

Pacific group of countries have been seeking effective Special and Differential (S&D) treatment for developing countries and LDCs, keeping in view their developmental needs, poverty reduction, livelihood and food security concerns. Capacity building assistance are a part of the S&D provisions.

Negotiations on fishery subsidies discipline, which stopped in 2011, restarted just prior to Nairobi Ministerial Meeting held in December, 2015. Since then, members have been showing interest for negotiation for fishery subsidy discipline. In these negotiations, India and some of the WTO member countries have reiterated the need for S&D provisions, as an integral part of fishery subsidy discipline.

**Measures to boost 'Ease of Doing Business' in India**

1038. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that PMO has listed out 36 measures to be undertaken by various Departments by January, 2015, to boost 'Ease of Doing Business' in India;

(b) if so, the details of each of the 36 measures ;

(c) whether the deadline of January, 2015 has been adhered to by all Departments/ Ministries; and

(d) if not, the Departments/Ministries which have not complied with them and the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) Department of Industrial Policy and Promotion had prepared a list out 36 action points which was reviewed by Prime Minister's Office. Various Ministries/Departments were asked to complete the reforms by the given time frame and in any case latest before 31st March, 2015, in the meeting held on 22.11.2014

(b) The details of each of 36 measures are given in the Statement (*See* below).

(c) and (d) The information is being collected and will be laid on the Table of the House.

***Statement****Details of each of 36 measures to boost 'Ease of Doing Business'*

Sl. No.	Measures
1.	<p>The suggested reforms should be implemented by the given time frame and in any case before 31st March, 2015 and should be given extensive publicity for ensuring that they are covered under the next year's Doing Business Report.</p> <p>Concerned Secretaries will request their Ministers to hold Press Conferences in first week of January and first week of April on the measures taken to improve 'ease of doing business' in their respective Departments till end December and till end March respectively. They will provide publicity to measures taken so that the perception regarding India being a difficult and complex country to do business also changes.</p>
2.	No. of documents required for export and import of goods shall be limited to customs declaration form, commercial invoice and bill of lading. These documents should be made simpler and shorter
3.	A single window online portal should be established in JNPT port and the same should be replicated in all ports, integrating the activities of all the agencies involved in clearance of goods at ports.
4.	DGFT shall coordinate with various agencies involved in clearance of goods at ports to ensure that risk based inspections and automated selection of inspection based on pre-determined criteria is implemented by all of them. Department of Commerce shall request Cabinet Secretariat to issue a direction that Chief Commissioner of Customs at JNPT shall ensure that all concerned Departments give clearance on the same day. Department of Commerce should hold a meeting of all the Departments concerned within a week to implement this design.
5.	The Ministry of Shipping shall eliminate the requirement of terminal handling receipts by making process of clearance of goods online in accordance with the Prime Minister's announcement of making JNPT port paperless. The necessary improvements in infrastructure to reduce time taken in handling of goods shall also be implemented
6.	DGFT informed that integration of online application for grant of Import and Export Code (IEC) is progressing and will be completed by 6th December, 2014. DGFT agreed to integrate issue of import/export licence of goods for restricted items with eBiz.

Sl. No.	Measures
7.	The Ministry of Corporate Affairs agreed to integrate the process of DIN and name availability with the process of incorporation. It was agreed that the need to amend the Companies Act to make reserving a name optional shall be explored as MCA felt that it can be done within the current legal framework.
8.	Ministry of Corporate Affairs agreed to look into the proposal to make the requirement of common seal optional.
9.	Ministry of Corporate Affairs shall provide detailed reasons for retaining the requirement of commencement of formalities for the private companies as envisaged in the new Companies Act within 15 days.
10.	Ministry of Corporate Affairs agreed to do away with the requirement of minimum paid-up capital which will be included in the proposals carrying out the amendments in the Companies Act.
11.	Ministry of Corporate Affairs, Department of Revenue (CBDT and Ministry of Labour and Employment (EPFO and ESIC) shall integrate their procedures of allocation of IDs/registration into a single process. The procedure should be made real time.
12.	A unique business ID shall be created by integrating requirement of IDs issued by different Departments. At the initial stage, this unique ID shall include PAN, TAN, CIN and LIN (which will integrate all labour IDs). This unique ID shall be PAN based in its format. Ministry of Corporate Affairs, Department Revenue and Ministry of Labour and Employment shall decide on the modalities within a week and intimate PMO.
13.	There is requirement of developing an integrated notice based collateral registry to work for both corporate and non-corporate bodies. This process is expected to take time. However, the Central Registry of Securitization Assets Reconstruction of Security Interest of India (CERSAI) and the Office of Registrar of Companies shall be integrated to share information.
14.	The need for developing a unified insolvency code was appreciated and it was noted that it is within the mandate of the Vishwanathan Committee. Its preliminary report is expected in February, 2015. Based on this report, action will be taken by M/o Corporate Affairs
15.	The issue of constitution of National Company Law Tribunal is pending in the Supreme Court of India and the notification of Companies Act, 2013 is held up due to this case. A request shall be made to Attorney

