



ADHYATAN

TPM Newsletter

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The Month in Flashback

Trade Remedial Measures in India

Number of investigations initiated	1
Number of findings issued	.....	1
Duties imposed or continued	.....	0
Duties recommended but not imposed	.....	1
Ongoing anti-dumping investigations	.....	16
Ongoing anti-subsidy investigations	.....	4
Ongoing safeguard investigations	.....	0

Non-Tariff Barriers

Number of non-tariff notifications by India	.....	3
Number of non-tariff notifications by others	.....	214

Key Highlights

India

Proposal under consideration for an inter-ministerial panel to expediate negotiations on trade agreements (01 Jul)

The Government of India is considering a proposal to set up an inter-ministerial panel for expediting negotiations of trade agreements. The objective of the panel would be to allow better coordination between different ministries and reconcile any differences between them on crucial and sensitive issues, to reduce delay in negotiations. The panel may be crucial for India at a time when India is considering trade agreements with some of the major economies including European Union, United Kingdom, Canada, members of GCC and Australia, and reviewing its existing FTAs with ASEAN, Japan and South Korea.

New Foreign Trade Policy to be released in September 2022 (01 Jul)

The Directorate General of Foreign Trade (DGFT) is working to release the new Foreign Trade Policy (FTP) by September 2022. The current FTP 2015-20, which was extended due to COVID-19 outbreak, will be in effect till such time. The DGFT is also going to include a new scheme, *District as Export Hubs Scheme* in this policy. The aim of this scheme is to identify 50 districts (out of 750) with high export potential. However, states and districts will have to compete with one another to be selected for this scheme through 'challenge route' that the Government will issue soon.

WTO

WTO arbitration award in favour of European Union against localization measures on pharmaceutical products in Turkey (25 Jul)

European Union brought a case against Turkey for localization measures on pharmaceutical products. The measures in Turkey required the foreign producers to commit to localize their production of certain pharmaceutical products in Turkey. If such commitments were not made, the pharmaceutical products concerned were excluded from the scheme of reimbursement of the pharmaceutical products sold by pharmacies to patients operated under the social security system of Turkey. European Union contended that this is incompatible with WTO commitments of Turkey. The Panel held that Turkey cannot priorities reimbursement reviews and marketing applications of domestic producers over foreign ones. Pursuant to the WTO arbitration award, Turkey must remove its localization and prioritization measures.

Global

Tariff rate quota imposed on imports of certain Steel Products from India

The United Kingdom initiated a review of the applicable Safeguard Measures in form of Tariff Rate Quota on imports of certain Steel Products falling under Chapter Headings 72 and 73. India was previously exempt from the measures due to its status as a developing country. However, due to increase in volume of imports from India, the measures have been extended to India. These measures are applicable on imports of Non-Alloy and Other Alloy Hot-Rolled Sheets and Strips, Non-alloy and Other Alloy Cold-Rolled Sheets, Metallic Coated Sheets, Organic Coated Sheets, Rebars, Angles, Shapes, and Sections of Iron or Non-Alloy Steel and Gas Pipes.

India-Korea CEPA: How has the country fared?

Brief

- **India-Korea CEPA was signed between India and South Korea in 2009 and came into force with effect from 1st January 2010 in order to liberalise and facilitate trade in goods and services, expand investments and strengthen economic relations between India and South Korea.**
- **The Indian trade deficit of USD 4 Billion at the time of signing the Agreement has increased to more than USD 9 Billion.**
- **India has initiated 75 trade remedial measures against imports from South Korea post signing of the Agreement.**
- **While the Agreement provides for Rules of Origin, it has been found in some cases that products were imported at concessional duties, without meeting such Rules.**
- **Bilateral safeguard measures can be invoked only during the transition period.**
- **There have been instances where tariff concessions have led to an inverted duty structure. While the Indian producers import raw material on payment of duties, they are forced to compete with duty free imports.**
- **India-Korea CEPA is presently being re-negotiated and the Government has sought inputs from the industry. In particular, there is a need for correction of inverted duty structure, revision of offer lists, amendment of provisions of transition period and introduction of auto trigger provisions.**

