Item No 6:****3.6.1. Details of the proposal**

<b>Expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitization of Calcined Petroleum Coke (4 Furnaces for Foundry Grade &amp; 4 Furnaces for A node Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity) by PETRO CARBON AND CHEMICALS PRIVATE LIMITED located at MEDINIPUR EAST, WEST BENGAL</b>			
<b>Proposal For</b>		Fresh ToR	
<b>Proposal No</b>	<b>File No</b>	<b>Submission Date</b>	<b>Activity (Schedule Item)</b>
<a href="#">IA/WB/IND1/455497/2023</a>	IA-J-11011/451/2023-IA-II(IND-I)	08/02/2024	Coke oven plants (4(b))

**3.6.2. Project Salient Features**

<b>[Proposal No.: IA/WB/IND1/455497/2023; File No. IA-J-11011/451/2023-IA-II(IND-I)]</b>			
<b>[Consultant: Envirotech East Pvt. Ltd.; Valid upto: 12.09.2025]</b>			
<b>Sl. No.</b>	<b>Particulars</b>	<b>Details</b>	<b>Remarks</b>
i	Total land	Total Project Land - 10.13 hectares (25.04 Acres) (Govt. land)	The proposed expansion will take place within the existing plant premises of 10.13 hectares

Sl. No.	Particulars	Details	Remarks															
			res (25.04 Acres). NO ADDITIONAL land will be required.															
ii	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Entire land is already acquired by M/s. M/s.Petro Carbon and Chemical Private Limited	Land allotted by Haldia Development Authority (HDA), West Bengal - 29.83 acres (12.07 Hectares) land Out of 29.83 acres (12.07 Hectares) govt. allotted land, Pet Coke Plant will require - 10.13 hectares (25.04 Acres).															
iii	Existence of habitation & involvement of R&R, if any	<p><b>Project site:</b> There is no habitation at the project site. The entire land is allotted by Haldia Development Authority (HDA). Therefore, R&amp;R is not applicable</p> <p><b>Study Area</b></p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance (K m.)</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Jay Nagar</td> <td>2.1</td> <td>N-E</td> </tr> <tr> <td>Durgachak</td> <td>2.0</td> <td>N-E</td> </tr> <tr> <td>Baishnabchak</td> <td>2.5</td> <td>W</td> </tr> <tr> <td>Kismat Sibrapur</td> <td>4.0</td> <td>N-NW</td> </tr> </tbody> </table>	Habitation	Distance (K m.)	Direction	Jay Nagar	2.1	N-E	Durgachak	2.0	N-E	Baishnabchak	2.5	W	Kismat Sibrapur	4.0	N-NW	
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Durgachak	2.0	N-E																
Baishnabchak	2.5	W																
Kismat Sibrapur	4.0	N-NW																
iv	Latitude and Longitude of all corners of the project site.	<p><b>Latitude:</b> From 22°03'40.66"N to 22°03'33.95"N</p> <p><b>Longitude:</b> From 88°07'12.75"E to 88°07'00.46"E</p>																
v.	Elevation of the project site	The altitude of the project site is 22 m (72.2 ft.) above mean sea level.																
vi.	Involvement of Forest land if any.	No Forest land is involved in the project																
vii	Water body (Rivers, Lakes, Pond, Nala, Natural Drainage, Canal etc.) exists within the project site as well as study area	<p><b>Project site:</b> No water body within the project site.</p> <p><b>Study Area</b></p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance (K m.)</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Hooghly River</td> <td>1.3</td> <td>S-E</td> </tr> <tr> <td>Haldi River</td> <td>7.5</td> <td>S-W</td> </tr> </tbody> </table>	Habitation	Distance (K m.)	Direction	Hooghly River	1.3	S-E	Haldi River	7.5	S-W							
Habitation	Distance (K m.)	Direction																
Hooghly River	1.3	S-E																
Haldi River	7.5	S-W																
viii	Existence of ESZ/ ESA/ national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	Nil	-															
<b>CTO from WBPCB</b>			<b>Validity Period of CTO</b>															
Consent Letter No. 07382 dated 10.04.2001 vide Memo No. 491-22/WPB(HRO)-K/98.			From 01.01.2001 to 30.06.2001															

CTO from WBPCB			Validity Period of CTO	
Consent Letter No. 0225 dated 04.12.2001 vide Memo No. 1989-358/WPB(HRO)-K/2001.			From 01.07.2001 to 31.12.2001	
Consent Letter No. 4296/C-022021 dated 09.03.2007 vide Memo No. 149-358/WPB(HRO)-K/2001			From 01.01.2007 to 31.12.2007	
Project	CTE	CTO	Latest CTO	Remarks
Rotary Calcination Kiln (350 TPD) -for producing 7,812 TPM (93,744 TPA) Calcined Petroleum Coke (1)	Calcined Petroleum Coke (CPC) <i>Date of Commissioning 15.12.1975</i>	<u>OLD CTO OF PETRO CARBON &amp; CHEMICALS COMPANY (PCC):</u> a. Consent Letter No. 07382 dated 10.04.2001 vide Memo No. 491-22/WPB(HRO)-K/98 for a period from 01.01.2001 to 30.06.2001 b. Consent Letter No. 0225 dated 04.12.2001 vide Memo No. 1989-358/WPB(HRO)-K/2001 for a period from 01.07.2001 to 31.12.2001 c. Consent Letter No. 4296/C-022021 dated 09.03.2007 vide Memo No. 149-358/WPB(HRO)-K/2001 for a period from 01.01.2007 to 31.12.2007	Issued by WBPCB CTO No. WBPCB/4372548/2023 dated 01.02.2024 for period 01.02.2024 to 31.12.2028.	No Violation under Water (Prevention & Control of Pollution) Act, 1974; Air Act (Prevention & Control of Pollution) 1981; Environment (Protection) Act, 1986
Carbon Electrode Paste Plant	Carbon Electrode Paste (CEP) <i>Date of Commissioning 26.11.1983</i>	<u>SUBSEQUENT CTO AFTER TAKE OVER BY PETRO CARBON AND CHEMICALS PRIVATE LIMITED (PCCPL):</u> a. Memo No. 2320-1A-31/2007(P&P) dated 06.11.2008 valid upto a period of 31.12.2009. b. Consent Letter Number: CO45932 vide Memo No: 05/1A-31/2007 dated 11.01.2010 for a period from 01.01.2010 to 31.12.2011. c. Consent Letter Number: CO35334 vide Memo No. 1082-358/WPB(HOR)-K/2001 dated 28.12.2001		

Project	CTE	CTO	Latest CTO	Remarks		
		<p>011 for a period from 01.01.2012 to 31/12/2013.</p> <p>d. Consent Letter Number: CO77677 vide Memo No. 3042-358/WPB(HOR)-K/2001 dated 20.01.2014 for a period from 01.01.2014 to 31/12/2015.</p> <p>e. Consent Letter Number: CO88369 vide Memo No. 4989-W-CO-S/11/0087 dated 04.12.2015 for a period from 01.01.2016 to 31/12/2018.</p> <p>f. Consent Letter Number: CO88369 vide Memo No. 4989-W-CO-S/11/0087 dated 30.10.2018 for a period from 01.01.2019 to 31/12/2023.</p>				
Waste Heat Recovery Based Captive Power Plant (2)	Issued by WB PCB Memo No. 258-222-hl_co_r/2021, dated 04.03.2021.	-	-	No Violation under Water (Prevention & Control of Pollution) Act, 1974; Air Act (Prevention & Control of Pollution) 1981; Environment (Protection) Act, 1986		
Sl. No.	Project	Capacity & Project Configuration			Product	Remarks
		Existing	Proposed	Ultimate		
1.	Rotary Calcination Kiln (350 TPD)	93,744 TPA	-	93,744 TPA	Calcined Petroleum Coke	Ultimately total Calcined Petroleum Coke making capacity will be 2,93,744 TPA [i.e. From Rotary Calcination Kiln - 93,744 TPA & From Vertical Shaft Calcination Kiln (further expansion of 2,00,000 TPA)] - <b>PRODUCT CAPACITY ENHANCEMENT</b>
2.	1 No. Vertical Shaft Calcination Kiln (VSK)	-	2,00,000 TPA	2,00,000 TPA	Calcined Petroleum Coke	
3.	Captive Power	10 MW	-	10 MW	Electrical Power	Waste heat from Rotary

