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GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
DIRECTORATE GENERAL OF TRADE REMEDIES

4th Floor, Jeevan Tara Building, 5, Parliament Street, New Delhi - 110001

DGTR
Directorate General of Trade Remedies

SUBJECT WISE

COMPENDIUM OF TRADE NOTICES

Anti-Dumping Duty | Countervailing Duty | Safeguard Measures

57 Trade Notices | 24 Subjects | 342 Pages

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No. A-22020/2/2019-DGTR
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
*****

4th floor, Jeevan Tara Building,
Sansad Marg, New Delhi
Dated: 23rd September, 2019

TRADE NOTICE No.02 /2019

DGTR has established a **Help Desk & Facilitation Centre** under the supervision of Principal Advisor Cost which has started functioning in Room No. 17A, DGTR next to Reception of DGTR.

2. The Help Desk & Facilitation Centre is an institutional arrangement to facilitate optimal utilization by different stakeholders of available trade remedial measures aimed at curbing 'unfair trade'.

3. The following functions have been assigned to the Help Desk & Facilitation Centre:

(i) To disseminate information to Domestic Industry regarding various Trade Remedies/ procedures, forms and applications and provide guidance regarding the most suitable trade remedial measure;

(ii) To hand-hold the domestic industry, especially those belonging to MSME sector, in filing fully documented trade remedial petition / application, and resolving their Case specific / investigation specific queries by referring them to Investigation Team / Senior Officers;

(iii) To guide the MSME units, with the support of concerned Administrative Ministry / Department, in removing 'data gaps' encountered in the process of filing a trade remedial application;

(iv) To disseminate information regarding other Non-Tariff Measures available to the Domestic Industry and advising them about how they could avail the same with support of the concerned Administrative Ministry / Departments;

(v) To provide information regarding estimated time lines for completion of various procedures and for disposal of cases;

(vi) To guide the Indian exporters facing Trade Remedial Investigations in other countries regarding the support that could be extended to them by the Trade Defence Wing of DGTR.

4. The Help Desk & Facilitation Centre shall function between 10:00am to 5:00pm on all working days. The Help Desk & Facilitation Centre can be contacted on the **Toll Free No. 1800111808** and by email on – helpdesk.dgtr@gov.in . Names and contact details of members of the Help Desk & Facilitation Centre is available on DGTR web site.

Contd......2

5. It may be noted that, as on date, no fee is prescribed for filing or processing of any trade remedial petition with DGTR. Facility for filing Anti-Dumping petitions electronically, even from any remote location through **ARTIS** as per the link available at DGTR web-site, is also available.

23.9.19

(Sunil Kumar)
Additional Secretary and Designated Authority

To,
All Concerned

A-22020/2/2019-DGTR(Pt)

Ministry of Commerce and Industry

Department of Commerce

Directorate General of Trade Remedies

4th Floor Jeevan Tara Building

New Delhi

23rd September, 2019

Help Desk & Facilitation Centre of DGTR

As per DGTR's Trade Notice No02/2019 dated 23rd September, 2019, DGTR has established a **Help Desk & Facilitation Centre** under the supervision of Principal Adviser (Cost). The Centre has started functioning in Room No. 17A of DGTR.

2. The members of the **Help Desk & Facilitation Centre** are as follows:

(a) Shri I.P.Singh, Principal Adviser (Cost);
(b) Shri N.I. Chowdhury, Director (Cost);
(c) Dr. Ishita G. Tripathy, Director;
(d) Smt. Rita Mahna, Director (FT);
(e) Ms. Devanshi Agarwal, AD(Cost);
(f) Shri Vivek Jayaswal, Section Officer;
(g) Shri S.K.Shukla, Assistant Commissioner;
(h) A full-time Legal Intern

(Rita Mahna)
Director (Admin)

F No: 01/10/2025-DGTR-SETU
Government of India
Ministry of Commerce & Industry,
Department of Commerce
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi – 110001

Dated: 24th October 2025

Trade Notice: 01/2025

Subject: Implementation of Online Filing of Applications through 'SETU' Portal – reg.

1. Attention of the Trade and Industry is invited to the existing procedure for filing applications before the Directorate General of Trade Remedies (DGTR) under the provisions of the Customs Tariff Act, 1975, the FTDR Act, 1992, and the Rules made thereunder.

2. Earlier, such applications/petitions were submitted via e-mail to the designated DGTR address. DGTR has now developed a new online platform – SETU (System for ensuring fair trade through unified platform) – available on the DGTR website (setu.dgtr.gov.in/).

3. The SETU portal provides a structured and user-friendly interface for submission of applications along with supporting documents in prescribed formats. The portal has been designed to facilitate time-bound submission, tracking application status, investigation status, public files of concerned investigation, registered interested parties etc.

4. With the operationalization of the SETU application from **24th October 2025**, all the applications by the Domestic Industry/Exporter/ Importers/User including those relating seeking initiation of investigation to Anti-Dumping Duty, Countervailing Duty, and Safeguard and respective review applications shall be filed only through the SETU application. Applications filed by any other mode, including e-mail submissions, shall not be considered.

5. Applications filed before 24th October 2025 shall continue to be processed as per the procedure in effect at the time of their submission, even after the operationalization of the SETU portal.

6. The applications must be complete in all respects and supported by the prescribed documents in line with the requirements under the relevant Rules and Trade Notices.

7. The procedure outlined above shall supersede all previous instructions issued by the Directorate on the subject of filing of applications.

8. For any query, or assistance regarding SETU filing or related procedural matters stakeholders may contact the DGTR (SETU) Help desk No.+91 9807065400/ +919990030004 / or via e-mail at setuhelp-dgtr@gov.in

-Sd
(Sh. Siddharth Mahajan)
Joint Secretary & Designated Authority

No. 20/89/2015-DGTR
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th floor, Jeevan Tara Building, Sansad Marg, New Delhi

Dated: 30th September, 2019

TRADE NOTICE No. 03/2019

Subject: Launching of ARTIS - Online filing of Anti-Dumping Applications

1. Attention of the Trade and Industry is invited to the application filing process to be followed by Domestic Industry for anti-dumping investigations under Section 9A of the Customs Tariff Act, 1975 as amended and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder.

2. It is further informed that, as a measure of facilitating speedy resolution to the injury faced by Indian domestic industry and to increase the accessibility of Directorate General of Trade Remedies to all the stakeholders, an online filing system called **ARTIS** (Applications for **R**emedies in **T**rade for **I**ndian Industry and other **S**takeholders) is being developed for **e-filing** of applications, responses and other related submissions with respect to various trade remedial measures undertaken by DGTR.

3. Attention is also drawn to various stakeholder's meetings on the issue followed by launch of pilot project for filing anti-dumping applications on 21.05.2019. **The online system is presently functional** for filing of applications by domestic industry in Original investigation and Sunset review investigation of Anti-dumping cases.

4. The modules for other types of applications (like mid- term review, new-shipper review, anti-circumvention, etc.) and for filing of responses by exporters, importers, users within anti-dumping and the modules for anti-subsidy, safeguard and quantitative restriction cases will be launched shortly.

5. **Trade & Industry are hereby advised that henceforth all applications as referred in para 3 above must be filed online also in ARTIS using link http://164.100.68.187/ .**

6. As a measure for interim arrangement and for smooth transition to ARTIS, all online applications shall be followed by submission of two copies of physical application also as per the existing practice with respect to anti-dumping applications filed up to 30th June 2020. No anti-dumping investigation (original investigation / sunset review) shall be initiated unless the application has also been filed online on ARTIS.

7. The requirements of this trade notice are in addition to the trade notices issued earlier pertaining to filing of petition.

8. In case of any difficulty in filing applications on ARTIS, the applicants may contact the Help Desk & Facilitation Centre of DGTR on the Toll Free No. 1800111808 and by sending email at helpdesk.dgtr@gov.in

30.9.19
Sunil Kumar,
Additional Secretary and Designated Authority

To
All concerned

F. No. 8/3/2021-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: 29th July, 2021

Trade Notice No.: 05/2021

Subject: Simplification of existing application/petition to be filed by the Domestic Industry in Anti-Dumping investigation- reg.

Attention of all members of Trade and Industry is invited to the existing application formats filed by the domestic industry for imposition of anti-dumping duty.

2. There have been representations from domestic producers and their associations for simplification of the existing application formats. To ascertain the difficulties faced by the domestic industry, stakeholder consultations were also held.

3. Accordingly, to meet their demands as also to fulfil the objective of reduction of compliance burden for citizens and business, the existing application formats have been simplified and aligned with the updated Act and Rules. Requirement of non-essential and repetitive information has been dispensed with. Some formats have been deleted altogether whereas some others have been merged.

4. The new application proforma along with revised formats for the Anti-Dumping application to be filed by the Domestic Industry is annexed herewith.

5. Henceforth, Petitioner/Domestic Industry shall use the new/revised formats specified above. The instructions contained in this trade notice supersedes all previous instructions or Trade Notices, issued by the Directorate on this subject.

(Anant Swarup)
Designated Authority

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

APPLICATION PROFORMA

DIRECTORATE GENERAL OF TRADE REMEDIES
Website: https://www.dgtr.gov.in
Email: dgtr-india@gov.in

Address:
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

INTRODUCTION

This Directorate has considered the need to streamline antidumping documentation so as to make it more concise and comprehensive. This publication contains the revised format and guidelines for applications seeking anti-dumping action.

The petitioners are expected to furnish a fully documented petition with the information as per the revised format and the footnotes in each part thereof. The information so submitted should be drawn from reliable source. Wherever required the petitioner should annex the copies of requisite documents to substantiate facts and figures presented.

The officers of the Directorate will be available for any assistance required in the completion of a fully documented petition to present prima facie evidence of dumping, injury and causal link thereof as required by the Rules governing the process of Anti dumping investigations.

GENERAL

1. The applicant is advised to familiarize themselves with Sections 9A, 9B, and 9C of the Custom Tariff Act, 1975 and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of injury) Rules, 1995 before filing a petition. The applicant may also refer to the Brochure issued by this Directorate on the subject.

2. The Designated Authority would initiate investigations to determine the existence, degree and effect of any alleged dumping upon receipt of a fully and properly documented petition made by or on behalf of the domestic industry in accordance with Rule 5(1).

3. Rule 5(3) requires the Designated Authority to examine the accuracy and adequacy of the evidence provided in the application and satisfy itself that there is sufficient evidence regarding dumping, injury where applicable and a causal link between dumped imports and the alleged injury to justify the initiation of an investigation.

4. No petition will therefore be taken on record of this Directorate until it is fully and properly documented and until all necessary and sufficient information are furnished by the petitioner. In case of any problem faced in filling the application the Help Desk and Facilitation Centre of the Directorate may be contacted for assistance and help. The petitioner must ensure that the application filed by them is complete in all respects and is fully documented, so that it may be taken on record by the Authority and necessary action be initiated.

5. The petition should specifically cover, inter alia, the following:

   (i) information on the imported product;

   (ii) information the domestic industry and the domestic market;

   (iii) evidence of dumping;

   (iv) evidence of injury; and

   (v) evidence of causal link

6. Confidential information: Rule 7 permits an interested party to furnish information on confidential basis. Any information which is by nature confidential (for instance, information the disclosure of which would be of significant competitive advantage to a competitor or because its disclosure would have a significantly adverse effect upon a person supplying the information or upon a person from whom that person acquired the information), shall be treated as such. Evidences relating to Normal Value, export price, costing, profitability, specific adjustments in pricing are examples of such information which is usually accepted by Designated Authority as confidential. If confidentiality is claimed on any other aspect, which generally is not as per the above criteria, the applicant/petitioner should give a brief statement of reasons as to why that particular information needs to be kept confidential. In case such information is furnished on confidential basis without recording any reasons for claiming it to be confidential, the Designated Authority may disregard such information. It is of utmost importance that each page and supplementary information furnished on confidential basis is clearly marked "confidential" on the face of it, failing which the request for confidentiality

may not be entertained. All documents/ arguments/ submissions or correspondence made on a confidential basis should necessarily be accompanied by a non-confidential summary, failing which such communication is liable to be ignored without making any other further reference to the supplier of such information, in view of the time limits laid down under the law.

7. The petition is required to be submitted in two copies along with one non-confidential version thereof. The Designated Authority may, however require additional copies before initiation of investigation at any time during the course of the investigations.

8. The Designated Authority may provide any information submitted by the applicant (or any other party) on non-confidential basis to other interested parties in accordance with Rule 6.

9. The petition should contain information as detailed in the proforma enclosed herewith. The proforma enclosed is not a fill in proforma and, therefore, should be treated as a questionnaire. Any information not requested in the proforma which may be necessary or of importance, may also be furnished.

10. Applicants are advised to consider a time period for providing the information. The time period chosen as Period of Investigation should preferably be 12 months. It is desirable that this period be most recent and correspond to the accounting year of the domestic industry. All information, unless otherwise specified, should relate to this period.

11. The Designated Authority may request any additional and/ or supplementary information any time before or after the initiation of investigation.

12. All information unless otherwise specified should relate to the relevant product.

13. The Designated Authority requires detailed information on the extent of injury upon initiation. The information generally required to be furnished is indicated in Part-IV of these guidelines.

14. The application should be addressed to:

    The Designated Authority
    Directorate General of Trade Remedies
    4th Floor, Jeevan Tara Building,
    5, Parliament Street,
    Patel Chowk,
    New Delhi-110001 India

15. Please complete the certificate as at Format-X and declaration as at Format-Y, if applicable for submission along with the petition.

PART – I:

IMPORTED PRODUCT INFORMATION

1. Complete description of alleged dumped goods, including information on its size, quality, category and uses of such goods along with any applicable technical specifications or standards (national or international) and the ITC (HS) Code, Basic Customs Duty and applicable cess, Existing Import Policy (free/ restricted/ prohibited/ imports through STE) and change in import policy, if any, during the POI.

2. Country(ies) of origin of the alleged dumped goods.

3. Details of concluded or ongoing investigations, if any, relating to the PUC.

4. The proposed Period of Investigation (POI) and the Injury period. If the proposed POI is not a period of 12 months, then justification for the same.

5. Country-wise Volume, value and average CIF value of the subject goods imported into India, from all countries whether alleged to be dumped or not, for the past three years and the proposed POI and the source of information thereof. *

6. Name(s), address(es), phone numbers and functional email ids of the following:

   (a) known producers/exporters of the alleged dumped goods in each of the subject countries.

   (b) known importers of the alleged dumped goods in India and/or the associations thereof.

   (c) known users of the alleged dumped goods in India and/or the associations thereof.

   (d) other domestic producers of the like product in India and/or the associations thereof.

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*Source of the import data must be the DGCl&S.

PART – II

INDIAN INDUSTRY PROFILE**

1. Provide the following relating to the Indian producers of the subject goods who are filing the Application:

(a) Functional email id, address and phone numbers of the Regd./Head Office including the Name, email id and mobile number of its contact person.

(b) Name, Functional email id, address and phone numbers of the manufacturing unit(s) of the subject goods including the Name, email id and mobile number of its contact person

2. Name(s), Functional email ids and address(es) of all Indian producers including the Applicant(s) along with their production volume of subject goods during the injury period (POI and past three financial years in continuity). Also indicate the status of each such producer (i.e. whether supporter, opposer or neutral).

3. The supporter must provide (relating to the subject goods) the Installed capacity with supporting evidence, production quantity and Sales Volume & Value (separately for Domestic, Export and Captive consumption).

4. Provide the details of the concerned line ministry and department in Govt. of India for the subject goods.

5. Provide the following details relating to the end-use product(s) manufactured out of the subject goods:

(a) Concerned line ministry and department in Govt. of India.

(b) The impact of the duty on the end-use product(s) (quantify such impact)

6. Whether the product(s) manufactured by the Applicants are commercially and technically substitutable for the alleged dumped goods.

7. Subject goods (including size, type, range, models) that petitioner(s) produces.

8. (a) Do any of the petitioner(s) import the subject goods. If Yes, provide the country-wise value and volume of such imports from all countries. Also provide the detailed reasons for importing the subject goods. Give details of selling price to the end-users of such imported goods including a list of such end users.

(b) Are any of the petitioners related to the exporters or importers of the alleged dumped article? If yes, provide the country-wise value and volume of such imports from all countries relating to such exports / imports so made by that related entity

9. Whether the concerned product of the applicant is like-article of subject goods in terms of AD Rules. Also indicate any difference in the production process employed by the petitioner(s) and the foreign producers. Quantify the impact of such differences, if any, on cost and/or prices.

10. Provide the details of end-users/ consumers of like product in India including sales quantity and value for each of them. Quantify the impact of duty on cost of the end-product, if possible, with detailed calculations.

11. Details of volume losses during the injury period due to:

(a) shutdown (normal/maintenance/planned and abnormal/unplanned) and reasons therefore along with stock position during the shutdown

(b) force-majeure situations like flood, earthquake, fire, other natural calamities, etc.

** The Applicants should provide all the information contained in the latest trade notice relating to "Prima-facie scrutiny of applications for completeness of documents as per the checklist"

PART – III

EVIDENCE OF DUMPING

3.1 Estimates of Normal Value

1. Provide the estimates of normal value of the subject goods in subject countries as below:

   a. If domestic sales can be used, then provide price lists, commercial/ sales invoices, trade journals, etc. indicating domestic prices.

   OR

   b. Evidence of export price to an appropriate third country.

   OR

   c. Cost of Production (COP) of the subject goods in the country of export/origin for construction of normal value (provide source of data and calculation of such COP)

2. Adjustments for normal value at ex-factory level (supported with evidence).

3. Normal Value at ex-factory level (after adjustments).

3.2 Estimates of Net Export Price:

Provide the following information, country-wise, with respect to the Net Export Price of the product for the POI.

1. Average Export Price to India and its basis (e.g. FOB, CIF, FOR, etc)

2. Adjustments for Export Price at ex-factory level (supported with evidence)

3. Net export price (after adjustments).

3.3 Estimates of Dumping Margin:

Provide details of estimates of dumping margin for each subject country as below:

Particulars	**In local currency of producer/ exporter**	**Exchange Rate vis-a-vis US $**	**In US$**
Ex-factory Normal Value per unit			
Ex-factory Export Price per unit			
Dumping Margin per unit			
Dumping Margin as % of CIF Export Price			

PART IV

EVIDENCE OF INJURY

The information relating to the following injury parameters for the period of investigation and previous three financial years may be furnished:

1. Change in imports from the subject country(ies), in absolute terms and in relation to production and consumption in India;

2. Changes in market share held by domestic industry, other Indian producers, imports from subject countries and imports from other countries;

3. Change in sales volumes, output/production, or utilization of capacity

4. Change in productivity, employment and wages

5. Change in profits, cash flow, return on investments, inventories, growth, ability to raise capital investments

6. Price injury parameters including price undercutting, price underselling and price suppression or price depression.

Provide the above information as per Proforma IV-A and IV-B.

PART – V

EVIDENCE OF CAUSAL LINK

1. Volume and value of imports from countries other than the subject country(ies) and an explanation as to why imports from these country(ies) especially from where the imports are above *de-minimis* are not causing injury to domestic industry.

2. In case the demand has undergone decline substantially, an explanation on why such decline has not caused injury to the domestic industry.

3. State whether trade restrictive practices of and competition amongst the foreign and/or domestic producers, developments in technology, export performance or the productivity of the domestic industry or any other known factors have caused injury to the domestic industry. If no, explain why.

4. Provide the production during any shut-down month/ quarter (segregating between normal and abnormal) in the plant during the injury period. Also provide the inventory levels and other relevant details during that time.

5. Provide whether there are any constraints (related to raw materials shortage, power shortage, impact of any tax diffrential, lack of adequate capacity or investment constraints, etc. as applicable to the domestic industry in relation to the production or sales of subject goods. Provide the relevant details in this regard.

6. Evidence of lost contracts.

PART VI

COSTING INFORMATION

1. **Production Process:** Stage-wise process of manufacturing including its various routes of such manufacturing along with process-flow chart indicating cycle time taken at each process.

2. Statement of consumption of raw materials, packing materials and utilities used for PUC production and Details of expenses (procured domestically/imported or from related/unrelated party) during the POI as per **Format VI-1.**

3. Statement of cost of production as per **Format VI-2.** The basis of allocation may be clearly mentioned. The PUC figures in Format VI-2 must be provided as per the financial records. Further, in case the Cost Audit Report has dedicated cost of production for the PUC, then provide the Cost Audit Report for the IIP along with the reconciliation of the financial and cost records maintained by the company.

4. Provide the calculation of the ratios used in the costing formats for allocation of expenses, working capital or net fixed assets as per **Format VI-2R** which shall be duly linked with the respective formats, wherever used.

5. Provide PCN-wise summarised Statement of Expenses, if proposed/claimed, as per **Format VI-3**.

6. Calculations in Excel of Average Working Capital (for opening & closing period of POI) and Average Net fixed Assets (for the IIP) as per **Format VI-4.** The basis of allocation may be clearly mentioned.

7. In case of major new investment (i.e. beyond small de-bottlenecking, etc.) for the PUC during the IIP, provide the date of installation of machinery, its average useful life on such date and its detailed project report as submitted to the relevant authorities/ financial institutions or, if not so submitted, as approved by the management of the company.

8. Statement showing plant-wise NIP for the applicant companies constituting DI separately along with the weighted average NIP for the DI as a whole as per **Format VI-5**.

9. A statement showing Installed Capacity, Production and Net Sales Realisation (Qty. and value) for the PUC (month-wise for the POI).

10. Provide for the POI, the Audited/certified signed (searchable pdf document) annual financial statements (and notes annexed thereto) including director's, auditor's report. Also provide for the POI, relevant excel of P&L and balance sheet including notes to financial statements and 'trial balance relevant to PUC as per **Format VI-2T** duly linked with costing formats.

11. Provide for the past three financial years, the Audited annual financial statements including director's and auditor's report (searchable pdf document).

Note: All the information, unless otherwise stated, should relate to the POI. All the information is subject to verification, and therefore, all supporting papers, including working sheets may be preserved for verification on demand by the Authority.

Proforma IV-A

Economic Parameters of Domestic Industry (PUC)

S.No	Information Relating to Product Under Consideration only	Units	FY-1	FY-2	FY-3	POI
Section-A						
1	Installed Capacity*	MT				
2	Total Production Qty (PUC+NPUC)*	MT				
3	Capacity Utilization	%				
4	Production Qty of PUC	MT				
5	Captive Consumption of PUC	MT				
6	**Sales Quantity**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**
6a	(a) Domestic Sales	MT				
6b	(b) Export Sales	MT				
7	**Gross Sales Value (excluding taxes)**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**
7a	(a) Domestic Sales	Rs Lacs				
7b	(b) Export Sales	Rs Lacs				
8	**Average Selling Price Per unit:**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**
8a	(a) Domestic Sales	Rs./MT				
8b	(b) Export Sales	Rs./MT				
9a	No of employees	Nos.				
9b	Salaries & Wages	Rs Lacs				
9c	Productivity per day	MT				
9d	Productivity per employee	MT				
9e	Productivity per day per employee	MT				
10a	Opening Inventory	MT				
10b	Closing Inventory	MT				
10	**Average Inventory**	MT				
10c	Average Inventory as no. of days of production	MT				
10d	Average Inventory as no. of days of Sales	MT				
11	**Cost and profits for domestic sales:**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**
	Cost of Sales (ex-factory)	Rs Lacs				
	Commission, Discounts, Rebate, Freight, etc.	Rs Lacs				
	Net Sales Realisation	Rs Lacs				
	PBT (Profit before Tax)	Rs Lacs				
	Interest Cost	Rs Lacs				
	PBIT (Profit before Interest & Tax)	Rs Lacs				
	Depreciation	Rs Lacs				
	PBDIT (Profit before Depreciation, Interest & Tax)	Rs Lacs				
	Cash Profit (PBT+Depreciation)	Rs Lacs				
	Cost of Sales (ex-factory)	Rs./MT				
	Net Sales Realisation per unit	Rs./MT				
	PBT (Profit before Tax)	Rs./MT				
	Interest Cost	Rs./MT				
	PBIT (Profit before Interest & Tax)	Rs./MT				
	Depreciation	Rs./MT				
	PBDIT (Profit before Depreciation, Interest & Tax)	Rs./MT				
	Cash Profit (PBT+Depreciation)	Rs./MT				
12	Average capital employed	Rs Lacs				
	Net Fixed Assets	Rs Lacs				
	Working Capital	Rs Lacs				
	PBIT as % of Average Capital Employed (ROI)	%				

S.No	Information Relating to Product Under Consideration only	Units	FY-1	FY-2	FY-3	POI
13	**Details of Self-Imports by the Applicant:**	xxxx	xxxx	xxxx	xxxx	xxxx
	Import Volume	MT				
	Import Value (CIF)	Rs. Lacs				
	Import Price (CIF)	Rs./MT				
	Resale price of self-imported goods	Rs./MT				
Section-B						
14	**Import Volumes:**	xxxx	xxxx	xxxx	xxxx	xxxx
	Imports from each of the Subject Countries (separate rows may be inserted for each country)	MT				
	Imports from Non-subject Countries attracting ADD (separate rows may be inserted for each country)	MT				
	Aggregate Imports from Other Countries	MT				
	Total Imports	MT				
	Sales of the domestic industry	MT				
	Sales of Other Domestic Producers	MT				
	Total Demand/Consumption excluding Captive	MT				
	Total Demand/Consumption including Captive	MT				
15	**Import Values (CIF):**	xxxx	xxxx	xxxx	xxxx	xxxx
	Imports from each of the Subject Countries (separate rows may be inserted for each country)	Rs. Lacs				
	Imports from Non-subject Countries attracting ADD (separate rows may be inserted for each country)	Rs. Lacs				
	Aggregate Imports from Other Countries	Rs. Lacs				
	Total Imports	Rs. Lacs				
16	**Import Price (CIF):**	xxxx	xxxx	xxxx	xxxx	xxxx
	Imports from each of the Subject Countries (separate rows may be inserted for each country)	Rs./MT				
	Imports from Non-subject Countries attracting ADD (separate rows may be inserted for each country)	Rs./MT				
	Aggregate Imports from Other Countries	Rs./MT				
	Total Imports	Rs./MT				

Only the yellow highlighted cells in the above table to be filled in.

Section-A is to be filled by each company constituting the domestic industry and Section-B by the domestic industry as a whole.

* If the plant can produce both PUC and NPUC and the capacity of the plant cannot be identified separately or cannot be segregated for PUC and NPUC, then the capacity will be aggregated for both PUC and NPUC together.

Proforma IV-B

Country-Wise Landed Value

Provide details regarding export price, custom duty etc. and work out the landed value of imports per unit of the alleged dumped product for each of the subject country(ies).

Name of the exporting country:									
S. No.	**Particulars**	**FY-1**		**FY-2**		**FY-3**		**POI**	
		Qty.	Value	Qty.	Value	Qty.	Value	Qty.	Value
		MT	Rs. Lacs	MT	Rs. Lacs	MT	Rs. Lacs	MT	Rs. Lacs
1	Avg. CIF price (Rs.)								
2	Avg. Exchange Rate								
3	Avg. CIF Price (USD)								
4	Landing charges, if applicable								
5	**Avg. Assessable value** (3+4)								
6	Basic Custom Duty, including cess								
7	**Landed Value of Imported Product (5+6)**								
8	Non-Injurious Price (NIP) claimed by domestic industry as per Format VI-5								
9	**Injury Margin (8-7)**								

Note: Separate proforma for each of the exporting country is to be furnished

Format-X

In the matter of application for initiation of anti-dumping investigation concerning imports of ……………..(PUC) originating in or exported from …………….. (Subject Countries)

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY /DIRECTORS/PARTNERS OR THE PROPRIETOR OF THE FIRM

1. I, Shri/Ms.……………………………….. (full name) am the ……………….(designation) of M/s……………………………(name of applicant company constituting the 'domestic industry for the PUC') and am authorized for filing the submissions for the subject application on behalf of the company. I have personally verified all documents/information/evidence (as given in Annexure) with the original documents, books of accounts and records and on the basis of such verification do hereby certify:

   a) That the data/information/documents/evidence so provided in the application are accurate and adequate inter-alia in terms of Rule 5(3) of the AD Rules 1995, the Customs Tariff Act 1975 and the trade notices/ circulars issued thereunder by the Authority from time to time;

   b) That the documents mentioned at S.No. from ____ to ____of Annexure are complete, authentic, and correct extracts of or compilation from the books of accounts consistently maintained by the company in the ordinary course of business;

   c) That the documents mentioned at S.No. from ____ to ____ of Annexure are true and exact copies of original documents available in the company for verification;

   d) That all the information/ documents/ evidence submitted are true and correct to the best of my knowledge and belief;

   e) That I have neither knowingly and/ or wilfully concealed or misrepresented any information nor made any false statement;

   f) That there is no misstatement/ misrepresentation of facts in the documents/information/ data/ evidence submitted herewith.

2. I am fully aware:

   a) I shall be responsible for the consequences of any deliberate or wilful and/or fraudulent concealment, mis-declaration or misrepresentation in any manner whatsoever;

   b) That in the event of:

      (i) any statement/document/data/information/evidence found to be incorrect, misleading, misrepresented, fraudulent, concealed or mis-declared or contrary to the facts;

      (ii) any refusal of access to the information/documents/data/evidence on demand as and to the extent deemed necessary by the Authority; or

      (iii) impeding the investigation in any manner whatsoever.

      the Designated Authority reserves the right to take any action against my company including the whole/partial rejection of our submissions, use of best/adverse facts available, rejection of our application/petition or debarring my company from representing in DGTR as an interested party for any specified period.

   c) That I herewith undertake to provide the relevant books of accounts, records, original documents, evidences, etc. for verification as and when demanded by the Authority.

Signature: __________________

Name of Signatory: __________________
Designation: __________________
Date: __________________

Seal of the Company

Annexure to Format-X

With regard to the application for initiation of anti-dumping investigation concerning imports of …………….. (PUC) originating in or exported from …………….. (Subject Countries), I submit the following documents/information:

List of documents with Index

Sl. No.	Name of Documents	Page …… to ……..

Format-Y

In the matter of application for initiation of anti-dumping investigation concerning imports of ……………..(PUC) originating in or exported from …………….. (Subject Countries)

DECLARATION BY AUTHORISED LEGAL REPRESENTATIVE (ALR)

1. I, Shri/Ms.……………………………….. (full name) being the ……………….(designation) of M/s……………………………(name of the ALR firm filing the petition/application/submission on behalf of the 'domestic industry for the PUC') hereby declare that I have been duly authorized by M/s……………………., M/s ………………… and M/s………………………. (the names of the companies constituting the 'domestic industry for the PUC') for filing the subject application/submission on behalf of the domestic industry. I do hereby certify:

   a) That I have sought and obtained all the data/information/documents/evidence/explanations as necessary and sufficient for the purposes of preparation of application/petition in terms of the AD Rules 1995, the Customs Tariff Act 1975 and the trade notices/ circulars issued thereunder by the Authority from time to time:

   b) That I have duly incorporated the said information, explanations, etc. provided by the above named companies constituting the domestic industry in the subject application after following the principles specified in the relevant Act/Rules/trade notices/circulars, etc. mentioned in the preceding paragraph;

   c) That the said information, explanations, evidences, etc. are accurate and adequate in terms of Rule 5(3) of the AD Rules 1995;

   d) That all the information, documents, evidence, etc. submitted are true and correct to the best of my knowledge and belief;

   e) That I have neither knowingly and/ or wilfully concealed or misrepresented any information nor made any false statement;

   f) That there is no misstatement/ misrepresentation of facts in the documents/information/ data/ evidence submitted herewith.

2. I am fully aware:

   a) That I shall be responsible for the consequences of any deliberate or wilful and/or fraudulent concealment, mis-declaration or misrepresentation in any manner whatsoever;

   b) That in the event of:

      (iv) any statement/document/data/information/evidence found to be incorrect, misleading, misrepresented, fraudulent, concealed or mis-declared or contrary to the facts;

      (v) any refusal of access to the information/documents/data/evidence on demand as and to the extent deemed necessary by the Authority; or

      (vi) impeding the investigation in any manner whatsoever.

      the Designated Authority reserves the right to take any action against my firm including the whole/partial rejection of our submissions, use of best/adverse facts available, rejection of the subject application/petition or debarring my firm from representing in DGTR for any specified period.

   c) That I herewith undertake to arrange the relevant books of accounts, records, original documents, evidences, etc. for verification as and when demanded by the Authority.

Seal of the Firm

Signature: ___________________
Name of Signatory: ___________________
Designation: ___________________
Date: ___________________

Format VI-1

Statement of Consumption of Raw Materials (RM), Packing Materials (PM) and Utilities Used For PUC Production

Particulars	POI (Year-4)						Year-3		Year-2		Year-1	
	Use of Captively Produced raw materials/ Utility for PUC		Actual consumption (company level for PUC & NPUC)		Actual consumption PUC		Actual consumption PUC		Actual consumption PUC		Actual consumption PUC	
	A1		A2		A3		B		C		D	
	Qty MT	Value Rs. Lacs	Qty MT	Value Rs. Lacs	Qty MT	Value Rs. Lacs	Qty MT	Value Rs. Lacs	Qty MT	Value Rs. Lacs	Qty MT	Value Rs. Lacs
Production of PUC		xxxx		xxxx		xxxx		xxxx		xxxx		xxxx
Raw Material:	xxxx											
Raw Material -1												
Raw Material -2												
Any other*												
Change in WIP**												
Credit for Scrap/ by-product												
Packing Material												
Total												
Utilities:	xxxx											
Power												
Fuel												
Any Other*												
Total												

*Please specify the name of the raw material and utilities shown in above tables. Also attach Standard consumption as per Bill of Materials (BOM).
**Details of WIP at the beginning and end of the investigation period, clearly indicating break up of material cost and overheads charged in the valuation, may be given separately.

Details of expenses (procured domestically/imported or from related/unrelated party) during the POI

Name of the Raw Material purchased, Utility, Job-work, any other service, etc.	Country of origin including India (imported/domestic)	Related (R)/ Unrelated (UR)	POI		
			UOM	Qty	Value (Rs. Lacs)
Total					

Format VI-2

STATEMENT OF COST OF PRODUCTION

(Rs. Lacs)

Sl No	Particulars	POI					FY-3		FY-2		FY-1		Basis of Apportionment/ Allocation
		Total (Company as a whole) reconciled with audited/ certified financial statements	Share Applicable to				Total (Company as a whole) as per Audited Financial Statements of Company	PUC (Plant-wise)*	Total (Company as a whole) as per Audited Financial Statements of Company	PUC (Plant-wise)*	Total (Company as a whole) as per Audited Financial Statements of Company	PUC (Plant-wise)*	
			PUC (Plant-wise)*	Common Utilities, if any**	Captive Input, if any	NPUC							
			(Plant -1) Value			Total Value		(Plant -1) Value		(Plant -1) Value		(Plant -1) Value	
1	Total Cost of Raw Material consumed (reconciled with Format VI-1 for PUC)												
2	Cost of captive inputs/utilities												
3	Credit for sales of scrap/by products												
4	Cost of primary Packing Material consumed												
5	Consumables stores and spares/other inputs												
6	Cost of Utilities consumed (reconciled with Format VI-1 for PUC)												
7	Salaries & wages												
8	Depreciation and Amortisation Expenses												
9	Other Manufacturing Overheads												
10	Bank Charges												
11	Financial Costs												
12	Other Administration Overheads												
13	Other Selling & Distribution overheads (like advertisement, business promotion, etc.)												
14	Variable Selling Overheads (like Commission, Freight, Discount, Export-related expenses etc.)												
15	Other/Miscellaneous expenses, if any												
16	Allocation of Common utilities, if any**												
17	Credit for other income, if any												
18	Change in inventories of finished goods												
19	**Cost of Sales (1 To 25)**												
20	Domestic Sales												
21	Export Sales												
22	**Total Sales**												
23	**Profit before tax**												
24	Corporate tax for the year												
25	**Profit after Tax**												
26	Production Value (22-18)												

*PUC figures shall be provided as per financial records.

Format VI-2R

Calculation of Ratios used in respective Costing Formats

	Basis of Allocation/ Apportionment	Company level	PUC	NPUC	Ratio of PUC to Company
	Production Quantity				
	Production Value				
	Sales Quantity				
	Sales Ratio				
	Machine hours				
	Direct labour hours				
	Any other reasonable/ Justifiable basis				

The calculation of relevant/applicable ratios, which have been used in the costing formats for allocation of expenses, working capital or net fixed assets, may be given here for the IIP. However, these ratios may be duly linked with the PUC columns in respective formats for the POI, wherever used for allocation of common expenses/assets to PUC along with separately providing the direct expenses/assets for the PUC.

Format VI-2T

Trial Balance relevant to PUC for the POI

Particulars/ Sub-heading	Debit	Credit	Balance	Whether P&L or BS	Heading as per financial statement	Heading as per Format VI-2

Sum of Debit and Credit must be equal.

FORMAT VI-3

PCN* wise summarised Statement of Expenses

PCN No.	Production Quantity	Sales Quantity	Sales Value	Total Raw Material Cost	Conversion Cost	Total Cost
	MT	MT	Rs. Lacs	Rs. Lacs	Rs. Lacs	Rs. Lacs
Total						

* *PCNs could be identified on the basis of difference in technical characteristics like performance, physical features, price, cost and usage differences etc. In general parlance, the PCNs get identified as grades, types and forms etc.*

Format VI-4

Working Capital (WC)

S. No.	Components of WC (head wise)	POI Closing		POI Opening		Basis of allocation for PUC
		Total (Company as a whole) reconciled with audited/ certified financial statements	PUC (Plant Wise)*	Total (Company as a whole) reconciled with audited/ certified financial statements	PUC (Plant Wise)*	
1						
2						
3						
4						
	WORKING CAPITAL					

*The above information may be given for each plant producing the PUC.

Note: The above information may be duly linked with the audited/certified accounts.

Net Fixed Assets (NFA)

S. No.	Components of NFA (Head Wise)	POI Closing		POI Opening		FY-3		FY-2		FY-1		Basis of allocation for PUC
		Total (Company as a whole) reconciled with audited/ certified financial statements**	PUC (Plant Wise)*	Total (Company as a whole) reconciled with audited/ certified financial statements**	PUC (Plant Wise)*	Total (Company as a whole) as per Audited Financial Statements of Company**	PUC (Plant Wise)*	Total (Company as a whole) as per Audited Financial Statements of Company**	PUC (Plant Wise)*	Total (Company as a whole) as per Audited Financial Statements of Company**	PUC (Plant Wise)*	
1												
2												
3												
4												
5												
	Total											

*The above information may be given for each plant producing the PUC by adding the relevant columns.

**The revaluation of fixed assets, if at any time, shall be reported separately.

Note: The above information may be duly linked with the audited/certified accounts or with the supplementary records (preferably fixed asset register) as consistently maintained by the company.

