



RAIN INDUSTRIES LIMITED

RIL/SEs/2018

October 11, 2018

The General Manager Department of Corporate Services BSE Limited Phiroze Jeejeebhoy Towers Dalal Street, Fort <u>Mumbai-400 001</u>	The Manager Listing Department The National Stock Exchange of India Limited Bandra Kurla Complex Bandra East <u>Mumbai – 400 051</u>
---	--

Dear Sir/ Madam,

Sub: Rain Industries Limited –Press Release on Hon'ble Supreme Court Order on Import of Petroleum Coke.

Ref: Scrip Code: 500339 (BSE) and Scrip code: RAIN (NSE)

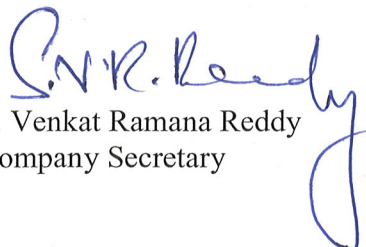
With reference to the above stated subject, please find enclosed herewith the following:

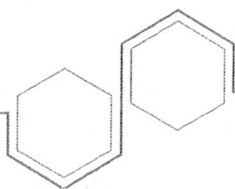
- 1) Press Release issued by Rain Carbon Inc., a wholly owned Subsidiary with regard to order passed by Hon'ble Supreme Court of India permitting Import of Petroleum Coke; and
- 2) Copy of Order passed by Hon'ble Supreme Court of India permitting Import of Petroleum Coke.

This is for your information and record.

Thanking you,

Yours faithfully,
for Rain Industries Limited


S. Venkat Ramana Reddy
Company Secretary



Press Release

October 10, 2018

Rain Carbon Receives Petroleum Coke Import Exemption from Supreme Court of India

Two-and-a-half-month ban to impact financial performance in 3rd and 4th quarters

STAMFORD, CT – Rain Carbon Inc., a leading global producer of carbon-based products, today announced that the company will resume shipments of petroleum coke to its Vizag calcining facility in Visakhapatnam, India. This follows an October 9 ruling by the Supreme Court of India that exempts calciners from the nation's recent ban on the importation of petroleum coke for use as fuel, which was enacted as part of the country's effort to reduce industrial emissions.

Rain Carbon uses green petroleum coke (GPC) as its primary feedstock in the production of calcined petroleum coke (CPC), which is an essential raw material in the anodes required during the electrolytic process of aluminum production. The company also imports CPC for blending at its Vizag facility. Under the Supreme Court's ruling, India's calcining industry will be permitted to import up to 1.4 million metric tons of GPC annually; the ruling also permits India's aluminum industry to use up to 500,000 tons of imported CPC per year.

"We thank the honorable Supreme Court of India for its expeditious and positive ruling on our petition, which will enable our Vizag facility to continue to support India's growing aluminum industry, which relies on our CPC in their production processes," said Rain Carbon President Gerry Sweeney. "As an industry leader in environmental best practices, Rain Carbon understands and supports India's desire to reduce emissions and industrial pollution."

The industrial processes at Rain Carbon's calcining facilities in India and the United States "are designed to reduce emissions" Sweeney explained. "At our Vizag plant, for example, our scrubbers remove in excess of 98% of the sulfur dioxide before exhaust gases are released into the atmosphere. In addition, our co-generation facility at the plant transforms waste heat from our calcining process into clean electricity that is sold to industrial customers over the local power grid, displacing an equivalent amount of fossil fuel-fired electricity."

Sweeney said the two-and-a-half month import ban will have a negative impact on the third- and fourth-quarter financial performance of Rain Carbon and its parent company, Rain Industries Ltd.

"Although we had sufficient GPC inventory in India to run the calcining operations at our Vizag plant, the lack of low-cost petroleum coke for blending resulted in an increase in raw material costs in the third quarter, and that will continue into the fourth quarter, since the next delivery of low-cost petroleum coke will not arrive for several weeks," Sweeney said.

The import ban in India also had a cascading effect on production at other Rain Carbon facilities. "Since we could not import CPC from our U.S. plants for blending at Vizag, we had to reduce production in the United States due to the reduction in shipments scheduled for India," Sweeney said. "During the next few weeks, we expect our CPC

production in India and the United States to normalize. Nonetheless, the impact of the import ban on sales will be seen in our third- and fourth-quarter results.”

Press Contact

Alan Chapple

Rain Carbon Inc.

Ten Signal Road, Stamford, CT USA

Tel +1 203 517 2818

alan.chapple@raincarbon.com

About Rain Carbon Inc.

Rain Carbon Inc. is a leading vertically integrated global producer of carbon-based and advanced material products that are essential raw materials for staples of everyday life. We operate in two business segments: Carbon and Advanced Materials. Our Carbon business segment converts the by-products of oil refining and steel production into high-value, carbon-based products that are critical raw materials for the aluminum, graphite electrode, carbon black, wood preservation, titanium dioxide, refractory and several other global industries. Our Advanced Materials business segment extends the value chain of our carbon processing through the innovative downstream transformation of a portion of our carbon output, petrochemicals and other raw materials into high-value, eco-friendly and advanced-material products that are critical raw materials for the specialty chemicals, coatings, construction, automotive, petroleum and several other global industries. For more information, visit www.raincarbon.com.