Comprehensive Economic Partnership Agreement (CEPA) was signed between India and South Korea in August 2009, which marked a new era of greater economic exchanges, cooperation and beneficiation between the two countries. After over 12 rounds of negotiations that spanned over 3 years, it came into effect from 1st January 2010. The objective of this Agreement was to liberalise and facilitate trade in goods and services, expand investment between the two countries and establish a cooperative framework for strengthening the economic relations among the them. Both countries agreed to facilitate their import export process of goods traded under the Agreement.

India and South Korea agreed to reduce or eliminate customs duties for a large number of products. India and South Korea jointly agreed on 100% tariff reduction of custom duties for goods like journals, newspapers, glass chimneys, pressure vessels, boilers, nuclear reactors, typewriters, all computer appliances, and crude oil. The goods which had been considered for tariff reduction up to 50% were agricultural goods such as spinach, chicken, beans, guava, mango, green tea, black tea, and coffee beans.

- **Impact of Agreement on bilateral trade**

India had a trade deficit of around USD 4 billion with South Korea at the time of signing of the Agreement. This has now increased to more than USD 9 billion. While some of these imports might be essential products, due to insufficient production capacities in the country; there has been a significant increase in non-essential imports as well. Further, imports from South Korea have also substituted the imports from other countries in a number of products. In some products, the domestic industry approached DGTR for imposition of bilateral safeguard measures, such as on imports for Phthalic Anhydride and Polybutadiene Rubber, while the domestic industry sought anti-dumping or anti-subsidy duty in case of some products.

- **Major areas of impact**

Analysis of top products traded between India and South Korea shows that while South Korean industry gained reasonably by utilizing the benefits under the Agreement, Indian industry has not been able to utilize the benefits to similar extent. The fact is evident from increasing trade deficit.

Exports from India to South Korea are well diversified. Major export items from India are:

- Petroleum oils and bituminous minerals
- Aluminium articles
- Iron and steel articles
- Heterocyclic compounds.

On the other hand, major items imported by India from South Korea are:

- Modern processors
- Electronic cables and appliances
- Plastic articles
- Iron and steel articles

- **Challenges faced by the industry**

With the increase in imports from South Korea, the Indian industry has faced a couple of challenges under the Agreement, with a couple more challenges round the corner:

- a. In multiple cases, the industry in India has suffered due to high volume of imports. In fact, the domestic producers have often applied for trade remedial measures against imports from South Korea. Since 2012, India has initiated 75 trade remedial measures which include anti-dumping, anti-subsidy and bilateral safeguards measures against South Korea. The industries that majorly suffered an impact as a consequence of the Agreement belong to Electronics, Steel and Petrochemicals sectors.
- b. While the Agreement provides for Rules of Origin, there have been several instances of products getting concession despite not meeting the Rules of Origin. The Government introduced CAROTAR 2020¹ and Regulations to curb such practices, in the year 2020.
- c. Although the Agreement provides for invoking bilateral safeguards, the measure can be exercised only during the transition period, that is, within 10 years from the date of

¹ An insight into CAROTAR 2020 – http://tpm.in/wp-content/uploads/2020/09/Adhyatan_Newsletter-September-2020.pdf [Page 2]

duty elimination or reduction. This implies that once the transition period is over, the option of seeking bilateral safeguard measures is not available to the industry.

- d. There have also been many instances where tariff concessions on certain products have led to an inverted duty structure. As a result, while the Indian producers import inputs or raw materials upon payment of duties, the finished goods produced by them compete with duty free products, resulting in incompetitiveness.

- **Need for review**

The India-Korea CEPA is now being considered for a re-negotiation. The Government of India has sought inputs from the industry with the view to include and address the concerns and challenges faced. Among other factors, the following factors require re-consideration.