Format VI-5

Name, Place & State of the Plant location:

Computation of optimum production of (Name of the company constituting the DI)- Plant-wise (POI):

Period	Installed Capacity	Production	Capacity Utilization	Optimum production
	MT	MT	%	MT
POI				
Year 3				
Year 2				
Year 1				

Computation of NIP (Plant wise for the POI)

Elements of Cost to make and sell	Claimed NIP of PUC as per Annexure-III to AD Rules, 1995	
	Value (Rs. Lacs)	Cost per unit (Rs./MT)
Optimum Cost of Raw Materials Consumed		
Cost of Primary Packing Materials Consumed		
Consumable stores and spares		
Optimum Cost of Utilities consumed		
Salaries & Wages		
Depreciation and Amortization expenses		
Other Manufacturing Overheads*		
Other Administration Overheads*		
Selling & Distribution Overheads (allowable)*		
Selling Overheads (non-allowable like Commission, Freight, Discount, Export-related expenses etc.)*		
Other/ Miscellaneous Expenses*		
Other Income*		
Total Cost of Sales excluding Finance Cost		
Return towards Finance Costs (Actual)		
Return towards Pre-tax Profit (Balance of 22% ROCE)		
Non Injurious Price		

*Breakup of such expenses may be provided, duly linked.

Return (@ 22% on Average Capital Employed)

Particulars	UOM	Amount
Optimum Annualized Production	MT	
NFA-Opening	Rs. Lacs	
NFA-Closing	Rs. Lacs	
Average NFA	Rs. Lacs	
Average Net fixed asset per unit	**Rs./MT**	
Average Working capital for PUC	Rs. Lacs	
Total Cost of sales (excluding finance cost)	Rs. Lacs	
Depreciation	Rs. Lacs	
Total Cost of sales (excluding depreciation and finance cost)	Rs. Lacs	
%of working capital in Cost of Sales	%	
Total Cost of sales (excluding finance cost)	Rs./MT	
Depreciation	Rs./MT	
Total Cost of sales (excluding depreciation and finance cost)	Rs./MT	
Average Working capital per unit	**Rs./MT**	
Average Capital employed	Rs./MT	
Return (@ 22% on Average Capital Employed)	Rs./MT	

Glossary of terms:

- DI: Domestic Industry
- DM: Dumping Margin
- NIP: Non-Injurious Price
- PUC: Product Under Consideration (NPUC: Non-PUC)
- PCN: Product Control Number
- POI: Period of Investigation
- IIP: Injury Investigation Period (i.e. past three financial years and the POI)
- NV: Normal Value
- CNV: Constructed Normal Value
- NEP: Net Export Price LV: Landed Value
- IM: Injury Margin
- STE: State Trading Enterprise
- CIF: Cost, Insurance and Freight
- FOB: Free on Board
- FOR: Free on Rail
- CFR: Cost and Freight
- DGCl&S: Directorate General of Commercial Intelligence & Statistics
- NME: Non-Market Economy
- GNI: Gross National Income
- P&L: Profit & Loss Account
- BS: Balance Sheet
- TB: Trial Balance

No. 4/02/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building,
5, Parliament Street, New Delhi -110001

Dated: 1st February, 2018

Trade Notice: 02/2018

Subject: Streamlining of the Anti Dumping Investigations Process – New information/Revision in existing formats of domestic industry's petition to avoid delays.

Attention of Trade and Industry is invited to the existing domestic industry's questionnaire and to state that the following revised formats should be submitted by the domestic industry while filing the petition to avoid delays caused by subsequent requests for additional information:

S.No.	Format Number	Brief Description
1	A	Statement of Consumption of Raw Materials, Packing Materials and Utilities
2	B	Statement of Raw Material Consumption
3	C	Allocation and Apportionment of Expenses
4	D	Statement of Consumption of Utilities
5	E	Statement of Sales Realisations
6	F	Certificate by the Chief Executive or a duly authorised representative of the Domestic Industry
7	G	Declaration by Legal Representative
8	H	Performance Parameters of Domestic Industry
9	I$$	PCN wise summarised Statement of Expenses
10	J	Related Party Transactions
11	K#	Calculation of Capital Employed
12	L	Calculation of claimed NIP

 # Seperate Format shall be submitted for opening amount of capital employed as well as closing balance of capital employed during POI.

$$ Format will be submitted only if PCNs have been suggested by the Domestic Industry in the petition along with the parameters and basis of the suggested PCNs. However, the final decision on PCNs identification/methodology vests with the Designated Authority, who will take decision after receiving comments from all the stakeholders, in response to the Initiation Order.

2. Henceforth, Petitioner/Domestic Industry shall use the new/revised formats specified above. There is no change in existing domestic industry's questionnaire except the revision in formats as detailed in paragraph 1 above.

3. The above procedure will supersede all previous instructions or Trade Notices, if any, issued by the Directorate with regard to the petition to be submitted by the Petitioner/Domestic Industry requesting for initiation of anti-dumping investigations.

1.2.18
(Sunil Kumar)
Additional Secretary and Designated Authority

Enclosed: Formats A to L

To
All concerned

Format "A"

STATEMENT OF CONSUMPTION OF RAW MATERIALS (RM) , PACKING MATERIALS (PM) AND UTILITIES USED FOR PUC PRODUCTION

↓ Particulars	FOR PERIOD OF INVESTIGATION														
	Opening Stock#			Purchases from Related Party			Purchases (Other than from Related Party)			Use of Captively Produced Raw Material for PUC			Closing Stock#		
	A			B			C			D			E		
	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate
Specify unit →															
Production															
Input Materials (Item wise)															
RM-1															
RM-2															
RM-3															
RM-4															
RM-5															
RM-6															
Other Raw Materials															
Packing Material-1															
Packing Material-2															
TOTAL OF INPUT MATERIALS															
Utility (Item wise)*															
Power															
Fuel															
Steam															
Water															
Gas															
Add more...															
TOTAL OF UTILITIES															

↓ Particulars	FOR PERIOD OF INVESTIGATION				Year 3 Actual Consumption				Year 2 Actual Consumption				Year 1 Actual Consumption			
	Actual Consumption (A+B+C+D-E)															
	F				G				H				I			
	Qty	Norms**	Value	Rate	Qty	Norms**	Value	Rate	Qty	Norms**	Value	Rate	Qty	Norms**	Value	Rate
Specify unit →																
Production																
Input Materials (Item wise)																
RM-1																
RM-2																
RM-3																
RM-4																
RM-5																
RM-6																
Other Raw Materials																
Packing Material-1																
Packing Material-2																
TOTAL OF INPUT MATERIALS																
Utility (Item wise)*																
Power																
Fuel																
Steam																
Water																
Gas																
Add more...																
TOTAL OF UTILITIES																

* Please indicate "zero", where there is no opening/ Closing stock.
** Norm means per unit actual consumption (i.e. Qty. consumed/ production) during the period.
# Opening stock and Closing stock shall preferably include impact of 'Raw Materials in Work-in-Progress', if any.

FORMAT "B"

STATEMENT OF RAW MATERIAL CONSUMPTION

Particulars	Unit	Standard or normative Consumption per unit of production	Actual Consumption per unit of production				Average Rate for POI
			Year 1	Year 2	Year 3	POI	
Raw Materials (Item Wise)							
Total Cost per unit of production Considering Rates for the investigation period (POI)							

FORMAT C

Allocation and Apportionment of Expenses

(specify Unit of Value in Rupees)

Sl. No.	Particulars	GL Code	PERIOD OF INVESTIGATION								Year 3	Year 2	Year 1
			Total (Company as a whole)	Rearrangement of Head of Account, if any	Share Applicable to					Basis of allocation/ Apportionment	FOR PUC		
					PUC*		Common Utilities, if any**	Captive input, if any**	NPUC		Total Value	Total Value	Total Value
					(Plant-1) Value	(Plant-2) Value			Total Value				
1	2	3	4	5	6	7	9	10	11	12	13	14	15
1	Cost of Raw Materials is consumed (item wise, specify the major raw materials)												
2	Cost of captive inputs/utilities												
3	Cost of Primary Packing Materials Consumed												
4	Consumable stores and spares/other inputs												
5	Direct Utilities (power, fuel, steam, water, gas, etc.												
6	Salaries & Wages / Employee cost (Manufacturing)												
7	Salaries & Wages/Employee Cost (Others)												
8	Depreciation and Amortization expense												
9	Repair & Maintenance												
10	Research & Development												
11	Other Manufacturing Expenses/ Overheads (Specify under major heads)												
12	Bank Charges												
13	Finance Costs												
14	Other Administration Overheads												
15	Commission on Sales												
16	Discount/Rebate on Sales												

(specify Unit of Value in Rupees)

17*	Freight Outward												
18	Advertisement												
19	Export-related Expenses												
20	Other Selling & Distribution Overheads												
21	Corporate Overheads												
22	Allocation of Common Utilities (total of column 10), if any												
23	Other/Miscellaneous Expenses, if any												
24	Other Income, if any												
25	Income from sale of scrap/by-products												
A	**COST OF SALES (1 TO 25)**			**NIL**									
26	Domestic Sales												
27	Export Sales												
28	Export Incentives (income)												
29	Profit												
30	Cost of Production (excluding 15.16.17,19 and other non-allowable expenses)												

Note: There will be one Format C for entire company. The cost of each major utility and major captive input shall be shown separately.

* Expenses relevant to each plant/unit of the Company producing PUC shall be shown separately.

** Separate column shall be added for each major utility/captive input used.

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Date: Seal and Signature of Cost Accountant

Place: Membership No.

FORMAT "D"

STATEMENT OF CONSUMPTION OF UTILITIES

Particulars	Unit	Standard or normative Consumption per unit of production	Actual Consumption per unit of production				Average Rate for POI
			Year 1	Year 2	Year 3	POI	
Major Utilities (Item Wise)							
Total Cost per unit of production Considering Rates for the investigation period (POI)							

Format "E"

STATEMENT OF SALES REALISATIONS

(Amount in Rs........)

Year Sold	Unit	Quantity Sales	Gross Sales Realisations (incl. excise/VAT)	Gross Sales Realisations (excl. excise/VAT)	Gross Commission	Discounts / Duty	Others, if any	Net Sales Realisation(excl. excise/VAT)	Net Sales Realisation per unit
POI									
Year 3									
Year 2									
Year 1									

Note: In case PCNs are suggested by the Domestic Industry, the aforesaid information be furnished PCN wise.

FORMAT – F

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 Domestic Industry], it is hereby certified that I have read the attached submission of [name of the producer/ company constituting the Domestic Industry] dated ______ pursuant to request for initiation of the Anti-Dumping 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, misdeclaration or misrepresentation by me/us in any manner whatsoever.

Name: ____________________ Signature

Designation: ____________________ Seal

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/ Directors/Partners or the Proprietor of the Firm or the Board of Directors be also attached.

FORMAT –G

DECLARATION BY LEGAL REPRESENTATIVE
(On Letterhead)

I/We ___________ counsel/s or legal representative/s to [name of the producer/ company constituting the Domestic Industry], certify that I/We have read the attached submission of [name of the producer/ company constituting the Domestic Industry] dated ________ pursuant to request for initiation of the Anti-Dumping Investigations against the Product _____________ originating in or exported from________

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or wilful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or wilfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: ____________________ Signature

Designation: ____________________

Name and Membership No. of the professional body (e.g. ICAI, ICMAI, Bar Council), if any: _____________ Seal

Date: __________________

Format – H

Performance Parameters of Domestic Industry (PUC)

Particulars	Unit	Year 1	Year 2	Year 3	POI
Installed Capacity					
Production Quantity*					
Capacity Utilization Percentage					
Average Industry Norm for Capacity Utilisation, if any					
Sales Quantity: (a) Domestic Sales- Small Scale Industry** (SSI) (b) Domestic Sales – Other than SSI (c) Export Sales (d) Captive Consumption					
Sales Value: (a) Domestic Sales – SSI (b) Domestic Sales – Other than SSI (c) Export Sales (d) Captive Consumption					
Sales Realisations per unit: (a) Domestic Sales – SSI (b) Domestic Sales – Other than SSI (c) Export Sales (d) 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: (a) Equity (b) Loans and Advances (c) Working Capital (d) 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)					

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 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

Place: Membership No.

FORMAT – I

PCN* wise summarised Statement of Expenses

(specify the *UOM* of quantity and costs)

PCN No.	Production Quantity	Sales Quantity	Total Raw Material Cost	Total cost of Utilities	Total Direct Labour Cost	Other Expenses	Total Cost
Unit							
Total							

** PCNs could be identified on the basis of difference in technical characteristics like performance, physical features, price, cost and usage differences etc. In general parlance, the PCNs get identified as grades, types and forms etc.*

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 cost data reflects true and fair view of the cost of respective PCNs for production of the PUC concerned.

Date: Seal and Signature of Cost Accountant

Place: Membership No.

FORMAT – J

Details of Related Party Transactions for production and sale of PUC or any of its inputs

(Amount in Rs)

Sl. No.	Particulars (Nature of Transaction)	Unit	Quantity	Rate per unit	Total Transfer Price	Basis of pricing	Whether the transaction is at Arm's Length Price*	Cost per unit, if transaction is not at arm's length price	Comparable Arm's Length Price, if available

Note: All major transactions having impact on cost of PUC be indicated.

*Arm's length transaction means a transaction conducted between two related parties without any special compensatory/preferential consideration as if they were unrelated and without any conflict of interest.

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 of the respective transactions used for production/sale of the PUC concerned.

Date: Seal and Signature of Cost Accountant

Place: Membership No.

Calculation of Capital Employed
Working capital (WC)

FORMAT – K

S. No.	Components of WC (Head Wise)	Company as a whole (reconciled with Audited/ Certified Accounts)	NPUC Claimed (Amount)	PUC claimed (Amount)- Plant wise	Basis of Allocation Between NPUC and PUC

Net Fixed Assests (NFA)

S. No.	Components of NFA (Head wise)	Company as a whole (reconciled with Audited /Certified Accounts)	*Impact of Revaluation of Asset, if any (Amount)	NPUC Claimed (Amount)	PUC Claimed (Amount)- Plant wise	Basis of Allocation between NPUC and PUC
A	B	C	D	E	F	G
	Grand Total					

*Increase in NFA value due to revaluation shall be shown separately in Column D above, as the impact of revaluation shall not be considered for return purposes.

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 of the Capital Employed for production of the PUC concerned.

Date:

Seal & Signature of Cost Accountant
Membership No.

Format – L

Non-Injurious Price

Computation of optimum production of (Name of concerned DI)- Plant wise:

Period	Installed Capacity	Production	Capacity Utilization	Optimum production
POI				
Year 3				
Year 2				
Year 1				

Plant wise

Particulars	Claimed NIP of PUC	
	Value (Rs. In ------)	Cost per unit (Rs./----)
Cost of Major Raw Materials Consumed		
Cost of Other Raw Materials Consumed		
Cost of Primary Packing Materials Consumed		
Consumable stores and spares/ other inputs		
Cost of Direct Utilities consumed (power, fuel, steam, water, gas, etc.)		
Salaries & Wages/ Employee Cost		
Depreciation and Amortization expense		
Repair & Maintenance		
Research & Development		
Bank Charges		
Finance Costs		
Other Administration Overheads		
Advertisement		
Other Selling & Distribution Overheads		
Corporate Overheads		
Other/ Miscellaneous Expenses, if any		
Other income, if any		
Cost of Sales		
Return		
Non Injurious Price		

Note: Raw material cost and utilities shall be allowed subject to optimisation – Format B and D

Return (@ 22% on Capital Employed)

NFA-Opening	
NFA-Closing	
Average NFA	
Average Working Capital – Company	
Working capital for Product	
Cost of sales	
Depreciation	
Cost of sales excl. dep	
%of working capital in cos	
Net fixed asset per unit	
Cost of production	
Depreciation	
Cost of production excluding depreciation	
Working capital per unit	
Capital employed	
Return (@ 22% on Capital Employed)	
Less Interest considered	
Net Return	

NO. 4/9/2004-DGAD
GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

DIRECTORATE GENERAL OF ANTI DUMPING & ALLIED DUTIES

Dated the 12th May, 2004

TRADE NOTICE No. 2/2004

1. Attention of the Trade and Industry is invited to Section 9 A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 5 and Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed there under. Attention is also invited to the Application Proforma for making application for anti-dumping investigation by the domestic industry.
2. Trade & Industry is advised that the following requirements should also be kept in view while making the application for anti-dumping investigation:

   (i) The source of data must be indicated by the applicant(s) while furnishing the information.
   (ii) A soft-copy using MS-Word/MS-Excel software of the petition is also required to be submitted.
   (iii) Application should invariably contain information and data relating to the proposed period of investigation (POI) and previous three financial years. There should be no gap but there can be overlap between the POI and the previous financial years. The data for previous three years would be utilized for trend analysis for determination of injury.
   (iv) Information furnished in the application to demonstrate dumping, injury and causal link between such dumped imports and alleged injury should invariably be supported by evidence as required under Rule 5(2) of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995.
   (v) Detailed information alongwith evidence of injury should cover all relevant economic factors indicated in Para (iv) of the Annexure II to the above mentioned Rules as reproduced below:-

   "(iv) The examination of the impact of the dumped imports on the domestic industry concerned, shall include an evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including natural and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices; the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments."

Accordingly, the data relevant to productivity, return on investment, the magnitude of the margin of dumping, negative effects on cash flow, inventories, wages, growth, ability to raise capital investments should also be specifically furnished under item no. 18 of Proforma IV A to the application to substantiate the injury with regard to all the parameters mentioned in the Annexure II.

(vi) Any information furnished on a confidential basis should be supported by a statement of reasons to demonstrate the good cause as to why the particular information need to be kept confidential. All information/documents/submissions given on a confidential basis must be accompanied by a meaningful non-confidential summary thereof. These summaries shall be in sufficient detail to permit a reasonable understanding of the substance of the information submitted in confidence.

(Dr. M.S. RAO)
DIRECTOR
FOR DESIGNATED AUTHORITY
TELE: 23016461

To
All concerned
(As per list)

CONFIDENTIAL

No.14/4/2013-DGAD-Cost
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Antidumping & Allied Duties
4thFloor, Jeevan Tara Building,
5, Parliament Street, New Delhi-110001

Dated the 3rd August, 2015

Trade Notice No. 02/2015

Subject:- Authenticity of supporting documents/information received during the processing of anti-dumping cases.

The processing of Anti-Dumping Petitions in DGAD requires clarifications and supporting documents from the Petitioners to facilitate examination of these petitions. It is, therefore, necessary that correct, complete and authentic information is submitted by the interested parties without withholding any important information.

2. It is noticed that the supporting documents and clarifications provided by the interested parties/consultants during Anti-Dumping investigations after submission of original petition are not authenticated. This leads to the need for seeking further clarifications/supporting documents. This may delay/impede the AD proceeding.

3. In view of above, it is hereby directed that all documents/financial information/supporting evidence provided after submission of the complete and duly authenticated original petition, shall henceforth be duly authenticated by the Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorised Officer of company/firm filing the Petition/response to the questionnaire.

4. This is issued with approval of Designated Authority.

(B.S. Bhalla)
Joint Secretary

To

(a) Website of the Ministry of Commerce & Industry.

(b) All the Trade Associations and Chambers of Commerce and Industry are requested to bring the contents of this Trade Notice to the notice of their members/constituents.

(c) All Embassies and Diplomatic Missions in New Delhi are requested to bring the contents of this Trade Notice to the notice of the concerned.

(d) All IOs/Cos.

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

Annexure

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.

***

F. No. 8/3/2021-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
Jeevan Tara Building, 5, Parliament Street, New Delhi -110001

Dated: 6th April, 2021

Trade Notice 02/2021

Subject: Streamlining of the Anti-Dumping Investigations Process-Scrutinizing of petitions received in DGAD to avoid delays

1. Attention of the Trade and Industry is invited to Trade Notice no. 15/2018 dated 20th November, 2018 on the aforementioned subject vide which the Authority had prescribed a checklist/list of documents for submission of Anti-Dumping and Countervailing Duty applications to DGTR for initiation of investigations.

2. In the said Trade Notice, point 4 shall be substituted to read as under:

4. 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.

(Anant Swarup)
Joint Secretary and Designated Authority

To:
All concerned

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 the 22nd November, 2018.

TRADE NOTICE: 15/2018

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

This Trade Notice is in supersession of earlier trade notice no. 03/2018 dated 1st February 2018 on the aforesaid subject and attached herewith is the revised checklist for submission of anti-dumping duty and countervailing duty applications to DGTR for initiation of investigations.

2. All applications shall be submitted to the Authorised Officer – Helpdesk. 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.

Encl: As above

22.11.18
(Sunil Kumar)
Additional Secretary & Director General

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

1. Type of Investigation: Anti-Dumping [ ] Countervailing [ ]

2. If Anti-dumping: Original [ ] SSR [ ] MTR [ ] NSR [ ] Anti Circumvention [ ]

3. Timelines for submission 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. POI: As on date of application, whether the proposed Period of Investigation is recent i.e. not older than 5 months as on date of submission of application: 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: 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: 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 of non-availability of (a) and (b) 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 the costing formats 'A' to 'L' along with its soft copy provided in case of ADD/CVD/MTR by DI along with linked formulae: Y [ ] N [ ]

17. If applicable, Whether audited financial statements and cost audit reports, for the injury period including POI provided: 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: 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 applicants/legal consultants enclosed regarding submission 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 [ ]

<u>RECEIPT</u>

(a) Application received for further processing

(b) Application Returned for the deficiencies noticed at sl. no.

Authorised Officer

No. 4/2/2018-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
*****

4th Floor, Jeevan Tara Building,
Parliament Street, New Delhi
Dated the 1st February, 2018.

TRADE NOTICE: 03/2018

Subject: Streamlining of the Anti-Dumping Investigations Process-Scrutinizing of petitions received in DGAD to avoid delays.

Attention of Trade and Industry is invited to the attached checklist for acceptance of anti-dumping/countervailing duty petitions received in DGAD. Ms. Devanshi Agarwal, Assistant Director has been nominated as the officer for scrutinizing petitions received in DGAD and return/reject the already deficient petitions before allocating them to Investigating Team.

Encl: As above.

1.2.18
(Sunil Kumar)
Additional Secretary & Designated Authority

CHECK LIST FOR ACCEPTANCE OF ANTI-DUMPING APPLICATION

List of documents to be provided by the Domestic Industry at the time of submitting the application for anti-dumping/anti-subsidy measure:

1. Type of Investigation:
    a. Anti-dumping: Original ☐ SSR ☐ MTR ☐ NSR ☐
    b. Countervailing: ☐
    c. Anti-circumvention: ☐
2. Whether the application for SSR has been filed at least 270 days prior to the date of expiry of anti-dumping measure or 240 days prior to the date of expiry of anti-dumping measure with proper justification for delay: Y ☐ N ☐
3. 2 Copies of the application and its soft copies: Y ☐ N ☐
4. Whether the excel files of the costing formats has been provided: Y ☐ N ☐
5. Whether the Period of Investigation is not older than 5 months: Y ☐ N ☐
6. Whether the total Indian production has been provided: Y ☐ N ☐
7. Whether transaction wise DGCI&S import data has been provided along with soft copy (Excel Folder) : Y ☐ N ☐
8. List of products of the DI on which anti-dumping/CVD measure is enforced or an investigation is going on or application is submitted: Y ☐ N ☐
9. Whether the following formats have been provided:
    a. Whether Format A provided: Y ☐ N ☐
    b. Whether Format B provided: Y ☐ N ☐
    c. Whether Format C provided: Y ☐ N ☐
    d. Whether Format D provided: Y ☐ N ☐
    e. Whether Format E provided: Y ☐ N ☐

f. Whether Format F provided: Y ☐ N ☐

g. Whether Format G provided: Y ☐ N ☐

h. Whether Format H provided: Y ☐ N ☐

i. Whether Format I provided: Y ☐ N ☐

j. Whether Format J provided: Y ☐ N ☐

k. Whether Format K provided: Y ☐ N ☐

l. Whether Format L provided: Y ☐ N ☐

10. Audited financial statements and cost audit reports of the injury period: Y ☐ N ☐

11. (a) Whether calculation of estimated NV (country wise) has been provided: Y ☐ N ☐

(b) If yes, which methodology has been adopted:

a. Domestic selling prices in subject countries ☐

b. Third country export prices by subject countries ☐

c. CNV ☐

12. Whether Ex-Factory Export Price computation has been done: Y ☐ N ☐

Recommendation/s:

(Dona Ghosh)
Deputy Director

(Devanshi Agarwal)
Assistant Director

F.No. 8/3/2021-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th floor, Jeevan Tara Building, Parliament Street, New Delhi – 110001

Dated 18.11.2021

Trade Notice No. 11/2021

Subject: Amendment to Trade Notice No. 09/2021 dated 29th July, 2021.

Attention of members of Trade & Industry is invited to the Trade Notice No. 09/2021 dated 29th July,2021 regarding Simplification of procedure for filing of application for Anti-dumping (AD)/ Countervailing duty (CVD) investigation by fragmented industries.

Para 3 of the aforesaid trade notice stands substituted as under:

"Where the industry is fragmented and consists of excessively large number of domestic producers, the application for AD/CVD investigation can be filed by an Association on behalf of domestic industry. Such domestic producers must constitute a major proportion of the total eligible domestic production of like article as per Rule 2(b) and Rule 5(3)(a) of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 ("AD Rules")/ Rule 2(b) and Rule 6(3)(a) of Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995 (CVD Rules"), as the case may be."

(Anant Swarup)
Designated Authority

F. No. 8/3/2021-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th floor, Jeevan Tara Building, 5, Parliament Street
New Delhi-110001

Dated: 29th July, 2021

Trade Notice No.: 09/2021

Subject: Simplification of procedure for filing of application for Anti-dumping (AD)/ Countervailing duty (CVD) investigation by fragmented industries

Attention of members of Trade & Industry is invited to the fact that Directorate General of Trade Remedies ("DGTR") from time to time keeps on receiving requests for imposition of trade remedy measures from domestic producers forming part of fragmented industries. It has been noticed that genuine difficulties are many a times encountered by such domestic producers in complying with the existing procedures and consequently they remain deprived of the relief from trade remedy measures.

2. In order to overcome difficulties faced by fragmented industries in India in complying with the existing procedures and norms, a simplification exercise needs to be attempted for ease of doing business. It has therefore been decided that the following guidelines be applied in seeking information from such domestic producers during the course of Anti-dumping (AD)/Countervailing duty (CVD) investigations.

3. Where the industry is fragmented and consists of excessively large number of domestic producers, the application for AD/CVD investigation can be filed by an Association on behalf of domestic industry. Such domestic producers must have at least 50% share in total eligible domestic production of like article as per Rule 5(3)(a) of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 ("AD Rules") and Rule 6(3)(a) of Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995 ("CVD Rules");

4. If an application has been filed by an association on behalf of domestic producers, the association should meet the requirements prescribed under Annexure II. The association shall provide all relevant information to demonstrate that the association has acted on behalf of domestic producers and the members of the association have expressly supported the request for imposition AD duty within the meaning of Rule 5(3) read with Rule 2(b) of AD Rules or imposition of CVD duty within the meaning of Rule 6(3) read with Rule 2(b) of CVD Rules as the case may be.

5. Application filed by or on behalf of fragmented domestic industry for AD/CVD investigation shall contain a list of all domestic producers on whose behalf the application is being filed and who constitute domestic industry.

6. All the domestic producers constituting domestic industry in such cases shall not be required to file Formats VI-1 to VI-5, to begin with. Instead, all such domestic producers will be required to file basic injury information only as per Annexure 1 enclosed with this Trade Notice.

7. The Authority, for the purpose of determining injury margin may limit detailed examination of applicant domestic producers to a limited number of domestic producers. In this regard, following provisions shall apply:

    a. The Authority shall select a sample set of producers based on statistically valid sampling techniques.

    b. The sampled domestic producers shall provide complete information in Formats VI-1 to VI-5 as prescribed vide Trade Notice No. 05/2021 dated 29th July, 2021.

    c. There will be no other change in requirements and procedure governing the AD/CVD investigation.

8. The above relaxation in procedure shall be applied wherein the number of domestic producers in fragmented industry is excessively large. The Authority reserves the right to deny this relaxation even for fragmented industry depending on facts and circumstances of a particular case.

(Anant Swarup)
Designated Authority

Annexure-I

Name of the Company:					
Particulars	**Unit**	**3rd previous year**	**2nd previous year**	**1st previous year**	**POI**
Turnover of the Company as a whole					
Performance Parameters of Domestic Industry (PUC)					
Particulars	**Unit**	**3rd previous year**	**2nd previous year**	**1st previous year**	**POI**
Installed Capacity					
Production Quantity-PUC					
Production Quantity-NPUC					
Capacity Utilization Percentage					
Sales Quantity:					
(a) Domestic sales					
(b) Export Sales					
(c) Captive Consumption					
Sales Value:					
(a) Domestic sales					
(b) Export Sales					
(c) Captive Consumption					
Sales Realisation per Unit:					
(a) Domestic sales					
(b) Export Sales					
(c) Captive Consumption					
No. of Employees					
Productivity per day					
Inventory					
Cost of Sales per Unit - Domestic Sales					
Cost of Sales per Unit -Exports					
PBIT per Unit - Domestic Sales					
Total Profit before Interest and Tax - Domestic Sales					
PBT per Unit - Domestic Sales					
Total Profit before Tax - Domestic Sales					
Cash Profit per unit-Domestic Sales					
Cash Profit Total-Domestic Sales					
Average Capital Employed					
PBIT as % of Avg. Capital Employed					

* If the same plant can be used for production of NPUC also, the total production including NPUC needs to be indicated.
** If POI is a financial year, Audited Financial Report of POI to be provided. Else, Audited Financial Report of immediate previous Financial Year to be provided.

Annexure II

Requirements to be fulfilled in case application has been filed by an association/ federations/ council on behalf of domestic producers:

1. The names of the specific members (producers/manufacturers) who will provide the costing/financial data for the analysis of economic parameters.

2. The member producers filing the data will have to qualify all prescribed eligibility criteria.

3. The following information will be examined to establish the claim of Association/federation/council:

   (i) Is the Association a registered body? If so a copy of the Registration Certificate;
   (ii) A copy of the Bylaws & Memorandum of Association (MOA);
   (iii) A list of the members;
   (iv) Details of the Executive body / Managing structure of the Association;
   (v) A copy of the minutes of the meeting in which it was resolved by the Association to file an anti-dumping application on behalf of some of / all its members;
   (vi) A list of the members, who either supported, opposed or remained neutral with regard to the application; and
   (vii) Any other information which may be relevant in this regard.

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

Dated: 27th 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.

27.9.18
(Sunil Kumar)
Additional Secretary and Designated Authority

To,
All concerned

ANNEX-I

S. No.	Particulars / Requirements	Response by the Supporting Company
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 **Annex**-II attached	
xi.	Provide copies of Annual Reports for the POI and the last two financial years with complete schedules and annexes	

ANNEX-II

Name of Company ....

Performance Parameters of the Supporting Company (PUC)

Particulars	Unit	Year 1	Year 2	Year 3	POI
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.

ANNEX-III

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY / DIRECTORS / PARTNERS OR THE PROPERIETOR 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.

F. No. 8/3/2021-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: 4th August, 2021

Trade Notice No.: 10/2021

Subject: Clarification with respect to applicability of Trade Notices nos. 05/2021, 06/2021, 07/2021, 08/2021 and 09/2021 issued on 29th July 2021

Attention of all members of Trade and Industry is invited to Trade Notices 05/2021, 06/2021, 07/2021, 08/2021 and 09/2021 issued on 29th July 2021 vide which Application format and annexures to be filed by the Domestic Industry as well as questionnaires for Exporter, Importer and User Questionnaires have been revised and simplified.

2. Queries are being made by members of trade and industry regarding date of applicability of these revised application formats/ annexures and questionnaires.

3. In this regard, it is clarified that all these trade notices have come into force with immediate effect. However, stakeholders will have the option to submit information as per earlier formats/annexures/questionnaires till 31st October 2021.

(Anant Swarup)
Designated Authority

F.No. 8/3/2021-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: 29th July, 2021

Trade Notice No.: 06/2021

Subject: Simplification of exporter's questionnaire to be filed by foreign producer(s) / exporter(s) in Anti-Dumping investigation- reg.

Attention of all members of Trade and Industry is invited to the existing exporter's questionnaire to be filed by foreign producer(s) / exporter(s) in Anti-Dumping investigation.

2. There were representations from foreign producers/ exporters or their representatives in India with regard to difficulties being faced by them in complying with existing requirements. To ascertain the difficulties faced by them, stakeholder consultations were also held.

3. Accordingly, in response to their demands as also to fulfil the objective of reduction of compliance burden for citizens and business, the existing exporter's questionnaire has been simplified. Requirement of non-essential and repetitive information has been dispensed with. Some appendices have been deleted, some modified and some others merged.

4. The modified exporter's questionnaire proforma along with revised appendices to be filed by foreign producer(s)/ exporter(s) is enclosed herewith.

5. Henceforth, foreign producer(s)/ exporter(s) shall use the new/revised formats specified above. The instructions contained in this trade notice supersedes all previous instructions or Trade Notices, issued by the Directorate on this subject.

(Anant Swarup)
Designated Authority

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR PRODUCERS/EXPORTERS EXPORTING TO INDIA AND THEIR RELATED IMPORTERS IN INDIA

DIRECTORATE GENERAL OF TRADE REMEDIES
Website: https://www.dgtr.gov.in
Email: dgtr-india@gov.in

<u>Address:</u>
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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 ("AD Rules"), as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the interested parties deemed necessary for the present investigation in accordance with Rule 6(4) and 6(5) of the AD Rules.

2. This questionnaire is to be filled in by the producer(s) and/ or exporter(s) along with their related entities including importer (s), if any in India. If the related importer is also a user of the subject goods, then such related importer has to fill the user questionnaire. It is in the interest of the producer(s)/ exporter(s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

3. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the relevant formats have been prescribed.

4. All documents and source material submitted in response to this questionnaire must be in English .

5. All units of measurement and currencies used in Appendices and other information should be clearly identified.

6. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the AD Rules.

7. The duly filled formats are to be filed along with the response whether you are a producer or exporter or producer and exporter. The entities related to you are also required to participate by giving relevant information as mentioned in subsequent paragraphs.

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8. -In case-you are a producer and exporter-of product under-consideration which is being exported to India directly or indirectly, you are required to submit the questionnaire response in Part I, Part II and Part III. Also, it should be accompanied by following information as applicable:

(i) In case of non-market economy countries, where the participating producers/exporters have not claimed market economy treatment, only those related producers involved in the production of PUC whose product has been exported to India are required to–furnish information in Part I, II and III;

(ii) In case of market economy countries, all related producers involved in the production of PUC, irrespective of whether their product has been exported to India or not, are required to furnish information in Part I, II and III;

(iii) Any other non-producer related entities involved in export of the PUC are required to submit response in part I and part II along with **Appendix-5**;

(iv) Any related importers in India are required to file response in Part-IV. However, if related importer is also a user of the product under consideration, such related user shall be required to fill User Questionnaire instead of Part-IV;

(v) Where the goods produced by you are exported to India through an unrelated exporter then such unrelated exporter is required to submit reply in Part-I and II along with Appendix-5 of the questionnaire. In case, any unrelated exporter does not cooperate and does not provide the relevant information, Designated Authority may disregard the information provided by the concerned participating producer(s)/exporters(s). However, Designated Authority may consider the facts and circumstances of each case on merit, before taking such decision.

9. In case you are only an exporter but not a producer of the product under consideration being exported to India; then you are required to fill information in Part-I and II along with Appendix-5. Simultaneously, the un-related producer of the product under consideration in your response has to file Part I, II and III for acceptance of your response for consideration of specific individual duty. Part-IV in such case shall also be filled, if applicable.

10. Where domestic sales of the product under investigation in the originating country are made through related party, then details regarding the domestic sales to independent customers by such related party in the originating country needs to be provided and along with information in Appendix-5.

11. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as nonconfidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the-request-

for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the AD Rules).

12. A copy of all non-confidential submissions shall be placed in public file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the AD Rules.

13. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

14. The certificate at **Appendix-A** must be attached with the response. You are also required to fill **Appendix-B** in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in **Appendix-C**.

15. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of anti-dumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendices in MS Excel format.

16.The Designated Authority may carry out verification to examine the records of your company and to verify the information provided in this questionnaire

COMPANY NAME:	CONFIDENTIAL VERSION / NON-CONFIDENTIAL VERSION (Delete whichever is not applicable)

- **Investigation:**
- **Country(ies) concerned**
- **Product Under Investigation:**
- **Period of Investigation (POI):**

QUESTIONNAIRE

PART-I

SECTION A: GENERAL

1. Describe the legal form of your company and state the legal statute of your country under which it has been established/registered/incorporated. In case there have been any changes in the structure of your company, please elaborate every change in the last three years including POI.

2. List the owner/principal shareholder of your company. State whether any of them are related to any other company engaged in production and sale of the product under investigation, either in your country or any other country including India.

3. List complete address of your main corporate office and your office in India, if any. Provide their telephone, fax numbers and E-mail address. State name, address, telephone, fax numbers and Email address of the principal contact person (or representative/legal representative in India or· elsewhere for the purpose of Anti-Dumping proceedings).

4. List the factories involved in production of the product under investigation, with complete address, telephone and fax numbers and E-mail address.

5. Provide a list of products produced and/or sold by your company during the POI even if they are not concerned by this proceeding.

6. Outline your company's affiliations, including parent companies, subsidiaries and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which are involved in product under consideration or supply you with raw materials/ utilities used in the manufacture of the product under investigation or on whose behalf you sell the product subject to this proceeding. (In all these cases, please describe the nature of your relationship).

7. Specify in detail any financial or contractual links and joint ventures with any other company concerning Research and Development, production, sales, licensing, technical and patent agreements for the product under investigation and attach copies of the agreement accompanied by an English translation.

SECTION B: PRODUCT DESCRIPTION

1. Provide a complete set of catalogues and brochures issued by your company (in English or accompanied by English translations) covering all types of the product concerned sold in the domestic and export market.

2. Provide full description including specifications of the product involved in the investigation exported to India and sold in the home market. If you consider that your product, though falling within the product description as defined by Authority, differs from the product under consideration in any way or has specific characteristics or uses which single it out from the product under investigation, please provide detailed information justifying your position. In case you claim that the goods produced/sold in domestic market or to countries other than India are different in physical/ technical/ chemical characteristics from those exported to India, then you are required to give evidence of any such differences and their effect on production costs and selling price.

3. Provide the channel of marketing of goods in your home market and for exports to India. Explain the differences in case you consider that the two are not identical.

4. Provide the detailed information pertaining to sales of goods in domestic market and exports to India should be given individual Product Control Numbers wise ("PCN") (if any proposed by the Authority) for **each unique type and possible combination of product characteristics. The different combinations must, however, be described within the framework of the specified field formats and the instructions given by the Authority.** The PCN will be used to match exported product types with the identical or most comparable types sold in the domestic market.

SECTION C: PERFORMANCE STATISTICS

All figures in this section should be provided in one currency for comparison purposes and all the following appendices should be filled appropriately.

1. **Appendix-1** for indicating performance parameters.

2. **Appendix-2** for indicating details of product under consideration purchased from any other producer/supplier and exported to India. Please indicate the country(ies) of origin and the name(s) of the supplier(s) of the product under consideration from whom such purchases have been made by your company.