Forward-Looking Statements

The information contained in this announcement contains forward-looking statements, estimates and projections. These statements involve elements of subjective judgment and analysis and are based upon the best judgment of Rain Carbon Inc. as of the date of this announcement. These statements are subject to change without notice and are based on a number of assumptions and entail known and unknown risks and uncertainties, as there are a variety of factors that may cause actual results and developments to differ materially from any future results and developments expressed or implied by such forward-looking statements. Therefore, you should not rely on these forward-looking statements. Neither Rain Carbon Inc. nor any other person gives any undertaking to update these forward-looking statements for events or circumstances that occur subsequent to the date of this announcement or to update or keep current any of the information contained herein, except to the extent required by law.

ITEM NO.1

COURT NO.2

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s).13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: PET COKE)

(i) IA NOS. 15338 AND 15739/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O ALUMINIUM ASSOCIATION OF INDIA) ALONGWITH REPORT NO. 82 SUBMITTED BY EPCA)

(ix) IA NO. 117497/2018 (APPLN FOR CLARIFICATION ON BEHALF OF ALUMINIUM ASSOCIATION OF INDIA)

(ii) IA NOS. 100194 AND 102169/2018 (APPLNS. FOR INTERVENTION AND PERMISSION/DIRECTIONS ON BEHALF OF INDIAN STEEL ASSOCIATION)

(iii) IA NO. 108253/2018 (APPLN. FOR CLARIFICATION OF ORDER DT. 26.7.2018 ON BEHALF OF INDIAN STEEL ASSOCIATION)

(iv) IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.)

(v) IA NO. 109742/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF GOA CARBON LTD.)

(vi) IA NO. 109783/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF SANVIRA INDUSTRIES LTD.)

(vii) IA NO. 109791/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF KALINGA CALCINER LTD.)

(viii) IA NO. 109784/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF PETRO CARBON AND CHEMICALS PVT. LTD.)

(x) IA NOS. 125492 AND 125493/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O INDIA CARBON LTD.)

Signature valid : 09-10-2018 This petition was called on for hearing today.

Digitally signed by
SALVE HARISH N.
Date: 2018.10.10
17:33:33
Reason:

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv.(A.C.)(NP)

Ms. Aparajita Singh, Adv. (A.C.)

Mr. A.D.N. Rao, Adv. (A.C.)

Mr. Siddhartha Chowdhury, Adv. (A.C.)

For Petitioner(s) Petitioner-in-person

For Respondent(s)

Ms. Pinky Anand, ASG
 Mr. Amit Sharma, Adv.
 Ms. Suhasini Sen, Adv.
 Mr. D.L. Chidanand, Adv.
 Mr. Raj Bahadur, Adv.
 Mr. G.S. Makker, Advocate
 Mr. B.K. Prasad, Advocate
 Ms. Rachna Gupta, Adv.
 Mr. Vikas Chaudhary, Adv.
 Mr. S. Wasim A. Qadri, Adv.
 Mr. Ritesh Kumar, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Devasis Bharuka, Adv.
 Ms. Snidha Mehra, Adv.
 Mr. Shiv Kumar, Adv.

Mr. Anil Grover, AAG
 Mr. Shivam Kumar, Adv.
 Dr. Monika Gusain, Adv.
 Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate

Mr. S.S. Shamschery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Sandeep Singh, Adv.
 Mr. Ankit Raj, Adv.
 Ms. Nidhi Jaswal, Adv.
 Ms. Indira Bhakar, Adv.
 Ms. Ruchi Kohli, Advocate

Mr. B.V. Balramdas, Advocate.

Ms. Anil Katiyar, Advocate

M/S S Narain And Co. , Advocates

Mr. P. Chidambaram, Sr. Adv.
 Mr. Basava Prabhu Patil, Sr. Adv.
 Mr. Ajay Bhargava, Adv.
 Ms. Shweta Kabra, Adv.
 for M/s Khaitan & Co.

Mr. Shyam Divan, Sr. Adv.
 Mr. Nawneet Vibhaw, Adv.
 for M/S Khaitan And Co.

Mr. Jayant Bhushan, Sr. Adv.
 Mr. Manu Nair, Adv.
 Mr. Kuber Dewan, Adv.
 Ms. Suverna Kashyap, Adv.
 Mr. Shardul S. Shroff, Advocate

Mr. Kapil Sibal, Sr. Adv.
 Mr. Jaideep Gupta, Sr. Adv.
 Mr. Ashish Prasad, Adv.
 Ms. Mukta Dutta, Adv.
 Mr. Avinash Tripathi, Adv.
 Mr. Rohan Roy, Adv.
 Mr. M.P. Devanath, Advocate

Mr. Gaurav Kejriwal, Advocate
 Mr. Sujit Kumar Keshri, Adv.