- **Correction of inverted duty structure** – While the inverted duty structure has been affecting competitiveness of the Indian industries for some time, there is no resolution at present. The re-negotiations should focus on resolving such issue.
- **Revision of offer lists** – The Agreement came into force in 2010. In 12 years, the Indian industry has evolved with increased capacities and fresh investments in products, which were not being produced in the country earlier. Exemption of duties on such products might no longer be in best interests of the country. While a review mechanism is available under the Agreement, revision of offer lists might need very detailed study and deliberations. This may require regular reviews followed by modifications in the offer lists or a detailed review every 5 years to realign tariff lines as per product profile, capacity, production, and trade.
- **Transition period** – The provision for bilateral safeguards requires revision such that relief under bilateral safeguards are available even after completion of transition period, or applicability of the clause should be extended for the duration of the Agreement.
- **Auto-trigger provision for safeguard** – Further, an auto-trigger provision for safeguards may be considered under the Agreement. This could include pre-decided threshold quantity being specified against each of the tariff lines. If imports into any partner country crosses that threshold, the duties should be brought back to MFN levels automatically through customs notification.

It is imperative that the challenges being faced by the industry be brought to the notice of the Government, to allow them to adequately consider the same in the process of re-negotiations. Addressing these challenges may pave the way for India to tackle the growing deficit with South Korea.

– Nihit Gupta, Joint Partner
Tushar Sehgal, Business Analyst

Directorate General of Trade Remedies & Anr.

Vs.

Jindal Saw & Anr.

**Judgement of Hon'ble High Court of Delhi
Dated 25th July 2022**

Anti-dumping duty was imposed on imports of Ductile Iron Pipes on 14th September 2007. The said duties were extended pursuant to sunset review, upto 9th October 2018. Before the expiry of anti-dumping duty, Electrosteel Castings Limited, Jindal Saw Limited and Srikalahasti Pipes Limited filed an application for initiation of a second sunset review. The DGTR did not initiate the review and held that the domestic industry has failed to establish continued injury or likelihood of recurrence of dumping and injury. The Respondents challenged this order before the Hon'ble Gujarat High Court. The Gujarat High Court directed the DGTR to initiate the sunset review and take a fresh decision regarding continuation or cessation of anti-dumping duty, in accordance with the law, within six months. Further, the Court also extended the imposition of duty till the conclusion of the sunset review.

The DGTR filed a Special Leave Petition before the Hon'ble Supreme Court against the judgement of the High Court. Meanwhile, on 1st April 2019, the DGTR completed the sunset review and issued final findings concluding that continuation of duty was not warranted. The Respondents approached the Gujarat High Court against the final findings issued by the DGTR. The Gujarat High Court quashed the said findings and directed the DGTR to extend the anti-dumping duty.

The Supreme Court vide judgment dated 28th August 2019 set aside the judgment of Gujarat High Court and granted liberty to the Respondents to prefer an appeal in the matter. On appeal before CESTAT, the Court set aside the final findings issued by DGTR and found that continuation of anti-dumping duty was warranted. The DGTR, thereafter, filed an appeal in the Delhi High Court.

Issues:

The issue which came at present for the consideration of the High Court was whether the present appeal is maintainable before the High Court and whether an appeal from the order of the Tribunal would be maintainable as long as it has a "direct and proximate relation/nexus" to the rate of duty.

Decision:

At the present stage, the Delhi High Court considered only the issue of maintainability. The Respondents claimed that the appeal was not maintainable as it concerns "rate of duty" and its continued imposition. Therefore, as per the Respondents, the appeal lies only before the Supreme Court under Section 130E(b) of the Customs Act, 1962. It was emphasized that whether cessation of duty was likely to lead to continuation or recurrence of dumping or injury, was an aspect, which has a direct and proximate nexus to the rate of

From the Court Room

duty and, hence, an appeal would lie only with the Supreme Court not with the High Court. The Respondents further insisted that only Principal Commissioner or Commissioner of Customs can file an appeal under Section 130(2) of the Customs Act, and not the Designated Authority, DGTR.

