

THE CUSTOMS TARIFF ACT 1975 (Notification)

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Body

Notification No. 24/2022-Customs (ADD), F. No. 190354/178/2022-TRU, Dated 3rd August, 2022

Whereas, in the matter of "Opal Glassware" (hereinafter referred to as the subject goods), falling under headings 7013 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 United Arab Emirates (hereinafter referred to as the subject countries), and imported into India, the designated authority in its final findings vide, notification number. 15/4/2016-DGAD, dated 3rd July, 2017, published in the Gazette of India, Extraordinary, Part I, Section1, dated the 3rd July, 2017 had recommended extension of antidumping duty on the imports of 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 extended anti-dumping duty on the subject goods vide notification of the Government of India, Ministry of Finance (Department of Revenue), No. 37/2017-Customs (ADD), dated the 9th August, 2017 published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide, number G.S.R. 1006(E), dated the 9th August, 2017.

And whereas, the designated authority, vide notification F. No. 7/23/2021-DGTR, dated the 9th September, 2021 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 9th September, 2021 had initiated the review in terms of sub-section (5) of section 9 A of the Customs Tariff Act, and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, in the matter of continuation of anti-dumping duty on imports of subject goods, falling under headings 7013 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, the subject countries and imported into India, imposed vide notification of the Government of India, Ministry of Finance (Department of Revenue), No. 37/2017-Customs (ADD), dated the 9th August, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide, number G.S.R. 1006(E), dated the 9th August, 2017;

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in, or exported from the subject countries, the designated authority in its final findings, published vide, notification F. No. 7/23/2021-DGTR, dated the 6th May, 2022, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 6th May, 2022, has inter alia come to the conclusion that -

- (i)there is continued and significant dumping of subject goods from subject countries despite duties;
 - (ii)the domestic industry is vulnerable to injury from dumped imports in case of cessation of duties;
 - (iii) the information on record shows likelihood of continuation of dumping and consequent injury to the domestic industry, in case anti-dumping duty is allowed to cease,
- and has recommended continued imposition of an 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-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 and in supersession of the notification of the Government of India Ministry of Finance (Department of Revenue) No. 37/2017-Customs (ADD), dated the 9th August, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide, number G.S.R. 1006(E), dated the 9th August, 2017, except as respects things done or omitted to be done before such supersession, the Central Government, after considering 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 headings 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) and exported from the countries as specified in the corresponding entry in column (5) and produced by the producers as specified in the corresponding entry in column (6) and imported into India, an anti-dumping duty at a rate as specified in the corresponding entry in column (7) of the said Table to be worked out as percentage of the CIF value of imports of the subject goods.

TABLE

Sl. No	Tariff Heading	Description of goods	Country of origin	Country of export	Producer	Rate of duty (%)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	7013	Opal Glassware	People's Republic of China	Any country including People's Republic of China	Any	30.64

2.	7013	Opal Glassware	Any country other than People's Republic of China and United Arab Emirates	People's Republic of China	Any	30.64
3.	7013	Opal Glassware	United Arab Emirates	Any country including United Arab Emirates	Any	4.38
4.	7013	Opal Glassware	Any country other than People's Republic of China and United Arab Emirates	United Arab Emirates	Any	4.38

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

Explanation. -

(1)For the purposes of this notification, the rate of exchange applicable for the purpose 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, 1962.

(2)For purposes of this notification, "CIF value" means the assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962).

(Vikram Vijay Wanere)

Under Secretary to the Government of India

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