

SC order: Vedanta plea to reopen copper plant turned down

SINGHVI ADDED that its closure has impacted 2,00,000 dependents by virtue of the downstream industries. "When operational it met 36% of the country's copper needs. Its contribution to the Central exchequer, thus far has been ₹2,559 crore, and it contributed to 7% of the traffic at the Tuticorin port. The unit's closure has resulted in India becoming a net importer of refined copper after 18 years," Singhvi contended.

However, the Tamil Nadu government opposed the Vedanta's plea saying it is a "persistent polluter" and the



pollution has worsened when the SC had allowed Sterlite to operate the plant in 2011.

In April last year, the Supreme Court while dismissing Vedanta's plea for reopening of the copper

smelting plant for maintenance had granted the liberty to the company to approach the HC. The top court had on February 18 last year set aside a National Green Tribunal order of December 15, 2018, which had allowed the firm to reopen the plant. It had said the NGT did not have jurisdiction to entertain the appeal against the TN government's decision.

The Madras High Court had on August 18 upheld the TN government's May 2018 decision to close down Sterlite Copper over allegations of polluting the environment in the district.

he said. "The argument of RBI that financial costs will be huge if more reliefs and schemes are given does not hold good," Srivastava added.

The Indian Banks' Association last Friday made a strong case for vacation of the Supreme Court order that restrained banks from classifying accounts as NPA. Senior counsel Harish Salve, appearing for the Association, vehemently urged the court to vacate its order of September 3 that directed banks against declaring loan accounts that were not NPAs prior to August 31, the final date of the six-month repayment moratorium.

In one of the previous hearings on the matter, the apex court had asked the RBI to respond to the power producers' demands for various bene-

fits, including restructuring of their loans under the recent RBI circular on debt recast. That generated an impression that, even as the Centre and RBI showed reluctance to widen the ambit of post-pandemic loan relief to borrowers and banks seemed disinclined to artificially suppress their stressed assets, the Supreme Court was still exploring if hard-hit industrial sectors could be given further succor.

"The stand of the GoI is very clear. That they are not going to do anything. For the Union government, the disaster has changed nothing," Sibal argued on Wednesday. "The Union has not applied its mind to the data which it has access to. It has jurisdiction to deal with banks. There was no business and a moratorium was given, why did a standard account become

an NPA on September 1? This is violative of Article 19(1)(g)," Sibal said.

He asked the court to take a decision on the matter, "while keeping the nitty-gritty out". It is the obligation of the State and RBI to apprise the Court regarding the state of the industry, not doing so is dereliction of duty, Sibal contended.

Senior counsel Abhishek Manu Singhvi, appearing for Association of Power Producers, had made it clear earlier that he was not seeking liquidity injections or any fiscal or other specific relief. Singhvi had said power sector NPAs had been the result of non-payment consumers (discoms). Stating that the generating companies which are suffering the most, he said the total debt had risen to ₹1.2 lakh crore.