The Delhi High Court held that while Customs Act, 1962 is concerned with the imposition of customs duty to generate revenue for the State; Customs Tariff Act, 1975 covers imposition of trade remedial measures to shield domestic industry from injury due to unfair trade practices. Therefore, a comparison cannot be made between the two. The High Court further held that sunset review requires determination of whether withdrawing the duty is likely to lead to continuation or recurrence of dumping and / or injury to the domestic industry, and whether there is a need for continuation of duty. Hence, the question at issue is not directly concerned with the rate of duty.

As regards the contention that the Designated Authority is not allowed to file an appeal, the High Court noted that an appeal can be preferred by the Principal Commissioner of Customs or Commissioner of Customs or even “other party” aggrieved by any order of the Tribunal. Thus, the “Designated Authority” in the present case would fall within the category of “other party”.

Therefore, the preliminary objection taken by the Respondents, relating to the maintainability of the appeal were rejected. The matter would now be considered for remaining issues.

Trade Remedial Actions in India

Investigation initiated

- Anti-circumvention investigation of anti-dumping duty levied on imports of High Tenacity Polyester Yarn from China, due to circumvention of duty as a result of change in pattern of trade through alteration of description, name or composition of the exported goods for which there was lack of economic justification, resulting in the remedial effects of the duty being undermined. (27 Jul)

Duties recommended

- Extension of anti-subsidy duty on imports of Saccharin originating in China imported from Thailand pursuant to anti-circumvention investigation, due to circumvention of duty as a result of change in pattern of trade by way of export of goods through a country not subject to duty, for which there was lack of economic justification, resulting in the remedial effects of the duty being undermined. (26 Jul)

Duties recommended but not imposed

- Continuation of anti-dumping duty on imports of Polytetrafluoroethylene (PTFE) from China, which was recommended by DGTR vide final findings dated 26th April 2022. (18 Jul)

Customs Notifications

- Modification of customs notification imposing anti-dumping duty on imports of Saturated Fatty Alcohols from Indonesia, Malaysia and Thailand to grant individual duty on the goods exported by PT Energi Sejahtera Mas and Sinarmas CEPSA Pte Limited. (12 Jul)

Trade Remedial Actions outside India

Chapter 25- Salt; sulphur, earths and stones; plastering materials, lime and cement

Trade remedial actions against India

United States of America

Preliminary determination issued by US DOC in the administrative review of anti-dumping duty on imports of certain Quartz Surface Products from India. (08 Jul)

US DOC has preliminarily determined that Pokarna Engineered Stone Limited did not export at less than normal value during the period of review. US DOC has also assigned Antique Group a preliminary margin of 323.12% after applying adverse facts on the exporter. Further, a rate of 161.56% is applicable to all other exporters, subject to the review.

Chapter 28- Inorganic Chemicals

United States of America

- Final affirmative determination issued by US ITC in the anti-dumping investigation into imports of Sodium Nitrite from Russia. (27 Jul)

Chapter 29 – Organic Chemicals

European Union

- Initiation of expiry review of anti-dumping duty on imports of Melamine from China. (01 Jul)

United States of America

- Final affirmative determination issued by US DOC in the sunset review of anti-dumping duty on imports of 1,1,1,2-Tetrafluoroethane (R-134a) from China. (07 Jul)
- Final affirmative determination issued by US DOC in the sunset review of anti-dumping duty on imports of 1 1-Hydroxyethylidene-1, 1-Diphosphonic Acid (HEDP) from China. (18 Jul)

Chapter 31- Fertilisers

United States of America

- Final negative determination issued by US ITC in the anti-dumping investigation into imports of Urea Ammonium Nitrate from Russia and Trinidad and Tobago. (18 Jul)

