

MINUTES OF THE XXXIII MEETING OF THE EMPOWERED STEERING COMMITTEE (ESC) FOR IMPLEMENTATION OF THE MONTREAL PROTOCOL HELD ON 21ST NOVEMBER, 2007 AT 3.00 P.M. IN ROOM NO. 403, MINISTRY OF ENVIRONMENT AND FORESTS, PARYAVARAN BHAWAN, CGO COMPLEX, LODHI ROAD, NEW DELHI – 110003 UNDER THE CHAIRMANSHIP OF MR. R. H. KHWAJA, ADDITIONAL SECRETARY

Mr. R. H. Khwaja, Additional Secretary (RHK), MoEF welcomed the participants to the meeting and informed the important decisions of the 19th Meeting of the Parties (MOP) with specific reference to the accelerated phase-out of the production and consumption of HCFC. It was also mentioned by him that the 19th MOP endorsed the selection of India as Member of the Executive Committee for the year 2008 and as per the mutual understanding among the members of Asia Group, India has co-opted Jordan and Nepal as members of its delegation to participate in the meetings of the Executive Committee for the year 2008. Further, he has informed the Committee that Hon'ble Minister of State for Environment, Mr. Namo Narain Meena received the Best Implementer of the Montreal Protocol Award for Ozone Cell, India during the 19th MOP in a ceremony held on 17th September, 2007 in Montreal, Canada.

2. Once again he welcomed all the participants and requested the Member Secretary to introduce the agenda for consideration of the Committee. The list of participants is enclosed at ***Annex-I***.

Agenda Item No. 1 : Adoption of the Agenda.

3. The ESC adopted the following agenda on the basis of the provisional agenda :-

- 1 : Adoption of the Agenda
- 2 : Confirmation of Minutes of XXXII Meeting of the ESC.
- 3 : Action taken on decision of the XXXII ESC.
- 4 : Progress of Implementation status of the Projects :
 - a) Umbrella Project in Foam Sector.
 - b) Umbrella Project in Commercial Refrigeration Sector.
 - c) National CFC Consumption Phase-out Plan (NCCoPP).

- d) National CFC Phase out Project.
- e) National CTC Phase out Plan.
- 5 :** Consideration of the applications received for Duty Exemption in respect of new or expanded activities with non-ODS technology.
- 6 :** Regulatory Measures.
- 7 :** Reporting of Data for the year 2006 :
 - (a) Country Program Progress Report (CPPR) for the year 2006
 - (b) Reporting of Data under Article 7 of the Montreal Protocol for the year 2006
 - (c) Reporting of methyl bromide data for pre-shipment and quarantine applications for the years 2005 and 2006
 - (d) Reporting of Stockpile of CFC for the year 2006
- 8 :** Allocation of CFC quota for Metered Dose aerosol Inhalers (MDI) and Refrigerator Servicing Sector.
- 9 :** Phase-out of CFC in MDI Sector.
- 10 :** Important decisions taken by the 19th MOP :
 - A. Adjustment to the Montreal Protocol : Accelerated Phase-out of production and consumption of HCFC in India
 - B. Membership of the Executive Committee of the Multilateral Fund (MLF) for Implementation of the Montreal Protocol
 - C. Twentieth Anniversary Ozone Protection Awards
- 11 :** Budget and expenditure of the Ozone Cell for the year 2007 and 2008.
- 12 :** Any other matters with permission of the Chair.

Agenda Item No. 2 : Confirmation of Minutes of the XXXII ESC meeting held on 10th August, 2007.

4. The Committee confirmed the Minutes of XXXII meeting of the ESC held on 10th August, 2007 with the following amendments in the paragraph (i) of agenda item no. 6 :

the word "*Ministry*" has been substituted by "*Empowered Steering Committee*".

Agenda Item No. 3 : Action taken on decision of the XXXII ESC.

