TRADE REMEDIES ADVISORY CELL

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CENTRE FOR TRADE AND INVESTMENT LAW
व्यापार और निवेश कानून केन्द्र

CENTRE FOR TRADE AND INVESTMENT LAW
MINISTRY OF COMMERCE AND INDUSTRY
GOVERNMENT OF INDIA

Picture credit: Canva.com

About, Trade Remedies Advisory Cell (TRAC), CTIL

- The “Trade Remedies Advisory Cell” (TRAC) is set up at the Centre for Trade and Investment Law (under Ministry of Commerce and Industry, Government of India) with a vision to provide **holistic support** to the domestic industry in the preparation of applications, collating relevant information or data and providing legal advice for trade remedial investigations before DGTR.
- ***The services provided by TRAC are free of cost. TRAC or any of its officials do NOT charge any fee for their pro-bono services to the domestic industry.***
- TRAC provides three types of expertise to the domestic industry to ensure all-inclusive assistance during trade remedy application and investigation processes:

Legal Expertise → Cost Accounting Expertise → Economic Expertise

TRAC's assistance to various industries

Thermal Paper

PU Leather

Umbrella & Ribs

Saccharin

3-Amine

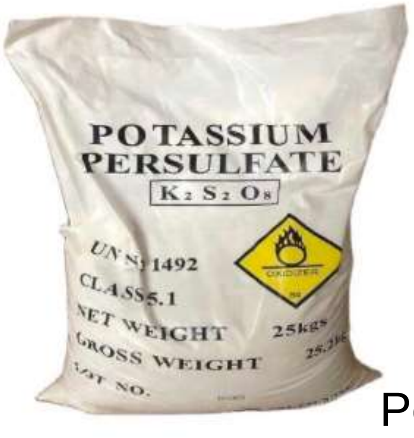
TRAC's assistance to various industries

Fishing Net

Plastic Ropes

Roofing Tiles

Bearing & Components



Persulphate

❑Anti-Dumping (AD)

Anti-Subsidy (AS) /Countervailing Duty (CVD)

Types of Trade Remedial Measures

Safeguard (SG)

Others – Anti-Circumvention/ Anti- Absorption/ New Shipper Review

Institutional Framework in India for Trade Remedies (1/3)

Previous Framework

- The **Directorate General of Anti-dumping & Allied Duties (DGAD)**, an attached office of the Ministry of Commerce and Industry, conducted anti-dumping and anti-subsidy investigations against import of dumped or subsidized goods to India and recommend anti-dumping duties or countervailing duties under the Anti-Dumping Rules 1995 and Anti Subsidy Rules 1995 respectively.
- The safeguard duties to protect the domestic industry from serious injury or threat of serious injury due to surge in imports were recommended by **Director General, Safeguards**, Ministry of Finance after investigation, under the Customs Tariff (Identification and Assessment of Safeguard Duties) Rules, 1997.

Institutional Framework in India for Trade Remedies (2/3)

Current Framework

- In May 2018, DGAD was restructured with enhanced role and re-designated as DGTR. The existing functions of DG (Safeguards), Ministry of Finance under Customs Tariff (Identification and Assessment of Safeguard Duties) Rules, 1997 and DGFT with respect to safeguard measures under the Safeguard Measures (Quantitative Restrictions) Rules, 2012 were migrated within the fold of Directorate General of Trade Remedies (DGTR).
- DGTR functions as an attached office of Department of Commerce, Ministry of Commerce and Industry.
- The Ministry of Finance imposes the Duty and DGTR recommends it.

Institutional Framework in India for Trade Remedies (3/3)

- Trade Remedial Measures/ Trade Defense
  - Anti-Dumping
  - Countervailing Duties
  - Safeguards
    - Safeguard duty
    - Tariff Rate Quotas
    - Bilateral Safeguards

Salient Features of Trade Remedial Measures (TRM)

Anti-Dumping	Countervailing Duty	Safeguard
Dumping	Subsidised Imports	Surge in Imports
Material Injury/Threat of Material Injury	Material Injury/Threat of Injury	Serious Injury or Threat of Serious Injury
Causal link between material injury and dumping	Causal link between injury and subsidized imports	Causal link between serious injury and surge in imports
Discriminatory pricing/unfair competition from foreign producers, country/producer specific	Subsidies granted by Government/public body of the exporting country, country /producer specific	Sudden surge in imports, unforeseen development, non- discriminatory measure, against all countries

Components of ADD/CVD/Safeguard Investigation

Domestic Industry

the totality or majority of domestic producers

(Except those related to exporter/importer)

Dumping/Subsidy/Surge in Imports

Injury to the Domestic Industry

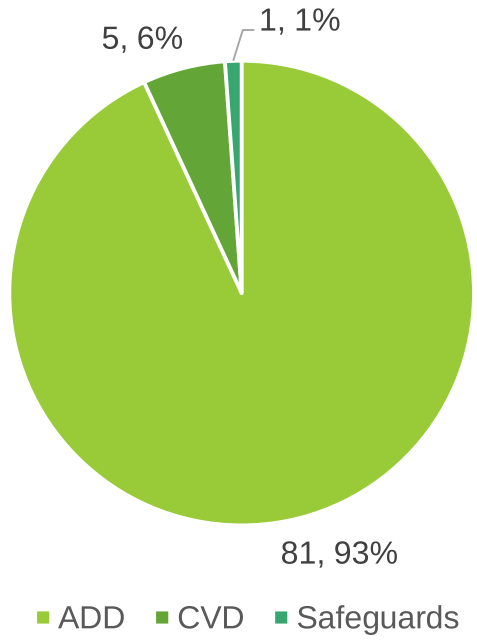
Volume Effect, Price Effect, and Economic Parameters

Causal Link

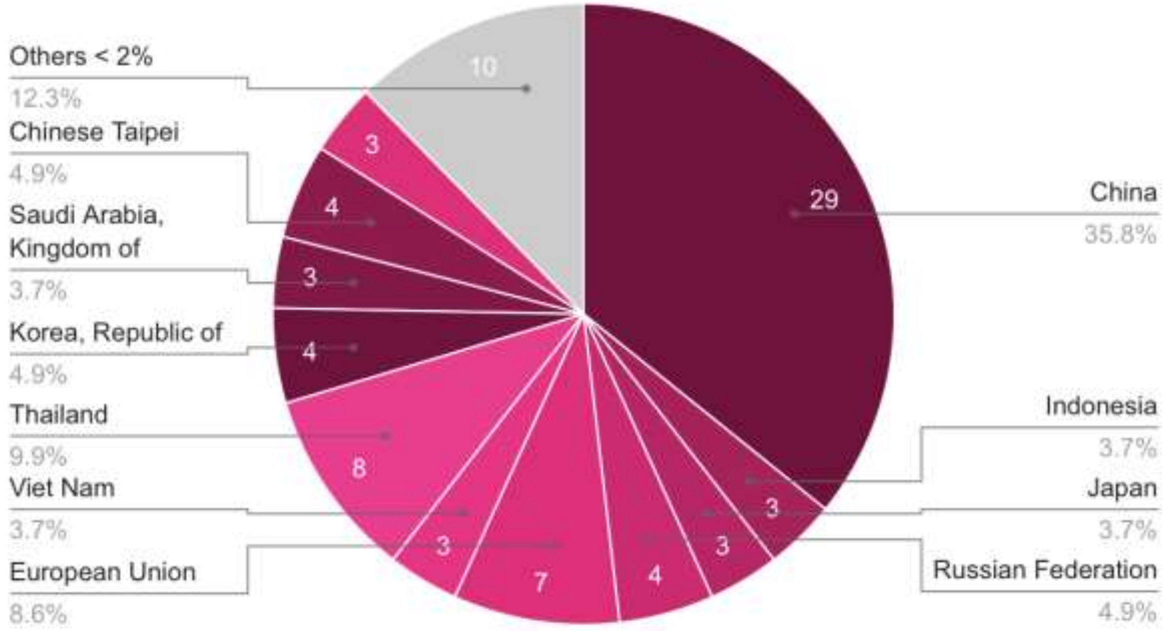
***Note**: DGTR is recommending authority whereas the duties are implemented by the Department of Revenue, Ministry of Finance.*