Sl. No.	Project	Capacity & Project Configuration			Product	Remarks
		Existing	Proposed	Ultimate		
	r Plant [Waste Heat Recovery Boiler (WHRB) based]	(Under Implementation)			ower	ry Calcination Kiln shall be utilised in power generation through WHRB – NON CONVENTIONAL SOURCE OF POWER – <b>UNDER IMPLEMENTATION</b>
4.	Electrically Calcined Anthracite (ECA)	-	8 Furnaces (75,000 TPA)	8 Furnaces (75,000 TPA)	Electrically Calcined Anthracite (ECA)	<b>NEW INSTALLATION PROPOSAL</b>
5.	Graphitization of Calcined Petroleum Coke					
a.	Graphitization of Calcined Petroleum Coke Plant	-	4 Furnaces (Foundry Grade) – 24,000 TPA	4 Furnaces (Foundry Grade) – 24,000 TPA	Graphitized Petroleum Coke (Foundry Grade)	<b>NEW INSTALLATION PROPOSAL</b>
b.	Graphitization of Calcined Petroleum Coke Plant	-	4 Furnaces (Anode Grade) – 16,000 TPA	4 Furnaces (Anode Grade) – 16,000 TPA	Graphitized Petroleum Coke (Anode Grade)	<b>NEW INSTALLATION PROPOSAL</b>
6.	Carbon Paste Plant (Old Plant – not in operation since 2006)	75,000 TPA	Revamping	75,000 TPA	Carbon Electrode Paste	<b>REVIVAL OF OLD CLOSED PLANT THROUGH REVAMPING</b>
Sl. No.	Raw materials	Existing Project	Proposed project	Total requirement	Source	Mode of Transport
<b>Calcined Petroleum Coke</b>						
1	Raw Petroleum Coke	1,21,000 TPA (Through Rotary Kiln)	2,10,000 TPA (Through VSK)	3,31,000 TPA	Imported / IOC Bongaingaon, Baramuni	Rail
2	Furnace Oil	100 KL (Through Rotary Kiln)	150 KL (Through VSK)	250 KL	Local Market	Road
<b>Electrically Calcined Anthracite</b>						
1	Anthracite Coal		93,750 TPA	93,750 TPA	Imported	Rail

Sl. No	Raw materials	Existing Project	Proposed project	Total requirement	Source	Mode of Transport
<b>Graphitization of Calcined Petroleum Coke</b>						
1	Calcined Petroleum Coke	-	40,000 TPA	40,000 TPA	In house	-
<b>Electrode Carbon Paste</b>						
1	ECA	-	45,900 TPA	45,900 TPA	In house	-
2	Calcined Petroleum Coke	-	10,830 TPA	10,830 TPA	In house	-
3	Pitch	-	18,300 TPA	18,300 TPA	Various Steel plants	Rail
Attributes	Parameters	Sampling		Remark		
		Nos. of station	Frequency			
<b>A. AIR</b>						
a	Meteorological Parameters : <i>Temperature, Relative Humidity, Atmospheric Pressure, Wind Speed, Wind Direction, Rainfall.</i>	1	Continuous on 24-hourly basis			
b	AAQ Parameters: PM10, PM2.5, SO2, NO2 & CO	8	Twice in a week			
<b>B. NOISE</b>	1. Leq in dB(A) <sub>day</sub> 2. Leq in dB(A) <sub>night</sub>	10	Once (Day & Night)			
<b>C. WATER</b>						
a	Surface water quality parameters: <i>Physical, Chemical &amp; Biological</i>	10	Once in the study period			
b	Ground water quality parameters: <i>Physical, Chemical &amp; Biological</i>	8	Once in the study period			
<b>D. LAND</b>						
	Soil Quality <i>Physical and Chemical</i>	4	Once in the study period			
	Land Use <i>Land use using Satellite Imagery</i>	Study area	Once in the study period			

Attributes	Parameters	Sampling		Remark
		Nos. of station	Frequency	
E. BIOLOGICAL				
	Aquatic: <i>Enlist local Flora and Fauna</i>	Study area	Once in the study period	
	Terrestrial: <i>Enlist local Flora and Fauna</i>	Study area	Once in the study period	
F. SOCIO-ECONOMIC				
	Population & Infrastructure Facilities	Study area	Based on Latest census data and sample survey	

### 3.6.3. Deliberations by the committee in previous meetings

N/A
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### 3.6.4. Deliberations by the EAC in current meetings

#### Deliberation by the Committee

- i. The instant proposal is for expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitizing of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity).
- ii. The Calcined Petroleum Coke (CPC) Plant of erstwhile M/s. Petrocarbon & Chemicals Company (PCCC) was already commissioned on 15th December' 1975 as per the prevailing rules and guidelines of the country. In 1975, when the plant was set up, there was no requirement of CTE. The Carbon Electrode Paste (CEP) was commissioned on 26th November' 1983 which was implemented after getting NOC from WBPCB as per the prevailing rule. There was no concept of Environmental Clearance (EC), when these existing projects were implemented. Even when, the first EIA notification (in the year 1994) of MoEF&CC was published, the existing projects did not require EC as the overall project cost was Rs.16.42 Cr. i.e. well below 100 Crores (the minimum cost criterion for the project required to undergo the process of Environmental Clearance). Further, the plant was operational on the basis of CTO obtained from WBPCB on regular basis. The plant was taken over by M/s. Petro Carbon And Chemicals Private Limited – One of the Group Companies of Atha Group in 2008. After the take-over M/s. Petro Carbon And Chemicals Private Limited had applied to WBPCB for extension of this CTO on 22.10.2008 and from then the plant was operational on the basis of valid CTOs obtained from WBPCB time to time. The latest CTO No. WBPCB/4372548/2023 dated 01.02.2024 obtained from WBPCB, which is valid till 31.12.2028.
- iii. The EAC took into consideration the drone survey of the project site and kml file on the Google Earth presented by the project proponent along with DSS of the project site on PARIVESH and made following deliberations accordingly.
- iv. The PP submitted that total area of the proposed project is 10.13 ha [Govt. land]. Entire land is already acquired by M/s. Petro Carbon and Chemical Private Limited. The proposed expansion will take place within the existing plant premises.
- v. There are sensitive areas within the study area of the project site. The EAC is of the opinion that PP shall prepare and include in the EIA/EMP Report the environmental safeguard measures to minimise the impact of the project activities on these sensitive areas.
- vi. Hooghly River is at a distance of 1.3 km in SE direction along with other water bodies are present within the study area of the project site. The EAC opined that PP shall submit the HFL data along with the NOC from the

irrigation department with respect to Hooghly River. The EAC further opined that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be prepared and submitted.

- vii. The water requirement after the proposed project is estimated as 790 m<sup>3</sup>/day, out of which 667 m<sup>3</sup>/day of fresh water requirement will be obtained from the Haldia Development Authority and remaining 123 KLD waste water shall be recycled. The EAC is of the opinion that PP shall obtain necessary permission in this regard.

**Recommendations of the Committee**

**3.6.5. Recommendation of EAC**

Recommended

**3.6.6. Details of Terms of Reference**

**3.6.6.1. Specific**

Specific	
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**3.7. Agenda Item No 7:**

**3.7.1. Details of the proposal**

<b>Expansion of M/s Rabindra Enterprises Pvt. Ltd. for enhancement of sponge iron production from 33,000TPA to 66,000TPA, installation of 3x20T Induction Furnaces with CCM (6m/11) for production of 198,000 TPA MS Bille ts, 500TPD Rolling Mill for production of 165,000 TPA Rolled products along with 12MW Captive Power Plant ( 4MW WHRB &amp; 8MW CFBC) at Village: Inanpur, P.O. Digha, Dist. Purulia, West Bengal Detail by RABINDRA ENTERPRISES PVT LTD located at PURULIA, WEST BENGAL</b>			
<b>Proposal For</b>		<b>Amendment in ToR</b>	
<b>Proposal No</b>	<b>File No</b>	<b>Submission Date</b>	<b>Activity (Schedule Item)</b>
<a href="#">IA/WB/IND1/453472/2023</a>	IA-J-11011/90/2021-IA-II(IND-I)	23/01/2024	Metallurgical Industries (ferrous and non ferrous) (3(a))

**3.7.2. Project Salient Features**

[Proposal No.: IA/WB/IND1/453472/2023; File No. IA-J-11011/90/2021-IA-II(IND-I)]

shall be accompanied with an authenticated map indicating the distance from the nearest forest area to the project site.