PART-II

SECTION D: ACCOUNTING SYSTEM AND POLICIES

1. State your normal corporate financial accounting period.

2. State whether your accounting practices are in accordance with the Generally Accepted Accounting Principles ("GAAP") of your country. If not so, list the accounting practices, which are not in accordance with the GAAP of your country.

3. Mention in detail about your financial and cost accounting system.

4. Attach an English version of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last three most recent financial years for your company

5. Attach internal financial statements, management reports, standard cost reviews etc., if prepared and maintained for the product under investigation, or for the product category covering the product concerned. Provide copies for the three most recent financial years.

SECTION E: EXPORTS TO INDIA

1. The information pertaining to relevant period of Investigation should only be provided. <u>The invoice date should be considered for transaction wise listing in the POI in DD/MM/YYYY format.</u>

2. Provide channel of distribution (wholesaler, distributor, retailer, end-user, etc.) for exports to India. Provide a flow chart.

3. Provide two complete set of documents generated/received for direct exports to India to related and/or unrelated customers and corresponding resale documents by related customers to independent customers in India (if applicable). (English translations should be provided if necessary).

4. Provide two complete set of documents generated/received in case of exports through related/ unrelated traders and corresponding resale documents by related customers to independent customers in India (if applicable). (English translations should be provided if necessary).

5. Provide copies of price lists of sale of product under consideration for exports to India.

6. Describe the details if any post-invoicing/sale discounts or year-end rebates etc. given to Indian customers.

7. Provide full information relating to sales of your company for exports to India in accordance with the formats set out in

   a. **Appendix-3A** (To unrelated/ related customers in India)
   b. **Appendix-3B** (To related/ unrelated exporters who have eventually sold to Indian customers).

8. In case of exports of the product under investigation are made to a related party in India, then Part-IV of this questionnaire should be submitted for each such related company concerned.

9. In case exports to India are made through a related or unrelated exporter/ trader then such related/unrelated exporter is required to submit the Part-I and II of the questionnaire. In addition, **Appendix-5** (Profitability Statement) also needs to be provided.

10. In case normal value and the export price are claimed and established to be not on a comparable basis, then due allowance in the form of adjustments can be made where prices and price comparability are affected in order to carry out a fair comparison in those cases. You are required to explain in detail each adjustments of your claim.

PART-III

SECTION F: DOMESTIC SALES

1. The information pertaining to relevant period of Investigation should only be provided. The invoice date should be considered for transaction wise listing in the POI in DD/MM/YYYY format.

2. Provide channel of distribution (wholesaler, distributor, retailer, end-user, etc.) for sales in the home market. Provide a flow chart or flow diagram.

3. Provide two complete set of documents generated/received in case of sales in the home market to unrelated customers. (English translations should be provided if necessary).

4. Provide two complete set of documents generated/received in case of sales in the home market to related customers and corresponding resale documents by related customers to independent customers in the home market. (English translations should be provided if necessary).

5. Provide copies of all price lists for sales in the home market.

6. Describe the details if any post invoicing/sale discounts or year-end rebates etc. given to domestic customers.

7. Provide full information relating to sales of your company in the home market in accordance with the formats set out in

   a. **Appendix-4A** (To unrelated customers)

   b. **Appendix-4B** (Resale by related customers to independent customers).

8. It should be ensured that the information furnished by all the related companies is fully reconcilable. In addition, the **Appendix-5** is required to be furnished by such related companies.

9. In case normal value and the export price are claimed and established to be not on a comparable basis, then due allowance in the form of adjustments can be made where prices and price comparability are affected in order to carry out a fair comparison in those cases. You· are required to explain in detail each adjustment of your claim.

SECTION G: INFORMATION ON PRODUCTION PROCESS AND COST OF PRODUCTION

1. Describe your company's production facilities. If production or stages of the production process take place at more than one facility, list all facilities and explain the production activities at the major facilities.

2. Describe whether stages of the production process are subcontracted.

3. Describe the manufacturing process for the products concerned and provide production flow chart. Describe item(s) produced/consumed at each stage.

4. Basis of valuation of raw materials, work-in-process and finished goods inventory valuation methods (e.g., first-in, first-out ("FIFO"), last-in, first-out ("LIFO"), weighted average), etc.

5. Specify the date you use for the exchange rate, e.g. invoice date, shipping date, etc., and the source thereof, e.g. official exchange rate, or other rate used.

6. In the event that any of the accounting methods used by your company have changed over the last three financial years, please explain in detail.

7. Describe the cost accounting system used by your company. Information must include the following:

   a. General description of the company's cost accounting method relating to the product concerned,
   b. How do you account for by-products/ wastage, scrap, damaged or substandard goods and rework generated at each stage of the production process?

8. Provide the following:

   (a) List of all raw materials used in the manufacture of product involved. Attach the Bill of Material (BOM).

   (b) Identify whether the raw materials and utilities consumed for production are purchased or captively produced by the company.

   (c) In case of imported raw material, please provide the country of origin and names of suppliers..

   (d) Statement of purchase and consumption for all materials and utilities used as per format set out at **Appendix-6**.

   (e) Allocation and apportionment of expenses into the product concerned and other products, as per format set out at **Appendix-7**. The information for company as a whole should reconcile to your financial published accounts.

   (f) Unit costs to make and sell and profit in domestic and export markets as set out in formats at **Appendix-8**. In case, there is difference in factory cost for exports to India as compared to that of domestic market and other countries, provide an explanation thereof for the difference.

   (g) PCN wise information in **Appendix-9**, if required.

(h) In case any raw material or utility is purchased from related supplier or captively produced, provide the details of such supplies and state the basis of pricing of the material considered. Explain the pricing considered by you is reflective and representative of a fair market price. Provide purchase prices from independent parties for an identical or comparable raw material/ utility. All the information must be in accordance to the format set out in **Appendix-10** (if applicable).

(i) Explain the basis of interest costs charged for the product concerned. In case the company is a part of a larger group, provide the basis of charging interests.

9. Provide details of any startup cost adjustment being claimed by the producer.

SECTION: I: THIRD COUNTRY INFORMATION

1. Please furnish information relating to exports to countries other than India (separately for each country). In case the claim of the Normal Value is based on the sales in the home market, formats set out in this questionnaire with respect to exports to third countries may be ignored.

PART-IV

INFORMATION TO BE PROVIDED BY RELATED IMPORTER IN INDIA

1. Please fill this section, if product under investigation is exported to related importer in India.

2. Please supply details of your company/firm:

   Name:
   Address:
   Telephone:
   Fax:
   E-mail:
   Website:
   and indicate the names of the persons to contact and their functions within the company.

3. In case you authorized a legal representative to assist you in this proceeding please give:

   Name of legal representative:
   Address:
   Telephone:
   Fax:
   Email:

4. State the legal form of your organization and when it was incorporated.

5. List the names of the shareholders during the POI of your company and the activities of these shareholders.

6. Provide a list of all products sold by your company.

7. Attach a copy of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last two financial years for your company

8. If internal financial statements, management reports, etc. are prepared and maintained for the product under investigation, provide copies for the two most recent financial years.

9. Explain the company's channels of distribution to customers in India including any related companies involved starting from the factory gate until the first resale to independent customers. Describe the physical flows (inputs and products) and the financial flows (e.g. invoices and payments) involved. Include a detailed flow chart indicating terms of sale and pricing to each category of customer (e.g., traders, distributors, wholesalers, industrial

users, end users, etc.) including related companies. In case the product under investigation is changed in any way between purchase and resale, please provide the details.

10. Provide copies of all price lists issued or in use during the POI.

11. Provide information on sales of the product under investigation made by the company to customers which are considered to be related. Please take careful notice of the requirement that all related companies involved in the sales of the product under investigation to India have to complete a separate questionnaire.

12. Please fill the following appendices (as applicable)

    (a) **Appendix-11**: Details of imports of PUC from subject countries from related /unrelated parties

    (b) **Appendix-12**: Details of purchase from domestic suppliers

    (c) **Appendix-13**: Summary Statement of imports

    (d) **Appendix-14**: Details of Resale of subject goods.

    (e) **Appendix-15**: Utilization of product under consideration (Previous Years to be removed).

    (f) **Appendix-16**: Profitability Statement.

APPENDIX-A

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/exporter/related importer], it is hereby certified that I have read the attached submission of [name of the producer/exporter/related importer] dated ______ pursuant to initiation of the Anti-Dumping Investigation 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 willfully 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 willful and/or fraudulent concealment, mis-declaration or misrepresentation by me/us in any manner whatsoever.

Name: __________________________________ Signature

Designation: ______________________________

Seal

Date: _________________

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

APPENDIX-B

AUTHORISATION LETTER

(On Letterhead)

We hereby appoint the following person / firm / company in India to represent us in the anti-dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s______________________ (name) is authorized, inter-alia, for the following:

1. To receive communications from the Designated Authority.
2. To make submissions on our behalf.
3. To appear for and on our behalf.

(Please strike off whichever activity is not to be authorized)

Date__________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorized Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE

(On Letterhead)

I/We___________________ counsel/s or legal representative/s to [name of the producer/ company/exporter], certify that I/We have read the attached submission of [name of the producer/ company/exporter] dated_____________________ pursuant to Initiation of the Anti-Dumping Investigations against the Product___________________ originating in or exported from____________.

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or willful and/or fraudulent concealment, mis-declaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or willfully made any material false statements to the Designated Authority and am/are not party to any concealment, mis-declaration or misrepresentation by my/our clients.

Name: ___________________ (Signature)

Designation: ____________________

Name and Membership No. of the professional body (Seal)
(e.g. ICAI, ICMAI, Bar Council), if any: ______________

Date: ___________________

Appendix-1

Performance Parameters (PUC)

Particulars	Unit/ Currency	3rd Previous Year	2nd Previous Year	1st Previous Year	POI
Installed Capacity					
Production Quantity-PUC					
Production Quantity-NPUC					
Capacity Utilisation Percentage					
Total Turnover of the Company (All Products):					
(a) Domestic Sales					
(b) Export Sales-India					
(c) Export Sales-Other Countries					
Sales Quantity(PUC):					
(a) Domestic Sales					
(b) Export Sales-India					
(c) Export Sales-Other Countries					
(d)Captive Consumption/Transfer					
Sales Value (PUC):					
(a) Domestic Sales					
(b) Export Sales-India					
(c) Export Sales-Other Countries					
(d)Captive Consumption/Transfer					
Sales realisation per Unit (PUC):					
(a) Domestic Sales					
(b) Export Sales-India					
(c) Export Sales-Other Countries					
(d) Captive Consumption/Transfer					

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

Appendix-2

Details of Purchase and Sale of PUC exported to India during the POI*

																Details of Indian Customers			
No.	**Product**	**PCN No. (If Any)**	**Invoice No.**	**Date of Invoice**	**Name of the Supplier (Purchases)**	**Country**	**If Related**	**What Relationship**	**Quantity**	**Delivery terms (FOB/ CIF/ CFR)**	**Unit Price Excluding Tax**	**Gross Invoice Value**	**Discount**	**Net Invoice Value**	**Term of Payment**	**Sales Invoice Number**	**Customer Name (Sales)**	**Qty**	**Value**

*Traded Items

Appendix-3A

Details of direct exports to India during POI

																									If not manufactured by your Company, please provide the additional details.						
No.	Product	PCN No. (If Any)	Invoice No.	Date of Invoice	Name of the Customer	If Related	What Relationship	Qty	Delivery terms (FOB/ CIF/ CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice Value	Exchange Rate	Term of Payment	Ocean Freight	Insurance	Inland Transportation	Port and other related expenses	No. of Days of Credit	Credit Cost	Packing Cost	Any Other Deduction	Whether the goods are manufactured by your Company	Name of the producer/ Supplier	Related or not	Country	Qty	Value	Delivery terms (FOB/ CIF/ CFR) - Purchase	Payment Terms-Purchase

Appendix-3B

Details of exports to India through related/unrelated exporter during POI

																								If not manufactured by your Company, please provide the additional details.							
No.	Product	PCN No.(If Any)	Invoice No.	Date of Invoice	Name of the Customer	If Related	What Relationship	Quantity	Delivery terms(FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice Value	Exchange Rate	Term of Payment	Ocean Freight	Insurance	Inland Transportation	Port and other related expenses	No. of Days of Credit	Credit Cost	Packing Cost	Any Other Deduction	Whether the goods are manufactured by your Company	Name of the producer/Supplier	Related or not	Country	Qty	Value	Delivery terms(FOB/CIF/CFR)-Purchase	Payment Terms-Purchase

Appendix-4A

Details of Domestic Sales to related/unrelated customer during POI

																							If not manufactured by your Company, please provide the additional details.						
No.	Product	PCN No.(If Any)	Invoice No.	Date of Invoice	Name of the Customer	If related	What Relationship	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice Value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	No. of Days of Credit	Credit Cost	Packing Cost	Any Other Deduction	Whether the goods are manufactured by your Company	Name of the producer/Supplier	Related or not	Country	Qty	Value	Delivery terms (FOB/CIF/CFR)-Purchase	Payment Terms-Purchase

Appendix-4B

Resale price details of domestic sales to Independent Customer by related party of participating producer during POI

No.	Product	PCN No.(If Any)	Invoice No.	Date of Invoice	Name of the Customer	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice Value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	No. of Days of Credit	Credit Cost	Packing Cost	Any Other Expense	Name of the Supplier	Invoice No.	Qty	Value	Delivery terms (FOB/CIF/CFR)-Purchase	Payment Terms-Purchase

Appendix-5

(Profitability Statement)

SI. No.	Particulars*	Total Company as a whole (for POI)	Share applicable to product under Investigation exported to India purchased from Related Party	Share applicable to product under Investigation exported to India purchased from Unrelated Party	Share applicable to product under Investigation (Sales in Domestic market in originating country) purchased from related party	Share applicable to product under Investigation (Sales in Domestic market in originating country) purchased from unrelated party	Share applicable to product under Investigation not exported to India or sold in Domestic Market in originating country	Share not applicable to product under Investigation	Basis of Allocation/ Apportionment
	Purchase Quantity								
	Sales Quantity								
	Cost of Purchase								
	Stock Adjustment								
	Administration expenses								
	Selling & Distribution cost								
	Depreciation								
	Financial Expenses								
	Other Expenses								
	Total Expenses								
	Sales Revenue								
	Other Revenue								
	Total Revenue								
	Profit/Loss								

* The nomenclature in the above format may be amended based on the audited financial statements.

Appendix-6

STATEMENT OF CONSUMPTION OF RAW MATERIALS (RM), PACKING MATERIALS (PM) AND UTILITIES USED FOR PUC PRODUCTION

Particulars	Cost of Consumption of Raw Materials (RM), Packing Materials (PM) and Utilities used for PUC Production																						Previous Accounting Year/Financial Year Actual Consumption (2019)-PUC				Standard or Normative Consumption per unit of Production
	Opening Stock#			Purchases from Related Party			Purchases (Other than from Related Party)			Use of Captively Produced Raw Material for PUC			Closing Stock#			Actual Consumption (A+B+C+D-E) (for Plant/Company)				Actual Consumption (A+B+C+D-E)-PUC							
	A			B			C			D			E			F							G				
	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Norms**	Value	Rate	Qty	Value	Rate	Qty	Norms**	Value	Rate	
Specify Unit																											
Production																											
Input Materials(Item Wise)																											
RM-1																											
RM-2																											
RM-3																											
RM-4																											
RM-5																											
RM-6																											
Other Raw Materials																											
Packing Material-1																											
Packing Material-2																											
TOTAL OF INPUT MATERIALS																											
Utility(item wise)*																											
Power																											
Fuel																											
Steam																											
Water																											
Gas																											
Any Other																											
TOTAL OF UTILITIES																											

*Please indicate "zero", where there is no opening/Closing Stock

**Norm means per unit actual consumption (i.e. Qty. consumed/production) during the period.

Opening stock and Closing Stock shall preferably include impact of 'Raw Materials in Work-in-Progress, if any.

In case the raw materials/packing materials/utilities consumed are produced captively, provide details of cost of production and average sales realisation of those raw materials/inputs separately.

Appendix-7

Allocation and apportionment of expenses

SI.No.	Particulars	GL Code	POI						Previous Financial or Accounting Year	
			Total (Company as a whole)	Share Applicable to					Total (Company as a whole)	For PUC* (Plant-1)
				PUC* (Plant-1)	Captive input/ utility, if any**	Non PUC Total Value	Basis of allocation/ Apportionment			
A	B	C	D	E	G	H	I		J	H
1	Raw Material Consumption*									
2	Utilities Consumption*									
3	Packing Materials Consumed*									
4	Consumable Stores and spares/other inputs									
5	Salaries & Wages/Employee Cost									
6	Depreciation and Amortization expense									
7	Repair & Maintenance									
8	Research & Development									
9	Other Manufacturing Expenses									
10	Other Manufacturing Overheads(Specify under major heads)									
11	Finance Costs									
12	Other Administration Overheads									
13	Corporate Overheads									
14	Other/Miscellaneous expenses, if any									
15	Other Income, if any									
16	Income from sale of scrap/by-products									
17	Cost of Production(1 to 16)									
18	Inventory Adjustment									
19	Cost of goods Sold(17+18)									
20	Indirect Selling Overheads									
21	Ex-Factory Costs(19+20)									
22	Direct Selling Overheads(23+26)									
23	Commission on Sales									
24	Freight Outward-Ocean									
25	Freight Outward-Inland									
26	Others									
27	**COST OF SALES(21+22)**									
28	Domestic Sales									
29	Export Sales									
30	Export Incentives(income)									
31	Profit									

Note: There will be one Appendix 7 for entire Company. The cost of each major utility and major captive input shall be shown separately.

* Expenses relevant to each plant/unit of the Company producing PUC shall be shown separately.

** Separate column shall be added for each major utility/captive input used.

APPENDIX-8

STATEMENT OF COST OF PRODUCTION

S. No.	Particulars	Previous Accounting Year									Period of Investigation								
	Installed/Rated Capacity (Quantity)																		
	Production (Quantity)																		
	Capacity Utilisation (%)																		
	Total Sales (Quantity)																		
	Domestic Sales (Quantity)																		
	Sales to India (Quantity)																		
		Total Sales			**Domestic Sales**			**Export/Sales to India**			**Total Sales**			**Domestic Sales**			**Export/Sales to India**		
		Qty.	**Value**	**Cost per Unit**	**Qty.**	**Value**	**Cost per Unit**	**Qty.**	**Value**	**Cost per Unit**	**Qty.**	**Value**	**Cost per Unit**	**Qty.**	**Value**	**Cost per Unit**	**Qty.**	**Value**	**Cost per Unit**
1	Raw Material Consumption																		
2	Utilities Consumption																		
3	Packing Materials Consumed																		
4	inputs																		
5	Salaries & Wages/Employee Cost																		
6	Depreciation and Amortization expense																		
7	Repair & Maintenance																		
8	Research & Development																		
9	Other Manufacturing Expenses																		
10	(Specify under major heads)																		
11	Finance Costs																		
12	Other Administration Overheads																		
13	Corporate Overheads																		
14	Other/Miscellaneous expenses, if any																		
15	Other Income, if any																		
16	Income from sale of scrap/by-products																		
17	Cost of Production(1 to 16)																		
18	Inventory Adjustment																		
19	Cost of goods Sold(17+18)																		
20	Indirect Selling Overheads																		
21	Ex-Factory Costs(19+20)																		
22	Direct Selling Overheads(23+26)																		
23	Commission on Sales																		
24	Freight Outward-Ocean																		
25	Freight Outward-Inland																		
26	Others																		
27	COST OF SALES(21+22)																		
28	Sales Value																		
29	Export Incentives(income)																		
30	Profit																		

Please specify the unit, wherever applicable;
A separate statement should be prepared for each grade;
Denote currency and indicate the applicable rate of exchange with US $

APPENDIX-9

PCN* wise summarised Statement of Expenses

(specify the UOM of quantity and costs)

PCN No.↓	Production Quantity	Sales Quantity	Sales Value	Total Raw Material Cost	Conversion Costs	Total Cost
UOM →						
Total						

*PCNs could be identified on the basis of difference in technical characteristics like performance, physical features, price, cost and usage differences etc. In general parlance, the PCN'S get identified as grades, types and forms etc.

APPENDIX-10

Details of Related Party Transactions for production and sale of PUC or any of its inputs

(Amount in…..)

SI.No.	Particulars(Nature of Transaction)	Unit	Quantity	Rate per Unit	Total Transfer Price	Basis of Pricing	Whether the Transaction is at Arm's Length Price*	Cost per unit,if transaction is not at arm's length price	Comparable Arm's Length Price,if available

Note: All major transactions having impact on cost of PUC be indicated.

*Arm's length transaction means a transaction conducted between two related parties without any special compensatory/preferential consideration as if they were unrelated and without any conflict of interest.

Appendix-11

Information relating to imports in India during Period of Investigation

Sr. No.	Country	Description of Product	PCN (if Any)	Supplier's Name	Whether related	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate/ Discount/ Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other Duty and Taxes

Note: Copy of invoice and bill of entry of sample imports to be attached

Appendix-12

Information relating to purchases from domestic supplier during Period of Investigation

Sr. No.	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate/ Discount/ Commission

Note: Copy of invoice of sample transaction to be attached

Appendix-13

Country - Wise details of import (from subject as well as non-subject countries)

Sr. No.	Country	2nd Previous Year		1st Previous Year		POI		Remarks
		Qty	Value	Qty	Value	Qty	Value	
1	2	3	4	5	6	7	8	9
	TOTAL							

Note: Indicate the value in contracted currency and give rate of exchange

Appendix-14

Information relating to resale of subject goods in India during Period of Investigation

Sr. No.	Description of Product	PCN (if Any)	Customer Name	Whether related	Invoice No.	Invoice Date	Quantity	Invoice Value INR	Delivery Terms	Rebate/ Discount/ Commission	Other Duty and taxes	Name of the Supplier	Country of Origin	Corresponding Supplier Invoice no. (if available)

Note: Copy of invoice of sample transaction to be attached

Appendix-15

Report Availability and Utilisation of product under consideration

Particulars	2nd Previous Financial Year			1st Previous Financial Year			POI		
	Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value
1	2	3	4	5	6	7	8	9	10
Availability of PUC:									
Opening Stock									
Add: Import									
Add: Domestic Purchase									
Less: Closing Stock									
Break - up of Utilisation of PUC:									
(1) Product Sold									
(a) Domestic									
(b) Exported									
(2) Product used for captive consumption									
(a) Use for End product sold domestically									
(b) Use for End product exported									
(c) Losses / wastages etc.									

Appendix-16

Profitability Statement

SI.No.	Particulars*	Total Company as a whole (for POI)	Share applicable to product under Investigation imported in to India purchased from Related Party	Share applicable to product under Investigation imported in to India purchased from Unrelated Party	Share applicable to product under Investigation purchased from domestic suppliers	Share not applicable to product under Investigation	Basis of Allocation/ Apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Purchase						
	Stock Adjustment						
	Administration expenses						
	Selling & Distribution cost						
	Depreciation						
	Financial Expenses						
	Other Expenses						
	Total Expenses						
	Sales Revenue						
	Other Revenue						
	Total Revenue						
	Profit/Loss						

*The nomenclature in the above format may be amended based on the audited financial statements.

No. 4/5/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building, 5, Parliament Street, New Delhi -110001

Dated: 10th May 2018

Trade Notice: 9/2018

Subject: Streamlining of the Anti Dumping Investigations Process – Clarification regarding related parties in case of questionnaire for Anti-Dumping investigations for Producer/Exporter/Related Importer.

Attention of Trade and Industry is invited to Trade Notice No. 05/2018 by which the authority had prescribed questionnaire format for producers/exporters exporting to India and their related importers in India. In this regard, representations have been received from various stakeholders requesting for a clarification as to the meaning of the term 'related' as noted in the questionnaire format.

2. It is felt that there is a need to clearly define as to when producers/exporters/importers would be considered as 'related'. It is considered appropriate that the definition as indicated in Rule 2(2) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 as included in the new shipper review questionnaire prescribed *vide* Trade Notice No. 08/2018 and as given below may be taken into consideration:

Rule 2(2): Persons shall be deemed to be "related" only if-

(i) they are officers or directors of one another's businesses;
(ii) they are legally recognised partners in business;
(iii) they are employer and employee;
(iv) any person directly or indirectly owns, controls or holds five per cent or more of the outstanding voting stock or shares of both of them;
(v) one of them directly or indirectly controls the other;
(vi) both of them are directly or indirectly controlled by a third person;
(vii) together they directly or indirectly control a third person; or
(viii) they are members of the same family.

Explanation I. - The term "person" also includes legal persons.

Explanation II. - Persons who are associated in the business of one another in that one is the sole agent or sole distributor or sole concessionaire, howsoever described, of the other shall be deemed to be related for the purpose of these rules, if they fall within the criteria of this sub-rule.

3. This clarification shall apply to Anti-Dumping Questionnaire Format for Producer/Exporter/Related Importer as notified vide Trade Notice No. 05/2018 dated 28th February 2018 from the date of issuance of this Trade Notice.

10.5.18
(Sunil Kumar)
Additional Secretary and Designated Authority

To
All concerned

No. 4/5/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building,
5, Parliament Street, New Delhi -110001

Dated: 28th February, 2018

Trade Notice: 05/2018

Subject: Streamlining of the Anti Dumping Investigations Process – Anti-Dumping Questionnaire Format for Producer/Exporter/Related Importer.

Attention of Trade and Industry is invited to the submissions received from various stakeholders requesting for a revised Anti-Dumping Questionnaire Format for Producer/Exporter/Related Importer. A revised questionnaire was considered necessary for enabling active participation of the producers/exporters/related importer in anti-dumping investigations by submission of complete and comprehensive information.

2. In view of above, a revised Anti-Dumping Questionnaire for Producer/Exporter and related importer, if any is attached herewith. All the interested parties are required to strictly follow the revised Anti-Dumping Questionnaire for the investigations initiated after the date of issuance of this notice.

3. This Trade notice will supersede all previous instructions or Trade Notices, if any, issued by the Directorate with regard to the information to be provided by Producer/Exporter and related importer in anti-dumping investigations.

28.2.18
(Sunil Kumar)
Additional Secretary and Designated Authority

Enclosed: Anti-Dumping Questionnaire for Producer/Exporter/Related Importer

To
All concerned

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR PRODUCERS/EXPORTERS EXPORTING TO INDIA AND THEIR RELATED IMPORTERS' IN INDIA

DIRECTORATE GENERAL
OF
ANTI DUMPING & ALLIED DUTIES
Website: www.dgtr.gov.in
Email: dgad.india@gov.in

Address:
Directorate General of Anti-dumping & Allied Duties (DGAD)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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, as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the interested parties deemed necessary for the present investigation in accordance with Rule 6(4) and 6(5) of the Customs Tariff Rules, 1995.

2. This questionnaire is to be filled in by the producer(s) and / or exporter(s) along with their related entities including importer (s), if any in India. If the related importer is also a user of the subject goods, then such related importer has to fill the user questionnaire. It is in the interest of the producer (s)/ exporter (s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

3. The Designated Authority initiates investigation after examination of accuracy and adequacy of the evidence filed by the Domestic Industry in the form of a written application and establishing the case of dumping, injury and the causal link between such dumped imports and alleged injury. Thereafter, a detailed investigation is undertaken before finalizing preliminary and/or final findings. The investigation process includes eliciting information on various parameters from interested parties through questionnaire, and verified if deemed necessary, to the extent possible.

4. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the formats have been prescribed in the Appendices for presentation of data.

5. All documents and source material submitted in response to this questionnaire must be accompanied by an English translation.

6. All units of measurement and currencies used in Appendices and other information should be clearly identified.

7. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the

investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the Customs Tariff Rules, 1995.

INSTRUCTIONS FOR FILLING FORMATS

8. The duly filled formats are to be filed along with the response whether you are a producer or exporter or producer and exporter. The entities related to you are also required to participate by giving relevant information as mentioned in subsequent paragraphs.

9. In case you are only a producer of product under consideration which is being exported to India directly or indirectly, you are required to submit the questionnaire response in Part I, Part II and Part III. Also, it should be accompanied by following information as applicable:

(i) Any other related producer involved in the production of PUC has to separately furnish information in Part I, II, III;

(ii) Any other non-producer related entities involved in export of the PUC are required to submit response in part I and part II along with Appendix 5;

(iii) Any related importers in India are required to file response in Part-IV. However, if related importer is also a user of the product under consideration, such related user shall be required to fill User Questionnaire instead of Part-IV.;

(iv) Where the goods produced by you are exported to India through an unrelated exporter then such unrelated exporter is required to submit reply in Part-I and II along with Appendix 5 of the questionnaire. In case, any unrelated exporter does not cooperate and does not provide the relevant information, Designated Authority may disregard the information provided by the concerned participating producer(s)/exporters(s). However, Designated Authority may consider the facts and circumstances of each case on merit, before taking such decision.

10. In case you are only an exporter but not a producer of the product under consideration being exported to India; then you are required to fill information in Part-I and II along with Appendix 5. Simultaneously, the un-related Producer of the product under consideration in your response has to file Part I, II and III for acceptance of your response for consideration of specific individual duty. Part-IV in such case shall also be filled, if applicable.

11. In case you are a producer and exporter of product under consideration being exported to India, you are required to submit the questionnaire response in Part I, Part II and Part III, accounting for your total sales in domestic market as well as exports to India and other countries. Part-IV in such case shall also be filled, if applicable.

12. Where domestic sales of the product under investigation in the originating country are made through related party, then details regarding the domestic sales to independent customers by such related party in the originating country needs to be provided and along with information in Appendix-5.

13. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non-confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the Customs Tariff Rules, 1995).

14. A copy of all non-confidential submissions shall be placed in a file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the Customs Tariff Rules, 1995 .

15. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

16. The certificate at Appendix "A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

17. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of anti-dumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

COMPANY NAME:	CONFIDENTIAL VERSION / NON CONFIDENTIAL VERSION (DELETE WHICHEVER IS NOT APPLICABLE)

- **Investigation :**
- **Country(ies) concerned**
- **Product under investigation:**
- **Period of Investigation (POI):**
- **Deadline for response to the questionnaire:**

QUESTIONNAIRE

PART-I

SECTION A: GENERAL

1. Describe the legal form of your company and state the legal statute of your country under which it has been established/registered/incorporated. In case there have been any change in the structure of your company, please elaborate every change in the last three years including POI.

2. List the owner/principal shareholder of your company. State whether any of them are related to any other company engaged in production and sale of the product under investigation, either in your country or any other country including India.

3. List complete address of your main corporate office and your office in India, if any. Provide their telephone, fax numbers and E-mail address. State name, address, telephone, fax numbers and Email address of the principal contact person (or representative/legal representative in India or elsewhere for the purpose of Anti Dumping proceedings).

4. List the factories involved in production of the product under investigation, with complete address, telephone and fax numbers and E-mail address.

5. Provide a list of products produced and/or sold by your company during the POI even if they are not concerned by this proceeding. Give the total production in volume (specify unit of measurement) per product.

6. Outline your company's world-wide corporate structure and affiliations, including parent companies, subsidiaries and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which are involved in product under consideration or supply you with raw materials/ utilities used in the manufacture of the product under investigation or on whose behalf you sell the product subject to this proceeding.(In all these cases, please describe the nature of your relationship. State whether you share any board members or senior executives with any of these entities. If so, identify these persons and the nature of their mutual affiliations. Attach copy of any arrangements between the parties).

7. Specify in detail any financial or contractual links and joint ventures with any other company concerning Research and Development, production, sales, licensing, technical and patent agreements for the product under investigation and attach copies of the agreement accompanied by an English translation.

SECTION B: PRODUCT DESCRIPTION

1. Provide a complete set of catalogues and brochures issued by your company (in English or accompanied by English translations) covering all types of the product concerned sold in the domestic and export market.

2. Provide full description including specifications of the product involved in the investigation exported to India and sold in the home market. If you consider that your product, though falling within the product description as defined by Authority, differs from the product under consideration in any way or has specific characteristics or uses which single it out from the product under investigation, please provide detailed information justifying your position. In case you claim that the goods produced/sold in domestic market or to countries other than India are different in physical/ technical/ chemical characteristics from those exported to India, then you are required to give evidence of any such differences and their effect on production costs and selling price.

3. Provide the channel of marketing of goods in your home market and for exports to India. Explain the differences in case you consider that the two are not identical.

4. Provide the detailed information pertaining to sales of goods in domestic market and exports to India should be given individual Product Control Numbers wise ("PCN") (if any proposed by the Authority) for **each unique type and possible combination of product characteristics**. **The different combinations must, however, be described within the framework of the specified field formats and the instructions given by the Authority.** The PCN will be used to match exported product types with the identical or most comparable types sold in the domestic market.

SECTION C: PERFORMANCE STATISTICS

All figures in this section should be provided in one currency for comparison purposes and all the following appendices should be filled appropriately.

1. Appendix-1 for indicating performance parameters.
2. Appendix- 2 for indicating details of purchased product under consideration from any other producer/supplier. Please indicate the country (ies) of origin and the name(s) of the supplier(s) of the product under investigation from whom purchases and sale have been made by your company and your related entities.

PART-II

SECTION D: ACCOUNTING SYSTEM AND POLICIES

1. State your normal corporate financial accounting period.

2. State whether your accounting practices are in accordance with the Generally Accepted Accounting Principles ("GAAP") of your country. If not so, list the accounting practices, which are not in accordance with the GAAP of your country.

3. Mention in detail about your financial and cost accounting system.

4. Attach an English version of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last three most recent financial years for your company as well as for those companies related to you who are involved in the marketing or sales of the product concerned.

5. Attach internal financial statements, management reports, standard cost reviews etc., if prepared and maintained for the product under investigation, or for the product category covering the product concerned. Provide copies for the three most recent financial years.

6. State the name & designation of concerned person with complete address, telephone, fax no. Email address, responsible for maintaining the accounting records of the company.

SECTION E: EXPORTS TO INDIA

The information pertaining to relevant period of Investigation should only be provided. The invoice date should be considered for transaction wise listing in the POI in eight digit form: DD/MM/YYYY.

1. The information pertaining to Direct sales to independent customers in India, direct sales to related customers in India and sales to related/unrelated exporter who are exporting the product to India be furnished in prescribed formats.
2. Provide channel of distribution (wholesaler, distributor, retailer, end-user, etc.) for exports to India. Provide a flow chart.
3. Provide sales negotiation process and how you sell the goods for exports to India.
4. Provide two complete set of documents generated/received for exports to India to unrelated customers. (English translations should be provided if necessary).
5. Provide two complete set of documents generated/received in case of exports to related customers in India and corresponding resale documents by related customers in India to independent customers in India (if applicable). (English translations should be provided if necessary).
6. Provide copies of price lists of sale of product under consideration for exports to India.

7. Describe the details if any post–invoicing/sale discounts or year-end rebates etc given to Indian customers.

8. Provide full information relating to sales of your company for exports to India in accordance with the formats set out in

   a. Appendix-3A (To unrelated customers in India)
   b. Appendix-3B (To related customers in India)
   c. Appendix-3C (To related/ unrelated exporters who have ultimately sold to Indian customers).

9. In case of exports of the product under investigation are made to a related party in India, then Part-IV of this questionnaire should be submitted for each such related company concerned.

10. In case of exports to India are made through a related or unrelated exporter then such related/unrelated exporter is required to submit the Part-I and II of the questionnaire. In addition Appendix-5 (Profitability Statement) also needs to be provided.

11. In case normal value and the export price are claimed and established to be not on a comparable basis, then due allowance in the form of adjustments can be made where prices and price comparability are affected in order to carry out a fair comparison in those cases. You are required to explain in detail each adjustments of your claim.

PART-III

SECTION F: DOMESTIC SALES

The information pertaining to relevant period of Investigation should only be provided. The invoice date should be considered for transaction wise listing in the POI in eight digit form: DD/MM/YYYY.

1. The information pertaining to sales of product under consideration (and like articles) to independent customers, sales to related customers and sales from related companies to independent customers in domestic market.

2. Provide channel of distribution (wholesaler, distributor, retailer, end-user, etc.) for sales in the home market. Provide a flow chart or flow diagram.

3. Provide sales negotiation process and how you sell the goods in your home market.

4. Provide two complete set of documents generated/received in case of sales in the home market to unrelated customers. (English translations should be provided if necessary).

5. Provide two complete set of documents generated/received in case of sales in the home market to related customers and corresponding resale documents by related customers to independent customers in the home market. (English translations should be provided if necessary).

6. Provide copies of all price lists for sales in the home market

7. Describe the details if any post invoicing/sale discounts or year-end rebates etc given to domestic customers.

8. Provide full information relating to sales of your company in the home market in accordance with the formats set out in

   a. Appendix-4A (To unrelated customers)
   b. Appendix-4B (To related customers)
   c. Appendix-4C (Resale by related customers to independent customers).

9. It should be ensured that the information furnished by all the related companies is fully reconcilable. In addition, the Appendix 5 is required to be furnished by such related companies.

10. In case normal value and the export price are claimed and established to be not on a comparable basis, then due allowance in the form of adjustments can be made where prices and price comparability are affected in order to carry out a fair comparison in those cases. You are required to explain in detail each adjustment of your claim

SECTION G: INFORMATION ON PRODUCTION PROCESS AND COST OF PRODUCTION

1. Describe your company's production facilities. If production or stages of the production process take place at more than one facility, list all facilities and explain the production activities at the major facilities.

2. Describe whether stages of the production process are subcontracted.

3. Describe the manufacturing process for the products concerned and provide production flow chart.Describe item(s) produced/consumed at each stage.

4. Basis of valuation of raw materials, work-in-process and finished goods inventory valuation methods (e.g., first-in, first-out ("FIFO"), last-in, first-out ("LIFO"), weighted average), etc.

5. Specify the date you use for the exchange rate, e.g. invoice date, shipping date, etc., and the source thereof, e.g. official exchange rate, or other rate used.

6. In the event that any of the accounting methods used by your company have changed over the last three financial years, please explain in detail.

7. Describe the cost accounting system used by your company. Information must include the following:

   a. General description of the company's cost accounting method relating to the product concerned,

   b. How do you account for by-products/ wastage, scrap, damaged or sub-standard goods and rework generated at each stage of the production process.

8. Provide the following:

(a) List of all raw materials used in the manufacture of product involved.

(b) Identify whether the raw materials and utilities consumed for production are purchased or captively produced by the company.

(c) In case of imported raw material, please clarify whether there are any import duties and taxes paid on the imported raw material. Whether these import duties have been included in the value of these raw material.

(d) Statement of purchase and consumption for all materials and utilities used as per format set out at Appendix-6.

(e) Allocation and apportionment of expenses into the product concerned and other products, as per format set out at Appendix-7. The information for company as a whole should reconcile to your financial published accounts.

(f) Unit costs to make and sell and profit in domestic and export markets as set out in formats at Appendix-8. In case, there is difference in factory cost for exports to India as compared to that of domestic market and other countries, provide an explanation thereof for the difference.

(g) The selling, general and administrative expenses allocated/apportioned for the product concerned, as per format set out at Appendix-9.

(h) PCN wise information in Appendix- 10, if required.

