

**ANTI-DUMPING DUTY ON ACRYLONITRILE BUTADIENE RUBBER ORIGINATING IN OR EXPORTED FROM TAIWAN :
[Notfn. No. 37/00-Cus. dt. 6.4.2000]**

WHEREAS in the matter of import of Acrylonitrile Butadiene Rubber (NBR), falling under Chapter 40 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from, Taiwan, the Designated Authority *vide* its preliminary findings, published in the Gazette of India Extraordinary, Part I, Section 1, dated the 28th September, 1999, had come to the conclusion that-

- (a) Acrylonitrile Butadiene Rubber (NBR) originating in, or exported from, Taiwan has been exported to India below normal value, resulting in dumping;
- (b) the Indian industry has suffered material injury;
- (c) the injury has been caused cumulatively by the imports from the subject countries;

AND WHEREAS on the basis of the aforesaid findings of the Designated Authority, the Central Government has imposed anti-dumping duty *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 120/99-Customs, dated the 2nd November, 1999, [G.S.R.743(E), dated the 2nd November, 1999] published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 2nd November, 1999;

AND WHEREAS the Designated Authority *vide* its final findings, dated the 23rd February, 2000 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd February, 2000, has come to the conclusion that -

- (a) Acrylonitrile Butadiene Rubber (NBR) originating in, or exported from, Taiwan has been exported to India below normal value, resulting in dumping;
- (b) the domestic industry has suffered material injury;
- (c) the causal link between dumping and injury is established.

Now, therefore, in exercise of the powers conferred by sub-section (1) and (5) of section 9A, of the Customs Tariff Act, 1975 (51 of 1975), read with rules 18 and 20 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, on the basis of the aforesaid final findings of the Designated Authority, hereby imposes on the said Acrylonitrile Butadiene Rubber (NBR) falling under Chapter 40 of the First Schedule to the said Customs Tariff Act and originating in, or exported from, Taiwan, when exported by the exporter mentioned in column (2) of the Table annexed hereto and imported into India, an anti-dumping duty at a rate which is equivalent to the amount per metric tonne mentioned in the corresponding entry in column (3) of the said Table

TABLE

S.No.	Name of the Exporter	Amount of duty (Rupees per Metric Tonne)
(1)	(2)	(3)
1.	M/s Nantex Industry Co. Ltd. Taiwan	6288
2.	Exporter other than above	6288

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of the imposition of the provisional duty, i.e. the 2nd November, 1999.

ANTI-DUMPING DUTY ON ETHYLENE PROPYLENE DIENE RUBBER ORIGINATING IN OR EXPORTED FROM JAPAN :
[Notfn. No. 72/00-Cus. dt. 22.5.2000]

WHEREAS in the matter of import of Ethylene Propylene Diene Rubber (herein after referred to as EPDM rubber), excluding polybutadiene rubber, falling under sub-heading No. 4000.70 of the First Schedule to the Customs Tariff. Act, 1975 (51 of 1975), originating in or exported from, Japan, the Designated Authority *vide* its preliminary findings, published in the Gazette of India Extraordinary, Part I, Section 1, dated the 24th December, 1998, had come to the conclusion that-

- (a) EPDM rubber originating in, or exported from Japan has been exported to India below normal value, resulting in dumping;
- (b) the Indian industry has suffered material injury;
- (c) the injury has been caused cumulatively by the imports from the subject countries;

AND WHEREAS on the basis of the aforesaid findings of the Designated Authority, the Central Government has imposed anti-dumping duty on the said EPDM rubber *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 38/99-Customs, dated the 12th April, 1999 [G.S.R.258(E), dated the 12th April, 1999] published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 12th April, 1999;

AND WHEREAS the Designated Authority *vide* its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 14th May, 1999, had come to the conclusion that -

- (a) EPDM rubber has been exported from Japan has been exported to India below normal value, resulting in dumping;
- (b) the domestic industry has suffered material injury;
- (c) the injury has been caused to the domestic industry by dumping of the subject goods originating in, or exported from Japan;

AND WHEREAS on the basis of the aforesaid findings of the Designated Authority, the Central Government has imposed anti-dumping duty on the said EPDM rubber *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 91/99-Customs, dated the 13th July, 1999 [G.S.R.517(E), dated the 13th July, 1999] published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 13th July, 1999;

And Whereas the Customs, Excise and Gold (Control) Appellate Tribunal (hereinafter referred to as CEGAT), in its final order No. 29-30/2000-AD. dated the 9th February in Appeal No. C/267/99-AD in the matter of M/s. DSM Idemitsu Limited vs. Designated Authority (Anti-dumping) and in Appeal No. C/22/2000-AD in the matter of M/s. Herdillia Unimers Limited vs. Designated Authority (Anti-Dumping) has held that 'anti-dumping duty should be imposed in the terms of dollar. Accordingly, on conversion, table in the final findings of the Designated Authority is modified as under :-

TABLE

S.No.	Name of the Company or Exporter	Amount (US \$ per metric tonne)
(1)	(2)	(3)
1.	M/s JSR	2819.16
2.	M/s. DSM	2933.47
3.	Any Other Exporter	2933.47

But for the above modifications, the order passed by the Designated Authority is otherwise upheld.

And Whereas the designated authority has accepted the above order of CEGAT dated the 9th February, 2000.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9A, of the said Customs Tariff Act, 1975 (51 of 1975), read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, and in supersession of the notification of the Govt. of India in the Ministry of Finance (Department of Revenue) No. 91/99-Customs dated the 13th July, 1999 [G.S.R. 517(E), dated the 13th July, 1999], published in Part II, Section 3, sub-section (i) of the Gazette of India, dated the 13th July, 1999, the Central Government except as respects things done or omitted to be done before such supersessions, hereby imposes on the said EPDM rubber, excluding polybutadiene rubber, falling under sub-heading No. 4002.70 of the First Schedule to the said Customs Tariff Act, originating in or exported from Japan, when exported by the company or exporter mentioned in column (2) of the Table below, and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between the amount mentioned in the corresponding entry in column (3) of the Table below and the landed value of the said imported EPDM rubber per metric tonne

TABLE

S.No.	Name of the Company or Exporter	Amount (US \$ per metric tonne)
(1)	(2)	(3)
1.	M/s JSR	2819.16
2.	M/s DSM	2933.47
3.	Any Other Exporter	2933.47

Explanation I: For the purposes of this notification, "landed value" means the assessable value as determined by the proper officer under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under section 3, 3A, 8B, 9 and 9A, as the case may be, of the Customs Tariff Act, 1975.

Explanation II: For the purposes of this notification, the anti-dumping duty shall be paid in Indian currency. The "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 powers under sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act and the relevant date for determination of the "rate of exchange" shall be the date of presentation of the "bill of entry" under section 46 of the said Customs Act.

FOR ANTI-DUMPING DUTY ON STYRENE BUTADIENE RUBBER (SBR) FALLING UNDER HEADING NOS. 39.03 OR 40.02, ORIGINATING IN OR EXPORTED FROM JAPAN, TAIWAN, TURKEY, USA AND KOREA RP - see Notfn. No. 73/00-Cus. dt. 22.5.2000 as amended by Notfn. No. 56/02-Cus. dt. 31.5.2002 under Chapter 39.