5. The PP agreed to the suggestions of EAC and requested EAC to allow reappear after the revision of the application with the desired information.

**Recommendations of the Committee:**

- 55.12.5 In view of the aforementioned discrepancies, the Committee recommended to **return the proposal in its present form** due to the shortcomings mentioned in above para and submit the revised application as per the provisions of EIA Notification, 2006

\*\*\*

**Agenda No. 55.13**

- 55.13 **Expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitization of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity) by M/s Petro Carbon and Chemicals Private Limited, located at Mouza – Bardhanyaghata, PS: Bhabanipur, Tehsil: Sutahata-I, (Haldia Industrial GrowthCentre of WBIIDC), PO: Oil Refinery, Haldia, Dist. Purba Medinipur, West-Bengal - Consideration of TOR.**

**[Proposal No.: IA/WB/IND1/455497/2023; File No. IA-J-11011/451/2023-IA-II(IND-I)]**  
**[Consultant: Envirotech East Pvt. Ltd.; Valid upto: 12.09.2025]**

- 55.13.1 M/s.Petro Carbon and Chemical Private Limited has made an application online vide proposal no. IA/WB/IND1/455497/2023 dated 08.02.2024 along with the application in prescribed format (CAF, Form – I Part A & B), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 4(b) Coke Oven Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.
- 55.13.2 Name of the EIA consultant: M/s. Envirotech East Pvt. Ltd. [List of ACOs with their Certificate/Extension Letter vide letter no. NABET/EIA/2225/RA 0279; valid up to 12.09.2025; as on February 28, 2024].

**Details submitted by Project proponent**

- 55.13.3 The project of M/s.Petro Carbon and Chemical Private Limited, located at Mouza – Bardhanyaghata, PS: Bhabanipur, Tehsil: Sutahata-I, (Haldia Industrial GrowthCentre of WBIIDC), PO: Oil Refinery, Haldia, Dist. Purba Medinipur, West Bengal is for expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft

Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitization of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity).

55.13.4 Environmental site settings:

Sl. No.	Particulars	Details	Remarks															
i	Total land	Total Project Land - 10.13 hectares (25.04 Acres) (Govt. land)	The proposed expansion will take place within the existing plant premises of 10.13 hectares (25.04 Acres).  NO ADDITIONAL land will be required.															
ii	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	Entire land is already acquired by M/s. M/s.Petro Carbon and Chemical Private Limited	Land allotted by Haldia Development Authority (HDA), West Bengal - 29.83 acres (12.07 Hectares) land  Out of 29.83 acres (12.07 Hectares) govt. allotted land, Pet Coke Plant will require - 10.13 hectares (25.04 Acres).															
iii	Existence of habitation & involvement of R&R, if any	<p><b><u>Project site:</u></b> There is no habitation at the project site. The entire land is allotted by Haldia Development Authority (HDA). Therefore, R&amp;R is not applicable</p> <p><b><u>Study Area</u></b></p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance (Km.)</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Jay Nagar</td> <td>2.1</td> <td>N-E</td> </tr> <tr> <td>Durgachak</td> <td>2.0</td> <td>N-E</td> </tr> <tr> <td>Baishnabchak</td> <td>2.5</td> <td>W</td> </tr> <tr> <td>Kismat Sibrampur</td> <td>4.0</td> <td>N-NW</td> </tr> </tbody> </table>	Habitation	Distance (Km.)	Direction	Jay Nagar	2.1	N-E	Durgachak	2.0	N-E	Baishnabchak	2.5	W	Kismat Sibrampur	4.0	N-NW	
Habitation	Distance (Km.)	Direction																
Jay Nagar	2.1	N-E																
Durgachak	2.0	N-E																
Baishnabchak	2.5	W																
Kismat Sibrampur	4.0	N-NW																
iv	Latitude and Longitude of all corners of the project site.	<p><b><u>Latitude:</u></b> From 22°03'40.66"N to 22°03'33.95"N</p> <p><b><u>Longitude:</u></b> From 88°07'12.75"E to 88°07'00.46"E</p>																
v.	Elevation of the project site	The altitude of the project site is 22 m (72.2 ft.) above mean sea level.																
vi.	Involvement of Forest land if any.	No Forest land is involved in the project																

Sl. No.	Particulars	Details	Remarks									
vii	Water body (Rivers, Lakes, Pond, Nala, Natural Drainage, Canal etc.) exists within the project site as well as study area	<p><b><u>Project site:</u></b> No water body within the project site.</p> <p><b><u>Study Area</u></b></p> <table border="1"> <thead> <tr> <th>Habitation</th> <th>Distance (Km.)</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Hooghly River</td> <td>1.3</td> <td>S-E</td> </tr> <tr> <td>Haldi River</td> <td>7.5</td> <td>S-W</td> </tr> </tbody> </table>	Habitation	Distance (Km.)	Direction	Hooghly River	1.3	S-E	Haldi River	7.5	S-W	
Habitation	Distance (Km.)	Direction										
Hooghly River	1.3	S-E										
Haldi River	7.5	S-W										
viii	Existence of ESZ/ ESA/ national park/ wildlife sanctuary/ biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	Nil	-									

55.13.5 The Calcined Petroleum Coke (CPC) Plant of erstwhile M/s. Petrocarbon & Chemicals Company (PCCC) was already commissioned on 15th December' 1975 as per the prevailing rules and guidelines of the country. In 1975, when the plant was set up, there was no requirement of CTE. The Carbon Electrode Paste (CEP) was commissioned on 26th November' 1983 which was implemented after getting NOC from WBPCB as per the prevailing rule. There was no concept of Environmental Clearance (EC), when these existing projects were implemented. Even when, the first EIA notification (in the year 1994) of MoEF&CC was published, the existing projects did not require EC as the overall project cost was Rs.16.42 Cr. i.e. well below 100 Crores (the minimum cost criterion for the project required to undergo the process of Environmental Clearance). Further, the plant was operational on the basis of CTO obtained from WBPCB on regular basis.

CTO from WBPCB	Validity Period of CTO
Consent Letter No. 07382 dated 10.04.2001 vide Memo No. 491-22/WPB(HRO)-K/98.	From 01.01.2001 to 30.06.2001
Consent Letter No. 0225 dated 04.12.2001 vide Memo No. 1989-358/WPB(HRO)-K/2001.	From 01.07.2001 to 31.12.2001
Consent Letter No. 4296/C-022021 dated 09.03.2007 vide Memo No. 149-358/WPB(HRO)-K/2001	From 01.01.2007 to 31.12.2007

The plant was taken over by M/s. Petro Carbon And Chemicals Private Limited – One of the Group Companies of Atha Group in 2008. After the takeover M/s. Petro Carbon and Chemicals Private Limited had applied to WBPCB for extension of this CTO on 22.10.2008 and from then the plant was operational on the basis of valid CTOs obtained from WBPCB time to time. The latest CTO No. WBPCB/4372548/2023 dated 01.02.2024 obtained from WBPCB, which is valid till 31.12.2028.

