INTERNATIONAL ANTI-DUMPING LAWS AND COMPETITION: MAPPING THE WAY FORWARD IN INDIA

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Abstract

Dumping occurs when the goods exported by one country are at a price that is generally less than the usual selling price of that product. Anti-dumping measures were introduced into the International Trade regime to safeguard and protect the market from the wrath of such cheap international practices. In India, it is enforced via the rule embodied in 9A of Customs Tariff Act of 1975. The competition law regime also aims to protect the market from such unfair practices of trade. Competition laws evolved, while anti-dumping laws were confined within the shackles of the WTO regime. Despite budding from the same family tree, the two regimes diverge widely in practice. Contrary to competition law which aims at promoting consumer welfare and competition, antidumping laws have become a protectionist tool in the hands of the countries, used for protecting domestic producers. This paper attempts to discuss this area of conflict between anti-dumping laws and competition laws and attempts to identify the issues around the existence and implementation of anti-dumping measures. It advocates for replacing antidumping laws with International Competition Laws focused on ensuring healthy competition and consumer welfare.

Keywords: Anti-Dumping, Dumping, Legal Remedies, Protectionism, WTO

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1. Introduction

International Trade Law, as governed by the World Trade Organization, ensures fair play in global trade. Binding Tariffs and applying them equally to all trading partners are mandated by WTO via its Most Favored Nation Clause, thereby ensuring a smooth flow of trade in goods and services. However, WTO has listed certain exceptions, which allow member countries to bypass such rules. One of such exception is the action taken by member countries against dumping, i.e., the act of selling by other member countries, of goods, at an unfairly low price in the market of other member country. Similarly, some subsidies as well as countervailing duties are also allowed to offset the effect of such unfair trade practices on the domestic industries of the member country.

If a company is involved in exporting products to other countries at a cost that is lower than what it normally charges for it in its own market, then such a trade practice is called dumping. Dumping can create trade distortions and thus anti-dumping rules come into the picture (Sykes, 1998). Anti-dumping measures, along with other tools and safeguards, are methods for protecting domestic industries from the wrath of cheap international imports (Aggarwal, 2002). Although the World Trade Organization regime aims at decreasing the tariff and non-tariff trade barriers, anti-dumping measures have acquired the status of an important tool for the protection of the domestic players and industries. They allow the nations to temporarily protect their economies against the shocks and disturbances in trade patterns (Matsushita, 2017), provided they can show genuine injury to the domestic industry. Many members often consider it to be essential for furthering free and fair trade-in and within the country (WTO). Article *VI of General Agreement on Tariffs and Trade* (GATT, 1994) *as well as the Antidumping Agreement provides framework for the members of the WTO* for tackling and responding to dumping.

Since its acceptance in the 1990s, the antidumping measures increased International Trade by 80% from 1990-2003 (Yilmaz,). The measure was essential as dumping had emerged as one of the major issues in international business and commercial laws. Globally, *India has used these anti-dumping measures very frequently.* India initiated 180 cases between 1995 and 2000 which amounted to 12% of the total cases initiated all around the world (Choubey & Singh, 2003). In India, *Sec. 9A of the Customs Tariff Act, 1975 and Customs Tariff Rules, 1995 form the basis for inquiry and investigation into dumping activities.* These are in line with the international rules as laid down in the WTO. In India, the anti-dumping duties are recommended by the Department of Commerce, which is finally imposed via a Notification from the Finance Ministry.

Similarly, with the initiation of the process of economic liberalization in 1991, India started its journey towards becoming a market economy. The Competition Act 2002 was passed replacing the Monopolies and Restrictive Trade Practices Act (MRTP, 1969). The new Competition Policy was aimed at promoting overall efficiency in the newly liberalized economy. *The two have a common origin as they aim at protecting the market from unfair trade and unethical practices, however subsequently they diverge their path* (Khan, 2016). Initially, the competition laws and the anti-dumping rules were considered complimentary to one another. However, as can be seen, these two rules can be said to be at crossroads.

Competition law focuses on promoting competition in the market, whereas antidumping laws follow a rather narrow approach, i.e., of protecting the domestic industry (CCI, 2009).

