

Revised Timelines for Sunset Review Investigation for Anti-dumping Duty

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Vide Trade Notice No. 02/2017 dated 12th December, 2017, the Directorate General of Trade Remedies (DGTR), Ministry of Commerce and Industry had prescribed the procedure and timelines for initiating an Anti-dumping Sunset Review investigation (SSR) under the Customs Tariff Act 1975 and the Anti-dumping Rules. The said notice prescribed a minimum time of 270 days prior to the expiry of the anti-dumping measure in force, for filing the SSR application, which could be relaxed till 240 days with justification of delay.

It has been observed that the prescription of time limit for filing the SSR application, i.e. either 270 days prior to expiry of measure or 240 days prior to expiry of measure with justification of delay, has brought a reasonable degree of discipline and has resulted in the SSR application being filed well before the expiry of the measure. However, representations are often received from the domestic industry that on account of unavoidable circumstances, they are unable to adhere to the prescribed timeline of minimum 240 days prior to expiry of measure, in certain situations.

To redress this grievance of the industry, a Trade Notice (No. 02/2020) has been issued by DGTR on 20th April 2020, providing a relaxation of the said time limit up to 180 days prior to the date of expiry of the measure for filing the SSR application, on account of genuine difficulty faced by the domestic industry in meeting the deadline of 270 days. The Designated Authority may further relax the timeline up to 120 days prior to the expiry of the measure, in exceptional circumstances.

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