(i) In case any raw material or utility is purchased from related supplier or captively produced, provide the details of such supplies and state the basis of pricing of the material considered. Explain the pricing considered by you is reflective and representative of a fair market price. Provide purchase prices from independent parties for an identical or comparable raw material / utility. All the information must be in accordance to the format set out in Appendix-11 (if applicable)

(j) Explain the basis of interest costs charged for the product concerned. In case the company is a part of a larger group, provide the basis of charging interests.

9. Provide details of any material difference between the production cost data supplied in reply to this questionnaire and costs normally determined by you using your accounting system. In this context, specific reference is required in costing of materials used and capital costs such as cost of funds, depreciation, etc.

10. Provide details of any startup cost adjustment being claimed by the producer.

SECTION: I: THIRD COUNTRY INFORMATION

1. Please furnish information relating to exports to countries other than India (separately for each country). In case the claim of the Normal Value is based on the sales in the home market, formats set out in this questionnaire with respect to exports to third countries may be ignored.

PART – IV

INFORMATION TO BE PROVIDED BY RELATED IMPORTER IN INDIA

1. Please fill this section, if product under investigation is exported to related importer in India

2. Please supply details of your company:

   Name:
   Address:
   Telephone:
   Fax:
   E-mail:
   Website:
   and indicate the names of the persons to contact and their functions within the company.

3. In case you empowered a legal representative to assist you in this proceeding please give:

   Name of legal representative:
   Address:
   Telephone:

Fax:
Email:

4. State the legal form of your company and when it was incorporated.

5. List the names of the shareholders during the POI of your company and indicate the percentage share-holding and the activities of these shareholders.

6. Provide a list of all products sold by your company.

7. Attach a copy of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last two financial years for your company as well as for those companies related to you that are involved in the marketing or sales of the product under investigation.

8. If internal financial statements, management reports, etc. are prepared and maintained for the product under investigation, provide copies for the two most recent financial years.

9. Please indicate the address where the accounting records concerning the activities of the company are located. If they are maintained in different locations please indicate which records are kept at which location.

10. Explain the company's channels of distribution to customers in India including any related companies involved starting from the factory gate until the first resale to independent customers. Describe the physical flows (inputs and products) and the financial flows (e.g. invoices and payments) involved. Include a detailed flow chart indicating terms of sale and pricing to each category of customer (e.g., traders, distributors, wholesalers, industrial users, end users, etc.) including related companies. In casethe product under investigation is changed in any way between purchase and resale, please provide the details.

11. Describe each step in the sales negotiation process, from the first point of contact with the purchaser through to any after-sale price adjustments. Explain how sales prices are set and whether sales prices differ between or among grades, types or specifications of the product under investigation or among customers, regions or time periods. Provide copies of all price lists issued or in use during the POI.

12. Provide information on sales of the product under investigation made by the company to customers which are considered to be related. Please take careful notice of the requirement that all related companies involved in the sales of the product under investigation to India have to complete a separate questionnaire

13. Please fill the following Appendix (as applicable)

(a) Appendix 12 : Details of imports of PUC from subject countries from related parties

(b) Appendix 13: Details of imports of PUC from subject countries from unrelated parties

(c) Appendix 14: Details of purchase from domestic suppliers

(d) Appendix 15 Summary Statement of imports

(e) Appendix 16: Details of Resale of subject goods.

(f) Appendix 17: Utilization of product under consideration.

(g) Appendix 18: Profitability Statement.

APPENDIX – A

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/exporter/related importer], it is hereby certified that I have read the attached submission of [name of the producer/ exporter/related importer] dated ______ pursuant to initiation of the Anti-Dumping 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, misdeclaration or misrepresentation by me/us in any manner whatsoever.

Name: ______________________ Signature

Designation: ____________________ Seal

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/ Directors/Partners or the Proprietor of the Firm or the Board of Directors be also attached.

APPENDIX – B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in the anti dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s___________________________ (name) is authorised, inter-alia, for the following:

1. To receive communications from the Designated Authority.
2. To make submissions on our behalf.
3. To appear for and on our behalf

(Please strike off whichever activity is not to be authorised)

Date ______________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorised Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE

(On Letterhead)

I/We ____________ counsel/s or legal representative/s to [name of the producer/ company/exporter], certify that I/We have read the attached submission of [name of the producer/ company/exporter] dated _________ pursuant to Initiation of the Anti-Dumping Investigations against the Product ______________ originating in or exported from________

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or wilful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or wilfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: ______________________ Signature

Designation: ____________________

Name and Membership No. of the professional body Seal
(e.g. ICAI, ICMAI, Bar Council), if any: ______________

Date: ___________________

Performance Parameters (PUC)

Appendix-1

Particulars	Unit/ Currency	Year 1	Year 2	Year 3	POI
Installed Capacity					
Production Quantity*					
Capacity Utilization Percentage					
Total Turnover of the Company (All products): (a) Domestic Sales (b) Export Sales – India (c) Export Sales – Other Countries					
Sales Quantity (PUC): (a) Domestic Sales (b) Export Sales – India (c) Export Sales – Other Countries (d) Captive Consumption /Transfer					
Sales Value (PUC): (a) Domestic Sales (b) Export Sales – India (c) Export Sales – Other Countries (d) Captive Consumption/Transfer					
Sales Realisations per unit (PUC): (a) Domestic Sales (b) Export Sales – India (c) Export Sales – Other Countries (d) Captive Consumption/Transfer					
No. of Employees					
Productivity per Day					
Inventory					
Inventory as No. of days of Production					
Inventory as No. of days of Sales					
R&D Expenses					
Cost of Sales per Unit-Domestic Sales at ex-factory level.					
Cost of Sales per Unit- Exports to India at ex-factory level					
Selling Price per Unit- Domestic Sales at ex-factory level.					
Selling Price per Unit- Exports to India at ex-factory level.					
PBIT per Unit- Export Sales to India					
NFA/Investments (Buildings/ Plant & Machinery Etc) in the production of PUC					

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

Appendix-2: Details of Purchase and Sale of PUC *

																		If exported to India		
No.	**Product**	**PCN No. (if Any)**	**Invoice No.**	**Date of Invoice**	**Name of the Supplier (Purchases)**	**Country**	**If Related**	**What relationship**	**Quantity**	**Delivery terms (FOB/CIF/CFR)**	**Unit Price Excluding Tax**	**Gross Invoice Value**	**Discount**	**Net Invoice value**	**Term of Payment**	**Whether Exported to India**	**Sales Invoice Number**	**Customer Name (Sales)**	**Quantity**	**Value**

* Traded Items

Appendix-3A:Details of direct exports to unrelated customer in India during POI

																						If not manufactured by your company, please provide the additional details						
No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	Port and other related expenses	No.of days of Credit	Credit Cost	Packing Cost	Any other deduction	Whether the goods are manufactured by your	Name of the Producer/ Supplier	Related or not	Country	Quantity	Value	Delivery terms (FOB/CIF/CFR)-	Payment terms-Purchase

Appendix-3B:Details of direct exports to related customer in India during POI

																						If not manufactured by your company, please provide the additional details							
No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	Quantity	Delivery terms (FOB/CIF/ CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	Port and other related expenses	No.of days of Credit	Credit Cost	Packing Cost	Any other deduction	Whether the goods are manufactured by your company	Name of the Producer/ Supplier	Related or not	Country	Quantity	Value	Delivery terms (FOB/CIF /CFR)- Purchase	Payment terms- Purchase

Appendix-3C: Details of exports to India through related/unrelated exporter during POI

No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	If Related	What relationship	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	Port and other related expenses	No.of days of Credit	Credit Cost	Packing Cost	Any other deduction	Whether the goods are manufactured by your company	If not manufactured by your company, please provide the additional details						
																								Name of the Producer/ Supplier	Related or not	Country	Quantity	Value	Delivery terms (FOB/CIF/CFR)-Purchase	Payment terms-Purchase

Appendix-4A:Details of Domestic Sales to unrelated customer during POI

																					If not manufactured by your company, please provide the additional details						
No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	Quantity	Delivery terms (FOB/CIF /CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	No.of days of Credit	Credit Cost	Packing Cost	Any other deduction	Whether the goods are manufactured by your company	Name of the Producer/ Supplier	Related or not	Country	Quantity	Value	Delivery terms (FOB/CIF/CFR)- Purchase	Payment terms- Purchase

Appendix-4B: Details of Domestic Sales to related customer during POI

																						If not manufactured by your company, please provide the additional details						
No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	What relationship	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	No.of days of Credit	Credit Cost	Packing Cost	Any other deduction	Whether the goods are manufactured by your company	Name of the Producer/ Supplier	Related or not	Country	Quantity	Value	Delivery terms (FOB/CIF/CFR)-Purchase	Payment terms-Purchase

Appendix-4C: Resale price details of domestic sales to Independent customer by related party of participating producer during POI

No.	Product	PCN No. (if Any)	Invoice No.	Date of Invoice	Name of the Customer	Quantity	Delivery terms (FOB/CIF/CFR)	Unit Price Excluding Tax	Gross Invoice Value	Discount	Net Invoice value	Term of Payment	Ocean Freight	Insurance	Inland Transportation	No.of days of Credit	Credit Cost	Packing Cost	Any other expense	Name of the Supplier	Invoice No.	Quantity	Value	Delivery terms (FOB/CIF/CFR)-Purchase	Payment terms-Purchase

Appendix-5 (Profitability Statement)

Period of Investigation

Sl.No.	Particulars*	Total company as a whole (for POI)	Share applicable to product under investigation exported to India purcahsed from related party	Share applicable to product under investigation exported to India purcahsed from unrelated party	Share applicable to product under investigation (Sales in domestic market in originating country) purchased from related party	Share applicable to product under investigation (Sales in domestic market in originating country) purchased from unrelated party	Share applicable to product under investigation not exported to India or sold in domestic market in orginating country	Share not applicable to product under investigation	Basis of allocation/ apportionment
	Purchase Quantity								
	Sales Quantity								
	Cost of Purchase								
	Stock Ajustment								
	Administration expenses								
	Selling & Distribution Cost								
	Depreciation								
	Financial Expenses								
	Other expenses								
	Total expenses								
	Sales revenue								
	Other revenue								
	Total revenue								
	Profit/Loss								

* You may amend the nomenclature in the above format based on your audited financial statements

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Seal and Signature of Practising Accountant
Membership No.

Date:
Place:

Appendix "6"

STATEMENT OF CONSUMPTION OF RAW MATERIALS (RM) , PACKING MATERIALS (PM) AND UTILITIES USED FOR PUC PRODUCTION

↓ Particulars	FOR PERIOD OF INVESTIGATION																			Previous Accounting Year/Financial Year Actual Consumption				Standard or normative Consumption per unit of production
	Opening Stock#			Purchases from Related Party			Purchases (Other than from Related Party)			Use of Captively Produced Raw Material for PUC			Closing Stock#			Actual Consumption (A+B+C+D-E)								
	A			B			C			D			E			F				G				
	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Value	Rate	Qty	Norms**	Value	Rate	Qty	Norms**	Value	Rate	
Specify unit →																								
Production																								
Input Materials (Item wise)																								
RM-1																								
RM-2																								
RM-3																								
RM-4																								
RM-5																								
RM-6																								
Other Raw Materials																								
Packing Material-1																								
Packing Material-2																								
TOTAL OF INPUT MATERIALS																								
Utility (Item wise)*																								
Power																								
Fuel																								
Steam																								
Water																								
Gas																								
Add more...																								
TOTAL OF UTILITIES																								

* Please indicate "zero", where there is no opening/ Closing stock.

** Norm means per unit actual consumption (i.e. Qty. consumed/ production) during the period.

\# Opening stock and Closing stock shall preferably include impact of 'Raw Materials in Work-in-Progress', if any.

In case the raw materials/packing materials/utilities consumed are produced ca[ptively, provide details of cost of production and aqverage sales realisation of those raw materials/inputs seperately

Appendix-7

Sl. No.	Particulars	GL Code	PERIOD OF INVESTIGATION Total (Company as a whole)	Share Applicable to PUC* (Plant-1) Value	Share Applicable to PUC* (Plant-2 etc) Value	Captive input, if any**	Non PUC Total Value	Basis of allocation/ Apportionment	Previous Financial or Accounting Year FOR PUC (Plant-1)	Previous Financial or Accounting Year FOR PUC (Plant-2 etc)
A	B	C	D	E	F	G	H	I	J	K
1	Raw Material Consumption*									
2	Utilities Consumption*									
3	Packing Materials Consumed*									
4	Consumable stores and spares/other inputs									
5	Salaries & Wages / Employee cost									
6	Depreciation and Amortization expense									
7	Repair & Maintenance									
8	Research & Development									
9	Other Manufacturing Expenses									
10	Other Manufacturing Overheads (Specify under major heads)									
11	Finance Costs									
12	Other Administration Overheads									
13	Corporate Overheads									
14	Other/Miscellaneous Expenses, if any									
15	Other Income, if any									
16	Income from sale of scrap/by-products									
17	Cost of Production (1 to 16)									
18	Inventory Adjustment									
19	Cost of goods sold (17+18)									
20	Indirect Selling Overheads									
21	Ex-Factory Costs (19+20)									
22	Direct Selling Overaheads (23 to 26)									
23	----Commission on Sales									
24	----Freight Outward- Ocean									
25	----Freight Outward- Inland									
26	----Others									
27	**COST OF SALES (21+22)**									
28	Domestic Sales									
29	Export Sales									
30	Export Incentives (income)									
31	Profit									

Note: There will be one Appendix 7 for entire company. The cost of each major utility and major captive input shall be shown separately.

* Expenses relevant to each plant/unit of the Company producing PUC shall be shown separately.

** Separate column shall be added for each major utility/captive input used.

The figures given here should be reconciled with figures given in Appendix-5. If required, a reconciliation statement be also attached.

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Date: Seal and Signature of Practising Accountant

Place: Membership No.

Page 28

STATEMENT OF COST OF PRODUCTION (APPENDIX-8)

	Particulars	Previous Accounting Year									Period of Investigation								
	Installed/ Rated Capacity (Quantity)																		
	Production (Quantity)																		
	Capacity Utilisation (%)																		
	Total Sales (Quantity)																		
	Domestic Sales (Quantity)																		
	Sales to India (Quantity)																		
		Total Sales			Domestic Sales			Exports/Sales to India			Total Sales			Domestic Sales			Exports/Sales to India		
		Qty.	Value	Cost per Unit	Qty.	Value	Cost per Unit	Qty.	Value	Cost per Unit	Qty.	Value	Cost per Unit	Qty.	Value	Cost per Unit	Qty.	Value	Cost per unit
1	Raw Material Consumption																		
2	Utilities Consumption																		
3	Packing Materials Consumed																		
4	inputs																		
5	Salaries & Wages / Employee cost																		
6	Depreciation and Amortization expense																		
7	Repair & Maintenance																		
8	Research & Development																		
9	Other Manufacturing Expenses																		
10	(Specify under major heads)																		
11	Finance Costs																		
12	Other Administration Overheads																		
13	Corporate Overheads																		
14	Other/Miscellaneous Expenses, if any																		
15	Other Income, if any																		
16	Income from sale of scrap/by-products																		
17	Cost of Production (1 to 16)																		
18	Inventory Adjustment																		
19	Cost of goods sold (17+18)																		
20	Indirect Selling Overheads																		
21	Ex-Factory Costs (19+20)																		
22	Direct Selling Overaheads (23 to 26)																		
23	----Commission on Sales																		
24	----Freight Outward- Ocean																		
25	----Freight Outward- Inland																		
26	----Others																		
27	COST OF SALES (21+22)																		
28	Sales Value																		
29	Export Incentives (income)																		
30	Profit																		

Notes

Please specify the unit, wherever applicable;

A separate statement should be prepared for each grade;

Denote currency and indicate the applicable rate of exchange with US $.

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Date:

Place:

Seal and Signature of Practising Accountant

Membership No.

Appendix 9

Statement of allocation of Selling, General and Administrative Overheads (POI)

Particulars	All products	Total Value				Domestic Market								Exports to India								Exports to Other countries							
						Unrelated customers				Related customers				Unrelated customers				Related customers				Unrelated customers				Related customers			
		Product Under investigation		Other Products		Product Under investigation		Other Products		Product Under		Other Products		Product Under investigation		Other Products		Product Under investigation		Other Products		Product Under investigation		Other Products		Product Under investigation		Other Products	
		Value	%	Value	%	Value	%	Valoe	%	Value	%	Value	%	Value	%	Value	%	Value	%	Value	%	Value	%	Value	%	Value	%	Value	%
Turnover																													
SGA Expenses																													
Direct Selling overheads																													
Financial Expenses																													
Administrative Expenses																													
Other expenses																													
Total SG & A																													

APPENDIX-10

PCN* wise summarised Statement of Expenses

(specify the *UOM* of quantity and costs)

PCN No.	Production Quantity	Sales Quantity	Total Raw Material Cost	Total cost of Utilities	Total Direct Labour Cost	Other Expenses	Total Cost
Unit							
Total							

** PCNs could be identified on the basis of difference in technical characteristics like performance, physical features, price, cost and usage differences etc. In general parlance, the PCNs get identified as grades, types and forms etc.*

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 cost data reflects true and fair view of the cost of respective PCNs for production of the PUC concerned.

Date: Seal and Signature of Practising Accountant

Place: Membership No.

APPENDIX-11

Details of Related Party Transactions for production and sale of PUC or any of its inputs

(Amount in Rs)

Sl. No.	Particulars (Nature of Transaction)	Unit	Quantity	Rate per unit	Total Transfer Price	Basis of pricing	Whether the transaction is at Arm's Length Price*	Cost per unit, if transaction is not at arm's length price	Comparable Arm's Length Price, if available

Note: All major transactions having impact on cost of PUC be indicated.

*Arm's length transaction means a transaction conducted between two related parties without any special compensatory/preferential consideration as if they were unrelated and without any conflict of interest.

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/Other Relevant Regulations 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 of the respective transactions used for production/sale of the PUC concerned.

Date: Seal and Signature of Practising Accountant

Place: Membership No.

Information relating to imports in India during period of investigation from related party - Appendix 12

Sr. No.	Country	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other duty and taxes

Note: Copy of invoice and bill of entry of sample imports to be attached.

Information relating to imports in India during period of investigation from unrelated party -Appendix 13

Sr. No.	Country	Description of Product	PCN (If Any)	Supplier's Name	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other duty and taxes

Note: Copy of invoice and bill of entry of sample imports to be attached.

Information relating to purcahses from domestic supplier during period of investigation -Appendix 14

Sr. No.	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate / Discount / Commission

Note: Copy of invoice of sample transaction to be attached.

Country - Wise details of import (from subject as well as non subject countries) - Appendix 15

Sr. No.	Country	2nd Previous Financial Year		1st Previous Financial Year		POI		Remarks
		Qty	Value	Qty	Value	Qty	Value	
1	2	3	4	5	6	7	8	9
	TOTAL							

Note: Indicate the value in contracted currency and give rate of exchange

Information relating to resale of subejct goods in India during period of investigation - Appendix 16

Sr. No.	Description of Product	PCN (if Any)	Customer Name	Invoice No.	Invoice Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Other duty and taxes	Name of the supplier	Country of origin	Corresponding Supplier Invoice no. (if available)

Note: Copy of invoice of sample transaction to be attached.

'Appendix 17

Report inventory and utilisation of product under consideration

Particulars	2nd Previous Financial Year			1st Previous Financial Year			POI		
	Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value
1	2	3	4	5	6	7	8	9	10
I. Utilisation of product under consideration Opening Stock Add: Import Add: Domestic product Less: Closing Stock									
Utilation (I)									
II. Break - up of utilisation (I) Product Sold (a) Domestic (b) Exported (2) Product used for captive consumption (a) Use for End product sold domestically (b) Use for End product exported (c) Losses / wastages etc.									
Total									

Appendix 18 (Profitability Statement)

Period of Investigation

Sl.No.	Particulars*	Total company as a whole (for POI)	Share applicable to product under investigation imported in to India purchased from related party	Share applicable to product under investigation imported in to India purchased from unrelated party	Share applicable to product under investigation purchased from domestic suppliers	Share not applicable to product under investigation	Basis of allocation/ apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Purchase						
	Stock Ajustment						
	Administration expenses						
	Selling & Distribution Cost						
	Depreciation						
	Financial Expenses						
	Other expenses						
	Total expenses						
	Sales revenue						
	Other revenue						
	Total revenue						
	Profit/Loss						

* You may amend the nomenclature in the above format based on your audited financial statements

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Date:
Place:

Seal and Signature of Practising Accountant
Membership No.

F. No. 8/3/2021-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: 29th July, 2021

Trade Notice No.: 07/2021

Subject: Simplification of importer's questionnaire to be filed by unrelated importers in Anti-Dumping investigation- reg.

Attention of all members of Trade and Industry is invited to the existing importer's questionnaire to be filed by unrelated importer(s) in Anti-Dumping investigation.

2. There have been representations from various stakeholders with regard to difficulties being faced by them in complying with existing requirements. To ascertain the difficulties faced by them, stakeholder consultations were also held.

3. Accordingly, in response to their demands as also to fulfil the objective of reduction of compliance burden for citizens and business, the existing importer's questionnaire has been simplified. Requirement of non-essential and repetitive information has been dispensed with.

4. The new importer's questionnaire along with revised appendices to be filed by unrelated importer(s) is enclosed herewith.

5. Henceforth, importers not related to foreign producer(s)/ exporter(s) shall use the new/revised formats specified above. The instructions contained in this trade notice supersedes all previous instructions or Trade Notices, issued by the Directorate on this subject.

(Anant Swarup)
Designated Authority

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR

UN-RELATED IMPORTER IN INDIA

DIRECTORATE GENERAL OF TRADE REMEDIES
Website: https://www.dgtr.gov.in
Email: dgtr-india@gov.in

Address:
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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 ("AD Rules"), as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the interested parties deemed necessary for the present investigation in accordance with Rule 6(4) and 6(5) of the AD Rules.

2. This questionnaire is to be filled in by an importer in India, not related to producer/exporter of product under consideration in subject countries. If the unrelated importer is also a user of the subject goods, then such unrelated importer has to fill the user questionnaire. It is in the interest of the importer(s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

4. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the relevant formats have been prescribed.

5. All documents and source material submitted in response to this questionnaire must be in English.

6. All units of measurement and currencies used in Appendices and other information should be clearly identified.

7. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the AD Rules.

INSTRUCTIONS FOR FILLING FORMATS

8. The duly filled formats are to be filed along with the response.

9. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non-confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the AD Rules).

10. A copy of all non-confidential submissions shall be placed in a public file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the AD Rules.

11. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

12. The certificate at Appendix "A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

13. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of antidumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

14.The Designated Authority may carry out verification to examine the records of your company and to verify the information provided in this questionnaire

COMPANY NAME:	CONFIDENTIAL VERSION/ NON-CONFIDENTIAL VERSION
• **Investigation:** • **Country(ies) concerned:** • **Product Under investigation:** • **Period of Investigation (POI):**	

INFORMATION TO BE PROVIDED BY UNRELATED IMPORTERS IN INDIA

SECTION A: GENERAL

1. Please supply details of your company/firm:

(i) Name:
(ii) Address:
(iii) Telephone:
(iv) Fax:
(v) E-mail:
(vi) Website:
(vii) Names of the person(s) to contact and designations.

2. In case you have authorized a legal representative to assist you in this proceeding please give:

(i) Name of legal representative:
(ii) Address:
(iii) Telephone:
(iv) Fax:
(v) Email:

3. Describe the legal form of your organization and when it was established.

4. List the names of the principal shareholders during the POI of your company. State whether any of them are related to any other company engaged in production and sale of the product under investigation.

5. Please give details of all your units linked to the product under consideration and indicate clearly the role/operations performed by these units.

7. Outline your company's affiliations, including parent companies, subsidiaries, and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which are involved in product under consideration.

SECTION B: FINANCIAL INFORMATION

1. State your corporate financial year.

2. State whether your accounting practices are in accordance with the Generally Accepted Accounting Principles ("GAAP") of India. If not so, list the accounting practices, which are not in accordance with the GAAP.

3. Attach an English version of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last two most recent financial years for your company.

SECTION C: IMPORTS AND RESALE OF PUC

1. Explain your company's channels of distribution to customers in India starting from the factory gate until the first resale to customers. Describe the physical flows (products) and the financial flows (e.g. invoices and payments) involved. Include a detailed flow chart indicating terms of sale and pricing to each category of customer (e.g., traders, distributors, wholesalers, industrial users, end users, etc.) including related companies. If the product under investigation is changed in any way between purchase and resale, please provide the details.

2. Fill the following Appendix (as applicable)

   a. Appendix-1: Details of imports of PUC from subject countries from unrelated parties

   b. Appendix-2: Details of purchase from domestic suppliers

   c. Appendix-3: Summary Statement of imports

   d. Appendix-4: Details of Resale of subject goods.

   e. Appendix-5: Profitability Statement

SECTION D: PRODUCT COMPARISON AND MARKET INFORMATION

1. Provide full description including specifications of the product involved in the investigation imported in India and sold in the home market. If you consider that your product, though falling within the product description as defined by Authority, differs from the product under consideration in any way or has specific characteristics or uses which single it out from the product under investigation, please provide detailed information justifying your position.

2. Please mention and elaborate any causes other than the imports of the product under investigation from the country concerned which may have contributed to the alleged injury suffered by the Indian producers.

3. Please indicate whether your company would be in favour of the imposition of antidumping measures or against.

4. Are there products that could be easily substituted for the PUC? If yes, then name such products and explain how these products can substitute PUC?

5. Do the producers/exporters of the country concerned have any comparative advantage in comparison with Indian producers?

6. Any other issue, which you may like to bring to the notice of the Authority relating to the investigation.

APPENDIX-A

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY/DIRECTORS/PARTNERS OR THE PROPRIETOR OF THE FIRM.

(*On Letterhead of the Company*)

1. On behalf of the [name of the importer entity], it is hereby certified that I have read the attached submission of [name of the importer entity] dated__________________ pursuant to initiation of the Anti-Dumping 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 willfully 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 willful and/or fraudulent concealment, mis-declaration or misrepresentation by me/us in any manner whatsoever.

Name: _________________ Signature

Designation:____________________ Seal

Date: __________________

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

APPENDIX-B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in the anti- dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s____________________ (name) is authorized, inter-alia, for the following:

1. To receive communications from the Designated Authority.

2. To make submissions on our behalf.

3. To appear for and on our behalf

(Please strike off whichever activity is not to be authorized)

Date__________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorized Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE

(On Letterhead)

I/We________________ counsel/s or legal representative/s to [name of the importer], certify that I/We have read the attached submission of [name of the importer] dated _________________________ pursuant to Initiation of the Anti-Dumping Investigation against the Product_________________________________ originating in or exported from____________

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or willful and/or fraudulent concealment, mis-declaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or willfully made any material false statements to the Designated Authority and am/are not party to any concealment, mis-declaration or misrepresentation by my/our clients.

Name: ___________________ Signature

Designation: __________________

Name and Membership No. of the professional body Seal

(e.g. ICAI, ICMAI, Bar Council), if any: _______________

Date: _________________

Appendix-1

Information relating to imports in India during Period of Investigation

Sr. No.	Country	Description of Product	Supplier's Name	Whether related	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate/ Discount/ Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other Duty and Taxes

Note: Copy of invoice and bill of entry of sample imports to be attached.

Appendix-2

Information relating to purchases from domestic suppliers during Period of Investigation

Sr. No.	Description of Product	Supplier's Name	Whether related	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate/ Discount/ Commission	Other Duty and Taxes

Appendix-3

Country-wise details of import (from subject as well as non-subject countries)

Sr. No.	Country	2nd Previous Year		1st Previous Year		POI		Remarks
		Qty	Value	Qty	Value	Qty	Value	
1	2	3	4	5	6	7	8	9
	TOTAL							

* As per Initiation Note

Note: Indicate the value in contracted currency and give average rate of exchange

Appendix-4

Information relating to resale of subject goods in India during Period of Investigation

S. No.	Description of Product	PCN (if Any)	Customer Name	Whether related	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate/ Discount/ Commission	Other Duty and taxes	Name of the Supplier	Country of Origin	Corresponding Supplier Invoice no. (if available)

Note: Copy of invoice of sample transaction to be attached

Appendix-5

Profitability Statement

S. No.	Particulars*	Total Company as a whole (for POI)	Share applicable to product under Investigation (Resale of imported PUC from subject countries) China	Share applicable to product under Investigation (Resale of imported PUC from non-subject countries)	Share applicable to product under Investigation (Resale of product originating in India sourced from domestic producer/trader)	Share not applicable to product under Investigation	Basis of Allocation/ Apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Purchase						
	Stock Adjustment						
	Administration expenses						
	Selling & Distribution cost						
	Depreciation						
	Financial Expenses						
	Other Expenses						
	Total Expenses						
	Sales Revenue						
	Other Revenue						
	Total Revenue						
	Profit/Loss						

*The nomenclature in the above format may be amended based on the audited financial statements.

No. 4/6/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building,
5, Parliament Street, New Delhi -110001

Dated: 28th February, 2018

Trade Notice: 06/2018

Subject: Streamlining of the Anti Dumping Investigations Process – Anti-Dumping Questionnaire Format for Un-related Importer in India.

Attention of Trade and Industry is invited to the submissions received from various stakeholders requesting for a revised Anti-Dumping Questionnaire Format for Un-related Importer in India. A revised questionnaire was considered necessary for enabling active participation of the un-related importer in anti-dumping investigations by submission of complete and comprehensive information.

2. In view of above, a revised Anti-Dumping Questionnaire for un-related importer is attached herewith. All the interested parties are required to strictly follow the revised Anti-Dumping Questionnaire for the investigations initiated after the date of issuance of this notice.

3. This Trade notice will supersede all the previous instructions or Trade Notices, if any, issued by the Directorate with regard to the information to be provided by un-related importer in anti-dumping investigations.

28.2.18
(Sunil Kumar)
Additional Secretary and Designated Authority

Enclosed: Anti-Dumping Questionnaire for un-related Importer

To
All concerned

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR Un-related IMPORTERS IN INDIA

**DIRECTORATE GENERAL
OF
ANTI DUMPING & ALLIED DUTIES**
Website: www.dgtr.gov.in
Email: dgad.india@gov.in

Address:
Directorate General of Anti-dumping & Allied Duties (DGAD)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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, as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the interested parties deemed necessary for the present investigation in accordance with Rule 6(4) and 6(5) of the Customs Tariff Rules, 1995.

2. This questionnaire is to be filled in by an importer in India, not related to producer/exporter of product under consideration in subject countries. If the unrelated importer is also a user of the subject goods, then such unrelated importer has to fill the user questionnaire. It is in the interest of the importer (s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

3. The Designated Authority initiates investigation after examination of accuracy and adequacy of the evidence filed by the Domestic Industry in the form of a written application and establishing the case of dumping, injury and the causal link between such dumped imports and alleged injury. Thereafter, a detailed investigation is undertaken before finalizing preliminary and/or final findings. The investigation process includes eliciting information on various parameters from interested parties through questionnaire, and verified if deemed necessary, to the extent possible.

4. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the format have been prescribed in the Appendices for presentation of data.

5. All documents and source material submitted in response to this questionnaire must be accompanied by an English translation.

6. All units of measurement and currencies used in Appendices and other information should be clearly identified.

7. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the Customs Tariff Rules, 1995.

INSTRUCTIONS FOR FILLING FORMATS

8. The duly filled formats are to be filed along with the response. The entities related to you are also required to participate by giving relevant information as mentioned in subsequent paragraphs, if related entities are involved in the re-sale of product under consideration.

9. The questionnaire in the following pages has been designed to enable the Designated Authority to obtain the information deemed necessary from the unrelated importers for the present investigation. It is in the interest of the importers to reply to the questionnaire as accurately and completely as possible and to attach supporting documents' wherever feasible. **In case you are importer and user of the product under investigation, then you are required to fill the user questionnaire available on the website www.dgtr.gov.in.**

10. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non-confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the Customs Tariff Rules, 1995).

11. A copy of all non-confidential submissions shall be placed in a file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the Customs Tariff Rules, 1995 .

12. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

13. The certificate at Appendix "A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

14. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of anti-dumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

15. The Designated Authority may carry out on-the-spot verification to examine the records of your company and to verify the information provided in this questionnaire

COMPANY NAME:	CONFIDENTIAL VERSION / NON CONFIDENTIAL VERSION DELETE WHICHEVER IS NOT APPLICABLE

- **Investigation :**
- **Country(ies) concerned**
- **Product under investigation:**
- **Period of Investigation (POI):**
- **Deadline for response to the questionnaire:**

INFORMATION TO BE PROVIDED BY UNRELATED IMPORTERS IN INDIA

SECTION A: GENERAL

1. Please supply details of your company:

   (i) Name:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) E-mail:
   (vi) Website:
   (vii) Names of the person(s) to contact and designations.

2. In case you have empowered a legal representative to assist you in this proceeding please give:

   (i) Name of legal representative:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) Email:

3. Describe the legal form of your company and when it was established. In case there have been any change in the structure of your company, please elaborate every change in the last three years including POI.

4. List the names of the principal shareholders during the POI of your company and indicate the percentage share-holding and the activities of these shareholders. State whether any of them are related to any other company engaged in production and sale of the product under investigation.

5. Please give details of all your units linked to the product under investigation in India and indicate clearly the role/operations performed by these units.

6. Provide a list of all products sold by your company during the POI even if they are not concerned by this proceeding. Give the total imports in volume (specify unit of measurement) per product.

7. Outline your company's world-wide corporate structure and affiliations, including parent companies, subsidiaries and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which are involved in product under consideration.

SECTION B: FINANCIAL INFORMATION

1. State your corporate financial year.

2. State whether your accounting practices are in accordance with the Generally Accepted Accounting Principles ("GAAP") of India. If not so, list the accounting practices, which are not in accordance with the GAAP.

3. Attach an English version of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last two most recent financial years for your company as well as for those companies related to you who are involved in the marketing or sales of the product concerned.

4. Attach internal financial statements, management reports, standard cost reviews etc., if prepared and maintained for the product under investigation, or for the product category covering the product concerned. Provide copies for the three most recent financial years.

5. Please indicate the address where the accounting records concerning the activities of the company are located. If they are maintained in different locations please indicate which records are kept at which location. State the name & designation of concerned person with complete address, telephone, fax no. Email address, responsible for maintaining the accounting records of the company.

SECTION C: IMPORTS AND RESALE OF PUC

1. Explain your company's channels of distribution to customers in India starting from the factory gate until the first resale to customers. Describe the physical flows (products) and the financial flows (e.g. invoices and payments) involved. Include a detailed flow chart indicating terms of sale and pricing to each category of customer (e.g., traders, distributors, wholesalers, industrial users, end users, etc.) including related companies. <u>If the product under investigation is changed in any way between purchase and resale, please provide the details</u>

2. Name and addresses of major customers, who are either industrial users/ end users.

3. Describe the details, if any of post–invoicing/sale discounts or year-end rebates etc received by your company.

4. Fill the following Appendix (as applicable)
    a. Appendix-1: Details of imports of PUC from subject countries from unrelated parties
    b. Appendix-2: Details of purchase from domestic suppliers
    c. Appendix-3: Summary Statement of imports
    d. Appendix-4: Details of Resale of subject goods.
    e. Appendix-5: Utilization of product under consideration.
    f. Appendix-6: Profitability Statement

SECTION D: PRODUCT COMPARISON AND MARKET INFORMATION

1. Provide full description including specifications of the product involved in the investigation imported in India and sold in the home market. If you consider that your product, though falling within the product description as defined by Authority, differs from the product under consideration in any way or has specific characteristics or uses which single it out from the product under investigation, please provide detailed information justifying your position.

2. In case you claim that the goods produced/sold in domestic market are different in physical/ technical/ chemical characteristics from those imported in India, then you are required to give evidence of any such differences and their effect on production costs and selling price. Where possible this comparison should be provided in the form of the following table.

Type imported and/ or used by your company	Type manufactured by Indian producers	Characteristics of the imported product and differences with Indian product	Quantity Imported (specify unit)	Average FOB Price of the imported product	Average Landed Price of the imported product
1	2	3	4	5	6

3. Please mention and elaborate any causes other than the imports of the product under investigation from the country concerned which may have contributed to the alleged injury suffered by the Indian producers.

4. Please indicate whether your company would be in favour of the imposition of antidumping measures or against.

5. Name major labs along with their complete addresses, where the differences in technical characteristics of the imported products with those of domestic products can be evaluated or checked.

6. Are there products that could be easily substituted for the product under investigation? Please explain.

7. Do the producers/exporters of the country concerned have any comparative advantage in comparison with Indian producers? Please substantiate your comments by giving some examples.

8. Please comment on what would happen on the market if anti-dumping duties are imposed on the imports under consideration, in particular: what would be the effects on interested parties, what are the factors likely to accelerate or delay the adjustment to the new situation [OR: Please comment on what would happen on the market if anti-dumping duties are repealed/maintained on the imports under consideration].

9. Any other issue, which you may like to bring to the notice of the Authority relating to the investigation.

APPENDIX – A

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 importer entity], it is hereby certified that I have read the attached submission of [name of the importer entity] dated ______ pursuant to initiation of the Anti-Dumping 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, misdeclaration or misrepresentation by me/us in any manner whatsoever.

Name: ____________________ Signature

Designation: ____________________ Seal

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/ Directors/Partners or the Proprietor of the Firm or the Board of Directors be also attached.

APPENDIX – B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in the anti dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s____________________________ (name) is authorised, inter-alia, for the following:

1. To receive communications from the Designated Authority.
2. To make submissions on our behalf.
3. To appear for and on our behalf

(Please strike off whichever activity is not to be authorised)

Date _______________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorised Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE
(On Letterhead)

I/We ___________ counsel/s or legal representative/s to [name of the importer], certify that I/We have read the attached submission of [name of the importer] dated ________ pursuant to Initiation of the Anti-Dumping Investigations against the Product _____________ originating in or exported from_______

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or wilful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or wilfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: ____________________ Signature

Designation: ____________________

Name and Membership No. of the professional body Seal
(e.g. ICAI, ICMAI, Bar Council), if any: ______________

Date: __________________

Information relating to imports in India during period of investigation from unrelated party - Appendix- 1

Sr. No.	Country	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other duty and taxes

Note: Copy of invoice and bill of entry of sample imports to be attached.

Information relating to purcahses from domestic supplier during period of investigation -Appendix-2

Sr. No.	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate / Discount / Commission	Other duty and taxes

Note: Copy of invoice of sample transaction to be attached.

Country - Wise details of import (from subject as well as non subject countries) - Appendix- 3

Sr. No.	Country	2nd Previous Financial Year*		1st Previous Financial Year*		POI		Remarks
		Qty	Value	Qty	Value	Qty	Value	
1	2	3	4	5	6	7	8	9
	TOTAL							

* As per the initiation notification

Note: Indicate the value in contracted currency and give rate of exchange

Information relating to resale of subejct goods in India during period of investigation - Appendix- 4

Sr. No.	Description of Product	PCN (if Any)	Customer Name	Invoice No.	Invoice Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Other duty and taxes	Name of the supplier	Country of origin	Corresponding Supplier Invoice no. (if available)

Note: Copy of invoice of sample transaction to be attached.

