


Name: Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: ADD CVV Program: BBA LLB		Semester: VII	
Course Code: CLIN4002		Time: 03 hrs. Max. Marks: 100	
Instructions: All questions are compulsory. Word Limit- Section A- 50 words, Section B- 150 words, Section C- 250 words, Section D- 250 words			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Define Subsidy in light of the SCM Agreement.	2	CO1
Q 2	Define Dumping in light of the ADA.	2	CO1
Q 3	Why is the Tokyo Round considered as the turning point of GATT.	2	CO1
Q 4	Describe Material Injury.	2	CO1
Q 5	NIEO stands for _____.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 1	Injury to a market can happen in various ways. Establishment of a new industry can be difficult if a product is being dumped in the market. Do you agree? Discuss.	5	CO2
Q 2	Consider the following: Product X CP is 100 Export Price is 80 Calculate the margin of dumping with provisions.	5	CO2
Q 3	The domestic industry on the other hand contended, inter alia, that as per decisions of the WTO panels in Mexico-Beef and Rice and Ukraine-Ammonium Nitrate, the investigation against Kim Tin stood terminated.	5	CO2

	<p>Therefore, only an original investigation could be initiated against Kim Tin. The domestic industry also cited the practice in other countries such as the European Union where the investigation against parties having de-minimis dumping margins was terminated.</p> <p>Discuss the statement in light of the de-minimis provisions of dumping.</p>		
Q 4	The role of DGTR is well defined in dumping calculations. Discuss the role of CBDT and DGTR in dumping determinations.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 1	<p>A domestic industry wishes to bring an anti-dumping case against the producers of the like product in another country. However, one of the producers is related to an exporter and opposes the case. Can the investigating authority initiate the case?</p> <p>Discuss the process of such investigations.</p>	10	CO 3
Q 2	In an anti-dumping case involving five exporters, the investigating authority finds that four of them did not dump. The fifth exporter dumped some 50% of its exports while the other 50% was not dumped. In analyzing the volume of the dumped imports, which data should the investigating authority use?	10	CO 3
SECTION-D (2Qx25M=50 Marks)			
Q 1	<p>In United States-Steel plate, the Panel ruled that the United States' use of multiple averaging periods in the Plate and Sheet investigations was inconsistent with the requirement of Article 2.4.2 to compare a weighted average normal value with a weighted average of all comparable export transactions. The United States had divided the investigation period for the purpose of calculating the overall margin of dumping into two averaging periods to take into account the Korean won devaluation in the period November-December 1997, corresponding to the pre and post-devaluation periods. The United States had calculated a margin of dumping for each sub-period. When combining the margins of dumping calculated for the sub-periods to determine an overall margin of dumping for the entire investigation period, the U.S. Department of Commerce DOC had treated the period November-December, where the average export price was higher than the average normal value, as a sub-period of zero dumping—where in fact there was negative dumping in that sub-period.</p> <p>Discuss the developments and questions in this case and their conclusions.</p>	25	CO 4

Q 2

Date	Normal value	Export price
1 January	50	50
8 January	100	100
15 January	150	150
21 January	200	200

Consider the above details and differentiate between Weighted Average and Transaction to Transaction basis of calculation of dumping. Describe with calculations and provisions.

25

CO 4