



# ADHYATAN

*TPM Newsletter*

<i>Newsletter</i>	<i>2</i>	<i>3</i>
<i>Edition 1 of 2021</i>	<i>Key Highlights</i>	<i>Cover Story: Breaking the Barriers for MSME Sector</i>
<i>6</i>	<i>8</i>	<i>16</i>
<i>Insight: Dual Remedy: Indian Practice</i>	<i>Trade Remedies Updates</i>	<i>Other Trade Updates</i>



### **Several findings of DGTR not implemented by MOF**

*DGTR conducts trade remedial investigations and recommends imposition of anti-dumping, anti-subsidy and safeguard duties. These measures are imposed by the Ministry of Finance. In the recent few months, the Ministry of Finance has not accepted 16 recommendations issued by the DGTR.*

### **US DOC has created an Aluminium Import Monitoring and Analysis system**

*On 23<sup>rd</sup> December 2020, US Department of Commerce (DOC) announced the creation of the Aluminum Import Monitoring and Analysis (AIM) system, which will enable Commerce to collect and publish data on aluminum imports. The new program is expected to allow detection of potential transshipment and circumvention involving aluminum products. Under the new system, importers are required to obtain an import license in advance, before importing goods, effective from 25<sup>th</sup> January 2021.*

*The Commerce will release the data on an aggregate basis through the public AIM monitor, which will track aggregate trends and provide an early indication of trends.*

*The role of MSME sector in the growth of the Indian economy has been emphasized time and again. The sector has emerged as a key component for growth of the Indian economy with 6.3 crore MSMEs in India contributing nearly one third of the country's GDP and helping create significant employment opportunities. However, the MSME sector continues to face a number of challenges, with a key threat coming from competition with cheap unfair imports. Further, the sector is often not able to avail remedy in the form of trade remedial measures. Only 2 to 4% of the trade remedial investigations carried out in India involve the MSME sector. Some of the notable examples of trade remedial measures involving MSME sector include anti-dumping investigation against the imports of Fishing Nets from Bangladesh and China, and anti-dumping investigation against the imports of Silk Yarn and Silk Fabric from China.*

*One of the major reasons behind the inability of the MSME sector to seek protection under the laws is the simple lack of awareness about the law and the process. For this, the Government of India has been making laudable efforts in increasing awareness about trade remedy measures, including publishing advertisements in regional languages. However, there are various other procedural and substantive challenges, which make trade remedial measures inaccessible to the MSME sector. In order to allow the MSME sector to effectively avail the measures, there is a need to make the trade remedial investigations more flexible, particularly with regard to data collection.*

### **Requirement of standing and major proportion**

*The very first challenge which the MSME sector faces is the need to collect data from a very large number of producers. Under the Rules, producers accounting for a major proportion or major share in total Indian production, referred to as domestic industry, must provide data for the purpose of the investigation. In India, as a practice, the Authority considers that producers accounting for at least 25% of the total production must come forward to provide their data as domestic industry. In case of MSME sector, there may be hundreds of small-scale producers of a product, accounting for a very small share of production. In fact, it may be difficult to even estimate the number of producers or the total production in the country. Thus, it can become very difficult for the MSME sector to collect data for producers accounting for 25% of the total production.*

*To ease the challenge being faced by the industry, there is a need for adopting a more flexible approach and consider that the law does not specify the meaning of "a major proportion". In fact, there is nothing in the law or the Rules that prescribes that producers accounting for at least 25% of the domestic production*



---

*must provide their data as domestic industry. Rather, the law does not even require that the application be filed by domestic industry, and allows it to be filed on behalf of the domestic industry. The only requirement in the law is the application must have support of producers accounting for at least 25% of the domestic production. Therefore, to ease the burden on the MSME sector for data collection, one of the key steps that can be taken is that the domestic industry be defined with regard to a lower proportion of the total domestic production. This approach would be consistent with the findings of the Appellate Body in the case of EC – Fasteners (China), wherein the Appellate Body opined that considering constraints on collection of information in a fragmented industry, a lower proportion can be considered as major proportion.*

