

**ANTI-DUMPING DUTY ON MULBERRY RAW SILK ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:
[Notfn. No. 5/09-Cus. dt. 6.1.2009].**

Whereas, the designated authority vide notification No. 15/12/2007-DGAD, dated the 14th December, 2007, published in Part I, Section 1 of the Gazette of India, Extraordinary, dated the 14th December, 2007, 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 Act) and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the said rules), in the matter of continuation of anti-dumping duty on Mulberry raw silk (not thrown), 2A grade and below (hereinafter referred to as the subject goods), falling under tariff item 5002 00 10 of the said Act, originating in, or exported from the People's Republic of China (hereinafter referred to as the subject country), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No.106/2003-Customs, dated the 10th July, 2003, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary *vide* number G.S.R.537(E), dated the 10th July, 2003;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in, or exported from, the subject country upto and inclusive of the 1st January, 2009, *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.01/ 2008-CUS-TOMS, dated the 1st January, 2008, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* number G.S.R.4 (E), dated the 1st January, 2008, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 1st January, 2008;

And whereas, in the matter of review of anti-dumping on import of the subject goods, originating in, or exported from, the subject country, the designated authority *vide* its final findings No. 15/12/2007-DGAD, dated the 11th December, 2008, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 11th December, 2008, had come to the conclusion that-

(a) subject goods originating in or exported from the subject country had been exported to India below their normal value, resulting in dumping; and

(b) in the event of discontinuation of anti-dumping duties on the subject goods from the subject country, dumping was likely to continue from the subject country leading to the continuation and recurrence of injury to the domestic industry;

and had recommended continued imposition of definitive anti-dumping duty against the subject goods, originating in, or exported from, the subject country in order to remove injury to the domestic industry;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the said Act, read with rule 23 of the said rules, 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 tariff item of the First Schedule to the said Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4), originating in the country as specified in the corresponding entry in column (5), and produced by the producer as specified in the corresponding entry in column (7), when exported from the country as specified in the corresponding entry in column (6), by the exporter 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

S1. Tariff No. item	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. 5002 00 10	Mulberry raw silk (Not thrown) Republic	2A grade and below	People's Republic of China	People's Republic of China	Any	Any	37.32	kilogram	US dollar
2. 5002 00 10	Mulberry raw silk (Not thrown)	2A grade and below	People's Republic of China	Any country other than People's Republic of China	Any	Any	37.32	kilogram	US dollar
3. 5002 00 10	Mulberry raw silk (Not thrown)	2A grade and below	Any country other than People's Republic of China	People's Republic of China	Any	Any	37.32	kilogram	US dollar

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) 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 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; and
- (c) the grading of Mulberry raw silk (not thrown) shall be as per the internationally accepted grades approved by the International Silk Association.

**ANTI-DUMPING DUTY ON FLAX FABRIC ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:
[Notfn. No. 30/09-Cus. dt. 26.3.2009].**

Whereas in the matter of import of Flax fabric (hereinafter referred to as the subject goods), falling under the heading 5309 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the People's Republic of China and Hong Kong (hereinafter referred to as the subject countries), the designated authority in its preliminary findings *vide* notification No. 14/8/2008-DGAD, dated 17th February, 2009 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 17th February, 2009 has come to the conclusion that-

- (a) the margin of dumping in respect of each of the subject country is more than 2 per cent. and the volume of imports from each country is also more than 3 per cent.;
- (b) the subject goods have been imported from the subject countries under the same tariff classification;
- (c) the imported subject goods are commercial substitutes of the domestically produced Flax fabric; and
- (d) the designated authority holds that it is appropriate to cumulatively assess the effect of imports of the subject goods on the domestically produced like article in the light of conditions of competition between the imported products and the like domestic product;

and has recommended the imposition of provisional anti-dumping duty on 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, 1975 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 findings of the designated authority, hereby imposes on the subject 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), originating in the country as specified in the corresponding entry in column (4), and produced by the producer as specified in the corresponding entry in column (6), when exported from the country as specified in the corresponding entry in column (5), by the exporter as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at a rate which is equivalent to difference between the amount mentioned in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9), of the said Table and the landed value of imported goods in like currency as per like unit of measurement.

Table

S. No.	Heading	Description of goods	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	5309	Flax fabric	People's Republic of China	People's Republic of China	Any	Any	204.89	Meter	Rupee
2	5309	Flax fabric	People's Republic of China	Any	Any	Any	204.89	Meter	Rupee
3	5309	Flax	Any	People's	Any	Any	204.89	Meter	Rupee

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
		fabric	other than Hong Kong	Republic of China					
4	5309	Flax fabric	Hong Kong	Hong Kong	Any	Any	205.52	Meter	Rupee
5	5309	Flax	Hong Kong	Any	Any	Any	205.52	Meter	Rupee
6	5309	fabric Flax	Kong Any	Hong	Any	Any	205.52	Meter	Rupee
		fabric	other than People's Republic of China	Kong					

2. The anti-dumping duty imposed under this notification shall be effective upto and inclusive of the 25th September, 2009, and shall be payable in Indian currency.

Explanation. - For the purposes of this notification, "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, 8B, 9 and 9A of the said Customs Tariff Act, 1975.

