

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 54/2017-Customs (ADD)

New Delhi, the 17th November, 2017

G.S.R.-(E). -Whereas, the designated authority *vide* initiation notification No. 15/5/2016-DGAD, dated the 8th July, 2016, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 8th July, 2016, had initiated review in terms of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said Customs Tariff Act) and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the said rules), in the matter of continuation of antidumping duty on imports of,-

- a) PX-13 and TDQ originating in and exported from the European Union and MOR originating in and exported from the Peoples Republic of China imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No.67/2011-Customs (ADD) dated the 28th July, 2011, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 582(E), dated the 28th July, 2011]; and
- b) MBTS originating in and exported from the Peoples Republic of China, imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No.98/2011-Customs (ADD) dated the 20th October, 2011, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 775(E), dated the 20th October, 2011,

and had recommended for extension of anti-dumping duty, in terms of sub-section (5) of section 9A of the said Customs Tariff Act.

And whereas, the central Government *vide* notification No. 35/2016- Customs (ADD) dated the 26th July, 2016 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 727(E), dated the 26th July, 2016 had extended the anti-dumping duty upto 27th July, 2017, and *vide* notification No. 40/2016- Customs (ADD) dated the 8th August, 2016 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-

section (i), *vide* number G.S.R. 774(E), dated the 8th August, 2016 had extended the anti-dumping duty upto 19th October, 2017.

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, the Designated Authority in its final findings, published *vide* notification No. F. No.15/05/2016-DGAD, dated the 2nd September, 2017 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2nd September, 2017 has come to the conclusion that:

- (i) **Rubber Chemical PX-13:** There was continued dumping of PX-13 from European Union, causing injury to the domestic industry. Imports were undercutting and underselling the prices of the domestic industry. Cessation of antidumping duty was likely to lead to continuation and recurrence of dumping and injury to the domestic industry.
- (ii) **Rubber Chemical TDQ:** There was no continued dumping or injury to the domestic industry. Cessation of antidumping duty was not likely to lead to continuation and recurrence of dumping and injury to the domestic industry.
- (iii) **Rubber Chemical MOR:** There was continued dumping of MOR from China PR. Imports were significantly undercutting and underselling the prices of the domestic industry. Cessation of antidumping duty was likely to lead to continuation and recurrence of dumping and injury to the domestic industry.
- (iv) **Rubber Chemical MBTS:** There was no continued dumping or injury to the domestic industry. Cessation of antidumping duty was not likely to lead to continuation and recurrence of dumping and injury to the domestic industry;

and, has recommended the imposition of definitive anti-dumping duty on the imports of Rubber Chemical PX 13 originating in or exported from the European Union; and Rubber Chemical MOR origination in or exported from the Peoples Republic of China and imported into India, in order to remove injury to the domestic industry;

Now, therefore, in exercise of the powers conferred by sub-section (1) and sub-section (5) of section 9A of the Customs Tariff Act, and rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid sunset review final findings of the designated authority, hereby impose on the goods, the description of which is specified in column (3) of the Table below, falling under tariff item of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column

(2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), exported by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (8) in the currency as specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table:-

Table

S. No.	Heading/ Sub-heading	Description of goods	Country of Origin	Country of Exports	Producer	Exporter	Duty Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	381210, 381220, 381230, 293420, 292520	Rubber Chemical PX 13	EU	EU	Solutia Europe SPRL/BVB A, Belgium	Solutia Europe SPRL/BV BA, Belgium	427.03	Per MT	US\$
2.	-do-	Rubber Chemical PX 13	EU	EU	Any other that the combination of producer & exporter at 1 above		897.01	Per MT	US\$
3.	-do-	Rubber Chemical PX 13	EU	Any other than EU	Any	Any	897.01	Per MT	US\$
4.	-do-	Rubber Chemical PX 13	Any other than EU	EU	Any	Any	897.01	Per MT	US\$
5.	-do-	Rubber Chemical MOR	China PR	China PR	Any	Any	213.82	Per MT	US\$
6.	-do-	Rubber Chemical MOR	China PR	Any other than China PR	Any	Any	213.82	Per MT	US\$
7.	-do-	Rubber Chemical MOR	Any other than China PR	China PR	Any	Any	213.82	Per MT	US\$

2. The anti-dumping duty imposed shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

Explanation.- For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification

of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Act.

F. No. 354/123/2005-TRU (Pt-I)

(Ruchi Bisht)
Under Secretary to the Government of India