Appendix- 5

Report inventory and utilisation of product under investigation

Particulars	2nd Previous Financial Year			1st Previous Financial Year			POI		
	Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value
1	2	3	4	5	6	7	8	9	10
I. Utilisation of product under investigation Opening Stock Add: Import Add: Domestic Product Less: Closing Stock									
Utilation (I)									
II. Break - up of utiliasation (I) Product Sold (a) Domestic (b) Exported (2) Product used for captive consumption (a) Use for End product sold domestically (b) Use for End product exported (c) Losses / wastages etc.									
Total									

Appendix-6 (Profitability Statement)

Period of Investigation

Sl.No.	Particulars*	Total company as a whole (for POI)	Share applicable to product under investigation (Resale of imported PUC from subject countries)	Share applicable to product under investigation (Resale of imported PUC from non subject countries)	Share applicable to product under investigation (Resale of product originating in india sourced from domestic producer/trader)	Share not applicable to product under investigation	Basis of allocation/ apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Purchase						
	Stock Ajustment						
	Administration expenses						
	Selling & Distribution Cost						
	Depreciation						
	Financial Expenses						
	Other expenses						
	Total expenses						
	Sales revenue						
	Other revenue						
	Total revenue						
	Profit/Loss						

* You may amend the nomenclature in the above format based on your audited financial statements

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 cost data reflects true and fair view of the cost of

Seal and Signature of Practising Accountant
Membership No.

Date:
Place:

F. No. 8/3/2021-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: 29th July, 2021

Trade Notice No.: 08/2021

Subject: Streamlining of the Anti-Dumping Investigations Process - Anti-Dumping Questionnaire Format for User Industry.

Attention of Trade and Industry is invited to the submissions received from various stakeholders requesting for simplification of Anti-Dumping Questionnaire Format for User Industry. This simplification of questionnaire is deemed necessary for greater participation by the user industry in anti-dumping investigations.

2. In view of above, simplified, and revised version of Anti-Dumping Questionnaire Format for User Industry is attached herewith. All the interested parties are required to provide the information as per the attached format for the investigations initiated after the date of issuance of this Trade Notice.

3. This trade notice will supersede all previous instructions or Trade Notices, if any, issued by the Directorate with regard to the information to be provided by the user industry in any anti-dumping investigation.

(Anant Swarup)
Designated Authority

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR

USER INDUSTRY

DIRECTORATE GENERAL OF TRADE REMEDIES
Website: https://www.dgtr.gov.in
Email: dgtr-india@gov.in

Address:
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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 (hereinafter also referred to as "AD Rules"), as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the user/ downstream industry for the present investigation in accordance with Rule 6(4) and 6(5) of the AD Rules.

2. This questionnaire is to be filled in by a user in India. If an importer is also a user of the subject goods, then such importer has to fill the user questionnaire only, not the importer questionnaire. It is in the interest of the user (s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

3. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the relevant formats have been prescribed in the Appendices herewith.

4. All documents and source material submitted in response to this questionnaire must be in English.

5. All units of measurement and currencies used in Appendices and other information should be clearly identified.

6. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the AD Rules.

INSTRUCTIONS FOR FILLING FORMATS

7. The duly filled formats are to be filed along with the response.

8. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non- confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the AD Rules).

9. A copy of all non-confidential submissions shall be placed in a public file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the AD Rules.

10. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

11. The certificate at Appendix “A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

12. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of anti-dumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

13. The Designated Authority may carry out verification to examine the records of your company and to verify the information provided in this questionnaire

COMPANY NAME:	CONFIDENTIAL / NON-CONFIDENTIAL VERSION (DELETE WHICHEVER IS NOT APPLICABLE)

- **Name of the Investigation:**
- **Subject Country(ies) of the investigation:**
- **Product under Consideration (PUC):**
- **Period of Investigation (POI):**
- **Product(s) manufactured using the PUC:**

INFORMATION TO BE PROVIDED BY USERS IN INDIA

SECTION A: GENERAL

1. Please supply details of your company/firm:

   (i) Name:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) E-mail:
   (vi) Website:
   (vii) Indicate the names of the persons to contact and designation

2. In case you have authorized a legal representative to assist you in this proceeding please give:

   (i) Name of legal representative:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) Email:

3. State the legal form of your organization and when it was established.
4. List the names of the principal shareholders during the POI of your company.
5. Outline your company's affiliations, including parent companies, subsidiaries and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which

are involved in product under consideration.

6. Please give details of all your units linked to the product under consideration and indicate clearly the role/operations performed by these units.
7. Provide a list of all products sold by your company and state the relevance of the product under consideration in the finished product (relative value in finished products).

SECTION B: FINANCIAL INFORMATION

1. State your corporate financial year.
2. Attach a copy of the audited accounts including balance sheet, profit and loss accounts including notes to accounts and footnotes for the last two financial years for your company.

SECTION C: COST INFORMATION

1. Please provide the detailed production process for each product manufactured using the product under consideration and provide production flow chart.
2. Please provide details of the purchases/sales made by your company of product under consideration in Annexure-1.
3. Please provide the information relating to cost of raw material and other conversion costs for each of your products that incorporate the product under consideration in Annexure-2.
4. Please mention and elaborate any causes other than the imports of the product in question from the country concerned which may have contributed to the alleged injury suffered by the Indian producers.

SECTION D: PRODUCT COMPARISON AND MARKET INFORMATION

1. Whether product manufactured by the Domestic Industry is like article of imported product under consideration (PUC)? If not, then specify the differences (e.g. technical or physical characteristics, types, grades, prices, uses, etc.).
2. What is your estimated share in the domestic sales of the end-product manufactured out of PUC?
3. Name your main customers for the end-product manufactured out of PUC.
4. Name your main suppliers for the PUC in India and outside India.
5. Are there products that could be substituted for the PUC? If yes, then name such products and explain how these products can substitute PUC?
6. What is the possibility for your company to switch to other sources of supply for the PUC?
7. Do the producers/exporters of the subject country(ies) have any comparative advantage in vis-à-vis Indian producers?
8. What would be the likely impact of imposition of duties on imports of PUC on its end-users? Quantify such impact.

SECTION E: IMPORTS AND RESALE OF PUC

12. Please fill the following Annexures (as applicable)
    - (i) Annexure-3: Details of imports of PUC and purchase from domestic suppliers
    - (ii) Annexure-4: Details of Resale of subject goods.
    - (iii) Annexure-5: Availability and Utilization of PUC.
    - (iv) Annexure-6: Profitability Statement.

APPENDIX-A

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 user entity], it is hereby certified that I have read the attached submission of [name of the user entity] dated pursuant to initiation of the Anti-Dumping 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.

Name: ________________________

Signature

Designation: _______________________

Seal

Date: _____________________

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

APPENDIX -B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in the anti-dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s (name) is authorized, inter-alia, for the following:

1. To receive communications from the Designated Authority.
2. To make submissions on our behalf.
3. To appear for and on our behalf (Please strike off whichever activity is not to be authorized)

Date ________________________

(Signature)

(Name/Title) Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company /Director/Partner or the Proprietor of the firm/duly Authorized Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE

(On Letterhead)

I/We counsel/s or legal representative/s to [name of the user/producer/ company], certify that I/We have read the attached submission of [name of the user/producer/ company] dated pursuant to Initiation of the Anti-Dumping Investigations against the Product originating
in or exported from

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or wilful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity' as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or wilfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: Signature

Designation: ______________________

Name and Membership No. of the professional body Seal
(e.g. ICAI, ICMAI, Bar Council), if any:

Date: ____________________

Annexure-1

Summary of product under consideration

	Particulars	Unit	Period of Investigation		
			Quantity	Value	Rate
A1	**Purchase details (from unrelated parties):**				
A11	Originating in India				
A12	Originating in Subject countries (separately for each country)				
A13	Originating in other countries (separately for each country)				
A2	**Purchase details (from related parties):**				
A21	Originating in India				
A22	Originating in Subject countries (separately for each country)				
A23	Originating in other countries (separately for each country)				
A	**Total Purchases**				
B	Opening Stock of PUC				
C	Production of PUC, if any				
D	Sales of PUC, if any				
E	Closing Stock of PUC				
	Consumption of PUC in the end-product (A+B+C-D-E)				

Annexure-2

Total Cost Breakup of end-products using PUC (Separate for each product)

Total Cost and profit of the end-product manufactured using the PUC	**UOM**	**POI**	
Product Name:			
Production Quantity			
Sales Quantity			
Captive Consumption			
	UOM	**Amount**	**Per unit cost**
*Cost of PUC Consumed in end-product			
Cost of Other Raw Materials Consumed (other than PUC)			
Conversion Cost (including credit for other income)			
Total Cost			
Sales of the end-product			
Profit/Loss			

***Cost of PUC Consumed for Users and/or Cost of PUC Sold in case of importer-trader**

Annexure-3

Transaction-wise details of Purchases of PUC during the POI

S.No.	Name of the Supplier	Country of origin (for subject countries and India)	Related (R)/ Unrelated (UR)	PCN (if any)	Invoice Number	Invoice Date	Bill of Entry No. (if imported)	Qty	Name of Currency	Invoice Value (foreign currency)	Exchange Rate	Invoice Value (Rupees)	Delivery Terms	Rebate/ Discount/ Commission	Ocean Freight	Ocean Insurance	CIF Value	CIF Value (Rs)	Custom Duty	Other duty and taxes	Basis of Pricing
UOM →																					
Total Purchases																					

Annexure-4

Information relating to resale of imported subject goods in India during period of investigation

Sr. No.	Description of Product	PCN (if Any)	Name of the supplier	Country of origin	Supplier Invoice no.	Customer Name	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate / Discount /	Other duty and taxes

Annexure-5

Availability and Utilisation of product under consideration

Particulars	2nd Previous Financial Year			1st Previous Financial Year			POI		
	Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value
1	2	3	4	5	6	7	8	9	10
Availability of PUC:									
Opening Stock									
Add: Import									
Add: Domestic Purchase									
Less: Closing Stock									
Utilisation of PUC:									
(1) Product Sold									
(a) Domestic									
(b) Exported									
(2) Product used for captive consumption									
(a) Use for End product sold domestically									
(b) Use for End product exported									
(c) Losses / wastages etc.									

Annexure-6

(Profitability Statement)

Sl.No.	Particulars*	Total company as a whole (for POI)	Share applicable to product under investigation (Resale of PUC imported from related parties)	Share applicable to product under investigation (Resale of PUC imported from unrelated parties)	Share applicable to product using/incorporating the product under investigation	Share applicable to other products	Basis of allocation/ apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Raw material Consumed						
	Conversion Cost (including credit for other						
	Total expenses						
	Sales revenue						
	Profit/Loss						

No. 4/4/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building,
5, Parliament Street, New Delhi -110001

Dated: 28th February, 2018

Trade Notice: 04/2018

Subject: Streamlining of the Anti Dumping Investigations Process – Anti-Dumping Questionnaire Format for User Industry.

Attention of Trade and Industry is invited to the submissions received from various stakeholders requesting for Anti-Dumping Questionnaire Format for User Industry. This questionnaire was felt necessary for submission of complete and comprehensive information by the user industry to enable more active participation in anti-dumping investigations.

2. In view of above, an Anti-Dumping Questionnaire Format for User Industry is attached herewith. All the interested parties are required to provide the information as per the attached format for the investigations initiated after the date of issuance of this Trade Notice.

3. The above procedure will supersede all previous instructions or Trade Notices, if any, issued by the Directorate with regard to the information to be provided by the user industry in any anti-dumping investigations.

28.2.18
(Sunil Kumar)
Additional Secretary and Designated Authority

Enclosed: Anti-Dumping Questionnaire Format for User Industry

To
All concerned

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

QUESTIONNAIRE FOR USERS IN INDIA

DIRECTORATE GENERAL
OF
ANTI DUMPING & ALLIED DUTIES
Website: www.dgtr.gov.in
Email: dgad.india@gov.in

Address:
Directorate General of Anti-dumping & Allied Duties (DGAD)
4th Floor, Jeevan Tara Building,
5, Parliament Street,
Patel Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

LEGAL PROVISION

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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, as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The questionnaire is to enable the Designated Authority to obtain the information from the interested parties deemed necessary for the present investigation in accordance with Rule 6(4) and 6(5) of the Customs Tariff Rules, 1995.

2. This questionnaire is to be filled in by a user in India, not related to producer/exporter of product under consideration in subject countries. If the unrelated importer is also a user of the subject goods, then such unrelated importer has to fill the user questionnaire. It is in the interest of the user (s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.

3. The Designated Authority initiates investigation after examination of accuracy and adequacy of the evidence filed by the Domestic Industry in the form of a written application and establishing the case of dumping, injury and the causal link between such dumped imports and alleged injury. Thereafter, a detailed investigation is undertaken before finalizing preliminary and/or final findings. The investigation process includes eliciting information on various parameters from interested parties through questionnaire, and verified if deemed necessary, to the extent possible.

4. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the questionnaire and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the format have been prescribed in the Appendices for presentation of data.

5. All documents and source material submitted in response to this questionnaire must be accompanied by an English translation.

6. All units of measurement and currencies used in Appendices and other information should be clearly identified.

7. In a case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record its finding on the basis of the facts available to it and make such recommendations to the Central Government as it deems fit under such circumstances as provided in Rule 6(8) of the Customs Tariff Rules, 1995.

INSTRUCTIONS FOR FILLING FORMATS

8. The duly filled formats are to be filed along with the response. The entities related to you are also required to participate by giving relevant information as mentioned in subsequent paragraphs, if related entities are involved in the re-sale of product under consideration.

9. The questionnaire has been designed to enable the Designated Authority to obtain the information deemed necessary from the users for the present investigation. It is in the interest of the users to reply to the questionnaire as accurately and completely as possible and to attach supporting documents' wherever feasible. **In case you are importer as well as the user of the product under investigation, then you are required to fill the user questionnaire.**

10. An interested party supplying information must ensure that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non-confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information (in accordance with Rule 7 of the Customs Tariff Rules, 1995).

11. A copy of all non-confidential submissions shall be placed in a file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the Customs Tariff Rules, 1995 .

12. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

13. The certificate at Appendix "A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

14. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy made during the course of anti-dumping investigation. Also provide all write-ups / explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

15. The Designated Authority may carry out on-the-spot verification to examine the records of your company and to verify the information provided in this questionnaire

COMPANY NAME:	CONFIDENTIAL VERSION / NON CONFIDENTIAL VERSION DELETE WHICHEVER IS NOT APPLICABLE

- **Investigation :**
- **Country(ies) concerned**
- **Product under investigation:**
- **Period of Investigation (POI):**
- **Deadline for response to the questionnaire:**

INFORMATION TO BE PROVIDED BY USERS IN INDIA

SECTION A: GENERAL

1. Please supply details of your company:
   - (i) Name:
   - (ii) Address:
   - (iii) Telephone:
   - (iv) Fax:
   - (v) E-mail:
   - (vi) Website:
   - (vii) Indicate the names of the persons to contact and designation

2. In case you empowered a legal representative to assist you in this proceeding please give:
   - (i) Name of legal representative:
   - (ii) Address:
   - (iii) Telephone:
   - (iv) Fax:
   - (v) Email:

3. State the legal form of your company and when it was established.

4. List the names of the principal shareholders during the POI of your company and indicate the percentage share-holding and the activities of these shareholders.

5. Outline your company's world-wide corporate structure and affiliations, including parent companies, subsidiaries and all other related companies whether or not involved with the product under investigation along with the names and addresses, telephone, fax numbers and Email address. Specify the activities of each related company. In addition, please specifically identify all related companies which are involved in product under consideration.

6. Please give details of all your units linked to the product under investigation in India and indicate clearly the role/operations performed by these units.

7. Provide a list of all products sold by your company and state the relevance of the product under consideration in the finished product (relative value in finished products).

SECTION B: FINANCIAL INFORMATION

1. State your corporate financial year.

2. Attach a copy of the audited accounts including balance sheet, profit and loss accounts and all reports, notes, footnotes and auditor's opinion to these documents for the last two financial years for your company as well as for those companies related to you that are involved in the marketing or sales/usage of the product under investigation.

3. If internal financial statements, management reports, etc. are prepared and maintained for the product under investigation, provide copies for the two most recent financial years.
4. Please indicate the address where the accounting records concerning the activities of the company are located. If they are maintained in different locations please indicate which records are kept at which location.
5. Please provide details of the turnover and profit/loss of the total company as a whole and the products using/incorporating the product under consideration for the POI and previous financial year.

SECTION C: COST INFORMATION

1. Please provide the detailed production process for each product manufactured using the product under consideration and provide production flow chart.
2. Please provide details of the purchases/sales made by your company of product under consideration in Annexure-1.
3. State the total quantity and value of all sales of finished products using or incorporating the product under investigation made by your company to all the customers in Annexure-2. All the worksheets used for completing the tables below should be kept available for inspection in order to facilitate the reconciliation of these figures with your financial and management accounts.
4. Describe the details, if any post–invoicing/sale discounts or year-end rebates etc received by your company.
5. Please provide the cost of raw material for each of your products that incorporate the product under investigation in Annexure-3.
6. Please provide the information in Annexure-4 for each of your products that use or incorporate the product under investigation.
7. Please mention and elaborate any causes other than the imports of the product in question from the country concerned which may have contributed to the alleged injury suffered by the Indian producers.

SECTION D: PRODUCT COMPARISON AND MARKET INFORMATION

1. Please comment on the comparability of the product under investigation imported from the country concerned with that produced in India, identifying any differences (e.g. technical or physical characteristics, prices, uses, etc). Where possible this comparison should be provided in the form of the following table.

Type imported and/ or used by your company	Type manufactured by Indian producers	Characteristics of the imported product and differences with Indian product	Quantity Imported (specify unit)	Average FOB Price of the imported product	Average Landed Price of the imported product
1	2	3	4	5	6

2. Name major labs along with their complete addresses, where the differences in technical characteristics of the imported products with those of domestic products can be evaluated or checked.
3. Please indicate whether your company would be in favour of the imposition of antidumping measures or against.
4. What is your estimated share of Indian market of the products using/incorporating the product under investigation? If you sell the products using/incorporating the product under investigation outside India, please indicate the countries and your estimated market share.
5. Name your five main customers for the products using/incorporating the product under investigation in India and outside India.
6. Name your five main suppliers for the product under investigation in India and outside India.
7. Are there products that could be easily substituted for the product under investigation? Please explain.
8. What is the possibility for your company to switch to other sources of supply for the product under investigation?
9. Do the producers/exporters of the country concerned have any comparative advantage in comparison with Indian producers? Please substantiate your comments by giving some examples.
10. Please comment on what would happen on the market if anti-dumping duties are imposed on the imports under consideration, in particular: what would be the effects on interested parties, what are the factors likely to accelerate or delay the adjustment to the new situation [OR: Please comment on what would happen on the market if anti-dumping duties are repealed/maintained on the imports under consideration].
11. Any other issue, which you like to bring to the notice of the Authority relating to the investigation.

SECTION E: IMPORTS AND RESALE OF PUC

12. Please fill the following Annexures (as applicable)
    (i) Annexure-5A: Details of imports of PUC from subject countries from related parties

(ii) Annexure-5B: Details of imports of PUC from subject countries from unrelated parties

(iii) Annexure -6: Details of purchase from domestic suppliers

(iv) Annexure -7: Summary Statement of imports

(v) Annexure -8: Details of Resale of subject goods.

(vi) Annexure -9: Utilization of product under consideration.

(vii) Annexure -10: Profitability Statement.

APPENDIX – A

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 user entity], it is hereby certified that I have read the attached submission of [name of the user entity] dated ______ pursuant to initiation of the Anti-Dumping 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, misdeclaration or misrepresentation by me/us in any manner whatsoever.

Name: ____________________ Signature

Designation: ____________________ Seal

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/ Directors/Partners or the Proprietor of the Firm or the Board of Directors be also attached.

APPENDIX – B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in the anti dumping investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s____________________________ (name) is authorised, inter-alia, for the following:

1. To receive communications from the Designated Authority.
2. To make submissions on our behalf.
3. To appear for and on our behalf

(Please strike off whichever activity is not to be authorised)

Date _______________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorised Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE
(On Letterhead)

I/We ___________ counsel/s or legal representative/s to [name of the user/producer/ company], certify that I/We have read the attached submission of [name of the user/producer/ company] dated _________ pursuant to Initiation of the Anti-Dumping Investigations against the Product _____________ originating in or exported from________

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or wilful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or wilfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: ____________________ Signature

Designation: ____________________

Name and Membership No. of the professional body Seal
(e.g. ICAI, ICMAI, Bar Council), if any: ______________

Date: __________________

Annexure-1- Summary of product under consideration

Particulars	Unit	Previous Financial Year			Period of Investigation		
		Quantity	Value	Rate	Quantity	Value	Rate
Purchase details(from unrelated parties):							
Originating in India							
Originating in Subject countries (separately for each country)							
Originating in other countries							
Purchase details(from related parties):							
Originating in India							
Originating in Subject countries (separately for each country)							
Originating in other countries							
Total Purcahses							
Opening Stock of Product Under Consideration							
Production of product under consideration, if any							
Sales of product under consideration, if any							
Captive Consumption, if any							
Closing Stock of Product Under Consideration							

Annexure-2- Sales Statistics

Particulars	Unit	Previous Financial Year			POI		
		Quantity	Rate	Value	Quantity	Rate	Value
Total Turnover of Sales							
Domestic Sales							
---Related party							
---Unrelated Party							
Exports Sales							
---Related party							
---Unrelated Party							
Turnover of the Product using/incorporating the product under investigation originating in India							
Domestic Sales							
---Related party							
---Unrelated Party							
Exports Sales							
---Related party							
---Unrelated Party							
Turnover of the Product using/incorporating the product under investigation originating in subject countries							
Domestic Sales							
---Related party							
---Unrelated Party							
Exports Sales							
---Related party							
---Unrelated Party							
Turnover of the Product using/incorporating the product under investigation originating in other countries							
Domestic Sales							
---Related party							
---Unrelated Party							
Exports Sales							
---Related party							
---Unrelated Party							

Annexure-3- Raw Material Cost for Products using PUC (Separate for each product)

Particulars	Unit	Previous Financial Year			POI		
		Total Quantity	Total Amount	Per unit cost	Total Quantity	Total Amount	Per unit cost
Product Name:							
Production Quantity:							
Raw Material Cost for the product in question							
Other Raw Materials							
Total Cost of Raw Material							

Annexure-4-Total Cost Breakup of products using PUC (Separate for each different product)

	Unit	Previous Financial Year		POI	
Product Name:					
Production Quantity					
Sales Quantity					
Captive Consumption					
Total Cost of the Product using/incorporating the product under investigation					
	Unit	Total Amount	Per unit cost	Total Amount	Per unit cost
Total Raw Materials (Annexure-3)					
Labour Cost					
Overheads					
Other Costs					
Other income,if any					
Total Cost					
Sales Realisations					
Profit/Loss					

Information relating to imports in India during period of investigation from related party - Annexure- 5A

Sr. No.	Country	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other duty and taxes	Basis of Pricing

Note: Copy of invoice and bill of entry of sample imports to be attached.

Information relating to imports in India during period of investigation from unrelated party - Annexure- 5B

Sr. No.	Country	Description of Product	PCN (If Any)	Supplier's Name	Invoice No.	Invoice Date	Bill of Entry No.	Bill of Entry Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Ocean Freight	Ocean Insurance	CIF Value	Exchange Rate	CIF Value (Rs)	Custom Duty	Other duty and taxes

Note: Copy of invoice and bill of entry of sample imports to be attached.

Information relating to purcahses from domestic supplier during period of investigation - Annexure-6

Sr. No.	Description of Product	PCN (if Any)	Supplier's Name	Invoice No.	Invoice Date	Quantity	Invoice Value	Delivery Terms	Rebate / Discount / Commission	Other duty and taxes

Note: Copy of invoice of sample transaction to be attached.

Country - Wise details of import (from subject as well as non subject countries) - Annexure-7

Sr. No.	Country	2nd Previous Financial Year*			1st Previous Financial Year*			POI			Remarks
		Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value	
1	2	3	4	5	6	7	8	9	10	11	12
	TOTAL										

* As per Initiation Note

Note: Indicate the value in contracted currency and give average rate of exchange

Information relating to resale of subejct goods in India during period of investigation - Annexure-8

Sr. No.	Description of Product	PCN (if Any)	Customer Name	Invoice No.	Invoice Date	Quantity	Invoice Value USD	Delivery Terms	Rebate / Discount / Commission	Other duty and taxes	Name of the supplier	Country of origin	Corresponding Supplier Invoice no. (if available)

Note: Copy of invoice of sample transaction to be attached.

ANNEXURE - 9

Utilization of product under consideration

Particulars	Unit	2nd Previous Financial Year			1st Previous Financial Year			POI		
		Qty	Rate	Value	Qty	Rate	Value	Qty	Rate	Value
1	2	3	4	5	6	7	8	9	10	11
I. Utilisation of product under consideration Opening Stock Add: Import Add: Domestic product Less: Closing Stock										
Utilation (I)										
II. Break - up of utiliasation (I) Product Sold (a) Domestic (b) Exported (2) Product used for captive consumption (a) Use for End product sold domestically (b) Use for End product exported (c) Losses / wastages etc.										
Total										

Annexure-10 (Profitability Statement)

Period of Investigation

Sl.No.	Particulars*	Total company as a whole (for POI)	Share applicable to product under investigation (Resale of PUC imported from related parties)	Share applicable to product under investigation (Resale of PUC imported from unrelated parties)	Share applicable to product using/incorporating the product under investigation	Share not applicable to product under investigation	Basis of allocation/apportionment
	Purchase Quantity						
	Sales Quantity						
	Cost of Purchase						
	Administration expenses						
	Selling & Distribution Cost						
	Depreciation						
	Financial Expenses						
	Other expenses						
	Total expenses						
	Sales revenue						
	Other revenue						
	Total revenue						
	Profit/Loss						

* You may amend the nomenclature in the above format based on your audited financial statements

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 cost data reflects true and fair view of the cost of respective activity/plant/product concerned.

Date:

Place:

Seal and Signature of Practising Accountant

Membership No.

10/18/2003-DGAD
Government of India
Ministry of Commerce & Industry
TRADE NOTICE NO. 1/2010

New Delhi the 17th May, 2010

Subject: Clarification regarding Initiation of Mid-term Reviews in terms of Rule 23 of Anti-dumping Rules.

Attention of the Trade and Industry is invited to Section 9 A of the Customs Tariff Act, 1975 as amended in 1995 and Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 and Trade Notice No.1/2004 dated 15th March 2004.

2. It is hereby clarified that an application for initiation of Mid-term review of Anti-Dumping Duty in force can be made to the Designated Authority in the Ministry of Commerce & Industry, Udyog Bhawan, New Delhi 110011 by an interested party including exporters, importers, domestic producers, trade representative bodies, firms or institutions, which are representative of domestic industry. The applicant should submit positive information substantiating the need for such review.

3. Application for an interim/Mid-term review may be accepted by the Designated Authority provided that a reasonable period of time, i.e. at least one year, has elapsed since the imposition of the definitive anti dumping duty by the Central Government.

4. Notwithstanding anything contained herein, the Designated Authority may review the need for the continued imposition of the duty, where warranted on its own initiative.

5. As regards, initiation of Sunset Review, the guidelines have already been issued vide Trade Notice No. 1/2008 dated 10th March 2008.

6. The above procedure will supercede all previous instructions or Trade Notices issued by the Directorate on the above subject and in the publications of this Directorate.

7. All the Trade Associations and Chambers of Commerce and Industry are requested to bring the contents of this trade notice to the notice of their members/constituents.

8. All Embassies and Diplomatic Missions in New Delhi are requested to bring the contents of this Trade Notice to the notice of the concerned.

(Bharathi S Sihag)
Joint Secretary
for the Designated Authority
Phone 011-2306 2526.

As per list enclosed.

10/18/2003-DGAD
Government of India
Ministry of Commerce & Industry

TRADE NOTICE NO. 1/2004

New Delhi the 15th March, 2004

Subject: Clarification regarding Initiation of Mid-term Reviews in terms of Rule 23 of Anti-dumping Rules.

Attention of the Trade and Industry is invited to Section 9 A of the Customs Tariff Act, 1975 as amended in 1995 and Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 and Trade Notice No.1/99 dated 21.4.1999.

2. It is hereby clarified that an application for initiation of Mid-term review of Anti-Dumping Duty in force can be made to the Designated Authority in the Ministry of Commerce & Industry, Udyog Bhawan, New Delhi by an interested party including exporters, importers, domestic producers, trade representative bodies, firms or institutions, which are representative of domestic industry. The applicant should submit positive information substantiating the need for such review.

3. Application for an interim/Mid-term review may be accepted by the Designated Authority provided at least one year has elapsed from the date of order notifying the definitive Anti-Dumping Duty by the Central Government.

4. Notwithstanding anything contained herein, the Designated Authority may review the need for the continued imposition of the duty, where warranted on its own initiative.

5. As regards, initiation of Sunset Review, the guidelines have already been issued vide Trade Notice No. 1/2003 dated 05.01.2004.

6. All the Trade Associations and Chambers of Commerce and Industry are requested to bring the contents of this trade notice to the notice of their members/constituents.

7. All Embassies and Diplomatic Missions in New Delhi are requested to bring the contents of this Trade Notice to the notice of the concerned.

(M.S. Rao)
Director
for the Designated Authority
Fax 011-2301 4418

As per list enclosed.

F. No. 8/3/2021-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
Jeevan Tara Building, 5, Parliament Street, New Delhi - 110001

Dated: 12.04.2021

Trade Notice 03/2021

Revised Timelines for Sunset Review Investigation for Anti-dumping Duty

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended from time to time and to Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and Determination of Injury) Rules, 1995 framed thereunder, as amended.

2. Vide Trade Notice No. 02/2020 dated 20th April 2020, the Directorate General of Trade Remedies (DGTR) had relaxed the timelines for filing Sunset Review Applications as prescribed in the Trade Notice No. 02/2017, dated 12th December 2017.

3. Attention of the Trade and Industry is invited to Notification No. 10/2021 -Customs (N.T.) dated 1st February, 2021, wherein the following proviso has been inserted in sub rule (2) of Rule 23 of aforementioned Rules:
   "Provided that notwithstanding anything contained in rule 17, such review shall be completed at least three months prior to expiry of the anti-dumping duty under review.";

4. Keeping in view the aforesaid amendment, DGTR endeavors to issue the final findings in respect of review investigations at least three months prior to the expiry of existing Anti-Dumping Duty. To achieve this, the Authority is constrained to withdraw the relaxations made under Trade Notice no. 02/2020 dated 20th April 2020. Accordingly, the following procedure for filing of applications for considering initiation of a Sunset Review Investigation is prescribed:

   i. The Domestic Industry must normally file the petition seeking extension to continue the Anti- Dumping measures in the questionnaire available on DGTR's website i.e. www. dgtr.gov.in, at least 270 days prior to the date of expiry of Anti-Dumping measures.
   ii. Applications filed with less than 270 days remaining for Anti-Dumping Duty to expire may be considered in case of bonafide hardships only duly substantiated with evidence by the applicant.
   iii. Extension of imposed Anti-Dumping Duties pending the completion of Sunset Review Investigation would be sought on a case basis in accordance with section 9A(5) of Customs Tariff Act.

5. (i) The Petitioner must file the petition for SSR as per the prescribed normal application format and provide the following information regarding likelihood and recurrence under appropriate sections of Dumping and Injury respectively.

a) Total and surplus capacities of product under consideration in the subject countries during the proposed POI and 3 years prior to the proposed POI.
b) Quantities and prices of exports by producers/exporters in the subject countries to countries other than India. In case individual data for producers/exporters especially for whom individual assessment has been done is not available, aggregated information for the subject country may be provided.
c) Export orientation of producers/exporters in subject countries. In case data for producers/exporters for which individual assessment has been done is not available aggregated information for the subject country may be given.
d) Justification as to why Indian market would be chosen as a destination for exports notwithstanding (a) to (c) above after withdrawal of Anti-Dumping Duties. The attractiveness of Indian market be justified.

(ii) The petitioner for the purpose of SSR should consider and adopt period of investigation (POI) of twelve months. However, for reasons to be recorded in writing, POI of minimum of six months or maximum eighteen months may also be adopted. The POI should preferably include the last completed financial quarter or else the quarter prior to that. The POI should essentially be an aggregation of financial year quarters only for sake of convenience in analysis.

(iii) The Authority may also seek post POI data subsequent to initiation wherever warranted.

6. This Trade Notice does not apply to the following two cases which would be adversely by this Trade Notice even though they are eligible to file the application for review as per the Trade Notice no. 02/2020 dated 20th April. The following timeline will apply in these cases:

S. No.	Product	Countries	Expiry date of duties	Last date by which petition should be filed
1	Narrow Woven Fabric	China PR	05.10.2021	30.04.2021
2	Low Ash Metallurgical Coke	Australia, China PR	24.11.2021	30.04.2021

7. The above procedure will supersede all previous instructions or Trade Notices issued by the Directorate with regard to SSR investigations.

(Anant Swarup)
Joint Secretary and Designated Authority

To:
All concerned

F.No. 4/3/2020-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
Jeevan Tara Building, 5, Parliament Street, New Delhi – 110001

Dated: 20th April, 2020

Trade Notice 02/2020

Revised Timelines for Sunset Review Investigation for Anti-dumping Duty

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended from time to time and to Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and Determination of Injury) Rules, 1995 framed thereunder, as amended.

2. Vide Trade Notice No. 02/2017 dated 12th December, 2017, the Directorate General of Trade Remedies (DGTR) had prescribed the procedure and timelines for initiating a Sunset Review investigation (SSR) under the aforesaid Act and Rules.

3. It has been observed that the prescription of time limit for filing the SSR application, i.e. either 270 days prior to expiry of measure or 240 days prior to expiry of measure with justification of delay, has brought a reasonable degree of discipline and has resulted in the SSR application being filed well before the expiry of the measure.

4. However, representations are often received from the domestic industry that on account of unavoidable circumstances, they are unable to adhere to the prescribed timeline of minimum 240 days prior to expiry of measure, in certain situations.

5. To redress this grievance of the industry, sub-paras (ii) and (iii) of para 3 of the Trade Notice No. 02/2017 dated 12th December, 2017 are, hereby, replaced by the following:

(ii) The petition/application may, however, be accepted up to 180 days prior to the date of expiry of the measure, provided the Designated Authority is satisfied with the genuineness of the

difficulty faced by the domestic industry in meeting the deadline of 270 days mentioned in sub-para 3 (i).

(iii) *The Designated Authority may further relax the timeline prescribed in sub-para 3 (ii), up to 120 days prior to the expiry of the measure, in rare cases on account of exceptional circumstances.*

6. All other terms and conditions of the Trade Notice No. 02/ 2017 dated 12th December, 2017 remain unchanged.

7. This Trade Notice comes into effect from the date of its issue.

(Bhupinder S. Bhalla)
Additional Secretary & Designated Authority

To:

All concerned

No. 4/5/2017-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
4th Floor, Jeevan Tara Building, 5th Parliament Street, New Delhi - 110001

Dated: 12th December, 2017

Trade Notice No. 02/2017

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder as amended.

2. Vide Trade Notice No. 1/2008 dated 10th March, 2008 and Trade Notice No. 2/2011 dated 6th June, 2011, Directorate General of Anti-Dumping & Allied Duties (DGAD) had prescribed procedure and timelines for initiating a Sunset Review investigations (SSR) under the aforesaid Rules. However, it has been observed that while sometime these timelines are not adhered to by the Domestic industry or else on account of petition being deficient requiring additional data/clarification, the decision on initiation of the requested SSR is delayed. The delay in initiation adversely impacts timely completion of SSR and thereby invariably requiring extension of existing Anti-Dumping Duties on the product under consideration for complete one year beyond five years as permitted under Rules.

3. Keeping in view the above situations and to ensure timely examination of SSR, the Authority hereby prescribes the following procedure for initiating a SSR:-

(i) The Domestic Industry must file the petition seeking extension to continue the Anti-Dumping measures in the questionnaire available on DGTR's website i.e. www. dgtr.gov.in, at least 270 days prior to the date of expiry of Anti-Dumping measures.

(ii) The petition can also be filed 240 days prior to the date of expiry of Anti-Dumping measures with justification of delay and with payment of a late fee as prescribed by the Authority.

(iii) Petitions filed with less than 240 days remaining for Anti-Dumping Duty to expire shall not be entertained.

(iv) DGAD after receipt of petition filed as per (i) and (ii) above would in fifteen (15) working days point out deficiencies in the petition to the petitioner.

(v) The Domestic Industry must rectify the deficiencies pointed out by DGAD as mentioned in (iv) above within five (5) working days from the date of receipt of letter.

(vi) The Authority may also provide a personal hearing to the petitioner at stipulated date and time before considering to initiate the requested SSR investigation.

(vii) Order of initiation or rejection will be issued within 45 days from the date of receipt of the petition by and large in all cases except in cases of unavoidable circumstances arising out of administrative exigencies or policy/technical scrutiny.

(viii) Final Findings will invariably be issued after following due procedure at least 45 days prior to the expiry of existing Anti-Dumping Duty.

4. (i) The Petitioner may file the petition for SSR as per the prescribed normal application format and provide the following information regarding likelihood and recurrence under appropriate sections of Dumping and Injury respectively.

   (a) Total and surplus capacities of product under consideration in the subject countries during the proposed PoI and 3 years prior to the proposed PoI.

   (b) Quantities and prices of exports by producers/exporters in the subject countries to countries other than India. In case individual data for producers/exporters especially for whom individual assessment has been done is not available, aggregated information for the subject country may be provided.

   (c) Export orientation of producers/exporters in subject countries. In case data for producers/exporters for which individual assessment has been done is not available aggregated information for the subject country may be given.

   (d) Justification as to why Indian market would be chosen as a destination for exports notwithstanding (a) to (c) above after withdrawal of Anti-Dumping Duties. The attractiveness of Indian market be justified.

   (ii) The petitioner for the purpose of SSR should consider and adopt period of investigation (PoI) of at least one year including preferably the last completed financial quarter or else the quarter prior to that. The PoI should essentially be an aggregation of financial year quarters only for sake of convenience in analysis.

   (iii) The Authority may also seek post POI data subsequent to initiation if warranted.

5. The above timelines will not apply to Anti-Dumping measures expiring before 31st December, 2017.

6. However as regards Anti-Dumping measures which are expiring till 31st December, 2018, the following timelines will apply.

S. No.	Expiry date of duties	Last date to file SSR Petition
1.	Till 31st March, 2018	31st December, 2017
2.	1st April, 2018 - 30th September, 2018	31st January, 2018
3.	1st October, 2018 - 31st December, 2018	31st March, 2018

7. The application fee, as notified by Designated Authority, will be levied.

8. The above procedure will supersede all previous instructions or Trade Notices issued by the Directorate with regard to SSR investigations.