5. Dr. B. P. Nilaratna, Joint Secretary introduced the item and informed the action taken on each decision of XXXII meeting of the ESC. The Committee noted the following :-

S. No	Decision taken in XXXII ESC	Action taken on the decision
1	Duty exemption applications in respect of new or expanded activities with non-ODS technology.	Duty exemption certificates for the following enterprises were issued :- a) <ul style="list-style-type: none"> ➤ M/s. Jindal Mectec (P) Ltd., Gurgaon, Haryana; ➤ M/s. Pranav Vikas India Ltd., Faridabad; ➤ M/s. Nilkamal Ltd., Puducherry; ➤ M/s. Nilkamal Ltd., Samba, Jammu; ➤ M/s. Suchi Foams Pvt. Ltd., Ahmedabad, Gujarat ➤ M/s. Subros Ltd., Noida & Manesar b) <ul style="list-style-type: none"> ➤ M/s. Apex Prefab Building Systems, H.P. ➤ M/s. Voltas Ltd., Mumbai ➤ M/s. Subros Ltd., NOIDA ➤ M/s. InTime Fire Appliances, Mumbai ➤ M/s. Polyflex (India) Pvt. Ltd., Tamil Nadu ➤ M/s. Techno Electronics Ltd., Kashipur
2	Policy Issues	No recommendations have been issued for issuance of license for import of HCFC-22 w.e.f. 10 th August, 2007.

Agenda Item No. 4 : Progress of Implementation of Projects

a) Progress of Implementation Status of Umbrella Project in Foam Sector

6. Dr. S. Varadarajan suggested to undertake a study to assess the growth rate of foam production at national and international levels.

7. The Committee noted the progress of implementation status, details of funds approved, enterprises endorsed and completion of the projects under foam sector. The

Committee decided to advise the Sector Phase-out Plan Unit (SPPU) to verify the completion and operation status of CFC phase-out activities and the status of operation of all the 122 enterprises covered under foam sector plan. Thereafter, UNDP may be advised to disburse the incremental cost to the enterprises which are continuing their manufacturing activities with non-ODS technology.

b) Progress of Implementation Status of Umbrella Project in Commercial Refrigeration Sector

8. The Committee noted the progress of implementation status, details of funds approved, enterprises endorsed and completion of the projects under Commercial Refrigeration sector. The Committee decided to advise the SPPU to verify the completion and operation status of CFC phase-out activities and the status of operation of all the 157 enterprises covered under foam sector plan. Thereafter, UNDP may be advised to disburse the incremental cost to the enterprises which are continuing their manufacturing activities with non-ODS technology.

c) Implementation Status of the National CFC Consumption Phase-out Plan (NCCoPP)

9. The Committee noted the activities undertaken by GTZ, UNDP, UNEP and SDC during the period January to October 2007.

d) Implementation Status of CFC Production Phase out Project.

10. The Committee noted the successful phase-out of 18,635 MT of CFC out of the baseline quantity of 22,588 MT during the period 1999 to 2006 and decided that :

- a. The Ozone Cell/Project Management Unit (PMU) should closely monitor the production, export and domestic sale of CFC in November and December, 2007.

- b. The Ozone Cell should convene a meeting with producers to review the demand and supply of CFC and possibilities to reduce stockpile as of 31st December, 2007.

e) Implementation Status of National CTC Phase out Plan.

11. The Committee noted the progress of implementation of CTC production and consumption phase-out plan and decided that the Ozone Cell and PMU should take follow-up action on the following :

- (a) To monitor the movement within the CTC inventory held by both the producers and feedstock users, as part of the annual verification exercise, in order to account for total CTC production and imports;
- (b) To assess the impact of annual work programs by agency and by sector;

Agenda Item No. 5 : Consideration of the applications received for Duty Exemption in respect of new or expanded activities with non-ODS technology.