*Another key step that can be taken here is that of sampling of domestic producers. This is regularly being done by the European Commission in its investigations and they have considered data of producers accounting for as low as 7 to 10% in certain cases, such as in the case of Ceramic tableware and kitchenware from China PR or Ceramic tiles from China PR. In such cases, the European Commission considers the data of sampled producers for evaluation of microeconomic parameters such as cost, price, profitability, etc. but the data for the entire industry for macroeconomic parameters such as production, sales, capacity, market share, etc. In fact, this approach has been followed by the DGTR in some cases as well, such as in the anti-dumping investigation concerning imports of silk fabrics from China PR. Such an approach can significantly ease the burden of collection of data, while ensuring that the injury analysis also reflects the performance of the entire industry in terms of the macroeconomic parameters.*

### **Complexities in collection of data**

*The data requirements currently prescribed for purpose of investigations is quite elaborate and cannot be easily compiled by a producer in the MSME sector having limited records. A participating producer is not only required to provide quantitative information for the product, but must also compile detailed information with respect to costing of the product as well as information for captively produced raw material and utilities. In some cases, information may be needed for each product type produced and sold. Further, the information is sought for past 4 years. To allow respite to the MSME sector in this regard, the DGTR can accept data in shorter formats which will ease the complexities for MSME producers. Macro parameters such as production and sales can be taken from producers expressing support and for micro analysis, DGTR can consider sampling approach.*

---

### ***Suo motu initiation of investigation***

*The rules require an applicant to furnish most recent data which should not be older than six months before initiation. Therefore, there is sometimes a need for the industry to provide data on a quarterly basis to ensure that the timelines are met. MSME industry does not generally prepare records with such a frequency and therefore this is often a roadblock for them. Further, by the time the investigation is initiated, the period of investigation may have become stale, requiring the producers to compile data again. To this end, the DGTR can consider suo motu initiation of investigations, if it has been provided information that shows existence of dumping/subsidy and consequent injury to domestic industry, even without a domestic producer participating before initiation.*

### ***Issues in the computation of non-injurious price***

*A proper determination of the non-injurious price requires significant information and documents to be provided, not only at the product level, but also for each product type. Further, the DGTR considers best utilization of capacity, raw material and utilities over the injury period in the computation of non-injurious price, treating any deterioration in utilization as “inefficiency” of the domestic industry. Often it is found that the non-injurious price calculated is lower than the cost of sales of the industry, due to inability of the producer to provide complete information regarding changes in product mix, plant cycles, fixed and variable expenses, etc. Even the larger producers often struggle with the information required in this regard. The MSME producers, however, find it much more difficult to provide the necessary information in this regard, as the records maintained are not sufficiently detailed. Thus, there is a need for a more liberal approach in cases dealing with MSME sector. For this, the DGTR can use its discretion, allowed under the law, and consider that any fluctuations in utilization of raw materials, utilities and capacities are not inefficiencies on the part of the producer, and therefore, no adjustment or reduction in cost should be done on that account.*

*The complexities as highlighted above in an investigation process often act as a deterrent in active participation of MSME sector in seeking imposition of trade protection measures. However, while the path for a successful conclusion of trade investigations may be difficult, yet with the proper support, MSME industry can certainly avail redressal of their injuries caused by unfair imports.*



*Dual remedy or double remedy may arise out of simultaneous imposition of anti-dumping or countervailing duty on the same imported products, which results, at least to some extent, in offsetting of the same situation twice.<sup>1</sup> Article VI:5 of General Agreement on Tariffs and Trade (“GATT”) and Section 9B(a) of the Customs Tariff Act, 1975 in India bar simultaneous imposition of anti-dumping and countervailing duties to compensate for the same situation of dumping or export subsidization. It, therefore, follows that if any product is subjected to both anti-dumping and anti-subsidy investigation, due care must be exercised to ensure that duties do not lead to double remedy.*

*For instance, an exporter X has received subsidies of Rs. 25 per unit, of which domestic subsidies account for Rs. 15 per unit, and the remaining are export subsidies, such as duty drawback and export incentive schemes. Therefore, countervailing duty may be imposed to the extent of Rs. 25 per unit. Further, assuming that the exporter is found to have a dumping margin of Rs. 30 per unit. However, the export subsidies received by the exporter allow the exporter to quote a lower price for its product, thereby reducing the export price and increasing the dumping margin, determined as the difference between normal value and export price. Resultantly, the export subsidies are accounted for in both the subsidy margin and the dumping margin. If the amount of export subsidies is not adjusted while calculating dumping margin, it would result in simultaneous imposition of anti-dumping and countervailing duties to offset the same situation of dumping and export subsidization to the extent of Rs. 10 per unit. Therefore, the total duties levied shall not exceed Rs. 45 per unit [Rs 30 per unit as anti-dumping duty and Rs. 15 per unit as countervailing duties (only to the extent of domestic subsidies)], to ensure compliance with the aforesaid provisions of Article VI:5 of the GATT.*