12.12.17

(Sunil Kumar)

Additional Secretary & Designated Authority

To All concerned

List of cases in which duty is expiring before 31-12-2018 along with the last date to file petition to initiate SSR				
S.No.	**Product/**	**Country (ies) involved**	**Expiry date of duties**	**Last date by which petition should be filed**
1	Meta Phenylene Diamine (MPDA)	China PR	21-03-2018	31-12-2017
2	Steel Wheels	China PR	25-03-2018	31-12-2017
3	Soda Ash	Russia and Turkey	17-04-2018	31-01-2018
4	Peroxosulphates (Persulphates)	China PR & Japan	15-05-2018	31-01-2018
5	Zinc Oxide – I	China PR	05-09-2018	31-01-2018
6	Sodium Perchlorate	China PR	05-09-2018	31-01-2018
7	Ductile Iron Pipe	China PR	09-10-2018	31-03-2018
8	Cefadroxil Monohydrate	European Union	09-10-2018	31-03-2018
9	Methylene Chloride	EU, USA and Korea RP	20-10-2018	31-03-2018
10	Paracetamol	China PR & Chinese Taipei	27-10-2018	31-03-2018
11	Vitamin-A Palmitate – I	China PR &Switzerland	12-11-2018	31-03-2018
12	Phosphoric Acid –Technical Grade & Food Grade(Guangxi Quinzhou)	China PR	30-12-2018	31-03-2018

No.4/31/2007-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties

Dated: 6th JUNE 2011

TRADE NOTICE NO. 2/2011

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended and to Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder, as amended.

2. In the above connection, it is informed that vide Notification No.15/2011-Customs(N.T.) dated 1st March, 2011 read with the corrigendum dated 6th April, 2011 the sub-rule(1) of Rule 23 has been substituted by the following:-

"(1) Any anti-dumping duty imposed under the provision of section 9A of the Act, shall remain in force, so long as and to the extent necessary, to counteract dumping, which is causing injury.

(1A) The designated authority shall review the need for the continued imposition of any anti-dumping duty, where warranted, on its own initiative or upon request by any interested party who submits positive information substantiating the need for such review, and a reasonable period of time has elapsed since the imposition of the definitive anti-dumping duty and upon such review, the designated authority shall recommend to the Central Government for its withdrawal, where it comes to a conclusion that the injury to the domestic industry is not likely to continue or recur, if the said anti-dumping duty is removed or varied and is therefore no longer warranted.

(1B) Notwithstanding anything contained in sub-rule (1) or (1A), any definitive antidumping duty levied under the Act, shall be effective for a period not exceeding five years from the date of its imposition, unless the designated authority comes to a conclusion, on a review initiated before that period on its own initiative or upon a duly substantiated request made by or on behalf of the domestic industry within a reasonable period of time prior to the expiry of that period, that the expiry of the said anti-dumping duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry."

3. It has been decided that reasonable period of time for the purpose of sub-rule 23(1B) shall be 90 days prior to the date of expiry of the anti-dumping duty.

4. In view of the above, all previous instructions and Trade Notices issued by the Directorate with regard to SSR stand superseded.

(Bharathi S.Sihag)
Joint Secretary
For Designated Authority

To
All concerned

No. 4/31/2007-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
...

Dated: 10th March, 2008

TRADE NOTICE NO. 1/2008

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder.

2. In the above connection, it is informed that henceforth the Directorate General of Anti-Dumping & Allied Duties (DGAD) will follow the procedure as given under for initiating a Sunset Review (SSR):-

   i. Alert letter to the domestic industry (DI) will be issued soon after the 4th year of anti-dumping measures. The DI must inform within 40 days of the dispatch of the letter whether they intend to file an application seeking extension of anti-dumping measures. If so, an application justifying the need to continue the Anti-dumping measures in force should be received in the Directorate before six months of the date of expiry of AD measures.

   ii. The Designated Authority shall initiate SSR either on the basis of domestic industry's application or on suo- moto basis after expiry of the time limits provided under para 2(i) and in the latter case issue a questionnaire to the DI with advice to respond to the same within next 40 days substantiating the need for continued imposition of the AD measures. After its receipt, other interested parties would be advised to offer their comments within 40 days from the date of issuance of the letter regarding the need to continue or otherwise the AD measures.

   iii. If the DA is satisfied after receipt of information from various parties that there is sufficient ground for continuation of the AD measures, with or without modification, it may recommend so to the Central Government. The investigation would , however , be closed, if it is found that there is insufficient ground for continuation of the measures in force.

3. The above procedure will supercede all previous instructions or Trade Notices issued by the Directorate with regard to SSR and in the publications of this Directorate.

(Neeraj Kumar Gupta)
Joint Secretary
For Designated Authority

To
All concerned

Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building,
Parliament Street, New Delhi – 110001

Dated: 24th July, 2020

Trade Notice No. 04/2020

Subject: Guidelines and Procedure for filing applications for Sunset Review of Countervailing Duty Measures

1. Attention of the Trade and Industry is invited to Section 9 of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 24 of the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidised Articles and for Determination of Injury) Rules, 1995 framed thereunder as amended.

2. In the above connection, it is informed that henceforth the Directorate General of Trade Remedies (DGTR) will follow the procedure as given under for initiating a Sunset Review (SSR):-

(i) The Domestic Industry must file the petition seeking extension to continue the Anti-Subsidy measures at least 270 days prior to the date of expiry of Anti-Subsidy measures.

(ii) The petition/application may, however, be accepted up to 180 days prior to the date of expiry of the measure, provided the Designated Authority is satisfied with the genuineness of difficulty faced by the domestic industry in meeting the deadline of 270 days mentioned in sub-para 2 (i).

(iii) The Designated Authority may further relax the timeline prescribed in sub-para 2 (ii), up to 120 days prior to the expiry of the measure, in rare cases on account of exceptional circumstances.

(iv) DGTR after receipt of petition filed as per (i), (ii) and (iii) above would in fifteen (15) working days point out deficiencies in the petition to the petitioner.

(v) The Domestic Industry must rectify the deficiencies pointed out by DGTR as mentioned in (iv) above within five (5) working days from the date of receipt of letter.

(vi) The Authority may also provide a personal hearing to the petitioner at stipulated date and time before considering to initiate the requested SSR investigation.

(vii) Order of initiation or rejection will be issued within 45 days from the date of receipt of the petition by and large in all eases except in cases of unavoidable circumstances arising out of administrative exigencies or policy/technical scrutiny.

(viii) Final Findings will be issued after following due procedure invariably at least 45 days prior to the expiry of existing Anti-Subsidy Duty.

(Contd....2/-)

4. (i) The Petitioner may file the petition for SSR as per the prescribed normal application format and provide the following information regarding likelihood and recurrence under appropriate sections of Subsidy and Injury respectively.

(a) Total and surplus capacities of product under consideration in the subject countries during the proposed POI and 3 years prior to the proposed POI.

(b) Quantities and prices of exports by producers/exporters in the subject countries to countries other than India. In case individual data for producers/exporters especially for whom individual assessment has been done is not available, aggregated information for the subject country may be provided.

(c) Export orientation of producers/exporters in subject countries. In case data for producers/exporters for which individual assessment has been done is not available aggregated information for the subject country may be given.

(d) Justification as to why Indian market would be chosen as a destination for exports notwithstanding (a) to (c) above after withdrawal of Anti-Subsidy Duties. The attractiveness of Indian market be justified.

(ii) The petitioner for the purpose of SSR should consider and adopt period of investigation (PoI) of at least one year including preferably the last completed financial quarter or else the quarter prior to that. The PoI should essentially be an aggregation of financial year quarters only for sake of convenience in analysis.

(iii) The Authority may also seek post POI data subsequent to initiation if warranted.

(B B Swain)
Special Secretary and Director General

To all concerned

4. (i) The Petitioner may file the petition for SSR as per the prescribed normal application format and provide the following information regarding likelihood and recurrence under appropriate sections of Subsidy and Injury respectively.

(a) Total and surplus capacities of product under consideration in the subject countries during the proposed POI and 3 years prior to the proposed POI.

(b) Quantities and prices of exports by producers/exporters in the subject countries to countries other than India. In case individual data for producers/exporters especially for whom individual assessment has been done is not available, aggregated information for the subject country may be provided.

(c) Export orientation of producers/exporters in subject countries. In case data for producers/exporters for which individual assessment has been done is not available aggregated information for the subject country may be given.

(d) Justification as to why Indian market would be chosen as a destination for exports notwithstanding (a) to (c) above after withdrawal of Anti-Subsidy Duties. The attractiveness of Indian market be justified.

(ii) The petitioner for the purpose of SSR should consider and adopt period of investigation (PoI) of at least one year including preferably the last completed financial quarter or else the quarter prior to that. The PoI should essentially be an aggregation of financial year quarters only for sake of convenience in analysis.

(iii) The Authority may also seek post POI data subsequent to initiation if warranted.

(B B Swain)
Special Secretary and Director General

To all concerned

No. 4/3/2019-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building, New Delhi

Dated the 29th January, 2019.

TRADE NOTICE: 01/2019

Subject: Streamlining of the procedure for New Shipper Review ('NSR') Investigations

Attention of the Trade and Industry is invited to provisions of Rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, pertaining to New Shipper Review. In order to streamline the procedure with respect to NSR investigations, the following guidelines are being issued:

a) The NSR application shall be filed in the format prescribed in Trade Notice No. 08/2018 dated 15.04.2018;

b) The NSR application shall be considered for initiation in the calendar month immediately following the anniversary month or the semiannual anniversary month if the request for the review is made during the 6-month period ending with the end of the anniversary month or the semiannual anniversary month (whichever is applicable). The semiannual anniversary month is the calendar month which is 6 months after the anniversary month;

c) The NSR application shall be entertained by the Authority only if the NSR applicant has undertaken actual exports to India in "commercial quantities" for the product concerned before making the application;

d) The Authority shall generally consider the past or retrospective period as period of investigation for the NSR investigation. However, the Authority may decide differently depending on the merits of any specific case with detailed reasoning;

e) In those cases, where sampling methodology was followed during the original investigation/mid-term review investigation/sunset review investigation, the duty rate determined for non-sampled cooperating producer/exporter may be extended to the NSR applicant subject to fulfilment of all the requisite conditions;

f) The Authority shall make its final determination in an expeditious manner within one year from the date of initiation of NSR investigation and submit its final findings to the Central Government. However, in exceptional cases, the aforesaid period of one year may be extended further by six months.

2. This trade notice shall be applicable to all NSR applications filed after the date of issue of this Trade Notice. This will supersede all previous instructions or Trade Notices, if any, issued by the Directorate with regard to the aforesaid subject.

29.1.19
(Sunil Kumar)
Additional Secretary & Designated Authority

To
All Concerned

No. 4/5/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
4th Floor, Jeevan Tara Building, 5th Parliament Street, New Delhi – 110001

Dated: 25th April, 2018

Trade Notice No. 08/2018

Subject: Streamlining of the Anti-Dumping Investigations/ Process – Application Format for Initiation of New Shipper Review.

Attention of the Trade and Industry is invited to Rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 **("AD Rules")** framed thereunder as amended, which stipulates evaluating margin of dumping, for exporters not originally investigated. The Directorate receives various requests on this issue from time to time.

2. In order to streamline the process of filing application under Rule 22 of AD Rules, the Authority hereby prescribes an application format for initiation of New Shipper Review. This Application Format was felt necessary for proper assessment of eligibility of New Shipper in accordance with Rule 22 of AD Rules.

3. If initiated, the applicant producer/ exporter would also be required to file information as per the standard exporter's questionnaire along with any other supplementary information based on submissions by various interested parties as considered appropriate by the Authority.

4. All interested parties are required to follow the enclosed application format for filing any new request for initiation of New Shipper Review after the date of issuance of this notice.

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

25.4.18
(Sunil Kumar)
Additional Secretary & Designated Authority

Enclosed: Application format for initiation of New Shipper Review

To
All concerned

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

ANTI-DUMPING

APPLICATION FORMAT FOR INITIATION OF NEW SHIPPER REVIEW

DIRECTORATE GENERAL OF
ANTI DUMPING & ALLIED DUTIES
Website: www.dgtr.gov.in
Email: dgad.india@gov.in

Address:
Directorate General of Anti-dumping & Allied Duties (DGAD)
4th Floor, Jeevan Tara Building,
5, Parliament Street, Patel
Chowk,
New Delhi-110001
India

FORM OF QUESTIONNAIRE

The Sections 9A, 9B and 9C of the Customs Tariff Act, 1975, 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 (AD Rules), as amended from time to time, framed thereunder form the legal basis for anti-dumping investigations and for the levy of anti-dumping duties. These laws are based on the Agreement on Anti-Dumping which is in pursuance of Article VI of GATT, 1994.

GENERAL

1. The application format is to enable the Designated Authority to obtain the information from the New Exporter/Shipper in accordance with Rule 22 of the AD Rules.
2. This questionnaire is to be filled in by the new producer(s)/exporter(s) for initiation of New Shipper Review Investigations. It is in the interest of the producer (s)/ exporter (s) to reply to the questionnaire accurately and adequately and to attach supporting documents, wherever required.
3. The questionnaire is not of a "fill in type" and provides for submission of answers to the questions. The information provided should be strictly as per the application format and preferably in the same order as in the questionnaire and the declaration provided herein must be affixed. Wherever, the statistical and accounting data is required, the formats have been prescribed in the Appendices for presentation of data.
4. All documents and source material submitted in response to this questionnaire must be accompanied by an English translation.
5. All units of measurement and currencies used in Appendices and other information should be clearly identified.
6. The purpose of this questionnaire is to collect necessary information to ascertain whether the party applying for a new shipper review is eligible for the same. Once the new shipper review investigation is initiated, the new shipper would be required to fill up the detailed Exporters Questionnaire Response.

INSTRUCTIONS FOR FILLING FORMATS

1. The duly filled formats are to be filed along with the response. The entities related to you and engaged in production or processing or sale of PUC are also required to participate by giving relevant information as mentioned in subsequent paragraphs.
2. It must be ensured that all the information supplied is clearly marked either "Confidential" or "Non-confidential" at the top of each page. Information supplied without any mark shall be treated as non-confidential and the Designated Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Confidential information must be accompanied by non-confidential summary to the extent conducive to summarization. However, if the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such

information in accordance with Rule 7 of the AD Rules.

3. A copy of all non-confidential submissions shall be placed in a file, open for inspection by an interested party, on request, participating in the investigation in accordance with Rule 6(7) of the AD Rules.

4. An interested party supplying the information must ensure that the information supplied should clearly bear /marked name of the company at the top of each page.

5. The certificate at Appendix "A" must be attached with the response. You are also required to fill Appendix "B" in case any person/firm/company is being authorized to represent your interests in the investigation. Further, the legal representative is required to submit a declaration as given in Appendix-C.

6. Please provide two hard copies of Confidential and Non-confidential versions of the responses/submissions along with the soft copy of the Application Format filed for NSR initiation. Also provide all write-ups, explanations etc., preferably in MS Word file and all formats/appendix in MS Excel format.

7. In order to determine whether two parties are related, the definition as indicated in Rule 2(2) of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 as given below may be taken into consideration:

Rule 2 (2): *For the purpose of these rules, persons shall be deemed to be "related" only if -*

(i) they are officers or directors of one another's businesses;
(ii) they are legally recognised partners in business;
(iii) they are employer and employee;
(iv) any person directly or indirectly owns, controls or holds five per cent or more of the outstanding voting stock or shares of both of them;
(v) one of them directly or indirectly controls the other;
(vi) both of them are directly or indirectly controlled by a third person;
(vii) together they directly or indirectly control a third person; or
(viii) they are members of the same family.

Explanation I. - The term "person" also includes legal persons.

Explanation II. - Persons who are associated in the business of one another in that one is the sole agent or sole distributor or sole concessionaire, howsoever described, of the other shall be deemed to be related for the purpose of these rules, if they fall within the criteria of this sub-rule.

COMPANY NAME:	CONFIDENTIAL VERSION/ NON-CONFIDENTIAL VERSION

- **Details of original Investigation:**
  - ✓ **Final Finding No. and Date**
  - ✓ **Relevant Customs Notification No. and Date**
- **Country(ies) concerned**
- **Product Under investigation in the original investigation (PUC):**
- **HS Code(s);**
- **Period of investigation of the original Investigation (POI):**

QUESTIONNAIRE

SECTION A: GENERAL

1. Please supply the following details of your company:

   (i) Name:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) E-mail:
   (vi) Website:
   (vii) Indicate the names of the persons to contact and designation

2. In case you appoint a legal representative to assist you in this proceeding, Please give:

   (i) Name of legal representative:
   (ii) Address:
   (iii) Telephone:
   (iv) Fax:
   (v) E-mail:

3. Describe the legal form of your company and state the legal statute of your country under which it has been established/registered/incorporated. In case there has been any change in the structure of your company, please elaborate every change in the last three years including ***period of investigation in the original investigation (hereinafter referred to as "POI").***

4. List the shareholders of your company who owned more than 5% of the shares during the period of investigation of the original investigation and list the activities of these shareholders in the following table:

Name of Shareholder	Shareholding %	Activity of shareholder

5. Name and addresses of all firms/joint ventures/companies, where the producer/exporter (along with relatives, if any) holds shareholding of at least 5% or more.

6. Please state your period of accounting/financial year.

7. List the factories involved in production of the product under investigation, with complete address, telephone and fax numbers and E-mail address.

8. Address where the accounting records of the company are kept. If maintained in different locations, indicate details of all locations.

9. List of products produced/sold with HS codes in last 3 financial years. If the number of products is large, details of major products as per market share be provided.

10. Please provide the following details for the POI and next two financial years:

    (i) Total turnover of your company.
    (ii) Total turnover of the product under consideration of your company.
    (iii) Turnover of the product under consideration exported to India (directly and indirectly).
    (iv) Company's pricing policy for exports to India.
    (v) Total production of product under consideration.
    (vi) Production capacity available for the manufacture of the product under consideration.

11. Please provide the details in ANNEX-I as per the desired format.

12. Please provide the Annual Accounts of your company for POI, two financial years prior to POI and two financial years post POI.

SECTION B: PRODUCT UNDER CONSIDERATION

1. Details of Product under Consideration on which New Shipper Review is sought (complete product under consideration or specific product types/grades, as the case may be, to be mentioned).

2. In what way is your company involved in the making of the product under consideration? Please explain whether your company is a manufacturer and/or processor of the product under consideration.

3. Please describe history of your company and clearly state when you started the manufacture of the product under consideration.

4. Please describe the main raw material(s) purchased and used for the manufacture of the product under consideration.

5. Please describe your production and/or sales process from purchase of raw materials to shipment of final product.

6. Is your company:

   (a) the owner of the production equipment (including machinery and building applied for the making of product under consideration) making the final product under consideration or these have been taken on lease/rent?

   (b) Contracting the production of the final product under consideration to another manufacturer?

   (c) Processing the production of the final product under consideration for another company?

   (d) Please explain any change of activity of your company since the initiation of production of the product under consideration.

   (e) Please submit following information (unit-wise for all units capable of producing PUC during POI with respect to original investigations):

Particulars	Unit	Date of commencement of commercial production	Production with own equipment	Production contracted with other manufacturer	Production processed for another company	Total production
Installed Capacity during POI						
Production of PUC during POI						
Production of PUC during the next financial year after the POI						
Production of PUC during the 2nd financial year after POI						

SECTION C: EXPORTS TO INDIA

1. Did your company export the product under consideration to India directly or indirectly during the POI?
2. If the answer to Q.1 is yes, then:
   a. Did your Company produce the product under consideration and export it to India during the POI?
   b. Did your company purchase the product under consideration and export it to India during the POI?
   c. Did your company export the product under consideration to India during the POI, having had it processed for your company by another company?
   d. Did your company process the product under consideration for some other company and it was exported directly or indirectly to India during the POI?
3. Has your company been involved in the manufacture or sale of the product under consideration since the end of the POI in the original investigation?
4. Has your company been exporting the product under consideration to India since the end of the POI?
5. If answer to Q.No. 4 is yes, please confirm whether the goods exported to India are manufactured by your company or not?
6. If answer to Q.No. 4 is yes, please confirm whether your company is exporting the goods directly to India or any related/unrelated company is involved in the export chain to India. If any related/unrelated company is involved in the export chain to India, please request such related/unrelated company to also fill up this Questionnaire separately to extent relevant for such company.
7. Do you have a marketing office/commission/sales agent or any institutional mechanism for facilitating/undertaking exports to India? If yes, provide details.
8. Has your company entered into irrevocable contractual obligations to sell the product under consideration in India?
9. Has your company produced and exported or purchased and exported the product under consideration to India after the POI?
10. Is product under consideration processed for your company by another company after the POI or has your company processed product under consideration for another company for export to India after the POI?
11. Did your Company export the product under consideration to India directly or indirectly prior to the POI?

12. Please provide the following supporting evidence:

a. Copy of your sales ledger during the POI
b. List of monthly sales per country after the POI
c. Articles of Association/Memorandum of Association
d. Certificate of registration
e. List of major shareholders of the company during the POI
f. Membership certificates (Trade associations etc.)
g. Export licenses, if applicable
h. Production licenses, if applicable
i. Sales routes of the product under consideration to India
j. Production process of the product under consideration
k. Evidence supporting the installed capacity of the plant for PUC
l. Invoicing procedure for the product under consideration
m. Brochure and general company documentation
n. Two sets of export documents to India for exports made after POI and before the POI.
o. Evidence of irrevocable contractual agreements of sales of the product under consideration to India
p. Sample purchase invoices of production equipment for the purpose of manufacture of the product under consideration
q. Sample purchase invoices of raw materials used for the purpose of the manufacture of the product under consideration

13. Please provide reasons if any of the aforementioned documents are not submitted.

SECTION D: RELATED PARTY INFORMATION

1. List of affiliated / related producers or exporters of PUC.

2. Details of exports made by related/affiliated producer/exporter during the POI of the original investigation. Have they been individually assessed for dumping margin?

3. Whether any raw material used in the production, processing or sale of product under consideration is procured from any related entity? If yes, kindly provide justification of pricing.

4. Details of all captive inputs used in the production, processing or sale of the product under consideration.

5. Is your company in any way related to any company subject to anti-dumping duty on the product under consideration?

6. Is your company in any way related to any company in the subject country who has exported the product under consideration to India during the POI either directly or indirectly?

7. If your company has any related company dealing with the production, processing, sale or purchase of the product under consideration after the POI, please give details.

8. If your related company was involved in the purchase, manufacture, process or sale of the product under consideration during the POI, then please give full details.

9. Is your company in any way related to any other company dealing with the product under consideration?

10. Did your company either during or after the POI acquire any company manufacturing the product under consideration?

11. Please provide the certified copies of:

    a. Registration of the related company dealing with Product under Consideration.
    b. Official list of members of the Board of the related company
    c. Official list of shareholders of the related company
    d. Certificate from the related company of not exporting the Product under Consideration to India during the Period of Investigation.

APPENDIX-A

CERTIFICATE BY THE CHIEF EXECUTIVE OF THE COMPANY/DIRECTORS/PARTNERS OR THE PROPRIETOR OF THE FIRM

(On Letterhead of the Company)

1. On behalf of the [name of the producer/exporter/related importer], it is hereby certified that I have read the attached submission of [name of the producer/exporter/related importer] dated ______ pursuant to request for initiation of new shipper review of the Anti-Dumping 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 willfully 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 willful and/or fraudulent concealment, misdeclaration or misrepresentation by me/us in any manner whatsoever.

Name: ______________ Signature

Designation:________________ Seal

Date: ______________

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

APPENDIX-B

AUTHORISATION LETTER

We hereby appoint the following person/firm/company in India to represent us in filing the application for initiation of New Shipper Review and further procedure after initiation of the New Shipper Review investigation being conducted by the Designated Authority.

(Name, address, telephone, fax numbers and E-mail address of the person/firm who may represent you)

M/s______________________ (name) is authorized, inter-alia, for the following:

1. To receive communications from the Designated Authority.

2. To make submissions on our behalf.

3. To appear for and on our behalf

(Please strike off whichever activity is not to be authorized)

Date__________________

____
(Signature)

____
(Name/Title)

Note:

(1) This page should be completed and appended at the beginning of your submission.

(2) The certificate should be signed by Chief Executive of the Company/Director/Partner or the Proprietor of the firm/duly Authorized Representative of the company/firm filing response to this questionnaire.

APPENDIX-C

DECLARATION BY LEGAL REPRESENTATIVE
(On Letterhead)

I/We__________________________ counsel/s or legal representative/s to [name of the producer/exporter/related importer], certify that I/We have read the attached submission of [name of producer/exporter/related importer] dated______________________ pursuant to request for initiation of new shipper review of the Anti-Dumping Investigations against the Product__________________ originating in or exported from___________.

In my/our capacity as a legal representative/s, I/We have explained the basic provisions of the Indian anti-dumping laws to the party including the consequences of any deliberate or willful and/or fraudulent concealment, misdeclaration or misrepresentation by the said party in any manner whatsoever.

In my/our capacity as an adviser, counsel, preparer or reviewer of this submission, I/We further certify that the information contained in this submission is true, complete and correct to the best of my/our knowledge and belief and that it is based on the records of the company generally/ consistently made by the company and that I/We have not knowingly and/or willfully made any material false statements to the Designated Authority and am/are not party to any concealment, misdeclaration or misrepresentation by my/our clients.

Name: __________________________ Signature

Designation: ___________________

Name and Membership No. of the professional body Seal

(e.g. ICAI, ICMAI, Bar Council), if any: ________________

Date: __________________

ANNEX I - REQUEST FOR NEW EXPORTING PRODUCER STATUS – PRODUCTION / SALES DATA

INFORMATION REFERRING EXCLUSIVELY TO THE PRODUCT UNDER CONSIDERATION	2nd Previous Financial Year	1st Previous Financial Year	POI [SPECIFY POI]	Financial Year Next to POI	Financial Year 2nd Next to POI
1. Production quantity (in units or weight, as applicable)					
2. Domestic sales a) quantity (in units or weight, as applicable) b) value in local or invoicing currency c) average unit price in local currency					
3. Sales for direct and/or indirect exports to India a) quantity (in units or weight, as applicable) b) value in local or invoicing currency c) average unit price in local currency *Please specify which figures correspond to sales of your own production, and which are sales of production of other companies.*					
4. Sales for direct and/or indirect exports to third countries a) quantity (in units or weight, as applicable) b) value in local or invoicing currency c) average unit price in local currency					
5. Total Sales a) quantity (in units or weight, as applicable) b) value in local or invoicing currency c) average unit price in local currency					

No. 4/17/2018 -DGTR
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building, 5th Parliament Street, New Delhi - 110001

Dated: 17th September, 2018

Trade Notice No. 12 /2018

Subject: Streamlining request for change in name of producer(s) / exporters in Anti-Dumping and Countervailing Duty investigations

The Authority, while recommending any ADD or CVD measure, recommends the levy of measure in the Duty Table of the Final Finding. The Ministry of Finance based on this recommendation, notifies the measure in a duty table mentioning the names of producer(s) / exporter(s) of the product under consideration.

2. At times requests are filed by interested parties particularly Producer(s) / Exporter(s) for change in name in the Duty Table of Final Finding and for corresponding change in the relevant Custom Notification.

3. The request of change in name may be on account of various reasons viz merger / de-merger /acquisition, change in ownership structures / shareholding pattern, change in requirement of law of a member country etc.

4. The Authority has, so far, considered such requests under limited Mid-Term Review (MTR) carried out under Rule 23 of Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. The Mid-term Review is a time consuming process.

5. In order to reduce avoidable delay, it has been decided to simplify the procedure in respect of name change requests which may fall under the category of change of name as a matter of 'record' only. Undertaking MTR in such cases may not be appropriate and desirable. Therefore, to streamline the procedure of carrying out change of name of producer(s) /exporter(s), the Authority prescribes the following procedure:

i. The Applicant Producer /Exporter may file request in the enclosed proforma (Both Confidential version (CV) and Non-confidential version (NCV).

ii. The Authority would expeditiously evaluate the request and circulate through e-mail the 'NCV' version of application to all the interested parties identified in the original investigation for their comments within 7 working days from receipt of application.

iii. The Interested parties may file their comments within 10 days of receiving the above stated NCV version of application.

iv. The responses received within the stipulated time will be placed in a public file, for examination by all interested parties.

v. Thereafter, the Authority may hold an oral hearing within a period of 30 days from receipt of application.

vi. Post hearing submissions/rejoinders may be invited if the interested parties so desire. This would be completed in a period of another 10 days after the Oral hearing.

vii. The Authority would issue its Finding in the form of Amendment within 60 days from receipt of application.

viii. The Amendment would be duly notified and a copy of the Notification would be sent to Department of Revenue for notification of change in relevant Custom Notification.

ix. However, in cases which necessitate reassessment of parameters of dumping, injury and other aspects owing to change in ownership structure, the request for change of name(s) shall be decided by conducting limited Mid Term Review.

6. All interested parties are required to file request for the aforesaid subject in the enclosed proforma.

7. It will be incumbent on all Producer(s) / Exporter(s), who have been granted individual dumping margin in AD / CVD investigation, to mandatorily report to the Authority any change in name within a period of 90 days of the same becoming effective. Failure to comply with these instructions shall render them liable to be treated as 'non-cooperative' Producer(s) / Exporter(s) during subsequent investigations by this Authority.

8. All applications for change in name will be addressed to DGTR and submitted to the following:

Ms. Devanshi Agarwal
Assistant Director
4th Floor, Jeevan Tara Building,
Directorate General of Trade Remedies,
Department of Commerce,
New Delhi - 110001

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

17.9.18
(Sunil Kumar)
Additional Secretary & Designated Authority

Encl.: Proforma for Name Change

To
All concerned

Enclosure

PROFORMA FOR CHANGE OF NAME

S.No.	ISSUE	REPLY
1	Existing Name in the Duty Table	
2	Proposed New Name in the Duty Table	
3	Reasons for change in name from the existing to the new name?	
4	If change in name is pursuance to any Act or Law, please attach a copy of such law or Act with English translation	
5	New Address, if changed name also involves change in address.	
6	Evidence regarding the basis of change and statutory documents / legal evidence regarding change in name, with date from which the change is effective (amended certificate of incorporation / Board resolution etc.). The evidence regarding change in name if in national language other than English, then a translated copy in English be provided.	
7	Copies of latest Annual Reports with comments of Auditors / Director's reports may also be attached.	
8	Likely advantages to the entity due to changed name or changed scenario may be explained.	
9	Whether the changed scenario entails change in Management? If yes, the details of new management may be provided.	
10	Whether there is any other entity in the group, which has been allowed separate duty rate for the same PUC? If yes, details thereof.	
11	Whether the change in name is on account of merger/de-merger/acquisition/hiving off/change in ownership structure	
12	If change in name is pursuant to change in ownership structure, the details of changes in the shareholding pattern of major shareholders holding at least 2% equity holding/ownership share in the entity be provided.	

No. 04/18/2018-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: 10th September 2018

TRADE NOTICE NO. 11/2018

Subject: Streamlining of Investigation Process - Registration of interested Parties regarding.

Rule 6 (4) of the Anti-Dumping Rules, *inter-alia*, states that the Designated Authority may call for any information and such information shall be furnished by such persons in writing within 30 days from the date of receipt of the notice or within such extended period as the Designated authority may allow on sufficient cause being shown. In pursuance thereof, the Designated Authority has been granting 40 days' time period to all interested parties from the date of publication of the initiation notice to file their responses.

2. A Trade Notice No. 1/2012 dated 9th January 2012 was issued requiring that a request must be filed within 15 days of publication of a notice of initiation of investigation for inclusion of any party to an investigation as an interested party. A list of interested parties shall be maintained by the Designated Authority within 21 days of the publication of notice of initiation. Any requests at a later stage to this effect shall not be entertained.

3. However, it is noted that some of the interested parties file their requests for registration much beyond the prescribed period. Further, sometimes information/ data is filed with the Authority during the last stages of the investigation. Considering that an investigation has to be completed within a prescribed time frame, any late submission has an adverse impact on the investigation process, which needs to be completed expeditiously. In view of above, it is considered necessary to streamline the process of registration of interested parties and also their participation during the investigation. The revised procedure is detailed as under:

(i) Where a party is interested for participation in an investigation, such party shall, in writing, request the Authority to include it as an interested party within 40 (forty) days of initiation of investigation or such extended period as may be allowed by the Authority. Any request at a later stage for registration as an interested party shall not be entertained.

(ii) All requests for registration shall be sent at the e-mail id dgad.india@gov.in. All e-mails shall include the following details:

Name and Designation of the Officer applying	
Contact Phone Numbers	
Contact E-Mail id	
Name and Address of the Entity, on whose behalf the registration is being sought	
Details of Investigation & PUC/Countries	
Whether Domestic Producer/ Importer/ User/ Exporter/ Association	
If represented by any Law Firm, details thereof.	

All physical requests for registration giving aforesaid information shall be made at following address:

Ms. Arti Bangia
Deputy Director
4th Floor, Jeevan Tara Building,
Directorate General of Trade Remedies
Department of Commerce
New Delhi 110001

(iii) An interested party is also obliged to file its questionnaire response in the prescribed formats within the timeline prescribed by the Authority or the extended timeline prescribed by the Authority for filing the questionnaire response. Where an interested party files its questionnaire response within the prescribed timelines, such entity shall be deemed to be registered as an interested party with the Authority, even if it has not submitted a written request specifically for registration as an interested party.

(iv) In case, an interested party which has registered itself with the Authority within the timelines prescribed in clause (i) above, but does not file a questionnaire response, this shall not prevent such interested party from participating in other stages of the investigation by filing legal submissions, attending public hearing, filing disclosure comments etc. However, the Designated Authority may grant more weightage to the submissions made by such interested party, which has filed the duly prescribed questionnaire response as it allows the Authority to verify the authenticity of the data/information submitted to the Authority by corroborating the same with the facts during verification.

(v) A list of interested parties shall be maintained by the Designated Authority and placed in the public file within 80 days of the publication of notice of initiation. All the interested parties are advised to follow the time-lines stipulated in an investigation for filing the submissions.

(vi) If a party has neither registered itself with the authority within the timelines prescribed in clause (i) above nor filed any questionnaire response, such party shall not be allowed to participate further in subsequent stages of the investigation.

4. Notwithstanding anything contained above, the Authority reserves the right to include any other entity as interested party if it is in the larger interest of the investigation impacting the findings in any way.

5. This Trade Notice shall apply with immediate effect to all the cases of Trade Remedy Investigations initiated on or after 10th September 2018. This Trade Notice supersedes any previous instructions or Trade Notice, if any, issued by the Authority in regard to the subject matter of this Trade Notice.

10.9.18
(Sunil Kumar)
Additional Secretary and Designated Authority

To

All concerned

Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties

Dated: 9th January 2012

TRADE NOTICE NO. 01/2012

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended and to Rule 6 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder, as amended.

2. Rule 6 of the AD Rules stipulates the principles governing the investigations. Rule 6 (4), *inter-alia*, states that the Designated Authority may call for any information and such information shall be furnished by such persons in writing within 30 days from the date of receipt of the notice or within such extended period as the Designated authority may allow on sufficient cause being shown.

3. In pursuance thereof, the Designated Authority has been granting 40 days time period to all interested parties from the date of the publication of the initiation notice. It is, however, noted that some of the interested parties file information/data with the Designated Authority during the last stages of the investigation. Considering that an investigation has to be completed within a stipulate time frame, any late submission has an adverse impact on the investigation process, which needs to be completed expeditiously.

4. It has therefore been decided that a request must be filed within 15 days of publication of a notice of initiation of investigation for inclusion of any party to an investigation as an interested party. A list of interested parties shall be maintained by the Designated Authority within 21 days of the publication of notice of initiation. Any requests at a later stage to this shall not be entertained.

5. All interested parties are advised to follow the time-lines stipulated in an investigation for filing the submissions.

6. A public file containing relevant submissions (non-confidential) would be available for inspection by all interested parties in the office of the Designated Authority as per mutual convenience.

7. An oral hearing may be held by the Designated Authority. Information presented orally by any interested party in such an oral hearing shall be submitted in writing by

such party to the Designated Authority within 5 days of the hearing. Interested Parties may collect copies of such submissions on a day indicated by the Designated Authority and submit rebuttals, if any, within such period as allowed by the Designated Authority.

8. Any evidence or any other submissions made by any party shall be provided in sufficient number of copies (number of interested parties + five) to the Designated Authority.

9. An English translation of any information provided in a language other than Hindi or English would need to be supplied simultaneously by the provider of the information, failing which the information shall be disregarded.

10. All the Participating interested parties shall also forward a soft copy (both the Confidential Version and the Non Confidential Version in MS word format) of the submissions filed by them in an investigation.

11. It is further clarified that the Non Confidential Version of the submissions shall be forwarded simultaneously to all other participating interested parties, while forwarding the same to the Designated Authority. A confirmation to this effect shall be attached while filing the submissions with the Designated Authority. If the confirmation is not attached the submissions will not be treated as 'on record'.

(Santosh Kumar)
Deputy Secretary
For Designated Authority

To: All concerned.

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

No. 4/17/2018-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 7th September, 2018

Trade Notice: 10/2018

Subject: 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

Attention of the Trade and Industry is drawn to the Stakeholder Consultation Note pertaining to Confidentiality issues and subsequent meetings held with stakeholders regarding the confidentiality requirement in responses filed by various parties in anti-dumping investigations. On the basis of the feedback received from stakeholders and subsequent internal deliberations, the Authority has determined the basic criteria for confidentiality in responses filed by the domestic industry and other interested parties.

2. Annexures I, II and III attached to this trade notice illustrate how information/particulars required in questionnaire responses are to be furnished in Non-Confidential version-as actuals/trend/range etc.

3. **Annexure I** lays 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** lays 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**- lays down guidelines for Disclosure of Information in Confidential and Non-Confidential Version by the **Users**

4. This guideline on confidentiality shall apply to Petition and Questionnaire responses, as applicable, filed by parties 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.

7.9.18
(Sunil Kumar)
Additional Secretary and Director General

Encl:

1. **Annexure I**- Disclosure of Information in Confidential and Non-Confidential Versions by the Domestic Industry;
2. **Annexure II**- Disclosure of Information in Confidential and Non-Confidential Versions by the Other Interested Parties.
3. **Annexure III**- Disclosure Of Information In Confidential And Non-Confidential Version By The Users

To
All concerned

ANNEXURE I

DISCLOSURE OF INFORMATION IN CONFIDENTIAL AND NON-CONFIDENTIAL VERSION BY THE DOMESTIC INDUSTRY

S.No.	Particulars	Confidential Version-Domestic Industry (DI)	Non-Confidential Version[1]	
			Single Producer/ Two Producer Petitioner(s)	Multiple Producer Petitioners
1	Write-up on broad stage-wise manufacturing process	Actual Information	Actual Information[2]	Actual Information[2]
2	Names of major raw materials used in production of PUC	Actual Information	Actual Information[2]	Actual Information[2]
3	Country-wise Volume and Value of import of subject goods	Actual Information	Aggregate Data	Aggregate data
4	Relationship, if any, of Petitioners with Foreign Producers /Exporters/Importers/domestic producers of subject goods.	Actual Information	Actual Information	Actual Information

[1] When the Single Petitioner 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 information regarding these parameters would be available in the public domain. Therefore, claims of confidentiality by such a domestic producer would not be permitted.
Even where the single Petitioner 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 Petitioner(s) must provide actual information unless the same is protected by any law or is trade secret for that the petitioner(s) Where the information pertaining to the manufacturing process is protected by any law, the Petitioner(s) must cite the same as the reason for claiming confidentiality along with a summary of the information sought.

