

**CDM-PA5348-RULE01**

## Ruling note

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Request for registration for “India-FaL-G  
Brick and Blocks Project No.4.”

Version 01.0



1. The CDM-Executive Board decided to reject the above proposed project activity on 8 March 2013, in accordance with "Procedures for review of requests for registration", version 01.1, EB 55, Annex 40, paragraphs 23, 24 and 28 (the procedures). In accordance with paragraph 27 of the procedures, the rulings shall contain an explanation of the reasons and rationale for the final decision, which are as follows:
  - 1) The DOE (DNV) failed to demonstrate that the project activity is not a de-bundled component from a large scale project activity, in accordance with "Guidelines on assessment of de-bundling for SSC project activities" (EB 54, annex 13) and CDM Glossary of Terms (version 03.0).
  - 2) EB54, Annex 13, Paragraph 2 states that "*a proposed small-scale project activity shall be deemed to be a debundled component of a large project activity if there is a registered small-scale CDM project activity or an application to register another small-scale CDM project activity: (a) With the same project participants;(b) In the same project category and technology/measure; and (c) Registered within the previous 2 years; and (d) Whose project boundary is within 1 km of the project boundary of the proposed small- scale activity at the closest point*".
  - 3) In turn, the CDM Glossary of Terms (version 03.0) states that "*Project participant is (a) a Party involved, which has indicated to be a project participant, or (b) a private and/or public entity authorized by a Party involved to participate in a CDM project activity*".
  - 4) Furthermore, in the meeting report for EB 69, paragraph 112 the board clarified that: "*The Board also considered a letter from DNV seeking clarification on the applicability of the "Guidelines on assessment of de-bundling for SSC project activities" for a SSC bundle project activity where the project participant acts only as coordinator and focal point. The Board clarified that in accordance with the definition of project participant contained in the "Glossary of CDM terms" and according to paragraph 2 of the "Guidelines on assessment of de-bundling for SSC project activities", since the project participant in question is the same in all bundles, the proposed SSC project activity shall be deemed to be a debundled component of a large-scale project activity.*"
  - 5) EB54, Annex 13, Paragraph 3 also states that "*If a proposed small-scale project activity is deemed to be a debundled component in accordance with paragraph 2 above, but total size of such an activity combined with the previous registered small-scale CDM project activity does not exceed the limits for small-scale CDM project activities as set in paragraph 6 (c) of the decision 17/CP.7,3 the project activity can qualify to use simplified modalities and procedures for small-scale CDM project activities.*"
  - 6) The DOE has failed to substantiate that the project activity is not a de-bundled component from a large scale project activity considering the project participant (i.e. Eco Carbon Pvt, Ltd, as authorized by the host country in the LoA) of the project activity is involved in two other CDM projects (CDM Ref. Nr. 4585 and 4831) using the same methodology that were registered within the last two years.
  - 7) The DOE has also failed to validate whether the project boundary of the other similar CDM projects (CDM Ref. Nr. 4585 and 4831) is within 1km of that of the

proposed project activity at the closest point. Moreover, the DOE failed to demonstrate that the total size of the project activity combined with previous registered small-scale CDM project activity does not exceed the limits for the small-scale project activity (60,000tCO2/year).

2. Please note, however, that, with appropriate revisions, this project activity may be resubmitted for validation and registration provided it meets the requirements for validation and registration, in accordance with paragraph 42 of the CDM Modalities and Procedures (Decision 3/CMP.1).

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### Document information

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<i>Version</i>	<i>Date</i>	<i>Description</i>
01.0	22 April 2013	Initial publication. Related to EB 55, Annex 40 (Paragraphs 23, 24, 27 & 28).

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