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SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

Notification
No 34/2018-Customs (ADD)

New Delhi, the 25th June, 2018

G.S.R. (E) .- Whereas, in the matter of import of New/unused Pneumatic radial tyres (hereinafter referred to as the subject goods), falling under the tariff item 4011 20 10 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in or exported from People's Republic of China (hereinafter referred to as the subject country), the designated authority, vide its final findings in notification No. 14/14/2015-DGAD, dated the 1st August, 2017, published in the Gazette of India, Extraordinary, Part 1, Section 1, dated the 1st August, 2017, had come to the conclusion that –

- i. the product under consideration has been exported to India from the subject country below normal value;
- ii. the domestic industry has suffered material injury on account of subject imports from the subject country;
- iii. the injury has been caused by the dumped imports of the subject goods from the subject country;

and had recommended imposition of definitive 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 an anti-dumping duty on the subject goods, vide, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.45/2017-Customs (ADD), dated the 18th September, 2017, published vide number G.S.R. 1169(E), in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 18th September, 2017;

And whereas, M/s Shandong Haohua Tire Co. Ltd. (Haohua) (Producer) has filed an application before the designated authority requesting 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 of the subject goods made by them, and the designated authority, vide new shipper review notification No. 7/8/2018-DGAD, dated the 16th May, 2018, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 16th May, 2018, has recommended provisional assessment of all exports of the subject goods made by the above stated parties till the completion of the review by it;

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, the subject goods, when

originating in or exported from the subject country by M/s Shandong Haohua Tire Co. Ltd. (Haohua) (Producer) through Guangzhou Exceed Industrial Technology Co. Ltd. (exporter) or H K Trade Wing Trading Limited (exporter), and 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 proper officer of customs 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 subject goods when originating in or exported from the subject country by M/s Shandong Haohua Tire Co. Ltd. (Haohua) (Producer) through Guangzhou Exceed Industrial Technology Co. Ltd. (exporter) or H K Trade Wing Trading Limited (exporter), and imported into India, from the date of initiation of the said review.

[F.No. 354/66/2017-TRU]

(Gunjan Verma)
Undersecretary to the Government of India