12. The Committee noted regarding issuance of customs duty certificate in respect of the following enterprises : -

- a)
- M/s. Jindal Mectec (P) Ltd., Gurgaon, Haryana;
 - M/s. Pranav Vikas India Ltd., Faridabad;
 - M/s. Nilkamal Ltd., Puducherry;
 - M/s. Nilkamal Ltd., Samba, Jammu;
 - M/s. Suchi Foams Pvt. Ltd., Ahmedabad, Gujarat
 - M/s. Subros Ltd., Noida & Manesar
- b)
- M/s. Apex Prefab Building Systems, H.P.
 - M/s. Voltas Ltd., Mumbai
 - M/s. Subros Ltd., NOIDA

- M/s. InTime Fire Appliances, Mumbai
- M/s. Polyflex (India) Pvt. Ltd., Tamil Nadu
- M/s. Techno Electronics Ltd., Kashipur

13. The details of equipment in respect of each enterprise listed above are given in **Annex-II**. Taking note of the information, the Committee decided to accord ex-post-facto approval.

Agenda Item No. 6 : Regulatory Measures.

14. The Committee took note of the publication and salient features of the Ozone Depleting Substances (Regulation and Control) Amendment Rules, 2007.

Agenda Item No. 7 : Reporting of Data for the year 2006.

(a) Country Program Progress Report (CPPR) for the year 2006

15. The Committee noted the procedure followed for collection, collation and authentication of data on production, export and import of ODS. The Committee also noted the recommendations made by the Standing Committee on Monitoring chaired by Mr. J. M. Mauskar, Chairman, Central Pollution Control Board (CPCB) held on 23rd August, 2007 and accorded the Ex post facto approval on the data submitted to the MLF (**Annex-III**).

(b) Reporting of Data under Article 7 of the Montreal Protocol for the year 2006

16. The Committee noted the procedure followed for collection, collation and authentication of data on production, export and import of ODS. The Committee also noted the recommendations made by the Standing Committee on Monitoring chaired by Mr. J. M. Mauskar, Chairman, CPCB held on 23rd August, 2007 and accorded the Ex post facto approval on the data submitted to the Ozone Secretariat (**Annex-IV**).

(c) Reporting of methyl bromide data for pre-shipment and quarantine applications for the years 2005 and 2006

17. The Committee noted the information and decided :
- a. to accord the Ex post facto approval on the pre-shipment and quarantine applications of methyl bromide data for the year 2005 and 2006 submitted to the Ozone Secretariat (***Annex-V***).

(d) Reporting of Stockpile of CFC for the year 2006

18. The Committee noted the information and decided :
- a. to accord the Ex post facto approval on the data on stockpile of CFC for the year 2006 submitted to the Ozone Secretariat (***Annex IV, page 1***).
 - b. to advise the Ozone Cell to monitor closely the production, export and stockpile of CFC during 2007 and beyond.

Agenda Item No. 8 : Allocation of CFC quota for Metered Dose aerosol Inhalers (MDI) and Refrigerator Servicing Sector.

19. The Committee recognized the essentiality of the use of CFC in the manufacturing of MDI for treatment of asthma and Chronic Obstructive Pulmonary Diseases (COPD) in India. Further, considering the need of the industry, the Committee decided :

- a. to accord the Ex post facto approval on the allocation of CFC between MDI and refrigeration sector (***Annex-VI***).

- b. to advise the Ozone Cell to monitor closely the consumption of CFC in MDI and refrigeration sector.
- c. to convene a meeting with MDI producers to discuss about the requirement of CFC beyond 2009 and collect information as per the requirement for seeking essential use nominations for use of CFC in MDI sector for 2010 and beyond.

Agenda Item No. 9 : Phase-out of CFC in MDI Sector.

20. The Committee noted that the Executive Committee has approved US\$ 100,000 for preparation of project for phase-out of CFC in MDI manufacturing industry. Necessary data has been collected by SPPU. UNDP, Montreal Protocol Unit, New York will prepare and submit the project to the Ozone Cell for necessary endorsement of the Government before 31st December, 2007. This project will be considered at the 54th meeting of the Executive Committee in April, 2008.