**ANTI-DUMPING DUTY ON ACRYLONITRILE BUTADIENE RUBBER ORIGINATING IN OR EXPORTED FROM JAPAN :
[Notfn. No. 126/01-Cus. dt. 21.12.2001]**

WHEREAS the designated authority vide notification published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 24th day of October, 2000, had initiated review in the matter of continuation of anti-dumping duty on acrylonitrile butadiene rubber (hereinafter referred to as NBR) originating in, or exported from, Japan, imposed vide notification No.68/99-Customs, dated the 26th May, 1999 [G.S.R.391](E), dated the 26th May, 1999] and had requested for suitable extension of anti-dumping duty, pending the results of the review investigations;

AND WHEREAS the Central Government has extended the anti-dumping duty imposed on acrylonitrile butadiene rubber originating in, or exported from, Japan vide notification No.139/2000-Customs, dated the 9th November, 2000 [G.S.R. 856 (E), dated the 9th November, 2000] and notification No.46/2001-Customs, dated the 30th April, 2001 [G.S.R. 308 (E), dated the 30th April, 2001], upto and inclusive of 13th November, 2001;

AND WHEREAS the designated authority vide notification published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 12th November, 2001 has concluded that—

- (a) NBR originating in, or exported from, Japan has been exported to India below normal value resulting in dumping;
- (b) the domestic industry is suffering injury;
- (c) the injury may intensify if anti-dumping duty is removed;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Customs Tariff Act, read with rule 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 findings of the designated authority, hereby imposes on acrylonitrile butadiene rubber, falling under sub-heading No. 4002.59 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, Japan, and imported into India, an anti-dumping duty at the rate which is equivalent to the difference between the amount mentioned in column (4) of the Table below and the landed value of imports.

TABLE

S. No.	Country	Name of Producer/ Exporter	Amount (US\$ / metric tonne)
(1)	(2)	(3)	(4)
1.	Japan	All producers/exporters	2088

2. The anti dumping duty shall be paid in Indian currency.

Explanation. - For the purposes of this notification,-

(a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under section 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act.

(b) "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 under sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act and the relevant date for determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

**ANTI-DUMPING DUTY ON ETHYLENE PROPYLENE DIENE RUBBER, ORIGINATING IN OR EXPORTED FROM KOREA RP:
[Notfn. No. 34/04-Cus. dt. 9.2.2004]**

WHEREAS, in the matter of import of Ethylene Propylene Diene Rubber, falling under Chapter 40 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Korea RP, the designated authority *vide* its final findings, No. 28/1/99-DGAD, dated the 21st August, 2000, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 21st August, 2000, had come to the conclusion

that –

- (a) Ethylene Propylene Diene Rubber originating in or exported from Korea RP had been exported to India below normal value;
- (b) the Indian industry had suffered material injury;
- (c) the injury had been caused to the domestic industry by the dumping of Ethylene Propylene Diene Rubber originating in or exported from Korea RP;

AND WHEREAS, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 122/2000-Customs, dated the 27th September, 2000, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 27th September, 2000 [G.S.R. 751(E), dated the 27th September, 2000];

AND WHEREAS, the designated authority, *vide* its final findings in review No. 14/43/2002-DGAD, dated the 22nd December, 2003, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 23rd December, 2003, has come to the conclusion that-

- (a) Ethylene Propylene Diene Rubber originating in or exported from Korea RP has been exported to India below its normal value, resulting in dumping;
- (b) in spite of the anti-dumping duty being in force Ethylene Propylene Diene Rubber has been exported to India from Korea RP at dumped prices and the domestic industry continues to suffer injury; and
- (c) it is necessary to continue definitive anti-dumping duty on imports of Ethylene Propylene Diene Rubber originating in or exported from Korea RP,

and has recommended imposition of anti-dumping duties on imports of Ethylene Propylene Diene Rubber originating in or exported from Korea RP at rates equivalent to the difference between US Dollar 2418.5 and the landed value of such imports per Metric Tonne;

NOW, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act, read with sub-sections (5) and (6) of the said section 9A and rule 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, on the basis of the aforesaid findings of the designated authority, hereby imposes 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 said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the countries as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between, the amount as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10), of the said Table,

and the landed value of such imported goods in like currency per like unit of measurement.

TABLE

S. No.	Tariff item	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	4002 70 00	Ethylene Propylene Diene Rubber	Ethylene Propylene Diene Rubber	Korea RP	Korea RP	M/s Kumho Polychem Co. Ltd.	M/s Kumho Polychem Co. Ltd.	2418.5	Metric Tonne	US Dollar
2.	4002 70 00	Ethylene Propylene Diene Rubber	Ethylene Propylene Diene Rubber	Korea RP	Korea RP	M/s Kumho Polychem Co. Ltd.	Any exporter other than M/s. Kumbo Polychem Co. Ltd.	2418.5	Metric Tonne	US Dollar
3.	4002 70 00	Ethylene Propylene Diene Rubber	Ethylene Propylene Diene Rubber	Korea RP	Korea RP	Any producer other than M/s. Kumbo Polychem Co. Ltd.	M/s Kumho Polychem Co. Ltd.	2418.5	Metric Tonne	US Dollar
4.	4002 70 00	Ethylene Propylene Diene Rubber	Ethylene Propylene Diene Rubber	Any other except Korea RP	Korea RP	Any producer	Any exporter	2418.5	Metric Tonne	US Dollar
5.	4002 70 00	Ethylene Propylene Diene Rubber	Ethylene Propylene Diene Rubber	Korea RP	Any other except Korea RP	Any producer	Any exporter	2418.5	Metric Tonne	US Dollar

2. The anti-dumping duty imposed under this notification shall be effective upto and inclusive of the 18th day of May, 2005, unless the time limit is extended or the notification is revoked before such time, by notification published in the Official Gazette and shall be payable in Indian currency.

Explanation : For the purposes of this notification,-

(a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act;

(b) 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 powers conferred by sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said 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 Customs Act .

ANTI-DUMPING DUTY ON ACRYLONITRILE BUTADIENE RUBBER (NBR) ORIGINATING OR EXPORTED FROM KOREA R.P. AND GERMANY:**[Notfn. No. 78/05-Cus., dt. 1.9.2005 as amended by 11/07, 109/07,01/09]**

Whereas in the matter of import of acrylonitrile butadiene rubber (hereinafter referred to as NBR), falling under Chapter 40 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Korea RP and Germany (hereinafter referred to as the subject countries), the designated authority vide its sunset review findings, published in Part I, Section 1 of the Gazette of India, vide notification No. 50/1/2001-DGAD, dated the 21st September, 2002, had concluded that-

- (a) NBR originating in, or exported from, Korea RP and Germany have been exported to India below its normal value;
- (b) various economic indicators and injury parameters in particular price undercutting by dumped imports imply that the cessation of anti-dumping duty on NBR from Korea RP and Germany will lead to continuance or recurrence of dumping and injury; and
- (c) has recommended for continuation of anti-dumping duty on NBR.

And whereas on the basis of the aforesaid sunset review findings of the designated authority, the Central Government had imposed anti-dumping duty for a further period of five years on import of NBR, originating in, or exported from the subject countries, vide notification No. 111/2002-Customs dated the 10th October, 2002 [G.S.R. 697(E) dated the 10th October, 2002], published in part II, section 3, sub-section (i) of the Gazette of India, Extraordinary, dated 10th October, 2002.

