

No. 4/21/2018-DGTR  
Ministry of Commerce and Industry  
Department of Commerce  
Directorate General of Trade Remedies  
4<sup>th</sup> Floor, Jeevan Tara Building, 5<sup>th</sup> Parliament Street, New Delhi - 110001

Dated: 27<sup>th</sup> September, 2018

**TRADE NOTICE NO. 13 / 2018**

**Subject: Requirements for companies expressing support for any Anti-Dumping Duty /  
Countervailing Duty Petition / Application**

Attention of Trade and Industry is invited to Rule 2(b) of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the "Rules") read with Rule 5(3) therein. The Authority notes that the "domestic industry" as defined must be representative, in so far as possible, of the domestic producers as a whole. Accordingly, it is felt that the examination of the "*degree of support for, or opposition to the application expressed by domestic producers of the like product*" requires the Authority to be cognizant of details regarding as many of the domestic producers as possible.

2. It has been noted that many petitions are being filed on behalf of domestic producers having limited share in domestic production, but with support from other domestic producers in the form of a simple letter of support. It is noted that there is no 'prescribed format' for such domestic producers who express their support for a petition wherein 'supporters' could supply information to the Authority. Hence, meaningful and sufficient information of such supporting companies is not available with the Authority which has a bearing on the quality of Trade Remedial Investigations carried out by the Authority.

3. The Authority therefore prescribes the format, as laid out in *Annex-I* and *Annex-II*, wherein information is to be provided by each of the 'supporters' of a petition (hereinafter, "supporting company"). The data submitted by the supporters should be accompanied by a Certificate signed by the Chief Executive or a duly authorised representative of the Supporting Company. Format of the certificate is enclosed at *Annex-III*. Data of all supporting companies is required to be filed by the petitioner with the original petition at pre-initiation stage.

4. The acceptance of the data provided by a supporting company and its sufficiency would be subject to verification by the Authority.

5. This Trade Notice will supersede all previous instructions or Trade Notice, if any, issued by the Directorate with regard to the aforesaid subject.

  
(Sunil Kumar)

Additional Secretary and Designated Authority

To,  
All concerned



ANNEX-I

<b>S. No.</b>	<b>Particulars / Requirements</b>	<b>Response by the Supporting Company</b>
i.	Name(s), Address(es) of the Regd. Office, contact person, telephone numbers, fax numbers and e-mail id of the supporting company	
ii.	Details regarding the manufacturing plants of the supporting company which are involved in the production of PUC along with annual capacity thereof	
iii.	Details regarding the production process including broad stage wise process of manufacturing and various routes of manufacture. Process flow chart indicating cycle time taken at each process be also indicated.	
iv.	Indicate, if any, difference in the production process employed by the supporting company and the petitioners or foreign producers, wherever possible.	
v.	Names of major raw materials and packing materials consumed in the production and sale of the PUC	
vi.	Details regarding the PUC (including size, type, range, models) that is produced by the supporting company	
vii.	Details regarding the importation of the PUC by the supporting company, if any. Please include details of country-wise volume and value of imports during the POI and the last two years.	
viii.	Reasons for supporting this petition and not becoming the co-petitioner in the instant case.	
ix.	In case the supporting company is related to the exporters or importers of the subject goods from any source, the nature of such relationship	
x.	Performance Parameters of Supporting Company as per <b>Annex-II</b> attached	
xi.	Provide copies of Annual Reports for the POI and the last two financial years with complete schedules and annexes	



**Name of Company** .....

**Performance Parameters of the Supporting Company (PUC)**

<b>Particulars</b>	<b>Unit</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>POI</b>
Installed Capacity					
Production Quantity*					
Capacity Utilization Percentage					
Average Industry Norm for Capacity Utilisation, if any					
Sales Quantity: Domestic Sales- Small Scale Industry** (SSI) Domestic Sales – Other than SSI Export Sales Captive Consumption					
Sales Value: Domestic Sales – SSI Domestic Sales – Other than SSI Export Sales Captive Consumption					
Sales Realisations per unit: Domestic Sales – SSI Domestic Sales – Other than SSI Export Sales Captive Consumption					
No. of Employees					
Productivity per Day					
Average Industry Norm for Productivity per day, if any					
Inventory					
Inventory as No. of days of Production					
Inventory as No. of days of Sales					
Average Industry Norm for Inventory, if any					
R&D Expenses					
Funds Raised: Equity Loans and Advances Working Capital Other, if any					
Cost of Sales per Unit-Domestic Sales (excluding outward freight, outward insurance etc.					
Cost of Sales per Unit- Exports					
Selling Price per Unit- Domestic Sales (excluding excise duty or GST whichever is applicable, outward freight, outward insurance etc.)					



PBIT per Unit- Domestic Sales					
Total Profit before Interest and Tax – Domestic Sales					
Interest / Finance Cost – Domestic Sales					
Depreciation and Amortisation Expense					
Other non-cash expenses					
Cash Profits					
Average Capital Employed					
PBIT as % of Avg. Capital Employed					
Average Industry Norm for PBIT as % of Avg. Capital Employed, if any					

\* *If the same plant can be used for the production of NPUC also, the total production including NPUC needs to be indicated.*

\*\* *Small Scale Industries (SSI) means a micro enterprise/small enterprise or a medium enterprise as defined in The Micro, Small and Medium Enterprises Development Act, 2006*

### CERTIFICATE

I/We have verified the above data with reference to the books of account, cost accounting records and / or other relevant records of the company and have found the same to be in accordance with the Accounting Standards / Cost Accounting Standards as applicable as on date. Based on the information and explanations given to me/us, and on the basis of Generally Accepted Cost Accounting Principles & Practices followed by the industry, I/We certify that the above data reflects true and fair view for production and sales of the PUC concerned as per the books of accounts maintained by the Company.

Date:

Seal and Signature of Cost Accountant

Membership No.



**CERTIFICATE BY THE CHIEF EXECUTIVE OF THE  
COMPANY / DIRECTORS / PARTNERS OR THE PROPRIETOR OF THE FIRM**  
(On Letterhead of the company)

On behalf of the [name of the producer/ company constituting the Supporter Industry], it is hereby certified that I have read the attached submission of [name of the producer/ company constituting the Supporter Industry] dated \_\_\_\_\_ pursuant to request by [name of the producer/ company constituting the Domestic Industry] for initiation of the Anti-Dumping/Countervailing Investigations against the Product \_\_\_\_\_ originating in or exported from \_\_\_\_\_.

2. It is certified that the information contained in this submission is true, complete and correct to the best of my knowledge and belief. The same is based on the records of the company consistently made by the company. We have neither knowingly and/ or wilfully concealed or misrepresented any material information nor made any material false statements to the Designated Authority. I am fully aware that in the event of any data/information/ claim found to be contrary to the facts, the Designated Authority would have full discretion to reject our entire submission.

3. I/We also understand that we may be responsible, individually and severally, for the consequences of any deliberate or wilful and/or fraudulent concealment, mis-declaration or misrepresentation by me /us in any manner whatsoever. We also agree to provide such further information, if any required by the Designated Authority relating to this investigations in the current case.

Name: \_\_\_\_\_  
Signature

Seal

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

Note: if this Certificate is signed by an Authorised Representative other than the Officers referred above, a copy of the authorization from the Competent Officer or the Chief Executive of the Company/ Director/Partners or the Proprietor of the Firm or the board of Directors be also attached.