

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

L/5816  
5 June 1985  
Limited Distribution

INDIA - AUXILIARY DUTY OF CUSTOMS

Decision of 3 June 1985<sup>1</sup>

Considering that the CONTRACTING PARTIES by Decision of 15 November 1973<sup>2</sup>, 30 April 1974<sup>3</sup>, 5 May 1975<sup>4</sup>, 30 July 1976<sup>5</sup>, 31 August 1977<sup>6</sup>, 28 June 1978<sup>7</sup>, 30 April 1979<sup>8</sup>, 30 April 1980<sup>9</sup>, 13 April 1981<sup>10</sup>, 3 May 1982<sup>11</sup>, 11 April 1983<sup>12</sup> and 16 April 1984<sup>13</sup> waived until 31 March 1985 the application of the provisions of Article II of the General Agreement to the extent necessary to enable the Government of India to apply the auxiliary duty of customs, as notified in documents T/3934 and L/4007, on the items included in Schedule XII - India;

Considering that the Government of India has notified the CONTRACTING PARTIES that the resource situation remains difficult in spite of various measures taken and proposed to be taken by it and that therefore a continuance of the auxiliary duty of customs has become unavoidable;

Considering that the Government of India has requested the extension of the time-limit of the waiver for another year;

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<sup>1</sup>The Decision was adopted by postal ballot. There were 49 votes in favour and none against.

<sup>2</sup>BISD 20S/26

<sup>3</sup>BISD 21S/25

<sup>4</sup>BISD 22S/12

<sup>5</sup>BISD 23S/6

<sup>6</sup>BISD 24S/14

<sup>7</sup>BISD 25S/11

<sup>8</sup>BISD 26S/226

<sup>9</sup>BISD 27S/11

<sup>10</sup>BISD 28S/19

<sup>11</sup>BISD 29S/25

<sup>12</sup>BISD 30S/9

<sup>13</sup>L/5638

Noting that proposals placed before the Indian Parliament through the Financial Bill of 1985 include a provision to continue the auxiliary duty at the existing rates on GATT bound items for a further period of one year;

Noting the assurance of the Government of India that it will, upon request, promptly enter into consultations with any contracting party which considers that serious damage to its interests is caused or imminently threatened by the auxiliary duty;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement and in accordance with the procedures adopted by them on 1 November 1956,

Decide that the time-limit provided for in the Decision of 15 November 1973 shall be extended until 31 March 1986.