

Ministry of Industry
(F. No.A-42012/1/98-E.IV/CDN)
The Gazette of India
EXTRAORDINARY
(Part 1- Section 1)
MINISTRY OF INDUSTRY
(Department of Industrial Policy & Promotion)

RESOLUTION

New Delhi, the 2nd September, 1997.

No. A-42012/24/91-E.IV - In keeping with the commitment to economic liberalisation and to provide an independent body to look into tariff related issues, Government have decided to constitute an independent Tariff Commission to recommend appropriate levels of tariffs for different products and different industries, keeping in view the large economic interest of the country.

2. The Commission will be headed by a full time Chairman of the rank of Secretary to the Government of India and assisted by a full-time member to be designated as Member-Secretary in the rank of Additional Secretary. The other members of the Commission will be part-time members whose number may vary between 3 and 5 with the option to convert some of the part-time members into full time members depending upon exigencies of work. The Chairman and members will be drawn from persons of eminence from relevant fields including administration, finance, economics, industry, commerce, agriculture, and science and technology. The initial appointment of the Chairman will be made for a term of 3 years. The Commission will have a Secretariat with core staff and will engage the services of experts and consultants for specific studies, etc as per the existing Government guidelines and instructions.
3. The Commission would function as an independent expert Committee. The Chairman and the Member-Secretary would have appropriate administrative powers to order the production of any document, book, register or record in the possession of or power of any person having the control of or employee in connection with, in an industrial undertaking on the lines of the provision of Section 19 of Industries (Development & Regulation) Act, 1951 and to examine any person having the control of or employed with in connection with, in an industrial undertaking. The Commission will also be empowered with the necessary flexibility to sub-contract research work to specialised agencies both within the Government and outside.
4. The terms of reference of the Tariff Commission shall be as follows:-
 - i. To render advice and make recommendations as an expert body, on matters referred to it by Government regarding fixation of tariff and all tariff related issues in relation to traded goods, keeping in view the interest of the industrial and production sectors, export and import trade and consumers.

- ii. To render advice on issues referred to it by Government on classification of goods and products along with the applicable Tariffs on such goods and products.
- iv. To carry out technical studies on cost of production of different goods and services and their competitiveness in relation to other countries so as to generate data and parameters relevant to tariff fixation.
- v. To undertake such other tasks as may be assigned by Government from time to time.
- iv. To present an annual report to Government of its activities.

5. Any Department/Ministry concerned with the subjects mentioned above may make a reference to the Commission either on its own or on the basis of representations/memoranda, etc. received by them. To facilitate the smooth functioning of the Commission and to obviate possibilities of over-burdening the Commission with unrelated/multiple references, the Department of Industrial Policy and Promotion may constitute a small committee to look into the proposed references. This Committee may consist of the Secretary, Department of Industrial Policy & Promotion, Revenue Secretary, Commerce Secretary, and Secretary of the Administrative Ministry/Department to whom the proposed reference relates. The Commission would concentrate on need based references referred by this Committee and give its expeditious recommendations. While providing all relevant data, Government would not function as a party to as to the detailed examination.

6. The Tariff Commission will be serviced by the Department of Industrial Policy & Promotion under the Ministry of Industry

Sd/- 2/9/97
ASHOK KUMAR,
Joint Secretary

ORDER

ORDERED that a copy of the Resolution be communicated to all concerned.

ORDERED also that the Resolution be published in the Gazette of India for general information.

Sd/- 2/9/97
(ASHOK KUMAR)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA