



Government of India
Ministry of Commerce & Industry
Department of Commerce

DIRECTORATE GENERAL OF TRADE REMEDIES

Shaping International Trade

ANNUAL REPORT
2018-19



**DIRECTORATE
GENERAL OF
TRADE REMEDIES**

Shaping International Trade

**ANNUAL REPORT
2018-19**

JEEVAN TARA BUILDING,
SANSAD MARG,
NEW DELHI- 110001



MESSAGE

The barometer of effectiveness of a Trade Remedial organization like Directorate General of Trade Remedies (DGTR) is the confidence level of all stakeholders in the organization which, in turn, depends on the responsiveness, openness and fairness of the said organization. Directorate General of Trade Remedies (DGTR) has been striving to be more responsive, transparent and forthcoming about its activities, processes and decisions. Various steps have been taken during the previous financial year towards this end.

I am pleased to present the Annual Report of DGTR for 2018-19. The Annual Report, apart from being a historical record, will communicate the activities and accomplishments of the organisation during the past year to all stakeholders.

I am happy to note that following the coming into being of a unified trade remedial agency in India in May 2018, DGTR has undertaken significant restructuring by dividing its activities into nine well defined cells / wings, namely the Policy Cell, Knowledge & Training Cell, Trade Defence Wing, Economic & Data Analytics Cell, Outreach Cell, Publications Cell, Litigation Cell, Cyber Security Management Cell and Administration & Record Keeping Cell. I believe that functional restructuring of DGTR will enable it become one of the premier trade remedy regulatory agencies in the world.

The publication of the Manual of Operating Practices for Trade Remedy Investigations as well as the Handbook of Operating Procedures of Trade Defence Wing, along with other publications, and their placement in the public domain during 2018-19 marked a welcome paradigm shift towards making DGTR more responsive, transparent and accountable. Outreach programmes conducted by DGTR officers have increased awareness amongst stakeholders about trade remedial measures and the support that could be expected from DGTR in trade remedial investigations against Indian exporters. DGTR has successfully reduced the investigation period for trade remedial investigations to about nine to ten months, which is at par with the best in the world.

It is also heartening to note that considerable spadework has been done towards putting in place a system which enables all stakeholders to participate in trade remedial investigations electronically. The proposed e-system will facilitate timely filing of trade remedial petitions and responses by domestic industry / exporters / importers / users. It will also save time and cost for all stakeholders by obviating the need to physically submit documents or retain physical copies of publicly filed documents.

I am happy to note that DGTR has taken these significant strides during the past year. I congratulate the DGTR team for reviving the practice of preparation and publication of Annual Report after a gap of over a decade, and hope that all stakeholders will find this publication informative and useful.

My best wishes to the DGTR Team.

(Anup Wadhawan)

New Delhi
04 April 2019



DG's REPORT

It gives me a great pleasure to share with you the Annual Report of the DGTR for 2018–19. This Report documents the important developments / achievements during the Financial Year. I would like to briefly highlight some of the significant developments.

2. The year 2018-19 has been a landmark year, as the Government created an integrated single umbrella National Authority called the Directorate General of Trade Remedies (DGTR) for administering all trade remedial measures viz. anti-dumping duties, countervailing duties and safeguard measures and trade defence activities. This was achieved by merging the functions of Directorate General of Safeguards (DGS) and the Safeguards Quantitative Restriction (QR) functions discharged by the Directorate General of Foreign Trade (DGFT) with the Directorate General of Anti-Dumping and Allied Duties (DGAD). In addition, the newly created entity was also assigned the task of providing trade defence support to domestic industry and exporters as increasing instances of trade remedy investigations instituted against them by other countries came to light.

3. DGTR has a sanctioned strength of 112 posts drawn from Indian Administrative Service, Indian Trade Service, Indian Cost Accounts Service, Indian Revenue Service, Indian Economic Service, Indian Statistical Service and other Central Government Cadres. This has resulted in savings of 49 posts to the Government on account of merging DGAD and DGS. This was in consonance with the goal of 'Minimum Government Maximum Governance' of Government of India. While the actual strength of DGTR remains much less than the number of sanctioned posts, but this has never stopped the Directorate from completing a very large number of investigations within the stipulated time.

4. During the year, DGTR undertook a major exercise towards promoting transparency, uniformity and accountability by streamlining its procedures and processes. Manual of Operating Practices for Trade Remedy Investigations and Handbook of Operating Procedures of Trade Defence Wing were published and released during the year and also placed on the DGTR website. A meeting was also held with all independent consultants practising in the area of trade remedy and trade defence. This was aimed at deliberating on challenges in addressing issues of fair, transparent and expeditious trade remedy investigations. A set of DGTR publications were also handed over to these experts.

5. The Outreach Programmes, which are undertaken jointly with DGFT, Customs and Revenue Officials, is yet another step towards enhancing awareness amongst the domestic industry, especially MSMEs or those located in remote locations, about trade remedial measures and the support provided by Government in trade defence cases. Brochures and FAQs published by DGTR during the year are distributed during these workshops/meetings. A Help Desk has also been set up in DGTR Office to provide requisite support and guidance.

6. During 2018-19 DGTR has streamlined the investigation process. The time taken for pre-initiation activities has been reduced to about one month in Anti-Dumping & Review cases. The practice of pre-initiation hearing by Designated Authority in all review cases has been introduced in DGTR. Speaking Orders are also now being issued where cases are not initiated for any valid reason. The concept of summary proceedings has been introduced in cases of name change only. The average time taken to complete investigations has been reduced to 281 days during 2018-19 as against 478 days during 2014-15, 434 days during 2015-16 and 407 days during 2017-18.

7. Considerable progress has been made in development of e-system wherein the domestic industry and exporters would be able to electronically file petition / response even from remote locations. This would also enable online monitoring of status of ongoing trade remedial investigations. The new system (likely to be launched shortly) will reduce the need to visit DGTR Office by the interested parties, thereby saving time and cost for all stakeholders.

8. DGTR also initiated steps to bring about requisite amendments in Anti-Dumping Rules 1995, Countervailing Duty Rules 1995 and Safeguard Rules 1997, in response to the need to insert missing provisions of WTO Agreements and feedback received from the stakeholders. Stakeholder consultation has since been completed and it is expected that Directorate may notify the amended Rules in 2019-20.

9. I would like to acknowledge the contribution of all officers and staff of DGTR who have worked as a team towards enhancing the credibility of the organization. This is a long drawn process and more work remains to be done to consolidate the gains that have been made in the past year.

10. I take this opportunity to congratulate the publication team for coming out with this Annual Report and thank officers of IBEF who extended invaluable support in designing the cover page and layout of this publication.

11. I hope all stakeholders will find this Report useful.

New Delhi
04 April 2019



(Sunil Kumar)
Additional Secretary &
Director General



MISSION

Our mission is to provide a level playing field to the domestic industry against the adverse impact of unfair trade practices or surge in imports from any exporting country by using Trade Remedial measures effectively and efficiently. We also aim to support trade defence efforts of the domestic exporters. In addition, we devote ourselves to create and promote conceptual awareness amongst domestic stakeholders about the role of DGTR in trade remedial measures across India.



ISO CERTIFICATE



भारतीय मानक ब्यूरो BUREAU OF INDIAN STANDARDS

गुणता प्रबंध पद्धति प्रमाणन लाइसेंस

LICENCE FOR THE QUALITY MANAGEMENT SYSTEMS CERTIFICATION

राष्ट्रीय प्राधान्य प्रमाणन निदेशन बोर्ड, नई दिल्ली द्वारा प्रत्यापित

Accredited by National Accreditation Board for Certification Bodies, New Delhi

लाइसेंस सं. म.सं.ब.स./प्रमाणन/एन-80003875
Licence No. CRQ/QM/ L - 8003875

1. भारतीय मानक ब्यूरो अधिनियम, 1986 (1986 का 63) द्वारा प्रदान की गई शक्तियों के अधीन पर, ब्यूरो
By virtue of the power conferred on it by, the Bureau of Indian Standards Act 1986 (63 of 1986), the
Bureau hereby renews/grant to

डाइरेक्ट जनरल ऑफ एंटी-डम्पिंग
एण्ड एलाइड ड्यूटीज (डीजीएडी),
जीवन तारा बिल्डिंग,
5,पार्लियामेंट स्ट्रीट, नई दिल्ली - 110 001

Directorate General of Anti-Dumping
And Allied Duties (DGAD),
Jeevan Tara Building,
5, Parliament Street, New Delhi - 110 001

को (जिन्हें इसके बाद लाइसेंसधारी कहा गया है)। इसके साथ सभी अनुसूची में विषय रूप में वर्णित उत्पादों और/या
सेवाओं या प्रक्रियाओं के संबंध में ब्यूरो के गुणता प्रबंध पद्धति प्रमाणन के लाइसेंसधारियों के रजिस्टर (री) में उसी संख्या से
सूचीबद्ध होने का अधिकार और लाइसेंस प्रदान/संबंधित करता है, जो इस लाइसेंस की है। इस प्रकार के उत्पाद और/या
सेवाओं का प्रकाश लाइसेंसधारी द्वारा, IS/ISO 9001:2015 के अनुरूप गुणता प्रबंध पद्धति के अनुसार केवल उपर बताए
गए पते (पते) पर निर्मित/प्रदत्त प्रदान/संबंधित किया जाएगा।

(hereinafter called the Licensee) the right and licence to be listed in the Bureau's register(s) of
Licensees of Quality Management Systems Certification in respect of the products and/or services of
process particularly described in the schedule here to, bearing the same number as this licence. Such
products and/or services or processes shall be manufactured/ provided/carried out by the Licensee at
only the address(es) given above, and under the Quality Management Systems in accordance with

IS/ISO 9001:2015

2. यह लाइसेंस इस लाइसेंस का विनियम करने वाले उपरोक्त अधिनियम और इसके अधीन बनाए गए नियमों और
विनियमों के संबंध में प्रदान की गई शक्तियों के अधीन प्रदान/संबंधित किया गया है और लाइसेंसधारी एनएट द्वारा ब्यूरो को उपरोक्त
नियमों और विनियमों का विधिवत पालन करने का वचन देता है।

The licence is granted subject to the relevant provisions of the above Act and the rules and
regulations made there under governing the licences referred to above, and the Licensee hereby
covenants with the Bureau duly to observe with the said Rules and Regulations.

यह लाइसेंस 11 सितम्बर 2017 to 10 सितम्बर 2020 तक वैध होगा और इसका विनियमों के अनुसार नवीकरण किया जा
सकेगा

This licence shall be valid from 11 September 2017 to 10 September 2020 and may be renewed as
prescribed in the Regulations.

2017 के अक्टूबर माह के चौबीसवें दिन हस्ताक्षरित एवं मुहतामित

Signed, Sealed and dated this Twenty Fourth day of October 2017

(M. Sadasivam)
Deputy Director General (Central)
BUREAU OF INDIAN STANDARDS

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धारा III (विनियम 7 (1) D (a) देखें)
Form III | as Regulated 7 (1) D (a)
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INTRODUCTION

India has always believed in the benefits of free trade and economic openness. However, globalization of trade, despite its several advantages, has sometimes posed challenges to the domestic industry in the importing country due to adoption of unfair trade practices by some exporters or exporting countries, which need to be addressed by timely and effective trade remedial measures.

World Trade Organization (WTO) is the only global organization dealing with the rules of trade between nations. The WTO Agreements were negotiated and signed by most of the world's trading nations and ratified in their parliaments. The goal was to liberalize as well as supervise the world trade. Binding tariffs, and applying them equally to all trading partners (Most-Favoured-Nation treatment, or MFN) are key to the smooth flow of trade in goods. The WTO allows the members to use Trade Remedy instruments namely, Anti-Dumping, Anti-Subsidy and Safeguard measures against the import of products to prevent injury or threat of injury to the Domestic Industry of the importing Country. These measures can be applied within the disciplines of the following WTO Agreements:

- (I) Agreement on Implementation of Article VI of GATT 1994 (Anti-Dumping);
- (ii) Agreement on Subsidies and Countervailing Measures (ASCM);
- (iii) Agreement on Safeguards.

The Trade Remedy instruments, which are aimed at providing a level playing field to the Domestic Industry from the adverse impact of the unfair trade practices, if any, from any exporting country, redress trade distortions in the following different ways:

(a) Anti-Dumping Duty (“ADD”): Duty imposed against imported goods, when the export price of the imported goods is lower than the normal value of the goods in the domestic market of the exporting country and there is a causal link between the dumping and injury suffered by the competing Domestic Industry in the country of import.

(b) Counter-vailing Duty (“CVD”): Duty imposed to offset the unfair advantage to exports on account of subsidy policies, rules, and regulations by the Government of exporting countries, if, such subsidized imports are causing injury to the Domestic Industry of the importing member country.

(c) Safeguard Duty (“SD”): Duty imposed on imported goods to prevent injury or threat of injury to the Domestic Industry of the importing country from a sudden surge of imports. The Safeguard duties are applicable to all exporting countries irrespective of the origin of the product.

(d) Safeguard Quantitative Restriction (“SQR”): SQRs are remedial measures taken in the form of quantitative restrictions applied on import of goods to prevent injury/ threat of injury to Domestic Industry of the importing country due to a sudden surge in imports. QRs are applicable against exports from all exporting countries irrespective of the origin of the products.

The duties imposed under trade remedy instruments are levied in addition to the standard duties on the respective products. A product may be subject to both Anti-Dumping Duty and Counter-vailing Duty which are generally levied for 5 years (rarely it has been imposed for a lesser period) to counterbalance the impact of dumped imports and subsidies in an exporting

country(ries). Safeguard Duty on the other hand, is a temporary measure imposed to ensure that the sudden surge in imports do not harm the domestic industry and therefore, the validity of Safeguard measures is generally shorter than that of Anti-Dumping and Counter-vailing measures.

DGTR

Directorate General of Trade Remedies (DGTR) earlier known as DGAD - Directorate General of Anti-dumping and Allied Duties, is a quasi-judicial body under Department of Commerce, Ministry of Commerce and Industry responsible for recommending various trade remedial measures viz. Anti-Dumping Duty, Counter-vailing Duty and Safeguard measures. These trade remedy measures are part of coordinated efforts in boosting the global competitiveness of Domestic Industry by promoting sustainable economic growth to facilitate new investments and create more jobs by removing obstacles to investment and providing a level playing field to the Domestic Industry.

The Directorate General of Trade Remedies is an integrated single window agency for providing comprehensive and swift trade remedy mechanism in India. The DGTR brings DGAD, Directorate General of Safeguards (DGS) and Safeguards (QR) functions of Directorate General of Foreign Trade (DGFT) into its fold in its new role, by merging them into one single national entity. DGTR now deals not only with Anti-dumping, CVD and Safeguard measures, but also with the trade defence for the Domestic Industry.

DGTR is an attached office of Department of Commerce, Ministry of Commerce and Industry and is headed by the Director General (DG), an officer of Additional Secretary rank in Govt. of India. It is an organisation with multi-spectrum skill sets emanating from officers drawn from different services and specialisations like Indian Administrative Service, Indian Trade Service, Indian Cost and Accounts Service, Indian Revenue Service, Indian Statistical Service, Indian Economic Service, Central Secretariat Service etc. The Directorate has also created a Trade Defence Wing to assist the exporters of the country in defending the trade remedy investigations initiated by other WTO member countries against India. This makes DGTR an Authority, which not only acts as an investigator in trade remedy investigations undertaken by India but also a defender of the interest of Indian exporters against Trade Remedy investigations initiated against India.

ISO 9001: 2015

ISO 9001 is a global standard that sets out the requirements for a Quality Management System, or QMS. Certification to new ISO 9001:2015 helps the Government organizations to continually monitor and manage quality and consistency across their entire organization. The ISO certification is a step towards a

responsible and prompt governance by fixing the timelines and accountability at each step. DGTR (erstwhile DGAD) was awarded ISO 9001: 2015 certificate in August, 2017. The certificate is a testimony to the efforts being made by DGTR to streamline the processes, procedures and practices to bring in more efficiency. It makes it easier for the organization to sustain the quality of work as the procedures have been made unambiguous and the chances of committing procedural lapses or mistakes have been reduced to the minimum.

Objectives and Functions

The objective of DGTR is to protect the Indian industry from the adverse impact of trade distorting activities from an exporting country by carrying out investigations in a transparent and time bound manner and recommend remedial action under the Customs Tariff Act, 1975 and WTO framework. The main functions of DGTR are:

1. To receive applications and examine the alleged trade distortive practices by exporters' / exporting country (ies) as claimed by the Domestic Industry and initiate investigations, if deemed fit;
2. To consider applications of review examination by the stakeholders;
3. To conduct investigations under the prescribed legal framework as given in the national laws in pursuance of the above mentioned WTO Agreements. The process of investigation involves extensive and detailed examination, verification, computations/determinations, in-depth analysis of the information/data received;
4. To recommend remedial measures like Anti-Dumping Duty, Counter-vailing Duty or Safeguard Duty following due process in a fair, transparent and objective manner;
5. To represent and defend the schemes/programs of the Government of India against allegations of subsidy in Counter-vailing Duty investigations;
6. To provide comments / views of the Government of India in other trade remedy investigations against India.

Organisational Structure

DGTR is a professionally managed organisation manned by the officers drawn from different Services and specialisations. Each investigation is handled by a team of officers, who are responsible for following the prescribed systematic methodology and conduct trade remedial investigations in a transparent and fair manner and assisting the DG in arriving at conclusion of recommendation regarding imposition or non-imposition of trade remedial measures against the

exports originating in or exported from the subject country (ies) under investigation.

Budget:

DGTR had a total budget of about Rs. 20.04 Crore (Office Expenses, Rent, Salaries & Wages, Domestic & Foreign Travel Expense, other administrative expenses etc.) for the year 2018-19.

Redesigning of DGTR:

2018-19 was a landmark year for DGTR with regard to internal revamping and redesigning to transform the organisation. Different cells were created to ensure responsibility with accountability towards co-ordinated efforts to fulfil the aim of overhauling the working environment. The various cells in DGTR have been assigned the following tasks:

S.No.	Particulars
1	<p>Investigations</p> <ul style="list-style-type: none"> Each Investigation (ADD, CVD, SG, QR) is conducted by a designated team consisting of Investigating Officer, Costing Officer, Assistant IO & CO who are assisted by other professionals in the Directorate.
2	<p>Trade Defence Wing</p> <ul style="list-style-type: none"> Trade Defence Related Matters.
3	<p>Trade Policy Cell</p> <ul style="list-style-type: none"> Acts & Rules; WTO related Matters; International Cooperation; Trade Notices; Parliament Questions/matters/ Assurances and other Parliament related work; PMOPG, PMO references; VIP references; Studies / Seminar on trade policies.
4	<p>Outreach Cell</p> <ul style="list-style-type: none"> Spread awareness about trade remedy measures among stakeholders; Showcase the reforms and innovative steps embarked upon by the Directorate; Conduct outreach programmes for sensitization and handholding of the manufactures across the country, with special emphasis on MSMEs in coordination with FICCI, CII, ASSOCHAM, FIEO, EPCs and other trade associations / bodies; Coordinate with Nodal Officers in Regional Authority offices of DGFT; Export Commissioner in States; local officers of Customs etc. in organization of Outreach programmes; Document the proceedings of Outreach programmes; Work out quarterly / monthly schedule of outreach programmes in consultation with Investigation Teams undertaking domestic industry verification and obtain approval of AS&DG; Oversee the effective functioning of Help Desk in DGTR office.
5	<p>Litigation Cell</p> <ul style="list-style-type: none"> Act as a coordinating focal point and a single point reference for the court cases handled by the Directorate; Maintain and update the statistics of the Court Cases; Coordinate with Law Ministry/ Central Agency / Section room in High Courts to ascertain the name and details of the relevant Central Government Counsel; Regularly check cause list to ascertain the date of hearing; Coordinate with the Government Counsels / Law Ministry and Nodal Officers in Regional Authority offices of DGFT, where necessary; Brief DG periodically on status of important Court cases.
6	<p>Publications Cell</p> <ul style="list-style-type: none"> Annual Report of DGTR;

- Compendium of important landmark judgements relating to Trade Remedies by CESTAT, High Courts and Supreme Court;
- Working Papers on various subjects of interest;
- Any other publication related to Trade Remedies.

7 Knowledge and Training Cell

- Suggestions to promote trade remedy investigations skills including verification skills based on best practices in line with applicable rules;
- Suggestions to strengthen Trade Defence related work undertaken in DGTR in line with international best practices;
- Study of the existing structures, procedures and practices of the major trade remedy regulatory bodies to determine the best practices and the feasibility or scope of applying those procedures and practices in India;
- Conducting research and/or stakeholder's consultation to enhance the transparency, quality and delivery of findings by DGTR keeping in line with latest developments in the field of trade remedial investigations;
- Allocation and supervision of specific Studies allotted to CWTO, CTIL, CRIT NCAER or any other organization;
- Organizing seminars / workshops on trade remedial measures;
- Upkeep of Library;
- Nomination of Officers in various programmes/seminars on Trade Remedies conducted by IIFT, CWTO, CTIL, CRIT etc.

8 Economic & Data Analytics Cell

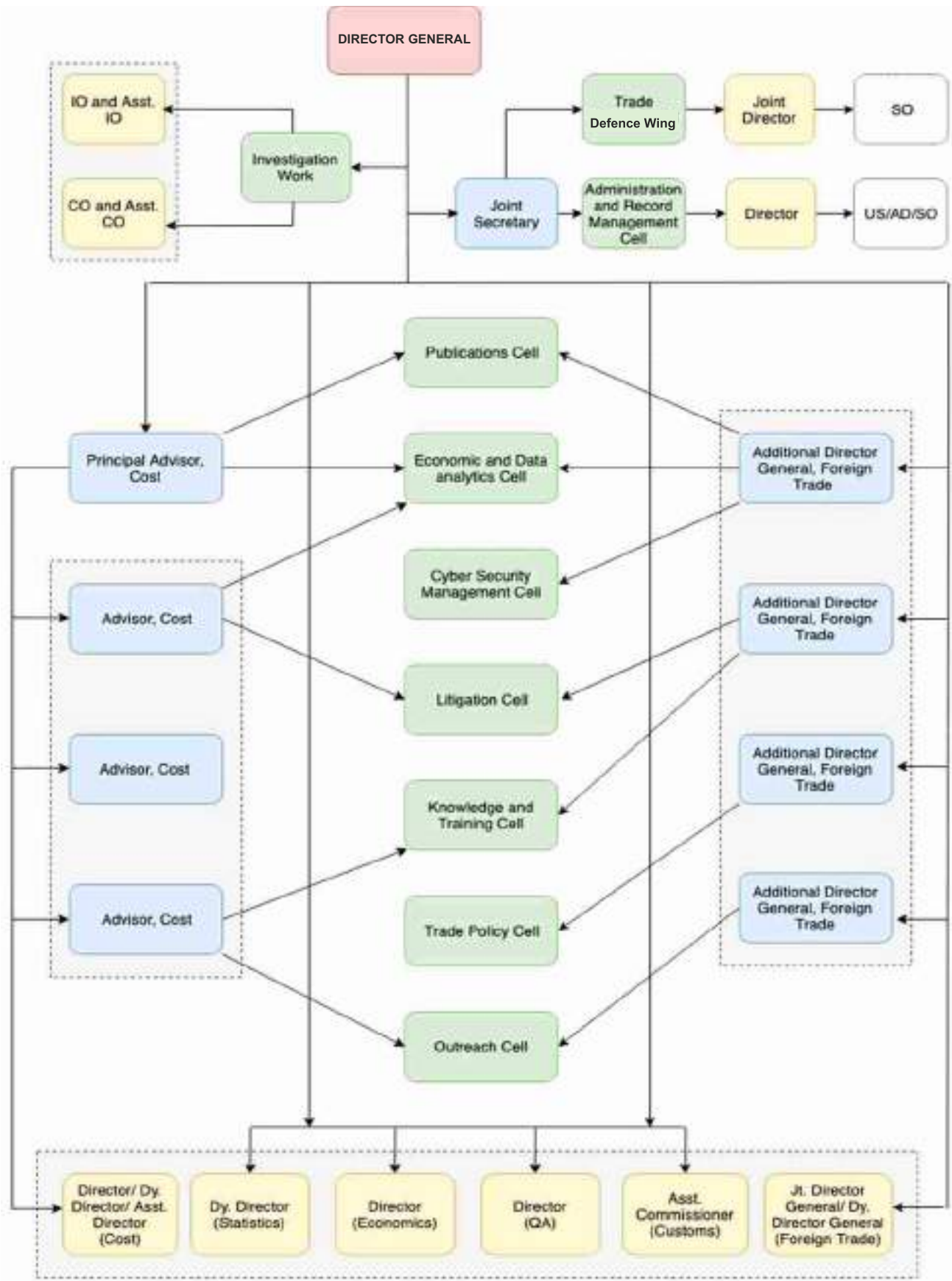
- Sector-wise details of major domestic producers and their installed capacities. This will include the complete product chain i.e., upstream and downstream industries;
- Sector-wise summary of trade remedial measures provided by DGTR in the past;
- Examine the impact of Trade Remedial measures on the Domestic Industry, particularly on its (broad) performance indicators and economic parameters, after imposition of trade remedial measures vis-à-vis performance indicators during the injury period;
- Sector-wise comparison of unit rates of major inputs / utilities in other countries vis-à-vis Indian scenario;
- Sector-wise trends of imports from major exporting countries and demand vs. domestic (Indian) capacity analysis;
- Analysis of economic trends and the broad performance of major sectors in the economy (trade) including trends in imports;
- To coordinate data mining of information filed by the various interested parties during different stages of investigation in the on-line filing system;
- Sector-wise details of various subsidies countervailed by third countries in the countries against which DGTR is conducting investigations to identify the missing gaps, if any;
- Impact of Trade Defence initiatives;
- Co-ordination with DGCI&S, DGS, MCA and other relevant bodies.

9 Cyber Security Management Cell

- Regular review of hardware, software, database and network components for DGTR;
- Periodical review of additional NIC Cloud requirements;
- Regular review of the contents of the website for their updates;
- Periodic assessment of the changes required, if any, in any of the aforesaid components / Petition Information Management System (PIMS) in accordance with the prevailing requirements;
- Ensure periodic Security Audit of the website and PIMS by MeitY empanelled security audit agency, removal of vulnerabilities by the developing agency and obtaining security audit clearance certificate;
- Ensure compliance for DGTR website with respect to Guidelines for Indian Government Website (GIGW);
- Suggestions for best practices and guidelines for information security;
- Suggestions for ensuring data security and prevent data leakage;

of sensitive	<ul style="list-style-type: none"> • Overseeing effectiveness of data back-up system to prevent loss data due to any reason; • Suggestions for periodical acquisition of hardware / software(s); • Suggestions for hiring / outsourcing of resources for day to day management of website / PIMS; • Overseeing the development of training modules for training of DGTR officers as well as all stakeholders of using PIMS; • Setting up of Help Desk for resolving queries, if any, related to online filing of petitions; • Periodic renewal of Domain Name of DGTR.
10	<p>Administrative & Record Management Cell</p> <ul style="list-style-type: none"> • General Administration related work; • Cash Related Matters; • Budget Related Matters; • ISO related work; • RTI Matters; • LIMBS; • Record Management; • Protocol Matters; • Establishment Matters; • Furnishing of Reports / Inputs etc.; • Managing the official Twitter account of DGTR and other Twitter related matters; • Managing Official e-mail id of DGTR; • SOM input compilation; • Weekly Report to CIM.