## 55.13.6 Implementation status of the existing CTE:

Project	CTE	CTO	Latest CTO	Remarks
Rotary Calcination Kiln (350 TPD) - for producing 7,812 TPM (93,744 TPA) Calcined Petroleum Coke <sup>(1)</sup>	Calcined Petroleum Coke (CPC) <i>Date of Commissioning</i> <b>15.12.1975</b>	<u>OLD CTO OF PETROCARBON &amp; CHEMICALS COMPANY (PCCC):</u> a. Consent Letter No. 07382 dated 10.04.2001 vide Memo No. 491-22/WPB(HRO)-K/98 for a period from 01.01.2001 to 30.06.2001 b. Consent Letter No. 0225 dated 04.12.2001 vide Memo No. 1989-358/WPB(HRO)-K/2001 for a period from 01.07.2001 to 31.12.2001 c. Consent Letter No. 4296/C-022021 dated 09.03.2007 vide Memo No. 149-358/WPB(HRO)-K/2001 for a period from 01.01.2007 to 31.12.2007 <u>SUBSEQUENT CTO AFTER TAKE OVER BY PETRO CARBON AND CHEMICALS PRIVATE LIMITED (PCCPL):</u> a. Memo No. 2320-1A-31/2007(P&P) dated 06.11.2008 valid upto a period of 31.12. 2009. b. Consent Letter Number: CO45932 vide Memo No: 05/1A-31/2007 dated	Issued by WBPCB CTO No. WBPCB/4372548/2023 dated 01.02.2024 for period 01.02.2024 to 31.12.2028.	No Violation under Water (Prevention & Control of Pollution) Act, 1974; Air Act (Prevention & Control of Pollution) 1981; Environment (Protection) Act, 1986
Carbon Electrode Paste Plant	Carbon Electrode Paste (CEP) <i>Date of Commissioning</i> <b>26.11.1983</b>			

Project	CTE	CTO	Latest CTO	Remarks
		<p>11.01.2010 for a period from 01.01.2010 to 31.12.2011.</p> <p>c. Consent Letter Number: CO35334 vide Memo No. 1082-358/WPB(HOR)-K/2001 dated 28.12.2011 for a period from 01.01.2012 to 31/12/2013.</p> <p>d. Consent Letter Number: CO77677 vide Memo No. 3042-358/WPB(HOR)-K/2001 dated 20.01.2014 for a period from 01.01.2014 to 31/12/2015.</p> <p>e. Consent Letter Number: CO88369 vide Memo No. 4989-W-CO-S/11/0087 dated 04.12.2015 for a period from 01.01.2016 to 31/12/2018.</p> <p>f. Consent Letter Number: CO88369 vide Memo No. 4989-W-CO-S/11/0087 dated 30.10.2018 for a period from 01.01.2019 to 31/12/2023.</p>		
Waste Heat Recovery Based Captive Power Plant (2)	Issued by WBPCB Memo No. 258-222-hl_co_r/2021, dated 04.03.2021.	-	-	No Violation under Water (Prevention & Control of Pollution) Act, 1974: Air Act

Project	CTE	CTO	Latest CTO	Remarks
				(Prevention & Control of Pollution) 1981; Environment (Protection) Act, 1986

55.13.7 The unit configuration and capacity of existing and proposed project is given as below:

Sl. No.	Project	Capacity & Project Configuration			Product	Remarks
		Existing	Proposed	Ultimate		
1.	Rotary Calcination Kiln (350 TPD)	93,744 TPA	-	93,744 TPA	Calcined Petroleum Coke	Ultimately total Calcined Petroleum Coke making capacity will be 2,93,744 TPA
2.	1 No. Vertical Shaft Calcination Kiln (VSK)	-	2,00,000 TPA	2,00,000 TPA	Calcined Petroleum Coke	[i.e. From Rotary Calcination Kiln - 93,744 TPA & From Vertical Shaft Calcination Kiln (further expansion of 2,00,000 TPA)] - <b>PRODUCT CAPACITY ENHANCEMENT</b>
3.	Captive Power Plant [Waste Heat Recovery Boiler (WHRB) based]	10 MW (Under Implentation)	-	10 MW	Electrical Power	Waste heat from Rotary Calcination Kiln shall be utilised in power generation through WHRB - NON CONVENTIONAL SOURCE OF POWER - <b>UNDER IMPLEMENTATION</b>
4.	Electrically Calcined Anthracite (ECA)	-	8 Furnaces (75,000 TPA)	8 Furnaces (75,000 TPA)	Electrically Calcined Anthracite (ECA)	<b>NEW INSTALLATION PROPOSAL</b>
5.	Graphitization of Calcined Petroleum Coke					
a.	Graphitization of Calcined Petroleum Coke Plant	-	4 Furnaces (Foundry Grade) - 24,000 TPA	4 Furnaces (Foundry Grade) - 24,000 TPA	Graphitized Petroleum Coke (Foundry Grade)	<b>NEW INSTALLATION PROPOSAL</b>
b.	Graphitization of Calcined Petroleum Coke Plant	-	4 Furnaces (Anode Grade) - 16,000 TPA	4 Furnaces (Anode Grade) -	Graphitized Petroleum Coke (Anode Grade)	<b>NEW INSTALLATION PROPOSAL</b>

Sl. No.	Project	Capacity & Project Configuration			Product	Remarks
		Existing	Proposed	Ultimate		
				16,000 TPA		
6.	Carbon Paste Plant (Old Plant – not in operation since 2006)	75,000 TPA	Revamping	75,000 TPA	Carbon Electrode Paste	<b>REVIVAL OF OLD CLOSED PLANT THROUGH REVAMPING</b>

55.13.8 The details of the raw material requirement for the proposed project along with its source and mode of transportation is given as below:

Sl. No	Raw materials	Existing Project	Proposed project	Total requirement	Source	Mode of Transport
<b>Calcined Petroleum Coke</b>						
1	Raw Petroleum Coke	1,21,000 TPA (Through Rotary Kiln)	2,10,000 TPA (Through VSK)	3,31,000 TPA	Imported / IOC Bangaingaon, Barauni	Rail
2	Furnace Oil	100 KL (Through Rotary Kiln)	150 KL (Through VSK)	250 KL	Local Market	Road
<b>Electrically Calcined Anthracite</b>						
1	Anthracite Coal		93,750 TPA	93,750 TPA	Imported	Rail
<b>Graphitization of Calcined Petroleum Coke</b>						
1	Calcined Petroleum Coke	-	40,000 TPA	40,000 TPA	In house	-
<b>Electrode Carbon Paste</b>						
1	ECA	-	45,900 TPA	45,900 TPA	In house	-
2	Calcined Petroleum Coke	-	10,830 TPA	10,830 TPA	In house	-
3	Pitch	-	18,300 TPA	18,300 TPA	Various Steel plants	Rail

55.13.9 Existing Water requirement is 240 m<sup>3</sup>/day which is obtained from Haldia Development Authority and permission for the same has been obtained vide an agreement dated 31.12.2009. The water requirement after the proposed project is estimated as 790 m<sup>3</sup>/day, out of which 667 m<sup>3</sup>/day of fresh water requirement will be obtained from the Haldia Development Authority and remaining 123 KLD waste water shall be recycled. The permission for drawl of surface water is obtained from Haldia Development Authority.

55.13.10 Existing power requirement 1 MW is obtained from West Bengal State Electricity Distribution Company Limited. The power requirement for the proposed project is estimated as 19 MW. Hence, the total power requirement will be 20 MW, out of which 10 MW will be sourced from Captive Power Plant and the balance 10 MW will be obtained from West Bengal State Electricity Distribution Company Limited.

55.13.11 The capital cost of the project is Rs. 345 Crores and the capital cost for environmental protection measures is proposed as Rs. 28 Crores. The employment generation from the proposed project / expansion is 200.

55.13.12 It is reported that there is no violation under EIA, 2006/court case/show cause/direction related to the project under consideration.

