

Minutes of the Meeting held on 19.03.2021 in DGFT (HQ), Udyog Bhawan, New Delhi to finalise the allocation of surrendered quantity of Calcined Petcoke for Aluminium Industry

In Chair, Shri Hardeep Singh, Additional DGFT

The following officers attended the meeting:

- i. Dr. Sudheer C, Scientist 'E', M/o Environment, Forests and Climate Change
- ii. Alope Kr. Singh, GM(IB), IOCL
- iii. Santanu Dhar, US, M/o P&NG
- iv. Shri S.P. Roy, Joint DGFT, DGFT
- v. Shri Nirmal Kumar, Deputy DGFT, DGFT

2. The initial allocation for Calcined Petcoke was made in the EFC meetings held on 03.06.2020. All CPC applicants were asked to intimate the quantity to be surrendered which is unutilized as on date. Accordingly, the applicants were requested to surrender the unused quantity of CPC, in case not able to utilize the same, vide emails dated 11.01.2021 and 17.01.2021.

3. In response, two (02) applicants, viz. (i) M/s National Aluminium Company Ltd and (ii) M/s Hindalco Industries Ltd have informed that they wish to surrender whole/part of the quantity of CPC allocated to them (**Annexure I**). Two firms viz. (i) M/s Vedanta Ltd and (ii) M/s Bharat Aluminium Company Ltd have requested for allocation out of the surrendered quantity of CPC to them.

4. M/s Vedanta Limited and M/s Bharat Aluminium Company Ltd were requested to submit utilisation details of the CPC quota allotted to them vide email dated 16.02.2021. The utilization details as submitted by the two firms are as under:

S. No.	Firm Name	Quota Allotted (in MT)	Quota utilized (in MT)	Balance Quota (in MT)
1.	M/s Vedanta Limited	220369	164432.659	55936.341
2.	M/s Bharat Aluminium Company Ltd	38434 + 6540* = 44,974	44242.495	731.505

*Quantity adjusted in view of Delhi High Court's Order dated 15.5.2020 in WP No. 3112/2020, Bharat Aluminium Company Ltd. & Ors vs. UoI

5. The Committee noted that M/s Vedanta Ltd has request for allocation for only 9000 MT quantity for this FY and M/s Bharat Aluminium Company Ltd has requested for allocation for only 7500 MT quantity for this FY. However, it was also noted that M/s Vedanta Ltd has substantial unutilized quota and the Committee, accordingly, decided not to allocate any quantity from the surrendered quota.

6. Hence, the Committee decided to allocate 7500 MT out of the surrendered quota to M/s Bharat Aluminium Company Ltd, as detailed in **Annexure-II**. The allocated quota has to be imported by 31.03.2021. Any unutilized quota remaining with the firm on 31.03.2021 will be deducted from the firm's entitlement for the year 2021-22.

7. The Committee also decided that a consolidated report by 5th April, 2021 must be submitted by the applicants to the Regional Authority, DGFT and also copy to DGFT (HQ), giving consolidated details of total imports made during the current Financial Year.

8. The Committee further decided that all allottees must ensure the compliance of provision made by MoEF vide OM dt. Q-18011/54/2018-CPA dt. 10.09.2018. Copy of MoEF's OM dt. 10.09.2018 is at **Annexure-III**.

Annexure I**Quantity Surrendered out of CPC Quota**

S. No.	Firm Name	Total Allocation Made (MT)	Surrendered Quantity (MT)
1	National Aluminium Company Ltd	43175	43175
2	Vedanta Ltd	220369	0
3	Bharat Aluminium Company Ltd.	38434 + 6540* = 44,974	0
4	Hindalco Industries Ltd.	142872	32732
TOTAL		444850	75907

*Quantity adjusted in view of Delhi High Court's Order dated 15.5.2020 in WP No. 3112/2020, Bharat Aluminium Company Ltd. & Ors vs. UoI

Annexure-II**Allocation of CPC out of surrendered quota**

S. No.	Firm Name	Production Capacity as per SPCB Certificate (per annum) in MTs	Quantity allotted (in MT)	Proposed Quantity of CPC to be Reallocated (in MT)
1.	Bharat Aluminium Company Ltd.	62,500	38434 + 6540* = 44,974	7500

*Quantity adjusted in view of Delhi High Court's Order dated 15.5.2020 in WP No. 3112/2020, Bharat Aluminium Company Ltd. & Ors vs. UoI

No. Q-18011/54/2018-CPA
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
(CP Division)

2nd Floor, Vayu Wing, IPB, Jorbagh Road
New Delhi-110003

Dated: September 10, 2018

OFFICE MEMORANDUM

Subject: W.P.(C) No. 13029 of 1985 in the matter of M.C. Mehta Vs. Union of India & Ors. before the Hon'ble Supreme Court of India -regarding.

GUIDELINES FOR REGULATION AND MONITORING OF IMPORTED PETCOKE IN INDIA

In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following Guidelines for Regulation and Monitoring of Imported Petcoke in India, namely: -

1. Guidelines for Regulation and Monitoring of Imported Petcoke in India: -

As per notification of Director General of Foreign Trade (DGFT) dated 17.8.2018, Import of Petcoke for use as fuel is prohibited. However, import of Petcoke is allowed for the following industries namely, cement, lime kiln, calcium carbide and gasification for use as feedstock or in the manufacturing process only on actual user basis as per the conditions stipulated below:

- (1) Petcoke importing industries namely, cement, lime kiln, calcium carbide and gasification shall obtain the consent of and registration with the concerned State Pollution Control Boards (SPCB)/ Pollution Control Committees (PCC).
- (2) Consent issued by the concerned SPCB/ PCC shall clearly specify the quantity permitted for import and its use on a per month and per annum basis.
- (3) Only registered industrial units with valid consent from SPCBs/PCCs as per clause (1) shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
- (4) Import of pet coke for the purpose of trading shall not be permitted.
- (5) Authorised importers of Petcoke shall furnish opening and closing stock of imported Petcoke to the concerned SPCB/ PCC on a quarterly basis.

- (6) The SPCBs/ PCCs shall develop an electronic record system for uploading of consents, registration and record of use of imported Petcoke by industrial units, as mentioned above and the said Boards/ Committees shall share this data with the Central Pollution Control Board on a quarterly basis. This data shall be published on the Central Pollution Control Board website on receipt from the SPCB/ PCC.

These Guidelines shall come into force from the date of publication of Office Memorandum by Ministry of Environment, Forest and Climate Change.

2. This issues with the approval of Competent Authority.

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To

- (1) **Chairman**
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032
- (2) **Member Secretary**
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
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-for circulating to SPCBs/PCCs.

CC

DS (IT)- for uploading the Guidelines at the Website of Ministry of Environment, Forest and Climate Change.