ORGANISATIONAL CHART



HIGHLIGHTS OF THE YEAR

1. Restructuring of DGAD into DGTR

Every country tries to protect its Domestic Industry from unfair trade practices by the exporters of other countries, in a timely and effective manner. However, it is also necessary that the procedures and methodologies followed are transparent, reasonable and in line with the international commitments and applicable laws in the country.

The erstwhile arrangement of available trade remedy instruments consisted of separate structures where Anti-Dumping Duty (ADD) and Counter-vailing Duty (CVD) investigations were handled in DGAD, Department of Commerce; Safeguard Measures (Tariff) in Department of Revenue; and Quantitative Restrictions in DGFT. This arrangement lacked optimality from the point of view of an effective and integrated approach to the available trade remedies to the industry against unfair trade practices of dumping, subsidy or surge in imports causing serious injury.

With a view to harmonize with the global practice, an integrated and dedicated trade remedy organization for all trade remedy tools including trade defence, and to create a single window remedy against trade distortions, Government decided to restructure the erstwhile DGAD organization into 'DGTR (Directorate General of Trade Remedies)'. The integrated structure was notified in May 2018 and the role of DGTR was defined to conduct:

- I. Anti-Dumping investigation (AD).
- II. Counter-vailing Duty (CVD) investigation.
- III. Safeguards (Tariff) investigations.

IV. Safeguards (QRs) investigations.

V. Trade Defence (CVD/Safeguard/AD against Indian exports): to respond effectively in investigations initiated against India.

A 'single window framework' is not only an industry friendly structure but is also more effective and efficient in providing comprehensive and swift trade remedy mechanism in India. It has led to expeditious relief to the domestic industry and effective monitoring of the compliances of trade defence measures.

2. Trade Defence Wing

In view of the rising concerns over the intensified use of trade remedies by other countries targeting India, a dedicated Trade Defence Wing has been established in DGTR to make trade defence strategies for India more robust and to infuse professionalism in the working of Trade Defence Wing. This was done to ensure that the exporters, especially MSMEs reap the maximum benefit from the export potential. Trade Defence Wing is the nodal point for defending Indian exporters in counter-vailing/safeguard investigations initiated by other countries against Indian exports. The work is on to put a system in place to actively participate along with Indian exporters in their effort to defend against Anti-Dumping investigations initiated by other countries.

3. Release of DGTR Publications

The trade remedy investigations are being conducted by India since 1992. The practices and procedures of DGTR have evolved over the period. A need was felt to



Hon'ble CIM, Suresh Prabhu and Hon'ble MoS, C. R. Chaudhary along with the officers of Department of Commerce on the occasion of release of DGTR publication

consolidate these practices to create an environment of uniformity and consistency in procedures. In pursuance of this, the following publications, prepared by the officers of DGTR, were released by Shri Suresh Prabhu, the Hon'ble Commerce & Industry Minister, on 17th December, 2018:

(i) Manual of Operating Practices for Trade Remedy Investigations – As a quasi-judicial body, it is imperative that DGTR works in the most transparent, objective and uniform manner since its findings can be challenged before the Appellate Tribunal, High Courts and Supreme Court of India as well as before the dispute resolution board of WTO. A manual of operating Practices was prepared for the first time in the history of the Directorate, with a view to streamline the investigation processes and systems based on standard methods and best practices. In addition, it contains all the applicable Trade Notices, Instructions and Clarifications issued by the Authority from time to time. The Manual is of great help to the officers of DGTR in carrying out complex trade remedial investigations in a more diligent, systematic and uniform manner.

(ii) Handbook of Operating Procedures of Trade Defence Wing – The Trade Defence Wing coordinates with various stakeholders and ensures that appropriate responses based on duly substantiated facts are filed with the respective Authorities within the stipulated time and in conformity with well-established WTO norms, procedures and practices of investigating country (ies). This requires collection of information from various agencies such as Export Promotion Councils, Industry Associations, concerned Departments/Directorates of State Governments and Central Government. The handbook lays down the operating procedures to

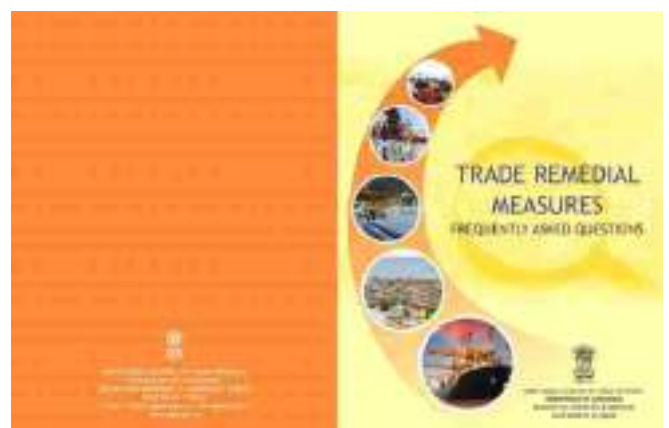
ensure that all stakeholders work in tandem and participate fully in trade remedial investigations against exports originating from India.

(iii) A specific e-mail id (publications-dgtr@gov.in) was created by the Directorate to receive suggestions from various stakeholders and regularly update these publications through comments/inputs received in the Directorate.

4. Other Publications of DGTR

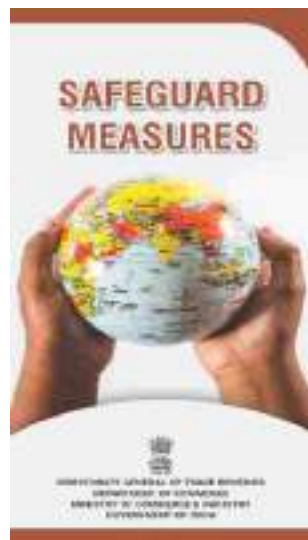
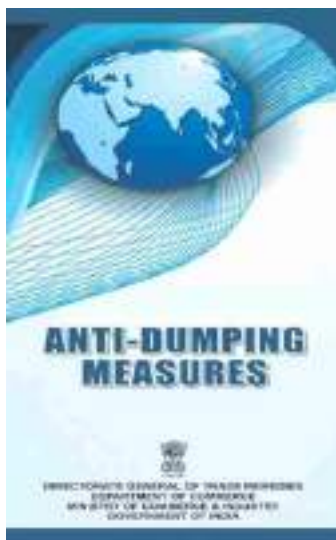
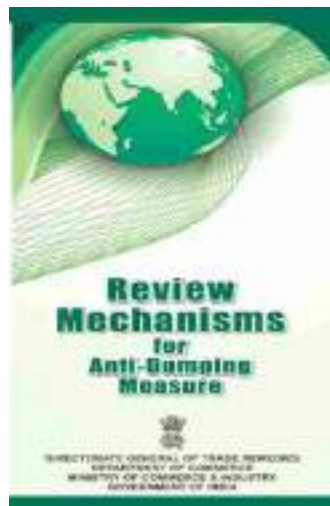
With liberalisation of trade, domestic industry, particularly the MSME sector, became more vulnerable as a result of unfair trade practices. The trade remedial measures available to the industry are complex and legal disciplines and are not always easy to comprehend by users. Therefore, to sensitise domestic industry about trade remedy instruments, the Directorate also issued the following publications:

(i) Frequently Asked Questions (FAQs) - A list of Frequently Asked Questions (FAQs) and their answers were prepared. The FAQs provide replies in simple



language to the general queries most sought by the Indian producers/manufacturers/exporters as understood during various interactions with the industry.

(ii) Brochures on Trade Remedy Measures - Brochures on anti-dumping, counter-vailing, safeguard and review investigations were released to sensitise the domestic industry about the various trade remedy measures available to them. It will help in demystifying the trade remedial measures, which are of technical nature and otherwise difficult to comprehend.



5. Help Desk

Trade remedial measures are critical for survival of nascent domestic producers and MSMEs, facing threat from the dumped/subsidised imports. The small manufacturers generally find the requisite procedures for filing the trade remedy applications very complex. Therefore, DGTR has established a Help Desk to assist the Domestic Industry in providing relevant information and resolving their general queries for enhanced access to trade remedies. The details of Help

Desk are:
Helpline No. 1800 111 808;
Email: helpdesk.dgtr@gov.in

Further, establishment of a facilitation centre for guiding the users of trade remedies in filing the concerned applications before the Authority is in the pipeline.

6. Web Portal for Filing Online Applications:

DGTR has continuously been raising its work standards and striving towards a more transparent, swift and effective process of trade remedial investigations. In pursuance of these objectives, DGTR had already launched a dedicated website to disseminate information regarding trade remedial actions taken by DGTR. The portal is of great help in realising the goal of **“Minimum Government and Maximum Governance”**.

Now, an interactive web application, named **“ARTIS”** (Application for Remedies in Trade for Indian industry & other Stakeholders) is being developed for filing online application seeking trade remedial action and pilot project will be launched soon. This will obviate the need to physically come to DGTR Office for submission of trade remedy petitions as it will allow the submission of petition even from a remote location. The web application will enhance the access to trade remedial measures available to the domestic industry in a time bound manner. Further, the investigation process will be expedited reducing the timelines for issuance of final findings along with enhanced transparency.

7. Quarterly Coordination Committee Meetings

Trade remedial investigations are complex by nature. There are certain stages during the course of investigations, which require cooperation and information from various external agencies viz. Central Board of Indirect Taxes & Customs (CBIC), Ministry of Corporate Affairs, DG Systems, DGCI&S, GST Council etc. These organisations play a vital role in undertaking effective investigations. Further, any delay in action by any of these organisations may delay the progress of the investigations. Therefore, it is necessary that there is close co-ordination amongst all agencies responsible for successful trade remedial action.

Quarterly Review Meetings have helped resolve several long pending contentious issues. These meetings have helped in expediting the notifications based on the final findings issued by the Directorate, collection of relevant information and availability of time bound online transaction wise data from DGCI&S. Matters like circumvention of duties through wrong

classification of products, issues relating to correct invoice pricing, finding out alternative data sources for better collation and examination of data provided by user industry were also discussed and thrashed out. Till date three successful meetings have been organised i.e. on 30th August, 2018; 16th November, 2018 and 18th February, 2019.

8. Outreach Programmes

DGTR has taken a great initiative in reaching out to the Domestic Industry, other stakeholders and Indian exporters at their doorstep, especially MSMEs, to foster awareness amongst them about available trade remedial measures. These have been found to be very well received especially in remote locations. DGTR Officers explained the rules, procedures and methodologies for trade remedy measures. These outreach programmes also guide them to take help of Trade Defence Wing in DGTR to handle the investigations initiated by other countries against India.

DGTR had conducted series of outreach programmes at various locations in the country for the benefit of the domestic manufacturers. Twelve such outreach programmes were conducted during 2018-19 in various cities namely, Vadodara, Goa, Chandigarh, Kolkata, Vishakhapatnam, Bangalore, Ludhiana, Chennai, Pune, Surat, Dahej and Kanpur.

9. Conference on Trade Remedies

First ever conference on the Trade Remedial Measures was organized on 06th February, 2019. The conference was inaugurated by the Commerce Secretary. The focus of the conference was to sensitize the stakeholders regarding current scenario of the trade remedial measures initiated by our trading partners against Indian exports/exporters and the problems faced by Trade Defence Wing in preparation of the response of Government of India while defending the cases. The officials from different Ministries/ Departments of Central Government, State Governments, Regional Authorities of DGFT, and representatives of Export Promotion Councils attended the conference. During the conference a copy



of the Handbook of Operating Procedures of Trade Defence Wing was also handed over to all stakeholders.

10. Training & Capacity Building of DGTR officers

It is essential for officers of DGTR to be well aware of the latest relevant developments in the world as well as to be adequately acquainted with the practices and procedures of other WTO member countries.

National Workshop on CVD investigations, conducted by Centre for WTO studies in 2018, was attended by the officers of DGTR to enhance their technical capability to conduct countervailing and safeguard investigations in a fair and efficient manner, in conformity with the WTO rules. There were various brainstorming sessions to discuss and understand the peculiar issues arising in different investigations conducted by different teams.

A training program of three days was also conducted for the staff members to enable them to contribute and assist in the investigations.

11. Stake holder Consultations conducted by DGTR

The Indian Anti-Dumping and Anti-Subsidy Rules were formulated more than two decades ago. In a dynamic global economic environment, there is a need to constantly review the laws/statutes/ regulations for updating them in order to keep pace with the changing times. Though some minor amendments were made in the past, there was a need to have a comprehensive look at the existing rules. There were long standing demands from various sectors of the industry to revisit the existing structure of rules and regulations.

Hence, DGTR took one more step in way of becoming more transparent and responsive trade remedial investigation by conducting Stakeholder Consultations to review the existing Laws/Rules etc. Stakeholders and Academicians, who are a goldmine of experience in this field, were called upon to give their views on draft Amendments. Discussions were held on each and every aspect and process of notifying Amendments to Rules has commenced.

12. Streamlining of the trade remedial investigation- Alignment with international best practices:

Since the inception of DGTR, continuous steps have been taken to improve and strengthen the procedures and practices. Investigation process follows pre-determined Rules and practices which have developed during the course of time. In pursuance of the objective to bring in further improvement, several

trade notices and internal instructions were issued to make the investigation process more simplified, fair, transparent and expeditious.

Transparency and uniformity in methodologies and procedures has always been a challenge in the working of the Directorate. It is particularly necessary for a robust system in which stakeholders have confidence. During 2018, various system/ processes were put in place in DGTR to impart more transparency in the process of investigation. Even though, a detailed write-up has been provided later in this report, following are some of the significant initiatives during the year to ensure a level playing field for the Indian Domestic Industry and thereby encouraging domestic industry to be a partner in sustainable growth of international trade:

- a) Checklists were uploaded for prima facie scrutiny of applications for completeness of documents by the domestic industry.
- b) Trade Notices were issued regarding disclosure of information of confidential version/non confidential version of response filed by the different stakeholders.
- c) Trade Notice was issued to promote transparency in obtaining and sharing of import data pertaining to investigation with interested parties. This was a long standing contentious issue amongst the different stakeholders;
- d) Necessary directions were issued that no oral requests for information shall be made to any company. All requests for any deficiency/ additional information shall be sent in writing with copy to other members of investigating team;
- e) Procedure for registration of interested parties was notified, which inter-alia required the placing of the list of interested parties in the public folder within 80 days of the initiation of any investigation;
- f) Formats were notified for furnishing of information by Users and Supporters;
- g) Besides all initiation notifications and final finding notifications being uploaded on the DGTR website on the same day, notices for oral hearing were also uploaded on the DGTR website;
- h) Accelerated investigations methodologies were notified in case of name change;
- i) Trade Notice was issued to bring in uniformity in the definition of related parties in case of Producers/Exporters/Importers.
- j) New and updated Anti-Dumping Questionnaire Formats were prescribed for Domestic Industry/ Producers/ Exporters/ Related Importers/ Un-Related Importers in India.

The aforesaid efforts resulted in (i) fixing time limit of 30 days for initiation of investigations from the acknowledgement of application for the anti-dumping cases; 75 days for counter-vailing investigations due to the pre-consultation requirement and 90 days for initiation of safeguard investigations (ii) Reduction of time taken for completion of the investigation which

has now been brought down to 281 days from 434 days earlier.

13. Management of Records and Digitization:

National Archives of India is the nodal agency of Government of India for the implementation of the Public Records Act, 1993 and the Public Records Rules, 1997 which is created under this Act. The National Archives of India is responsible for not only keeping safe custody of the records of the various Ministries / Departments of the Government of India, but is also engaged in devising suitable mechanism to streamline the management of their records in a systematic manner so that they can be used by administrators and scholars with ease. Records Management encompasses the entire gamut of activities in the lifecycle of records from their creation to final disposition.

Currently, DGTR has files pertaining to investigations conducted since its inception in 90s. The process of record management was necessary to not only streamline the mechanism to recover records from the record room and for their proper upkeep but also for the space optimization and safe custody of records. The record was earlier scattered over different locations due to lack of proper space at one location. Therefore, the process of recording, indexing and weeding of old records was undertaken during 2018-19 by a dedicated team of officers. The task involved fetching all files related to an investigation from the record room, checking the files for completeness, removing extra copies of documents, page numbering and finally digitization of records. The entire exercise was conducted in a span of 6-7 months. Presently, the task of digitization of all records is being undertaken.

14. Parliamentary Standing Committee:

The Department Related Parliamentary Standing Committee on Commerce examined the subject relating to DGTR in a detailed manner. DGTR provided the details of trade remedial measures available to the Domestic Industry against unfair trade practices, statistics related to trade remedial measures and the measures being taken by DGTR to streamline the procedures of trade remedial investigation and to provide greater accessibility to Domestic Industry to file trade remedy applications.

The Committee further raised the issues pertaining to *suo-motu* initiations, fees to the industry, reducing timelines of investigations, effective implementation of trade remedial measures, diversification of the scope of outreach programmes and the need for greater number of countervailing investigations.

DGTR iterated the constraints on *suo-motu*

initiations under the provisions of Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules 1995, Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules 1995 and Customs Tariff (Identification and Assessment of Safeguard Duties) Rules 1997, by way of non-availability of relevant information. The Committee was apprised about the steps being taken by DGTR to create awareness among stakeholders, particularly MSMEs about the trade remedial measures, establishment of Help Desk, publications, brochures printed by the Directorate, convening Quarterly Coordination Committee Meeting with various external agencies for effective implementation of trade remedial measures and efforts being undertaken for removing difficulties relating to data availability including *suo-motu* initiations.

15. Bilateral Co-operation and Experience Sharing:

(I) An MoU between India and Korea PR was signed on 09.07.2018 with a view to achieve greater cooperation between the Trade Remedy Authorities of the two countries and forging a broader consensus on major trade related issues such as circumvention of trade remedial measures, identification of subject countries in a global value chain scenario etc. Various provisions under the MoU aim to provide an opportunity to get better clarity of domestic rules and regulations in trade remedy measures adopted by Korea. First meeting of the co-ordination committee was held on 06.09.2018 in DGTR, New Delhi. The DGTR had earlier signed an MoU with UAE in 2017. DGTR had also signed an MoU with China PR a decade back for creating an experience sharing platform.



(ii) DGTR with its vast experience is being sought for bilateral interaction by other countries for capacity building in Trade Remedy area. The Directorate was happy and honoured to play host to interactive programmes and shared its expertise and knowledge which also provided an occasion to enhance bilateral co-operation. Such programmes were conducted with Lesotho and Afghanistan during 2018.

(iii) A three-day programme for experience sharing in Trade Remedies with Gulf Co-operation Council (Bureau of Technical Secretariat for Anti Injurious Practices in International Trade of the Gulf Cooperation Council GCC-TSAIP) was conducted by DGTR during 25-27 February 2019. The GCC is a customs union of six countries (Saudi Arabia, Kuwait, UAE, Qatar, Bahrain and Oman) and is also a recognized WTO member. The Programme was meant for enhancing/exchanging ideas in the field of Trade Remedies and increasing collaboration between two Authorities. Intense discussions and experience sharing was held for three days where the GCC-TSAIP delegation officials discussed their views regarding Laws and Rules for ADD investigation and Procedures/ processes of investigation in GCC, while the DGTR officials presented the information regarding Laws and Rules for Trade Remedies in India. Various aspects of Trade remedial measures were discussed.



DGTR and GCC officials gave presentations on topics like Verification of data, Non Injurious Price, Normal value of exporter, Exporters' response and its Scrutiny, acceptance/rejection of data and submissions, Process of exporter verification and Injury & Causation analysis. The seminar was of immense help in capacity building.

16. Participation in International Forums:

(i) BRICS Trade Remedies Seminar

International Trade Administration Commission (ITAC), South Africa organized Fifth BRICS Trade Remedies Seminar, 2018 wherein DGTR shared insights on various trade remedy issues like "Public Interest in safeguard investigations", "Unforeseen developments for purposes of initiation of a safeguard investigation", "Treatment of exporters/

manufacturers found not to be dumping in the anti-dumping investigation”, “Deficient responses”, “Trade remedies as proactive tool”, “Economic development vs. upholding multilateral trading system”, “Ensuring transparency and due process while protecting confidential information in trade remedy investigation” and “Strengthening trade relations with other BRICS countries”

(ii) Regional Comprehensive Economic Partnership

The Regional Comprehensive Economic Partnership (RCEP) is a proposed Free Trade Agreement amongst ten member states of the Association of Southeast Asian Nations (ASEAN) (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Vietnam) and the six Asia-Pacific states with which ASEAN has existing free trade agreements (Australia, China, India, Japan, New Zealand and South Korea). RCEP is the world's largest economic bloc, covering nearly half of the global economy. This agreement is presently under active stage of negotiation and is expected to provide market access for India's goods and services exports and encourage greater investments and technology into India. It would also facilitate India's MSMEs to effectively integrate into the regional value and supply chains. DGTR contributed in the trade remedy chapter of the agreement. A senior officer of the Directorate was deputed to participate in various meetings held in this regard.

(iii) Semi-Annual WTO Meeting at Geneva

The Meetings are held biannually at the WTO Head Quarters, Centre William Rappard in Geneva to (i) review the Semi Annual reports filed by all member countries and (ii) discuss various topics relating to Policy/Rules/Procedures of trade remedies amongst member countries to enhance understanding of each other's methods in the “Working Group on Implementation”. This greatly helps in exchange of best practices with member countries. Senior officers who are well versed with the process of investigation were deputed to attend the biannual meetings organised by WTO Secretariat accompanied with an officer from Trade Policy Division. This year the DGTR delegation made a presentation on Indian Rules and methodology for Anti Circumvention investigations in April Meeting and participated in the detailed discussions regarding Sunset Reviews during the November Meeting.

(iv) Seoul International Forum on Trade Remedies

DGTR participated in the Seoul International Forum on Trade Remedies, 2018 which provided an opportunity to exchange ideas and insights amongst the international Trade Remedy Authorities, Experts and Academics. The theme for the year was “The Challenges and Tasks of Investigating Authorities for Free and Fair Trade”. Officials shared their valuable insights based on their extensive knowledge and experience in International Trade remedies.



GLOBAL TRENDS IN TRADE REMEDY MEASURES

The countries use tariff and non-tariff tools to protect their domestic industry. The contribution of tariffs in the development of a nation may not be certain as pros and cons can always continue to be debated. Because a tariff is a tax, the government may see higher revenue based on the volume of imports entering the domestic market and the domestic manufacturers of those goods feel protected but user industries incur higher costs for using that product and ultimately individual consumers pay more for products using such goods. Further, this may also render the end product uncompetitive for the export market. Therefore, to “increase the tariffs or not” is like a double edged sword. However, WTO allows the countries to legally use following trade remedial measures to address the issue of trade distortions.

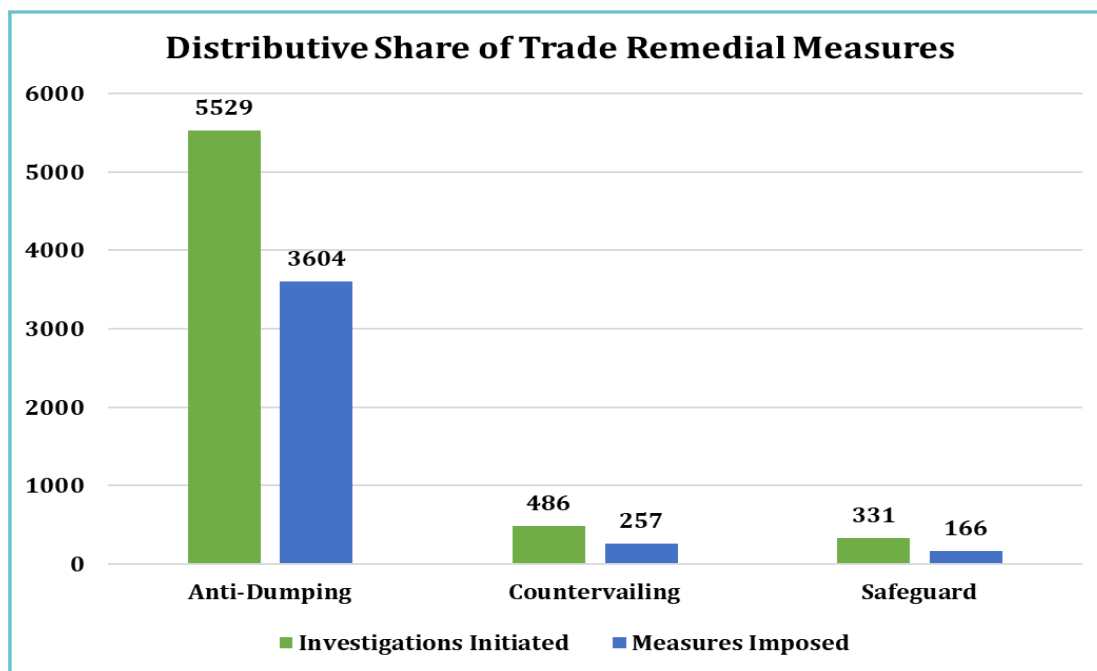
- **Anti-Dumping Duty (“ADD”)-** actions taken against dumping (selling at an unfairly low price);
- **Countervailing Duty (“CVD”)-** subsidies and special “countervailing” duties to offset the subsidies;
- **Safeguard Duty (“SD”)-** emergency measures to limit imports temporarily, designed to “safeguard” domestic industries.

2. It may be added here that while the WTO permits members to impose trade remedies or trade defence measures against imports to protect their domestic industries from unfair practices such as dumping and subsidies, or to cope with a sudden surge of foreign goods, it also sets out comprehensive rules that members must follow in the launching, investigation and imposition of anti-dumping, countervailing and safeguard measures. Mostly these investigations are initiated on the basis of duly substantiated application by the respective domestic Industry. It may be added here that even though the conditions under which each of these trade remedial measures could be applied may

differ from case to case, one common characteristic is that they can be imposed only if “injury” is being caused or is likely to be caused to the domestic industry. Similarly, the actual procedure followed also differs from measure to measure.

3. It is an obligation of each member country to inform the WTO Committee on Anti-Dumping Practices of all preliminary and final anti-dumping actions, promptly and in detail. The Agreement on Subsidies and Countervailing Measures requires the member states to inform all initiations and impositions to WTO. In case of Safeguard duties, Article 12 of Agreement on Safeguards imposes an obligation upon a Member to notify the Committee on Safeguards before applying or extending a safeguard measure. Any step being taken in context of provisional duty shall also be notified to the Committee. In other words, WTO needs to be notified for action taken on each of the trade remedial measures.

