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DIRECTORATE GENERAL OF TRADE REMEDIES

# Safeguard duties in India: quotas and quantitative restrictions

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A SAFEGUARD IS A temporary measure against a rise in imports that causes or threatens serious injury to an Indian industry (Customs Tariff Act, section 8B(1)). It needs no finding of dumping or subsidy. Serious injury means a significant overall impairment of the industry's position (section 8B(11)(c)). Anti-dumping duty needs material injury instead.

KEY FACTS

LAW

Customs Tariff Act, 1975

QUANTITATIVE RESTRICTIONS

Foreign Trade (Development and Regulation) Act, 1992

ONLINE FILING

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## What is a safeguard duty in India, and how is it different from anti-dumping?

A safeguard is a temporary measure against a rise in imports that causes or threatens serious injury to an Indian industry (Customs Tariff Act, section 8B(1)). It needs no finding of dumping or subsidy. Serious injury means a significant overall impairment of the industry's position (section 8B(11)(c)). Anti-dumping duty needs material injury instead.

Anti-dumping duty and safeguards compared (Customs Tariff Act, 1975 and the rules, as compiled up to June 16, 2026)

| Point | Anti-dumping duty | Safeguard measure |
|---|---|---|
| What starts it | Goods exported to India below their normal value (section 9A(1)) | Increased imports, absolute or relative to Indian production (section 8B(1); Safeguard Rules, rule 2(c)) |
| Injury test | Material injury, or its threat (section 9B(1)(b)(ii)) | Serious injury, or a clear and imminent danger of it (section 8B(11)(c) and (d)) |
| Whose imports | The countries investigated, with a margin for each known exporter (Anti-Dumping Rules, rule 17(3)) | Every source, except small developing-country suppliers (Safeguard Rules, rule 13) |
| Findings due | Within 1 year of initiation, extendable by 6 months (rule 17(1)) | Within 8 months of initiation, or longer if allowed (rule 11(1)) |
| How long it lasts | 5 years; a review can extend it by up to 5 years at a time (section 9A(5)) | Up to 4 years; extensions up to 10 years in total (section 8B(8)) |

The Directorate General of Trade Remedies (DGTR) investigates and recommends. The central government decides. See our guide to DGTR and trade remedies in India.

If factors other than the increased imports are injuring the industry, DGTR may refer the complaint to the anti-dumping or countervailing duty authority (Safeguard Rules, rule 8(ii)). See filing an anti-dumping application with DGTR.

## What safeguard measures can India impose?

Section 8B(2) of the Customs Tariff Act names a safeguard duty, a tariff-rate quota, or another measure the central government finds fit. A tariff-rate quota can't be set below the average imports of the last three representative years, unless a different level is needed to prevent or remedy serious injury (section 8B(3)).

Safeguard duty is charged on top of any other duty (section 8B(7)). It doesn't apply to imports by a hundred percent export-oriented undertaking or a special economic zone unit, unless the notification says so (section 8B(6)). It does apply to goods cleared into the domestic tariff area, or used to make goods cleared there. Trade remedy duties for importers and user industries covers who pays at the border.

## Does a safeguard apply to imports from developing countries?

Not to small suppliers. No safeguard duty applies to a developing country with no more than 3% of India's imports of the product, as long as such countries together hold no more than 9% (section 8B(2), first proviso). Section 9A(1) of the Foreign Trade (Development and Regulation) Act, 1992 sets the same limits for quantitative restrictions.

A developing country is one the central government notifies (section 8B(11)(a)). The 2026 soda ash findings used the list in Notification No. 19/2016-Customs (N.T.) of February 5, 2016 (final findings, Annexure).

The exclusion goes by share, not by status. The soda ash findings leave developing countries such as Vietnam and Indonesia out of the quota while within the limits. Turkey, Kenya, Bulgaria and Iran are on the list too, but their imports count against quotas (paragraphs 159 and 161(iv) and (v)).

## What are the time limits in a safeguard case?

DGTR gives its final findings within eight months of starting a safeguard case, or longer if the central government allows (Safeguard Rules, 1997, rule 11(1)). A provisional measure lasts no more than 200 days. A final measure lasts up to four years, and can't be extended past ten years from first imposition (section 8B(5) and (8)).

DGTR may record preliminary findings, the basis for a provisional measure, in critical circumstances: when delay would cause damage that can't be repaired (rules 2(b) and 9(1)). If the final finding is negative, the provisional duty is refunded (section 8B(5)).

For a measure longer than one year, DGTR also recommends progressive liberalization (rule 11(3)). Before imposition, World Trade Organization (WTO) members with a substantial export interest may consult (rule 19(2)). These are the rules' limits, not dates anyone can promise.

## What are quantitative restrictions as a safeguard?

A quantitative restriction is a specific limit on the quantity of goods imported, applied as a safeguard (Safeguard Measures (Quantitative Restrictions) Rules, 2012, rule 2(1)). It comes under section 9A of the Foreign Trade (Development and Regulation) Act, 1992, and lasts up to four years, with extensions up to ten in total (section 9A(2)).

The application must also show that the increase in imports came from unforeseen developments (rule 5(2)(a)(i)). Industrial users, and consumer groups where the goods sell at retail, can say whether a restriction is in the public interest (rule 6(5)). For India's import rules, see our guide to India's import policy.

## What did DGTR recommend on soda ash in 2026?

In November 2026, DGTR recommended two years of country-wise import quotas on soda ash, a quantitative restriction. The case started on March 16, 2026, on an application by the Alkali Manufacturers Association of India, which had asked for four years (final findings, paragraphs 1, 2 and 158).

DGTR found that the imports threaten serious injury, and made no finding of serious injury itself (paragraph 155(iii) and (iv)). The second year's quota is the first year's plus 5% for each country (paragraph 159).

Imports under the Advance Authorization scheme for goods that are physically exported don't count against the quota, as long as the export obligation is met (paragraph 161(vi)). The central government may give effect to the recommendation (paragraph 20).

DGTR recommends two years of import quotas on soda ash →

The soda ash investigation in our DGTR tracker →

## What is a bilateral safeguard under a trade agreement?

A bilateral safeguard is a trade remedy a trade agreement provides, run under rules made for that agreement. On May 27, 2026, DGTR recommended withdrawing, for two years, the tariff concession on two plasticizers, DOTP and DEHCH, from the Republic of Korea (final findings, paragraphs 146 and 147).

The concession is India's under the India-Korea Comprehensive Economic Partnership Agreement (CEPA), and the case ran under its Bilateral Safeguard Measures Rules, 2017. DGTR found that imports from Korea rose because the agreement had removed basic customs duty on them (paragraph 145(iii)).

Each trade agreement carries its own bilateral safeguard rules, and this guide doesn't cover them. See India's free trade agreements.

DGTR backs a two-year safeguard on Korean DOTP and DEHCH →

The DOTP and DEHCH findings in our DGTR tracker →

## How IndusDesk helps with safeguard cases

We watch the authorities, tell you what each change means for your products and plans, represent you while a decision is still open, and carry the work through, with every step on record in your workspace.

For Indian producers, we prepare the safeguard application, with the adjustment statement the rules require (Safeguard Rules, rule 5(2)(b)). For importers, users and exporters, we prepare submissions, support you at hearings and follow the case to the government's decision.

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## Latest notices and insights

- DGTR recommends withdrawing CEPA tariff concession on DOTP and DEHCH from Korea RP (Notice, May 27, 2026)
- DGTR initiates safeguard quantitative restrictions investigation on soda ash imports (Notice, March 16, 2026)

## Frequently asked questions

### Does a safeguard duty apply to all countries?

Yes, except small developing-country suppliers: one with no more than 3% of India's imports, while such countries together hold no more than 9% (Customs Tariff Act, section 8B(2); Safeguard Rules, rule 13).

### How long can a safeguard last?

Up to four years, unless revoked earlier. The central government may extend it while the industry adjusts, but never past ten years from first imposition (Customs Tariff Act, section 8B(8); for quantitative restrictions, section 9A(2) of the Foreign Trade (Development and Regulation) Act).

### How is a safeguard application filed?

On SETU, DGTR's online portal, which has taken every application since October 24, 2025, safeguard cases included (Trade Notice 01/2025, paragraph 4). A safeguard application must also say what the industry is doing, or plans, to adjust to import competition (Safeguard Rules, 1997, rule 5(2)(b)).

## Sources


- DGTR, Compendium of Laws & Regulations on Trade Remedies, updated up to June 16, 2026: Customs Tariff Act, 1975, sections 8B, 9A and 9B; Foreign Trade (Development and Regulation) Act, 1992, section 9A; Customs Tariff (Identification and Assessment of Safeguard Measures) Rules, 1997, rules 2, 5, 8, 9, 11, 13 and 19; Safeguard Measures (Quantitative Restrictions) Rules, 2012, rules 2, 5 and 6; Anti-Dumping Rules, 1995, rule 17
- DGTR, initiation of the safeguard (quantitative restrictions) investigation on soda ash, Case ID QR/OI/001/2026, March 16, 2026 (Gazette of India, CG-DL-E-18032026-271033) (PDF, 817 KB)
- DGTR, final findings in the safeguard (quantitative restrictions) investigation on soda ash, Case No. QR (OI)-001/2026, November 2026 (paragraphs 1, 2, 20, 155, 158, 159 and 161, and the Annexure) (PDF, 810 KB)

- DGTR, final findings in the bilateral safeguard investigation on DOTP and DEHCH from the Republic of Korea, Case No. (SG)-01/2025, May 27, 2026 (Gazette of India, CG-DL-E-01062026-273034; paragraphs 145 to 147) (PDF, 2.0 MB)

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