Statistics 2025

Trade Remedial Investigation in India - 2025

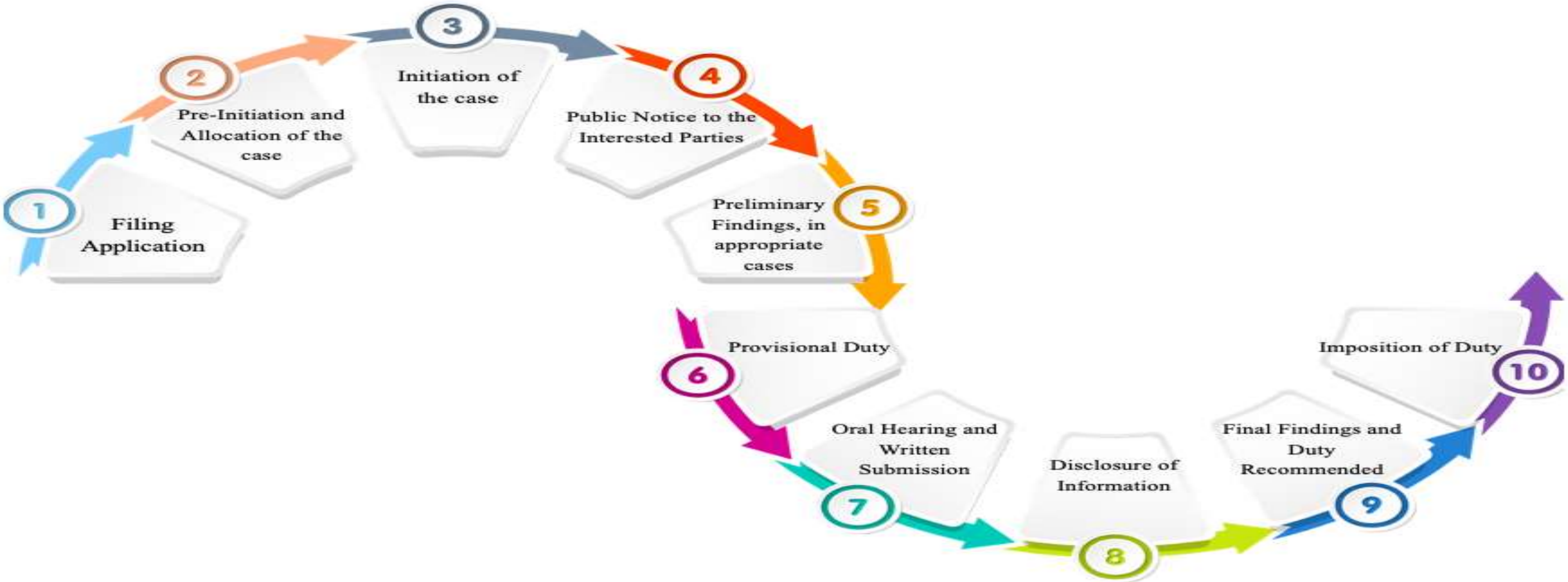


Anti-Dumping Actions
Exporter (Country / customs territory)



**Source: WTO Trade Remedies Data Portal*

General Procedure of a Trade Remedy Investigation



Note: *DGTR is recommending authority whereas the duties are implemented by the Department of Revenue, Ministry of Finance.*

Time Period

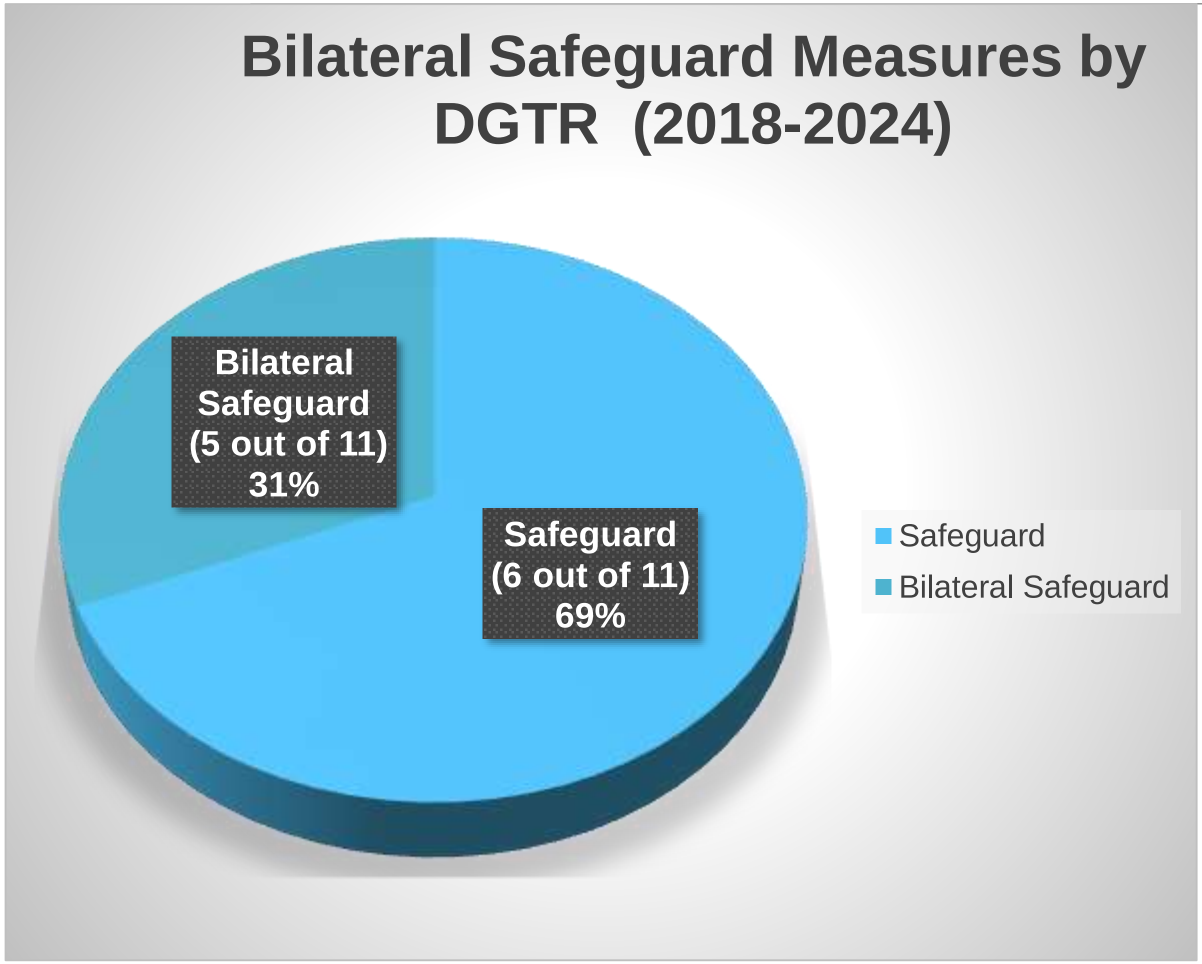
	PARTICULAR	FROM INITIATION DATE
01	Registration as interested parties	Within 30 Days
02	Submission of EQR/IQR	Within 30-40 Days (as stipulated by DGTR)
03	Preliminary Findings (Provisional Dumping Margin, injury Margin, Parameters and Performance of DI)	Within 90 Days (in appropriate cases)
04	Oral Hearing	Within 120 Days
05	Verification of Records (Exporters, DI & Importers)	Within 200 Days
06	Disclosure Statement	Within 240-300 Days
07	Final Findings	Within 300-365 Days

*The above period may be extended up to period of 6 months, in exceptional circumstances, by the Central Government.