And whereas the Customs, Excise and Service Tax Appellate Tribunal (hereinafter referred to as the Tribunal), in the matter of M/s. Puneet Resins and others, in Appeals No.C/260/02-AD, No.C/596/02-AD, No. C/687/02-AD, No.C/14/03-AD and No.C/125/03-AD, had vide its final order No. 14-18/04-AD dated the 1st July, 2004, ordered that “ the entry in Sl. No. 1 in notification No. 111/2002-Customs dated the 10th October, 2002 relating to M/s Korea Kumho Petrochemical Co. Ltd shall remain deleted and all imports of acrylonitrile butadiene rubber into India from Korea RP and exported by M/s Korea Kumho Petrochemicals Co. Ltd shall be subjected to anti-dumping duty at the rate of US \$ 106.16 per metric tonne”. The designated authority had accepted the above order of the Tribunal and issued a corrigendum dated the 26th October, 2004, vide No. 50/1/2001-DGAD to the aforesaid review findings, on the basis of which the Central Government amended its notification No. 111/2002- Customs dated the 10th October, 2002 vide notification No. 61/2005- Customs dated the 5th July, 2005 [G.S.R. 454 (E), dated the 5th July, 2005], published in part II, section 3, sub-section (i) of the Gazette of India, Extraordinary, dated 5th July, 2005.

And whereas the designated authority in its mid-term review findings published in Part I, Section 1 of the Gazette of India, vide notification No. 15/2/2004-DGAD dated 6th June, 2005 has concluded that-

- (i) NBR is entering the Indian market at dumped prices and dumping margins of NBR imported from Korea R P and Germany are substantial and above de minimis;
- (ii) the domestic industry continues to suffer marginal material injury on account of low per unit realization due to the price effect of dumped imports and erosion of its market share
- (iii) injury to domestic industry is likely to continue or recur if the duties are revoked in respect of imports from the subject countries.

and therefore, considered it necessary and recommended continuation of anti-dumping duty at new rates on imports of NBR from Korea R P and Germany.

And whereas the designated authority has amended its aforesaid mid-term review findings vide amendments No. 15/5/2004-DGAD dated 26th July, 2005 and No. 15/5/2004-DGAD dated 8th August, 2005, both published in Part I, Section 1 of the Gazette of India on 27th July, 2005 and 8th August, 2005 respectively.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the

said Customs Tariff Act, read with rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, and in supersession of the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 111/2002-Customs dated the 10th October, [G.S.R 697(E), dated the 10th October, 2002], except as respects things done or omitted to be done before such supersession, the Central Government, on the basis of the aforesaid mid-term review findings and amendments of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under heading 4002 of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the countries as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10), of the said Table.

Table

S. No.	Heading	Des- cription of goods	Specifi- cation	Country of Origin	Country of Export	Producer	Exporter	Duly amount	Unit of Measure-	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	4002	Acrylo Nitrile Butadiene Rubber(NBR)	Any	Korea R P	Korea R P	M/s. Korea Kumho Petrochemi- cals Co. Ltd.	Any	38.73	MT	US\$
2.	4002	Acrylo Nitrile Butadiene Rubber(NBR)	Any	Korea R P	Any except Germany	Any except above	Any	362.75	MT	US\$
3.	4002	Acrylo Nitrile Butadiene Rubber(NBR)	Any	Any except Germany	Korea R P	Any	Any	362.75	MT	US\$
4.	4002	Acrylo Nitrile Butadiene Rubber(NBR)	Any	Germany	Any	Any	Any	647.35	MT	US\$
5.	4002	Acrylo Nitrile Butadiene Rubber(NBR)	Any	Any	Germany	Any	Any	647.35	MT	US\$

2. The anti-dumping duty imposed under this notification shall be effective upto and inclusive of the 9th day of October, 2008 and shall be payable in Indian currency.

Explanation. - For the purposes of this notification, "rate of exchange" applicable for the purposes of calculation of 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 under sub-clause (i) of clause (a) of sub-section (3) of 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 Customs Act.

ANTI-DUMPING DUTY ON ACRYLONITRILE BUTADIENE RUBBER (NBR) IN BALE FORM ORIGINATING IN OR EXPORTED FROM EUROPEAN UNION (EXCLUDING GERMANY), BRAZIL AND MEXICO:

[Notfn. No. 100/05-Cus., dt. 29.11.2005]

Whereas in the matter of import of acrylonitrile butadiene rubber (NBR) in bale form [excluding powder and carboxylated NBR] (hereinafter referred to as the subject goods), classified under heading 4002 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the European Union (excluding Germany), Brazil and Mexico (hereinafter referred to as the subject countries), the designated authority vide its preliminary findings No. 14/32/2003-DGAD, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 30th March, 2005 had come to the conclusion that -

- (a) the dumping margins of the subject goods imported from the subject countries are substantial and above de-minimis levels;
- (b) the domestic industry suffers material injury in terms of loss of market share, low capacity utilization and profitability; and
- (c) injury has been caused to the domestic industry both by volume and price effect of dumped imports of the subject goods originating in or exported from the subject countries;

and had recommended imposition of provisional anti-dumping duties, pending final determination, on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed anti-dumping duty on imports of acrylonitrile butadiene rubber (NBR) in bale form [excluding powder and carboxylated NBR], classified under heading 4002 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from the subject countries, vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 53/2005-Customs dated the 7th June, 2005 [G.S.R. 372(E) dated the 7th June, 2005] published in Part II, Section 3, sub-section (i) of the Gazette of India, Extraordinary, dated the 7th June, 2005.

And whereas the designated authority vide its final findings No. 14/32/2003-DGAD, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 5th October, 2005, read with amendment dated the 31st October, 2005, has come to the conclusion that -

- (i) the imports of the subject goods from the subject countries have entered Indian market at less than its normal value in the subject countries;
- (ii) the domestic industry has suffered material injury;
- (iii) injury has been caused to the domestic industry cumulatively by volume and price effect of dumped imports of the subject goods from the subject countries;

and has recommended imposition of definitive anti-dumping duty on imports of acrylonitrile butadiene rubber (NBR) in bale form [excluding powder and carboxylated NBR], classified under heading 4002 of the First Schedule to the Customs Tariff act, 1975 (51 of 1975), originating in, or exported from the subject countries.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff act, 1975 (51 of 1975), read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of anti-dumping Duty on dumped Articles and for Determination of Injury) Rules,

1995, and in supersession of the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 53/2005-Customs dated the 7th June, 2005 [G.S.R. 372(E) dated the 7th June, 2005], the Central Government, on the basis of the aforesaid final findings of the designated authority dated the 5th October, 2005, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under heading 4002 of the First Schedule to the said Customs Tariff Act, 1975 as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the countries as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10), of the said Table.