Moreover, several scholars have suggested, over the years, that anti-dumping laws have certain fundamental problems. *The large-scale use of such measures has raised concerns about the misuse of this measure as a protectionist tool.* This article tries to highlight and bring to light the conflict between competition and antidumping laws and advocate against the usage of antidumping regulations in the International Trade Regime. The paper starts with highlighting the history of anti-dumping rules and Competition laws, globally as well as in India. Further, the paper tries to highlight the relationship between anti-dumping laws and the competitiveness of a market. Finally, the paper advocates the need for an International Competition Law and concludes with the suggestion that the antidumping regime is not so efficient while the competition regime of the international application is the most efficient way to promote and protect the competitiveness of the domestic as well as the global market.

2. Research Methodology

The paper arises due to curiosity to find answers to an existing problem in the Indian Markets today. Scientific research and review were carried out to find out the truth about the subject matter of the paper. The research paper has followed doctrinal research methodology and analytical, wherein the researchers have reviewed various acts, rules, and regulations of the Government as the primary source for data collection. The secondary sources of data have been the judgments of the Hon'ble Supreme Court and High Courts, expert opinions, journals, and news articles. The researchers have analyzed the critical issue through an examination of the statute, and historical or comparative growth of any legal jurisprudence in the subject matter in India or any other jurisdictions. The research databases like Westlaw, Hein Online, JSTOR, and Manupatra are used for the collection of secondary data for the analytical study.

2. Finding and Discussion

2.1. History of Anti-Dumping Rules and Competition Laws

Anti-dumping rules were initially developed in the early part of the 20th Century. *Canada was the first nation that introduced such a legislation in the year 1904 which was subsequently followed by Australia in 1906 and the USA in 1916. The UK also adopted its first legislation in 1921*. Despite this, it remained an unused instrument even after being incorporated under GATT 1947. Later, trade negotiations focused on a more standardized approach for antidumping measures, and it was later adopted in spirit after the Uruguay Rounds. The parties are given the right to apply anti-dumping measures if the import is damaging or has the potential to damage the domestic industries of the contracting party. Similarly, if the import is affecting the competitiveness of the market by causing appreciable adverse effects, they may apply such measures against such imports.

The rationale and jurisprudence behind the application of anti-dumping measures justify it on numerous socio-economic grounds. Distributive justice, however, can be a primary factor aiding the growth of anti-dumping laws, thus aiming to maintain a balance between countries and their industries participating in global trade. The power imbalance is relevant in

trade discourse, as countries take aid of this imbalance to implement various forms of trade distortions (Khare, 2019).

Competition or Anti-trust law, on the other hand, has a long history. It dates back to the Middle Ages when cartels were supposed to be tackled (Fox, 1999). *The Clayton Act of 1914 and the Sherman Act of 1890 can be said to be the first modern body of legislation dealing with Competition Laws* (Passmen, 2009). Gradually, as the problem of cartels and monopolies grew, competition norms were introduced and strengthened. India on the other hand, introduced the competition law framework in 1969 as the MRTP Act, which was subsequently replaced with the Competition Act, 2002 in light of the changing business and market environment. This law has grown multifold with rapid industrialization and integration of the global market. The basic aim of competition law in any jurisdiction is to ensure economic efficiency, while prohibiting and sanctioning business conduct that is antithetical to the competitiveness of the market like collusive agreements etc.

2.2. Dumping: Effects on Local Markets in India

Dumping, as explained earlier, can distort markets easily and GATT has, in view of this, authorized signatories to apply duties to offset dumping if "it causes or threatens to cause material injury to an industry within the territory of importing country." Dumping is a mechanism which determines the competitive outcomes in the markets by distortions and not by its relative competitiveness. Over the long run, dumping can deter investments in the market where it is happening and may permit a less efficient business to displace an efficient competitor by mere market distortions. Thus, it can be said that dumping erodes the national industries and leads to job losses for reasons unrelated to normal competition in the market and thus needs to be regulated.

In India, the deluge of Chinese imports, for example, has adversely affected India's manufacturing sector, particularly the MSME sector. Dumping by China has caused many Indian industries to operate below profitable levels and eventually shut down leading to job losses and losses of national GDP. In view of this, for example, in December 2022 India had imposed anti-dumping duty on stainless steel, seamless tubes, and pipe imports from China to remove the injury it was causing to the domestic industries.