Sl. No.	Measures
	General of India to request Supreme Court to decide the case and allow constitution of NCLT pending the case.
16.	Ministry of Corporate Affairs clarified that the provisions of the Companies Act, 2013 contain a definite and predictable timeframe for rehabilitation and liquidation process. This will come into force once the Act is notified.
17.	Ministry of Corporate Affairs will examine the proposal of providing priority to post liquidation credit.
18.	Ministry of Corporate Affairs shall include provisions for role of creditors in appointment of liquidator and sale of substantial assets of the company in the proposed amendment to the Companies Act to be tabled in the Winter Session of the Parliament.
19.	Ministry of Corporate Affairs clarified that framework for appeal against a decision of rejection of creditor's claim already exists in the Act. This should be brought to the knowledge of the World Bank team by them. Ministry of Corporate Affairs clarified that creation of insolvency practitioners is being considered and shall be implemented timely
20.	It was clarified that alternatives of liquidation are already provided in the law. However, there is a need to implement these provisions. This will be achieved once NCLT is constituted
21.	It was noted that the process of integration of four services of Ministry of Corporate Affairs with eBiz portal will be achieved within the given timeline <i>i.e.</i> by 31st January, 2015.
22.	Department of Justice will write to High Courts at Delhi and Mumbai for designating judges in District Courts for commercial cases. These designated courts should be requested to take up introduction of e-filing, e-management and e-service initiatives on priority basis.
23.	Secretary, Ministry of Power shall convene a meeting and coordinate with State Governments of Maharashtra and Delhi to ensure that recommendations about simplification of procedure for getting electricity connection and reduction in security deposit and costs are implemented on priority.
24.	The Ministry of Environment and Forests shall issue a clarification that there is no requirement of obtaining pollution control certificate as a pre-requisite for providing electricity connection and shall host it on its website and give it wide publicity. The State Governments should be requested to ensure that none of the distribution companies demand such a certificate.

Sl. No.	Measures
25.	It was noted that the integration of four services related to Ministry of Labour and Employment with eBiz portal shall be completed within the given timeline <i>i.e.</i> 31st January, 2015.
26.	The Department of Revenue shall explore the requirement of simplifying the laws and forms related to corporate tax and dividend tax.
27.	It was noted that there are 16 Labour Acts out of which under 5 Acts there is a requirement of registration and the same is under process for integration with LIN. This shall be done by 31.01.2015.
28.	EPFO and ESIC contributions/payments have been made online. This should be given wide publicity so that more and more employers should start using this facility.
29.	It was noted that integration of two services of Central Board of Direct Taxes (CBDT) with eBiz portal will be completed in time and the other two services of filing of returns by companies and changes or corrections in PAN data will be discussed further between DIPP and Department of Revenue.
30.	Regarding integration of the four specified services with eBiz, Secretary, Revenue mentioned that GST is scheduled to be launched on 1st April, 2016 and a network namely, GSTN is being developed to integrate all Central and State Taxes which will be merged in GST. Since GSTN will be the integrated web portal for tax related issues, integrating with eBiz may not be required. It was decided that Department of Revenue shall assess the requirement of integration with eBiz portal in April, 2015 considering the progress made with regard to the establishment of GSTN.
31.	It was noted that the process of all environment related clearances has been made online through a common number allocated to each applicant. This will be integrated with eBiz portal within the given timeline <i>i.e.</i> by 31st January, 2015.
32.	It was decided that Ministry of Environment and Forests will issue clear and transparent guidelines for reducing time for getting NoC from Tree Authority
33.	Ministry of Urban Development shall coordinate with the Government of NCT of Delhi and Maharashtra for implementation of the reforms through one-stop shop and a common application form should be implemented with the objective of reducing the number of inspections.

Sl. No.	Measures
34.	Department of Land Resources shall in coordination with Ministry of Urban Development develop standard sale deeds before 31.01.2015.
35.	Ministry of Urban Development and Department of Land Resources shall implement reforms with respect to digitization of land records, municipal tax records and sub registrar's data and their integration.
36.	Ministry of Civil Aviation shall notify areas to be clearly identified wherein NoC from Airports Authority of India is required and host the same in website of the urban local bodies and the Ministry of Civil Aviation website.

#### **Anti-dumping duty on imports of a chemical**

1039. SHRI MOHD. ALI KHAN: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India imposed antidumping duty of up to 168.76 US dollars per tonne on imports of a chemical, mainly used in textile and packaging industries from five countries including China and Iran to protect domestic players;

(b) if so, the details thereof; and

(c) whether anti-dumping steps are taken to ensure fair trade and provide a level-playing field to the domestic industry, if so, the details thereof and the present position thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) to (c) Directorate General of Anti-dumping and Allied Duties (DGAD) conducts anti-dumping investigations on the basis of duly substantiated petitions filed by domestic industry alleging dumping of goods into the country causing injury. The basic intent of the anti-dumping measures is to eliminate injury caused to the domestic industry by the unfair trade practices of dumping and to create a level playing field for the domestic industry *vis-a-vis* dumped goods by re-establishing a situation of open and fair competition in the domestic market.

DGAD initiated an anti-dumping investigation in respect of imports of Purified Terephthalic Acid (PTA) from China PR, Iran, Indonesia, Malaysia and Chinese Taipei on 18.6.2015. Based on DGAD's final findings dated 9.6.2016, Department of Revenue has imposed anti-dumping duty in the range of US\$ 85.87 to 168.76 per MT on imports of aforesaid chemical from China PR, Iran, Indonesia, Malaysia and Chinese Taipei on 5.7.2016.