Table

S. No.	Heading	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Duty amount	Unit of Measure-	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	4002	Acrylonitrile Butadiene Rubber (NBR) [excluding powder and carboxylated NBR]	In Bale form	Brazil	Any	M/s Petroflex, Brazil	M/s Petroflex, Brazil	195.08	Metric tonne	US \$
2.	4002	-do-	In Bale form	Brazil	Any	M/s Nitriflex, Brazil	M/s Nitriflex, Brazil	274.51	Metric tonne	US \$
3.	4002	-do-	In Bale form	Brazil	Brazil	Any other than above	Any	306.55	Metric tonne	US \$
4.	4002	-do-	In Bale form	Brazil	Any	Any other than above	Any	306.55	Metric tonne	US \$
5.	4002	-do-	In Bale form	Any other than Brazil	Brazil	Any	Any	306.55	Metric tonne	US \$
6.	4002	-do-	In Bale form	European Union except Germany	European Union except Germany	Any	Any	223.19	Metric tonne	US \$
7.	4002	-do-	In Bale form	European Union except Germany	Any other than Brazil and Mexico	Any	Any	223.19	Metric tonne	US \$
8.	4002	-do-	In Bale form	Any other than Brazil and Mexico	European Union except Germany	Any	Any	223.19	Metric tonne	US \$
9.	4002	-do-	In Bale	Mexico	Mexico	Any	Any	304.37	Metric	US \$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
10.	4002	-do-	form In Bale form	Mexico	Any excluding Brazil	Any	Any	304.37	tonne Metric tonne	US \$
11.	4002	-do-	In Bale form	Any excluding Brazil	Mexico	Any	Any	304.37	Metric tonne	US \$

2. The anti-dumping duty imposed under this notification shall be levied from the date of imposition of the provisional anti-dumping duty on the subject goods, i.e. the 7th June, 2005 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 under sub-clause (i) of clause (a) of sub-section (3) of 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 Customs Act.

**ANTI-DUMPING DUTY ON BIAS TYRES ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:
[Notifn. No.106/2006-Customs, dt. 9.10.2006.]**

Whereas, in the matter of import of bias tyres (hereinafter referred to as the subject goods), falling against tariff items 4011 20 90, 4012 90 49 and 4013 10 20 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, People's Republic of China (China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, in its preliminary findings vide notification No. 14/9/2005-DGAD dated the 31st July, 2006, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 31st July, 2006, read with the corrigendum No.14/9/2005-DGAD, dated the 19th September, 2006, has come to the conclusion that -

- a) the subject goods have been exported to India from the subject countries below its normal value;
- b) the domestic industry has suffered material injury;
- c) the injury has been caused by the dumped imports from subject countries,

and has recommended imposition of provisional anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 9A of the said Customs Tariff Act, read with rules 13 and 20 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, on the basis of the aforesaid preliminary findings and the corrigendum of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling against tariff items of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the

countries as specified in the corresponding entry in column (5) and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8) and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between the reference price as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10) of the said Table and the landed value of said imported goods in like currency per like unit of measurement;

Duty Table

S. No.	Tariff Item	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Reference price	Unit of Measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	4013 10 20	Inner tubes of rubber for buses and Lorries	Any	China PR	Any	Any	Any	6.98	Per piece	US\$
2	4012 90 49	Tyre flaps of rubber for buses and Lorries	Any	China PR	Any	Any	Any	3.50	Per piece	US\$
3.	4011 20 90	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	China PR	Any	Any	Any	88.82	Per piece	US\$
4.	4013 10 20	Inner tubes of rubber for buses and Lorries	Any	Any excluding Thailand	China PR	Any	Any	6.98	Per piece	US\$
5.	4012 90 49	Tyre flaps of rubber for buses and Lorries	Any	Any excluding Thailand	China PR	Any	Any	3.50	Per piece	US\$
6.	4011 20 90	New/unused pneumatic non radial	Any	Any excluding Thailand	China PR	Any	Any	88.82	Per piece	US\$

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2709 ANTI-DUMPING DUTY NOTIFICATIONS

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
		bias tyres of rubber, having nominal rim dia code above 16"								
7.	4013 10 20	Inner tubes of rubber for buses and Lorries	Any	Thailand	Any	Any	Any	8.50	Per piece	US\$
8.	4012 90 49	Tyre flaps of rubber for buses and Lorries	Any	Thailand	Any	Any	Any	4.26	Per piece	US\$
9.	4011 20 90	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	Thailand	Any	Any	Any	108.27	Per piece	US\$
10.	4013 10 20	Inner tubes of rubber for buses and Lorries	Any	Any excluding China PR	Thailand	Any	Any	8.50	Per piece	US\$
11.	4012 90 49	Tyre flaps of rubber for buses and Lorries	Any	Any excluding China PR	Thailand	Any	Any	4.26	Per piece	US\$
12.	4011 20 90	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	Any excluding China PR	Thailand	Any	Any	108.27	Per piece	US\$

2. The anti-dumping duty imposed under this notification shall be payable in Indian currency.

Explanation.- For the purposes of this notification,-

- (a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act;
- (b) "rate of exchange" applicable for the purposes of calculation of 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 sub-clause (i) of clause (a) of sub-section (3) of 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 Customs Act.

Anti-dumping duty on bias tyres, tubes and flaps originating in or exported from specified countries:

[Notification No. 88/07 - Customs, dt. 24.7.2007.]

Whereas, in the matter of import of bias tyres, tubes and flaps (hereinafter referred to as the subject goods), falling under tariff items 4011 20 90, 4013 10 20 and 4012 90 49 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, People's Republic of China (China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority in its preliminary findings vide notification No. 14/9/2005-DGAD dated the 31st July, 2006, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 31st July, 2006, had come to the conclusion that -

- (a) the subject goods have been exported to India from the subject countries below its normal value;
- (b) the domestic industry has suffered material injury;
- (c) the injury has been caused by the dumped imports from the subject countries,

and had recommended imposition of provisional anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 106/2006-Customs, dated the 9th October, 2006, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 9th October, 2006 *vide* number G.S.R. 625(E);

And whereas, the designated authority in its final findings *vide* notification No. 14/9/2005-DGAD, dated the 29th June, 2007, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 29th June, 2007, has come to the conclusion that-

- (a) the subject goods have been exported to India from the subject countries below its normal value;
- (b) the domestic industry has suffered material injury;
- (c) the injury has been caused cumulatively by the dumped imports from the subject countries

and has recommended definitive anti-dumping duty on imports of the subject goods from the subject countries in order to remove the injury to the domestic industry;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9A of the said Customs Tariff Act, read with sub-section (5) of the said section 9A and rules 18 and 20 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, on the basis of the aforesaid final findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling against tariff items of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the countries as specified in the corresponding entry in column (5) and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8) and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between the reference price as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10) of the said Table and the landed value of said imported goods in like currency per like unit of measurement;

Duty Table

S. No.	Tariff Item	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Reference price	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	40131020	Inner tubes of rubber for buses and lorries	Any	China PR	Any	Shandong Jinyu Tyre Co. Ltd	Any	10.06	Per piece	US\$
2	40129049	Tyre flaps of rubber for buses and lorries	Any	China PR	Any	Shandong Jinyu Tyre Co. Ltd	Any	3.92	Per piece	US\$
3	40112090	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	China PR	Any	Shandong Jinyu Tyre Co. Ltd	Any	121.67	Per piece	US\$
4	40131020	Inner tubes of rubber for buses and lorries	Any	China PR	Any	Any other than Shandong Jinyu Tyre Co. Ltd	Any	10.06	Per piece	US\$