2.3. Governments' Efforts against Dumping and Promoting Domestic Competitiveness

Indian government has performed a proactive role when it comes to ensuring that dumping doesn't affect the competitiveness of the market. To ensure that dumping doesn't affect the domestic market, GOI has been imposing anti-dumping duties against exporters who cause substantial injury to domestic industries in India under *Sec. 9A of the Customs Tariff Act, 1975 and Customs Tariff Rules, 1995*as explained earlier. Initially, the law was promulgated to protect the Iron & Steel sector, however, today applies to any product causing grave damage to the different domestic industries in India.

For initiating anti-dumping proceedings an application must be filed by the domestic industry or the Directorate General can take cognizance on its own. After the initiation of an investigation, views are invited from domestic producers constituting 50% of the total domestic market. Based on preliminary inquiry, the provisional duty can be levied (https://www.dgtr.gov.in/faq).

The act lays down that government can impose anti-dumping duty after it conducts inquiry and determines the normal value, export value and the margin of the product being dumped. As per the *Directorate General of Trade Remedies*, under the Ministry of Commerce, apart from cheap imports and injury to domestic industries, a causal link between the two must be established before any investigation can be initiated. After it is established, DGTR recommends to the central government regarding imposition of the anti-dumping duty, which as per the International and Domestic Laws, cannot be more than the margin value of the dumped product. If approved by the Cabinet Committee on Economic Affairs, which is chaired by the Hon'ble Prime Minister of India, the duty is imposed.

Apart from this Government of India also provides subsidies to the food industry, within the permissible limits of WTO as per Peace Clause, agreed under Bali Ministerial Conference of 2013, which allows developing countries to provide subsidies under public stockholding programs until a permanent solution for food subsidies is agreed. Apart from this, requirements like Domestic Content Requirement in the products like solar panels has been aimed at promoting local industries engaged in this sector. India also imposes certain import quotas on items imported to ensure that, firstly domestic industries are promoted and secondly to manage its trade balance with countries. Finally, to promote domestic manufacturing of arms and weapons, India has also prepared a negative list of imports, containing items which are prohibited from being imported and must be produced domestically in line with the Make in India initiative.

All of this ensures fair competition in the market while also ensuring that domestic producers are not at a disadvantage due to foreign market manipulation.

2.4. Antidumping Laws and Competitiveness of the Markets

As already stated, the two laws stem from the same family tree. They were thought to be able to complement each other. But the two diverged into different paths. Also, competition law evolved widely and rapidly as compared to the antidumping norms (Wooton & Zanardi, 2005). On the contrary, the legal regime of antidumping has evolved within the confines of WTO and is being criticized as being a protectionist tool in the hands of governments aiming to protect their domestic industries. The interface between the two can be understood on a conceptual and empirical level. The modern interpretation and application of antidumping laws have facilitated the kind of unfair and anti-competitive behavior which is intended to penalize and prevent in the market (CCI, 2009).

Dumping acts as a threat to the domestic firms in the country of import as consumers prefer the cheap imported goods over the domestically manufactured goods. This benefits consumers in the short run but is detrimental for them and the market in the long run. The firm will gradually increase its prices at monopolistic levels, after removing all other competition. Thus, generally, anti-dumping laws create a level playing field for domestic producers. However, they are applied on a discriminatory basis and create unnecessary tensions amongst trading partners. Antidumping rules have been used as a mechanism to protect the inefficient domestic markets.

Considering the importance of competition laws as well as the antidumping laws in influencing trade and commerce within domestic markets, it becomes essential to study the relationship between them. It is also essential considering India is amongst the topmost users of the antidumping measures. Experts are of the view that antidumping laws are nothing, but

Competition Law applied in extraterritorial context, however, due to issue and lack of growth, it has outlived their utility (Oliver, Jean Maries & Jaime, 2000). Moreover, the laws of antidumping have failed to solve or address competition-related concerns as every act of price discrimination affecting the domestic industry is attached with sanctions, which can certainly affect or be in conflict with Competition Law. Antidumping rules allow quantitative trade restrictions, which are otherwise not allowed under Competition Law, while it penalizes certain price differentiations and related agreements which may be valid and justifiable under Competition regimes globally.

Despite the Uruguay Rounds improving the GATT rules, *the antidumping rules have been used to protect the local industries from valid and legitimate competition.* Although these measures can be considered as good protection valves for countries facing liberalization, they create political and economic tensions (McGee, 1994). Unlike Competition Laws, antidumping rules while remedying injuries to local industries fail to address the question of public welfare. Similarly, the antidumping rules are indifferent to the question of economic efficiency and focus on the protection of domestic producers only. *It is the competition law that ensures optimum utilization of resources thereby leading to economic efficiency* (Sharma, Singham & Venkatswamy, 2011).