S.No.	Particulars	Confidential Version-Domestic Industry (DI)	Non-Confidential Version[1]	
			Single Producer/ Two Producer Petitioner(s)	Multiple Producer Petitioners
5	Names and Addresses of all other Indian Producers of subject goods	Actual Information	Actual Information	Actual Information
6	Volume and Value of Production by all other producers except DI	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof-Aggregated Basis	Best Information available with the DI and source thereof-Aggregated Basis
7	Country wise estimates of Normal Value in Petition	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
8	Country wise estimates of Export Price in Petition	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
9	Installed Capacity of the domestic industry	Actual Information	Data must be provided as trend	Aggregate data must be provided in actual figures
10	Production Quantity of the domestic industry	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
11	Capacity Utilisation Percentage	Actual Information	Data must be provided as a trend	Aggregated data must be provided in actual %age
12	Average Industry Norm for Capacity Utilisation, If any	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
13	Sales Quantity: (a) Domestic Sales-Small Scale Industry** (SSI) (b) Domestic Sales-Other than SSI (c) Export Sales	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures

S.No.	Particulars	Confidential Version-Domestic Industry (DI)	Non-Confidential Version[1]	
			Single Producer/ Two Producer Petitioner(s)	Multiple Producer Petitioners
	(d) Captive Consumption			
14	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	Aggregated data must be provided in actual figures
15	Sales Realisation per Unit: (a) Domestic Sales-SSI (b) Domestic Sales-Other than SSI (c) Export Sales (d) Captive Consumption	Actual Information	Data must be provided as trend	Data must be provided as trend
16	No. of Employees	Actual Information	Aggregated data in case of two producers	Aggregated data - Actual Information
17	Productivity per day	Actual Information	Average data in case of two producers	Average data - Actual Information
18	Average Industry norm for Productivity per day, if any	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
19	Inventory	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
20	Inventory as No. of days of Production	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures

S.No.	Particulars	Confidential Version- Domestic Industry (DI)	Non-Confidential Version[1]	
			Single Producer/ Two Producer Petitioner(s)	Multiple Producer Petitioners
21	Inventory as No. of days of Sales	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
22	Average Industry Norm for Inventory, if any	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
23	R&D Expenses	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
24	Funds Raised: (a) Equity (b) Loans and Advances (c) Working Capital (d) Other, if any	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
25	Cost of Sales per Unit- Domestic Sales (excluding outward freight, outward insurance etc.)	Actual Information	Data must be provided as trend	Data must be provided as trend
26	Cost of Sales per Unit- Exports	Actual Information	Data must be provided as trend	Data must be provided as trend
27	Selling price per unit- Domestic Sales (excluding excise duty or GST whichever is applicable)	Actual Information	Data must be provided as trend	Data must be provided as trend
28	Export price/unit	Actual Information	Data must be provided as trend	Data must be provided as trend
29	PBIT per Unit-Domestic Sales	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures

S.No.	Particulars	Confidential Version-Domestic Industry (DI)	Non-Confidential Version[1]	
			Single Producer/ Two Producer Petitioner(s)	Multiple Producer Petitioners
30	Total Profit before Interest and Tax-Domestic Sales	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
31	Interest/Finance Cost Domestic Sales	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
32	Depreciation and Amortisation expense	Actual Information	Data must be provided as trend	Aggregated data must be provided in actual figures
33	Average Industry norm for PBIT as % of Avg. Capital Employed, if any	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof	Best Information available with the DI and source thereof
34	Purchase (Qty. as well as Value) of PUC	Actual Information	Data must be provided as trend	Data must be provided as trend
35	Imports made by the Domestic Industry	Actual Information	Data must be provided as a % of total imports into India -Range ±5% -Petitioner-wise.	Data must be provided as a % of total imports into India -Range ±5%-Petitioner-wise.
36	Non-Injurious Price Calculation	Actual Information	Aggregated actual data must be provided in actual figure range-±10%	Aggregated actual data must be provided in actual figure range-±10%

ANNEXURE II

DISCLOSURE OF INFORMATION IN CONFIDENTIAL AND NON-CONFIDENTIAL VERSION BY THE INTERESTED PARTIES, INCLUDING FOREIGN PRODUCERS, EXPORTERS, RELATED OR UNRELATED IMPORTERS AND USERS ("OTHER INTERESTED PARTIES")

S.No.	Particulars	Confidential Version- Other Interested Parties[3]	Foreign Producer(s)	Exporter(s)	Importer(s)-Related/ Unrelated (Non-actual user/trader)
1	Write-up on broad stage-wise manufacturing process	Actual Information, as applicable	Actual Information[4]	Not Applicable	Not Applicable
2	Names of major raw materials used in production of PUC	Actual Information, as applicable	Actual Information[4]	Not Applicable	Not Applicable
3	Details of Volume and Value of export / import of subject goods	Actual Information	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend
4	Information regarding related parties involved in production/sales/purchase of PUC.	Actual Information	Actual Information	Actual Information	Actual Information

[3] Certain parameters and the data may be required to be provided by only some of the interested parties. Please refer to Non-Confidential Version Detailed breakdown to cross-verify which parameters are applicable and which are "not applicable" at all to some of the interested parties.

[4] The Foreign Producer(s) must provide actual information unless the same is protected by any law or is trade secret for the foreign producer(s). Where the information pertaining to the manufacturing process is protected by any law, the Foreign Producer(s) must cite the same as the reason for claiming confidentiality and provide a summary of the information sought.

S.No.	Particulars	Confidential Version- Other Interested Parties[3]	Foreign Producer(s)	Exporter(s)	Importer(s)-Related/ Unrelated (Non-actual user/trader)
5	Installed Capacity	Actual Information, as applicable	Data must be provided as trend	Not Applicable	Not Applicable
6	Production Quantity	Actual Information, as applicable	Data must be provided as trend	Not Applicable	Not Applicable
7	Capacity Utilisation Percentage	Actual Information, as applicable	Data must be provided as trend	Not Applicable	Not Applicable
8	Sales Quantity: (a) Domestic Sales (b) Export Sales- India (c) Export Sales (Country Wise)- Other Countries (d) Captive Consumption	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend for resale of subject goods in India
9	Sales Value: (a) Domestic Sales (b) Export Sales- India (c) Export Sales (Country Wise)- Other Countries (d) Captive Consumption	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend for resale of subject goods in India
10	Sales Realisation per Unit: (a) Domestic Sales (b) Export Sales- India (c) Export Sales (Country Wise)- Other Countries	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend for resale of subject goods in India

S.No.	Particulars	Confidential Version- Other Interested Parties[3]	Foreign Producer(s)	Exporter(s)	Importer(s)-Related/ Unrelated (Non-actual user/trader)
	(d) Captive Consumption				
11	No. of Employees	Actual Information, as applicable	Actual Information	Actual Information	Not Applicable
12	Productivity per day	Actual Information, as applicable	Actual Information	Actual Information	Not Applicable
13	Inventory	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend
14	Inventory as No. of days of Production	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Not Applicable
15	Inventory as No. of days of Sales	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend
16	R&D Expenses	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Not Applicable
17	Cost of Sales per Unit- Domestic Sales (excluding outward freight, outward insurance etc.)	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend for procurement price.

S.No.	Particulars	Confidential Version- Other Interested Parties[3]	Foreign Producer(s)	Exporter(s)	Importer(s)- Related/ Unrelated (Non-actual user/trader)
18	Cost of Sales per Unit- Exports	Actual Information, as applicable	Data must be provided as a range	Data must be provided as a range	Not Applicable
19	PBIT per Unit- a. Domestic Sales b. Sales to India c. Total Sales	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Data must be provided as trend for resale of subject goods in India
20	Total Profit before Interest and Tax a. Domestic Sales b. Sales to India c. Total Sales	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Not Applicable
21	Interest/Finance Cost a. Domestic Sales b. Sales to India c. Total Sales	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Not Applicable
22	Depreciation and Amortisation expense	Actual Information, as applicable	Data must be provided as trend	Data must be provided as trend	Not Applicable
23	Purchase (Qty. as well as Value) of PUC a. From Subject Country/ies b. From Other Countries c. From Domestic Industry d. From Other Domestic Producers	Actual Information, as applicable	Not Applicable	Not Applicable	Data must be provided as trend

ANNEXURE III

DISCLOSURE OF INFORMATION IN CONFIDENTIAL AND NON-CONFIDENTIAL VERSION BY THE USERS

S.No.	Particulars	Confidential Version (Users)	Non-Confidential Version (Users)
1.	Relationship, if any, of Users with Foreign producers / Exporters	Actual Information	Actual Information
2.	Purchase (Qty. as well as Value) of PUC a. From Subject Country/ies (Country Wise) i. From Related Parties ii. From Unrelated Parties b. From Other Countries (Country Wise) i. From Related Parties ii. From Unrelated Parties c. From Domestic Suppliers i. From Related Parties ii. From Unrelated Parties	Actual Information	Data must be provided as a trend
3.	Total Sales Turnover (Qty. as well as Value) (Product Wise): a. Of all Products of the User Company i. Domestic Sales (Indicating related / Unrelated party sales) ii. Export Sales (Indicating related / Unrelated party sales)	Actual Information	Data must be provided as a trend

S.No.	Particulars	Confidential Version (Users)	Non-Confidential Version (Users)
	b. Of all Products of the User Company incorporating PUC i. Domestic Sales (Indicating related / Unrelated party sales) ii. Export Sales (Indicating related / Unrelated party sales)		
4.	Details of all units linked to the PUC in India and write-up regarding the role/operations performed by each of these units	Actual Information	Actual Information
5.	List of all products sold by the User company	Actual Information	Actual Information
6.	Detailed production process for each product manufactured using the PUC and production flow chart	Actual Information	A reasonable summary must be provided to the extent possible, unless the same is protected by any law or is trade secret
7.	Cost of raw material for each of the products that incorporate the PUC (Separate for each product)	Actual Information	Data must be provided as a trend
8.	Total Cost Breakup of products using PUC (Separate for each product)	Actual Information	Data must be provided as a trend

S.No.	Particulars	Confidential Version (Users)	Non-Confidential Version (Users)
9.	Write up on any causes other than the imports of the PUC from subject country which may have contributed to the alleged injury suffered by the Indian producers	Actual Information	Actual Information
10.	Comment on the comparability of PUC from subject country vis-à-vis domestic product, identifying differences (e.g. technical or physical characteristics, prices, uses, etc) as per questionnaire format	Actual Information	A reasonable summary must be provided to the extent possible, unless the same is protected by any law or is trade secret
11.	Indicate whether the user is in favour of the imposition of antidumping measures or against its imposition	Actual Information	Actual Information
12.	Share of User in the downstream Indian market	Actual Information	Data may be provided as a range
13.	Countries where products manufactured incorporating PUC are sold and estimated market share therein, if applicable	Actual Information	A reasonable summary must be provided to the extent possible
14.	Name your five main suppliers for the PUC in India and outside India	Actual Information	Not to be disclosed

S.No.	Particulars	Confidential Version (Users)	Non-Confidential Version (Users)
15.	List of products that could be easily substituted for the PUC	Actual Information	Actual Information
16.	Write up on the comparative advantage of foreign producers in subject country/(ies) in comparison with Indian producers, if applicable	Actual Information	Actual Information
17.	Write up on the impact of anti-dumping duties, if imposed/maintained/repealed	Actual Information	A reasonable summary must be provided to the extent possible
18.	Details of Utilization of PUC	Actual Information	Data must be provided as a trend
19.	Details of Profitability Statement	Actual Information	Not to be disclosed

No. 4/27/2007-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties

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Dated: 9th December, 2013.

TRADE NOTICE NO. 1/2013

Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. In pursuance to the provision of Rule 7 of the above Rules, all interested parties to anti-dumping investigations are advised to comply with the following requirements while submitting "confidential information" before the Designated Authority in an anti-dumping investigation :

i. The parties making any **submission (including Appendixes/Annexures attached thereto)** before the authority including questionnaire response, are required to file the same in two separate sets, in case 'confidentiality' is claimed on any part thereof:-

(a) one set marked as **Confidential** (with title, number of pages, index, etc.) and

(b) the other set marked as **Non-Confidential** (with title, number of pages, index, etc.).

Any submission made without such marking shall be deemed as non-confidential. Soft copy of both the versions will also be required to be submitted, along with the hard copies, to the authority.

ii. The Confidential version shall contain all information which are by nature confidential and/or other information which the supplier of such information claims as confidential. For information which are claimed to be confidential by nature or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.

iii. The non-confidential version is required to be a replica of the confidential version with the confidential information indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, party submitting the confidential information may indicate that such information is not susceptible of summary, a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Designated Authority.

iv. After the above requirements are met, the Designated Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted by the interested party.

v. If the Designated Authority is satisfied that the request for confidentiality is not warranted and if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

vi. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim shall not be taken on record by the authority.

vii. The Designated Authority on being satisfied and accepting the need for confidentiality of the information given, shall not disclose it to any party without specific authorization of the party providing such information.

viii. During the course of public hearing if any interested party intends to circulate any document/paper, copy of the same must be provided to all participants at least one working day prior to the date of hearing by way of hard copy or e-mail or both.

ix. In case an interested party intends to submit/present some information on confidential basis during the public hearing, the same along with NCV thereof must be submitted to the Designated Authority at least three days prior to such hearing. It should be ensured that the NCV of such information gives a meaningful summary of the CV, In case no such NCV is provided before the stipulated period, the interested party may not be allowed to present such papers in the public hearing.

3. The above procedure will supersede all previous instructions or Trade Notices issued by the Directorate with regard to confidentiality and in the publications of this Directorate.

(A. K. Jha)
Deputy Secretary
For Designated Authority

To

All concerned (as per list)

Annexure-I

Guidelines on confidentiality of information/data contained in the Petition, response to the Questionnaire or other Submissions

The NCV should be replica of the confidential version (having same Para No. and Page No.) except the information or data claimed to be confidential for which non-confidential summary should be provided under the heading "Non-Confidential Summary" at places where confidential information were provided in the confidential version. In case any data is claimed as confidential, NCV of the same should be submitted in the indexed form. In case, summarization/indexation of the information/data is not possible, specific reason for the same should be provided on the forwarding letter.

2. The claim of confidentiality on any information/data should be submitted in the following format as a forwarding letter of the NCV :-

S. N.	Issue/data on which confidentiality is claimed	Reason/justification for claiming confidentiality	Page No. of the NCV at which non-confidential summary is provided	Whether information is available in the Public domain or with any Govt. Authority from whom the same can be obtained by the public with or without payment of fee
1	2	3	4	5

3. The reason/justification should be on the basis of criteria laid down in Article 6.5 of the Anti-Dumping Agreement. The reason/justification should be specific clearly demonstrating/establishing that disadvantage would occur by disclosure of information.

4. The confidentiality claims and decision thereon are case-specific. Therefore, precedence of any previous cases would not be considered as justification for claiming confidentiality. In this regard attention is invited to the following :-

(i) The following are examples of information which may be treated as confidential :

a) Information of significant competitive advantage to a competitor, production costs, distribution costs, upstream and downstream pricing data, profit and loss margins, certain conditions of sale, research/invention data, technical designs, business or trade secrets concerning the nature of a product or production process, specification of components, performance/profitability data, details of margin of dumping and adjustments claimed by the party etc. are some examples of such type of information. List is not exhaustive.

b) Information, the disclosure of which would have a significant adverse effect upon the party who submitted the information or the party from whom the information was acquired by the party who submitted the information. Some examples are -customer and supplier lists, letters from buyers on price negotiations, details of technical collaboration.

(ii) The information claimed to be confidential shall be examined by the authority on a case to case basis. Reporting obligation of the Designated Authority under Article 12 of the Anti-Dumping Agreement shall be kept in view while granting confidentiality. For example, address of the domestic industry/exporter, location of plant, etc. cannot be treated as confidential. The balancing interest on disclosure shall be kept in view while examining the information on a case to case basis.

(iii) In case, an interested party submits information on confidential basis and claims that the summary thereof is NCV is not possible, the same claim shall be accepted by the authority only after due consideration and examination. Examples of cases where such claims may be accepted are, technical details of manufacturing process, consumption norms of raw materials/utilities, invention/research data, technical designs, trade secrets concerning nature of production process, technical specifications of the components, etc.

(iv) A claim of confidentiality shall not be accepted by the authority on the grounds of commercial restrictions, for example, in case, the information is available in public domain and can be obtained by any party after payment of fee, etc. information/data procured from a private source as IBIS shall not be treated as confidential and the party submitting the same should submit a letter of permission for its disclosure from the party supplying the same before being accepted.

(v) All the interested parties participating in an Anti Dumping Investigation are, inter-alia, required to submit a copy of its Annual Accounts along with the B/Sheet, duly certified by a practicing Accountant for the POI and preceding two years. Generally, the Annual Accounts, B/Sheet & P&L Account of a Company, duly certified by a practicing Accountant, shall be treated by the Authority as non-confidential and a copy of the same shall also be kept in the public file.

(vi) In case an interested party claims confidentiality in respect of Annual Accounts and the Balance Sheet for the POI and the previous two years, the interested party shall be required to give a detailed justification for claiming the confidentiality. The justification/grounds for claiming confidentiality, in such cases shall be marked non-confidential and a copy of the same shall be kept in the public file.

(vii) In case the entire Annual Accounts and the Balance Sheet for the POI and the previous two years is claimed to be confidential, a non-confidential version, duly indexed giving meaningful summary of the confidential version, shall also be submitted by the interested party for reference by the other interested parties.

(viii) In case the Annual Accounts and the Balance Sheet of a participating interested party is in the public domain, in accordance with the relevant law/rules of the subject country or can be obtained by the public from the prescribed authorities, the same shall not be allowed by the authority to be treated as confidential under any circumstances.

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No. 4/7/2012-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate of Anti-dumping & Allied duties
(Anti-dumping section)
* * *

Dated 23rd May, 2012

TRADE NOTICE NO. 04/2012

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 5 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. In this connection, the procedure stipulated in Trade Notice No. 03/2012 is reiterated. All the concerned are again informed that if they intend to present any document in public hearing, a copy of the same is to be provided to all participants prior to the hearing (one day) by e-mail.

Sd/-

(Santosh Kumar)
Deputy Secretary to Govt. of India
For Designated Authority

To

All concerned

Sr. Tech. Director, NIC, Deptt.of Commerce with a request to upload this trade notice in the department's website under Anti-Dumping->Trade Notice Section

No. 4/10/2012-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate of Anti-dumping & Allied duties
(Anti-dumping section)
* * *

Dated 02nd April,2012

TRADE NOTICE NO. 03/ 2012

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. As per Para 2 of Trade Notice No. 1/2011, if any interested party intends to present any document in a public hearing, a copy of the same is to be provided to all participants prior to the hearing (one day). In this connection, all interested parties are informed that henceforth such documents can also be circulated by e-mail to all the participants prior to the hearing (one day).

(Santosh Kumar)
Deputy Secretary to Govt. of India
For Designated Authority

To

All concerned

Sr. Tech. Director, NIC, Deptt.of Commerce with a request to upload this trade notice in the department's website under Anti-Dumping->Trade Notice Section

No. 4/7/2012-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate of Anti-dumping & Allied duties
(Anti-dumping section)
* * *

Dated 30th March.2012

TRADE NOTICE NO. 02/2012

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 5 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. In this connection, all interested parties to anti-dumping investigations are informed that hard copy of petition for anti-dumping investigations in the prescribed proforma along with the enclosures should be submitted alongwith its softcopy to the Directorate General of Anti Dumping.

3. Trade Notice No. 02/2009 is amended to the extent that Soft copy of both the confidential version as well as non-confidential version will be required to be submitted alongwith the hardcopy as per the procedure laid down in the said Trade Notice.

4. Any application received on or after 2nd April, 2012 without its soft copy shall not be accepted.

(Santosh Kumar)
Deputy Secretary to Govt. of India
For Designated Authority

To

All concerned

Sr. Tech. Director, NIC, Deptt.of Commerce with a request to upload this trade notice in the department's website under Anti-Dumping->Trade Notice Section

No.4/27/2007-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
…..

Dated: 25th May 2011

TRADE NOTICE NO. 1/2011

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. In continuation of sub-para (viii) of Para 2 to the Trade Notice No.1/2009 dated 25th March, 2009, it is hereby clarified that if any interested party intends to present any document in a public hearing, a copy of the same must be provided to all participants prior to the hearing (one day). However, in case an interested party intends to submit/present some information on confidential basis, a copy of the same alongwith the non-confidential version (NCV) thereof must be submitted to the Designated Authority at least three days prior to the date of public hearing. It should be ensured that the NCV gives a meaningful summary of the confidential version.

3. In case the above requirement is not complied with, the concerned interested party shall not be allowed to submit/present the information on confidential basis.

(Bharathi S. Sihag)
Joint Secretary
For Designated Authority

To

All concerned

No. 4/59/2009-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
…

Dated: 3rd November 2009.

TRADE NOTICE NO.2/2009

Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended from time to time and to Rule 5 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereunder.

2. The proforma prescribed for making application for anti-dumping investigation, inter alia, require the petitioner to submit two copies of the petition along with one non-confidential version thereof.

3. Trade and Industry is advised to follow the following procedure while making applications for anti-dumping investigations:

(i) At the first stage, only non-confidential version of the petition may be submitted along with a certificate to the effect that confidential copy of the petition has been kept ready and the same shall be submitted to the investigation team of DGAD soon after that is called for by the investigation team.

(ii) As and when the confidential versions of the petition are called for, the same should immediately be submitted directly to the concerned investigation team.

(Neeraj Kumar Gupta)
Joint Secretary
For Designated Authority

To
All concerned
(As per list)

No. 4/27/2007-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping and Allied Duties
…

Dated: 25th March ,2009.

TRADE NOTICE NO. 1/2009

1. Attention of the Trade and Industry is invited to Section 9A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed thereafter.

2. In continuation to the Trade Notice No.2/2000 dated 28th August, 2000 all interested parties to anti-dumping investigations are advised to comply with the following requirements while submitting "confidential information" before the Designated Authority in an anti-dumping investigation :

i. The parties making **any submission (including Appendixes /Annexures attached thereto)** before the authority including questionnaire response, are required to file the same in two separate sets, in case 'confidentiality' is claimed on any part thereof:- (a) marked as **Confidential** (with title, number of pages, index, etc.) and (b) other set marked as **Non-Confidential** (with title, number of pages, index, etc.). Any submission made without such marking shall be deemed as non-confidential.

ii. The Confidential version shall contain all information which are by nature confidential and/or other information which the supplier of such information claims as confidential. For information which are claimed to be confidential by nature or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.

iii. The non-confidential version is required to be a replica of the confidential version with the confidential information indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, party submitting the confidential information may indicate that such information is not susceptible of summary, a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Designated Authority.

iv. After the above requirements are met, the Designated Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted by the interested party.

v. If the Designated Authority is satisfied that the request for confidentiality is not warranted and if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

vi. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim shall not be taken on record by the authority.

vii. The Designated Authority on being satisfied and accepting the need for confidentiality of the information given, shall not disclose it to any party without specific authorization of the party providing such information.

viii. During the course of public hearing if any interested party intends to circulate any document/paper copy of the same must be provided to all participants. However, in case an interested party intends to submit/present some information on confidential basis during the public hearing, the same alongwith NCV thereof must be submitted to the Designated Authority at least three days prior to such hearing. It should be ensured that the NCV of such information gives a meaningful summary of the CV, In case no such NCV is provided before the stipulated period, the interested party may not be allowed to present such papers in the public hearing.

3. The above procedure will supercede all previous instructions or Trade Notices issued by the Directorate with regard to confidentiality and in the publications of this Directorate.

(Neeraj Kumar Gupta)
Joint Secretary
For Designated Authority

To
All concerned
(as per list)

5/21/2000-DGAD
Ministry of Commerce & Industries
Directorate General of Anti-Dumping and Allied Duties

Dated 28th August, 2000

TRADE NOTICE NO. 2/2000

1. Attention of the Trade and Industry is invited to Section 9 of the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 – Rule 7 therein deals with CONFIDENTIAL information.

2. All interested parties must duly state details of information that is to be treated as confidential with adequate justification for such designation. They must simultaneously provide a NON – CONFIDENTIAL version of the CONFIDENTIAL information, which must be sufficiently clear, in detail representing the confidential information submitted.

3. Interested parties must comply with the following requirements while submitting information that has to be treated as confidential:

   i. Description of confidential information provided (title, number of pages);
   ii. Request in writing for information to be treated as confidential with an explanation as to the justification for such permission;
   iii. A non – confidential version thereof (title, number of pages);
   iv. If non – confidential information is not susceptible of summary, the party may submit to the Designated Authority a statement of reasons why summarisation is not possible;

4. After the above requirements are met, the Designated Authority may accept or reject the request on examination of the nature of the information submitted by the interested party.

5. i) The Designated Authority on being satisfied and accepting the need for confidentiality of the information given, shall not disclose it to any party without specific authorisation of the party providing such information.

   ii) If the Designated Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorise its disclosure in a generalised or summary form, it may disregard such information.

Sd/- .

(Siddharth)
Director
for the Designated Authority
Phone 301 4418

To: ALL CONCERNED

No. 4/15/2007-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti Dumping & Allied Duties

Dated the 22nd October, 2007

TRADE NOTICE No. 1/2007

1. Attention of the Trade and Industry is invited to Section 9 A of the Customs Tariff Act, 1975 as amended in 1995 and to Rule 5 and Rule 7 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 framed there under.

2. Sub-Rule 6(6) provides that the Designated Authority may allow an interested party or its representative to present the information relevant to the investigation orally but such oral information shall be taken into consideration by the designated authority only when it is subsequently reproduced in writing.

3. Trade & Industry is advised that the following procedural requirements should also be kept in view while making written submissions subsequent to the Public Hearing and while filing rejoinders thereto:-

    (i) The rejoinders should be in the form of exact parawise comments to the written submissions.

    (ii) No new issues/arguments would be raised at the stage of rejoinder. However, new logic or analysis based on facts already submitted can be furnished to further make the points on the subject matter.

    (iii) All submissions and rejoinders must comply with the requirements laid down under Rule 7. Interested parties must provide non-confidential version of the confidential information, if any, contained in written submissions or rejoinders in parawise corresponding form of narration. The non-confidential versions should be in sufficient detail to permit a reasonable understanding of substance of the information submitted on confidential basis.

4. Normally no submissions/information would be submitted interested parties after the expiry of the time allowed during the Public Hearing. However, either with the permission or in response to letter of the Designated Authority, information/submissions which are clarificatory in nature may be submitted.

(Neeraj Kumar Gupta)
Joint Secretary
For Designated Authority

To
All Concerned
(as per list)

F. No. 8/4/2020-DGTR
Government of India
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Trade Remedies

Dated: 18th October, 2022

Trade Notice No. 01/2022

Subject: Streamlining of Trade Remedy Investigation process - Obtaining and sharing of import data pertaining to investigation with interested parties regarding

Attention of all members of Trade and Industry is invited to the procedure of obtaining and sharing of import data pertaining to trade remedy investigations with the interested parties.

2. In suppression of the earlier trade notice no. 07/2018 dated 15th March, 2018, the Authority, hereby, prescribes the following guidelines to be followed for obtaining transaction wise import data from DGCI&S and/or sharing the information:

i. The request for procurement of transaction-wise import data from DGCI&S for the specified years is to be made in writing by an applicant along with the declaration attached at Annex-I. The subsequent requests, during the course of investigation, by any other registered interested parties to the investigation will also be made in writing to the Authorized Officer along with the declaration attached at Annex-I

ii. The DGTR will issue an authorization letter to the applicant, which will inter-alia specify the exact period for which data is required. This will also contain a unique identification/reference number along with mobile number, which can be used to confirm the identity of applicant by DGCI&S.

iii. This authorization letter shall be valid for 30 days from the date of its issue within which the applicant has to approach DGCI&S for obtaining transaction wise import data against that authorization after completion of all due process as laid down by DGCI&S in this regard.

iv. The applicant shall inform DGTR within 90 days of authorization from DGTR, if it decides not to file a petition for the concerned product.

v. DGCI&S shall forward a copy of the same data by email, as is provided to the petitioner by DGCI&S against each authorization, to the authorized officer of DGTR. The same will be made available to the concerned investigation team officers by the Authorized Officer once petition is filed and investigation is initiated by the Authority.

vi. The hard copy of the import data (processed/transformed data) submitted by the applicant/ petitioner industry to DGTR at the time of filing of the application can be accessed by the interested parties only after providing a declaration/undertaking to the concerned investigating officer as per Annex-I attached.

vii. The DGCI&S follows dynamic data dissemination policy wherein data keeps getting updated based on incoming information from various sources. Hence, it is possible that there may be some variation in the data provided by DGCI&S for the same product and same specified period at different points of time.

viii. Nothing in this Trade Notice prevents the Designated Authority from relying on the most updated DGCI&S data for the relevant period as made available after the initiation of investigation.

3. The information obtained from DGCI&S by the applicant shall be used only for the purpose of trade remedy investigation.

4. The applicant/petitioner seeking authorization from DGTR for procurement of transaction wise import data from DGCI&S shall be subject to the provisions of Section 135AA of the Customs Act, 1962.

(Anant Swarup)
Designated Authority

To,
All concerned.

ANNEX-I

Subject: Declaration for procurement of transaction wise Import Data.

To,
DGTR
New Delhi

The Applicant/interested party requests for transaction wise import data for the product ....
(HS Code) for the period

I/We hereby undertake that:

i. The information obtained from DGCI&S by the applicant shall be used only for the purpose of trade remedy investigation.
ii. The information obtained shall not be used for any other purposes-commercial or otherwise.
iii. The data shall not be shared by the applicant with any other party nor placed/published in public domain.
iv. The applicant shall inform DGTR and DGCI&S about the actual use of data.
v. The applicant shall be subject to the provisions of Section 135AA of the Customs Act, 1962

(Signature)
Name:
Designation
Contact Address:
Mobile No.
Email id:

Date:

Note: This request is to be submitted to the Authorized Officer of DGTR:

Ms. Arti Bangia
Deputy Director
Tel No. 011-23408709
Email Id: dd12-dgtr@gov.in

No. 4/08/2018-DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara building,
5, Parliament Street, New Delhi -110001

Dated: 15th March, 2018

Trade Notice: 07/2018

Subject: Streamlining of Anti-Dumping / Counter Vailing Duty Investigation process – Obtaining and sharing of import data pertaining to investigation with interested parties regarding

Representations have been received from trade and industry, especially from exporters and importers, requesting for sorted / processed Directorate General of Commercial Intelligence and Statistics (DGCI&S) transaction wise import data as relied by the domestic industry in its petition requesting for initiation of anti-dumping / counter vailing duty proceedings as well as different reviews viz. Mid - Term Review (MTR)/ Sunset review (SSR)/ New Shipper Review (NSR).

2. The matter has been examined in detail. With a view to bring transparency and create a level playing field amongst all interested parties to enable them to file application regarding levy of AD/CVD and/or enable them to give a meaningful response in ongoing investigations, the following guidelines shall be followed for obtaining transaction wise import data from DGCI&S and/or sharing the information:

i. The request for procurement of transaction wise import data from DGCI&S for the specified years / periods is to be made in writing by an applicant along with the declaration attached at **Annex-I**. The subsequent requests, during the course of investigation, by any other registered interested parties to the investigation will also be made in writing to the Authorized Officer along with the declaration attached at **Annex-I**.

ii. The DGAD will issue an authorization letter to the applicant, which will inter-alia specify the exact period for which data is required. This will also contain a unique identification / reference number along with mobile number, which can be used to confirm the identity of petitioner by DGCI&S.

iii. This authorization letter shall be valid for **30 days** from the date of its issue within which the applicant has to approach DGCI&S for obtaining transaction wise import data against that authorization after completion of all due process as laid down by DGCI&S in this regard.

iv. The applicant shall inform DGAD **within 90 days** of authorization from DGAD, if it decides not to file a petition for the concerned product.

v. DGCI&S shall forward a copy of the same data by email, as is provided to the petitioner by DGCI&S against each authorization, to the authorized officer of DGAD. The same will be made available to the concerned I.O./C.O. by the Authorized Officer once petition is filed and investigation initiated by the Authority.

vi. The hard copy of the import data (processed / transformed data) submitted by the applicant / petitioner industry to DGAD at the time of filing of the application can be accessed by the interested parties only after providing a declaration / undertaking to the Investigating Officer (I.O.) as per Annex-I attached.

vii. The DGCI&S follows dynamic data dissemination policy wherein data keeps getting updated based on incoming information from various sources. Hence, it is possible that there may be some variation in the data provided by DGCI&S for the same product and same specified period at different points of time.

viii. Nothing in this Trade Notice prevents the Designated Authority from relying on the most updated DGCI&S data for the relevant period as made available after the initiation of investigation.

3. The above procedure will be applicable from the date of issue of this Trade Notice and will supersede the earlier Trade Notice No. 01/2017 dated 8.12.2017, Trade Notice No. 01/2018 dated 02.01.2018 and any other instructions issued by the Directorate in this regard.

15.3.18

(Sunil Kumar)
Additional Secretary and Designated Authority

To,

All concerned

ANNEX-I

Subject: **Declaration for procurement of transaction wise Import Data.**

To,
DGAD
New Delhi

The Applicant/interested party requests for transaction wise import data for the product .... (HS Code........) for the period ....

I/We ....hereby undertake that:

i) The information obtained from DGCI&S by the applicant shall be used only for the purpose of anti-dumping / CVD investigation
ii) The information obtained shall not be used for any other purposes-commercial or otherwise.
iii) The data will not be shared by the applicant with any other 3rd party nor placed / published in public domain.
iv) The applicant will inform DGAD and DGCI&S about the actual use of data.

(Signature)
(Name in full)
Designation
Contact Address and Phone No.
Mobile Phone No.
E-mail id.

Date: ....

Note: This request is to be submitted to the Authorized Officer of DGAD:

Ms. Arti Bangia
Deputy Director
Tel No. 23349435/ Extn. 119
Email Id: arti.bangia@nic.in

F. No. 4/2/2017- DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara Building, 5th Parliament Street, New Delhi-110001

Dated: 2/1/2018

Trade Notice No. 01/2018

Subject: Non-Confidential Transaction-wise import data in Anti-dumping investigations.

Reference is invited to Trade Notice No. 01/2017 dated 8/12/2017. It is hereby clarified that request for obtaining Transaction Wise non-confidential Initiation data from DGCIS by any applicant filing an application/petition for an AD/CVD case on behalf of Domestic Industry/Exporter/Importer/User etc. as mentioned in para 2 of the above mentioned Trade Notice may be made to the following officer:

Ms. Arti Bangia
Deputy Director
Tel. No. 23349435/Extn. 119
Email Id: arti.bangia@nic.in

2.1.18
(Sunil Kumar)
Additional Secretary & Designated Authority

To

All concerned (as per list)

F. No. 4/2/2017- DGAD
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
4th Floor, Jeevan Tara Building, 5th Parliament Street, New Delhi-110001

Dated: 8/12/2017

Trade Notice No. 01/2017

REQUEST FOR TRANSACTION-WISE IMPORT DATA

Subject: Non-confidential Transaction-wise import data in Anti-dumping investigations.

1. The Designated Authority receives requests from various interested parties regarding access to Transaction-wise import data for the purpose of AD/CVD investigation being conducted by DGAD. This request could be from a domestic producer for filing a fresh application regarding levy of AD/CVD, or by any other Interested Party i.e. exporter/importer/user, who has registered as an interested party and intends to make submissions or by any of the above entities in case of different reviews viz MTR/SSR/NSR.

2. The Authority, on the basis of a written request of any of the above kinds would authorise the bonafide applicant to obtain the requested Transaction-wise import data from DGCIS as per the following terms and conditions:

(i) The information obtained from DGCI&S by the applicant shall be used only for the purpose of anti-dumping investigation.
(ii) The data obtained shall not be used for any other purpose – commercial or otherwise.
(iii) The data will not be shared by the applicant with any other 3rd party nor placed/published in the public domain.
(iv) The applicant will inform DGAD and DGCIS about the actual use of data.

For compliance with the above conditions, the applicant will give a declaration to DGAD and also to DGCIS.

3. Since Transaction-wise data is provided by DGCIS on an actual use basis to any interested party who requests for the same, based on the above procedure, the data obtained by any interested party and submitted to Designated Authority in an investigation will not be placed in public file maintained by DGAD. The only manner of obtaining the Transaction-wise data by any interested party will be as per procedure mentioned in paras (1) and (2) above.

8.12.17
(Sunil Kumar)
Additional Secretary & Designated Authority

To

(a) Website of the Ministry of Commerce & Industry.
(b) All concerned(as per list)

Representation received from some of the domestic producers on the Antidumping Rules on determination of Non-injurious Price (NIP)

Government vide Notification No.15/2011-Customs (N.T.) dated 1.3.2011 have published 'Principles for determination of non-injurious price' by way of Annexure III to the Custom Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. Some of the domestic producers have submitted representation to the Government that the principles for determination of NIP specified in the antidumping rules do not protect their interest adequately against the onslaught of dumping. These domestic producers have suggested certain amendments to Annexure III to the Antidumping Rules for the consideration of the Designated Authority. A note on the issues raised by them and an amended copy of Annexure III submitted by them is attached with this note.

All interested parties viz domestic producers, exporters, importers and their associations and consultants are requested to go through the suggestions made by a section of the domestic industry and offer their comments/suggestions on the proposed amendments by 15th March, 2015. The comments/suggestions may please be sent to the following address:

The Designated Authority
Directorate of Antidumping & Allied Duties
4th Floor, Jeevan Tara Building
5, Parliament Street
New Delhi-110001

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Note submitted by certain domestic producers on the difficulties with the present non-injurious price law and its interpretation

The present NIP law as it exists is grossly against the larger interests of Indian industry and has become a major hurdle in sufficiently protecting the Indian industry from the onslaught of dumping. While appreciating that it might have been appropriate to codify a practice into rules and notify the same, unfortunately, these rules were finalized and notified without any interaction whatsoever with the trade and industry. Surprisingly, even when the trade and industry was consulted on so many amendments, such an important rule has been notified without any interaction whatsoever with the trade and industry. Resultantly, the rules have a number of flaws and require to be amended immediately. While some of the amendments are necessary to accord proper interpretation to the objective of the rules, some provisions are grossly inappropriate and lack sufficient business and economic basis. We have enclosed the present NIP law with our suggestions on amendments that are necessary in the present law. We are willing to have detailed discussions to justify these proposed amendments.

(a) **Treatment of freight from factory to depot:**

The NIP law states that since NIP is to be computed at ex-factory level, post manufacturing expenses such as commission, discount, freight-outward, etc. at ex-factory level shall not to be considered while assessing non-injurious price. The rule, however, fails to appreciate that it may not be appropriate to determine NIP at ex-factory level in all situations. Thus, the rules presume without any basis why NIP should be at ex-factory level. Indeed, there is no business and economic basis for considering that the non injurious price should invariably be determined at ex-factory level. On the contrary, it may be all the more important to determine non injurious price at a level other than ex-factory level. For example, in Soda Ash, practically entire soda ash in the country is produced in Saurashtra region, while the supplies are made throughout the country. Being a product priced in the range of Rs.14000 -18000 PMT, the incidence of freight could be as high as Rs.8000-10000 PMT in the extreme Southern region in the Country. Thus, by determining non injurious price at ex-factory level, the law has caused a situation which will lead to extinction of domestic industry in southern/eastern regions. In fact, the industry is gradually heading towards becoming a regional industry, in effect the industry volume in the interim period in Eastern & Southern part of the country from a level of approximately 20 % (ie.3 Lac MT/ annum) of total domestic sale to less than half that volume. The balance market share has gone to imports.