4. The WTO Secretariat also acts as the depository of data/information related to trade remedial measures initiated or imposed by the member countries and maintains this data for initiations and impositions as per country incidence. For example, if an initiations notification names 3 subject countries then WTO counts it as 3 initiations and subsequently 3 impositions in case a measure is imposed. As on date the information is available on WTO website from 1995 onwards for cases up to 31.12.2017 only, which indicates that the total number of TRM initiated by all member countries were 6346, consisting of 5529 anti-dumping initiations, 486 CVD Initiations and 331 Safeguard Initiations. As against that, 4027 measures were imposed globally consisting of 3604 anti-dumping measures, 257 CVD measures and 166 Safeguard measures.



Source: WTO data- 1.1.1995 to 31.12.2017

5. It is clear that Anti-dumping measures are the most popular and preferred trade remedy measure by majority of the countries of the world amongst all the available unfair trade practices. 87.12% of all initiations were related to anti dumping investigations followed by 7.66% CVD investigations and 5.21% Safeguard investigations. Further it is noted that Anti-Dumping investigations also have a higher incidence rate (65 %) as compared to CVD (53%) and safeguard (50%) investigations. The rate of incidence has been computed on the basis of measures imposed as a percentage of total investigations initiated.

6. The higher usage of ADM could be because of the fact that ADM are relatively simpler (compared to CVD & SG) as they target a specific exporter on the pricing distortions and are comparatively easier to substantiate by the domestic industry and relevant import data. Further, CVD investigations are more complex and require information which may not be

available with the applicants as it involves challenge to countervailable subsidies thus invoking intervention by the government/public bodies of the exporting country. Similarly, Safeguard cases are emergency measures, which have huge implication as they are against all the countries in general and hence there is a tendency to keep their use minimum.

Anti Dumping Measures

7. The WTO data pertaining to AD measures during 1.1.1995 to 31.12.2017 for major user countries shows that India has been the largest user of AD measures with 888 AD initiations and 656 ADD impositions as against 2 CVD and 21 Safeguard measures imposed in the same period. The anti-dumping measures constituted a major portion i.e., 89.50% of total measures imposed as against 6.38% in case of CVD measures and 4.12% in case of Safeguard measures. The country wise anti dumping initiations are as below:

Major user countries of Anti-Dumping Measures during last 5 years (initiations)

Reporting Member	2013	2014	2015	2016	2017
India	29	38	30	69	49
United States	39	19	42	37	54
European Union	4	14	11	14	9
Brazil	54	35	23	11	7
Argentina	19	6	6	23	8
Australia	20	22	10	17	16
China	11	7	11	5	24
Others	111	95	96	122	81
Total	287	236	229	298	248

Source: WTO data- 1.1.1995 to 31.12.2017

8. Efforts were made to extract information for the year 2018 from the mandatory semi-annual reports notified to WTO by each member country. Based on this provisional information available, USA with 41

initiations is the highest user during 2018, followed by India with 32 initiations and China with 23 initiations during the same year.

Major user countries of AD Measures				
Reporting Member	Investigations initiated during 1995-2017*		Investigations initiated during 2018**	
	Numbers	Percentage	Numbers	Percentage
India	888	16	32	16
United States	659	12	41	21
European Union	502	9	3	2
Brazil	410	7	9	5
Argentina	352	6	13	6
Australia	332	6	5	2
China	258	5	23	12
Others	2128	38	72	37
Total	5529	100	198	100

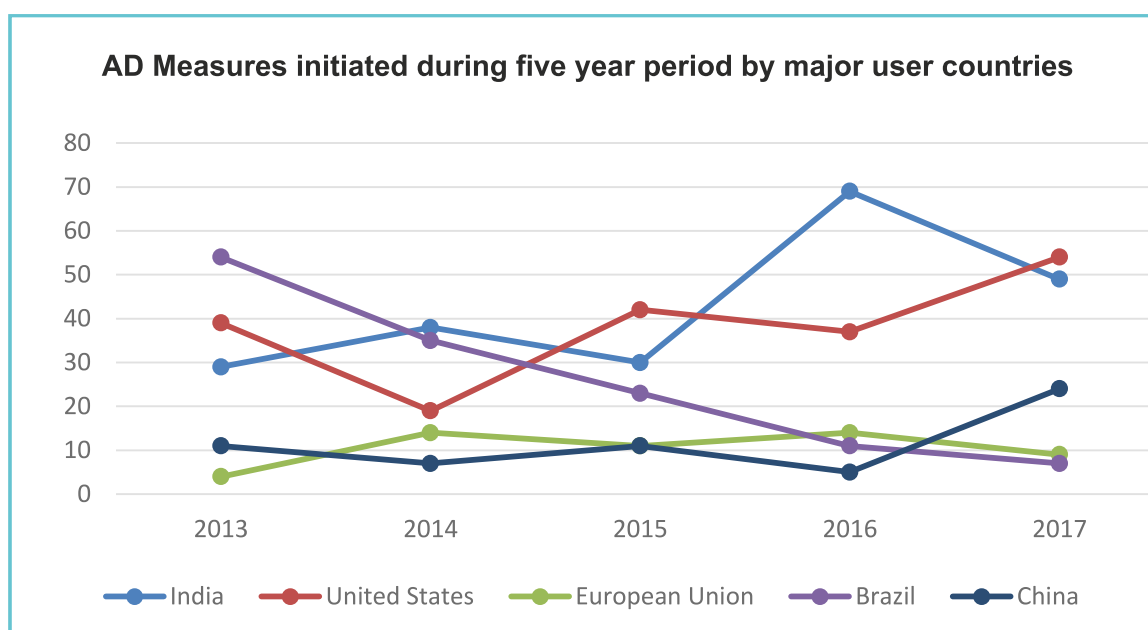
* Source WTO

** Provisional Data from SAR

9. The following analysis indicates trends in initiation of ADD measures on year to year basis for last 5 years by the major user countries:

10. The trend indicates that the investigations initiated by India as percentage of global measures have

declined and have come down to 20% during 2017 from 23% during 2016 when seen as percentage of the global investigations initiated. The same declining trend is also noticed in case of EU & Brazil, whereas initiations have increased significantly by USA (from 12% to 22%) and China PR (from 2% to 10%) during 2017 as compared to 2016.



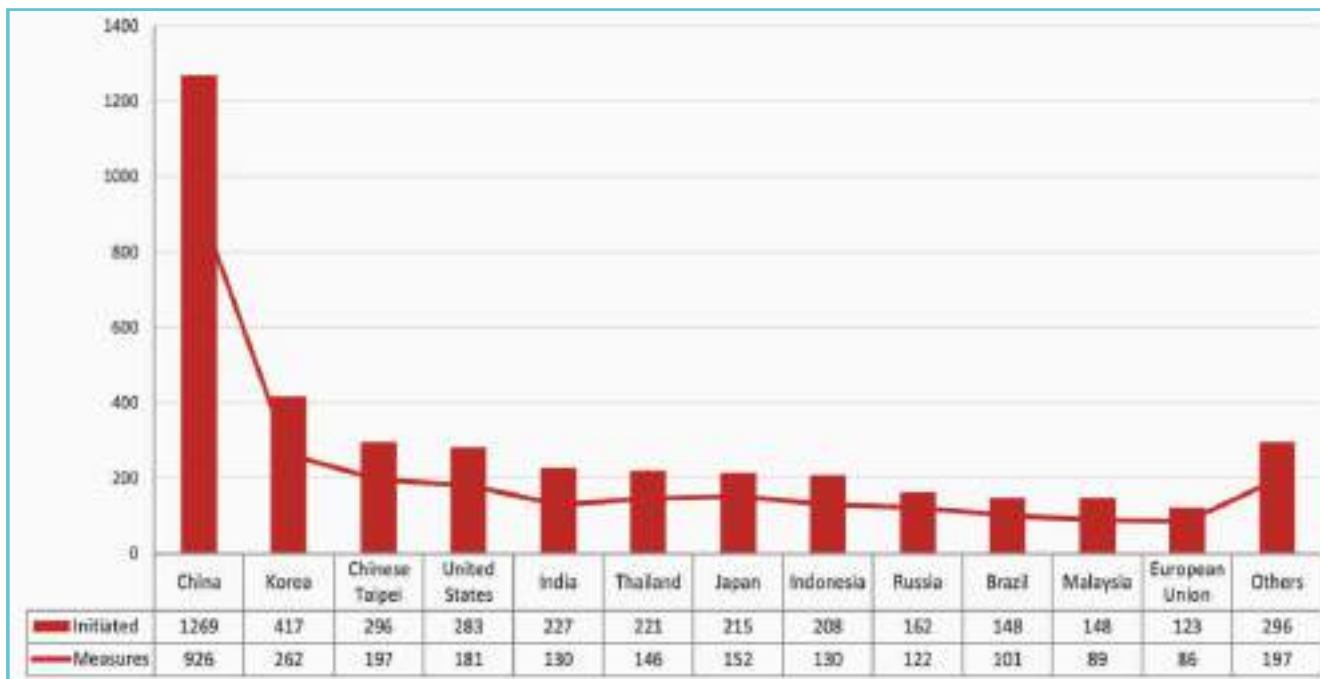
* Source WTO

Target Countries of Anti-Dumping Measures

11. As per WTO data, Anti-dumping measures have been applied on 3604 new products during 1.1.1995 to 31.12.2017. The exports from China have been subjected to the highest number of investigations (1269 initiated, 926 measures imposed) followed by Korea (417 initiated,

262 measures imposed), Chinese Taipei (296 initiated, 197 measures imposed), USA (283 initiated, 181 measures imposed) and India (227 initiated and 130 measures imposed). Exporters of Thailand, Japan, Indonesia, Russia, Brazil, Malaysia and European Union are also amongst the leading targets of AD Investigations.

Major Target Countries of AD Investigations



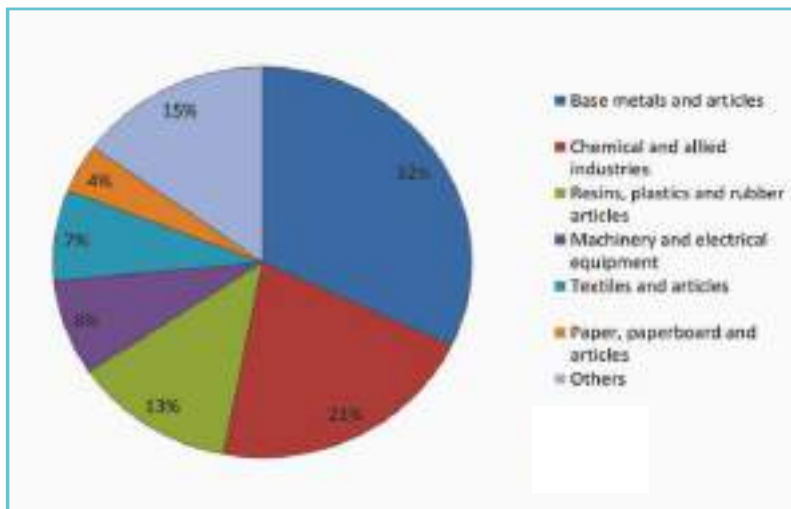
*From 01.01.1995 – 31.12.2017; Source WTO

Sector wise Anti-Dumping Measures

12. The sector-wise distribution of Anti-Dumping measures imposed by WTO member countries globally is quite varied. Base Metals and Articles constitute 32% of the total cases on an average where ADD was

imposed, followed by Chemical and Allied Industries, Resins, Plastics and Rubber, Machinery and Electrical Equipment, Textiles and Articles and Paper, Paper Board and Articles. In other words, most trade remedy measures seem to have been imposed on products for industrial use.

Sector-wise Anti-Dumping Measures Imposed Globally



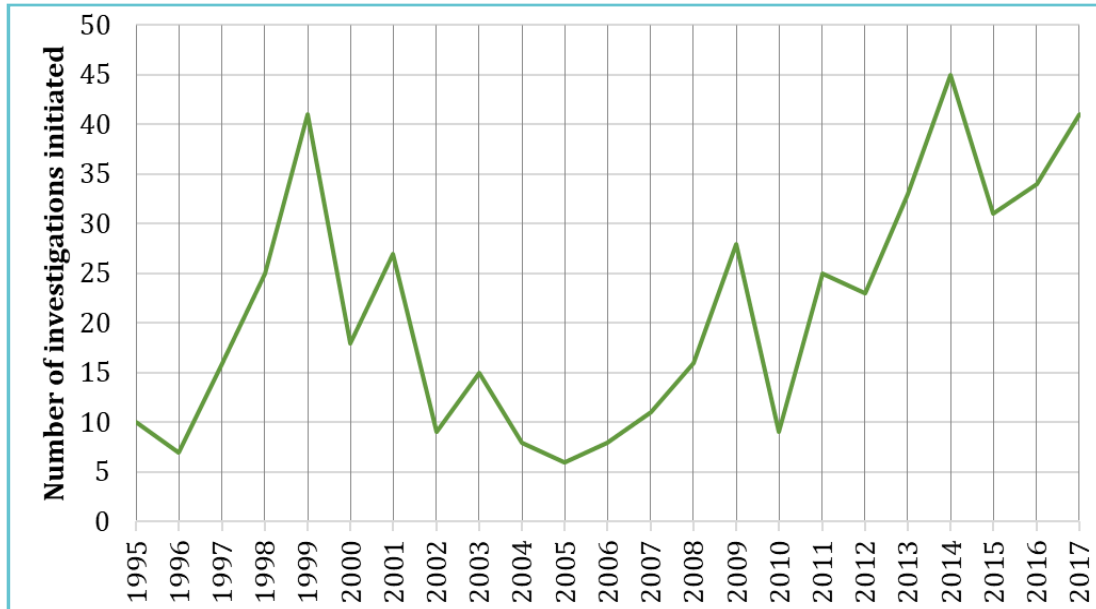
*From 01.01.1995 – 31.12.2017; Source WTO

Countervailing Duty

13. The Countervailing Duty Measures are generally less frequently used trade remedy measures in terms

of absolute numbers due to complex nature of these investigations as compared to ADD. However, there is a sharp increasing trend in the total number of countervailing duty investigations since 2010.

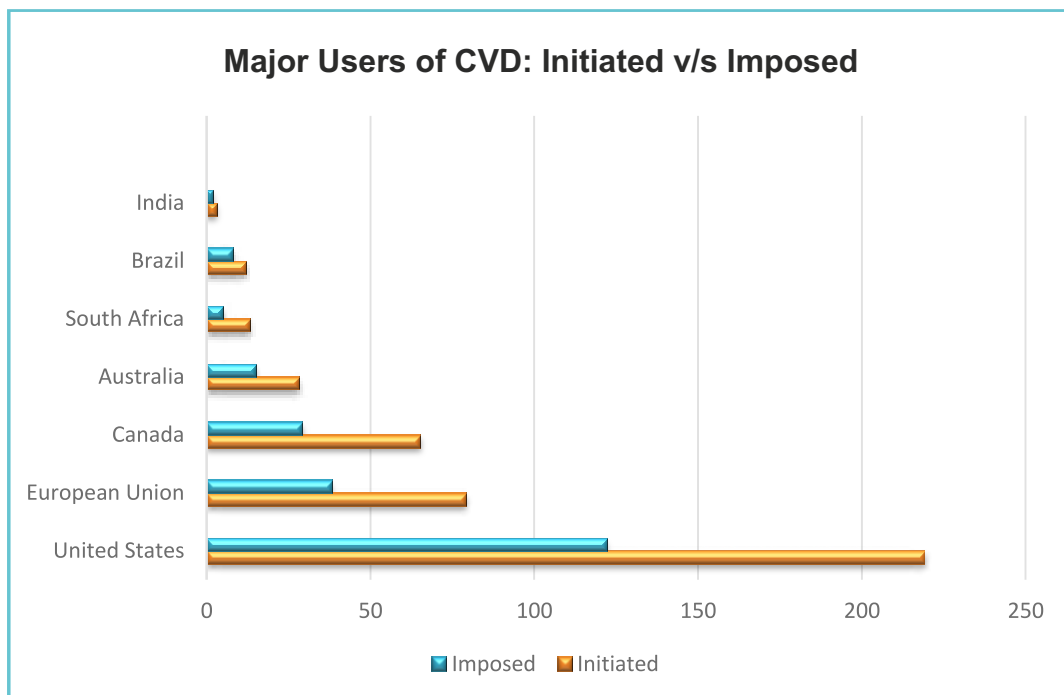
Trend in Countervailing duty Investigations (Initiations)



**From 01.01.1995 – 31.12.2017; Source WTO*

14. United States is the major user of Countervailing duty measures (219 initiations, 122 measures) followed by European Union (79 initiations and 38 measures), Canada (65 initiations and 29 measures) and Australia (28 initiations and 15

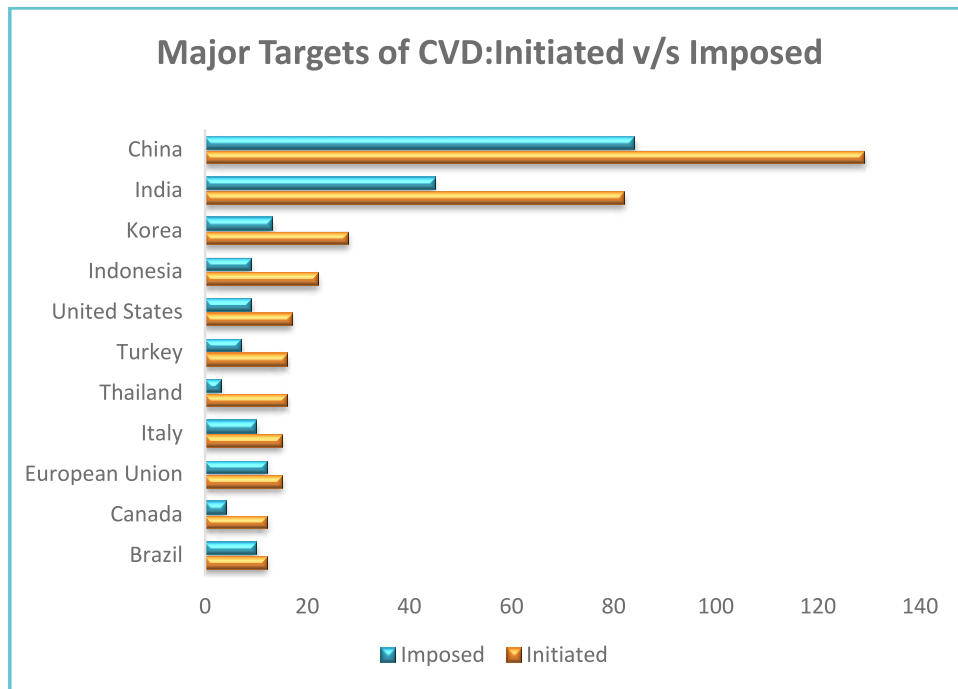
measures). It is clear that the developed countries are using the countervailing measures more frequently though the total CVD investigations are much less in numbers as compared to ADD investigation in absolute terms.



**From 01.01.1995 – 31.12.2017; Source WTO*

15. A total of 486 anti-subsidy investigations were initiated till 31.12.2017. Out of that 27% of investigations were against exports from China resulting in 84 impositions. Exports from India were

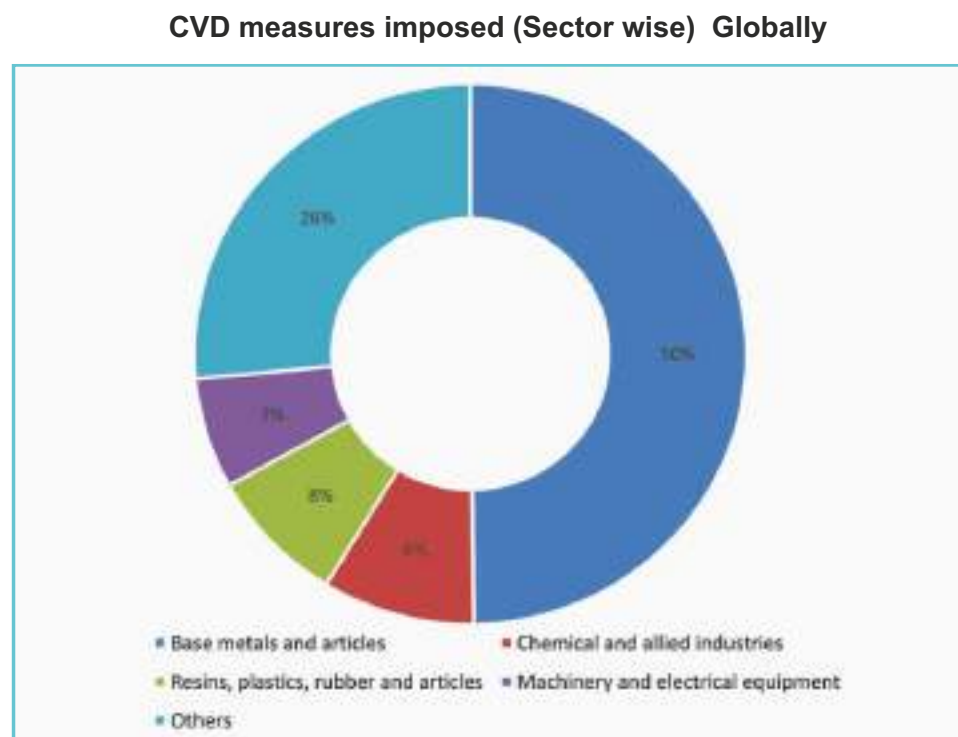
subject to second highest number of CVD initiations (17%) and 45 impositions, followed by Korea (13), European Union (12), Italy (10), Brazil (10), USA (9) and Turkey (7).



*From 01.01.1995 – 31.12.2017; Source WTO

16. The sector-wise distribution of CVD Measures imposed by WTO members globally from 1995 to 2017

shows that Base Metals and Articles constitute the bulk of cases in which the CVD Measures were imposed.



*From 01.01.1995 – 31.12.2017; Source WTO

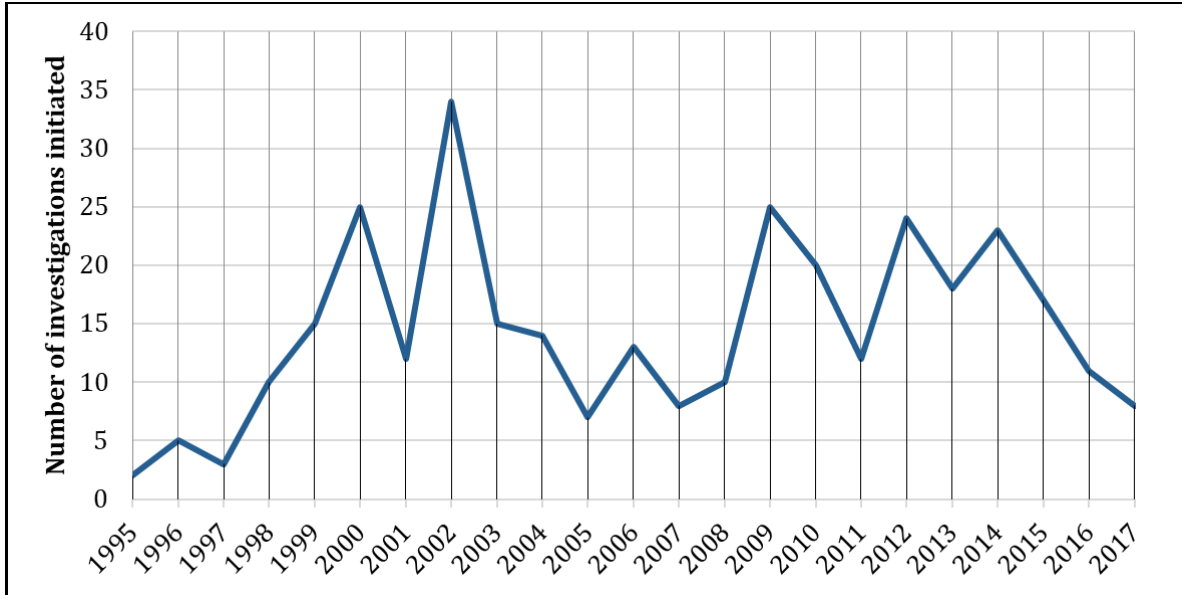
Safeguard Duty

17. A WTO member may take a “safeguard” action (i.e., restrict imports of a product temporarily) to protect a specific domestic industry from a sudden surge in imports of any product which is causing, or is threatening to cause, serious injury to the industry.

However, they were infrequently used, and some governments preferred to protect their industries through voluntary export restraint arrangements on products.

