

The procedure followed in decision making process, including channels of supervision and accountability.

The norms set for the discharge of functions

The DGAD broadly carries out its operations as detailed below:

1. An anti-dumping investigation is initiated on the basis of a duly substantiated application submitted by the domestic industry in the prescribed format along with annexures and non-confidential version thereof. Before initiation, the Designated Authority (DA) is required to examine the accuracy and adequacy of the evidence of dumping, injury and causal link to justify initiation of an investigation. The Designated Authority must ensure that the application has the required standing and support of the domestic producers. Before proceeding to initiate the investigation, seven days' notice is given to governments of exporting countries.
2. Further, detailed information is then collected in the prescribed format from exporters and importers by means of specific questionnaires. Forty days' mandatory time is allowed to exporters and importers to present their views and furnish responses to the investigation questionnaires.
3. To examine the impact of dumped imports on the concerned domestic industry, the information and data is verified from the Directorate General of Commercial Intelligence & Statistics (DGCI&S), DG Systems, and from the records maintained by the domestic producers at their offices and plants.
4. Under the AD Law, provisional duty can be imposed only after the expiry of 60 days from the date of initiation of AD investigation. The mandatory 40 days above can be subsumed within 60 days. If exporter seeks extension beyond 40 days, the request has to be examined on merits as per the WTO Agreement.
5. After the Preliminary Findings stage, a public hearing is held where all interested parties, i.e., domestic industry, importers, exporters, governments of exporting countries and industrial users of the product under investigation and the representatives of consumer organizations in cases where the product is commonly sold at the retail level is provided an opportunity to present their views followed by written submissions and rejoinders.
6. Verification of transactional data on domestic sales, cost of production, normal value, volumes and values of exports and accounting system of exporters is conducted by making visits to exporting countries. Thereafter, verification reports are prepared and forwarded to exporters for their comments, if any.

7. Before issue of Final Finding of anti-dumping investigation, Disclosure Statements containing the essential facts under consideration which form the basis for the decision on dumping, injury and causal link are prepared and forwarded for comments to all interested parties.

8. Within one year from the date of initiation of an investigation, Final Findings determining the export price, normal value, dumping margin, conclusions on material injury and causal link and recommendation on the amount of anti-dumping duty is submitted to the Central Government. Comments made by interested parties at various stages of investigation are extensively dealt with in the Final Findings.

9. In an anti-subsidy/CVD investigation, in addition to the above activities, the Government programmes are examined / analysed in-depth to ascertain whether the country providing actionable subsidies within the meaning of Agreement on subsidies and Countervailing Measures.

10. **CVD Cell**

A CVD cell in DGAD defends the CVD investigations initiated by other countries against India.

Typical role of the Cell involves (i) Pre-initiation consultation with the Government Concerned to clarify the position and prevent initiation of an investigation; (ii) preparation of Questionnaire responses for initiated cases in coordination with all stakeholders mentioned above and timely filings through the counsels engaged for this purpose; (iii) monitoring of the investigations and filing of legal submissions and case briefs from time to time; (iv) coordination and organising Verification by the investigating agencies; (v) public hearings by these authorities and submissions thereof; (vi) monitoring preliminary determinations and submissions thereof; (vii) commenting on disclosures and final determinations; (viii) raising objections to inconsistencies in the procedural and substantive issues and preparation for disputes, if required.
