

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:5471

ANSWERED ON:29.04.2013

ANTI DUMPING DUTY ON IMPORT OF SOLAR PV MODULES

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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether the import of cheap goods is having adverse impact on the domestic industry and if so, the details thereof;
- (b) whether the Government proposes to amend the existing laws to impose quantitative restrictions and anti-dumping measures on import of such goods and if so, the details thereof;
- (c) whether the Government has imposed anti-dumping duty on the import of Solar PV modules and flax fabric to protect domestic industry;
- (d) if so, the details thereof along with the reaction of the domestic solar power and flax fabric producers in this regard; and
- (e) whether the Government has received any representations regarding removal of the anti- dumping duty on the import of Solar PV modules and flax fabric and if so, the details thereof along with the reaction of the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. D. PURANDESWARI)

(a) and (b) : The Ministry examines the effects of dumped goods on the domestic industry, and not cheap goods. Dumping takes place if the export price of a product is less than the normal value prevailing in the exporter's country. In order to offset the adverse effects of dumped imports, Domestic Industry can avail the trade defence measures provided under The Customs Tariff Act, 1975, The Customs Tariff (Identification, Assessment & Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. For subsidized imports the existing law is The Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995. Surge in imports is covered by The Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997. Further, the Government has already notified the Safeguard Measures (Quantitative Restrictions) Rules, 2012 in May 2012 to operationalise the provisions of quantitative restrictions provided under The Foreign Trade (Development and Regulation) Act, 1992.

(c) and (d): Based on the duly substantiated application received from the Solar Manufacturers Association, Directorate General of Antidumping and Allied Duties (DGAD) has initiated an investigation on imports of Solar Cells whether or not assembled partially or fully in Modules or Panels or on glass or some other suitable substrates, originating in or exported from Malaysia, China PR, Chinese Taipei and United States of America in November 2012 to determine the existence, degree and effect of any alleged dumping and to recommend the amount of anti- dumping duty, which if levied, would be adequate to remove the injury to the domestic industry. Based on the recommendations of DGAD, Government have imposed antidumping duty on the import of Flax Fabrics from China PR and Hong Kong in March 2009.

(e) Representations/requests have been received from interested parties for not imposing antidumping duty on the imports of Solar Cells, whether or not assembled partially or fully in Modules or Panels or on glass or some other suitable substrates. The Solar Independent Power Producers Association (SIPPA) in their representation of January, 2013, have also inter alia raised the issue of restricting the import of Solar Equipments by imposition of Anti- dumping duty. During the course of the antidumping investigation, DGAD will consider these representations in terms of the Antidumping Rules, and bring out its reasoned findings.