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
5	40129049	Tyre flaps of rubber for buses and lorries	Any	China PR	Any	Any other than Shandong Jinyu Tyre Co. Ltd	Any	3.92	Per piece	US\$
6	40112090	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	China PR	Any	Any other than Shandong Jinyu Tyre Co. Ltd	Any	121.67	Per piece	US\$
7	40131020	Inner tubes of rubber for buses and lorries	Any	Any excluding Thailand	China PR	Any	Any	10.06	Per piece	US\$
8	40129049	Tyre flaps of rubber for buses and lorries	Any	Any excluding Thailand	China PR	Any	Any	3.92	Per piece	US\$
9	40112090	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	Any excluding Thailand	China PR	Any	Any	121.67	Per piece	US\$
10	40131020	Inner tubes of rubber for buses and lorries	Any	Thailand	Any	Any	Any	10.06	Per piece	US\$
11	40129049	Tyre flaps of rubber for buses and lorries	Any	Thailand	Any	Any	Any	3.92	Per piece	US\$
12	40112090	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above	Any	Thailand	Any	Any	Any	121.67	Per piece	US\$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
13	40131020	16" Inner tubes of rubber for buses and lorries	Any	Any excluding China PR	Thailand	Any	Any	10.06	Per piece	US\$
14	40129049	Tyre flaps of rubber for buses and lorries	Any	Any excluding China PR	Thailand	Any	Any	3.92	Per piece	US\$
15	40112090	New/unused pneumatic non radial bias tyres of rubber, having nominal rim dia code above 16"	Any	Any excluding China PR	Thailand	Any	Any	121.67	Per piece	US\$

For imports made in a combination of tyres, tubes and flaps, the reference price shall be the sum of the reference price of the parts of the combination.

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of imposition of the provisional anti-dumping duty, i.e. the 9th October, 2006 and shall be paid in Indian currency.

Explanation. - For the purposes of this notification, -

(a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act;

(b) "rate of exchange" applicable for the purposes of calculation of 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 sub-clause (i) of clause (a) of sub-section (3) of 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 Customs Act.

Anti-dumping duty on acrylonitrile butadiene rubber originating in or exported from specified countries:

[Notification No. 01/09 - Cus., dt. 02.1.2009 as amended by 6/14]

Whereas, the designated authority had initiated a sunset review in the matter of continuation of final anti-dumping duty on acrylonitrile butadiene rubber (hereinafter referred to as NBR) falling under Chapter 40 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Korea RP

and Germany, imposed vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 111/2002-Customs, dated the 10th October, 2002, published in the Gazette of India, part II, Section 3, Sub-Section (i) vide number G.S.R. 697(E), dated the 10th October, 2002] which was superseded vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 78/2005-Customs, dated the 1st September, 2005, published in the Gazette of India, part II, Section 3, Sub-Section (i) vide number G.S.R. 554(E), dated the 1st September, 2005, and had requested for extension of anti-dumping duty for an additional period of one year from the date of its expiry, in terms of sub-section (5) of section 9A of the said Customs Tariff Act, pending the completion of the review;

And whereas the Central Government had extended the anti-dumping duty imposed on NBR originating in, or exported from, Korea RP and Germany vide notification No. 109/2007-Customs, dated the 9th October, 2007, published in the Gazette of India, part II, Section 3, Sub-Section (i) vide number G.S.R.-651(E), dated the 9th October, 2007 upto and inclusive of 8th October, 2008;

And whereas the designated authority vide notification No. 15/6/2007-DGAD, dated the 4th October 2008, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 6th October 2008 has concluded that –

- a) there is no reason for continuation of existing anti dumping measures on exports of NBR from Germany into India;
- b) there is a strong likelihood of exports of NBR from Korea RP into India continuing at dumped prices leading to consequential injury to the domestic industry and injury to domestic industry is likely to continue or recur if the duties are either revoked or reduced in respect of imports from Korea; and
- c) the domestic industry continues to suffer material injury on account of low per unit realization due to the price effect of dumped imports and erosion of its market share;

and has recommended continuation of anti-dumping duty on imports of NBR originating in, or exported from, Korea RP;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Customs Tariff Act, read with rule 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 findings of the designated authority, hereby imposes on the goods the description of which is specified in column (3) of the Table below, falling under heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in the corresponding entry in column (4), originating in the country specified in the corresponding entry in column (5), exported from the country specified in the corresponding entry in column (6), produced by the producer specified in the corresponding entry in column (7) and exported by the exporter specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate equal to the amount indicated in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10) of the said Table.

Table

Sl. No.	Heading	Description of goods	Specifi- cation	Country of origin	Country of Export	Producer	Exporter	Amount	Unit of Measur- ement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	4002	Acrylonitrile Butadiene Rubber (NBR)	Any	Korea RP	Korea RP	M/s Korea Kumho Petroche- micals Co Ltd (KKPC)	M/s Korea Kumho Petroche- micals Co Ltd (KKPC)	38.73	MT	US Dollar
2.	4002	Acrylonitrile Butadiene Rubber (NBR)	Any	Korea RP	Korea RP	M/s LG Chemicals Ltd (LG)	M/s LG Chemicals Ltd (LG)	38.73	MT	US Dollar
3.	4002	Acrylonitrile Butadiene Rubber (NBR)	Any	Korea RP	Korea RP	Any other Producer/ exporter other than combination of Producer- exporter indicated at Sr. Nos. 1 & 2 Above		362.75	MT	US Dollar
4.	4002	Acrylonitrile Butadiene Rubber (NBR)	Any	Korea RP	Any	Any	Any	362.75	MT	US Dollar
5.	4002	Acrylonitrile Butadiene Rubber (NBR)	Any	Any	Korea RP	Any	Any	362.75	MT	US Dollar

2. This notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) and the anti-dumping duty shall be paid in Indian Currency.

3. Notwithstanding anything contained in paragraph 2, this notification shall remain in force upto and inclusive of the 1st day of January, 2015, with respect to anti-dumping duty on Acrylonitrile Butadiene Rubber originating in, or exported from Korea RP, unless revoked earlier.

Explanation. - For the purposes of this notification, rate of exchange applicable for the purposes of calculation of 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 determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

Anti-dumping duty on Bus and Truck Radial Tyres originating in or exported from specified countries:

Notification No. 12/2010 - Customs, dt. 19.2.2010 as amended by 86/10.

