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

Public Notice No. 50/2015-20
New Delhi, Dated the 26 November 2018

Sub: 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 (1.04 Million MT) for CPC manufacturing industry –regd.

The Hon'ble Supreme Court in the Writ Petition No. 13029/1985 vide its order dated 4th October, 2018, has decreed that the import of raw material for use as Calcined Pet coke (CPC) in Aluminium 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 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, as under:

Conditions and modalities of application for import of Pet coke.

- (i) Imports will be subject to guidelines laid down by Ministry of 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, of the total quantity permitted for import per annum by the Hon'ble Supreme Court, only half of it is available for import during the remaining period of this financial year {i.e October-March (considering that the order was issued on 4th October, the total month of October is taken for calculating entitlement)}. Therefore, total quantity available for import of (i) Calcined Pet Coke for use as Calcined Pet coke in Aluminium Industry is 0.25 Million MT and (ii) Raw Pet

Coke for CPC manufacturing industry is .52 Million MT. This is available 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 in ANF 2M to DGFT (Exim Facilitation Committee) Udyog Bhavan, New Delhi – 110 011 with copy to concerned jurisdictional Regional Authority of DGFT along with capacity of the unit and a valid consent certificate from State Pollution Control Board (SPCB)/ Pollution Control Committee (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 application form (ANF 2M) along with ANF-1(Importer Exporter Profile) and the documents mentioned at (iii) above must reach on or before 7th December, 2018. Application fee shall be paid in accordance with the procedure as in Appendix 2K of Appendices & Aayat Niryat Forms and submitted to **petcokeimport-dgft@nic.in** The subject header of this e-mail shall be "Name of applicant / IE Code/ quantity applied in Million Ton/Name of the RA where application is being filed.
*(for example if M/s. ABC imports having IE Code 1234567890 are intending to file an application at Ahmedabad for export of 1000 MT then the subject header would be: **ABC imports / 1234567890 /1000 MT / Ahmedabad**)*
- (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 31.3.2018 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@nic.in** within 10 days of allocation of such quota 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, 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 by 14th December 2018 and licenses will be issued by the concerned jurisdictional Regional Authorities of DGFT by the 21st December 2018.
- (ix) Review of the quota available, if any, after surrender of the quota by allottees by 4th of January, 2019 ; and
- (x) Imports have to be completed before 31.3.2019 of the financial year i.e. consignments must be cleared by customs authorities before this date.

3. **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 is notified.



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