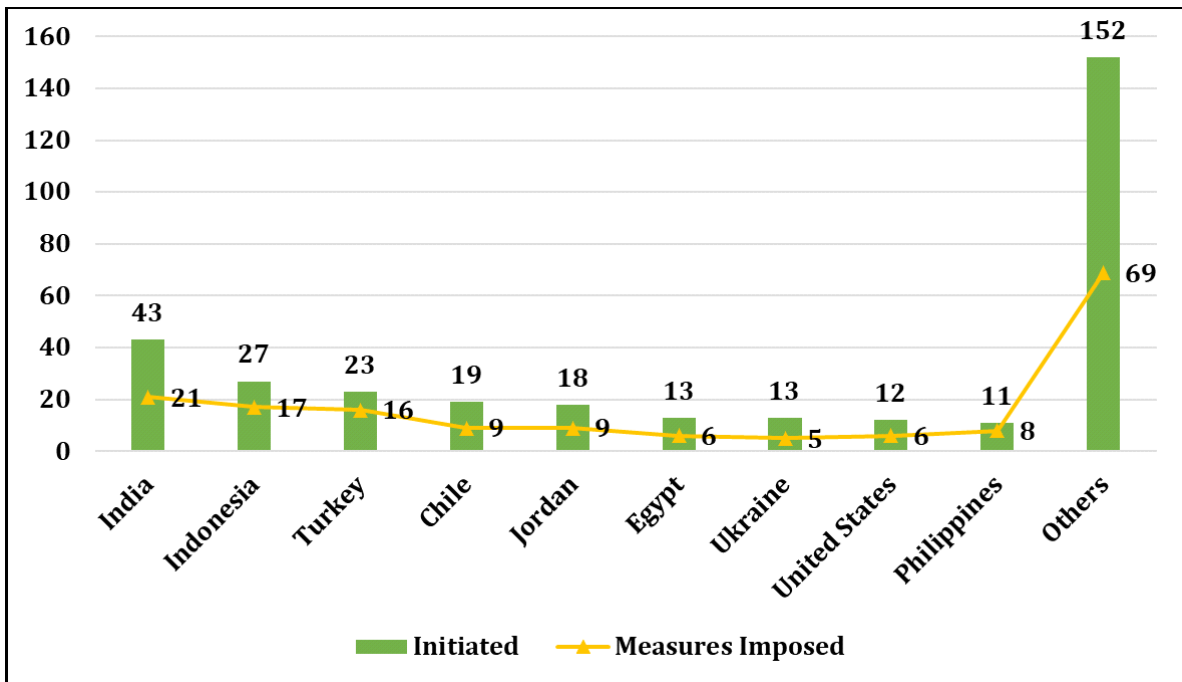
18. The trend in initiation of safeguard investigations is showing a decrease since 2014 as depicted below:

Global Trend in Safeguard Investigations



*From 01.01.1995 – 31.12.2017; Source WTO

Major Users in Safeguard Investigations

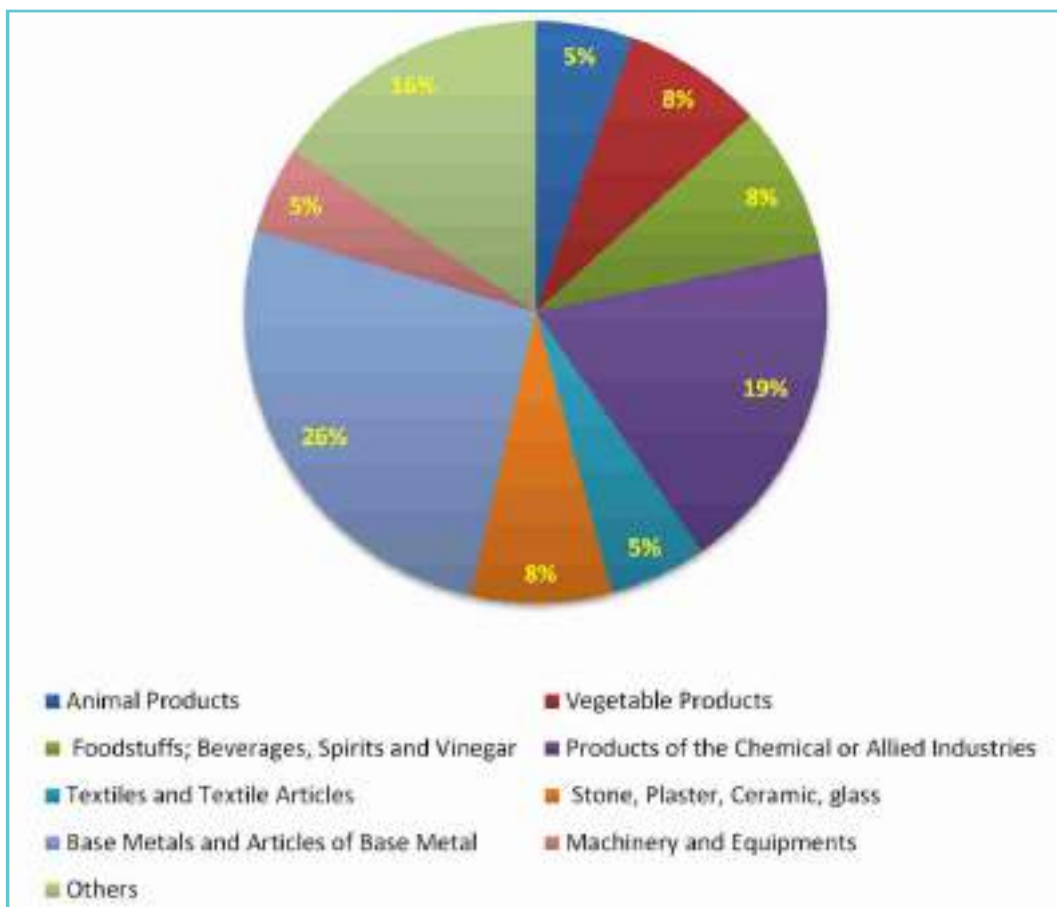


*From 01.01.1995 – 31.12.2017; Source WTO

19. The sector-wise distribution of Safeguard Measures imposed by WTO members globally from 1995 to 2017 shows that Base Metals and Articles constitute the bulk of cases in which the safeguard

Measures were imposed. In fact, out of the total Safeguard Cases where measures are imposed, 26% belong to Base Metal and Articles category followed by Chemicals and Allied Industries (19%).

Sector wise Global Safeguard Measures Imposed



**From 01.01.1995 – 31.12.2017; Source WTO*

20. The purpose of trade remedy measure, in general, is to eliminate injury caused to the Domestic Industry in the importing country by the unfair trade practices by the exporting country so as to re-establish a situation of open and fair competition, which is in the general interest of a fair international trade. It is recognized that the imposition of the measures might affect the

price levels of the downstream products and consequently might have some influence on relative competitiveness of these products however, it is necessary to ensure a healthy competition and a level playing field for the domestic industry in the importing countries. Therefore, the trade remedy measures need to be used very judiciously in deserving cases only.



INDIA'S EXPERIENCE IN TRADE REMEDY INVESTIGATIONS

Liberalization has opened up world trade to free competition. However, there have been instances of unfair pricing/ countervailable subsidies by some exporters/ exporting countries, necessitating action under trade remedial measures by the importing country. Since India is one of the largest growing economies with a huge demand base, it has become a frequent target of such unfair practices by trading partner countries. DGTR has been making efforts to provide a safety net to insulate the domestic industry from threats arising out of trade liberalisation and to create enabling environment for the Indian domestic industry to tackle challenges and avail opportunities arising out of globalisation and economic liberalisation.

2. Trade remedy investigations often involve products that are critical to the growth of the Indian economy. Timely completion of investigations are necessary to relieve the domestic industry of the uncertainties generated by trade distortive practices, especially since fast-changing technology can make products obsolete in just a few years. Therefore, adherence to time lines and fair investigations become very important.

3. The steps taken by DGTR can have significant impact on competitive conditions, profitability, and employment in affected domestic industries as well as related downstream and upstream industries. Therefore, it needs to be understood that any protection to one industry may involve higher costs of inputs for downstream user industry. In view of above, any final decision by the Government has to take into consideration the public interest also in the form of overall interest of the country.

4. DGTR has also been entrusted with the

responsibility of defending India's interest in trade remedial actions initiated by other countries against Indian entities. Therefore, DGTR has a very critical role in filing the submissions on behalf of Government of India, particularly because Indian exporters (especially MSMEs) are many a times unaware of the procedures, time lines and complexities of long drawn investigations, which render them vulnerable to higher intensity of measures due to minor avoidable lapses.

5. Trade Remedy Investigations by INDIA

5.1 India is one of the major users of trade remedial measures. Major product categories for which trade remedy measures were applied to protect the injured domestic industry pertain to chemicals & petrochemicals, pharmaceuticals, steel & other metals, textiles/fibres/ yarns etc. The countries / customs territories involved in alleged trade distortive practices in their exports to India were mainly China PR, European Union, Korea RP, Chinese Taipei and Thailand.

5.2 India has initiated 652 trade remedy investigations since its inception in 1992 till 31st March 2019 consisting of 600 Anti-Dumping cases (287 original investigations & 313 review investigations), 9 Countervailing and 43 Safeguards investigations. These statistics include the number of investigations initiated by erstwhile DGAD, DG (Safeguards) and DGTR. This is irrespective of number of subject countries involved in each of these initiations. WTO data, as per practice, considers each subject country as a separate initiation and counts original investigations only while collating initiations/impositions, the details thereof can be seen in the previous section.

Total investigations initiated by India (1.1.1992 –31.3.2019*)

AD Investigations	CVD Investigations	Safeguard Investigations	Total
600 (including 313 reviews)	9	43	652

* Source: Estimated Archived Data

5.3 As on 31.03.2019, the measures in force imposed by India against other countries are 139 anti-dumping measures, 2 countervailing measures and 2 safeguard measures. Based on WTO methodology, country-wise measures in force are 274 AD measures with highest number of measures against China (99 measures) followed by Korea (20 measures), Thailand (19 measures), Taiwan (18 measures), European Union (16 measures), Malaysia (13 measures) and Indonesia (11 measures). Detailed list of all existing measures by India is available at Annexure I – A, B and C.

5.4 The Directorate received 75 applications during 2018-19 requesting relief against alleged dumping, subsidization or surge in imports of various products by the exporters / exporting countries causing injury to the

domestic industry. The applications included 52 Anti-Dumping, 15 countervailing, 7 Safeguard cases and 1 refund application. After detailed scrutiny, the Authority initiated 29 investigations, consisting of 24 Anti-Dumping and 5 Countervailing Duty Investigations based on the merits of each case. The number of investigations were *prima-facie* lesser on account of intensified scrutiny at pre-initiation stage primarily to optimise the resources of the Authority thereby eliminating those applications found lacking in sufficient supporting evidence or documentation, at the initial stage itself.

5.5 Various types of Investigations initiated by erstwhile DGAD, DG (Safeguards) and present DGTR during the last ten years, have been collated as under:

Year-wise total number of investigations initiated by India

	Original	MTR	NSR	SSR	AC	CVD	SG	Total
2008-09	3	3	0	4	0	1	1	12
2009-10	15	3	2	6	0	0	10	36
2010-11	15	8	4	16	0	0	1	44
2011-12	9	7	2	9	0	0	1	28
2012-13	10	2	3	13	0	0	1	29
2013-14	18	3	0	17	0	0	3	41
2014-15	12	2	0	17	0	1	7	39
2015-16	19	5	1	9	2	0	2	38
2016-17	29	0	2	13	0	1	1	46
2017-18	21	1	5	14	2	1	1	45
2018-19	6	2	4	11	1	5	0	29

Source: DGTR

* DG, Safeguard (merged with DGTR on 17.5.2018)

(Original-Original AD Investigation; MTR-Mid-Term Review Investigation; SSR- Sunset Review Investigation; NSR- New Shipper Review Investigation; AC-Anti Circumvention Investigation; CVD- Countervailing Duty Investigation)

5.6 During last one decade the Directorate (DGAD & DG, Safeguards) issued 430 final findings (recommending/not recommending imposition of measure). The year wise details are as below. This

includes the summary finding notifications and terminations issued in terms of Rule 14 where the petitions have been withdrawn.

Year-wise total number of final finding notifications Issued by India

Year	Original	MTR*	NSR	SSR	AC	CVD	SG	Total
2008-09	5	0	1	8	0	0	0	14
2009-10	17	7	1	11	0	1	15	52
2010-11	13	4	1	7	0	0	2	27
2011-12	20	10	1	13	0	0	4	48
2012-13	14	5	1	8	0	0	2	30
2013-14	8	3	2	13	0	0	4	30
2014-15	18	2	0	12	0	0	8	40
2015-16	16	2	2	26	0	1	2	49
2016-17	14	3	1	10	1	0	0	29
2017-18	34	3	2	17	1	1	0	58
2018-19	22	5	3	17	3	2	1	53
Total	181	44	15	142	5	5	38	430

Source: DGTR

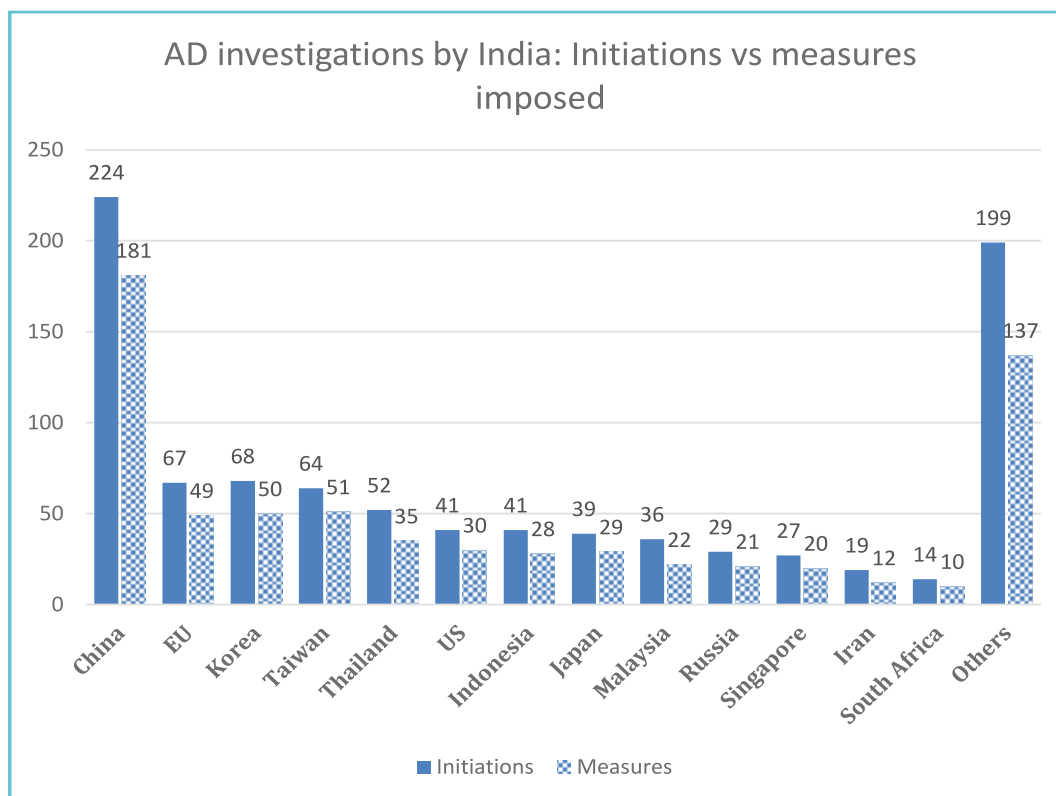
* Includes 3 name change findings issued in 2018-19

5.7 With regard to completion of investigations leading to issuance of final findings, the period of 2017-19 was very effective with 111 final finding notifications (58 during 2017-18 and 53 during 2018-19) due to strengthening of procedures, rules and timelines. This includes three anti-circumvention findings issued during the year 2018-19 as against one finding each issued earlier during 2016-17 and 2017-18. Similarly, in case of Anti-Subsidy, two findings were issued during the year 2018-19 as against one finding each earlier during 2015-16 and 2017-18. In case of NSR Investigations, three final findings were issued during 2018-19 as against 2 final findings during 2017-18 and one final finding during 2016-17. One Safeguard Final Finding was also

issued during 2018-19 as against 'Nil' during 2016-17 and 2017-18. These results were made possible due to dedicated efforts of the investigation teams. Separate details and analysis for Anti-Dumping, Countervailing and Safeguard cases are given in the following paragraphs.

6. Anti Dumping Measures

6.1 As mentioned above, ADD is the most popular and frequently used of all the Trade Remedy Measures globally. This trend is clearly visible in case of India too, which is amongst one of the largest users of ADD. The country wise imposition of ADD by India are as under:

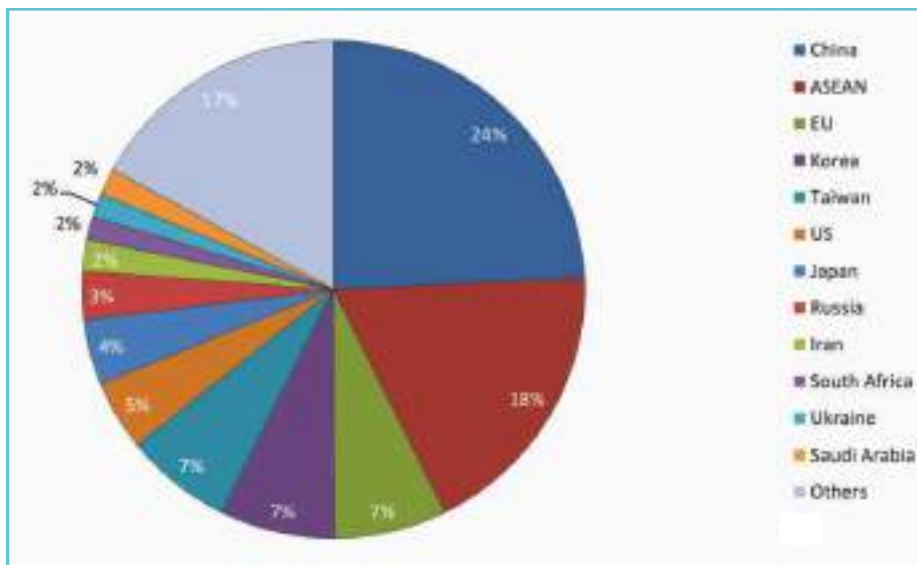


*Estimated based on WTO data 01.01.1995- 31.12.2018

6.2 The analysis shows that India has investigated highest AD measures against exports from China PR

followed by ASEAN member countries, Korea, Taiwan, European Union, USA etc.

AD Initiations by India

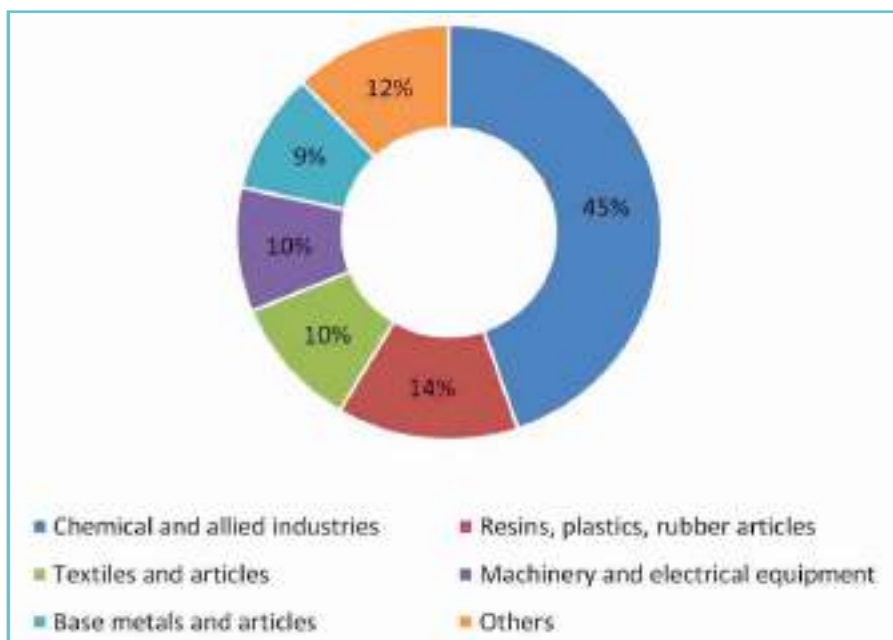


**Estimated based on WTO data 01.01.1995- 31.12.2018*

6.3 The bulk of Anti-Dumping measures by India are in Chemical and Allied industries sector which constituted 45% of the total measures imposed by the country upto the year 2018. It is followed by sectors like Resin, Plastic and Rubber Articles (14% of the total measures imposed). The sectors of Textiles & Articles and Machinery & Electronic Equipment each hold 10%

share in total measures imposed by India. Measures imposed in Base Metal & Articles sector constituted 9% of the measures imposed. This is in sharp contrast to the global trend wherein most of the measures have been imposed on base metals and articles (almost 32%) followed by Chemicals and Allied Industries which constituted around 21% of the global measures imposed.

Sector wise measures imposed by India



**Estimated based on WTO data 01.01.1995- 31.12.2018*

6.4 The Anti-Dumping investigations can be categorized into Original Investigations, Review Investigations and Anti Circumvention. The Directorate initiated 24 Anti-Dumping investigations during 2018-19, which included six Original Investigations, one anti-circumvention investigation and 17 review investigations. The case wise

list of all initiations during 2018-19 is at Annexure-II. The Directorate issued 53 final findings during the year 2018-19, which included 50 ADD final findings. This has led to sharp decline in pending cases. A case wise list of all ongoing investigations as on 31.03.2019 is at Annexure-III.

Original Investigations

6.5 As mentioned above, 6 (six) Original ADD Investigations were initiated during 2018-19, which consisted of initiations against 19 countries. The Directorate issued 22 findings pertaining to Original

ADD Investigations during the same period which consisted of 18 investigations initiated during previous year and 4 investigations initiated during the current year. The year-wise break-up of the total original investigations initiated and finalized can be summarised as under:

Investigations Initiated and Final Findings issued by DGTR



6.6 The Government imposed 16 new measures based on the recommendations contained in the final findings issued. Out of 16 impositions, the country wise impositions are 31.

6.7 It is clearly seen from above, that the highest ever final findings were issued during the period

2017-19. A case wise list of final findings issued during 2018-19 is given at Annexure IV. This almost eliminated the pendency in the case of original anti-dumping investigations. The number of on-going original investigation as on 31.03.2019 was merely 2 (two), which is the lowest ever number.

TIME TAKEN FOR COMPLETION OF INVESTIGATIONS

The highest ever final findings numbering 58 were issued during 2017-18 followed by 53 final findings during 2018-19. The number of days, counted from the date of initiation to issue the final finding has come down to 281 days during 2018-19 as against more than 400 days during the previous years. For example, the investigation, from initiation to final finding, pertaining to Graphite Electrodes was completed in 126 days and investigation for Melamine was completed in 150 days.

Review investigations:

New Shipper Reviews

6.8 As per the Agreement and the National legislation, the Authority considers applications from new exporters located in the exporting country in question which did not export the product during the original investigation period in order to establish an individual dumping margin. However, there have been few investigations for New Shipper Reviews world over during last one decade.

6.9 New initiatives were taken to bring in transparency and fairness into the NSR investigations by way of prescribing a new application format to bring uniformity of application and a Trade Notice was also issued to ensure that the NSR investigations are processed objectively and transparently in the prescribed timeframe. The Authority initiated four investigations during 2018-19. Three final findings were issued during 2018-19, which is the highest in the recent years.

Mid Term Review

6.10 As per the Agreement and the National legislation, the Authority considers applications, having sufficient positive evidence, for review of the prevailing measure on the grounds of changed circumstances of the stakeholders. Two Mid-Term Reviews were initiated during 2018-19 and two final findings were issued during this period.

6.11 In addition, four applications for name change, which were hitherto treated as full investigations, were disposed of quickly as per the new ‘Summary Proceedings’ methodology. Trade Notice No. 12/2018

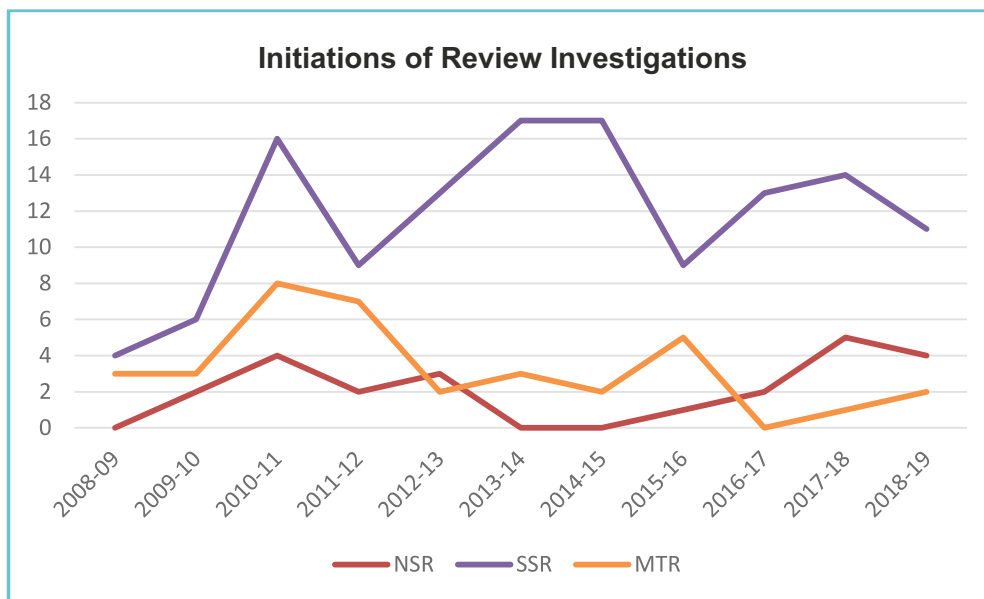
dated 17th September 2018 simplified the procedures in case of name change requests which may fall under the category of change of name as a matter of ‘record’ only. This simplifies the otherwise complex and time consuming mid term review procedure and expedites the findings in the form of ‘Speaking Order’ after obtaining comments of all the stakeholders in the prescribed timeframe and placing them in the public file for examination by all the interested parties. The Authority takes the final view based on the comments so received after hearing all the interested parties in the ‘Oral Hearing’. The procedure of ‘Summary Proceedings’ allows the required action in such cases in minimum time frame.

All the pending 4 (four) applications for change in name were finalised within 3 months of the issue of Trade Notice No. 12/2018 dated 17.09.2018 prescribing therein the methodology of summary proceedings expediting the relief.

Sunset Review

6.12 The Authority considers applications regarding need for continuation/ extension of the prevailing trade remedy measures in a SunSet Review investigation. During 2018-19, Anti-Dumping measures in 15 cases were due for expiry. The domestic industry did not file

any petition for review of imposed anti-dumping measures in 3 cases. The Authority initiated 11 review investigations during 2018-19 based on specific written applications received from the Domestic Industry. The Authority also issued 17 final findings during 2018-19 for SunSet Review investigations. The case wise list of final findings can be seen at Annexure-IV.



6.13 The SSR applications and consequent review initiations are generally higher as compared to NSR and MTR investigations. Anti-Dumping Duty is generally imposed for 5 years in India and as a normal practice SunSet Review investigations are generally undertaken against a specific written application from domestic industry filed prior to expiry of the measure. A Trade Notice No. 02/2017 dated 12-12-2017 was issued regarding guidelines

and procedures for filing of SSR Applications. This Trade Notice also provides for timelines to be followed in SSR cases. This ensured that all final findings were issued within the period under the Rules. The MTR can be filed by exporters, importers, users or their Associations seeking modification or termination of duty. It has been seen over the years that such requests are very few. However, it is a necessary tool in case of change of circumstances etc., where

prevailing duty needs to be adjusted in line with changed circumstances duly supported by evidence and documentation.

Anti-Circumvention Investigations

6.14 The Authority considers application where evidence is brought before it to show that imposed measures are being circumvented. The circumvention can be of various types and follows the discipline mentioned in the Rules. It may be noted that neither the Anti Dumping Agreement nor any other legal instrument under WTO has any provision concerning anti-circumvention of ADD. Nonetheless, many countries apart from India, such as the European Union, the United States, Australia, and Canada have their own anti-circumvention provisions within their domestic anti-dumping frameworks. In India, the provisions concerning anti-circumvention were introduced vide Section 58 of the Finance Act, 2011, accordingly, Section 9A(1A) was inserted in the Act. These provisions act as a deterrent for circumventing the measures imposed. There have been very few investigations of Anti-Circumvention world over including in India.

6.15 The DGTR issued the first ever finding in anti-circumvention investigation during 2016-17 followed by another one during 2017-18. The number of final finding notifications during 2018-19 were highest ever as the Authority issued three findings made possible by stricter monitoring of the investigations. There was no pending anti-circumvention investigation as on 31.03.2019.