Chapter 39 – Plastics and articles thereof

Vietnam

- Final affirmative determination issued in the sunset review of anti-dumping duty on imports of BOPP products from China, Malaysia and Thailand. (15 Jul)

Trade Remedial Actions outside India

Chapter 40 – Rubber and articles thereof

European Union

- Re-opening of anti-dumping and anti-subsidy investigations on imports of Pneumatic Tyres from China. (08 Jul)

United States of America

- Initiation of sunset review by US DOC of anti-dumping duty on imports of Emulsion Styrene-Butadiene Rubber from Brazil, Mexico, Poland and South Korea. (01 Jul)
- Final negative determination issued by US ITC in the anti-dumping investigation into imports of Acrylonitrile-Butadiene Rubber from France, Mexico and South Korea. (11 Jul)

Chapter 48 – Paper and paperboard articles of paper pulp, of paper or of paperboard

Australia

- Preliminary affirmative determination issued in the anti-dumping investigation into imports of A4 Copy Paper from Indonesia. (27 Jul)

Chapter 54 - Man-made filaments

United States of America

- Final affirmative determination issued by US ITC in the sunset review of anti-dumping duty on imports of Polyester Staple Fiber from South Korea and Taiwan. (26 Jul)

Chapter 55 - Man-made staple fibres

Trade remedial actions against India

United States of America

Final affirmative determination issued by US DOC in the administrative review of anti-subsidy duty on imports of certain Fine Denier Polyester Staple Fibre from India. (12 Jul)

US DOC has preliminarily determined that countervailable subsidies were provided to the Indian producers under review, during the period of review, January to December 2020. The subsidy rate determined for the responding producer, Reliance Industries Limited was 6.88%.

Other trade remedial updates

China

- Continuation of anti-dumping duty on imports of Acrylic Fibre from Japan, South Korea and Turkey. (13 Jul)

Trade Remedial Actions outside India

Chapter 72 – Iron and Steel

Trade remedial actions against India

Australia

Continuation of anti-dumping and anti-subsidy duties on imports of Zinc Coated (Galvanized) Steel from India, Malaysia and Vietnam. (29 Jul)

The Anti-Dumping Commission has determined that expiry of anti-dumping duty levied on imports of Zinc Coated (Galvanized) Steel from India, Malaysia and Vietnam and anti-subsidy duty levied on imports of the product from India will likely lead to continuation of, or recurrence of dumping and subsidization and consequent injury to the industry. Accordingly, the duties applicable on imports of the product have been continued. The quantum of duty continued is the same as that already levied in the original investigation.

South Korea

Initiation of sunset review of anti-dumping duty imposed on imports of Ferro-Silicomanganese from India, Ukraine and Vietnam. (22 Jul)

The Korean Trade Commission has initiated a sunset review of the anti-dumping duty imposed on imports of Ferro-Silicomanganese from India, Ukraine and Vietnam. The duty was imposed in 2017 and shall expire in November 2022 unless continued. The period of investigation is 1st January 2021 to 31st December 2021.

Chapter 73 - Articles of iron or steel

Trade remedy actions against India

United States of America

Preliminary affirmative determination issued by US DOC in the administrative review of anti-subsidy duty on imports of certain Stainless-Steel Flanges from India. (12 Jul)

US DOC has preliminarily determined that countervailable subsidies were provided to Indian producers during the period of review, January to December 2020. The subsidy rate determined for the Indian producers is in the range of 3.34% to 4.31%.