**ANTI-DUMPING DUTY ON FLAX FABRIC ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES:
[Notfn. No. 142/09-Cus. dt. 21.12.2009 as amended by 17/14].**

Whereas, in the matter of import of Flax Fabric (hereinafter referred to as the subject goods), falling under sub-heading 5309 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said Customs Tariff Act), originating in, or exported from, People's Republic of China and Hong Kong (hereinafter referred to as the subject countries) and imported into India, the designated authority in its preliminary findings vide notification No.14/08/2008-DGAD dated the 17th February, 2009, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 17th February, 2009, had come to the conclusion that-

- (a) the margin of dumping in respect of each of the subject country was more than two per cent. and the volume of imports from each country was also more than three per cent.;
- (b) the subject goods had been imported from the subject countries under the same tariff classification;
- (c) the imported subject goods were commercial substitutes of the domestically produced Flax fabric; and
- (d) the designated authority holds that it was appropriate to cumulatively assess the effect of imports of the subject goods on the domestically produced like article in the light of conditions of competition between the imported products and the like domestic product;

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

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. 30/2009-Customs, dated the 26th March,

2009, published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R.202(E), dated the 26th March, 2009;

And whereas, the designated authority in its final findings vide notification No. 14/08/2008-DGAD dated the 1st October, 2009, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 1st October, 2009, has come to the conclusion that-

- i. Imports originating in the subject countries are taking place at dumped prices and the same have caused material injury to the domestic industry.
- ii. Subject goods exported from the subject countries are at prices below their normal value, Non Injurious Price of the domestic industry and the net sales realisation of the subject goods of the applicants, and have caused injury to the domestic industry.
- iii. Decline in market share of domestic industry as a consequence of increase in market share of subject imports from the subject countries prevented the domestic industry from increasing their sales commensurate to growth in demand.
- iv. Significant price-undercutting and substantial increase in the volume of dumped imports adversely affected the performance of the domestic industry in terms of profits, cash flow, and return on investment.
- v. Significant increase in volume of dumped imports from the subject countries (both in absolute terms as well as in relation to the share in demand) has resulted in significant decline in market share of the domestic industry.

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

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, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under the said sub-heading of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country as specified in the corresponding entry in column (4), and produced by the producer as specified in the corresponding entry in column (6), when exported from the country as specified in the corresponding entry in column (5), by the exporter as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at a rate which is equivalent to difference between the amount mentioned in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9), of the said Table and the landed value of imported goods in like currency as per like unit of measurement.

Table

S. No.	Sub-Heading	Description of Goods	Country of Origin	Country of Export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	5309	Flax fabric	People's Republic	People's Republic	Any	Any	206.24	Meter	Rupee

2	5309	Flax fabric	of China People's Republic of China	of China Any	Any	Any	206.24	Meter	Rupee
3	5309	Flax fabric	Any	People's Republic of China	Any	Any	206.24	Meter	Rupee
4	5309	Flax fabric	Hong kong	Hong kong	Any	Any	209.72	Meter	Rupee
5	5309	Flax fabric	Hong	Any	Any	Any	209.72	Meter	Rupee
6	5309	Flax fabric	kong Any	Hong kong	Any	Any	209.72	Meter	Rupee

2. The anti-dumping duty imposed shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of imposition of the provisional anti-dumping duty, that is, 26th March, 2009 and shall be payable in Indian currency.

3. Notwithstanding anything contained in paragraph 2, this notification shall remain in force up to and inclusive of the 25th day of March, 2015, unless revoked earlier.

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, 8B, 9 and 9A of the said Customs Tariff Act, 1975;

(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 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 FLAX OR LINEN FABRIC HAVING FLAX CONTENT OF MORE THAN 50% ORIGINATING IN OR EXPORTED FROM SPECIFIED COUNTRIES: [Notfn. No. 39/15-Cus. dt. 12.8.2015].

Whereas, the designated authority, vide notification No. 15/30/2013-DGAD, dated the 10th March, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of continuation of anti-dumping duty on imports of Flax or Linen Fabric having flax content of more than 50% (hereinafter referred to as the subject goods) falling under heading 5309 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from the People's Republic of China and Hong Kong (hereinafter referred to as the subject countries), imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 142/2009-CUSTOMS, dated the 21st December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 915(E), dated the 21st December, 2009;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in or exported from the subject countries upto and inclusive of the 25th March, 2015, vide notification of the

Government of India, in the Ministry of Finance (Department of Revenue) No. 17/2014-Customs (ADD), dated the 9th May, 2014, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, vide number G.S.R 330(E), dated the 9th May, 2014;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the subject countries, the designated authority in its final findings, published vide notification No. 15/30/2013-DGAD, dated the 9th June, 2015, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) subject goods are exported from the subject countries at prices below their normal value, thus resulting in dumping;
- (ii) dumping margin and injury margin are positive in respect of imports of the subject goods from the subject countries;
- (iii) subject goods exported from the subject countries are likely to cause injury to the domestic industry in the event of cessation of anti dumping duty,

and has recommended imposition of the anti-dumping duty on 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 Customs Tariff Act, 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 final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), exported by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (8), in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9) of the said Table, namely:-

Table

Sl. No.	Heading No.	Description	Country of goods	Country of Origin	Producer of Export	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	5309	Flax or Linen Fabric having flax content of more than 50%	People's Republic of China	Any	Any	Any	0.75	Per metre	US Dollar
2	5309	Flax or Linen Fabric having flax content of more than 50%	Any country other than Hong Kong	Any	Any	Any	0.75	Per metre	US Dollar

3	5309	Flax or Linen Fabric having flax content of more than 50%	and country attracting anti- dumping duty Hong Kong	Any	Any	Any	0.63	Per metre	US Dollar
4	5309	Flax or Linen Fabric having flax content of more than 50%	Any country other than People's Republic of China and country attracting anti- dumping duty	Hong Kong	Any	Any	0.63	Per metre	US Dollar

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 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, 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.