Bilateral Safeguard Measures

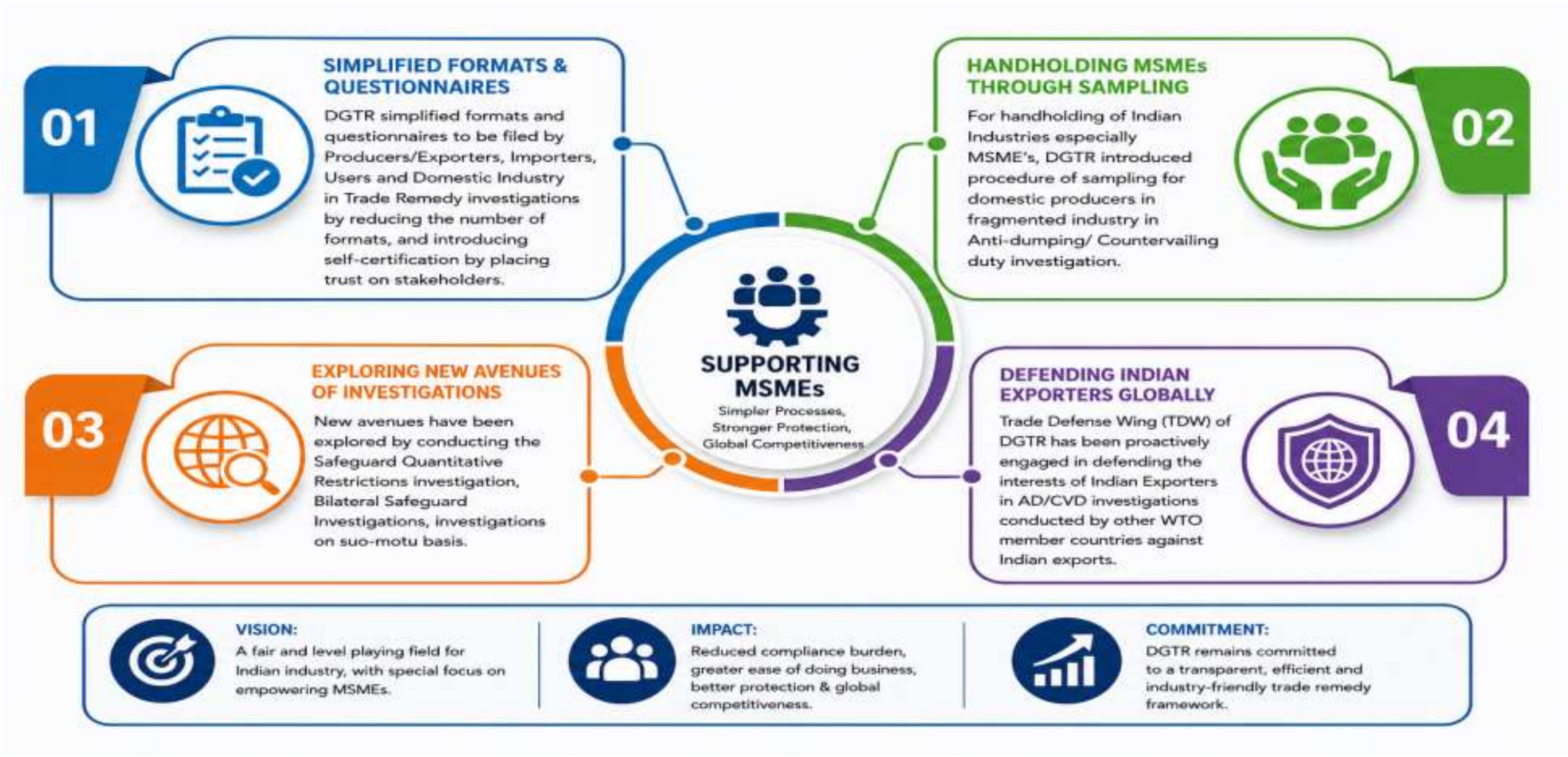
- Trade Remedies chapter in India’s FTA with:
  - EU Trade Deal
  - New Zealand FTA
  - Oman CEPA
  - UK CETA
  - Australia ECTA
  - UAE CEPA
  - Mauritius CECPA
  - Singapore CECA
  - Malaysia CECA
  - Korea CEPA
  - Japan CEPA
- Others:
  - Nepal Trade Treaty
  - Afghanistan PTA
  - Chile PTA
  - Sri Lanka FTA
  - MERCOSUR PTA