It could certainly not have been the intent of the law to distort the industry in the country in such a significant manner and clearly shows introduction of rules without full appreciation of business realities. Significantly, the Designated Authority has been rejecting the claims of the domestic industries on this account without giving any reasons for such rejection.

(b) **Valuation of captive inputs:**

The Designated Authority was considering such captive inputs at market price after the orders of the Hon'ble Supreme Court in the matter of Reliance Industries Ltd. vs. Designated Authority. With the introduction of NIP law, there is no uniform practice. In some cases, the Designated Authority has considered captive input at cost, while in some cases, it has been considered at market price, and yet in some case, it has been considered as per records. In any case, in the larger interests of the Indian Industry, it would not be appropriate to consider the captive inputs at their costs. The rationality given by the Supreme Court may kindly be taken into account – (i) consideration of captive input at their costs would result in discrimination between backward integrated and non-integrated plants and would discourage industrialization in the Country, and (ii) anti-dumping investigations are product specific investigations and therefore should not be made company specific investigations.

India is not the only WTO member country practicing anti dumping. No other country in the world has considered it appropriate to bring this kind of law. It cannot certainly be the case that other countries are unconcerned about their consuming industries of the products attracting anti dumping duties.

(c) Presumption about utilization of inputs and production facilities:

Even when the Rules clearly provide that the Designated Authority shall segregate injury suffered by the domestic industry because of inefficient utilisation of inputs and production facilities, the Directorate has equated "*bonafide differences in consumptions and capacity utilisation*" with "*inefficient utilisation of the inputs and production facilities*". The Rules in this regard are attracted only if the Designated Authority comes to a conclusion that the domestic industry has inefficiently utilized the inputs and production facilities. However, the practice being followed by the Directorate is to presume that any increase in consumption is inefficient utilisation and any decline in capacity utilisation is inefficient utilisation of production facilities.

(d) Treatment of interest bearing credit purchase in determination of NIP:

Working capital is the amount of funds required by a business enterprise for running day to day operations. The working capital is determined by deducting current liabilities from current assets. The current liabilities so deducted are interest free funds/credits available to the business enterprises and to this extent, a business enterprise is not required to deploy funds (and incur a cost on such funds). It is for this reason that interest free funds/credits are treated as current liabilities and deducted from current assets in order to determine working capital. However, if current liabilities include interest bearing loans, the same is required to be excluded for determining working capital. In fact, the established practice of the Directorate is to exclude interest bearing loans included in current liabilities for determining working capital. Supplier's credit extended on raw materials purchases by the business enterprises is akin to short term loans availed by the companies from financial institutions. Instead of borrowing funds from banks (which attracts significantly higher interest cost), the companies prefer to avail maximum possible credit from international suppliers for the reason that these international suppliers are able to provide extended credit at much lower interest rates as compared to the interest rate payable to Banks in India. Thus, this interest bearing credits for raw material purchases are akin to short-term loans and in fact attracts interest cost.

In view of the above, in those situations, where a company has interest bearing credit purchases, such interest bearing creditors should be excluded from current liabilities on the lines of treatment given by the Directorate to short term interest bearing loans.

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ANNEXURE III
[See rule 17(1)]

Principles for determination of non-injurious price

(1) The designated authority is required under sub-rule (1) of rule 17 to recommend the amount of anti-dumping duty which, if levied, would remove the injury where applicable to the domestic industry.

(2) For the purpose of making recommendation under clause (1), the designated authority shall determine the fair selling (notional) price or non-injurious price of the like domestic product taking into account the principles specified herein under.

(3) The non-injurious price is required to be determined by considering the information or data relating to cost of production for the period of investigation in respect of all the producers constituting domestic industry. Detailed analysis or examination and reconciliation of the financial ~~**and cost**~~ records maintained by the constituents of the domestic industry are to be carried out for this purpose.

(4) The following elements of cost of production are required to be examined and considered for working out the non-injurious price, namely: —

i. The best utilisation of raw materials by the constituents of domestic industry, over the past three years period and the period of investigation, and at period of investigation rates may be considered to nullify injury, if any, caused to the domestic industry by inefficient utilisation of raw materials. There shall be no presumption that mere increase in consumption implies inefficient utilisation of raw materials.
ii. The best utilisation of utilities by the constituents of domestic industry, over the past three years period and period of investigation, and at period of investigation rates may be considered to nullify injury, if any, caused to the domestic industry by inefficient utilization of utilities. There shall be no presumption that mere increase in consumption implies inefficient utilisation of utilities.
iii. The best utilisation of production capacities, over the past three years period and period of investigation, and at period of investigation rates may be considered to nullify injury, if any, caused to the domestic industry by inefficient utilization of production capacities. There shall be no presumption that mere decline in capacity utilisation implies inefficient utilisation of utilities.

iv. The Designated Authority shall record a reasoned finding that the increase in consumption of raw materials & utilities or decline in capacity utilisation is due to inefficient utilisation of raw materials, utilities or capacities, as applicable.

v. The Propriety of all expenses, grouped and charged to the cost of production may be examined and any extra-ordinary or non-recurring expenses shall not be charged to the cost of production and salary and wages paid per employee and per month may also be reviewed and reconciled with the financial and cost records of the company.

vi. To ensure the reasonableness of amount of depreciation charged to cost of production, it may be examined that no charge has been made for facilities not deployed on the production of the subject goods, particularly in respect of multi-product companies and the depreciation of re-valued assets, if any, may be identified and excluded while arriving at reasonable cost of production.

vii. The expenses to the extent identified to the product are to be directly allocated and common expenses or overheads classified under factory, administrative and selling overheads may be apportioned on reasonable and scientific basis such as machine hours, vessel occupancy hours, direct labour hours, production quantity, sales value, etc., as applied consistently by domestic producers and the reasonableness and justification of various expenses claimed for the period of investigation may be examined and scrutinised by comparing with the corresponding amounts in the immediate preceding year.

viii. The expenses, which shall not to be considered while assessing non-injurious price include, —

a) research and development provisions (unless claimed and substantiated as related to the product specific research);

b) ~~since~~ the non-injurious price is required to be determined at the same ~~ex-factory~~ level at which the import price has been determined for the purpose of injury margin, ~~the post manufacturing expenses such as commission, discount, freight- outward etc. at ex-factory level;~~

c) excise duty, sales tax and other tax levies on sales shall be considered at the same level as of import price;

d) expenses on job work done for other units;

e) royalty, unless it is related to technical know-how for the product;

f) trading activity of product under consideration; or

g) other non-cost or abnormal items like ~~bad debts~~, donations, loss on sale of assets, loss due to fire, flood, etc.

ix. A reasonable return (pre-tax) on average capital employed for the product may be allowed for recovery of interest, corporate tax and profit. The average capital employed is the sum of "~~net~~ gross fixed assets and net working capital", which shall be taken on the basis of average of the same as on the beginning and at the end of period of investigation. For assessment of reasonable level of working capital requirement, all the elements of net working capital shall be scrutinised in detail. Any interest bearing liabilities shall not be reduced from net current assets. The impact of revaluation of fixed assets shall not be considered in the calculation of capital employed, unless the financial records kept by the company includes the same. Interest is allowed as an item of cost of sales and after deducting the interest, the balance amount of return is to be allowed as pre-tax profit to arrive at the non- injurious price.

x. Reasonableness of interest cost may be examined to ensure that no abnormal expenditure on account of interest has been incurred. Details of term loans, cash credit limits, short term loans, deposits and other borrowings taken by the company and interest paid thereon may be examined in detail along with the details of assets deployed.

xi. In case there is more than one domestic producer, the weighted averages of non-injurious price of individual domestic producers are to be considered. The respective share of domestic production of the subject goods may be taken as basis for computation of weighted average non-injurious price for the domestic industry as a whole.

Note:- The principal rules were notified vide Notification No. 2/95-Customs (N.T.) dated the 1st January, 1995, vide G.S.R.1 (E) dated 1st January, 1995 and was last amended vide Notification No.1/2002 – Customs (N.T.) dated the 4th January, 2002 vide G.S.R.11 (E) dated the 4th January, 2002.

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Minutes of the meeting held on 29.12.2015

(Reference Trade Notice No 1/2015)

A meeting was convened on 29.12.2015 at 10.30 am in the Conference Hall in DGAD to discuss the suggestions/comments received from various interested parties for amending provisions of Annexure III of Antidumping Rules, which details the methodology for determination of Non-injurious price. The meeting was chaired by AS&DA and attended by all the officers of DGAD. Consultant (GR) was also present in the meeting.

Various individual domestic producers and Associations had challenged the Annexure III to the Antidumping Rules in the Hon'ble High Court of Delhi. Subsequently, all the petitioners had forwarded their suggestions to amend the provisions contained in Annexure III and mentioned through a separate letter that they were prepared to withdraw the pending writ petitions filed by them in the Delhi High Court if their suggestions for amending Annexure III were agreed to by the Government.

Since the petitioners constituted a small proportion of the interested parties, a decision was taken to place the amendments suggested by the petitioners on the website of DGAD through Trade Notice no 1/2015 and seek views of other domestic producers and interested parties like exporters and importers who have also stake in NIP Rules. All the responses received from various stakeholders were discussed threadbare in the meeting and the following decisions were taken:-

Issue	Decision	Reasons
a) Treatment of freight from factory to Depot	Not agreed	To arrive at injury margin, NIP at ex-factory level is compared with landed value at first port of import. In terms of clause 4(vii)(b) of Annexure III, NIP is determined at ex-factory level and post manufacturing expenses like freight outward are not considered in the computation of NIP. Similarly, freight incurred by the importer in transferring the goods from the sea port to the premises/depot of the importer is not considered to arrive at the landed

		value. This is necessary to bring the importer and the domestic producer at par to determine the injury. Therefore, allowing the inland freight from factory to depot level would confer an undue benefit to the domestic producers not contemplated under ADD Rules. As such, the present practice is logical and in conformity with the spirit of ADD Rules.
b) Valuation of captive inputs	Not agreed	In terms of Clause (3) of Annexure III, NIP is required to be determined by considering the information or data relating to cost of production for the period of investigation in respect of the producers constituting domestic industry. Captive inputs are considered as reflected in the audited books of accounts viz. cost of production, market value etc. If domestic industry accounts for the captively produced inputs at cost of production, an additional return @ 22% on capital employed for assets utilized for producing such inputs is also allowed. In case, the company transfers the captively produced inputs at market value consistently and show it as such in the books of accounts, then such market value of captively produced inputs only is adopted for determination of NIP. Actual costs reflected in the books of accounts are real numbers and thus considering any other notional number would be devoid of merits and contrary to facts.
c) Presumption about utilization of inputs and production facilities	Agreed with modification. In place of suggested text "There	Clause 4(i), (ii) and (iii) stating that the best utilization of raw materials/utilities/production capacities aim at nullifying injury caused to the domestic industry by inefficient utilization of raw material, utilities, and production capacities. Domestic Industry contends

	shall be no presumption that mere increase in consumption.. ....” it will be modified as “There shall be rebuttable presumption that mere increase in consumption.. .....”	that the increase in consumption may not be necessarily due to inefficiencies and mere presumption may not be the correct approach. The Designated Authority has reviewed the text and considers that in case the domestic industry has cogent reasons to support their argument; they may submit the same for consideration of the Authority depending on merits of the case. Accordingly, the suggested text that “There shall be no presumption that mere increase in consumption implies inefficient utilization of raw materials/utilities/ production facilities” may be modified to “There shall be rebuttable presumption that mere increase in consumption implies inefficient utilization of raw materials/utilities/ production facilities”
d) Treatment of interest bearing credit purchase in determination of NIP	Not agreed	Since the Authority considers cost of raw materials as reflected in the audited books of accounts maintained by the domestic industry, such raw material cost also includes the incidence of extended credit cost and other incidental costs. Further, the exporter does not raise any separate invoice relating to the incidence of inbuilt credit cost. The borrowing rates also vary from company to company based on its credit rating and past records. Further, it would not be easy to segregate the incidence of supplier’s credit from the combined invoice of sales of raw material. Therefore, the present practice of dealing such extended suppliers’ credit as current liability is logical and does not suffer from any infirmity.
e) Other proposed amendments in	Some of the suggestions	Clause (3) – insertion of all is accepted. Deletion of cost is not agreed as costing records maintained by

the Text of Annexure III	made by the domestic industry agreed upon.	the company are the backbone of determination of cost of production. Clause (4)(i),(ii) and (iii)- Accepted with modification that no presumption replaced with rebuttable presumption. Clause (4)(iv): In view of above not accepted. Clause (4) (vii)(g): insertion of abnormal accepted.
f) Current practice on Return on Capital Employed @ 22%.	Not agreed	The return on capital employed is provided to service borrowed funds, corporate taxes and return on owner's capital. Therefore, domestic industry does not get whole of the return, rather only a portion out of 22% return considered in NIP, after serving interest on borrowed funds and discharging the corporate tax liability will be available to the domestic industry. Hence, the existing provisions do not warrant any change at this stage.

No. 8/3/2021-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: 01.06.2023

Trade Notice: 01/2023

Subject: Streamlining of the Safeguard Investigation – Issuance of New Application Proforma and Checklist relating to Safeguard Investigation (Original Investigation)- regarding.

Attention of the Trade and Industry is invited to Section 8B of the Customs Tariff Act, 1975 ("the Act"), Customs Tariff (Identification and Assessment of Safeguard Duties) Rules 1997 as amended from time to time which stipulates the requirements for filing of Safeguard Investigation (SG) applications for Original Investigation (OI) by the domestic industry. In this regard, find attached new application proforma and checklist for prima-facie scrutiny of applications in respect of Safeguard Investigation – Original Investigation Cases.

2. All such applications shall be submitted to the Authorized Officer at e-mail Id i.e **application-dgtr@gov.in** as per the Proforma enclosed along with soft copies of prescribed supporting documents. The application should be complete in all respects with documents as mentioned in the application proforma and checklist attached and as per the relevant trade notices/circulars issued by DGTR from time to time in this regard.

3. The Authorized Officer will do prima-facie scrutiny of the application with respect to completeness of documents as per the said checklist. Incomplete applications shall be returned for compliance of deficiencies. The Domestic Industry must rectify the deficiencies pointed out by DGTR within prescribed time from the date of receipt of such deficiency e-mail/letter from DGTR.

4. The above procedure will supersede all previous instructions or Trade Notices issued by the Directorate on the subject.

5. All the Trade Associations and Chambers of Commerce and Industry are requested to bring the contents of this trade notice to the notice of their members/constituents.

6. All Embassy /(ies) and Diplomatic Missions in New Delhi are requested to bring the contents of this Trade Notice to the notice of all concerned.

Encl: As above

(Anant Swarup)
Joint Secretary and Designated Authority

To:
All concerned

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE

Original Safeguard Investigations

APPLICATION PROFORMA

DIRECTORATE GENERAL OF TRADE REMEDIES

Website: https://www.dgtr.gov.in **Email:** dgtr-india@gov.in

Address:
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building, 5, Parliament Street,
Patel Chowk,
New Delhi-110001 India

GENERAL

Rule 5(2) of the Customs Tariff (Identification and Assessment of Safeguard Measures) Rules, 1997 (hereinafter referred to as "Safeguard Rules") requires an application for safeguard investigation to be in the form as specified by the Director General. Accordingly, the Director General herewith issues this application proforma in this regard prescribing the information to be provided in an application for safeguard investigation and the supporting documents required to be submitted therewith as per the annexure attached. The Trade Notice having been issued under the authority of the Rules, has the force of law. The applicants need to abide by the provisions contained in this Trade Notice.

2. Attention of the Trade and Industry is invited to Section 8B of the Customs Tariff Act of 1975 as amended from time to time and the Safeguard Rules as amended from time to time. In exercise of the powers conferred by sub-rule (1) of Rule 3 of the Safeguard Rules, the Central Govt. has appointed the undersigned as the Director General (Trade Remedies) or hereinafter referred to as "Authority", for the purpose of the said rules.

3. In accordance with the provisions of the Safeguard Rules, safeguard measure can be imposed on any product imported into the country, in such increased quantities, absolute or relative to domestic production, and under such conditions as to cause or threaten to cause serious injury to the domestic producers of like or directly competitive products, irrespective of the source of origin of the imported products.

4. The safeguard measures can be imposed for a short duration with the immediate intention of preventing or remedying serious injury to the domestic industry. Such a measure would, however, also require the industry to adjust itself to the new situation of the competition offered by the increased imports. A safeguard measure can be imposed only after the Director General arrives at a finding, after due investigation, that the increased imports of article concerned are causing or threatening to cause

serious injury to the domestic producers of like or directly competitive articles.

5. An application for initiation of a safeguard investigation can be made by any aggrieved producer/manufacturer, trade representative body, firm or institution, which is representative of domestic industry. This application should be in the prescribed format and should include, but not limited to, the information as detailed in Annex to this Trade Notice along with all supportive evidence/data/annexes.

6. The following further requirements need to be fulfilled by all parties concerned.

i. Information should be provided for adequately long and sufficiently recent period of four years (or longer) for which data is available.

ii. The details of the source of information must be provided along with copies of source document wherever practicable/applicable.

iii. Information provided on a confidential basis, on cause being shown, be treated as Confidential Information. Confidential Information should be provided separately and not mixed up with the non-confidential information. Each page of the confidential information should be clearly and distinctly marked as "Confidential" in bold letters both at the top right hand and bottom right-hand side of the page. Non-confidential version of confidential information must be provided by the supplier of the information in accordance with Trade Notice No. 10/2018 dated 07.09.2018 to the extent applicable. If the confidential information cannot be provided in a summarized or generalized form or non-confidential basis, such information may be disregarded unless it is demonstrated by the supplier of the information to the satisfaction of the investigating authority from appropriate sources that the information is correct.

iv. Applicant(s) shall submit the application with all supportive enclosures, data and annexes through the digital mode as prescribed from time to time in searchable pdf format alongwith the relevant

MS-word and MS-excel files.

v. If any application is found to be incomplete or deficient in any manner, it may be returned to the applicant(s) for necessary action.

vi. Documents which are not clearly legible and/or which are not authenticated by the submitter thereof, may be disregarded.

vii. Subject to the provisions of rules in this regard, on cause being shown, a party to the investigation may be considered as an interested party.

viii. Request received within 15 days of publication of a notice of initiation of investigation for inclusion of any party to the investigation as an interested party, may be considered by the Director General and a list of interested parties shall be established by the Director General at the earliest. Accordingly, a List of Interested parties shall be notified at DGTR Website.

ix. Information presented orally by any interested party in the oral hearing shall be considered by the Authority only when the same is submitted in writing by such party to the Director General within such period as allowed by the Director General in such oral hearing.

x. An English translation of any information provided in a language other than English or Hindi would need to be supplied simultaneously by the submitter of the information, failing which the information may be disregarded.

xi. All the Trade Associations and Chambers of Commerce and Industry are requested to bring the contents of this Trade Notice to the notice of their Members/ Constituents.

xii. The applications should be addressed to:

The Designated Authority
Directorate General of Trade Remedies (DGTR)
4th Floor, Jeevan Tara Building, 5, Parliament Street,
Patel Chowk,
New Delhi-110001 India

Annexure

PART 1

Information to be provided in an Application for Safeguard Investigation

Section 1: General Information

1. Date of Application
2. Applicant(s): Provide name(s) and address(es) of the applicant(s).
3. Complete details about identity
   i. Name & Address of the registered, marketing and head office and of PUC-Plant :
   ii. Contact Person, their email id & tel. No. / fax no.:
   iii. Corporate structure:
   iv. Commodities manufactured:
   v. Distribution and marketing system:
4. Domestic Producers of the like or directly competitive products on whose behalf the application is filed (Give details of all domestic producers who support the application).
5. Information on production accounted for by the domestic producers of the like or directly competitive products- in respect of all producers whether they support the application or not.
6. Background: Mention if any application for anti-dumping or countervailing duty or quantitative restriction investigation has been filed earlier by any entity(ies) on behalf of the domestic industry.

Section 2: Product in respect of which increase in imports alleged

7. Name of the product and description: Provide full description of the Product Under Consideration (PUC) including chemical

formula, grades/varieties, constituent materials/Components, Description of the product, including sizes, models or type etc.

8. Uses of the product: Whether different grades/off-specs can be used interchangeably. Details of industrial users/consumers of imported product.

9. Qualities and the characteristics of the product: Substitutability of the product giving details of perception of the consumer and the manufacturer and commercial channels.

10. Raw materials, utilities and other inputs used for the production of the PUC.

11. Process of production / manufacture: process of manufacture in brief, Complete flow chart with description to be given.

12. Tariff classification: Provide the classification of the product under the HS classification as well as Indian Customs Tariff Classification at 6/8/10 digit level.

13. Import Duty: Provide information relating to rates of import duty (basic customs duty) presently applicable on the import of the PUC. If the product enjoys any concessional or preferential treatment, provide details including the concessional rates applicable.

14. Country(ies) of Origin: Provide name(s) of country(ies) where the product has originated (where the country of origin is different than the country of export, the name of the country of origin should also be provided).

15. Provide a list of all known foreign producers, exporters, importers & users of the imported product, country-wise, together with names and addresses of concerned trade associations and user associations etc.

16. Information on major industrial users, organization of industrial users and representative consumer organisations (in case the product is commonly sold at retail level).

17. Export Price: Details of export price of the imported Product exporter/ country-wise and the basis thereof (provide the f.o.b. / c.i.f. price at which the goods enter into India).

18. Details of cost of production showing variable and fixed costs separately. The variable costs to include Raw Material, Chemicals and Consumables (Stores), Water, Power & Fuel charges, Direct labour etc. and the Fixed cost to include Salaries & indirect labour, Finance cost (Interest), Depreciation, Repairs & Maintenance, Administrative overheads etc.

Section 3: Increased Imports

19. Provide full and detailed information regarding the country wise imports of the said product in terms of quantity and value year wise for the last four years (or longer). in absolute terms as well as percentage of the total imports of the said product.

20. Provide full and detailed information on the share of the imported products and the share of the domestic production of the like product and the directly competitive products in the total domestic consumption for the last four years (or longer) both in terms of quantity and value.

21. Provide information on factors that may be attributing to increased imports.

Section 4: Domestic Production

22. Details of the like product and directly competitive products produced by the domestic producers i.e. Name, Description, Tariff classification both under the Central Excise Tariff as well as under the Customs Tariff and the relevant Details of domestic producers.

23. Names and addresses of all known domestic producers and concerned trade associations.

24. Details of total domestic production and details of production accounted for by each of the domestic producers.

25. Installed capacity and capacity utilization of each of the applicant(s), preferably with that of the other domestic producers.

Section 5: Injury or Threat of Injury

26. Impact of increased imports on Domestic Industry: Detailed information on how the increased imports are causing serious injury or threatening to cause serious injury to the domestic industry. This should, *inter alia*, include information on

    a. Sales Volume, total domestic consumption and how the market share of domestic Production affected:

    i. Details of production, sales and stocks for the last four years (month wise) both in terms of quantity and value for each product. (Please do not include imports, if any, made by you here).

    ii. Production line-wise details of plant and machinery installed. Expenses incurred in installing the same. Additions made during the last four years. Further investments committed with relevant documentary evidences.

    iii. Details of sales in the domestic market, both in terms of quantity and value. (Please do not include sale of imported material here). Give separately any quantities used captively for the last four years (month wise).

    iv. Information regarding sales prices. (For the last four years). Realizations from bulk and packed form of PUC separately.

    v. Information of rebates/discounts offered on domestic sales during the last four years month wise.

b. Installed capacity and capacity utilization for the last four years, variety wise, for each product variety.

c. Details of country wise export both in terms of quantity and value. (Please do not include any imported material, if re-exported, here), to whom exported and at what price. Please explain difference in export price vis-a-vis domestic price. Details of deemed exports, if any, may also be furnished.

d. Major raw materials used and their prices for the last four years. Also indicate their consumptions to the finished product. Effect of changes in prices of raw materials on cost of production and selling prices for the last four years.

e. Information on fair market price which you expect to receive and basis thereof i.e. cost of production, giving details of cost of raw materials, labor, overheads, etc. for the last four years. (Give details separately for fixed and variable costs at different capacity utilization).

f. Please give details of any subsidy including freight subsidy received by you - nature and amount - who gives the subsidy and why.

g. Price undercutting, price depression/suppression, prevention of rise in prices and price underselling. Information on costs of production and how the increased imports have affected the prices of domestic production needs to be provided.

h. Any significant idling of production facilities in the industry including data indicating plant closure or fall in normal production capacity utilization.

i. Loss of Employment: Details of persons employed and loss of employment, if any, during last four years.

j. Financial situation: Full information on the financial situation of the domestic industry including information on decline in sales, growing inventory, downward trend in production, profits, productivity or increasing unemployment needs to be provided. Information on profit and loss on sales for the last four years separately for each product variety wise. Copies of Balance Sheets, profit & loss account or other statements of accounts alongwith the relevant schedule/annexes for the last four years.

k. Please provide information in respect of circumstances that have helped the exporters in the international market in sending increased quantities to India.

l. Please provide details of the impact of reduction in import duties/ removal of import restrictions on the product for which protection is sought.

m. Please provide details of other circumstances that have contributed to the increase in imports.

27. Other Factors of Injury: Provide details of any other factors that may be attributing the injury caused to the domestic industry and an explanation that injury caused by these other factors is not attributed to injury caused by increased imports. (Information on injury caused due to dumping or subsidization, if any, needs to be specifically provided here).

Section 6: Causal Link:

28. Please provide an analysis of data presented above bringing out a nexus between the increased imports, either actual or relative to domestic production, and the injury or threat of injury caused to the domestic industry and the basis for a request for initiation of safeguards investigation under the Safeguard Rules.

Section 7: Information on Adjustment Plan

i. How do you think that the injury can be removed?

ii. Please specify the quantum and duration of safeguard measure that can help you in adjusting to the new situations of competition offered by increased imports.

iii. Please specify the safeguard measure sought including its progressive liberalization.

iv. Please specify the restructuring plan of your unit to adjust to the new situation of competition offered by the increased imports. What steps have been taken so far or planned for remedying the situation?

v. How can the further proposed restructuring plan be implemented?

vi. Please provide an estimate of year wise reduction in cost of Production (or quantum of other benefits - separately) that may be achieved as a result of readjustment.

vii. A non-confidential summary of your restructuring plan may be furnished. Unless the same is provided, the information provided on confidential basis may not be taken on record.

viii. Information on further plans of Capital Investment.

Section 6: Miscellaneous Information

29. Details of normal and abnormal shutdowns and reasons therefore during the last four years along with stock position during such shutdowns.

30. Details of orders placed by consumers which could not be executed or were considerably delayed during the last four years along with reasons thereof.

Section 7: Submission

31. A statement describing the measure requested including:

i. Nature and quantum of safeguard measure requested.

ii. Purpose of seeking the relief and how such objective will be achieved.

iii. Duration for which imposition of safeguard measure is requested and the reasons therefore.

iv. If a request is made for provisional safeguard measures, full and detailed information regarding existence of critical circumstances and how delay would cause damage including its estimated extent which would be difficult to repair.

v. If the safeguard measures are requested to be imposed for more than one year, details on efforts being taken and planned to be taken or both to make an adjustment to import competition with details of progressive liberalization adequate to facilitate adjustment of the industry.

Section 8: Annexes

32. All supporting information can be provided as annexes to the application. (The main information must be provided at the appropriate places. The details of the information can be provided in annexes along with the detailed index in the main application).

CHECKLIST FOR GLOBAL SAFEGAURD - ORIGINAL INVESTIGATION

Check list of information / documents /claims to be provided at the time of filing of Application / Petition by the Domestic Industry (DI) in respect of Original Investigation of Global Safeguard as per the Application proforma attached with this checklist:

S. No.	Particulars	Whether Provided (Yes / No / N.A.) If yes provide page No.	If No, Provide Reasons
1.	**Like Article or Directly Competitive Product**		
a)	Whether full description of the product under consideration, including chemical formula, grade constituents material/components, process of manufacture, uses and interchangeablity of various grades, tariff classification, any import duty thereon, list of known foreign producer/importer's/exporter's, information on major industrial user and its export price etc. have been provided.		
b)	Details background of the Applicant and the domestic like article manufactured. Details of past AD/CVD/Safeguard investigation on subject goods by DGTR and other WTO member countries, if any		
c)	Details (Volume, Value, Import Price, Re-sale Price and % of total imports) of purchase from Indian producers / self-imports of PUC, if any, made by each applicant		
2.	**Product Control Number (PCN)**		
a)	Whether PCNs required. If yes, whether the application has proposed PCNs with justifications & write-up on differences in their respective costs, prices, physical/technical characteristics, uses, etc.		
3.	**Period of Investigation (POI) and Injury Period**		
a)	Whether the proposed POI is recent i.e. not older than four months from the date of application		
b)	Whether the POI is a twelve-months' period and injury period covers three previous years. If POI is not 12 months, reason thereof.		
4.	**DI Standing**		
a)	The details of the production by the Applicant and information on the Total Indian Production of the PUC for the POI and Injury Investigation Period (IIP) along with the 'source data and/or calculation methodology'		
b)	If applicant is an association, then the requisite details of such association as per the instructions circulated vide F.No. 14/44/2016-DGAD dated Nil		
c)	Whether support letter has been filed.		
5.	**Transaction-wise import data**		
a)	Note on Unforeseen events which have led to sudden increase in imports		
b)	Transaction-wise import data in MS-excel from DGCI&S and the country-wise summary (Volume, Value, Rate) of such import data.		
c)	Methodology adopted for segregating import data into PUC & NPUC		
6.	**Injury Information and Causal Link**		
a)	Injury Information as relevant for Section 5 of the Application Proforma. The applicant may additionally use and provide IVA and IVB proforma applicable in ADD Cases, to the extent applicable for safeguard applications.		
b)	Landed Value of the PUC (PCN-wise, if applicable)		
c)	Information relating to Causal Link as contained in Part-V of the Application Proforma		
7.	**Information on Adjustment Plan**		

S. No.	Particulars	Whether Provided (Yes / No / N.A.) If yes provide page No.	If No, Provide Reasons
a)	Detail plan for removal of injury to the industry, specify the quantum and duration of safeguard duty that can help the industry in adjusting to the new situations of competition offered by increased imports.		
b)	Specify the restructuring plan of unit to adjust to the new situation of competition offered by the increased imports. What steps have been taken so far for enhancing the capacities and how can the further proposed restricting plan be implemented.		
c)	An estimate of year wise reduction in cost of production (or quantum of other benefit-separately) that may be achieved as a result of readjustment, if any		
8.	**Supporting Documents/ information**		
a)	Details/calculation of Total Demand in India of the PUC for the Injury Investigation Period (IIP)		
b)	Total Indian Production of applicant and basis for the estimation and standing of DI.		
c)	Installed Capacity of PUC with supporting documents like Pollution Control Board Certificate.		
d)	Statement of Total sales (separately for domestic /captive/exports) of the applicant and other Indian producer(s) along with total year wise demand in the country.		
e)	Statement of Economic parameters of DI and workings of Cost of production along with Excel files		
f)	Submissions and Workings in support of claimed injury/threat of injury.		
g)	Evidence in support of causal link		
h)	Statement of adjustment and period thereof		
i)	Evidence regarding unforeseen developments		
j)	Confirmation from the DI/consultants that the complete cost data for all the units of the domestic industry manufacturing or selling PUC has been furnished in the petition.		
k)	Audited financial Statements and Cost audit reports		
l)	Detailed Project Report (DPR) or Capex Report, if applicable		
m)	List of interested parties including Indian importers, foreign exporters and users		
n)	Statement of critical circumstances if provisional measures are requested		
9.	**Non-Confidential Version of the Application**		
a)	Whether Non-Confidential Version (NCV) of the application in soft copy in searchable PDF (including all formats as prescribed in the Application Proforma) has been provided.		

Notes (for clarifications):

1. If DGCI&S import data has not been attached/ relied upon by the applicant, the reasons for the same may be given. Further, the source of the transaction-wise import data used for the petition may be provided along with the following information which may be relevant for causal link as well:
    a. Import data summary of the countries which individually account for less than 3% of the imports of the like product, but which collectively account for more than 7% of the import of the like product.
    b. Import data summary of countries having import more than 3%, but not alleged to be subject country(ies) with reasons

2. If the authority to file the safeguard investigation petition or its related ancillary filings has been delegated by the Board/ Management of the applicant entity, then such Authorized Representative of the Company/Firm/entity may submit such certificate in Format-X, along with the submission of the document delegating such authority in the name of such authorized representative.

3. The Audited accounts must be furnished along with the application for initiation. In case the audited accounts are not available for the latest period then the Profit & Loss Account figures duly signed by the senior company officials should be submitted.

4. The Certificate for Installed Capacity from Government department like Pollution Control Board or Directorate of Industry, Ministry of Commerce and Industry is to be provided. However, if the company has not registered/submitted their capacity with any of the government agency as indicated above, a self-declaration from management may be provided for the same with an undertaking that "if at any later stage it is found that capacity evidence had been submitted to any government agencies before the submission of this application and if that capacity differs with the capacity claimed in the petition, the petition will be liable for rejection/ termination by the Designated Authority.

5. In case of new units, not having completed four years since the commencement of commercial production, the Detailed Project Report (DPR), Capex Report submitted to the management for approval of the new unit/plant or any other similar document submitted to any Government agency/ Financial Institution shall be provided. In case of such new units, the copy of the contract with the technology/ capital equipment supplier shall also be provided. In case such documents have not been executed by the company, a self-declaration to this effect may be made in Format-X.

6. The NCV petition must be prepared in accordance with Trade Notice No. 10/2018 dated 07.09.2018. Wherever any direction in the said trade notice is not followed, sufficient reasoning shall be provided in the NCV petition for claiming confidentiality as against the said trade notice. It may be noted that, as per Rule 7(3) of the Safeguard Rules if the designated authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information.

7. All PDF files submitted including the CV and NCV of the petition must be in searchable format.

8. The communication of the Allocation Order from DGTR to the applicant or its legal representative may be treated as deemed acknowledgment of the acceptance of the filed petition.

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4/3/2019-DGTR
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Trade Remedies
Jeevan Tara Building, 5 Parliament Street,

New Delhi Dated: 4th March, 2021

Trade Notice No. 01/2021

Subject: Temporary changes in the Trade Remedy investigation processes due to COVID-19 pandemic

Reference is invited to Trade Notice No. 01/2020 dated 10th April, 2020 further extended by Trade Notice No. 03/2020 dated 9th July, 2020 and Trade Notice No. 03/2020 dated 6th October, 2020 on the above subject.

In order to maintain caution and to follow the guidelines issued by Ministry of Health and Family Welfare to contain spread of covid-19 in offices, the validity of the aforesaid Trade Notice is hereby extended until further orders.

(Anant Swarup)
Joint Secretary and Designated Authority

4/3/2019-DGTR
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Trade Remedies
Jeevan Tara Building, 5 Parliament Street,

New Delhi Dated: 6th October, 2020

Trade Notice No. 05/2020

Subject: Temporary changes in the Trade Remedy investigation processes due to COVID-19 pandemic

Reference is invited to Trade Notice No. 01/2020 dated 10th April, 2020 further extended by Trade Notice No. 03/2020 dated 9th July, 2020 on the above subject. Since the restrictions imposed by different countries including India to tackle the COVID-19 pandemic continue, the validity of the aforesaid Trade Notice is hereby extended till 31st December, 2020 or until further orders whichever is earlier.

(B B Swain)
Special Secretary and Director General

4/3/2019-DGTR
Ministry of Commerce and Industry
Department of Commerce
Directorate General of Trade Remedies
Jeevan Tara Building, 5 Parliament Street, New Delhi

Dated: 9th July, 2020

Trade Notice: 03/2020

Subject: Temporary changes in the Trade Remedy investigation processes due to COVID-19 pandemic

Reference is invited to Trade Notice No. 01/2020 dated 10th April, 2020 on the above subject. Since the restrictions imposed by different countries, including India, to tackle the COVID-19 pandemic continue, the validity of the aforesaid Trade Notice is hereby extended till 30th September, 2020 or until further orders whichever is earlier.

(Bidyut Behari Swain)
Special Secretary and Director General

No. 4/3/2019-DGTR
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
Jeevan Tara Building, 5, Parliament Street, New Delhi -110001

Dated: 10th April 2020

<u>Trade Notice: 01/2020</u>

Subject: Temporary changes in the Trade Remedy investigation processes due to COVID-19 pandemic

1. The worldwide outbreak of COVID-19 and consequent restrictions imposed by different countries, including India, to tackle this pandemic, are having an adverse impact on the conduct of trade remedy investigations by DGTR. It has, therefore, become essential to make certain temporary changes in the investigation process to facilitate the interested parties to apply for and participate in the investigations as well as enable the officers of the DGTR to conduct the investigations.

2. The following procedural modifications are, therefore, prescribed for the trade remedy investigations as a temporary measure:

<u>New Investigations</u>

Filing of Applications

a) There shall be no necessity of filing of a hard copy (i.e. paper copy) of the application or any supporting document.

b) The applications may be signed, scanned and emailed with supporting documents to the email address ad11-dgtr@gov.in. It should be ensured that the narrative part of the application/document is in searchable PDF/MS Word format and data files are in MS Excel format.

<u>Ongoing Investigations</u>

Filing of Submissions/Documents:

c) Interested parties should file questionnaire responses, submissions and any other communication (both Confidential and Non-Confidential versions) by e-mail to the concerned team handling the investigation. It should be ensured that the narrative part of the submission/document is in searchable PDF/ MS Word format and data files are in MS Excel format.

Oral hearings/Consultations:

d) Oral hearings/consultations shall be held through video conferencing. The relevant details shall be communicated to the interested parties in the notice of the hearing/consultation.

e) Written submissions and rejoinders should be emailed to the concerned investigation team/other interested parties. It should be ensured that the narrative part of the submission/document is in searchable PDF/ MS Word format and data files are in MS Excel format.

Verification of information:

f) Since it would not be possible for the investigating teams to undertake on-site visit(s) to verify the information provided by interested parties, all parties should ensure provision of all supporting data/information in respect of the submissions made. In order to facilitate verification of data, interested parties should also furnish supplementary information, like back up documents in the form of (i) accounting and management records (ii) all worksheets (usually MS Excel files and/or other extractions from the company's databases) used for preparing data for the application/ questionnaire response (iii) explanation on how the worksheets were compiled and how to reconcile the figures and data in the worksheets with the figures and data submitted in the application/ questionnaire response.

Miscellaneous:

g) The Designated Authority may waive any other prescribed procedural requirement as may be deemed fit in the current circumstances.

3. This Trade Notice shall come into effect from the date of issue and shall be valid till 30th June 2020 or till further orders, whichever is earlier.

(Bhupinder S. Bhalla)
Additional Secretary & Designated Authority