Despite the popularity of antidumping norms, the theoretical understanding of such action has been criticized. *Economists do not support antidumping laws because for them the price discrimination involved in the transactions is fair and rational* (McGee, 1993). Further, the anti-dumping laws do nothing to offer protection to the domestic industries and local markets which they intend to protect. Considering that the number of international players is ever-increasing, it becomes impossible to complain against all of them. Also, *an uncompetitive company, which is given protection, might not benefit from it in the long run*.

Despite the saying that the consumer is king, the antidumping measures protect producers at the cost of consumers. *The protection measures often lead to higher prices, low quality, and a lowering of the standards of the products as well as the markets, thus hurting the consumer* (Taylor, 2006). Competition law on the other hand aims for and assures consumer welfare by regulating quality and standards in the market. Many authors have argued that anticompetitive effects arise from the mere existence of antidumping laws (McGee, 2008). Due to the presence of these norms, foreign suppliers will be hesitant in competing aggressively. *This leads to an increase in prices by the domestic players who are assured that they cannot be underpriced by foreign suppliers* (Chugh, 2010). Moreover, anticompetitive effects arise out of how the antidumping laws are implemented. Notwithstanding the presence or absence of predatory intent on the part of the seller, *the mechanical definition of dumping makes every export at a lower value subject to investigations* (Singham, 2007). Also, any and every producer, within the meaning of *domestic industry*, can request investigations under the antidumping regime in India (Bhatt, 2003). *This has led to many cases of frivolous complaints and has disrupted the balance of the foreign player in the market*. These infirmities in the rules and procedure can very well lead to anticompetitive results and can therefore challenge the very existence of a competition law regime.

On the point of conflict or relation between these branches of law, the Supreme Court in *Haridas Exports v Float Glass Manufacturers Association* (2002 6 SCC 600) analyzed the jurisdiction of the MRTP Commission with respect to the antidumping provisions in the Custom Tariffs Act. Hon'ble court, in that case, had observed that both these laws were

operating in separate fields and had differing purposes, and thus jurisdiction of one is not ousted by the presence of the other, as the MRTP act is not having extra-territorial jurisdiction. As things stand, courts consider anti-dumping and Competition as being mutually exclusive. However, now that the Competition Act 2002 has replaced the MRTP Act, this stand might change considering that the new law has provisions which enable its extra-territorial jurisdiction.

3. Conclusion: Need For International Competition Law

Considering the costs associated with the presence and imposition of anti-dumping duties, it is considered as trouble-making diplomacy (Hora, 2015). *Commissioner of the International Trade Commission stated that the purpose of antidumping is not to protect consumers, but the producers thus granting economic benefits to the producers and economic costs to the consumers* (Araujo Jr, 2001). The main aim of antidumping is to protect the interest of various domestic players and industries. However, the less efficient ones also get protected as a consequence of this.

As already discussed, antidumping also fails on the grounds of economic efficiency and consumer welfare. All of this has led to a demand at the international level that the anti-dumping laws must be dumped and replaced by international competition laws, focusing on the welfare of the consumer, rather than the producers. *A standard competition law regime will potentially shift the focus of the measures from the firms to the consumer, thereby creating efficiency, increasing choices, and generating competition in the market* (Bhalla, 1995).

The antidumping law still holds well because formation and application of the international competition law has not been politically and diplomatically possible (OECD, 2000). The lack of unambiguous and clear laws of competition in the multilateral trading regime has led to the mushrooming of anti-dumping laws globally. Within WTO, there is an absence of norms regulating competition, thus countries must either use domestic competition law or resort to measures like antidumping. As a consequence, if a foreign enterprise abuses its market dominance, the lack of extra-territorial application of the competition regime limits its ability to deal with such acts of transgression (Wooton & Zanardi, 2002). Therefore, governments end up resorting to the use of antidumping laws as an alternative (Epstein, 2002).

These criticisms lead us to a conclusion that these antidumping regimes are destroying the competition by being protectionist in nature. Still, it will be unjust to argue that antidumping laws and rules are inherently anti-competitive. The thin line difference between protection and competition must be ensured. The effect of antidumping would depend upon the manner of their application (Lester, Mercurio & Davies, 2012). If applied to grant undue protection, then it will certainly hamper competition thereby hampering the interest of the consumers.