*Such a practice has been followed in the recent findings of the Designated Authority dated 29<sup>th</sup> December 2020 in the anti-subsidy investigation into imports of clear float glass from Malaysia. Since the imports of the product from Malaysia were already subject to anti-dumping duties, the Authority excluded export subsidies from the margins considered. Further, since India follows the lesser duty rule, the Authority also compared the dumping margin and subsidy margin, excluding export subsidies, with the injury margin to ensure that the total levy does not exceed the injury margin. Similar approach has been followed by the Authority in the final findings dated 30<sup>th</sup> December 2020 in anti-subsidy investigation into imports of Styrene Butadine Rubber from Korea RP.*

<sup>1</sup> Appellate Body in United States – Definitive Anti-Dumping and Countervailing Duties on Certain Products from China [WT/DS379/AB/R] – Para 541

### ***Dual remedy in a non-market economy***

*While the adjustment of export subsidies ensures that no dual remedy is provided in case of market economies, the situation may be different in case of non-market economies such as China. This is because in case of non-market economies, the cost and domestic selling price of the producers and exporters operating therein is not considered for the purpose of determination of normal value, and the costs and prices in surrogate country is considered for the same. The rationale behind the use of such methodology is that prices and costs of production in the country are distorted as a result of government intervention in the economy and therefore do not reflect market economy conditions.*

*It, therefore, follows that the dumping margin calculated for non-market economies such as China addresses not only price discrimination by the investigated producer between the domestic and export markets, but also the economic distortions that affect the producer's costs of production<sup>2</sup>. Since normal value for non-market economies is determined on the basis of surrogate country, the effect of the domestic subsidies provided by the government are already addressed. Therefore, the dumping margin in such countries covers not only unfair pricing behavior of exporter, but also the effect of domestic and export subsidies received. If such subsidies are covered again in an anti-subsidy investigation, it gives rise to dual remedy.*

### ***Indian practice with regard to dual remedy***

*In India, there have been cases of simultaneous imposition of anti-dumping and countervailing duty on the same imported product. For instance, the imports of Hot Rolled and Cold Rolled Stainless Steel Flat Products from China attract both anti-dumping duty and countervailing duty. However, in order to ensure that there is no dual remedy, the Designated Authority recommended that while the entire quantum of anti-dumping duty would be imposed, the countervailing duty levied would be the difference of the countervailing duty determined in the anti-subsidy investigation and the anti-dumping duty payable, if any. The decision was upheld by the Tribunal<sup>3</sup> and has been subsequently affirmed by the Hon'ble Supreme Court<sup>4</sup>.*

*Therefore, insofar as the practice in India is considered, it is settled that while anti-dumping and countervailing duty may be simultaneously imposed, the quantum of one shall offset the other, and in total, only the higher of the two shall be collected.*

<sup>2</sup> Panel in United States – Definitive Anti-Dumping and Countervailing Duties on Certain Products from China [WT/DS379/R] – Para 14.69

<sup>3</sup> Suncity Sheets Pvt. Ltd. vs. Union of India [Final Order No. 51101/2018]

<sup>4</sup> Suncity Sheets Pvt. Ltd. vs. Union of India [Civil Appeal No(s). 912 6 OF 2018]

## Trade remedial actions in India

### Initiation of investigations

- *Anti-dumping investigation concerning imports of Caustic Soda from Japan, Iran, Qatar and Oman. (17 Dec)*
- *Countervailing duty investigation concerning imports of Aluminum Primary Foundry Alloy Ingot from Malaysia. (24 Dec)*
- *Sunset review investigation concerning imports of Phenol from European Union and Singapore. (31 Dec)*

