

No. 4/22/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara building, 5, Parliament Street, New Delhi -110001

Dated 1st October, 2018

Trade Notice: 14/2018

Subject: Streamlining of Anti-Dumping Investigations- Additional clarification regarding Disclosure of Information in Confidential Version / Non-Confidential Version of Responses filed by the Supporting Producers.

Attention of the Trade and Industry is drawn to the earlier Trade Notice No. 10/2018 dated 7th September 2018 regarding basic criteria for confidentiality in responses filed by the domestic industry and other interested parties.

2. **Annexure I** attached to the said Trade Notice laid down the guidelines for Disclosure of Information in Confidential and Non-Confidential Version of application/responses filed on behalf of the **Domestic Industry**; **Annexure II** laid down the guidelines for Disclosure of Information in Confidential and Non-Confidential Version of responses filed on behalf of **foreign producers, exporters, importers** and; **Annexure III**- laid down guidelines for Disclosure of Information in Confidential and Non-Confidential Version by the **Users**.

3. Now, in view of Trade Notice No. 13/2018 requiring the supporting domestic producers to provide their injury and performance details, **Annexure-IV** is being prescribed with respect to the disclosure of information / particulars to be furnished by the **supporting producer(s)** in Non-Confidential version-as actuals / trend / range, etc.

4. These guidelines on confidentiality shall apply to all the information filed by supporting producer(s) in all Trade Remedy Investigations initiated after the date of issuance of this Trade Notice. The Authority may permit deviation from the guidelines contained herein, on a case to case basis, if the party seeking the same can establish to the Authority a good cause for the same. In case confidentiality is claimed by any party, the non-confidential data / summary must be provided in a manner consistent with the AD Rules.



1.10.18
(Sunil Kumar)

Additional Secretary and Director General

Encl: Annexure IV- Disclosure of Information in Confidential and Non-Confidential Versions by the Supporting Producer(s).

To
All concerned

ANNEXURE IV**DISCLOSURE OF INFORMATION IN CONFIDENTIAL AND NON-CONFIDENTIAL
VERSION BY THE SUPPORTING PRODUCER**

S.No.	Particulars	Confidential Version- Supporting Producer (SP)	Non-Confidential Version ¹
1	Write-up on broad stage-wise manufacturing process	Actual Information	Actual Information ²
2	Names of major raw materials used in production of PUC	Actual Information	Actual Information ²
3	Country-wise Volume and Value of import of subject goods by the supporting producer	Actual Information	Data must be provided as trend
4	Relationship, if any, of the supporting producer with Exporters or Importers of subject goods.	Actual Information	Actual Information
5	Installed Capacity of the supporting producer	Actual Information	Data must be provided as trend
6	Production Quantity of the supporting producer	Actual Information	Data must be provided as trend
7	Capacity Utilisation Percentage	Actual Information	Data must be provided as a trend
8	Average Industry Norm for Capacity Utilisation, If any	Best Information available and source thereof	Best Information available and source thereof
9	Sales Quantity: (a) Domestic Sales-Small Scale Industry** (SSI) (b) Domestic Sales-Other than SSI (c) Export Sales (d) Captive Consumption	Actual Information	Data must be provided as trend
10	Sales Value: (a) Domestic Sales-SSI (b) Domestic Sales-Other than SSI (c) Export Sales (d) Captive Consumption	Actual Information	Data must be provided as trend
11	Sales Realisation per Unit: (a) Domestic Sales-SSI (b) Domestic Sales-Other than SSI (c) Export Sales	Actual Information	Data must be provided as trend

¹ When the supporting producer is a single product company which is either listed on the stock exchange or reports its financial information to the Ministry of Corporate Affairs, then the information regarding these parameters would be available in the public domain. Therefore, claims of confidentiality by such a supporting producer would not be permitted. Even where the supporting producer is a multiple product company listed on the stock exchange or reporting its financial information to the Ministry of Corporate Affairs, the extent of confidentiality which can be claimed should be correlated with the nature of its reporting available in the public domain.

² The supporting producer must provide actual information unless the same is protected by any law or is trade secret for that supporting producer. Where the information pertaining to the manufacturing process is protected by any law, the supporting producer must cite the same as the reason for claiming confidentiality along with a summary of the information sought.

S.No.	Particulars	Confidential Version- Supporting Producer (SP)	Non-Confidential Version ¹
	(d) Captive Consumption		
12	No. of Employees	Actual Information	Actual Information (Aggregated data in case of more than one plants)
13	Productivity per day	Actual Information	Actual Information- Average data in case of more than one plants
14	Average Industry norm for Productivity per day, if any	Best Information available and source thereof	Best Information available and source thereof
15	Inventory	Actual Information	Data must be provided as trend
16	Inventory as No. of days of Production	Actual Information	Data must be provided as trend
17	Inventory as No. of days of Sales	Actual Information	Data must be provided as trend
18	Average Industry Norm for Inventory, if any	Best Information available and source thereof	Best Information available and source thereof
19	R&D Expenses	Actual Information	Data must be provided as trend
20	Funds Raised: (a) Equity (b) Loans and Advances (c) Working Capital (d) Other, if any	Actual Information	Data must be provided as trend
21	Cost of Sales per Unit- Domestic Sales (excluding outward freight, outward insurance etc.)	Actual Information	Data must be provided as trend
22	Cost of Sales per Unit- Exports	Actual Information	Data must be provided as trend
23	Selling price per unit- Domestic Sales (excluding excise duty or GST whichever is applicable)	Actual Information	Data must be provided as trend
24	Export price/unit	Actual Information	Data must be provided as trend
25	PBIT per Unit-Domestic Sales	Actual Information	Data must be provided as trend
26	Total Profit before Interest and Tax-Domestic Sales	Actual Information	Data must be provided as trend
27	Interest/Finance Cost Domestic Sales	Actual Information	Data must be provided as trend

S.No.	Particulars	Confidential Version- Supporting Producer (SP)	Non-Confidential Version ¹
28	Depreciation and Amortisation expense	Actual Information	Data must be provided as trend
29	Average Industry norm for PBIT as % of Avg. Capital Employed, if any	Best Information available and source thereof	Best Information available and source thereof
31	Details regarding the manufacturing plants of the supporting producer which are involved in the production of PUC along with annual capacity thereof	Actual Information	Data must be provided as trend
32	Details regarding the PUC (including size, type, range, models) that is produced by the supporting company	Actual Information	Supporting Producer may provide a reasonable summary of the data, to the extent possible