Minutes of the Meeting held on 28.03.2023 to allocate the import quantum of Calcined Pet Coke (0.5 Million MT) for Aluminium Industry for FY 2023-24

In Chair: Shri Hardeep Singh, Additional DGFT,

The following officers attended the meeting:

1. Shri. R.N. Pankaj, Scientist `E', M/oEF&CC
2. Shri Santanu Dhar, US(S), M/o P&NG
3. Shri Md. Moin Afaque, DDG, DGFT

2. The procedure for allocation of quota for year 2023-2024, for import of (i) Calcined Pet Coke for Aluminium Industry and (ii) Raw Pet Coke for CPC manufacturing industry was notified vide Public Notice No. 57/2015-20 dated 14.02.2023.

3. The Committee noted that the Hon'ble Supreme Court in Writ Petition No. 13029/1985, vide its order dated 09.10.2018 has decreed that the import of CPC for Aluminium Industry cannot exceed 0.5 Million MT per annum in total. Accordingly, the Committee decided to make the annual allocation of both, import of CPC for the fiscal year 2023-24 within this limit.

4. At the outset, the Committee noted that in pursuance to the Public Notice No. 57 dated 14.02.2023, 04 applications were received for import of Calcined Pet Coke (CPC).

5. Further, the Committee stated that Bill of Lading issued on or before 31.03.2023 will be considered as import made in FY 2022-23.

7. The Committee noted that some applicants for allocation of CPC Quota have submitted Consent to Operate with validity expiring before 31.03.2024. The Committee decided to provisionally allocate CPC Quota to these applicants subject to the submission receipt of application made to concerned SPCB for renewal of Consent to Operate.

8. The Committee also noted that one of the conditions mentioned in the OM No. Q-18011/54/2018-CPA dated 10.9.2018 of Ministry of Environment, Forests and Climate Change (MoEF&CC) was that the consent issued by the concerned SPCB/PCC shall clearly specify the quantity permitted for import and its use on as per month and per annum basis.

9. The Committee examined the SPCB certificates of all the applicants. On examination, Committee observed that the SPCBs have adopted varying conversion rates for calculating the requirement of RPC for producing CPC. In their CTO certificates, the Committee also noted that consumption requirement is not indicated in SPCB certificates of all the firms. To bring uniformity, the Committee decided to allocate CPC and RPC allocation quota by adopting following criteria:

a. Production capacity of the applicant will be calculated on annual basis. Wherever, SPCB certificates shows production figures in TPD, the annual production capacity will be arrived at by multiplying the capacity with 350 days (average operational days for the unit) to bring uniformity.
b. The additional capacity added by the applicants after the Hon'ble Supreme Court's order dated 09.10.2018 is not taken into consideration.
c. The quota be divided on a proportionate basis as per the following formula :–

$Q_A = Q * (Q_{AD} / Q_{TD})$	
Where,	
Q_A =	Allocation of Import Quota for applicant 'A'
Q =	Total Import Quota Available for distribution
Q_{AD} =	Demand of the Applicant 'A'
Q_{TD} =	Sum of demand by all applicant

d. In cases where requested quantity is lower than eligible quantity, the arising surplus is redistributed among others proportionately.

10. Accordingly, based on the above principles, the Committee made the allocation as in **Annexure 1**, subjected to following conditions:

a. Applicants who have been allotted CPC will have to submit compliance certificate of CTO of the utilising unit against which the import application has been made, from the concerned state pollution Control Boards for FY 2022-23.
b. Applicants shall furnish copy of the opening and closing stock of the imported Pet Coke, submitted to the concerned SPCBs and CPCB.
c. Applicants shall comply with the Guidelines for regulation and monitoring of imported pet coke in India issued by the MoEF&CC and Change vide dated 10.09.2018.
d. The copy of the license issued by DGFT for import of Pet coke shall be submitted to concerned SPCB, CPCB and MoEF&CC for monitoring purposes.

11. If, after obtaining permission/license for the year 2023-24, importer cannot utilize/ import the entire quantity for which the license has been issued, the applicant shall intimate the same to DGFT through email at import-dgft@nic.in **on or before 30.09.2023,** to facilitate distribution of the unutilized quota to other applicants who had applied initially.

12. The above allocation has been made as per the documents submitted by the firm at the time of application. If at any point any discrepancy is found in the documents provided by the firm the allocation will be cancelled and action would be taken as per FTDR Act, 1992 (as amended).

13. The Minutes of the Meeting for allocation of RPC for FY 2023-24 shall be shared separately.

<u>Annexure – 1</u>

Allocation of Calcined Pet Coke for FY 2023-24				
Sl.No	**IEC Name**	**File No.**	**Plant**	**Provisional Allocation (in MTs)**
1.	BHARAT ALUMINIUM CO LTD	HQRXIMLAPPLY00002385AM23	Chhattisgarh	44,974
2.	VEDANTA LIMITED	HQRXIMLAPPLY00002387AM23	Odisha	2,68,979
3.	HINDALCO INDUSTRIES LIMITED	HQRXIMLAPPLY00002392AM23	Aditya Unit, Odisha	83,867
			Mahan Unit, M.P	43,175
			Renukoot Unit, U.P.	15,830
4.	NATIONAL ALUMINIUM COMPANY LIMITED	HQRXIMLAPPLY00002457AM23	Odisha	43,175
				5,00,000