However, considering the rate at which global trade has grown over the years, *WTO mandates nation-states to be open to international market forces* (Bossche, 2005). This requires fair play in the market between the domestic as well as foreign players, which can never be ensured in the regime of antidumping laws. The act of price discrimination, as far as it doesn't hamper the competition, is deemed a valid measure under the competition laws, while the same act will be deemed unlawful under anti-dumping rules. The rules should be abandoned as they fail to ensure a free and fair market and also fail to provide a safety valve for the domestic industries and firms facing pressure in the form of cheap imports. As per

WTO, the international competition policy will be a more effective tool for achieving an efficient allocation of world resources (Messerlin, 1996). Thus, considering the obligation and the upper hand of competition law over anti-dumping laws, the author proposes that International Competition Law must be substituted for antidumping laws in the global trading regime or that the antidumping laws are amended so as to ensure compatibility with the competition law regime nationally as well as globally.

Considering these points, propositions, arguments, and comments highlighted in the paper, it is essential to map a way forward for the antidumping regime, if it is to remain in practice and in consonance with the conflicting Competition regime. The necessary changes or amendments can be:

- Obligation to prevent abuse of the Agreement: Considering the impact of antidumping on trade, members must *establish an obligation to establish transparent and standard antidumping procedures for preventing any abuse* or impact of the measures on the efficacy of the market.

- *Incorporating consumer welfare and economic efficiency as essential conditions* for the implementation of antidumping duties and measures.

- *Public Interest Test:* Picking up cues from nations such as South Korea as well as European Union etc., the public interest test can be introduced in the antidumping laws. It will introduce competition concerns into the antidumping regime.

- *Reducing the imbalances between Antidumping and Competition Law norms*. The current anti-dumping measures must be improved to reflect the importance of healthy competition.

- The *definition of 'domestic industry' must be altered and must include a majority of the total domestic producers of the product in dispute rather than including every single market player*. This can ensure the reduction of frivolous investigations.

- Finally, we need to minimize the discretionary powers of the state vis-à-vis antidumping rules, which will thereby ensure transparency.

It is hereby suggested that any anti-dumping proceeding should not be initiated unless it meets all the substantive criteria required under the regime of competition laws. This can ensure that the antidumping measure is not reduced to a mere political tool. Moreover, despite shortcomings, it will not be feasible to completely strike off antidumping laws in the absence of any effective alternative, which will require the consensus of the global trading community, aided majorly by WTO, i.e., till the time a substantive code on International Competition Law is not agreed upon.

LIST OF REFERENCES

Books

Martin Taylor (2006), International Competition Law: A New Dimension for the WTO, Cambridge University Press.

Simon Lester, Bryan Mercurio & Arwel Davies (2012), World Trade Law: Text, Material and Commentary, Hart Publications.

Mitsuo Matsushita, Thomas J. Schoenbaum, Petros C. Mavroids & Micheal Hahn (May 2017), The World Trade Organization: Law, Practise and Policy, Oxford University Press.

A.O. Sykes (1998), Anti-dumping and Antitrust: What Problems does each address, (ed. RZ Lawrence, Brookings Trade Forum.

Peter Van Den Bossce (2005), The Law and Policy of the World Trade Organization, Cambridge University Press.

Robert McGee (1994), A Trade Policy for Free Societies: The Case Against Protectionism, Quorum Books.

Articles and Reports

Akash Choubey & Sarvesh Singh (2004), "Anti-Dumping: Rhetoric and Reality", AIR Online.

Aradhna Aggarwal (2002), "Anti-dumping Law, and Practise: An Indian Perspective", Indian Council for Research on Int'l Eco Relations, 2, Working Paper No. 85.

Berend Passmen (Dec. 2009), "Multilateral Rules on Competition Policy: An overview of the debate", International Trade Unit, Comercio International Serie 2, Chile.

Cadot Oliver, Grether Jean-Maries & Melo de Jaime (2000), "Trade and Competition Policy: Where do we stand?", Journal of World Trade, Vol. 34, No. June, pp. 1-20.