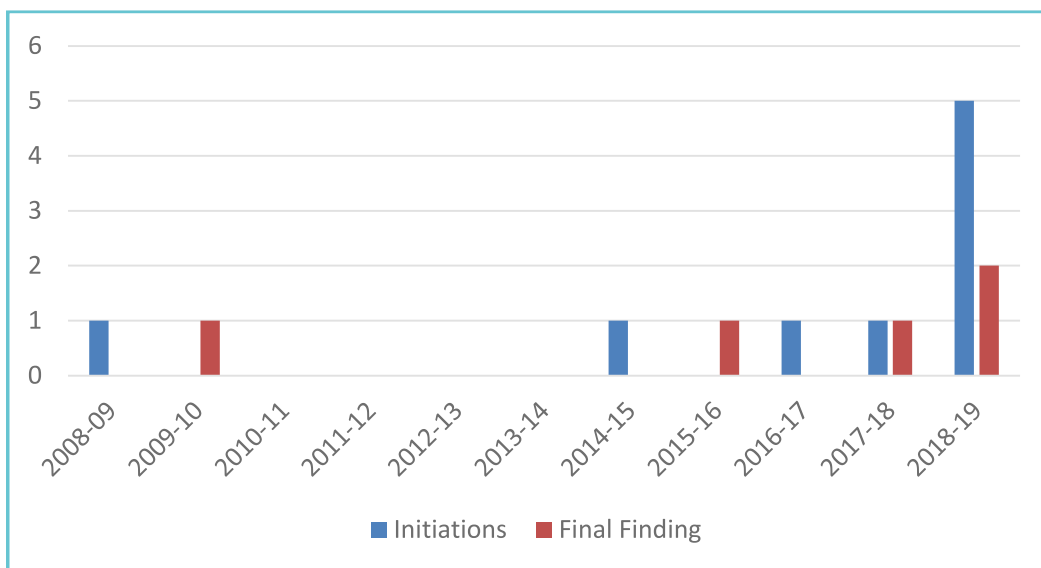
7. Countervailing Investigations by India

7.1 The SCM Agreement allows imposition of

Countervailing Duties (CVDs) and prescribes the provisions for such imposition with a view to increase and improve the GATT disciplines relating to the use of both subsidies and countervailing measures. CVDs are applicable when a government in the exporting country provides subsidies or assistance to a local industry which could be in the form of subsidized loans, tax exemptions, indirect payments, etc. The assistance provided enables these foreign suppliers and manufacturers to potentially export and sell the goods for a price less than that at which domestic companies of the target member country can reasonably sell. Countervailing Duties are meant to neutralize the adverse effects of the subsidies allowed for a particular product in the exporting country, on the same industry in importing country. The subsidies create an unfair advantage to the exporting producer and distort fair trade. Therefore, member countries are becoming very wary of these practices and globally there is an increasing trend in number of CVD investigations, as can be seen in the previous chapter.

7.2 The year 2018-19 was a landmark year for DGTR as highest ever initiations of anti-subsidy investigations took place. The Directorate received 15 applications from the domestic industry seeking anti subsidy action which in itself was highest number indicating the increasing trend in allegations towards trade distortions due to subsidisation. After proper scrutiny and mandatory consultations with alleged exporting country, the Authority initiated 5 CVD Investigations as detailed at Annexure II B. The Authority issued two final findings against these investigations during the year. The ongoing investigations will be completed within the stipulated period. List of CVD measures in force as on 31.3.2019 is at Annexure IB.

CVD Investigations Initiated and Final Findings issued by DGTR



8. Safeguard Investigations Initiated By India

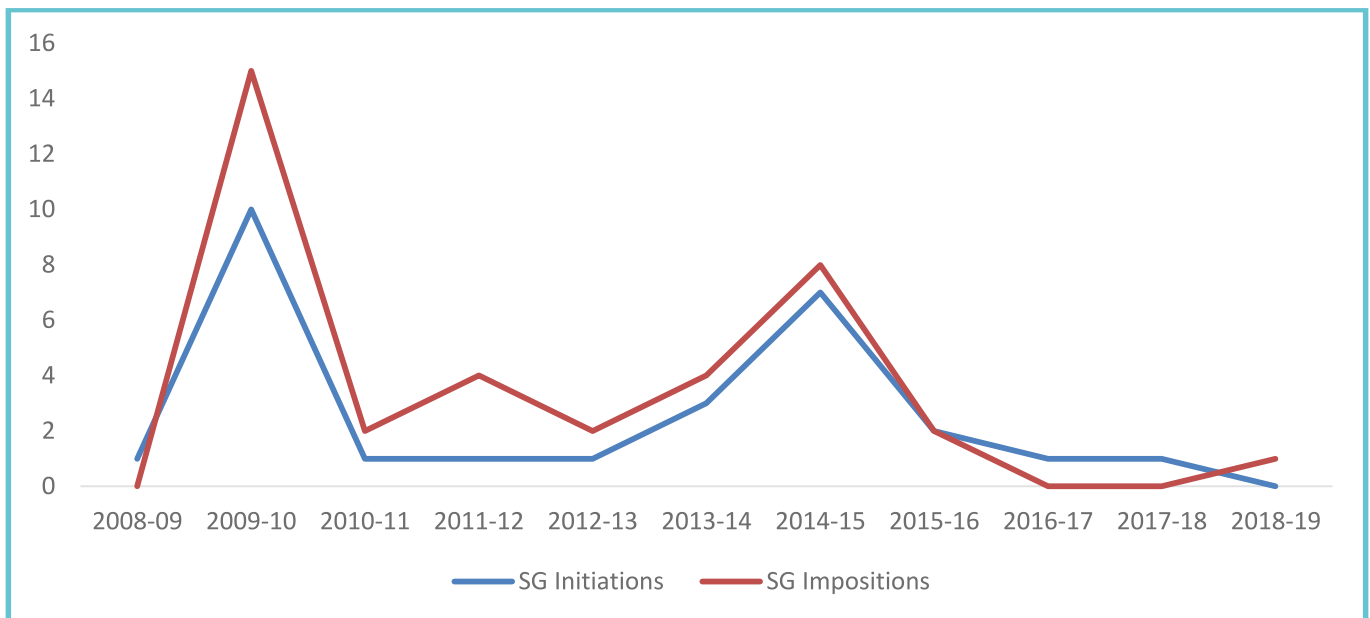
8.1 Safeguard Measures are one of the three types of trade remedy measures, along with anti-dumping and countervailing measures, available to WTO Members. Safeguard measures are defined as “emergency” actions to address serious injury to the importing Member’s domestic industry and is used as temporary relief when imports of a particular product suddenly increase to a point that they cause or threaten to cause serious injury to domestic producers of like or directly competitive products. Safeguard duties give domestic producers a period of grace to become more competitive vis-à-vis imports. Thus, safeguard measures, unlike anti-dumping and countervailing measures, do not

require a finding of an “unfair” practice (generally) and are applied on MFN basis i.e. they are applicable against all the countries with uniform rate of duty unlike the anti-dumping duties.

8.2 India with its fast growing consumer base is attracting huge imports into the country which in some cases affects the interest of the domestic industry, thus India had to resort to use of safeguard measures. India has initiated 43 safeguard investigations from 1995 to 31.3.2019 and imposed SG measures in 22 cases. The chart below presents the number of Safeguard cases initiated and measures by India annually during last one decade.

8.3 During 2018-19 the work of Safeguard

Safeguard Investigations Initiated and Measures Imposed by India



* Source: Estimated Archived Data

Investigations was transferred from DG Safeguard, Department of Revenue to DGTR. During the year the Directorate received 6 applications seeking imposition of safeguard tariff and one application seeking quantitative restriction. The examination of applications revealed that the same were not accompanied by sufficient positive evidence, therefore Authority did not initiate any new safeguard investigation. However, the Authority issued one final finding regarding imposition of safeguard measure (Solar Cells) against the investigation initiated during the year 2017-18.

9. Trade Remedy Investigations Against Exports From India

9.1 To capitalise the advantages of opening

international markets and globalisation, it is necessary that India is able to export smoothly to other countries. However, Indian exports have been facing trade remedial investigations in other countries, which may affect the natural competitive advantage enjoyed by the country in some of the products due to its local and intrinsic strengths.

9.2 In totality India has been a target of 235 Anti-Dumping investigations, 86 Countervailing investigations and 308 Safeguard cases from 1995 onwards till 31.03.2019. Since a Safeguard case applies against all the countries equally on MFN basis, it may be understood that all these cases are also targeting India however, not all products could be of economic relevance to India.

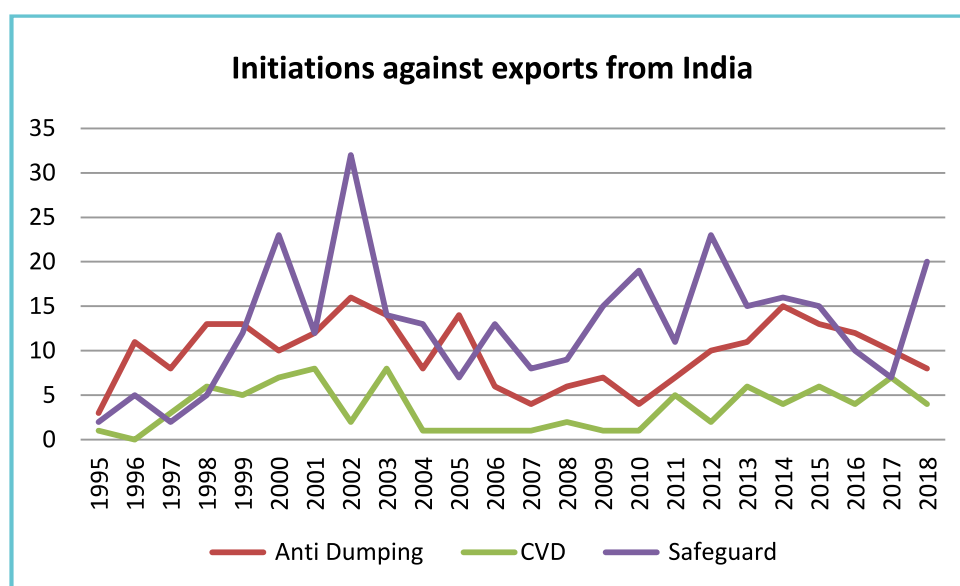
Total investigations initiated against India (1.1.1995 –31.3.2019*)

ADD Investigation	CVD Investigation	Safeguard Investigation	Total
235	86	308	629

* Source: Estimated Data

9.3 Trade remedy action against India over last two decades show that safeguard investigations are in lead in terms of number of cases initiated followed by ADD investigations and then CVD

investigations. There is a declining trend during the recent years in ADD & CVD investigations against India, however safeguard initiations have increased during 2018.



9.4 To strengthen the efforts for defending the cases initiated against exports from India, the Department had established a CVD Cell on 01.04.2016 in erstwhile DGAD with an aim to defend CVD investigations initiated by WTO member countries against exports from India. This was necessitated in view of trade protectionism being adopted by many economies as well as raising concerns over the increasing use of trade remedial measures by other member countries. The Cell has now been restructured into Trade Defence Wing (TDW). TDW is the nodal point for defending Indian exports against the trade remedy investigations initiated by other countries.

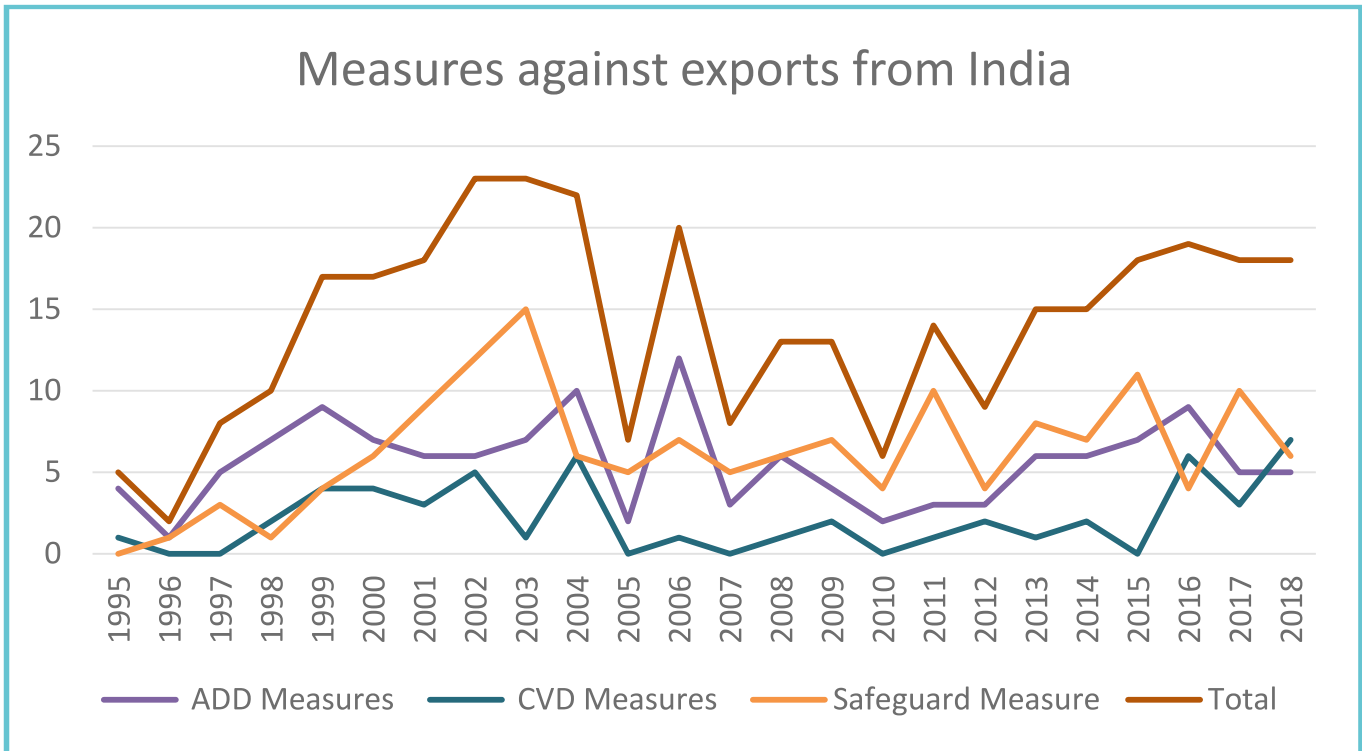
9.5 The WTO member countries have so far initiated 235 Anti Dumping investigations against India from 1992 till 31.3.2019 against which the measures imposed were 135. India was a target of 8 original investigations during 2018-19 in addition to reviews, as detailed in the list at Annexure V. The Directorate is putting in place the infrastructure to extend support to Indian producer exporters through Indian Embassies/High Commission and monitoring of progress of ADD cases as well.

9.6 As for Countervailing investigations, India was target of 86 initiations against which, around 52 measures were imposed during the period 1995 to 31.03.2019. The member countries initiated 10 Cases (including 4 original initiations and 6 review investigations) of CVD against India during 2018-19, the case wise list is annexed at Annexure-VI. USA has initiated the highest number of five cases (3 original investigations and 2 review investigations) against India followed by European Union (3 review investigation and 1 duty refund review). China has also initiated one original CVD investigation against India during the year 2018-19. The cases were duly represented by DGTR defending the allegations against the different schemes/programmes of Government of India/State Governments. All efforts were made to ensure compliance with requirements within the prescribed timelines. This was possible due to a detailed framework being put in place and documented in the Manual of Operating Practices, which is also available on the website of DGTR for the benefit of Indian Exporters and all other stakeholders. It may be added here that the numbers of investigations against India as mentioned above

pertain to fresh investigations only. No reviews or administrative reviews are counted by WTO. 33 CVD measures are in force against India as on 31.3.2019 as per the detailed case wise list at Annexure VII.

9.7 308 Safeguard investigations were initiated by WTO members from 1995 to 31.03.2019 against which 193 measures were imposed. 20 safeguard cases were initiated globally by other member countries during 2018-19. As the safeguard cases are against all the countries, Indian exports automatically get affected by

the investigation. Morocco, Philippines and Madagascar have initiated 3 cases whereas South Africa, Turkey and Russia have initiated 2 cases each besides one each by EU, Canada, Egypt, Indonesia & Thailand. A list of these cases is attached at Annexure VIII. Iron, Steel & their products attracted the highest number of Safeguard Investigations. Based on available information 27 safeguard measures are in force as on 31.03.2019. The major share of Safeguard measures is by Vietnam (4 measures) followed by 3 measures each by Indonesia, Morocco, Thailand and Turkey.

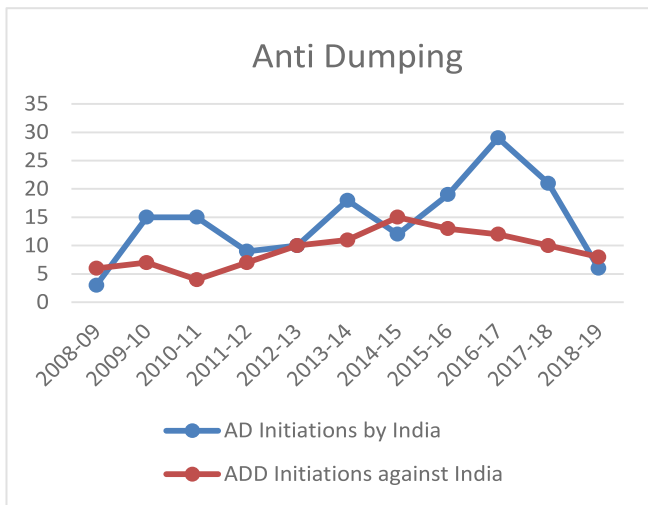


Source: Estimates based on WTO data

9.8 It is seen that the total measures effective against exports from India have been showing lows and highs with alternative peaks. During 2001 to 2006, total number of measures were the highest. The measures imposed show a declining trend upto the year 2010 and started increasing thereafter upto the year 2016. The measures were almost at the same level during the

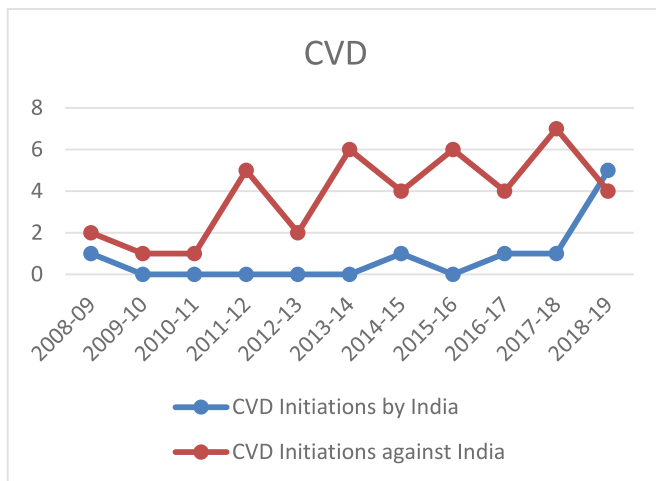
years 2017 and 2018. The analysis of measures imposed against exports from India further indicates that Safeguard measures are generally in lead, in terms of number of measures imposed, and closely followed by ADD Measures. However, during 2018 CVD measures imposed were slightly more than Safeguard Measures and Anti-Dumping Measures in numbers.

Summary of investigations by India & against India



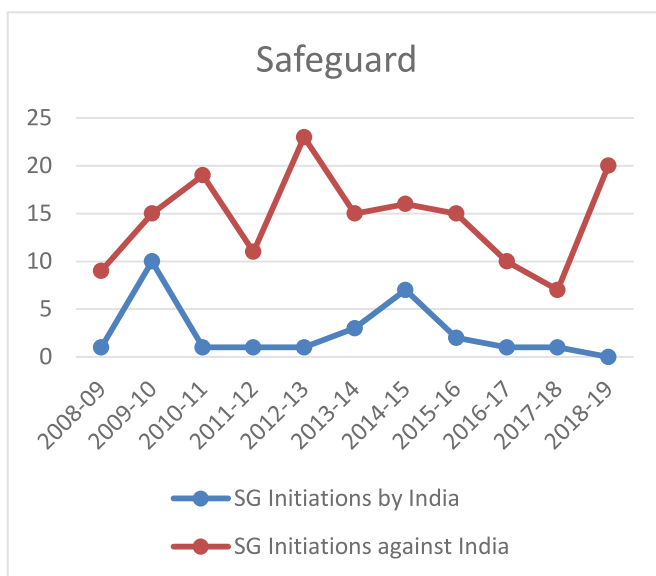
The data indicates that India had undertaken aggressive action in initiation of original anti-dumping investigations in the past. However, the trends indicate that cases by India are now declining in the recent years, especially during the year 2018-19 when India initiated only 6 original investigations against other member countries. Whereas, India was target of 8 investigations during the same period.

India has initiated anti-dumping investigations against China, Thailand, Korea and Indonesia whereas USA, Canada, Brazil, GCC, Mexico and China are the initiators of anti-dumping investigations against India.



India had initiated a few cases of CVD investigations during the recent past. However, this seems to have changed as India has initiated five CVD investigations during 2018-19. Most of the Indian cases are against China.

Investigations initiated against exports from India were four in number. USA is the major initiator of CVD measures against India. The cases initiated by India as well as initiated against India both pertain to Chemicals and Iron & Steel Products sector.



India has earlier done Safeguard investigations but has not initiated any case during 2018-19. However, WTO data indicates that there is global surge in Safeguard Cases during 2018-19. Products of steel and iron are mainly subject to initiation of Safeguard Investigations.

During 2018-19, Morocco, Philippines and Madagascar have initiated 3 cases whereas South Africa, Turkey and Russia have initiated 2 cases each besides one each by EU, Canada & Thailand.



Measures imposed by India and in force as on 31.03.2019

A. Anti-Dumping Duty

S.No.	Product Under Consideration	Country (ies) involved	Date of expiry of Duties
1	Ductile Iron Pipe	China PR	09-04-19
2	Aluminum Road Wheels	China PR, Korea RP, Thailand	10-04-19
3	Soda Ash	Russia and Turkey	16-04-19
4	Paracetamol	China PR	26-04-19
5	Phenol -I	Chinese Taipei, & USA	15-05-19
6	Peroxosulphate	USA, Chinese Taipei	15-05-19
7	Pre-sensitised Positive offset Aluminum Plates	China PR	08-06-19
8	PVC suspension grade Resin- I	EU and Mexico	12-06-19
9	Poly Vinyl Chloride (PVC) (suspension grade)- II	Chinese Taipei, China PR, Indonesia, Japan, Malaysia, Thailand, & USA	12-06-19
10	Certain Rubber Chemicals	China PR, Korea RP	23-07-19
11	Sodium Nitrite-I	EU	07-08-19
12	Ceftriaxone Sodium Sterile	China PR	13-08-19
13	Electrical Insulators	China PR	15-09-19
14	Sulphur Black	China PR	17-09-19
15	Diclofenac Sodium	China PR	20-11-19
16	Digital Versatile Disc Recordable (DVD-R's)	China PR, Hong Kong, & Chinese Taipei	20-11-19
17	Cable Ties	China PR, Chinese Taipei	08-12-19
18	Clear Float Glass	Pakistan, Saudi Arabia, and UAE	10-12-19
19	Pentaerythritol	Chinese Taipei	30-12-19
20	Acetone - I	Korea RP	17-02-20
21	Sheet Glass	China PR	12-03-20
22	Flexible Slabstock Polyol	Australia, EU, Singapore	06-04-20
23	PVC Paste Emulsion	Mexico, and Norway	06-04-20
24	Acetone II	Chinese Taipei, Saudi Arabia	15-04-20
25	Sodium Citrate	China PR	19-05-20
26	Pentaerythritol	Russia	21-05-20
27	USB Flash Drives	China PR, Chinese Taipei	21-05-20
28	Purified Terephthalic Acid	Korea RP, Thailand	26-05-20
29	Calculators	China PR	28-05-20
30	Acrylic Fibres - I	Thailand, Korea RP	01-06-20
31	Hot Rolled flat product of Stainless Steel of 304 Grade	China PR, Korea RP, Malaysia	04-06-20
32	Vitamin -E	China PR	09-06-20
33	Nylon Tyre Cord Fabric	China PR	11-06-20
34	Measuring Tapes	China PR	08-07-20
35	Phenol-II	South Africa	09-07-20
36	O-Acids	China PR	12-07-20
37	Compact fluorescent lamps (CFL)	China PR	27-07-20
38	Vitamin-C - I	China PR	06-08-20
39	Potassium Carbonate	Korea RP, Chinese Taipei	11-08-20
40	Flax Fabrics	China PR, Hong Kong	11-08-20
41	Diketopyrrolo Pigment Red 254	China PR, Switzerland	16-08-20

	(DPP Red 254)		
42	Caustic Soda	Korea RP, China PR	17-08-20
43	Phosphoric Acid	Korea RP	23-08-20
44	Acrylonitrile Butadiene Rubber (NBR) - II	Korea RP	03-09-20
45	Float Glass	China PR	07-09-20
46	Hexamine	China PR, UAE	20-10-20
47	Front Axle Beam and Steering Knuckles	China PR	20-10-20
48	All Fully Drawn or Fully Oriented Yarn/Spin Draw Yarn/Flat Yarn of Polyester	China PR, Thailand	20-10-20
49	Plain Medium Density Fibre Board	China PR, Malaysia, Thailand, & Sri Lanka	20-10-20
50	Carbon Black	China PR, Russia	17-11-20
51	Phthalic Anhydrite	Russia and Japan	03-12-20
52	Melamine Tableware and Kitchenware	China PR, Thailand, Vietnam	03-12-20
53	Plastic Processing Machinery	China PR	03-12-20
54	Gliclazide	China PR	07-12-20
55	Methylene Chloride	China PR, Russia	07-12-20
56	Purified Terephthalic Acid	China PR, Iran, Indonesia, Malaysia, & Chinese Taipei	09-12-20
57	Cold Rolled Flat Products of Stainless Steel	China PR, Korea RP, EU, South Africa, Chinese Taipei, Thailand, USA	10-12-20
58	Albendazole	China PR	13-12-20
59	Mulberry Raw Silk	China PR	27-01-21
60	Melamine	China PR	27-01-21
61	Phenol III	EU, Singapore, & Korea RP	07-03-21
62	Polypropylene - I	Singapore	07-03-21
63	Ofloxacin	China PR	14-03-21
64	Plastic Processing Machines or Injection Moulding Machines	Chinese Taipei, Malaysia, and Vietnam, Philippines	14-03-21
65	Resorcinol	China PR, Japan	20-03-21
66	2-Ethyl Hexanol	EU, Indonesia, Korea RP, Malaysia, Chinese Taipei, and USA	28-03-21
67	Glazed/Unglazed Porcelain/Vitrified Tiles polished or Unpolished finish with less than 3% water absorption	China PR	28-03-21
68	Tyre Curing Presses	China PR	28-03-21
69	N-Butanol	EU, Malaysia, Singapore, South Africa, and USA	12-04-21
70	Barium Carbonate	China PR	20-04-21
71	Methyl Ethyl Ketone	China PR, Japan, South Africa, Chinese Taipei	23-04-21
72	Synchronous Digital Hierarchy (SDH) transmission equipment.	China PR, Israel	25-04-21
73	Measuring Tapes	Chinese Taipei, Malaysia, Thailand, Vietnam	01-05-21
74	Recordable Digital Versatile Disc [DVD]	Thailand, Vietnam	12-05-21
75	Seamless Tubes and Pipes	China PR	16-05-21
76	Coumarin	China PR	26-05-21
77	Methyl Acetoacetate	China PR, USA	30-05-21