Whereas, in the matter of imports of Bus and Truck Radial Tyres, (hereinafter referred to as the

subject goods), falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from the People's Republic of China(China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, vide its final findings in notification No. 14/17/2008-DGAD, dated 1st January, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, has come to the conclusion that -

- (a) there has been increase in the volume of dumped imports from the subject countries, both in absolute terms as also in relation to total production and market demand of the subject goods in India, resulting in a decline in the market share of the domestic industry;
- (b) the imports are causing significant price undercutting resulting in price suppressing effect on the domestic industry;
- (c) in spite of increase in production and sales, profitability of the domestic industry per unit of sales declined after increasing in 2006-07, resulting in deterioration in profits, cash profits and a decline in the return on capital employed;
- (d) decline in the market share has resulted in increase in inventories with the domestic industry in spite of higher capacity utilization;
- (e) this has led to domestic industry suffering material injury and imposition of final duty is required to offset dumping and injury;

and has recommended to impose definitive anti-dumping duties on all imports of the subject goods, originating in, or exported from, the subject countries;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Customs Tariff Act, 1975, and in pursuance of rules 18 and 20 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, on the basis of the aforesaid final findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under item nos. of the First Schedule to the said 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), produced by the producers as specified in the corresponding entry in column (6), when exported from the countries as specified in the corresponding entry in column (5), by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty which shall be equal to the amount indicated in column (8) of the said table, 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.	Item No. Sub-heading	Des-cription	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit of Messur-ement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including	China PR	China PR	Qingdao Double Star Tire Industrial Co. Ltd.	Qingdao Double Star Tire Industrial Co. Ltd.	34.81	One set TTF * (TTF= Tyre + Tube +	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks						Flap)	
2	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Hangzhou Zhongce Rubber Co. Ltd	Hangzhou Zhongce Rubber Co. Ltd	32.74	One set TTF *	US Dollar
3	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Aeolus Tyre Co. Ltd..	Aeolus Tyre Co. Ltd..	30.79	One set TTF *	US Dollar
4	40112010, 40131020 and	New/ Unused pneumatic	China PR	China PR	Shandong Wanda Boto	Shandong Wanda Boto	40.73	One set TTF *	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	40129049	Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks			Tyre Co. Ltd..	Tyre Co. Ltd..			
5	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Tringle Tyre Co. Ltd..	Tringle Tyre Co. Ltd..	26.01	One set TTF *	US Dollar
6	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Shandong Yinbao Tyre Group Co. Ltd.	Shandong Yinbao Tyre Group Co. Ltd.	35.17	One set TTF *	US Dollar

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
7	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	shangdung Jinyu Tyre Co. Ltd.	shangdung Jinyu Tyre Co. Ltd.	39.66	One set TTF *	US Dollar
8	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Shangdong Hengfeng Rubber & Plastic Co. Ltd.	Shangdong Hengfeng Rubber & Plastic Co. Ltd.	24.97	One set TTF *	US Dollar
9	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in	China PR	China PR	Double Coin Holding Ltd.	Double Coin Holding Ltd.	25.68	One set TTF *	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
10	40112010, 40131020 and 40129049	buses and lorries/trucks New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks lorries/trucks	China PR	China PR	Copper Chengshan (Shandong) Tire	Copper Chengshan (Shandong) Tire	42.48	One set TTF *	US Dollar
11	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Xingyuan Tire Group Co. Ltd.	Xingyuan Tire Group Co. Ltd.	37.21	One set TTF *	US Dollar
12	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim	China PR	China PR/ Singapore	Michelin Shenyang Tire Co. Ltd.	Michelin Asia- Pacific Import- Export (HK) Ltd	37.83	One set TTF *	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
13	40112010, 40131020 and 40129049	dia code above 16" used in buses and lorries/truck New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	China PR	China PR	Any other than combi- nation at S. No. 1 to 12 above	Any other than combi- nation at S. No. 1 to 12 above	88.27	One set TTF *	US Dollar
14	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	Thailand	China PR	Any	Any	99.05	One set TTF *	US Dollar
15	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber,	Any other than China PR and Thailand	China PR	Any	Any	88.27	One set TTF *	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		having nominal rim dia code above 16" used in buses and lorries/trucks							
16	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	Thailand	Thailand/ Singapore	Michelin Siam Co. Ltd.	Michelin Asia- Pacific Import- Export (HK) Ltd.	76.22	One set TTF *	US Dollar
17	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	Thailand	Thailand	Any other than combi- nation at S. No. 16 above	Any other than combi- nation at S. No. 16 above	99.05	One set TTF *	US Dollar
18	40112010, 40131020 and 40129049	New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/	China PR	Thailand	Any	Any	99.05	One set TTF *	US Dollar

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
19	40112010, 40131020 and 40129049	or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks New/ Unused pneumatic Radial tyres (Including Tubeless) with or without tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks	Any other than China PR and Thailand	Thailand	Any	Any	99.05	One set TTF *	US Dollar

*- Note:

- The duty amount as indicated in Column (8) shall be applicable on TTF set or Tubeless Tyre.
- In case of imports of tyre, tube or flap individually or in any combination thereof, the amounts shall be calculated by applying the percentage as specified in the Schedule given below to the amount mentioned in column (8).

Schedule

S.No.	Description	% to be applied on the amount mentioned in column (8) of the Table
(1)	(2)	(3)
1.	Tyre	90%
2.	Tube	7%
3.	Flap	3%
4.	Tyre and tube	97%
5.	Tyre and flap	93%
6.	Tube and flap	10%

- The anti-dumping duty imposed under this notification 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 Customs Act.

AMENDMENTS IN NOTFN NO. 12/2010-CUS., DT. 19-2-2010.

[NOTFN. NO. 86/10-CUS., DT. 1-9-2010]

In exercise of the powers conferred by sub-section sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975, the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2010- Customs dated 19th February, 2010 which was published in the Gazette of India, Extraordinary, vide number G.S.R. 93(E), dated the 19th February, 2010, namely :-

In the said notification –

(1) in the Table,-

- (i) against S. No. 1, for the entry in column (6), the entry “Qingdao Double Star Tire Industrial Co. Ltd.” shall be substituted;
- (ii) against S. No. 1, for the entry in column (7), the entry “Qingdao Double Star Tire Industrial Co. Ltd.” shall be substituted.

CONTINUATION OF ANTI DUMPING DUTY ON BUS AND TRUCK RADIAL TYRES ORIGINATING IN OR IMPORTED FROM CHINA PR.

[NOTFN. NO. 112/10-CUS., DT. 28-10-2010]

Whereas, in the matter of import of Bus and Truck Radial Tyres, (hereinafter referred to as the subject goods) , falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from the People’s Republic of China(China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, vide its final findings in notification No. 14/17/2008-DGAD, dated the 1st January, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, had come to the conclusion that —

- (a) there had been increase in the volume of dumped imports from the subject countries, both in absolute terms as also in relation to total production and market demand of the subject goods in India, resulting in a decline in the market share of the domestic industry;
- (b) the imports were causing significant price undercutting resulting in price suppressing effect on the domestic industry;
- (c) in spite of increase in production and sales, profitability of the domestic industry per unit of sales declined after increasing in 2006-07, resulting in deterioration in profits, cash profits and a decline in the return on capital employed;
- (d) decline in the market share had resulted in increase in inventories with the domestic industry in spite of higher capacity utilization;
- (e) this had led to domestic industry suffering material injury and imposition of final duty is

required to offset dumping and injury;

and had recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on subject goods falling under Chapter 40 of the First Schedule to the said Customs Tariff Act, originating in or exported from China PR and imported into India vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2010-Customs, dated the 19th February, 2010, published in Part II, Section 3, Sub-Section (i) of the Gazette of India, Extraordinary, G.S.R. 93(E) dated the 19th February, 2010;

And whereas, in the said matter, M/s. Weifang Huadong Rubber Co Ltd China PR (Producer), and M/s. Qingdao Autochem International Co. Ltd (exporter) have requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 in respect of exports made by them, and the designated authority, vide new shipper review notification No. 15/13/2010-DGAD, dated the 20th August, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 20th August, 2010 has recommended provisional assessment of all exports of Bus and Truck Radial Tyres, made by M/s. Weifang Huadong Rubber Co Ltd China PR (Producer), and M/s. Qingdao Autochem International Co. Ltd (exporter), when imported in to India, till the completion of the said review;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 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 recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, export of Bus and Truck Radial Tyres falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), by M/s. Weifang Huadong Rubber Co Ltd China PR (Producer), and M/s. Qingdao Autochem International Co. Ltd (exporter), from China PR, when imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, deems fit for payment of the deficiency, if any, in case a definitive anti dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of Bus and Truck Radial Tyres in to India, when exports made by M/s. Weifang Huadong Rubber Co Ltd China PR (Producer), and M/s. Qingdao Autochem International Co. Ltd (exporter), when imported in to India, from the date of initiation of the said review.

