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Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Foreign Trade

Public Notice No. 04 / 2015-20
New Delhi, Dated the 17th April, 2020

Subject: Procedure for allocation of quota for import of (i) Calcined Pet Coke (0.5 Million MT per annum) for Aluminum Industry and (ii) Raw Pet Coke (1.4 Million MT) for CPC manufacturing industry –regd.

S.O.(E) ...The Hon'ble Supreme Court in the Writ Petition No. 13029/1985 vide its order dated 9th October, 2018, has decreed that the import of raw material for use as Calcined Pet coke (CPC) in Aluminum Industry cannot exceed 0.5 Million MT per annum in total. Similarly import of Raw Pet Coke for CPC manufacturing industry cannot exceed 1.4 Million MT per annum. In light of the Order of the Hon'ble Supreme Court, the import policy condition of Pet Coke was amended vide Notification No. 42 dated 23rd October, 2018 and wherein it had been indicated that the regulation and monitoring of such imports will be as per the guidelines of Ministry of Environment, Forest and Climate Change issued vide OM No Q-18011/54/2018-CPA dated 10th September, 2018.

2. Pursuant to the above and in exercise of the powers conferred by Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 as amended from time to time read with Para 2.04 of the Foreign Trade Policy (2015-2020), the Director General of Foreign Trade hereby notifies the procedure/ mechanism to implement the quantitative restriction imposed on import of Calcined Pet Coke and Raw Pet Coke for year 2020-2021, as under:

Conditions and modalities of application for import of Pet coke.


- i. Imports will be subject to guidelines laid down by Ministry of Environment, Forest and Climate Change issued vide OM No Q-18011/54/2018-CPA dated 10th September, 2018;
- ii. The annual quantity limitation in import will be operated on fiscal year basis. Accordingly, the total quantity permitted for import per annum by the Hon'ble Supreme Court and available for import is (i) Calcined Pet Coke for use as Calcined Pet coke in Aluminum Industry is 0.5 Million MT and (ii) Raw Pet Coke for CPC manufacturing industry is 1.4 Million MT. This is available for all industrial units in these two sectors including the petitioners.
- iii. All eligible entities desiring to avail quota as mentioned above, may apply for import license as per procedure mentioned in Trade Notice No. 49 dated 15th March, 2019 along with State Pollution Control Board Certificate (SPCB)/ Pollution Control Committee (PCC) indicating capacity of the unit as on 9.10.2018 (Hon'ble Supreme Court Order in Writ Petition No. 13029/1985) and

also valid consent certificate from SPCB/ PCC, in the name of user industrial units indicating the quantity permitted for import and its usage on a monthly and yearly basis.

- iv. Completed online application form and the documents mentioned at (iii) above must reach on or before 5th May, 2020. Application fee shall be paid in accordance with the procedure as in Appendix 2K of Appendices & Aayat Niryat Forms and deposited online along with the application.
- v. If documents received are found in order, application will be considered in Exim Facilitation Committee (EFC) for import of restricted items and the concerned jurisdictional RA will grant authorization. The import license/ authorization will be valid till 31.03.2021 only for the purpose of imports.
- vi. If, after obtaining permission/license, importer cannot utilize/ import the entire quantity for which the license has been issued, the applicant shall intimate the same to DGFT at **petcokeimport-dgft@gov.in** and **import-dgft@nic.in** on or before 31.12.2020 in order to facilitate distribution of the unutilized quota to other applicants who had applied initially.
- vii. Holders of the license for import of Pet Coke would keep the RA informed of the details of his import consignments i.e the quantity of import, source and date of import along with details of Bill of entry in respect of each consignment on clearance of goods from Customs. Subsequently, a consolidated report within 30 days of the expiry of import authorization period must be submitted to the Regional Authority, giving consolidated details of all imports made during the period.
- viii. EFC in DGFT will evaluate and allot quota among applicants and licenses will be issued by the concerned jurisdictional Regional Authorities of DGFT.
- ix. Imports have to be completed before 31.3.2021 i.e. consignments must be cleared by customs authorities before this date.

2. **Effect of this Public Notice:** Procedure for allocation of quota for import of (i) Calcined Pet Coke for use as Calcined Pet coke (CPC) in Aluminium Industry and (ii) Raw Pet Coke for CPC manufacturing industry for the year 2020-2021 is notified.

This issues with the approval of competent authority.


17/4/2020

(Amit Yadav)
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