Other trade remedial actions

Australia

- Continuation of anti-dumping duty on imports of Hollow Structural Sections from China, Malaysia, South Korea and Taiwan and anti-subsidy duty from China (01 Jul)

Brazil

- Continuation of anti-dumping duty on imports of Seamless, Non-Alloyed Carbon Steel Tubes of Circular Section, with an External Diameter not exceeding 374 mm, from China. (18 Jul)

Canada

- Final affirmative determination issued by CBSA in the sunset review of anti-dumping and anti-subsidy duties on imports of certain Pup Joints from China. (22 Jul)

Trade Remedial Actions outside India

Chapter 73 - Articles of iron or steel

Mexico

- Initiation of sunset review of anti-subsidy duty on imports of Hexagonal Mesh from China. (20 Jul)

Thailand

- Initiation of sunset review of anti-dumping duty on imports of Tubes and Pipes made of Iron and Steel from China and South Korea. (20 Jul)

Turkey

- Continuation of anti-dumping duty on imports of Iron or Steel Ropes and Cables (including Closed Ropes) from China and Russia. (09 Jul)
- Continuation of anti-dumping duty on imports of Iron (except cast iron) and Steel Seamless Drawn Pipes from China. (09 Jul)

Chapter 74 – Copper and articles thereof

United States of America

- Final affirmative determination issued by US DOC in the sunset review of anti-dumping duty on imports of Phosphor Copper from South Korea. (07 Jul)

Chapter 76 – Aluminium and articles thereof

United States of America

- Final affirmative determination issued by US DOC in the sunset review of anti-dumping and anti-subsidy duties on imports of Aluminium Extrusions from China. (07 Jul)
- Initiation of anti-circumvention investigation of anti-dumping duty on imports of certain Aluminium Foil from China after completion in South Korea and Thailand. (18 Jul)

Chapter 81 – Other base metals, cermets and articles thereof

Brazil

- Continuation of anti-dumping duty on imports of Magnesium Powder, with a minimum of 90% magnesium and a maximum of 10% lime, from China. (18 Jul)

Chapter 82 – Tools, implements, cutlery of base metal

Argentina

- Initiation of sunset review of anti-dumping duty on imports of certain Straight Manual Saw Blades from Sweden. (15 Jul)

Trade Remedial Actions outside India

Chapter 84 – Nuclear reactors, boilers, machinery and mechanical appliances

Argentina

- Imposition of anti-dumping duty on imports of Metal Protective Grills of types used in Fans from China and Taiwan. (01 Jul)
- Final affirmative determination issued in the sunset review of anti-dumping duty on imports of Air Conditioning Equipment from China. (04 Jul)

Chapter 87 – Vehicles other than railway or tramway

Argentina

- Final affirmative determination issued in the sunset review of anti-subsidy duty on imports of Radiators for Motor Vehicles and Tractors from China. (29 Jul)

Chapter 90 – Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus

Argentina

- Continuation of anti-dumping duty on imports of Metric Tapes from China. (03 Jul)

Chapter 94 – Furniture; bedding, mattresses, mattress supports, cushions and similar products

Canada

- Affirmative preliminary determination issued by CBSA in the anti-dumping and anti-subsidy investigations into imports of certain Mattresses from China. (07 Jul)

Chapter 96 – Miscellaneous manufactured articles

United States of America

- Initiation of sunset review by US DOC of anti-dumping duty on imports of certain Cased Pencils from China. (01 Jul)

Other Trade Updates

Foreign Trade Policy

Extension in deadline for submission of application under MEIS (01 Jul)

The last date for submission of MEIS applications for exports made from 1st September 2020 to 31st December 2020 has been extended to 31st August 2022.

Amendment in Foreign Trade Policy 2015-20 with regard to exemption of Integrated Tax and Compensation Cess under EPCG, Advance Authorisation and EOU Schemes (01 Jul)

Under the Foreign Trade Policy 2015-20, Integrated Tax and Compensation Cess were exempted for imports under Advance Authorisation, EPCG and EOU Schemes until 30th September 2021. As per the new guidelines by the Ministry of Commerce, these exemptions have been extended until further notice.