ANTI DUMPING DUTY ON BUS AND TRUCK RADIAL TYRES ORIGINATING IN OR IMPORTED FROM CHINA PR.

[NOTFN. NO. 122/10-CUS., DT. 2-12-2010]

Whereas, in the matter of import of Bus and Truck Radial Tyres, (hereinafter referred to as the subject goods), falling under item numbers 40112010 (for tyres) and 40131020 and 40129049 (for tubes and

flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from the People's Republic of China (China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, vide its final findings in notification No. 14/17/2008-DGAD, dated the 1st January, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, had come to the conclusion that -

- (a) there had been increase in the volume of dumped imports from the subject countries, both in absolute terms as also in relation to total production and market demand of the subject goods in India, resulting in a decline in the market share of the domestic industry;
- (b) the imports were causing significant price undercutting resulting in price suppressing effect on the domestic industry;
- (c) in spite of increase in production and sales, profitability of the domestic industry per unit of sales declined after increasing in 2006-07, resulting in deterioration in profits, cash profits and a decline in the return on capital employed;
- (d) decline in the market share had resulted in increase in inventories with the domestic industry in spite of higher capacity utilization;
- (e) this had led to domestic industry suffering material injury and imposition of final duty is required to offset dumping and injury;

and had recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on subject goods falling under Chapter 40 of the First Schedule to the said Customs Tariff Act, 1975 originating in or exported from China PR and imported into India vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2010-Customs, dated the 19th February, 2010, published in Part II, section 3, sub-section (i) of the Gazette of India, Extraordinary, G.S.R. 93(E) dated the 19th February, 2010;

And whereas, in the said matter, M/s. Giti Tire (Anhui) Company Ltd ("Giti Anhui"), M/s. Giti Tire (Fujian) Company Ltd ("Giti Fujian") and M/s. Giti Tire (Chongqing) Company Ltd ("Giti Chongqing"), (All the three being both producers and exporters), have requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 in respect of exports made by them, and the designated authority, vide new shipper review initiation notification No. 15/25/2010-DGAD, dated the 21st September, 2010 published in the Gazette of India, Extraordinary, Part I, section 1, dated the 21st September, 2010 has recommended provisional assessment of all exports of Bus and Truck Radial Tyres, made by M/s. Giti Tire (Anhui) Company Ltd ("Giti Anhui"), M/s. Giti Tire (Fujian) Company Ltd ("Giti Fujian") and M/s. Giti Tire (Chongqing) Company Ltd ("Giti Chongqing"), (All the three being both producers and exporters), when imported in to India, till the completion of the said review;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 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 recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, export of Bus and Truck Radial Tyres falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975, by M/s. Giti Tire(Anhui) Company Ltd (“Giti Anhui”), M/s. Giti Tire(Fujian) Company Ltd (“Giti Fujian”) and M/s. Giti Tire(Chongqing) Company Ltd (“Giti Chongqing”), from China PR, when imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, deems fit for payment of the deficiency, if any, in case a definitive anti dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of Bus and Truck Radial Tyres in to India, when exports made by M/s. Giti Tire(Anhui) Company Ltd (“Giti Anhui”), M/s. Giti Tire(Fujian) Company Ltd (“Giti Fujian”) and M/s. Giti Tire(Chongqing) Company Ltd (“Giti Chongqing”), when imported in to India, from the date of initiation of the said review.

ANTI DUMPING DUTY ON BUS AND TRUCK RADIAL TYRES ORIGINATING IN OR IMPORTED FROM SPECIFIED COUNTRIES.

[NOTFN. NO. 129/10-CUS., DT. 23-12.2010]

Whereas, in the matter of import of Bus and Truck Radial Tyres, (hereinafter referred to as the subject goods), falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) and originating in, or exported from the People’s Republic of China(China PR) and Thailand (hereinafter referred to as the subject countries), the designated authority, vide its final findings in notification No. 14/17/2008-DGAD, dated the 1st January, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st January, 2010, had come to the conclusion that -

- (a) there had been increase in the volume of dumped imports from the subject countries, both in absolute terms as also in relation to total production and market demand of the subject goods in India, resulting in a decline in the market share of the domestic industry;
- (b) the imports were causing significant price undercutting resulting in price suppressing effect on the domestic industry;
- (c) in spite of increase in production and sales, profitability of the domestic industry per unit of sales declined after increasing in 2006-07, resulting in deterioration in profits, cash profits and a decline in the return on capital employed;
- (d) decline in the market share had resulted in increase in inventories with the domestic industry in spite of higher capacity utilization;
- (e) this had led to domestic industry suffering material injury and imposition of final duty is required to

offset dumping and injury;

and had recommended imposition of definitive anti-dumping duty on all imports of the subject goods, originating in, or exported from, the subject countries;

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on subject goods falling under Chapter 40 of the First Schedule to the said Customs Tariff Act, originating in or exported from China PR and imported into India vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2010-Customs, dated the 19th February, 2010, published in Part II, Section 3, Sub-Section (i) of the Gazette of India, Extraordinary, G.S.R. 93(E) dated the 19th February, 2010;

And whereas, in the said matter, M/s. Shandong Hawk International Rubber Industry Company Limited, (producer/exporter) have requested for review in terms of rule 22 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 in respect of exports made by them, and the designated authority, vide new shipper review notification No. 15/17/2010-DGAD, dated the 7th October, 2010 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 7th October, 2010 has recommended provisional assessment of all exports of Bus and Truck Radial Tyres, made by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), when imported in to India, till the completion of the said review;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 22 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 recommendation of the designated authority, hereby orders that pending the outcome of the said review by the designated authority, export of Bus and Truck Radial Tyres falling under item nos. 40112010 (for tyres) and 40131020 and 40129049 (for tubes and flaps respectively) of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), from China PR, when imported into India, shall be subjected to provisional assessment till the review is completed.

2. The provisional assessment may be subject to such security or guarantee as the Assistant Commissioner of Customs or Deputy Commissioner of Customs, as the case may be, deems fit for payment of the deficiency, if any, in case a definitive anti dumping duty is imposed retrospectively, on completion of investigation by the designated authority.

3. In case of recommendation of anti-dumping duty after completion of the said review by the designated authority, the importer shall be liable to pay the amount of such anti-dumping duty recommended on review and imposed on all imports of Bus and Truck Radial Tyres in to India, when exports made by M/s. Shandong Hawk International Rubber Industry Company Limited (producer/exporter), China PR, from the date of initiation of the said review.

ANTI DUMPING DUTY ON BUS TYRES, TUBES AND FLAPS ORIGINATING IN OR IMPORTED FROM SPECIFIED COUNTRIES.