55.13.13 Proposed Terms of Reference: [Baseline data collection period: 1<sup>st</sup> December, 2022 to 28<sup>th</sup> February, 2023]

Attributes	Parameters	Sampling		Remark
		Nos. of station	Frequency	
<b>A. AIR</b>				
a	Meteorological Parameters : <i>Temperature, Relative Humidity, Atmospheric Pressure, Wind Speed, Wind Direction, Rainfall.</i>	1	Continuous on 24-hourly basis	
b	AAQ Parameters: PM10, PM2.5, SO2, NO2 & CO	8	Twice in a week	
<b>B. NOISE</b>	1. Leq in dB(A) <sub>day</sub> 2. Leq in dB(A) <sub>night</sub>	10	Once (Day & Night)	
<b>C. WATER</b>				
a	Surface water quality parameters: <i>Physical, Chemical &amp; Biological</i>	10	Once in the study period	
b	Ground water quality parameters: <i>Physical, Chemical &amp; Biological</i>	8	Once in the study period	
<b>D. LAND</b>				
	Soil Quality <i>Physical and Chemical</i>	4	Once in the study period	
	Land Use <i>Land use using Satellite Imagery</i>	Study area	Once in the study period	
<b>E. BIOLOGICAL</b>				

Attributes	Parameters	Sampling		Remark
		Nos. of station	Frequency	
	Aquatic: <i>Enlist local Flora and Fauna</i>	Study area	Once in the study period	
	Terrestrial: <i>Enlist local Flora and Fauna</i>	Study area	Once in the study period	
<b>F. SOCIO-ECONOMIC</b>				
	Population & Infrastructure Facilities	Study area	Based on Latest census data and sample survey	

### **Deliberation by the Committee**

55.13.14 The Committee noted the following:

- i. The instant proposal is for expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitizing of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity).
- ii. The Calcined Petroleum Coke (CPC) Plant of erstwhile M/s. Petrocarbon & Chemicals Company (PCCC) was already commissioned on 15th December' 1975 as per the prevailing rules and guidelines of the country. In 1975, when the plant was set up, there was no requirement of CTE. The Carbon Electrode Paste (CEP) was commissioned on 26th November' 1983 which was implemented after getting NOC from WBPCB as per the prevailing rule. There was no concept of Environmental Clearance (EC), when these existing projects were implemented. Even when, the first EIA notification (in the year 1994) of MoEF&CC was published, the existing projects did not require EC as the overall project cost was Rs.16.42 Cr. i.e. well below 100 Crores (the minimum cost criterion for the project required to undergo the process of Environmental Clearance). Further, the plant was operational on the basis of CTO obtained from WBPCB on regular basis. The plant was taken over by M/s. Petro Carbon And Chemicals Private Limited – One of the Group Companies of Atha Group in 2008. After the take-over M/s. Petro Carbon And Chemicals Private Limited had applied to WBPCB for extension of this CTO on 22.10.2008 and from then the plant was operational on the basis of valid CTOs obtained from WBPCB time to time. The latest CTO No. WBPCB/4372548/2023 dated 01.02.2024 obtained from WBPCB, which is valid till 31.12.2028.
- iii. The EAC took into consideration the drone survey of the project site and kml file on the Google Earth presented by the project proponent along with DSS of the project site on PARIVESH and made following deliberations accordingly.
- iv. The PP submitted that total area of the proposed project is 10.13 ha [Govt. land]. Entire land is already acquired by M/s.Petro Carbon and Chemical Private Limited. The proposed expansion will take place within the existing plant premises.
- v. There are sensitive areas within the study area of the project site. The EAC is of the opinion that PP shall prepare and include in the EIA/EMP Report the environmental

safeguard measures to minimise the impact of the project activities on these sensitive areas.

- vi. Hooghly River is at a distance of 1.3 km in SE direction along with other water bodies are present within the study area of the project site. The EAC opined that PP shall submit the HFL data along with the NOC from the irrigation department with respect to Hooghly River. The EAC further opined that water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be prepared and submitted.
- vii. The water requirement after the proposed project is estimated as 790 m<sup>3</sup>/day, out of which 667 m<sup>3</sup>/day of fresh water requirement will be obtained from the Haldia Development Authority and remaining 123 KLD waste water shall be recycled. The EAC is of the opinion that PP shall obtain necessary permission in this regard.

### **Recommendations of the Committee**

55.13.15 After deliberations, the Committee **recommended** the project proposal for prescribing following specific ToRs for undertaking detailed EIA and EMP study alongwith Public Hearing in addition to the generic ToRs enclosed at **Annexure-1** read with additional ToRs at **Annexure-2**:

- (i) There are sensitive areas within the study area of the project site. Proponent shall prepare appropriate environmental safeguard measures to minimise the impact of the project activities on these sensitive areas.
- (ii) Hooghly River is at a distance of 1.3 km in SE direction. PP shall submit the HFL data along with the NOC from the irrigation department.
- (iii) There are several water bodies are present within the study area of the project site. The PP shall include in the EIA/EMP report suitable steps /conservation plan along with contouring (close intervals), Run -off calculations, disposal etc. A robust and full proof Drainage Conservation scheme to protect the natural drainage and its flow parameters; along with Soil conservation scheme and multiple Erosion control measures shall be prepared and included in EIA/EMP Report.
- (iv) Water requirement of 667 m<sup>3</sup>/day for the proposed project, shall be obtained from Haldia Development Authority. PP shall obtain necessary water permission from the Competent Authority.
- (v) The proposed project shall be CRZ compliant. PP shall submit the details of the CRZ with the authenticated CRZ map.
- (vi) A separate chapter on existence of mangroves, , if any, within the study area of the project site shall be included in the EIA report. Further, PP shall also include a plan to conduct mangrove regeneration study and ecological condition of the afforested site for periodical submission to the Regional Office of MoEF&CC.
- (vii) The EAC also suggested the TOR conditions such as, (a) The “input” parameters used in the AAQ modelling must be reported in the E.I.A. Influence of the combinations of various parameters on the AAQ must be reported. (b) Wind Rose diagrams for all seasons of the year must be included in the E.I.A. Data from secondary sources such as IMD may be used for this purpose, This is apart for the mandatory study of meteorological factors for one season. (c) GLC modelling for CO emission from reactors must be included in the E.I.A.

F No. 160014/16/2021 MERD/PetCoke - 754  
COMMISSION FOR AIR QUALITY MANAGEMENT  
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS

17<sup>th</sup> Floor, Jawahar Vyapar Bhawan,  
(STC Building), Tolstov Marg,  
New Delhi - 110001

Dated: 15.02.2024

**ORDER**

**Subject: Import allocations for Raw Pet Coke and Calcined Pet Coke in the  
Country - reg.**

The Hon'ble Supreme Court vide its Order dated 26.07.2018 restricted the use of imported Pet Coke, except for certain industries where imported Pet Coke was allowed to be used as a feedstock or in the manufacturing process and not as a fuel

2 The Hon'ble Supreme Court vide its Order dated 09.10.2018, allowed Raw Pet Coke (domestic and imported) to be used as a feedstock for conversion to Calcined Pet Coke (CPC) with a condition that the imported raw pet coke (RPC) for this purpose cannot exceed 1.4 million metric tonne (MMT) per annum in total. In arriving at this figure, the Hon'ble Supreme Court was guided by the views of CPCB and MoEF&CC and more importantly Report No. 91 filed by the EPCA before the Hon'ble Supreme Court. Further, use of imported CPC was also allowed to Aluminium industry with cumulative quantitative restriction / cap of 0.5 MMT per annum, vide the same order dated 09.10.2018

3 The Hon'ble Supreme Court vide its Order dated 10.10.2023 in WP(C) No. 13029 of 1985 titled as M. C. Mehta vs Union of India & Ors., delegated certain issues related to pet coke to the Commission, *inter alia* observing that "a holistic view would have to be taken as to the distribution of the Pet Coke available in the country and the Pet Coke required to be imported and how both of them should be distributed inter se the industries "

3end

4. The Commission *vide* its Order dated 25.10.2023 accordingly constituted a Sub-Committee comprising members from CAQM, Ministry of Environment, Forest and Climate Change (MoEF&CC), Ministry of Petroleum and Natural Gas (MoPNG), Ministry of Commerce and Industry (MoC&I), Directorate General of Foreign Trade (DGFT) and Central Pollution Control Board (CPCB) and National Environmental Engineering Research Institute (NEERI as co-opted Member). The Sub-Committee deliberated the issues in detail related to the distribution of the Pet Coke available in the country and the Pet Coke required to be imported and made its recommendations to the Commission.