### Mid term reviews concluded

- *Final findings in mid-term review investigation concerning imports of Polytetrafluoroethylene (PTFE) from Russia recommending to modify the amount of existing anti-dumping duty. (18 Dec.)*

### Duties recommended

- *Final findings recommending imposition of countervailing duty on imports of Textured Tempered Glass from Malaysia. (11 Dec)*
- *Final findings recommending continuation of anti-dumping duty on imports of Carbon Black used in rubber applications from China PR and Russia. (22 Dec)*
- *Final findings recommending continuation of anti-dumping duty on imports of Phenol from South Africa. (22 Dec)*
- *Final findings recommending imposition of anti-dumping duty on imports of Faced Glasswool in Rolls from China PR. (22 Dec)*
- *Final findings recommending imposition of anti-dumping duty on imports of Flat Rolled Products of Stainless Steel from China PR, Korea RP, European Union, Japan, Taiwan, Indonesia and Malaysia. (23 Dec)*
- *Final findings recommending imposition of anti-dumping duty on Steering Knuckles and continuation of anti-dumping duty on imports of Front Axle Beam from China PR for 30 months. (24 Dec)*
- *Final findings recommending imposition of anti-dumping duty on imports of Polyethylene Terephthalate from China PR. (28 Dec.)*

### **Duties recommended (Contd.)**

- *Findings issued confirming the final findings in anti-circumvention investigation concerning imports of Cold Rolled Flat Products of Stainless Steel from China PR, Korea, European Union, South Africa, Taiwan, Thailand and USA. (28 Dec)*
- *Final findings recommending imposition of countervailing duty on imports of Clear Float Glass from Malaysia. (29 Dec.)*
- *Final findings recommending imposition of anti-dumping duty on imports of Viscose Spun Yarn from China PR, Indonesia and Vietnam. (30 Dec)*
- *Final findings recommending imposition of countervailing duty on imports of Styrene Butadiene Rubber from Korea RP. (30 Dec)*

### **Customs Notifications**

- *Extension of anti-dumping duty on imports of Methylene Chloride from China PR till 31<sup>st</sup> January 2021. (1 Dec)*
- *Imposition of interim anti-dumping duty on imports of Toluene Di-Isocyanate having isomer content in the ratio of 80:20 from EU, Saudi Arabia, Chinese Taipei and UAE. (2 Dec)*
- *Extension of anti-dumping duty on imports of Cold Rolled Flat Products of Stainless Steel of width 600 mm to 1250 mm and above 1250 mm of non bonafide usage from China PR, Korea RP, EU, South Africa, Taiwan, Thailand and USA till 31<sup>st</sup> January 2021. (3 Dec)*
- *Further extension of anti-dumping duty on imports of Float Glass of thickness 2 mm to 12 mm from China PR till 6<sup>th</sup> February 2021. (7 Dec)*
- *Change in the scope of PUC on imports of Dimethylacetamide from China PR and Turkey to exclude Dimethylacetamide when meant for consumption in spandex yarn manufacturing. (15 Dec.)*
- *Imposition of bilateral safeguard measures in the form of increase of customs duty on imports of Phthalic Anhydride from Korea RP. (18 Dec)*

**Duties recommended but not imposed**

*The following duties were recommended by the DGTR but not imposed by the Central Government*

- *Provisional anti-dumping duty on imports of Dimethylformamide (DMF) from China PR and Saudi Arabia.*
- *Provisional anti-dumping duty on imports of Soda Ash from Turkey and USA*
- *Anti-dumping duty on imports of Acrylic Fibre from Belarus, European Union, Peru and Ukraine.*
- *Continuation of anti-dumping duty on imports of Acrylonitrile Butadiene Rubber from Korea RP*
- *Continuation of anti-dumping duty on imports of Caustic Soda from China PR and Korea RP*
- *Anti-dumping duty on imports of Choline Chloride in all forms from China PR, Malaysia and Vietnam.*
- *Continuation of anti-dumping duty on imports of Carbon Black from China PR and Russia.*

**Revocation of duties**

- *The Central Government decided to revoke the anti-dumping duty on imports of Nylon Tyre Cord Fabric (NTCF) from China PR .(3 Dec)*
- *The Central Government decided to revoke the anti-dumping duty on imports of Fully Drawn Yarn from China PR and Thailand. (30 Dec)*