[NOTFN. NO. 47/12-CUS., DT. 8.10.2012.]

Whereas, the designated authority vide notification No. 15/35/2010-DGAD, dated the 3rd August, 2011, published in the Gazette of India, Extraordinary, Part I, Section 1, 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) read with 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 anti-dumping duty on imports of new/unused pneumatic non radial bias tyres, tubes and flaps with or without tubes or flap of rubber, having nominal rim dia code above 16" used in buses and lorries or trucks falling under tariff items 40112090, 40131020 and 40129049 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from People's Republic of China and Thailand, imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 88/2007-Customs, dated the 24th July, 2007, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.502(E), dated the 24th July, 2007, as superseded by notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 117/2010-Customs, dated the 18th November, 2010, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.917(E), dated the 18th November, 2010, which was extended for a further period of one year by notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 17/2012-Customs, dated the 30th March, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.272(E), dated the 30th March, 2012 and had recommended continuation of the anti-dumping duty *vide* notification No. 15/35/2010-DGAD, dated the 2nd August, 2012, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2nd August, 2012.

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (5) of section 9A of the said Customs Tariff Act, 1975 read with 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, on the basis of the aforesaid findings of the designated authority, hereby imposes anti-dumping duty 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 said Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (4), and exported from the country specified in the corresponding entry in column (5) and produced by the producer specified in the corresponding entry in column (6) and exported by the exporter 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

Sl. No.	Heading/ Sub-	Description of goods heading	Country of Origin	Country of Export	Producer	Exporter	Duty amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	40112090, 40131020 and 40129049	'new/unused pneumatic non radial bias tyres, tubes & flaps with or with- out tubes and/ or flap of rubber, having	Thailand	Thailand	Any	Any	0.86	Kg	US \$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
2.	40112090, 40131020 and 40129049	nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or with- out tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	Thailand	Any country other than Thailand	Any	Any	0.86	Kg	US \$
3.	40112090, 40131020 and 40129049	nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or with- out tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	Any country other than countries attracting Anti- dumping duty	Thailand	Any	Any	0.86	Kg	US \$
4.	40112090, 40131020 and 40129049	nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or with- out tubes and/ or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	People's Republic of China	People's Republic of China	M/s Hangzhou Zhongce Rubber Co., Ltd.	M/s Hangzhou Zhongce Rubber Co., Ltd.	1.12	Kg	US \$
5.	40112090, 40131020 and 40129049	nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or with- out tubes and/ or flap of	People's Republic of China	People's Republic of China	Any, except as in Sr. no 4 above	Any	1.31	Kg	US \$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
6.	40112090, 40131020 and 40129049	rubber, having nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or without tubes and/or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	People's Republic of China	People's Republic of China	Any	Any, except as in Sr. no 4 above	1.31	Kg	US \$
7.	40112090, 40131020 and 40129049	rubber, having nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or without tubes and/or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	People's Republic of China	People's Republic of China	Any	Any	1.31	Kg	US \$
8.	40112090, 40131020 and 40129049	rubber, having nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or without tubes and/or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	People's Republic of China	Any country other than People's Republic of China	Any	Any	1.31	Kg	US \$
9.	40112090, 40131020 and 40129049	rubber, having nominal rim dia code above 16" used in buses and lorries/trucks' 'new/unused pneumatic non radial bias tyres, tubes & flaps with or with-	Any country other than countries attracting	People's Republic of China	Any	Any	1.31	Kg	US \$

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		out tubes and/or flap of rubber, having nominal rim dia code above 16" used in buses and lorries/trucks'	Anti-dumping duty						

2. The anti-dumping duty imposed under this notification 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 purpose 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 Customs Act.

ANTI DUMPING DUTY ON ACRYLO NITRILE BUTADIENE RUBBER (NBR) ORIGINATING IN OR IMPORTED FROM SPECIFIED COUNTRIES.

[NOTFN. NO. 46/15-CUS., DT. 4.9.2015.]

Whereas, the designated authority, vide notification No. 15/29/2013-DGAD, dated the 31 st December, 2013, published in the Gazette of India, Extraordinary, Part I, Section 1 dated the 31 st December, 2013, had initiated a review in the matter of continuation of anti-dumping duty on acrylonitrile butadiene rubber (hereinafter referred to as NBR) falling under Chapter 40 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, Korea RP, imposed vide notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 01/2009-Customs, dated the 2 nd January, 2009, published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 5(E), dated the 2 nd January, 2009, and had requested for extension of anti-dumping duty for an additional period of one year from the date of its expiry, in terms of sub-section (5) of section 9A of the said Customs Tariff Act, pending the completion of the review;

And whereas the Central Government had extended the anti-dumping duty imposed on NBR originating in, or exported from, Korea RP vide notification No. 06/2014-Customs (ADD), dated the 23 rd January, 2014, published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 48(E), dated the 23 rd January, 2014 upto and inclusive of 1 st January, 2015;

And whereas the designated authority vide notification No. 15/29/2013-DGAD, dated the 30 th June, 2015, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 30 th June 2015 has concluded that

- a) there is continued dumping of the product concerned from Korea RP, causing injury to the domestic industry;
- b) both price undercutting and underselling are positive;
- c) the financial performance of the Domestic Industry has deteriorated; during the period of investigation, the domestic industry has shown negative growth in terms of the economic

parameters such as production, domestic sales, capacity utilization, market share, profit, profitability, return on capital employed; the dumped imports continue to cause injury to the domestic industry.

- d) dumping of the product under consideration is likely to intensify from the subject country should the current anti-dumping duty be withdrawn;

and has recommended continuation of anti-dumping duty on imports of NBR originating in, or exported from, Korea RP;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) read with 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 findings of the designated authority, hereby imposes on the goods the description of which is specified in column (3) of the Table below, falling under heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in the corresponding entry in column (4), originating in the country specified in the corresponding entry in column (5), exported from the country specified in the corresponding entry in column (6), produced by the producer specified in the corresponding entry in column (7), exported by the exporter specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate equal to the amount indicated in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10) of the said Table, namely:-

Table

Sl. No.	Heading	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	4002	Acrylo nitrile Butadiene Rubber (N B R)	Any	Korea RP	Korea RP	M/s Kumho Petrochemicals Co Ltd	M/s Kumho Petrochemicals Co Ltd	57	MT	US Dollar
2.	4002	Acrylo nitrile Butadiene Rubber (N B R)	Any	Korea RP	Korea RP	M/s LG Chemicals Ltd (L G)	M/s LG Chemicals Ltd (L G)	61	MT	US Dollar
3.	4002	Acrylo nitrile Butadiene Rubber (N B R)	Any	Korea RP	Korea RP	Any other producer/exporter other than combination of producer-exporter indicated at Sr. Nos. 1&2 above		85	MT	US Dollar
4.	4002	Acrylo nitrile Butadiene Rubber (N B R)	Any	Korea RP	Any Country other than Korea	Any	Any	85	MT	US Dollar

5.	4002	Acrylo nitrile Butadiene Rubber (N B R)	Any	Any Country other than Korea RP	RP Korea RP	Any	Any	85	MT	US Dollar
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2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, amended or superseded earlier) from the date of publication of this notification in the Gazette of India and shall be paid 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, under section 14 of the Customs Act, 1962 (52 of 1962) and the relevant date for determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.