5. The Sub-Committee heard the CPC Manufacturers and Aluminium Industries before making the recommendations. The Sub-Committee deliberated the issues in detail related to the distribution of the Pet Coke available in the country and the Pet Coke required to be imported and how these should be distributed *inter se* amongst various industries viz. port based calciners and in-land calciners seeking the same. The Sub-Committee also took into account suggestions and objections from the stakeholders, earlier Orders of the Hon'ble Supreme Court in the matter, reports filed by the EPCA and submission made by the CPC manufacturers and Aluminium Industries before it. Following issues were accordingly before the Sub-Committee:

- a. Decision on allocation of balance quantity of 0.4 MMT RPC out of total 1.4 MMT for the year 2023-24.
- b. Examination of requirement of import of RPC and CPC in the Country, also considering availability of RPC in the country and total demand of CPC,
- c. Examination of the issue of import for CPC Manufacturing Unit in the Special Economic Zone (SEZ)

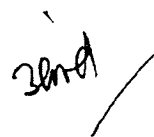
6. With regard to the issue of allocation of balance quantity of 0.4 MMT RPC (out of total 1.4 MMT import quota) for the year 2023-24, the Sub-Committee deliberated the issues in detail, examined the submissions made in the IAs by

various entities and heard the CPC manufacturers which appeared before the Sub-Committee. Based on the detailed deliberations, the Sub-Committee issued an Order dated 24.11.2023, directing the DGFT to allocate and distribute the balance quantity of 0.4 MMT RPC for the year 2023-24 to the eligible CPC manufacturers as detailed therein.

7. With regard to the issue of future import of RPC and CPC in the country for domestic use, the Sub-Committee observed and recommended the following:

- i. Irrespective of geographical location, all such calciner industries which have obtained all due statutory permissions and clearances for the prescribed production capacity of CPC need to be treated at par, in as far as allocation of imported RPC is concerned;
- ii. The calcining industry, involved in processing raw pet coke (RPC) to calcined pet coke (CPC), is a feeder mainly for anode manufacturing for the aluminum processing industry, besides other miscellaneous industrial applications. The conversion of RPC to CPC, however, is associated with substantial air pollution load (SO<sub>2</sub> emissions) since the sulphur content in calcined pet coke is required to be reduced to 3.5% as against 7.8% sulphur content in fuel grade raw pet coke. The aluminium industry also has an option of direct import of some quantities of CPC required for processing, which obviates the incremental pollution load owing to the conversion process from RPC to CPC. Thus, further capacity enhancement / expansion of such purely calcining industries may not be encouraged;
- iii. In the overall interest of environment protection, while also taking into account the requirements of respective industries, it was accordingly, decided to continue with a cap on import of RPC/CPC, in an effort to provide adequate checks and balances towards incremental emissions;
- iv. Approx. 0.453 MMT of domestic RPC is available for the calciners in the country. This capacity has more or less remained static and MoPNG does not foresee any major growth in future in this sector,

- v The purpose of import of RPC is to primarily fulfil the domestic demand of CPC. Export of domestically manufactured CPC, by processing of imported RPC by such calciners, which substantially enhances harmful emissions and the air pollution load in the country, thus needs to be strongly discouraged.
- vi Emission standards for PM, SO<sub>2</sub>, NO<sub>x</sub> have been notified for calciner industries, to be effective from June, 2025. However, emission limits for SO<sub>2</sub> for anode making process in aluminium industries are yet to be notified, which needs to be fast tracked by the CPCB and the MoEF&CC, to be endeavoured to be notified in a period of about six months from now.
- vii By 2025-26, aluminium production in the country is expected to increase to about 5.09 million tonne against a present capacity of 4.249 million tonne, for which due environmental clearances have already been accorded by the MoEF&CC and other related agencies. Accordingly, the estimated requirement of CPC would be approx 2.1 MMT by 2025-26 against a present requirement of about 1.74 MMT (1.24 MMT through calciners and 0.5 MMT through direct import by aluminium industries). Towards sourcing of CPC by the aluminium industries, considering the levels of CPC cumulatively diverted by the calciners in the country for domestic industrial and miscellaneous applications other than aluminium, there appears a need for import of additional quantity of approximately 0.3 MMT CPC by the aluminium sector industries from 2025-26 onwards. This arrangement would strike an optimal balance and take care of the concerns related to added environmental emission load and the issues of continual availability of the desired quantity and quality of CPC required for aluminium processing. For the present and during 2024-25, however, the current level of a cap of 0.5 MMT for direct import of CPC by the aluminium industries appears to be sufficient and reasonable;
- viii In as far as the requirement of RPC (for conversion to CPC) is concerned, taking into account the current cumulative capacities of the calciners, the



past trend of supplies of CPC made by them to the aluminium industries, to industries other than aluminium and for other miscellaneous applications only for domestic use in the country, it emerged that approx 2.35 MMT of RPC would be required annually w.c.f 2024-25 itself. The domestic availability of RPC for the calciners, based on past trends and future projections, as per MoPNG, would be around 0.45 MMT. Thus, a gap of about 1.9 MMT would be required to be bridged through import of RPC cumulatively by all the calciners.

- ix. The Sub Committee, recommended that the Commission may permit to allocate the aforementioned quantities of RPC / CPC for import (total 1.9 MMT RPC for Calciners and 0.5 MMT CPC for Aluminium Industry in the year 2024-25 and 1.9 MMT RPC for Calciners and 0.8 MMT CPC for Aluminium Industry from 2025-26 onwards), subject to the certain conditions.

8. With regard to the issue of import of RPC for CPC Manufacturing Unit in Special Economic Zone (SEZ), the Hon'ble Supreme Court *vide* its Order dated 10.10.2023 in W.P.(C) No. 13029 of 1985 titled as M.C. Mehta vs Union of India & Ors., *inter alia* passed the following direction:

*“(1) IA NO. 115613/2021 (APPLN FOR CLARIFICATION OF ORDER DATED 09.10.2018 ON BEHALF OF RAIN CH CARBON (VIZAG) LIMITED)*

*Learned counsel for the applicant submits that in view of the other aspects being delegated to the Commission, the facts of the present case be also examined by the Commission itself.*

*This request is accepted and thus, the reliefs in this application are also delegated for consideration before the Commission.*

*The application stands disposed of.”*

*send*

9 While examining the issue of import of RPC / CPC in SEZ, the Sub-Committee observed and recommended the following

- i. Purpose of the SEZ Act, 2005 is to provide for establishment, development and management of the Special Economic Zones for the promotion of exports and for matters connected therewith or incidental thereto. SEZ Rules, 2006 mandate the unit to achieve positive net foreign exchange and to facilitate the same, the SEZ Act provides certain exemptions to the SEZ Unit from taxes /duties etc.:
- ii Any business / operation which leads to substantial incremental pollution load needs to be regulated, however, also respecting the sanctions/ permissions/ clearances accorded to the industrial units through the regulatory framework and compliance to the prescribed standards by such units,
- iii While promoting CPC manufacturing units in the SEZ areas, particularly from the stand point of export may not be an environmentally desirable proposition, however, the industrial unit in question in the SEZ has been long set up after all due regulatory clearances and permissions and would be permitted to operate only subject to the compliance of the prescribed standards / norms. Furthermore, manufacture of CPC and / or blending with imported CPC is a permissible (but regulated) activity in the SEZ and is not prohibited.
- iv. The MoEF&CC has notified emission standard on 05.06 2023 for CPC manufacturing units, to come into force w e f 05 06 2025. As submitted by the applicant, the unit is already complying with the notified emission norms even on date,
- v The applicant submitted that its unit would suffer substantial monetary loss if this unit in the APSEZ is not allowed to operate as a huge investment of Rs. 650 crore has already been made for the unit and that the unit has obtained all necessary permissions to conduct their business under the relevant laws i.e. environmental laws and SEZ related law to operate in the SEZ Area,

- vi. The applicant has further submitted that besides complying with the emission norms stipulated by the MoEF&CC for CPC manufacturing units, their environmentally friendly attributes include installation of FGD in its AP SEZ Units, which treats SO<sub>2</sub> emission with more than 98% efficiency and there will be no ash generation by the unit,
- vii. In such a scenario, a unit which is already operating in compliance of the extant laws, should not be made to cease their operations and the unit may not be denied of their rights of business having established a unit in the AP SEZ Area in due compliance of the extant laws and also as a matter *fate-accompl.*
- viii. The Sub Committee recommended that the Commission may permit import of RPC / CPC by the SEZ unit, subject to the quantities as permitted for in their CTO/ CFO, duly factoring in any RPC sourced domestically by them, subject to certain conditions.