Dr. Muslum Yilmaz, Trends in the use of Anti-dumping measures during the first twelve years of the World Trade Organization, Report of the Turkey Ministry of Foreign Affairs. Available at: http://www.mfa.gov.tr/data/Kutuphane/yayinlar/EkonomikSorunlarDergisi/Sayi29/dergi-%20AD%20trends.pdf

Eleanor Fox (Dec. 1999), "Anti-trust Law on a Global Scale: Race up, down and sideways", Working Paper 3, New York University School of Law.

Ian Wooton & Maurizio Zanardi (2005)., "Trade and Competition Policy: Antidumping versus Anti-trust", University of Strathclyde, Glasgow.

Ivneet Walia, "Conceptual Overview of Anti-Dumping Provisions", Manupatra Articles on International Law. Available at: http://www.manupatrafast.com/articles/PopOpenArticle.aspx?ID=09744358-09f7-444c-b3aa-3771e2b7466a&txtsearch=Subject:%20International%20Law.

Jose de Araujo Jr. (Dec. 2001), "Legal and Economic Interface between Antidumping and Competition Policy", SICE Foreign Trade Information System.

Julian Epstein (2002), "The Other Side of Harmony: Can Trade and Competition Laws Work Together in the International Marketplace?", American University International Law Review, Volume 17, Issue 2.

Kaushal Sharma, Shankar Singham, & Sriraj Venkatasamy (2011), "Economic (Efficiencies)-An Essential Consideration in Merger Analysis, Competition Commission of India", Available at: http://www.cci.gov.in/sites/default/files/presentation_document/Final_Efficiency_Article01-Feb-2011.pdf?download=1.

Naveen Chugh (2010), "Antidumping and Competition Law: Indian Perspective, Research Paper, Competition Commission of India", Available at: http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.620.3481&rep=rep1&type=pdf

Nikita Hora (Dec. 2015), "Competition Law, and Antidumping Law": Understanding Overlaps and Conflicts, IP leaders.

Owais Hasan Khan (2016), "Interface between Anti-dumping and Competition Law: A Critical Analysis", Bharati Law Review.

Patrick A. Messerlin (1996), "Competition Policy and Antidumping reform: An exercise in Transition", Institute of International Economics.

Raj Bhalla (1995), "Rethinking Antidumping Law", Faculty Publications, College of William and Mary Law School, p. 22.

Reuters (Dec. 2022), "India Imposes anti-dumping duty on stainless steel tube from China".

Rishabh Khare (Feb., 2019), "India: Anti-Dumping Law and Competition Law: A Case of Intersecting Lines", Available at: https://www.mondaq.com/india/antitrust-eu-competition-/782654/anti-dumping-law-and-competition-law-a-case-of-intersecting-lines.

Robert McGee (Jan. 2008), "Antidumping laws as weapons of protectionism: Case Studies from Asia", Working Paper, Florida State University.

Robert McGee (1993), "The Case to repeal the Antidumping Laws", NW Journal of International Law & Business, Vol 13, No.3.

Shanker Singham (May 2007), "A General Theory of Trade and Competition - Trade Liberalisation and Competitive Markets", Cameron.

Study on Antidumping and Competition Law (2009), *Report by Economic Laws Practice, Competition Commission of India.* Available at: http://www.cci.gov.in/sites/default/files/Antidumping_20090420151657.pdf.

T.P. Bhatt (2003), "Globalization of Anti-dumping and its Impact", Foreign Trade Review, Vol. 38, Issue 2.

Understanding the WTO: The Agreements, Anti-dumping, subsidies, safeguards, World Trade Organization.

Legislations, Judgments and Websites

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, 1868 U.N.T.S. 201

Customs Tariff (Identification, Assessment, and Collection of Countervailing Duty on Subsidized Articles and Determination of Injury) Rules, 1995

FAQs, Directorate General of Trade Remedies, Ministry of Commerce. Available at:

https://www.dgtr.gov.in/faq

General Agreement on Tariffs and Trade 1994, 1867 U.N.T.S. 493

M/s Haridas Exports v All India Float Glass Manufacturers Association, (2002) 6 SCC 600.

The Competition Act, 2002 [Act No. 12 of 2003].

The Customs Tariff Act, 1975 [No. 51 of 1975]

The Monopolies and Restrictive Trade Practices Act, 1969 [No. 54 of 1969].

The Sherman Antitrust Act of 1890 [26 Stat. 2019, 15 U.S.C].