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

In the aforesaid interlocutory applications, the Union of India through the Ministry of Environment, Forests and Climate Change has filed an affidavit dated 8th October, 2018. In the affidavit, it is stated as follows:

1. Regarding use of Calcined Pet Coke (CPC) in Aluminium Industry

[IA Nos. 15338 And 15739/2018 (APPLNS. For Impleadment And Directions On B/O Aluminium Association Of India) Alongwith Report No. 82 Submitted By Epca), IA No. 117497/2018 (APPLN For Clarification On Behalf Of Aluminium Association Of India)

The issue in these applications arise out of an application filed by the Aluminium Association of India.

The Central Pollution Control Board (CPCB) has looked into the matter and has submitted a report dated 3rd

October, 2018. In the report, it is stated as follows:

"With the change in technology from Soderberg to Prebake anode, CPC of higher Sulphur is used for anode baking worldwide. The revised BIS specifications (IS 17049:2018) specify Sulphur content in CPC used for anode making in Aluminium industry as 3.5% (Max.)."

The views expressed by the CPCB have been considered by the Ministry of Environment, Forest and Climate Change which is in agreement with the CPCB.

It is stated by learned *amicus curiae* that the views expressed by the CPCB are also acceptable to EPCA.

Consequently, Calcined Pet Coke (CPC) (domestic as well as imported) can be used as raw-material for anode making in the Aluminium industry with the revised BIS specifications.

We make it clear that the imported raw-material cannot exceed 0.5 MT per annum in total.

Applications stand disposed of.

2. Use of anode grade pet coke in CPC manufacturing units

[IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.), IA NO. 109742/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF GOA CARBON LTD.), IA NO. 109783/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF SANVIRA INDUSTRIES LTD.), IA NO. 109791/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF KALINGA CALCINER LTD.), IA NO. 109784/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF PETRO CARBON AND CHEMICALS PVT. LTD.), IA NOS. 125492 AND 125493/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O INDIA CARBON LTD.)]

These applications have been filed by several entities and the CPCB has given a Report dated 4th October, 2018 in which it is stated as follows:

"i. Raw Petroleum Coke is feed stock for producing calcinated petroleum coke which is a raw material for anode making in aluminium industries. Therefore, calcination of Raw Petroleum Coke is a pre-requisite to produce anode grade calcined pet coke having sulphur content less than 3.5%.

ii. As per BIS guidelines, calciners are permitted to use high sulphur containing raw petroleum coke for making CPC having sulphur content less than 3.5%. There will be emission of SO₂ in high concentration (para 1 of results) which needs to be treated in Flue gas desulphurisation system having efficiency of sulphur removal more than 90%."

The views expressed by the CPCB have been considered by the Ministry of Environment, Forest and Climate Change which is in agreement with the CPCB.

It is stated by learned *amicus curiae* that the views expressed by the CPCB are also acceptable to EPCA.

Consequently, raw pet coke (domestic and imported) can be used as a feedstock for producing calcined pet coke.

We make it clear that the imported raw pet coke for this purpose cannot exceed 1.4 MT per annum in total.

Applications stand disposed of.

IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.)

Rain CII Carbon (Vizag) Ltd. has filed an affidavit pursuant to our order dated 23rd August, 2018.

In the affidavit, it is stated that 11 contracts have been entered into on or before 26th July, 2018 for the import of Anode grade raw pet coke.

Vessels pertaining to these 11 contracts have already arrived some time in August, 2018.

In view of the orders passed above today, the consignment may be cleared, subject to the overall limit which is 1.4 MT per annum, as mentioned above.

Application stands disposed of.

3. Regarding use of Pet coke in Blast Furnace in the Steel Industry

[IA Nos. 100194 And 102169/2018 (APPLNS. For Intervention And Permission/Directions On Behalf Of Indian Steel Association) and IA No. 108253/2018 (APPLN. For Clarification Of Order Dt. 26.7.2018 On Behalf Of Indian Steel Association)]

These are the applications filed by the Indian Steel Association.

The CPCB has given its report on 3rd October, 2018 which has also been shared with EPCA for its comments on 4th October, 2018.

The Ministry of Environment, Forest and Climate Change would like to examine the report before taking a final view in this matter.

It is submitted that three weeks' time is required for this purpose.

Applications filed by the Indian Steel Association be listed on 14th November, 2018.

EPCA Report No.91

It has been pointed out in the Report of EPCA that Graphite India's Plant in Whitefield, Bengaluru has utilized domestic pet coke which is causing a huge amount of pollution and black dust. Complaints in this regard have been made by the community which feels that their health is being endangered.

Issue notice to Graphite India through learned counsel returnable on 12th October, 2018 to explain why the use of needle pet coke should not be stopped with immediate effect since it is causing tremendous pollution and damage to the health of the community in Bengaluru. Notice be also issued to Graphite India by email.

The Registry will ensure that the notice is served upon learned counsel and Graphite India along with a copy of the Report of EPCA.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR