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SECTION 3, SUB-SECTION (i)]

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)**

NOTIFICATION

No. 52/2018-Customs (ADD)

New Delhi, the 15th October, 2018

G.S.R.... (E). - Whereas, the designated authority *vide* notification No.7/19/2017 DGAD , dated the 11th December, 2017, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 11th December 2017, had initiated the sunset review in term of sub-section (5) of section 9 A of the Customs Tariff Act, 1975 (51 of 1975), (hereinafter referred to as 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 'Phthalic Anhydride' (hereinafter referred to as the subject goods) falling under the tariff item of the First Schedule to the Customs Tariff Act, originating in or exported from Korea RP, Taiwan and Israel (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 58/2012-Customs (ADD), dated the 24th December, 2012 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 924 (E), dated the 24th December, 2012;

And whereas, the Central Government had extended the period of imposition of anti-dumping duty on the subject goods, originating in or exported from the subject countries up to and inclusive of the 23rd December, 2018 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 56/2017-Customs (ADD), dated the 21st December, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 1538 (E), dated the 21st December, 2017;

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, the Designated Authority in its final findings, published *vide* notification No. F. No.7/19/2017-DGAD, dated the 13th September, 2018 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 13th September, 2018 has come to the conclusion that:

'the domestic industry (DI) was not suffering continued injury; indeed, DI had not claimed to do so, either. The issue was - likelihood of dumping of the PUC and consequent injury in case the anti-dumping duty expires. In this regard the DA has noted that one of the largest exporters of the PUC to India, which had fully cooperated with this investigation, was exporting without facing any anti-dumping duty and was also not seen to be causing any injury to the DI. This and the other exporters had sufficient export opportunities; the export prices indicate a dynamic market globally; with price realization not dissimilar to

that obtained in India. There was no evidence of any significant capacity enhancement elsewhere which might evidence an impending influx of imports into India’,

And accordingly, has not recommended continuation of existing Anti-Dumping Duty on imports of the ‘Phthalic Anhydride’ originating in or exported from Korea RP, Taiwan and Israel in accordance with clause (b) of rule 14 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995.

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, 20 and 23 of the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government hereby rescinds the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 58/2012- Customs (ADD), dated the 24th December, 2012, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 924 (E), dated the 24th December, 2012, except as respects things done or omitted to be done before such rescission.

[F. No. 354/206/2012 –TRU (Pt. III)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India