

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Committee on Trade and Development  
Sub-Committee on Protective Measures  
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## NOTIFICATION BY INDIA

The following communication, dated 19 August 1983, has been received from the Permanent Mission of India.

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With reference to GATT Airgram No. GATT/AIR/1929 dated July 14, 1983, I am enclosing a revised 'reverse' notification which lists the protective measures taken by some developed countries which are affecting India's exports adversely. Our earlier communication was circulated vide COM.TD/SCPM/W/7/Rev.2 dated April 29, 1982.

SUB-COMMITTEE ON PROTECTIVE MEASURES  
NOTIFICATION BY INDIA OF PROTECTIVE ACTIONS  
TAKEN AGAINST THEIR IMPORTS BY DEVELOPED COUNTRIES

Sl. No.	Country	Details of products covered	Tariff Line Nos. applied	Nature of protectionist action and the date from which applied	Amount of anti-dumping or countervailing duty imposed	Trade coverage	Remarks	
1.	2.	3.	4.	5.	6.	7.	8..	9.
1.	U.S.	Industrial fasteners such as nuts and bolts.	646.49 .54 .56 .58 .60 .63	The U.S. Department of Commerce decided on 21st July, 1980 to impose a countervailing duty of 18% on industrial fasteners imported from India. Imports of the merchandise from the effective date of the preliminary countervailing duty determination, viz., 29th April, 1980, were subject to the payment of countervailing duties. The U.S. conducted an administrative review of the countervailing duty order and made a final determination on 15th January, 1982 that the 18% countervailing duty shall be imposed on merchandise which entered the USA from 21st July, 1980 to 31st December, 1980. In October, 1982, the US Deptt. of Commerce have revoked the countervailing duty on bolts and nuts entering the US under TSUS Nos. 646.54 and 646.56 with effect from 6.1.82 as these items became duty-free on that date and the US could not levy countervailing duty on dutyfree items without proving injury to the domestic industry and there was no such determination in this case. In January, 1983, the US investigators visited India in connection with the review of the countervailing duty order for 1981 and held discussions with the Government of India, Engineering Export Promotion Council and the exporters. The results of the review are awaited.	18%	1978-79: US \$ 9 million 1979-80: US \$ 11 million (approximate).	(1) Injury to US domestic industry by import of fasteners from India has not been proved even after India was recognised as a signatory to the Subsidies Code on 25th September, 1981 by the US.  (2) No rebate on account of refunded indirect taxes has been given while calculating the net amount of subsidy.	

1.	2.	3.	4.	5.	6.	7.	8.	9.
1.	Counter- vailing duty on public works castings	U.S.	Iron metal castings, viz., man- hole covers and frames, catch basin grates and frames and cleanout covers and frames.	TSUS 657.09	The U.S. Department of Commerce decided on 16th Oct., 1980 to impose a countervailing duty of 12.9% to 16.8% on imports of public works castings from India. Imports of the merchandise from the effective date of preliminary countervailing duty determination viz., 23rd May 1980 were subject to the payment of countervailing duties. When Government of India reduced the assistance given to the exporters of this item by 7.5%, the U.S. Government reviewed the countervailing duty order and reduced the duty to 5.4% to 9.3% on 27th July, 1981 on goods exported from India after 1st April, 1981. The U.S. investigators visited India in January 1983 and held discussions with Government of India, Engineering Export Promotion Council and the exporters in connection with the review of the countervailing duty order for 1981 and 1982. The results of the review are awaited.	Countervailing duty varying between 12.9% and 16.8% of the f.o.b. value of the exported product depending on the exporter concerned from 23rd May, 1980 to 31st March 1981 and 5.4% to 9.3% from 1st April, 1981.	1979: US \$ 13 million (approximate) (Rs.10.4 crores).	No rebate on account of refunded indirect taxes was given.
3	Anti- dumping duty on power hacksaws.	Australia	Power hack- saws having a round metal bar cutting capacity of 130 mm. diameter or greater and having net weight of 150 kgs. or greater.	CCCN 84.45.19	Australian Government decided to impose dumping cash securities on imports of power hacksaws from India from 29th August, 1980. As of February 1981, an anti-dumping duty is being applied to power hacksaws imported into Australia from India and several other countries on or after 29th August 1980.	See column 6.	Not avail- able.	Australia has imposed the cash security without giving an opportunity to the Indian Government and exporters to see all relevant information relating to the case to present their views.

1.	2.	3.	4.	5.	6.	7.	8.	9.
4.	Anti-dumping duty on electric motors.	Australia	Electric motors having a power rating not less than 0.746 kw. but not exceeding 400 Kw.	CCCN 85.01.13	The Australian Department of Business and Consumer Affairs notified on 13th January, 1981 the initiation of anti-dumping proceedings on this product imported from India. The Australian Government have imposed anti-dumping cash security on this item on 8th September, 1981.	See Column 6.	1979-80 US \$ 525,000 (Rs.42 lakhs).	Australia has imposed the cash security without giving an opportunity to the Indian Government and exporters to see all relevant information relating to the case to present their views.
5	Anti-dumping duty on files and rasps.	Australia	Files and rasps.	CCCN 82.03.3	The Australian Department of Business and Consumer Affairs notified in December 1980 the initiation of an anti-dumping investigation on these products imported from India. The Australian Government have imposed anti-dumping duty on this item in August, 1982.	-	1979-80 US \$ 300,000 (Rs.24 lakhs).	The Indian Government and exporters have not been given all information relevant to the presentation of the case.
6.	Anti-dumping duty on 12 Hydroxy-Stearic Acid.	Canada	12 Hydroxy-Stearic Acid.	-	Canada initiated anti-dumping investigation on this product in Oct. 1981. They have made a preliminary determination that the goods are being dumped and have imposed provisional anti-dumping duty on 22nd February, 1982. As the Government of India took up the matter with the Canadian Government that the procedures laid down in the Anti-dumping code have not been followed, the Canadian investigators visited India again in July, 1982 and re-assessed the normal value. The anti-dumping duty was considerably reduced in the final determination made in November, 1982.	Normal value has been determined. Provisional duty will be charged in an amount not greater than the margin of dumping.	1979-80 (July-June) Rs.37 lakhs. 1980-81 (July-June) Rs.22 lakhs.	Canada imposed duty without giving an opportunity to the Indian Government and exporters to see all relevant information relating to the case and to present their views.

1.	2.	3.	4.	5.	6.	7.	8.	9.
7.	Global quota	Canada	Leather footwear	CCCN 64.02	The Canadian Government imposed quotas for import of leather footwear into Canada on 9.7.82 as per details given below:- 9.7.82 to 30.11.82 ~ 3.4 million pairs. 1.12.82 to 30.11.83 - 11.4 million pairs. 1.12.83 to 30.11.84 - 11.7 million pairs. With effect from 31.12.82, the Government of Canada have excluded high valued leather shoes and sandals valued at 45 Canadian dollars per pair and leather books valued at \$75 (Canadian) per pair from the purview of the global quota	-	1980-2.85 million US \$	The Government of Canada had first imposed global quota on import of leather, footwear under Article XIX of the GATT. Now they have excluded high valued footwear from the global quota. Article XIX does not specifically contain a price clause and does not permit discrimination between low-cost and other suppliers. This is a derogation from the GATT and has been taken in a sector where developing countries have potential comparative advantage.

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