Ongoing anti-dumping investigations  
**52**

Ongoing anti-subsidy investigations  
**6**

Ongoing safeguard investigations  
**2**

Findings issued  
**12**

Investigations initiated  
**3**

## Trade Remedial Actions against India

### Argentina

#### ***Imposition of provisional anti-dumping duty on imports of Meters of Tape of the types used for anatomical measurements. (1 Dec)***

*Argentinian Ministry has decided to impose provisional anti-dumping duty on imports of Meters of Tape imported from India. The investigation was initiated on 28<sup>th</sup> February 2020 on an application filed by Mediciones Evel SA.*

### Canada

#### ***Initiation of anti-dumping and countervailing duty investigation on imports of Grinding Media. (17 Dec)***

*CBSA has initiated anti-dumping and countervailing duty investigation concerning imports of Certain Grinding Media from India. The investigation has been initiated against 15 subsidy programs in India.*

### United States of America

#### ***USITC determines that the US Industry suffered injury due to dumped and subsidized imports of Utility Scale Wind Towers from India, Malaysia and Spain (1 Dec)***

*The USITC determined that imports of Utility Scale Wind Towers from India, Malaysia and Spain have materially injured the domestic industry in US. The DOC will continue its anti-dumping and countervailing investigation concerning imports of Utility Scale Wind Towers.*

#### ***Affirmative final determination regarding anti-dumping and countervailing duty investigation on Forged Steel Fluid End Blocks. (8 Dec)***

*DOC has issued affirmative final determinations concerning countervailing duty investigation from India. DOC also announced a negative determination in the anti-dumping investigation on Fluid End Blocks from India. DOC determined that exporters from India received countervailable subsidies at a margin of 5.20%.*

### Vietnam

#### ***Initiation of anti-dumping investigation on imports of Sorbitol Products from China, India and Indonesia. (11 Dec)***

*The Ministry of Industry and Trade has initiated anti-dumping investigation on imports of Sorbitol Products from China, India and Indonesia. The subject goods fall under the HS Codes 29054400 and 38246000.*

### ***Other Trade Remedial Actions***

#### **Argentina**

- *Termination of anti-dumping investigation into imports of Electric Ovens from China PR (9 Dec)*
- *Initiation of sunset review investigation into imports of Footwear from China PR. (15 Dec)*

#### **Australia**

- *Initiation of continuation inquiry of anti-dumping duty on imports of Chrome-Plated Steel Bar from Romania. (2 Dec)*
- *Preliminary affirmative determination issued for dumping of Mill Finish and Surface Finish Aluminium Extrusions from Malaysia. (9 Dec)*
- *Imposition of anti-dumping duty on imports of Resealable Can End Closures from Malaysia (10 Dec)*
- *Initiation of continuation inquiry of anti-dumping duty on imports of Grinding Balls from China. (14 Dec)*
- *Imposition of anti-dumping duty on imports of Steel Reinforcing Bars from China. (23 Dec)*
- *Imposition of anti-dumping duty on imports of Steel Rod in Coil from China. (23 Dec)*

### Canada

- *Initiation of anti-dumping investigation on imports of Concrete Reinforcing Bar from Oman and Russia. (4 Dec)*
- *Initiation of anti-dumping and countervailing investigation on imports of Upholstered Domestic Seating from China and Vietnam. (21 Dec)*
- *Conclusion of normal value review to update normal value applicable to imports of Oil Country Tubular Goods from USA by Conestoga Supply Corporation. (22 Dec)*
- *Conclusion of normal value and export price review to update normal value and export price applicable to imports of Carbon and Alloy Steel Line Pipe from Korea by SeAH Steel Corporation. (23 Dec)*
- *Preliminary determination of dumping of Wheat Gluten from Australia, Austria, Belgium, France, Germany and Lithuania. (23 Dec)*