10 The observations, deliberations and recommendations made by the Sub-Committee were shared with the Commission members and the Commission approved the various recommendations of the Sub Committee. The Commission, accordingly, in compliance of the directions of the Hon'ble Supreme Court hereby directs as under:

**I. Import of RPC and CPC by Calciners / Aluminium Industry**

- 1 Import of total 1.9 MMT RPC for CPC Manufacturers and 0.5 MMT CPC for Aluminium Industry respectively shall be permitted during 2024-25 and 1.9 MMT RPC for Calciners and 0.8 MMT CPC for Aluminium Industry respectively from 2025-26 onwards, strictly subject to the following conditions.
  - a Use of pet coke shall be permitted only as a feedstock / raw material and under no circumstances to be used as fuel;

1  
Zand  
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- b. Import of pet coke (CPC/ RPC) shall be permitted to cater entirely to the domestic needs of aluminium industry and other industries, for the processes as permitted under various regulations / statutes and export of calcined pet coke through such calcining units shall be discouraged. However "deemed exports" to SEZ units would be permitted.
- c. For the calciner industries, SO<sub>2</sub> emissions shall be managed and controlled through a flue gas desulphurization system, so as to comply with the standards of emissions prescribed.
- d. Emission limits for SO<sub>2</sub> for anode making process in aluminium industries are yet to be notified, which needs to be fast tracked by the CPCB and the MoEF&CC, to be endeavoured to be notified in a period of about six months from now.
- e. Continuous analysers for measurement of PM, SO<sub>x</sub>, NO<sub>x</sub> shall be installed by the calciners in the stacks of processes where waste/process gases are used;
- f. Regulation and monitoring of such import shall be as per the guidelines of MoEF&CC's OM dated 10/09/2018,
- g. The overall availability of RPC and CPC may be assessed from time to time by MoC&I in consultation with MoPNG, to prioritise the use of domestically available RPC,
- h. Allocations to individual units / industries may be continued to be carried out by the DGFT in line with their extant policies and guidelines duly taking into account the statutory environmental clearances, regulations etc. and the consented quantities for individual units,

*zend*

- i. The suggested caps on the import of respective quantities of RPC/ CPC is considering the present capacities / consents of the regulatory authorities including the ongoing manufacturing capacity augmentations and is expected to take care of the requirements in all sectors for the next five years and thus ordinarily a review would be required accordingly, except for emergent and unforeseen conditions that may arise in future. Accordingly, any new establishment of CPC manufacturing unit or capacity augmentation of existing calcining units shall not be allowed purely in the overall interest of environment.


## **II. Import of RPC/CPC by RAIN Carbon SEZ Unit**

- i. Import of RPC / CPC by the SEZ shall be permitted, subject to the quantities as permitted for in their CTO/ CFO, duly factoring in any RPC sourced domestically by the SEZ Unit, strictly subject to the following
  - a. Use of pet coke shall be permitted only as a feedstock / raw material and under no circumstances to be used as fuel.
  - b. SO<sub>x</sub> emissions shall be managed and controlled through a flue gas desulphurization system, so as to comply with the standards of emissions prescribed;
  - c. Continuous analysers for measurement of PM, SO<sub>x</sub>, NO<sub>x</sub> shall be installed by the calciners in the stacks of processes where waste/process gases are used,
  - d. Regulation and monitoring of such import shall be as per the guidelines of MoEF&CC's OM dated 10.09.2018,

*2018*

- e The SEZ Unit shall ensure time bound compliance of environmental safeguarding measures as decided by the concerned authorities from time to time,
- f Establishment of any new such CPC manufacturing unit in any SEZ or capacity expansion of existing unit in the SEZ in question shall not be permitted

11 Strict compliance of para 10 of this order may be ensured through the authorities concerned in this matter

  
(Arvind Nautiyal)  
Member Secretary

For information and necessary action to

- i The Secretary, Ministry of Environment, Forest and Climate Change
- ii The Secretary, Ministry of Petroleum and Natural Gas
- iii The Secretary, Ministry of Commerce and Industry
- iv The Director General, Directorate General of Foreign Trade
- v The Member Secretary, Central Pollution Control Board

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Page 10 of 10



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र  
वायु गुणवत्ता प्रबंधन आयोग  
Commission for Air Quality Management in  
National Capital Region and  
Adjoining Areas



F. No. 16014/16/2021-MERD/Pet coke/Vol-III/929

Date: 15 April 2024

To

The Secretary,  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhawan, Jor Bagh Road  
New Delhi-110003

**Subject: Import allocation for Raw Pet coke and Calcined Pet coke in the country -reg**

Madam,

Please refer to the CAQM order dated 15.02.2024 on the subject matter issued in compliance of the directions of the Hon'ble Supreme Court vide order dated 10.10.2023 in WP(C) No.13029 of 1985. The order *inter-alia* prohibits establishment of any new CPC manufacturing unit or capacity augmentation of existing calcining units purely in the overall interest of environment.

However, it has been brought to the notice of the Commission that some Calcining units are being allowed for capacity augmentation. Recently, the Commission has received representation dated 13.03.2024 (copy enclosed) of M/s Petro Carbon & Chemicals Pvt Ltd apprising that the Expert Appraisal Committee (EAC) has approved and recommended expansion of the unit on 12.03.2024 i.e well after issuance of CAQM order dated 15.02.2024.

In view of the above, it is requested to kindly look into the matter and take appropriate action for compliance of the aforesaid order. It is also requested to arrange dissemination of the order to the all concerned authorities including SEIAA/ all SPCBs.

(R. K. Agrawal)  
Director (Tech.)

Ph: 011-23701207

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12/4

AC (NPG)

Copy To,

Member Secretary, Central Pollution Control Board... with request to disseminate the order to all concerned authorities including SPCBs of all states.

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6.	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
7.	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
8.	The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
9.	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
10.	The recommendations of the approved Site-Specific Wildlife Management Plan (in case of involvement of Schedule-I species) shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report to the concerned Regional Office of the MoEF&CC.
11.	The PP shall put all the environment related expenditure, expenditure related to Action Plan on the PH issues, and other commitments made in the EIA/EMP Report etc. in the company web site for the information to public/public domain. The PP shall also put the information on the left over funds allocated to EMP and PH as committed in the earlier ECs and shall be carried out and spent in next three years, in the company web site for the information to public/public domain.
12.	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
13.	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
14.	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
15.	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
16.	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
17.	Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

#### 4. Any Other Item(s)

##### 4.1.1. Details of the proposal

**57.13 Expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitization of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity) by M/s Petro Carbon and Che**

<b>micals Private Limited, located at Mouza – Bardhanyaghata, PS: Bhabanipur, Tehsil: Sutahata-I, (Haldia Industrial Growth Centre of WBIIDC), PO: Oil Refinery, Haldia, Dist. Purba Medinipur, West-Bengal – Re-Consideration of TOR. [Proposal No.: IA/WB/IND1/455497/2023; File No. IA-J-11011/451/2023-IA-II(IND-I)] [Consultant: Envirotech East Pvt. Ltd.; Valid upto: 12.09.2025] located at N/A,N/A,N/A</b>	
<b>Proposal For</b>	N/A
<b>Proposal No</b>	<b>File No</b>
IA/WB/IND1/455497/2023	IA-J-11011/451/2023-IA-II(IND-I)

#### 4.1.2. Project Salient Features

**[Proposal No.: IA/WB/IND1/455497/2023; File No. IA-J-11011/451/2023-IA-II(IND-I)]**

**[Consultant: Envirotech East Pvt. Ltd.; Valid upto: 12.09.2025]**

57.13.1 M/s. Petro Carbon and Chemical Private Limited has made an application online vide proposal no. IA/WB/IND1/455497/2023 dated 08.02.2024 along with the application in prescribed format (CAF, Form – I Part A & B), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 4(b) Coke Oven Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.

57.13.2 The proposal was considered during the 55<sup>th</sup> meeting of the EAC for Industry-I sector held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 wherein the EAC recommended the proposal for grant of Terms of Reference.

