

To be published in Part-I Section I of the Gazette of India Extraordinary

F. No. 6/38/2019- DGTR  
Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Trade Remedies

Dated 27th January, 2021

**NOTIFICATION**

**TERMINATION**

**Subject: Termination of Countervailing Duty Investigation concerning imports of “Soda Ash” originating in or exported from Turkey.**

**A. Introduction**

1. Having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter also referred as the “Act”) and the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995 (hereinafter also referred as the “Rules”), thereof, M/s DCW Limited, M/s RSPL Limited and M/s GHCL Limited (hereinafter also referred to as the “Applicant”) filed an application before the Designated Authority (hereinafter also referred to as the “Authority”) for initiation of anti-subsidy investigation and imposition of anti-subsidy duty on imports of “Soda Ash” (hereinafter referred as “product under consideration” or “subject goods”) originating in or exported from Turkey (hereinafter referred as “subject country”).
2. The Authority, based on prima facie evidence submitted by the applicants, issued a public notice vide notification no. 6/38/2019- DGTR dated 2<sup>nd</sup> March, 2020 published in the Gazette of India, initiating the subject investigation in accordance with Rule 6 to determine existence, degree and effect of the alleged subsidy and to recommend the amount of anti-subsidy/countervailing duty, which if levied, would be adequate to remove the alleged injury to the domestic industry.

**B. Procedure**

3. The Authority notified the Embassy of the subject country in India about the receipt of the present anti-subsidy application before proceeding to initiate the investigation in accordance with Sub-Rule (5) of Rule 6 supra.
4. The Authority invited the Government of Turkey for consultation with the aim of clarifying the situation and arriving at a mutually agreed solution in accordance with Article 13 of the Agreement on subsidies and countervailing measures. The consultation was held on 11<sup>th</sup> February, 2020 through Digital Video Conferencing, which was attended by the representatives of the Government of Turkey.

5. The Authority issued a public notice dated 2<sup>nd</sup> March, 2020 published in the Gazette of India Extraordinary, initiating countervailing duty/anti-subsidy investigation concerning imports of the subject goods.
6. The Authority sent a copy of the initiation notification dated 2<sup>nd</sup> March 2020 to the Embassy of subject country, known producers/exporters from subject country, known importers/users and the domestic industry as well as other domestic producers as per the addresses made available by the Applicants and requested them to make their views known in writing within the prescribed time limit.
7. The Authority provided a copy of the non-confidential version of the application to the known producers/exporters and to the embassy of subject countries in India in accordance with Rule 7(3) of the Rules supra.
8. The Embassy of subject country in India was also requested to advise the exporters/producers from their country to respond to the questionnaire within the prescribed time limit. A copy of the letter and questionnaire sent to the producers/exporters was also sent to them along with the names and addresses of the known producers/exporters from the subject country.
9. The Authority sent questionnaires to the Government of the subject country in order to seek relevant facts/information with regard to various schemes/programs where countervailable benefit might have been conferred by the Government.
10. In response to the initiation notification and intimation, the Government of Turkey, exporters/producers from subject countries and importers/ users responded to the Authority by filing Questionnaire Response.
11. The Authority held an oral hearing on 23.11.2020 to provide an opportunity to the interested parties to present relevant information orally in accordance with Rule 7 (6).

#### **C. Request Received from the Domestic Industry**

12. The petitioner through their letter dated 21<sup>st</sup> January, 2021, to the Designated Authority has stated withdrawal of their petition with the liberty to resubmit the same with new investigation period and has accordingly requested termination of the present investigation as per Rules.

#### **D. Examination by the Authority**

13. The request made by the domestic industry, vide its letter dated 21<sup>st</sup> January, 2021 has been examined. The Authority notes that Rule 16(1)(a) of the Rules reads as under:

*The designated authority shall, by issue of a public notice terminate an investigation immediately if – (a) it receives a request in writing for doing so from or on behalf of the domestic industry affected, at whose instance the investigation was initiated;*

14. It is noted that Rule 16 provides for termination of an anti-subsidy investigation in certain situations which includes a situation where the application is withdrawn by the domestic industry affected, at whose instance the investigation was initiated. Rule 16(1)(a) of Rules provides that the Authority shall, by issue of a public notice, terminate an investigation if it receives a request in writing for doing so from or on behalf of the domestic industry affected, at whose instance the investigation was initiated.
15. The present investigation was initiated based on an application filed by M/s DCW Limited, M/s RSPL Limited and M/s GHCL Limited constituting the domestic industry. The Authority notes that Rule 16 (1) (a) of the Rules requires the Authority to terminate the investigation, once the domestic industry, at whose instance the investigation was initiated files a written request for termination of the investigation.

#### **E. Conclusion**

16. In view of the aforesaid request made by the domestic industry, M/s DCW Limited, M/s RSPL Limited and M/s GHCL Limited and under the provisions of Rule 16 (1) (a) of the Rules, the Authority hereby terminates the investigation initiated vide notification no. 6/38/2019-DGTR on 2<sup>nd</sup> March, 2020 against the imports of 'Soda Ash' from Turkey.



(B.B. Swain)

Special Secretary & Designated Authority