### European Union

- *Initiation of anti-subsidy investigation on imports of Aluminium Converter Foil from China. (4 Dec)*
- *Extension of anti-dumping duty imposed on imports of Corrosion Resistant Steels from China to imports of slightly modified Corrosion Resistant Steels. (7 Dec)*
- *Amendment of regulation imposing definitive safeguard measures against imports of Steel Products to include United Kingdom. (11 Dec)*
- *Continuation of anti-dumping duty on imports of Ammonium Nitrate from Russia. (16 Dec)*
- *Initiation of review of countervailing and anti-dumping duty on imports of Biodiesel consigned from Canada to determine possibility of granting exemption and repealing anti-dumping duty for one Canadian exporting producer. (16 Dec)*
- *Initiation of expiry review of anti-dumping measures on imports of Aluminium Foil from China. (17 Dec)*
- *Initiation of anti-dumping investigation on imports of Iron or Steel Fasteners from China. (21 Dec)*
- *Initiation of anti-subsidy investigation on imports of Optical Fibre Cables from China. (21 Dec)*

**European Union (Contd.)**

- *Initiation of anti-circumvention investigation of anti-dumping measures on imports of Aluminium Foil originating in China and exported from Thailand. (21 Dec)*

**Gulf Cooperation Council**

- *Preliminary determination issued for dumping of Aluminum Alloy Products from China. (9 Dec)*

**Malaysia**

- *Imposition of anti-dumping duty on imports of Flat Rolled Product of Non-alloy Steel Plated or Coated with Aluminium and Zinc from China, Korea and Vietnam. (23 Dec)*
- *Imposition of provisional anti-dumping duty on imports of Cold Rolled Stainless Steel in Coils, Sheets or any other form from Indonesia and Vietnam. (28 Dec)*
- *Imposition of provisional anti-dumping duty on imports of Polyethylene Terephthalate with intrinsic viscosity of 0.70 decilitres/gram or more from China, Indonesia, Japan, Korea, United States of America and Vietnam. (28 Dec)*

**United States of America**

- *DOC issued affirmative preliminary determination in anti-dumping investigation on Certain Twist Ties from China. (4 Dec)*
- *USITC issued affirmative final determination for continuation of anti-dumping duty on imports of Citric Acid and Certain Citrate Salts from China (4 Dec)*
- *DOC issued affirmative final determination in anti-dumping investigation on imports of 4th Tier Cigarettes from Korea. (7 Dec)*
- *DOC issued affirmative preliminary determination in countervailing duty investigations of Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Russia and Korea. (8 Dec)*
- *DOC issued affirmative preliminary determination in countervailing duty investigation of Metal Lockers and parts thereof from China. (8 Dec)*

### United States of America (Contd.)

- *DOC issued affirmative final determination in the anti-dumping duty investigation on Forged Steel Fluid End Blocks from Germany and Italy, and affirmative final determinations in countervailing duty investigation from China, Germany, and Italy. (8 Dec)*
- *DOC issued affirmative final determination in the anti-dumping investigation on Prestressed Concrete Steel Wire Strand from Turkey, Argentina, Colombia, Egypt, Netherlands, Saudi Arabia, Taiwan, and United Arab Emirates, as well as affirmative final determination in the countervailing duty investigation from Turkey. (8 Dec)*
- *DOC issued affirmative preliminary determinations in the anti-dumping duty investigation of Silicon Metal from Bosnia and Herzegovina and Iceland. (8 Dec)*
- *USITC determined that the US industry has been materially injured by the imports of Polyester Textured Yarn from Indonesia, Malaysia, Thailand and Vietnam. (11 Dec)*
- *DOC issued affirmative preliminary determination in the anti-dumping investigation of Seamless Carbon and Alloy Steel Standard, Line, And Pressure Pipe from Czech Republic. (16 Dec)*
- *DOC issued affirmative preliminary determination in the anti-dumping investigation of Walk-behind Lawn Mowers and parts thereof from China and Vietnam. (23 Dec)*

### Vietnam

- *Initiation of review of anti-dumping duty on imports of Flat-Rolled and Painted Flat-Rolled and Non-Alloy Steel Products from China. (18 Dec)*
- *Imposition of anti-dumping duties on imports of Cold Rolled Steel Products (cold pressed) in rolls or sheets from China. (22 Dec)*

## Foreign Trade Policy

### ***Amendment regarding procedure for import of Tariff Rate Quota (16 Dec)***

*Para 2.60 of the Handbook of Procedures has been amended to provide that imports under Tariff Rate Quota scheme shall be governed as per Customs Notification No. 28/2020 – Customs dated 23.06.2020. The said notification is applicable to milk and cream, maize (other than seed quality), crude sunflower seed and oil, refined rape, colza or mustard oil.*