78	PVC Paste Resin	China PR, Korea RP, Malaysia, Chinese Taipei, Thailand, EU	22-06-21
79	Tetrafluoroethane or R-134 a of all types	China PR	10-07-21
80	Hot Rolled flat products of alloy and non-alloy steel in coils	China PR, Japan, Russia, Korea RP, Brazil, Indonesia	07-08-21
81	Plain Medium Density Fiberboards	Indonesia and Vietnam	13-07-21
82	Flouroelastomers (FKM)	China PR	27-07-21
83	PVC Flex Films	China PR	07-08-21
84	Viscose Staple Fibre	China PR, Indonesia	07-08-21
85	Cold rolled/ cold reduced flat steel products of iron or non-alloy steel of all widths and thickness	China PR, Japan, Korea RP, & Ukraine	16-08-21
86	Glass Fibre and articles thereof	China PR	31-08-21
87	Narrow Woven Fabric	China PR,	05-10-21
88	Low Ash Metallurgical Coke	Australia, China PR	24-11-21
89	Axle for Trailers	China PR	28-11-21
90	Uncoated Paper	Indonesia, Thailand, and Singapore	03-12-21
91	Jute Products	Bangladesh, Nepal	04-01-22
92	Linear Alkyl Benzene	Iran, Qatar, China PR	10-04-22
93	Flexible Slabstock Polyol	Thailand	10-04-22
94	Elastomeric Filament Yarn	China PR, Korea RP, Chinese Taipei, Vietnam	02-05-22
95	Aluminum Radiators	China PR	11-05-22
96	Clear Float Glass	Iran	11-05-22
97	Amoxicillin	China PR	15-05-22
98	Polytetrafluoroethylene (PTFE) -I	Russia	15-05-22
99	Aluminum Foil	China PR	15-05-22
100	Toluene Di isocyanides (TDI)	China PR, Japan, Korea RP	04-06-22
101	Ceramic Tableware and Kitchenware excluding knife, toilets items	China PR	11-06-22
102	Hydrogen Peroxide	Bangladesh, Chinese Taipei, Korea RP, Pakistan, Thailand	13-06-22
103	Sewing Machine Needles	China PR	21-06-22
104	Pentaerythritol-II	China PR	28-06-22
105	Polytetrafluoroethylene-II (PTFE)	China PR	27-07-22
106	Opal Glassware	China PR, UAE	08-08-22
107	Textured tempered Glass whether coated or uncoated	China PR	17-08-22
108	Sodium Nitrite- II	China PR	24-08-22
109	Casting for Wind operated Electricity Generators	China PR	29-08-22
110	Styrene Butadiene Rubber	Korea RP, EU, and Thailand	29-08-22
111	Ammonium Nitrate	Russia, Indonesia, Georgia, and Iran	11-09-22
112	Pneumatic Radial Tyres	China PR	17-09-22
113	Paranitroaniline	China PR	03-10-22
114	Wire Rod of alloy or non-alloy Steel	China PR	08-10-22
115	Colour coated/ pre-painted flat products of alloy and non-alloy steel	China PR, EU	16-10-22

116	Sodium Chlorate	Canada, China PR, EU	01-11-22
117	Certain Rubber Chemicals-II	China PR, EU	16-11-22
118	Sulphonated Napthalene	China PR	12-03-23
119	Dimethylacetamide	China PR, Turkey	19-03-23
120	MIPA	China PR	20-03-23
121	Engineered Wood Flooring	China PR, Malaysia, Indonesia, EU	26-03-23
122	Phosphorous Pentaoxide	China PR	05-04-23
123	Fishing Net	China PR, Bangladesh	09-04-23
124	Glassware	China PR, Indonesia	17-04-23
125	Ceramic Rollers	China PR	16-05-23
126	Saturated Fatty Alcohols	Indonesia, Malaysia, Thailand	24-05-23
127	Grinding Media Balls	Thailand, China PR	12-07-23
128	High Tenacity Polyester Yarn	China PR	12-07-23
129	Steel Wheels	China PR	12-09-23
130	Nylon Filament Yarn	EU, and Vietnam	05-10-23
131	Straight length Bars and Rod of alloy or non alloy Steel	China PR	17-10-23
132	Flax Yarn of below 70 Lea Count	China PR	17-10-23
133	Zeolite-4A	China PR	12-12-23
134	Methylene Chloride	EU, USA	03-01-24
135	Meta Phenylene Diamine (MPDA)	China PR	23-01-24
136	Nitrocellulose damped in Isoprypl Alcohol (IPA based NC)	Brazil, Indonesia, Thailand, and China PR	06-02-24
137	Textured Tempered Coated and Uncoated Glass	Malaysia	25-02-24
138	Acetone III	EU, Singapore, South Africa, & USA,	24-03-24
139	EVA Sheets	China PR, Saudi Arabia, Thailand, Malaysia	28-03-24

(B) Countervailing Duty

S.No.	Product Under Consideration	Country (ies) involved	Date of expiry of Duties
1	Castings of wind operated electricity generators	China PR	18.01.21
2	Certain hot rolled and cold rolled stainless steel flat products	China PR	06.09.22

(C) Safeguard Duty

S.No.	Product Under Consideration	Date of expiry of Duties
1	Hot - rolled flat sheets and plates(excl. hot rolled flat products in coil form) of alloy or non-alloy	22.05.19
2	Solar Cells whether or not assembled in modules or panels	29.07.20

Details of TRM Investigation initiated by DGTR during 2018-19

A. ADD cases

Sl. No	Product Name	Countries involved	Type of Investigation	Date of Initiation
1	EVA Sheet for Solar Module*	China PR, Malaysia, Saudi Arabia, South Korea and Thailand	Original	04-04-18
2	Certain Epoxy Resins*	China PR, European Union, Korea RP, Taiwan and Thailand	Original	04-04-18
3	Graphite Electrodes*	China PR	MTR	04-04-18
4	Non-Plasticized Industrial Grade Nitrocellulose *	Brazil, Indonesia and Thailand	Original	10-04-18
5	Soda Ash*	Turkey and Russia	SSR	16-04-18
6	Ofloxacin Ester*	China PR	AC	03-05-18
7	Methylene Chloride*	EU, USA and Korea RP	SSR	03-05-18
8	New-unused Pneumatic Radial Tyres	China PR	NSR	16-05-18
9	Paracetamol*	China PR	SSR	23-05-18
10	Nonyl Phenol*	Chinese Taipei	SSR	12-06-18
11	Saccharin*	Indonesia	Original	14-06-18
12	DASDA*	China PR	SSR	26-06-18
13	Jute Products	Bangladesh	NSR	02-07-18
14	Jute Products	Bangladesh	NSR	02-07-18
15	Acetone*	EU, SA, Singapore, USA	SSR	06-07-18
16	Aluminium Road Wheels*	China PR, Korea RP, Thailand	SSR	10-08-18
17	High Speed Steel	Brazil, China and Germany	Original	16-08-18
18	Ductile Iron Pipes	China PR	SSR	09-10-18
19	PVC Suspension Resin	China PR, Thailand, USA	SSR	29-10-18
20	Purified Terephthalic Acid	Korea and Thailand	SSR	31-10-18
21	Low Ash Metallurgical Coke	China PR and Australia	MTR	12-12-18
22	Electrical Insulators	China PR	SSR	10-01-19
23	Saturated Fatty Alcohols	Indonesia	NSR	14-01-19
24	CPVC	China and Korea	Original	28-03-19

*Cases have already been concluded during the year

B. CVD Cases

S.No.	Product Under Consideration	Country (ies) involved	Type	Date of Initiation
1	Stainless Steel Welded Pipes	China PR and Vietnam	Original	09-08-18
2	Sachharin	China PR	Original	10-08-18
3	FKM*	China PR	Original	14-08-18
4	Atrazine	China PR	Original	27-08-18
5	Continuous Cast Copper Wire Rods	Indonesia, Malaysia, Thailand, Vietnam	Original	10-09-18

* Withdrawn

Ongoing Trade Remedy Investigations by India as on 31.03.2019

S.No.	Countries involved	Product Involved	Case Type	DOI
1	China	Melamine	NSR	01-01-18
2	Bangladesh	Jute Products	NSR	18-01-18
3	Bangladesh	Jute Products	NSR	27-03-18
4	China PR	New (unused) Pneumatic Radial Tyres	NSR	16-05-18
5	Bangladesh	Jute Products	NSR	02-07-18
6	Bangladesh	Jute Products	NSR	02-07-18
7	China PR and Vietnam	Stainless Steel Welded Pipes	CVD	09-08-18
8	China PR	Sachharin	CVD	10-08-18
9	Brazil, China and Germany	High Speed Steel	Original	14-08-18
10	China PR	Atrazine	CVD	27-08-18
11	Indonesia, Malaysia, Thailand, Vietnam	Continuous Cast Copper Wire Rods	CVD	10-09-18
12	China PR	Ductile Iron Pipes	SSR	09-10-18
13	China PR, Thailand, USA	PVC Suspension Resin	SSR	29-10-18
14	Korea and Thailand	Purified Terephthalic Acid	SSR	31-10-18
15	China PR and Australia	Low Ash Metallurgical Coke	MTR	12-12-18
16	China PR	Electrical Insulators	SSR	10-01-19
17	Indonesia	Saturated Fatty Alcohols	NSR	14-01-19
18	China PR & Korea RP	CPVC Resin & Compound	Original	28-03-19

Final Finding issued by DGTR during 2018-19

A. ADD cases

Sl.No.	Product Name	Countries involved	Investigation Type	Date of Notn
1.	Acrylic Fibre	China PR, Belarus, Ukraine, EU and Peru	Original	16-04-18
2.	Plain Gypsum Plaster Board	China PR, Indonesia ,Thailand and UAE	SSR	19-04-18
3.	Viscose Filament Yarn	China PR	SSR	20-04-18
4.	Fatty Alcohols	Indonesia, Thailand, Malaysia, Saudi Arabia	Original	23-04-18
5.	Digital Offset Printing Plates	CHINA PR	SSR	23-04-18
6.	Partially oriented yarn	China PR	SSR	23-04-18
7.	Diocetyl Phalatealete	Chinese Tapei , Korea RP	Original	27-04-18
8.	Meta-Phenylene Diamene-4-Sulphonic Acid	China PR	Original	16-05-18
9.	High Tenacity Polyester Yarn	China PR	Original	24-05-18
10.	Sodium Dichormate	Russia, South Africa, kazakhstan, Turkey	Original	07-06-18
11.	Grinding Media Balls	Thailand, China PR	SSR	11-06-18
12.	Belting Fabrics	China PR	Original	30-06-18
13.	Tetrafluoroethance or R-134A	China PR	NSR	26-07-18
14.	Sodium Nitrite	EU	MTR	30-07-18
15.	Sodium Nitrite	Russia	Original	30-07-18
16.	Chopped Strand Mat (CSM)	Thailand	AC	30-07-18
17.	Caustic Soda	Saudi Arabia and USA	SSR	01-08-18
18.	Synthetic Filament Yarn of Nylon(Nylon Filament Yarn)	EU and Vietnam	Original	06-08-18
19.	Graphite Electrodes	China PR	MTR	08-08-18
20.	Flat Base Steel Wheels	China PR	SSR	09-08-18
21.	Straight length Bars and Rod of alloy or non alloy Steel	China PR	Original	05-09-18
22.	Phthalic Anhydride	Korea, Chinese Taipei, Israel	SSR	13-09-18
23.	Flax Yarn of below 70 Lea Count	China PR	Original	18-09-18
24.	Speciality Polyester Film	China PR, Hong Kong, Korea, Chinese Taipei	Original	28-09-18
25.	Dimethyl Formamide	China PR, Saudi Arabia & Germany	Original	23-10-18
26.	Ofloxacin Ester	China PR	AC	24-10-18
27.	Zeolite-4A	China PR	Original	29-10-18
28.	Uncoated Paper	Indonesia,Thailand and Singapore.	Original	30-10-18
29.	Methylene Chloride	EU, USA and Korea RP	SSR	22-11-18
30.	Jute Products viz-Jute yarn/ Twine -Aman Jute	Bangladesh	NSR	22-11-18
31.	Jute Products" viz - Jute Yarn/ Twine Hessian Fabric and Jute Sacking Bags	Bangladesh	NSR	22-11-18
32.	Meta Phenylene Diamene	China PR	SSR	13-12-18
33.	Persulphates	China PR and USA	SSR	14-12-18
34.	Coated Paper	China PR, EU, USA	Original	26-12-18
35.	Fluoroelastomers (FKM)	China PR	Original	27-12-18
36.	Cold Rolled Flat Products of	China PR,Korea RP,	Name	31-12-18

	Stainless Steel	EU, South Africa, Chinese Taipei, Thailand and the USA	change	
37.	Cold Rolled Flat Products of Stainless Steel	China PR, Korea RP, EU, South Africa, Chinese Taipei, Thailand and the USA	Name change	31-12-18
38.	Nitrocellulose damped in Isoprypl Alcohol (IPA based NC)	Brazil, Indonesia, Thailand.	Original	31-12-18
39.	High Tenacity Polyester Yarn	China PR	Name change	07-01-19
40.	Nonyl Phenol	Chinese Taipei	SSR	11-01-19
41.	DASDA	China PR	SSR	15-01-19
42.	Epoxy Resin	China PR, EU, Korea RP, Taiwan and Thailand	Original	15-01-19
43.	Textured Tempered Coated and Uncoated Glass	Malaysia	Original	17-01-19
44.	Paracetamol	China PR	SSR	29-01-19
45.	Ethyl Vinyl Acetate Sheet	China PR, Malaysia, Saudi Arabia, South Korea and Thailand	Original	21-02-19
46.	Acetone	EU, SA, Singapore, USA	SSR	05-03-19
47.	Soda Ash	Russia and Turkey	SSR	14-03-19
48.	Jute Products (Sacking Bags)	Bangladesh	AC	19-03-19
49.	Aluminium Road Wheels	China PR, Korea RP, Thailand	SSR	29-03-19
50.	Saccharin	Indonesia	Original	29-03-19
B. CVD Cases				
51	FKM	China PR	Original	05-02-19
52	New Pneumatic Tyres for Buses and Lorries	China PR	Original	25-03-19
C. Safeguard Cases				
53	Solar Cells		Original	16-07-18

List of ongoing Anti-dumping investigations against exports from India* during 2018-19

S.No.	Country	Product	AD	Initiated On
1	USA	Glycine	Original	25.04.18
2	Canada	Corrosion-Resistant Steel Sheet	Original	26.07.18
3	Brazil	Iron pipes	Original	08.05.18
4	GCC	Vetrified Tiles	Original	05.11.18
5	USA	Polyester Textured Yarn	Original	19.11.18
6	China	7-phenylacetamido-3-chloromethyl-3-cephem-4-carboxylic acid p-methoxybenzyl ester	Original	26.11.18
7	MEXICO	Bicycle Tires	Original	19.02.19
8	USA	Carbon and Alloy Welded Steel Products	Original	13.03.19
9	Indonesia	Polyester Staple Fiber	Review	25.05.18
10	China	Pyridine	Review	21.11.18
11	Argentina	Polyethylene terephthalate	Review	23.10.18
12	USA	Stainless Steel Bar	Review	16.04.18
13		Certain New Pneumatic Off-the-Road Tires	Review	02.05.18
14		Silicomanganese	Review	11.09.18
15		Oil Country Tubular Goods	Review	15.11.18
16		PET Film, Sheet and Strip	Administrative Review	10.09.18
17		Carbon Steel Flanges	Administrative Review	4.10.18
18		Certain Frozen Warm water Shrimp	Administrative Review	26.12.18
19		Welded Stainless Steel Pressure Pipe	Administrative Review	11.01.19

Source: WTO website and TDW research

*This is non-exhaustive

CVD Investigation Cases initiated against exports from India during 01.04.2018 – 31.03.2019

S. No.	Country	Name of the Product	Type of Investigation	Date of Initiation
1.	USA	Glycine	Original	17-04-18
2.	USA	Polyester Textured Yarn	Original	07-11-18
3.	China PR	7-Phenylacetamido Chloromethyl	Original	26-11-18
4.	USA	Carbon and Steel Threaded Rods	Original	13-03-19
5.	EU	Polyethylene Terephthalate (PET)	Review	22-05-18
6.	EU	Tubes and Pipe of Ductile Cast Iron.	Partial interim Review	04-12-18
7.	EU	Polyethylene Terephthalate (PET)	Partial interim Review	25-03-19
8.	USA	Finished Carbon Steel Flanges	Review	04-10-18
9.	USA	Polyethylene Terephthalate	Review	10-09-18
10.	EU	Ductile Cast Iron	Refund Duty Investigation	13-07-18

Source: DGTR database

CVD MEASURES IN FORCE AGAINST EXPORTS FROM INDIA AS ON 31.03.2019

Sr. No	Country /Union	Product	Date of imposition of Duty (original Investigation)	Current duty imposition date
1.	Australia	Zinc Coated galvanized Steel	16/08/2017	16/08/2017
2.	Brazil	PET Film	22/04/2016	22/04/2016
3.	Canada	Certain Hot Rolled Steel Sheets	17/08/2001	12/08/2016
4.		Certain Carbon Steel welded pipe	11/12/2012	15/10/2018
5.	China	Ortho Chloro para Nitro Aniline	13/02/2018	13/02/2018
6.	European Union	Polyethylene Terephthalate	30/11/2000	23/05/2012
7.		Tubes and pipe of Ductile Cast Iron	18/03/2016	18/03/2016
8.		Graphite Electrode	18/09/2004	10/03/2017
9.		Stainless Steel Bars and Rods	28/04/2011	28/06/2017
10.	Mexico	Metoprolol tartrate	26/07/2014	26/07/2014
11.		Amoxicillin trihydrate	28/11/2012	28/11/2017
12.		Sodium Dicloxicilin	17/08/2012	18/08/2017
13.	USA	Sulfanilic acid	02/03/1993	09/05/2017
14.		Certain Cut-to-Length Carbon Quality Steel Plate	10/02/2000	12/03/2018
15.		Certain Hot Rolled Carbon Steel product	03/12/2001	07/02/2014
16.		Polyethylene Terephthalate (PET) Film, Sheet, and Strip	01/07/2002	10/09/2018
17.		Prestressed Concrete Steel Wire Strand	04/02/2004	23/04/2015
18.		Carbazole violet pigment	29/12/2004	17/11/2015
19.		Lined Paper Product	28/09/2006	10/10/2018
20.		Commodity Matchbox	11/12/2009	03/04/2015
21.		Certain Oil Country Tubular Goods	10/09/2014	10/09/2014
22.		Certain Polyethylene Terephthalate Resin	06/05/2016	06/05/2016
23.		Certain Corrosion Resistant Steel	25/07/2016	10/08/2018
24.		Cold Rolled Steel Flat Product	20/09/2016	20/09/2016
25.		Welded Stainless Pressure Pipe	17/11/2016	17/11/2016
26.		Certain Cold Drawn Mechanical Tubing	01/02/2018	01/02/2018
27.		Fine Denier polyester Staple Fiber	06/03/2018	06/03/2018
28.		Finished Carbon Steel Flanges	16/03/2018	16/03/2018
29.		Certain New Pneumatic Off-the-Road Tires	02/05/2018	02/05/2018
30.	Glycine	04/09/2018	04/09/2018 (P.F.)	
31.	Stainless Steel flanges	05/10/2018	05/10/2018	
32.	Large Diameter Welded Pipe	14/11/2018	14/11/2018	
33.	Turkey	PET Films	16/09/2015	16/09/2015

Source: DGTR database
*non-exhaustive list

Safeguard Cases initiated globally during 2018-2019

Sr No.	Product	Initiated by	Date of initiation
1.	Certain Steel products	Canada	11/10/2018
2.	Certain flat-rolled steel products	EU	07/08/2018
3.	Aluminium Foil	Indonesia	09/10/2018
4.	Pasta	Madagascar	20/09/2018
5.	Blankets and Travelling Rugs	Madagascar	20/09/2018
6.	Coated wood and board	Morocco	31/07/2018
7.	Cold-rolled sheets and plated or coated sheets	Morocco	31/07/2018
8.	Wire rods and reinforcing bars	Morocco	13/08/2018
9.	Cement	Philippines	10/09/2018
10.	Other screws fully threaded with hexagon heads made of steel	South Africa	20/04/2018
11.	Hot-rolled steel products with certain amounts of alloying elements	Thailand	03/07/2018
12.	Iron and Steel products	Turkey	27/04/2018
13.	Semi-finished products of iron or non-alloy Steel and steel bar (bars, rods and coils) for construction purposes	Egypt	31/03/2019
14.	Microwave ovens and welded tubes of stainless steel	Russia	01/03/2019
15.	Welded tubes of stainless steel	Russia	04/03/2019
16.	Clear and tinted float glass	Philippines	19/02/2019
17.	Threaded fasteners of iron or steel.	South Africa	19/02/2019
18.	Ceramic floor and wall tiles	Philippines	20/12/2018
19.	Detergent powder	Madagascar	31/12/2018
20.	Yarn of nylon or other polyamides	Turkey	30/12/2018

Source: Estimated based on WTO data
*non-exhaustive list

Safeguard measures in force as on 31.03.2019*

Annexure IX

Sr No.	Product	Initiated by	Date of imposition
1	Flat rolled products of iron or non-alloy steel	GCC	15/05/18
2	Flat-rolled product of iron or non-alloy steel	Indonesia	22/07/14
3	I and H sections of other alloy steel	Indonesia	21/01/15
4	Ceramic flags and paving, hearth or wall tiles; ceramic mosaic cubes and the like, whether or not on a backing	Indonesia	12/10/18
5	Aluminium Bars, Rods and Profiles	Jordon	15/05/17
6	Steel Concrete Reinforcing Bar	Malaysia	14/04/17
7	Steel Wire Rod and Deformed Bar-In-Coil	Malaysia	15/04/17
8	Wire rods and reinforcing bars	Morocco	04/2014
9	Cold-rolled sheets and plated or coated sheets	Morocco	05/2015
10	Paper in rolls and paper in reams	Morocco	01/01/17
11	Test Liners	Philippines	08/11
12	Steel Angle Bars	Philippines	08/09
13	Certain flat rolled products of iron, non-alloy steel or other alloy steel	South Africa	11/08/17
14	Hot-rolled steel flat products	Thailand	15/09/13
15	Non-alloy Hot-rolled steel products	Thailand	24/12/14
16	Structural hot-rolled H-Beam with alloy	Thailand	28/01/17
17	Polyethylene terephthalate	Turkey	06/11
18	Wallpaper and similar wallcoverings	Turkey	06/15
19	Toothbrushes	Turkey	10/17
20	Flexible porous plates, blocks and sheets of polyurethane foams	Ukraine	06/16
21	Sulfuric acid and oleum	Ukraine	01/09/18
22	Large Residential Washers	USA	07/02/18
23	Crystalline Silicon Photovoltaic Cells	USA	07/02/18
24	Monosodium glutamate	Viet Nam	25/03/16
25	Semi-finished and certain finished products of alloy and non-alloy steel	Viet Nam	17/08/16
26	Pre-painted galvanized steel sheet and strip	Viet Nam	15/06/17
27	Mineral or chemical fertilizers	Viet Nam	07/03/18

Source: Estimated based on WTO data

*non exhaustive list

STREAMLINING OF INVESTIGATIONS: INNOVATIONS & ADOPTION OF BEST PRACTICES

DGTR takes pride in acknowledging the fact that 2018-19 was the year of transformation, when it embraced many new best practices with an aim to bring transparency, accountability, simplification, and fairness in the investigations. All these changes were based on the need of the organisation to evolve with time. The Directorate was firm in its commitment and obligations and at the same time was resilient and flexible in its procedures, practices and systems always with a goal of helping the industry and addressing the unfair trade practices. This positive outlook has been amply demonstrated by our efforts and steps implemented during the year:

Manual of Operating Practices: Enhancing Fairness and Transparency

2. A sound set of procedural rules and uniform methodology is the key and an indispensable component of any investigation process. Therefore, DGTR took a landmark initiative in its attempt towards procedural fairness by publication of Manuals of Operating Practices which was also made available in public domain. It was with an eye to lay down the foundation for an effective, reliable and trustworthy investigation.

3. The Manuals of Operating Practices for Trade Remedies as well as Trade Defence were released by Hon'ble Commerce Minister according to importance and significance which it rightly deserves. The publications were a result of a long and deep brainstorming exercise amongst the DGTR Officers and peer review deliberations. The best practices have been adopted and assimilated in the procedural

framework, which are likely to increase the quality and efficiency of the output and eliminate discretion at various stages of investigations.

Review Investigations

4. The practice of pre-initiation 'Hearing' was initiated for all the review cases namely, SSR/NSR/MTR at the stage of application. This hearing is in addition to the existing 'Oral Hearing' under Rule 6(6). The pre-initiation hearing allows the petitioner(s) to present their submissions before the Authority in a more comprehensive way so that well informed decision could be taken regarding initiation/non-initiation of a review case. A Speaking Order is also issued in those cases where it is decided not to initiate an investigation for any valid reason. This is likely to promote transparency and fairness, and also bring confidence in the stakeholders regarding the reasonableness in the DGTR actions. The aim was to foster consistency, predictability and fairness in decision-making process.

Disclosure of Information by Stakeholders

5. Transparency of procedures and methodology is ensured by disclosure of required necessary information enabling stakeholders a fair opportunity to actively participate in the investigation. This necessitates that the stakeholders are given access to the submissions made by the other parties with an opportunity to offer their comments. Procedural fairness also includes the right to protect confidential information, access to the public file containing the necessary information being relied upon by the

Authority and the right to be heard during the investigation before the final decision is taken by the Authority. Excessive confidentiality without any valid reason may not be desirable and might restrict the fairness of investigations as it hampers the other stakeholders from defending their interest and participation in the investigations. Therefore, it is imperative that the non-confidential information is disclosed to the stakeholders which is sufficiently representative and allows them to rebut and submit their counter comments. DGTR issued Trade Notice Nos. 10/2018 dated 7th September 2018 and 14/2018 dated 1st October 2018 to bring uniformity and fairness in the disclosure requirements by prescribing the basic criteria for confidentiality in responses filed by the domestic industry and other interested parties. This also increases the confidence of the stakeholders in the process used to reach a decision.