57.13.3 The proposal was processed in the Ministry wherein the processing division came across an Order dated 15/02/2024 by Commission for Air Quality Management regarding Raw Pet coke and calcined Pet coke import and allocation in the country. As per the Order the CAQM in compliance of the directions of the Hon'ble Supreme court inter alia directs,

*“The suggested caps on the import of respective quantities of RPC/CPC is considering the present capacities / consents of the regulatory authorities including the ongoing manufacturing capacity augmentations and is expected to take Care of the requirements in all sectors for the next five years and thus ordinarily a review would be required accordingly, except for emergent and unforeseen conditions that may arise in future. Accordingly, any new establishment of CPC manufacturing unit or capacity augmentation of existing calcining units shall not be allowed purely in the overall interest of environment.”*

57.13.4 Additionally, Member Secretary, Industry-1 informed EC that CAQM-NCR vide letter dated 19.04.2024 has also informed MoEF&CC about the order that it inter-alia prohibits establishment of any new CPC manufacturing unit or capacity augmentation of existing calcining units purely in the overall interest of environment. Also CAQM have received representation dated 13.03.2024 regarding M/s Petro Carbon & Chemicals Pvt Ltd apprising that the Expert Appraisal Committee (EAC) has approved and recommended expansion of the unit on 12.03.2024 i.e. well after issuance of CAQM order dated 15.02.2024.

57.13.5 Accordingly, on advise of the Competent Authority, the proposal was again placed before the EAC in its 57<sup>th</sup> meeting of the EAC for Industry-I sector held on 24<sup>th</sup> – 25<sup>th</sup> April 2024 wherein the EAC examined the information submitted by the project proponent. The deliberations and reco

#### **4.1.3. Deliberations by the EAC in current meetings**

57.13.6 The Committee noted the following:

1. The instant proposal was considered during the 55<sup>th</sup> meeting of the EAC for Industry-I sector held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 wherein the EAC recommended the proposal for grant of Terms of Reference.
2. The EAC deliberated on the Order dated 15/02/2024 by Commission for Air Quality Management regarding Raw Pet coke and calcined Pet coke import and allocation in the country. The order inter-alia prohibits establishment of any new CPC manufacturing unit or capacity augmentation of existing calcining units purely in the overall interest of environment.
3. The EAC noted that they have just seen the Letter of CAQM-NCR dated 19.04.2024 and concluded that the proposal was evaluated after the issuance of the order dated 15.02.2024. It is apparent that such proposals cannot be cleared in compliance with the directions of the Hon'ble Supreme Court. The PP has neither submitted the details nor presented the same before the EAC. Therefore, the recommendations made during the 55<sup>th</sup> meeting held on 29<sup>th</sup> February 2024 and 1<sup>st</sup> March 2024 should be withdrawn.
4. The EAC warned the PP/Consultant to submit all the details and facts before the EAC and not to mislead the information on the above mentioned issue.

#### **Recommendations of the Committee**

57.13.7 In view of the aforementioned discrepancies, the Committee recommended to withdraw its recommendations made during 55<sup>th</sup> meeting held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 and further **recommended to return the proposal in its present form** for the reasons mentioned in para above.



**Re-Consideration of TOR/Amendment in EC Proposals forwarded by MoEFCC**

**Agenda No. 57.13**

**57.13 Expansion of existing Calcined Petroleum Coke plant of 93,744 TPA capacity by installing 1 Vertical Shaft Calcination Kiln (2,00,000 TPA capacity), 8 Furnaces for Electrically Calcined Anthracite Plant (75,000 TPA Capacity), 8 Furnaces for Graphitization of Calcined Petroleum Coke (4 Furnaces for Foundry Grade & 4 Furnaces for Anode Grade) and Reviving of Old Carbon Paste Plant (75,000 TPA Capacity) by M/s Petro Carbon and Chemicals Private Limited, located at Mouza – Bardhanyaghata, PS: Bhabanipur, Tehsil: Sutahata-I, (Haldia Industrial Growth Centre of WBIIDC), PO: Oil Refinery, Haldia, Dist. Purba Medinipur, West-Bengal - Consideration of TOR.**

**[Proposal No.: IA/WB/IND1/455497/2023; File No. IA-J-11011/451/2023-IA-II(IND-I)]  
[Consultant: Envirotech East Pvt. Ltd.; Valid upto: 12.09.2025]**

57.13.1 M/s. Petro Carbon and Chemical Private Limited has made an application online vide proposal no. IA/WB/IND1/455497/2023 dated 08.02.2024 along with the application in prescribed format (CAF, Form – I Part A & B), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 4(b) Coke Oven Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.

57.13.2 The proposal was considered during the 55<sup>th</sup> meeting of the EAC for Industry-I sector held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 wherein the EAC recommended the proposal for grant of Terms of Reference.

57.13.3 The proposal was processed in the Ministry wherein the processing division came across an Order dated 15/02/2024 by Commission for Air Quality Management regarding Raw Pet coke and calcined Pet coke import and allocation in the country. As per the Order the CAQM in compliance of the directions of the Hon'ble Supreme court inter alia directs,

*“The suggested caps on the import of respective quantities of RPC/CPC is considering the present capacities / consents of the regulatory authorities including the ongoing manufacturing capacity augmentations and is expected to take Care of the requirements in all sectors for the next five years and thus ordinarily a review would be required accordingly, except for emergent and unforeseen conditions that may arise in future. Accordingly, any new establishment of CPC manufacturing unit or capacity augmentation of existing calcining units shall not be allowed purely in the overall interest of environment.”*

57.13.4 Additionally, Member Secretary, Industry-1 informed EC that CAQM-NCR vide letter dated 19.04.2024 has also informed MoEF&CC about the order that it inter-alia prohibits establishment of any new CPC manufacturing unit or capacity augmentation of existing

calcining units purely in the overall interest of environment. Also CAQM have received representation dated 13.03.2024 regarding M/s Petro Carbon & Chemicals Pvt Ltd apprising that the Expert Appraisal Committee (EAC) has approved and recommended expansion of the unit on 12.03.2024 i.e. well after issuance of CAQM order dated 15.02.2024.

57.13.5 Accordingly, on advise of the Competent Authority, the proposal was again placed before the EAC in its 57<sup>th</sup> meeting of the EAC for Industry-I sector held on 24<sup>th</sup> – 25<sup>th</sup> April 2024 wherein the EAC examined the information submitted by the project proponent. The deliberations and recommendations of the EAC are as follows:

#### **Deliberations by the Committee**

57.13.6 The Committee noted the following:

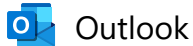
1. The instant proposal was considered during the 55<sup>th</sup> meeting of the EAC for Industry-I sector held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 wherein the EAC recommended the proposal for grant of Terms of Reference.
2. The EAC deliberated on the Order dated 15/02/2024 by Commission for Air Quality Management regarding Raw Pet coke and calcined Pet coke import and allocation in the country. The order inter-alia prohibits establishment of any new CPC manufacturing unit or capacity augmentation of existing calcining units purely in the overall interest of environment.
3. The EAC noted that they have just seen the Letter of CAQM-NCR dated 19.04.2024 and concluded that the proposal was evaluated after the issuance of the order dated 15.02.2024. It is apparent that such proposals cannot be cleared in compliance with the directions of the Hon'ble Supreme Court. The PP has neither submitted the details nor presented the same before the EAC. Therefore, the recommendations made during the 55<sup>th</sup> meeting held on 29<sup>th</sup> February 2024 and 1<sup>st</sup> March 2024 should be withdrawn.
4. The EAC warned the PP/Consultant to submit all the details and facts before the EAC and not to mislead the information on the above mentioned issue.

#### **Recommendations of the Committee**

57.13.7 In view of the aforementioned discrepancies, the Committee recommended to withdraw its recommendations made during 55<sup>th</sup> meeting held on 29<sup>th</sup> February, 2024 and 1<sup>st</sup> March 2024 and further **recommended to return the proposal in its present form** for the reasons mentioned in para above.

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**ADVANCE SERVICE OF AFFIDAVIT ON BEHALF OF RESPONDENT NO 2 IN Appeal No. 36/2024**

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**From** Office <office@ilolegal.com>

**Date** Tue 18/02/2025 20:21

**To** pccpl@athagroup.in <pccpl@athagroup.in>; caqm-ncr@gov.in <caqm-ncr@gov.in>

 1 attachment (4 MB)

PETROL CARBON AFFIDAVIT NGT.pdf;

PLEASE FIND THE ATTACHED COPY OF AFFIDAVIT ON BEHALF OF RESPONDENT NO 2 IN Appeal No. 36/2024

REGARDS

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