Bilateral Safeguard Measures Investigations by DGTR



- Bilateral Safeguard Investigation concerning imports of "**Refined Bleached Deodorised Palmolein and Refined Bleached Deodorised Palm Oil**" into India from Malaysia under India-Malaysia CECA (2019)
- Bilateral Safeguard Investigation concerning imports of **"Phthalic Anhydride"** into India from Korea RP under India-Korea Comprehensive Economic Partnership Agreement (2019)
- Bilateral Safeguard Investigation concerning imports of **"Polybutadiene Rubber"** into India from Korea RP under India-Korea Comprehensive Economic Partnership Agreement (2019)
- Bilateral Safeguard Investigation concerning imports of **"PVC Suspension Grade Resin"** into India from Japan under India-Japan Comprehensive Economic Partnership Agreement (2020)
- Bilateral Safeguard Investigation concerning imports of **"Ferro Molybdenum"** from Korea RP under India-Korea Comprehensive Economic Partnership Agreement (2022)

Reforms by DGTR to assist MSME Sector



Trade Remedial Measures across

INDIA – UK CETA

- Reiteration of WTO AD, SCM and Safeguards agreement
- Bilateral Safeguard Measures – *transition period of 14 years* from the date of last liberalisation
- WTO Agricultural Safeguards not applicable on originating goods

IN – EFTA TEPA

- Reiteration of WTO AD, SCM and Safeguards agreement
- Bilateral Safeguard Measures – *indefinite* unless decided in Review to terminate

IN – EU TRADE DEAL

- Reiteration of WTO AD, SCM and Safeguards agreement
- Bilateral Safeguard Measures – *transition period of 22 years* from Entry into Force of the Trade Deal

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ABOUT US

Trade Remedies Advisory Cell (TRAC) is set up at the Centre for Trade and Investment Law, Ministry of Commerce and Industry, Government of India with the purpose of providing legal, cost accounting, and technical assistance to domestic industry affected by unfair trade practices such as dumping, subsidisation, and circumvention of duties, surge in imports, etc.

TRAC provides assistance to micro, small and medium businesses, in dealing with all aspects of trade remedial cases, including product identification, data collection, assistance in filling up of questionnaires and filing application, calculating costs, evaluation of dumping and injury, bridging the data gaps and representation before the Designated Authorities during the course of investigation, etc., as required to secure the relevant remedy against unfair trade practices or injury attributable to imported goods.

CONTACT US:

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OUR SERVICES

TRAC assists micro, small and medium domestic industries that lack resources and capacity to make use of available trade remedial measures. TRAC aids such enterprises in three crucial dimensions that are required during the application and investigation processes to protect their interests and ensure level playing field:

LEGAL EXPERTISE

TRAC provides legal support to micro, small and medium domestic industries through out the trade remedy investigations, including but not limited to application stage, investigation stage, and review stage; assistance in documentation preparation and filing; representation before authorities.

COST ACCOUNTING EXPERTISE

TRAC provides assistance to the domestic industries in evaluating the quantum and type of injury inflicted. TRAC also assists in recording, organising, analysing, and reporting relevant costing information and facts as per the regulatory requirements.

ECONOMIC EXPERTISE

TRAC provides assistance in conducting market research, data analysis, and statistical modelling to support the domestic industry's application for the trade remedial investigations.

The services provided by cell are **FREE OF COST**. TRAC or any of its staff do **NOT** charge any fee for their pro-bono services to the domestic industry.

CONTACT US

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  - Centre for Trade and Investment Law

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Feedback or Questions?

TRAC OR ANY OF ITS OFFICIALS DO NOT CHARGE ANY FEE FOR THEIR PRO-BONO SERVICES TO THE MSME DOMESTIC INDUSTRY. **THE SERVICES PROVIDED BY TRAC ARE FREE OF COST**.

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