Expedited Relief: Time lines prescribed for investigations:

6. The following initiatives were undertaken during the year to expedite completion of investigation leading to issuance of final findings:

(a) Prescription of updated comprehensive formats:

Piecemeal requests for information always cause delays during any process. Therefore, with a view to obviate the need for frequent and multiple requests for additional information and also for reducing the scope for subjectivity, the extensively revised comprehensive questionnaire formats for filing response by the Producer Exporters and importers were prescribed. In addition, new formats for questionnaire response for Users as well as Supporters of Petition were also introduced (Trade Notice No. 13/2018 dated 27th September 2018) to ensure availability of authentic data for decision making, which then can be verified as per the requirement of the investigation. The formats for submission of application by the Domestic Industry were also revised in line with current applicable Laws and Rules read with best practices to ensure availability of complete and comprehensive information. The formats in case of Users and Supporters, have been introduced for the first time to

ensure their meaningful participation during the investigation and availability of data. This was instrumental in issuance of expedited findings.

(b) Procedure for Summary Proceedings: The cases of name change were hitherto processed in terms of the Rule 23 available for Mid Term Review, though they may fall under the category of change of name as a matter of 'record' only, but were handled via a lengthy and time consuming process. Therefore, a Trade Notice No 12/2018 dated 17th September 2018 was issued streamlining and simplifying the examination of the requests for change in the name of producer(s) / exporters in the notified duty chart for Anti-Dumping and Countervailing Duty Investigations. The name change in four cases has already been done as per the new prescribed "summary method" notified under the said trade notice.

(c) NSR Investigations: NSR Investigations are always very complex and subjective as there is lack of uniformity and clarity in the procedures and methodology. Therefore, a Trade Notice No. 08/2018 dated 25.04.2018 was issued prescribing the application format for Initiation of New Shipper Review investigation and a Trade notice 01/2019 dated 29.01.2019 was issued notifying the simplified procedure for New Shipper Review Investigations. This Trade Notice inter-alia prescribed the missing timelines for NSR investigations.

(d) Acceptance of complete applications: Trade Notice No. 15/2018 dated 22/11/2018 was issued regarding the revised checklist for prima facie scrutiny of application for completeness of documents. This ensured that the applications/petitions received are prima-facie complete. This not only helped in reducing the issue of deficiency letters but also resulted in expedited decision on initiation as well as investigation leading to expedited final findings.

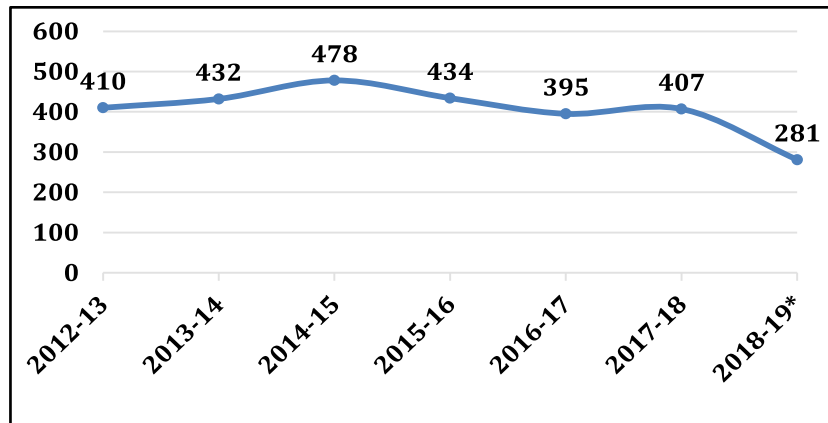
7. The aforesaid measures have ensured sharp decline in the average time taken in issue of final findings seen from the date of initiation as detailed in the table below. The average time taken in issue of final finding was merely 281 days (9.37 months) during

Year	Avg. No. of Days.	Avg. No. of Month	Index
2012-13	410	13.67	85.77
2013-14	432	14.40	90.38
2014-15	478	15.93	100.00
2015-16	434	14.47	90.79
2016-17	395	13.17	82.64
2017-18	407	13.57	85.15
2018-19	281	9.37	58.79

2018-19 as against 478 days (15.93 months) during 2014-15 as per details as under:

8. The following chart indicates the trend of year wise average number of days in issue of final findings since the date of initiation.

AVERAGE TIME TAKEN FOR INVESTIGATIONS



LIST OF TRADE NOTICES ISSUED DURING 2018-19

S. No.	Trade Notice		Subject
	No.	Date	
1.	08/2018	25.04.2018	Streamlining of the Anti-Dumping Investigations/ Process - Application Format for Initiation of New Shipper Review.
2.	09/2018	10.05.2018	Streamlining of the Anti-Dumping Investigations Process - Clarification regarding related parties in case of questionnaire for Anti-Dumping investigations for Producer/Exporter/Related Importer.
3.	10/2018	07.09.2018	Streamlining of Anti-Dumping Investigations- Clarification regarding Disclosure of Information in Confidential Version / Non-Confidential Version of Responses filed by the Domestic Industry and Other Interested Parties.
4.	11/2018	10.09.2018	Streamlining of Investigation Process- Regarding the registration of Interested Parties.
5.	12/2018	17.09.2018	Streamlining request for change in name of producer(s) / exporters in Anti-Dumping and Countervailing Duty investigations.
6.	13/2018	27.09.2018	Requirements for companies expressing support for any Anti-Dumping / Countervailing Duty petition/application.
7.	14/2018	01.10.2018	Streamlining of Anti-Dumping investigation-additional clarification regarding discloser of information of confidential version/non confidential version of response filed by the supporting producers.
8.	15/2018	22.11.2018	Streamlining of Anti-Dumping investigation process - Prima Facie scrutiny of application for completeness of documents as per the checklist for submission of Anti-Dumping and Countervailing Duty applications requesting for initiation of investigations.
9.	01/2019	29.01.2019	Streamlining of the procedure for New Shipper Review ('NSR') Investigations.

LEGAL FRAMEWORK AND APPEAL MECHANISM

Anti-Dumping investigations: Legislative and procedural framework

The Anti-Dumping investigations in India are governed by Customs Tariff Act, 1975 [the Act] as amended from time to time and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 [the Rules], as amended from time to time. The aforesaid Act and Rules are framed in compliance with Article VI of GATT 1994 and the Anti-Dumping Agreement. The Agreement says that Anti-Dumping measure shall be applied only under the circumstances provided under Article VI of GATT 1994. The Act under Section 9A (1) to (8) provides for and defines the circumstances in which anti-dumping duties can be levied including provisions for its review at appropriate stages. The Act also empowers the Central Government to frame necessary Rules for the conduct of the investigation including reviews under Section 9A (6). The anti-dumping investigations in India are conducted by the Designated Authority in the Directorate General of Trade Remedies (DGTR) which is a quasi-judicial authority whose findings are recommendatory in nature. The decisions whether or not to impose the duties so recommended are taken by the Central Government acting through the Ministry of Finance. India follows Lesser Duty Rule as found desirable under the Anti-Dumping Agreement and the rules.

Countervailing duty/Anti-subsidy investigations: Legislative and procedural framework

Countervailing duty/Anti-subsidy duty investigations

in India are governed by the Customs Tariff Act 1975 as amended from time to time [the Act] and the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995 [the Rules], as amended from time to time. The aforesaid Act and Rules are framed in compliance with Article VI of the original GATT and Agreement on Subsidies and Countervailing Measures (ASCM).

The Act under Section 9 (1) to (8) provides for and defines the circumstances in which countervailing duties can be levied including provisions for its review at appropriate stages. The countervailing duty investigations in India are conducted by the Designated Authority in the DGTR which is a quasi-judicial body whose Findings are recommendatory in nature. The decisions whether or not to impose the duties so recommended are taken by the Central Government acting through the Ministry of Finance. India follows lesser duty rule as found desirable under the ASCM.

Safeguard investigations: Legislative and procedural framework

Safeguard investigations in India are governed by Customs Tariff Act, 1975 as amended from time to time [the Act] and the Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997 [the Rules], as amended from time to time. The aforesaid Act and Rules are framed in compliance with Article XIX of GATT 1994. The Act under Section 8B (1) to (7) provides for and defines the circumstances in which Safeguard duties can be levied including provisions for its review at appropriate stages. The Act also

empowers the Central Government to frame necessary Rules for the conduct of the investigation including reviews at Section 8 (5). The Safeguard investigations in India are conducted by the DGTR which is a quasi-judicial authority whose findings are recommendatory in nature. The decisions whether or not to impose the duties so recommended are taken by the Central Government acting through the standing board of safeguards, headed by Secretary, Commerce.

Quantitative Restrictions: Legislative and procedural framework

The legislative framework for Safeguard Measures by way of Quantitative Restrictions is contained in the Foreign Trade (Development and Regulation) Act, 1992, amended in 2010, and the Safeguard Measures (Quantitative Restrictions) Rules, 2012.

Appeal Remedy

The Act also provides for statutory appeal under Section 9C which says “An appeal against the order of determination or review thereof lies before the Customs, Excise and Service Tax Appellate Tribunal (CESTAT) constituted under Section 129 of Customs Act, 1962”. It has been held by the Hon’ble Delhi High Court in the matter *M/s Jindal Poly Film Ltd. v. Designated Authority* that Section 9C of the Act shall also be available in case of negative findings issued by the authority.

Apart from the statutory appeal provided in the Act, the aggrieved party may also resort to invoking Writ Jurisdiction under Article 226 of the Constitution of India before the High Court with appropriate jurisdiction. The aggrieved party may file an appeal before the Supreme Court against the decisions of CESTAT or High Court in the form of Special Leave Petitions/ Special Leave Appeals.

There is no provision for statutory appeal under the Act in case of Safeguard duty. However, the interested parties can approach the High Court with appropriate jurisdiction in Writ Petition concerning the Safeguard investigations. The decisions of the High Court shall be amenable to review by the Hon’ble Supreme Court in Special Leave Appeal/Petition.

Accordingly, there are several cases in various Courts and Tribunal against the actions of DGTR emanating from the issuance of final finding notification recommending/ refusing imposition of AD/CVD/SG Duty. The action of initiation and non-initiation of the investigation by the Authority has also been challenged.

The list of ongoing court cases is at Annexure I.

Landmark Judgments

There are many instances where provisions have been interpreted extensively by the Appellate Courts to bring clarity to the law in force. The following are some of the important decisions of the Appellate Courts during the current year that have laid down the jurisprudence of trade remedy investigation.

1. Case Name: *Jindal Poly Film Limited v. Designated Authority and Others, 2018 (362) ELT 994 (Del.)*

Issues:

1.1 Whether the appellate remedy under Section 9C of the Customs Tariff Act, 1975 can be invoked against the “negative findings” of the Designated Authority?

Observations:

1.2 The Hon’ble Delhi High Court held that in cases of “negative” final findings of the Designated Authority, the parties shall have the right to approach the Appellate Tribunal i.e. CESTAT. Thereby the Appellate Court overruled the order laid down by CESTAT in *M/s Panasonic Energy India Co. Ltd., v. Union of India (2017)*.

Implications:

1.3 The judgment provides the domestic industry with a suitable “appellate” remedy rather than a highly limited “writ” remedy.

1.4 It ensures that the appeals arising from “positive” recommendations and “negative” recommendations are treated at par and follow the same appellate procedure.

1.5 It ensures that the domestic industry aggrieved by the “negative” findings of the Designated Authority would be able to approach the CESTAT to get the matters adjudicated.

2. Case Name: *Forech India Ltd. and Others. v. The Designated Authority and Others W.P (Civil) No. 4810, 4886/2014 & 1749/2017*

Issues:

2.1 The main issues before the Hon’ble Court for its consideration were:

i. Whether there is an automatic extension of ADD for the SSR period provided the initiation of the SSR investigation is before the expiry of the five-year levy?

ii. Whether a separate notification is required for

extending the levy of ADD before the expiry of the original five-year period?

iii. Whether a notification of levy of ADD for another five-year period after the expiry of SSR be valid?

Observations:

2.2 The Hon'ble High Court allowed the petition setting aside the Initiation Notification, Final Finding issued by the Designated Authority and the two Customs Notifications No. 17/2013 and 35/2014 issued on 05.07.2013 and 24.07.2014 respectively.

Implications:

2.3 The outcome of the case had following options:

a) An application seeking the initiation of a sunset review or claiming the likelihood of continuation or recurrence of dumping and injury to the domestic industry in case of discontinuance of duties must be filed well in advance.

b) Where the Designated Authority determines that sunset review merits initiation, it must ensure that the same is initiated prior to the expiry of the original period of the levy.

c) Once a sunset review is initiated, the Customs notification extending the period of original levy must be issued prior to the expiry of such period.

d) Where the Designated Authority comes to the conclusion, in a sunset review determination, that there is a likelihood of continuation or recurrence of dumping and injury in case of revocation of duty and therefore, recommends the continuation of duties, then the notification of levy must be issued prior to the expiry of the original levy or prior to the expiry of the extended one-year period, whichever applicable.

e) The period of three months under Rule 18(1), for issue of notification by Central Government, can be only in the case of original notification for Anti-Dumping duty and not for the Sunset Review.

2.4 However, the aforesaid judgement of Hon'ble Delhi High Court has been challenged before the Hon'ble Supreme Court of India through a Special Leave Petition (SLP- 15859-15861 of 2018) in *M/s Nocil Ltd. v. Forech India Ltd. & Ors* and matter is sub-judice.

3. Case Name: *Saint Gobain India Private Ltd v. Union of India, Ministry of Finance and others, Writ Appeal Nos.412 to 414 of 2018.*

Issues:

3.1 Whether the Authority had any jurisdiction to

continue the investigation beyond a period of eighteen months, from the date of initiation in a new shipper review?

Observations:

3.2 The Hon'ble Madras High Court vide their order dated 4.11.2018 held that "the time limit for completing the New Shippers Review must be read into Rule 22 of ADD and the time limits as per Rule 17 are also applicable to NSRs".

Implications:

3.3 The impact of this judgment is that the NSR investigations also have to be concluded as per the timelines prescribed in Rule 17.

4. Case Name: *Eveready Industries India Ltd. v. Union of India & Another W.P.(C) 8089 of 2017.*

Issues:

4.1 Whether the Final Finding of the Authority recommending not warranting ADD on the ground of it not being in accord with the Disclosure Statement issued by it can be legally challenged?

Brief Facts:

4.2 The petitioners filed an application before the DA for initiation of Anti-dumping investigation of the imports of the subject goods. The DA issued an initiation notification to determine the existence, degree and effect of the alleged dumping. After investigation, the DA issued Disclosure statement and invited the comments of the same. Thereafter, the DA issued the Final Finding not warranting Anti-Dumping duty on the subject goods. Thereafter the petitioner approached the CESTAT wherein the appeal was dismissed on the ground of non-maintainability. Aggrieved by the decision of CESTAT the petitioner approached the Hon'ble High Court to quash the final findings and the matter to be remanded back for a fresh decision to the D.A.

4.3 The Court held that: "42. the court cannot don the mantle of an economic analyst to decide whether the DA adopted the correct approach; as long as the final findings addressed all the legal requirements, and considered the factors outlined in the rules (as the DA did in this case) without a showing of procedural irregularity or illegality, the court cannot interfere under Article 226 of the Constitution".

Implication:

4.4 If the final findings address all legal requirements, and consider the factors outlined in the rules without a showing of procedural irregularity or illegality, the court cannot interfere under Article 226 of the Constitution".

WTO Disputes in Trade Remedy Measures: by India & against India

Presently, India is a party to more than 200 disputes before the WTO Dispute Settlement Body (DSB) wherein India is Complainant in 24 cases, Respondent in 29 cases and Third Party in 155 cases. The disputes involving India in trade remedial measures are given below:

Ongoing Disputes by India as Complainant:

1. DS547: United States - Certain Measures on Steel and Aluminium Products

In May 2018, India requested for consultations with respect to certain measures by the United States to control the imports of Steel and Aluminum into the United States, including but not limited to, imposing additional ad valorem rate of duty on imports of certain Steel and Aluminum products. The US exempted Canada, Mexico, Australia, Argentina, South Korea, Brazil and the European Union from the imposition of these measures.

In December 2018, the panel was established. Presently the DSB has composed the panel to examine the claims.

2. DS436: United States - Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India.

On 24 April 2012, India requested consultations with respect to the imposition of countervailing duties by the US in CVD investigations on Certain Hot-Rolled Carbon Steel Flat products. The measures imposed in the original investigation, the sunset review as well as five administrative reviews that cover twenty-five specific actions taken by the USA were subject of the WTO dispute.

The Consultations held on 31 May and 1 June 2012, were ineffective in resolving the dispute. Therefore, India requested for the establishment of the panel. In July 2014 and December 2014, the panel and the Appellate Body circulated their reports respectively.

Key findings of the Appellate Body were:

- The Appellate Body found that the Panel erred in its application of Article 1.1(a)(1) to the USDOC's public body determination, The Appellate Body found that the USDOC's determination that the NMDC is a public body is inconsistent with Article 1.1(a)(1).
- The Appellate Body confirmed the panel's conclusion that the government's grant of mining rights constitutes a provision of a good within the meaning of Article 1.1(a)(1)(iii) of the SCM Agreement.

It clarified that a provision of a good within the meaning of Article 1.1(a)(1)(iii) is not necessarily the physical transfer of goods but includes rights to use such goods reasonably related to goods themselves.

- The Appellate Body found that the de facto specificity does not require any discriminatory element in subsidy policies. It means that there is no need for showing similarities or any characteristics of beneficiaries other than limitation of subsidy in terms of access.

- The Appellate Body found that investigating authorities do not have the unfettered right to add new subsidies in the course of reviews of existing CVD measures. Only new subsidies that are closely linked to subsidies examined earlier can be added in a review proceeding.

- The Appellate Body has held that cumulation of non-subsidized imports with subsidized imports while determining injury in a CVD investigation is inconsistent with the WTO law. The Appellate Body has held that the United States' law contained in 19 USC 1677(7)(G)(iii) is 'as such' inconsistent with ASCM.

In 2016, the USITC issued its determination pursuant to Section 129(a)(4) for complying with the Appellate body decision. The USITC in its determination "found that an industry in the United States is materially injured by reason of imports of hot-rolled steel found by the US Department of Commerce (Commerce) to be subsidized and made an affirmative determination regarding subsidized hot-rolled steel imports from India.

In 2017, India requested the US for consultation as India considered that the measures taken by the United States to comply with the recommendations and rulings adopted by the DSB were not consistent.

In April 2018, India requested for the establishment of panel pursuant to Article 6 and 21.5 of the DSU, Article XXIII GATT 1994, and Article 30 of the SCM Agreement with respect to the failure of the United States to implement the recommendations and rulings of the DSB in Ds436.

Currently, the compliance panel is composed and is supposed to come out with its report in the course of year 2019.

Ongoing Disputes against India as Respondents:

1. DS518: India - Certain Measures of Imports of Iron and Steel Products.

In December 2016, Japan requested for consultation

with respect to certain safeguard measures by India on Imports of Iron and Steel Products. After consultations in February 2017, Japan requested for panel composition.

On 3rd April 2017, the panel was established and composed in June 2017. In November 2018 the Panel circulated its report. Key notings by Panel are:

- India acted inconsistently with Article XIX:1(a) of the GATT 1994,
- India acted inconsistently with Articles 2.1 and 4.2(a) of the Agreement on Safeguards and Article XIX:1 of the GATT 1994,
- Japan did not demonstrate that India failed to meet the requirement of “a major proportion” of the total domestic production of the product concerned under Article 4.1(c) of the Agreement on Safeguards when it defined the domestic industry.
- India acted inconsistently with Articles 4.1(a) and 4.2(a) of the Agreement on Safeguards,
- India acted inconsistently with Articles 4.1(b), 4.2(b) and 4.2(a) of the Agreement on Safeguards, because its finding of a threat of serious injury was not adequately addressed or analyzed in the Final Findings.
- India acted inconsistently with Articles 3.1 and 4.2(c) of the Agreement on Safeguards. Further India acted inconsistently with Article 12.2, 12.3 and 12.4 of the Agreement on Safeguard.

In December 2018, India notified its intention to appeal the Panel report in Appellate body. Currently, the Appellate Body is in the process of scheduling hearing in this matter.

2. DS541: India - Export Related Measures.

In March 2018, the United States requested consultations with India concerning certain alleged export subsidy measures inconsistent with the SCM Agreement. The consultations were held on 11th April 2018. However, as no mutual agreement was arrived at, the US requested for the establishment of a panel. In December 2018, the Chair of the panel informed the DSB that the beginning of the panel's work had been delayed as a result of a lack of available resources in the Secretariat and that the panel expected to issue its final report to the parties, not before the second quarter of 2019.

3. DS456: India — Certain Measures Relating to Solar Cells and Solar Modules

In February 2013, the United States requested consultations with India concerning Certain Measures of India relating to Domestic Content Requirements (“DCR”) under the Jawaharlal Nehru National Solar Mission (“NSM”) for solar cells and solar modules.

In May 2014, the DSB established the panel and constituted the same in September 2014. The Panel issued its report in February 2016, to which India appealed in Appellate body.

Key notings of Appellate Body in its report dated 16th September 2016 are as follows:

- India's DCR measures were inconsistent with WTO non-discrimination obligations under Art. III:4 and Art. 2.1.
- The Appellate Body rejected India's claim that the Panel acted inconsistently with DSU Art. 11 in assessing India's arguments regarding the scope of Art. III:8(a).
- The Appellate Body agreed with the Panel's finding that India had not demonstrated that its measures were justified under Art. XX(d).
- The Appellate Body upheld the Panel's finding that the terms ‘products in general or local short supply’ do not cover products at risk of becoming in short supply, and found that in any event, India had not demonstrated existence of an imminent risk of a short supply and that the DCR measures were not justified under this provision.

After the adoption of the Appellate Body Report on 14 October 2016, India issued communication to the DSB dated 8th November 2016, and subsequently at the meeting of the DSB held on 23 November 2016, India announced its intention to implement the DSB's recommendations and rulings in this dispute and stated that it would need a reasonable period of time to do so.

In December 2017, India informed the DSB that it had ceased to impose any measures found inconsistent with the DSB's findings and recommendations. Thereafter the United States requested the authorization of the DSB to suspend concessions or other obligations pursuant to Article 22.2 of the DSU on the grounds that India had failed to comply with the DSB's recommendations and rulings within the reasonable period of time.

To this India informed the DSB that it disagreed with the United States that India had failed to comply with the DSB's recommendations and rulings within a reasonable period of time. In its communication, India indicated that the United States had failed to enter into negotiations with India to agree on a mutually acceptable compensation and therefore, in India's view, the United States' request did not satisfy the conditions of Article 22.2 of the DSU. The matter was referred to arbitration pursuant to Article 22.6 of the DSU.

In January 2018, India requested the establishment of a compliance panel. Currently, the request is under process.

Cases in the Supreme Court

S.No	Product Name	Case Name/Appellant	Case No.	Brief facts/Subject matter
1	Cold Rolled Stainless Steel	M/s. Outokumpu Oyj v. Union of India	SLP(c)10252/2017 with 10514/2017	Anti-circumvention - CRSS Coils of width from 600mm to 1250 mm, the scope of origin of PUC not enlarged. But only considered circumstances where PUC is imported to circumvent ADD & to split PUC/Non-PUC. ADD is leviable on importers who circumvented such practices & AD.
2	Caustic Soda	M/s. Hindustan Unilever	Civil Appeal No. 12853/2017	Against the final order dated 5th September 2016 passed by the CESTAT in Customs Appeal No. 616/2002 vide Final Order No 53372/2016.
3	Digital Offset Printing Plates	Designated Authority v. M/s. Technova Imaging Systems (P) Ltd	CA No 3138/2012	The petitioner challenged the initiation notification issued by the authority and further questioned the issuance of preliminary finding.
4	Ductile Iron Pipes	DGTR v. M/s. Jindal Saw Ltd.	SLP Civil No:7724-7725/2019	Whether Rule 23 of the AD Rules, requires DGTR upon receipt of an application to mandatorily initiate an SSR investigation or whether High Court has curtailed the time period for completion of SSR to 6 months when the period is expressly provided as 12 months under AD Rules, with the power of extension for the same expressly vested with the Central Government under Customs Tariff Act.
5	Plain Gypsum Plaster Boards	M/s Saint Gobain Gypsum India Ltd v. Union of India & Others	Civil Appeal No. 3673/2017	The petitioner filed the petition on the following grounds namely; that whether the AD laws permit adjustment of start-up cost that fall outside the period of investigation, whether the dumping margin can be determined without data & information from related parties of the exporters or whether the exporters can be declared as Non-Co-operative when the exporters withheld data and information.
6	Plain Medium Density Fibre Board	M/s Robin Resources (Malaysia) SDN BHD	CA No.5605/2017	The case involves the issue of termination of the investigation against the petitioner under Rule 14(c) of the Anti-dumping rule. The petitioner had <i>de-minimis</i> dumping margin in the original investigation and in the subsequent SSR investigation, the dumping margin was above <i>de-minimus</i> . Thus the petitioner filed a petition for wrongful initiation of the SSR case against the exporter since the case in the original investigation against the exporter must have been terminated on account of <i>de-minimis</i> .
7	Poly Tetra Fluoroethylene	Union of India & others v. M/s Thereksstar Electronics and others, M/S Huawei Technologies Co. Ltd. China	CA No 3129/2012, C.A. No. 006297 / 2012, SLP(C) No. 028212 / 2011	The petitioner filed an SLP in the SC challenging the order of the CESTAT on various issues namely; that it is beyond the powers of the Designated Authority to design 'rules of origin', denial of reasonable opportunity to present their claims during the ADD investigation.
8	PVC Paste Resin	M/s. Leather Cloth and Plastics Manufacture association v. Union of India & others	CA No. 8641-8642/2012	The petitioner contended violation of natural justice and alleged that the duty was imposed on altogether new products in review proceedings contrary to the settled legal position.
9	Rubber Chemicals	M/s Nocol Ltd. v. M/s. Forech India Ltd. & Ors.	SLP Civil No: 15859-15861/2018	The present SLP is filed against the judgement passed by the division bench of the High Court of Delhi in WP (C) No 4810/2014 WP(C) No 4886/2015 and WP (C) No 1749/2017 dated 31 May 2018.
10	Rubber/Phenol	M/s. Century Plyboard India ltd. v. Connected with Kumho and Fair deal the Designated Authority and Anr.	SLP(C)8027/2016 connected with SLP 7674 of 2016 and 8014 of 2016	The petitioner challenged the continuation of the SSR beyond the period of 12 months from the date of initiation.
11	SDH	M/s. Huawei Tech Co Ltd v. DGAD and Union of India	CA No. 5486/2016	The case is filed against the CESTAT order and is pending before the supreme court.
12	Steel Wheels	M/s. Wheels India Ltd. v. Union of India & Others	CA No. 003132/2012	The main issue was regarding the change of Designated Authority in the course of the investigation.
13	Steel Wheels	M/s. Kalyani Lammerz Ltd v. Union of India & Others	CA No. 006301/2012	Same as above.
14	Steel Wheels	M/s. Zhengzong Wheel Gp co. ltd v. Union of India & Others	CA No. 003398/2012	Same as above.
15	STPP	M/s. Surabhi Chemicals, M/s. Sanjay Chemicals, S M/s. Sandeep Organics v. Union of India & Others	SLP No: 147/2017; 241/20;1920/2017; 254/17;313781/2016	The plea of the petitioner is for withdrawal of anti-dumping duties with retrospective effect.
16	Vitamin-A Palmitate	M/s. DSM Nutritional Product Ltd v. Union of India & Others	CA No. 003140/2012	The petitioner challenged the Scope of domestic industry and pleaded a violation of natural justice.

