

[28 February, 2000]

RAJYA SABHA

## RAJYA SABHA

*Monday, the 28th February, 2000/ 9th Phalgun, 1921 (Saka)*

The House met at eleven of the clock, Mr. Chairman in the Chair.

SOME HON. MEMBERS: Happy Birthday, Sir.

MR. CHAIRMAN: Thank you very much.

### MEMBER SWORN

Shri K. C. Kondaiah (Karnataka)

### ORAL ANSWERS TO QUESTIONS

#### Processing of Anti-dumping duty cases

\*41. SHRI PREM CHAND GUPTA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that as per newspaper reports, normal time prescribed for processing Anti-Dumping Duty cases is 60 days, but actually the normal time taken by Commerce Ministry ranges between 12—20 months;

(b) how many cases are pending with Government; and

(c) how many cases have been settled, so far, and the time taken thereon?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI MURASOLI MARAN): (a) No, Sir. As per the Anti-dumping rules the time prescribed for the completion of Anti-dumping investigations and recommending final findings after initiation is 12 months, extendable in exceptional circumstances by 6 months with the approval of the Central Government. The final determination has been recommended within 12 months in 25 cases out of 41, since the inception of action taken under the Anti-Dumping Rules. The extension from Central Government was taken in 16 cases under exceptional circumstances. A statement indicating details is at Annexure. [*See Appendix 189, Annexure No. 9*]

(b) and (c) A statement is laid on the Table of the House.

#### Statement

(b) List of cases till date wherein the Designated Authority appointed under the Customs Tariff Acts and Rules made thereunder has recommended provisional Anti-dumping duty or where investigations have been initiated

and are pending for recommendations is given at Annexure [*See Appendix 189, Annexure No. 9*]

(c) List of cases till date where definitive duties have been recommended by the Designated Authority appointed under the Customs Tariff Acts and Rules made thereunder is given at Annexure. [*See Appendix 189, Annexure No. 9*]

SHRI PREM CHAND GUPTA: Mr. Chairman, Sir, in the changed regime of world trade that was in place under GATT, the countries who had been developing their industrial Base were to be protected through a measure of anti-dumping duty. Sir, as a matter of fact, the reply given by the Government is not satisfactory at all. In addition to that, it is also a disappointing one. The normal time prescribed for taking a view on anti-dumping duty is 60 days. The Western countries, who are concerned only with their domestic industry, take a view in three or four months; whereas we in our country take almost 18 months to take a view on anti-dumping applications. I do not understand as to why such a long time is being taken by the authorities. I would like to know whether they are short of people or whether this is a motivated delay. The Government has not given me a proper reply on that account. Mr. Chairman, Sir, in the last eight years they have decided only 16 cases, whereas the number of applications filed with the Department is close to 57. I would like to know the reasons for such delays.

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI OMAR ABDULLAH): Mr. Chairman, Sir, there is no cause for concern where India's initiating and following up the anti-dumping measure is concerned. I would like to correct the hon. Member's perception that we are slow in dealing with the anti-dumping cases. It is true that there is a prescribed measure whereby from the date the case is initiated, no action can be taken for 60 days. But that does not mean that action has to be taken on the 60th day. All that is means is that you cannot take action before the conclusion of the 60th day. As far as average of the Western countries is concerned, the average for the European Union and the United States of America ranges from six to seven months.

As far as India is concerned, the average is seven to eight months. The time-frame that has been allotted to the Ministry of Commerce, to investigate anti-dumping cases, is twelve months. The Ministry may take extension under exceptional circumstances. I would like to inform the House that in the last