Clarification regarding Paper Import Monitoring System (05 Jul)

The Directorate General of Foreign Trade has clarified as under regarding import of products falling under tariff lines covered by the Paper Import Monitoring System (PIMS)

- PIMS registration shall be required at the point of import by a Unit in SEZ/FTWZ or at the time of import by an EOU.
- No registration is required by the DTA unit at the time of Customs Clearance from SEZ/FTWZ/EOU to DTA, if no further processing has taken place since the time of entry into SEZ/FTWZ/EOU.
- However, if processing has taken place with change in HS Code at 8-digit level and the processed item falls under the tariff lines covered by the system, then the importer in DTA is required to register under PIMS.

Amendment in Steel Import Monitoring System (07 Jul)

Under the Steel Import Monitoring System (SIMS), the importer was earlier allowed to apply for registration not earlier than 60th day and not later than 15th day before the expected date of arrival of import consignment. However, the requirement for applying for registration at least 15 days before the arrival has now been removed.

Amendment in ITC(HS) 2022 Schedule-1 Import Policy (07 Jul)

The ITC(HS) 2022 Schedule-1 Import Policy has been amended in sync with the Finance Act, 2022 wherein certain codes have been introduced/deleted/amended/split/merged. The updated list HS codes with import policy is available on the DGFT website at the link below. The new schedule will come into force with immediate effect.

<https://content.dgft.gov.in/Website/dgftprod/64d25da1-139e-4f55-8494-385362c159aa/Notification%2020%20dt%2007-07-22%20Eng-.pdf>

Other Trade Updates

Suspension of certain Standard Input Output Norms (27 Jul)

The Directorate General of Foreign Trade has suspended SION for Carbon/Alloy Steel Seamless Tubes and certain types of Seamless Stainless Steel Tubes/Pipes with immediate effect.

Clarification regarding Non-Ferrous Metal Import Monitoring System (27 Jul)

The Directorate General of Foreign Trade has clarified the following regarding the Non-Ferrous Metal Import Monitoring System (NFMIMS).

- NFMIMS shall not be applicable on imports made through air mode.
- Multiple consignment can be imported under a single registration, within the validity thereof.
- It is optional for the importer to provide proper Quality Control Order (QCO) description. Accordingly, it is not mandatory for the Customs officer to check the same as well.
- NFMIMS is applicable to goods imported under advance authorization, duty free import authorizations and imports by SEZ units.

Amendment in the Handbook of Procedures 2015-20 with regards to EPCG (27 Jul)

The Handbook of Procedures 2015-20 has been amended to relax the requirements for filing Bill of Exports. For any supplies made to SEZ units prior to 1st April 2015, the exporters can submit corroborative evidence in lieu of Bill of Exports such as:

- a) ARE-F form duly attested by jurisdictional Central Excise/GST Authorities of EPCG authorization holder.
- b) Evidence of receipt of the supplies by the recipient in the SEZ.
- c) Evidence of payment made by the SEZ unit to the of EPCG authorization holder.

Bureau of Indian Standards

Extension of effective date of Quality Control Orders (27 Jul)

The effective date of the following Quality Control Orders has been modified for the following products and they shall now be applicable with effect from 3rd February 2023.

- Acetic Acid
- Methanol
- Aniline

Extension of effective date of Quality Control Orders (27 Jul)

The effective date of the Morpholine (Quality Control) Order, 2020 has been modified and it shall now be applicable with effect from 1st February 2023.

Other Trade Updates

Trade Agreements

Negotiations for India-UK free trade agreement to be concluded by August end

The India-UK free trade agreement negotiations are expected to be concluded by 31st August and ready to be signed by Diwali in October. Moreover, the representatives from UK have given assurance to India that the sudden resignation of UK Prime Minister Boris Johnson will have no effect on the FTA.

India-EU conclude first round of negotiations for Trade and Investment Agreement

India and the EU concluded their first round of negotiations for India-EU Trade and Investment Agreements including the Geographical Indicators (GI). The second round of negotiations will take in September 2022.

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 China, Argentina, Brazil, Canada, Egypt, European Union, GCC, Indonesia, South Korea, 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.

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