Cases in Gujarat High Court

S.No	Product Name	Case Name/Appellant	Case No.	Brief facts/Subject matter
1	Glazed/Unglazed Porcelain/vitrified tiles in polished/unpolished/finished	Gujarat Granito Manufacturer Association v. Union of India	Special Civil Application No. 11115 of 2017	The main contentions of the appellant are sharing of the exporter's verification report and pertaining to natural justice.
2	Low Ash Met Coke	M/s. Saurashtra Fuels Pvt. Ltd. v. Union of India& Others	Special Civil Application No. 313/2019	Petition filed against the initiation of Mid Term Review investigation concerning the imports of Low Ash Metallurgical Coke originating in or exported from Australia and China P.R.
3	Naphthalene	M/s. Bodal Chemicals Ltd. v. Union of India& Others	Special Civil Application No. 13485 of 2017	The main issues are related to the standing of Domestic Industry and Product Under Consideration being not appropriately defined.
4	Nylon Filament Yarn	M/s. Gujarat Poly Flims Ltd Prafful Overseas v. Union of India& Others	Special civil application No. 1715 & 1716 of 2018	The petitioner challenged the finding of the Designated Authority terminating the Anti-dumping duty on the basis of violation of natural justice.
5	Paracetamol	M/s. Pharmaceuticals Gujrat Private Limited v. Union of India& Others	Special Civil Application no 5278 of 2019	Special civil application filed by the DI challenging the Notification no 7/16/2018-DGAD dated 29.01.2019 whereby the Designated authority declined to continue Anti-dumping duty on imports of Paracetamol; originating in or exported from China PR
6	Rubber Chemicals (a)MBT, CBS, TDQ, PVI and TMT, (b) PX-13 96PPD	M/s. NOCIL Ltd v. Union of India	Special Civil Application No 4461 of 2019	Special Civil Application filed by the domestic industry against the rejection order of the Authority declining to initiate the Sunset Review investigation.
7	Saccharine	M/s. Shree Vardayini Chemical Industries v. Union of India& Others	Special Civil Application No. 1399/2017	The petitioner Shree Vardayini Chemical Industries Pvt. Ltd. aggrieved by the final finding of the Designated Authority, had filed this Special Civil Application before the Court alleging that the authority while issuing the Final Finding has contradicted with the essential facts given in the disclosure statement.
8	Soda Ash	M/s. DCW v. Union of India	Special civil application No: 20834 of 2018	The petitioner has appealed against the final findings issued by the Designated Authority in the Mid Term Review.
9	Solar	M/s Azure Power Thirty Three Pvt. Ltd. v. Union of India & others	Special Civil Application No 20957/2018	M/s Azure Power Thirty-Three Limited filed Special Civil Application No.20957 of 2018 before the Hon'ble Gujarat High Court challenging, <i>inter alia</i> , the Final Finding F. No. 22/1/2018 – DGTR dated 16.07.2018 issued by the Directorate General of Trade Remedies as well as the legality and correctness of the Notification No. 01/2018 – Customs (SG) dated 30.07.2018 issued by the Ministry of Finance, Union of India under Section 8B(1) of the Customs Tariff Act, 1975 read with Rule 12 of the Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997 levying Safeguard Duty at the rates recommended by the Director General

				<p>(Safeguard) appointed under Rule 3 of the Safeguard Rules 1997 on imports of Solar Cells, whether or not assembled in modules or panels (hereinafter referred to as “subject goods/PUC”) into India.</p> <p>The Hon’ble Gujarat High Court vide order dated 28.12.2018, granted interim relief to M/s Azure Power Thirty-Three Limited by allowing provisional clearance of imports without payment of safeguard duty on executing bond.</p>
10	Viscose Filament Yarn	M/s Indian Rayon v. Union of India & Others	Special Civil Application 6374/2018, 3742/2018	<p>Petition filed under Article 226 challenging the Disclosure Statement F. No. 15/16/2016-DGAD dated 10.04.2018. The petitioner challenged the validity of the Disclosure Statement claiming that it violates the principle of natural justice. The petitioner further challenged the inclusion of some Exporters in the investigation who did not cooperate.</p>

Delhi High Court & Other High Courts				
S.No	Product Name	Case Name/Appellant	Case No.	Courts
1	PSF	M/s Bombay Dyeing and Manufacturing Co. Ltd.	WP (Civil) No. 12514/2018	Bombay High Court
2	Clear Float Glass-Pakistan	M/s Saint Gobain India Pvt. Ltd.	WP (Civil) No. 147/2017	Madras High Court
3	Phthalic Anhydride	M/s Thirumalai Chemicals Ltd.	WP (Civil) No. 28049 & 28052/2018	Madras High Court
4	Viscose staple fibre	M/s Pt. Toray Polytech	WP (Civil) No. 42644/2016	Madras High Court
5	AA Dry cell	M/s Eveready Industries Ltd.	WP (Civil) No. 8089/2016	Delhi High Court
6	Carbon Black	M/s Philips carbon black Ltd	WP (Civil) No. 21/2017	Delhi High Court
7	Providing Confidential information (note sheet)	M/s Union of India v. M/s Arvind M Kapoor and Anr	WP (Civil) No. 8381/2016	Delhi High Court
8	PVC Paste Resin	M/s Leather Cloth & Plastic Manufacturing Association	WP (Civil) No. 69/2017 & 70/2017	Delhi High Court
9	Solar Cells	M/s Clean Sustainable Energy Pvt Ltd vs Union of India	WP (Civil) No. 356 of 2019	Delhi High Court
10	Non-Woven	M/s Jindal Poly Flims Pvt Ltd.	WP (Civil) No. 8202/2017	Delhi High Court
11	Aluminium Alloy Road Wheels (ARWs)	M/s Synergies Castings Limited v. Union of India & others	WP (Civil) No. 3415,3416 of 2019	Delhi High Court
12	Phenol	M/s Century Plyboard India Ltd. v. MOF, DOR	WP (Civil) No. 4781 of 2016	Guwahati High Court
13	Melamine	M/s Century Plywoods v. Union of India	WP (Civil) No. 6568 of 2017	Guwahati High Court
14	Ammonium Nitrate	M/s Special Blast Limited	WP (Civil) No. 2991/2018	High Court of Chhatisgarh
15	2-Ethyl Hexanol	M/S Andhra Petrochemicals	WP (Civil) No. 25988/2017	Hyderabad High Court
16	Normal Butanol	M/s Andhra Petrochemicals	WP (Civil) No. 7671/2018	Hyderabad High Court
17	Clear Float Glass-Iran	M/s Aashmi Traders	WP (Civil) No. 29066/2018	Kerala High Court
18	Clear Float Glass-Saudi Arabia	M/s All-India Glass Center Association	WP (Civil) No. 28490/2018	Kerala High Court

The Customs Excise and Service Tax Appellate Tribunal (CESTAT)

S.No	Product Name	Case Name/Appellant	Case No.
1	Straight Length Bars and rods of alloy steel	M/s National Engineering industries ltd., M/s Turakhia International Ltd.	AD/50132/2019 AD/50482/2019
2	Sun dust Control Film	M/s Garware polyester limited	AD/53874/2018
3	Non-woven fabric	M/s Jindal Polyfilms	AD/53579/2018
4	Persulphates	M/s Calibre Chemicals Pvt. Ltd.	AD/50373/2019
5	PSF	M/s Bombay Dyeing and Mfg Co Ltd, M/s Alok Industries, M/s Indo Rama	AD/53726/2018 AD/53873/2018 AD/53725/2018
6	Di methyl Formamide	M/s Balaji Amines	AD/53891/2018
7	Uncoated copier paper	M/s JK Paper limited v. Union of India	50629 of 2019
8	Seamless tubes and Pipes	M/s Mita India Pvt. Ltd.	AD/51852/2018- CU(DB) / CESTAT
9	DOP	M/s KLJ Plasticizers	AD/51750/2018
10	Nonyl phenol	M/s SI Group India Private Limited	AD/50430/2019
11	Sodium Nitrite from China	M/s Deepak Nitrite	AD/COD/50165/2018
12	Certain Rubber Chemicals	M/s NOCIL Ltd.	AD/COD/50166/2018
13	PX-13 and TDQ	M/s Automotive tyre manufacturers v. DOI & others	Appeal No 50608 of 2018
14	Veneered Engineered Wood Flooring	M/s Exotic Décor Pvt Ltd. and M/s Lotus Kaleen Pvt. Ltd.	AD/52233/2018 AD/52239/2018
15	Saturated Fatty Alcohol	M/s Inter Continental oils and fats PTE Ltd, M/s Tide Industries, M/s PT Musim Mas, M/s Eternis Fine Chemicals	AD/50228/2019 AD/50229/2019 AD/50230/2019 AD/50232/2019
16	Grinding media balls	M/s Magotteaux co. ltd, AIA Engineering	AD/53285/2018 AD/53586/2018
17	Non plasticised industrial grade Nitro cellulose	M/s Nobel NC Pvt. Ltd, M/s Nitro Chemical Industry	AD/50573/2019 AD/50572/2019
18	Ceramic rollers	M/s Futura Ceramics	AD/53588
19	Glassware	M/s National Glass Emporium	AAD/53094/2018

The list of panel counsels for GOI are available at
<http://legalaffairs.gov.in/documents/empanelled-advocates>
<http://legalaffairs.gov.in/sites/default/files/order%20DHC>



OUTREACH PROGRAMMES

1. The DGTR embarked upon a series of outreach programmes to sensitize the domestic manufacturers about the trade remedy measures available to the industry to counter the unfair trade practices being adopted by the exporters in the exporting countries.

2. DGTR involved the regional offices of DGFT in reaching out to producers/manufacturers in the respective region. The participation of DGFT offices in the outreach programme/seminar had a purpose to create a knowledge bank in the Department of Commerce at the field level to equip them to tackle unfair trade practices, thereby obviating the need for intermediaries to file trade remedy related applications to protect the interest of the domestic industry, particularly MSMEs and those located in remote areas. DGFT has nominated Shri Vijay Kumar, Additional DGFT (E.mail: vijay63@nic.in, Tel: 011-23061055) as the Nodal Officer for co-ordinating trade remedial efforts between DGFT field formations and DGTR.

3. The basic purpose of the outreach programme is essentially to demystify the Trade Remedy laws and processes and reach out to the domestic manufacturers and other potential beneficiaries directly with a view to minimizing the role of intermediaries. DGTR officers held several such programmes across the length and breadth of the country. It is meant to be a very useful initiative which will prove to be extremely rewarding for the Industry as well as the Department of Commerce.

4. Further, this endeavour of DGTR is also intended to facilitate the Indian exporters facing antidumping/countervailing actions in various countries and equip them in defending their legitimate interest.

(I) CHANDIGARH

5. Ms. Shubhra, Additional Director General and Mr. N.I. Chowdhury, Director (Cost) conducted an outreach programme in Chandigarh on 15th May, 2018. The DGFT office at Chandigarh was requested to organise the programme and invite the local industry representatives. The programme accordingly was organised by the DGFT office in collaboration with Pharma Export Promotion Council. The local DGFT office took active interest in organising the event. The outreach programme included a 40 minutes presentation by the DGTR team followed by 90 minutes interactive session. Thereafter, the floor was left open for the participants to ask questions relating to Trade Remedy measures.

6. The outreach programme in Chandigarh was attended by large scale manufacturing entities, MSMEs, Traders, Exporters etc. The interaction was meaningful and the participants seemed interested in widening their knowledge base about the trade remedies. The maximum queries raised during the interactive session were related to the misclassification of imported goods under different HS codes to avoid anti-dumping duty in force. Also it was repeatedly mentioned by members of user industry that they were not getting opportunity for contesting imposition of duty. Overall the programme was highly interactive and fruitful.





(II) KOLKATA

7. Ms. Shubhra, Additional Director General and Mr. A.K. Pal, Director (Cost) conducted outreach programme in Kolkata on 18th May, 2018. The programme was organised by Zonal DGFT office at Kolkata in collaboration with the Engineering Export Promotion Council. The local DGFT office took active interest in organising the event.

8. The maximum queries were raised by the steel user industry, who claimed to be on the receiving end of imposition of anti-dumping duty on steel. User industry requested that the steel producers should be instructed to provide goods at reasonable prices as they are getting hit on account of imposition of duty. The exporters requested for the creation of a suitable mechanism for helping them to contest anti-dumping cases initiated against them in various countries.



(III) GOA

9. Ms. Shubhra, Additional Director General and Mr. N.I. Chowdhury, Director (Cost) conducted an outreach programme in Goa on 29th May, 2018. The programme was organised by the Goa DGFT office in collaboration with Goa Chamber of Commerce. The local DGFT office showed exceptional enthusiasm in hosting the event. programme.

10. The programme was attended mainly by manufacturers from Chemicals and pharmaceuticals sector and importers. The main queries raised were in regard to the procedure and data requirement for filing petitions and the impact of anti-dumping duties on the importing industries. There were queries as to why the Government was not conducting *suo moto* investigations and imposing duties whenever instances of dumped imports from China came to light. Queries were replied satisfactorily.



(IV) DAHEJ

11. Dr. Rajiv Arora, Additional Director General and Shri. G. Pradhan, Director (Cost) conducted an outreach programme in association with the Vadodara DGFT office and the office of the Development Commissioner, SEZ Dahej at Dahej, Gujarat on 30th May, 2018. Around fifty people from companies located in SEZ, exporters and importers participated. The



team highlighted the role of the Directorate General of Trade Remedies in protecting the industries from unfair trade practices adopted by some of the foreign business entities. A brief discussion was held on Anti-Dumping Laws, Countervailing Laws, Safeguard laws and trade defence mechanism existing in the DGTR. Participants expressed their happiness and thanked the Directorate for organising such type of programmes for the benefit of the domestic industry.



(V) VADODARA

12. Dr. Rajiv Arora, Additional Director General and Shri. G. Pradhan, Director (Cost) conducted another outreach programme at Vadodara on 31st May 2018. A large number of people participants attended the programme. The team explained the data requirement and the verification procedure adopted by the DGTR for computation of normal value, export price, landed value and NIP to arrive at dumping margin and injury margin. The participants raised a number of queries relating to computation of dumping and injury margin. Many participants also raised queries on remedial measures available to counter the various subsidy schemes offered by the different foreign Governments to their domestic industries.

(VI) PUNE

13. Ms. Rita Mahna, Director (Foreign Trade) and Mr. N. I. Chowdhury, Director (Cost) conducted an Outreach Programme on 6th June 2018 in Pune with an objective to create awareness about the activities performed by the DGTR and how these could benefit the Domestic Industry. Broad concepts of trade remedy measures, the process of filing application and various steps and procedures involved in the trade remedy investigations were explained to the participants in detail.

(VII) LUDHIANA

14. An outreach programme was conducted by Mr. Mithileshwar Thakur, Additional Director General and Mr. N. I. Chowdhury, Director (Cost) on

13.06.2018 at Ludhiana. The outreach programme was organised by Ludhiana DGFT office. It was attended by the members of local trade and industry comprising manufacturers, importers, exporters and other stakeholders.

15. A detailed one-hour power point presentation was made explaining various trade remedy measures available to the domestic industry to address the issue of distortion and unfairness in trade practices resorted by foreign exporters. This was followed by an hour long question & answer session. The main queries during the interactive session related to the procedure of filing application, requirement of data, the impact of anti-dumping duties on the user industry and the possibility of help expected from the government in defending Indian exporters who are being subjected to such measures by the importing countries. Some of the exporters raised queries relating to GST refund too. All the queries of the participants were answered to their satisfaction. The participants lauded the initiative of the DGTR to reach out to the domestic industry to create awareness and impart technical know-how regarding trade remedy mechanism.

(VIII) SURAT

16. Ms. Shubhra, Additional Director General and Mr. N.I. Chowdhury, Director (Cost) conducted an outreach programme at Surat on 31st August, 2018. The programme was organised by Surat DGFT office in collaboration with the Southern Gujrat Chamber of Commerce. Mr Abhishek Sharma, Deputy DGFT, Surat took special interest in organising the event successfully. The programme was attended by

members of SRTPC, manufacturers from textiles, gems and jewellery and food processing sectors, job workers, importers and traders.

17. The main queries raised during the interactive session were regarding the procedure for filing AD and CVD applications, difficulties faced by user industries

where ADD has been imposed, issues arising due to duty exemption/concession caused by FTAs, duty drawbacks procedure, GST Refund etc. The participants also suggested development of a research base for studying price data from all the importing countries.



(IX) BANGALORE

18. Ms. Shubhra, Additional DG, Mr. Vivek Singh, Deputy Director (Foreign Trade) and Mr. Shobh Nath, Deputy Director (Cost) conducted an outreach programme at Bangalore on 25th September, 2018. The programme was organised by the Bangalore

DGFT office in collaboration with the Southern wing of FIEO. A detailed presentation explaining various aspects of trade remedy mechanism starting from application stage to issue of final finding notification was made by the team of DGTR officers followed by an interactive session. It was useful for the participants.



(X) VISAKHAPATNAM

19. Ms. Shubhra, Additional Director General and Mr. N.I. Chowdhury, Director (Cost) conducted outreach programme at Visakhapatnam on 5th January 2019. The programme was organised by Visakhapatnam

DGFT office in collaboration with AP Chamber of Commerce. After making detailed presentation on various aspects of application and investigation, the participants were encouraged to put forward any queries relating to the field of trade Remedies. All such queries were answered to the satisfaction of the participants.



(XI) CHENNAI

20. Shri Mithileshwar Thakur, Additional DG, Shri Gandharb Pradhan, Director (Cost) and Shri Vivek Singh, Deputy DGFT conducted an outreach programme at Chennai on 21st January 2019. The programme was organised by Zonal DGFT Chennai office and was attended by around 150 persons representing domestic manufacturers, importers, exporters as well as several associations. Senior functionaries of trade bodies like FIEO, CAPECIL, Leather EPC and Seafood Exporters Association of India. Handloom Export Promotion Council, Human Hair and Hair products manufactures and exporters association of India also actively participated in the programme.

21. A detailed presentation was given by Mr. Mithileshwar Thakur, Additional DG on the role and functions of DGTR ; anti-dumping , anti-subsidy & safeguard laws and various processes & procedures involved in administering these Trade Remedy Measures under WTO framework. It was highlighted

that the DGTR had embarked upon the path of reforms towards transparency and uniformity in its functions and operations by the adopting prudent processes and simplified procedures in handling its tasks transparently and efficiently. The participants were informed and sensitized about the avenues available to them under trade remedy laws in the event of trade distortive measures adopted by producers/exporters of various countries against India.

22. An active participation from attendees saw various pertinent questions being raised at the end of the session. All the queries were answered in detail to the satisfaction of all. Some of the members highlighted that few cases of anti-dumping measures imposed in the past had given rise to the monopolistic tendency and thus required review. They were advised to file application for Mid-Term Review. Many exporters present in the programme raised several queries with regard to the WTO-compatibility/ countervailability of export promotion schemes under foreign trade policy, which were answered in detail.



Shri. M. Thakur during the Outreach Programme held in Chennai.

(XII) KANPUR

23. Mr. J.M. Bishnoi, Joint Director (Foreign Trade) and Ms. Devanshi Agarwal, Assistant Director (Cost) conducted an outreach programme at Kanpur on 14th March, 2019, which was organised in collaboration with the Federation of Indian Export Organisation (FIEO) and Quality Control Council (QCC). The event

was organised with the purpose of imparting knowledge to the domestic industry about the Trade Remedies available. During the programme issues related to quality certifications and schemes run by the Government for upliftment of the industry were discussed. The queries raised by the participants were answered by the officials to the satisfaction of the participants.



ACTIVITIES IN SPOTLIGHT

The DGTR has emerged as a full-fledged organisation in last few years. The existing manpower (permanent) is 59 as against the sanctioned strength of 112. Therefore, Directorate has outsourced staff (Data Entry Operators, Legal Interns and MTS) to assist the Officers. DGTR has taken several innovative steps for human resource management and development as well as to uplift the workspace ambience. It is a pleasure to present a kaleidoscope of some of the activities which were hosted here with complete involvement and diligence of the officers of the administration in the Directorate.

- Swachhata Pakhwada started in April 2016 with the objective of bringing a fortnight of intense focus on the issues and practices of Swachhata by engaging GOI Ministries/Departments in their jurisdictions. Swachhata Pakhwada 2018 was organised by DGTR from 1.11.2018 to 15.11.2018. T-shirts with the logo of DGTR and Swachh Bharat were distributed among the staff. On the last day of the event, 'Slogan writing' and 'Quiz' competitions were held in which the staff of the DGTR actively participated. The winners were

awarded by AS&DG. Further, the DGTR officials took pledge to sensitize and ensure good health and hygiene.



Swachhata Pakhwada 2018



DGTR Officials taking Pledge on the eve of Swachhata Pakhwada 2018

सोचो ठानो
लक्ष्य हमारा
मन व कार्यालय
स्वच्छ हमारा

Clean up the litter,
let our planet shine
like a glitter

- DGTR observed Vigilance Awareness Week from 29.10.2018 to 03.11.2018. The activities undertaken included taking of the Integrity Pledge by all employees, distribution of pamphlets/handouts on preventive vigilance activities and other anti-corruption measures awareness.

- Constitution Day (National Law Day), also known as Samvidhan Divas, is celebrated in India on 26 November every year to commemorate the adoption of Constitution of India. A pledge on ‘Constitution Day’ was taken by the officers of DGTR to uphold the Constitution of India in action and spirit.

- Mahatma Gandhi dreamt of an India which was not only free but also clean and developed. To realize his dreams and as part of Swachh Bharat Abhiyan, DGTR officials took pledge to sensitize and ensure good health and hygiene.

- The Government observes 31st October as a special occasion, to foster and reinforce the Government’s dedication to preserve and strengthen unity, integrity and security of the nation by celebrating it as Rashtriya Ekta Diwas (National Unity Day) to commemorate the birth anniversary of Sardar Vallabhbhai Patel, one of the founding fathers of the Republic of India. A National Unity pledge was taken by all the officials of the Directorate.

- DGTR bid Farewell to Shri. A.K Soni, Advisor on 30.09.2018 and to Shri Jaikant Singh, Additional DG(FT) on 30.11.2018 on superannuation; Shri. Mehmoodulhq, P.P.S also superannuated on 31.12.2018 after 35 years of government service.

- Shri Agneshwar Sen, Additional DG(FT) took voluntary retirement on 30.10.2018 Shri. Dinesh Kumar, Assistant Commissioner and Shri. Krishna Mohan, Assistant Commissioner also took voluntary retirement.



- There are a large number of women in DGTR and they celebrated Woman’s DAY on 8th March 2019 with cake cutting alongwith lively conversation.



DESIGNATED AUTHORITY/DIRECTOR GENERAL (Since 1995)

S.No.	Name & Designation	Period	
		From	To
1.	Sh. J.K.Bagchi , Additional Secretary	13 th January,1995	19 th April, 1995
2.	Sh. Y.V.Reddy, Additional Secretary	19 th April, 1995	12 th June, 1995
3.	Sh. T.S. Vijayraghwan, Additional Secretary	12 th June, 1995	30 th September,1996
4.	Sh. Deepak Chatterjee, Additional Secretary	30 th September,1996	17 th December, 1997
5.	Sh. Rathi Vinay Jha, Additional Secretary	17 th December, 1997	16 th October, 2000
6.	Sh. L.V. Saptharishi, Additional Secretary	16 th October, 2000	7 th November, 2003
7.	Sh. Abhijit Sengupta, Additional Secretary	7 th November, 2003	4 th November, 2004
8.	Dr. Christy Fernandez, Additional Secretary	4 th November, 2004	22 nd May, 2007
9.	Sh. O.P. Arya, Additional Secretary	22 nd May, 2007	29 th May, 2007
10.	Sh. R. Gopalan, Additional Secretary	29 th May, 2007	7 th January, 2010
11.	Sh. P.K. Chaudhery, Additional Secretary	7 th January, 2010	14 th February, 2011
12.	Ms. Vijaylaxmi Joshi, Joint Secretary /Additional Secretary (on 5.5.2011)	14 th February, 2011	8 th October, 2012
13.	Sh. J.S. Deepak, Additional Secretary	8 th October, 2012	30 th May, 2014
14.	Sh. J.K. Dadoo, Joint Secretary	30 th May, 2014	4 th August, 2015
15.	Sh. A.K. Bhalla, Additional Secretary	4 th August, 2015	21 st October, 2016
16.	Sh. Inder Jeet Singh, Additional Secretary	21 st October, 2016	31 st August, 2017
17.	Sh. Sunil Kumar, Additional Secretary	14 th September, 2017	Till date

OFFICERS IN DGTR

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26.	Shri. S.S. Lamba	Section Officer (Cash)	23408712	ss.lamba@gov.in
27.	Shri. A.K. Asthana	Asstt. Commssioner	23408715	ajay.asthana@gov.in
28.	Shri. Sanjay Kumar Shukla	Asstt. Commssioner	23408705	skshukla.ce@gmail.com

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Abbreviations and Defined terms appearing in this Publication

S.no.	Abbreviation	Full form
1.	Act	Customs Tariff Act, 1975
2.	ADD	Anti-Dumping Duty
3.	ADA	Agreement on the Implementation of Article VI of GATT, 1994
4.	ADM	Anti-Dumping Measure
5.	Anti-Dumping Rules or AD Rules or the Rules	Customs Tariff (Identification, Assessment And Collection Of Antidumping Duty On Dumped Articles And For Determination Of Injury) Rules, 1995.
6.	CVD	Countervailing Duty
7.	CV	Confidential Version
8.	DA/DG	Designated Authority/Director General
9.	DI	Domestic Industry
10.	DGTR or Directorate	Directorate General of Trade Remedies
11.	DGAD	Directorate General of Anti-Dumping and Allied Duties (earlier name)
12.	DGCI &S	Directorate General of Commercial Intelligence & Statistics
13.	GATT	General Agreement on Tariffs and Trade, 1994
14.	Manual	Manual of Operating Procedures for the conduct of investigations
15.	MTR	Mid-Term Review
16.	NCV	Non Confidential Version
17.	NSR	New Shipper Review
18.	NV	Normal Value
19.	CNV	Constructed Normal Value
20.	POI	Period of Investigation
21.	PUC	Product Under Consideration
22.	SSR	SunSet Review
23.	SCM	Subsidies and Countervailing Measures
24.	TRU	Tax Research Unit
25.	WTO	World Trade Organization







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