21. One member pointed out that significant awareness among target groups is to be undertaken under the implementation of MDI strategy. In this context, he suggested that United Nations Environment Program is the appropriate agency for undertaking awareness activities.

22. Taking note of the above, the Committee decided that :

- a. the Ozone Cell should monitor closely the progress of project preparation activities for submission of the project to the Executive Committee before 31st December, 2007 and
- b. UNEP should be included as implementing agency for non-investment activities.

Agenda Item No. 10 : Important decisions taken by the 19th MOP.

23. The following important decisions taken by the 19th MOP were informed to the Committee for information :

- a. *Adjustment to the Montreal Protocol : Accelerated Phase-out of production and consumption of HCFC in India*
- b. *Membership of the Executive Committee of the MLF for Implementation of the Montreal Protocol*

24. The Committee noted the Implementers Award received by Hon'ble Minister of State for Environment, Mr. Namo Narain Meena from Mr. Achim Steiner, Executive Director of UNEP on 17th September, 2007 on the occasion of 20th Anniversary of the Montreal Protocol and congratulated Ozone Cell for the success.

25. The Committee noted the accelerated phase-out schedule for HCFC production and consumption in both developed and developing countries as given in the decision XIX/6 of the 19th MOP (**Annex-VII**). The Committee considering the importance and volume of the work to be undertaken in order to meet the compliance targets, decided :

- a. to request the UNEP to prepare HCFC phase-out management plan for India.
- b. to request all the implementing agencies to include HCFC phase-out activities in their business plan in 2008 and future years for India.
- c. To have a stakeholder workshop with manufacturers of foam, refrigerators, commercial refrigeration system, manufacturers of air-conditioners including chillers and producers of HCFC.

- d. To create adequate awareness among target groups about the accelerated phase-out of production and consumption of HCFC.
- e. To review the existing regulatory and fiscal measures to support the implementation of the accelerated phase-out schedules of production and consumption of HCFC.
- f. To communicate the decision to line Ministries for information.
- g. To monitor the trend of production and consumption of HCFC in 2007 and report to the ESC on quarterly basis.
- h. To establish a database on HCFC production and consumption.

Agenda Item No. 11 : Budget and expenditure of the Ozone Cell for the year 2007-2008.

26. The Committee noted that the MLF under the financial mechanism has been providing the funding for strengthening the capacity of National Ozone Unit since 1993. The Ozone Cell in India is responsible for implementation of the Montreal Protocol. It has been undertaking all the activities to implement all the provisions of the Montreal Protocol. The total expenditure towards all activities has been funded by the MLF through the Institutional Strengthening Project. The project is for 2 years. Currently, the Sixth phase is continuing.

27. The Committee took note of the above and approved the budget and expenditure made so far in 2007 and the estimated budget for 2008 for the Ozone Cell as given in ***Annex-VIII.***

Agenda Item No. 12 : Any other matters with the permission of the Chair.

28. As per the decision of the XXIII ESC to hold the meeting on first Wednesday of second month of each quarter, the XXXIV meeting of the ESC will be held on 6th February, 2008 or any date during first half of the February, 2008.

The Meeting ended with vote of thanks to the Chair.

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Annex – I**List of participants of the XXXIII meeting of the Empowered Steering Committee (ESC) held on 21st November, 2007 at 3.00 PM in Room No. 403, 4th Floor, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-03 under the Chairmanship of Shri R. H. Khwaja, Additional Secretary**

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Annex-I **Annex-II** **Annex-III** **Annex-IV** **Annex-V**

Annex-VI **Annex-VII** **Annex-VIII** **Annex-IX** **Annex-X**

Annex-K **Annex-L** **Annex-M** **Annex-N** **Annex-O**

Annex-P **Annex-Q** **Annex-R** **Annex-S** **Annex-T**