

No. 4/2/2018-DGTR
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building,
5 Parliament Street, New Delhi – 110001

Dated: 16th June 2021

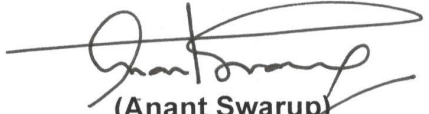
Trade Notice: 04/2021

Subject: Streamlining of the Anti-Dumping Investigations Process – Prima-facie scrutiny of applications for completeness of documents as per the checklist, regarding.

In suppression of earlier trade notice no. 15/2018 dated 22nd November 2018 on the aforesaid subject, a revised checklist for submissions of anti-dumping duty and countervailing duty applications to DGTR for initiation of investigations is hereby prescribed.

2. All applications shall be submitted to the Authorised Officer – Helpdesk with a copy e-mailed to application-dgtr@gov.in* alongwith softcopies of supporting documents. The application should be complete in all respects with documents as mentioned in the attached checklist. The Authorised Officer will do prima-facie scrutiny of the application with respect to completeness of documents as per the checklist. Only the complete applications shall be accepted and incomplete applications shall be returned for compliance of deficiencies. The Domestic Industry must rectify the deficiencies pointed out by DGTR within five (5) working days from the date of receipt of e-mail/letter.

Encl: As above


(Anant Swarup)
Joint Secretary and Designated Authority

To:

All concerned

* In place of ad11-dgtr@gov.in as mentioned in trade notice no.01/2020 dated 10.04.2020

Checklist

List of documents to be provided by the Applicant at the time of submitting the application for initiation of anti-dumping/countervailing duty investigation:

1. Type of Investigation: Anti-Dumping Countervailing
2. If Anti-dumping: Original SSR MTR NRS
Anti-Circumvention
3. Timelines for submissions of review investigations:
 - A. In case of SSR: the application has been filed as per timeline prescribed with proper justifications:
Y N
 - B. In case of MTR: the application has been filed as per timeline prescribed with proper justifications:
Y N
4. a) Period Of Investigation (POI) - As on date of application, whether the proposed Period of Investigation is recent i.e. not older than 4 months as on date of submission of application as per Trade Notice no. 02/2021 dated 06.04.21 Y N

b) Whether POI period is in accordance with the provision mentioned in custom notification No. 10/2021-Customs (N.T.) dated 01/02/2021 (Note 1 in Annexure may be seen). Y N
5. The write up about the industry and the PUC is provided: Y N
6. The HS Codes for the alleged dumped products in the application provided:
Y N
7. A background on any previous trade remedy investigations related to PUC and the entities constituting DI provided: Y N
8. The letters of Support with information in TN 13/2018 dated 27.9.2018 provided (Note 2 in Annexure may be seen):
Y N
9. The details of total Indian production of the PUC for the injury period including POI provided: Y N
10. The details of installed capacity of PUC of DI for the entire injury period including POI with supporting documents provided (Note 3 in Annexure may be seen):
Y N

11. The details of total Demand in India along with sales details of PUC by the applicant(s) for the injury period including POI provided: Y N
12. The transaction wise import data (import volume and value) from DGCI&S and the summary of the same for each of the subject country provided:
Y N
13. The explanation for the methodology adopted for segregating the import data into PUC and NPUC provided: Y N
14. Normal Value:
- (a) Whether direct evidence of domestic selling price in the exporting country, if available, provided:
Y N
- (b) In case direct evidence is not available, whether reasonable other evidence of the prevailing selling price in the exporting country provided:
Y N
- (c) In case direct evidence is not available, whether comparable representative price of the like article when exported from the exporting country or territory to the rest of the world including India as determined in accordance with the rules provided: Y N
- (d) In case of non-availability of (a) and (c) above whether CNV provided along with the methodology for the calculations: Y N
15. Whether it is alleged that any of the producer/exporter in any of the exporting country is alleged to be operating in non-market conditions, If Yes, reasons provided: Y N
16. Whether all prescribed formats including costing formats 'A' to 'L' along with its soft copies in MS excel along with linked formulae and figures linked with soft copies of financial statements (wherever applicable) are provided by DI:
Y N
17. If applicable, whether audited financial statements and cost audit reports, for the injury period including POI provided (Note 4 in Annexure may be seen):
Y N
18. In case of new units, not having completed four years since the commencement of commercial production, the project report or any other similar document submitted to the Government agency/Financial Institution provided (Note 5 in Annexure may be seen):
Y N

19. In case of SSR – Additional information regarding likelihood and recurrence as prescribed vide Trade Notice No. 02/2017 provided: Y N
20. In case of NSR – Application in the format prescribed vide Trade Notice No. 08/2018 dated 25.4.2018 provided: Y N
21. Whether the details of confirmed order(s)/contract for NSR applications provided: Y N
22. In case of MTR – Additional information in terms of Rule 23(1A) like changed circumstances etc. with supporting documents provided: Y N
23. The declaration from the applications/legal consultants enclosed regarding submissions of the complete cost data for all the units of the DI manufacturing and selling PUC, without leaving any unit manufacturing and selling PUC:
Y N
24. Declaration that application is as per the procedure laid down under Annexure III for cost/NIP computations: Y N
25. Declaration that the details of revaluation/impairment of assets, if any, during injury period including POI, provided: Y N
26. Declaration that the detailed break-up of Head Office Expenses/Misc. Expenses/Other Expenses/Admin. Overheads/Selling & Distribution Overheads is provided: Y N
27. 2 copies of application provided along with soft copy of the whole application in “searchable formats” along with its excel working sheets: Y N
28. Whether Non-Confidential Version of the application has been provided as per trade notice No 02/2012 dated 30.03. 2012.
Y N

RECEIPT

(a) Application received for further processing

(b) Application Returned for the deficiencies noticed as sl. No.

Authorised Officer

NOTES

1. Where the POI period does not comply provisions mentioned in custom notification No. 10/2021-Customs(N.T.) dated 01/02/2021, in all such cases an application justifying the deviation may be made to Designated Authority for consideration. The Authority shall have full discretion to reject entire submission.
2. Where information as laid down in Annex-1 and Annex-II of trade notice No. 13/2018 dated 27/09/2018 is not complied with, a letter of supporter should invariably contain at least following basic information in respect of Injury periods including POI alongwith the Supporting letter duly signed by the Chief Executive or a duly authorised representative of the supporting company, such as;
 - a. Installed Capacity
 - b. Production Quantity
 - c. Sales Quantity and Sales value
 - i. Domestic
 - ii. Export
 - iii. Captive
3. Evidence in support of the capacity claimed submitted to any Government agency such as Pollution Control Board or Directorate of Industry under M/o Commerce and Industry etc is required. If company has not registered/submitted their capacity with any government agency as above, a certificate from management may be provided for the same with an undertaking that “if at any later stage it is found that capacity evidence has been submitted to any government agencies and that capacity differs with the capacity claimed in the petition, the petition will be liable for rejection/termination by the Designated Authority.
4. In case, audited financial statements and cost audit reports of POI period is not available, the company certified financial statements (Profit and Loss Account and Balance sheet for opening & closing POI period) along with its soft copy may be provided.
5. Where project report submitted to any Government agency/Financial Institution is not available, a project report or any other similar document prepared by company to assess the feasibility of the project duly certified by management may be provided alongwith an undertaking that “if at any later stage it is found that project report or any other similar document has been submitted to any Government agency/Financial Institutions, the petition will be liable for rejection/termination by the Designated Authority.