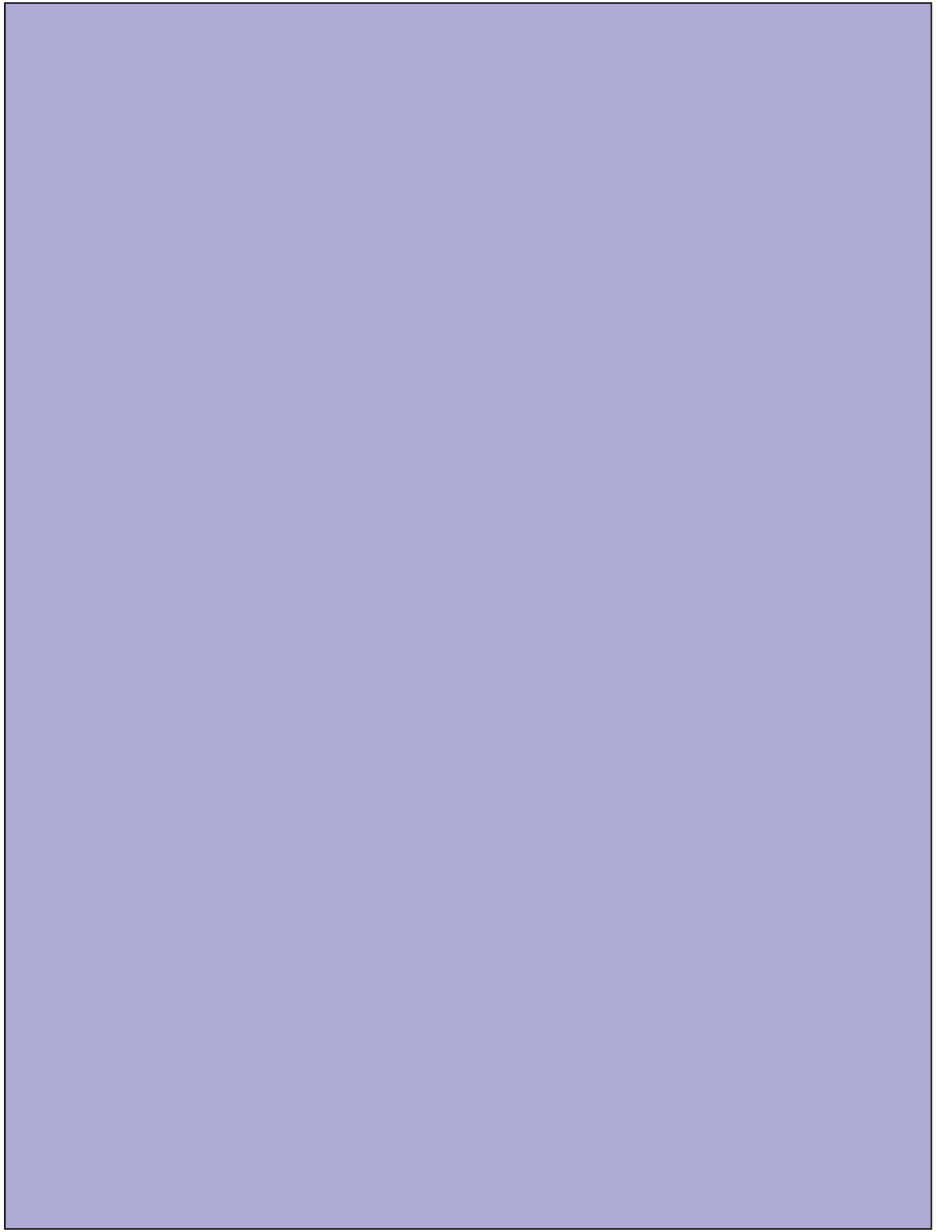


**THE FOREIGN TRADE  
(DEVELOPMENT  
AND REGULATION) ACT, 1992**



# THE FOREIGN TRADE (DEVELOPMENT AND REGULATION) ACT, 1992

## Chapter III A<sup>1</sup>

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9A (1) If the Central Government, after conducting such enquiry as it deems fit, is satisfied that any goods are imported into India in such increased quantities and under such conditions as to cause or threaten to cause serious injury to domestic industry, it may, by notification in the Official Gazette, impose such quantitative restrictions on the import of such goods as it may deem fit:

**Provided** that no such quantitative restrictions shall be imposed on any goods originating from a developing country so long as the share of imports of such goods from that country does not exceed three per cent or where such goods originate from more than one developing country, then, so long as the aggregate of the imports from all such countries taken together does not exceed nine per cent of the total imports of such goods into India.

(2) The quantitative restrictions imposed under this section shall, unless revoked earlier, cease to have effect on the expiry of four years from the date of such imposition.

**Provided** that if the Central Government is of the opinion that the domestic industry has taken measures to adjust to such injury or threat thereof and it is necessary that the quantitative restrictions should continue to be imposed to prevent such injury or threat and to facilitate the adjustments, it may extend the said period beyond four years:

**Provided** further that in no case the quantitative restrictions shall continue to be imposed beyond a period of ten years from the date on which such restrictions were first imposed.

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<sup>1</sup> Inserted (w.e.f. 27-8-2010 vide notification S.O. No. 2099(E), dated 27-8-2010) by Foreign Trade (Development & Regulation) Amendment Act, 2010.

- (3) The Central Government may, by rules provide for the manner in which goods, the import of which shall be subject to quantitative restrictions under this section, may be identified and the manner in which the causes of serious injury or causes of threat of serious injury in relation to such goods may be determined.
- (4) For the purposes of this section –
- (a) "developing country" means a country notified by the Central Government in the Official Gazette, in this regard;
  - II. "domestic industry" means the producers of goods (including producers of agricultural goods
    - (i) as a whole of the like goods or directly competitive goods in India; or
    - (ii) whose collective output of the like goods or directly competitive goods in India constitutes a major share of the total production of the said goods in India;
  - III. "serious injury" means an injury causing significant overall impairment in the position of a domestic industry;
  - IV. "threat of serious injury" means a clear and imminent danger of serious injury".