### ***Coal imports put under “Restricted” category (22 Dec)***

*Import policy pertaining to coal changed to “Restricted” and is subject to Coal Import Monitoring System. Importers are required to submit advance information in an online system for import and obtain an automatic registration number, not earlier than 60<sup>th</sup> day but not later than 15<sup>th</sup> day*

### ***ITC HS of certain products modified (22 Dec)***

*The ITC HS has been modified to include the following*

- *8414 51 50 – wall fans*
- *8529 90 30 – open cell for television set*
- *8541 40 11 – solar cells, not assembled*
- *8541 40 12 – solar cells, assembled in modules or made up into Panels*

### ***Amendment regarding new IEC after any change in PAN of entity pursuant to merger or acquisition (24 Dec)***

*Para 2.14 of the Handbook of Procedures has been modified to provide that in case of change in constitution of a PAN based IEC by way of merger, acquisition, liquidation, inheritance, etc. such that PAN of the new entity so formed is different from the earlier one, an IEC can be availed against the new PAN, and the earlier IECs and new IEC can be operationally linked.*

## ***Free Trade Agreements***

### ***India-UK FTA***

*India and UK are looking to take steps towards FTA. The two countries might plan Early Harvest Scheme Trade deal in 2021.*

### ***India-EU FTA***

*India-EU FTA talks struck down due to trade block's reluctance*

## ***Bureau of Indian Standards***

### ***Extension in Effective Date of Implementation***

- *Phthalic Anhydride, Ethylene Glycol, Ether, Toulene, n- Butyl Acrylate, Terephthalic Acid – new effective date 23 Jun 2021*
- *Gamma Picoline, Hydrogen Peroxide, Beta Picoline, Pyridine, Sodium Tripolyphosphate – new effective date 13 Jun 2021*

***Non-Tariff BIS  
Notifications In India***

***1***

***Non-Tariff WTO  
Notifications by Others***

***250***

## About Us

*TPM was founded in 1999 at a time when the practice of trade remedies in India was in its infancy and there were only a handful of firms in the field. While other firms added these services to their existing portfolios, TPM dealt exclusively in cases in the domain of trade remedies.*

*TPM began its journey with a staff of merely 2 professionals. Today, it has a team of more than 40 professionals including Cost Accountants, Chartered Accountants, Company Secretaries, Lawyers, Engineers and MBAs.*

*From the beginning, TPM was focused on providing consultancy in the field of trade remedies. TPM helps domestic producers suffering due to cheap and unfair imports into India to avail the necessary protection under the umbrella of the WTO Agreements. TPM has also assisted the domestic producers in other countries to avail similar measures in their respective countries. Besides assisting domestic producers in India and other countries, TPM also assists exporters and importers facing trade remedial investigations in India or other countries. TPM has assisted Indian exporters facing investigations in a number of jurisdictions such as Argentina, Brazil, Canada, Egypt, European Union, GCC, Indonesia, Korea RP, Turkey and USA.*

*TPM has an enviable experience in the field, of more than 700 cases. Its unique experience in the field sets it apart from other firms. While the firm is primarily dedicated to trade remedies, it also provides services in the field of trade policy, non-tariff barriers, competition law, trade compliance, indirect taxation, trade monitoring and analysis. It also represents industries before the Government in matters involving customs policy.*

### **TPM Consultants**

**Ish Kriti, J-209, Saket, New Delhi – 17**



[011 – 4989 2200](tel:011-49892200)



[info@tpm.in](mailto:info@tpm.in)



[www.tpm.in](http://www.tpm.in)



[TPM Solicitors  
& Consultants](#)

Disclaimer: The information contained in this document is intended for informational purposes only and does not constitute legal opinion or advice. This document is not intended to address the circumstances of any particular individual or corporate body. Readers should not act on the information provided herein without appropriate professional advice after a thorough examination of the facts and circumstances of a particular situation. There can be no assurance that the judicial/quasi judicial authorities may not take a position contrary to the views mentioned herein. Unless stated otherwise, TPM does not grant the copyright for the information provided. All pictures copyright to their respective owner(s). TPM does not claim ownership of any of the pictures displayed in the document unless stated otherwise.